



Agenda

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PUBLIC SAFETY COMMITTEE
Tuesday, April 19, 2011, 2011 4:00 PM
City Council Chambers
200 Lincoln Avenue, Santa Fe, NM 87501

1. Roll Call
2. Approval of agenda
3. Approval of Tuesday, March 15, 2011 minutes
4. Old business:
 - A. NONE
5. New business:
 - A. Street light removal at 533 Del Norte Lane (John Romero, Public Works Department/Traffic Engineering Division)
 - B. Changes to the DUI Forfeiture Ordinance (Police Captain Anthony Robbin)
 - C. Proposed ordinance amending various sections of the City of Santa Fe Uniform Traffic Ordinance related to bicycles (Councilor Bushee, Bob Sisqueiros)
 - D. Proposed ordinance amending section 12-2 SFCC 1987; adopting the 2009 International Fire Code (Mayor Coss, Fire Chief Salas)
 - E. Proposed ordinance repealing Article 20-21 SFCC 1987 SFCC and creating a new Article 20-21 SFCC regarding vehicle towing services (Councilor Trujillo, Fleet Manager Edward Romero)
6. Matters from Municipal Court-Informational: March 2011 Monthly Report
7. Matters from Police Chief Raymond Rael
 - A. Budget Status-Deputy Chief Gillian Folmar-Alessio
8. Matters from Fire Chief Barbara Salas
 - A. Budget Status
9. Matters from Committee Members
10. Communications from the Floor
11. Adjournment

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Roll Call	Roll Constitutes a quorum. One excused absence.	Page 2
Approval of Agenda	Staff requested to pull item 5-B from the agenda. <i>Mr. Mizrahi moved to approve the agenda with noted staff changes, second by Mr. Rivera, motion carried by unanimous voice vote.</i>	Page 2
Approval of Minutes	<i>Mr. Mizrahi moved to approve the minutes of March 15, 2011 as presented, second by Ms. Owen-Lewis, motion carried by unanimous voice vote.</i>	Page 2
Old Business	None	Page 3
New Business		Page 4-7
<ul style="list-style-type: none"> a. Street light removal at 533 Del Norte Lane b. Changes to DUI Forfeiture Ordinance c. Proposed ordinance amending various sections of the City of Santa Fe Uniform Traffic Ordinance related to bicycles. d. Proposed ordinance amending section 12-2 SFCC 1987; adopting the 2009 International Fire Code e. Proposed ordinance repealing Article 20-21 SFCC 1987 SFCC and creating a new Article 20-21 SFCC regarding vehicle towing services 	<p><i>Dr. Mier moved to table this request and instruct staff to go back and contact owners of the property's and to have the city attorney to review, second by Dr. Owen-Lewis, motion carried by unanimous voice vote.</i></p> <p><i>b. DUI forfeiture ordinance pulled from agenda.</i></p> <p><i>Dr. Mier moved to approve the ordinance as presented with the changes noted in 12-8-9 to retain the wording that has been deleted and to delete the proposed amendment in lines 15-19, second by Mr. Mizrahi, 4-3, motion fails.</i></p> <p><i>Dr. Mier moved to approve the ordinance with the changes to wording in 12-8-9 to say that they bicycle can park in a way that it does not impede movement of pedestrian traffic, second by Mr. Harris, motion carried by unanimous voice vote.</i></p> <p><i>Dr. Mier moved to approve the ordinance amending section 12-2 SFCC 1987; adopting the 2009 International Fire Code with the minor word changes, second by Mr. Rivera, motion carried by unanimous voice vote.</i></p> <p><i>Mr. Mizrahi moved to approve the proposed ordinance repealing Article 20-21 SFCC 1987 SFCC and creating a new Article 20-21 SFCC regarding vehicle towing services, second by Mr. Harris, motion carried by unanimous voice vote.</i></p>	
Matters from Municipal Court – Informational: March, 2011 Monthly Report distributed to the committee.	Informational	Page 7

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Matters from Committee Members	None	Page 8
Communications from the Floor	None	Page 8
Adjournment	<i>There being no further business to come before the Public Safety Committee, the meeting was adjourned at 5:30 p.m.</i>	Page 8

PUBLIC SAFETY COMMITTEE

Tuesday, April 19, 2011

MINUTES

The April 19, 2011 meeting of the Public Safety Committee was called to order by Chairperson Trujillo at 4:00 pm in the City Council Chamber, Santa Fe, New Mexico.

