

ACTION SHEET
PUBLIC UTILITIES COMMITTEE MEETING 11/5/14

ISSUE NO. 16

Request for approval of Resolution No. 2014-_____. A resolution establishing City of Santa Fe Legislative priorities for consideration by the New Mexico State Legislature during the 52nd Legislature – State of New Mexico – First Session, 2015. (Brian Snyder) (Mayor Gonzales)

Finance Committee – 11/3/14
 Public Utilities Department – 11/5/14
 City Council – 11/12/14

PUBLIC UTILITIES COMMITTEE ACTION: Approved to forward to 11/12/14 City Council meeting.

SPECIAL CONDITIONS OR AMENDMENTS:

STAFF FOLLOW UP:

VOTE:	FOR	AGAINST	ABSTAIN
COUNCILOR RIVERA, CHAIR	X		
COUNCILOR MAESTAS	X		
COUNCILOR BUSHEE	X		
COUNCILOR DIMAS	X		
COUNCILOR IVES	X		

ACTION SHEET
CITY COUNCIL COMMITTEE MEETING OF 11/12/14
ITEM FROM FINANCE COMMITTEE MEETING OF 11/03/14

ISSUE:

17. Request for Approval of a Resolution Establishing City of Santa Fe Legislative Priorities for Consideration by the New Mexico State Legislature During the 52nd Legislature - State of New Mexico - First Session, 2015. (Mayor Gonzales) (Brian Snyder)

Committee Review:

Public Utilities Committee (scheduled)	11/05/14
Public Works Committee (scheduled)	11/10/14
City Council (scheduled)	11/12/14

Fiscal Impact – No

FINANCE COMMITTEE ACTION: APPROVED AS DISCUSSION ITEM

FUNDING SOURCE:

SPECIAL CONDITIONS OR AMENDMENTS

Approved with amendments.

STAFF FOLLOW-UP:

VOTE	FOR	AGAINST	ABSTAIN
COUNCILOR TRUJILLO	X		
COUNCILOR RIVERA	X		
COUNCILOR LINDELL	X		
COUNCILOR MAESTAS	X		
CHAIRPERSON DOMINGUEZ			

3-17-14

City of Santa Fe, New Mexico

memo

Date: November 5, 2014

To: Governing Body

From: Melissa Byers, Legislative Liaison

mb

Item and Issue:

A Resolution Establishing City of Santa Fe Legislative Priorities for Consideration by the New Mexico State Legislature During the 52nd Legislature - State of New Mexico - First Session, 2015.

Background and Summary:

The Finance and Public Utilities Committees have considered and recommended approval of the working draft of the City's legislative priorities resolution.

At the Finance Committee meeting on Monday, November 3, 2014, the Committee picked five categories of city-wide ICIP projects for inclusion in the Legislative Priorities resolution and within each category selected certain city-wide projects. The attached tables identify the Finance Committee's recommendations and those not recommended by the Finance Committee.

Additionally, the Finance Committee reviewed the New Mexico Municipal League (NMML) resolutions related to proposed legislative requests and recommended that the following NMML resolutions be included in the City's legislative priorities resolution:

- Resolution No. 2014-32 – Concerning EMS Funding
- Resolution No. 2014-34 – Concerning the Endorsement of Efforts to Maintain the Amtrak Southwest Chief Passenger Service Between Lamy/Santa Fe, New Mexico and Newton, Kansas
- Resolution No. 2014-35 – Concerning the Establishment of a State Transit Fund to Support Municipal and Regional Transit Capital and Operational Needs
- Resolution No. 2014-40 – Concerning Lodgers Tax Audits Compliance

The Public Utilities Committee, at their November 5, 2015 meeting approved the working draft of the resolution.

Requested Action:

Please review the priority list of ICIP projects and recommend to the Governing Body which projects that Public Works Committee would want to include in the Legislative priorities resolution. Additionally, please review the list of NMML resolutions and recommend any others you may want included in the City's Legislative priorities resolution.

Attachments: Table of ICIP projects Recommended by the Finance Committee
Table of ICIP projects Not Recommended by the Finance Committee
NMML Resolution Summary
Working Draft of Resolution w/Exhibits
FIR

Legislative ICIP Priorities

Identified as legislative priorities by Finance Committee 11/3/14

Amount
Not Yet
Funded

Total
Project Cost

Phases

Funded
to date

2018

2017

2016

2019

2020

1 Citywide Streets and Bridges

	Funded to date	2016	2017	2018	2019	2020	Total Project Cost	Amount Not Yet Funded	Phases
22 Traffic Signage and Pavement Marking Mntc.	0	150,000	150,000	0	0	0	300,000	300,000	Yes
26 Traffic Signals Comm Design & Install	0	370,000	300,000	300,000	300,000	300,000	1,570,000	1,570,000	Yes
56 Traffic Calming Improvements	0	100,000	1,100,000	1,000,000	1,000,000	1,000,000	4,200,000	4,200,000	Yes
45 City of Santa Fe Gateways	0	100,000	0	0	0	0	100,000	100,000	No
		720,000							

2 Citywide Library Improvements

16 Main Library Rewire	0	250,000	0	0	0	0	250,000	250,000	No
58 Main Library	0	33,000	0	0	0	0	33,000	33,000	No
7 Southside Library Lightning Protection	0	50,000	0	0	0	0	50,000	50,000	No
		333,000							

3 Parks

5 Southwest Activity Node Park (SWAN)	35,000	200,000	5,000,000	0	0	0	5,235,000	5,200,000	Yes
28 Acequia Trail Crossing at St. Francis/Cerrillos	0	500,000	0	0	0	0	4,000,000	4,000,000	No
69 Old Santa Fe Trail Bikeway Improvements	0	250,000	0	0	0	0	1,500,000	1,500,000	Yes
4 Ft. Marcy Complex	0	378,000	0	0	0	0	378,000	378,000	No
		1,328,000							

4 Fire, Police, Public Safety

12 Fire Station 1 (200 Murales)	0	300,000	1,200,000	0	0	0	1,500,000	1,500,000	Yes
18 Fire Training Facility (1130 Siler Road)	0	50,000	1,450,000	0	0	0	1,500,000	1,500,000	Yes
50 Fire Station (SW sector/Agua Fria)	0	200,000	3,200,000	0	0	0	3,400,000	3,400,000	Yes
21 Police Substations Improvements	0	250,000	1,100,000	0	0	0	1,350,000	1,350,000	Yes
57 Police Seizure Lot	0	180,000	0	0	0	0	180,000	180,000	No
		980,000							

6 Facilities

32 Southside Transit Center	0	200,000	0	0	0	0	1,200,000	1,200,000	No
70 City Hall Improvements	0	800,000	874,914	0	0	0	1,674,914	1,674,914	Yes
46 Downtown Transit Center	0	200,000	0	0	0	0	3,000,000	3,000,000	No
		1,200,000							

ITEM #16

Grand Total \$ 4,561,000

Legislative ICIP Priorities

Not Recommended

1 Citywide Streets and Bridges

1	Downtown Bridge Improvements	0	1,500,000	2,200,000	2,200,000	1,100,000	2,200,000	9,200,000	9,200,000	Yes
10	Calle Po Ae Pi Extension	0	250,000	600,000	0	0	0	850,000	850,000	Yes
23	Agua Fria/ South Meadows Intersection Impr.	0	100,000	1,300,000	0	0	0	1,400,000	1,400,000	No
24	Sandoval/Montezuma Intersection Imp.	0	50,000	500,000	0	0	0	550,000	550,000	No
25	Cerrillos Rd./ Sandoval Intersection Imp.	0	150,000	1,100,000	0	0	0	1,250,000	1,250,000	No
27	Traffic Signal Cabinet Project	0	414,000	0	0	0	0	414,000	414,000	Yes
30	Old Taos Hwy Pedestrian Improvements	0	220,000	0	0	0	0	220,000	220,000	No
31	Canyon Road Street Lighting	0	350,000	0	0	0	0	350,000	350,000	No

2 Citywide Library Improvements

20	La Farge Library Renovations	0	350,000	1,000,000	0	0	0	1,350,000	1,350,000	Yes
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3 Parks

15	Salvador Perez Park	0	250,000	0	0	0	0	250,000	250,000	No
33	Municipal Recreation Soccer Complex	225,000	500,000	6,500,000	0	0	0	7,225,000	7,000,000	Yes
3	Genoveva Chavez Community Center	25,000	800,000	2,400,000	0	0	0	3,225,000	3,200,000	Yes
6	Salvador Perez Pool	20,000	70,000	0	0	0	0	90,000	70,000	No
11	Bicentennial Pool Improvements	0	170,000	0	0	0	0	170,000	170,000	No
53	Senior Center Outdoor Recreation	0	100,000	0	0	0	0	100,000	100,000	Yes
49	Water History Park & Museum	150,000	1,000,000	0	0	0	0	1,150,000	1,000,000.00	No
52	Ft. Marcy Ball Park	0	6,600,000	0	0	0	0	6,600,000	6,600,000.00	Yes

Recreation

Individual Project

4 Fire, Police, Public Safety

19	Public Safety Improvements	0	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	5,000,000	5,000,000	Yes
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Public Safety

5 Seniors

9	Senior Services	154,000	475,000	0	0	0	0	629,000	475,000	Yes
17	Senior Center Improvements	164,000	98,000	0	0	0	0	262,000	98,000	No

6 Facilities

13	Municipal Court- Office Expansion	0	125,000	0	0	0	0	125,000	125,000	Yes
14	Municipal Court- Building Renovations	0	30,000	330,000	0	0	0	360,000	360,000	Yes
37	Bus Stop Amenities	0	500,000	500,000	500,000	500,000	500,000	2,500,000	2,500,000	Yes
38	Environmental Svcs Equipment Maint. Shop	0	250,000	2,250,000	0	0	0	2,500,000	2,500,000	Yes
40	Environmental Svcs. Res./Commercial/Office	0	90,000	0	0	0	0	90,000	90,000	No
47	Transit Yard Roof Structure	0	275,000	0	0	0	0	275,000	275,000	No
54	ITT Back up Simulcast Radio Central Site	0	100,000	900,000	0	0	0	1,000,000	1,000,000	Yes
8	Carlos Ortega Teen Center Improvements	0	200,000	500,000	0	0	0	700,000	700,000	Yes
2	Airport Terminal Building Expansion	890,000	460,000	0	0	0	0	1,350,000	460,000	Yes
55	Zona Teen Center	0	2,150,000	1,100,000	1,200,000	1,200,000	0	5,550,000	5,550,000	Yes

Individual Project

7 Nonprofit

Legislative ICIP Priorities

59	Southside Boys and Girls Club	0	200,000	7,000,000	300,000	0	0	7,500,000	7,500,000	Yes
60	Rodeo Arena	430,000	200,000	30,000,000	0	0	0	30,630,000	30,200,000	Yes
61	La Familia Center Expansion	50,000	150,000	1,000,000	0	0	0	1,200,000	1,150,000	Yes
62	Community Center for Addictions Program	0	200,000	0	0	0	0	200,000	200,000	No
63	Warehouse 21 Teen Center	0	100,000	0	0	0	0	100,000	10,000	No
64	The Lensic Performing Arts Center	0	100,000	0	0	0	0	100,000	100,000	No
65	Heros Housing	50,000	100,000	150,000	0	0	0	300,000	250,000	Yes
66	Tierra Contenta Phase Project	200,000	2,500,000	4,390,000	0	0	0	7,090,000	6,890,000	Yes

