



# City of Santa Fe, New Mexico

## LEGISLATIVE SUMMARY

Bill No. 2015-42

### Municipal GRT Dedication

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**SPONSOR(S):** Councilor Maestas

**SUMMARY:** The proposed bill amends Section 18-10.4 SFCC 1987 to rededicate a portion of the municipal gross receipts tax to recreational facilities, and bike and pedestrian pathways.

**PREPARED BY:** Jesse Guillen, Legislative Liaison

**FISCAL IMPACT:** No

**DATE:** November 2, 2015

**ATTACHMENTS:** Bill  
FIR

**CITY OF SANTA FE, NEW MEXICO**  
**PROPOSED AMENDMENT(S) TO BILL NO. 2015-42**  
**Municipal GRT Dedication**

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**Mayor and Members of the City Council:**

**I propose the following amendment(s) to Bill No. 2015-42:**

1. On page 1, line 13 after "PATHWAYS" *insert* "; AND REMOVING THE PROVISION FOR ALLOWING THE USE OF EXCESS FUNDS FOR GENERAL MUNICIPAL OPERATIONS"
2. On page 4, line 8 add the following new sentence: "Allocations for these quality of life purposes shall not exceed eleven percent (11%) of the total amount received from the fifth one-quarter percent (1/4%) increment of the gross receipts tax."

Respectfully submitted,

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Joseph M. Maestas, Councilor

ADOPTED: \_\_\_\_\_

NOT ADOPTED: \_\_\_\_\_

DATE: \_\_\_\_\_

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Yolanda Y. Vigil, City Clerk



1 Receipts Taxes Act as it now exists or as it may be amended and shall be known as the  
2 "municipal gross receipts tax."

3 **18-10.2 General Provisions.**

4 This section hereby adopts by reference all definitions, exemptions and deductions  
5 contained in the Gross Receipts and Compensating Tax Act as it now exists or as it may be  
6 amended.

7 **18-10.3 Specific Exemptions.**

8 No municipal gross receipts tax shall be imposed on the gross receipts arising from:

9 A. Direct broadcast satellite services;

10 B. Transporting persons or property for hire by railroad, motor vehicle, air  
11 transportation or any other means from one point within the municipality to another point outside  
12 the municipality; or

13 C. A business located outside the boundaries of a municipality on land owned by the  
14 municipality for which a state gross receipts tax distribution is made pursuant to subsection C of  
15 Section 7-1-6.4 NMSA 1978.

16 **18-10.4 Dedication.**

17 Revenue from the one and one-quarter percent (1.25%) municipal gross receipts tax will  
18 be used for the purpose(s) listed below:

19 A. Revenue from the first two (2) one-quarter percent (1/4%) increments of the  
20 municipal gross receipts tax is dedicated for the following purposes:

21 (1) Annual debt service for municipal gross receipts tax revenue bonds or  
22 other bonds for municipal projects issued for the construction, reconstruction,  
23 improvements and replacement of city facilities, parks, streets, sidewalks, utilities, and  
24 other public works projects including the related equipment and furnishings for the  
25 facilities.

1 (2) If there are proceeds remaining they may be used for:

2 (a) Construction, reconstruction, improvements, replacement,  
3 facility structural maintenance and repair, including related equipment and  
4 furnishings for the facilities.

5 (b) Operating expenditures necessitated by the expansion of services  
6 and facilities to the public.

7 (c) Personnel, operating, contractual, accounting, administration,  
8 equipment, vehicles and other costs related to the city's capital improvements  
9 program and operations of public works department.

10 (d) Computer hardware and software.

11 B. Revenue from the third and fourth one-quarter percent (1/4%) increments of the  
12 municipal gross receipts tax is dedicated to general fund.

13 C. Revenue from the fifth one-quarter percent (1/4%) increment of the municipal  
14 gross receipts tax is dedicated to the public bus system and quality of life purposes in the  
15 following manner:

16 (1) Finance the acquisition, operation, maintenance and any other expenses  
17 necessary for or incidental to the provision of a public bus system. In the event that the  
18 public bus system is ever discontinued, the funds allocated pursuant to this paragraph  
19 shall be used for general municipal operations and the discontinuance of the public bus  
20 system shall not affect the allocations set out in paragraph (2) below. The governing body  
21 shall not discontinue the public bus system until the notice and hearing requirements of  
22 subsections 2-2.3A, 2-2.3B, 2-2.4A, 2-2.4D, 2-2.6 SFCC 1987 have been met.

23 (2) After satisfying the distribution provided for in paragraph C (1),  
24 [~~provision of a public bus system,~~] the remaining proceeds of the gross receipts tax shall  
25 be allocated [~~as set forth in subparagraphs (2)(a) and (2)(b) below.~~]

1 (a) ~~Up to two thirds (2/3) of the proceeds remaining following the~~  
2 ~~distributions provided for in paragraph C(2) of the gross receipts tax shall be~~  
3 ~~used for general municipal operations.~~

4 (b) ~~Up to one third (1/3) of the proceeds remaining following the~~  
5 ~~distributions provided for in paragraph C(1) of the gross receipts tax shall be~~  
6 ~~used]exclusively for the following quality of life purposes: [recreation]~~  
7 ~~recreational facilities, bike and pedestrian pathways, [open space] libraries, and~~  
8 parks.

9 **18-10.5 Effective Date.**

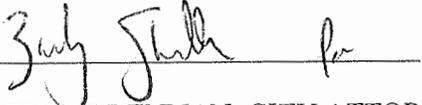
10 A. The effective date of the first two (2) one-quarter percent (1/4%) increments of  
11 the municipal gross receipts tax shall be January 1, 1982.

12 B. The effective date of the third one-quarter percent (1/4%) increments of the  
13 municipal gross receipts tax shall be July 1, 1983.

14 C. The effective date of the fourth one-quarter percent (1/4%) increments of the  
15 municipal gross receipts tax shall be July 1, 1988.

16 D. The effective date of the fifth one-quarter percent (1/4%) increments of the  
17 municipal gross receipts tax shall be ~~[January 1, 1992]~~ July 1, 2016.

18 APPROVED AS TO FORM:

19  
20   
21 \_\_\_\_\_  
KELLEY A. BRENNAN, CITY ATTORNEY

## 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:   X   Resolution: \_\_\_\_\_

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

Short Title(s): **A BILL AMENDING SUBSECTION 18-10 SFCC 1987 TO REDEDICATE A PORTION OF THE MUNICIPAL GROSS RECEIPTS TAX TO RECREATIONAL FACILITIES, AND BIKE AND PEDESTRIAN PATHWAYS.**

Sponsor(s): Councilor Joseph Maestas

Reviewing Department(s): Finance Department

Persons Completing FIR: Oscar Rodriguez Date: 9/21/15 Phone: 955-6530

Reviewed by City Attorney: *July J. Hall for Kelly Beem* Date: 9/21/15  
(Signature)

Reviewed by Finance Director: *[Signature]* Date: 9-21-2015  
(Signature)

**Section B. Summary**

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

This bill would rededicate a portion of the fifth ¼% municipal gross receipts tax from general municipal operations, recreation and open spaces to recreation facilities as well as bike and pedestrian pathways. This rededication would incur no additional fiscal impact as it is only moving existing revenue to other recipients.

**Section C. Fiscal Impact**

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

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

**1. Projected Expenditures:**

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

Finance Director: *[Signature]*

X  Check here if no fiscal impact

Column #:	1	2	3	4	5	6	7	8
	Expenditure Classification	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs Recurring or "NR" Non-recurring	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs – Recurring or "NR" Non-recurring	Fund Affected

Personnel*	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Fringe**	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Capital Outlay	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Land/ Building	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Professional Services	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
All Other Operating Costs	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Total:	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____

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

**2. Revenue Sources:**

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

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

_____	\$ _____	_____	\$ _____	_____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____	_____
Total:	\$ _____	_____	\$ _____	_____	_____	_____

**3. Expenditure/Revenue Narrative:**

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

The resolution will have the effect of formally designating the remaining funds from the last of the ¼% GRT tax after it is used for public transport needs. Currently this revenue (approximately \$1.2 million) goes to the General Fund, which in turn funds Libraries, Parks, and public trails maintenance. As an equal amount of funding for parks and trails maintenance goes away when the proceeds from the 2014 GRT bonds are used up next spring, this designation will help keep this important activity a priority when scarce resources come to be rationed in the next budget cycle.

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**Section D. General Narrative**

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

Amends current code that specifies how a portion of the municipal gross receipts tax is dedicated.

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

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

Status Quo.

**3. Technical Issues:**

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

None.

**4. Community Impact:**

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

This bill would move a small portion of funds from general municipal operations to recreational facilities and bike/pedestrian pathways. This would allow continued development and maintenance of the City's recreational amenities that make it a haven for outdoor enthusiasts.



