



City Business and Quality of Life Committee

February 8, 2017



Agenda

DATE 2/1/17 TIME 8:30a
SERVED BY Rubian Trujillo
RECEIVED BY [Signature]

CITY BUSINESS & QUALITY OF LIFE COMMITTEE

**Market Station at the Railyard
500 Market Station, Suite 200**

**Wednesday, February 8, 2017
11:00 AM - 1:00 PM**

- I. PROCEDURES
 - A. Roll Call
 - B. Approval of Minutes - December 14, 2016
 - C. Approval of Agenda
 - D. Approval of Consent Agenda
- II. INFORMATIONAL ITEMS
 - A. City of Santa Fe Airport - Cameron Humphres, Airport Manager
- III. CONSENT AGENDA
 - B. Request for approval of a resolution establishing a blue ribbon age-friendly commission to evaluate opportunities to engage in the World Health Organization age-friendly cities and communities. (Mayor Gonzales, Councilors Harris and Ives) (Chris Sanchez)
- IV. ACTION ITEMS
 - A. Request for approval of an ordinance creating a new Section 18-20 SFCC 1987 to establish a sugar sweetened beverage tax for the purpose of supporting early childhood education for City of Santa Fe residents. (Mayor Gonzales and Councilor Ives) (Marcos Martinez)
 - B. Request for approval of a resolution establishing guidelines for the Santa Fe Early Childhood Initiative; establishing guidelines to guide early childhood education; directing the governing body to establish an Early Childhood Development Education commission (Mayor Gonzales and Councilor Ives) (Chris Sanchez).
 - C. Request for approval of an ordinance updating and reforming the permitted locations and regulations for the sale and consumption of alcohol on city

- V. DISCUSSION ITEMS
 - A. Special Events Evaluation and Approval Process Improvements – Renee Martinez and Sevastian Gurule.
- VI. ITEMS FROM THE COMMITTEE
- VII. ITEMS FROM STAFF
- VIII. ITEMS FROM THE CHAIR
- IX. ITEMS FROM THE PUBLIC
- X. NEXT MEETING DATE – **February 8, 2017**

Persons with disabilities in need of accommodation, contact the City Clerk's office at 955-6520, five (5) working days prior to meeting date.

a.

Minutes

**SUMMARY INDEX OF
CITY OF SANTA FE
BUSINESS & QUALITY OF LIFE COMMITTEE**

Wednesday, January 11, 2017

| ITEM | ACTION | PAGE |
|--|---|-------------|
| I. PROCEDURES | | |
| A. Roll Call | Lacked quorum | 1 |
| B. Approval of Minutes – December 14, 2016 | No quorum | 1 |
| C. Approval of Agenda | No quorum | 1 |
| D. Approval of Consent Agenda | No quorum | 2 |
| II. CONSENT AGENDA - | | |
| A. Approval of resolution to continue the pilot parking program for the Farmers' Market at the market station parking garage (Councilors Villarreal, Ives, Dominguez, Harris and Trujillo) (Noel Correia) | Not discussed | 2 |
| III. ACTION ITEMS | Not discussed | 2 |
| A. Approval of an ordinance updating/reforming locations /regulations for sale and consumption of alcohol on city property and revising the provisions for sale and consumption of alcohol on city property. (Councilor Dominguez) (Jesse Guillen; Alfred Walker) | | |
| B. Approval resolution establishing task force to determine establishing a public bank. (Councilors Villarreal, Dominguez, Maestas and Ives) (Alexandra Ladd) | | |
| C. Approval of a resolution for report to the governing body regarding "Fee in Lieu Of" Affordable Housing Revenues. (Councilor Dominguez) (Alexandra Ladd). | | |
| IV. INFORMATIONAL ITEMS | | |
| A. Special Event Planning Issues and Inconsistencies for Events on Private vs. on city parks/facilities. Shannon Murphy | Discussed | 3-6 |
| V. ITEMS FROM COMMITTEE | None | 6 |
| VI. ITEMS FROM THE STAFF | None | 6 |
| VII. ITEMS FROM THE CHAIR | Discussed | 2-3 |
| VIII. ITEMS FROM THE PUBLIC | None | 6 |
| IX. NEXT MEETNG DATE | February 8, 2016 Adjourned at 12:00 p.m. | 6 |

Consent

City of Santa Fe, New Mexico

LEGISLATIVE SUMMARY

Resolution No. 2017-__

Age Friendly Cities and Communities Network

SPONSOR(S): Mayor Gonzales, Councilors Harris and Ives

SUMMARY: The proposed resolution establishes a blue ribbon age-friendly commission to evaluate opportunities to engage in the world health organization age-friendly cities and communities, and evaluate opportunities to improve access to and affordability of the eight domains of community life.

PREPARED BY: Rebecca Seligman, Legislative Liaison Assistant

FISCAL IMPACT: Yes

DATE: January 27, 2017

ATTACHMENTS: Resolution
FIR

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

2 **RESOLUTION NO. 2017-__**

3 **INTRODUCED BY:**

4
5 Mayor Javier M. Gonzales

6 Councilor Mike Harris

7 Councilor Peter Ives

8
9
10 **A RESOLUTION**

11 **ESTABLISHING A BLUE RIBBON AGE-FRIENDLY COMMISSION TO EVALUATE**
12 **OPPORTUNITIES TO ENGAGE IN THE WORLD HEALTH ORGANIZATION AGE-**
13 **FRIENDLY CITIES AND COMMUNITIES, AND EVALUATE OPPORTUNITIES TO**
14 **IMPROVE ACCESS TO AND AFFORDABILITY OF THE EIGHT DOMAINS OF**
15 **COMMUNITY LIFE.**

16
17 **WHEREAS**, the population of people aged 65 and over in the City of Santa Fe is
18 expected to grow from 16,000 in 2017 to almost 30,000 by 2030; and

19 **WHEREAS**, research shows that older Americans overwhelmingly want to remain in
20 their homes and communities as they age; and

21 **WHEREAS**, access to quality health care and long-term services and supports is
22 essential for individuals to live in their homes and communities; and

23 **WHEREAS**, of the 80 percent of adults 65 and older living in metropolitan areas, 64
24 percent live outside the principal cities of these areas in suburban locations that tend to be auto-
25 dependent, creating challenges for residents who do not drive; and

1 **WHEREAS**, 21 percent of adults age 65 and older do not drive, and more than half of
2 these non-drivers do not leave home on a given day, in part because they lack transportation
3 options; and

4 **WHEREAS**, reduced mobility for older non-drivers leads to 15 percent fewer trips to the
5 doctor, 59 percent fewer shopping trips and visits to restaurants, and 65 percent fewer trips for
6 social, family and religious activities; and

7 **WHEREAS**, the World Health Organization (WHO) has developed a Global Network of
8 Age-Friendly Cities and Communities to encourage and promote public policies to increase the
9 number of cities and communities that support healthy ageing and thereby improve the health,
10 well-being, satisfaction, and quality of life for older Americans; and

11 **WHEREAS**, active ageing is a life-long process, whereby an age-friendly community is
12 not just “elder-friendly” but also intended to be friendly for all ages; and

13 **WHEREAS**, the WHO has noted that “[m]aking cities and communities age
14 -friendly is one of the most effective policy approaches for responding to demographic ageing,”
15 and

16 **WHEREAS**, the WHO has developed eight domains of community life that influence the
17 health and quality of life of older people:

18 1. Outdoor spaces and buildings– accessibility to and availability of clean, safe
19 community centers, parks, and other recreational facilities;

20 2. Transportation– safe and affordable modes of private and public transportation,
21 “Complete Streets” types of initiatives, hospitable built environments;

22 3. Housing– wide range of housing options for older residents, ageing in place and
23 other home modification programs, housing that is accessible to transportation and community
24 and health services;

25 4. Social participation – access to leisure and cultural activities; opportunities

1 for older residents to participate in social and civic engagement with their peers and younger
2 people;

3 5. Respect and social inclusion – programs to support and promote ethnic and
4 cultural diversity, programs to encourage multigenerational interaction and dialogue, programs to
5 combat loneliness and isolation among older residents;

6 6. Civic participation and employment – promotion of paid work and volunteer
7 opportunities for older residents; opportunities for older residents to engage in formulation of
8 policies relevant to their lives;

9 7. Communication and information – promotion of and access to the use of
10 technology to keep older residents connected to their community and friends and family, both
11 near and far; and

12 8. Community support and health services – access to homecare services, clinics,
13 programs to promote active ageing (physical exercise and healthy habits); and

14 **WHEREAS**, the WHO recognizes that cities and communities have different needs,
15 resources, and varying capacities to engage their resources to take action to facilitate active
16 ageing;

17 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
18 **CITY OF SANTA FE** that the Governing Body hereby establishes a Blue Ribbon Age-Friendly
19 Commission to evaluate opportunities to engage in the WHO Age-Friendly Cities and
20 Communities.

21 **Section 1. NAME:** The commission shall be called the Blue Ribbon Age-Friendly
22 Commission.

23 **Section 2. PURPOSE:** The primary function of the Commission shall be to
24 evaluate opportunities to improve access to and affordability of the eight domains of community
25 life as developed by the WHO:

- A. Outdoor spaces and buildings;
- B. Transportation;
- C. Housing;
- D. Social participation;
- E. Respect and social inclusion;
- F. Civic participation and employment;
- G. Communication and information; and
- H. Community support and health services.

Section 3. DUTIES AND RESPONSIBILITIES: The commission shall establish priorities in its operation that work towards the following goals, as defined by the WHO, as it relates to the eight domains of community life.

Section 4. MEMBERSHIP; OFFICERS:

A. *Membership.* The commission shall be comprised of nine (9) members appointed by the mayor with the advice and consent of the Governing Body. Members should have expertise in one or more of the following areas:

- 1. Urban development
- 2. Transportation
- 3. Housing
- 4. Social justice
- 5. Healthcare

At least twenty-five percent of the members must reside within the municipal boundaries of the city of Santa Fe. An effort shall be made to include older residents as members of the Commission.

B. *Officers.* The chair shall be appointed by the mayor; the vice-chair shall be elected by the members of the commission.