8 Utilities

Water

35	Hospital Tank	0	600,000	7,400,000	7,590,000	0	0	15,590,000	15,590,000	Yes
36	Buckman Water Transmission Improvements	8,000,000	1,000,000	4,500,000	0	0	0	13,500,000	5,500,000	Yes
39	Canada Well	0	11,000,000	0	0	0	0	11,000,000	11,000,000	No
67	Storage Tank and Pump Stations	1,200,000	1,800,000	4,000,000	0	0	0	7,000,000	5,800,000	Yes
34	Rufina St. Sewer Line Rehabilitation	0	750,000	750,000	0	0	0	1,500,000	1,500,000	Yes
41	Waste Water Belt Press for Solids Handling	0	700,000	0	0	0	0	700,000	700,000	No
48	Waste Water Sludge Digester	0	500,000	3,500,000	0	0	0	4,000,000	4,000,000	Yes

Sewer

9 All Other

42	Bus Replacement Purchase	0	1,250,000	1,250,000	1,250,000	1,250,000	1,250,000	6,250,000	6,250,000	Yes
43	Parking Garage Riding Sweeper	0	53,700	0	0	0	0	53,700	53,700	No
44	Parking Access Revenue Control System	0	690,328	0	0	0	0	690,328	690,328	No
51	ITT Financial System Hardware Platform	0	1,000,000	0	0	0	0	1,000,000	1,000,000	Yes
68	West Alameda St. Drainage	0	500,000	3,000,000	0	0	0	3,500,000	3,500,000	Yes
	Market Station Work Space Remodel	0	0	1,700,000	0	0	0	1,700,000	1,700,000	Yes

City of Santa Fe, New Mexico

memo

Date: November 3, 2014

To: Mayor and Councilors

From: Melissa Byers, Legislative Liaison (mb)

Re: New Mexico Municipal League (NMML) Resolutions (14/15)

During the discussion of the ICIP priority projects for the City's legislative priorities resolution, at the October 29, 2014 Council meeting, the Mayor referred to the legislative priorities that have been established by the NMML. I went through and reviewed the NMML resolutions adopted and came up with the following list of resolutions adopted by the NMML that relate to legislative requests (my notations are in parentheses).

Please review and let me know if you want to consider referencing any of the resolutions in the City's legislative priorities resolution. I have noted the ones that are currently in the City's resolution. If you would like to review actual resolutions, please let me know and I can forward to you.

Res# Title/Summary

- 1 **Concerning Increasing the Jurisdictional Amount of Petty Misdemeanor Offenses**
Summary: The New Mexico Municipal League supports legislation to increase the dollar value of the crime of issuing worthless checks to \$100.00.
- 2 **Concerning Confirmation of Appointive Officials at the Organizational Meetings**
Summary: Section 3-11-5, NMSA 1978, requires a municipality to in essence re-hire its employees after every election; the New Mexico Municipal League supports legislation to repeal Section 3-11-5, NMSA 1978
- 4 **Concerning Personnel Records and the Inspection of Public Records Act**
Summary: The New Mexico Municipal League should seek the introduction of legislation that would exempt from disclosure, the names of individuals applying for high-ranking appointive positions with municipal governments until those individuals become finalists in the recruitment process; and the legislation should also address what personal information of employees and customers of municipalities should be confidential and not subject to disclosure under the Act and which information should be released.
- 5 **Concerning the Return to Work Provisions of the Public Employers Retirement Act**
Summary: The New Mexico Municipal League urges the State of New Mexico to enact legislation that exempts law enforcement, fire service, EMS first responders, water and waste water operators, certified electric utility employees and correctional retirees from the new return to work law.

- 6 **Concerning the Sale, Transfer and Issuance of Liquor Licenses in New Mexico**
Summary: the New Mexico Municipal League urges the New Mexico Legislature to study, review and make changes to the Liquor Control Act to provide a more fair, affordable, equitable and competitive environment in dealing with the sale, transfer and ownership of Retailer and Dispenser licenses in the state.
- 7 **Concerning the Time Limit for Municipalities in a Class A County to Act on Annexation Petitions**
Summary: The New Mexico Municipal League seeks legislation amending Section 3-7-17.1 NMSA 1978 to extend the time for a municipality in a Class A county to approve or disapprove an annexation petition from sixty (60) to one hundred eighty (180) days after receiving the petition.
- 8 **Concerning Amending the Municipal Election Code to Authorize Voting Convenience Centers (*One of the City Clerk's goals*)**
Summary: The New Mexico Municipal League seeks legislation to amend the Municipal Election Code to authorize the use of voting convenience centers.
- 9 **Concerning Granting Local Governments the Option of Decriminalizing their Zoning Laws**
Summary: The New Mexico Municipal League supports legislation to grant local governments the option of decriminalizing their zoning laws.
- 10 **Concerning the Election Process where All Candidates are Unopposed**
Summary: The New Mexico Municipal League supports a change in the Constitutional and statutory requirements of holding municipal elections when all the candidates for municipal office are running without opposition and there are no questions on the ballot.
- 15 **Concerning Alternative Sources of Water Supply**
Summary: The New Mexico Municipal League requests the New Mexico State Legislature to consider, under the guidance of the State Engineer and the Interstate Stream Commission Director, an appropriate funding mechanism that results in developing statewide and other viable alternatives that provide for the sustainability of water supplies
- 16 **Concerning the Development of Numeric Nutrient Water Quality Criteria**
Summary: the New Mexico Municipal League urges the Governor of New Mexico and the New Mexico Legislature to support municipalities in meeting nutrient target values in their point source discharges by identifying and planning for funding such necessary projects.
- 17 **Concerning the Support of Municipalities in Meeting Nutrient Water Quality Permit Limitations**
Summary: The NM Municipal League requests that the water conservation fee remain unchanged from the original 1993 implementing legislation creating the fee; and should NMED intend to further increase the fee, NMED should first evaluate the impacts of decreased monitoring, lack of full implementation of the current statute and increases in federal funding; and share the enabling legislation with the affected regulated community to reach a consensus prior to the legislation being introduced.
- 18 **Concerning the Water Conservation Fee**
Summary: The NM Municipal League requests that the water conservation fee remain unchanged from the original 1993 implementing legislation creating the fee

- 19 **Concerning State Tax Policy and Its Effect on Local Governments** (*Already in our resolution – City’s Resolution #2014-45*)
Summary: the New Mexico Municipal League calls on the New Mexico State Legislature to enact legislation, consistent with the *NMML Policy Statement*, during the 2015 Legislative Session to bring balance, equity and financial stability to local municipal governments and the residents they serve.
- 20 **Concerning Telecommunications Franchise Ordinances**
Summary: the New Mexico Municipal League supports legislation to allow imposition of a statewide “Telecommunications Fee” not to exceed 5% on all telecommunication providers operating within a municipality.
- 21 **Concerning Use of State Grant Monies to Defray the Cost of Administration**
Summary: The New Mexico Municipal League seek clarification through legislation that would allow state grant monies to help defray the cost of administration of grants; and the New Mexico Municipal League seek legislation that would clarify the propriety of utilizing bond proceeds to defray the cost of grant administration for projects that are funded through the issuance of debt.
- 22 **Concerning the Local Gross Receipts Taxes on Food**
Summary: The New Mexico Municipal League support legislation to return food to the gross receipts tax base for only local gross receipts tax rates, including the 1.225 of the state rate, by shifting the 1.225 to the local GRT system; and the legislation include a significant increase in the Low Income Tax Credit; and that such legislation would also repeal the Hold Harmless distribution whereby increasing the state general fund in one fiscal year rather than 17 years; and that the legislation would also repeal the new gross receipts authority of 3/8 percent for cities and counties.
- 23 **Concerning Home Rule Municipality Taxing Authority** (*Already in our resolution – City’s Resolution #2014-55*)
Summary: The New Mexico Municipal League calls on the New Mexico State Legislature to take immediate action during the 2015 session to enact legislation that would remove the taxing limitations currently imposed on home rule municipalities in order to permit home rule municipalities to have increased taxing authority.
- 24 **Concerning the Enactment of a Municipal Telecommunications Tax Act by the New Mexico State Legislature** (*Already in our resolution – City’s Resolution #2014-56*)
Summary: the New Mexico Municipal League calls on the New Mexico State Legislature to enact a Municipal Telecommunications Tax Act using the Utah Act as a model.
- 25 **Concerning Irrevocable Trusts Set Up by Municipalities and Counties**
Summary: the New Mexico Municipal League urges the legislature and governor to allow municipal and county trusts to be governed under NMSA 1978 Fiduciaries and Trusts Section 46-9A-3.
- 26 **Concerning Revisions to the Sale or Lease of Public Property Section for Monetary Thresholds**
Summary: The New Mexico Municipal League supports legislation to increase the monetary thresholds in the Municipal Sale or Lease of Property Section above the current rate of \$25,000.

- 27 **Concerning Funding for Municipal Streets, Roads, Bridges, Airports, Rail and Transit**
Summary: The New Mexico Municipal League supports continued funding for critical local projects where applicable, to follow, be guided by and adhere to current state transportation improvement plans established by Metropolitan Planning Organizations, DOT Aviation Division and Regional Planning Organizations; and that a comprehensive plan of investment for critical transportation projects be developed with municipal input and that such plan identify alternative funding resources necessary to finance such plan including matching funds and in-kind services in rural areas; and that municipalities, the Governor and the Legislature collaborate on the development of critical local transportation projects and a comprehensive investment plan.
- 29 **Concerning the Law Enforcement Protection Fund**
Summary: The New Mexico Municipal League seeks legislation to increase the distributions from the Law Enforcement Protection Fund to a level that is sufficient for law enforcement needs.
- 30 **Concerning Amending the Sex Offender Registration and Notification Act**
Summary: The New Mexico Municipal League supports amendment of the Sex Offender Registration and Notification Act to bring New Mexico into full compliance with federal law; and that the amendments to SORNA also address the subject of registered offenders living or meeting in close proximity to schools, parks or other government owned facilities frequented by children.
- 31 **Concerning Municipal Authority to Regulate Fireworks**
Summary: The New Mexico Municipal League seeks legislation to grant municipalities the authority to enact ordinances at any time regulating the sale and use of any firework, up to and including a complete ban
- 32 **Concerning EMS Funding** (*Finance Committee recommended insertion into City resolution*)
Summary: The New Mexico Municipal League supports an increase to the EMS Fund Act for use by local EMS providers in the state of New Mexico
- 33 **Concerning DWI and Traffic Enforcement on Publicly Accessible Private Property**
Summary: the New Mexico Municipal League seek legislation to amend NMSA section 3-49-1(o) to remove the requirement that local law enforcement officials first secure the written permission of a landowner prior to enforcing DWI and traffic regulations on private property that is open to the public.
- 34 **Concerning the Endorsement of Efforts to Maintain the Amtrak Southwest Chief Passenger Service Between Lamy/Santa Fe, New Mexico and Newton, Kansas** (*Finance Committee recommended insertion into City resolution*)
Summary: The New Mexico Municipal League calls upon the members of the legislature of the State of New Mexico to support continuation of Amtrak Southwest Chief route.
- 35 **Concerning the Establishment of a State Transit Fund to Support Municipal and Regional Transit Capital and Operational Needs** (*Finance Committee recommended insertion into City resolution*)
Summary: the New Mexico Municipal League supports the efforts of the New Mexico legislature to enhance revenue for investment in transportation infrastructure across the state to include investment in public transportation fleets and associated public transportation infrastructure.
- 36 **Concerning Merging the NM Municipal Election Code with the State Election Code**

Summary: the New Mexico Municipal League urge the New Mexico Legislature to merge the Municipal Election Code into the state Election Code

37 **Concerning the Support of Interest and Fee Caps on Non-Bank Lending Institutions in New Mexico** *(Already in our resolution – City’s Resolution #2014-68)*

Summary: The New Mexico Municipal League urges the New Mexico Legislature and the Governor to enact inflation indexed interest and fee caps of 36% or less across all loan products offered by small loan companies and non-chartered lenders.

