

REC CLERK RECORDING 01/11/2007

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2006-125

COUNTY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2006-164

INTRODUCED BY:

C. Dominguez *David Gonz* *John G. Goff* *Chris Albert* *Paul R. ...*

A JOINT RESOLUTION

WHEREIN THE COUNTY OF SANTA FE AGREES TO DEDICATE A PORTION OF THE REVENUES FROM THE PROPOSED EMERGENCY COMMUNICATIONS AND EMERGENCY MEDICAL SERVICES TAX TO FUND OPERATION OF THE REGIONAL EMERGENCY COMMUNICATION CENTER ("RECC") AND THE CITY OF SANTA FE AGREES TO SUPPORT PASSAGE OF THE TAX; AUTHORIZING APPROPRIATE AMENDMENTS TO THE JOINT POWERS AGREEMENT.

WHEREAS, the Santa Fe County Fire Department is badly in need of supplemental funding to address a shortage of firefighters and emergency medical personnel; and

WHEREAS, NMSA 1978, § 7-20E-22 (2002) authorizes the members of the governing body of a county to enact an ordinance imposing an excise tax at a rate not to exceed one-fourth of one percent of the gross receipts of a person engaged in business in the county, called the "countywide emergency communications and emergency medical services tax"; and

WHEREAS, consistent with its authority under § 7-20E-22, the Board of County Commissioners of Santa Fe County (hereinafter referred to as "the Board") has, by Resolution

1 No. 2006-146, authorized the following question to be placed on the ballot for the November 7,
2 2006 General Election:

3 "Shall there be imposed a Countywide Emergency Communications and
4 Emergency Medical Services Gross Receipts Tax at a rate of one-fourth of one
5 percent of the gross receipts of a person engaging in business in the County for
6 the privilege of engaging in business, the revenue of which will be dedicated to
7 both of the following purposes: (a) Operation of an emergency communication
8 center that has been determined by the Local Government Division of the
9 Department of Finance and Administration to be a consolidated public safety
10 answering point; and (b) Operation of emergency medical services provided by
11 Santa Fe County?"; and

12 **WHEREAS**, the Governing Body of the City of Santa Fe (hereinafter referred to as "the
13 City") and the Board jointly operate, through the "Joint Powers Agreement Establishing the Santa
14 Fe Regional Emergency Communications Center," (2001) (hereinafter referred to as "the
15 Agreement") through the Santa Fe Regional Emergency Communications Center Board
16 (hereinafter referred to as "the RECC"); and

17 **WHEREAS**, operations of the Regional Emergency Communications Center are
18 provided pursuant to a formula set forth in Article IV(B)(2) of the Agreement, based on the
19 proportion of 911 calls received by each party in the preceding fiscal year; and

20 **WHEREAS**, because of its relatively larger call volume, the City has paid a larger share
21 towards operations of the RECC in recent years than the Board under the aforementioned
22 formula: and

23 **WHEREAS**, the City recognizes the need for additional funding for County fire and
24 emergency medical services and is willing to support the County's efforts to obtain additional
25 revenue, and the Board recognizes similar needs of the City of Santa Fe and is therefore willing to

1 act to reduce the City's burden to fund the RECC if the question before the voters passes.

2 **NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY**
3 **COMMISSIONERS OF SANTA FE COUNTY AND THE GOVERNING BODY OF THE**
4 **CITY OF SANTA FE, AS FOLLOWS:**

5 1. If the question currently before the voters concerning the Countywide Emergency
6 Communications and Emergency Medical Services Gross Receipts Tax is approved, the County
7 and the City agree to amend the Agreement to provide that the County shall become the fiscal
8 agent for the RECC, all current employees of the RECC will become employees of the County,
9 and that the County will be solely responsible for the costs of the day to day operation of the
10 RECC.

11 2. The City agrees to support, in an appropriate manner, the question currently
12 before the voters described above.

13 3. The governance structure as set forth in the Agreement shall not otherwise
14 change except as set forth hereto.

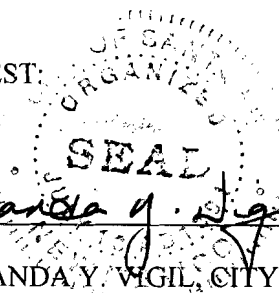
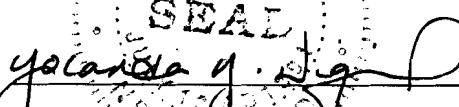
15 4. The funds generated by the tax shall be used as set forth in the attached Exhibit.

