City of Santa Fe

AGENDA

REGULAR MEETING OF THE GOVERNING BODY
DECEMBER 09, 2020
4:00 PM
ATTEND VIRTUALLY

SPECIAL PROCEDURES FOR GOVERNING BODY MEETING

Attendance: In response to the State's declaration of a Public Health Emergency, the Mayor's Proclamation of Emergency, and the ban on public gatherings of more than five (5) people, the Governing Body meeting will be conducted virtually.

Viewing: Members of the public may view the meeting through the Government Channel on Comcast Channel 28 and Comcast HD928 or may stream the meeting live on the City of Santa Fe's YouTube channel at https://www.youtube.com/user/cityofsantafe. The YouTube live stream can be accessed at this address from most smartphones, tablets, or computers.

The video recording of this and all past meetings of the Governing Body will also remain available for viewing at any time on the City's YouTube channel at https://www.youtube.com/user/cityofsantafe. Staff is available to help members of the public access pre-recorded Governing Body meetings on-line at any time during normal business hours. Please call 955-6521 for assistance.

Radio Broadcast: The meeting can be heard on radio station KSFR 101.1.

Agenda: The agenda for the meeting will be posted at https://www.santafenm.gov.

Written Comments: The public may submit written comments on any of the items to be considered on the Consent Agenda, Discussion Agenda, Public Hearings or Petitions From the Floor through 1:00 p.m. the day of the meeting, via the virtual comment "button" at santafe.primegov.com/portal/search.

Public Comment (Live): To provide live public comment during Petitions from the Floor or Public Hearings, you must join the Zoom meeting by internet or phone, as follows:

Internet: To join the Zoom meeting on the internet using a computer, laptop, smartphone, or tablet, use the following link: https://santafenm-gov.zoom.us/j/92174323176?pwd=eXAvQ0lJTk1OTlFPRnVOQ2FDMHdpQT09.

Passcode: **790263**

Attendees should use the "Raise Hand" function to be recognized by the Mayor to speak at the appropriate time.

Phone: To join the Zoom meeting using a phone, use the following phone numbers and **Webinar ID: US: 1 (346) 248-7799 - Webinar ID: 921 7432 3176 - Passcode: 790263**

Phone attendees should press *9 to use the "Raise Hand" function to be recognized by the Mayor to speak at the appropriate time.

AFTERNOON SESSION - 4:00 P.M.

1. CALL TO ORDER

2. **PLEDGE OF ALLEGIANCE**

3. **SALUTE TO THE NEW MEXICO FLAG**

4. **INVOCATION**

5. **ROLL CALL**

6. **APPROVAL OF AGENDA**

7. **APPROVAL OF CONSENT CALENDAR**

8. **APPROVAL OF MINUTES**

   a. Regular Governing Body – November 10, 2020

   b. Special Governing Body – November 18, 2020

9. **PRESENTATIONS**

10. **CONSENT CALENDAR**

    a. Request for Approval of a Non-Client Agreement Collaborative Member Agency in the Total Amount of $390,000 for Opiate Outreach Services; New Mexico Behavioral Health Services Division via Falling Colors. (Andres J. Mercado, Battalion Chief - MIH, ajmercado@santafenm.gov, 955-3604)

    b. Request for Approval of State Price Agreement #70-000-16-00034AC in the Total Amount of Nine Hundred Ninety-Five Thousand Dollars ($995,000) for the Purchase of a Ladder Truck from 411 Equipment, LLC. (Brian Moya, Health and Safety Officer, bjmoya@santafenm.gov, 955-3111)

    c. Request for Approval of State Price Agreement #70-000-16-00034AE in the Total Amount of One Hundred Forty-Five Thousand Nine Hundred Sixty-Eight Dollars ($145,968) for the Purchase of a Brush Truck and Equipment from 411 Equipment, LLC. (Brian Moya, Health and Safety Officer, bjmoya@santafenm.gov, 955-3111)

d. Request for Approval of a Budget Adjustment Resolution (BAR) in the Total Amount of $76,484.62 from the Water Enterprise Cash Balance to the Unused 2020 Balance of the Alpha SW Contract. (Jonathan Montoya, Source of Supply Operations Manager, jmmontoya@santafenm.gov, 955-4373)

e. Request for Approval to Join the San Juan Chama Contractors Association for an Annual Amount of $2,615. (Jesse Roach, Water Division Director, jdroach@santafenm.gov, 955-4309)

f. Request for Approval of Professional Services Contract with LSC Transportation Planning, Inc for the Purpose of Developing a Multi-Modal Transition Plan for the City of Santa Fe Not to Exceed $225,000 Starting December 1, 2020 and Terminating on April 30, 2022. (Erick J. Aune, Santa Fe MPO Officer, ejaune@santafenm.gov, 955-6664)

g. Request for Approval to Enter Into a Grant Agreement with the New Mexico Environment Department to Provide Reimbursable Funding for Electric Vehicle Charging Stations at the City's Public Parking Garages; the Grant Funds are Reimbursable in the Total Amount of $26,303. (Neal Denton, Sustainability Planner, Environmental Services Department, nhdenton@santafenm.gov, 955-2229)

h. CONSIDERATION OF RESOLUTION NO. 2020-____. (Mayor Webber)
A Resolution Establishing City of Santa Fe Legislative Priorities for Consideration by the New Mexico State Legislature During the 55th Legislature – State of New Mexico – First Session, 2021. (Regina Wheeler, Public Works Department Director, rawheeler@santafenm.gov, 955-6622 and Jesse Guillen, Legislative Liaison, jbguillen@santafenm.gov, 955-6518)

i. Request for Approval of the Budget Amendment Resolution-North Central New Mexico Economic Development District-Non Metro Area Agency on Aging Covid-19 CARES Federal Sub-Award. Item # 20-0591 (Munis Contract #3202384) in the Amount of $166,644.57. The Covid-19 CARES Federal Sub-Award Grant Funds Will be Utilized to Provide Services to Our Eligible Senior Clientele Who Receive In-Home Support, Transportation, and Nutrition. (Gino Rinaldi, Senior Services Division Director, earinaldi@santafenm.gov, 955-4710)

j. Request to Publish Notice of Public Hearing on January 13, 2021.
BILL NO. 2020-35. An Ordinance Amending Section 16-15.2 SFCC 1987 to Remove the Possibility of Imprisonment for the Conviction of a Violation of the Section. (Councilor Rivera, Councilro Cassutt-Sanchez, Councilor Villarreal, and Councilor Garcia) (Kyle Hibner, City Prosecutor, kjhibner@santafenm.gov, 955-5195)

k. CONSIDERATION OF RESOLUTION NO. 2020-___. (Councilor Garcia and Councilor Vigil Coppler)
A Resolution Adopting the City of Santa Fe Mitigation Plan. (Kyle Mason, Emergency Management Director, kamason@santafenm.gov, 955-6704)

l. CONSIDERATION OF RESOLUTION NO. 2020-____. (Mayor Webber, Councilor Villarreal, Councilor Cassutt-Sanchez, Councilor Lindell, and Councilor Romero-Wirth)
A Resolution Urging the New Mexico State Legislature to Establish a State Public Bank, Owned By and For the People of New Mexico, During the 2021 Legislative Session. (Jesse Guillen, Legislative Liaison, jbguillen@santafenm.gov, 955-6518)

11. **DISCUSSION/ACTION ITEMS**

a. Request for Approval of a Settlement Agreement with Gail Gilbert to Resolve Issues Related to Two Administrative Appeals Concerning Remodeling and Construction Projects at 503 Camino del Monte Sol, which is Located within the Downtown and Eastside Historic District, Case Nos. D-101-CV-2019-02819 and D-101-CV-2020-00979 (Sally Paez, Assistant City Attorney, sapaez@santafenm.gov, 955-6501)

b. Request for Approval of Santa Fe Trails Agency Safety Plan. (Thomas Martinez, Transit Director of Operations, tamartinez@santafenm.gov, 955-2006 and David A. Chapman, Grant Administrator – Writer, dachapman@santafenm.gov, 955-2010)

c. CONSIDERATION OF RESOLUTION NO. 2020-____. (Councilor Villarreal)
A Resolution Extending the Earlier Start Time of Afternoon Sessions of Governing Body Meetings to 4:00 P.M. and Evening Sessions of Governing

Body Meetings to 6:00 P.M. Through the June 30, 2021 Governing Body Meeting. (Jesse Guillen, Legislative Liaison, jbguillen@santafenm.gov, 955-6518)

d. CONSIDERATION OF RESOLUTION NO. 2020-____. (Councilor Lindell, Councilor Abeyta, Councilor Rivera, Councilor Vigil Coppler, Councilor Villarreal, and Councilor Garcia)
A Resolution in Support of the National Veteran Cemetery Administration's Veterans Legacy Program. (Julie Sanchez, Youth and Family Services Division Director, jjsanchez@santafenm.gov, 955-6678)

e. Request for Approval of Amendment #1 to Service Contract 19-0653, Extending the Term Through 12/31/2021 and Increasing the Compensation by $325,000 Plus NMGRT for On-Call Urban Planning and Economic Analysis Services; Strategic Economics. (Sam Burnett, Public Works Property Maintenance Manager, jdburnett@santafenm.gov, 955-5933)

12. **MATTERS FROM THE CITY MANAGER**

13. **MATTERS FROM THE CITY ATTORNEY**

EXECUTIVE SESSION

In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1, Part (H)(7), Discussion of Pending or Threatened Litigation, Specifically the American Medical Response Ambulance Service, Inc., Public Regulations Commission Case 20-00125-TRM and Joining an Amicus with the City of Los Angeles and Other Local Governments in Support of the State of New Jersey and the Mexican American Legal Defense and Educational Fund (MALDEF) in an Appeal From the Southern District Court of Texas to the Fifth Circuit Court of Appeals in State of Texas v. United States (S.D. Tex. 1:18-cv-00068). (Erin K. McSherry, City Attorney; ekmcsherry@santafenm.gov, 955-6512).

14. **EXECUTIVE SESSION ACTION ITEMS**

a. Approval of a Settlement Agreement to Dismiss the City's Interest in American Medical Response Ambulance Service, Inc., Public Regulations Commission Case 20-00125-TRM. (Andrea Salazar, Assistant City Attorney, asalazar@santafenm.gov, 955-6303 and Michael J. Suber, Medical Officer, Santa Fe Fire Department, mjsuber@santafenm.gov, 955-3603)

b. Approval to Join an Amicus Brief with the City of Los Angeles and Other Local Governments in Support of the State of New Jersey and the Mexican American Legal Defense and Educational Fund (MALDEF) in Their Intervention and an Appeal to the Fifth Circuit Court of Appeals in State of Texas v. United States (S.D. Tex. 1:18-cv-00068). (Erin K. McSherry, City Attorney, ekmcsherry@santafenm.gov, 955-6512)

15. **MATTERS FROM THE CITY CLERK**

16. **COMMUNICATIONS FROM THE GOVERNING BODY**

EVENING SESSION - 6:00 P.M.

17. **ROLL CALL**

18. **PETITIONS FROM THE FLOOR**

19. **APPOINTMENTS**

a. Occupancy Tax Advisory Board

20. **PUBLIC HEARINGS**

a. CONSIDERATION OF BILL NO. 2020-34. ADOPTION OF ORDINANCE 2020-____. (Councilor Rivera and Councilor Cassutt-Sanchez)
An Ordinance Amending Section 2-4.6 SFCC 1987 to Allow the City Manager to Enter Agreements Accepting Funds that Are Offered to the City Without Time to Place the Agreements on the Next Scheduled Governing Body Meeting, with Ratification by the Governing Body at the Next Scheduled Meeting for which the Deadline to Include the Matter on an Agenda Has Not Yet Passed; and Amending Section 11-4 to Allow the City Manager to Approve Grant Applications, Grant Awards, Grant Match Requirements, and Grant Agreements in Any Amount if the Deadline to Approve Such Documents Occurs Before the Deadline to Include the Application or Award on the Agenda for the Governing Body's Next Regularly Scheduled Meeting, with Ratification by the Governing Body at the Next Scheduled Meeting for Which an Agenda

Has Not Yet Been Posted. (Marcos Martinez, Senior Assistant City Attorney, mdmartinez@santafenm.gov, 955-6502)

b. Request for Approval of a Resolution and Bill Related to Impact Fees. (Carlos Gemora, Planner Senior, cegemora@santafenm.gov, 955-6670)

1. CONSIDERATION OF RESOLUTION NO. 2020-____. (Mayor Webber)
   A Resolution Adopting the "Impact Fee Capital Improvements Plan 2021-2027 for Roads, Parks, Fire/EMS, and Police" to Update the City's Impact Fee Capital Improvement Plan, Land Use Assumptions, and Impact Fees, as Required by the State Development Fees Act, NMSA 1978, Section 5-8-30.
2. CONSIDERATION OF BILL NO. 2020-33. ADOPTION OF ORDINANCE 2020-____. (Mayor Webber)
   An Ordinance Amending Section 14-8.14(C) SFCC 1987 to Add a Reference to the Impact Fee Service Area; Amending Section 14-8.14(E) to Adopt a New Impact Fee Schedule and Clarify Appropriate Land Use Categories as they Relate to Impact Fee Collection; Amending Section 14-8.14(G) to Add a Reference to the Impact Fee Service Area; Amending Section 14-8.14(J) to Add a Reference to the Impact Fee Service Area; Adding a Service Area Map as Exhibit F in the Appendix to the Land Development Code; and Establishing an Effective Date.

c. CONSIDERATION OF BILL NO. 2020-32. ADOPTION OF ORDINANCE NO. 2020-____. (Mayor Webber, Councilor Lindell, Councilor Romero-Wirth and Councilor Villarreal)
An Ordinance Amending Section 14-6.2 SFCC 1987 to Adopt by Ordinance a Maximum of One Thousand (1000) Short-Term Rental Permits in the City, to Prospectively Limit the Number of Short-Term Rental Permits to One Per Natural Person, to Prospectively Limit the Proximity of Short-Term Rental Units, to Require a Local Operator for Short-Term Rental Units, to Adopt Record-Keeping and Reporting Requirements for Short-Term Rental Unit Owners and Host Platforms, and to Clarify Other Provisions of the Short-Term Rental Ordinance; Amending the Land Use Code Definitions in Section 14-12.1 SFCC 1987 as They Relate to Short-Term Rental Units; Amending the Table of Permitted Uses, Table 14-6.1-1, Regarding Short-Term Rental Units; [~~and~~] Amending Section 12-2.3 SFCC 1987 to Clarify That a Short-Term Rental Unit is not a Group R-1 Occupancy for Purposes of Fire Inspections; and Amending Section 18-10.4 SFCC 1987 to Dedicate a Portion of the Municipal Gross

Receipts Tax Generated from the Rental of Short-Term Rental Units to the Affordable Housing Trust Fund. (Elias Isaacson, Planning and Land Use Director, esiasaacson@santafenm.gov, 955-6730 and Sally Paez, Assistant City Attorney, sapaez@santafenm.gov, 955-6501)

21. **ADJOURN**

Pursuant to the Governing Body Procedural Rules, in the event any agenda items have not been considered prior to 11:30 p.m. and the Governing Body does not vote to extend the meeting, such items shall be postponed to a subsequent meeting, provided that the date, time and place of such meeting is specified at the time of postponement.

NOTE: New Mexico law requires the following administrative procedures be followed when conducting "quasi-judicial" hearings. In a "quasi-judicial" hearing all witnesses must be sworn in, under oath, prior to testimony and will be subject to reasonable cross-examination. Witnesses have the right to have an attorney present at the hearing.

Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6521, five (5) working days prior to meeting date.

SUMMARY INDEX
Governing Body
November 10, 2020

	ITEM	ACTION	PAGE
1.	Call to Order	Convened at 4:00 p.m.	1
2.	Pledge of Allegiance	led by Councilor Romero-Wirth	1
3.	Salute to the State Flag	led by Councilor Abeyta	1
4.	Invocation	led by Councilor Villarreal	1
5.	Roll Call	Quorum Present	1-2
6.	Approval of Agenda	Approved as presented	2
7.	Approval of Consent Calendar	Approved as amended	2-3
8.	Approval of Minutes		
	Emergency - October 22, 2020	Approved as presented	3
	Regular - October 28, 2020	Approved as presented	3
9.	Presentations	None	4
10.	Consent Calendar Listing	Listed	4-6
	i) Rezoning Castillo properties	Approved as amended	6-7
11.	Discussion/Action Items		
	a) On-Call Design PSA Amendment 1	Approved as presented	7-8
	b) Impact Fees Public Hearing Notice	Approved as presented	8
	c) San Juan/Chama NEPA	Approved lead agency	9-10
12.	Matters from the City Manager	Matters given	10-11
13.	Matters from the City Attorney	Recommended executive session	11
	Executive Session	4:42 – 6:22 pm	11-12
14.	Matters from the City Clerk	Communicated	20-21
15.	Communications from Gov. Body	Communicated	21-23
	Evening Session	7:20 pm	13
16.	Roll Call	Quorum present	13
17.	Petitions from the Floor	Petitions made	13-15
18.	Appointments		
	• Santa Fe Women's Commission	Approved	15-18
19.	Public Hearings		
	a. 2019-2020 CAPER Report	Approved as presented	18-19
	b. Descartes Lab Tenant Improvements	Postponed	20
	c. Descartes Lab E.D. Loan	Postponed	20
20.	Adjournment	Adjourned at 7:48 pm	24

Minutes of the
Regular Meeting of the Governing Body
Wednesday, November 10, 2020
Virtual Meeting

AFTERNOON SESSION

1. CALL TO ORDER

A regular meeting of the Governing Body of the City of Santa Fe, New Mexico, was called to order by Mayor Alan Webber, on Wednesday, November 10, 2020, at approximately 4:04 p.m., at the Council Chambers at City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico as a virtual meeting.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilor Villarreal.

3. SALUTE TO THE NEW MEXICO FLAG

The Salute to the New Mexico Flag was led by Councilor Lindell.

4. INVOCATION

The Invocation was led by Councilor Rivera.

Councilor Vigil Coppler remembered Carl Miller, former City Councilor, and Mayor Webber remembered Jerry Fuentes, who worked at the Roundhouse.

The Governing Body observed a moment of silence for those who died and for their grieving families.

5. ROLL CALL

Roll call indicated the presence of a quorum remotely, as follows:

Members Present Remotely
Mayor Alan Webber
Councilor Roman “Tiger” Abeyta
Councilor Jamie Cassutt-Sanchez

Councilor Michael J. Garcia
Councilor Signe Lindell
Councilor Christopher M. Rivera
Councilor Carol Romero-Wirth
Councilor JoAnne Vigil Coppler
Councilor Renee D. Villarreal

Members Excused

Other Participants Attending Remotely
Jarel LaPan Hill, City Manager
Erin McSherry, City Attorney
Yolanda Y. Vigil, City Clerk
Jesse Guillen, Legislative Liaison
Sally Paez, Assistant City Attorney
Elias Isaacson, Planning and Land Use Director
Marcos Martinez, Assistant City Attorney
Carlos Gemora, Planner Senior
Jesse Roach, Water Division
Kyra Ochoa, Community Services Director
Regina Wheeler, Public Works Director
Sam Burnett, Property Maintenance Manager
Alexandra Ladd, Affordable Housing Director
Carl Boaz, Council Stenographer

6. APPROVAL OF AGENDA

MOTION: Councilor Lindell moved, seconded by Councilor Vigil Coppler, to approve the agenda as presented.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt--Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

7. APPROVAL OF CONSENT CALENDAR

Councilor Vigil Coppler requested discussion on Item 10(i)

MOTION: Councilor Villarreal moved, seconded by Councilor Vigil Coppler, to approve the Consent Calendar as amended with 10(i) removed for discussion.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt--Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

8. APPROVAL OF MINUTES:

Special Governing Body Meeting on October 22, 2020

MOTION: Councilor Rivera moved, seconded by Councilor Lindell, to approve the minutes of the Emergency Governing Body meeting on October 22, 2020 as presented.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt--Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

Regular Governing Body Meeting – October 28, 2020

MOTION: Councilor Lindell moved, seconded by Councilor Vigil Coppler, to approve the minutes of the Regular Governing Body meeting on October 28, 2020 as presented.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt—Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

9. PRESENTATIONS

There were no presentations.

10. CONSENT CALENDAR LISTING

a. Approval of Maintenance Agreement for Roadway Lighting at NM599- US 84/285 Interchange with the New Mexico Department of Transportation (NMDOT). (Regina Wheeler, Public Works Division Director, rawheeler@santafenm.gov, 955-6622)

b. Request Approval of Capital Reallocation of 2018 GRT Bond for Parks Equipment & Machinery and Circle Drive Paving. (Melissa McDonald, Acting Parks Division Director, mamcdonald@santafenm.gov, 955-6840 and Mark Brooks, Streets & Drainage Project Administrator, mebrooks@santafenm.gov, 955-2404)

c. Request for Approval of a Memorandum of Agreement with Santa Fe County for Coordinating Health and Human Service Provider Navigation Services Through the CONNECT Network. (Kyra Ochoa, Community Services Department Director, krochoa@santafenm.gov, 955-6603)

d. Request for Approval of a Sole Source Vendor for a 4 Year Term in the Total Amount of $224,424.96 for Oliver Food Products Food Trays and Seal Lidding; Oliver Food Products. (Gino Rinaldi, Senior Services Division Director, earinaldi@santafenm.gov, 955-4710)

e. Request for Approval of Amendment No.1 to Professional Services Agreement (PSA) with Carollo Engineers Inc. for a Term Extension of Two (2) Years. (John Del Mar, Public Utilities Engineer, jpdelmar@santafenm.gov, 955-4231)

f. CONSIDERATION OF RESOLUTION NO. 2020-41. (Finance Committee)

A Resolution Relating to a Request for Approval of First Quarter Budget Amendments for Fiscal Year 2020/2021. (Andy Hopkins, Principal Budget Analyst, ajhopkins@santafenm.gov, 955-6177)

g. Request for Approval of License Agreement in Exchange for Obligations of Licensee for an Indefinite Term Between the City of Santa Fe and New Mexico Department of Cultural Affairs. (Sam Burnett, Public Works Project Administrator, jsburnett@santafenm.gov, 955-9533 and Andrea Salazar, Assistant City Attorney, asalazar@santafenm.gov, 995-6303)

h. CONSIDERATION OF RESOLUTION NO. 2020-42. (Councilor Romero-Wirth and Councilor Cassutt-Sanchez)
A Resolution Urging the Legislature of the State of New Mexico to Repeal the Statutory Provisions Preempting Stricter County and Municipal Regulation of the Sale of Cigarettes, Tobacco Products, and Electronic Smoking Devices. (Rich Brown, Economic Development Director, rdbrown@santafenm.gov, 955-6625)

i. This consent item was removed for discussion by Councilor Vigil Coppler.

j. Request for Approval of the Finding of Facts and Conclusions of Law in the Following Requests by Aguafina Development, LLC, Owner, for Properties Located at 4262 Agua Fria Street and 4701 & 4702 Rufina Street: (Erin K. McSherry, City Attorney, ekmcsherry@santafenm.gov, 955-6512)

(a) Request in Case #2020-2273 to Amend Conditions of Approval that the Governing Body Imposed in the Findings of Fact and Conclusions of Law for Case #2012-104, which Approved Rezoning Ordinance 2013-12, by Adopting New Findings of Fact and Conclusions of Law;

(b) Request in Case #2020-2274 to Rezone the Property at 4701 Rufina Street from R-3 (Residential- One Dwelling Unit Per Acre) to R-5 (Residential-Five Dwelling Units Per Acre); and

(c) Request in Case # 2020-2287 to Rezone the Property at 4702 Rufina Street from R-3 (Residential-One Dwelling Unit Per Acre) to R-6 (Residential-Six Dwelling Units Per Acre).

k. Request to Publish Notice of Public Hearing on December 9, 2020:
An Ordinance Amending Section 2-4.6 SFCC1987 to Allow the City Manager to Enter Agreements Accepting Funds that Are Offered to the City Without Time to Place the Agreements on the Next Scheduled Governing Body Meeting, with Ratification by the Governing Body at the Next Scheduled Meeting for which the Deadline to Include the Matter on an Agenda Has Not Yet Passed; and Amending Section 11-4 to Allow the City Manager to Approve Grant Applications, Grant Awards, Grant Match Requirements, and Grant Agreements in Any Amount if the Deadline to

Approve Such Documents Occurs Before the Deadline to Include the Application or Award on the Agenda for the Governing Body's Next Regularly Scheduled Meeting, with Ratification by the Governing Body at the Next Scheduled Meeting for Which an Agenda Has Not Yet Been Posted. (Councilor Rivera and Councilor Cassutt-Sanchez) (Marcos Martinez, Senior Assistant City Attorney, mdmartinez@santafenm.gov, 955-6502)

l. Request for Approval of Liquor Hearing Officer's Recommendation to Approve the Request from Arias Espinoza, LLC for a Restaurant Liquor License (Beer and Wine), with On-Premises Consumption Only, to be Located at Cafe Grazie, 3530 Zafarano Drive, Suite C3. (Yolanda Y. Vigil, City Clerk, yyvigil@santafenm.gov, 955-6521)

m. Request for Approval of 2021 Employee Calendar. (Bernadette Salazar, HR Director, bjsalazar@santafenm.gov, 955-6591)

n. Request for Approval of City of Santa Fe Schedule for 2020 Governing Body and Council Committee Meetings. (Yolanda Y. Vigil, City Clerk, yyvigil@santafenm.gov, 955-6521)

CONSENT CALENDAR DISCUSSION

i. Request for Approval of the Governing Body's Findings of Fact and Conclusions of Law in the Request by Celia and Alvino Castillo, Owners, in Case #2020-2267 to Amend the Conditions Attached to Rezoning Ordinance No. 1998-4 for Properties Located at 719, 721, 723, 723½ Don Diego. (Erin K. McSherry, City Attorney, ekmcsherry@santafenm.gov, 955-6512)

Councilor Vigil Coppler explained she asked for discussion on this request because the Findings of Fact didn't mention that she recused herself and she would like that included.

Ms. Paez saw no problem with that. That could be added at the end of the Findings to say, "approve the draft in the packet with one additional Finding that Councilor Vigil Coppler recused herself in the vote to approve."

Ms. McSherry said the motion should be made by another Councilor.

MOTION: Councilor Villarreal moved, seconded by Councilor Cassutt-Sanchez, to approve the Consent Calendar Item 10(i) as amended.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt--Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

11. DISCUSSION/ACTION ITEMS

a. Request for Approval of Amendment #1 to Professional Service Agreement for On Call Design Services to Increase Compensation in an Amount Not to Exceed $500,000, Exclusive of NMGRT; Wilson & Company. (Regina Wheeler, Public Works Department Director, rawheeler@santafenm.gov, 955-6622)

Ms. Vigil read the caption for this request.

Director Wheeler addressed the request. It is to increase the amount for the Wilson & Company on-call design contract for additional support for traffic engineering because there is no professional engineer for traffic on Staff. Wilson & Company have experience providing such services. Mario Cervantes, VP is present to answer questions.

MOTION: Councilor Lindell moved, seconded by Councilor Romero-Wirth, to approve Amendment #1 to the PSA with Wilson & Company as presented.

Discussion on the Motion:

Councilor Rivera asked at what point it would become less expensive to hire an engineer versus paying on this contract for traffic engineering.

Director Wheeler explained that the City has posted for both engineering positions and both have been increased in grade. That is a step we needed to take.

Councilor Rivera asked for an estimated timeline, whether 3 months or 6 months.

Director Wheeler was not sure and added that it has been hard to find one

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt--Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

b. Request to Publish Notice of Public Hearing on December 9, 2020: An Ordinance Regarding Impact Fees, Amending Subsection 14-8.14(E) SFCC 1987 to Adopt a New Impact Fee Schedule and to Clarify Appropriate Land Use Categories as they Relate to Impact Fee Collection; and Establish an Effective Date. (Mayor Webber) (Carlos Gemora, Planner Senior, cegemora@santafenm.gov, 955-6670)

Ms. Vigil read the caption for this item.

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Cassutt-Sanchez, to approve the request to publish notice for the Public Hearing on December 9, 2020 as presented.

Discussion on the Motion:

Mr. Gemora said this public hearing will publicly present the update for 2021-2017 Impact Fees. He gave the presentation yesterday to the Public Works and Utilities Committee and could do it again if needed.

Councilor Villarreal asked what the review schedule is and what other committees would review the ordinance.

Mr. Gemora said it would be heard at Finance on November 30 and considered by the Governing Body on December 9.

Councilor Villarreal understood this is just to publish notice and she was in favor.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt--Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

c. Discussion and Action on a Request from the City of Santa Fe to Cooperating Federal Agencies for the Bureau of Reclamation to be the Lead Agency for National Environmental Policy Act (NEPA) Coverage on the San Juan Chama Return Flow Pipeline Project. (Jesse Roach, Water Division Director, jdroach@santafenm.gov, 955-4309 and Marcos Martinez, Sr. Asst. City Attorney, mdmartinez@santafenm.gov, 955-6502)

Ms. Vigil read the caption for this item.

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Lindell, to approve the request as presented.

Discussion on the Motion:

Director Jesse Roach said the Water Division is fulfilling the federal permit requirements under NEPA for the pipeline. A single federal agency can lead the process, or all potential federal agencies can cooperate. In this one, the Bureau of Reclamation has given verbal approval to lead the process.

Mr. Martinez added that the purpose is simply to formalize the lead agency. The NEPA needs to be conducted according to the statute. This request makes concrete that the Bureau of Reclamation will be the lead agency and others cooperate. This is just the first step in the federal NEPA process.

Councilor Villarreal asked why BLM, or the Forest Service wouldn't be the lead agency since the pipeline goes through their property.

Mr. Martinez said they are cooperating agencies but would not be the lead agency.

Director Roach said it is a choice and they deferred to Reclamation because it is more about use of water than about land. This just formalizes which agency is lead and which are cooperating agencies. Also other agencies such as State Engineer, Environment Dept, will participate the Bureau of Reclamation felt they could lead it. They are also leading the Pojoaque Basin Water System project, and this is a request to affirm the City is saying the Bureau of Reclamation can be the lead agency. They will lead and the City will provide technical and background support.

Councilor Villarreal understood.

Councilor Vigil Coppler asked about the signatory on the letter. She wanted to know who Jennifer was who signed the letter on City stationery.

Director Roach said she is the Area Manager for the Bureau of Reclamation.

Councilor Vigil Coppler noted it is on City stationary and needs a date.

Mr. Martinez said the date will be put on when approved by the Governing Body. If the feds have a problem with the letterhead, we will change it.

Councilor Vigil Coppler thought it was misleading to have a non-staff member sign for the City. She just didn't like that. It implies she is a person who works for the City. And there is a page break there, which doesn't help. She asked why it is not on Bureau of Reclamation stationery.

Mr. Martinez said they provided a template for it.

Councilor Vigil Coppler reasoned that Mr. Martinez could perfect it a little bit.

Mayor Webber explained that this is not an approval on a pipeline. It is just approving a lead agency for the Environment Assessment or other formal reviews. This just asserts which lead agency the City will be working with.

Director Roach agreed.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt--Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

Mayor Webber asked Mr. Martinez to clarify who is to be on it.

12. MATTERS FROM THE CITY MANAGER

Manager LaPan Hill said there will be a special Governing Body meeting on November 18 at 4 pm.

She announced that during the past week, the City awarded small business grants totaling $670,000 to four businesses. The team is moving quickly to spend the

money and we have webinars on the City webpage. She noted that these are grants, not loans.

Santa Fe is tracking COVID cases and training all division directors to walk through every detail. The turnaround is much faster, and everyone knows what to do. She is asking everyone to stay home when they can. We are working with all employees at home when possible.

Lastly, she acknowledged Veterans Day is a holiday tomorrow.

13. MATTERS FROM THE CITY ATTORNEY

Ms. McSherry introduced her recommendation for the executive session which is allowed under Section 10-15-1 (H)(8) to discuss property acquisition of the Midtown property and the property at 730 Alto Street.

EXECUTIVE SESSION
In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1, Part (H)(8), Discussion of the Acquisition and/or Disposition of Property, Specifically, Property Located at 730 Alto Street and the Midtown Property, Formerly the College of Santa Fe and Santa Fe University of Art and Design. (Erin K. McSherry, City Attorney, ekmcsherry@santafenm.gov, 955-6512)

MOTION: Councilor Rivera moved, seconded by Councilor Villarreal, to go into executive session to discuss the matters recommended by the City Attorney as listed on the agenda.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt--Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

Councilor Abeyta announced he would recuse himself on the discussion of the Alto Street property.

Mayor Webber said they would discuss the Midtown property first and then 730 Alto Street property.

The Governing Body went into Executive Session at 4:42 pm.

The Executive Session ended at 6:22 pm.

MOTION: Councilor Rivera moved, seconded by Councilor Cassutt-Sanchez, to return from executive session, stating for the record that the matters discussed were limited to those listed on the agenda.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt--Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

AGENDA AMENDMENT

MOTION: Councilor Romero-Wirth moved, seconded by Councilor Garcia, to amend the agenda, moving agenda items 14 and 15 to the end of the meeting.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt--Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

14. MATTERS FROM THE CITY CLERK

This item was considered after Public Hearings.

15. COMMUNICATIONS FROM THE GOVERNING BODY

This item was considered after Public Hearings.

EVENING SESSION – 6:33 P.M.

16. ROLL CALL

Members Present Remotely
Mayor Alan Webber
Councilor Roman "Tiger" Abeyta
Councilor Jamie Cassutt-Sanchez
Councilor Michael J. Garcia
Councilor Signe Lindell
Councilor Christopher M. Rivera
Councilor Carol Romero-Wirth
Councilor JoAnne Vigil Coppler
Councilor Renee D. Villarreal

17. PETITIONS FROM THE FLOOR

Lydia Clark suggested, and Councilor Garcia mentioned some time ago, that the Council needs more than one meeting in November and December. She also hoped that City could post something about Midtown, which she knew was discussed in executive session and not having not posted anything about it since June.

We think Descartes Lab should not receive any more funding from the City or the State. They already got $2.2 million contract from Sandia Labs. That is enough to get them through the pandemic.

She urged the City pass resolutions opposing production of plutonium pits at LANL, to demand transparency from the Lab about the plan. Nothing has been posted on the plan by them, the City or the State. She asked where the plan is. She requested the City ask for hearings with the opportunity to talk with LANL representatives from City Council and the public to voice concerns. And instead of plutonium pit production, the City should support responses to crises of environment, economics, and social issues. We are going through difficult times. Each pit would cost $40-60 million to produce.