39 **Concerning Law Enforcement and Mental Health Professionals Crisis Intervention for the Mentally Ill**

Summary: the New Mexico Municipal League seek legislation to provide funding and legislative statutory support to mandate Regional Crisis Intervention Teams that would be established and utilized to further support the Law Enforcement and First Responder mission of protecting and assisting a person or persons in crisis, protecting the remainder of the New Mexico Community from the potential negative effects of contacts with those in crisis, and furthering collaborative efforts that would mitigate the amount and severity of negative contacts with those in crisis, thus avoiding further tragic loss of life.

40 **Concerning Lodgers Tax Audits Compliance** *(Finance Committee recommended insertion into City resolution)*

Summary: the New Mexico Municipal League requests that the NM Legislature in its next session to find a means for Counties and Municipalities to penalize nonconformance with the required audit.

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2014-_____

INTRODUCED BY:

Mayor Javier Gonzales

A RESOLUTION

**ESTABLISHING CITY OF SANTA FE LEGISLATIVE PRIORITIES FOR
CONSIDERATION BY THE NEW MEXICO STATE LEGISLATURE DURING THE 52ND
LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015.**

WHEREAS, the 60 day session of the 2015 Legislative Session begins on January 20, 2015;
and

WHEREAS, on August 13, 2014 the Governing Body adopted Resolution 2014-67 which
established the 2016-2020 Infrastructure Capital Improvements Plan (2016-2020 ICIP) and priorities
for the financing of City of Santa Fe public capital projects; and

WHEREAS, the Governing Body desires to establish City of Santa Fe legislative priorities to
be considered by the State Legislature based on the 2016-2020 ICIP; and

WHEREAS, on September 10, 2014, the Governing Body adopted Resolution No. 2014-72,
which directed City staff to identify a priority list of water projects for presentation to the City's State
Legislative Delegation; and

WHEREAS, Resolution No. 2014-72 further directed staff to submit an application to the

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1 New Mexico Water Trust Board for financial assistance from the New Mexico Water Project Fund
2 for all project types eligible for consideration; and

3 **WHEREAS**, the Governing Body has other legislative priorities to be considered by the
4 State Legislature.

5 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
6 **CITY OF SANTA FE** that the Governing Body hereby establishes the following legislative priorities
7 for consideration by the New Mexico Legislature, during the 2015 Legislative Session:

8 **Section 1. Funding for the following *city-wide* capital outlay priority projects, as**
9 **identified in the City's 2016-2020 ICIP:**

10 A. **Project:** _____

11 **Amount Requested:** _____

12 **Project Description:** _____

13 _____

14 B. **Project:** _____

15 **Amount Requested:** _____

16 **Project Description:** _____

17 _____

18 C. **Project:** _____

19 **Amount Requested:** _____

20 **Project Description:** _____

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22 D. **Project:** _____

23 **Amount Requested:** _____

24 **Project Description:** _____

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E. **Project:** _____
Amount Requested: _____
Project Description: _____

Section 2. Funding for the following capital outlay priority projects located in Council District #1, as identified in the City's 2016-2020 ICIP:

A. **Project:** _____
Amount Requested: _____
Project Description: _____

B. **Project:** _____
Amount Requested: _____
Project Description: _____

Section 3. Funding for the following capital outlay priority projects located in Council District #2, as identified in the City's 2016-2020 ICIP:

A. **Project:** _____
Amount Requested: _____
Project Description: _____

B. **Project:** _____
Amount Requested: _____
Project Description: _____

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Section 4. Funding for the following capital outlay priority projects located in Council District #3, as identified in the City's 2016-2020 ICIP:

- A. **Project:** Calle Po Ae Pi Extension
Amount Requested: \$850,000
Project Description: Plan, design, and construct roadway improvements right of way acquisition to include archaeological and environmental clearances for the City of Santa Fe, New Mexico

- B. **Project:** Agua Fria/South Meadows Intersection Improvements
Amount Requested: \$1,400,000
Project Description: Plan, design and construct ROW improvements

- C. **Project:** Zona Teen Center
Amount Requested: \$5,550,000
Project Description: Plan, design and construct a new teen center

Section 5. Funding for the following capital outlay priority projects located in Council District #4, as identified in the City's Infrastructure Capital Improvement Plan FY 2016-2020:

- A. **Project:** _____
Amount Requested: _____
Project Description: _____

- B. **Project:** _____
Amount Requested: _____
Project Description: _____

1 Enactment of legislation on tax reform initiatives to bring balance, equity and
2 financial stability to municipal governments;

3 **Section 2. City of Santa Fe Resolution No. 2014-55, attached hereto as Exhibit E:**

4 Enactment of legislation that would remove the taxing limitations currently
5 imposed on home rule municipalities;

6 **Section 3. City of Santa Fe Resolution No. 2014-56, attached hereto as Exhibit F:**

7 Enactment of a municipal telecommunications tax act that would authorize
8 municipalities to collect from telecommunications providers a municipal
9 telecommunications tax on the telecommunications provider's gross receipts
10 from telecommunications service.

11 **Section 4. City of Santa Fe Resolution No. 2014-68, attached hereto as Exhibit G:**

12 Enactment of legislation that would cap interest and fees on non-bank
13 lending institutions in New Mexico.

14 **Section 5. City of Santa Fe Resolution No. 2014-69, attached hereto as Exhibit H:**

15 Enactment of a state standard for quality of care through prescribed
16 minimum nurse staffing levels, and in particular through minimum registered
17 nurse staffing levels.

18 **BE IT FURTHER RESOLVED** that the Governing Body requests that the Legislature,
19 during the 2015 Legislative Session, enact legislation in accordance with the following resolutions of
20 the New Mexico Municipal League:

21 **Section 1. New Mexico Municipal League Resolution No. 2014-32 – Concerning**
22 **EMS Funding**

23 The New Mexico Municipal League supports an increase to the EMS Fund
24 Act for use by local EMS providers in the state of New Mexico

25 **Section 2. New Mexico Municipal League Resolution No. 2014-34 – Concerning the**

1 **Endorsement of Efforts to Maintain the Amtrak Southwest Chief**
2 **Passenger Service Between Lamy/Santa Fe, New Mexico and Newton,**
3 **Kansas**

4 The New Mexico Municipal League calls upon the members of the
5 legislature of the State of New Mexico to support continuation of Amtrak
6 Southwest Chief route.

7 **Section 3. New Mexico Municipal League Resolution No. 2014-35 – Concerning the**
8 **Establishment of a State Transit Fund to Support Municipal and Regional**
9 **Transit Capital and Operational Needs**

10 The New Mexico Municipal League supports the efforts of the New Mexico
11 legislature to enhance revenue for investment in transportation infrastructure
12 across the state to include investment in public transportation fleets and
13 associated public transportation infrastructure.

14 **Section 4. New Mexico Municipal League Resolution No. 2014-40 – Concerning**
15 **Lodgers Tax Audits Compliance**

16 The New Mexico Municipal League requests that the NM Legislature in its
17 next session to find a means for Counties and Municipalities to penalize
18 nonconformance with the required audit.

19 **BE IT FURTHER RESOLVED** that through the Santa Fe City Council Committee and City
20 Council process, general operating fund and other statutory changes may be established for
21 consideration by the State Legislature.

22 **BE IT FURTHER RESOLVED** that the City of Santa Fe lobbying team is directed to work
23 with the Santa Fe Legislative Delegation on any unencumbered capital outlay funds to be used
24 towards identified City of Santa Fe projects.

25 **BE IT FURTHER RESOLVED** that while this resolution represents a majority of the intent

1 of the Mayor and City Council as to 2015 New Mexico legislative priorities, other timely priorities
2 may be identified and forwarded to the City's lobbying team for action.

3 **BE IT FURTHER RESOLVED that** the City Clerk is directed to forward a copy of this
4 resolution to the City of Santa Fe lobbyist and the City of Santa Fe State Legislative Delegation.

5 PASSED, APPROVED, and ADOPTED this _____ day of _____, 2014.

6
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9 _____
10 JAVIER M. GONZALES, MAYOR

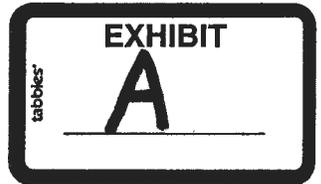
11 ATTEST:

12
13 _____
14 YOLANDA Y. VIGIL, CITY CLERK

15 APPROVED AS TO FORM:

16 
17 _____
18 KELLEY A. BRENNAN, CITY ATTORNEY

19
20
21
22
23
24
25 M/Melissa/Resolutions 2014/Legislative Priorities (2015)



**WATER TRUST BOARD
APPLICATION QUESTIONNAIRE 2014/2015 CYCLE**

Applicant Name:	City of Santa Fe on behalf of Buckman Direct Diversion Project
Project Name:	4 million gallon storage tank for Buckman Water Transmission Improvements

Project Type:	Water Storage, Conveyance and Delivery
Water Storage, Conveyance and Delivery	<input type="checkbox"/>
Watershed Restoration and Management	<input type="checkbox"/>
Endangered Species Act Collaborative	<input type="checkbox"/>
Flood Prevention	<input type="checkbox"/>
Water Conservation or Treatment, Recycling or Reuse	<input type="checkbox"/>

Is this project identified in a regional water plan accepted by the NM Interstate Stream Commission? Yes No

Is there a local contribution? Yes No

Is there leverage of federal funding? Yes No

Is this project listed on the community's current Infrastructure Capital Improvement Plan (ICIP)? If yes, please provide the Priority Number: 36 Yes No

<p>Project Description: Provide a description of the project that includes the scope of work. Explain why it is necessary and who will benefit. If this is a phase for a larger project, please describe this phase.</p> <p>The past two high-demand seasons have confirmed the need for additional finished water storage for the Buckman Regional Water Treatment Facility so demands can be met out in the system even if raw water diversions are not possible from the Rio Grande due to sediment, turbidity, ash, or critical diurnal low flows. This project will add flexibility in the Buckman Regional Water Treatment Facility's storage capacity to enhance off-peak pumping/production and or solar-powered water treatment, thereby saving significant electrical costs. A steel gunite domed tank, not buried, similar to and sited adjacent to the existing potable water tank at the Buckman Regional Water Treatment Facility site. A permitted and site-prepared space already exists for this tank on-site.</p>
--

**WATER TRUST BOARD
APPLICATION QUESTIONNAIRE 2014/2015 CYCLE**

If funded, would this phase complete the larger project?

Yes No

If no, briefly explain why:

Project Readiness:

Has a Preliminary Engineering Report, Engineering Study, Feasibility Study or similar report been completed for this project?

Yes No

If yes, when was the report completed?

If no when is a planning document for this project expected to be complete?

2015

Which regulatory or funding agency approved the plan, if any.

NA

Have construction plans and specifications been completed?

Yes No

If yes, please provide the date of completion:

If no, please provide estimated date of completion:

Summer of 2015

Are all necessary permit(s) secured for this project?

Yes No

If no, outline which ones are still outstanding and the estimated timeline to secure them:

Assuming funds are approved in July 2015, would this project be able to be completed by December 2016?