# MEMORANDUM

TO: Mayor and Members of the City Council  
 FROM: Oscar S. Rodriguez, Finance Director  
 DATE: July 1, 2015  
 SUBJECT: Report on Resolution 2015-40

This memo provides staff's evaluation of the allocation and expenditure of Gross Receipts Tax revenue (GRT) from Section 18-10 SFCC 1987 as called for in your resolution of May 15, 2015.

You directed staff to evaluate the allocation and expenditure of GRT revenue collected from Section 10-10 SFCC 1987 so it could be determine whether there is a need to amend the dedication provision in the ordinance authorizing this tax. To comply with this directive, staff compiled all of the financial information stored in the City's financial accounting system and prepared the table shown below going back to 1996. While the Governing Body passed the enabling legislation for this tax in 1991, known today as the 1/4¢ Municipal GRT, the stored data does not go that far back. Hard copies of the budgets for the years going back to 1991 can be found in the archives, but their format and reporting methods vary from the electronic files and do not allow for a proper comparison. Nevertheless, the 19 years available in the system provide enough of a trend to allow for meaningful conclusions to be drawn.

You will note that over this time period, transit-oriented funds have together consistently

Fund	19 FISCAL YEARS FROM 1996 UNTIL PRESENT, AS OF THE 28TH OF THE MONTH																			E % of Total
	1996-97	1997-98	1998-99	1999-00	2000-01	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	
General	1001	1,585,742	1,590,840	1,590,840	1,470,583	1,450,787	1,523,554	1,395,507	1,353,642	1,475,071	1,086,338	1,996,844	2,067,940	1,939,667	1,121,911	852,500	1,178,163	943,217	1,254,266	22.3%
Capital Equip Reserve	2110							100,000	146,200	100,000										0.3%
Ride Fixers	2304											7,700	12,701	11,840	17,058	14,384	14,205	15,822	22,907	0.1%
Northern Hill Park & Rec	2205		50,000		100,000															0.1%
Section 9 Transp. (HCD)	2327	303,611	298,085	352,868	352,860	352,860	570,966	550,657	561,058	587,529	596,829									4.1%
Quality of Life	2503	792,034	794,228	795,420	725,281	729,893	761,777	697,753	676,620	737,535	933,666	998,422	1,033,970	740,828	665,689	627,603	650,000	702,000	702,000	11.5%
Capital Outlay GRT	3102															14,589				0.0%
Transit O&M	5400	2,230,921	2,254,153	2,666,102	2,832,456	3,221,473	3,279,248	3,330,099	3,819,387	3,542,877	3,699,469	3,084,830	4,401,041	4,434,423	4,035,951	4,891,513	4,700,000	5,105,490	4,846,361	56.3%
Transit Fed Grants	5407		107,944	91,272	250,000	250,000	250,000													0.8%
Transit Fee Grant Match	5410						146,200	103,600	374,506											0.5%
Transit Bus Grant Match	5416									364,417	111,375	178,500	23,000						79,520	0.6%
Paratransit	5421											664,160	641,856	601,031	560,410	533,497	764,600	574,456		3.5%
		4,912,208	5,095,250	5,435,500	5,741,200	6,014,013	6,167,439	6,244,325	6,450,095	6,794,847	7,763,316	7,596,000	8,268,332	7,641,619	6,911,640	6,906,415	7,090,424	7,532,129	7,479,520	1
Beginning Cash																				
2116 - Mun GRT		(6,694)	(17,683)	1,259	90,050	60,282	19,415	152,487	387,584	535,201	177,697	306,955	292,689	72,385	261,970	428,910	759,588	698,778	1,025,544	
		Category		\$'s	%															
		Transit		74,473,097	61.9%															
		General		28,766,392	22.3%															
		Quality		13,791,524	11.5%															
		Other			4.4%															
					100.0%															



received more than 60% of the funds appropriated from the Municipal GRT Fund. The Transit Operating Fund, which underwrites the Transit Division, has accounted for almost all this distribution (56%). The General Fund has received the 2<sup>nd</sup> largest share (22%) of the total amount appropriated over the past 18 years. The transfers to the General Fund arrive with no effective designation and commingle with the many other revenue streams pouring into this fund. The Quality of Life Fund has been appropriated the 3<sup>rd</sup> largest share (12%). Along with the General and Quality of Life Funds, there are other funds that draw from the Municipal GRT Fund that are not specifically transit-oriented. As a group, however, these funds amount to less than 5% of the total disbursed since 1996.

The fund's ending balances over this 18-year period have oscillated with no apparent pattern from a low of negative amounts in the early years to a high of \$0.76 million two fiscal years ago. The oscillation is just as pronounced in terms of percentage of either revenues or expenditures, with a low of 0% at the start of this period to a high of 10% recently. FY 2014-15 is projected to close with an ending balance of \$ ( %). The FY 2015-16 budget was approved with an anticipated ending balance of \$ ( %). To be sure, this fund is currently in an operating deficit. Recurring expenditures exceed recurring revenues, which are guaranteed to at best fall slowly with the sunset of the "hold harmless" GRT payment by the state. If the trend is not corrected, this fund will eventually come to draw funds from the General Fund instead of paying into it.

The pattern of appropriation of Municipal GRT funds appears generally consistent with the language of the legislation that prescribes how this revenue stream is to be distributed:

**18-10.4 C.**

*Revenue from the fifth one-quarter percent (1/4%) increment of the municipal gross receipts tax is dedicated to the public bus system and quality of life purposes in the following manner:*

- (1) Finance the acquisition, operation, maintenance and any other expenses necessary for or incidental to the provision of a public bus system. In the event that the public bus system is ever discontinued, the funds allocated to this paragraph shall be used for general municipal operations and the discontinuance of the public bus system shall not affect the allocations set out in paragraph (2) below. The governing body shall not discontinue the public bus system until the notice and hearing requirements of subsections 2-2.3A, 2-2.3B, 2-2.4A, 2-2.4D, 2-2.6 SFCC 1987 have been met.*
- (2) After satisfying the provision of a public bus system, the remaining proceeds of the gross receipts tax shall be allocated as set forth in subparagraphs (2)(a) and (2) (b) below.*



- (a) *Up to two-thirds (2/3) of the proceeds remaining following the distributions provided in paragraph C(2) of the gross receipts tax shall be used for general municipal operations.*
- (b) *Up to one-third (1/3) of the proceeds remaining following the distributions provided for in the paragraph C(1) of the gross receipts tax shall be used exclusively for the following quality of life purposes: recreation, open space, libraries, and parks.*

Veteran City staffers explain that the standing practice during the budget process has been to first attempt to meet the Transit Division's budget requests before allocating resources from this GRT to the General and other funds. The FY 2015-16 Budget continued this approach. To the extent that Transit Division has presented and the Governing Body has addressed the community's transit priorities during the annual budget development process, the GRT has been used to satisfy the public bus system funding needs with the available resources and appropriated the balance to quality of life purposes as set out in the ordinance. Based on this, staff does not recommend any changes to the ordinance at this time.

I am available to answer any questions you may have or provide further information as you require.

From: JON BULTHUIS jrbulthuis@ci.santa-fe.nm.us  
Subject: Information Request: City Council Agenda Item #10j  
Date: May 12, 2015 at 2:10 PM  
To: JOSEPH MAESTAS jmaestas@ci.santa-fe.nm.us  
Cc: Brian Snyder bksnyder@ci.santa-fe.nm.us, OSCAR RODRIGUEZ osrodriguez@ci.santa-fe.nm.us

Clr. Maestas –

As requested, the following bullet points provide a general overview of the ¼% Quality of Life GRT allocation to the Transit Division, along with an overview of the federal funding situation, and finally the operating/capital needs of the existing transit programs including Santa Fe Trails (fixed-route bus), Santa Fe Ride (para-transit vans), and Santa Fe Pick-Up (downtown/museum shuttle):

- ÿ A “transfer-in” from the ¼% GRT is made during the budget process to support ongoing operations of the transit services being delivered and approved by City Council (existing service plan)
- ÿ Demand for increased services, expressed through the Transit Master Plan process (currently underway), are considered on a case by case basis as funding is available (i.e. service to SFCC on Saturdays, more frequent service on existing routes, new routes to serve new destinations, etc.)
- ÿ The “periodic assessment” of how the ¼ % GRT collected is budgeted and expended has not occurred, to my knowledge, during my tenure with the City of Santa Fe
- ÿ Federal operating funds have remained fairly stable in recent years (although uncertainty exists in that the U.S. DOT’s funding awaits Congressional re-authorization)
- \* ÿ Federal capital funds have decreased from an average of approximately \$1M+ per year to \$100K+ per year forcing local governments to pick up the difference
- \* ÿ Fleet replacement funding requirements for Santa Fe Trails fixed-route bus fleet, alone, average \$1.5M/year (needed for cyclical replacement of the 30 bus fleet, with 10-year life buses, at a pace of 3 buses/year, at a cost of +/- \$500K per bus)
- \* ÿ Costs to replace Santa Fe Ride Paratransit vehicles, Santa Fe Pick-Up vehicles, and support vehicles are in addition to the fixed-route fleet replacement needs
- \* ÿ Costs to place and maintain street furniture (shelters and benches), in addition to the Downtown and Southside Transit Centers, fall in part to the city as well once competitive discretionary grant funds are exhausted

***The key long-term funding shortfall for the Transit Division is fleet replacement. Unless the future Federal Transportation Act includes capital funding allocations at levels of years past, the need for +/- \$1.5M per year to keep the fleet on a regular replacement schedule will fall to the City of Santa Fe.*** As you know, we recently were forced to cut the level of service delivery in order to free-up operating funds to

cover the debt service required to purchase replacement buses. That was a necessary one-time fix, but not a sustainable practice. Note that the New Mexico Transit Association is also working with the State Legislature to address this funding shortfall, but as yet, New Mexico remains one of just a handful of states that does not support local transit capital or operating costs with state revenues.

