

1 CITY OF SANTA FE, NEW MEXICO

2 RESOLUTION NO. 2013-107

3 INTRODUCED BY:

4
5 Councilor Trujillo

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10 A RESOLUTION

11 REPEALING RESOLUTION 2012-33 AND ADOPTING A NEW RESOLUTION TO
12 ESTABLISH A POLICY RELATED TO THE WAIVER OF USER AND PARKING FEES AT
13 THE SANTA FE COMMUNITY CONVENTION CENTER, SO THAT IN EACH
14 CALENDAR YEAR, THE MAYOR AND EACH COUNCILOR ARE AUTHORIZED TO
15 HAVE THE USER AND PARKING FEES WAIVED AT THE SANTA FE COMMUNITY
16 CONVENTION CENTER, ON BEHALF OF A NON-PROFIT ORGANIZATION, FOR A
17 ONE-DAY EVENT.

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19 WHEREAS, in 2012, the City Council approved Resolution 2012-33 to support local non-
20 profit organizations and declare that on an annual basis, each member of the governing body was
21 authorized to have the user fees waived at the Santa Fe Community Convention Center so that the
22 non-profit organization could host a one-day fundraising event; and

23 WHEREAS, Resolution 2012-33 established a new process to allow for one day waiver per
24 year of user fees for the Community Convention Center by non-profit organizations for fundraising
25 purposes; and

1 **WHEREAS**, as part of the directive by the Governing Body in Resolution 2011-62, the
2 Director of the Convention and Visitors Bureau and the Finance Director, when establishing rates for
3 use of the Santa Fe Community Convention Center are to respond to market conditions; be
4 competitive with local, state and national facilities and accommodate community needs; and

5 **WHEREAS**, the Community Convention Center exists not only to support for-profit events
6 but to support community events, as well, including events sponsored by local non-profit
7 organizations; and

8 **WHEREAS**, the City of Santa Fe actively supports non-profit organizations in Santa Fe,
9 including human service organizations and children and youth organizations; and

10 **WHEREAS**, non-profit organizations provide services that benefit the residents of Santa Fe
11 that the City would otherwise have to provide; and

12 **WHEREAS**, there are nonprofits in Santa Fe that are too essential to fail and are struggling
13 to survive through the economic downturn; and

14 **WHEREAS**, in an effort to assist local non-profit organizations, the Governing Body desires
15 to establish a process to allow for one waiver per calendar year of user and parking fees for the
16 Community Convention Center by non-profit organizations for fundraising purposes; and

17 **WHEREAS**, the New Mexico Constitution, Article IX, Section 14, requires that the city
18 establish procedures to ensure that the city receive consideration in the form of direct services and/or
19 direct benefits to the city from the non-profit that either equal or exceeds the value of the waiver of
20 the user and parking fees for use of a city facility for a one day fundraiser.

21 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
22 **CITY OF SANTA FE** that the Governing Body hereby repeals Resolution No. 2012-33 and adopts
23 the following provisions to in order to establish a policy related to the waiver of user and parking fees
24 for a one day event at the Santa Fe Community Convention Center, so that in each calendar year, the
25 mayor and each councilor are authorized to have the user and parking fees waived at the Santa Fe

1 Community Convention Center, for a one day event on behalf of a non-profit organization.

2 **Section 1.** On an annual basis, the City Manager shall solicit proposals from non-profit
3 organizations desiring to have a one day fundraising event user and parking fees waiver for that year
4 for the Community Convention Center.

5 **Section 2.** Members of the Governing Body shall consider the non-profit organizations'
6 proposals. On an annual basis, each member of the Governing Body is authorized to select one
7 proposal submitted by a non-profit organization for a one day event per year user and parking fees
8 waiver at the Community Convention Center for fund-raising purposes. When a Governing Body
9 member has selected one non-profit organization's proposal, he shall forward the selection to the City
10 Manager. The City Manager shall award the one day event per year waiver of the user and parking
11 fees to each non-profit organization selected by each Governing Body member, with the limitation
12 that no non-profit organization shall receive more than one waiver per year.

13 **Section 3.** No more than six months prior to the proposed date of the event, the City
14 Manager shall coordinate with the Director of the Convention and Visitors Bureau and a
15 representative of the non-profit organization to determine a date specific for the event, which is
16 subject to the availability of the Community Convention Center.

17 **Section 4.** Each and every non-profit organization holding the one-time fund-raising
18 event shall be responsible for paying the current clean up, security and damage fees and agree to
19 accept all liability for the event.

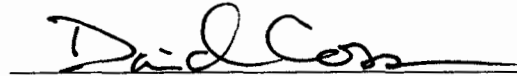
20 **Section 5.** No date or facility may be reserved until the proposed recipient provides
21 documentation demonstrating that the recipient is a properly registered non-profit.

22 **Section 6.** Within 10 days of receipt of a waiver request from a member of the
23 Governing Body, the city manager shall report the request to the city clerk including the requesting
24 member, the proposed recipient with verification that the recipient is a properly registered non-profit,
25 the estimated value of the fee waiver including facility rental, staff time and other related expenses,

1 justification for the fee waiver, the date of the event and description proposed facilities. Such
2 preliminary report shall be immediately posted by the city clerk, on the city's website. Within ten
3 (10) days of the conclusion of the event, the City Manager shall file a final report that includes the
4 final value of the fee waiver and any necessary additional information relating to the event.

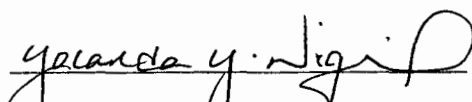
5 **BE IT FURTHER RESOLVED** that the intent of this Resolution shall be implemented in a
6 manner that complies with the laws of the state of New Mexico and the ordinances of the City of
7 Santa Fe, including the Code of Ethics, Article 1-7 SFCC 1987.

8 PASSED, APPROVED, and ADOPTED this 11th day of December, 2013.


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11 DAVID COSS, MAYOR

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14 ATTEST:

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17 YOLANDA Y. VIGIL, CITY CLERK

18 APPROVED AS TO FORM:

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21 KELLEY A. BRENNAN, INTERIM CITY ATTORNEY

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25 CAO/M/Melissa/Resolutions 2013/2013-107 fee waivers_sfcc (gb members)_FINAL