Miguel Gabaldon wanted to thank the City and the Police Department on their efforts to follow through with the criminal activity on the Plaza, October 12th, and destruction of public property. He applauded continued efforts to locate the other participants in this crime and to prosecute them to the full extent of the law. It was not an exercise of constitutional rights but a crime that was committed.

They destroyed something the citizens did not have a say so. He hoped it gets reconstructed and proper action taken and it gets to the DA. He did not support more meetings. The Council has worked hard. Enjoy the holidays and get some rest.

Stefanie Beninato agreed with Lydia Clark on Descartes and the LANL pit production. She said she had submitted written remarks about more transparency. There were problems with Public Works in not follow proper procedures in getting meters operational for more than a year. The problem was with invoices and not getting the contractor to go forward. Instead of opening in October, it will not open until the end of the year. She thanked the Recreation Staff, especially John Muñoz for working through all the problems for full use and being somebody to talk to so we don't have to take 3½ hours per week to get those appointments. She also asked the Governing Body to look at the letters to the editor in today's New Mexican and the points about the grants from the Mellon Foundation for planning about obelisks and other monuments. There is a private group that is trying to work on that. It is a private nonprofit. But it is the City who would be taking on the process. And even though she is a member of that group, it is just not the right tool for Mellon grant. She also asked for a definition of days."

Benjy Bonet registered a comment on planned extended pit production at LANL. He focused on the risks of production and pointed out that many of the new jobs will be among most hazardous in this industry with toxic exposure. The federal support means LANL will be hiring more engineers and scientists and other skilled workers. Their recruitment is from high schools in northern New Mexico with lures of free paid tuition, paid internships and promise of a position. But there is no focus on the hazards in their promotion to high positions at LANL.

Katherine Shura continued Benjy's comments. These are apprenticeship programs. She asked if the young people being recruited have been properly informed about LANL's numerous safety violations and if they had an opportunity to hear of former workers in their struggle to get compensation for their injuries. She said they have destroyed workers' medical records. Some former workers who have suffered illness and injury from radiation and exposure to toxic chemicals remain uncompensated by the federal government to this day. She mentioned three former workers who suffered. The young people being recruited deserve protection from exploitation. She felt there were no free rides to these most dangerous jobs in the nuclear industry. She urged the Council to oppose pit production as a pillar of our economy and oppose expansion of plutonium production at LANL and a resolution to oppose any participation by the City of Santa Fe with entities engaged in nuclear weapon production.

Alexis Martinez Johnson thanked the Governing Body for their time and service. She addressed the security barrier around the obelisk at the Plaza. People are still affixing inflammatory messages to the barricades and felt that should be looked at. She said the security officers just shrugged. She removed some that were affixed to City property and asked the Governing Body to inform the security personnel to stop that from happening.

Secondly, she spoke about yesterday's meeting regarding the Plaza. She wanted the Governing Body to understand the full extent of discontent in the community when choosing people for the Commission and consider the forgotten voices in Santa Fe. Please consider them.

She heard some rhetoric about LANL. For the past 75 years scientists and engineers who were making sure our nation was committed to democracy here. There are regimes who would do whatever they could to attack the United States. So we use nuclear energy as a deterrent. The plutonium pits are essential to ensure those other regimes do not in the future take advantage of America. She said, "I am here today to provide a different voice, one that you all may not typically hear, but one that is definitely needed in Santa Fe and the greater New Mexico. Please listen to other voices that do have value and have expertise."

Virgil made a statement about selections of the Committee members. He made a point that because the Mayor could select the members he wants, the work of the committee would correspond to his biases. At the bandstand, the Mayor made a promise to the Three Sisters. Since then he has fulfilled two of his promises. The Mayor is a biased individual. The Mayor's chart will not be valid if he does not correct this. It must be transparent. We don't know of the secret list he got from Javier Gonzales and all the other monuments that must be moved. We know nothing about it. We need to know. The Mayor made that commitment to Three Sisters and we need to hold him to it.

There were no other petitions from the floor.

18. APPOINTMENTS

a. Santa Fe Women's Commission

Ms. Vigil read the appointment list.

Candice L. Flint, Chair	(District 3)	term ending 11/2021
Sascha Anderson	(District 1)	term ending 11/2021
Olivia Sloan	(District 2)	term ending 11/2021

Araseli Varela	(District 4)	term ending 11/2021
Fatima Van Hattum	(At-Large)	term ending 11/2022
Gabriela Schwenker	(At-Large)	term ending 11/2022
Vickie L. Gabin	(At-Large)	term ending 11/2022
Kate Cleaver	(Alternate)	term ending 11/2022
Carla Bachechi	(Alternate)	term ending 11/2022

MOTION: Councilor Lindell moved, seconded by Councilor Romero-Wirth, to approve the Santa Fe Women's Commission members as presented.

Discussion on the Motion:

Councilor Rivera was curious about the process. People responded in February who wanted to be on the Commission. He had a constituent from the southwest area who had submitted her application and resume in January to the City Manager. But he was not sure she was even considered for it. He did not know who chose the appointees and was not sure who the District 3 representative is. There was no address on it, so he could not confirm if the person lived in District 3. He found that problematic and asked if anyone could answer his questions.

Mayor Webber asked Director Ochoa to respond since she and her team sorted through the applicants. It is worth noting that the work done led to a group of candidates and unfortunately, COVID put it in a holding pattern and caused delays that were not Director Ochoa's fault.

Director Ochoa clarified that they had two calls for candidates. The first round did not result in enough candidates. Candace Flint was chosen from District 3 and she was the only candidate from District 3. Her address was certified by the City Clerk's office. There were 24 who submitted. Twelve candidates were interviewed and out of those, seven voting members were chosen, based on experience and diversity.

Councilor Rivera said his constituent was very involved in the community. He received a copy of the email she sent back in February, which clearly never made it to the selection committee. It is now too late to remedy that. He was not sure what happened with other applicants, but this constituent will not even get a thank you letter for applying. She has tried to get on other committees in the past.

Mayor Webber pointed out the first round of terms end in one year and we can revisit it at that time. So there is a chance for more outreach. It doesn't fully answer Councilor Rivera's problem, however.

Councilor Villarreal was frustrated with the process - not about the first round but at the second round, Councilors were not notified. A combination of COVID and

staff transitions evidently contributed. What is hard is to make sure that people are communicating and apparently, some of them go into the spam folder and they have no notification. It was shut down for a while and she wished Councilors would be notified. She was surprised to see this on the agenda and surprised to see who applied and wanted to make sure diversity was involved.

People from the public told her they heard nothing from their own application. The City needs to notify everyone who applied. That should be a normal practice. She wasn't sure who would take the lead, but it needs to be respectful to them and do a better job moving forward. A letter needs to be sent to all of them informing them they were not selected and giving other options they could follow. That should be a standard procedure.

She was curious, in light of COVID, the inactivity of many of the committees. There is a lot going on in Director Ochoa's department and how fast these committees could be staffed and particularly this one.

Director Ochoa said her department anticipated devoting about ten hours per week and we have a staff person to do that. The barrier is not as much on our end but on the technical end.

Councilor Villarreal asked Ms. Vigil about it also.

Ms. Vigil said the Staff is working through which staff member should be the liaison for each committee. We have a moratorium, and those liaisons must have City Manager approval.

Councilor Villarreal said she has been anxiously awaiting. This group is composed of strong individuals and she just wanted to make sure Staff supports their work.

Councilor Garcia wanted to clarify the process. There were 24 who applied and once the review of them happened, 12 were available for interviews and that dwindled down to 9 with 7 in voting positions.

Director Ochoa agreed.

Councilor Garcia requested when the opportunity goes out for applicants again, to have a much broader outreach. He didn't see much diversity in this group. He urged that diversity be considered more when the first term ends. Secondly, he asked if the Governing Body is approving all of them or just a single class.

Ms. Vigil clarified that all are being considered for approval. They have staggered terms.

Director Ochoa said her Staff spent 238 hours on this project and were very dedicated to ensuring a diverse Commission. Ethnicity was one factor and there are two indigenous women nominated and Hispanic women. The rest were Anglo. There is a diversity of experience and background and sexual orientation. We will be looking for a wide range of people to participate in the work of the Women's Commission who are not necessarily members of the Commission. She felt they were reaching out to the community as much as possible and hoped more people come to the meetings.

Councilor Garcia said he was not questioning the time spent but to see how we can promote it further. Maybe a survey would help get more responses as Mr. Guillen had suggested to expand our pool of applicants. We just need a broader pool. There are many women who could participate. We might get 50-100 next year.

Councilor Vigil Coppler thanked Director Ochoa's Staff for going through them. She had suggestions about using Councilors to suggest names from our constituent base. We know the people in our neighborhoods. It did take a very long time. We spent a long time perfecting the resolution. It seemed like a year. She was suspecting it might not be important to some people but glad it is important to the City. She understood this resolution has a sunset clause and now they are a year behind.

Her other point was not about diversity but about talent. When we developed the resolution the issue included equal pay around the City. It is not just social and economic issues but also discussion on how women are treated in our City and if overtime is treated differently among men and women. She reached out and found there are lots of issues about pay equity. She didn't see anyone on the committee who has that kind of skill. She did look at all the resumes and maybe that kind of background can lend itself to those issues. It affects women in their pocketbook as compared to men.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt--Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

Mayor Webber apologized to Director Ochoa for the delay in getting members on the committee.

19. PUBLIC HEARINGS

a. Public Hearing on the 2019 – 2020 CAPER to be Submitted to HUD. (Alexandra Ladd, Director, Office of Affordable Housing, agladd@santafenm.gov, 955-6346)

Ms. Vigil read the caption for this hearing.

Mayor Webber reviewed the procedure.

Staff Presentation

Director Ladd said the CAPER is the year-end report to HUD to describe how we used the federal funds ending on June 30. With COVID and other challenges, the deadline was moved to December. It is a big report, and we are using online resources, so we must adjust the tables. Some table titles don't make any sense. But the Executive Summary gives a true sense of how many people are helped in the program and how we can meet the needs of people in the community. Those needs exploded in the latter part of the year. These agencies did everything possible to help them and we don't know what will happen in the coming year.

One number not in the draft is the City's award of $361,000 of CARES Act funding to provide support for the next few months at Midtown shelter. We have not drawn on them yet. But resources are being made available and she will include that before turning it into HUD.

Public Hearing

There were no speakers from the public and the public portion ended.

Governing Body Questions and Discussion

MOTION: Councilor Villarreal moved, seconded by Councilor Vigil Coppler, to approve the 2020 CAPER as presented.

Discussion on the Motion:

Councilor Vigil Coppler congratulated Director Ladd for all the work she has put in and she knew the HUD report takes a lot of work. This has a lot of information and is understandable. We often don't have questions because her work is always very complete.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt--Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

b. CONSIDERATION OF BILL 2020-11. ADOPTION OF ORDINANCE NO.2020____. (Mayor Webber, Councilor Cassutt-Sanchez, Councilor Abeyta, Councilor Lindell and Councilor Vigil Coppler)
An Ordinance Relating to the City of Santa Fe Economic Development Plan Ordinance, Article 11-11 SFCC 1987; Approving and Adopting an Amended Local Economic Development Project Participation Agreement between the City of Santa Fe and Descartes Labs, Inc. for Design, Development and Construction of Tenant Improvements; and Lease Payments for Expansion of a New World Headquarters Facility, a Local Economic Development Project. (Fabian Trujillo, Office for Business Growth Manager, ftrujillo@santafenm.gov, 955-6912) (Postponed July 8, 2020, July 29, 2020, August 12, 2020, and October 14, 2020)

This agenda item was withdrawn.

c. CONSIDERATION OF BILL 2020-12. ADOPTION OF ORDINANCE NO. 2020____. (Mayor Webber, Councilor Cassutt-Sanchez, Councilor Abeyta, Councilor Lindell, and Councilor Vigil Coppler)
An Ordinance Relating to the City of Santa Fe Economic Development Plan Ordinance, Article 11-11 SFCC 1987; Approving and Adopting a Local Economic Development Project Participation Agreement Between the City of Santa Fe and Descartes Labs, Inc. for an Economic Development Loan Project for Lease Payments to Provide Assistance for the Negative Financial Impacts of COVID-19. (Fabian Trujillo, Office for Business Growth Manager, ftrujillo@santafenm.gov, 955-6912) (Postponed July 8, 2020, July 29, 2020, August 12, 2020, and October 14, 2020)

This agenda item was withdrawn.

14. MATTERS FROM CITY CLERK.

Ms. Vigil said the video 1111, in honor of veterans here and across the country, would be on the City's Facebook page tomorrow. She announced the Veterans Day celebration would be virtual this year in place of the traditional Veteran's Day parade. The video will be available later at the City's Youtube page. She personally thanked all who have served.

15. COMMUNICATIONS FROM GOVERNING BODY.

Councilor Lindell wished a happy Veterans' Day to everyone and thanked all our veterans for their service.

Councilor Garcia introduced a resolution re-establishing the Bicycle and Trail Advisory Committee and introducing a resolution adopting the City of Santa Fe Mitigation Plan. He also thanked all veterans for serving our country and looked forward to seeing the video 1111. We had 90 infections today and 600 for the week. It is mind-blowing. The schools have stopped in-person learning today. We really need to tighten the belt and keep everyone safe. The virus has impacted him with family members and friends who have caught it. It is coming closer and closer and he didn't want anyone else to catch it.

He expressed disappointment that we are fast-tracking the Chart Committee. It was to have been heard in December and now will be heard next week. So it gives Councilors less time to give input and work on it. It is a disservice to the community. He didn't know why that decision was made. We should have kept the Chart Commission on the December 9 agenda.

Councilor Villarreal wished a happy birthday to her Dad. She appreciated his sense of humor. Thanks to Constituent Services for organizing the trash pickup around the Interfaith Shelter last weekend. She was glad to see some colleagues there (at a distance). It was important to do that. She looked forward to other opportunities for those pickups. If we could expand and still keep our socially distance. She also thanked Staff for organizing the flu shots in a safe way.

She wished Happy Veteran's Day to veterans and was anxious to see the video Mr. Abeyta produced.

She introduced a resolution cosponsored with Councilor Lindell regarding public use requirements for the Guadalupe Street reconstruction Project. She also introduced a resolution extending the earlier start time of afternoon sessions of the Governing Body to 4:00 P.M. and evening

sessions of the Governing Body meetings to 6:00 P.M. through the June 30, 2021 Governing Body meeting. She said she was not wed to those times but was putting it out there to consider. She wanted to hear the opinions and other ideas from colleagues at the December 9 meeting.

Councilor Rivera was grateful to all vets for sacrifices made. And like Councilor Villarreal, he thanked all who helped clean around Pete's Place. Chief Joye bought some tools personally to help with it.

Councilor Vigil Coppler was very grateful for all veterans in the City and around the nation. We owe them a lot. We enjoy our freedom because of them. She was thankful for the banners on Cerrillos Road. A video on it is on YouTube. The banners will come down on Thursday and stored. We are looking to have more durable flags next time. We will test them so they can stay up. It is a great way to recognize veterans for those months and show the city how we care about them. They will go back up next Memorial Day.

She signed on to the BTAC resolution and City Mitigation Plan.

Councilor Cassutt-Sanchez – introducing resolution declaring the eligibility and intent of the City of Santa Fe to submit an application to the New Mexico Department of Transportation for federal fiscal year 2022 Section 5310 program funds for enhanced mobility of seniors and individuals with disabilities program. She also wished a happy veterans' day to our veterans.

It is crucial to talk about COVID and our precarious situation now - widespread and expanding quickly. We need to stay at home as much as possible and soon won't have the outdoors to be in. We all need to stay safe and follow the orders for every member of our community. Risks are not just for self but for the whole city.

Thanks for cleanup over the weekend. It was wonderful to see people in 3-D and thanks to Environment Services for organizing the event.

She wished a happy birthday to her grandmother and didn't know how old she is. She really missed seeing her. She might share it with her nephew because her sister-in-law is in labor right now. So probably a birthday on November 10 or 11.

Councilor Abeyta also thanked vets and those now serving and thanks to everyone who participated in the election last week. Every vote really does count and matters, and people can make a positive change with

voting. Also thanks to County Clerk, Secretary of State, and all poll workers. He hoped for the same voting turnout next year with the local election.

Councilor Romero-Wirth echoed some of things said. She felt it was a great clean up and great to be out of our zoom boxes and be able to talk in person. It is unfortunate we don't have more of them. Happy Veterans' Day and looking forward to the video. She would be thinking tomorrow of her relatives who are buried in the National Cemetery.

Regarding COVID, she reminded all that masks are a local law. It was important when we did it and more important today. When she goes out, she sees a lot of "nose peeping." Get the mask over your nose. Like Councilor Cassutt-Sanchez has said, "No nose-peeping."

Mayor Webber echoed many of those things. He said hello to his new friend Steve when we were cleaning up Harrison Road and shared what he felt we should do. It was a rousing success and opportunity to do something physical.

On a serious note, COVID is really reaching a point of massive impact on people's health and economic recovery so we must bend the curve.

Director Ochoa is doing an incredible job getting CARES Act money out into the community. For those who need help, go to Connect. Small business grants are also available to help small businesses survive.

He echoed Councilor Abeyta's comment on the election. Even though some were upset, the demonstration at the roundhouse maintained order and he thanked police who made sure it did not get out of hand.

We are not enemies. We just don't see things the same way and need time to heal. Veteran's Day is very important in his life. The statistics in New Mexico of those who served and are serving now show the extent of patriotism in northern New Mexico. It is deep-seated in our families and they deserve deep gratitude and help for what they need when they come home.

His Dad and uncle were kids when they went to war in World War II. He had the honor to visit the graveyard at Normandy. Tombstones of people who rushed to shore with guns bearing down on them, and democracy was saved. So to all who served and are serving, we are so grateful for all you have done for our country.

20. ADJOURN

Having completed the agenda and with no further business to come before the Governing Body, the meeting was adjourned at 7:48 p.m.

Approved by:

_____
Mayor Alan Webber

ATTESTED TO:

_____
Yolanda Y. Vigil, City Clerk

Respectfully submitted by:

Carl G. Boaz, Council Stenographer

CITY COUNCIL MEETING
EXECUTIVE SESSION
November 10, 2020

The Governing Body of the City of Santa Fe met in an executive session duly called on November 10, 2020 beginning at 4:44 p.m.

The following was discussed:

In Accordance with the New Mexico Open Meetings Act, Specifically NMSA 1978, Section 10-15-1, Part (H)(8), Discussion of the Acquisition and/or Disposition of Property, Specifically, Property Located at 730 Alto Street and the Midtown Property, Formerly the College of Santa Fe and Santa Fe University of Art and Design.

PRESENT
Mayor Webber (Attended Virtually)
Councilor Abeyta (Attended Virtually) (Left at 5:27 p.m.)
Councilor Cassutt-Sanchez (Attended Virtually)
Councilor Garcia (Attended Virtually)
Councilor Lindell (Attended Virtually)
Councilor Rivera (Attended Virtually)
Councilor Romero-Wirth (Attended Virtually)
Councilor Vigil Coppler (Attended Virtually)
Councilor Villarreal (Attended Virtually)

STAFF PRESENT
Jarel LaPan Hill, City Manager (Attended Virtually)
Erin K. McSherry, City Attorney (Attended Virtually)
Yolanda Y. Vigil, City Clerk (Attended Virtually)
Rich Brown, Community & Economic Development Director (Attended Virtually)
Andrea Salazar, Assistant City Attorney (Attended Virtually)

There being no further business to discuss, the executive session adjourned at 6:22 p.m.

Yolanda Y. Vigil, City Clerk

SUMMARY INDEX
Governing Body
November 18, 2020

	ITEM	ACTION	PAGE
1.	Call to Order	Convened at 4:00 p.m.	1
2.	Pledge of Allegiance	led by Councilor Rivera	1
3.	Salute to the State Flag	led by Councilor Romero-Wirth	1
4.	Invocation	led by Councilor Vigil Coppler	1
5.	Roll Call	Quorum Present	1-2
6.	Approval of Agenda	Approved as amended	2
7.	Discussion/action Items		
	a) STR Permit Limits Ordinance	Approved as presented	2-4
	b) FII CARES Act Contract Amendment	Approved as presented	4-5
	c) Santa Fe Suites		
	1. Community Solutions Agreement	Approved as presented	5-12
	2. City Manager to approve	Deleted from the Agenda	12
	d) BAR for Facilities Safety Costs	Approved as presented	12-13
	e) BAR for Fire Equipment/Supplies	Approved as presented	13
	f) Removed from Agenda		14
	g) BAR for CONNECT Program	Approved as presented	14
8.	Communications from Gov. Body	Communicated	14-16
9.	Adjournment	Adjourned at 5:40 pm	16

Minutes of the
Regular Meeting of the Governing Body
Wednesday, November 18, 2020
Virtual Meeting

AFTERNOON SESSION

1. CALL TO ORDER

A regular meeting of the Governing Body of the City of Santa Fe, New Mexico, was called to order by Mayor Alan Webber, on Wednesday, November 18, 2020, at approximately 5:01 p.m., at the Council Chambers at City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico as a virtual meeting.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilor Rivera.

3. SALUTE TO THE NEW MEXICO FLAG

The Salute to the New Mexico Flag was led by Councilor Romero-Wirth.

4. INVOCATION

The Invocation was led by Councilor Vigil Coppler. She gave condolences to the family of Dennis Salazar, who died from COVID a few days ago.

The Governing Body observed a moment of silence for those who died and for their grieving families.

5. ROLL CALL

Roll call indicated the presence of a quorum remotely, as follows:

Members Present Remotely
Mayor Alan Webber
Councilor Roman “Tiger” Abeyta
Councilor Jamie Cassutt-Sanchez
Councilor Michael J. Garcia
Councilor Signe Lindell

Councilor Christopher M. Rivera
Councilor Carol Romero-Wirth
Councilor JoAnne Vigil Coppler
Councilor Renee D. Villarreal

Members Excused

Other Participants Attending Remotely
Jarel LaPan Hill, City Manager
Erin McSherry, City Attorney
Yolanda Y. Vigil, City Clerk
Sally Paez, Assistant City Attorney
Elias Isaacson, Planning and Land Use Director
Marcos Martinez, Assistant City Attorney
Kyra Ochoa, Community Services Director
Regina Wheeler, Public Works Director
Paul Babcock, Fire Chief
Alexandra Ladd, Affordable Housing Director
Carl Boaz, Council Stenographer

6. APPROVAL OF AGENDA

Ms. Vigil said the agenda should be corrected by withdrawing 7 (f) as requested by the City Manager, which she read for the record.

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Villarreal, to approve the agenda as amended.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt--Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

7. DISCUSSON/ACTION ITEMS

a. Request to Publish Notice of Public Hearing on December 9, 2020
Proposed Amendments to **BILL NO. 2020-32.** An Ordinance Amending Section 14-6.2 SFCC 1987 to Adopt by Ordinance a Maximum of One Thousand (1000) Short-Term Rental Permits in the City, to Prospectively Limit

the Number of Short-Term Rental Permits to One Per Natural Person, to Prospectively Limit the Proximity of Short-Term Rental Units, to Require a Local Operator for Short-Term Rental Units, to Adopt Record-Keeping and Reporting Requirements for Short-Term Rental Unit Owners and Host Platforms, and to Clarify Other Provisions of the Short-Term Rental Ordinance; Amending the Land Use Code Definitions in Section 14-12.1 SFCC 1987 as They Relate to Short-Term Rental Units; Amending the Table of Permitted Uses, Table 14-6.1-1, Regarding Short-Term Rental Units; [~~and~~] Amending Section 12-2.3 SFCC 1987 to Clarify That a Short-Term Rental Unit is not a Group R-1 Occupancy for Purposes of Fire Inspections and Amending Section 18-10.4 SFCC 1987 to Dedicate a Portion of the Municipal Gross Receipts Tax Generated from the Rental of Short-Term Rental Units to the Affordable Housing Trust Fund. (Mayor Webber, Councilor Lindell, Councilor Romero-Wirth and Councilor Villarreal) (Elias Isaacson, Planning and Land Use Director, esiasaacson@santafenm.gov, 955-6730 and Sally Paez, Assistant City Attorney, sapaez@santafenm.gov, 955-6501)

Ms. Vigil read the caption for this item.

Councilor Romero-Wirth wanted clarity on what this is. We already approved the request to publish for a public hearing for this short-term bill. This has been captioned to provide notice to the public that there is an amendment being considered but has not been approved by any committee and is not being offered by the sponsors. Because this caption was confusing, she asked the City Attorney's office to validate what she said.

Ms. Paez thanked Councilor Romero-Wirth. She validated those statements. It has been at committees over several months and there are several amendments and those will be considered on December 9. Because various amendments have been proposed, while they are still about short-term rentals, and regulation of them, it affected other parts of City Code. The City Clerk's office thought it would be best to provide an additional public notice showing these items that are up for consideration. The parts being added are underlined. Maybe in the future we can find a better way to package them.

Councilor Romero-Wirth thanked Ms. Paez for the clarification. She wanted to make sure the sponsors are not sponsoring one of the amendments in front of the Governing Body now.

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Villarreal, to approve the notice as presented.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt--Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

b. Request to authorize the City Manager to Sign an Amendment to the CARES Act-Funded Contract with Family Independent Initiative (FII) to Increase the Contract in an Amount Up to Eight-Hundred Fifty Thousand Dollars ($850,000), to Administer and Provide Direct Economic Relief to Indigent City Residents Affected by COVID. (Kyra Ochoa, Director of Community Services, krochoa@santafenm.gov, 955-6603)

Ms. Vigil read the caption.

MOTION: Councilor Cassutt-Sanchez moved, seconded by Councilor Vigil Coppler, to approve the amendment to the CARES Act-Funded Contract as presented.

Discussion on the Motion:

Councilor Villarreal asked with this increase, how much goes to admin costs and how much to the client.

Director Ochoa replied that FII charges a 5% admin fee. She had not calculated it. There are no other indirect costs.

Councilor Cassutt-Sanchez was hoping for an update on how much has been expended so far.

Director Ochoa said the entire $1.667 million amount was committed as of Monday. None of the funds have gone out yet but she got 275 applications to date and being reviewed by FII now.

Councilor Cassutt-Sanchez thanked her and was looking forward to more updates.

Councilor Garcia wondered, given the big influx of applications, if the $869,000 will be sufficient.

Director Ochoa anticipated additional requests in early December and would be careful to see the funds are being used. At the time she submitted the memo, she was sure the City would spend $850,000.

Councilor Garcia thanked her and would fully support that. Since Item 7-f was pulled, he suggested we put that $50,000 into this request as well to get the money out to those most in need. The need won't stop at December 31 and he hoped the Governing Body can start planning for how to sustain those people after the first of the year.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt--Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

c. Santa Fe Suites (Alexandra Ladd, Affordable Housing Director, agladd@santafenm.gov, 955-6346 and Marcos Martinez, Sr., Asst. City Attorney, mdmartinez@santafenm.gov, 955-6502).
   1. Request for Approval of an Agreement between the City of Santa Fe and the Community Solutions Group to Use CARES Act Funding to Finance the Community Solutions Group's Acquisition of the Santa Fe Suites for the Purpose of Providing Housing to Persons Impacted by the COVID-19 Pandemic in the Amount of $2,000,000 and;

   2. Request for Approval to Authorize the City Manager to Execute an Agreement between the City of Santa Fe and the Community Solutions Group to Use CARES Act Funding to Finance the Community Solutions Group's Acquisition of the Santa Fe Suites for the Purpose of Providing Housing to Persons Impacted by the COVID-19 Pandemic, in the Amount of $2,000.000.

Ms. Vigil read the caption for this case. She noted two votes are required.

Mayor Webber asked to have the presentation and questions before any motions.

Director Ladd shared her screen which had a power point the members of the Quality of Life Committee had seen already. Santa Fe Suites is the next step for supportive housing, but not as a shelter. She shared the demonstrated need factors and how housing is a determinant of public health. She estimated a minimum of 350 households are staying in shelters or doubled up in other people's homes. This is not a shelter but a permanent

housing option. Most of the units are for very low-income people transitioning out of homelessness. Too many times, even with resources, we don't have enough to help them.

The business model is used for effective property management with additional partnerships – based on the people living there. They will benefit from very low rent. They would get bounced off in other places because of previous evictions, failure to pay, criminal records, etc. So it isn't just housing them – they are taken care of at the site to meet their needs and outside providers coming in to provide services and supervision for them. This site will provide an array of services in partnership with a local partner.

It will be funded by other investors who are willing to accept a lower rate of return and leveraging other federal sources to lower the debt required to purchase the property.

There are 122 studios and 42 units set aside for those in the workforce (low wage workers), and another 40 units reserved for renters needing more help and 40 units dedicated to the chronically homeless.

She provided a rent schedule. She showed a similar project in Aurora CO, and a model at Stagecoach Motor Inn apartments. Another is owned by St. E's with occupants who are very high need.

Mr. Martinez talked about the agreement. He shared a draft of the project participant agreement and getting feedback. The City will contribute $2 million for the project, assuming it closes prior to December 31, or $6 million otherwise.

A condition of the funding is that the facility will be used. Each year, a portion will be forgiven, and a restrictive covenant placed on the property.

He clarified there are two items on the agenda. The second was for action in case there was a disagreement, but the parties are very close to agreement, so the second item is not necessary now.

Director Ladd added that this is a way to do something we have not tried before and as structured, the project will speak for itself.

MOTION: Councilor Cassutt-Sanchez moved, seconded by Councilor Vigil Coppler, to approve the agreement with Community Solutions as presented.

Discussion on the Motion:

Councilor Vigil Coppler liked this project very much and appreciated all the work already done. She believed it will be a success. It appears the total cost for the building is $8 million.

Director Ladd said the sales price is $7 million, but there are costs on top of that. It might be negotiated further.

Councilor Vigil Coppler asked if $2 million from the CARES Act and $6 million from Community Solutions.

Director Ladd clarified that $2 million is from CARES Act (vis the State) and an investment group. More CARES Act funds within CDBG will later bring down the debt for permanent financing. It is like building a house with construction loan first. The bridge loan gets the funding started. Community Solutions is more a bridge loan.

Councilor Vigil Coppler reasoned that our $2 million will just go into the pot and Community Solutions will be running it.

Director Ladd agreed.

Councilor Vigil Coppler asked if 10 years is the transition to when the City is out of the agreement.

Director Ladd explained the idea is to allow the equity to revert to the project and if operators are compliant, then the equity belongs to the project owner.

Councilor Vigil Coppler asked if any Midtown residents were projected to move here.

Director Ladd said that is one of the anticipations to achiever permanent housing for some of them.

Councilor Vigil Coppler thought the termination clause did not seem very tight – including no 30-day notice. There is no real cushion. It says the City gets the money but if some are COVID funds, she wondered if they would need to be return that to the Feds. She asked Mr. Martinez on his comfort level.

Mr. Martinez said the termination provision has two options – one if both parties agree (mutual agreement) but later, it is just an untenable situation, it would be for cause which the City would have to agree to it. The second option was if the City believed Community Solutions failed to live up to their

end of the agreement. They must provide the City with annual reports and if their performance was found to fail to provide the services and/or fail to provide the right number of housing people. The City would terminate the agreement and Community Solutions would have to repay the City those project funds according to the ten-year reduction. Those repayments, he did not believe would be CARES Act and would not be subject to return to the Feds. The City would seek reimbursement of the $2 million from the State and should receive the money back and make us whole. But he was not anticipating a need for that.

Councilor Vigil Coppler thanked him for making that clear.

Councilor Garcia noted this proposed project is situated in District 2 and he had received feedback from many constituents. So he wanted to do his due diligence on it in representing their concerns to the Governing Body. He asked if this project would be able to proceed without the City's $2 million investment.

Director Ladd opined it would take a lot longer to get financing closed and require much more fund raising. The model would not work without that. Use of CARES Act is opportunistic, since the City started working on it before the CARES Act happened.

Councilor Garcia pointed out hypothetically, that the resources would not be needed and with full funding behind the project, it could open doors without engagement of the City.

Director Ladd said that would only work if it could pay for itself based on the financial mix.

Councilor Garcia agreed but the operators would not need to get City approval to operate.

Director Ladd was not sure she understood.

Mayor Webber clarified that this is not a project that requires an ENN process or to go through the Planning Commission. If it were a private undertaking, the city Council might not even be aware of it.

Councilor Garcia thanked him for clarifying that.

Director Ladd agreed they would not need approval from the City.

Councilor Garcia understood, with the Mayor's comments, the process is not required to come to the City for any kind of approval.

Director Ladd agreed.

Councilor Garcia said the biggest concern from constituents was that they have not been involved in the process not any of their concerns taken into the process.

Councilor Garcia asked why, in this plan, there was no provision for engagement with the community in the project to get community feedback. Or if there is some in the plan, to let him know what is envisioned.

Director Ladd said she has been working with community partners for over a year. This property serves as a model to do it again. This is a private transaction. The City acts as a pass-through agency to deploy these emergency funds and will permit other housing for those being served now. Without quick action, the funds would not be available. There are no funds to support another project. We are hoping to create a model for doing this again. She understood why some people might feel it is moving too quickly.

Councilor Garcia pointed out there was not any constituent participation.

Director Ladd agreed but said it would be the same as if the hotel owner sold it to another hotel owner.

Councilor Garcia understood but the City is a partner and should be engaging the community to address any concerns. He observed that it is faster than usual but there is time to notify the community. He was made aware of it but did not see the financial details that were in the works. For a model like this in the future, we should have an ENN to show the community how it might affect them. That is our duty as the City government.

He asked if there were any other properties considered.

Director Ladd agreed. Several other properties were under consideration by a group organized by the Encorone Foundation for people experiencing homelessness or in danger of becoming homeless. It is also the City's job to get people off the street, so we are caught in this tension needing to respond to this global pandemic and keep our community safe.

Councilor Garcia agreed but we can do this and still inform the community. He was asking to do that in the future. He asked about other addresses.

Director Ladd said she could not talk about that. But there are several hotel owners interested in selling. And left it at that.

Councilor Garcia saw that 40 units are slated for homeless veterans. So he asked if the City is guaranteed those 40 units would not be used by those who are not homeless veterans.

Director Ladd said three are reserved only for homeless veterans and 40 are available to other homeless as well as vets.