16 PASSED, APPROVED, and ADOPTED this 11th day of October, 2006.

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18
19 

20 DAVID COSS, MAYOR

21
22 ATTEST:

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24 
25 YOLANDA Y. VIGIL, CITY CLERK

BCC CLERK RECORDING 01/11/2007

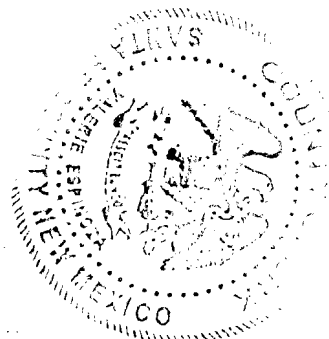
1 APPROVED AS TO FORM:

2 
3 _____

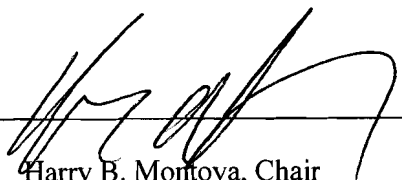
4 FRANK D. KATZ, CITY ATTORNEY

5
6 PASSED, APPROVED and ADOPTED this 10 day of October, 2006, by the
7 Board of County Commissioners of the County of Santa Fe.

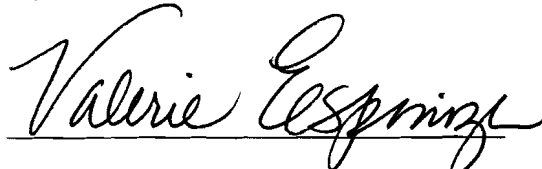
8 THE BOARD OF COUNTY
9 COMMISSIONERS OF SANTA FE COUNTY



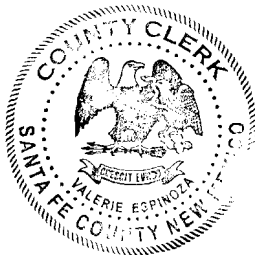
12 By: _____

11 
13 Harry B. Montoya, Chair

15 ATTEST:

16 
17 _____

18 Valerie Espinoza, County Clerk



20 APPROVED AS TO FORM:

21 
22 _____

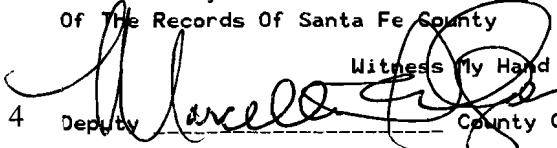
23 Stephen C. Ross, County Attorney

25 jp/shared drive/2006 res/county emerg com tax 3

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC RESOLUTIONS
PAGES: 6

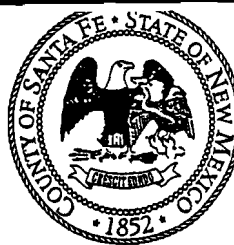
I Hereby Certify That This Instrument Was Filed for
Record On The 11TH Day Of January, A.D., 2007 at 09:33
And Was Duly Recorded as Instrument # **1466561**
Of The Records Of Santa Fe County

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

Harry B. Montoya
Commissioner, District 1

Virginia Vigil
Commissioner, District 2

Michael D. Anaya
Commissioner, District 3



Paul Campos
Commissioner, District 4

Jack Sullivan
Commissioner, District 5

Roman Abeyta
County Manager

Mayor David Coss
City of Santa Fe
P.O. Box 909
Santa Fe, NM 87504

Re: Proposed County Gross Receipts Tax

Dear Mayor Coss:

The City of Santa Fe and Santa Fe County have significant mutual interest in the proposed Gross Receipts Tax on the November ballot. We appreciate the opportunity to clarify the County's intention as to use of the proceeds if voters approve the tax.

It is my understanding that Santa Fe County Fire Department Chief Stan Holden presented his proposed use of the tax revenue to the Public Works Committee on October 10, 2006. His presentation reflects his recommendations to the County Commission earlier this year. This letter is intended to reinforce the Commission's intention to follow those recommendations in developing its 2008 Fiscal Year Budget. Specifically, if the voters approve the tax and an estimated \$9 million will begin to accrue after July, 2007, the Santa Fe County Commission shall assume the City's portion of the operational cost of the Santa Fe Regional Emergency Communications Center (RECC). Currently that annual expense is estimated at \$2.3 million. The County shall become the fiscal agent for the RECC and the RECC governance shall remain the same.

In addition, the County shall allocate sufficient resources to provide full time (24/7) staff in the County fire stations located in Agua Fria, Tesuque and Rancho Viejo areas. This commitment will include ambulance staffing and the operational support of training and personal safety equipment. These County staff will be primary responders to emergencies in the urban and urbanizing areas.

Additionally, Santa Fe County will review its 2007 Fiscal Budget midyear to determine whether sufficient resources exist to staff the Agua Fria Fire Station during the current fiscal year. It should be noted that in order to fully staff a fire station 24/7 requires six full time equivalents.

STC CLERK RECEIVED 11/1/2007

Also, the County remains committed to the hundreds of volunteers that provide the basic fire and emergency services to the citizens of Santa Fe County. To that end, Santa Fe County will provide some tax proceeds to the recruitment and retention of volunteers.