The systems capital needs are fairly straightforward and quantifiable, as described above, but please let me know if you have any questions or would like further information prior to Wednesday's City Council meeting.

Jon

GROSS RECEIPTS TAX			FY 14-15		FY 14-15	
FOR EVERY \$1 IN SALES, 8.1875 CENTS IS CURRENTLY COLLECTED IN GROSS RECEIPTS TAX					Budget FY 14-15	
DISTRIBUTED TO:	CENTS	ALLOCATION TO CITY 2014/15 BUDGET	PLEGGED DEBT SERVICE	OPERATIONS	Budget Debt Payments	OPERATIONS
The State (1.225 is returned to the city)	4.6250	40,328,962	40,328,962			40,328,962
State increment in lieu of food GRT	0.5000	N/A (included in other listed City categories)				
State/Ft County Operations	0.1275	N/A (SF County)				
Capital Outlay	0.7750	N/A (SF County)				
EMO/Medical	0.51	N/A (SF County)				
Corrections/Jail	0.4300	N/A (SF County)				
Regional Transit	0.1230	N/A (SF County)				
City Capital Improvement Plan	0.5800	15,594,500	15,594,000		12,511,882	3,082,118
General City Operations	0.5600	15,806,316		15,806,316		15,806,316
Mun. G.R.T. (Bus Systems, Quality of Life, Revenue Loss)	0.2500	2,757,190		7,797,000	329,205	
General Fund						1,254,266.04
Ridefinders						22,937.04
Quality of Life						702,000
Transit Bus Operations						4,046,361.04
SP Trails Welfare to Work						80,000.04
SF Paratransit Operations						574,438.04
Mun. G.R.T. Environmental (WW)	0.0625	1,926,500	1,926,500		1,538,550	387,950
Mun. G.R.T. Infrastructure:						
Solid Waste	0.0625	1,926,500	1,926,500		1,307,660	618,840
Railyard	0.0625	1,926,500	1,926,500		1,880,711	45,789
Police	0.0625	1,966,800		1,966,800		1,868,800
Chavez Center	0.0625	1,926,500		1,926,500		1,926,500
Water	0.2500	2,695,000		7,695,000	7,695,000	0
Mult. Equivalent Distrib		350,000		350,000		350,000
<b>TOTAL</b>	<b>8.1875</b>	<b>97,244,078</b>	<b>61,702,462</b>	<b>35,541,616</b>	<b>25,263,008</b>	<b>71,981,070</b>
				<b>97,244,078</b>		<b>97,244,078</b>

## Southside Transit Center - Cost Estimates

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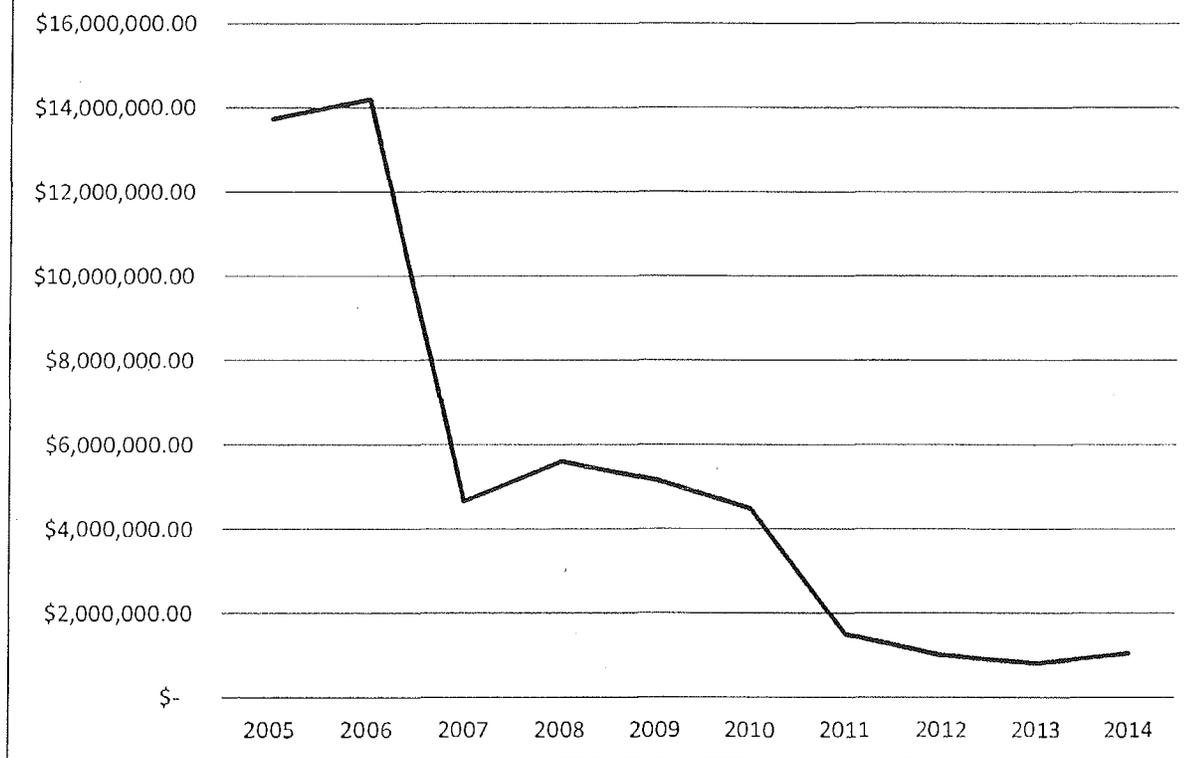
Option #1 - Exterior Work Only (w/o parking)	\$1,116,789
Option #1 Modified - Exterior Work (w/ minimal parking)	\$1,200,000
Option #1A - Exterior Work (w/ minimal parking) <i>Plus minimal interior remodeling to allow indoor waiting area, public restrooms, customer service window, and staff office spaces (diagram)</i>	\$1,500,000

## Southside Transit Center - Funding Sources

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FTA Grant Award <i>Funds remaining after purchase of bus shelters</i>	\$544,093
Sale of Adjacent Land	\$248,000
Dedication of Roadway Impact Fees <i>(\$1,950,000 current account balance)</i>	\$707,907
Total Project Cost	<hr/> \$1,500,000

### FTA Discretionary Grant History: 2005 - 2014



DEPARTMENT OF TRANSPORTATION 2005

	<u>Award Amount</u>
Section 5309 20.500 NM030026	\$3,942,820
Section 5309 20.500 NM03X022	\$977,186
Section 5309 20.500 NM03X048	\$381,370
Section 5309 20.500 NM030034	\$4,429,201
Section 5309 20.500 NM030035	\$2,999,029
Section 330 20.500 NM700001	<u>\$993,500</u>
	\$13,723,106

DEPARTMENT OF TRANSPORTATION 2006

	<u>Award Amount</u>
Section 5309 20.500 NM030026	\$3,942,820
Section 5309 20.500 NM03X022	\$977,186
Section 5309 20.500 NM03X048	\$381,370
Section 5309 20.500 NM030034	\$4,429,201
Section 5309 20.500 NM030035	\$2,999,029
Section 5309 20.500 NM03X045	<u>\$1,457,667</u>
	\$14,187,273

DEPARTMENT OF TRANSPORTATION 2007

	<u>Award Amount</u>
Section 5309 20.500 NM03X0042	\$196,736
Section 5309 20.500 NM030035	\$2,999,029
Section 5309 20.500 NM03X045	<u>\$1,457,667</u>
	\$4,653,432

DEPARTMENT OF TRANSPORTATION 2008

	<u>Award Amount</u>
Section 5309 20.500 NM03X0042	\$196,736
Section 5309 20.500 NM030035	\$2,999,029
Section 5309 20.500 NM58X001	\$445,500
Section 5309 20.500 NM58X002	\$500,000
Section 5309 20.500 NM03X045	<u>\$1,457,667</u>
	\$5,598,932

DEPARTMENT OF TRANSPORTATION 2009

	<u>Award Amount</u>
Section 5309 20.500 NM03X0042	\$196,736
Section 5309 20.500 NM030035	\$2,999,029
Section 5309 20.500 NM58X002	\$500,000
Section 5309 20.500 NM03X045	<u>\$1,457,667</u>
	\$5,153,432

