

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

2 **RESOLUTION NO. 2013-110**

3 **INTRODUCED BY:**

4  
5 Mayor Coss

6  
7  
8  
9  
10 **A RESOLUTION**

11 **ESTABLISHING CITY OF SANTA FE LEGISLATIVE PRIORITIES FOR**  
12 **CONSIDERATION BY THE NEW MEXICO STATE LEGISLATURE DURING THE 51<sup>ST</sup>**  
13 **LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2014.**

14  
15 **WHEREAS**, the 30 day session of the 2014 Legislative Session begins on January 21, 2014;  
16 and

17 **WHEREAS**, the Governing Body desires to establish City of Santa Fe legislative priorities to  
18 be considered by the State Legislature.

19 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**  
20 **CITY OF SANTA FE** that the Governing Body hereby establishes the following legislative priorities  
21 for consideration by the New Mexico Legislature:

22 **Section 1. An Amendment to the Hold Harmless provision:**

- 23 **A. Amend state law to repeal the sections of HB 641 that phased out**  
24 **the hold harmless provision and enacted a new municipal hold**  
25 **harmless tax and reenact the Hold Harmless distribution from**

1                   **the State to the municipalities.** During the 2013 Legislative  
2 Session, the Legislature approved HB 641 which amended the law to  
3 phase out the hold harmless distribution that is made by the State to  
4 municipalities and counties. The hold harmless distribution was  
5 originally introduced by the State as a way to offset money lost to the  
6 municipalities and counties due to certain deductions provided by the  
7 tax code (food and medical). The phase out of the hold harmless  
8 provision is scheduled to begin in FY16 at 10% per year over 15  
9 years until it is eliminated in FY 30. In conjunction with the phase-  
10 out, HB 641 added a new section allowing a municipal hold harmless  
11 gross receipts tax to be imposed by ordinance but not to exceed an  
12 aggregate rate of 3/8 percent of the gross receipts of any person  
13 engaging in business in the municipality. Finally, the former hold  
14 harmless distribution from the State to the municipalities and  
15 counties should be reenacted.

16                   **B. Or, in the alternative, amend state law to clarify that counties**  
17 **that impose the permitted 3/8% GRT are only authorized to do**  
18 **so within the county jurisdictional boundaries located outside the**  
19 **municipal jurisdictional boundaries.** HB 641, as a way to  
20 compensate for the lost revenue caused by the phase out of the hold  
21 harmless distribution, also authorized any county and municipality to  
22 impose an excise tax not to exceed a maximum of 3/8% of the gross  
23 receipts of any person engaging in business in the municipality.  
24 Pursuant to HB 641, if a county and a municipality located solely  
25 within the county, both choose to each impose the full 3/8%, then

1                   municipal residents would end up paying the increase of 6/8 or  
2                   3/4% of the gross receipts of any person engaging in business in the  
3                   municipality. However, with this alternative amendment to HB 641,  
4                   the municipality residents at most would end up paying an increase  
5                   of 3/8% of gross receipts tax imposed on businesses in the  
6                   municipality.

7           **Section 2.     An appropriation in the amount of \$200,000 for the Law Enforcement**  
8           **Assisted Diversion (“LEAD”) Pre-booking Program.**

9                   On July 31, 2013, the Governing Body adopted Resolution No. 2013-76  
10                  which approved the planning and implementation of an innovative 3-year  
11                  pre-booking diversion pilot program to divert those individuals suffering  
12                  from an addiction to opiates into treatment and social supports. The  
13                  resolution expresses the Governing Body’s commitment to address the  
14                  desperate acts of persons addicted to opiates. The target population is the  
15                  low-level drug user who breaks into homes and commits other minor  
16                  offenses to support a drug use habit. The community of Santa Fe is affected  
17                  by the inability of the legal system to address substance abuse in a way that  
18                  allows an individual to avoid felony charges so they can work, remain with  
19                  their family and be a productive society member. This LEAD program will  
20                  create a healthy approach to prevent burglary and other crimes.

