

CITY of ALBUQUERQUE

SEVENTEENTH COUNCIL

COUNCIL BILL NO. F/S O-07-71 ENACTMENT NO. _____

SPONSORED BY: Isaac Benton

1 **ORDINANCE**

2 **CALLING FOR A COST AND BENEFIT ANALYSIS OF THE MODERN STREET**
3 **CAR SYSTEM; CREATING A TASK FORCE TO STUDY AND REPORT ON**
4 **EXTENSION OF THE CURRENT TRANSPORTATION INFRASTRUCTURE TAX**
5 **IN THE CONTEXT OF CITY-WIDE TRANSPORTATION IMPROVEMENTS; AND**
6 **APPROPRIATING FUNDS FOR THESE PURPOSES; AND REPEALING**
7 **PROVISIONS OF ENACTMENT NO. O-2006-44 (COUNCIL BILL NO. F/S O-06-49)**
8 **AND REVIVING ENACTMENT NO. 14-1999, AS AMENDED.**

9 **BE IT ORDAINED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF**
10 **ALBUQUERQUE:**

11 **Section 1. FINDINGS**

12 **A. The City Council adopted Bill No. F/S O-06-49 that extended**
13 **the Transportation Infrastructure one-quarter percent gross receipts Tax until**
14 **2020; and**

15 **B. A Modern Street Car system ("Street Car") has been supported**
16 **by assertions regarding its positive economic development and**
17 **redevelopment impacts; inducement of more compact, mixed-use, and**
18 **pedestrian oriented forms of development; and positive impact on transit**
19 **ridership; and**

20 **C. The first phase of the Albuquerque Street Car, as identified in**
21 **Bill No. F/S O-06-49, would extend from Atrisco Drive to Washington Street on**
22 **Central Avenue; and**

23 **D. Bill No. F/S O-06-49 also identified areas for the expansion of**
24 **the Street Car; and**

25 **E. Bill No. F/S O-06-49 called for the creation of a Tax Increment**
26 **Development District (TIDD) along the entire Street Car route, as identified on**

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1 the map adopted with the legislation, that can capture up to 75% of the
2 increase in property tax and gross receipts tax revenues to result from the
3 TIDD improvements; and

4 F. Bill No. F/S O-06-49 indicated that the intent of the City is for
5 the Street Car operations and expansion to be funded through the positive
6 economic development impact of the Street Car resulting in greater property
7 tax and gross receipts tax revenues captured by the TIDD; and

8 G. Additional analysis is needed to support the creation of the
9 Tax Increment Development District (TIDD) and estimate TIDD revenues; and

10 H. An effective public transportation program requires that all
11 aspects of such transportation be unified into a coordinated system rather
12 than reviewed and acted on in a piecemeal fashion; and

13 I. Commissioned studies by experts will be most beneficial if
14 reviewed by an independent group familiar with the City of Albuquerque that is
15 concerned about protecting the best interests of the City and its residents;
16 and

17 J. The City Council finds that the City of Albuquerque will be best
18 served by the creation of a "21st Century Transportation Task Force" (Task
19 Force) to report on and make recommendations with respect to issues related
20 to the extension of the current Transportation Infrastructure Tax and the
21 development of roadway, modern city-wide public transit, and other multi-
22 modal transportation improvements; and

23 K. Such Task Force should consider the interrelation of and need
24 for a transportation system involving automobiles, pedestrians, wheelchairs,
25 bicycles, paratransit, buses, bus rapid transit (e.g., "Rapid Ride"), and fixed-
26 rail transit.

27 Section 2. The provisions of Enactment No. O-2006-044 (Bill No. F/S O-06-
28 49) shall be considered as an initial program, land use planning, and financing
29 framework for the possible development of the Street Car by the consultants
30 conducting the cost and benefit analysis and by the Task Force in its
31 deliberations.

32 Section 3. An independent professional cost and benefit analysis of the
33 proposed Street Car shall be conducted in the context of roadway, city-wide

1 public transit, and other multi-modal transportation improvements by March 1,
2 2008.