Councilor Garcia asked if there was a reason they cannot be dedicated to homeless vets.

Director Ladd said there is zero otherwise. There is definitely an ongoing need, but they probably could not fill all these units only with veterans.

Councilor Garcia asked about the termination clauses, if we could inform the operator that we were backing out, like on February 1, for instance, and they would have to reimburse us for it.

Mr. Martinez explained that to require reimbursement would require termination for cause. So perhaps after a year it could be done for cause but probably not in February.

Councilor Garcia asked who would make that decision.

Mr. Martinez said probably with consent of the Governing Body for that amount.

Ms. McSherry definitely agreed with that.

Councilor Garcia encouraged a community discussion on the matter because there are lots of misperceptions in the community and it could allay their fears.

Councilor Romero-Wirth said she was also getting emails about it from District 2 constituents and she was trying to help them understand what it is and what it is not (another shelter). She asked Director Ladd what makes this particular property a successful situation (why it scored high).

Director Ladd said there were many reasons – the physical attributes which set it up for extended stay with kitchens. This location is so accessible to many resources. And the owner is motivated to sell for use in this way.

Councilor Romero-Wirth added that it is in good condition and has been well kept.

Director Ladd agreed.

Councilor Romero-Wirth had emails suggesting property values might go down with this project.

Director Ladd responded that it would only bring down values if it is not properly managed or maintained. And the high quality is built into the model and social services come with that. Some of the units are for market rate so there is no incentive not to maintain them. The owners will actually improve the property. With this model, the property will be better managed.

Councilor Romero-Wirth noted there is some confusion that this is a homeless shelter and people would be loitering in the parking lot and a threat to patients waiting to be seen in that area.

Director Ladd suggested when somebody has their own apartment and can rest in there and watch TV, they would be inside. There are panhandlers there now. But there would be no incentive to increase people in the parking lot and may actually help a little bit.

Councilor Romero-Wirth noted one person thought we were moving people with COVID into them. We cannot guarantee occupants won't get COVID, but this is not being used to house COVID-positive people.

Director Ladd agreed. Someone living there might get COVID but could safely be quarantined there so that would also be better. There are some people helped who live there now. Neighbors with concerns can always call the Police Department.

Councilor Romero-Wirth saw there was no land use decision, but the Quality of Life Committee hearing was picked up by the newspaper so some information about it is out in the community. She agreed to meet with a nearby Neighborhood Association. The initial date didn't work and is still being considered. It would be another opportunity to get the word out on what kind of housing is to be provided.

Mayor Webber asked Mr. Martinez to clarify the two votes needed and if we were now down to one motion.

Mr. Martinez agreed that the second vote was not needed now.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt--Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Lindell, to remove item number 7-c- 2 from the agenda.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt--Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

d. Request for Approval of Budget Adjustment Resolution (BAR) in the Amount of $225,000 for COVID Safety at City Facilities. (Regina Wheeler, Public Utilities Department Director, rawheeler@santafenm.gov, 955-6622)

Ms. Vigil read the caption for this item

MOTION: Councilor Garcia moved, seconded by Councilor Romero-Wirth, to approve the Budget Adjustment Resolution as presented.

Discussion on the Motion:

Councilor Cassutt-Sanchez hoped to hear more details on what enhancements for safety would be undertaken.

Director Wheeler said they included medical grade units in facilities, HEPA filters, temperature scanners at time clocks, temperature sensors where the public enters, additional fogging units, and barriers placed in large open areas.

Councilor Cassutt-Sanchez asked if, in our ideal wish list there was anything left off.

Director Wheeler explained that $450,000 was the allocation and there were some left off then but now are added back in.

Councilor Cassutt-Sanchez thanked her for the effort to keep staff and public safe. Temperature scanners are a big item.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt--Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

e. Request for Approval of Budget Adjustment Resolution (BAR) in the Amount of $240,000 for PPE, Supplies and Equipment for Fire Department's COVID Response Efforts. (Paul Babcock, Fire Chief, prbabcock@santafenm.gov, 955-3112)

Ms. Vigil read the caption for this matter.

MOTION: Councilor Vigil Coppler moved, seconded by Councilor Garcia, to approve the Budget Adjustment Resolution as presented.

Discussion on the Motion:

Councilor Rivera asked regarding the transport ventilators, if they could be lent to hospitals who had a need for them.

Chief Babcock agreed, as long as the hospitals followed the requirements.

Councilor Rivera reasoned that the City should let them know if they need them to adapt them for their use.

There was no other discussion.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt--Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

f. Request for Approval of Budget Adjustment Resolution (BAR) in the Amount of $50,000 to Hire Temporary Employees to Maintain Critical City Operations. (Jarel LaPan Hill, City Manager, jlapanhill@santafenm.gov, 955-6848)

This agenda item was removed under Approval of the Agenda.

g. Request for Approval of Budget Adjustment Resolution (BAR) in the Amount of $392,000 for the CONNECT Program Emergency Funds to Provide Direct Community Assistance. (Kyra Ochoa, Community Services Department Director, krochoa@santafenm.gov, 955-6603)

Ms. Vigil read the caption.

MOTION: Councilor Villarreal moved, seconded by Councilor Garcia, to approve the Budget Adjustment Resolution as presented.

Discussion on the Motion:

Director Ochoa was present for questions.

Councilor Garcia asked if $392,000 was sufficient.

Director Ochoa said she really won't know that until early December and the City would keep putting funds into CONNECT until we can no longer do it. We are working closely with foundation partners to address it and will just have to keep adjusting down to the deadline.

VOTE: The motion was approved on the following Roll Call vote:

For: Mayor Webber, Councilor Abeyta, Councilor Cassutt--Sanchez, Councilor Garcia, Councilor Lindell, Councilor Rivera, Councilor Romero-Wirth, Councilor Vigil Coppler and Councilor Villarreal.

Against: None.

8. COMMUNICATIONS FROM THE GOVERNING BODY

A copy of the Bills and Resolutions scheduled for Introduction by Members of the Governing Body is incorporated herewith to these minutes as Exhibit 1.

Councilor Garcia wished people a happy and safe Thanksgiving. He is setting up Zoom for his family. He encouraged everyone to reach out to their family members at this time of year and reminded them about increased depression that happens normally at these holidays but especially during this pandemic.

Councilor Vigil Coppler wished everyone a Happy Thanksgiving. She wondered if there was going to be a turkey pardoned in Washington, DC this year and people could read into that whatever they wanted.

Councilor Cassutt-Sanchez noted our numbers are spiking pretty high every day and now have a new Governor's order. Santa Fe still has funds for small businesses, and she wanted to make sure they know that. Stay home. No need to go out with the lockdown. Happy Thanksgiving.

Councilor Villarreal said she really missed not getting to meet together in chambers. She was grateful to work with all her colleagues and staff. Our staff really does more than people realize. We don't always agree on things, but we respect each other.

She wanted to be a cosponsor with what Councilor Romero-Wirth is introducing.

Councilor Lindell really liked Councilor Vigil Coppler's concept of pardoning the turkey. She wished her terrific other half a great happy birthday. We are both rocking double digits – 66 for herself and 77 for her partner. We are super thankful for the success Maryann had with her bachelor's degree this year. Be sure to overeat because it is fun.

Councilor Rivera wished Happy Thanksgiving to all city residents and colleagues and city employees who are working so hard. COVID has shown us the importance of families. "Do masks and hand washing. Take care of each other."

Councilor Abeyta – Happy Thanksgiving to everyone.

Councilor Romero-Wirth introduced resolution on appropriation of funds by the State Legislature on growing and providing fresh locally grown vegetables and fruit for schools and senior meals programs and related education programs for schools and farmers. She thanked Councilor Villarreal for cosponsoring and noted Councilor Cassutt-Sanchez is also a cosponsor. Happy Thanksgiving and reemphasized folks to wear their masks properly, completely over nose and mouth.

Mayor Webber said we cannot have a Council meeting with mentioning COVID-19. There were 197 new cases today. The need is more urgent than ever to stay home. We know we can bend the curve, even though it is not happening right

now. Happy Thanksgiving. We all need things to celebrate. Celebrate family traditions and stay safe.

Thanks to our Community Services Team who delivered about a thousand turkey dinners today into homes of Santa Fe seniors.

There will be a virtual plaza lighting on the day after Thanksgiving. The Constituent Services and Community Engagement Team setting it up for drive by in your cars and KSWV Radio is going to provide the music for the drive by at the Plaza.

These special meetings are to get the CARES Act money out the door. Our City Manager had the foresight to set them up. They take managerial competence, and we thank Manager LaPan Hill for help in getting the money out. We will have more of them. This is good practice. The Councilors gave applause to Manager LaPan Hill for her work.

9. ADJOURN

Having completed the agenda and with no further business to come before the Governing Body, the meeting was adjourned at 5:40 p.m.

Approved by:

_____
Mayor Alan Webber

ATTESTED TO:

_____
Yolanda Y. Vigil, City Clerk

Respectfully submitted by:

Carl G. Boaz, Council Stenographer

ACTION SHEET
ITEM FROM FINANCE COMMITTEE MEETING OF 11/30/20
FOR CITY COUNCIL MEETING OF 12/09/20

Request for the Approval of a Non-Client Agreement Collaborative Member Agency in the Total Amount of $390,000.00 for Opiate Outreach Services. New Mexico Behavioral Health Services Division via Falling Colors. (Andres J. Mercado, Battalion Chief - MIH; ajmercado@santafenm.gov, (505)955-3604).

Committee	**Review:**
Quality of Life Committee:	11/04/2020
Finance Committee:	11/30/2020
Governing Body: 12/09/2020	

FINANCE COMMITTEE ACTION:
Approved on Consent

FUNDING SOURCE:

SPECIAL CONDITIONS OR AMENDMENTS

VOTE	**FOR**	**AGAINST**	**ABSTAIN**
COUNCILOR ROMERO-WIRTH	x		
COUNCILOR CASSUTT-SANCHEZ	x		
COUNCILOR LINDELL	x		
COUNCILOR VILLARREAL	x		
CHAIRPERSON ABEYTA	x		

9-19-20

ACTION SHEET
ITEM FROM QUALITY OF LIFE COMMITTEE MEETING OF 11/04/2020
FOR CITY COUNCIL MEETING OF 12/09/2020

ISSUE:
Request for the Approval of a Non-Client Agreement Collaborative Member Agency in the Total Amount of $390,000.00 for Opiate Outreach Services. New Mexico Behavioral Health Services Division via Falling Colors. (Andres J. Mercado, Battalion Chief - MIH; ajmercado@santafenm.gov, (505)955-3604).

Committee Review:
Quality of Life Committee: 11/04/2020
Finance Committee: 11/30/2020
Governing Body: 12/09/2020

QUALITY OF LIFE COMMITTEE ACTION: approved on consent

SPECIAL CONDITIONS OR AMENDMENTS:

SEND TO:
Finance Committee; Governing Body

VOTE	FOR	AGAINST	ABSTAIN
CHAIRPERSON ROMERO-WIRTH	X		
COUNCILOR VILLARREAL	X		
COUNCILOR RIVERA	X		
COUNCILOR GARCIA	X		
COUNCILOR CASSUTT-SANCHEZ	X		

City of Santa Fe, New Mexico
Memorandum

DATE: October 13, 2020

TO: Governing Body
Finance Committee
Quality of Life Committee

VIA: Jarel LaPan Hill, City Manager
Mary McCoy, Finance Department Director
Fran Dunaway, Chief Procurement Officer
Paul Babcock, Fire Chief PB

FROM: Andres J. Mercado, Battalion Chief MIH

ITEM AND ISSUE:
Request for the Approval of a Non-Client Agreement Collaborative Member Agency in the Total Amount of $390,000.00 for Opiate Outreach Services. New Mexico Behavioral Health Services Division via Falling Colors; Andres J. Mercado, Battalion Chief - MIH; ajmercado@santafenm.gov, (505)955-3604.

BACKGROUND AND SUMMARY:
The Substance Abuse and Mental Health Services Administration (SAMHSA) has awarded the First Responders Comprehensive Addiction and Recovery Act (FR CARA) grant to New Mexico Behavioral Health Services Division (BHSD). The City of Santa Fe Fire Department (SFFD) is the sub-recipient of this grant.

Under the grant, the SFFD will hire one (1) FTE Case Manager to increase capacity in the departments Opiate Outreach Program. The SFFD's Opiate Outreach Program uses 911 EMS data to identify individuals who have overdosed on opiates or are identified as being high-risk for such an overdose. With clinical support/supervision from a Clinical Supervisor (Master-level Social Worker) as well as operational support from a Mobile Integrated Health Paramedic, the SFFD Case Managers then provide non-emergency street and home outreach which includes therapeutic case management, navigation to available services, harm reduction training and safety supplies. This grant will also fund needed equipment, training and safety supplies (naloxone kits, outreach supplies, office supplies, travel, registration, etc.) as outlined in the BHSD approved budget.

The SFFD was awarded the four-year grant in September 2019, but due to BHSD and COVID-19 complications, the City was unable to take advantage of the first year of funding. If this funding becomes available as a no-cost extension at the end of the grant, additional funding will come before the Committees and Council for approval as appropriate.

PROCUREMENT METHOD:
Acceptance of a four-year grant awarded to SFFD by SAMHSA and BHSD; therefore, no procurement methods executed.

CONTRACT NUMBER:
The FY2 Munis contract number is 3201924.

FUNDING SOURCE:

The funding source is:
Fund Name/Number: Emergency Services/Fund 221
Munis Org Name/Number: FIR SS SR/2210181
Munis Object Name/Number: NM Human Services Dept-IFT/490720
Munis Project Number: FIR20221A

ACTION REQUESTED:
Santa Fe Fire Department respectfully requests your review and acceptance of the First Responders Comprehensive Addiction and Recovery Act (FR CARA) grant.

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NON-CLIENT AGREEMENT ITEM#_____
COLLABORATIVE MEMBER AGENCY NON-MEDICAID SERVICES

City of Santa Fe

FY20

THIS CONSULTANT VENDOR AGREEMENT (Agreement) FOR THE BEHAVIORAL HEALTH COLLABORATIVE MEMBER AGENCIES (Collaborative) NON-MEDICAID SERVICES is entered into by and between FALLING COLORS CORPORATION ("Falling Colors"), and City of Santa Fe ("**Vendor**"). THE PARTIES MUTUALLY AGREE:

DEFINITIONS

In this Agreement, the following terms shall be understood to carry the following meanings:

1. **Behavioral Health Billed Projects**:
   A 'Project' is defined as specific funding for a clearly defined intention with a target population and approved service mix under which one or more providers may be participating. Projects can be supported by multiple funding streams as defined by the Collaborative.

2. **BHSDStar System**:
   An information management system integral to the operation of non-Medicaid behavioral health services which supports multiple functions, including but not limited to registration of Vendors and Clients, billing and data reporting. All references to the BHSDStar System shall be understood to include any future version or iteration of the BHSDStar System, as well as any complementary or ancillary system, developed by Falling Colors for the Collaborative.

3. **Collaborative or The Interagency Behavioral Health Purchasing Collaborative:**
   The Collaborative, established pursuant to NMSA 1978, §9-7-6.4, is responsible for planning, designing and directing the statewide Behavioral Health System.

4. **Vendor Manual**:
   A resource for behavioral health vendors and providers, updated periodically, to communicate any pertinent information to providers of non-Medicaid behavioral health services.

5. **Consultant**:

Behavioral health service provider, NOT providing direct client treatment services.

6. **State Scope of Work ("SOW"):**
   A description of the agreed upon terms of work to be completed in the execution of the Agreement. The SOW may or may not include a fee schedule in addition to or in place of a description of work.

7. **Vendor Manual:**
   A resource for behavioral health vendors and providers, updated periodically, to communicate any pertinent information to providers of non-Medicaid behavioral health services.

ARTICLE 1

Once executed by Falling Colors, this Agreement shall become effective on the date it is executed.

ARTICLE 2

SCOPE OF WORK (STATE SOW); ENTIRE AGREEMENT

A. STATE SOW

The Vendor shall deliver the behavioral health projects and perform the work described in the State SOW. If the Vendor is delivering more than one behavioral health project there will be a State SOW section within the BHSDStar system for each project for which the Vendor is permitted to be reimbursed by Falling Colors through Collaborative funding sources.

The State SOW can be attached to this agreement or detailed in the BHSD Star system. Vendor must attest either electronically or in writing to be bound by the SOW in BHSDStar system. In some cases, a SOW will not be applicable in which case a fee schedule will be provided.

B. AGREEMENT

This Agreement, any State SOW, and the Vendor Manual which are incorporated herein by this reference, constitute the entire Agreement between the parties with respect to the subject matter hereof and supersedes all other communications, whether written or oral.

Vendor understands that the State SOW and the Vendor Manual may be updated from time to time and understands that execution of this Agreement also constitutes acceptance of additional or modified information included in all such updates.

C. VENDOR REQUIREMENTS ESTABLISHED BY STATE

Vendor understands and agrees that all services approved to be provided under the State SOW, applicable funding source and reimbursement rates are determined by Collaborative Member Agencies and not by Falling Colors. Vendor agrees to address any concerns regarding the State SOW directly to the appropriate Collaborative Member Agency and not to Falling Colors.

ARTICLE 3

INSURANCE REQUIREMENTS

A. LIABILITY INSURANCE. Each party agrees to and shall at all times during the term of this Agreement, obtain and keep in force liability insurance, including coverage for Commercial General Liability against claims for bodily injury, personal and advertising injury, and property damage, including contractual liability coverage; Professional Liability; Workers' Compensation and Employer's Liability; and Business Automobile Liability coverage (if applicable). Such insurance shall be written by an insurance company licensed to do business in New Mexico and shall cover liability which might arise under this Agreement including but not limited to the provision of services under this Agreement. Falling Colors and the Collaborative shall be identified as an additional named insured on Vendor's Commercial General Liability policy Each party shall provide the other with at least thirty (30) days prior written notice in the event any policy required to be maintained hereunder is cancelled or non-renewed. A copy of the insurance certificate shall be provided to Falling Colors upon request by Falling Colors or Collaborative Member Agency, within three (3) Business Days.

B. EMPLOYEES AND RESPONSIBILITIES; INDEPENDENT CONTRACTORS. Vendor will be responsible for and shall ensure that all of its employees and independent contractors are bound by, and meet the terms and conditions of, this Agreement at the time of providing services. Failure of such employees or

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independent contractors to meet such terms and conditions, including without limitation, credentialing requirements, will be a breach of this Agreement. All payments obligated by Falling Colors shall be paid to Vendor and Vendor will be solely responsible for payments to its employees and independent contractors who may have provided services. Vendor agrees to defend, indemnify and hold Falling Colors and the Collaborative harmless for any claims, damages, actions, losses, penalties, fines, or judgments arising from any employee or independent contractor of Vendor.

ARTICLE 4

COMPENSATION

For services satisfactorily performed pursuant to this Agreement, the Vendor shall be paid by Falling Colors as detailed in the State SOW located in the BHSDSTAR system. The State Fiscal Year Allocation ("State Allocation") for each Vendor's Behavioral Health program described in the Vendor's State SOW shall be available to the Vendor within the BHSDStar system. Such State Allocation may be revised from time to time during the Fiscal Year and is subject to the availability of State and Federal funding. The Vendor's State Allocation is neither a guaranty nor an entitlement to the State Allocation. Payment rates include any New Mexico Gross Receipts taxes and other taxes as applicable. Vendor is responsible for the payment of all applicable taxes. Submission of billing by Vendor may be made through the methods described by Falling Colors in the Vendor Manual, located at www.BHSDStar.org. All permitted services and payment rates are subject to change from time to time without any prior notice to the Vendor. These decisions will be made by the Collaborative Member Agency.

1. **Grievances:** Should the Vendor have questions regarding payment the Vendor should address their questions, comments, or concerns to support@bhsdstar.org. Falling Colors will provide reasonable help to Vendor in these types of requests or will forward those requests to the Collaborative. In the event that Vendor is dissatisfied with any decision related to payment, Vendor agrees to address its grievance or dissatisfaction solely with the Collaborative Member Agency.

2. **Gross Receipts and Other Taxes:** Vendor understands and agrees that it is solely responsible for calculation and payment of New Mexico Gross Receipts Tax, personal income tax, and any other tax that may be payable as a result of any funds paid to it by Falling Colors or the Collaborative Member Agencies.

3. **Data submission required for payment:** The Vendor's payment for services is conditioned upon its submission of all required data and information. The Vendor shall notify Falling Colors regarding any significant changes in its ability to collect information relative to required data submissions for payment. Failure to comply with any reporting and/or data submission requirement for payment may result in

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non-payment, delay of payment and/or termination of this Agreement and will be a breach of this Agreement.

ARTICLE 5

APPROPRIATIONS

The performance of this Agreement is subject to the condition precedent that sufficient funds are appropriated, authorized, and allocated by the Legislature of the State of New Mexico and/or by the federal government and provided to Falling Colors to disburse to the Vendor. If sufficient appropriations, authorizations, and allocations are not made by the Legislature of the State of New Mexico and/or by the federal government, a decrease, determined solely by the Member Agencies, in the amount of funds available for the Vendor's State Allocation for reimbursement by Falling Colors may occur with notification found in BHSDStar.

ARTICLE 6

TERM

This Agreement shall commence on the date this Agreement is executed and continue thereafter unless terminated earlier pursuant to the Article 7 of this Agreement.

ARTICLE 7

GROUNDS FOR TERMINATION

A. **GROUNDS FOR TERMINATION.** Falling Colors or Vendor may terminate or suspend the whole or any part of this Agreement as follows:

1. Falling Colors and Vendor may mutually agree to terminate this Agreement.

2. Falling Colors may terminate this Agreement without cause upon thirty (30) days written notice to the Vendor.

3. Vendor may terminate this Agreement without cause upon one hundred twentythirty (30) days written notice to Falling Colors.

4. Falling Colors may terminate this Agreement upon ten (10) days written notice if the Vendor fails to comply with any term, condition, requirement or provision of this Agreement or corrective action plan provided by Falling Colors or the Collaborative

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Member Agency or immediately if the Vendor becomes unable to perform the services set forth under this Agreement.

5. If, during the term of this Agreement, the Vendor or any of its officers, employees or agents commits fraud, embezzlement or other serious misuse of contract funds, Falling Colors may terminate this Agreement immediately upon written notice to the Vendor.

6. Falling Colors may terminate this Agreement pursuant to the Appropriations Article of this Agreement or if its contract with the Collaborative is terminated.

7. Falling Colors may immediately terminate this Agreement due to Vendor's loss, suspension, restriction, probation, voluntary relinquishment, or any other adverse action taken against any of Vendor's licenses or certifications necessary to perform the services under this Agreement, or loss of insurance.

8. Falling Colors may immediately suspend this Agreement if it has been determined by an appropriate entity that the health, safety or welfare of Clients may be jeopardized by the continuation of this Agreement. Under direction from the Member Agency, Falling Colors may terminate this Agreement after the suspension given.

If a party terminates this Agreement under Articles 7, such party giving notice shall also provide a copy of such notice of termination to the Collaborative Member Agency.

B. NO NULLIFICATION. By the methods of termination provided in this subsection neither party may nullify obligations already incurred for the performance or failure to perform prior to the date of termination. THIS PROVISION IS NOT EXCLUSIVE AND DOES NOT WAIVE OTHER LEGAL RIGHTS AND REMEDIES AFFORDED EITHER PARTY IN SUCH CIRCUMSTANCES AS DEFAULT/BREACH OF CONTRACT.

C. SURVIVAL OF OBLIGATIONS. Notwithstanding anything to the contrary herein, all provisions in this Agreement regarding any obligations of the Vendor, which by their nature and whether specifically identified or not, continue beyond the termination of this Agreement, and shall survive. Such obligations include, but are not limited to: retention of records; obligations to audit or submit to audits; obligations to disclose or maintain financial records; delivery of services to Clients, treatment vendors, consultants, Falling Colors, or the State of New Mexico; Vendor Manual requirements, and/or the transition of Clients obligations of confidentiality.

ARTICLE 8

TERMINATION; TRANSITION MANAGEMENT

A. TERMINATION. If this Agreement is terminated pursuant to the provisions of this Agreement, or if the parties mutually agree to discontinue their contractual

relationship, or upon expiration of the term of the Agreement, immediately upon receipt by either Falling Colors or the Vendor of written notice of termination, the Vendor shall:

1. Not incur any further obligations for salaries, services or any other expenditures of funds under this Agreement without the written approval of Falling Colors;

2. Continue to provide essential services and supports to ensure the health and safety of individual Clients as directed by Falling Colors or the Collaborative Member Agency during the period of termination management. This requirement is not avoided by an inadvertent expiration of term for this Agreement. In this event Falling Colors, shall at the direction of the Collaborative, extend the term until all transition of services are completed;

3. Make all reasonable efforts to ensure that the transition of services to another Vendor is effected with minimal disruption of services to Clients, including but not limited to: (1) complying will all directives issued by Falling Colors or the Collaborative Member Agencies; (2) providing a list of all Clients, together with expected or anticipated needs, who will be affected by the termination; and (3) preservation and transfer of any and all property of Falling Colors and Client records generated under this Agreement

4. On or prior to the date of termination of this Agreement, the Vendor where applicable shall furnish to Falling Colors:

    a. A complete detailed inventory of nonexpendable Falling Colors and Collaborative property as defined in the Property Article of this Agreement, and

    b. A final closing of the financial records and books of accounts which were required to be kept by the Vendor under the provision of this Agreement regarding financial records.

B. **TRANSITION OBLIGATIONS.** Upon termination of this Agreement, Vendor agrees to comply with the "Transition Protocol" including but not limited to the appropriate transition of data and services that have been terminated, suspended or changed, as required by the State of New Mexico, applicable law, regulation and policy, as may be amended from time to time, including the transfer of relevant records and/or data.

ARTICLE 9

STATUS OF VENDOR

The Vendor, its agents, and employees, are independent contractors performing professional services for Falling Colors and are not employees of Falling Colors. The

Vendor, and its agents and employees, shall not in any circumstance be deemed employees or agents of Falling Colors for any purpose within the meaning or application of any federal or state unemployment or insurance laws or worker's compensation laws or otherwise. Vendor, its agents and employees shall not be entitled to any of the benefits afforded employees of Falling Colors including but not limited to accruing leave, retirement, insurance, bonding, use of Falling Colors property or Falling Colors vehicles, or any consideration not specified in this Agreement. The Vendor acknowledges that it bears sole responsibility for determining how all sums received by it hereunder should be reported for tax purposes and that Falling Colors cannot and has not provided any advice or guidance regarding such reporting.

ARTICLE 10

ASSIGNMENT

The Vendor shall not assign or transfer any interest in this Agreement or assign any claims for money due or to become due under this Agreement without the prior written approval of Falling Colors.

ARTICLE 11

SUBCONTRACTING

The Vendor is able to subcontract portions of the services to be performed under this Agreement without the prior written approval of Falling Colors. No such subcontract shall relieve the Vendor from its obligations and liabilities under this Agreement, nor shall any subcontract obligate direct payment to a third party from Falling Colors. Vendor shall take all reasonable steps to ensure that any subcontractor complies with all provisions of this Agreement. Upon Falling Colors written request, Vendor shall provide Falling Colors with details, records, or information on any subcontracts it has entered into for the performance of a portion of this Agreement within three (3) business days.

ARTICLE 12

CLIENT RECORDS, INFORMATION & BILLING AUDITS

A. **MAINTENANCE OF SERVICE RECORDS.** Vendor shall maintain complete confidential records for the benefit of Clients, the Collaborative Member Agencies and/or Falling Colors, to document the services rendered and sufficient to fulfill the provisions of the State SOW, applicable federal and state laws and regulations, policies and directive of the Collaborative, the Vendor Manual, and any other federal and State requirements. All records maintained pursuant to this Agreement shall be

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available for inspection by Falling Colors, the Collaborative or the Collaborative's designee or State or Federal agencies upon request.

B. **MAINTENANCE OF BILLING RECORDS/AUDITS.** To the extent the Vendor obtains or creates records of treatment of patients or of services provided to patients, Vendor shall also maintain records that verify the delivery of services as billed. Falling Colors reserves the right to audit the Vendor's service/deliverable records and billing records at any time. Falling Colors shall have the right to audit billings both before and after payment; payment under this Agreement shall not foreclose the right of Falling Colors to recover excessive or illegal payments.

C. **CONFIDENTIALITY.** In accordance with 42 CFR Part 2, as may be amended from time to time, and applicable regulations and all other state and federal rules, regulations and laws protecting the confidentiality of information, Vendor shall protect the confidentiality of all confidential information and records and shall not release any confidential information to any other third party without the express written authorization of the Collaborative and/or Falling Colors.

D. **HIPAA.** Provider shall comply with the Federal Health Insurance Portability and Accountability Act (HIPAA) of 1996, as may be amended from time to time and applicable regulations and all other state and federal rules, regulations and laws protecting the confidentiality of information.

E. **RECORD RETENTION.** Client records shall be retained by the Vendor for a period of ten (10) years from the date of final payment under this Agreement and/or in accordance with all applicable federal and state laws and regulations, policies and directive of the Collaborative, and the Vendor Manual. The records shall be subject to periodic inspections by Falling Colors, and state and federal entities

ARTICLE 13

FINANCIAL AUDIT REQUIREMENTS/REPORTS

A. **STATE AND FEDERAL FUNDS.** A Vendor receiving State or federal funds from Falling Colors shall comply with applicable auditing requirements under the Single Audit Act (SAA) (31 U.S. C. Section 7501, et seq.), all New Mexico State Auditor's rules and regulations, and any other applicable rules and regulations.

B. **FEDERAL FUNDS SUBJECT TO SAA.** A Vendor receiving federal funds in excess of Seven hundred fifty thousand dollars ($750,000) in any single year that are subject to the SAA shall submit to Falling Colors an audit conducted by a Certified Public accountant in compliance with the Single Audit Act.

C. **FEDERAL FUNDS EXEMPT FROM SAA.** A Vendor receiving federal funds in excess of Seven hundred fifty thousand dollars ($750,000) that are otherwise exempt from

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the Single Audit Act or state funds from Falling Colors in excess of one hundred thousand dollars ($100,000) in any single year shall submit to Falling Colors Annual Financial Statements and a Management Letter expressing an opinion on the Financial Statements prepared by an external Certified Public Accountant.

D. **AUDIT SUBMISSIONS TO FALLING COLORS.** A Vendor receiving state funds from Falling Colors less than one hundred thousand dollars ($100,000) or federal funds less than seven hundred fifty thousand dollars ($750,000) in any single year shall submit to Falling Colors:

1. Annual Financial Statements and a Management Letter expressing an opinion on the Financial Statements prepared by an external Certified Public Accountant, or
2. If Financial Statements are not normally prepared by a Certified Public Accountant, internally prepared Financial Statements are acceptable.

E. **FINANCIAL REPORT SUBMISSIONS.** Applicable annual financial reports shall be submitted to Falling Colors no later than six months following the close of the Vendor's fiscal year.

F. **DELIVERY.** To ensure proper delivery and receipt, the Vendor shall submit their annual financial reports electronically to:

Falling Colors Corporation
Attn: Controller
Email: support@bhsdstar.org

G. **NO REIMBURSEMENT.** The Vendor shall not request payment from Falling Colors for the cost of preparation of annual financial reports required by this Article.

H. **SUBMISSION.** The above provisions are a necessary component of the financial disbursement process and as such financial reporting shall be performed by Vendor and financial reports shall be submitted to Falling Colors. Non-compliance of above annual financial reporting provisions shall be interpreted as "Failure to Perform".

ARTICLE 14

RELEASE

The Vendor understands that all payments provided under this Agreement are funded by the Collaborative and paid through Falling Colors, and agrees that any claim it may have to payments under this Agreement may be made only against the State of New Mexico.

The Vendor, upon final payment of the amount due under this Agreement, releases Falling Colors, its officers and employees, and the Collaborative, from all liabilities, claims and obligations not assumed herein by the State of New Mexico.

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ARTICLE 15

PRODUCT OF SERVICES COPYRIGHT

All materials or products developed or acquired by the Vendor under this Agreement shall become the property of the Collaborative and shall be delivered to Falling Colors no later than the termination date of this Agreement. Nothing produced, in whole or in part, by the Vendor under the Agreement shall be the subject of an application for copyright by or on behalf of the Vendor.

ARTICLE 16

CONFLICT OF INTEREST

The Vendor represents that it presently has no interest and shall not acquire any interest, direct or indirect, that would conflict in any manner or degree with the performance of services required under this Agreement or that would create the appearance of any conflict. The Vendor agrees to comply with the requirements of the New Mexico Financial Disclosure Act (Section l0-l6A-l et. seq. NMSA l978) and Governmental Code of Conduct (Section 10-16-1 et seq. NMSA 1978), as applicable. The Vendor represents and warrants that the services to be performed under this Agreement shall not result in a conflict of interest prohibited by state or federal laws, rules or regulations.

ARTICLE 17

AMENDMENT

This Agreement shall not be altered, changed or amended except by instrument in writing executed by the parties hereto and except as may otherwise be set forth in this Agreement. In accordance with changes in the Collaborative and/or Falling Colors policy, this Agreement shall to comply with current policy, rules, regulations, appropriations, grants and law.

The Vendor shall provide at least thirty (30) days' prior written notice to Falling Colors of Vendor's intent to diminish, materially change, or substantially reduce services provided under this Agreement, provided that, Vendor shall continue to provide that same level of services during that thirty (30) day period.

ARTICLE 18

COMPLIANCE WITH APPLICABLE LAW

This Agreement shall be governed by applicable laws of the State of New Mexico and applicable federal laws, including but not limited to the comprehensive Alcohol and

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Alcoholism Prevention, Treatment and Rehabilitation Act of 1970, as amended (42 U.S.C. Section 290 dd-1, et seq. and the Public Health Service Act 42 U.S.C. Sections 300x, et seq., and 42 CFR (Code of Federal Regulations) Part 96 hereafter referred to as the "Act"), 45 CFR (Code of Federal Regulations), Part 96, Americans With Disabilities Act of 1990 and any other applicable laws and regulations as currently enacted or as amended or modified in the future. Vendors shall have TTY services and/or are accessible through 711 telecommunication systems.