21           **Section 3.     Funding for the following capital outlay priority projects, as identified in**  
22           **the City’s Infrastructure Capital Improvement Plan FY 2015-2019:**

23                  A.     **Airport Terminal Building Expansion**

24                           **Amount Requested: \$1,200,000**

25                           **Project Description: Design and construct commercial terminal to**

1 accommodate additional and existing passenger service

2 **B. Southwest Activity Node Park**

3 **Amount Requested:** \$150,000

4 **Project Description:** Plan, design and construct a regional park

5 **C. ITT Backup Generator**

6 **Amount Requested:** \$100,000

7 **Project Description:** Installation of a backup emergency generator  
8 for City Hall data center

9 **D. Guadalupe Bridge Improvements**

10 **Amount Requested:** \$1,500,000

11 **Project Description:** Complete environmental studies, plan, design,  
12 and construct bridge improvements

13 **E. Water History Park: Museum & Restrooms**

14 **Amount Requested:** \$1,000,000

15 **Project Description:** Construction of museum and restrooms

16 **F. Shade Structures:**

17 **Amount Requested:** \$300,000

18 **Project Description:** Design and construction shade structures in  
19 various City parks within the city of Santa Fe

20 **G. Police Station Renovations for Annexation Support**

21 **Amount Requested:** \$1,000,000

22 **Project Description:** Professional Standards Building Improvements

23 **Section 4. Funding for the following capital outlay priority projects located in**  
24 **Council District #1, as identified in the City's Infrastructure Capital**  
25 **Improvement Plan FY 2015-2019:**

1                   A.     **Fort Marcy Complex**

2                             **Amount Requested:** \$553,000

3                             **Project Description:** Renovate and repair existing facility to  
4 include installation of roof top heating and A/C units, stucco and  
5 paint exterior, tile locker rooms, roof drain repairs, new weight room  
6 roof, new gym floor, new equipment

7                   B.     **Carlos Ortega Teen Center Improvements**

8                             **Amount Requested:** \$200,000

9                             **Project Description:** Plan, design and construct building  
10 improvements at the Carlos Ortega Teen Center to include items  
11 such as: HVAC system, new roof, ADA improvements, painting,  
12 stucco work, etc.

13                   C.     **Bicentennial Pool Improements**

14                             **Amount Requested:** \$170,000

15                             **Project Description:** Renovate, repair and make improvements such  
16 as: shower and tile replacement in locker rooms, replacement of frog  
17 slide, purchase and install compressor/mechanical software alert and  
18 control system for pool

19       **Section 5.     Funding for the following capital outlay priority projects located in**  
20       **Council District #2, as identified in the City's Infrastructure Capital**  
21       **Improvement Plan FY 2015-2019:**

22                   A.     **Traffic Study – St. Michaels Drive**

23                             **Amount Requested:** \$30,000

24                             **Project Description:** Plan for a traffic study that will provide data  
25 for better connectivity of state and federal highways and support

1 redevelopment in a central and populous area of the city

2 **B. Salvador Perez Pool**

3 **Amount Requested:** \$370,000

4 **Project Description:** Renovate, repair, replace and make  
5 improvements such as: install new tile in locker rooms, purchase new  
6 weight room equipment, replace floor in community room, replace  
7 hand dryers in locker room, pool deck needs to be replaced with slip  
8 resistant surface, replace deck drains and deck gutters. Install new  
9 lockers in locker rooms, purchase and install compress/mechanical  
10 software alert and control system for pools

11 **C. Salvador Perez Park**

12 **Amount Requested:** \$ 250,000

13 **Project Description:** Renovate and repair ADA upgrades, irrigation  
14 and new meter

15 **Section 6. Funding for the following capital outlay priority projects located in**  
16 **Council District #3, as identified in the City's Infrastructure Capital**  
17 **Improvement Plan FY 2015-2019:**