1 **Section 5. TERMS:** Of the initial appointments, five (5) members shall be
2 appointed to one (1) year terms, and the remaining four (4) members shall be appointed to two (2)
3 year terms. Subsequent terms shall be for two years to maintain staggering of terms. Members
4 may serve a maximum of three full terms. After three consecutive unexcused absences, a
5 commission member shall be automatically remove and notified thereof by the chairperson.

6 **Section 6. VACANCIES:** Vacancies on the Commission shall be filled in the same
7 manner as initial appointments and shall be for the remainder for the unexpired term. Serving the
8 remainder of the unexpired term does not affect the term limits as set forth in Section 5 above.
9 Any member of the Commission may be removed by the mayor with the approval of the
10 Governing Body, with or without cause.

11 **Section 7. MEETINGS:** A quorum shall be at least five members. The
12 Commission shall meet quarterly as determined by the chair, in consultation with the staff liaison.

13 **Section 8. STAFF LIAISON:** The city manager shall appoint a staff liaison to
14 serve as the city's representative to the Commission.

15 PASSED, APPROVED AND ADOPTED this ____ day of _____, 2017.

16
17 _____
18 JAVIER M. GONZALES, MAYOR

19
20 ATTEST:

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22 _____
23 YOLANDA Y. VIGIL, CITY CLERK
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APPROVED AS TO FORM:

A handwritten signature in cursive script, reading "Kelley A. Brennan". The signature is written in dark ink and is positioned above a horizontal line.

KELLEY A. BRENNAN, CITY ATTORNEY

City of Santa Fe Fiscal Impact Report (FIR)

This Fiscal Impact Report (FIR) shall be completed for each proposed bill or resolution as to its direct impact upon the City's operating budget and is intended for use by any of the standing committees of and the Governing Body of the City of Santa Fe. Bills or resolutions with no fiscal impact still require a completed FIR. Bills or resolutions with a fiscal impact must be reviewed by the Finance Committee. Bills or resolutions without a fiscal impact generally do not require review by the Finance Committee unless the subject of the bill or resolution is financial in nature.

Section A. General Information

(Check) Bill: _____ Resolution: X

(A single FIR may be used for related bills and/or resolutions)

Short Title(s): **A RESOLUTION ESTABLISHING A BLUE RIBBON AGE-FRIENDLY COMMISSION TO EVALUATE OPPORTUNITIES TO ENGAGE IN THE WORLD HEALTH ORGANIZATION AGE-FRIENDLY CITIES AND COMMUNITIES.**

Sponsor(s): Mayor Gonzales

Reviewing Department(s): Community Services

Persons Completing FIR: Chris Sanchez Date: 1/26/17 Phone: 955-6603

Reviewed by City Attorney: Kelly A. Brennan Date: 1/30/17
(Signature)

Reviewed by Finance Director: Ash K. Jones Date: 1/30/17
(Signature)

Section B. Summary

Briefly explain the purpose and major provisions of the bill/resolution:

This resolution would create an age-friendly commission to improve the quality of life for older Americans living in Santa Fe. The number of ageing residents is expected to double by 2030, and in working with the World Health Organization's age-friendly cities and communities network, Santa Fe can work to improve on the eight domains of community life, as defined by WHO.

Section C. Fiscal Impact

Note: Financial information on this FIR does not directly translate into a City of Santa Fe budget increase. For a budget increase, the following are required:

- a. The item must be on the agenda at the Finance Committee and City Council as a "Request for Approval of a City of Santa Fe Budget Increase" with a definitive funding source (could be same item and same time as bill/resolution)
- b. Detailed budget information must be attached as to fund, business units, and line item, amounts, and explanations (similar to annual requests for budget)
- c. Detailed personnel forms must be attached as to range, salary, and benefit allocation and signed by Human Resource Department for each new position(s) requested (prorated for period to be employed by fiscal year)*


1. Projected Expenditures:

- a. Indicate Fiscal Year(s) affected – usually current fiscal year and following fiscal year (i.e., FY 03/04 and FY 04/05)
- b. Indicate: "A" if current budget and level of staffing will absorb the costs
 "N" if new, additional, or increased budget or staffing will be required
- c. Indicate: "R" – if recurring annual costs
 "NR" if one-time, non-recurring costs, such as start-up, contract or equipment costs
- d. Attach additional projection schedules if two years does not adequately project revenue and cost patterns
- e. Costs may be netted or shown as an offset if some cost savings are projected (explain in Section 3 Narrative)

Finance Director: _____

_____ Check here if no fiscal impact

| Column #: | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
|-----------|----------------------------|-----------------|---|---|-----------------|---|---|---------------|
| | Expenditure Classification | FY <u>17/18</u> | "A" Costs Absorbed or "N" New Budget Required | "R" Costs Recurring or "NR" Non-recurring | FY <u>18/19</u> | "A" Costs Absorbed or "N" New Budget Required | "R" Costs – Recurring or "NR" Non-recurring | Fund Affected |

| | | | | | | | |
|---------------------------|---------------|----------|----------|---------------|----------|----------|---|
| Personnel* | \$ _____ | _____ | _____ | \$ _____ | _____ | _____ | _____ |
| Fringe** | \$ _____ | _____ | _____ | \$ _____ | _____ | _____ | _____ |
| Capital Outlay | \$ _____ | _____ | _____ | \$ _____ | _____ | _____ | _____ |
| Land/ Building | \$ _____ | _____ | _____ | \$ _____ | _____ | _____ | _____ |
| Professional Services | \$ <u>680</u> | <u>A</u> | <u>R</u> | \$ <u>680</u> | <u>A</u> | <u>R</u> |  |
| All Other Operating Costs | \$ _____ | _____ | _____ | \$ _____ | _____ | _____ | _____ |
| Total: | \$ <u>680</u> | | | \$ <u>680</u> | | | |

* Any indication that additional staffing would be required must be reviewed and approved in advance by the City Manager by attached memo before release of FIR to committees. **For fringe benefits contact the Finance Dept.

2. Revenue Sources:

- To indicate new revenues and/or
- Required for costs for which new expenditure budget is proposed above in item 1.

| Column #: | 1 | 2 | 3 | 4 | 5 | 6 |
|-----------|-----------------|----------|---|----------|---|---------------|
| | Type of Revenue | FY _____ | "R" Costs Recurring or "NR" Non-recurring | FY _____ | "R" Costs – Recurring or "NR" Non-recurring | Fund Affected |

| | | | | | |
|--------|----------|-------|----------|-------|-------|
| _____ | \$ _____ | _____ | \$ _____ | _____ | _____ |
| _____ | \$ _____ | _____ | \$ _____ | _____ | _____ |
| _____ | \$ _____ | _____ | \$ _____ | _____ | _____ |
| Total: | \$ _____ | | \$ _____ | | |

3. Expenditure/Revenue Narrative:

Explain revenue source(s). Include revenue calculations, grant(s) available, anticipated date of receipt of revenues/grants, etc. Explain expenditures, grant match(s), justify personnel increase(s), detail capital and operating uses, etc. (Attach supplemental page, if necessary.)

The \$680 associated with the creation of this commission relate to costs of having a stenographer present at all the meetings, and submitting minutes to the city clerk. This assumes four meetings of two hours each, requiring 4 hours of transcribing for each meeting. No revenue source has been identified for this funding, and so will be absorbed into the budget for the Community Services Division.

Section D. General Narrative

1. Conflicts: Does this proposed bill/resolution duplicate/conflict with/companion to/relate to any City code, approved ordinance or resolution, other adopted policies or proposed legislation? Include details of city adopted laws/ordinance/resolutions and dates. Summarize the relationships, conflicts or overlaps.

None identified.

2. Consequences of Not Enacting This Bill/Resolution:

Are there consequences of not enacting this bill/resolution? If so, describe.

The Commission will not be created.

3. Technical Issues:

Are there incorrect citations of law, drafting errors or other problems? Are there any amendments that should be considered? Are there any other alternatives which should be considered? If so, describe.

None identified.

4. Community Impact:

Briefly describe the major positive or negative effects the Bill/Resolution might have on the community including, but not limited to, businesses, neighborhoods, families, children and youth, social service providers and other institutions such as schools, churches, etc.

The World Health Organization has developed a global network of age-friendly cities and communities that encourage public policies to support healthy ageing, thereby increasing the quality of life for older Americans. Creation of this commission would be the first step in ensuring the city of Santa Fe provides for the needs of the ageing population, estimated at 16,000 today, and projected to increase to 30,000 by 2030.

Action Items

Item A

City of Santa Fe, New Mexico

LEGISLATIVE SUMMARY

Bill No. 2017-__

Sugar-Sweetened Beverages Tax

SPONSOR(S): Mayor Gonzales and Councilor Ives

SUMMARY: The proposed ordinance creates a new Section 18-20 SFCC 1987 to establish a sugar-sweetened beverages tax for the purpose of supporting early childhood education for city of Santa Fe residents.

PREPARED BY: Rebecca Seligman, Legislative Liaison Assistant

FISCAL IMPACT: TBD

DATE: January 30, 2017

ATTACHMENTS: Bill
FIR

1 CITY OF SANTA FE, NEW MEXICO

2 BILL NO. 2017-__

3 INTRODUCED BY:

4
5 Mayor Javier M. Gonzales

6 Councilor Peter N. Ives

7
8
9
10 AN ORDINANCE

11 CREATING A NEW SECTION 18-20 SFCC 1987 TO ESTABLISH A SUGAR-
12 SWEETENED BEVERAGES TAX FOR THE PURPOSE OF SUPPORTING EARLY
13 CHILDHOOD EDUCATION FOR CITY OF SANTA FE RESIDENTS.

14
15 BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

16 Section 1. A new Section 18-20 SFCC 1987 is ordained to read:

17 18-20 [NEW MATERIAL] SUGAR-SWEETENED BEVERAGES TAX

18 18-20.1 [NEW MATERIAL] Short Title. This Section may be cited as the Sugar-
19 Sweetened Beverages Tax Ordinance.

20 18-20.2 [NEW MATERIAL] Legislative Finding.

21 A. An excise tax on the distribution of sugar-sweetened beverages is intended to
22 protect the health, safety, and well-being of all residents of the city of Santa Fe.

23 B. The American Heart Association recommends that men consume no more than
24 nine (9) teaspoons of sugar per day, and women consume no more than six (6) teaspoons per day.

