

CITY of ALBUQUERQUE

EIGHTEENTH COUNCIL

COUNCIL BILL NO. R-09-280

ENACTMENT NO. 8. 2009.100

SPONSORED BY: Isaac Benton

RESOLUTION

ADOPTING A PROPOSITION TO BE SUBMITTED TO THE VOTERS AT THE NEXT MUNICIPAL ELECTION CONCERNING THE IMPOSITION OF A QUARTER OF ONE PERCENT TRANSPORTATION INFRASTRUCTURE GROSS RECEIPTS TAX.

WHEREAS, since FY/2000, the City has imposed a voter approved Transportation Infrastructure Gross Receipts Tax; and

WHEREAS, the voter approved Transportation Infrastructure Tax has provided hundreds of millions of dollars in funding for road rehabilitation, road maintenance, road deficiencies and transit operations; and

WHEREAS, Albuquerque residents, visitors, and businesses have benefited greatly by the improvements funded from the proceeds of the Transportation Infrastructure Tax; and

WHEREAS, the proceeds of the Transportation Infrastructure Tax have also provided approximately 20% of the City's Transit operating funds; and

WHEREAS, the existing Transportation Infrastructure Tax contains a sunset provision which causes the tax to expire on December 31, 2009; and

WHEREAS, it is in the best interest of the residents of the City of Albuquerque to place a question on the ballot of the October 6, 2009 Municipal Election regarding whether to continue to provide this source of road and transit funding.

BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE:

Section 1. That the City Clerk is instructed to place the following proposal on the next municipal election ballot, and the qualified voters of the City of

Albuquerque shall be permitted to vote "for" or "against" the following proposal:

PROPOSITION

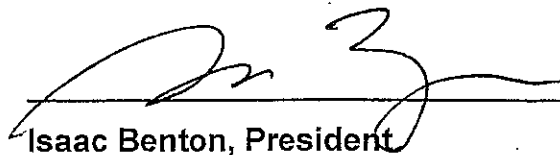
PROPOSING TO IMPOSE A ONE-QUARTER OF ONE PERCENT TRANSPORTATION INFRASTRUCTURE GROSS RECEIPTS TAX WHICH SHALL BE DEDICATED SPECIFICALLY AND ONLY FOR THE FOLLOWING USES: NOT LESS THAN 31% FOR ROAD REHABILITATION; NOT MORE THAN 15% FOR ROAD DEFICIENCIES; 13% FOR ROAD MAINTENANCE; 5% FOR TRAILS AND BIKEWAYS; AND 36% FOR TRANSIT. NO PORTION OF THE REVENUE GENERATED BY THE TRANSPORTATION INFRASTRUCTURE GROSS RECEIPTS TAX SHALL BE USED TO BUILD OR OPERATE ANY RAIL TRANSPORTATION SYSTEM UNTIL SUCH A SYSTEM IS APPROVED AT A SEPARATE ELECTION BY THE VOTERS OF THE CITY OF ALBUQUERQUE.

Section 2. Should the voters approve the imposition of a Transportation Infrastructure Gross Receipts Tax, none of the revenue generated by the Transportation Infrastructure Tax, nor any interest earned on such revenue, shall be expended, reserved, designated, allocated, earmarked or otherwise committed to the planning, designing, campaigning for, purchasing of land or rights-of way for, equipping, furnishing, constructing, leasing, operating or maintaining any rail transportation system, including a modern streetcar, light rail, or other fixed-rail system or component thereof.

1 PASSED AND ADOPTED THIS 22nd DAY OF June 2009
2 BY A VOTE OF: 6 FOR 3 AGAINST.

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4 For: 6

5 Against: Cadigan, O'Malley, Winter

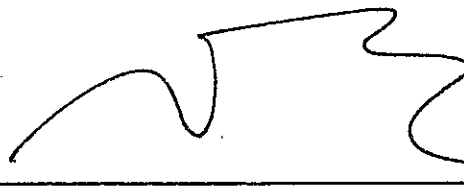
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Isaac Benton, President

9 City Council

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12 APPROVED THIS 1st DAY OF July, 2009

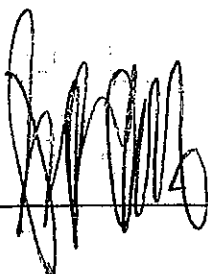
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17 Bill No. R-09-280

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Martin J. Chávez, Mayor

21 City of Albuquerque

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27 ATTEST:

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30 City Clerk