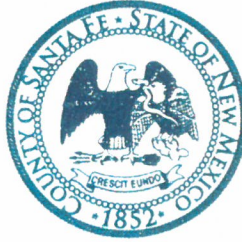


Henry P. Roybal
Commissioner, District 1

Anna Hansen
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Anna T. Hamilton
Commissioner, District 4

Ed Moreno
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

Date: February 27, 2018

To: Board of County Commissioners (BCC)

From: Ray Matthew, Transportation Planner

Via: Katherine Miller, County Manager

Item: **REQUEST APPROVAL TO PUBLISH TITLE AND GENERAL SUMMARY FOR ORDINANCE NO. 2018-____ AMENDING SECTION 6 OF SANTA FE COUNTY ORDINANCE NO. 2008-14 TO EXTEND TO JANUARY 1, 2024, THE TIME IN WHICH AN ELECTION MAY BE HELD TO REAUTHORIZE THE REGIONAL TRANSIT GROSS RECEIPTS TAX**

Summary:

The North Central Regional Transit District is requesting approval to publish the Title and General Summary for Ordinance. No. 2018-____. Ordinance No. 2018-____ amends Section 6 of Ordinance. No. 2008-14, Transit GRT, by removing the specific Transit GRT election dates of 2022 and 2023 and allows voters to consider the elimination of the 2024 Transit GRT sunset provision on the November 2018 ballot.

Background and Discussion:

Ordinance # 2008-14 (Transit GRT) established a 1/8 of 1% increase in Gross Receipts tax for regional transit service. The 2008 Transit GRT Ordinance also had a sunset provision of 2024 with specific references to Transit GRT election dates of November, 2022, or a special election in 2023. The proposed Ordinance (see attached Exhibit A) replaces Section 6 with language that states a general or special election will occur before the January 1, 2024.

NCRTD has requested the County remove the Transit GRT election 2022 and 2023 dates in Ord. # 2008-14 so that the 2024 sunset provision could be placed on the November 2018 ballot. In the event the elimination of the 2024 sunset provision is not approved by voters in 2018 NCRTD could propose this for another election prior to 2024.

The Transit GRT supplies approximately 62% of NCRTD operational revenues. If the Transit GRT provision expired the NCRTD would have to implement drastic service cuts or close its doors.

Removal of the 2024 sunset provision will allow NCRTD to move ahead with mid and long term capital planning and service improvements knowing there will be a revenue source that can be used for these efforts. The GRT revenue is also for the required match amounts for federal formula and discretionary grants. NCRTD has made similar Transit GRT ordinance change requests to Los Alamos, Rio Arriba and Taos Counties.

The Title and General Summary publication request is to advertise Ordinance No. 2018- ____ which would amend Ordinance 2008-14. The proposed amendment removes the 2022 and 2023 Transit GRT election references and could allow the placement of the question of eliminating the 2024 Transit GRT sunset on the November 2018 ballot.

EXHIBIT:

- Exhibit A: Proposed Ordinance No. 2018- ____
- Exhibit B: Ordinance No. 2008-14
- Exhibit C: North Central Regional Transit District Gross Receipts Tax Timeline

**THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY**

ORDINANCE NO. 2018- _____

**AMENDING SECTION 6 OF SANTA FE COUNTY ORDINANCE
NO. 2008-14 TO EXTEND TO JANUARY 1, 2024, THE TIME IN
WHICH AN ELECTION MAY BE HELD TO REAUTHORIZE
THE REGIONAL TRANSIT GROSS RECEIPTS TAX**

BE IT ORDAINED BY THE GOVERNING BODY OF SANTA FE COUNTY that Section 6 of Santa Fe County Ordinance No. 2008-14, imposing the County Regional Transit Gross Receipts Tax is hereby amended by replacing it entirely with the following new Section 6:

“**Section 6. Repeal or Reauthorization.** This Ordinance No. 2008-14 will be repealed effective January 1, 2024 unless a reauthorization election for continuation of the Regional Transit Gross Receipts Tax is held and approved at a general or special election prior to January 1, 2024, for a term and rate to be determined at that time.”