DEPARTMENT OF TRANSPORTATION 2010

	<u>Award Amount</u>
Section 5309 20.500 NM03X0042	\$196,736
Section 5309 20.500 NM030035	\$2,999,029
Section 5309 20.500 NM58X002	\$500,000
Section 5309 20.500 NM03X056	\$490,050
Section 5309 20.500 NM04X006	<u>\$ 294,000</u>
	\$4,479,815

DEPARTMENT OF TRANSPORTATION 2011

	<u>Award Amount</u>
Section 5309 20.500 NM58X003	\$500,000
Section 5309 20.500 NM58X004	\$700,000
Section 5309 20.500 NM04X006	<u>\$294,000</u>
	\$1,494,000

DEPARTMENT OF TRANSPORTATION 2012

	<u>Award Amount</u>
Section 5309 20.500 NM58X004	\$700,000
Section 5309 20.500 NM04X006	<u>\$294,000</u>
	\$ 994,000

DEPARTMENT OF TRANSPORTATION 2013

	<u>Award Amount</u>
ARRA-Section 5309 20.500 NM96X003	\$797,882

DEPARTMENT OF TRANSPORTATION 2014

	<u>Award Amount</u>
ARRA-Section 5309 20.500 NM96X003	\$797,882
Section 5309 20.507 NM04X0032	<u>\$240,000</u>
	\$1,037,882

Fixed Route Bus Replacement Schedule																
09/12/2013																
Purchases (Retirements)																
Bus Yr	Bus Type	Existing	FY12/13	FY13/14	FY14/15	FY15/16	FY16/17	FY17/18	FY18/19	FY19/20	FY20/21	FY21/22	FY22/23	FY23/24	FY24/25	End Qty
2001	Bluebird	R	10	0	-10											0
2002	Bluebird	R	7			-7										0
2008	Eld EZRider II	R	6					-3								0
2009	Eld Passport	R	4			-4										0
2011	Eld EZRider II	R	6						-3							0
2012	Gillig	R	2												-2	0
2014	Gillig	N			5											5
2015	Bus	N				7										7
2016	Bus	N					3									3
2017	Bus	N						3								3
2018	Bus	N							3							3
2019	Bus	N								2						2
2020	Bus	N									2					2
2021	Bus	N										2				2
2022	Bus	N											2			2
2023	Bus	N												1		1
2024	Bus	N													1	1
Annual Change			35	0	-5	0	-1	3	0	-1	2	2	-1	-2	-1	31
Total Buses in Fleet			35	35	30	29	32	32	32	31	33	35	34	32	31	
Peak Pullout			23	23	23	23	23	23	23	23	23	23	23	23	23	0
Spare Ratio			52%	52%	30%	26%	39%	39%	39%	35%	43%	52%	48%	39%	35%	
Contingency Fleet																
Bus Yr	Bus Type	Existing	FY12/13	FY13/14	FY14/15	FY15/16	FY16/17	FY17/18	FY18/19	FY19/20	FY20/21	FY21/22	FY22/23	FY23/24	FY24/25	End Qty
2002	Bluebird	R				3			-3							0
2008	Eld EZRider II							3	3							0
2011	Eld EZRider II												3	3	-2	4
2012	Gillig														2	2
Annual Change			0	0	0	3	0	0	3	3	0	-3	0	3	0	6
Total Buses in Cont. Fleet		0	0	0	0	3	3	3	3	6	6	3	3	6	6	

**ACTION SHEET  
ITEM FROM THE  
PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING  
OF  
MONDAY, NOVEMBER 9, 2015**

**ITEM 9**

REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SUBSECTION 18-10 SFCC 1987 TO REDEDICATE A PORTION OF THE MUNICIPAL GROSS RECEIPTS TAX TO RECREATIONAL FACILITIES, AND BIKE AND PEDESTRIAN PATHWAYS (**COUNCILOR MAESTAS**) (**OSCAR RODRIGUEZ**)

**PUBLIC WORKS COMMITTEE ACTION: Forward with No Recommendation; Return to PWC next meeting**

**FUNDING SOURCE:**

**SPECIAL CONDITIONS / AMENDMENTS / STAFF FOLLOW UP:**

VOTE	FOR	AGAINST	ABSTAIN
CHAIRPERSON TRUJILLO			
COUNCILOR BUSHEE	X		
COUNCILOR DIMAS	X		
COUNCILOR DOMINGUEZ	X		
COUNCILOR IVES		X	

didn't know what that document looks like. He asked what that should be measured against.

Councilor Bushee said they could postpone it and review the 2007 Master Plan.

Councilor Ives asked if there is a necessity for speed and handling it tonight. He was not familiar with the 2007 plan either.

Mr. Carter asked if that was parks and recreation plan or just parks plan.

Mr. Pino said the 2007 was a Parks Master Plan.

Councilor Dominguez explained that Parks and Recreation for number of years were separated and now they are brought back together. The reason it was separated before was a financial situation. Without having reviewed the 2007 Master Plan, he was not sure it will get done.

**Councilor Bushee moved to postpone this matter to the next meeting and have a good discussion on December 9.**

Mr. Carter asked if she wanted him to get you a copy of the 2007 Parks Master Plan. The next PARC meeting will be in December after that because some members will be out of town at the November date.

**Councilor Ives seconded the motion and it passed by unanimous voice vote.**

Mayor Gonzales announced that he is still accepting applicants to serve on PARC and would like to get those appointments done in December.

**9. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SUBSECTION 18-10 SFCC 1987 TO REDEDICATE A PORTION OF THE MUNICIPAL GROSS RECEIPTS TAX TO RECREATIONAL FACILITIES AND BIKE AND PEDESTRIAN PATHWAYS (COUNCIL MAESTAS) (OSCAR RODRIGUEZ)**

**Committee Review:**

Parks & Recreation Commission (Approved)	10/02/15
City Business & Quality of Life Committee(Postponed)	10/14/15
Public Works committee (Postponed)	10/26/15
City Business & quality of Life Committee (Scheduled)	11/10/15
City Council (Request to publish)	11/10/15
Bicycle and Trails Advisory Committee (Scheduled)	11/18/15
Finance Committee (Scheduled)	11/30/15
Council (Public Hearing)	12/09/15

Councilor Bushee said the Committee needs to talk about the budget comprehensively. She asked if this money is already allocated.

Mr. Rodriguez said with that portion of GRT, Transportation needs are first addressed. The Transportation Director presents the needs and what remains is transferred to the General Fund and out of General Fund are funds for Parks and Recreation and things on this resolution. In shifting them it would not be that significant of a shift. Council could say it is on top or give other directions to make sure that money goes to those different uses.

Councilor Bushee asked if Council can use this money in any other ways.

Mr. Rodriguez said the City does draw from that pot - it is General Fund money.

Councilor Rivera joined the meeting at 5:11.

Mr. Rodriguez said the General Fund pays a higher amount than what is transferred.

Councilor Bushee said the City still doesn't have a way to sustain the Southside Library and this is for Quality of Life purposes. She asked if that should be considered during the budget in a different way. We will always have the opportunity down the road to ask for trail monies if we win back the confidence of the voters. What are the limitations on that money since it is in the General Fund?

Mr. Rodriguez said it is \$1.25 million. We spend more than that now but should at least spend that amount in these different areas.

Councilor Bushee asked if Council could tell him in the budget cycle to take that \$1.25 million to fund the Southside Library; to reframe how we use this, given the state of the budget.

Councilor Dominguez would like to have that flexibility depending on how things work out through the budget process. He asked if that would eliminate those recreation funds.

Councilor Maestas, in response to Councilor Dominguez, said that General Fund allocation is just commingled in the General Fund and not for specific programs.

Councilor Dominguez said the end result is the same but we are getting more specific.

Councilor Maestas said his concern was just to make sure transportation gets its fair share. It is part of those bridging strategies. It is about cutting off the raid on the Transportation Fund by the General Fund. He didn't intend to restrict the programs and was open to adding recreational facilities. The funding gap is highest for those facilities right now so they could maximize the allocation after transportation is funded.

Councilor Dominguez agreed that money dedicated for Transportation should go there. He wanted to make sure Council still has the opportunity to make those specific allocations during the budget process.

Councilor Maestas reminded the Committee that the primary designation was for transportation - rolling stock, operations, everything and then the Quality of Life programs could get what is left. But, according to our Transportation Director, it is not happening. We are getting \$1.25 million for capital bus purchases. The federal funding is gone and state funding is gone and the General Fund is siphoning off that \$1.25 million. The Southside Transit Center is not fully funded either. The needs of public transportation are not being fully met. When we purchased the recent buses, it was a loan from the MFA. He questioned how this fund is being administered. He was not advocating changing the dedication but just carrying it out. This is a social justice issue and a budget issue. It will end that bridging strategy to balance the budget.

Councilor Maestas included an email that Mr. Bulthuis sent him when they were doing the assessment. It is in the packet and he highlighted the 5<sup>th</sup> bullet about forcing the local governments to pick up the difference for the buses. He was asking that we meet that need and not to raid that dedicated money. That is what this bill is about.