18 **A. Fire Station (SW Sector/Agua Fria)**

19 **Amount Requested:** \$416,596

20 **Project Description:** Design and construction of new fire station to  
21 provide adequate emergency response for increased number of  
22 emergency response calls and annexation

23 **B. Southside Library Lightning Protection**

24 **Amount Requested:** \$50,000

25 **Project Description:** Install lightning protection system

1                                   C.       **Municipal Court – Office Expansion**

2   **Amount Requested:** \$125,000

3   **Project Description:** Plan, design and construction of office  
4   expansion at Municipal Court building

5       **Section 7.       Funding for the following capital outlay priority projects located in**  
6       **Council District #4, as identified in the City’s Infrastructure Capital**  
7       **Improvement Plan FY 2015-2019:**

8                                   A.       **Genoveva Chavez Community Center**

9   **Amount Requested:** \$800,000

10    **Project Description:** Replace dectron units for pool and replacement  
11    of damaged roof materials due to pigeons, replace Zamboni, install  
12    floor drains around perimeter of ice arena and Zamboni room, install  
13    mondo flooring in the arena, replace two roof top water cooling  
14    towers for ice arena; purchase compressor/mechanical software alert  
15    and control system for ice arena and pool systems, installation of  
16    lightning rod for pool area.

17                                   B.       **Cerrillos Road Reconstruction**

18   **Amount Requested:** \$4,000,000

19   **Project Description:** Complete environmental studies plan, design  
20   and construct roadway improvements

21                                   C.       **La Farge Library Renovations**

22   **Amount Requested:** \$350,000

23   **Project Description:** Plan, design and construct improvements at the  
24   La Farge Library to include items such as: ADA improvements, new  
25   roof, new boiler system, various upgrades to tile, painting, and

interior/exterior renovations

**Section 8. Funding appropriation for fleet replacement for the Santa Fe Trails Bus System:**

- \$2,500,000 for fleet replacement in FY2015
- \$1,000,000 for fleet replacement in FY2016

The Santa Fe Trails Bus System provides a clean, safe, efficient and friendly transportation system that helps reduce traffic and improve air quality. The bus system provides transit service in the city of Santa Fe (and parts of Santa Fe County) to residents and visitors.

**BE IT FURTHER RESOLVED** that the Governing Body requests that the following items be monitored by the City's lobbyist during the 2014 legislative session:

**Section 1. Measures that increase availability of alcohol:**

**A. Measures that will increase density of alcohol outlets through:**

- 1) The "Main Street" initiative that would allow currently licensed establishments to obtain "satellite", or additional licenses for only \$50,000.
- 2) A revision in the state liquor license quota allowing more licenses per population or geographic area.
- 3) Allowing for new types of liquor licenses.

**B. Measures that increase the hours of operation of liquor establishments.**

**Section 2. Measures that pertain to alcohol tax that increase revenue for revention and treatment, such as:**

- A. Creating an alcohol excise tax that will fund the prevention of and the treatment for alcohol abuse and addiction.
- B. Changing the percent of the liquor tax dedicated to the L-DWI fund.



**Section 3. Measures that change penalties for DWI and the Liquor Control Act**

**such as:**

A. Decreasing the stringency of current laws regarding sales of alcohol to minors, and sales to intoxicated persons.

B. Decrease the severity of current DWI laws.

**Section 4. Measures that could change local zoning control or authority (i.e., Bed and Breakfast Liquor License).**

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

PASSED, APPROVED, and ADOPTED this 11<sup>th</sup> day of December, 2013.

Dail Coe

DAVID COSS, MAYOR

ATTEST:

YOLANDA Y. VIGIL  
YOLANDA Y. VIGIL, CITY CLERK

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

Villy A. Brennan

KELLEY A. BRENNAN, INTERIM CITY ATTORNEY