3 Section 4. The cost and benefit analysis shall address the following:

4 A. For Phase One of Street Car development from Atrisco Drive
5 to Washington Street:

6 1. Summarize and evaluate the Administration's cost
7 estimates for the development of the system and provide revised estimates if
8 needed;

9 2. Summarize and evaluate the operating cost estimates
10 for the system and provide revised estimates if needed;

11 3. Summarize and evaluate the ridership and operating
12 revenue assumptions for the system and provide revised estimates if needed;

13 4. Summarize and evaluate the financing plan, and suggest
14 and evaluate alternative financing plans as appropriate;

15 5. Estimate any possible revenue shortfalls annually to
16 2020 and recommend possible methods to cover any shortfalls.

17 6. Identify other likely revenue sources for development
18 and operations in addition to those currently assumed, e.g., federal
19 government, state government, Public Improvement Districts (PIDs), City
20 Capital Improvement Program.

21 7. Estimate the economic development and redevelopment
22 impacts of Phase One of the system, including jobs created, additional
23 development, and a range of possible increases in property taxes and gross
24 receipts tax revenues.

25 8. Estimate when the TIDD revenues in the Phase One area
26 might completely fund the annual cost of the Street Car in that area (debt
27 service, maintenance, operations).

28 B. For expansion of the Street Car beyond Phase One as
29 identified in Enactment No. O-2006-044 (Bill No. F/S O-06-49), on the
30 assumption that the TIDD is created at one time in this entire expansion area:
31 Identify the per-unit cost (e.g., per block, mile, stop, station, etc.) for the
32 expansion including professional-technical services, capital costs,
33 maintenance, and operations.

C. Regarding the context of the Street Car in terms of roadway, city-wide public transit, and other multi-modal transportation improvements:

1. Analyze the current public transit system and current plans for expansion of the system, including bus rapid transit, queue jumper systems, dedicated lanes, and other elements of the fixed-route bus system in the context of the Albuquerque/Bernalillo County Comprehensive Plan (especially related to Centers and Corridors), the Planned Growth Strategy, the Long Range High Capacity Transit System plan, the Long Range Roadway System plan, internal planning documents of the City Transit Department, and other documents as relevant;

2. Analyze the current roadway system and current plans for its expansion and long-term performance in the same context as Section 4.C.1 above.

3. Evaluate the strengths and weaknesses of the proposed Phase One and expansion of the Street Car beyond Phase One in the context of the analyses conducted in Section 4.C.1 and 4.C.2 above.

4. Analyses and evaluations shall be based on the expected life of systems and equipment, operating costs, energy use, impact on air quality, and the needs of an aging transit-dependent population.

D. Related to potential impacts on the City of Albuquerque of the Street Car as recommended:

1. Provide an analysis of other possible positive effects on the City if Phase One were implemented. For instance, estimate the increase in gross receipts, property tax and lodgers revenues based on positive impacts on tourism.

2. Comment on whether, and to what extent, citizens in other cities are pleased or displeased with such investments.

E. In the context of the above analysis, provide findings and recommendations.

Section 5. There is hereby created the City of Albuquerque “21st Century Transportation Task Force” (“Task Force”).

Section 6. The Task Force will do the following:

A. Develop an understanding of the adopted City policies regarding roadways, public transit, and other multi-modal transportation improvements as contained in the Albuquerque/Bernalillo County Comprehensive Plan and in other relevant documents;

B. Review the history, expenditures, and the needs associated with the current Transportation Infrastructure Tax;

C. Review current plans for expansion of the roadways, public transit system, and other multi-modal transportation improvements;

D. Familiarize itself with the Street Car system as proposed;

E. Familiarize itself with the relationship between land-use regulation, transit and pedestrian/bicycle use;

F. Monitor the progress of the cost and benefit analysis as described above and evaluate its findings and recommendations;

G. Generate a report or reports (majority and/or minority if necessary) summarizing the available information and making recommendations with respect to the dedication of the Transportation Infrastructure Tax, the development of a Street Car in the context of roadway, city-wide public transit, and other multi-modal transportation improvements, and the financing of these improvements by May 1, 2008.