Councilor Bushee pointed out that nowhere does it mention transit.

Councilor Maestas referred her to page 4, line 3 part A, where he was striking the allocation to the General Fund. Public Transportation has the right of first refusal.

Councilor Bushee didn't know what this is doing.

Councilor Maestas explained that part was going to General Fund and part to Quality of Life and this would cut out the General Fund portion.

Mr. Rodriguez added that the money left over after dealing with the Transportation budget would be used for those things listed. If the Council wants to segregate that money and not put it into the General Fund, that should be made clear in the resolution. The General Fund spends more than \$1.25m for access in the trails.

Mr. Bulthuis explained the need to finance the capital needs of the transit system that previously relied on federal funding.

Councilor Bushee didn't see how what they wanted was in this bill.

Councilor Ives said it is on page 3. He heard Mr. Bulthuis say public transportation will probably need to use all of that \$1.25 million. So do we want to restrict that money to transportation related costs or do we want to allocate some for other uses. That was the debate to his mind and in the resolution there is nothing else in his packet.

Mr. Bulthuis concurred with Councilor Ives' comments but asked for consideration of what Councilor Maestas mentioned. There may be some tweaking done on the amendment to achieve that goal. The larger message is exactly what Councilor Ives said. There might be money left but less than before since the City has to pay for what the federal funds paid for in the past.

Councilor Maestas suggest approving the strike-out section but maybe amend the Quality of Life to say not greater than 11%. That is the historical average. That assures that public transportation would get at least a minimum amount. The only dedicated source we have is uncertain. Even that allocation will not meet the need now or in the future. It is not about new taxes but just following the letter of the law and ensuring public transportation. He proposed to say "not to exceed 11% on Quality of Life programs."

Councilor Dominguez would support to eliminate the 11% for General Fund and use it all for the public transportation system. The needs really do outweigh what will be collected. It could be clearer in paragraph C that the priority is the public bus system. We should say the following order could be clear that the public bus system gets that allocation. The reason he liked the 11% is because Santa Fe could have a nice bus system and not have a library to go to. The population is vulnerable to health issues. He would like it to be as broad as possible with Quality of Life programs but not limited to that.

Councilor Bushee said that was not as advertised.

Councilor Ives said it brings up what our practice has been rather than the language this ordinance provides. It appears there are real needs for the public bus system which presumable should be taken care of by this 1/4% but we have taken away from it to supply the General Fund and a list of a few Quality of Life items. Even without modification, it says the public bus system is the priority here unless there is more money than needed to operate the system and identifies what should be done if any is left over. Next year

Council needs to be very clear that public transit is the priority and the rest is a stepchild in this ordinance. It is not an invitation to take it from the public bus system budget. Clearly the public bus system is the priority.

Mr. Rodriguez said the Council makes the decisions how the budget is allocated and staff just recommends. The process is that the Transportation Director presents the needs and what remains goes another direction. The picture Mr. Bulthuis tried to portray is that federal funding has been going down and that means what has been there in the past is going away. So there will not be excess funds in the future. So the General Fund has to subsidize those costs to keep the same level of service in the future. GRT is slowly going away too.

Councilor Bushee was concerned that it is not clear from the title. She didn't know how to proceed since there is no clarity. She didn't even know how to conceptually approve it. She asked it be postponed to the first meeting in December. It has to have a public hearing.

**Councilor Bushee moved to postpone to December 9. Councilor Dimas seconded the motion.**

Councilor Dominguez asked if there is any way to keep it on schedule with Finance Committee.

Councilor Bushee agreed.

Councilor Dominguez said he could support it but didn't want it to get stuck in committee.

Councilor Bushee thought it just needs to be advertised differently.

**The motion passed by majority voice vote with all voting in favor except Councilor Ives who dissented.**

**11. REQUEST FOR APPROVAL OF A RESOLUTION REQUESTING THE CITY MANAGER EVALUATE POSSIBLE EFFICIENCIES WITHIN CITY OPERATIONS THAT MIGHT HELP CLOSE THE OPERATING DEFICIT IN FISCAL YEAR 2016/2017 INCLUDING IMPLEMENTING A CONDITIONAL HIRING FREEZE (COUNCILOR MAESTAS) (JESSE GUILLEN)**

**Committee Review:**

Finance Committee (Scheduled)	11/30/15
Council (Scheduled)	12/09/15

Councilor Bushee asked for 11, 12 and 13 to be heard together since they are all approaches for dealing with the budget.

**12. REQUEST FOR APPROVAL OF A RESOLUTION ESTABLISHING POLICIES FOR GUIDING THE MANAGEMENT OF THE CITY'S FINANCES AND FOR ASSISTING THE GOVERNING BODY AND CITY STAFF IN EVALUATING THE CURRENT ACTIVITIES AND FUTURE PLANS (MAYOR GONZALES) (OSCAR RODRIGUEZ)**

**Committee Review:**

Public Works Committee (Postponed)	10/13/15
Finance Committee (Postponed)	10/19/15
Finance Committee (Approved)	11/02/15

**ACTION SHEET**  
**ITEM FROM FINANCE COMMITTEE MEETING OF 11/30/15**  
**FOR CITY COUNCIL MEETING OF 12/09/15**

**ISSUE:**

26. Request for Approval of an Ordinance Amending Subsection 18-10 SFCC 1987 to Rededicate a Portion of the Municipal Gross Receipts Tax to Recreational Facilities, and Bike and Pedestrian Pathways. (Councilor Maestas) (Oscar Rodriguez)

**Committee Review:**

Parks and Recreation Commission (approved)	10/02/15
City Business Quality of Life Committee (postponed)	10/14/15
Public Works Committee (postponed)	10/26/15
Public Works Committee (postponed)	11/09/15
City Business Quality of Life Committee (not approved)	11/10/15
City Council (request to publish) (postponed)	11/10/15
Public Works Committee (scheduled)	12/07/15
City Council (request to publish)	12/09/15
City Council (public hearing)	01/13/16

Fiscal Impact – No

**FINANCE COMMITTEE ACTION:**

Approved as Discussion item.

**FUNDING SOURCE:**

**SPECIAL CONDITIONS OR AMENDMENTS**

**STAFF FOLLOW-UP:**

<b>VOTE</b>	<b>FOR</b>	<b>AGAINST</b>	<b>ABSTAIN</b>
COUNCILOR TRUJILLO	X		
COUNCILOR RIVERA		X	
COUNCILOR LINDELL		X	
COUNCILOR MAESTAS	X		
CHAIRPERSON DOMINGUEZ	X		

**21. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT – ADVERTISING SERVICES FOR TOURISM SANTA FE (RFP#15/17/P); FUSEIDEAS, LLC. (RANDY RANDALL)**

Councilor Maestas said in his letter, Mr. Randall said Amendment #1 would be for the remaining balance for the current fiscal year advertising budget which is \$540,000. However, on page 1 of the Amendment, it is really an increase on top of the \$900,000.

Randy Randall, Director, Tourism Santa Fe Department, said there is \$1.230 million in the budget for advertising this fiscal year. He said when this contract was written, the budget for this year had not been approved, so we didn't know the amount. He said \$214,000 of the \$900,000 for the current contract was paid out of the last fiscal year. This is just a 4-month extension of the contract to bring it in line with our fiscal year so we can judge our advertising contracts based on the approved budget. This year's budget had an increase in the advertising line item, and this action is to capture that increase.

Councilor Maestas said the contract period doesn't coincide with our fiscal year.

Chair Dominguez said with this amendment, we are in line with the fiscal year.

Mr. Randall said this is correct.

**MOTION:** Councilor Lindell moved, seconded by Councilor Trujillo, to approve this request.

**VOTE:** The motion was approved unanimously on a voice vote.

**26. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SUBSECTION 18-10 SFCC 1987, TO REDEDICATE A PORTION OF THE MUNICIPAL GROSS RECEIPTS TAX TO RECREATIONAL FACILITIES, AND BIKE AND PEDESTRIAN PATHWAYS. (COUNCILOR MAESTAS). (OSCAR RODRIGUEZ) Committee Review: Parks and Recreation Commission (approved) 10/02/15; City Business & Quality of Life Committee (postponed) 10/14/15; Public Works Committee (postponed) 10/26/15; Public Works Committee (postponed) 11/09/15; City Business & Quality of Life Committee (not approved) 11/10/15; City Council (request to publish) (postponed) 11/10/15; Public Works Committee (scheduled) 12/07/15; City Council (request to publish) 12/09/15; and City Council (public hearing) 01/13/15. Fiscal Impact – No.**

Councilor Lindell said she is concerned that before the next budget cycle we are diverting any money whatsoever out of the General Fund. She isn't comfortable doing this prior to the next budget cycle.