Yes No

If no, what is the estimated time of completion:

**WATER TRUST BOARD
APPLICATION QUESTIONNAIRE 2014/2015 CYCLE**

Project Urgency:

Does your project meet any of the following definitions of Urgent (check all that are applicable):

Public health threats: including waterborne disease outbreak and inadequate water supply so long as the proposed project addresses the existing or imminent threats? Yes No

Compliance with the Safe Drinking Water Act for projects with the following conditions:

Existing and imminent threats of acute and chronic risk contaminants with three violations in the past year? Yes No

Will the proposed project enable the system to come into compliance with federal regulations? Yes No

Wildfire public safety: watershed projects that modify or break up fuels in such a way as to lessen catastrophic fire and its threat to public safety and damage to property? Yes No

Dam safety project that restores the dam to a safe condition addressing impending failures in the dam's structure? Yes No

Does your project address **other conditions declared an emergency** by the Governor of New Mexico or by a Cabinet Secretary of a state agency? Yes No

Does your project address **other urgent conditions** not described above? Yes No

If yes, please describe below the urgent condition being met by this project

**WATER TRUST BOARD
APPLICATION QUESTIONNAIRE 2014/2015 CYCLE**

Project Funding: Please provide total estimated project costs under appropriate Funding Source below

<u>Project Cost</u>	<u>WTB Funds (this app.)</u>	<u>Previously Awarded WTB Funds</u>	<u>Local Funds</u>	<u>State Funds</u>	<u>Federal Funds</u>	<u>Total</u>
Planning & Design	\$ 0	\$	\$	\$	\$	\$ 0
Easements & Right of Way	\$	\$	\$	\$	\$	\$ 0
Environmental, Archeological and Hydrology Services	\$	\$	\$	\$	\$	\$ 0
Construction	\$ 1500000	\$	\$ 500000	\$	\$	\$ 2000000
Equipment	\$	\$	\$	\$	\$	\$ 0
Land Acquisition	\$	\$	\$	\$	\$	\$ 0
Legal Fees	\$	\$	\$	\$	\$	\$ 0
Fiscal Agency Fees	\$	\$	\$	\$	\$	\$ 0
Total	\$ 1500000	\$ 0	\$ 500000	\$ 0	\$ 0	\$ 2000000

Identify the sources, terms and status of all State and Federal Funds identified for this project:

<u>Source</u>	<u>Amount</u>	<u>Type</u>	<u>Term</u>	<u>Status</u>
<i>Name of Funding Agency</i>		<i>Loan, Grant, Loan/Grant</i>	<i># of years</i>	<i>Application Pending, Approved, Secured</i>

If this is a phase of a larger project, has any previous phase(s) of the larger project been awarded by the Water Trust Board? Yes No

If yes, provide the WTB Project Number(s) 3, 20, 42, 68, 134, 202

If requesting **Fiscal Agency Fees**, please list the qualifying entities on whose behalf the applicant will be reporting. (Please refer to Section 6.8 of the Water Project Board Project Management Policies for further guidance.)

**WATER TRUST BOARD
APPLICATION QUESTIONNAIRE 2014/2015 CYCLE**

Water System Rate Structure: Please describe your rate structure	
Minimum Charge	\$ 6.06/gallon up to 7000 gallons (Sept - Apr)
Charge for 2,000 gallons	\$ 6.06/gallon up to 7000 gallons (Sept - Apr)
Charge for 4,000 gallons	\$ 6.06/gallon up to 7000 gallons (Sept - Apr)
Charge for 6,000 gallons	\$ 6.06/gallon up to 7000 gallons (Sept - Apr)
Charge for 8,000 gallons	\$ 6.06/gallon up to 10000 gallons (May-Aug)
Charge for 10,000 gallons and above	\$ 21.72/gallon above 7000
How frequently is the rate structure reviewed?	5 years
Date of last review?	2009
Date of last change?	2013
How many connections?	34,000
Is the water system metered?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If yes, what percentage of your connections has operating meters?	100%
How many certified operators? ¹⁷	

Has the Applicant complied previously with the Uniform Funding Criteria and Grant Management Oversight Criteria established under Executive Order 2013-006? Yes No

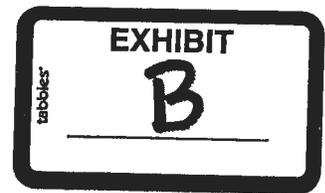
Please describe below the state funding received, which agency(ies) made the determination(s) and note the determinations made.

Received \$2.5 million of financial assistance from NMED's Drinking Water Revolving Loan Fund for a \$5 million, second phase solar energy project for the Buckman Direct Diversion's water transmission facilities. The New Mexico Environment Department's Drinking Water Bureau made the determination.

I understand this Questionnaire is considered part of the Water Trust Board Initial Application. I hereby certify, to the best of my knowledge, that all information contained in this Questionnaire is valid and accurate.

By: Alan G. Hook
Print Name Alan G. Hook

WATER RESOURCES
Title: COORDINATOR ASSISTANT
Date 9/18/2014



**WATER TRUST BOARD
APPLICATION QUESTIONNAIRE 2014/2015 CYCLE**

Applicant Name:	City of Santa Fe
Project Name:	Santa Fe Municipal Watershed Source Water Protection Project

Project Type:	Watershed Restoration and Management	
Water Storage, Conveyance and Delivery		
Watershed Restoration and Management	X	
Endangered Species Act Collaborative		
Flood Prevention		
Water Conservation or Treatment, Recycling or Reuse		

Is this project identified in a regional water plan accepted by the NM Interstate Stream Commission? Yes No

Is there a local contribution? Yes No

Is there leverage of federal funding? Yes No

Is this project listed on the community's current Infrastructure Capital Improvement Plan (ICIP)? If yes, please provide the Priority Number: _____ Yes No

Project Description:
Provide a description of the project that includes the scope of work. Explain why it is necessary and who will benefit. If this is a phase for a larger project, please describe this phase.

The Santa Fe Municipal Watershed comprises the upper 17,384 acres of the Santa Fe River basin. The upper 10,000 plus acres of the municipal watershed, dominated by mixed conifer and spruce-fir woodlands, are contained within the Pecos Wilderness Area. The lower 7,270 acres of the municipal watershed is dominated by ponderosa pine and pinon pine-juniper woodlands. Two of the City of Santa Fe's reservoirs are in the lower municipal watershed and have a combined water storage capacity of approximately 4,000 acre-feet. This high quality, surface water from the Santa Fe River provides up to 40% of the City of Santa Fe's drinking water supply in an average year of stream flow yield.

The Santa Fe Municipal Watershed Management Plan provides recommendations for vegetation management, water management, public education & outreach, and funding for work completed within the Santa Fe Municipal Watershed. The U.S. Forest Service and the City of Santa Fe recognize that a large portion of Santa Fe's water supply is dependent upon forest health and protection from catastrophic wildfire. Vegetation management is critical to restoring forests, reducing the risk of fire and maintaining water quality throughout the western United States. Without vegetation fuel reduction and ongoing maintenance efforts in the forests, the forests within the municipal watershed would pose a wildfire risk to Santa Fe's water supply. Fire suppression and rehabilitation costs associated with a 10,000 to 40,000 acre wildfire impacting all or some portion of the municipal watershed could be between \$11.9 million and \$48 million. The cost to dredge, haul and dispose of 2,000 acre-feet of sediment and ash from the City of Santa Fe's reservoirs would likely be between \$80 million and \$240 million. These costs exclude increased water treatment costs, increased water utility operating costs, and impacts to the local economy from the loss of tourism income. In comparison to these avoided costs, the cost to treat and maintain forests within the municipal watershed is expected to be an average of approximately \$260,000 per year.

With a common vision as described in the Santa Fe Municipal Watershed Management Plan, the U.S. Forest Service and City of Santa Fe can most effectively marshal resources to support long-term management of the forest to provide for the health and protection of the watershed. A 50-50 cost-share collection agreement for four years was signed in 2010 to provide funding for vegetative thinning, prescribed burning, smoke management, plus education & outreach to the community. With the financial assistance of the Water Trust Board, the City of Santa Fe and the U.S. Forest Service within the Santa Fe National Forest hope to continue the successful efforts in providing source water protection to the Santa Fe River, the drinking water source to the City of Santa Fe.

**WATER TRUST BOARD
APPLICATION QUESTIONNAIRE 2014/2015 CYCLE**

If funded, would this phase complete the larger project?

Yes No

If no, briefly explain why:

Project Readiness:

Has a Preliminary Engineering Report, Engineering Study, Feasibility Study or similar report been completed for this project?

Yes No

If yes, when was the report completed?

A Final Environmental Impact Statement was completed in 2002

If no when is a planning document for this project expected to be complete?

Which regulatory or funding agency approved the plan, if any.

USFS

Have construction plans and specifications been completed?

Yes No

If yes, please provide the date of completion:

June 2010

If no, please provide estimated date of completion:

Are all necessary permit(s) secured for this project?

Yes No

If no, outline which ones are still outstanding and the estimated timeline to secure them:

Environmental Assessment (EA) for approximately 2,900 acres of prescribed burning within the Pecos Wilderness Area within the Santa Fe Municipal Watershed. It is estimated that the Final Decision for the EA will be made in approximately 45 days.

Assuming funds are approved in July 2015, would this project be able to be completed by December 2016?

Yes No

If no, what is the estimated time of completion:

October 2017

**WATER TRUST BOARD
APPLICATION QUESTIONNAIRE 2014/2015 CYCLE**

Project Urgency:

Does your project meet any of the following definitions of Urgent (check all that are applicable):

Public health threats: including waterborne disease outbreak and inadequate water supply so long as the proposed project addresses the existing or imminent threats? Yes No

Compliance with the Safe Drinking Water Act for projects with the following conditions:

Existing and imminent threats of acute and chronic risk contaminants with three violations in the past year? Yes No

Will the proposed project enable the system to come into compliance with federal regulations? Yes No

Wildfire public safety: watershed projects that modify or break up fuels in such a way as to lessen catastrophic fire and its threat to public safety and damage to property? Yes No

Dam safety project that restores the dam to a safe condition addressing impending failures in the dam's structure? Yes No

Does your project address **other conditions declared an emergency** by the Governor of New Mexico or by a Cabinet Secretary of a state agency? Yes No

Does your project address **other urgent conditions** not described above? Yes No

If yes, please describe below the urgent condition being met by this project

**WATER TRUST BOARD
APPLICATION QUESTIONNAIRE 2014/2015 CYCLE**

Project Funding: Please provide total estimated project costs under appropriate Funding Source below						
<u>Project Cost</u>	<u>WTB Funds (this app.)</u>	<u>Previously Awarded WTB Funds</u>	<u>Local Funds</u>	<u>State Funds</u>	<u>Federal Funds</u>	<u>Total</u>
Planning & Design	\$ 0	\$	\$	\$	\$	\$ 0
Easements & Right of Way	\$	\$	\$	\$	\$	\$ 0
Environmental, Archeological and Hydrology Services	\$	\$	\$	\$	\$	\$ 0
Construction	\$ 200000	\$	\$ 50000	\$	\$ 220000	\$ 470000
Equipment	\$	\$	\$	\$	\$	\$ 0
Land Acquisition	\$	\$	\$	\$	\$	\$ 0
Legal Fees	\$	\$	\$	\$	\$	\$ 0
Fiscal Agency Fees	\$	\$	\$	\$	\$	\$ 0
Total	\$ 200000	\$ 0	\$ 50000	\$ 0	\$ 220000	\$ 470000

Identify the sources, terms and status of all State and Federal Funds identified for this project:				
<u>Source</u>	<u>Amount</u>	<u>Type</u>	<u>Term</u>	<u>Status</u>
<i>Name of Funding Agency</i>		<i>Loan, Grant, Loan/Grant</i>	<i># of years</i>	<i>Application Pending, Approved, Secured</i>

If this is a phase of a larger project, has any previous phase(s) of the larger project been awarded by the Water Trust Board? Yes No

If yes, provide the WTB Project Number(s)

If requesting **Fiscal Agency Fees**, please list the qualifying entities on whose behalf the applicant will be reporting. (Please refer to Section 6.8 of the Water Project Board Project Management Policies for further guidance.)