25 C. The average twenty-ounce (20oz) can of soda contains sixteen (16) teaspoons of

1 sugar.

2 D. Nearly half of all added sugars consumed come from sugary drinks such as soft
3 drinks, energy drinks, fruit drinks, sweetened tea and coffee, and sports drinks, which offer little
4 or no nutritional value.

5 E. Consuming one sugar-sweetened beverage a day increases the risk for childhood
6 obesity by fifty-five percent (55%), increases the risk of developing type two diabetes by twenty-
7 five percent (25%), and increases the likelihood of death from cardiovascular disease by thirty
8 percent (30%).

9 F. The average New Mexican consumed thirty-four (34) gallons of soda in 2016.

10 G. New Mexico ranks 32nd in the nation for adult obesity, with a rate of nearly
11 twenty-nine percent (29%).

12 H. The obesity rate has increased every year, except one, since 1990; and

13 I. Studies have linked sugar consumption to obesity, heart disease, cancer, diabetes,
14 hypertension, high triglycerides and insulin resistance, accelerated ageing process, and cognitive
15 decline.

16 J. Chronic diseases such as heart disease, cancer and diabetes are among the
17 leading causes of death and disability in the city of Santa Fe, the state of New Mexico and the
18 United States.

19 K. In Santa Fe county nearly one in five adults is obese, and one in three adolescents
20 12-19 years old is overweight or obese; and in New Mexico, more than one in three third-grade
21 and one in four kindergarten students is overweight or obese.

22 L. Total direct medical expenses for diagnosed and undiagnosed diabetes,
23 prediabetes and gestational diabetes in New Mexico was estimated at \$1.6 billion in 2012.

24 M. In a state struggling with rapidly declining revenues, an increase in health care
25 costs due to rising rates of preventable disease saddles the city and state with another financial

1 burden it cannot afford.

2 N. Taxing sugar-sweetened beverages can benefit community health through at least
3 three mechanisms – directly reducing harms to health from consumption, raising revenue for
4 community investments, and saving money on expenditures from prevented illnesses.

5 O. The National Institute for Early Education Research concluded that New Mexico
6 pre-kindergarten produced statistically significant positive impacts in language, literacy, and
7 mathematics, the three content areas most critical to later academic success.

8 P. An estimated nine hundred and sixty-six (966) three (3-) and four (4-)year olds
9 living within the boundaries of the city of Santa Fe have unmet need for high-quality pre-
10 kindergarten; seventy-two percent (72%) of these children are Hispanic and over fifty-five
11 percent (55%) live in households with income below two-hundred percent (200%) of the federal
12 poverty level.

13 Q. A 2016 evaluation of New Mexico pre-kindergarten by the New Mexico
14 Legislative Finance Committee found that the educational benefits arising directly from improved
15 standardized test scores were sufficient to offset the entire cost of half-day pre-kindergarten for 4-
16 year olds.

17 **18-20.3 [NEW MATERIAL] Authority.** Section 18-20 SFCC 1987 establishes a
18 sugar-sweetened beverage excise tax and is adopted pursuant to the home rule powers granted to
19 the city of Santa Fe in Article 10, § 6(D) of the Constitution of New Mexico and NMSA 1978, §
20 3-18-2(D).

21 **18-20.4 [NEW MATERIAL] Purpose.** The purpose of this Section is to establish a
22 sugar-sweetened beverage tax in the amount of two cents (\$0.02) per fluid ounce of sugar-
23 sweetened beverage products that are distributed in the city. Tax revenues will be dedicated to
24 fund early childhood development programs for city of Santa Fe residents.

25 **18-20.5 [NEW MATERIAL] Imposition and Rate of Sugar-Sweetened Beverage**

1 **Tax.**

2 A. *Excise tax.* There is imposed on each and every distributor in the city an excise
3 tax of two cents (\$0.02) per fluid ounce of sugar-sweetened beverage products that are distributed
4 in the city.

5 B. For purposes of calculating the tax imposed under this chapter, the volume, in
6 fluid ounces, of a sugar-sweetened beverage product shall be:

7 1. For bottled sugar-sweetened beverage products, the volume, in fluid
8 ounces, of sugar-sweetened beverages distributed to any person in the course of business in the
9 city.

10 2. For concentrates, the largest volume of sugar-sweetened beverage that
11 would typically be produced by the amount of concentrate based on the manufacturer's
12 instructions or, if the distributor uses the concentrate to produce a sugar-sweetened beverage, the
13 regular practice of the distributor.

14 **18-20.6 [NEW MATERIAL] Distributor Liable for Tax.**

15 A. The tax imposed in subsection 18-20.5 shall be paid upon the first non-exempt
16 distribution of a sugar-sweetened beverage product in the city. If there is a chain of distribution
17 within the city of Santa Fe involving more than one distributor, the tax shall be levied on the first
18 distributor subject to the jurisdiction of the city. If the tax is not paid by the first distributor for
19 any reason, it shall be levied on subsequent distributors, provided that the distribution of sugar-
20 sweetened beverage products may not be taxed more than once in the chain of commerce.

21 B. Any distributions not subject to taxation by the city under the laws of the United
22 States or the state of New Mexico are exempt from the sugar-sweetened beverages tax.

23 **18-20.7 [NEW MATERIAL] Definitions.**

24 *Beverage for Medical Use* means a beverage suitable for human consumption and
25 manufactured for use as a:

1 A. Oral nutritional therapy for persons who cannot absorb or metabolize caloric or
2 dietary nutrients from usual food or beverages, or

3 B. Oral rehydration electrolyte solution formulated to prevent or treat dehydration
4 due to illness, or

5 C. Any beverage that meets statutory definition of “medical food” under Orphan
6 Drug Act 21 U.S.C. 360ee(b)(3), as amended.

7 *Beverage for Medical Use* shall not include drinks commonly referred to as “sports drinks” or any
8 other common names that are derivations thereof.

9 *Bottled Sugar-Sweetened Beverage* means any sugar-sweetened beverage contained in a
10 bottle or any other closed package that is ready for consumption without further processing,

11 *Caloric Sweetener* means a substance or combination of substances suitable for human
12 consumption that adds calories to and is perceived as sweet to humans when consumed,
13 including, but not limited to sucrose, dextrose, fructose, glucose, other mono and disaccharides;
14 corn syrup or high-fructose corn syrup; or any other caloric sweetener designated by the city
15 manager.

16 *Concentrate* means a syrup, powder, frozen or gel mixture, or other product containing
17 one or more caloric sweeteners as an ingredient, intended to be used in making, mixing, or
18 compounding a sugar-sweetened beverage by combining the concentrate with one or more other
19 ingredients.

20 *Consumer* means a natural person who purchases a sugar- sweetened beverage product in
21 the city for a purpose other than resale in the ordinary course of business.

22 *Distribution or Distribute* means supply to a retailer, acquisition by a retailer, delivery to
23 a retailer, or transport into the City by a retailer for purpose of holding out for retail sale within
24 City any sugar-sweetened beverage product. *Distribution or Distribute* shall not mean the retail
25 sale to a consumer.

1 *Distributor* means any person who distribute sugar- sweetened beverage products into the
2 city.

3 *Milk* means natural fluid milk, regardless of animal source or butterfat content; natural
4 milk concentrate, whether or not reconstituted, regardless of animal source or butterfat content; or
5 dehydrated natural milk, whether or not reconstituted and regardless of animal source or butterfat
6 content; and plant-based milk substitutes that are marketed as milk, such as but not limited to, soy
7 milk, coconut milk, rice milk and almond milk.

8 *Natural Common Sweetener* means: granulated white sugar, brown sugar, honey,
9 molasses, xylem sap of maple trees, or agave nectar.

10 *Person* means any natural person, partnership, cooperative association, limited liability
11 company, corporation, personal representative, receiver, trustee, assignee, or any other legal
12 entity.

13 *Powder* means any sold mixture, containing one or more caloric sweetener(s) as an
14 ingredient, intended to be used in making, mixing, or compounding a sugar-sweetened beverage
15 by combining the powder with one or more other ingredients.

16 *Retail sale:* means sale to a person for use or consumption, and not for resale.

17 *Retailer of Sugar-Sweetened Beverage Products* means a person who sells or otherwise
18 dispenses a sugar-sweetened beverage to the public.

19 *Simple Syrup* means a mixture of water and one or more natural or common sweeteners
20 without any additional ingredients.

21 *Sugar-Sweetened Beverage* means any beverage intended for human consumption which
22 contains one or more caloric sweeteners whether in bottles, prepared from concentrates, served as
23 a fountain beverage, or in any other form.

24 A. *Sugar-Sweetened Beverage* includes all drinks and beverages commonly referred
25 to as soda, pop, cola, soft drinks, sports drinks, energy drinks, sugar-sweetened ice teas, and other

1 products with added caloric sweeteners including but not limited to juice with added caloric
2 sweetener, flavored water, and non-alcoholic mix beverages that may or may not be mixed with
3 alcohol or any other common names that are derivations thereof.

4 B. *Sugar-Sweetened Beverage* does not include any of the following:

5 1. Any beverage in which natural milk is the primary ingredient, i.e., the
6 ingredient listed first in the product ingredient list; or in which water and grains, nuts,
7 legumes, or seeds constitute the first two ingredients in the product ingredient list;

8 2. Any Beverage for Medical Use;

9 3. Any liquid sold for use a meal replacement for weight reduction or other
10 purposes;

11 4. Any product commonly referred to as infant formula or baby formula;

12 5. Any alcoholic beverage;

13 6. Any beverage consisting of one hundred percent (100%) natural fruit or
14 vegetable juice with no added caloric sweetener. For purposes of this paragraph, natural
15 fruit juice and natural vegetable juice mean the original liquid resulting from the pressing
16 of fruits or vegetables; or

17 7. Sweetened medication such as cough syrup, liquid pain relievers, fever
18 reducers, and similar products.

19 *Sugar-Sweetened Beverage Product* means a bottled sugar-sweetened beverage or a
20 Concentrate for the preparation of a sugar-sweetened beverage.

21 *Syrup* means any liquid or frozen mixture containing one or more caloric sweeteners as
22 an ingredient intended to be used in making, mixing, or compounding a sugar-sweetened
23 beverage by combining the syrup with one or more other ingredients.