Section 7. The Task Force shall consist of the following:

A. Residents of Council Districts: nine members, one from each Council District, who shall be recommended by the Councilor from the District to the Mayor;

B. Business & Community Groups, representing:

- 1. Greater Albuquerque Chamber of Commerce,**
- 2. Albuquerque Hispano Chamber of Commerce,**
- 3. Albuquerque Economic Development,**
- 4. Albuquerque Convention and Visitors' Bureau,**
- 5. Kirtland Airforce Base,**
- 6. Albuquerque Public Schools,**
- 7. Sandia National Laboratories,**
- 8. Intel Corporation,**
- 9. University of New Mexico,**

- 1 10. Central New Mexico Community College.
- 2 C. Support Organizations, including those representing:
- 3 1. Mayor or designee,
- 4 2. Transit Advisory Committee,
- 5 3. Energy Conservation Council,
- 6 4. Air Quality Control Board,
- 7 5. Building Trades Council,
- 8 6. Mid-Region Council of Governments,
- 9 7. American Automobile Association – New Mexico Affiliate,
- 10 8. Albuquerque Alliance for Active Living,
- 11 9. Rails, Inc.,
- 12 10. American Planning Association,
- 13 11. National Association of Industrial and Office Properties.
- 14 D. Technical Advisory Resources (non-voting members):
- 15 1. City of Albuquerque Transit Department,
- 16 2. City of Albuquerque Planning Department,
- 17 3. City of Albuquerque Department of Municipal Development,
- 18 4. City Council Services.
- 19 E. The Task Force shall be co-chaired by the City Councilor from
- 20 District 3 and an economic development expert, who shall be non-voting
- 21 members.
- 22 Section 8. Following notice to all members, the Task Force may meet with
- 23 or without a quorum; all meetings of the Task Force shall be open to the
- 24 public and conducted in City facilities; the Task Force may adopt such
- 25 procedures for the conduct of its meetings as it deems appropriate.
- 26 Section 9. The Task Force shall have access to all City documents related
- 27 to transportation, and the Administration shall supply such staff and other
- 28 support as the Task Force deems necessary.
- 29 Section 10. The amount of \$200,000 is hereby appropriated from the
- 30 unreserved fund balance of the General Fund (110) to the Council Services
- 31 Department to contract with the Mid Region Council of Government (MRCOG)
- 32 to allow MRCOG to engage a consultant(s) and otherwise conduct the analysis
- 33 referred to in this legislation.

1 Section 11. REPEAL OF PROVISIONS OF ENACTMENT NO. O-2006-44 AND
2 REVIVAL OF PREVIOUS TRANSPORTATION TAX. Sections 1, 2, 3, 4, 5, 6(A),
3 6(B)(1)(b), 6(B)(2), 6(C), 6(D), 7, 8 and 9 of Enactment No. O-2006-44 (Council
4 Bill No. F/S O-06-49) are repealed. These Sections of Enactment No. O-2006-44
5 provided for the repeal on July 1, 2007 of Enactment No. 14-1999 (Council Bill
6 No. O-59) as amended by Enactment No. O-2005-67 (Council Bill No. O-05-146).
7 To the extent that Enactment No. 14-1999, as amended, was repealed by
8 Enactment No. O-2006-44, this ordinance shall be construed to revive
9 Enactment No. 14-1999, as amended, (presently codified as Section 4-3-7-1 et
10 seq. ROA 1994) which shall remain in full force and effect.

11 Section 12. Sections 6(B)(1)(a), 6(B)(3), and 6(B)(4) of Enactment No. O-
12 2006-44 (Council Bill No. F/S O-06-49) shall take effect upon the effective date
13 of this ordinance and shall be incorporated in and made part of the Revised
14 Ordinances of Albuquerque, New Mexico, 1994

15 Section 13. SEVERABILITY CLAUSE. If any section, paragraph, sentence,
16 clause, word or phrase of this ordinance is for any reason held to be invalid or
17 unenforceable by any court of competent jurisdiction, such decision shall not
18 affect the validity of the remaining provisions of this ordinance. The Council
19 hereby declares that it would have passed this ordinance and each section,
20 paragraph, sentence, clause, word or phrase thereof irrespective of any
21 provision being declared unconstitutional or otherwise invalid.

22 Section 14. EFFECTIVE DATE. This ordinance shall take effect five days
23 after publication by title and general summary.

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