1. Roll Call

In Attendance

Ronald Trujillo, Chair
Herbert Harris, Vice Chair
Dr. Mike Mier
Nancy Owen-Lewis
Peter Mizrahi
Mike Bowen
Chris Rivera

Excused

Doug Nava

Others in Attendance

John Romero, Traffic Engineer
Bryan Drypolcher on behalf of Councilor Bushee and Bob Siqueiros
Fire Chief Barbara Salas
Fire Marshal Gonzales
Police Chief Raymond Rael
Laura A. Vigil, Accounting Supervisor, SFPD
Deputy Chief Gilian Folmar-Alessio
Frank Herdman, Member, BTAC
Fran Lucero, Stenographer

2. Approval of Agenda

Staff requested to pull item 5-B from the agenda.

Mr. Mizrahi moved to approve the agenda with noted staff changes, second by Mr. Rivera, motion carried by unanimous voice vote.

3. Approval of March 15, 2011 Minutes

Mr. Mizrahi moved to approve the minutes of March 15, 2011 as presented, second by Ms. Owen-Lewis, motion carried by unanimous voice vote.

4. Old Business

None

5. New Business

- a. Street light removal at 533 Del Norte Lane (John Romero, Public Works Department/Traffic Engineering)

Ms. Donna Neumann, who lives at 528 Del Norte Lane, has submitted a request to the Traffic Engineering Division to remove a street light located at 533 Del Norte Lane. The light in question is a 100 watt high pressure sodium night sky compliant light mounted on a wooden power pole 23' high. Mr. Romero provided the commission drawings indicating the location of the light. According to the photometric, as shown on the drawing, the light directly affects five parcels. Of the five parcels affected, four residents signed a petition in favor of removing the light. Of these four residents, three are tenants and one is an owner.

The Traffic Engineering Division does not see a need for the light from a traffic safety purpose. The City's current practice on low volume residential streets is to place street lights at all intersections, at major curves, and at the end of cul-de-sacs. The Police Department does not oppose the removal of the light from a general public safety standpoint. The Traffic Engineering Division recommends removal of the light at 533 Del Norte Lane.

Dr. Mier asked if an attempt was made to contact owners and get their opinion. The Public Safety Committee members felt it best for the owners to be notified and that the City Attorney reviews this request. Dr. Mier asked if action on this request could be done administratively. Mr. Romero stated that city code does not address this matter and since there is no ordinance it could be acted upon administratively. The Chair asked if Chapter 14 addresses street light.

Dr. Mier moved to table this request and instruct staff to go back and contact owners of the property's and to have the city attorney to review, second by Dr. Owen-Lewis, motion carried by unanimous voice vote.

Donna Newman, 528 Del Norte, Santa Fe, New Mexico

Ms. Newman stated that she had obtained the petition signatures and that those who had signed were in support of the light being removed. Chairperson Trujillo said that he will have the city attorney look in to this matter and the Traffic Engineer will return with the findings at a later date.

Mr. Romero said that the 100 watt lights had stopped being used in the 70's and he could not answer why this type of light was being used. Mr. Romero said that he will check with PNM to see why this type of light is being used.

- b. Changes to the DUI Forfeiture Ordinance. (Pulled from the Agenda)

- c. Proposed ordinance amending various sections of the City of Santa Fe Uniform Traffic Ordinance related to bicycles. (Councilor Bushee, Bob Sisqueros)

Bryan Drypolcher presented on behalf of Bob Sisqueros who was delayed at another meeting. As an employee of the Public Works Department he also served on the Bicycle Trail Advisory Committee in the past. Mr. Drypolcher offered to answer any questions that the committee would have or ask that this item be postponed until Mr. Siqueiros would arrive. It was the committee's wishes to proceed.

The BTAC has been working for a number of years mostly on helping the city identifying where to spend capital improvement money on pedestrian improvements for the city; bike trails, bike lanes, pedestrian improvements, sidewalks. They also provide policy advice to the city and in this case have looked at the city ordinance that governs bicycles and bicycle safety and has suggested some amendments to the ordinance. The amendments are based on the experience of bicycle trails and some research on what other cities are doing to update their code and what national bicycle organizations have suggested to municipalities to update their code.