24 **18-20.8 [NEW MATERIAL] Duties, Responsibilities and Authority of the City**
25 **Manager.**

1 A. The city manager is authorized to collect and receive all taxes imposed by this
2 chapter, and to keep an accurate record thereof.

3 B. The city manager shall develop a registration system whereby distributors of
4 sugar-sweetened beverages must register with the city prior to distributing any sugar-sweetened
5 beverages.

6 C. The city manager shall annually verify that the taxes owed under this section
7 have been properly applied, exempted, collected, and remitted.

8 D. The city manager is authorized to enforce this section and may prescribe, adopt,
9 and enforce rules and regulations relating to the administration and enforcement of this section,
10 including provisions for the reexamination and correction of returns and payments, and for
11 reporting. Such rules and regulations shall include, but are not limited to, the following:

12 1. The determination of the frequency with which a distributor must
13 calculate and report on the tax. This determination shall not constitute an increase of the
14 tax.

15 2. The determination of the frequency with which a distributor must pay the
16 tax. This determination shall not constitute an increase of the tax.

17 3. The determination of the manner in which a distributor must register
18 with the city.

19 4. The determination of whether and how a distributor who receives, in the
20 city, sugar-sweetened beverage products from another distributor must report to the city
21 the name of that distributor.

22 5. The determination of whether and how a distributor who receives, in the
23 city, sugar-sweetened beverage products from another distributor must report to the city
24 the volume of sugar-sweetened beverage products received from that distributor.

25 6. The determination of what other documentation is required to be created

1 or maintained by a distributor of sugar-sweetened beverage products.

2 E. The city manager shall each year prepare or cause to be prepared a report of
3 revenue and expenses, and deliver the findings to the to the city council and share them with the
4 public.

5 **18-20.9 [NEW MATERIAL] Collection.**

6 A. The amount of any tax, penalty, and interest imposed under the provisions of this
7 section shall be deemed a debt to the city. Any distributor owing money under the provisions of
8 this section shall be liable in an action brought in the name of the city for the recovery of such
9 amount.

10 B. In order to aid in the city's collection of taxes due under this chapter, any retailer
11 of sugar-sweetened beverage products that receives sugar-sweetened beverage products, in
12 accordance with rules and regulations promulgated by the city manager or designee pursuant to
13 Section 18-20.8, shall be prepared to provide to the city evidence that the tax has been paid on the
14 sugar-sweetened beverage products.

15 C. Any retailer receiving sugar sweetened beverage products upon which the tax has
16 not been paid will be liable for the amount of the tax.

17 **18-20.10 [NEW MATERIAL] Refunds.**

18 A. A person who believes that an amount of tax has been paid by that person in excess of
19 that for which the person was liable, may claim a refund by directing to the city manager, within
20 one-hundred and eighty (180) day of payment, a written claim for refund. A refund claim shall
21 include:

22 (1) the taxpayer's name, address and identification number;

23 (2) the sum of money claimed;

24 (3) the period for which overpayment was made; and

25 (5) a brief statement of the facts and the law on which the claim is based, which may be

1 referred to as the "basis for the refund".

2 B. The city manager or delegate may allow the claim in whole or in part or may deny the
3 claim. If the claim is denied in whole or in part in writing, no claim may be refiled with respect
4 to that which was denied, but the person, within ninety days after either the mailing or delivery of
5 the denial of all or any part of the claim, may elect to appeal the decision of the city manager by
6 commencing a civil action in the district court for Santa Fe county by filing a complaint setting
7 forth the circumstance of the claimed overpayment, denied credit or rebate by the city alleging
8 that on account thereof the city is indebted to the plaintiff in the amount stated and demanding the
9 refund to the plaintiff of that amount and reciting the facts of the claim for refund.

10 **18-20.11 [NEW MATERIAL] Enforcement.** Except as otherwise provided by
11 this Section or by rule or regulation promulgated by the city manager or designee, the tax
12 imposed by this Section shall be administered in the same manner as taxes imposed pursuant to
13 SFCC Chapter 18 and, without limitation, shall be subject to the same delinquency penalties, and
14 other enforcement provisions set forth in Chapter 18, sections 11, SFCC 1987.

15 **18-20.12 [NEW MATERIAL] Not a Sales or Use Tax.** The tax imposed herein shall be
16 in addition to any license fee or tax imposed or levied under any other law, statute, or ordinance
17 where imposed or levied by the city, state, or other governmental entity or political subdivision.

18 **18-20.13 [NEW MATERIAL] Use of Revenues.**

19 A. After subtracting funds needed to administer the collection of revenues and other
20 costs associated with the tax, the revenues generated from the tax shall be deposited into a non-
21 reverting fund to support an early childhood education program providing pre-kindergarten
22 services for three (3-) and four (4-) year olds who reside in the city of Santa Fe. In furtherance of
23 such purpose, the city is authorized to enter into any grant or funding agreement, or contract with
24 any eligible public or private body. In addition, the city may accept grants or other donations or
25 may allocate city funds to support the fund.

1 B. In the event the early childhood education program is discontinued for any
2 reason, amounts remaining in the non-reverting fund shall be used for other early childhood
3 programs for city of Santa Fe residents under the age of three (3).

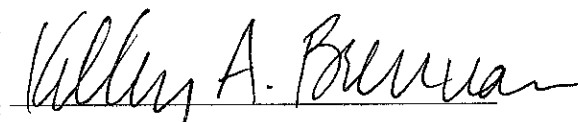
4 **18-20.14 [NEW MATERIAL] Severability.** If any subsection, sentence, clause, phrase
5 or portion of this section is for any reason held invalid or unconstitutional by any court of
6 competent jurisdiction, such portion shall be deemed a separate, distinct and independent
7 provision and such holding shall not affect the validity of the remaining portions of this section.

8 **18-20.15 [NEW MATERIAL]. Early Childhood Education Commission.** The
9 governing body shall establish an early childhood education commission, which shall report
10 annually to the governing body on the progress of the city's voluntary pre-kindergarten program.

11 **18-20.16 [NEW MATERIAL] Program Evaluation.** After the program has operated
12 for five (5) years, the commission will report to the governing body on the effectiveness of the
13 program, recommending any changes deemed necessary or prudent to improve program
14 performance, including but not limited to whether the tax base should be enlarged, narrowed or
15 maintained as it is. In the event the program is terminated, for any reason, the tax will no longer
16 be assessed commencing ninety (90) days after the termination date.

17 **18-20.17 [NEW MATERIAL] Effective Date.** The provisions of Section 18-20 SFCC
18 1987 shall go into effect on the first of the month in the sixth month after an election is held and a
19 simple majority of the qualified electors of the city of Santa Fe voting on the question vote in
20 favor of imposing the sugar-sweetened beverages tax.

21
22 APPROVED AS TO FORM:

23 
24
25 KELLEY A. BRENNAN, CITY ATTORNEY

M/Legislation/Bills 2017/Sugar-Sweetened Beverages Tax

City of Santa Fe Fiscal Impact Report (FIR)

This Fiscal Impact Report (FIR) shall be completed for each proposed bill or resolution as to its direct impact upon the City's operating budget and is intended for use by any of the standing committees of and the Governing Body of the City of Santa Fe. Bills or resolutions with no fiscal impact still require a completed FIR. Bills or resolutions with a fiscal impact must be reviewed by the Finance Committee. Bills or resolutions without a fiscal impact generally do not require review by the Finance Committee unless the subject of the bill or resolution is financial in nature.

Section A. General Information

(Check) Bill: X Resolution: _____

(A single FIR may be used for related bills and/or resolutions)

Short Title(s): AN ORDINANCE CREATING A NEW SECTION 18-20 SFCC 1987 TO ESTABLISH A SUGAR-SWEETENED BEVERAGES TAX FOR THE PURPOSE OF SUPPORTING EARLY CHILDHOOD EDUCATION FOR CITY OF SANTA FE RESIDENTS.

Sponsor(s): Mayor Gonzales and Councilor Ives

Reviewing Department(s): Finance

Persons Completing FIR: Adam Johnson Date: 1/26/17 Phone: 955-6171

Reviewed by City Attorney: Kelly A. Brennan Date: 1/30/17
(Signature)

Reviewed by Finance Director: Ash K. f. G. Date: 1/30/17
(Signature)

Section B. Summary

Briefly explain the purpose and major provisions of the bill/resolution:

This bill establishes a \$.02 per ounce tax on sugar-sweetened beverages distributed throughout the city of Santa Fe. The revenue from the tax will then be used to support early childhood education programs for city residents.

Section C. Fiscal Impact

Note: Financial information on this FIR does not directly translate into a City of Santa Fe budget increase. For a budget increase, the following are required:

- a. The item must be on the agenda at the Finance Committee and City Council as a "Request for Approval of a City of Santa Fe Budget Increase" with a definitive funding source (could be same item and same time as bill/resolution)
- b. Detailed budget information must be attached as to fund, business units, and line item, amounts, and explanations (similar to annual requests for budget)
- c. Detailed personnel forms must be attached as to range, salary, and benefit allocation and signed by Human Resource Department for each new position(s) requested (prorated for period to be employed by fiscal year)*

1. Projected Expenditures:

- a. Indicate Fiscal Year(s) affected – usually current fiscal year and following fiscal year (i.e., FY 03/04 and FY 04/05)
- b. Indicate: "A" if current budget and level of staffing will absorb the costs
 "N" if new, additional, or increased budget or staffing will be required
- c. Indicate: "R" – if recurring annual costs
 "NR" if one-time, non-recurring costs, such as start-up, contract or equipment costs
- d. Attach additional projection schedules if two years does not adequately project revenue and cost patterns
- e. Costs may be netted or shown as an offset if some cost savings are projected (explain in Section 3 Narrative)

Finance Director: _____

_____ Check here if no fiscal impact

| Column #: | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
|-----------|----------------------------|----------|---|---|----------|---|---|---------------|
| | Expenditure Classification | FY _____ | "A" Costs Absorbed or "N" New Budget Required | "R" Costs Recurring or "NR" Non-recurring | FY _____ | "A" Costs Absorbed or "N" New Budget Required | "R" Costs – Recurring or "NR" Non-recurring | Fund Affected |

Personnel* \$ _____ _____ _____ \$ _____ _____ _____ _____

Fringe** \$ _____ _____ _____ \$ _____ _____ _____ _____

Capital Outlay \$ _____ _____ _____ \$ _____ _____ _____ _____

Land/ Building \$ _____ _____ _____ \$ _____ _____ _____ _____

Professional Services \$ _____ _____ _____ \$ _____ _____ _____ _____

All Other Operating Costs \$ _____ _____ _____ \$ _____ _____ _____ _____

Total: \$ TBD _____ _____ \$ _____ _____ _____ _____

* Any indication that additional staffing would be required must be reviewed and approved in advance by the City Manager by attached memo before release of FIR to committees. **For fringe benefits contact the Finance Dept.