WATER TRUST BOARD
APPLICATION QUESTIONNAIRE 2014/2015 CYCLE

Water System Rate Structure: Please describe your rate structure	
Minimum Charge	\$ 6.06/gallon up to 7000 gallons (Sept - Apr)
Charge for 2,000 gallons	\$ 6.06/gallon up to 7000 gallons (Sept - Apr)
Charge for 4,000 gallons	\$ 6.06/gallon up to 7000 gallons (Sept - Apr)
Charge for 6,000 gallons	\$ 6.06/gallon up to 7000 gallons (Sept - Apr)
Charge for 8,000 gallons	\$ 6.06/gallon up to 10000 gallons (May-Aug)
Charge for 10,000 gallons and above	\$ 21.72/gallon above 7000
How frequently is the rate structure reviewed?	5 years
Date of last review?	2009
Date of last change?	2013
How many connections?	34,000
Is the water system metered?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If yes, what percentage of your connections has operating meters?	100%
How many certified operators? ¹²	

Has the Applicant complied previously with the Uniform Funding Criteria and Grant Management Oversight Criteria established under Executive Order 2013-006?

Yes No

Please describe below the state funding received, which agency(ies) made the determination(s) and note the determinations made.

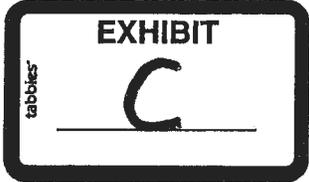
New Mexico Finance Authority, Water Trust Board funding in the amount of \$1.2 million for the Santa Fe Municipal Watershed Management Program. The Water Trust Board determined the project was complete in 2013.

I understand this Questionnaire is considered part of the Water Trust Board Initial Application. I hereby certify, to the best of my knowledge, that all information contained in this Questionnaire is valid and accurate.

By: Alan G. Hook
 Print Name ALAN G. HOOK

WATER RESOURCES

Title: COORDINATOR ASSISTANT
 Date 9/18/2014



**WATER TRUST BOARD
APPLICATION QUESTIONNAIRE 2014/2015 CYCLE**

Applicant Name:	City of Santa Fe Utility Billing Division
Project Name:	Automated Meter Reading Devices and Meter Replacement Project

Project Type:	Water Storage, Conveyance and Delivery
Water Storage, Conveyance and Delivery	
Watershed Restoration and Management	
Endangered Species Act Collaborative	
Flood Prevention	
Water Conservation or Treatment, Recycling or Reuse	

- Is this project identified in a regional water plan accepted by the NM Interstate Stream Commission? Yes No
- Is there a local contribution? Yes No
- Is there leverage of federal funding? Yes No
- Is this project listed on the community's current Infrastructure Capital Improvement Plan (ICIP)? If yes, please provide the Priority Number: _____ Yes No

Project Description:
Provide a description of the project that includes the scope of work. Explain why it is necessary and who will benefit. If this is a phase for a larger project, please describe this phase.

An automated water meter reading device will be placed on approximately 34,000 City of Santa Fe water meters for customers of the water utility. The meter reading devices will provide real time information and data to the City of Santa Fe and the water utility customers regarding water usage. Hourly consumption data from metering analytics will improve leak detection, water conservation, compliance reporting, and ultimately customer service. Badger Meter, Inc. will replace all meters sized 1" and under for residential and commercial customers, including the Orion advanced metering infrastructure linked to each meter with an integrated cellular network. The project has a estimated 2-year installation period.

**WATER TRUST BOARD
APPLICATION QUESTIONNAIRE 2014/2015 CYCLE**

If funded, would this phase complete the larger project?

Yes No

If no, briefly explain why:

Project Readiness:

Has a Preliminary Engineering Report, Engineering Study, Feasibility Study or similar report been completed for this project?

Yes No

If yes, when was the report completed?

If no when is a planning document for this project expected to be complete?

October, 2014

Which regulatory or funding agency approved the plan, if any.

City of Santa Fe

Have construction plans and specifications been completed?

Yes No

If yes, please provide the date of completion:

If no, please provide estimated date of completion:

February, 2015

Are all necessary permit(s) secured for this project?

Yes No

If no, outline which ones are still outstanding and the estimated timeline to secure them:

Not applicable since the City already has all necessary easements and right of way documentation.

Assuming funds are approved in July 2015, would this project be able to be completed by December 2016?

Yes No

If no, what is the estimated time of completion:

**WATER TRUST BOARD
APPLICATION QUESTIONNAIRE 2014/2015 CYCLE**

Project Urgency:

Does your project meet any of the following definitions of Urgent (check all that are applicable):

Public health threats: including waterborne disease outbreak and inadequate water supply so long as the proposed project addresses the existing or imminent threats? Yes No

Compliance with the Safe Drinking Water Act for projects with the following conditions:

Existing and imminent threats of acute and chronic risk contaminants with three violations in the past year? Yes No

Will the proposed project enable the system to come into compliance with federal regulations? Yes No

Wildfire public safety: watershed projects that modify or break up fuels in such a way as to lessen catastrophic fire and its threat to public safety and damage to property? Yes No

Dam safety project that restores the dam to a safe condition addressing impending failures in the dam's structure? Yes No

Does your project address **other conditions declared an emergency** by the Governor of New Mexico or by a Cabinet Secretary of a state agency? Yes No

Does your project address **other urgent conditions** not described above? Yes No

If yes, please describe below the urgent condition being met by this project

**WATER TRUST BOARD
APPLICATION QUESTIONNAIRE 2014/2015 CYCLE**

Project Funding: Please provide total estimated project costs under appropriate Funding Source below						
<u>Project Cost</u>	<u>WTB Funds (this app.)</u>	<u>Previously Awarded WTB Funds</u>	<u>Local Funds</u>	<u>State Funds</u>	<u>Federal Funds</u>	<u>Total</u>
Planning & Design	\$ 0	\$	\$	\$	\$	\$ 0
Easements & Right of Way	\$	\$	\$	\$	\$	\$ 0
Environmental, Archeological and Hydrology Services	\$	\$	\$	\$	\$	\$ 0
Construction	\$ 2000000	\$	\$4000000	\$	\$	\$ 6000000
Equipment	\$	\$	\$	\$	\$	\$ 0
Land Acquisition	\$	\$	\$	\$	\$	\$ 0
Legal Fees	\$	\$	\$	\$	\$	\$ 0
Fiscal Agency Fees	\$	\$	\$	\$	\$	\$ 0
Total	\$ 2000000	\$ 0	\$4000000	\$ 0	\$ 0	\$ 6000000

Identify the sources, terms and status of all State and Federal Funds identified for this project:				
<u>Source</u>	<u>Amount</u>	<u>Type</u>	<u>Term</u>	<u>Status</u>
<i>Name of Funding Agency</i>		<i>Loan, Grant, Loan/Grant</i>	<i># of years</i>	<i>Application Pending, Approved, Secured</i>

If this is a phase of a larger project, has any previous phase(s) of the larger project been awarded by the Water Trust Board? Yes No

If yes, provide the WTB Project Number(s)

If requesting **Fiscal Agency Fees**, please list the qualifying entities on whose behalf the applicant will be reporting. (Please refer to Section 6.8 of the Water Project Board Project Management Policies for further guidance.)

**WATER TRUST BOARD
APPLICATION QUESTIONNAIRE 2014/2015 CYCLE**

Water System Rate Structure: Please describe your rate structure	
Minimum Charge	\$ 6.06/gallon up to 7000 gallons (Sept - Apr)
Charge for 2,000 gallons	\$ 6.06/gallon up to 7000 gallons (Sept - Apr)
Charge for 4,000 gallons	\$ 6.06/gallon up to 7000 gallons (Sept - Apr)
Charge for 6,000 gallons	\$ 6.06/gallon up to 7000 gallons (Sept - Apr)
Charge for 8,000 gallons	\$ 6.06/gallon up to 10000 gallons (May-Aug)
Charge for 10,000 gallons and above	\$ 21.72/gallon above 7000
How frequently is the rate structure reviewed?	5 years
Date of last review?	2009
Date of last change?	2013
How many connections?	34,000
Is the water system metered?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If yes, what percentage of your connections has operating meters?	100%
How many certified operators?	12

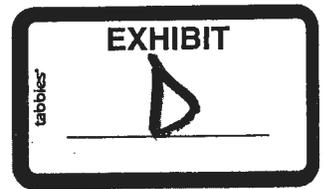
Has the Applicant complied previously with the Uniform Funding Criteria and Grant Management Oversight Criteria established under Executive Order 2013-006? Yes No

Please describe below the state funding received, which agency(ies) made the determination(s) and note the determinations made.

I understand this Questionnaire is considered part of the Water Trust Board Initial Application. I hereby certify, to the best of my knowledge, that all information contained in this Questionnaire is valid and accurate.

By: Alan G. Hook
 Print Name ALAN G. HOOK

WATER RESOURCES
 Title: COORDINATOR ASSISTANT
 Date 9/18/2014



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CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2014-45

INTRODUCED BY:

Councilor Joseph Maestas

Councilor Patti Bushee

Councilor Peter Ives

Councilor Carmichael Dominguez

A RESOLUTION

RELATING TO COMPREHENSIVE TAX REFORM FOR MUNICIPALITIES; CALLING ON THE NEW MEXICO STATE LEGISLATURE TO TAKE IMMEDIATE ACTION ON TAX REFORM INITIATIVES TO BRING BALANCE, EQUITY AND FINANCIAL STABILITY TO MUNICIPAL GOVERNMENTS.

WHEREAS, local governments continue to be negatively impacted by the economic downturn of 2008, resulting in significant declines in revenue available for local governments; and

WHEREAS, up to 75% of a municipality's general fund revenue is derived from gross receipts taxes; and

WHEREAS, gross receipts taxes are regressive and disproportionately impact disadvantaged and low income citizens; and

WHEREAS, the Governing Body recognizes that gross receipts taxes are an unstable funding source whose levels are dependent on the health of the economy; and

WHEREAS, state law was amended in 2013 to repeal the hold harmless distribution made by the State to municipalities that have a population of over 10,000 to compensate those municipalities

1 for revenues lost as the result of the State's elimination of gross receipts taxes on food and certain
2 medical services; and

3 **WHEREAS**, the State's elimination of these gross receipts taxes represent up to 30% of
4 municipalities' total gross receipts tax revenue; and

5 **WHEREAS**, the City of Santa Fe is facing a total estimated loss of over \$80 million of hold
6 harmless distribution funds over the phase-out period ending in 2030; and

7 **WHEREAS**, the State's elimination of this source of gross receipts tax revenue will certainly
8 cause a major decrease in vital city services, jeopardize current and future infrastructure and seriously
9 impact the city workforce and local economy; and

10 **WHEREAS**, some municipalities provide Emergency Medical and Communication Services
11 within the municipality but are not authorized by the State Legislature to fund the cost of providing
12 such services through an appropriate dedicated tax; and

13 **WHEREAS**, long standing New Mexico tax policy provides that "any shifting of tax sharing
14 between the state and municipalities must guarantee municipalities at least the same revenue levels
15 they derive from current tax policy;" and

16 **WHEREAS**, state law related to a home rule municipality's authority over its financial
17 affairs is severely restricted and there is a need to amend state law to remove such restrictions in order
18 to mitigate the impacts of current state tax policy; and

19 **WHEREAS**, the *2013-2014 New Mexico Municipal League Statement of Municipal Policy*
20 (*"NMML Policy Statement"*) includes taxation and revenue and finance policy statements that should
21 be used as a reference to draft proposed legislative initiatives to be acted upon by the State
22 Legislature at its next session; and

23 **WHEREAS**, the Governing Body is mindful that the City of Santa Fe, as the capital city of
24 the State of New Mexico, should work in close collaboration with the New Mexico Municipal League
25 (NMML) and other New Mexico municipal governments to propose tax reform initiatives for action

1 by the New Mexico State Legislature to bring balance, equity and financial stability to local
2 municipal governments and the residents they serve.