PASSED, APPROVED AND ENACTED this ____ day of _____, 2018, by the Board of County Commissioners of Santa Fe County.

**THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY**

By: _____
Anna Hansen, Chair

Approved As to Form:

R. Bruce Frederick
Santa Fe County Attorney

ATTEST:

Geraldine Salazar
Santa Fe County Clerk



THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY

ORDINANCE NO. 2008-14

ADOPTING A COUNTY REGIONAL TRANSIT
GROSS RECEIPTS TAX

BE IT ORDAINED BY THE GOVERNING BODY OF SANTA FE COUNTY,
NEW MEXICO:

Section 1. Imposition of Tax. There is imposed on any person engaging in business in this county for the privilege of engaging in business in this county an excise tax equal to one eighth of one percent (.125%) of the gross receipts reported or required to be reported by the person pursuant to the New Mexico Gross Receipts and Compensating Tax Act as it now exists or as it may be amended. The tax imposed under this ordinance is pursuant to the County Local Option Gross Receipts Taxes Act as it now exists or as it may be amended and shall be known as the "county regional transit gross receipts tax."

Section 2. General Provisions. This ordinance hereby adopts by reference all definitions, exemptions and deductions contained in the Gross Receipts and Compensating Tax Act as it now exists or as it may be amended.

Section 3. Specific Exemptions. No county regional transit gross receipts tax shall be imposed on the gross receipts arising from: *

- A. transporting persons or property for hire by railroad, motor vehicle, air transportation or any other means from one point within the county to another point outside the county; or
- B. direct broadcast satellite services.

Section 4. Dedication. Revenue from the county regional transit gross receipts tax will be used for the management, construction or operation of a public transit system or for specific public transit projects or services of the district pursuant to the Regional Transit District Act.

Section 5. Effective Date. The effective date of the county regional transit gross receipts tax shall be either January 1 or July 1, whichever date occurs first after the expiration of three months from the date when the results of the election are certified to be in favor of the ordinance's adoption and the adopted ordinance is delivered or mailed to the Taxation and Revenue Department.

Section 6. Repeal or Reauthorization. This ordinance (if it becomes law) shall be repealed effective January 1, 2024 unless a reauthorization election for continuation of the Regional Transit Gross Receipts Tax is held and approved at a general election in

EXHIBIT


tabbles

B

November, 2022, or a special election in 2023, for a term and rate to be determined at that time.

PASSED, APPROVED AND ENACTED this 9th day of September, 2008, by the Board of County Commissioners of Santa Fe County.

**THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY**

By: 
Paul Campos, Chair

ATTEST:


Valerie Espinoza, Santa Fe County Clerk



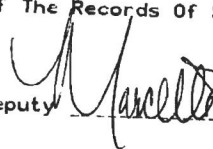
Approved As To Form:

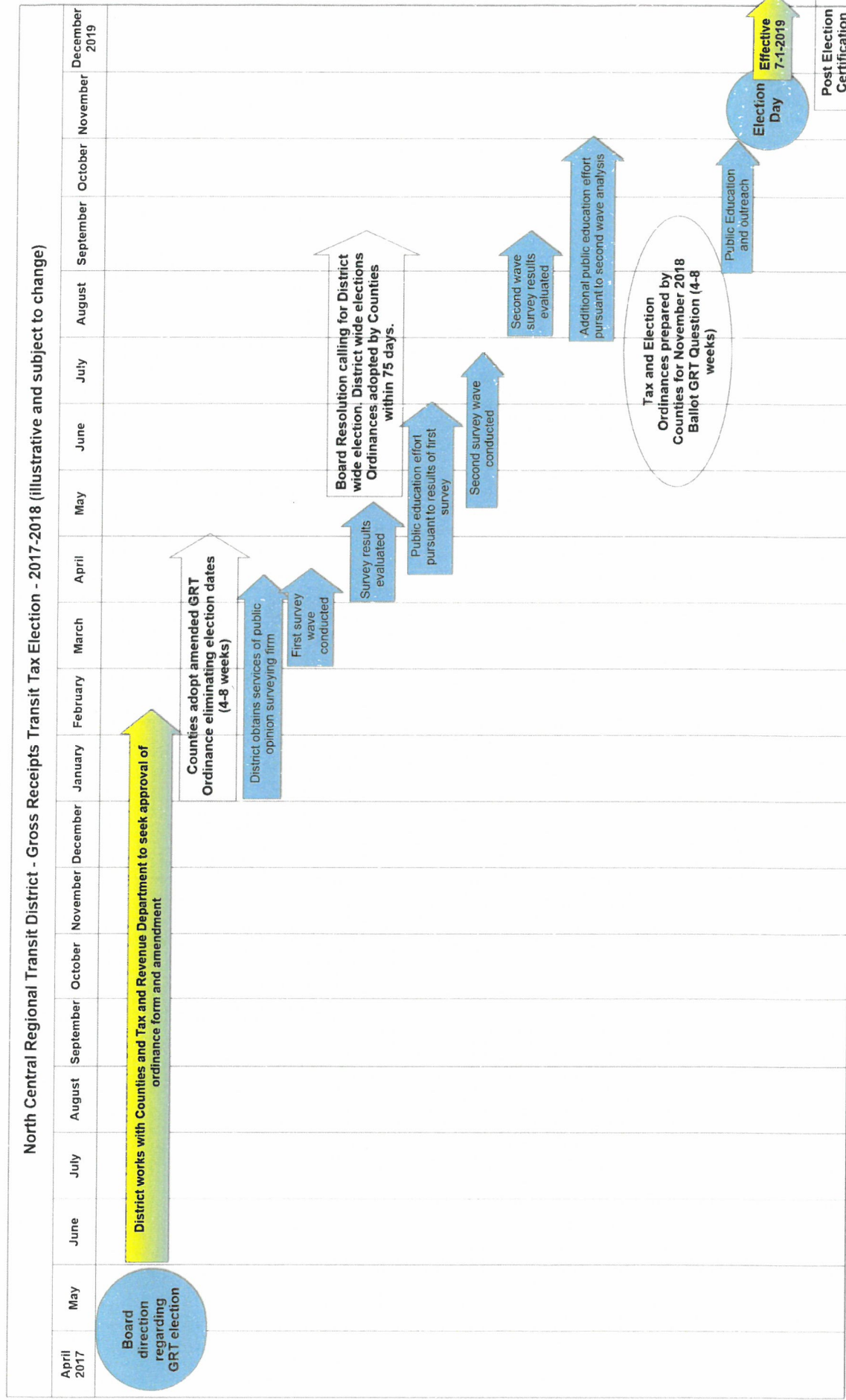

Stephen C. Ross, County Attorney



COUNTY OF SANTA FE)	BCC ORDINANCE
STATE OF NEW MEXICO) ss	PAGES: 2

I Hereby Certify That This Instrument Was Filed for
Record On The 30TH Day Of September, A.D., 2008 at 14:20
And Was Duly Recorded as Instrument # **1539723**
Of The Records Of Santa Fe County

Deputy  Witness My Hand And Seal Of Office
Valerie Espinoza
County Clerk, Santa Fe, NM



NMSA 4-37-7

1. Propose Ordinance to County Board of Commissioners/Councilors

2. Notice of Publication

3. 2 weeks gap

4. Adoption

5. County Clerks Office determine date by when Election Ordinances must be adopted in order to place item on election ballot for November

Post election

1. Certify Ordinance to Tax and Revenue Department 5 days after election certification