2. Revenue Sources:

- To indicate new revenues and/or
- Required for costs for which new expenditure budget is proposed above in item 1.

| Column #: | 1 | 2 | 3 | 4 | 5 | 6 |
|-----------|-----------------|----------|---|----------|---|---------------|
| | Type of Revenue | FY _____ | "R" Costs Recurring or "NR" Non-recurring | FY _____ | "R" Costs – Recurring or "NR" Non-recurring | Fund Affected |

_____ \$ _____ _____ \$ _____ _____ _____

_____ \$ _____ _____ \$ _____ _____ _____

_____ \$ _____ _____ \$ _____ _____ _____

Total: \$ _____ _____ \$ _____ _____ _____ _____

3. Expenditure/Revenue Narrative:

Explain revenue source(s). Include revenue calculations, grant(s) available, anticipated date of receipt of revenues/grants, etc. Explain expenditures, grant match(s), justify personnel increase(s), detail capital and operating uses, etc. (Attach supplemental page, if necessary.)

*The annual cost of administering and enforcing the tax is targeted to be 3%-5% of the revenue generated. The administrative function will be performed on contractual basis so that the Council can review terms and costs of such an agreement. The enforcement function will include audit activities to ensure the tax being accurately reported and received by the City of Santa Fe. Currently, staff is researching the technology and mechanisms used by other State and Local governments who administer similar taxes.

Section D. **General Narrative**

1. **Conflicts:** Does this proposed bill/resolution duplicate/conflict with/companion to/relate to any City code, approved ordinance or resolution, other adopted policies or proposed legislation? Include details of city adopted laws/ordinance/resolutions and dates. Summarize the relationships, conflicts or overlaps.

None identified.

2. Consequences of Not Enacting This Bill/Resolution:

Are there consequences of not enacting this bill/resolution? If so, describe.

The city will not enact a \$.02 per ounce tax on sugar-sweetened beverages sold within the city of Santa Fe. Early childhood education programs will not be expanded using this revenue source.

3. Technical Issues:

Are there incorrect citations of law, drafting errors or other problems? Are there any amendments that should be considered? Are there any other alternatives which should be considered? If so, describe.

Thorough research has been crafted in such a way to minimize the legal risk to the city should a challenge be filed against the ordinance.

4. Community Impact:

Briefly describe the major positive or negative effects the Bill/Resolution might have on the community including, but not limited to, businesses, neighborhoods, families, children and youth, social service providers and other institutions such as schools, churches, etc.

The bill, if approved by voters, would implement a \$.02 per ounce tax on sugar-sweetened beverages. The resulting revenue would be used to expand early childhood education opportunities for residents of Santa Fe. The tax would increase costs for distributors, retailers and restaurants who sell affected beverages. A certain portion of the tax will be passed on to consumers, raising the cost of these products. For example, the typical bottle of soda is 20oz, and would be subject to \$.40 in taxes. It is unclear how much of that tax would be absorbed by distributors or retailers, and how much would be passed on to consumers. Certain communities around the country that have implemented a similar tax have seen an overall decline in affected beverage consumption. A decline in the consumption of added sugar can have beneficial health effects, reducing the amount of consumer and government payments for health coverage.

Item B

City of Santa Fe, New Mexico

LEGISLATIVE SUMMARY

Resolution No. 2017-__

Early Childhood Education Policies

SPONSOR(S): Mayor Gonzales and Councilors Ives

SUMMARY: The proposed resolution establishes guidelines for the Santa Fe Early Childhood Initiative; establishes guidelines to guide early childhood education; directs the Governing Body to establish an Early Childhood Development Commission.

PREPARED BY: Rebecca Seligman, Legislative Liaison Assistant

FISCAL IMPACT: Yes

DATE: January 27, 2017

ATTACHMENTS: Resolution
FIR

1 CITY OF SANTA FE, NEW MEXICO

2 RESOLUTION NO. 2017-__

3 INTRODUCED BY:

4
5 Mayor Javier M. Gonzales

6 Councilor Peter N. Ives

7
8
9
10 A RESOLUTION

11 ESTABLISHING GUIDELINES FOR THE SANTA FE EARLY CHILDHOOD
12 INITIATIVE; ESTABLISHING GUIDELINES TO GUIDE EARLY CHILDHOOD
13 EDUCATION; DIRECTING THE GOVERNING BODY TO ESTABLISH AN EARLY
14 CHILDHOOD DEVELOPMENT COMMISSION.

15
16 **WHEREAS**, Santa Feans are committed to a healthy, vibrant, and inclusive community,
17 and want to do right by the youngest children; and

18 **WHEREAS**, all children have a right to high-quality early education that nurtures them
19 and sets them up for a brighter future; and

20 **WHEREAS**, some of Santa Fe's young children have access to such education, but many
21 are left out, particularly those in families struggling to make ends meet; and

22 **WHEREAS**, studies have found that one of the core elements of high-quality early
23 learning depends on the competency, education, and compensation of a child's teacher/caregiver;
24 and

25 **WHEREAS**, the State of New Mexico's current system has fallen short of providing

1 equitable access to high quality care that all families can afford; and

2 **WHEREAS**, early childhood education is one of the most effective strategies the city can
3 pursue to support its children; and

4 **WHEREAS**, study after study show the benefits of high-quality, publicly funded early
5 childhood education for all children's development – and for children in low-income families – is
6 profound; and

7 **WHEREAS**, early childhood education is also a smart investment, as it has been shown
8 to pay off with positive economic returns to communities; and

9 **WHEREAS**, development of an early childhood initiative will provide an estimated 196
10 new jobs for early childhood teachers and staff; and

11 **WHEREAS**, additional economic benefits will be realized through a reduction in
12 childcare expenses for working parents, and increased productivity as those parents are able to
13 work while their children have high-quality full-day care; and

14 **WHEREAS**, in later years, benefits will include less need for special and remedial
15 education programs, and a lower rate of grade retention; and

16 **WHEREAS**, a fully implemented early childhood initiative is estimated to generate
17 \$3.30 in economic benefit for every \$1 in costs; and

18 **WHEREAS**, this amount could potentially be higher based on evidence that children
19 who attend quality early learning programs have higher rates of educational attainment, earn
20 better wages, have better health outcomes than others, and are less likely to rely on public
21 services.

22 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
23 **CITY OF SANTA FE** that the goal of early childhood education is to contribute to the healthy
24 development and successful transition to kindergarten for Santa Fe's young children ages 0-4
25 years old by using city funds to provide high-quality early learning opportunities for all families

1 who want them, with a focus on those with the greatest needs.

2 **BE IT FURTHER RESOLVED** that the following guidelines, developed through
3 extensive research, local experience, and community priorities, shall guide development of Santa
4 Fe's Early Childhood Initiative:

- 5 1. Be responsive to the needs of Santa Fe;
- 6 2. Build on, improve, strengthen, and increase, but not be duplicative of, Santa Fe's
7 current early childhood education capacity and assets;
- 8 3. Provide access to early childhood education, while targeting those most in need;
- 9 4. Attend to learning and development for children ages 0-8 years old;
- 10 5. Leverage high quality throughout Santa Fe's early childhood programs and
11 services;
- 12 6. Use approaches supported by evidence of the likely and expected impacts on
13 early childhood education outcomes such as meeting social, emotional, cognitive, language and
14 physical developmental milestones to ensure a successful transition to kindergarten; and
- 15 7. Be cost effective.

16 **BE IT FURTHER RESOLVED** that the city of Santa Fe establishes the following
17 policies to guide early childhood education:

- 18 1. Provide affordable, high-quality early childhood education to Santa Fe 3- and 4-
19 year olds. Contracts will be awarded through a competitive process to early childhood education
20 providers to fill Santa Fe's unmet need for nearly 1000 places in high-quality programs. Priority
21 for contracts shall be given to programs that serve 3- and 4-year olds in areas of high need and
22 low/no quality providers and areas that are predominantly located in low-income neighborhoods.
23 Providers will be required to reach and/or maintain New Mexico's Children, Youth and Families
24 Division (CYFD) 4- and 5-star Public Education Department Pre-K, National Association for the
25 Education of Young Children, or comparable professionally developed quality standards to

1 participate; those that do not currently meet that standard will take specific measures to address
2 barriers to quality improvement within a specified timeline, and have support to do so. In addition
3 to public and private providers, those affiliated with religious institutions will be eligible to
4 participate, but no city funds may be used for religious instruction or materials. All families that
5 want to participate will be able to, with targeted support for low-income families. Future contracts
6 may include programs focused on prenatal care and children 0-2 years old.

7 2. Conduct an outreach campaign to educate families and the community about
8 early childhood brain development and the value of early learning. The city of Santa Fe will work
9 with public and private community partners to support culturally inclusive strategies to increase
10 parental awareness, public understanding, and support for early childhood learning both at home
11 and in structured programs.

12 3. Develop a “navigation system” to assist families of children 0-5 to understand
13 and access the programs and services available to them. Three types of assistance will be
14 provided:

15 a. Information about Santa Fe’s public and private services and programs
16 for young children, and other resources to support families of young children – housing,
17 health, food security and financial assistance.

18 b. Referrals to programs and services that meet families’ particular needs.

19 c. Hands-on support in seeking out, applying for, securing financial
20 assistance, and other processes to enable families to take full advantage of all state and
21 local programs and resources.