BTAC is offering an amendment to the City's Uniform Traffic Ordinance relating to bicycles. The purpose of updating the bicycle code is to delete language in the current code that was not being enforced, i.e., licensing bicycles by the Santa Fe Police Department; to bring it more in line with similar codes in cities with progressive traffic planning principles such as Boulder, Colorado and Portland, Oregon; and to assist in making Santa Fe a safer place for bicyclists, pedestrians and motorists to share the City's public streets and trails.

Mr. Harris stated that during the legislative session Senator Wirth carried a bill that required a 5 foot distance for safety of bicyclist.

Mr. Drypolcher said that there is a relationship there and the BTAC has talked about this distance for safety.

Mr. Rivera asked what the average distance is of a bicycle lane.

Mr. Drypolcher stated that they are 4 feet.

Mr. Rivera directed the question to the Chief of Police, who would determine that 5 feet is a safe distance for the bicyclist.

Chief Rael said that it would have to be observation by the officer for enforcement reasons. Some lanes are going to be very obvious but in some cases the officer would have to look at the situation for enforcement.

Dr. Mier asked for clarification on page 2, lines 17-19 when it refers to, “reasonable speed and keep a safe distance from him.”

Mr. Drypolcher said that it would be a general assessment taking in to consideration the requirements for ADA distance, that would be a minimum distance on a sidewalk and that would be reasonable to look at for interpretation.

Dr. Mier said that he had concerns and would not want to see bicycles parked on the sidewalk or hitting pedestrians.

Mr. Drypolcher said that the intent is that the motor vehicle does have to slow down until they can obtain that 5 foot separation and wait for a safe situation and to make it safer for all ages of those on bicycles in our city.

Dr. Owen-Lewis referred to page 7, 12-8-9, Parking of Bicycle and stated that the part that is crossed out seems more reasonable than the part that is amended and asked why it was crossed out.

Mr. Drypolcher suggested that the ADA requirements are a good source to reflect back on and revisit the wording in 12-8-9.

It was suggested that the wording that has been crossed off be put back in and take out the wording that is amended.

The Chair stated that it is important for the bicyclist to follow the same rules as the motorist and asked the chief also to look into the wording of the ordinance amendments.

Dr. Mier moved to approve the ordinance as presented with the changes noted in 12-8-9 to retain the wording that has been deleted and to delete the proposed amendment in lines 15-19, second by Mr. Mizrahi, 4-3, motion fails.

Two of the BTAC members arrived at the meeting and offered to answer any questions regarding the ordinance changes. Dr. Mier reiterated the above discussion and asked the member to respond. Mr. Herdman said that it has become a difficulty in the city of Santa Fe as many buildings and places in Santa Fe have no bike racks for the bicyclist. Some of the parking on sidewalks where it doesn't impede pedestrian traffic is to also assure that the bicycle doesn't get stolen. He stated that they are promoting the bicycle as an alternative transportation but they do need a parking place.

Dr. Mier asked if the bicyclist require a license. The Police Chief stated that they do not require a license. There is no way to track who the bicycle belongs to unless the owner is located or standing by their bicycle for enforcement.

Dr. Mier said if the wording would reflect that if the bicycle was parked in a manner that it would not impede movement of vehicular traffic or say you cannot park on the sidewalk.

Mr. Herdman said that if that language was revised to say, “a bicycle shall not be parked on a sidewalk or any other place if the parking impedes normal movement”, this doesn’t come across as a prohibition but less as an encouragement and personally he would be fine with that and he would convey this to the BTAC. Mr. Herdman did comment that there are new developments and many of them do not have bike racks and in our historical district the question comes up to where you would place the bike rack. BTAC would like to see more bike racks.

Dr. Mier moved to approve the ordinance with the changes to wording in 12-8-9 to say that they bicycle can park in a way that it does not impede movement of pedestrian traffic, second by Mr. Harris, motion carried by unanimous voice vote.

- d. Proposed ordinance amending section 12-2 SFCC 1987; adopting the 2009 International Fire Code (Mayor Coss, Fire Chief Salas)

Fire Marshal Gonzales stated that the proposed ordinance is to update from 2006 to 2009 International Fire Code. There are several changes that are not relevant to the code.

