

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

2 **RESOLUTION NO. 2013-29**

3 **INTRODUCED BY:**

4
5 Mayor Coss
6 Councilor Bushee
7 Councilor Wurzbarger
8

9
10 **A RESOLUTION**

11 **RELATING TO THE 2013/2014 BUDGET AND SUBSEQUENT FISCAL YEAR BUDGETS,**
12 **SUBJECT TO AVAILABLE APPROPRIATIONS MADE BY THE GOVERNING BODY;**
13 **AUTHORIZING THE DESIGNATION OF CONVENTION AND VISTOR BUREAU (CVB)**
14 **FUNDS FOR AGREEMENTS THAT WILL PROMOTE TOURIST RELATED**
15 **ATTRACTIONS, FACILITIES AND EVENTS WITH THE SANTA FE FIESTA COUNCIL,**
16 **THE LENSIC AND THE SANTA FE BANDSTAND USING LODGERS' TAX PROCEEDS.**

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18 **WHEREAS,** pursuant to the Lodgers' Tax Act Sections 3-38-13 to 3-38-24 NMSA 1978,
19 and the New Mexico Taxation and Revenue regulation 2.105.2.8 NMAC, the City of Santa Fe is
20 authorized to adopt ordinances imposing occupancy tax for revenues on lodging establishments
21 within municipal boundaries or within that part of the county outside of municipal boundaries; and

22 **WHEREAS,** the City has enacted it's Lodgers' Tax Ordinance SFCC 18-11 and collects and
23 receives lodgers' tax; and

24 **WHEREAS,** eligible uses for the lodgers' tax proceeds include the promoting tourist-related
25 attractions, facilities and events of the city and tourist facilities or attractions within the area; and

1 **WHEREAS**, the Santa Fe Fiesta Council, the Fiesta de Santa Fe, the Santa Fe Bandstand,
2 and the Lensic are tourist-related events and/or tourist facilities and/or tourist attractions that need
3 promotion by the City as detailed herein; and

4 **WHEREAS**, the Fiesta de Santa Fe has been annual New Mexico tradition since 1712 when
5 the original Fiesta Proclamation was issued by the Santa Fe City Council; and

6 **WHEREAS**, the annual event brings together the community of Santa Fe, visitors from
7 around New Mexico and our Country as well as international visitors; and

8 **WHEREAS**, the Santa Fe Fiesta Council has been, and continues to be, a not-for-profit
9 organization whose only function and purpose is to be primarily responsible for Fiesta de Santa Fe,
10 including securing funding for the annual event; and

11 **WHEREAS**, the Santa Fe Bandstand was founded in 2002 and since that time has become an
12 essential part of an authentic “Summer in Santa Fe” experience- for locals and tourists alike; and

13 **WHEREAS**, many new and exciting changes are coming to the Bandstand this year,
14 including:

- 15 • Expanded Bandstand season length, from seven weeks last year to over nine weeks this
- 16 year
- 17 • Selected Friday and Saturday Nights have been added to 2013 season schedule, allowing
- 18 more young families and working Santa Feans to come down to the Plaza in the evening
- 19 • More Programming Diversity – more types of music for more types of music lovers
- 20 • Live Premium Night Webcasting to a national audience

21 **WHEREAS**, the Lensic, Santa Fe’s Performing Arts Center, is recognized as a major tourist
22 attraction and tourist facility and economic driver for the overall Santa Fe economy and particularly
23 the downtown area; and

24 **WHEREAS**, the Lensic contributes to the overall reputation of Santa Fe as a cultural and arts
25 tourism destination; and

1 **WHEREAS**, Fiesta de Santa Fe, Santa Fe Bandstand and the Lensic provide substantive
2 programming that promotes tourism in Santa Fe and, therefore, enhances Santa Fe’s economy; and

3 **WHEREAS**, the City’s lodgers’ tax funding is needed to be used for the promotion of tourist
4 attractions and events related to the Fiesta de Santa Fe, Santa Fe Bandstand and the Lensic because
5 such tourist attractions and tourist events draw tourists from around the Country and the globe which
6 contributes to Santa Fe’s economy and increases gross receipts tax revenues of the City which
7 benefits all citizens of Santa Fe; and

8 **WHEREAS**, currently Fiesta de Santa Fe, Santa Fe Bandstand and the Lensic each receive
9 funding in varying amounts that do not total \$50,000 each, on an annual basis through grants and
10 contracts administered by the CVB and the Arts Commission.

11 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
12 **CITY OF SANTA FE** that the Governing Body authorizes for the 2013/2014 budget and
13 subsequent fiscal year budgets, subject to available appropriations made by the Governing Body, a
14 set-aside designation of lodgers’ tax funds for:

- 15 1. An annual agreement with the Santa Fe Fiesta Council in a total amount of \$50,000
16 in lodgers’ tax funds in return for in-kind services that equal or exceed \$50,000 in
17 total services provided by the Santa Fe Fiesta Council to the City. The Santa Fe
18 Fiesta Council shall use the funds for eligible uses of lodgers’ tax proceeds in
19 accordance with the Lodgers’ Tax Act and the New Mexico Taxation and Revenue
20 Department regulation 2.105.2.8 NMAC.
- 21 2. An annual agreement with the Santa Fe Bandstand in a total amount of \$50,000 in
22 lodgers’ tax funds in return for in-kind services that equal or exceed \$50,000 in total
23 services provided by the Santa Fe Bandstand to the City. The Santa Fe Bandstand
24 shall use the funds for eligible uses of lodgers’ tax proceeds in accordance with the
25 Lodgers’ Tax Act and the New Mexico Taxation and Revenue Department regulation

1 2.105.2.8 NMAC.

2 3. An annual agreement with the Lencic in a total amount of \$50,000 in lodgers' tax
3 funds in return for in-kind services that equal or exceed \$50,000 in total services
4 provided by the Lencic to the City. The Lencic shall use the funds for eligible uses of
5 lodgers' tax proceeds in accordance with the Lodgers' Tax Act and the New Mexico
6 Taxation and Revenue Department regulation 2.105.2.8 NMAC.

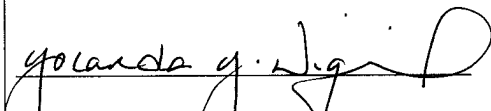
7 **BE IT FURTHER RESOLVED** that the funding designated in this resolution is intended to
8 replace all future fiscal years' funding agreements and is effective beginning July 1, 2013."

9 PASSED, APPROVED, and ADOPTED this 27th day of March, 2013.

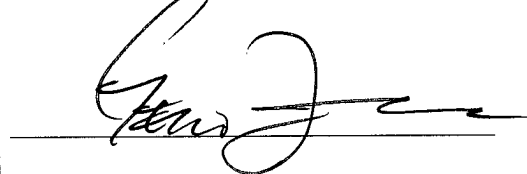
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12 DAVID COSS, MAYOR

13 ATTEST:

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15 
16 YOLANDA Y. VIGIL, CITY CLERK

17 APPROVED AS TO FORM:

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20 GENO ZAMORA, CITY ATTORNEY