ARTICLE 19

COMPLIANCE WITH EMPLOYMENT LAWS

The Vendor hereby agrees to comply with the Civil Rights Act of l964 (42 U.S.C. 2000e, et seq.), Title IX of the Education Amendments of l972 (20 U.S.C. l68l, et seq.), Section 504 of the Rehabilitation Act of l973 (29 U.S.C. 794 et seq.), Age Discrimination Act of l975 (42 U.S.C. 6l0l, et seq.), the Americans with Disabilities Discrimination Act of l990 (42 U.S.C. l2l50, et seq.), Workers Compensation laws, and all other applicable federal and state laws and regulations. These laws and regulations prohibit discrimination on the grounds of race, color, national origin, sex, age, religion, sexual preference, medical condition, veteran's status, handicap or disability. The Vendor also agrees to comply with all relevant rules, regulations, and orders of the Secretary of Labor.

This Agreement is binding on the Vendor, its successor, transfers, assignees and subcontractors as long as they receive funding or other assistance originating from Falling Colors or retain possession of any property belonging to Falling Colors.

ARTICLE 20

POLITICAL ACTIVITY

No funds hereunder shall be used for any partisan political activity or to further the election or defeat of any candidate for public office.

ARTICLE 21

LOBBYING

The Vendor shall not use any funds provided under this Agreement, either directly or indirectly, for the purpose of conducting lobbying activities or hiring a lobbyist or lobbyists on its behalf at the federal, state, or local government level, as defined in the Lobbyist Regulation Act, Section 2-11-1, et seq., NMSA 1978, and applicable federal law.

ARTICLE 22

PENALTIES

New Mexico statutes impose criminal penalties where bribes, gratuities or kickbacks have been solicited, given or received in contracts involving public money.

ARTICLE 23

NON –WAIVER

The failure of a party to insist upon strict adherence to any term of this Agreement, on any occasion shall not be considered a waiver or deprive that party of the right thereafter to that term or any other of this Agreement.

ARTICLE 24

NOTICES

Notice shall be provided in a manner reasonably calculated to ensure actual receipt by the intended recipient. If the recipient affirmatively acknowledges receipt, notice shall be deemed to have been given. Otherwise, notice shall be deemed given if given by using two (2) of the following delivery methods: (i) in person, (ii) by electronic mail, (iii) by courier service, or (iv) by U.S. first class mail postage prepaid.

Notices shall be delivered to:

To:

Falling Colors
Controller
125 Lincoln Ave #223
Santa Fe, NM 87501
support@bhsdstar.org

Behavioral Health Collaborative:
ASO Manager
Behavioral Health Services
37 Plaza la Prensa
Santa Fe, NM 87502
Fax: 505.476.9277
BHSD.ASO@state.nm.us

City of Santa Fe
Address: 200 Murales Road, Santa Fe, NM 87501
Attn: Andres Mercado
Phone: (505) 955-3604
Email: ajmercado@santafenm.gov

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ARTICLE 25

SPECIAL PROVISIONS

A. **PROGRAM EVALUATIONS.** In order to monitor the performance of services and compliance with the provisions of this Agreement by the Vendor, employees of Falling Colors and/or State and Federal agencies which have provided funds under this Agreement, or their duly authorized representatives, shall visit the offices of the Vendor when necessary to examine the Vendor's operations and records. Vendor shall cooperate with such examinations.

B. **PROGRAM OUTCOME AND/OR PROCESS EVALUATIONS.** Vendor agrees to comply with requests and timeframes for information and/or data from Falling Colors and/or the Collaborative for the purpose of outcome and/or process evaluations as may be required by the Collaborative to compile reports to support program performance and Client progress and to comply with grant reporting requirements.

C. **FORCE MAJEUR.** Neither party hereto shall be held responsible for delay or failure to perform hereunder when such delay or failure is due to fire, flood, epidemics, strikes, acts of God or the public enemy, unusually severe weather, legal acts of the public authorities, or delays or default caused by public carriers which cannot reasonably be forecast or provided for.

D. **FRAUD AND ABUSE COMPLIANCE.** Vendor agrees to comply with the Vendor Manual, as revised from time to time, which is incorporated herein by this reference and found at www.BHSDStar.org including, but not limited to, Falling Colors fraud and abuse compliance plan, policies and procedures. Vendor agrees to fully cooperate in good faith in a reasonable and timely manner with all requests, investigations, corrective action, and other activities to facilitate Falling Colors' obligations under Falling Colors' Contract with the Collaborative contract to identify, investigate, and take appropriate corrective action against fraud and/or abuse in the delivery of services to Clients

ARTICLE 26

RESOLUTION OF DISPUTES

Falling Colors and Vendor will work together in good faith to resolve any disputes about their business relationship. If the parties are unable to resolve the dispute within thirty

(30) days following the date one party sent written notice of the dispute to the other party, either party may demand mediation by providing written notice of a dispute to the other party. When a party has demanded mediation under this provision, the parties agree to attend mediation in good faith within ninety (90) days of such notice, or by such other date as the parties may mutually agree to.

If the parties are unable to agree to a mediator, both parties will select a non-employee representative and those representatives shall select a mediator.

Neither party may proceed to litigation unless mediation has occurred and been unsuccessful under this provision.

Any litigation occurring under this provision will take place in the First Judicial District Court in Santa Fe, New Mexico, and shall be governed by the laws of New Mexico.

ARTICLE 27

SEVERABILITY

Any provision hereof found by a court of competent jurisdiction to be illegal or unenforceable shall be automatically severable and the balance of this Agreement shall remain in full force and effect.

ARTICLE 28

OTHER PROVISIONS

A. **TIME IS OF THE ESSENCE.** Time is of the essence in every provision of this Agreement.

B. **HEADINGS.** Headings are for reference purposes only and have no substantive effect.

C. **COUNTERPARTS.** This Agreement may be signed in one or more counterparts, each of which shall be deemed an original and all of which shall constitute one and the same instrument, and delivery of a signed facsimile copy or delivery of a signed copy by email will have the same effect as delivery of a signed original.

D. **ADDITIONAL DOCUMENTS.** Each party agrees in good faith to execute such further or additional documents as may be necessary or appropriate to fully carry out the intent and purpose of this Agreement.

Scope of Work

City of Santa Fe

Lead Agency: BHSD
State Fiscal Year: SFY21 (July 1,2020 - June 30,2021
Services: Non-Client Services
Billing Type: Invoice
Funding: Federal Funds
Fund Pool: BG50 : CARA
Project: CARA
CFDA# (If Applicable): 93.788

Funding Category	Funding Source	Funding Code	Funding Amount
FR CARA Carry Forward (to be spent by 9/29/20)	FR CARA	BG50	$97,500
FR CARA 25% (to be spent by 9/29/20)	FR CARA	BG50	**$32,500**
FR CARA 75% (to be spent by 6/30/21)	FR CARA	BG50	**$97,500**
Total			**$227,500**

The City of Santa Fe will receive $227, 500 for the period of July 1, 2020 through June 30, 2021. The City of Santa Fe will perform the work outlined in this Scope of Work and any attached Appendices which are hereby incorporated and made a part of the Agreement. All vendors/providers who receive funds from the Behavioral Health Services Division (BHSD)/Behavioral Health Collaborative and provide behavioral health services must be enrolled as an approved Medicaid provider in order to receive funding. The BHSD/Behavioral Health Collaborative is the payor of last resort for behavioral health services for adults and children covered by Medicaid. When a Medicaid covered service is provided to a Medicaid eligible client, those services must be billed to Medicaid.

This does not mean that programs and services that are require anonymity (e.g., domestic violence, sexual violence, shelters, etc.) will be billed to Medicaid. This does not apply to providers and agencies receiving funds under BHSD Prevention programs. There are no changes in billing for these providers or agencies

Based on Covid-19 restrictions, OSAP will be flexible with due dates and deliverables. As circumstances dictate OSAP will communicate guidance as needed. Please keep OSAP apprised of barriers and challenges in carrying out activities and meeting deadlines.

If public health conditions such as COVID 19 or other emergency conditions preclude the safety of in person meetings, training, collaboration, and technical assistance activities may be conducted in person or via video conferencing.

A. This scope of work is between Falling Colors and the City of Santa Fe for the Behavioral Health Services Division of the New Mexico Human Services Department. This agreement is expressly to create and operate an overdose survivor follow up pilot program to expand naloxone availability and reduce opioid overdose death through the City of Santa Fe's Fire Department Mobile Integrated Health Office (MIHO). Payment will be based upon delivery of the following tasks as listed in Section C.

B. The City of Santa Fe will perform the following work:

1. Hire a Navigator to assist the Santa Fe Fire Department MIHO project with referrals and case management.
2. Enhance Opioid Overdose Survivor Outreach program:
   a. Develop and refine outreach protocols to guide all program activities such as outreach methods, services, and frequency to include warm handoff/ referral to substance abuse treatment and recovery services, handouts, resource lists, etc.
   b. Develop data collection tools to meet tracking reporting requirements.
   c. Provide staff outreach to overdose survivors, family and friends in accordance with implementation plan.
3. Provision of naloxone kits to overdose survivors, family and friends.
   a. Purchase naloxone kits to distribute to overdose survivors, family and friends.
   b. Provide naloxone kits to overdose survivors, family and friends in accordance with implementation plan.
   c. Provide overdose prevention and Narcan training to all naloxone recipients.
   d. If necessary upon exhausting other funds, request additional naloxone kits by sending a Naloxone Request Form to Rebecca Leppala, Rebecca.Leppala@state.nm.us and cc OSAP Director karen.cheman@state.nm.us.
4. Development and Implementation of Community-Based Buprenorphine Induction Program.
   a. In conjunction with the Lieving Group, develop strategic and operational plan for community-based buprenorphine program.
   b. Develop protocols for staff on outreach, communication with community-based buprenorphine provider, tracking of referrals to ongoing Medicine Assisted Treatment (MAT) and follow up with persons participating in the program.
   c. Work with the Lieving Group and OSAP staff to regularly identify successes and challenges, and to identify solutions to barriers and challenges.
5. Participation in Technical Assistance and Project Management:
   a. The City of Santa Fe's Fire Department MIHO Staff will participate in regular meetings with OSAP staff, Bernie Lieving of the Lieving Group, and staff with the Santa Fe Fire Department to track progress and address challenges and questions as Santa Fe Fire Department MIHO initiates its overdose survivor outreach program.

b. The City of Santa Fe's Fire Department MIHO Staff will actively participate in monthly PDO/SOR/FR CARA Grants Advisory Council meetings.
c. The City of Santa Fe's Fire Department MIHO Staff will actively participate in meetings with other fire departments operating overdose response programs and other opioid overdose education and naloxone distribution projects to engage in peer learning and to enhance the quality of services offered in Santa Fe and other sites.

6. Reporting requirements:
   a. Number of naloxone trainings and data to be submitted monthly.
      i. For each training, report the number of persons trained by type of outreach (survivor, friends, family), date of training, and contact information (phone, emails and agency address), and pre/posttest on knowledge and readiness to use naloxone.
   b. Number of naloxone kits distributed by zip code (using OSAP data collection forms) submitted monthly.
      i. Each month, report on number of persons trained on opioid overdose prevention education & naloxone administration by staff; total number of naloxone kits distributed by zip code & type of kit (Narcan); number of naloxone administrations by agency staff or client, family and friend; and number of reversals.
   c. Number of outreach attempts to overdose survivors and their families and friends monthly.
   d. Number of responses to requests for services monthly.
   e. Numbers of survivors and families who receive information and referrals to treatment and recovery services monthly.
   f. Number of referrals to FR CARA suboxone induction provider.
   g. Number of first responders trained on fentanyl safety.
      i. Update of activities to include number of kits distributed, number of trainings offered, number of people trained, and number of reported reversals to be submitted the 5th of each month to the FR CARA Program Manager and cc OSAP Director.
   h. Participation in other reporting and evaluation activities of the grant as requested by OSAP staff and/or the Pacific Institute for Research and Evaluation (PIRE).

C. The City of Santa Fe will provide the following deliverables:

1. Opioid overdose survivor program protocols and plan and updates.
2. Naloxone trainings and distribution to opioid overdose survivors, friends and family.
3. Monthly submission of billing through BHSD STAR.
4. Protocols for program delivery.
5. Monthly submission of data to Rebecca Leppala, cc OSAP Director regarding:
   a. Outreach attempts to overdose survivors and their families and friends
   b. Naloxone training, including pre/post training evaluation data
   c. Naloxone distribution
   d. Referrals to treatment
   e. Trainings of first responders on fentanyl safety
   f. Responses to requests for services
6. Submission of monthly progress report of activities to be submitted the 5th of each month to FR CARA Program Manager, cc OSAP Director Karen Cheman.
7. End of year summary report by June 30, 2021.

D. Annual Program and Financial Reports – New to all SOWs for FY21

An annual program report and financial report is required for all vendors. The type of financial report

is dependent on the amount of the fiscal year allocation. Submitting a financial audit or report is a condition of this contract.

Select one and initial the reporting requirement that applies.

- ☐ ***A vendor that expends $750,000 or more in Federal awards during the state fiscal year must have a single audit conducted in accordance with the Audit Requirements of the Federal Uniform Administrative Requirements. (Title 2, Subpart A, Chapter II Part 200, Subpart F, Subgroup 46, Section 200.501). This is due six months after the end of the vendor's fiscal year.***
- ☐ ***A vendor that expends less than $750,000 in Federal or State awards during the vendor's fiscal year must submit one of the following:***
  - ☐ ***A financial audit prepared by a CPA, or***
  - ☐ ***Management letter prepared by a CPA expressing an opinion about financial soundness, or***
  - ☐ ***Financial statement prepared by the vendor, or***
  - ☐ ***A balance sheet and profit/loss statement for the past 12 months.***

Submitting a financial audit or report is a condition of this contract.

A financial audit or report must be submitted along with the annual program report to the program manager. For vendors without a program manager, the annual program report and financial audit or report are due 30 days after the end of the fiscal year.

Submit the report to support@bhsdstar.org

Subject: Program Name FY21 Annual Program and Financial Report: Attention Finance Team.

Vendor records must be available for review or audit by appropriate officials of the Federal and/or state government, if needed.

(This rest of this page intentionally left blank.)

EXECUTION PAGE

By initialing each page of this Agreement and by signing below, I represent that I am an authorized signatory for the Vendor and have read and understand this Agreement and all of its attachments.

VENDOR	
Name of Vendor (Please Print or Type): City of Santa Fe	
Authorized Signature:	**Date:**
Name (Please Print or Type): Alan M. Webber	
Title (Please Print or Type): Mayor	
Address: P.O. Box 909, Santa Fe, NM 87504 **E-Mail Address:**	
Phone:	**Fax:**
TIN:	**NPI:**

City of Santa Fe:
Attest:

_____
Yolanda Y. Vigil, City Clerk

City Attorney's Office:
Marcos Martinez
Marcos Martinez (Sep 3, 2020 08:43 MDT)
_____
Senior Assistant City Attorney

Approved for Finances:

_____
Mary McCoy, Finance Director

Agreed upon by Falling Colors:

_____ _____

Signature Date Signed

Title:

City of Santa Fe:
Attest:

_____
Yolanda Y. Vigil, City Clerk

City Attorney's Office:

_____
Senior Assistant City Attorney

Approved for Finances:

_____
Mary McCoy, Finance Director

Agreed upon by Falling Colors:

DocuSigned by:
Jeremy Hernandez
03DDB08F811B46B...

9/14/2020 | 9:02:59 AM PDT

Signature

Date Signed

Title: General Manager

VENDOR INSTRUCTIONS

FOR NON-MEDICAID DOCUMENTS

The document(s) that are being delivered to you have been approved by the State of New Mexico's Interagency Behavioral Health Purchasing Collaborative for State Fiscal Year 2018.

Please complete all of the following steps and return the completed document(s) to the persons indicated below in Number 5.

Instructions

1. Legal Name. Review your Vendor Name on the first page of the document to verify that it is correct and that it is the Vendor's legal name. If it is not, to have it corrected please email Barbara Serna at Barbara@fallingcolors.com with the correct legal name as soon as possible.

2. Notice and Contact Information. If you are a new Vendor receiving a Vendor Agreement, completely fill in Vendor's Address, Attention contact, Phone, Fax and Email on page 14 of the Vendor Agreement. Please be sure that all information is legible.

3. Initial Each Page of the Document(s). Initial the bottom of each page of each document to demonstrate that you have received the document(s).

4. Execution Page. Completely fill in all the blanks on the Execution Page (the last page of the document) including all the following information:
   a. Insert TIN
   b. Insert NPI
   c. Sign the Vendor Agreement
   d. Print Name and Title of the signatory in a legible manner
   e. Fill in Address, Email, Phone and Fax information

5. Return Executed Document(s). Return executed document(s) electronically to: FALLING COLORS by utilizing the DocuSign software.

If you do not complete the document(s) in accordance with the instructions above, the document(s) will be returned to you to complete this step.

Thank you very much!

City of Santa Fe

Real Estate Summary of Contracts, Agreements, Amendments & Leases

Section to be completed by department

1. Munis Contract# 3201924

Contractor: Falling Colors Corporation

Description: FR CARA Grant (Revenue to City)

Contract ■ Agreement ○ Lease/Rent ○ Amendment ○

Term Start Date: 10/01/2019 Term End Date: 09/23/2020

☐ Approved by Council Date: _____

Contract / Lease: _____

Amendment # _____ to the Original Contract / Lease # _____

Increase/(Decrease) Amount $ _____

Extend Termination Date to: _____

☐ Approved by Council Date: _____

Amendment is for: _____

2. **HISTORY of Contract, Amendments & Lease / Rent - Please Elaborate** (option: attach spreadsheet if multiple amendments)

3. **Procurement History: First year of a three year contract**

Purchasing Officer Review: Fran Dunaway (Oct 15, 2020 12:00 MDT) Date: Oct 15, 2020

Comment & Exceptions: Revenue generated -Grant Collaborative Agreement with State of NM

4. **Funding Source: NM Human Services Dept. IFT Org / Object: 2210181.490720 Project# FIR20221A**

Budget Officer Approval: Alexis Lotero (Oct 15, 2020 10:30 MDT) Date: Oct 15, 2020

Comment & Exceptions: _____

Staff Contact who completed this form: Andres J. Mercado Phone # (505)629-6255

Email: ajmercado@santafenm.gov

To be recorded by City Clerk:

Clerk # _____

Date of Execution: _____

CITY OF SANTA FE PROCUREMENT CHECKLIST

Contractor Name: Falling Colors Corporation "Falling Colors"

Procurement Title: FR CARA Grant

Procurement Method: State Price Agreement ☐ *Cooperative* ☐ *Sole Source* ☐ *Other* ☒ *N/A: Revenue*

Exempt ☐ *Request For Proposal* (RFP) ☐ *Invitation To Bid (ITB)* ☐ *Contract under 60K* ☐ *Contract over 60K* ☐

Department Requesting Fire Department Staff Name Andres J. Mercado

Procurement Requirements:

A procurement file shall be maintained for all contracts, regardless of the method of procurement. The procurement file shall contain the basis on which the award is made, all submitted bids, all evaluation materials, score sheets, quotations and all other documentation related to or prepared in conjunction with evaluation, negotiation, and the award process. The procurement shall contain a written determination from the Requesting Department, signed by the purchasing officer, setting forth the reasoning for the contract award decision before submitting to the Committees. .

REQUIRED DOCUMENTS FOR APPROVAL BY PURCHASING*

YES	N/A	
☐	☐	Approved Procurement Checklist (by Purchasing)
☒	☐	Memo addressed to City Manager (under 60K) Committees/City Council (over 60K)
☐	☒	State Price Agreement
☐	☒	RFP
☐	☒	Evaluation Committee Report
☐	☒	ITB
☐	☒	Bib Tab
☐	☒	Quotes (3 valid current quotes)
☐	☒	Cooperative Agreement
☐	☒	Sole Source Request and Determination Form
☐	☒	Contractors Exempt Letter
☐	☒	Purchasing Officers approval for exempt procurement
☒	☐	BAR
☐	☒	FIR
☐	☐	Executed Contract, Agreement or Amendment
☒	☐	Current Business Registration and CRS numbers on contract or agreement
☒	☐	Summary of Contracts and Agreements form
☐	☐	Certificate of Insurance
☐	☐	All documentation presented to Committees
☐	☐	Other: _____

Andres J. Mercado — Battalion Chief MIH — 10/13/2020

Department Rep Printed Name (attesting that all information included) — Title — Date

Purchasing Officer (attesting that all information is reviewed) — Title — Date

Include all other substantive documents and records of communication that pertain to the procurement and any resulting contract.

*

FALLI-1

OP ID: MF

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
09/29/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
505-988-4425
Blue Chip Insurance Agency
P.O. Box 5355
1040 Don Diego
Santa Fe, NM 87502
Jay W. Winter

CONTACT NAME: Jay W. Winter
PHONE (A/C, No, Ext): 505-988-4425
FAX (A/C, No): 505-988-7454
E-MAIL ADDRESS:

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : The Cincinnati Insurance Co.	10677
INSURER B :	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
FALLING COLORS TECH & CORP
Attn: Leon Lopez, CFO
125 Lincoln Ave., Ste 223
Santa Fe, NM 87501

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY			EPP 047 82 50	02/27/2020	02/27/2021	EACH OCCURRENCE	$ 1,000,000
	CLAIMS-MADE X OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 500,000
							MED EXP (Any one person)	$ 10,000
							PERSONAL & ADV INJURY	$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$ 2,000,000
	POLICY PRO-JECT LOC						PRODUCTS - COMP/OP AGG	$ 2,000,000
	OTHER:						Emp Ben.	$ 1,000,000
A	AUTOMOBILE LIABILITY			EPP 047 82 50	02/27/2020	02/27/2021	COMBINED SINGLE LIMIT (Ea accident)	$ 1,000,000
	X ANY AUTO						BODILY INJURY (Per person)	$
	OWNED AUTOS ONLY / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS ONLY / NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$
								$
A	X UMBRELLA LIAB OCCUR			EPP 047 82 50	02/27/2020	02/27/2021	EACH OCCURRENCE	$ 5,000,000
	EXCESS LIAB CLAIMS-MADE						AGGREGATE	$ 5,000,000
	DED RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y / N						PER STATUTE / OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) N / A						E.L. EACH ACCIDENT	$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

City of Santa Fe
P.O.Box 909
Santa Fe, NM 87502

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
Jay W. Winter

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Log # {Finance use only}:	
Batch # {Finance use only}:	

City of Santa Fe, New Mexico
BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME					DATE
FIRE/EMS	PAGE 1 of 2				05/29/2020
ITEM DESCRIPTION	**ORG**	**OBJECT**	**PROJECT**	**INCREASE**	**DECREASE**
EXPENDITURES				{enter as positive #}	{enter as negative #}
Salaries (General)	2210181	500110	FIR20221A	239,598	
Out of State Transportation ("Airfare and Ground Transport")	2210181	560500	FIR20221A	4,400	
Out of State Per Diem ("Hotel and Perdiem")	2210181	560200	FIR20221A	7,200	
Local Transportation	2210181	560450	FIR20221A	23,226	
Registration	2210181	560700	FIR20221A	6,000	
Operating Supplies ("Naloxone kits + EMT Supplies")	2210181	530200	FIR20221A	90,015	
Office Supplies ("Medical forms, Pens, Copy paper")	2210181	530100	FIR20221A	2,221	
Uniform Clothing & Linen	2210181	530500	FIR20221A	540	
Data Processing	2210181	570800	FIR20221A	10,500	
REVENUES				{enter as negative #}	{enter as positive #}
NM Human Services Dept-IFT	2210181	490720	FIR20221A	(383,700)	
				$ -	$ -

JUSTIFICATION: *(use additional page if needed)*
--Attach supporting documentation/memo
NMBHSD has been awarded a federal grant (SAMHSA FR CARA) for opiate outreach. SFFD is a subrecipient of this grant. The grant will fund: a 1.0FTE Case Manager along with supplies and travel.

{Complete section below if BAR results in a net change to ANY Fund}	
Fund(s) Affected:	Fund Bal. Increase/ (Decrease):
TOTAL:	0

Andres J Mercado 09/23/2020
Prepared By {print name} Date

Division Director {optional} Date

Paul Babcock Oct 1, 2020
Department Director Date

{Use this form for Finance Committee/ City Council agenda items ONLY}

CITY COUNCIL APPROVAL

City Council Approval Date

Agenda Item #:

Andy Hopkins
Budget Officer Date

Finance Director {≤ $5,000} Date

City Manager {≤ $60,000} Date

Log # {Finance use only}:	
Batch # {Finance use only}:	

City of Santa Fe, New Mexico
BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME	DATE
FIRE/EMS PAGE 2 of 2	05/29/2020

ITEM DESCRIPTION	ORG	OBJECT	PROJECT	INCREASE	DECREASE
EXPENDITURES				{enter as positive #}	{enter as negative #}
Food	2210181	530400	FIR20221A	3,600	
In State Per Diem	2210181	560250	FIR20221A	2,700	
REVENUES				{enter as negative #}	{enter as positive #}
NM Human Services Dept-IFT	2210181	490720	FIR20221A	(6,300)	
				$ -	$ -

JUSTIFICATION: *(use additional page if needed)*
--Attach supporting documentation/memo
NMBHSD has been awarded a federal grant (SAMHSA FR CARA) for opiate outreach. SFFD is a subrecipient of this grant. The grant will fund: a 1.0FTE Case Manager along with supplies and travel.

{Complete section below if BAR results in a net change to ANY Fund}	
Fund(s) Affected:	Fund Bal. Increase/ (Decrease):
TOTAL:	0

Andres J Mercado — 09/23/2020
Prepared By {print name} — Date

Division Director {optional} — Date

Paul Babcock — Oct 1, 2020
Department Director — Date

{Use this form for Finance Committee/ City Council agenda items ONLY}

CITY COUNCIL APPROVAL

City Council Approval Date:

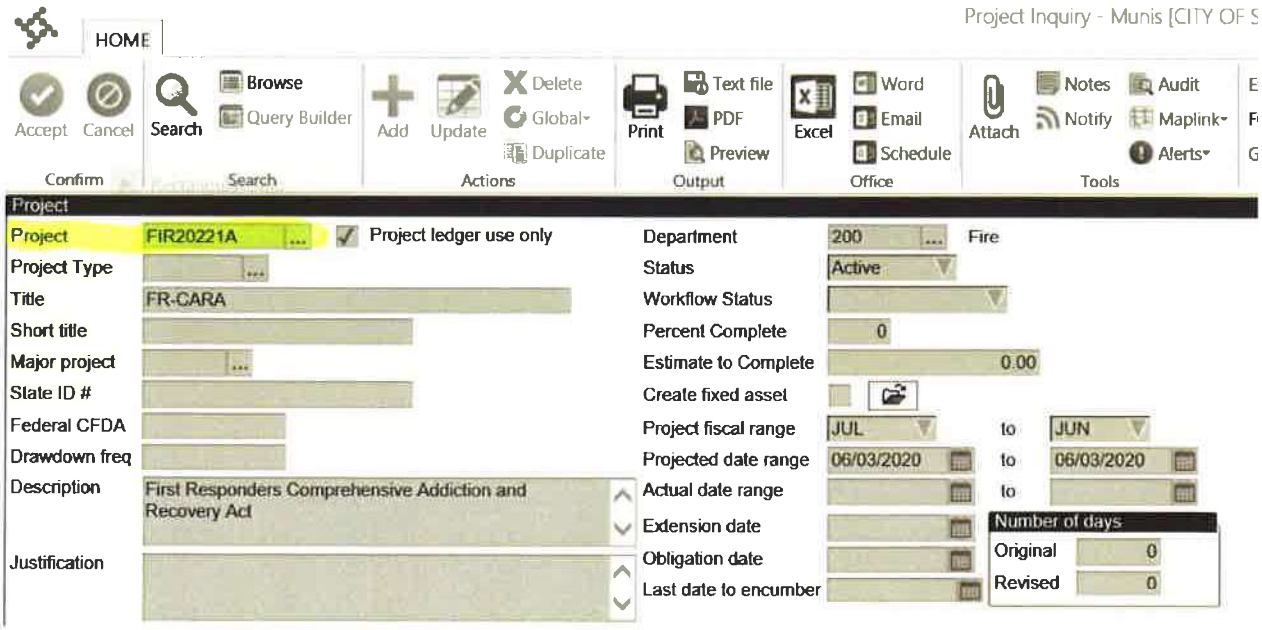
Agenda Item #:

Andy Hopkins
Budget Officer — Date

Finance Director {≤ $5,000} — Date

City Manager {≤ $60,000} — Date

Account Inquiry - Munis [CITY OF SANTA FE]
HOME
Accept
Cancel
Search
Browse
Query Builder
Segment Find
Add
Update
Delete
Global
Duplicate
Print
Text file
PDF
Preview
Excel
Word
Email
Schedule
Attach
Notes
Notify
Audit
Maplink
Alerts
Detail
Months
Totals
Project Strings
User Defined Fields
Confirm
Search
Actions
Output
Office
Tools
Menu
Account
Fund 221 EMRGSVC
Org 2210181 FIR SS SR
Object 490720 NM HumSvcl
Project
Acct 221-15-20-2100-181-00-000-490720-
Acct name NM Human Services Dept-IFT
Account Notes
Type Revenue
Status Active
Rollup
Sub-Rollup
MultiYr Fund
4 Year Comparison
History
Yr/Per 2020/01
Fiscal Year 2020
Fiscal Year 2019
Fiscal Year 2018
Fiscal Year 2021
Original Budget
Transfers In
Transfers Out
Revised Budget
Actual (Memo)
Encumbrances
Requisitions
Available
Percent used
.00
1 of 1


Project Inquiry - Munis [CITY OF S
HOME
Accept
Cancel
Search
Browse
Query Builder
Add
Update
Delete
Global
Duplicate
Print
Text file
PDF
Preview
Excel
Word
Email
Schedule
Attach
Notes
Notify
Audit
Maplink
Alerts
Confirm
Search
Actions
Output
Office
Tools
Project
Project FIR20221A
Project ledger use only
Project Type
Title FR-CARA
Short title
Major project
State ID #
Federal CFDA
Drawdown freq
Description First Responders Comprehensive Addiction and Recovery Act
Justification
Department 200 Fire
Status Active
Workflow Status
Percent Complete 0
Estimate to Complete 0.00
Create fixed asset
Project fiscal range JUL to JUN
Projected date range 06/03/2020 to 06/03/2020
Actual date range to
Extension date
Obligation date
Last date to encumber
Number of days
Original 0
Revised 0

ACTION SHEET
ITEM FROM FINANCE COMMITTEE MEETING OF 11/30/20
FOR CITY COUNCIL MEETING OF 12/09/20

b) Request for the Approval of State Price Agreement #70-000-16-00034AC in the Total Amount of Nine Hundred Ninety-Five Thousand Dollars ($995,000.00) for the Purchase of a Ladder Truck from 411 Equipment, LLC. (Brian Moya; bjmoya@santafenm.gov; (505)955-3111)

Committee	**Review:**
Public Works and Utilities Committee	11/09/2020
Finance Committee	11/30/2020
Governing Body	12/09/2020

FINANCE COMMITTEE ACTION:
Approved on Consent

FUNDING SOURCE:

SPECIAL CONDITIONS OR AMENDMENTS

VOTE	**FOR**	**AGAINST**	**ABSTAIN**
COUNCILOR ROMERO-WIRTH	x		
COUNCILOR CASSUTT-SANCHEZ	x		
COUNCILOR LINDELL	x		
COUNCILOR VILLARREAL	x		
CHAIRPERSON ABEYTA	x		

9-19-20

ACTION SHEET
PUBLIC WORKS AND UTILITES COMMITTEE MEETING OF 11/09/2020

ISSUE NO. 8A

Request for the Approval of State Price Agreement #70-000-16-00034AC in the Total Amount of Nine Hundred Ninety-Five Thousand Dollars ($995,000.00) for the Purchase of a Ladder Truck from 411 Equipment, LLC.; Brian Moya; bjmoya@santafenm.gov; (505)955-3111

COMMITTEE REVIEW:
Public Works and Utilities Committee 11/09/2020
Finance Committee 11/30/2020
Governing Body 12/09/2020

PUBLIC WORKS AND UTILITES COMMITTEE ACTION: Approved on consent agenda to forward to 11/30/2020 Finance Committee

SPECIAL CONDITIONS OR AMENDMENTS:

STAFF FOLLOW UP:

VOTE:	FOR	AGAINST	ABSTAIN
COUNCILOR RIVERA, CHAIR	X		
COUNCILOR GARCIA	X		
COUNCILOR ABEYTA	X		
COUNCILOR LINDELL	X		
COUNCILOR VIGIL COPPLER	X		

City of Santa Fe, New Mexico
Memorandum

DATE: October 13, 2020

TO: Governing Body
Finance Committee
Public Works

VIA: Jarel LaPan Hill, City Manager
Mary McCoy, Finance Department Director
Fran Dunaway, Chief Procurement Officer
Paul Babcock, Fire Chief

FROM: Brian Moya Assistant Chief

ITEM AND ISSUE:
Request for the Approval of State Price Agreement #70-000-16-00034AC in the total Amount of $995,000.00 for the purchase of a Ladder Truck from 411 Equipment, LLC.
Brian Moya, bjmoya@ci.santa-fe.nm.us, (505)955-3111.

BACKGROUND AND SUMMARY:

The City of Santa Fe Fire Department has been approved by the New Mexico Public Relations Commission, State Fire Marshal Division to purchase a new Ladder Truck in the amount of $995,000.00.

PROCUREMENT METHOD:
The procurement method is the NM Statewide Price Agreement (SWPA) # 70-000-16-00034AC which expires on August 31, 2021.

CONTRACT NUMBER:
The FY20 Munis contract number is 3202299.

FUNDING SOURCE:

Fund Name/Number: General Fund/Fund 200
Munis Org Name/Number: Fire Support Services /220181
Munis Object Name/Number: Vehicles >1.5/571000

ACTION REQUESTED:
Fire Department respectfully requests your review and approval.

CITY OF SANTA FE PROCUREMENT CHECKLIST

Contractor Name: 411 Equipment LLC

Procurement Title: Ladder Truck Vehicle Purchase

Procurement Method: State Price Agreement ☒ *Cooperative* ☐ *Sole Source* ☐ *Other* ☐ _____

Exempt ☐ *Request For Proposal* (RFP) ☐ *Invitation To Bid (ITB)* ☐ *Contract under 60K* ☐ *Contract over 60K* ☐

Department Requesting Fire Department Staff Name Brian Moya

Procurement Requirements:
A procurement file shall be maintained for all contracts, regardless of the method of procurement. The procurement file shall contain the basis on which the award is made, all submitted bids, all evaluation materials, score sheets, quotations and all other documentation related to or prepared in conjunction with evaluation, negotiation, and the award process. The procurement shall contain a written determination from the Requesting Department, signed by the purchasing officer, setting forth the reasoning for the contract award decision before submitting to the Committees. .

