

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

RESOLUTION NO. 2008-125

**A RESOLUTION REJOINING
THE NORTH CENTRAL REGIONAL TRANSIT DISTRICT**

WHEREAS, the North Central Regional Transit District (hereinafter referred to as "NCRTD") was created by agreement of the City of Espanola, Los Alamos County, Pojoaque Pueblo, Rio Arriba County, San Ildefonso Pueblo, San Juan Pueblo, Santa Clara Pueblo, the City of Santa Fe, Santa Fe County and Tesuque Pueblo in 2004 pursuant to NMSA 1978, §§ 73-25-1 *et seq.* (2003);

WHEREAS, Section 11.04 of the Intergovernmental Contract that created the NCRTD provides that a member of the District may withdraw from the Regional Transit District by adopting a resolution of withdrawal;

WHEREAS, the Board of County Commissioners, in Resolution No. 2008-112, withdrew from the District on July 7, 2008 citing concerns related to the District's proposal to levy the County Regional Transit Gross Receipts Tax within Santa Fe County;

WHEREAS, the Board of County Commissioners, in Resolution No. 2008-116 (July 8, 2008), indicated its intent to form a regional transit district with the City of Santa Fe and enter into appropriate agreements with the Rio Metro Regional Transit District and the New Mexico Department of Transportation;

WHEREAS, subsequent to its withdrawal from the District, the District and representatives of the Board of County Commissioners engaged in lengthy discussions concerning the proper appropriation of revenue from the County Regional Transit Gross Receipts Tax, and the District adopted a resolution which, among other things, proposed to apportion revenue from the County Regional Transit Gross Receipts Tax between the County and the District on an acceptable basis;

WHEREAS, recent discussions between the District, the Rio Metro Regional Transit District and the New Mexico Department of Transportation, have yielded promising results on proposed intergovernmental agreements and transit service agreements to accomplish needed connections with the Rail Runner project within the City and County of Santa Fe and statewide, which will provide a basis for a seamless regional transportation system extending through the Rio Grande corridor between Taos and Belen;

WHEREAS, an insular transportation district consisting of the City and County of Santa Fe would serve some, but not all, of the goals that could be attained through a seamless regional transportation system of such scope;

WHEREAS, as the District properly considers Santa Fe County to be a critical participant in the regional transportation strategy and is willing to work closely with the County to assure that regional transportation needs are met and that the Rail Runner project is a success, the County should immediately rejoin the District and forgo efforts to create an insular City/County entity.

THEREFORE, IT IS HEREBY RESOLVED, AS FOLLOWS:

1. The Board of County Commissioners of Santa Fe County hereby requests to immediately rejoin, with full membership, the North Central Regional Transportation District.
2. The request to rejoin the North Central Regional Transit District is conditioned upon the North Central Regional Transit District agreeing to all provisions of this resolution, by resolution of the Board.
3. The Board of the North Central Regional Transportation District shall provide the County with the necessary resolution to begin the process to adopt a 1/8 increment of the County Regional Transit Gross Receipts Tax.
4. The Board of County Commissioners accepts the offer of the District that the County be provided annually with revenue equivalent to 86 percent of a 1/16 percent increment of the County Regional Transit Gross Receipts Tax to address specific transit needs within the County and City of Santa Fe.
5. With the funds so provided, Santa Fe County may contract with the District, the City of Santa Fe, the Rio Metro Regional Transit District, the New Mexico Department of Transportation, or a third party, to provide connecting transportation to and from the Rail Runner within the County and to meet transit needs within Santa Fe County and the City of Santa Fe.
6. The remaining fourteen percent (14%) of the revenue raised by a one sixteenth of one percent Gross Receipts Tax levied in Santa Fe County shall be used by the District for providing connecting service to the Rail Runner and shall include all applicable District overhead and administrative costs.
7. In accordance with the Regional Transit Act, NMSA 1978, Sections 73-25-1 *et seq.*, Santa Fe County may withdraw from the District at any time subsequent to the date of this Resolution and may form a Regional Transit District comprising only Santa Fe County with the City of Santa Fe. If a Regional Transit District is formed within Santa Fe County, the revenue distribution described in this Resolution shall remain intact, but

the new Santa Fe Regional Transit District may levy additional increments of the gross receipts tax to fund its operations, if needed.

8. The Board of County Commissioners instructs staff to work with staff of the Regional Planning Authority to amend the Joint Powers Agreement to provide a forum for City and County discussions concerning the use of revenue from 86% of the equivalent of a 1/16 percent increment of the County Regional Transit Gross Receipts Tax, if the voters authorize collection of that tax.

APPROVED, ADOPTED AND PASSED THIS 12th day of August, 2008.

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

By: _____

Paul Campos, Chair

Valerie Espinoza, County Clerk

Approved as to form:

Stephen C. Ross, County Attorney



COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

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I Hereby Certify That This Instrument Was Filed for
Record On The 18TH Day Of August, A.D., 2008 at 16:52
And Was Duly Recorded as Instrument # **1535561**
Of The Records Of Santa Fe County

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