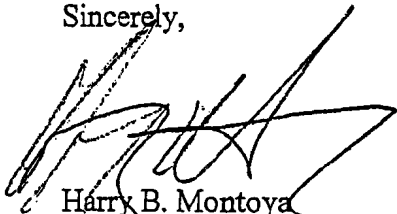
Santa Fe County will also continue to evaluate its staffing plans and operational programs to ascertain if additional resources can be devoted to urbanized areas for fire and emergency purposes.

The County is also committed to addressing and resolving amicably annexation issues of mutual concern and interest. We are equally concerned and interested in addressing these annexation issues to define clearer boundaries that would significantly aide both governments to effectively address planning and management issues important to all of us.

We also welcome the Speaker's proposal and express our willingness to work with the City to jointly advance a request for capital outlay funds for the construction of a police complex to be located in a strategically geographic area as discussed this morning. The Speaker's willingness to engage the area legislators to assist in this effort is commendable and reflects their commitment to work with us toward these common goals.

To this end, I shall prepare a resolution for the Commission to consider at the next meeting.

Sincerely,



Harry B. Montoya
County Commission Chairman

COPY

THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY

THE GOVERNING BODY OF THE CITY OF SANTA FE

RESOLUTION NO. 2006-164
OF THE BOARD OF COUNTY COMMISSIONERS

RESOLUTION NO. 2006-_____
OF THE GOVERNING BODY OF THE CITY OF SANTA FE

**A JOINT RESOLUTION WHEREIN THE COUNTY OF SANTA FE AGREES TO
DEDICATE A PORTION OF THE REVENUE FROM THE PROPOSED
~~EMERGENCY COMMUNICATIONS AND EMERGENCY MEDICAL~~
SERVICES TAX TO FUND OPERATION OF THE REGIONAL EMERGENCY
COMMUNICATIONS CENTER ("RECC") AND THE CITY OF SANTA FE
AGREES TO SUPPORT PASSAGE OF THE PROPOSED TAX;
AUTHORIZING APPROPRIATE AMENDMENTS TO THE JOINT POWERS
AGREEMENT**

~~WHEREAS, the Santa Fe County Fire Department is badly in need of~~
supplemental funding to address a shortage of firefighters and emergency medical
personnel;

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governing body of a county to enact an ordinance imposing an excise tax at a rate not to
exceed one-fourth of one percent of the gross receipts of a person engaged in business in
the county, called the "countywide emergency communications and emergency medical
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Commissioners of Santa Fe County (hereinafter referred to as "the Board") has, by
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one percent of the gross receipts of a person engaging in business in the
County for the privilege of engaging in business, the revenue of which
will be dedicated to both of the following purposes: (a) Operation of an
emergency communication center that has been determined by the Local

Government Division of the Department of Finance and Administration to be a consolidated public safety answering point; and (b) Operation of emergency medical services provided by Santa Fe County?";

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WHEREAS, operations of the Regional Emergency Communications Center are provided pursuant to a formula set forth in Article IV(B)(2) of the Agreement, based on the proportion of 911 call received by each party in the preceding fiscal year;

WHEREAS, because of its relatively larger call volume, the City has paid a larger share towards operations of the RECC in recent years than the Board under the aforementioned formula; and

WHEREAS, the City recognizes the need for additional funding for County fire and emergency medical services and is willing to support the County's efforts to obtain additional revenue, and the Board recognizes similar needs of the City of Santa Fe and is therefore willing to act to reduce the City's burden to fund the RECC if the question before the voters passes.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SANTA FE COUNTY AND THE GOVERNING BODY OF THE CITY OF SANTA FE, AS FOLLOWS:

1. If the question currently before the voters concerning the Countywide Emergency Communications and Emergency Medical Services Gross Receipts Tax is approved, the County and the City agree to amend the Agreement to provide that the County shall become the fiscal agent for the RECC, all current employees of the RECC will become employees of the County, and that the County will be solely responsible for the costs of the day to day operation of the RECC.

2. The City agrees to support, in an appropriate manner, the question currently before the voters described above.

3. The governance structure as set forth in the Agreement shall not otherwise change except as set forth hereto.

PASSED, APPROVED AND ADOPTED this 10th day of October, 2006, by
the Board of County Commissioners of the County of Santa Fe.

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

By: _____

Harry B. Montoya, Chair

ATTEST:

Valerie Espinoza, County Clerk

APPROVED AS TO FORM:

Stephen C. Ross, County Attorney



PASSED, APPROVED AND ADOPTED this ____ day of October, 2006, by the
Governing Body of the City of Santa Fe.

By: _____
David Coss, Mayor

Attest:

Yolanda Y. Vigil, City Clerk

Approved as to form:

Frank D. Katz, City Attorney