REQUIRED DOCUMENTS FOR APPROVAL BY PURCHASING*

YES	N/A	
☒	☐	Approved Procurement Checklist (by Purchasing)
☒	☐	Memo addressed to City Manager (under 60K) Committees/City Council (over 60K)
☒	☐	State Price Agreement
☐	☒	RFP
☐	☒	Evaluation Committee Report
☐	☒	ITB
☐	☒	Bib Tab
☐	☒	Quotes (3 valid current quotes)
☐	☒	Cooperative Agreement
☐	☒	Sole Source Request and Determination Form
☐	☒	Contractors Exempt Letter
☐	☒	Purchasing Officers approval for exempt procurement
☐	☒	BAR
☐	☒	FIR
☒	☐	Executed Contract, Agreement or Amendment
☒	☐	Current Business Registration and CRS numbers on contract or agreement
☐	☒	Summary of Contracts and Agreements form
☒	☐	Certificate of Insurance
☐	☒	All documentation presented to Committees
☒	☐	Other: Truck Specs.

Brian Moya	Assistant Chief	10/13/20
Department Rep Printed Name (attesting that all information included)	Title	Date

Fran Dunaway (Oct 14, 2020 10:48 MDT)

Purchasing Officer (attesting that all information is reviewed)	Title	Date

Include all other substantive documents and records of communication that pertain to the procurement and any resulting contract.

*

MVD
NEW MEXICO

NEW MEXICO

2019 - 2020

TAXATION & REVENUE DEPARTMENT
MOTOR VEHICLE DIVISION

PURSUANT TO SECTION 66-4-1, NMSA 1978, the Person or Business Named Herein has been Licensed as a:

License Type	**Dealer**
License Number	**5178**
License Period	**19-Dec-2019 to 31-Dec-2020**
Business Name	**411 EQUIPMENT ,LLC**
Business Location	**1815 4TH ST NW ALBUQUERQUE NM 87102-1449**
Eligible Dealer Plates	**5**

2019 - 2020

This license is valid for the period indicated above.

The license shall be displayed in the office at the address shown above.

Letter ID:L1031617984

CITY OF ALBUQUERQUE
BUSINESS REGISTRATION

CITY OF ALBUQUERQUE
P.O. BOX 1293
ALBUQUERQUE, NM 87102

411 EQUIPMENT. LLC
1815 4TH ST NW
ALBUQUERQUE NM 87102-1449

CITY OF ALBUQUERQUE

411 EQUIPMENT. LLC
1815 4TH ST NW
ALBUQUERQUE NM

PERMIT NO: COM-2019-357800

PROGRAM: BUSINESS REGISTRATION

EFFECTIVE FROM: 12/18/2019 THROUGH: 12/17/2020

HAVING COMPLIED WITH THE FEE REQUIREMENTS OF CHAPTER 13 ARTICLE 1 OF THE REVISED ORDINANCES.

REGISTRATION OR LICENSING WITH THE CITY OF ALBUQUERQUE AND PAYMENT OF FEES DOES NOT CONSTITUTE A WAIVER OF ANY REQUIREMENTS OR PROVISIONS CONTAINED AT ANY LAW.

THE ACTIVITY/BUSINESS PROPOSED TO BE CONDUCTED AT ANY LOCATION WITHIN THE CITY SHALL BE APPROVED BY THE CITY'S ZONING ENFORCEMENT OFFICER PRIOR TO COMMENCING THE ACTIVITY/BUSINESS.

PLANNING DEPARTMENT - CODE ENFORCEMENT DIVISION

WWW.BIZREG.CABQ.GOV

(505) 924-3890

POST IN A CONSPICUOUS PLACE

NEW MEXICO PUBLIC REGULATION COMMISSION

COMMISSIONERS

DISTRICT 1 CYNTHIA B. HALL
DISTRICT 2 JEFFERSON L. BYRD, VICE CHAIR
DISTRICT 3 VALERIE ESPINOZA
DISTRICT 4 THERESA BECENTI-AGUILAR
DISTRICT 5 STEPHEN FISCHMANN, CHAIR

INTERIM CHIEF OF STAFF
Jason N. Montoya, P.E.

P.O. Box 1269
Santa Fe, NM 87504-1269

STATE FIRE MARSHAL DIVISION
John Kondratick
Interim State Fire Marshal
Phone (505) 470-1044
Fax (505)476-0100

October 9, 2020

Brian Moya
200 Murales Rd.
Santa Fe, NM
87504

Dear Assistant Chief Moya,

The specifications you submitted on October 5, 2020 on behalf of the Santa Fe FD for the purchase of a new Ladder Truck have been reviewed and are approved. The Santa Fe FD is authorized to use fire protection Fund monies for the purchase of this vehicle. ***This Vehicle shall comply with NFPA 1901 Standard for Automotive Fire Apparatus 2016 Edition.***

"This letter shall serve as approval to expend fire protection fund monies to finance the cost of the New *Ladder Truck*. The *Santa Fe Fire Department is* currently an ISO classification of 2 *with* a minimum yearly Fire Protection Fund Allocation of *$722,554.00*.

If there are any major changes in the specifications that are made prior to bidding procedures, this office must approve the changes or this authorization of expenditure shall be rendered null and void.

If you anticipate a loan, I recommend that you contact the New Mexico Finance Authority {NMFA} at 505-984-1454 to finance the vehicle. A loan through NMFA will be at minimal interest. This letter shall serve as authorization for you to enter into an agreement with NMFA for the commitment of fire protection fund monies. For future references, please be reminded that all purchases shall be accomplished in accordance with the policies and guidelines of your governing body, the provisions of the Public Purchase Act, and as approved by the New Mexico Department of Finance and Administration.

Final Approval and determination of the purchase of this apparatus is incumbent upon the local government to ensure all needs of the fire Department are properly met to ensure full and complete response capabilities in the Fire District.
If you have any questions please do not hesitate to contact me at 505-467-9425

Respectfully,

Derrick Rodriguez
Fire Department Inspector
New Mexico State Fire Marshal Division
Fire Service Support Bureau
XC: Randy Varela, Deputy Fire Marshal
File

411EQUI-01 RTOURVILLE

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 10/6/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Charles L. Crane Agency Co. 100 N Broadway, Ste 900 Saint Louis, MO 63102	CONTACT NAME: PHONE (A/C, No, Ext): (314) 241-8700 FAX (A/C, No): (314) 444-4970 E-MAIL ADDRESS:
INSURED 411 Equipment LLC 1815 4th Street NW Albuquerque, NM 87102	INSURER(S) AFFORDING COVERAGE — NAIC # INSURER A : Travelers Indemnity of America — 25666 INSURER B : Travelers Prop Cas Co of Amer — 25674 INSURER C : INSURER D : INSURER E : INSURER F :

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
	COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE	$
	[ ] CLAIMS-MADE [ ] OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$
							MED EXP (Any one person)	$
							PERSONAL & ADV INJURY	$
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$
	[ ] POLICY [ ] PRO-JECT [ ] LOC						PRODUCTS - COMP/OP AGG	$
	[ ] OTHER:							$
A	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$ 1,000,000
	[X] ANY AUTO			AD0P42283320CAG	8/9/2020	8/9/2021	BODILY INJURY (Per person)	$
	[ ] OWNED AUTOS ONLY [ ] SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	[ ] HIRED AUTOS ONLY [ ] NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$
								$
B	[X] UMBRELLA LIAB [X] OCCUR			CUP0P41866020	8/9/2020	8/9/2021	EACH OCCURRENCE	$ 1,000,000
	[ ] EXCESS LIAB [ ] CLAIMS-MADE						AGGREGATE	$ 1,000,000
	[ ] DED [X] RETENTION $ 0							$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			UB0P41008420	8/9/2020	8/9/2021	[X] PER STATUTE [ ] OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N [ ] (Mandatory in NH)		N/A				E.L. EACH ACCIDENT	$ 500,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$ 500,000
							E.L. DISEASE - POLICY LIMIT	$ 500,000
A	Garage Liability			AD0P42283320CAG	8/9/2020	8/9/2021	$1,000,000 EaAcc/Agg	3,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

.

CERTIFICATE HOLDER

City of Santa Fe
PO Box 909
Santa Fe, NM 87504-0909

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Joel Karsten

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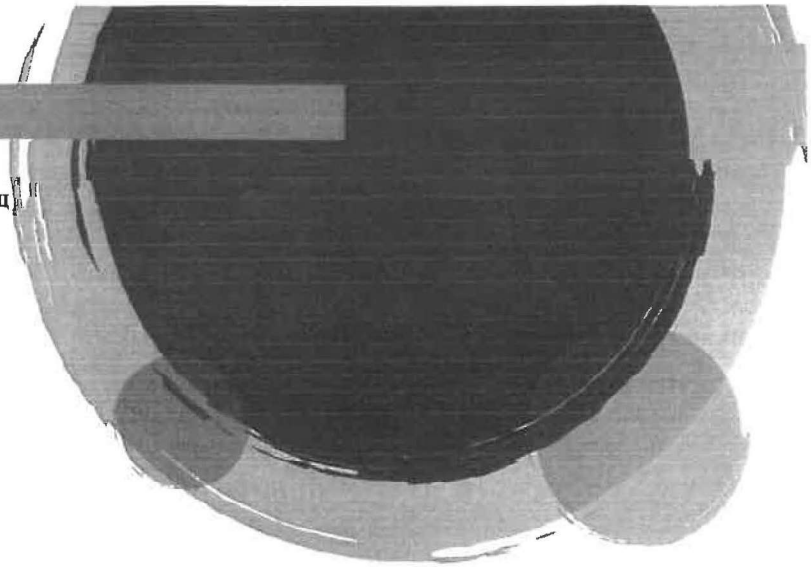
411 Equipment, LLC
"Be in the Know"
шяшь ыth Street NW, Albuquerque, NM яюшнщ
(505) 280-9143 Phone



October 02, 2020

FIRE APPARATUS PROPOSAL

A.C. Brian Moya

Santa Fe Fire Department

We hereby propose to furnish the following Ferrara HD77 Ladder/Quint and equipment, as described by the accompanying detailed specifications via our State Contract #70-000-16-00034AC. The apparatus and equipment will be delivered F.O.B., Santa Fe, NM within 150 calendar days from receipt of an order. Payment is due upon receipt of apparatus. The pricing in this proposal is valid through October 24, 2020 and may be extended, in writing, at the discretion of 411 Equipment LLC. I have attached a copy of our state contract.

411 Equipment LLC has three EVT Certified Technicians on staff with holding a Master EVT and Master ASE Certifications.

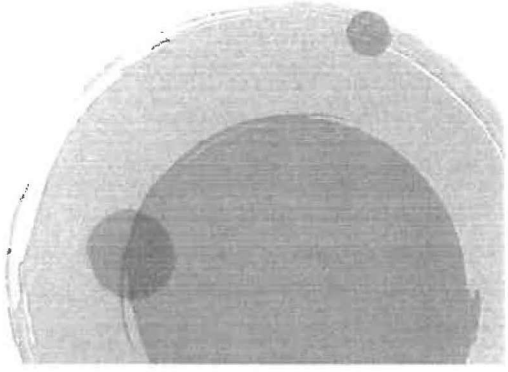
ITEM	DESCRIPTION	PRICE
1	Custom built Ferrara HD77 Ladder as per the attached specifications	**$995,000.00**

Please let me know if you have any questions.

Thank you for the opportunity,

Digitally signed by Pete Marquez, Jr
DN: cn=Pete Marquez, Jr, ou=411 Equipment LLC, email=jrmarquez@411equipment.com, c=US
Date: 2020.10.02 15:10:27 -06'00'

Pete Marquez, Jr,
General Manager/Owner



DocuSign Envelope ID: 0071ABF4-AFB5-4568-A9F1-E08C012E3E71

GSD/PD (Rev. 04/19)

State of New Mexico
General Services Department
Purchasing Division

Statewide Price Agreement Amendment

Awarded Vendor:
0000137893
Ferrara Fire Apparatus, Inc.
27855 James Chapel Road
Holden, LA 70744

Email: erica@ferrarafire.com
Telephone No.: 800-443-9006

Price Agreement Number: **70-000-16-00034AC**

Price Agreement Amendment No.: **Four**

Term: **January 27, 2017 – August 31, 2021**

Ship To:
All State of New Mexico agencies, commissions, institutions, political subdivisions and local public bodies allowed by law.

Invoice:
As Requested

Procurement Specialist: **Travis Dutton-Leyda** JDL

Telephone No.: **505-827-0477**

Email: **Travis.Dutton-Leyda@state.nm.us**

Title: **Fire Trucks and Fire Apparatus**

This Price Agreement Amendment is to be attached to the respective Price Agreement and become a part thereof.

In accordance with Price Agreement provisions, and by mutual agreement of all parties, this Price Agreement is extended from September 1, 2020 to August 31, 2021 at the same price, terms and conditions.

Except as modified by this amendment, the provisions of the Price Agreement shall remain in full force and effect.

Accepted for the State of New Mexico

Valerie Paulk

Mark Hayden, New Mexico State Purchasing Agent

Date:7/10/2020

X **This amendment was signed on behalf of the State Purchasing Agent**

VL

GSD/PD (Rev. 01/11)

State of New Mexico
General Services Department
Purchasing Division

Statewide Price Agreement Amendment

Awarded Vendor:
0000137893
Ferrara Fire Apparatus, Inc.
27855 James Chapel Road
Holden, LA 70744

Email: erica@ferrarafire.com
Telephone No.: 800-443-9006

Price Agreement Number: **70-000-16-00034AC**

Price Agreement Amendment No.: **Three**

Term: **January 27, 2017 – August 31, 2020**

Ship To:
All State of New Mexico agencies, commissions, institutions, political subdivisions and local public bodies allowed by law.

Invoice:
As Requested at time of order

Procurement Specialist: **Travis Dutton-Leyda**

Telephone No.: **505-827-0477**

Email: **Travis.Dutton-Leyda@state.nm.us**

Title: **Fire Trucks and Fire Apparatus**

This Price Agreement Amendment is to be attached to the respective Participating Addendum and become a part thereof.

Supporting documentation including pricing and the Master Agreement can be found here:
https://www.naspovaluepoint.org/portfolio/fire-apparatus-trucks-2016-2020/ferrara-fire-apparatus/

This amendment is issued to reflect the following effective immediately:

Add the following Authorized Dealer:
411 Equipment LLC
1815 4th Street NW
Albuquerque, NM 87102

Except as modified by this amendment, the provisions of the Participating Addendum shall remain in full force and effect.

Accepted for the State of New Mexico

Mark Hayden, New Mexico State Purchasing Agent

Date: 10/31/2019

GSD/PD (Rev. 04/19)

State of New Mexico
General Services Department
Purchasing Division

Statewide Price Agreement Amendment

Awarded Vendor:
0000137893
Ferrara Fire Apparatus, Inc.
27855 James Chapel Road
Holden, LA 70744

Email: erica@ferrarafire.com
Telephone No.: 800-443-9006

Ship To:
All State of New Mexico agencies, commissions, institutions, political subdivisions and local public bodies allowed by law.

Invoice:
As Requested at time of order

Price Agreement Number: **70-000-16-00034AC**

Price Agreement Amendment No.: **Two**

Term: **January 27, 2017 – August 31, 2020**

Procurement Specialist: Travis Dutton-Leyda

Telephone No.: 505-827-0477

Email: travis.dutton-leyda@state.nm.us

Title: **Fire Trucks and Fire Apparatus**

This Price Agreement Amendment is to be attached to the respective Price Agreement and become a part thereof.

In accordance with Price Agreement provisions, and by mutual agreement of all parties, this Price Agreement is extended from September 1, 2019 to August 31, 2020 at the same price, terms and conditions.

Except as modified by this amendment, the provisions of the Price Agreement shall remain in full force and effect.

Accepted for the State of New Mexico

Mark Hayden, New Mexico State Purchasing Agent

Date: 8/20/19

SPD (Rev. 1/19)

State of New Mexico
General Services Department
Purchasing Division

Statewide Price Agreement Amendment Cover Page

Awarded Vendor:
0000137893
Ferrara Fire Apparatus, Inc.
27855 James Chapel Road
Holden, LA 70744

Email: erica@ferrarafire.com
Telephone No.: 800-443-9006

Price Agreement Number: **70-000-16-00034AC**

Price Agreement Amendment No.: **One**

Term: **January 27, 2017 – August 31, 2019**

Ship To:
All State of New Mexico agencies, commissions, institutions, political subdivisions and local public bodies allowed by law.

Invoice:
As Requested at time of order

Procurement Specialist: Travis Dutton-Leyda

Telephone No.: 505-827-0477

Email: travis.dutton-leyda@state.nm.us

Title: **Fire Trucks and Fire Apparatus**

The attached Amendment is to be attached to the respective Statewide Price Agreement and become a part thereof.

This amendment is issued to reflect the following effective immediately:

Delete New Mexico Administrative Reporting and Fees in its entirety and replace as described herein.

Except as modified by this amendment, the provisions of the Statewide Price Agreement shall remain in full force and effect.

PARTICIPATING ADDENDUM
NASPO ValuePoint
Fire Trucks and Fire Apparatus
Administered by the State of Mississippi (hereinafter "Lead State")

MASTER AGREEMENT
Ferrara Fire Apparatus, Inc.
Master Agreement No: 8200027987
(hereinafter "Contractor")
And
State of New Mexico
Statewide Price Agreement No: 70-000-16-00034AC
(hereinafter "Participating State/Entity")
70-000-16-00034AC
AMENDMENT NO: One

THIS AMENDMENT is made and entered into by and between the **State of New Mexico, General Services Department, State Purchasing Division,** hereinafter referred to as the **"Procuring Agency"** and **Ferrara Fire Apparatus, Inc.,** hereinafter referred to as the **"Contractor."**

IT IS MUTUALLY AGREED BETWEEN THE PARTIES THAT THE FOLLOWING PROVISIONS OF THE ABOVE-REFERENCED CONTRACT ARE AMENDED AS FOLLOWS:

Delete New Mexico Administrative Reporting and Fees in its entirety and replace with the following:

All contracts and Purchase Orders arising out of this agreement shall be deemed to include an Administrative Fee assessment at the rate of percent (1.00 %), **but not to exceed $2,000 per order** for the gross total sales and other revenues (including commissions and fees charged). This assessment shall apply to all New Mexico state agencies and local public bodies. **"Gross total sales"** means any invoiced amount less any applicable state and local taxes.

For reporting purposes: list payments received for the issued invoice during the applicable quarter by state agency, local public body and invoice number. The Quarters are as follows.

Quarter:	Period End:	Report Due:
First	September 30	October 31
Second	December 31	January 31
Third	March 31	April 30
Fourth	June 30	July 31

Even if contractor experiences zero sales during the quarter, a report is still required. This will also apply if the contract starts partial within a Quarter. Reports and Administrative Fee shall be due no later than thirty (30) days following the end of the quarter. Only submit one payment and one report for each quarter, do not combine payments or reports.

Payment shall be made by check payable to the "*State Purchasing Division.*" This contract number **70-000-16-00034AC** must be included on all payments and Quarterly Sales Reports.

Remit Checks to:

State Purchasing Division
1100 St. Francis Drive, Room 2016
PO Box 6850
Santa Fe, NM 87505
Attn: Compliance Officer

Sample Reports can be found at:
http://www.generalservices.state.nm.us/statepurchasing/resourcesandinformation.aspx#Vendors

Email completed reports to: GSD.QuarterlyUsageR@state.nm.us
For questions regarding the Administrative Fees and Quarterly Sales Reports contact the Compliance Officer at (505) 827-0472.

All other articles of the original contract remain the same.

Participating State: **State of New Mexico**	Contractor: **Ferrara Fire Apparatus, Inc.**
By:	By:
Name: Mark Hayden	Name: Bert McCutcheon
Title: Acting State Purchasing Agent	Title: Vice President / General Manager
Date: 2/21/2019	Date: February 14, 2019

For questions on executing a participating addendum, please contact:

NASPO ValuePoint

Cooperative Development Coordinator:	Tim Hay
Telephone:	503-428-5705
E-mail:	thay@naspovaluepoint.org

GSD/PD (Rev. 01/11)

State of New Mexico
General Services Department

Statewide Price Agreement

Awarded Vendor

Ferrara Fire Apparatus
27855 James Chapel Road
Holden, LA 70744

Telephone No. 800-443-7679

Price Agreement Number: **70-000-16-00034AC**

Payment Terms: **Net 30**

F.O.B.: **See Contract**

Delivery: **See Contract**

Ship To:
All State of New Mexico agencies, commissions, institutions, political subdivisions and local public bodies allowed by law.

Invoice:

Procurement Specialist: Kathy Sanchez

Telephone No.: 505-827-0487

Title: **Fire Trucks and Fire Apparatus**

Term: **January 27, 2017 through August 31, 2019**

This Price Agreement is made subject to the "terms and conditions" shown on the reverse side of this page, and as indicated in this Price Agreement.

Accepted for the State of New Mexico

New Mexico State Purchasing Agent

Date: 01/26/17

APPENDIX C CONTRACTOR INFORMATION AND PROFILE

1. **Company Name:** Ferrara Fire Apparatus, Inc.
   Address: 27855 James Chapel Road
   City: Holden State: Louisiana Zip: 70744
   Phone: 800-443-9006 FAX: 225-567-5260
   Federal Tax ID No.: 72-1129363
   Company Internet URL Address: www.ferrarafire.com

2. **Legal Status of the Bidder:** S Corporation: X

3. **Bidder's Authorized Representative:**
   Name: Chris Ferrara
   Phone: 800-443-9006 FAX: 225-567-5260 E-mail: cferrara@ferrarafire.com

4. **Orders to be sent to:**
   Company Name: Ferrara Fire Apparatus, Inc.
   Address: 27855 James Chapel Road
   City: Holden State: Louisiana Zip: 70744
   Phone: 800-443-9006 FAX: 225-567-5260
   Internet address for company catalog (if available): n/a

5. **Billing will be from:**
   Company Name: Ferrara Fire Apparatus, Inc.
   Address: 27855 James Chapel Road
   City: Holden State: Louisiana Zip: 70744
   Phone: 800-443-9006 FAX: 225-567-5260

6. **Payment to be sent to:**
   Company Name: Ferrara Fire Apparatus Inc.
   Address: 27855 James Chapel Road
   City: Holden State: Louisiana Zip: 70744
   Phone: 800-443-9006 FAX: 225-567-5260

7. **Bidder's Company Experience and History:** Upon request, Contractor will provide information about the company's experience and history in providing fire apparatus and services.

8. **Minority/Women Owned Business (MWBE):** No: X

9. **Payment Methods and Term:**

Payment Terms: Net 45 days.

10. **Purchasing Cooperative Members:** Contractor agrees to sell the goods and services on this contract to political subdivisions and nonprofit corporations: Yes X.

11. **Subcontractors:** Vendor has identified the following subcontractors as participants in the fulfillment of contract requirements and has provided a briefly describe the nature of equipment/services to be performed. (Reference Section 4.2)

12. **Customer References:** Customers may contact the Contractor for a list of references for any category of fire apparatus and service available through this Contract.

Contract 8200027987 with Ferrara Fire Apparatus, Inc. for Fire Trucks and Fire Apparatus

APPENDIX D AWARD & DISCOUNT SHEET

Ferrara Fire Apparatus, Inc. has been awarded a contract for the following categories of Fire Trucks with a discount of 5% off retail price. This discount also applies to all options available for each category of Fire Truck.

	List Price	% Discount	Final Price
100' (+/- 5 feet) Mid Mounted Aerial Apparatus, 4 Door	$953,423.00	5%	$908,022.00
50' (+/- 5 feet) Rear Mounted Aerial Apparatus, 4 Door	$622,650.00	5%	$593,000.00
75' (+/- 5 feet) Rear Mounted Aerial Apparatus, 4 Door	$673,109.00	5%	$641,056.00
100' (+/- 5 feet) Rear Mounted Aerial Apparatus, 4 Door	$818,423.00	5%	$779,450.00
125' (+/- 5 feet) Rear Mounted Aerial Apparatus, 4 Door	$903,048.00	5%	$860,046.00
Medium Duty Rescue Apparatus, 2 Door	$191,100.00	5%	$182,000.00
Medium Duty Rescue Apparatus, 4 Door	$202,125.00	5%	$192,500.00
Min. 2000 Gallon Water Tender, 2 Door	$287,951.00	5%	$273,553.00
Wildland Fire Apparatus Type 3, 2 Door	$282,900.00	5%	$268,755.00
Wildland Fire Apparatus Type 3, 4 Door	$293,000.00	5%	$278,350.00
Wildland Fire Apparatus Type 6, 2 Door- 0% Discount	$92,600.00	0%	$92,600.00
Wildland Fire Apparatus Type 6, 4 Door- 0% Discount	$94,560.00	0%	$94,650.00
Commercial Pumper 2 Door	$222,537.00	5%	$211,410.00
Commercial Pumper 4 Door	$231,205.00	5%	$219,645.00

D06	Freightliner M2, 2-door Cab, Single Axle, Extruded Aluminum Body, Walk-In MEDIUM Rescue	$263,396.00
D07	Freightliner M2, 4-door Cab, Single Axle, Extruded Aluminum Body, Walk-In MEDIUM Rescue	$273,793.00
D08	Cinder, 4-Door, Full-Tilt, OEM Cab, Single Axle, Extruded Aluminum Body, NON Walk-In HEAVY Rescue	$357,284.00
D09	Cinder, 4-Door, Full-Tilt, OEM Cab, Single Axle, Extruded Aluminum Body, Walk-In HEAVY Rescue	$375,823.00
D10	Igniter, 4-Door, Full-Tilt, OEM Cab, Single Axle, Extruded Aluminum Body, NON Walk-In HEAVY Rescue	$370,453.00
D11	Igniter, 4-Door, Full-Tilt, OEM Cab, Single Axle, Extruded Aluminum Body, Walk-In HEAVY Rescue	$388,992.00
D12	Inferno, 4-Door, Full-Tilt, OEM Cab, Single Axle, Extruded Aluminum Body, NON Walk-In HEAVY Rescue	$401,694.00
D13	Inferno, 4-Door, Full-Tilt, OEM Cab, Single Axle, Extruded Aluminum Body, Walk-In HEAVY Rescue	$422,155.00
D14	Inferno, 4-Door, Full-Tilt, OEM Cab, Single Axle, Extruded Aluminum Body, Incident Command Vehicle	$892,620.00
E. Pumper/Tankers & Tankers		
E01	M2 Freightliner, 2-Door, Extruded Aluminum Body, Tandem Axle, 1250 GPM Pump, Mid-Mounted Pumper/Tanker (3000 Gallons)	$278,951.00
E02	M2 Freightliner, 4-Door, Extruded Aluminum Body, Tandem Axle, 1250 GPM Pump, Mid-Mounted Pumper/Tanker (3000 Gallons)	$288,659.00
E03	Custom Cinder 2, 4-Door, Extruded Aluminum Body, Tandem Axle, 1250 GPM Pump, Mid-Mounted Pumper/Tanker (3000 Gallons)	$419,869.00
E04	Custom Igniter, 4-Door, Extruded Aluminum Body, Tandem Axle, 1250 GPM Pump, Mid-Mounted Pumper/Tanker (3000 Gallons)	$433,285.00
E05	Custom Inferno, 4-Door, Extruded Aluminum Body, Tandem Axle, 1250 GPM Pump, Mid-Mounted Pumper/Tanker (3000 Gallons)	$478,786.00

MVD
NEW MEXICO

NEW MEXICO

2019 - 2020

TAXATION & REVENUE DEPARTMENT
MOTOR VEHICLE DIVISION

PURSUANT TO SECTION 66-4-1, NMSA 1978, the Person or Business Named Herein has been Licensed as a:

License Type	**Dealer**
License Number	**5178**
License Period	**19-Dec-2019 to 31-Dec-2020**
Business Name	**411 EQUIPMENT ,LLC**
Business Location	**1815 4TH ST NW ALBUQUERQUE NM 87102-1449**
Eligible Dealer Plates	**5**

2019 - 2020

This license is valid for the period indicated above.

The license shall be displayed in the office at the address shown above.

Letter ID:L1031617984

QUOTATION

411 Equipment LLC

Santa Fe Fire Department
200 Murales Road
Santa Fe, New Mexico 87504
505-955-3110

411 Equipment
Pete Marquez
1815 4th Street NW
Albuquerque, New Mexico 87102
505-280-9143
jrmarquez@411equipment.com

Exp. Date: 09/17/2020
Quote No: CinderHD77-0007
Job/Order No: H6640
08/17/2020

PART NO	S		DESCRIPTION	QTY	ID
			== Legals - Aerial - 419.001 04/03/19 ==	**1**	**FE**
00-06-0420			Payment Terms: Ferrara Standard	1	FE
00-12-0420			Manufacturer - Virtual	1	FE
00-12-0820			Certified Welders	1	FE
00-12-1020			Body Weight	1	FE
00-14-0620			Drawings - Approval	1	FE
00-16-6220			Final Inspection - Factory (Airfare/Lodging/Meals) Per Person	3	FE
00-16-8820			Training - Ladders/Platforms, 3 Days	1	FE
00-18-0820	S	>	Vehicle Transportation - DEALERS ONLY!!!!!!!!!	1	FE
00-18-1820			Delivery Time: Calendar Days	120	FE
00-22-0220			Service Contacts	1	FE
00-22-0620			Company Service Vehicles	1	FE
00-22-0820			Replacement Parts	1	FE
			== CHASSIS - Aerial RM, HD77 300/400/500 Tank - 419.001 04/03/19 ==	**1**	**FE**
00-D2-0820			Custom XD Full Tilt Cab - CINDER AERIAL	1	FE
			WHEELBASE / FRAMERAILS / COMPONENTS / ACCESSORIES	**1**	**FE**
02-A2-0220	S		Wheelbase: 219"	1	FE
02-A4-0630			Frame Rails - Full Length Double	1	FE
02-A4-2420		<	Paint - Frame Rail, "F-Shield"	1	FE
02-A4-2620			"F-Shield" Color: Black	1	FE
02-A6-1420			Tow Hooks - Chrome, Below the Bumper	1	FE
			FRONT BUMPERS / COMPONENTS / ACCESSORIES	**1**	**FE**
02-B2-0220			Front Bumper - 12" High, Polished Stainless Steel	1	FE
02-C4-2220			Front Bumper Extension - 24"	1	FE
02-D2-0220			Gravelshield - Front Bumper Extension	1	FE
02-D4-0620		<	Compartment - Front Bumper, Center	1	FE
02-E4-0420			Restraining Strap - Center Compartment	1	FE
02-P2-0420		>	Air Horn - PS Thru Bumper (P2)	1	FE
02-P2-1020		>	Air Horn - DS Thru Bumper (P6)	1	FE
02-P6-0620			Switch - Air Horn, (2) Driver/Officer Side Floor	1	FE
02-P8-0420			Air Horn Wiring - Active All Modes	1	FE
02-R2-1420			Speaker - DS Thru Bumper (P7)	1	FE
02-R4-0420			Siren Speaker - Cast Product SA2401	1	FE
			FRONT AXLES / COMPONENTS / ACCESSORIES	**1**	**FE**
04-A2-1020			Front Axle - 23,000 Pounds, Meritor MFS-20	1	FE
04-A6-0620			Steering System - Sheppard, Over 21,500 Pounds	1	FE
04-A8-0220			Chassis Alignment	1	FE
04-B2-1220			Front Suspension - 23,000 Pounds, Parabolic	1	FE
04-C2-0620			Front Brakes - Disc, Meritor EX-225	1	FE
04-C4-0220			Cramp Angle - 41 Degrees	1	FE
04-D2-1420			Front Tires - Goodyear 425/65R22.5 "L" G296 MSA 23,000 Pounds	1	FE
04-E2-2820			Front Wheels - 22-1/2" x 13", Alcoa Aluminum	1	FE
04-E4-0220			Wheel Trim - Front, Baby Moons/Lug Nut Covers	1	FE
04-E4-2020			Mud Flaps - Front	1	FE
			SINGLE REAR AXLES / COMPONENTS / ACCESSORIES	**1**	**FE**
04-G2-2020			Rear Axle - 35,000 Pounds, Dana Spicer S35-590 FT	1	FE
04-K2-8620			Rear Suspension - 35,000 Pounds, Spring	1	FE
04-M2-0220			Standard Differential - Single Axle	1	FE