3 **NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE**
4 **CITY OF SANTA FE** that the Governing Body hereby endorses the taxation and revenue and
5 finance policy statements of the NMML and calls on the New Mexico State Legislature to enact
6 legislation, consistent with the *NMML Policy Statement*, during the 2015 Legislative Session to bring
7 balance, equity and financial stability to local municipal governments and the residents they serve.

8 Such legislation shall:

- 9
- 10 • Grant municipalities the authority to generate the revenue necessary to administer
11 government and provide basic services.
 - 12 • Guarantee municipalities, when there is any shifting of tax sharing between the state and
13 municipalities, at least the same revenue levels they derive from current state tax policy.
 - 14 • Authorize municipalities to enact taxes at the local level that are appropriate to their tax
15 bases in the following areas:
 - 16 1. Gross Receipts Tax - Retain authority to enact at the local level.
 - 17 2. Ad Valorem Tax - Retain authority to impose millage for municipal general purpose
18 government.
 - 19 3. Income Tax - Grant municipalities a share of the State income tax.
 - 20 4. Miscellaneous User Taxes - Grant municipalities the authority to levy local option
21 taxes on sales of gasoline, cigarettes and alcohol, or, in the alternative, increase the
22 municipal share of such current taxes.
 - 23 • Remove limitations on municipal revenue sources for home rule municipalities.
 - 24 • Provide added financial assistance or revenues each time the legislative, executive or
25 judicial branches create new or expanded service requirements for municipalities by
providing realistic funding levels for new and existing mandates.

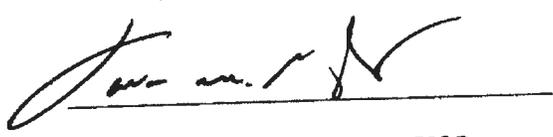
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- Develop an effective funding system to supplement or replace federal funding in those program areas which are the most essential to the well-being of New Mexico's citizens.
- Amend the confidentiality provisions of the New Mexico Tax Act to allow certain municipal officials access to currently confidential information regarding taxpayers in a municipality so that at least once every three years municipalities would have the ability to identify businesses that are not in compliance with State of New Mexico or municipal business registration statutes and ordinances which would further enhance the Taxation and Revenue Department's ability to enforce and collect taxes.
- Grant municipal authority for an emergency medical and communication services gross receipts tax in 1/8% increments up to a total of 1/4% by positive referendum.

BE IT FURTHER RESOLVED that staff is directed to coordinate and work with the NMML, other municipalities and appropriate State legislative committees to ensure that legislation is enacted during the 2015 legislative session that will grant local governments the authority to bring financial balance, equity and stability to their respective municipalities.

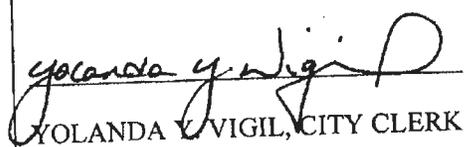
BE IT FURTHER RESOLVED that the City Clerk is directed to send a copy of this resolution to the New Mexico Congressional Delegation, the Speaker of the New Mexico House of Representatives, the President Pro Tempore of the New Mexico Senate, the City's State Legislative Delegation, the NMML and the City's lobbyist.

PASSED, APPROVED, and ADOPTED this 11th day of June, 2014.



JAVIER M. GONZALES, MAYOR

ATTEST:



YOLANDA VIGIL, CITY CLERK

1 APPROVED AS TO FORM:

2 Kelley A. Brennan

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4 KELLEY A. BRENNAN, INTERIM CITY ATTORNEY

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25 M/Melissa/Resolutions 2014/2014-45 Local Government Tax Reform_052714



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CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2014-55

INTRODUCED BY:

Councilor Joseph Maestas

A RESOLUTION

CALLING ON THE NEW MEXICO STATE LEGISLATURE TO TAKE IMMEDIATE ACTION DURING THE 2015 LEGISLATIVE SESSION TO ENACT LEGISLATION THAT WOULD REMOVE THE TAXING LIMITATIONS CURRENTLY IMPOSED ON HOME RULE MUNICIPALITIES.

WHEREAS, Article X, Section 6 of the New Mexico Constitution authorizes municipalities in the state of New Mexico to adopt Home Rule Charters; and

WHEREAS, the voters of the City of Santa Fe, New Mexico approved the adoption of the *Santa Fe Municipal Charter* (“*Charter*”) in 1997 and the *Charter* has been subsequently amended by the voters in 2008 and in 2014; and

WHEREAS, Paragraph D. of Article X, Section 6 states that “No tax imposed by the governing body of a charter municipality, except a tax authorized by general law, shall become effective until approved by a majority vote in the charter municipality;” and

WHEREAS, §3-15-7 NMSA 1978 provides that a home rule charter “shall not authorize the levy of any tax not specifically authorized by the laws of the state;” and

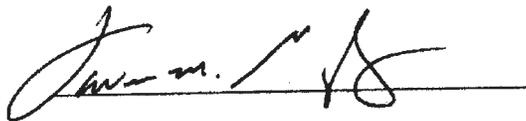
1 **WHEREAS**, §3-18-2 NMSA 1978 prohibits any municipality from imposing an income tax,
2 a tax on property measured on an ad valorem, per unit or other basis or any excise tax, including but
3 not limited to sales taxes, gross receipts and excise taxes on any incident relating to tobacco, liquor,
4 motor fuels and motor vehicles; and

5 **WHEREAS**, state law has severely restricted the ability of a home rule municipality to
6 impose certain taxes, therefore, there is a need for the Legislature to take immediate action and amend
7 state law to remove taxing limitations imposed on home rule municipalities and permit such
8 municipalities to have the authority to benefit from such tax revenue sources.

9 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
10 **CITY OF SANTA FE** that the Governing Body hereby calls on the New Mexico State Legislature to
11 take immediate action during the 2015 legislative session to enact legislation that would remove the
12 taxing limitations currently imposed on home rule municipalities to permit home rule municipalities
13 to have increased taxing authority.

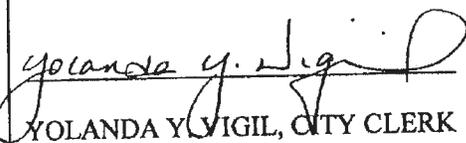
14 **BE IT FURTHER RESOLVED** that the City Clerk is directed to forward a copy of this
15 resolution to the City's State legislative delegation, the New Mexico Municipal League and the City's
16 lobbyist.

17 **PASSED, APPROVED, and ADOPTED** this 30th day of July, 2014.

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20 JAVIER M. GONZALES, MAYOR

21 ATTEST:

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23 
24 YOLANDA Y. VIGIL, CITY CLERK

25

1 APPROVED AS TO FORM:

2 Kelley A. Brennan

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4 KELLEY A. BRENNAN, CITY ATTORNEY

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25 *M/Melissa/Resolutions 2014/2014-55 Homerule Taxing Authority_City*



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CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2014-56

INTRODUCED BY:

Councilor Joseph Maestas

A RESOLUTION

CALLING ON THE NEW MEXICO STATE LEGISLATURE TO TAKE IMMEDIATE ACTION DURING THE 2015 LEGISLATIVE SESSION TO ENACT A MUNICIPAL TELECOMMUNICATIONS TAX ACT THAT WOULD AUTHORIZE MUNICIPALITIES TO COLLECT FROM TELECOMMUNICATIONS PROVIDERS A MUNICIPAL TELECOMMUNICATIONS TAX ON THE TELECOMMUNICATIONS PROVIDER'S GROSS RECEIPTS FROM TELECOMMUNICATIONS SERVICE.

WHEREAS, up to 75% of a municipality's general fund revenue is derived from gross receipts taxes; and

WHEREAS, since the economic downturn of 2008, municipalities in the state of New Mexico continue to be negatively impacted, which has resulted in significant declines in revenue available for local governments; and

WHEREAS, the New Mexico Municipal League (NMML) recognizes that gross receipts taxes are an unstable funding source whose levels are dependent on the health of the economy; and

WHEREAS, NMSA 1978, §3-18-2 prohibits any municipality from imposing any excise

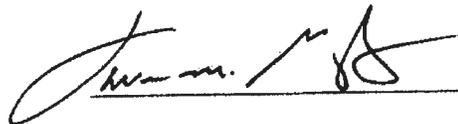
1 tax, including but not limited to sales taxes, gross receipts and excise taxes on any incident relating to
2 tobacco, liquor, motor fuels and motor vehicles; and

3 **WHEREAS**, the NMML recognizes that there is a need for the New Mexico State
4 Legislature to enact legislation that would authorize municipalities to collect from
5 telecommunications providers a municipal telecommunications tax on the telecommunications
6 provider's gross receipts from telecommunications service.

7 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
8 **CITY OF SANTA FE** that the Governing Body hereby calls on the New Mexico State Legislature to
9 take immediate action during the 2015 legislative session to enact a Municipal Telecommunications
10 Tax Act that would authorize municipalities to collect from telecommunications providers a
11 municipal telecommunications tax on the telecommunications provider's gross receipts from
12 telecommunications service. The Municipal Telecommunications Tax Act is attached hereto as
13 Exhibit "A".

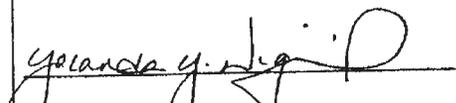
14 **BE IT FURTHER RESOLVED** that the City Clerk is directed to forward a copy of this
15 resolution to the City's State legislative delegation, the New Mexico Municipal League and the City's
16 lobbyist.

17 PASSED, APPROVED, and ADOPTED this 30th day of July, 2014.

18 
19 _____

20 JAVIER M. GONZALES, MAYOR

21 ATTEST:

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23 
24 _____
25 YOLANDA V. VIGIL, CITY CLERK

1 APPROVED AS TO FORM:

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3 _____

4 KELLEY A. BRENNAN, CITY ATTORNEY

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M/Melissa/Resolutions 2014/2014-56 Muni Telecom Tax Act_City Version

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_____ BILL _____

52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015

INTRODUCED BY

AN ACT

RELATING TELECOMMUNICATIONS SERVICES; ENACTING A MUNICIPAL TELECOMMUNICATIONS TAX ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. SHORT TITLE. -- Sections _____ through _____ NMSA 1978 may be cited as the "Municipal Telecommunications Tax Act".

Section 2. DEFINITIONS. -- As used in the Municipal Telecommunications Tax Act, Sections _____ through _____ NMSA 1978:

A. "department" means the department of taxation and revenue.

B. "customer":

(1) Subject to Subsections (B)(2) and (3), "customer" means the person who is obligated under a contract with a telecommunications provider to pay for telecommunications service received under the contract.

(2) For purposes of this section and the following sections, "customer" means:

(a) the person who is obligated under a contract with a

1 telecommunications provider to pay for telecommunications service received under the contract; or

2 (b) if the end user is not the person described in Subsection (2)(b)(i), the
3 end user of telecommunications service.

4 (3) "customer" does not include a reseller:

5 (a) of telecommunications service; or

6 (b) for mobile telecommunications service, of a serving carrier under an
7 agreement to serve the customer outside the telecommunications provider's licensed service area.