Dr. Mier moved to approve the ordinance amending section 12-2 SFCC 1987; adopting the 2009 International Fire Code with the minor word changes, second by Mr. Rivera, motion carried by unanimous voice vote.

- e. Proposed ordinance repealing Article 20-21 SFCC 1987 SFCC and creating a new Article 20-21 SFCC regarding vehicle towing services (Councilor Trujillo, Fleet Manager Edward Romero)

The request by amending the ordinance is to tighten it up by adding in the definitions, legislative findings and purpose, requirements, wrecker company selection procedure, other wrecker selections, non-discrimination, removal and effective date.

At this time there are 32 wrecker companies on their rotations and we want to make sure that they abide by the tariff schedule provided by the New Mexico Public Regulation Commission when called out by the Police Department to tow privately owned vehicles not impounded by the city of Santa Fe, and contracted fees for vehicles impounded to any of the Santa Fe police impound lots. Mr. Romero explained the process with the Police Department and what takes place with the wrecking company.

Dr. Mier asked who can make a preference call as described on page 5, paragraph F. Mr. Romero said that the owner can make a preference call.

Mr. Mizrahi moved to approve the proposed ordinance repealing Article 20-21 SFCC 1987 SFCC and creating a new Article 20-21 SFCC regarding vehicle towing services, second by Mr. Harris, motion carried by unanimous voice vote.

6. Matters from Municipal Court – Informational: March, 2011 Monthly Report distributed to the committee.

7. Matters from Police Chief Raymond Rael

The Chair and Committee welcomed Chief Rael and the Chief offered his attention to any matters that are directed to him as Chief of Police.

a. Budget Status

It was reported that for FY11-12 the Police Department has requested a flat budget. The other specialty funds are basically flat. They have requested a purchase of duty weapons and funding for the hearing officers. The police gross receipts tax funds 15 officers. It was clarified that the only expenses out of the Code Enforcement Fund are for the hearing officers, 70% salary of the administrator, office supplies and printing charges.

Mr. Harris asked if there was an estimated amount that is expected to come in this FY. The information was not available at this meeting. The Chair asked that this information be brought to the next meeting.

The Chair asked what percentage of vehicles are replaced annually. Laura responded 20% of the fleet but at this point they are behind the curve. They budgeted for 45 vehicles and it was stated that vehicles are replaced every 5 years.

Mr. Rivera asked if the City Manager has asked the Police Department to make any cuts and if not, are they expecting any cuts from the budget.

Laura said that they have been requested to make cuts in the budget by 10%.

Chief Rael stated that there are 3 positions that were not filled, 1 Captain and 2 civilian positions, they have made cuts in supplies, cut back on purchases of equipment modifying the budget to purchase only the items that are absolutely needed such as the hand cuffs. Other areas in the budget that were cut back are overtime.

Mr. Rivera asked if these cuts would meet the \$1.9 million dollar amount.

Chief Rael said that he could not answer exactly but he could confirm that the cuts made are substantial over other years and he could confirm it is over \$1 million dollars.

Dr. Mier encouraged the Police Chief to be conscious of the annexation plan and to convey the importance of law enforcement and public safety as the city grows.

Mr. Rivera directed a question to the Chair regarding the proposed property tax and asked if this money would be allocated for law enforcement and public safety and the fire department. Chair Trujillo said that there are many areas in discussion and he will always support public safety.

8. Matters from Fire Chief Barbara Salas

a. Budget Status

Staff changes have been made due to the retirement benefits and three of the chief officers have been hired. Fire Chief distributed the budget submitted to the Finance Committee and they have approved it as presented. The Chief said that they are also a flat budget this year and they have not made any requests. Chief Salas provided an organizational chart with the redlined items being identified as the vacancies. Chief Salas provided a verbal recap of her budget and the committee reviewed the handout. No questions for Chief Salas from the Committee regarding the proposed budget.

9. Matters from Committee Members

None

10. Communications from the Floor

None

11. Adjournment

There being no further business to come before the Public Safety Committee, the meeting was adjourned at 5:30 p.m.

Signature Page:

City Councilor Ronald Trujillo, Chair



Fran Lucero, Stenographer