PART NO	S	DESCRIPTION	QTY	ID
04-M6-0420		Vehicle Top Speed: 60-62 MPH	1	FE
04-P2-0220		Rear Brakes - S-Cam 16-1/2" x 7"	1	FE
04-R2-4820		Rear Tires - Goodyear 315/80R22.5 "L" Endurance TSD 35,000 Pounds	1	FE
04-S2-2420		Rear Wheels - 22-1/2" x 9", Alcoa Aluminum	1	FE
04-S2-6020		Wheel Trim - Rear, Lincoln Hats	1	FE
04-S6-1220		Tire Pressure Monitor (Single Rear Axles) - LED Alert	1	FE
		AIR BRAKE SYSTEM / COMPONENTS	**1**	**FE**
06-A2-0220		Harness and Hose Routing System	1	FE
06-A2-0420		Air Brake System - Color Coded Nylon w/1/4 Turn Drain Valves	1	FE
06-A2-4020		Chassis Air System Fittings - Push-Lock Type	1	FE
06-A2-6020		Air Compressor - Wabco 18.7	1	FE
06-A4-4020	< >	ABS/ATC/ESC System - SINGLE AXLE	1	FE
06-B4-2020		Air Dryer - Bendix AD-9	1	FE
		ENGINES / COMPONENTS / ACCESSORIES	**1**	**FE**
08-A2-1020		Engine - 450 HP, Cummins L9 (EPA 2017)	1	FE
08-B2-0620		Engine Brake - Cummins ISL Engine	1	FE
		ENGINE / COMPONENTS / COOLING SYSTEM - ISL	**1**	**FE**
08-C2-0420		Cooling System - 1400 Square Inch Radiator	1	FE
08-C2-1420		Cooling System Fan - Cummins ISL	1	FE
08-C2-2620		Radiator Coolant - Extended Life	1	FE
08-C2-4220		Coolant Hoses - Premium Rubber	1	FE
08-C2-4420		Coolant Hose Clamps - Gates PowerGrip	1	FE
08-C2-6020		Auxiliary Engine Cooler	1	FE
		ENGINE / COMPONENTS / CHARGING SYSTEMS	**1**	**FE**
08-D2-2220		Alternator - 430 AMP, Delco Remy 55SI	1	FE
08-E2-0620		Battery System (6) - Exide (750 CCA Each)	1	FE
08-E4-0220		Battery Boxes - Stainless Steel	1	FE
08-E6-0220		Battery Master Load Disconnect	1	FE
08-E6-0420		Total System Manager w/High Idle - Class 1	1	FE
08-E8-4420	>	Battery / Air Charger - Pump Plus 1200, Kussmaul 52-21-1100	1	FE
08-G4-2020	>	Receptacle - Kussmaul 20 AMP Super Auto-Eject 091-55-20-120	1	FE
08-G4-4020		Receptacle Location - Driver's Side Cab Wheel Well Area	1	FE
08-G6-0230	>	Cover - Super Auto Eject Yellow, Kussmaul 091-55-234-YW w/Bar Graph Display	1	FE
08-G8-8220		Plate - Shore Power Inlet	1	FE
		TRANSMISSION / COMPONENTS / ACCESSORIES	**1**	**FE**
10-A2-0220	>	Transmission - Allison 3000 EVS	1	FE
10-A4-0620		Transmission Push Button Shifter - 5 Speed	1	FE
10-H2-0220		Drive line - 1710 Series	1	FE
10-H4-1820		Fire Pump Installation	1	FE
		FUEL SYSTEM / COMPONENTS - ISL	**1**	**FE**
10-J2-0220		Fuel Tank - 50 Gallon	1	FE
10-J4-0220		Fuel Lines - Reinforced Wire Braided	1	FE
10-J4-0820		Fuel Filter - Secondary Filter	1	FE
10-J4-2020		Fuel Water Separator - Primary Filter	1	FE
10-J6-0820		DEF System w/5 Gallon Tank - Left Rear Under Cab	1	FE
10-J8-2020		DEF Fill w/Door - Left Crew Cab Extension	1	FE
10-M2-0820		Exhaust System - EPA 2017/18	1	FE
		CAB CONFIGURATIONS - CINDER XD - SMFD thru LFD	**1**	**FE**
12-H6-2420	>	Custom Cab - Ferrara XD 96, XMFD Cab w/8" Notched Raised Roof	1	FE
12-P2-1020		Cab Doors - Full Length, 4 Door Raised Roof Cab	1	FE
12-P4-0220		Cab Door Hinges - Concealed	1	FE
12-P6-0820		Cab Door Locks - Manual Paddle Type (4 Door Cab)	1	FE
12-P8-1020		Window Regulators - Electric (4 Door Cab)	1	FE
12-R2-0620		Window - Left Side Fixed, 16-1/2"W x 33-1/2"H	1	FE
12-R2-0820		Window - Right Side Fixed, 16-1/2"W x 33-1/2"H	1	FE
12-R4-0420		Cab Tilt Lock Suspension (Full Tilt Cab)	1	FE
12-R4-2220		Cab Tilt Electric Pump w/Manual Back-Up (Standard Location)	1	FE
		CUSTOM CAB - EXTERIOR TRIM COMPONENTS	**1**	**FE**
14-A2-0420		Front Grille - Stainless Steel	1	FE
14-A2-2020		Front Grille Logo - Custom/Lighted	1	FE
14-A2-6220		Side Grille w/Ember Separator - Notched Right Side	1	FE
14-A4-0620		Cab Mirrors - Heated/Remote, Velvac Stainless Steel	1	FE
14-A6-0220		Exterior Trim - Cab Handrails, Knurled Stainless Steel	1	FE
14-A6-1620		Fenderettes - Polished Stainless Steel	1	FE
14-A6-2020		Exterior Trim - Rear Step Well w/Removable Battery Access Covers	1	FE

PART NO	S	DESCRIPTION	QTY	ID
14-A6-8220		Exterior Trim - Tread Plate, Back of Cab	1	FE
14-A8-0230	>	Exterior Trim - Tread Plate, Cab Roof (Flat Roof Cabs)	1	FE
		CUSTOM CAB - INTERIOR TRIM COMPONENTS	**1**	**FE**
14-G2-1020		Corrosion Protection/Sound Deadening - "F-Shield"	1	FE
14-G4-0220		Interior Cab Finish - "F-Shield" Dark Gray	1	FE
14-G4-2220		Interior Trim - Gray Floor Mats/Engine Tunnel Covering	1	FE
14-G4-6420		Interior Trim - Sprayed Aluminum, Rear Wall	1	FE
14-G6-0420	>	Interior Trim - Grab Handles (4 Door Cab)	1	FE
14-G6-4020		Interior Trim - Officer's Dash, Glove Box	1	FE
14-G6-6020		Interior Trim - Sun Visors (3)	1	FE
14-H2-0820		Interior Trim - Upper Door Panels "F-Shield" (4 Door Cab)	1	FE
14-H2-4220		Interior Trim - Lower Door Panels "F-Shield" (4 Door Cab)	1	FE
14-H4-1220		Interior Trim - Lower Door Panels Reflective Stop Sign (4 Door Cab)	1	FE
		CUSTOM CAB - INSTRUMENTS AND CONTROLS	**1**	**FE**
14-K2-0100		Smart Truck Technology - AXIS	1	FE
14-K2-0420		Cab Instrumentation & Controls - Standard Gauges	1	FE
14-K2-0620		Driver's Information Display Panel	1	FE
14-K2-0820		Chassis Electrical System - Standard Wiring	1	FE
14-K2-2020		Doghouse Mounted Switch Panel - Ferrara XD Aluminum	1	FE
14-K2-2220		Switch Panel - Driver's Side (Pump Applications)	1	FE
14-K2-4220		Switch Panel - Center, 96" Wide XD Cab	1	FE
14-K2-6220		Switch Panel - Officer's Side	1	FE
14-K2-8220		Vehicle Data Recorder (VDR) w/Seat Belt Warning - Class 1	1	FE
14-K4-0420		Seat Belt Warning System Panel - Class 1	1	FE
14-K4-4020		Steering Column w/Self Canceling Turn Signals - Douglas	1	FE
14-P2-1620	>	Heat/Air Conditioning - Under Dash and Rear Crew Area	1	FE
14-P2-2420		A/C Condenser Housings: Black	1	FE
		CUSTOM CAB / SEATING / AIR BAG PROTECTION / EMS COMPARTMENTS	**1**	**FE**
16-A2-1220		Seating / EMS Compartments - Bostrom	1	FE
16-A8-0420		Seat Material - Bostrom Durawear	1	FE
16-A8-1220		Seat Color - Gray/Black	1	FE
16-A8-4020		Seat Belts - Standard 3-Point NON ABTS	1	FE
16-A8-6020		No SCBA Bracket Required	1	FE
16-A8-8020		No Filler Panels Required	1	FE
16-B4-0220		Seat - Driver, Bostrom Sierra Air-100 RX	1	FE
16-B4-2820		Seat - Officer Bostrom Tanker 450 SCBA	1	FE
16-E2-1820		Seats (2) - IB Forward Facing Crew, Bostrom Tanker 450 SCBA	1	FE
		CUSTOM CAB - ACCESSORIES	**1**	**FE**
16-M2-0820	<	Fuse Block - 12-Volt 6-Place, Blue Sea 5025	1	FE
16-M2-1420		12-Volt Dual USB Charging Port - Cab Mounted, Kussmaul 091-219-4	1	FE
16-M2-6020	>	12-Volt Power and Ground Studs (2)	1	FE
16-M2-6420		12-Volt Power Outlet - Cab Mounted	2	FE
16-M2-6620		Wiring - 12-Volt Outlet, Battery Direct	2	FE
16-M4-2620		Electronic Siren - Whelen 295HFS2	1	FE
16-M6-0620		Electric Horn - Single	1	FE
16-M6-2020		Back Up Alarm - 107 dB, Whelen WBUA107	1	FE
		CUSTOM CAB - INTERIOR LIGHTING	**1**	**FE**
16-P2-0220		Lights (4) - LED Cab Dome, 6" Red/Clear Whelen 60CREGCS	1	FE
16-P2-2420		Light - Open Door w/Alarm, Whelen TIR3 LED	1	FE
16-P4-0220		Lights (6) - Step Well, TecNiq D04 Linear Dragon	1	FE
16-R4-0420		Lights (2) - Engine Maintenance, LED	1	FE
		CUSTOM CAB - EXTERIOR ILLUMINATION	**1**	**FE**
18-A2-0620		Front Cab Lighting - Whelen "M" Series LED	1	FE
18-A4-0830		Headlights - LED, FireTech FT-4X6-4KIT	1	FE
18-A6-0820		Lights (2) - Turn Signal, Whelen "M" Series LED (Headlight Module Mounted)	1	FE
18-A6-1220		Lights (2) - Turn Signal/Marker, Whelen 400 Series LED	1	FE
18-A6-6020		Lights (2) - Cornering, LED	1	FE
18-A6-6220		Lights - DOT, LED	1	FE
18-B4-1420		Lights (2) - Inboard Lower Front Warning, Whelen M6 LED M6 (Red w/Clear Lens)	1	FE
18-D2-0820		Lights (4) - LED Cab Ground, Whelen 20C0CDCD	1	FE
		AUDIO / VISUAL COMMUNICATION SYSTEMS	**1**	**FE**
18-H2-2220		Intercom System - Four-(4) Position, Firecom	1	FE
18-H4-0420		Intercom Station - Firecom 5100D	1	FE

PART NO	S	DESCRIPTION	QTY	ID
18-H4-8020		> Mobile Radio Interface Cable	1	FE
18-H6-0220		Headset - Driver, Firecom Wired UH-51	1	FE
18-H6-0420		Plug-In Module - Driver, Firecom HM10	1	FE
18-H6-0820		Headset - Officer, Firecom Wired UH-51	1	FE
18-H6-1020		Plug-In Module - Officer, Firecom HM10	1	FE
18-H6-2020		Headsets - Crew Area, Firecom Wired UH-52	2	FE
18-H6-2620		Plug-In Module - Crew Position, Firecom HM10	2	FE
		== Chassis Mods - STOCK UNIT - 520.001 05/01/20 ==	**1**	**FE**
02-P8-1220		Switch - Air Horn, Officer's Side Dash	1	FE
02-R2-0220		Speaker - PS Thru Bumper (P1)	1	FE
02-R4-0420		Siren Speaker - Cast Product SA2401	1	FE
04-T8-0220		> Automatic Tire Chains - On Spot	1	FE
06-A2-8020		Front Axle Service Brake Locking System	1	FE
06-B4-6020		Air Inlet - Driver's Step Well	1	FE
14-A4-1020	S	Cab Mirrors - Heated/Remote Ramco Door Mounted	1	FE
14-A8-0420		Exterior Trim - 12" Stainless Steel Band Bottom of Cab Doors	1	FE
16-H2-0220		Compartment - Outboard Rear Facing EMS, Driver's Side	1	FE
16-H2-0630		Door - Driver's Side EMS Compartment, Interior ROM Roll Up	1	FE
16-H2-2020		Sill Plate - Anodized Aluminum, Roll Up Door	1	FE
16-H4-0620		Light - Driver's Side EMS Compartment, 36" OnScene Access 73036	1	FE
16-H6-0220		Shelf - Adjustable, Driver's Side EMS Compartment	1	FE
16-H8-0220		Receptacle - Driver's Side EMS Compartment, 120V Duplex Household	1	FE
16-H8-6220		> Outlet - Driver's Side EMS Compartment, 12V Power	1	FE
16-J2-0220		Compartment - Outboard Rear Facing EMS, Officer's Side	1	FE
16-J2-0630		Door - Officer's Side EMS Compartment, Interior ROM Roll Up	1	FE
16-J2-2020		Sill Plate - Anodized Aluminum, Roll Up Door	1	FE
16-J4-0620		Light - Officer's Side EMS Compartment, 36" OnScene Access 73036	1	FE
16-J6-0220		Shelf - Adjustable, Officer's Side EMS Compartment	1	FE
16-J8-0220		Receptacle - Officer's Side EMS Compartment, 120V Duplex Household	1	FE
16-J8-0420		> Outlet - Officer's Side EMS Compartment, 12V Power	1	FE
16-M2-2220		Radio - WB/AM/FM/CD/iPod/Sat w/Speakers, Jensen	1	FE
16-M2-4620		Radio Swivel Mount - Johnny Ray	1	FE
16-M4-8420		Switch - Siren, Officer's Side Floor	1	FE
16-P2-2220		Lights (4) - LED Door Courtesy, Whelen TIR6	1	FE
18-H2-2220		Intercom System - Four-(4) Position, Firecom	1	FE
18-H4-0620		Intercom Station - Firecom 5200D	1	FE
18-H4-8020		> Mobile Radio Interface Cable	1	FE
18-H6-0220		Headset - Driver, Firecom Wired UH-51	1	FE
18-H6-0420		Plug-In Module - Driver, Firecom HM10	1	FE
18-H6-0820		Headset - Officer, Firecom Wired UH-51	1	FE
18-H6-1020		Plug-In Module - Officer, Firecom HM10	1	FE
18-H6-2020		Headsets - Crew Area, Firecom Wired UH-52	2	FE
18-H6-2620		Plug-In Module - Crew Position, Firecom HM10	2	FE
		NFPA SAFETY SIGNS	**1**	**FE**
18-P2-0220		Safety Signs - General Requirements	1	FE
18-P2-0420		Safety Signs - Battery Explosion, FAMA01	1	FE
18-P2-0620		Safety Signs - Rotating Shafts, FAMA02	1	FE
18-P2-0820		Safety Signs - Hot Surfaces, FAMA03	1	FE
18-P2-1020		Safety Sign - Hot Exhaust, FAMA04	1	FE
18-P2-1220		Safety Sign - Spinning Fan, FAMA05	1	FE
18-P2-1420		Safety Signs - Seated & Belted, FAMA07	1	FE
18-P2-1620		Safety Sign - Air Conditioning Refrigerant, FAMA09	1	FE
18-P2-1820		Safety Sign - Cab Equipment Mounting, FAMA10	1	FE
18-P2-2020		Safety Sign - Fire Service Tire Rating, FAMA12	1	FE
18-P2-2220		Safety Sign - Electronic Stability Control, FAMA13	1	FE
18-P2-2420	S	Safety Sign - Cab Seating, FEMA14	1	FE
18-P2-2620		Safety Signs - Helmet Worn in Cab, FAMA15	1	FE
18-P2-2820		Safety Sign - Vehicle Backing, FAMA17	1	FE
18-P2-4020		Safety Signs - Intake/Discharge Cap Pressure, FAMA18	1	FE
18-P2-4220		Safety Signs - Hose Restraint Required, FAMA22	1	FE
18-P2-4420		Safety Signs - Climbing Method Instruction, FAMA23	1	FE

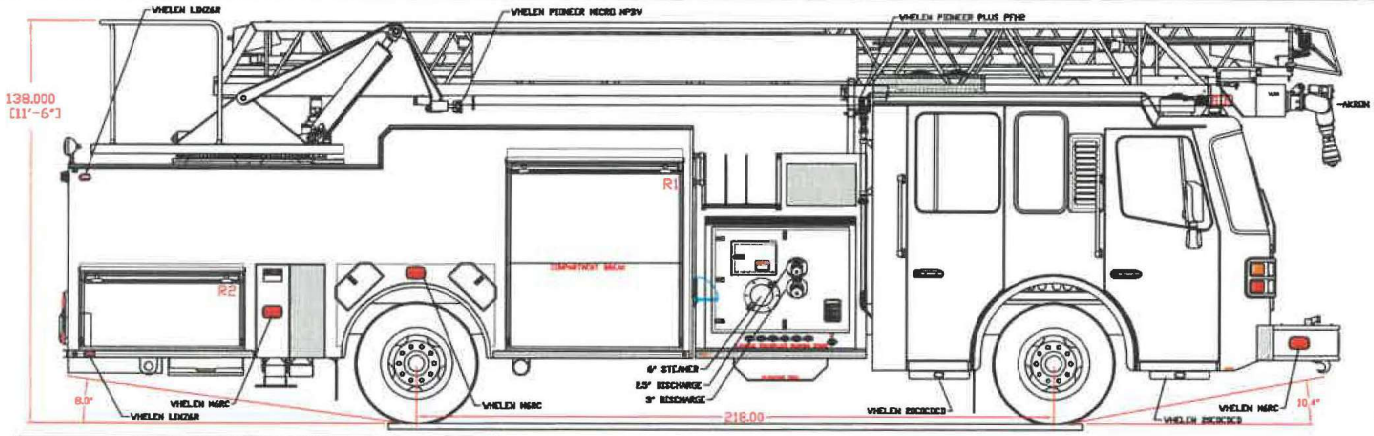
PART NO	S	DESCRIPTION	QTY	ID
18-P2-4620		Safety Signs - Riding on Exterior, FAMA24	1	FE
18-P2-4820		Safety Sign - Pump Training, FAMA25	1	FE
18-P2-6020		Safety Signs - No-Step, FAMA26	1	FE
18-P2-6220		Safety Sign - Siren Noise, FAMA42	1	FE
18-P4-1020		Safety Sign - Apparatus Movement Warning	1	FE
18-P6-0220		Plate - Fluid Capacity	1	FE
18-P6-0420		Plate - Overall Height/Length/Weight	1	FE
		== Pump Enclosure - Aerials - RML - 419.001 04/03/19 ==	**1**	**FE**
20-A2-0230		PUMP MODULE - SIDE MOUNT EXTRUDED ALUMINUM	1	FE
20-A4-2220		Separate Pump Module - Extruded	1	FE
20-A4-4020		Trim - Dunnage Area, Tread Plate	1	FE
20-C4-0220		Pump Panels - Black Anodized Aluminum	1	FE
20-C6-1020	>	Pump Panel - Fully Hinged, Right Side	1	FE
20-D6-0220		Light - Left Side Pump Panel, OnScene LED Access	1	FE
20-D6-1220		Light - Right Side Pump Panel, OnScene LED Access	1	FE
20-D8-0620		Light - Pump Compartment, LED	1	FE
20-F4-0420		Running Boards - Aluminum Tread Plate, Left & Right Side	1	FE
20-F4-2020	< >	Hose Tray - Running Board	1	FE
20-F4-2620	<	Hose Tray Mounting - Floating/Drop In Style w/45-Degree Bottom Corners	1	FE
20-F8-0220	>	Slide-Out Platform - Pump Operator's, 500-Pound Capacity	1	FE
20-J2-0220		Gauges - Master Suction/Pressure, 4-1/2" Metal Face	1	FE
20-J4-1620		Pressure Governor - FRC Pump Boss PBA400-A00	1	FE
20-J6-0220		Gauges - 2-1/2" Pressure, Metal Face	1	FE
20-J6-6220		Gauge Bezels - Color Coded	1	FE
20-M4-0220		Tags - Pump Panel, Color Coded (Metal)	1	FE
22-A4-0820		Pump System - 1250-2000 GPM Single Stage, Waterous CSU	1	FE
22-F4-0420		Mechanical Seal - Waterous (CS/CM/CSU/CMU)	1	FE
22-F4-1420	>	Flame Plated Impeller Hub - Waterous	1	FE
22-G2-0420		Pump Shift w/Manual Override	1	FE
22-J4-0220		Primer - Pump, Waterous VPO (Oil Less)	1	FE
22-P2-0220		Valve - Master Pump Drain	1	FE
22-P2-1220		Valve - Individual Drain, 3/4" 1/4 Turn	1	FE
22-R2-0420		Pump Test Points - Waterous Pumps	1	FE
22-R2-1820		Certification - Pump, 1500 GPM Pump	1	FE
22-R4-0420		Plate - Pump Test Certification	1	FE
24-A2-1620		Steamer Inlets - 6" w/Long Handle Cap, Left & Right Side	1	FE
24-G4-0220		Valve - Waterway Dump	1	FE
24-G4-0420		Valve - Waterway Drain	1	FE
24-G4-1220		Rear Inlet - Aerial Waterway, 4" Stainless Steel	1	FE
24-J8-0220		Valve - Intake Relief, Elkhart 40	1	FE
24-R2-0420		Tank-To-Pump - 3" Valve w/Push-Pull Control	1	FE
24-S6-0420	>	Tank Fill - 1-1/2" Valve w/Push-Pull Control	1	FE
24-T2-0420		Cooler - Engine, 1/2" Line w/ 1/4 Turn Valve	1	FE
24-T2-0620		Cooler - Pump, 3/8" Line w/ 1/4 Turn Valve	1	FE
24-W2-0220	>	Plumbing - Stainless Steel	1	FE
24-W2-0620		Plumbing - Stainless Steel Foam Manifold	1	FE
24-W4-0220		Plumbing Finish - Natural	1	FE
26-A2-0820		Apparatus Valves - Akron Brass 8800 Series/Waterous	1	FE
26-D2-0420		Suction - Left Side, 2-1/2" Valve w/Swing Control at Valve	1	FE
28-00-0140		DISCHARGE OUTLETS - AERIALS	1	FE
28-00-0220		All 2-1/2" Side Discharge Outlets Terminate 30-Degree Elbows	1	FE
28-A6-0220		Discharge - Front Bumper w/ Swivel - thru Tread Plate (PS)	1	FE
28-A8-0220		Discharge - Front Bumper, 2" Valve w/Push Pull Control	1	FE
28-A8-6020		Discharge - Swivel Stop, Tread plate	1	FE
28-D4-0420	<	Crosslays (2) - Double Lay, 2" Valve w/Push Pull Control	1	FE
28-D6-2020	<	Crosslay - Double Lay, 2-1/2" Valve w/Push Pull Control	1	FE
28-D8-0820		Cover - Hypalon w/End Flaps, Crosslays	1	FE
28-D8-2220		End Flaps - Hypalon w/Snaps, Crosslays	1	FE
28-D8-6020		Cover/End Flaps Color: Red	1	FE
28-H8-0420		Discharges (2) - Left Side, 2-1/2" Valve w/Push-Pull Control	1	FE
28-K2-8020		Discharge - Left Panel, Aerial Waterway 4" Valve w/Handwheel Control	1	FE
28-K2-9920		Flowmeter - Pump Panel, Fire Research DFA400-040	1	FE
28-K4-0220		Discharge - Right Side, 2-1/2" Valve w/Push-Pull Control	1	FE

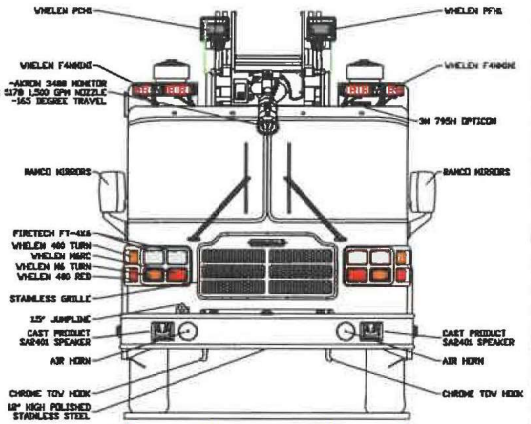
PART NO	S	DESCRIPTION	QTY	ID
28-K4-4020	>	Discharge - Right Side, 3" Valve w/Push Pull Control	1	FE
30-C2-0620		Foam System - Foam Pro 2001	1	FE
30-J2-2020		Gauge - Class A Foam, FRC Tank Vision Pro WLA360-A00	1	FE
30-K2-1220		Tank Switch (1) Low Level	1	FE
30-M4-0620		Flowmeter - Tee Mount w/kit, 2-1/2"	1	FE
30-R2-0620		Placard - Operating System, Single Tank	1	FE
30-R8-0220		NFPA Test - Foam Proportioning Systems	1	FE
30-S2-0420	>	Foam Tank No. 1 - Polypropylene, 20 Gallons	1	FE
32-E2-2020		Return Line - Fill Subsurface	1	FE
		== Bodies - Aerial RML, HD77 300/400/500 Tank - 419.001 04/03/19 ==	**1**	**FE**
		WATER TANKS / COMPONENTS / ACCESSORIES	**1**	**FE**
32-A2-2620	>	Water Tank - Polypropylene, 500 Gallons (R)	1	FE
32-D8-0420		Certification - NFPA Water Tank Size	1	FE
34-A2-1220		Gauge - Water Level, Tank Vision Pro WLA300-A00	1	FE
56-A2-0420		Body - Extruded Aluminum, HD77-S Rear Mount Ladder	1	FE
56-B2-1020		Body Sub frame - Extruded Aluminum	1	FE
56-B2-4025		Body/Compartment Construction - HD57 / HD77 Aerials	1	FE
56-B2-4620		Wheel Well Panels & Fenders - Body, Painted Aluminum	1	FE
56-B2-6820	<	Hose Bed - EZ Stack, Right Rear	1	FE
56-C2-2620		Compartments - Left Side, Rescue Style w/NO Hose Chute	1	FE
56-C8-2230	>	Compartment Door - Left Side Roll Up, ROM Painted (Slats & Door Frame)	4	FE
56-D2-4020		Compartments - Right Side, Rescue Style w/EZ Stack	1	FE
56-D8-2230	>	Compartment Door - Right Side Roll Up, ROM Painted (Slats & Door Frame)	2	FE
56-E2-0220		Turntable Access - Swing Out, Left Rear	1	FE
56-E4-0220		Compartment - Ladder/Pike Pole Storage, Torque Box	1	FE
56-E4-1230		Compartment Door - Ladder Compartment, ROM Painted Roll Up	1	FE
56-E4-4020		Tubes (6) - Pike Pole Storage	1	FE
56-E4-6820		Cover Plates - Outrigger, Stainless Steel	1	FE
60-A2-4820		Vertical Load Test - Body	1	FE
62-D2-0220		Trays (2) - Suction Hose, Each Side Above Compartments	1	FE
64-B2-0420	>	Compartment - Wheel Well Double Air Bottle, Left Front (SIG4)	1	FE
64-B4-0420		Compartment - Wheel Well Double Air Bottle, Left Rear (SIG4)	1	FE
64-B4-6220	>	Compartment - Wheel Well Double Air Bottle, Right Front (SIG4)	1	FE
64-B6-6220		Compartment - Wheel Well Double Air Bottle, Right Rear (SIG4)	1	FE
66-A2-0420		Body Trim Package	1	FE
66-A2-2420		Fuel Fill - Recessed w/Door, Left Side	1	FE
66-A2-4420		Mud Flaps - Rear	1	FE
66-A2-4620		Rub rail - Extruded Aluminum	1	FE
66-A4-4420		Step - Chrome Folding, Front of Body	2	FE
66-A4-8620	<	Step - Slide Out	1	FE
66-A4-8820		Tow Eyes (2) - Rear, Below Body	1	FE
66-A4-8900		Storage Rack - Outrigger Ground Pads	1	FE
66-A4-8940		Pads (2) - Magnetic Auxiliary Stabilizer	1	FE
66-A6-0620		Handrails (2) - Aerial Access, Knurled Aluminum	1	FE
66-A6-6420	<	Handrail - Front of Body, 12" Knurled Aluminum	2	FE
66-A6-8220	<	Handrail - Additional, 12" Knurled Aluminum	5	FE
66-A8-2020		Divider - Hose Bed, Aerial	1	FE
66-A8-4220		Cover - Hose Bed, Hypalon	1	FE
66-A8-7020		End Flap - Cargo Net w/Snaps, Hose Bed	1	FE
66-A8-8020		Cover/End Flap Color: Red	1	FE
66-A8-8820	<	Hose Bed Capacity	1	FE
		== Body Components - Aerials - 419.001 04/03/19 ==	**1**	**FE**
		== Aerial Ladder - Rear Mount, HD77 - 419.001 04/03/19 ==	**1**	**FE**
68-A2-2420		Ladder - 77' Rear Mount	1	FE
68-A6-0420		Specifications - 77' Rear Mount Ladder	1	FE
68-B2-0420		Construction / Dimensions - 77' Rear Mount Ladder	1	FE
68-C2-1020		Covers - Rung, Serrated Rubber	1	FE
68-C2-2020		Egress - Bolt-On	1	FE
68-C2-2220		Steps (2) - Folding, Fly Section	1	FE
68-C2-2420		Eyelets - Rescue, Aerial Fly Section	1	FE
68-C2-4020		Extension Indicator Base Section	1	FE
68-C2-4420		Angle Indicator - Lighted, Aerial Base Section	1	FE
68-C2-6220	>	Sign Plates (2), Ladder Base Section, White	1	FE
68-C4-0420		Torque Box	1	FE

PART NO	S		DESCRIPTION	QTY	ID
68-C4-6020		>	Travel Support - Rear Mount Ladders, Heavy Duty	1	FE
68-D2-0420			Hydraulic System	1	FE
68-D2-4020			Power Take-Off	1	FE
68-D4-0420			Hydraulic Pump w/Aux. Pump for Hyd. Generator under 15K	1	FE
68-D4-8020			Gauges - Hydraulic Pressure	1	FE
68-D4-8420			Kit - Filter Isolation	1	FE
68-D4-8620			Emergency Pump	1	FE
68-D4-8820			Swivel - Hydraulic	1	FE
68-D4-9020			Swivel - Electric	1	FE
68-D6-0420			Elevation System	1	FE
68-D6-4220			Extension / Retraction System	1	FE
68-D6-6820			Extension / Retraction System Pulleys - Greaseless	1	FE
68-D6-8020			Wear Pads / Bearing Surfaces	1	FE
68-D8-0420			Rotation Bearing - Heavy Duty	1	FE
68-D8-2220			Rotation Gear Box	1	FE
68-D8-4020			Tool Kit	1	FE
68-E2-0620			Stabilizers - Rear	1	FE
68-E2-4020			Outrigger Cylinder Stroke	1	FE
68-E4-1020			Locks - Stabilizer, Mechanical	1	FE
68-E4-2040			Hot Dip Galvanizing - Outriggers	1	FE
68-E4-4020			Stabilizer - Extension System	1	FE
68-E4-6220			Lights - Stabilizer Work, LED	1	FE
68-E6-0220			Lights - Stabilizer Warning, LED	1	FE
68-F2-0220			Controls - Stabilizer, Electric/Hydraulic	1	FE
68-F2-1020			Controls - Ground Station	1	FE
68-F4-0620			Turntable	1	FE
68-F6-1620			Mansaver Bars (2) on Turntable ILO Safety Chains	1	FE
68-F6-2020		<	Controls - Turntable Console	1	FE
68-F6-4820	X		Remote Ladder Creeper Control at Ladder Tip	1	
68-F6-8020			Load Sensing System - Automatic	1	FE
68-G2-0220			Interlock System - Aerial Stow Operation w/Indicator Light	1	FE
68-G2-0420			Interlock System - Cab/ Body Damage Control	1	FE
68-G2-0620			Interlock System - Rotation	1	FE
68-G2-0820			Retraction Safety System	1	FE
68-G2-1020			Interlock System - Cradle	1	FE
68-H2-0420			Waterway System	1	FE
68-H2-2220			Waterway Material	1	FE
68-H2-4420			Waterway - Retractable / Dual Position, Electric	1	FE
68-H4-0630			Monitor - Akron 3480 w/5178 1500 GPM Nozzle, 165-Degree Travel	1	FE
68-H4-8820			Capabilities Monitor Flowing Water	1	FE
68-H6-6020			Master Stream - Controls, Tip/Turntable	1	FE
68-H8-0220	X		Discharge - 2-1/2" Ladder Tip, TFT VUM	1	
68-H8-2020			Valve - Waterway Relief	1	FE
68-J2-0220			Communication System - 2 Way/2 Station	1	FE
68-M2-0220			Electrical System - E-Chain	1	FE
68-M2-2820			Lights (4) - Turntable Work, LED	1	FE
68-M4-2020			Spotlights (2) - Aerial Base Section, Whelen Pioneer Micro MPBW	1	FE
68-M6-1220			Floodlight - Left Aerial Tip Section, Whelen PFH1	1	FE
68-M8-1420			Spotlight - Right Aerial Tip Section, Whelen PCH1	1	FE
68-P2-0420			Lighting - Blue LED Rung Illumination	1	FE
68-R2-0220			Paint - Aerial Device, Standard White	1	FE
68-R2-2620			Paint - Aerial Monitor, Red	1	FE
68-S2-0420			Load Chart - Aerial	1	FE
68-S6-0220			Safety Signs - Aerial Applications, NFPA 2016	1	FE
68-S6-2420			Plate - Aerial Information Specification	1	FE
68-T2-0220			Testing - Third Party	1	FE
68-T2-4020			Testing - Stability	1	FE
68-T2-8020			Certificate - Inspection	1	FE
68-T8-2020			Internal Corrosion Protection	1	FE
			== Elec. Components - Aerial RM Custom - 419.001 04/03/19 ==	1	FE
			******* ELECTRICAL / COMPONENTS / ACCESSORIES *******	1	FE
70-A2-2032			Electrical System - Apparatus Body	1	FE
70-A2-4020			Electrical System - 12 Volt Testing	1	FE
70-A2-6020			12-Volt Wiring Protection - Split Loom	1	FE
70-A2-8020			EMI/RFI Protection	1	FE