8 C. "end user" means the person who uses a telecommunications service. For purposes
9 of telecommunications service provided to a person who is not an individual, "end user" means the
10 individual who uses the telecommunications service on behalf of the person who is provided the
11 telecommunications service.

12 D. "gross receipts from telecommunications service" means the revenue that a
13 telecommunications provider receives for telecommunications service rendered except for amounts
14 collected or paid as:

15 (1) a tax, fee, or charge:

16 (a) imposed by a governmental entity;

17 (b) separately identified as a tax, fee, or charge in the transaction with
18 the customer for the telecommunications service; and

19 (c) imposed only on a telecommunications provider;

20 (2) gross receipts taxes collected by the telecommunications provider from a
21 customer under NMSA 7-9-1 et seq.; or

22 (3) interest, a fee, or a charge that is charged by a telecommunications provider
23 on a customer for failure to pay for telecommunications service when payment is due.

24 "gross receipts from telecommunications service" includes a charge necessary to complete a
25 sale of a telecommunications service.

1 E. "mobile telecommunications service" is as defined in the Mobile
2 Telecommunications Sourcing Act, 4 U.S.C. Sec. 124.

3 F. "municipality" means a city or town.

4 G. "place of primary use":

5 (1) For telecommunications service other than mobile telecommunications
6 service, means the street address representative of where the customer's use of the
7 telecommunications service primarily occurs, which shall be:

8 (a) the residential street address of the customer; or

9 (b) the primary business street address of the customer; or

10 (2) For mobile telecommunications service, is as defined in the Mobile
11 Telecommunications Sourcing Act, 4 U.S.C. Sec. 124.

12 H. Notwithstanding where a call is billed or paid, "service address" means:

13 (1) If the location described in this Subsection (H) (1) is known, the location of
14 the telecommunications equipment:

15 (a) to which a call is charged; and

16 (b) from which the call originates or terminates;

17 (2) If the location described in Subsection (H)(1) is not known but the location
18 described in this Subsection (H)(2) is known, the location of the origination point of the signal of the
19 telecommunications service first identified by:

20 (a) the telecommunications system of the telecommunications provider;

21 or

22 (b) if the system used to transport the signal is not a system of the
23 telecommunications provider, information received by the telecommunications provider from its
24 service provider; or

25 (3) if the locations described in Subsection (H)(1) or (2) are not known, the

1 location of a customer's place of primary use.

2 I. "telecommunications provider" means:

3 (1) Subject to Subsections (I)(2) and (I)(3), a person that:

4 (a) owns, controls, operates, or manages a telecommunications service;

5 or

6 (b) engages in an activity described in Subsection (I)(1)(a) for the shared

7 use with or resale to any person of the telecommunications service.

8 (2) A person described in Subsection (I)(1) is a telecommunications provider
9 whether or not the public regulation commission of New Mexico regulates:

10 (a) that person; or

11 (b) the telecommunications service that the person owns, controls,
12 operates, or manages.

13 J. "telecommunications service" means the electronic conveyance, routing, or
14 transmission of audio, data, video, voice, or any other information or signal to a point, or among or
15 between points, other than mobile telecommunications service, that originates and terminates within
16 the boundaries of this state.

17 (1) "telecommunications service" includes:

18 (a) an electronic conveyance, routing, or transmission with respect to
19 which a computer processing application is used to act:

20 (i) on the code, form, or protocol of the content;

21 (ii) for the purpose of electronic conveyance, routing, or

22 transmission; and

23 (iii) regardless of whether the service:

24 (A) is referred to as voice over Internet protocol service;

25 or

1 (B) is classified by the Federal Communications
2 Commission as enhanced or value added;

3 (b) an 800 service;

4 (c) a 900 service;

5 (d) a fixed wireless service;

6 (e) a mobile wireless service;

7 (f) a postpaid calling service;

8 (g) a prepaid calling service;

9 (h) a prepaid wireless calling service; or

10 (i) a private communications service.

11 (2) "telecommunications service" does not include:

12 (a) advertising, including directory advertising;

13 (b) an ancillary service;

14 (c) a billing and collection service provided to a third party;

15 (d) a data processing and information service if:

16 (i) the data processing and information service allows data to

17 be:

18 (A) acquired;

19 (B) generated;

20 (C) processed;

21 (D) retrieved; or

22 (E) stored; and

23 (ii) delivered by an electronic transmission to a purchaser; and

24 (iii) the purchaser's primary purpose for the underlying

25 transaction is the processed data or information;

- 1 (e) installation or maintenance of the following on a customer's
- 2 premises:
- 3 (i) equipment; or
- 4 (ii) wiring;
- 5 (f) Internet access service;
- 6 (g) a paging service;
- 7 (h) a product transferred electronically, including:
- 8 (i) music;
- 9 (ii) reading material;
- 10 (iii) a ring tone;
- 11 (iv) software; or
- 12 (v) video;
- 13 (i) a radio and television audio and video programming service:
- 14 (i) regardless of the medium; and
- 15 (ii) including:
- 16 (A) furnishing conveyance, routing, or transmission of a
- 17 television audio and video programming service by a programming service provider;
- 18 (B) cable service as defined in 47 U.S.C. Sec. 522(6); or
- 19 (C) audio and video programming services delivered by
- 20 a commercial mobile radio service provider as defined in 47 C.F.R. Sec. 20.3;
- 21 (j) a value-added nonvoice data service; or
- 22 (k) tangible personal property.
- 23 (3) Mobile "telecommunications service" is as defined in the Mobile
- 24 Telecommunications Sourcing Act, 4 U.S.C. Sec. 124.
- 25 (a) that originates and terminates within the boundaries of one state; and

1 (b) only to the extent permitted by the Mobile Telecommunications
2 Sourcing Act, 4 U.S.C. Sec. 116 et seq.; or

3 (4) an ancillary service, "ancillary service" means a service associated with, or
4 incidental to, the provision of telecommunications service. "Ancillary service" includes:

- 5 (a) a conference bridging service;
- 6 (b) a detailed communications billing service;
- 7 (c) directory assistance;
- 8 (d) a vertical service; or
- 9 (e) a voice mail service.

10 (K) "telecommunications tax or fee"

11 (1) Except as provided in Subsection (K)(2), "telecommunications tax or fee"
12 means any of the following imposed by a municipality on a telecommunications provider:

- 13 (a) a tax;
- 14 (b) a license;
- 15 (c) a fee;
- 16 (d) a license fee;
- 17 (e) a license tax;
- 18 (f) a franchise fee; or
- 19 (g) a charge similar to a tax, license, or fee described in Subsections

20 (K)(1)(a) through (g).

21 (2) "telecommunications tax or fee" does not include:

- 22 (a) the municipal telecommunications license tax authorized by this part;

23 or

- 24 (b) a tax, fee, or charge that is imposed:

- 25 (i) on telecommunications providers; and

1 (ii) on persons who are not telecommunications providers.

2 Section 3. AUTHORITY OF MUNICIPALITY TO LEVY A TELECOMMUNICA-
3 TIONS TAX. -- A municipality may levy on and provide that there is collected from a
4 telecommunications provider a municipal telecommunications tax on the telecommunications
5 provider's gross receipts from telecommunications service that are attributed to the municipality if the
6 gross receipts are from a transaction for telecommunications service that is located within the
7 municipality.

8 A. To levy and provide for the collection of a municipal telecommunications license tax
9 under this part, the municipality shall adopt an ordinance that complies with the requirements of
10 NMSA 1978, § 3-17-5.

11 B. A municipal telecommunications license tax imposed under this part shall be at a
12 rate of up to 3.5% of the telecommunications provider's gross receipts from telecommunications
13 service that are attributed to the municipality.

14 C. A telecommunications provider may recover the amounts paid in municipal
15 telecommunications license taxes from the customers of the telecommunications provider within the
16 municipality imposing the municipal telecommunications license tax through a charge that is
17 separately identified in the statement of the transaction with the customer as the recovery of a tax.

18 C. A telecommunications tax or fee imposed under Subsection (3)(B) shall be imposed:

19 (a) by ordinance; and

20 (b) on a competitively neutral basis.

21 Section 4. ATTRIBUTING THE GROSS RECEIPTS FROM TELECOMMUNICA-
22 TIONS SERVICE TO A MUNICIPALITY. --

23 A. The gross receipts from a telecommunications service are attributed to a municipality
24 if the gross receipts are from a transaction for telecommunications service that is located within the
25 municipality:

1 (1) for purposes of gross receipts under section 7-9-1 et seq.; and

2 (2) determined in accordance with Section 2.

3 B. The rate imposed on the gross receipts for telecommunications service shall be
4 determined in accordance with Subsection (2)(b) if the location of a transaction for
5 telecommunications service is determined under Subsection (1) to be a municipality other than the
6 municipality in which is located:

7 (1) for telecommunications service other than mobile telecommunications
8 service, the customer's service address; or

9 (2) for mobile telecommunications service, the customer's primary place of use.

10 C. The rate imposed on the gross receipts for telecommunications service described in
11 Subsection (2)(a) shall be the lower of:

12 (1) the rate imposed by the taxing jurisdiction in which the transaction is located
13 under Subsection (1); or

14 (2) the rate imposed by the municipality in which it is located:

15 (a) for telecommunications service other than mobile
16 telecommunications service, the customer's service address; or

17 (b) for mobile telecommunications service, the customer's primary place
18 of use.

19 Section 5. PROHIBITED ACTIONS BY A MUNICIPALITY. --

20 A. Subject to the other provisions of this section, a municipality may not levy or collect
21 a telecommunications tax or fee on a person except for a telecommunications tax or fee imposed by
22 the municipality:

23 (1) on a telecommunications provider to recover the management costs of the
24 municipality caused by the activities of the telecommunications provider in the right-of-way of a
25 municipality if the telecommunications tax or fee:

- 1 (a) is imposed in accordance with Section 3; and
- 2 (b) is not related to:
- 3 (i) a municipality's loss of use of a highway as a result of the
- 4 activities of the telecommunications provider in a right-of-way; or
- 5 (ii) increased deterioration of a highway as a result of the
- 6 activities of the telecommunications provider in a right-of-way; or
- 7 (2) on a person that:
- 8 (a) is not subject to a municipal telecommunications license tax under
- 9 this part; and
- 10 (b) locates telecommunications facilities in the municipality.
- 11 B. Subsection (A)(1), above, may not be interpreted as exempting a telecommunications
- 12 provider from complying with any ordinance:
- 13 (1) related to excavation, construction, or installation of a telecommunications
- 14 facility; and
- 15 (2) that addresses the safety and quality standards of the municipality for
- 16 excavation, construction, or installation.
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CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2014-68

INTRODUCED BY:

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Councilor Peter Ives	Mayor Javier M. Gonzales
Councilor Joseph Maestas	Councilor Patti Bushee
Councilor Chris Rivera	Councilor Carmichael Dominguez

A RESOLUTION

CALLING ON THE GOVERNOR, THE LEGISLATURE, THE ATTORNEY GENERAL AND THE REGULATION AND LICENSING DEPARTMENT TO TAKE IMMEDIATE ACTION, WITHIN THEIR RESPECTIVE POWERS, TO CAP INTEREST AND FEES ON NON-BANK LENDING INSTITUTIONS IN NEW MEXICO.