Councilor Maestas said the commitment was made in 1991 when this GRT dedication was made for starting our Public Transportation System. He said if there's any diverting of money, it is from Public Transportation to the General Fund. He thinks we're going to have a discussion at the end of the evening

about how to bridge the budget gap. He thinks we need better clarity and definition of the true problem. He said we're talking about trying to blow up these little bridges where we've been playing shell games, and this is one of them, where the General Fund has been raiding the Public Transportation dedicated funds to the tune of \$1.25 million. He said there are extensive needs in public transportation. This action is a combination of starting to institute some financial reform, ending the shell games and reversing a decision that disproportionately impacts the segment of our population that relies on public transportation.

Councilor Maestas noted his amendment in the packet is to add to the caption to make it clear that this action would remove the provision for allowing the use of excess funds for general municipal operations. He said the FIR in the packet is a little slanted, and he prefers more objectivity from staff in writing the FIRs. He said it says that while this money is used for quality of life programs, but not necessarily. If it goes into the General Fund, "who knows what it is used for."

Councilor Maestas said, "For the record, I took great offense to that Fiscal Impact Report that was quite biased, I think, against this action. So I thought everybody cared about public transportation and this would at least provide insurance..."

Chair Dominguez said, "Each member can speak for themselves and they will articulate what they care about."

Councilor Maestas said, "Okay, but let me finish." He said it is a tried and true service which has been around since the early 1990s, and the needs are there and extensive, so why would we deprive a system that already has dedicated funding, great needs." He said, "It begs the question, with all the needs on record, how could we, with a clear conscience, siphon some of those funds for the General Fund. I think it's a social justice, social equity, financial reform issue. And I believe we should start taking all these policy actions and end these shell games so we can get a handle on the true financial picture of the City and that's what this will do as well."

Councilor Lindell said she appreciates Councilor Maestas's remarks. However, the change in this, it does say, after satisfying the distributions provided for, which weren't changed. She said we're dedicating monies to the General Fund after the Transportation needs are met. She said these funds are to go to recreational facilities, bicycle and pedestrian pathways. That is the change she sees in here. She said, "I'm not really seeing that we're taking money away from the.... it clearly states that the tax is dedicated to the Public Bus System and the quality of life purposes. I don't see that we're taking money away from the bus system. That's my comment from what I read here."

Councilor Maestas said there is another amendment on packet page 3, Amendment #2, which basically sets the allocation for the quality of life at 11% and it's a not to exceed. He said staff did a historical analysis of the way these funds have been allocated, and quality of life has been receiving steadily about 11%. He said this makes sure the quality of life allocation is held harmless.

**MOTION:** Councilor Maestas moved, seconded by Councilor Trujillo, to approve the proposed Resolution with the amendment on page 3.

**DISCUSSION:** Councilor Rivera said he agrees with Councilor Lindell in some ways. He said it seems Councilor Maestas is trying to put into a Resolution something that is already happening, or if in Councilor Maestas' opinion this isn't happening.

Councilor Maestas said it's not happening, commenting we have consistently been diverting money to the General Fund, reiterating his concern that we had to take a MFA loan to buy buses and the loan period exceeds the life cycle of the buses purchased, and the debt service came out of the existing operating budget for public transportation.

Councilor Rivera said then Councilor Maestas wants to take money from Public Transportation and defer it to Recreational Facilities, Bike and Pedestrian Pathways.

Councilor Maestas said no, all this does is to eliminate the possibility of the General Fund taking anything from this, and that's all this does.

Councilor Rivera asked, regarding the additional funds to Recreational Facilities, Bike and Pedestrian Pathways, how will the funds be spent and who decides who gets what amount, and if social justice issues will be addressed there, and will this be spread throughout the community.

Councilor Maestas said it is *status quo* which is transparent and reiterated his concerns that the money should be spent as intended for all of the transportation needs. He said, "It is ludicrous that we're perpetuating this practice. It is not a sound financial practice and it isn't equitable.

Councilor Rivera asked the reason this wasn't approved by the Business & Quality of Life Committee.

Councilor Lindell said it was the reasons we were discussing earlier. She doesn't think there is clarity here. She said the distribution hasn't changed in terms of public transportation. She asked if Councilor Maestas is saying it hasn't changed, but we haven't been adhering to it.

Councilor Maestas said definitely.

Chair Dominguez said he is saying it hasn't changed, but staff hasn't implemented it.

Councilor Lindell asked how this will change things.

Councilor Maestas said it makes it final and official.

Councilor Lindell said this is plenty official.

Councilor Maestas said no, so you can't use it for General Fund purposes. The dedication doesn't say for the public transportation system and municipal general operations and quality of life. The caption on that dedication was for public transportation. "These sub allocations are only contingencies, if *'all the needs of the public transportation system are met.'*" He said it is unfortunate. He said this is to compensate the General Fund for revenue loss, but that won't put more buses on the road, improve bus shelters, fund the

Southside Transit Center. He said these funds that are dedicated by the people will fund those. He said, "The General Fund is going to have to fend for itself, and this will help us to further define the problem and end the shell games."

Councilor Maestas continued, "This is another bridging strategy. This transfer is part of a \$6.4 million subsidy. We need to take the steps to come closer to defining the true financial condition of the City and end these unsound financial practices, and in the process we will ensure that the needs for public transportation are met."

Councilor Rivera observed that we are still playing the bridging strategy by holding harmless those areas we want to continue to fund.

Councilor Maestas thinks it protects the quality of life funding. He wants to end the siphoning of funds by the General Fund, and hold harmless the quality of life funding.

Chair Dominguez thanked Councilor Maestas for his work. He said, "In true fashion, you are absolutely sure of what it is you are wanting to accomplish. But I have to say, and I will be completely honest, when I talk to many different folks, both staff, members of the public, a whole cross-section of people, we are a little confused by this. I think they understand the intent which is to clarify some things, but they also feel, as Councilor Lindell has indicated, it says in here pretty clearly what the intent should be. I think some of the questions I have, when we talk about the needs of transit, we have to be very specific with that. I say that because I've been around long enough to understand when you start to segregate like that, all of a sudden all these other programs fit under the definition of transit. Things such as bike share would fit into that. I just think that we need to have some clarity and be very clear about what the Transit needs are. I agree with you. When you look at all the needs of transit – buses, bus replacement, increase routes – there isn't enough money. We need to dedicate the money for what it was intended."

Chair Dominguez continued, "When we talk about social justice and we want to get to the nitty gritty of social justice and what a bill like this could do, let's look at our routes. Let's get rid of a route with only one passenger an hour on it, like the one to the museums. I don't see any of that on the table here. I think when you're looking for efficiencies and proper use of funds, those are some of the things we can look at if we really want to tighten up that 1/4 cent and get what you want to get accomplished. I agree with you completely though, that we ought to make sure that money gets spent on public transportation first, and the gist of what you're getting to. Public Transportation should get the funding it needs to be truly a public transportation operation."

Chair Dominguez continued, "But, I need some information about what those specific transportation needs are and what the costs are, especially for this year. If you're telling me that staff is telling you that they have not been allowed to, or for whatever reason have not articulated the total needs of the transportation system, I believe you Councilor Maestas. But I need that list. I need to know what that looks like. I want to know that we're going to be utilizing the transportation system for what it should be used for, especially in parts of our community that really need it when we speak to social justice. That means maybe different routes or increased routes for the south side, and decreased routes in other parts of our community. I just wanted to make that comment. And I'm willing to work with you before this gets to Council, if we need to

tighten the language a little more. I know in the bill itself it says provision of a public bus system, right, so the expenses necessary or incidental to the provision... that's the great part that I have... to the provision of a public bus system. Because a bike sharing program, and I'm going to say right now, that I don't necessarily support that program without looking at the details. That could fit in the incidental provision to a public bus system. I just want to make sure we're directing the monies a little more strategically."

Councilor Maestas said one more factor that is even more compelling is if you look at packet pages 15-16 that shows the federal funding which is basically non-existing. He said this is a funding source that transportation systems across the country need for capital, and that's dried up. He said we haven't adjusted to the new normal in terms of federal funding.

Chair Dominguez said he doesn't disagree, but that's just numbers. It doesn't tell him what the Department of Transportation 2008 award amounts, Section 530920.500 NM03X0042 – talk about bureaucracy. It doesn't tell him what it is that is no longer being funded.

Councilor Maestas said the numbers are on page 11, which is an email from the Transportation Director, which is credible in terms of the system needs. He said the second star says, '*Fleet replacement funding requirements for Santa Fe Trails fixed-route bus fleet, alone, average \$1.5 million a year,*' projected over the next 5 years or so. Another star lists costs to replace Santa Fe Ride Paratransit vehicles. He said there are needs of magnitude in the email.

Chair Dominguez said he agrees with him, but asked how many paratransit vehicles are we talking about, and if we'll do that over 1 year, or 3 years, when you talk about costs to place and maintain street furniture (shelters and benches), in addition to the Downtown and Southside Transit Center which he supports. He asked, for example without the detail, are we going to subsidize the furniture for the Downtown Center by not providing a higher quality of furniture at the Southside Transit Center. He doesn't disagree with Councilor Maestas, and he likes the idea of making sure we are spending Transit funds where it should be spent, but he wants more detail. He said he is willing to work with him on the Ordinance.