PART NO	S	DESCRIPTION	QTY	ID
		AUDIBLE WARNING DEVICES	1	FE
		INTERIOR COMPARTMENT LIGHTING	**1**	**FE**
70-D2-0220		Lights - 5" Diameter Halogen Compartment, Truck Lite 80351	1	FE
70-E2-2220		> Light - LED Compartment, On Scene Solutions Access Series	12	FE
70-H2-0220		Switch - Compartment Door Ajar Indicator	1	FE
72-G8-9020		Zone A Upper Light Bars (2) - 22" LED Forward Facing, Whelen Freedom IV F4NMINI	1	FE
72-G9-0420		Opticom Emitter - Exterior Mounted, 3M 795H	1	FE
72-P8-0420		Zone B/D Upper Body Side Rear Lights (2) - Red w/Clear Lens LINZ6 LED, Whelen	1	FE
72-T6-4820		Zone C Upper Inboard Lights (2) - Red w/Clear Lens M6 LED, Whelen M6RC	1	FE
74-C8-9220		> Zone B & D Lower Front (2) - Red w/Clear Lens M6 LED, Whelen M6RC	1	FE
74-D8-8220		Zone B & D Lower Midship (2) - Red w/Clear Lens M6 LED, Whelen M6RC	1	FE
74-E8-1820		Lights (2) - Outrigger Cover Plate, Whelen M6	1	FE
74-G8-1020		Zone B & D Lower Rear (2) - Red w/Clear Lens LINZ6 LED, Whelen LINZ6R	1	FE
74-H8-2020		Zone C Lower Lights (2) - Red w/Clear Lens M6 LED, Whelen M6RC	1	FE
74-J4-0620		Stop/Turn/Reverse Lights - LED, Whelen M6	1	FE
74-J4-2620		Housing - Rear Tail Light Assembly, M6FCV4	1	FE
74-J8-1820		Light - LED Rear Directional, Whelen TAM65	1	FE
74-J9-0220		Rear Directional Light Mounting - Surface Mount	1	FE
74-J9-6020		Control Head Location - Traffic Light, Centered Top of Dash	1	FE
		12-VOLT APPARATUS LIGHTING / ACCESSORIES	**1**	**FE**
74-L0-0220	S	Lights (2) - 6" LED Deck, Unity	1	FE
74-L0-2220		Lights - LED Clearance and Maker	1	FE
74-L2-0420		Light - LED Underbody, Whelen 20C0CDCR	4	FE
74-L2-4020		Light - LED License, Whelen OSC0EDCR	1	FE
74-S2-0420		Telescoping Light Locations - Back of Cab	1	FE
74-S2-1420		Light - 12 Volt 160 Watt LED Telescoping, Whelen Pioneer Plus PFH2	2	FE
74-S8-0420		Switch - Telescoping Light Activation, Pump Panel	2	FE
		== Paint - Ladder/Platfrom - 419.001 04/03/19 ==	**1**	**FE**
80-A2-2220		> Paint - Custom Cab, Two Tone (Upper Only)	1	FE
80-A4-0220		< > Upper Cab Paint Finish	1	FE
80-A4-0420		> Paint Color/Code: White FLNA 41477 (FFA White 1)	1	FE
80-B2-8220		Two-Tone Cab Break Line Stripe: Black	1	FE
80-B4-0220		Paint - Chassis Door Jamb	1	FE
80-C2-0220		Paint - Body/Cab	1	FE
80-C2-0420		> Paint Color/Code: Red FLNA 31979 (FFA Red 1)	1	FE
80-D2-0620		> Paint - Interior Compartment, "F-Shield" Extruded Bodies	1	FE
80-E2-1820		Stripe - Scotchlite, 1-6-1 Triple	1	FE
80-E4-0420		Striping Color: White	1	FE
80-E4-4220		Pin Stripe/Secondary Stripe Color: White	1	FE
80-E4-9920		Striping Layout: Hockey Stick Design, Body Compartment Doors	1	FE
80-E8-0220		Striping - Rear Body, Reflective Chevron	1	FE
80-E8-0620		Chevron Striping Colors: 3M Red & Lime Green	1	FE
80-E8-4020		Reflective Material - Designated Walking Surfaces	1	FE
80-G2-0620		Lettering - 3" Scotchlite w/Shade	1	FE
80-G8-1820		Letters - Aerial Sign Plates	26	FE
80-H2-0620		Decals/Maltese Cross (2)	1	FE
80-H2-1020		Sign - "Keep Back 500 Feet"	1	FE
		== Warranty / Manuals - Aerials Custom RML - 419.001 04/03/19 ==	**1**	**FE**
98-A2-0420		Warranty - Body Parts & Labor, 2-Year	1	FE
98-A2-1020		Warranty - Cab/Chassis Parts & Labor, 2-Year	1	FE
98-A2-4220		Warranty - Aerial/Platform, F-Series	1	FE
98-A4-0210		Warranty - Cab Structural, 10-Year/100,000 Miles	1	FE
98-A4-0420		Warranty - Body Structure, 10-Year/100,000 Miles	1	FE
98-A6-0210		Warranty - Cab Paint/Perforation, 10 Year	1	FE
98-A6-0220		Warranty - Body Paint/Perforation, 10 Year	1	FE
98-A6-1020		Warranty - Frame Corrosion "F"-Shield"	1	FE
98-A8-0220		Warranty - Frame Rails, Lifetime	1	FE
98-A8-0420		Warranty - Meritor Axle, 2-Year/Unlimited Miles	1	FE
98-A8-4220		Warranty - Cummins Engine, 5-Year/100,000 Miles	1	FE
98-A8-4420		Warranty - Allison Automatic Transmission, 5-Year/Unlimited Miles	1	FE
98-A8-4620		Warranty - Anti Lock Brake System, 3-Year/300,000 Miles	1	FE
98-A8-6220		Warranty - Waterous Pumps	1	FE
98-A8-8020		Warranty - Plumbing System, 10-Year	1	FE

PART NO	S	DESCRIPTION	QTY	ID
98-A8-8420		Warranty - Poly Water Tank, Lifetime	1	FE
98-B2-0220		Manuals (2) - Chassis Operation, Digital	1	FE
98-B2-1220		Manuals (2) - Engine/Transmission Operations	1	FE
98-B2-1820		Manuals - Apparatus Body & Components	1	FE
98-B2-2020		Manuals - Pump	1	FE
98-B2-2220		Safety Guide - FAMA	1	FE
98-B2-6020		Wiring Diagrams - Cab/Chassis, Standard	1	FE
98-B2-6620		Wiring Diagrams - Apparatus Body, Standard	1	FE
		== Loose Equipment Pkg. - Platform - 419.001 04/03/19 ==	**1**	**FE**
90-A2-0420	>	Equipment Package - NFPA 1901 2016, Fire Department Supplied	1	FE
90-B2-0220		NFPA - Aerial Ground Ladders	1	FE
90-C2-0420		Ladder - 10' Folding Attic, Alco-Lite FL-10	1	FE
90-C6-0620		Ladder - 16' Roof, Alco-Lite PRL-16	2	FE
90-D4-0620		Ladder - 14' Combination, Alco-Lite CJL-14	1	FE
90-D6-1020		Ladder - 24' 2-Section Extension, Alco-Lite PEL-24	1	FE
90-E4-0620		Ladder - 35' 3-Section Extension, Alco-Lite PEL3-35	1	FE
90-H8-0420		Hose (2) - PVC Flexible Suction, Kochek 10' x 6"	1	FE
90-K2-1220		Strainer - 6" NH Barrel, Kochek BS60C	1	FE
90-K4-1020		Bracket - 6" Strainer, Kochek MM601C	1	FE
90-L6-0220		Pike Pole - 6' Fiberglass	2	FE
90-L6-0420		Pike Pole - 8' Fiberglass	2	FE
90-L6-0820		Pike Pole - 12' Fiberglass	2	FE
96-C2-0220		Wheel Chocks (2) - Folding, Ziamatic SAC-44-E w/Mounting Bracket	1	FE
96-E2-0220		Pompier Ladder Belt	4	FE
96-J2-0220		Miscellaneous Hardware Bag	1	FE
96-M6-1220	>	Bracket - Air Pack w/strap, Ziamatic ULLH	3	FE
		== Adminstration - 419.001 04/03/19 ==	**1**	**FE**
			1	**FE**





COMPARTMENT DIMENSIONS		
COMPT.	OPENING	INTERIOR
L1	57.5W X 57.25H	60W X 66.25H X 24D
L2	33.5W X 25H	36W X 38H X 24D
L3	39.5W X 17H	42W X 30H X 24D
L4	29W X 49.25H	31.5W X 58.25H X 24D
R1	57.5W X 58.75H	60W X 71.75H X 12/24D
R2	53W X 21H	55.5W X 28H X 24D

CUSTOMER APPROVAL

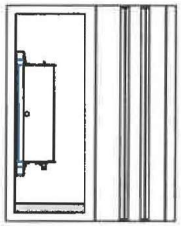
NAME: _____

BY: _____

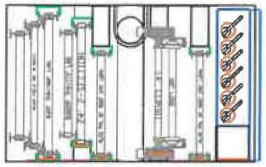
TITLE: _____

DATE: _____

DRAWING IS A VISUAL REPRESENTATION OF A SPECIFIED APPARATUS. IN THE EVENT OF DISCREPANCIES BETWEEN SPECIFICATIONS AND DRAWING, THE SPECIFICATIONS SHALL PREVAIL. DRAWING IS FOR REFERENCE ONLY. SOME DETAILS MAY NOT BE SHOWN OR NOTED.



SUPPLIED LADDERS	
10' FOLDING LADDER (FL-10)	1
14' COMBO LADDER (CJL-14)	1
16' ROOF LADDER (PRL-16)	2
24' 2 SECT. LADDER (PEL-24)	1
35' 3 SECT. LADDER (PEL3-35)	1
6', 8', 12' PIKE POLE	2 EA.



SCALED X2

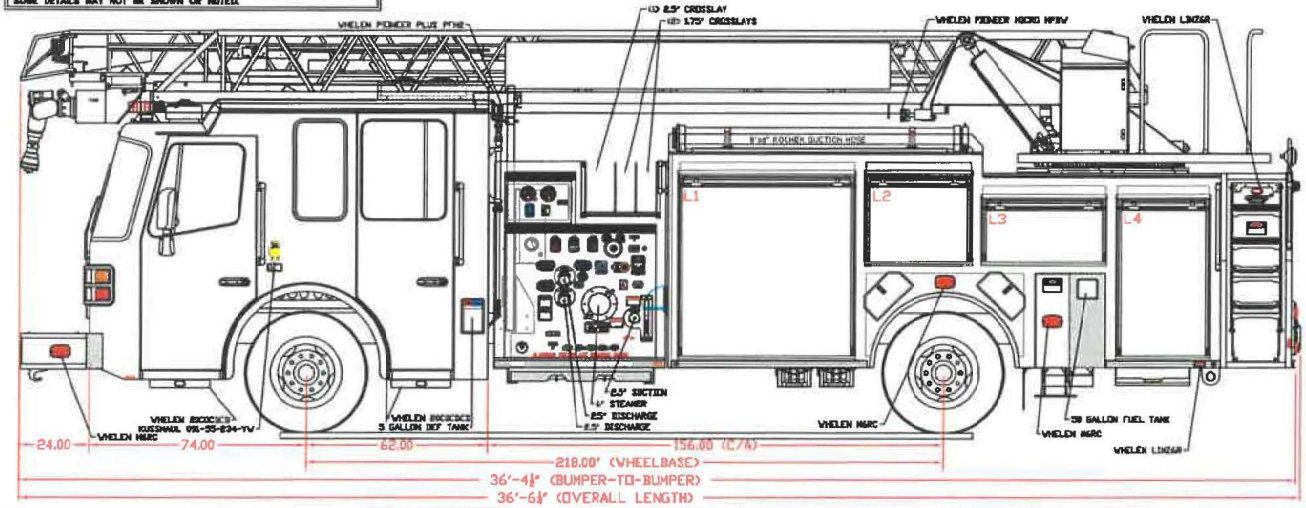
FERRARA

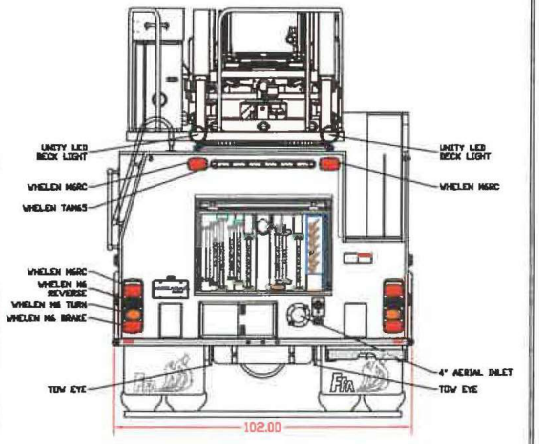
REV GROUP

SANTA FE FIRE DEPARTMENT
SANTA FE, NM

REFERENCE DRAWING

1,500 GPM WATEROUS CSU PUMP
500 GALLON WATER TANK
10 GALLON FOAM TANK





08-17-2020 PRELIMINARY (JD)

ACTION SHEET
ITEM FROM FINANCE COMMITTEE MEETING OF 11/30/20
FOR CITY COUNCIL MEETING OF 12/09/20

c) Request for the Approval of State Price Agreement #70-000-16-00034AE in the Total Amount of One Hundred Forty-Five Thousand Nine Hundred Sixty-Eight Dollars ($145,968.00) for the Purchase of a Brush Truck and Equipment from 411 Equipment, LLC. (Brian Moya; bjmoya@santafenm.gov; (505)955-3111)

Committee	**Review:**
Public Works and Utilities Committee	11/09/2020
Finance Committee	11/30/2020
Governing Body	12/09/2020

FINANCE COMMITTEE ACTION:
Approved on Consent

FUNDING SOURCE:

SPECIAL CONDITIONS OR AMENDMENTS

VOTE	**FOR**	**AGAINST**	**ABSTAIN**
COUNCILOR ROMERO-WIRTH	x		
COUNCILOR CASSUTT-SANCHEZ	x		
COUNCILOR LINDELL	x		
COUNCILOR VILLARREAL	x		
CHAIRPERSON ABEYTA	x		

9-19-20

ACTION SHEET PUBLIC WORKS AND UTILITES COMMITTEE MEETING OF 11/09/2020
ISSUE NO. 8B Request for the Approval of State Price Agreement #70-000-16-00034AE in the Total Amount of One Hundred Forty-Five Thousand Nine Hundred Sixty-Eight Dollars ($145,968.00) for the Purchase of a Brush Truck and Equipment from 411 Equipment, LLC.; Brian Moya; bjmoya@santafenm.gov; (505)955-3111 **COMMITTEE REVIEW:** Public Works and Utilities Committee 11/09/2020 Finance Committee 11/30/2020 Governing Body 12/09/2020
PUBLIC WORKS AND UTILITES COMMITTEE ACTION: Approved on consent agenda to forward to 11/30/2020 Finance Committee
SPECIAL CONDITIONS OR AMENDMENTS:
STAFF FOLLOW UP:

VOTE:	FOR	AGAINST	ABSTAIN
COUNCILOR RIVERA, CHAIR	X		
COUNCILOR GARCIA	X		
COUNCILOR ABEYTA	X		
COUNCILOR LINDELL	X		
COUNCILOR VIGIL COPPLER	X		

City of Santa Fe, New Mexico
Memorandum

DATE: October 13, 2020

TO: Governing Body
Finance Committee
Public Works

VIA: Jarel LaPan Hill, City Manager
Mary McCoy, Finance Department Director
Fran Dunaway, Chief Procurement Officer
Paul Babcock, Fire Chief PB FD

FROM: Brian Moya Assistant Chief BM

ITEM AND ISSUE:
Request for the Approval of State Price Agreement #70-000-16-00034AE in the Total Amount of $145,968.00 for the purchase of a Brush Truck and equipment from 411 Equipment, LLC
Brian Moya, bjmoya@ci.santa-fe.nm.us, (505)955-3111

BACKGROUND AND SUMMARY:

The City of Santa Fe Fire Department has been approved by the New Mexico Public Relations Commission, State Fire Marshal Division to purchase a new Brush Truck in the amount of $145,968.00.

PROCUREMENT METHOD:
The procurement method is the NM Statewide Price Agreement (SWPA) # 70-000-16-00034AE which expires on August 31, 2021.

CONTRACT NUMBER:
The FY20 Munis contract number is 3202311.

FUNDING SOURCE:

Fund Name/Number: General Fund/Fund 200
Munis Org Name/Number: Fire Support Services /220181
Munis Object Name/Number: Vehicles <1.5/570950

ACTION REQUESTED:
Fire Department respectfully requests your review and approval..

CITY OF SANTA FE PROCUREMENT CHECKLIST

Contractor Name: 411 Equipment LLC

Procurement Title: Brush Truck Vehicle Purchase

Procurement Method: State Price Agreement ☒ *Cooperative* ☐ *Sole Source* ☐ *Other* ☐ _____

Exempt ☐ *Request For Proposal* (RFP) ☐ *Invitation To Bid (ITB)* ☐ *Contract under 60K* ☐ *Contract over 60K* ☐

Department Requesting Fire Department Staff Name Brian Moya

Procurement Requirements:
A procurement file shall be maintained for all contracts, regardless of the method of procurement. The procurement file shall contain the basis on which the award is made, all submitted bids, all evaluation materials, score sheets, quotations and all other documentation related to or prepared in conjunction with evaluation, negotiation, and the award process. The procurement shall contain a written determination from the Requesting Department, signed by the purchasing officer, setting forth the reasoning for the contract award decision before submitting to the Committees. .

REQUIRED DOCUMENTS FOR APPROVAL BY PURCHASING*

YES	N/A	
☒	☐	Approved Procurement Checklist (by Purchasing)
☒	☐	Memo addressed to City Manager (under 60K) Committees/City Council (over 60K)
☒	☐	State Price Agreement
☐	☒	RFP
☐	☒	Evaluation Committee Report
☐	☒	ITB
☐	☒	Bib Tab
☐	☒	Quotes (3 valid current quotes)
☐	☒	Cooperative Agreement
☐	☒	Sole Source Request and Determination Form
☐	☒	Contractors Exempt Letter
☐	☒	Purchasing Officers approval for exempt procurement
☐	☒	BAR
☐	☒	FIR
☒	☐	Executed Contract, Agreement or Amendment
☒	☐	Current Business Registration and CRS numbers on contract or agreement
☐	☒	Summary of Contracts and Agreements form
☒	☐	Certificate of Insurance
☐	☒	All documentation presented to Committees
☐	☒	Other: _____

Brian Moya	Assistant Chief	10/13/20
Department Rep Printed Name (attesting that all information included)	Title	Date
Fran Dunaway (Oct 14, 2020 13:21 MDT)		
Purchasing Officer (attesting that all information is reviewed)	Title	Date

Include all other substantive documents and records of communication that pertain to the procurement and any resulting contract.

*

NEW MEXICO PUBLIC REGULATION COMMISSION

COMMISSIONERS

DISTRICT 1 CYNTHIA B. HALL
DISTRICT 2 JEFFERSON L. BYRD, VICE CHAIR
DISTRICT 3 VALERIE ESPINOZA
DISTRICT 4 THERESA BECENTI-AGUILAR
DISTRICT 5 STEPHEN FISCHMANN, CHAIR

INTERIM CHIEF OF STAFF
Jason N. Montoya, P.E.

P.O. Box 1269
Santa Fe, NM 87504-1269

STATE FIRE MARSHAL DIVISION
John Kondratick
Interim State Fire Marshal
Phone (505) 470-1044
Fax (505)476-0100

October 9, 2020

Brian Moya
200 Murales Rd.
Santa Fe, NM
87504

Dear Assistant Chief Moya,

The specifications you submitted on October 8, 2020 on behalf of the Santa Fe FD for the purchase of a new Brush Truck have been reviewed and are approved. The Santa Fe FD is authorized to use fire protection Fund monies for the purchase of this vehicle. ***This Vehicle shall comply with NFPA 1906 Standard for Automotive Fire Apparatus 2016 Edition.***

"This letter shall serve as approval to expend fire protection fund monies to finance the cost of the New *Brush Truck*. The *Santa Fe Fire Department is* currently an ISO classification of 2 *with* a minimum yearly Fire Protection Fund Allocation of *$722,554.00*.

If there are any major changes in the specifications that are made prior to bidding procedures, this office must approve the changes or this authorization of expenditure shall be rendered null and void.

If you anticipate a loan, I recommend that you contact the New Mexico Finance Authority {NMFA} at 505-984-1454 to finance the vehicle. A loan through NMFA will be at minimal interest. This letter shall serve as authorization for you to enter into an agreement with NMFA for the commitment of fire protection fund monies. For future references, please be reminded that all purchases shall be accomplished in accordance with the policies and guidelines of your governing body, the provisions of the Public Purchase Act, and as approved by the New Mexico Department of Finance and Administration.

Final Approval and determination of the purchase of this apparatus is incumbent upon the local government to ensure all needs of the fire Department are properly met to ensure full and complete response capabilities in the Fire District.
If you have any questions please do not hesitate to contact me at 505-467-9425

Respectfully,

Derrick Rodriguez
Fire Department Inspector
New Mexico State Fire Marshal Division
Fire Service Support Bureau
XC: Randy Varela, Deputy Fire Marshal
File

MVD
NEW MEXICO

NEW MEXICO

2019 - 2020

TAXATION & REVENUE DEPARTMENT
MOTOR VEHICLE DIVISION

PURSUANT TO SECTION 66-4-1, NMSA 1978, the Person or Business Named Herein has been Licensed as a:

License Type	**Dealer**
License Number	**5178**
License Period	**19-Dec-2019 to 31-Dec-2020**
Business Name	**411 EQUIPMENT ,LLC**
Business Location	**1815 4TH ST NW ALBUQUERQUE NM 87102-1449**
Eligible Dealer Plates	**5**

2019 - 2020

This license is valid for the period indicated above.

The license shall be displayed in the office at the address shown above.

Letter ID:L1031617984

CITY OF ALBUQUERQUE
BUSINESS REGISTRATION

CITY OF ALBUQUERQUE
P.O. BOX 1293
ALBUQUERQUE, NM 87102

411 EQUIPMENT. LLC
1815 4TH ST NW
ALBUQUERQUE NM 87102-1449

CITY OF ALBUQUERQUE

411 EQUIPMENT. LLC
1815 4TH ST NW
ALBUQUERQUE NM

PERMIT NO: COM-2019-357800

PROGRAM: BUSINESS REGISTRATION

EFFECTIVE FROM: 12/18/2019 THROUGH: 12/17/2020

HAVING COMPLIED WITH THE FEE REQUIREMENTS OF CHAPTER 13 ARTICLE 1 OF THE REVISED ORDINANCES.

REGISTRATION OR LICENSING WITH THE CITY OF ALBUQUERQUE AND PAYMENT OF FEES DOES NOT CONSTITUTE A WAIVER OF ANY REQUIREMENTS OR PROVISIONS CONTAINED AT ANY LAW.

THE ACTIVITY/BUSINESS PROPOSED TO BE CONDUCTED AT ANY LOCATION WITHIN THE CITY SHALL BE APPROVED BY THE CITY'S ZONING ENFORCEMENT OFFICER PRIOR TO COMMENCING THE ACTIVITY/BUSINESS.

PLANNING DEPARTMENT - CODE ENFORCEMENT DIVISION

WWW.BIZREG.CABQ.GOV

(505) 924-3890

POST IN A CONSPICUOUS PLACE

411EQUI-01 RTOURVILLE

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 10/6/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Charles L. Crane Agency Co. 100 N Broadway, Ste 900 Saint Louis, MO 63102	CONTACT NAME: PHONE (A/C, No, Ext): (314) 241-8700 FAX (A/C, No): (314) 444-4970 E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A : Travelers Indemnity of America	25666
INSURED 411 Equipment LLC 1815 4th Street NW Albuquerque, NM 87102	INSURER B : Travelers Prop Cas Co of Amer	25674
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
	COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE	$
	[ ] CLAIMS-MADE [ ] OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$
							MED EXP (Any one person)	$
							PERSONAL & ADV INJURY	$
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$
	[ ] POLICY [ ] PRO-JECT [ ] LOC						PRODUCTS - COMP/OP AGG	$
	[ ] OTHER:							$
A	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$ 1,000,000
	[X] ANY AUTO			AD0P42283320CAG	8/9/2020	8/9/2021	BODILY INJURY (Per person)	$
	[ ] OWNED AUTOS ONLY [ ] SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	[ ] HIRED AUTOS ONLY [ ] NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$
								$
B	[X] UMBRELLA LIAB [X] OCCUR			CUP0P41866020	8/9/2020	8/9/2021	EACH OCCURRENCE	$ 1,000,000
	[ ] EXCESS LIAB [ ] CLAIMS-MADE						AGGREGATE	$ 1,000,000
	[ ] DED [X] RETENTION $ 0							$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			UB0P41008420	8/9/2020	8/9/2021	[X] PER STATUTE [ ] OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N [ ] (Mandatory in NH)		N/A				E.L. EACH ACCIDENT	$ 500,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$ 500,000
							E.L. DISEASE - POLICY LIMIT	$ 500,000
A	Garage Liability			AD0P42283320CAG	8/9/2020	8/9/2021	$1,000,000 EaAcc/Agg	3,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

City of Santa Fe
PO Box 909
Santa Fe, NM 87504-0909

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
Joel Karsten

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411 Equipment, LLC
"Be in the Know"
1815 4th Street NW, Albuquerque, NM 87102
(505) 280-9143 Phone

October 6, 2020

City of Santa Fe
Fire Department
Assistant Chief Brian Moya

Dear Chief Moya:

We hereby propose to furnish the following Brush Truck vehicle and equipment, as described by the accompanying detailed specifications via our State Contract #70-000-16-00034AE. The apparatus and equipment will be delivered F.O.B., Santa Fe, NM within 120 calendar days from receipt of an order. Payment is due upon receipt of apparatus. The pricing in this proposal is valid through October 30, 2020 and may be extended, in writing, at the discretion of 411 Equipment LLC. I have attached a copy of our state contract. The contract allows for a 4% discount on the base model and optional items.

Base Model Type 6 2 Door Chassis	$122,734.00
Upgrade to Crew Cab Dodge 5500 4x4 Chassis	6,061.00
Aluminum Flat Bed Upgrade	4,222.00
In Cab Foam and Water Gauges	1,658.00
Front Bumper Nozzles with in Cab Controls	2,800.00
Heavy Duty Front Bumper	2,350.00
Portable 9500 lb winch with rec in front and rear	2,850.00
Rear Class V Hitch	650.00
Upgraded Federal Signal Light Package	2,168.00
Transverse Compartment	3,185.00
Three Shelves	990.00
Roof top bins – expanded metal	2,600.00
Pair of FRC Flood Lights mounted on bumper	1,200.00
Back up camera	750.00
Total	$152,050.00
4% Dicount	6,082.00
Grand Total	$145,968.00

The price for a brush truck as described in the attached specifications is $145,968.00.

The Chassis is currently in stock at Melloy and is subject to prior sale. If this chassis is sold to another customer, it will extend the delivery time.

Please contact me if you any have questions.

Thank you for the opportunity,

Digitally signed by Pete Marquez, Jr
DN: cn=Pete Marquez, Jr, ou=411 Equipment LLC, email=jmarquez@411equipment.com, c=US
Date: 2020.10.06 08:56:38 -06'00'

Pete Marquez, Jr.
GM/Owner

Dodge 5500 Cab & Chassis

Unit is to be installed on a Dodge 5500, 2021, Crew Cab, 4 x 4.

- GVWR : 19,500 lb
- GAWR front: 7,000 lbs.
- GAWR rear: 14,706 lbs.
- 4.89 Ratio Limited Slip Axle
- Rear and Front Stabilizer suspension bar

The power train should consist of the following:

- V8, 6. 7 L Cummins Diesel Motor
- 360 Hp @ 2800 RPM, 800 Lb.-ft. @ 1800 RPM
- 6 Speed Automatic transmission
- 4 x 4, electric shift
- Trailer brake controller
- Engine Block Heater

Major Standard Features:

- Two (2) Batteries - 750 CCA 78-AH
- 220-amp alternator
- Brakes -Anti-lock System (ABS)
- Fuel tank - 52 gallon capacity
- Grab handles - Driver and front passenger
- Power steering
- Roof clearance lights
- Solar tinted glass
- Steering damper
- Windshield wipers - interval

Optional Equipment Supplied

- Bluetooth
- Limited slip
- Trailer Tow Mirror
- Power Windows & Locks
- Running Boards
- Trailer Brake Control

Safety & Security:

- Airbag - Driver and front passenger
- Belt-Minder safety belt reminder

Dodge Warranty:

- 3 years 36,000 miles bumper to bumper
- 5 years 100,000 miles Transmission
- 5 years 100,000 miles motor

Safety Signs

All NFPA 1906 Required Safety Signs to be provided and installed.

Seating Capacity

The unit shall be designed for seating of five (5) personnel. A tag shall be provided in the cab identifying the seating capacity.

Roll Over Stability

The roll over stability shall met NFPA 1906 Standards for a brush truck.

Fluid Data Plate

A fluid data plate identifying the chassis and pump fluids shall supplied and mounted to the apparatus.

Vehicle Height and GVWR Data Plate

A vehicle overall height and GVWR data plate shall be supplied and mounted to the apparatus.

Inside Doors Reflective

All driving and crew compartment doors shall have at least 96 in2 of reflective material affixed to the inside of each door.

Engine Speed Control Device

An automatic engine speed control device shall be installed to allow an increase in the engine speed when the apparatus is parked. (NFPA 1906, 5.2.1.4 requirement)

An interlock shall prevent the operation of this engine speed control device unless the parking brake is fully engaged and the transmission is in neutral or park, or unless the engine speed control device is used with chassis engine driven components, in which case it shall be interlocked with the engagement of those components.

TIRE PRESSURE MONITORING DEVICES

Each tire shall be equipped with an LED tire alert pressure management system (Vecsafe equal) that shall monitor tire pressure. A chrome plated brass sensor shall be provided on the valve stem of each tire. The sensor shall calibrate to the tire pressure when installed on the valve stem for pressures between 20 and 120 psi. The sensor shall activate an integral battery-operated LED when the pressure of that tire drops 8 psi. Removing the cap from the sensor shall indicate the functionality of the sensor and battery. If the sensor and battery are in working condition, the LED shall immediately start blinking.

Spare tire

A spare tire shall be supplied and installed on the top of the water tank.

Tire Replacement Tools

A lug wrench and jack shall be provided for the replacement of a tire.

Heavy Duty Front Bumper

The OEM bumper shall be removed and replaced with a heavy duty front bumper and brush guard. Contoured to follow the shape of the grille and body. The bumper shall be will be flat black finish.

Removable Winch 9,500 lbs.

There shall be a 9500 lbs. WARN 9.5ti Thermometric removable electric winch. As per NFPA 1906 (13.2.2), the winch shall have a minimum wire rope length of 125 ft (38m) with a large latched hook. The wire rope will be 5/16" in diameter and shall be constructed of aircraft wire rope and galvanized to help resist corrosion.

Feature of the winch will include a 3 stage planetary gear system for fast line speed, cam action clutch disengages planetary gear system for free spooling and automatic load holding brake for strength and reliability.

A quick connector and battery power lead to connect the winch shall be run for mounting of the winch.

A remote with 25' (7.6m) of cable shall be supplied (NFPA 1906, 13.3.1.1 requirement).

Rear Receiver

A rear mounted Class III trailer hitch shall be securely attached to the chassis frame and shall include the 7-pin wiring trailer harness. Front and Rear Warn Quick Connectors and battery power leads to connect the winch shall be run to each of these locations for mounting of the winch. Dust Cover shall be installed.

Black Side Step Bars

One (1) set of 3" diameter black side step bars. Steps to be marine grade 304 primed stainless steel polished to a mirror finish with molded plastic step pad. Step area is compressed, rather than a cut out hole, to enhance strength and prevents interior corrosion. Lifetime Limited Warranty.

Handrails

There shall be two handrails located in the rear. One on each side of the rear to assist access to the pump skid.

Two (2) handrails will be provided by the cab manufacture assisting passenger entry to the cab.

Lettering & Stripping

The lettering supplied by the FD shall be installed on each front cab door.

Stripping

4" white reflective stripping shall be applied on the cab & the flatbed. The stripping shall be applied at the direction of the Fire Department.

Rear Chevron

6" reflective red & yellow chevron stripes shall be applied on the rear skirt of the flatbed.

Cab Safety Signs

The following safety signs shall be provided in the cab:

- A permanent plate, stating the maximum number of two (2) personnel allowed to ride on the apparatus, shall be provided and installed in clear view of the driver.
- "No riding on rear of apparatus" shall be installed on rear of the apparatus.

Aluminum Flat Bed Body

One (1) custom Fire Application aluminum flat bed body, 112" long x 95.75" wide. The aluminum plate used in construction is polished aluminum alloy tread plate.

Body sub-frame is made from aluminum tubes and channels. The body crossmembers shall extend the full width to support the compartment framing and shall be welded to the sub-frame main members.

Aluminum headache rack with light bar brackets and protective cross members shall be installed. The uprights will be angled inward to match the aerodynamic contour of the chassis cab. Headache rack

is designed to protect the back of the cab and occupants and also increase the driver rear view and to improve the driving efficiency while driving to an emergency response.

The body shall be attached to the chassis rails with a minimum of four (4) Spring mounts attached at each corner.

The body is a modular design to allow removal from the chassis for major repair or mounting on a new chassis. Isolating material between the body and the chassis to be installed.

License plate light shall be an Eon light with SS polish case that has a light output equivalent to a 10 watt halogen lamp. Eon light to have a 50,000 hr LED life.

LED Signal, brake and reverse lights will be High Quality Grote Automotive lights recessed mount into rear aluminum skirt area of body per FMVSS 108 and CMVSS 108 requirements. Light to be LED Oval with chromed housing.

Two (2) LED Amber marker/clearance lights with chrome housing and clear lens will be installed on the front side of the bed, one (1) each side. Two (2) LED Red marker/clearance lights with chrome housing and clear lens will be installed on the rear side of the bed, one (1) each side.

Three (3) LED Red marker/clearance lights with chrome housing and clear lens will be installed at the rear center of the bed. Amber & Red reflectors shall be installed around the perimeter of the bed as per DOT requirement.

Two (2) heavy duty tow eyes shall be installed at the rear of the body (NFPA 1906 requirement). The tow eyes will be fastened directly to each rear chassis frame rail. Hardware shall have a clear and unobstructed access (Shipped loose).

The rear of the flat bed shall have two (2) non-skid rear steps for access to pump and controls. The rear steps shall be made so it can be folded up for use in rough terrain. All steps shall sustain a minimum static load of 500 lb (227 kg) without deformation (NFPA 1906 & 1901 compliant). Stepping height from the ground to the first step shall not exceed 24".

An angle of approach and an angle of departure of at least 20 degrees shall be maintained at the front and the rear of the vehicle when it is loaded.

NFPA Compliant Walking Surface

All walking surfaces shall meet NFPA 1906 compliance for slip resistance. All walking services shall be outlined in yellow to identify walking surfaces.

Fuel and DEF Fill Bezel

A fuel and DEF fill bezel shall be supplied and installed behind of the rear wheels on the perimeter of the flatbed on the driver side.

Compartments

All compartments will be made with 1/8" aluminum sheet.

All compartments shall have a minimum of one (1) louvered panel bolted into a wall to provide the proper airflow inside the compartment.
All compartments shall be of sweep-out type with no lip at bottom edge for easy cleaning.