22 4. Provide support and resources to early childhood educators to ensure quality and
23 consistency of early childhood programs. The city will contract with entities with expertise in
24 educator training and workforce development to provide support, resources, training programs,
25 and professional development that will strengthen the professional preparation, career

1 advancement, and access to appropriate compensation that are essential to high-quality early
2 childhood teaching. Provide employment to educators and staff that include competitive,
3 comparable compensation and benefit packages that are essential in maintaining a high quality
4 invested workforce.

5 5. Establish support for sustainable early childhood infrastructure to serve Santa
6 Fe's infants, toddlers, and pre-kindergarteners. This will include policy development that:

7 a. supports local providers to increase access, quality, and affordability of
8 programs and services; and

9 b. enables families to understand, access, and easily choose the set of
10 services and programs that best meet their children's needs.

11 **BE IT FURTHER RESOLVED** that the city shall establish, by separate resolution, an
12 Early Childhood Development Commission to provide oversight and administration of the Santa
13 Fe Early Childhood Initiative.


14 PASSED, APPROVED AND ADOPTED this _____ day of _____, 2017.

15
16
17 ATTEST:

JAVIER M. GONZALES, MAYOR

18
19 _____
20 YOLANDA Y. VIGIL, CITY CLERK

21 APPROVED AS TO FORM:

22 
23 _____
24 KELLEY A. BRENNAN, CITY ATTORNEY

25 *M/Legislation/Resolutions 2017/Early Childhood Education Policies*

City of Santa Fe Fiscal Impact Report (FIR)

This Fiscal Impact Report (FIR) shall be completed for each proposed bill or resolution as to its direct impact upon the City's operating budget and is intended for use by any of the standing committees of and the Governing Body of the City of Santa Fe. Bills or resolutions with no fiscal impact still require a completed FIR. Bills or resolutions with a fiscal impact must be reviewed by the Finance Committee. Bills or resolutions without a fiscal impact generally do not require review by the Finance Committee unless the subject of the bill or resolution is financial in nature.

Section A. General Information

(Check) Bill: _____ Resolution: X

(A single FIR may be used for related bills and/or resolutions)

Short Title(s): **A RESOLUTION ESTABLISHING GUIDELINES FOR THE SANTA FE EARLY CHILDHOOD INITIATIVE; ESTABLISHING GUIDELINES TO GUIDE EARLY CHILDHOOD EDUCATION; DIRECTING THE GOVERNING BODY TO ESTABLISH AN EARLY CHILDHOOD DEVELOPMENT COMMISSION.**

Sponsor(s): Mayor Gonzales and Councilor Ives

Reviewing Department(s): Community Services Division

Persons Completing FIR: Chris Sanchez Date: 1/26/17 Phone: 955-6603

Reviewed by City Attorney: *Vicky A. Brennan* Date: 1/30/17
(Signature)

Reviewed by Finance Director: *Adrian R. Jones* Date: 1/30/17
(Signature)

Section B. Summary

Briefly explain the purpose and major provisions of the bill/resolution:

This resolution establishes guidelines for providing high-quality early learning opportunities for all children ages 0-4. In addition, it establishes certain policies to guide early childhood education. Finally, it calls on the Governing Body to establish an early childhood development commission to provide oversight and administration of the early childhood initiative.

Section C. Fiscal Impact

Note: Financial information on this FIR does not directly translate into a City of Santa Fe budget increase. For a budget increase, the following are required:

- a. The item must be on the agenda at the Finance Committee and City Council as a "Request for Approval of a City of Santa Fe Budget Increase" with a definitive funding source (could be same item and same time as bill/resolution)
- b. Detailed budget information must be attached as to fund, business units, and line item, amounts, and explanations (similar to annual requests for budget)
- c. Detailed personnel forms must be attached as to range, salary, and benefit allocation and signed by Human Resource Department for each new position(s) requested (prorated for period to be employed by fiscal year)*

1. Projected Expenditures:

- a. Indicate Fiscal Year(s) affected – usually current fiscal year and following fiscal year (i.e., FY 03/04 and FY 04/05)
- b. Indicate: "A" if current budget and level of staffing will absorb the costs
"N" if new, additional, or increased budget or staffing will be required
- c. Indicate: "R" – if recurring annual costs
"NR" if one-time, non-recurring costs, such as start-up, contract or equipment costs
- d. Attach additional projection schedules if two years does not adequately project revenue and cost patterns
- e. Costs may be netted or shown as an offset if some cost savings are projected (explain in Section 3 Narrative)

Finance Director: _____

X Check here if no fiscal impact

| Column #: | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
|-----------|-------------------------------|----------|--|--|----------|---|--|------------------|
| | Expenditure Classification | FY _____ | "A" Costs Absorbed or "N" New Budget Required | "R" Costs Recurring or "NR" Non- recurring | FY _____ | "A" Costs Absorbed or "N" New Budget Required | "R" Costs – Recurring or "NR" Non- recurring | Fund Affected |

| | | | | | | | |
|---------------------------------|----------|-------|-------|----------|-------|-------|-------|
| Personnel* | \$ _____ | _____ | _____ | \$ _____ | _____ | _____ | _____ |
| Fringe** | \$ _____ | _____ | _____ | \$ _____ | _____ | _____ | _____ |
| Capital Outlay | \$ _____ | _____ | _____ | \$ _____ | _____ | _____ | _____ |
| Land/ Building | \$ _____ | _____ | _____ | \$ _____ | _____ | _____ | _____ |
| Professional Services | \$ _____ | _____ | _____ | \$ _____ | _____ | _____ | _____ |
| All Other Operating Costs | \$ _____ | _____ | _____ | \$ _____ | _____ | _____ | _____ |
| Total: | \$ _____ | | | \$ _____ | | | |

* Any indication that additional staffing would be required must be reviewed and approved in advance by the City Manager by attached memo before release of FIR to committees. **For fringe benefits contact the Finance Dept.

2. Revenue Sources:

- a. To indicate new revenues and/or
- b. Required for costs for which new expenditure budget is proposed above in item 1.

| Column #: | 1 | 2 | 3 | 4 | 5 | 6 |
|-----------|--------------------|----------|--|----------|---|------------------|
| | Type of Revenue | FY _____ | "R" Costs Recurring or "NR" Non- recurring | FY _____ | "R" Costs – Recurring or "NR" Non- recurring | Fund Affected |

| | | | | | |
|--------|----------|-------|----------|-------|-------|
| _____ | \$ _____ | _____ | \$ _____ | _____ | _____ |
| _____ | \$ _____ | _____ | \$ _____ | _____ | _____ |
| _____ | \$ _____ | _____ | \$ _____ | _____ | _____ |
| Total: | \$ _____ | | \$ _____ | | |

3. Expenditure/Revenue Narrative:

Explain revenue source(s). Include revenue calculations, grant(s) available, anticipated date of receipt of revenues/grants, etc. Explain expenditures, grant match(s), justify personnel increase(s), detail capital and operating uses, etc. (Attach supplemental page, if necessary.)

N/A.

Section D. General Narrative

1. Conflicts: Does this proposed bill/resolution duplicate/conflict with/companion to/relate to any City code, approved ordinance or resolution, other adopted policies or proposed legislation? Include details of city adopted laws/ordinance/resolutions and dates. Summarize the relationships, conflicts or overlaps.

None identified.

2. Consequences of Not Enacting This Bill/Resolution:

Are there consequences of not enacting this bill/resolution? If so, describe.

The city will not have guidelines and policies in place by which the early childhood initiative would be run. Establishing these guidelines and policies is crucial for the successful implementation and positive return on the program.

3. Technical Issues:

Are there incorrect citations of law, drafting errors or other problems? Are there any amendments that should be considered? Are there any other alternatives which should be considered? If so, describe.

The sponsor may want to consider establishing the Early Childhood Development Commission through adoption of an ordinance, as opposed to a resolution.

4. Community Impact:

Briefly describe the major positive or negative effects the Bill/Resolution might have on the community including, but not limited to, businesses, neighborhoods, families, children and youth, social service providers and other institutions such as schools, churches, etc.

If the sugar-sweetened beverages tax bill is adopted, and the \$.02 per ounce tax approved by the voters, many more children within the city of Santa Fe will be able to attend pre-kindergarten programs. Federal and state funds have not been able to meet the needs of kids in the 0-4 age group. Approval of the tax and this resolution sets the stage to provide pre-kindergarten learning opportunities for nearly 1000 more kids throughout the city.

Item C

City of Santa Fe, New Mexico

LEGISLATIVE SUMMARY

Bill No. 2017-__

Alcohol Best Practices

SPONSOR(S): Councilors Dominguez and Rivera

SUMMARY: The proposed bill amends Chapter 23-6.2 and 23-6.3 relating to permitted locations, and regulations regarding, the sale and consumption of alcohol on city property.

PREPARED BY: Jesse Guillen, Legislative Liaison

FISCAL IMPACT: No

DATE: January 24, 2017

ATTACHMENTS: Amendment
Bill
FIR

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO BILL NO. 2017-__
Alcohol Best Practices

Mayor and Members of the City Council:

I propose the following amendment(s) to Bill No. 2017-__:

1. On page 7, after the Alcohol By Volume table *insert* "***No alcoholic beverages in excess of fifteen percent (15%) ABV are permitted"

Respectfully submitted,

Christopher M. Rivera, Councilor

ADOPTED: _____

NOT ADOPTED: _____

DATE: _____

Yolanda Y. Vigil, City Clerk

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

2 **BILL NO. 2017-__**

3 **INTRODUCED BY:**

4
5 Councilor Carmichael A. Dominguez

6 Councilor Chris Rivera

7
8
9
10 **AN ORDINANCE**

11 **UPDATING AND REFORMING THE PERMITTED LOCATIONS AND**
12 **REGULATIONS FOR THE SALE AND CONSUMPTION OF ALCOHOL ON CITY**
13 **PROPERTY; AND REVISING THE PROVISIONS FOR SALE AND CONSUMPTION**
14 **OF ALCOHOL ON CITY PROPERTY.**

15
16 **BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:**

17 **Section 1. Subsection 23-6.2 SFCC 1987 (being Ord. #2012-20 (as amended)) is**
18 **amended to read:**

19 **23-6.2 Permitted Locations for the Sale and Consumption of Alcohol on**
20 **City Property.**

21 The sale or consumption of alcoholic beverages is permitted at the following locations on
22 city property and are exempt from the requirements of subsection 23-6.3:

23 A. The Santa Fe community convention center and adjacent outdoor spaces under
24 the center's control;

25 B. That area of the Santa Fe municipal airport main terminal building and adjacent

1 areas operated as a restaurant; ~~and~~

2 C. The Marty Sanchez links de Santa Fe (golf course)[-];

3 ~~[D. The area of the Fort Marcy ballpark designated for concessions and seating shall~~
4 ~~be used for the sale and consumption of [only] beer and wine only and only at professional~~
5 ~~baseball games.~~

6 ~~(1) A special dispenser permit shall be used to dispense alcohol. The alcohol~~
7 ~~dispenser shall comply with all state and local laws and regulations for dispensing~~
8 ~~alcohol pursuant to the special dispenser permit.~~

9 ~~(a) Persons desiring to consume beer or wine shall be required to~~
10 ~~wear a wristband that restricts consumption to a maximum of three (3) twelve~~
11 ~~(12) ounce beers or three (3) four (4) ounce glasses of wine during the course of a~~
12 ~~professional baseball game, or any combination of beer and wine not to exceed a~~
13 ~~total of three (3) beverages per person.~~

14 ~~(i) The wristband shall be nontransferable and shall be~~
15 ~~issued to verify age and to indicate the number of alcoholic beverages~~
16 ~~purchased.~~

17 ~~(ii) The purchase of alcoholic beverages shall be limited to~~
18 ~~one (1) purchase per person at one (1) time.~~

19 ~~(iii) Twelve (12) ounce beverage containers shall be used for~~
20 ~~beer.~~

21 ~~(iv) Four (4) ounce beverage containers shall be used for~~
22 ~~wine.~~

23 ~~([iv]v) Alcoholic beverage containers shall be distinguishable~~
24 ~~from nonalcoholic beverage containers.~~

25 ~~(b) The sale of beer shall terminate at the end of sixth inning of the~~

professional baseball game.

(e) ~~In addition to alcoholic beverages, food and non alcoholic beverage drinks shall be sold. Water shall be provided at no cost.~~

(d) ~~A manager of the alcohol vendor shall be present at all times in the concession area. A photograph of the manager and his or her name shall be posted at the point of sale of alcoholic beverages. At all times, the manager shall wear a nametag that identifies him or her as the manager.~~

(e) ~~Alcohol servers shall not drink alcohol during baseball games.~~

(f) ~~The vendor shall place signs in the concession area and outside the concession area that indicate the illegality of selling, serving and providing alcohol to minors and intoxicated persons.~~

(2) ~~Any professional baseball league games subject to this section, shall not take precedence over the scheduling of local youth baseball leagues using Fort Marcy Ballpark.~~

E. ~~An area of Fort Marcy ballpark, designated as a beer, wine and margarita garden, and permitted in accordance with all city and state requirements, may be used for the sale and consumption of beer and wine during the fiesta council mariachi extravaganza concert, if a valid permit is acquired from the city of Santa Fe. The event sponsor shall comply with the requirements of subsection 23-6.3 SFCC 1987, except that alcohol content may exceed the allowable limit to permit the sale of margaritas. Margaritas must contain no more than one and one-half (1.5) ounces of alcohol per drink, and shall be served in six (6) ounce beverage cups. Any alcoholic beverage served shall not be greater in size or alcohol content than the generally accepted standard drink. Purchases of margaritas are limited to two (2) per person, and shall be regulated by all conditions provided in subsection 23-6.3 SFCC 1987. Consumers shall either consume only margaritas, or wine and beer, but shall not consume a combination of margaritas~~

1 ~~and wine or beer. Alcohol providers shall follow best practices at all times. This section shall be~~
2 ~~reviewed by the governing body within one (1) year from the date of adoption.~~

3 ~~F. The top level of the sandoval parking garage in the area designated as a beer and~~
4 ~~wine garden, and permitted in accordance with all city and state requirements, may be used for~~
5 ~~the sale and consumption of beer and wine during the sunset party on June 30, 2016. The beer~~
6 ~~and wine garden shall be regulated by the conditions provided in subsection 23-6.3 SFCC 1987.~~

7 ~~G. An area of Fort Marcy ballpark, designated as a beer garden and permitted in~~
8 ~~accordance with all city and state requirements, may be used for the sale and consumption of beer~~
9 ~~and wine, during the bike and brew festival if a valid permit is acquired from the city of Santa Fe.~~
10 ~~For this event, maximum alcohol content for beer shall not exceed eight percent (7%). This~~
11 ~~section shall be reviewed by the governing body within one (1) year from the date of adoption.]~~

12 [H]D. Buildings owned by another party located on land owned by the city[-];

13 [H]E. On land or buildings owned by the city for which the city has entered into a lease
14 with another party for six (6) months or more except for the Railyard park, Plaza and Alameda (as
15 defined in the Deed of Conservation Easement dated October 1, 2004) where alcohol is
16 prohibited, unless specifically permitted under subsection 23-6.2 SFCC 1987[-];

17 [H]F. In or on railroad cars located on railroad tracks except as prohibited by state or
18 federal law[-];

19 G. The area of the Fort Marcy ballpark designated for concessions and seating shall
20 be used for the sale and consumption of only beer and wine only and only at professional baseball
21 games; and

22 H. The governing body may approve by resolution the sale and consumption of
23 alcohol at all other locations on city property, except within the plaza as defined by subsection
24 23-5.1(R). The resolution shall be noticed 60 days in advance of the event. The resolution shall be
25 limited to permission for a single event. Repeated events shall require repeated resolutions.

1 All other applicable approvals required by state or city laws and regulations shall be
2 obtained prior to the sale or consumption of alcoholic beverages on the property described in this
3 subsection 23-6.2.

4 **Section 2. Subsection 23-6.3 SFCC 1987 (being Ord. #2012-20 (as amended)) is**
5 **amended to read:**

6 **23-6.3 Regulations for the Sale and Consumption of Alcohol ~~[at City Parks]~~**
7 **on City Property; Administration.**

8 A. The regulations contained in this subsection do apply to the locations in
9 subsection 23-6.2(D) and (E), but do not apply to (A) through (C).

10 [A]B. When the governing body has authorized the sale and consumption of alcohol for
11 an event or events ~~[at a city park]~~ on city property, whether pursuant to 26-6.2 SFCC 1987 or
12 through adoption of a resolution pursuant to ~~[an amendment in]~~ subsection 23-6.2(H) SFCC
13 1987, the event sponsor shall comply with the following regulations:

14 (1) Each event must have a ~~[D]~~designated drinking area.

15 (a) Except for Fort Marcy ballpark pursuant to 23-6.2(G), ~~[F]~~the
16 designated drinking area, with one main entrance/exit and a mandatory buffer, to
17 prevent the circulation of alcohol outside of the designated drinking area, shall be
18 illustrated on a diagram that shall be submitted to the city manager or his
19 designee, at least thirty (30) days before the event(s). The diagram shall include
20 the dimensions of the drinking area, the location of the main entrance/exit, the
21 height and width of the mandatory buffer, which shall be ~~[five feet (5') high and]~~
22 five feet (5') wide, with further requirements to be determined in consultation
23 with the city manager, and the locations for the placement of the advertising
24 described in paragraph (4), below.

25 (b) The seating capacity in the designated drinking area shall be

1 comprised of no more than twenty-five percent (25%) of the seating capacity of
2 the event. The seating capacity of the designated drinking area shall be posted in
3 the designated drinking area.

4 (2) Alcohol regulations.

5 (a) Persons shall not leave the designated drinking area with an
6 alcoholic beverage.

7 (b) Alcohol service shall cease at least one (1) hour before the end of
8 the permitted event, or at the end of the sixth inning.

9 ([2]3) Alcohol provider. Alcohol providers shall comply with all applicable
10 state and local laws and shall:

11 (a) Obtain a special dispenser permit for beer and wine only that
12 shall be approved by the state of New Mexico and the city of Santa Fe.

13 (b) At the main entrance of the designated drinking area and at the
14 point of sale of alcohol, verify the age of each person so that underage persons
15 are prohibited from entering the designated drinking area or purchasing alcohol.

16 ~~[(c) Prohibit persons from leaving the designated drinking area with~~
17 ~~alcoholic beverages;]~~

18 ([d]c) Ensure that alcohol servers are at least twenty-one (21) years old
19 and are licensed by the state.

20 ([e]d) Ensure that a manager, who has been identified prior to the
21 event(s) by the event sponsor, is present at all times in the designated drinking
22 area. A photograph of the manager and his or her name shall be posted at the
23 point of sale of alcoholic beverages. At all times, the manager shall wear a
24 nametag that identifies him or her as the manager.

25 ([f]e) Prohibit alcohol servers from drinking alcohol during the event.

([g]f) Place signs in the designated drinking area and outside the designated drinking area that indicate the illegality of selling, serving and providing alcohol to minors and intoxicated persons.

(3) Alcohol limits. The only allowable alcoholic beverages at permitted event(s) are beer, ~~and~~ wine and cider.

(a) During the permitted event, only three (3) alcoholic beverages per person are allowed as follows:~~One (1) alcoholic beverage is "twelve (12) fluid ounces of regular beer (5% alcohol)" or "four (4) fluid ounces of wine (12% alcohol)."~~]

| <u>ABV (Alcohol by Volume)</u> | <u>Maximum Serving Size</u> | <u># Standard Drinks in highest ABV</u> |
|---------------------------------------|------------------------------------|--|
| <u>6.00% or less ABV</u> | <u>12 ounces</u> | <u>6.00% = 1 Standard Drink*</u> |
| <u>6.01% - 7.00% ABV</u> | <u>10 ounces</u> | <u>7.00% = 1 Standard Drink*</u> |
| <u>7.01% - 8.00% ABV</u> | <u>8 ounces</u> | <u>8.00% = 1 Standard Drink*</u> |
| <u>8.01% - 10.00% ABV</u> | <u>6 ounces</u> | <u>10.00% = 1 Standard Drink</u> |
| <u>10.01% - 12.00% ABV</u> | <u>5 ounces</u> | <u>12.00% = 1 Standard Drink</u> |
| <u>12.01% - 15.00% ABV</u> | <u>4 ounces</u> | <u>15.00% = 1 Standard Drink</u> |

*Ounces by alcohol volume are rounded down

([#]b) For ~~beer and wine~~ tasting events, the total number of tastes shall not exceed the ~~two (2)~~ total per-person alcoholic beverage ounce limit described in paragraph (a), above.