WHEREAS, Santa Fe has approximately 24 licensed small loan companies routinely charging 300% to 600% interest on loans lasting five months to an unlimited duration; and

WHEREAS, according to New Mexico’s Department of Regulation and Licensing statistics, during 2012, small loan companies in Santa Fe issued about 14,000 loans with interest rates over 175%; and

WHEREAS, studies by Consumer Finance Protection Agency, Center for Responsible Lending and Pew Charitable Trust have all shown high interest lending traps borrowers and their families in crippling cycles of debt; and

WHEREAS, studies conducted by the Consumer Financial Protection Bureau, the Pew Charitable Trust and others show high cost loans take money out of a consumer’s pockets, damaging

1 local businesses and reducing jobs in local economies; and

2 **WHEREAS**, the Governing Body of the City of Santa Fe desires that consumers utilize
3 credit that does not result in permanent financial damage to borrowers, their families and the
4 community, and desires to accomplish this in a manner that simplifies regulation and allows lending
5 businesses that benefit our community maximum flexibility to conduct business as they choose; and

6 **WHEREAS**, the victims of high interest loans are primarily the poor, single moms, veterans,
7 and the elderly, and these borrowers are seldom adequately vetted for ability to repay; and

8 **WHEREAS**, the US Department of Defense has determined that high cost lending puts
9 dangerous stresses on the families of active military personnel and harms military readiness, and is in
10 the process of expanding its 36% rate cap on short term loans to cover all categories of loans; and

11 **WHEREAS**, 18 states have implemented interest rate caps ranging from 17% to 36% and
12 have not reported any decreases in available credit; and

13 **WHEREAS**, Pew Charitable Trust surveys indicate that borrowers who lose access to
14 expensive credit as a result of interest rate caps are more than able to compensate through reduced
15 debt costs and cutting back on expenses; and

16 **WHEREAS**, measures other than across the board interest rate caps have proven ineffective
17 at limiting lending abuses because lenders modify their products to evade the law; and

18 **WHEREAS**, two recent polls show 86% of New Mexicans support interest rate caps of 36%
19 or less; and

20 **WHEREAS**, New Mexico Department of Regulation and Licensing statistics show
21 consumers were charged \$99 million in interest and fees on 175% APR and higher small loans in
22 2012, and the amount of additional fees charged for loans between 40% and 175% APR is unknown;
23 and

24 **WHEREAS**, the number of high interest small loan licensees in New Mexico has grown
25 from 582 at the end of 2011 to 656 at the end of 2013; and

1 APPROVED AS TO FORM:

2 Kelley A. Brennan

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4 KELLEY A. BRENNAN, CITY ATTORNEY

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25 *M/Melissa/Resolutions 2014/2014-68 High Interest Loans Cap*

Sources:

1. **New Mexico Regulation and Licensing Department Website Published Data**
<http://www.rld.state.nm.us/financialinstitutions/>
2. **Consumer Financial Protection Bureau (CFPB) Finds Four Out Of Five Payday Loans Are Rolled Over Or Renewed**
http://files.consumerfinance.gov/f/201403_cfpb_report_payday-lending.pdf
3. **Department of Defense Report on Predatory Lending Practices**
http://www.defense.gov/pubs/pdfs/report_to_congress_final.pdf
4. **Louisiana Budget Project**
<http://www.labudget.org/lbp/wp-content/uploads/2011/07/Payday-Lenders.pdf>

(Excerpt below)

In 2006, North Carolina banned payday lending entirely. According to a consumer survey (Conducted by the PEW Charitable Trust), most former borrowers reported that the ban had a positive effect on their personal finances, indicating they had the means to handle financial crises without access to payday loans.

5. **State of Lending Report 2013**
<http://www.responsiblelending.org/state-of-lending/State-of-Lending-report-1.pdf>
6. **Interest Rate Caps, State Legislation, and Public Opinion: Does the law Reflect the Public's Desires? Timothy E. Goldsmith* and Nathalie Martin****
<http://scholarship.kentlaw.iit.edu/cgi/viewcontent.cgi?article=3992&context=cklawreview>
7. **Public Policy Polling, Jan 21-22, 2014, survey of 601 New Mexico Voters.**
8. **Believe it or not outlawing payday loans will not lead to looting and pillaging**
<http://consumerist.com/2014/04/06/believe-it-or-not-outlawing-payday-loans-will-not-lead-to-looting-pillaging/>

(Excerpts below)

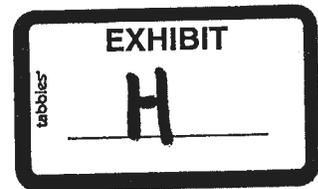
The Consumer Financial Protection Bureau found that in 2011 the U.S. economy took a net loss of \$774 million due to the payday loan industry. "*The economic activity generated by payday lending firms receiving interest payments is less than the lost economic activity from reduced household spending. Specifically, each dollar in interest paid subtracts \$1.94 from the economy through reduced household spending while only adding \$1.70 to the economy through spending by payday lending establishments.*" (Payday loans are less than 15% of the high interest loans in NM)

(Regarding creation of affordable loan products) New York offers two products. The Credit Builder Loan for low-income borrowers with little or no credit, and a Score Builder Loan for those with low credit scores. Both options have a 14.25% interest rate and no fees

* Timothy Goldsmith is a research psychologist in the Department of Psychology, University of New Mexico.

** Frederick M. Hart Chair in Consumer and Clinical Law, University of New Mexico School of Law. The author thanks the University of New Mexico School of Law for its financial support, Brian Parrish, Ernesto Longa, Sherri Thomas, and Jennifer Laws for their superb research assistance, and Frederick M. Hart, Jim Hawkins, and Jason Arvisu for their helpful editorial assistance. This paper was written in connection with a panel entitled *Aberrant Contracts*, at the 2013 AALS Meeting in Washington, D.C.

for a six-month loan. In North Carolina, the State Employee Credit Union offers a Salary Advance of up to \$500 at 12% APR with no fees. The loan must be paid back in full by automatic payments on the next payday. Borrowers in Connecticut can find help in the form of personal loans from the First New England Federal Credit Union. The loans feature APRs between 10.25% and 17.99% depending on a borrower's credit score.



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CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2014-69

INTRODUCED BY:

Councilor Patti Bushee

Councilor Joseph Maestas

A RESOLUTION

SUPPORTING SAFE NURSE STAFFING LEVELS IN THE HEALTH CARE SYSTEM AT THE FEDERAL, STATE AND LOCAL GOVERNMENT LEVELS AND IN THE PRIVATE SECTOR.

WHEREAS, there is a strong relationship between adequate nurse-to-patient ratios and positive patient outcomes within hospitals; and

WHEREAS, rising patient acuity and shortened hospital stays have contributed to diminished quality of health care; and

WHEREAS, finding an optimal nurse-to-patient ratio within hospitals has been a national and state challenge; and

WHEREAS, according to the American Nurses Association, ensuring adequate registered nurse staffing levels within each unit of a hospital has been shown to:

- Reduce medical and medication errors;
- Decrease the frequency and severity of patient complications;
- Decrease mortality;

- 1 • Improve patient satisfaction;
- 2 • Reduce nurse fatigue;
- 3 • Decrease nurse burnout;
- 4 • Improve nurse retention and job satisfaction; and

5 **WHEREAS**, health care leaders have an opportunity to create innovative strategies to
6 improve patient outcomes through development of optimal staffing patterns for hospitals, thereby
7 creating a safer environment for patients and nurses; and

8 **WHEREAS**, staffing solutions require leadership, support, and recognition to assure an
9 appropriate number and skill mix of staff, including registered nurses, who are able to deliver safe
10 quality patient care; and

11 **WHEREAS**, optimal staffing within a hospital is essential in order to provide optimal patient
12 care; and

13 **WHEREAS**, innovative and collaborative strategies that focus on developing long-term
14 solutions will improve the quality of patient care outcomes; and

15 **WHEREAS**, in 2012, the New Mexico Legislature, through House Memorial 51 charged
16 named stakeholder groups to recommend staffing standards to the legislature and tasked the
17 Department of Health to collect information about the hospitals that adopt standards and to report the
18 cost of implementing an oversight program; and

19 **WHEREAS**, at a minimum Connecticut, Illinois, Nevada, Ohio, Oregon, Texas and
20 Washington require hospitals to have staffing committees responsible for plans and staffing policy;
21 and

22 **WHEREAS**, at least thirteen states currently address nurse staffing levels in hospitals
23 through state law and/or regulation, including California, Connecticut, Illinois, Minnesota, Nevada,
24 New Jersey, New York, Ohio, Oregon, Rhode Island, Texas, Vermont and Washington.

25 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**

1 CITY OF SANTA FE that the Governing Body hereby:

2 1, Supports bipartisan efforts in Congress and specifically by our Congressional
3 members, to pass H.R.1821, the Registered Nurse Safe Staffing Act of 2013;

4 2. Encourages our New Mexico State Legislature to develop a state standard for quality
5 of care through prescribed minimum nurse staffing levels, and in particular through minimum
6 registered nurse staffing levels;

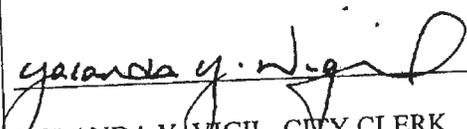
7 3. Recognizes that health care leaders have an opportunity to collaborate to create
8 innovative strategies to develop solutions to quality of care issues resulting from current staffing
9 patterns, in order to ensure a safer environment for patients and nurses; and

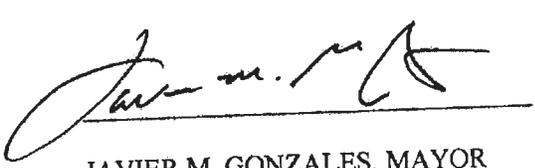
10 4. Requests that hospitals in the area consider implementing a hospital wide staffing
11 plan developed by a nurse staffing committee (that includes nurses, nurse managers, and other
12 managers) to address the unique characteristics of the patients and hospital units that result in the
13 delivery of safe, quality patient care.

14 **BE IT FURTHER RESOLVED** that the City Clerk is directed to forward a copy of this
15 resolution to the City's New Mexico Congressional Delegation, the City's State Legislative
16 Delegation, the City's lobbyist and the executive officers of Santa Fe area hospitals.

17 PASSED, APPROVED and ADOPTED this 27th day of August, 2014.

18
19
20 ATTEST:

21
22 
23 YOLANDA Y. VIGIL, CITY CLERK

24
25

JAVIER M. GONZALES, MAYOR

1 APPROVED AS TO FORM:

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3

Kelley A. Brennan

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KELLEY A. BRENNAN, CITY ATTORNEY

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M/Melissa/Resolutions 2014/2014-69 Nurses Safe Staffing_City of SFe

**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 ESTABLISHING CITY OF SANTA FE LEGISLATIVE PRIORITIES FOR CONSIDERATION BY THE NEW MEXICO STATE LEGISLATURE DURING THE 52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015.

Sponsor(s): Mayor Gonzales

Reviewing Department(s): City Attorney's Office

Persons Completing FIR: Rebecca Seligman Date: 10/28/14 Phone: 955-6501

Reviewed by City Attorney: Kelley A. Brennan Date: 10/29/14
(Signature)

Reviewed by Finance Director: Jessie Garcia Date: 10/30/14
(Signature)

Section B. Summary

Briefly explain the purpose and major provisions of the bill/resolution:
The purpose of the proposed resolution is to establish City of Santa Fe legislative priorities for consideration by the New Mexico State Legislature during the upcoming 52nd legislative session in 2015.

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

Column #:	1	2	3	4	5	6	7	8
	Expenditure Classification	FY 2014	"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	

_____	\$ _____	_____	\$ _____	_____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____	_____
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.)

None

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

2. Consequences of Not Enacting This Bill/Resolution:

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

The city of Santa Fe would not establish their legislative priorities for the upcoming legislative session and therefore, would not benefit from any potential financial assistance that could benefit the Santa Fe community.

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

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.

With approval of the resolution, the city of Santa Fe would be able to establish legislative priorities for the upcoming legislative session in 2015. The potential for financial assistance through the state level would be beneficial to projects that would be advantageous to our community.

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