Councilor Maestas said the bus replacement schedule is on page 17, with details of buses needed and in what fiscal year they will be replaced. If you want a number on unfunded transportation needs it is in the CIP, it is \$11.4 million.

Chair Dominguez said he doesn't know what routes these buses are being used for. He said if we're spending a lot of dollars to maintain a bus going to Museum Hill with minimal ridership as a part of the replacement schedule. He thinks perhaps we should get rid of that route, save the cost of replacing that bus and maintenance and move that to a different part of our community.

Councilor Maestas said he's just addressing the funding, and if you want to tackle the efficiencies in the bus system, he is happy to engage in that, but this is just about funding.

**VOTE:** The motion was approved on the following Roll Call vote, which resulted in a tie, with the Chair voting in favor of the motion:

**For:** Councilor Maestas, Councilor Trujillo and Chair Dominguez

**Against:** Councilor Lindell and Councilor Rivera.

**Explaining her vote:** Councilor Lindell said, "I'm going to vote no, because I feel like the way it exists, already puts the bus system in first place. If we would want to change this so nobody else gets any money except Transportation, I would support that. But I just don't see how this is an improvement, so I'm voting no."

**Explaining his vote:** Chair Dominguez said, "I'm going to give you the benefit of the doubt Councilor Maestas and an opportunity to work on this a little bit more so we can make sure we have and promote true equity in this community. I'm going to vote yes and move it on to Council and see what we can get done between now and that. That doesn't mean that, depending on what we see at Council, whether or not I'm going to support it, but I would like to be able to take this opportunity to truly promote equity in our community when it comes to transportation."

**28. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING ARTICLE IX AND ARTICLE XII OF THE UNIFORM TRAFFIC ORDINANCE TO ESTABLISH THAT ALL PARKING VIOLATIONS ARE CIVIL PARKING VIOLATIONS AND SUBJECT TO ADMINISTRATIVE ADJUDICATION AND COLLECTION BY AN EXTERNAL ADMINISTRATIVE AND COLLECTION AGENCY; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY TO MEET THE PURPOSES OF THIS ORDINANCE. (COUNCILOR DIMAS) (SARA SMITH AND NOEL CORREIA) Committee Review: Public Works Committee (approved) 10/26/15; City Council (Request to Publish – approved) 11/10/15; Public Safety Committee (approved) 11/17/15; Transit Authority Board (scheduled) 11/24/15; City Council (public hearing) 11/24/15. Fiscal Impact – Yes. FY 15/16 Expenditures = \$103,542, Revenue = \$237,500 and FY 16/17 Expenditures = \$197,083; Revenue = \$475,000.**

Councilor Maestas said he understands the Ordinance, but he doesn't understand the recommended actions on page 5. It seems the actions and scope are beyond the Ordinance. For example, you are asking to eliminate the original PVB staffing plan, create an accounting position, contract the hearing officer position and the release of a Request for Proposal for citation adjudication and revenue reconciliation system. However, the caption speaks only to the Ordinance and the scope of the Ordinance. He asked, "What is it that you're asking from us tonight."

Noel Correia, Director, Parking Division, said the Council approved creation of a Violations Bureau and staffing it, and to decriminalize the parking violation citations. This amendment is to decriminalize all the parking violation citations and move forward with some aspects of the Parking Violations Bureau, and part of that change is the reduction of the staffing as originally plan, hiring the hearing officer as an independent contractor, and issuing an RFP to upgrade the aging and antiquated system that processes

Councilor Bushee said, "And I voted against that. There are a lot of drops that fill that deficit budget. It is very hard for me and I won't be here. I support the railyard build out. The City might have to close recreational facilities."

Mr. Rodriguez said it is a quarter million dollars either way.

Councilor Bushee said she understood the City has empty space at the Railyard.

Mr. Pino agreed. The total space is 21,000 square feet and almost half is vacant. Matt O'Reilly has tried to fill that empty space.

Councilor Bushee was not questioning the management of the Railyard but was not getting the full picture of what that means.

Mr. Rodriguez said it is short term. They are not asking for it to be wiped out entirely.

Councilor Bushee asked Mr. Czoski what is still left to be rented.

Mr. Czoski said there are six parcels left. 86% is rented now. Century Bank owns the building but the Railyard Corporation owns the parcels. They have prospects and will come to the Planning Commission in the first half of 2016 with two sizable projects.

Councilor Bushee asked if there is any chance the deferral might get shortened.

Mr. Czoski said he has worked on the apartment project for over two years and it will not get completed until the second quarter of 2017 so they won't get rent income until after that.

Councilor Bushee commented that the possibility of raising the rent is not something they can entertain.

Mr. Czoski agreed. It is like a mortgage and stays at that level. There are a number of reasons why they are here now.

**Councilor Ives moved to approve the request. Chair Trujillo seconded the motion and it passed by unanimous voice vote.**

**16. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SUBSECTION 18-10 SFCC 1987 TO REDEDICATE A PORTION OF THE MUNICIPAL GROSS RECEIPTS TAX TO RECREATIONAL FACILITIES AND BIKE AND PEDESTRIAN PATHWAYS (COUNCILOR MAESTAS) (OSCAR RODRIGUEZ)**

**Committee Review:**

Parks & Recreation Commission (Approved)	10/02/15
City Business & Quality of Life Committee (Postponed)	10/14/15
Public Works Committee (Postponed)	10/26/15
Public Works Committee (No Action, return)	11/09/15
City Business & Quality of Life Committee (Not approved)	11/10/15
City Council (Request to publish) (postponed)	11/10/15
Finance Committee (Approved)	11/30/15

Council (Request to publish)  
Council (Public Hearing)

12/09/15  
01/13/16

Councilor Bushee said this was to come back to Public Works and asked if there were any language changes.

Mr. Rodriguez said the Finance Committee added new language.

Councilor Bushee thought the amendment page looks the same and the title has not changed. There is nothing there about public transit.

Mr. Guillen said the amendment limits the amount to allocation for Quality of Life to 11%. He agreed to retrieve more information about the changes.

The Committee tabled their discussion for more information from Mr. Guillen.

After he returned, Councilor Bushee stated that she wanted this primarily for public transit.

Councilor Maestas said his amendment was in response to the Public Works amendment because the caption was cryptic. This eliminates any possibility of excess revenues going to the General Fund. The City is trying not to raid other funds for general fund purposes.

He said Councilor Ives submitted a number of amendments and in Finance some were reversed. In the Council packet, Mr. Guillen provided a substitute resolution showing the Finance amendments. There was considerable discussion and it ended with explicit language in it and that was accepted by the City Manager. "We need to give Public Transit the funds they need. The last page still shows \$6.5 million in unfunded public transit needs. So we cannot continue siphoning off transit funds to the General Fund."

Councilor Bushee said the title says it is to rededicate to recreation, trails and pathways and asked why it does not include public transit in the title.

Mr. Rodriguez said the Transit Manager presents the needs to the City Manager. "We discussed those needs and what management feels is appropriate. Right now, if those are less than revenue, excess is not designated and goes to General Fund. That has always been the case and this year it amounts to about \$1.25 million."

Councilor Bushee asked why there would be any excess, given their needs now.

Mr. Rodriguez said the graph in the packet shows lower federal funding. It is steadily going down. So the discussion about excess is going away and the City could be faced with having to put more in.

Councilor Bushee concluded that no Quality of Life funds would be going to the General Fund this year.

Mr. Rodriguez said that is a matter of opinion. The fiscal impact is zero because we spend more than \$2 million in the long list where this would go. In the next couple of years there won't be that excess. And the Capital impact is for replacement of buses. So that is where it goes.

Councilor Bushee asked then why they would not insert "public transit" in the title.

Mr. Guillen said if you look at how the bill is written, it doesn't change public transit.

Councilor Bushee asked if that meant they are creating a law to rededicate a portion of that GRT -

Mr. Guillen said it would go to Quality of Life up to 11%.

Councilor Bushee said it doesn't say Quality of Life.

Mr. Guillen said it was on page four (last page).

Mr. Rodriguez explained that right now it goes to the General Fund for whatever purposes and that includes fire stations, which is Quality of Life.

Councilor Bushee asked if there will be any glaring deficits by not siphoning it off.

Mr. Rodriguez felt that was hard to answer. The Council will make the decision about what is transit and what is not. But if you segregate this money aside for transit purposes and once that is covered, what is left over could be used for items on that list above what was budgeted in the General Fund. It leaves that question to Council when the budget is considered.

Councilor Bushee referred to page 4, after #2, and asked why they were striking that language.

Mr. Guillen said there is no need for the "one-third" since paragraph 2a is stricken so there is no 2/3.

Councilor Bushee reminded them that what went to the voters led them to think it was going for buses. She asked if anyone had the original language the City put out to the voters. (No one did.) She noted that the libraries and other things have become dependent on this fund. She asked why there is no line item in the budget for libraries. The City has never used this money for bike pathways but for libraries and fire stations. She felt she was not getting the full picture here.