([#]c) Alcoholic beverage cups shall be distinguishable from nonalcoholic beverage cups.

([b]d) Nontransferable wristbands shall be issued to verify age and to indicate the number of alcoholic beverages purchased.

([e]e) The purchase of alcoholic beverages shall be limited to one (1) purchase per person at one (1) time.

~~[(d) Alcohol service shall cease at least one (1) hour before the end of the permitted event or for a baseball game at the end of the sixth inning.]~~

1 ([e]f) In addition to alcoholic beverages, food and non-alcoholic
2 beverage drinks shall be sold. Water shall be provided at no cost.

3 (4) Security. Security officers shall be hired and paid for by the event
4 sponsor(s) and a safety plan shall be provided to the Police Chief.

5 (a) For events not exceeding two hundred (200) people, a[A]
6 minimum of [two (2)] one (1) security officers shall be stationed at the main
7 entrance/exit of the designated drinking area and shall be present at all times the
8 designated drinking area is in operation.

9 (b) For events not exceeding two hundred (200) people, a[A]
10 minimum of [two (2)] one (1) security officers shall monitor the parking lots and
11 other areas of the city park to ensure the alcohol is not being consumed outside
12 the designated drinking area.

13 (c) For events of greater than two hundred (200), but not exceeding
14 one thousand people (1000), a minimum of four (4) security officers shall be in
15 attendance, with at least two (2) stationed at the main entrance/exit of the
16 designated drinking area and shall be present at all times the designated drinking
17 area is in operation.

18 (d) For events of more than one thousand (1000) people, a minimum
19 of five (5) security guards, with at least two (2) stationed at the main
20 entrance/exit of the designated drinking area and shall be present at all times the
21 designated drinking area is in operation. In addition, the event organizer shall
22 work with the Santa Fe police department. The police department will be
23 responsible for enforcement of this Subsection 23-6.3 for events of more than
24 1000 people.

25 ([e]e) Security guards shall possess a current license issued by the New

1 Mexico Private Investigations Board as a level two security guard pursuant to the
2 Private Investigations Act, Chapter 61, Article 27B NMSA 1978, as may be
3 amended thereafter from time to time.

4 (5) Advertising.

5 (a) Advertising of alcohol or tobacco at any city park is prohibited.

6 (b) The event sponsor shall place banners in conspicuous locations
7 in the designated drinking area and throughout the park that:

8 (i) Display phone numbers and names of organizations that
9 provide free rides for intoxicated persons; and

10 (ii) Provide information about the effects of alcohol abuse.

11 (c) The city manager or his designee shall approve the number of,
12 size and locations of the above-described banners.

13 B. *Administration.* The city manager or his designee shall ensure that[:

14 (1) ~~A]~~authorized event sponsors are in compliance with the requirements of
15 this section.

16 ~~[(2) Any agreement in effect on the effective date of this section (adopted~~
17 ~~May 30, 2012), shall be amended to comply with the requirements of this section.]~~

18
19 APPROVED AS TO FORM:

20 

21
22 KELLEY A. BRENNAN, CITY ATTORNEY

City of Santa Fe Fiscal Impact Report (FIR)

This Fiscal Impact Report (FIR) shall be completed for each proposed bill or resolution as to its direct impact upon the City's operating budget and is intended for use by any of the standing committees of and the Governing Body of the City of Santa Fe. Bills or resolutions with no fiscal impact still require a completed FIR. Bills or resolutions with a fiscal impact must be reviewed by the Finance Committee. Bills or resolutions without a fiscal impact generally do not require review by the Finance Committee unless the subject of the bill or resolution is financial in nature.

Section A. General Information

(Check) Bill: X Resolution: _____

(A single FIR may be used for related bills and/or resolutions)

Short Title(s): AN ORDINANCE UPDATING AND REFORMING THE PERMITTED LOCATIONS AND REGULATIONS FOR THE SALE AND CONSUMPTION OF ALCOHOL ON CITY PROPERTY; AND REVISING THE PROVISIONS FOR SALE AND CONSUMPTION OF ALCOHOL ON CITY PROPERTY.

Sponsor(s): Councilor Dominguez

Reviewing Department(s): City Attorney's Office

Persons Completing FIR: _____ Date: 11/30/16 Phone: _____

Reviewed by City Attorney: Vally A. Barruan Date: 11/30/16
(Signature)

Reviewed by Finance Director: [Signature] Date: 12.1.16
(Signature)

Section B. Summary

Briefly explain the purpose and major provisions of the bill/resolution:

This bill updates and simplifies the existing regulations regarding sale and consumption of alcohol on city property. Currently, an amendment to existing code is required whenever alcohol is sold and consumed on city property, causing a drastic expansion in the code to accommodate the approved amendments. This bill would allow the approval of such sale and consumption by adoption of a resolution, simplifying and streamlining the process, while still providing public notification. Such resolution is permissible for only one event, meaning annual events would require annual resolutions. The bill also simplifies and clarifies the regulations regarding the sale and consumption of alcohol, namely the service size and alcohol percentage limits permitted, and security requirements for events.

Section C. Fiscal Impact

Note: Financial information on this FIR does not directly translate into a City of Santa Fe budget increase. For a budget increase, the following are required:

- a. The item must be on the agenda at the Finance Committee and City Council as a "Request for Approval of a City of Santa Fe Budget Increase" with a definitive funding source (could be same item and same time as bill/resolution)
- b. Detailed budget information must be attached as to fund, business units, and line item, amounts, and explanations (similar to annual requests for budget)
- c. Detailed personnel forms must be attached as to range, salary, and benefit allocation and signed by Human Resource Department for each new position(s) requested (prorated for period to be employed by fiscal year)*

1. Projected Expenditures:

- a. Indicate Fiscal Year(s) affected – usually current fiscal year and following fiscal year (i.e., FY 03/04 and FY 04/05)
- b. Indicate: "A" if current budget and level of staffing will absorb the costs
"N" if new, additional, or increased budget or staffing will be required
- c. Indicate: "R" – if recurring annual costs
"NR" if one-time, non-recurring costs, such as start-up, contract or equipment costs
- d. Attach additional projection schedules if two years does not adequately project revenue and cost patterns
- e. Costs may be netted or shown as an offset if some cost savings are projected (explain in Section 3 Narrative)

Finance Director: _____

X Check here if no fiscal impact

| Column #: | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
|-----------|----------------------------|----------|---|---|----------|---|---|---------------|
| | Expenditure Classification | FY _____ | "A" Costs Absorbed or "N" New Budget Required | "R" Costs Recurring or "NR" Non-recurring | FY _____ | "A" Costs Absorbed or "N" New Budget Required | "R" Costs – Recurring or "NR" Non-recurring | Fund Affected |

| | | | | | | | |
|---------------------------|----------|-------|-------|----------|-------|-------|-------|
| Personnel* | \$ _____ | _____ | _____ | \$ _____ | _____ | _____ | _____ |
| Fringe** | \$ _____ | _____ | _____ | \$ _____ | _____ | _____ | _____ |
| Capital Outlay | \$ _____ | _____ | _____ | \$ _____ | _____ | _____ | _____ |
| Land/ Building | \$ _____ | _____ | _____ | \$ _____ | _____ | _____ | _____ |
| Professional Services | \$ _____ | _____ | _____ | \$ _____ | _____ | _____ | _____ |
| All Other Operating Costs | \$ _____ | _____ | _____ | \$ _____ | _____ | _____ | _____ |
| Total: | \$ _____ | | | \$ _____ | | | |

* Any indication that additional staffing would be required must be reviewed and approved in advance by the City Manager by attached memo before release of FIR to committees. **For fringe benefits contact the Finance Dept.

2. Revenue Sources:

- To indicate new revenues and/or
- Required for costs for which new expenditure budget is proposed above in item 1.

| Column #: | 1 | 2 | 3 | 4 | 5 | 6 |
|-----------|-----------------|----------|---|----------|---|---------------|
| | Type of Revenue | FY _____ | "R" Costs Recurring or "NR" Non-recurring | FY _____ | "R" Costs – Recurring or "NR" Non-recurring | Fund Affected |

| | | | | | |
|--------|----------|-------|----------|-------|-------|
| _____ | \$ _____ | _____ | \$ _____ | _____ | _____ |
| _____ | \$ _____ | _____ | \$ _____ | _____ | _____ |
| _____ | \$ _____ | _____ | \$ _____ | _____ | _____ |
| Total: | \$ _____ | | \$ _____ | | |

3. Expenditure/Revenue Narrative:

Explain revenue source(s). Include revenue calculations, grant(s) available, anticipated date of receipt of revenues/grants, etc. Explain expenditures, grant match(s), justify personnel increase(s), detail capital and operating uses, etc. (Attach supplemental page, if necessary.)

N/A

Section D. General Narrative

1. Conflicts: Does this proposed bill/resolution duplicate/conflict with/companion to/relate to any City code, approved ordinance or resolution, other adopted policies or proposed legislation? Include details of city adopted laws/ordinance/resolutions and dates. Summarize the relationships, conflicts or overlaps.

None identified.

2. Consequences of Not Enacting This Bill/Resolution:

Are there consequences of not enacting this bill/resolution? If so, describe.

Needed changes to this section of city code would not be made.

3. Technical Issues:

Are there incorrect citations of law, drafting errors or other problems? Are there any amendments that should be considered? Are there any other alternatives which should be considered? If so, describe.

None identified.

4. Community Impact:

Briefly describe the major positive or negative effects the Bill/Resolution might have on the community including, but not limited to, businesses, neighborhoods, families, children and youth, social service providers and other institutions such as schools, churches, etc.

Current requirements for allowing the sale and consumption of alcohol on city property is overly bureaucratic and unwieldy. This bill not only simplifies the process, but establishes more defined limits on serving size and alcohol percentages. This addresses regular concerns in current code regarding serving beer over 5% ABV and wines over 12% ABV, while maintaining generally acceptable standard drink levels. The number of security officers required for events is also clarified, and varies depending on the size of the event.