Mr. Rodriguez said that last year it was put into the General Fund and not designated. This legislation starts to designate all of that.

Councilor Maestas added that Council passed a resolution asking staff to evaluate the history of allocations and Mr. Rodriguez sent a memo in July that went back to 1997 on how it was allocated. General Fund received about 22% (\$250,000) and Quality of Life got received about \$700,000. So at no time did Transit get 100% of the GRT portion for Transit. The original dedication from 1991 made it clear that all of it was to be dedicated for the public transportation system. We have known about the federal money drying up. The full intent of the law has not been carried out. This is good financial practice and good fiscal discipline and there is a clear need in public transportation.

Councilor Bushee said she needed to know what the repercussions are to the other pieces of Quality of Life in the City. She asked how we are going to deal with those Quality of Life issues.

Councilor Ives pointed out that page 5 has final amendments. #2 says allocations shall not exceed 11% of that GRT. So the majority is for the bus system and if it uses total allocation, there would be no funds for Quality of Life.

Mr. Rodriguez disagreed. "We would still use the General Fund to fund those things."

Councilor Ives agreed but not with any of this money. Mr. Rodriguez agreed.

Councilor Ives asked if 11% is used for Quality of Life and Transit only used 50%, where the rest would go.

Mr. Rodriguez said it is either held for future transit needs or Council could increase transit services to make it up, or spend it on things Council would include as transit costs.

Councilor Bushee said she needs the history of how it was spent in the Quality of Life piece. It is not clear. It is not like it is all dedicated to transit. She asked what the rush is when the whole budget mix is coming up. "Why are we rushing without that information?"

Councilor Maestas said the urgency is to address those bridging strategies now. He agreed that the title is confusing. It is more explicit in the resolution. The 11% amendment was to maximize the transit allocation. He was fine with saying any excess goes to Quality of Life. He was open to removing the 11% cap to move it forward. This is just cleaning up our practice by addressing the bridging strategies and giving public transportation the best foot forward.

**Councilor Ives moved to approve the request and determine where the excess would go if any. Chair Trujillo seconded the motion. The motion passed with Councilor Ives and Chair Trujillo voting for it and Councilor Bushee abstaining.**

**17. REQUEST FOR APPROVAL OF AN ORDINANCE CREATING A NEW ARTICLE 18-19 SFCC 1987 TO ESTABLISH A MUNICIPAL GASOLINE TAX PURSUANT TO NMSA 1978, § 7-24A-10, TO BECOME EFFECTIVE NINETY (90) DAYS FROM APPROVAL BY THE VOTERS OF THE CITY OF SANTA FE AT THE NEXT REGULAR MUNICIPAL ELECTION (COUNCILORS Councilor Maestas, IVES AND TRUJILLO) (OSCAR RODRIGUEZ)**

**Committee Review:**

Council (Request to publish)	12/09/15
Finance Committee (Scheduled)	12/14/15
Council (Scheduled)	01/13/16

Councilor Bushee asked how this would work. She didn't think the City were given authority by the State to impose a gasoline tax.

Mr. Rodriguez said it is the authority to add to the gas tax the state has already imposed. The legislative session a few years ago allowed for up to 2-cent increase. The State collects for both entities from the wholesalers. The City would get about \$1.2 million from that although the State estimated it at \$950,000.

Councilor Bushee asked if it is a one-time thing.

Mr. Rodriguez said it would live on until Council abolishes it.

Councilor Bushee asked if it could be used for anything.

Mr. Rodriguez said it must be used for infrastructure and road improvements. It is for roads but it also could be used for parking lots.

**ACTION SHEET  
ITEM FROM THE  
PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING  
OF  
MONDAY, OCTOBER 26, 2015**

**ITEM 11**

REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SUBSECTION 18-10 SFCC 1987 TO REDEDICATE A PORTION OF THE MUNICIPAL GROSS RECEIPTS TAX TO RECREATIONAL FACILITIES, AND BIKE AND PEDESTRIAN PATHWAYS (COUNCILOR MAESTAS) (OSCAR RODRIGUEZ)

**PUBLIC WORKS COMMITTEE ACTION: Postpone/Return to 11/9 PWC meeting**

**FUNDING SOURCE:**

**SPECIAL CONDITIONS / AMENDMENTS / STAFF FOLLOW UP: Ask Councilor Maestas to be present**

VOTE	FOR	AGAINST	ABSTAIN
CHAIRPERSON TRUJILLO			
COUNCILOR BUSHEE	X		
COUNCILOR DIMAS	X		
COUNCILOR DOMINGUEZ	X		
COUNCILOR IVES	X		

Councilor Bushee thought \$77,000 for these gateway signs is kind of pricey. She asked who will decide on the designs. She serves on the MPO Board and there are specific signs already there. She hoped for some integrity on them.

Mr. Pfeiffer said there is a steering committee with Randy Randall from Tourism, Debra Garcia from Arts, someone from engineering and him.

Councilor Bushee asked if they could have someone from MPO on it.

Chair Trujillo pointed out that the signs have to comply with DOT standards.

Councilor Dominguez added that was part of what was submitted to the Legislature. He was unclear if these are traditional gateways as you enter the City or entering a quadrant or part of the City.

Chair Trujillo suggested they would be like ones in Colorado Springs. From I-25 they would have six and one from Española.

Councilor Bushee said Agua Fria just did their own and then there is Old Santa Fé Trail or Old Pecos Trail. There is nothing in here that says what it will be. These are transportation related.

Mr. Pfeiffer said the committee has been in communication with District 5. They had one meeting already and will have another soon.

Councilor Bushee asked if it would be okay to have it come back after designs are determined.

Councilor Dominguez said his motion would be to approve the funds and have it come back with the design.

Chair Trujillo said if the sign is on the city right-of-way, that's okay. But St. Francis is a State right-of-way and thought the City would have to get approval from NMDOT.

**Councilor Dominguez moved to approve the request with the directions to Staff. Councilor Bushee seconded the motion and it passed by unanimous voice vote.**

**11. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SUBSECTION 18-10 SFCC 1987 TO REDEDICATE A PORTION OF THE MUNICIPAL GROSS RECEIPTS TAX TO RECREATIONAL FACILITIES, AND BIKE AND PEDESTRIAN PATHWAYS (COUNCILOR MAESTAS) (OSCAR RODRIGUEZ)**

**Committee Review:**

Parks and Recreation Commission (Approved)	10/02/15
City Business Quality of Life Committee (Postponed)	10/14/15
City Business Quality of Life Committee (Scheduled)	11/10/15
Council (request to publish)	11/10/15
Bicycle and Trails Advisory Committee (Scheduled)	11/18/15
Finance Committee (Scheduled)	11/30/15
Council (Public hearing)	12/09/15

Councilor Dominguez saw that no one is here from Parks and Rec. He asked what recreation activities

will be using part of this allocation.

Mr. Rodriguez didn't know. Right now, all the money that comes through Transit Tax, after paying for transit costs, goes into the General Fund and is about \$2 million. Part of the General Fund is used for parks. So the effect of this resolution is to restrict that flexibility to just put it in General Fund. There is no significant impact but in the future it might restrict Council.

Councilor Dominguez wanted to know what is being limited. It might be programs traditional to the community.

Mr. Rodriguez said it is more the reverse of that - not eliminating funding but restricts it from going to General Fund. This is money would be directed to recreational facilities.

Councilor Dominguez said that meant bricks and mortar to him and not programs.

Mr. Rodriguez said that of the \$73 million, \$2.3 million comes from excess transit tax revenues. So what is funded from General Fund will continue but for sure, Parks will get this excess transit tax money.

**Councilor Dominguez moved for approval of the request. Councilor Ives seconded the motion.**

Councilor Bushee asked why this was not done in advance of budget approval. Her concern was that someday people will want a GO bond again and trails is most popular. So she asked why this could not be used for operations like at the Southside library. "We fight to the death for operational funds so why are we doing this. I can't let this go forward until we have those answers."

Councilor Dominguez withdrew his motion. Those are good questions and the sponsor is not here. The bill has libraries in it. It is not specific enough for the intent.

Councilor Bushee said operating the facilities already built is her concern. She felt this should have more options.

Councilor Ives agreed this may not be the right time for this in our conversations about budget regarding operations and maintenance out of the General Fund budget. He would rather tackle them as a whole and the language begs for some clarity. This would be better considered with broader issues across the budget.

**Councilor Bushee moved to postpone this matter to the next meeting. Councilor Dominguez seconded the motion.**

Councilor Ives asked staff to bring further information on intended uses so the Committee can understand that and take it up as part of a larger budget.

Mr. Rodriguez could not see much impact on this one way or the other. It is about \$2.9 million. That goes into the General Fund and is used for trails and parks.

Councilor Bushee understood but maybe it is better suited to go to the library or something else. We need to get it straightened out.

**The motion passed by unanimous voice vote.**