Transverse Front Compartment (L1/R1)

One (1) 20" Wide x 36" high x 92" deep compartment behind the chassis, located in front of the water tank. This compartment shall be transverse. One adjustable shelf will be provided. Access swing doors will be hinged and shall have shocks to hold the doors in the open position. D ring latches shall be supplied.

Left (Driver) Side Compartment (L 2)

One (1) 60" long x 28" high x 24" deep compartment behind the L1/R1 transverse compartment, located at the left (driver) side of the water tank.

The overlap aluminum compartment door shall be securely attached to the body with a full vertical stainless steel hinge. Door opening shall be fitted with solid neoprene weather strip completely sealing the perimeter of the compartment door opening. The door shall be installed with gas hold open struts. The 1 /8" compartment door are latched with recessed, polished stainless steel "D" ring handle and key lock.

The aluminum door completes with the following features: door ajar switch and two (2) LED lights.

One (1) switch shall be installed so the compartment light(s) shall come on only when compartment door is open.

There shall be a set of tracks for future installation of adjustable shelf(s) in each compartment. These tracks shall be installed vertically on the walls of the compartment(s) and shall offer a multitude of height adjustment possibilities.

Right (Passenger) Side Compartment (R2)

One (1) 60" long x 28" high x 24" deep compartment behind the L1/R1 transverse compartment located at the right (passenger) side of the water tank.

The overlap aluminum compartment door shall be securely attached to the body with a full vertical stainless steel hinge. Door opening shall be fitted with solid neoprene weather strip completely sealing the perimeter of the compartment door opening. The door shall be installed with gas hold open struts. The 1 /8" compartment door are latched with recessed, polished stainless steel "D" ring handle and key lock.

The aluminum door completes with the following features: door ajar switch and two (2) LED lights.

One (1) switch shall be installed so the compartment light(s) shall come on only when compartment door is open.

There shall be a set of tracks for future installation of adjustable shelf(s) in each compartment. These tracks shall be installed vertically on the walls of the compartment(s) and shall offer a multitude of height adjustment possibilities.

Three (3) Adjustable Shelves

There shall be three (3) adjustable shelving formed from .125 thick smooth aluminum sheet. Each shelf shall be fastened to the tracking using four (4) adjustable shelf clips and stainless-steel hardware.

The shelves shall be located on the side compartments, L1-R1, L2 and R2

Front Underbody Compartments

Two (2) aluminum underbody compartments ahead of the rear wheels shall be supplied and mounted, one on the driver's side and one on the passenger's side.

The compartments shall be made with aluminum tread plate sheet 30" wide x 18" deep x 18" high.

Compartment shall have a horizontally hinged drop-down door made from aluminum diamond tread-plate.

The compartments shall have a minimum of one (1) louvered panel bolted into a wall to provide the proper airflow inside the compartment.

Top Storage Trays

A storage tray shall be supplied and installed on top of the compartments.

Dimensions of the storage trays shall be 96" Long X 24" Wide X 8" High.

The four (4) walls of the tray shall be made from expanded aluminum webbing with relief cut on external wall to aid access to long tools from the ground.

Wheel Chocks

Medium Kochek Wheel Chocks with storage brackets shall be provided. The location shall be determined by the FD.

Rear Mud Flaps

Rear rubber mud flaps are provided. A bracket attached to the side of the muffler pipe end is installed to prevent any damaged that can occur to the mud flap.

Electrical components

A 12 volt electrical system is supply.

The wiring is secured in place, readily accessible and protected against heat, water and physical damage.

Electrical harness lines shall be mechanically attached to the frame or body structure of the apparatus.

All wiring will be run in heat and moisture resistant plastic convoluted split loom. Electrical harness lines shall be furnished with protective looms, grommets, or other devices at each point where they pass through body panels or structural members or wherever they lie against a sharp metal edge. A through-the-frame connector shall be permitted to be used in place of metal protective looms or grommets.

Switches, relays, terminals, and connectors shall have a direct current (de) rating of 125 percent of maximum current for which the circuit is protected and inside junction boxes or console in the cab.

Conductor insulation will conform to S.A.E. requirements. All circuit are protected by automatic reset circuit breakers.

All wiring furnished will conform to the national Electric Code.

All circuits will be wired in conformance with S.A.E. J1292, Automobile wiring standard. All wiring

will be function worded schematically.

A set of electric diagram will be remit upon delivery.

Low Voltage

A low voltage alarm shall be supplied and alert operator when voltage falls below the NFPA 1906 minimum.

Master Battery Switch

A master battery disconnect switch shall be installed and mount in the cab within easy reach of the driver. All electrical circuits shall be connected to the master battery switch with a reset breaker.

Console

One fire application custom console installed between seats with rocker switch. To be quickly identified and visible to the driver and passenger while seated, the rocker switches shall be installed on the top face of the console designed with a 40 deg. angle. This area shall be able to hold at least two rows of rocker switch. All switches shall be appropriately identified by panel mounted legends.

The first lighted rocker switch shall be a red Master Optical Warning switch. A master body disconnect automatic switch, normally open contacts, shall be provided to disconnect all electrical loads not provided by the chassis manufacturer. The starter solenoids shall be connected directly to the batteries.

All rocker switches to have a green "On" indicator that is visible from the driver's position shall be provided.

The console has an area to accommodate department map books, clipboards etc. The

console has an area for two (2) radio heads & Siren installation.

One (1) dual USB charging port shall be installed in the console.

All electrical components like breaker, relays, wiring etc. will be installed inside this customized console and protected with an aluminium box. This console will be design to easily gain access to those breaker, relays, wiring, etc.

Controls and switches that are expected to be operated by the driver while the apparatus is in motion shall be within convenient reach for the driver.

Console shall be painted black scratch free Herculiner finish.

Pump Engine Control in the Cab

A key switch, throttle, pressure gauge, mini water and foam level displays and one (1) front bumper spray nozzle toggle switch shall be installed in the cab console to control the pump engine.

Emergency lighting

One (1) LED lightbar shall be mounted the headache rack and controlled by one (1) switch on the cab console.

Mounted on front Ford grill, two (2) Whelen Ion-T series Linear Super LED, two (2) each side, red with clear lens with a black flange.

Mounted each side of the chassis, two (2) Whelen Ion-T series Linear Super LED, one (1) each side, red with clear lens with a black flange.

Mounted on sides of the flatbed, two (2) Whelen M4 series Linear Super LED, one (1) on each rear corner, red with clear lens with a black flange.

Mounted at the lower rear of the flatbed Two (2) Whelen M4 series Linear Super LED, one (1) each side, red with clear lens, each with a black flange.

Mounted at the upper rear of the flatbed four (4) Whelen M4 series Linear Super LED, two (2) on each rear wall compartments, red with clear lens, each with a black flange.

Siren & Speaker

One (1) Code3, model #3599L5 or equal electronic siren amplifier with PA and switch control center to be provided and installed. Siren shall have wail, yelp, hi-lo, hyper hi-lo, whoop, manual wail and air horn tones as well as public address and shall be capable of radio rebroadcast.

One (1) Whelen, model# SA315P, 100 watt speaker, or equal shall be provided and mounted on the front bumper with SAK1 universal mounting bracket.

Front Scene Lights

Two (2) Warn 4" HID off road lights shall be provided and mounted on the front grill and connected to a switch in the cab console.

Six (6) Scene Lights

Six (6) TecNiq swivel LED scene flood lights, four (4) on the body, one (1) on each corner and two (2) facing rear, shall be installed and connected to a switch in the cab console.

Four (4) Ground lights

Two (2) ground lights shall be installed at the entry of the cab, one (1) on each side. Lighting designed to provide illumination on areas under the driver and crew riding area exits shall be switchable but activated automatically when the exit doors are opened.

Two (2) ground lights shall be installed below the rear steps, one (1) on each side. These ground lights will be illuminated at any time the chassis parking brake is activated.

Lights shall be white oval LED with bracket.

Compartment Lights switches

One (1) switch per compartment shall be installed so the compartment light(s) shall come on only and automatically when compartment door is open.

Door Ajar

One (1) door ajar warning red light shall be provided and installed visible to the driver, on the cab console. The light shall be properly marked with a sign "Warning Door Ajar".

Back-Up Alarm

One (1) back-up alarm that meets the type D (87 dBa) requirements of SAEJ994 shall be provided at the rear of the apparatus. It will activate when the transmission is placed in reverse.

Back-Up Camera

One (1) back-up camera shall be provided at the rear of the apparatus. It will activate when the transmission is placed in reverse. A monitor shall be supplied in the cab and visible by the driver.

Tank

The water tank shall have a rated capacity of 400 U.S. gallons complete with lifetime warranty. The tank manufacturer shall mark the tank and furnish notice that indicates proof of warranty. The purpose of the notice is to inform department personnel who store or use the tank that the unit is under warranty. The entire tank shall meet NFPA standards.

The tank shall be constructed of 1/2 (15mm) thick Polyprene sheet stock. This material shall be non-corrosive stress relieved thermoplastic, be black in color and U.V. stabilized for maximum protection. The tank shall be of a special configuration and is so designed to be completely independent of the body and compartments. All exterior tank joints and seams shall be extrusion welded and/or contain the Bent Edge and tested for maximum strength and integrity. The top of the tank is fitted with removable lifting eyes designed with a 3 to 1 safety factor to facilitate easy removal.

The transverse and longitudinal swash partitions shall be manufactured of Polyprene material. All partitions shall be equipped with vent and air holes to permit movement of air and water between compartments. The partitions shall be designed to provide maximum water flow and meet NFPA rules. All swash partitions interlock with one another and are welded to each other as well as to the walls and floor of the tank.

The tank shall have a combination vent and fill tower. The fill tower shall be constructed of 1/2 (15 mm) thick Polyprene and shall be a minimum dimension of 8 x 8 (200mm x 200mm) outer perimeter. The tower shall be located on the top of the tank closest to the pump platform area. The tower shall have a 1/4 (63mm) thick removable Polyprene screen and a Polyprene hinged-type cover. Inside the fill tower, there shall be a combination vent overflow pipe. The vent overflow shall be a minimum of schedule 40 pipe with a minimum I.D. of 4 (100mm) that is designed to run through the tank, and shall be piped behind the rear wheels where specified by the purchaser so as to maximize traction.

The tank cover shall be constructed of recessed 1/2 (127mm) thick black Polyprene, stress relieved, U.V. stabilized material

There will be two (2) standard tank outlets: one for tank to pump suction line which shall be a minimum of 2 (50 mm) FNPT coupling; and one for a tank fill line which shall be a minimum of 1 1/2 (38 mm) FNPT coupling. All tank fill couplings shall be backed with flow deflectors to break up the stream of water entering the tank, and be capable of withstanding sustained fill rates of up to 1000 G.P.M. (3800 LPM). All auxiliary outlets and inlets must meet N.F.P.A. 1906 guidelines in effect at the time of manufacture.

Water Tank Level Sight Glass:

The water tank shall have a sight glass incorporated into the tank located near the pump platform area. This sight level shall be 70% transparent and of natural color.

Pump & Tank Mounting:

Three (3) Polyprene C channel beam base shall be provided to support the tank and pump. The tank shall be extrusion welded to the base for maximum strength and integrity. The entire pump and tank skid shall be completely removable.

Piping:
All welded Stainless-Steel manifold painted blue. All pipe nipples and coupling used are schedule 40 stainless steel fittings. All connections from the pump to the tank will be soft connections using hose and crimped fittings.

Valves:
All valves shall be quarter turn and be made of forged brass a forged brass body and stem with and chrome plated brass ball valves. Handles shall be of zinc-plated steel with vinyl sleeves and zinc plated handle nut.

Water Tank Indicator

Fire Research TankVision model WLA200-AOO tank indicator kit shall be installed. The kit shall include an electronic indicator module, a pressure sensor, and a 1 O' sensor cable. The indicator shall show the volume of water in the tank on nine (9) easy to see super bright LEDs. A wide view lens over the LEDs shall provide for a viewing angle of 180 degrees. The indicator case shall be waterproof, manufactured of aluminum, and have a distinctive blue label.

The program features shall be accessed from the front of the indicator module. The program shall support self-diagnostics capabilities, self-calibration, and a datalink to connect remote indicators. Low water warnings shall include flashing LEDs at 1 /4 tank, down chasing LEDs when the tank is almost empty, and an output for an audio alarm.

The indicator shall receive an input signal from an electronic pressure sensor. The sensor shall be mounted from the outside of the water tank near the bottom. No probe shall place on the interior of the tank. Wiring shall be weather resistant and have automotive type plug-in connectors.

Location of water tank indicator shall be: Pump Panel Area **Water**

Tank Mini-Display Indicator

One (1) water tank mini display indicator shall be provided and installed in the cab console.

Class A Foam Tank Indicator

Fire Research TankVision model WLA260-AOO tank indicator kit shall be installed. The kit shall include an electronic indicator module, a pressure sensor, a 1 O' sensor cable and a tank vent. The indicator shall show the volume of Class A foam concentrate in the tank on nine (9) easy to see super bright LEDs. A wide view lens over the LEDs shall provide for a viewing angle of 180 degrees. The indicator case shall be waterproof, manufactured of aluminum, and have a distinctive green label.

The program features shall be accessed from the front of the indicator module. The program shall support self-diagnostics capabilities, self-calibration, and a datalink to connect remote indicators. Low foam warnings shall include flashing LEDs at 1/4 tank, down chasing LEDs when the tank is almost empty, and an output for an audio alarm.

The indicator shall receive an input signal from an electronic pressure sensor. The sensor shall be mounted from the outside of the foam tank near the bottom. No probe shall place on the interior of the tank. The foam tank vent shall be installed on the foam fill tower. Wiring shall be weather resistant and have automotive type plug-in connectors.

Location of foam tank indicator shall be: Pump Panel Area

Foam Tank Mini-Display Indicator

One (1) foam tank mini display indicator shall be provided and installed in the cab console.

Fire Pump

Darley model number 2 BE 18 HP Gas powered, centrifugal portable pump shall be provided. The medium pressure, high volume pump, direct drive, engine mounted shall meet the following performance requirements. :

2 BE 18 HP
375 gpm @ 25 psi
300 gpm @ 45 psi
100 gpm @ 140 psi

Pump casing shall be of anodized aluminum and vertically split, with a minimum tensile strength of 33,900 PSI - bronze-fitted. Pump ratio to be selected by the manufacturer's Engineering Department. Seal rings shall be renewable, double labyrinth, wrap around bronze type. Bearings are to be heavy duty, deep groove, radial-type ball bearings, oversized for long life. Bearings to be protected at all openings from road dirt and water splash with oil seals and water slingers.

The pump unit shall be supplied with a control panel for remote mounting, panel light, hour meter / tachometer, pressure gauge, on/off ignition switch, and a low oil pressure light, engine choke, engine throttle

Mechanical Seal

The pump shall be furnished with a Darley maintenance free mechanical seal. The mechanical seal shall be a non-contacting, non-wearing seal design. Seal shall be a Silicon Carbide Mechanical seals with welded springs. The stationary face of mechanical seals shall be made from Silicon Carbide, and be extremely hard and of a heat dissipative material, which resists wear and dry running damage much better than conventional Ni-resist and Tungsten Carbide materials

Engine

Briggs and Stratton Vanguard 18HP, 12 volt starter, 40 amp alternator, replaceable fuel and oil pump filters

Pump Tag

A pump tag shall be mounted on the operator's panel with pump certification information.

Oil Drain

An oil drain line shall be installed on the engine for an easy maintenance.

Pump Controls

The pump unit shall be supplied with a **Digitrol** control panel for remote mounting. The panel shall include oil pressure warning light, water temperature warning light, hour meter, pressure gauge, and on/off ignition switch.

Valves:

All valves shall be quarter turn and be made of forged brass a forged brass body and stem with and chrome plated brass ball valves. Handles shall be of zinc-plated steel with vinyl sleeves and zinc plated handle nut.

Pump Certification:

The pump, when dry, shall be capable of taking suction and discharging water in compliance with NFPA #1906. The pump shall be tested at the manufacturer's facility. The conditions of the pump test shall be as outlined and in accordance with current NFPA 1906.

The pump shall deliver the percentage of rated capacities at pressures indicated: 100% of rated capacities at 150 PSI (1000KPA) net pump pressure.

Pump Warranty:

Pump shall have a three (3) Year Pump Warranty & 72 Hour Parts Shipping. W.S. Darley & Co. guarantees to replace or repair any defective part or parts, which Darley determines to be defective in materials or workmanship from date of shipment as outlined in the Standard Pump Warranty Document, for a period of three (3) years.

Electric Primer

Exhaust Prime shall be suppied

Foam System

There shall be an around the pump foam eductor/mixer installed integral to the pump. The eductor shall be plumbed from the foam cell with flexible reinforced tubing to throughout the eductor to a suction fitting on the pump impeller housing.

1" Tank Fill

There shall be a 1" valve piped from the discharge manifold as a means for refilling the tank. The valve shall be a Fire Type quarter turn swing-out valve handle and 1" NPT threads, and shall be connected to the tank fill port by 1" high pressure flexible hose.

Garden Hose Discharge to Rear

There shall be a standard garden hose valve piped from the manifold of the pump. The valve shall be an industrial quarter turn valve with handle and %" threads.

One (1) 1-1/2" Discharge To Rear

There shall be one (1) 1-1/2" valve piped from the discharge manifold to the rear of the truck for connection of forestry hose. The valve shall be an *industrial* quarter turn valve with 1-1/2" NH threads. The valve shall be furnished with a 1-1/2" NH chrome cap and chain.

One (1) 1" Discharges to Booster Reels

There shall be 1" valve piped from the discharge manifold to the booster reel. The valves shall be fire type quarter turn swing-out valve handles and 1" NPT threads and shall be connected the reel by 1" high pressure flexible hose.

Booster Hose Reel

A 12v electric rewind booster hose reels capable of handling 100' of 1" diameter booster hose. The

reel shall have a push button rewind control and a backup geared crank rewind handle. The reel shall be equipped with a 1" NPT 90° swivel inlet, and a 1" NST outlet riser. The reel shall be manufactured of steel and shall be primed and painted red. The reels shall be installed on the rear corners of the flatbed, one (1) on each side, facing rear.

One (1) high mounted roller and spool assembly shall be furnished and installed on the reel.

100' of 1" fabric booster hose shall be supplied and installed on the reel

Two (2) Front Bumper Nozzles

Two (2) brass fog nozzles shall be installed at the lower section of the front bumper.

One (1) 1" electric valve shall be installed on the pump manifold and shall be controlled together inside the cab with a toggle switch.

One (1) brass automatic drain shall be installed on the front water line.

Additional Equipment

- Two (2) suction hoses 2-1/2" NH by 8' long shall be supplied.
- One (1) 2-1/2" NH barrel strainer shall be supplied.
- One (1) 1" Booster nozzle with pistol grip shut-off shall be provided.

SPD (Rev. 1/19)

State of New Mexico
General Services Department

Statewide Price Agreement Cover Page

Awarded Vendor

Kovatch Mobile Equipment Corp (KME)
One Industrial Complex
Nesquehoning, PA 18240

Email: rslane@kmefire.com
Telephone No. 570-669-5591

Price Agreement Number: **70-000-16-00034AE**

Payment Terms: **Net 30**

F.O.B.: **Destination**

Delivery: **As Requested**

Ship To:
All State of New Mexico agencies, commissions, institutions, political subdivisions and local public bodies allowed by law.

Invoice:
As Requested

Procurement Specialist: **Travis Dutton-Leyda**

Telephone No.: **505-827-0477**

Email: **Travis.Dutton-Leyda@state.nm.us**

Title: **Fire Trucks and Fire Apparatus**

Term: **September 16, 2019 thru August 31, 2021**

This Statewide Price Agreement is made subject to the "terms and conditions" as indicated on the attached Participating Addendum.

Supporting documentation including pricing and the Master Agreement can be found here:
https://www.naspovaluepoint.org/portfolio/fire-apparatus-trucks-2016-2020/kovach-mobile-equipment-corp/

Authorized Dealer:

411 Equipment LLC
1815 4th Street NW
Albuquerque, NM 87102

PARTICIPATING ADDENDUM
NASPO ValuePoint
Fire Trucks and Fire Apparatus
Administered by the State of Mississippi (hereinafter "Lead State")

MASTER AGREEMENT
Kovach Mobile Equipment Corp.
Master Agreement No: 8200027991
(hereinafter "Contractor")

And

State of New Mexico
Statewide Price Agreement No: 70-000-16-00034AE
(hereinafter "Participating State/Entity")

1. Scope: This addendum covers the *Fire Trucks and Fire Apparatus* led by the State of **Mississippi** for use by state agencies and other entities located in the Participating **State/Entity** authorized by that state's statutes to utilize **state/entity** contracts with the prior approval of the state's chief procurement official.

2. Participation: Use of specific NASPO ValuePoint cooperative contracts by agencies, political subdivisions and other entities (including cooperatives) authorized by an individual state's statutes to use **state/entity** contracts are subject to the prior approval of the respective State Chief Procurement Official. Issues of interpretation and eligibility for participation are solely within the authority of the State Chief Procurement Official.

3. Participating State/Entity Modifications or Additions to Master Agreement:
(These modifications or additions apply only to actions and relationships within the Participating Entity.)

Participating State/Entity to check one box.

[__] No changes to the terms and conditions of the Master Agreement are required

[X] The following changes are modifying or supplementing the Master Agreement terms and conditions.

Taxes:
The Contractor shall be reimbursed by the Procuring Agency for applicable New Mexico gross receipts taxes, excluding interest or penalties assessed on the Contractor by any authority. **PLEASE NOTE NO PROPERTY TAX WILL BE PAID TO THE CONTRACTOR BY THE STATE.** The payment of taxes for any money received under this Agreement shall be the Contractor's sole responsibility and should be reported under the Contractor's Federal and State tax identification number(s).

Contractor and any and all subcontractors shall pay all Federal, state and local taxes applicable to its operation and any persons employed by the Contractor. Contractor shall require all subcontractors to hold the Procuring Agency harmless from any responsibility for taxes, damages and interest, if applicable, contributions required under Federal and/or state and local laws and regulations and any other costs, including transaction privilege taxes, unemployment compensation insurance, Social Security and Worker's Compensation.

D. Retainage.
Reserved

E. Performance Bond.
Reserved

Term:

THIS AGREEMENT SHALL NOT BECOME EFFECTIVE UNTIL APPROVED IN WRITING BY THE STATE PURCHASING AGENT, IF REQUIRED. This Agreement shall begin on date approved by the agency or the State Purchasing Agent, if the State Purchasing Agent has signed this Agreement, and end on August 31, 2021. The agency reserves the right to renew the contract on an annual basis by mutual Agreement not exceed a total of 8 years in accordance with NMSA 1978 §13-1-150.

Termination:

A. Grounds. The Procuring Agency may terminate this Agreement for convenience or cause. The Contractor may only terminate this Agreement based upon the Procuring Agency's uncured, material breach of this Agreement.

B. Notice; Procuring Agency Opportunity to Cure.

1. Except as otherwise provided in sub-paragraph A of this Clause and the Appropriations Clause of this Agreement, the Procuring Agency shall give Contractor written notice of termination at least thirty (30) days prior to the intended date of termination.

2. Contractor shall give Procuring Agency written notice of termination at least thirty (30) days prior to the intended date of termination, which notice shall (i) identify all the Procuring Agency's material breaches of this Agreement upon which the termination is based and (ii) state what the Procuring Agency must do to cure such material breaches. Contractor's notice of termination shall only be effective (i) if the Procuring Agency does not cure all material breaches within the thirty (30) day notice period or (ii) in the case of material breaches that cannot be cured within thirty (30) days, the Procuring Agency does not, within the thirty (30) day notice period, notify the Contractor of its intent to cure and begin with due diligence to cure the material breach.

3. Notwithstanding the foregoing, this Agreement may be terminated immediately upon written notice to the Contractor (i) if the Contractor becomes unable to perform the services contracted for, as determined by the Procuring Agency; (ii) if, during the term of this Agreement, the Contractor is suspended or debarred by the State Purchasing Agent; or (iii) the Agreement is terminated pursuant to the Appropriations Clause of this Agreement.

C. Liability. Except as otherwise expressly allowed or provided under this Agreement, the Procuring Agency's sole liability upon termination shall be to pay for acceptable work performed prior to the Contractor's receipt or issuance of a notice of termination; provided, however, that a notice of termination shall not nullify or otherwise affect either party's liability for pre-termination defaults under or breaches of this Agreement. The Contractor shall submit an invoice for such work within thirty (30) days of receiving or sending the notice of termination. *THIS PROVISION IS NOT EXCLUSIVE AND DOES NOT WAIVE THE PROCURING AGENCY'S OTHER LEGAL RIGHTS AND REMEDIES CAUSED BY THE CONTRACTOR'S DEFAULT/BREACH OF THIS AGREEMENT.*

Appropriations:

The terms of this Agreement are contingent upon sufficient appropriations and authorization being made by the Legislature of New Mexico for the performance of this Agreement. If sufficient appropriations

and authorization are not made by the Legislature, this Agreement shall terminate immediately upon written notice being given by the Procuring Agency to the Contractor. The Procuring Agency's decision as to whether sufficient appropriations are available shall be accepted by the Contractor and shall be final. If the Procuring Agency proposes an amendment to the Agreement to unilaterally reduce funding, the Contractor shall have the option to terminate the Agreement or to agree to the reduced funding, within thirty (30) days of receipt of the proposed amendment.

Status of Contractor:

The Contractor and its agents and employees are independent contractors performing professional or general services for the Procuring Agency and are not employees of the State of New Mexico. The Contractor and its agents and employees shall not accrue leave, retirement, insurance, bonding, use of state vehicles, or any other benefits afforded to employees of the State of New Mexico as a result of this Agreement. The Contractor acknowledges that all sums received hereunder are reportable by the Contractor for tax purposes, including without limitation, self-employment and business income tax. The Contractor agrees not to purport to bind the State of New Mexico unless the Contractor has express written authority to do so, and then only within the strict limits of that authority.

Conflict of Interest; Governmental Conduct Act:

A. The Contractor represents and warrants that it presently has no interest and, during the term of this Agreement, shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance or services required under the Agreement.

B. The Contractor further represents and warrants that it has complied with, and, during the term of this Agreement, will continue to comply with, and that this Agreement complies with all applicable provisions of the Governmental Conduct Act, Chapter 10, Article 16 NMSA 1978. Without in any way limiting the generality of the foregoing, the Contractor specifically represents and warrants that:

1) in accordance with NMSA 1978, § 10-16-4.3, the Contractor does not employ, has not employed, and will not employ during the term of this Agreement any Procuring Agency employee while such employee was or is employed by the Procuring Agency and participating directly or indirectly in the Procuring Agency's contracting process;

2) this Agreement complies with NMSA 1978, § 10-16-7(A) because (i) the Contractor is not a public officer or employee of the State; (ii) the Contractor is not a member of the family of a public officer or employee of the State; (iii) the Contractor is not a business in which a public officer or employee or the family of a public officer or employee has a substantial interest; or (iv) if the Contractor is a public officer or employee of the State, a member of the family of a public officer or employee of the State, or a business in which a public officer or employee of the State or the family of a public officer or employee of the State has a substantial interest, public notice was given as required by NMSA 1978, § 10-16-7(A) and this Agreement was awarded pursuant to a competitive process;

3) in accordance with NMSA 1978, § 10-16-8(A), (i) the Contractor is not, and has not been represented by, a person who has been a public officer or employee of the State within the preceding year and whose official act directly resulted in this Agreement and (ii) the Contractor is not, and has not been assisted in any way regarding this transaction by, a former public officer or employee of the State whose official act, while in State employment, directly resulted in the Procuring Agency's making this Agreement;

4) this Agreement complies with NMSA 1978, § 10-16-9(A)because (i) the Contractor is not a legislator; (ii) the Contractor is not a member of a legislator's family; (iii) the Contractor is not a business in which a legislator or a legislator's family has a substantial interest; or (iv) if the Contractor is a legislator, a member of a legislator's family, or a business in which a legislator or a legislator's family has a substantial interest, disclosure has been made as required by NMSA 1978, § 10-16-7(A), this Agreement is not a sole source or small purchase contract, and this Agreement was awarded in accordance with the provisions of the Procurement Code;

5) in accordance with NMSA 1978, § 10-16-13, the Contractor has not directly participated in the preparation of specifications, qualifications or evaluation criteria for this Agreement or any procurement related to this Agreement; and

6) in accordance with NMSA 1978, § 10-16-3 and § 10-16-13.3, the Contractor has not contributed, and during the term of this Agreement shall not contribute, anything of value to a public officer or employee of the Procuring Agency.

C. Contractor's representations and warranties in paragraphs A and B of this Clause are material representations of fact upon which the Procuring Agency relied when this Agreement was entered into by the parties. Contractor shall provide immediate written notice to the Procuring Agency if, at any time during the term of this Agreement, Contractor learns that Contractor's representations and warranties in paragraphs A and B of this Clause were erroneous on the effective date of this Agreement or have become erroneous by reason of new or changed circumstances. If it is later determined that Contractor's representations and warranties in paragraphs A and B of this Clause were erroneous on the effective date of this Agreement or have become erroneous by reason of new or changed circumstances, in addition to other remedies available to the Procuring Agency and notwithstanding anything in the Agreement to the contrary, the Procuring Agency may immediately terminate the Agreement.

D. All terms defined in the Governmental Conduct Act have the same meaning in this Agreement.

Amendment:

A. This Agreement shall not be altered, changed or amended except by instrument in writing executed by the parties hereto and all other required signatories.

B. If the Procuring Agency proposes an amendment to the Agreement to unilaterally reduce funding due to budget or other considerations, the Contractor shall, within thirty (30) days of receipt of the proposed Amendment, have the option to terminate the Agreement, pursuant to the termination provisions as set forth in the Terminations Clause of this Agreement, or to agree to the reduced funding.

Merger:

This Agreement incorporates all the Agreements, covenants and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, Agreements and understandings have been merged into this written Agreement. No prior Agreement or understanding, oral or otherwise, of the parties or their agents shall be valid or enforceable unless embodied in this Agreement.

Penalties for violation of law:

The Procurement Code, NMSA 1978 §§ 13-1-28 through 13-1-199, imposes civil and criminal penalties for violation of the statute. In addition, the New Mexico criminal statutes impose felony penalties for illegal acts, including bribes, gratuities and kickbacks.

Equal Opportunity Compliance:

The Contractor agrees to abide by all federal and state laws and rules and regulations, and executive orders of the Governor of the State of New Mexico, pertaining to equal employment opportunity. In accordance with all such laws of the State of New Mexico, the Contractor assures that no person in the United States shall, on the grounds of race, religion, color, national origin, ancestry, sex, age, physical or mental handicap, or serious medical condition, spousal affiliation, sexual orientation or gender identity, be excluded from employment with or participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity performed under this Agreement. If Contractor is found not to be in compliance with these requirements during the life of this Agreement, Contractor agrees to take appropriate steps to correct these deficiencies.

Workers Compensation:

The Contractor agrees to comply with state laws and rules applicable to workers compensation benefits for its employees. If the Contractor fails to comply with the Workers Compensation Act and applicable rules when required to do so, this Agreement may be terminated by the Procuring Agency.

Applicable Law:

The laws of the State of New Mexico shall govern this Agreement, without giving effect to its choice of law provisions. Venue shall be proper only in a New Mexico court of competent jurisdiction in accordance with NMSA 1978, § 38-3-1 (G). By execution of this Agreement, Contractor acknowledges and agrees to the jurisdiction of the courts of the State of New Mexico over any and all lawsuits arising under or out of any term of this Agreement.

Records and Financial Audit:

The Contractor shall maintain detailed time and expenditure records that indicate the date, time, nature and cost of services rendered during the Agreement's term and effect and retain them for a period of three (3) years from the date of final payment under this Agreement. The records shall be subject to inspection by the Procuring Agency, the Department of Finance and Administration and the State Auditor. The Procuring Agency shall have the right to audit billings both before and after payment. Payment under this Agreement shall not foreclose the right of the Procuring Agency to recover excessive or illegal payments.

Invalid Term or Condition:

If any term or condition of this Agreement shall be held invalid or unenforceable, the remainder of this Agreement shall not be affected and shall be valid and enforceable.

Enforcement of Agreement:

A party's failure to require strict performance of any provision of this Agreement shall not waive or diminish that party's right thereafter to demand strict compliance with that or any other provision. No waiver by a party of any of its rights under this Agreement shall be effective unless express and in writing, and no effective waiver by a party of any of its rights shall be effective to waive any other rights.

Non-Collusion:

In signing this Agreement, the Contractor certifies the Contractor has not, either directly or indirectly, entered into action in restraint of free competitive bidding in connection with this offer submitted to the State Purchasing Agent or agency or entity.

Notices:

Any notice required to be given to either party by this Agreement shall be in writing and shall be delivered in person, by courier service or by U.S. mail, either first class or certified, return receipt requested, postage prepaid, as follows:
To the Procuring Agency:
Lawrence O. Maxwell, State Purchasing Agent
State Purchasing Division
1100 St. Francis Dr., Room 2016
Santa Fe, NM87505

To the Contractor:

Name:	Ryan Slane
Address:	One Industrial Complex, Nesquehoning, PA 18240
Telephone:	570-669-5591
Fax:	
Email:	rslane@kmefire.com

Succession:

This Agreement shall extend to and be binding upon the successors and assigns of the parties.

Headings:

Any and all headings herein are inserted only for convenience and ease of reference and are not to be considered in the construction or interpretation of any provision of this Agreement. Numbered or lettered provisions, sections and subsections contained herein, refer only to provisions, sections and subsections of this Agreement unless otherwise expressly stated.

Default/Breach:

In case of Default and/or Breach by the Contractor, for any reason whatsoever, the Procuring Agency and the State of New Mexico may procure the goods or Services from another source and hold the Contractor responsible for any resulting excess costs and/or damages, including but not limited to, direct damages, indirect damages, consequential damages, special damages and the Procuring Agency

direct damages, indirect damages, consequential damages, special damages and the Procuring Agency and the State of New Mexico may also seek all other remedies under the terms of this Agreement and under law or equity.

Equitable Remedies:

Contractor acknowledges that its failure to comply with any provision of this Agreement will cause the Procuring Agency irrevocable harm and that a remedy at law for such a failure would be an inadequate remedy for the Procuring Agency, and the Contractor consents to the Procuring Agency's obtaining from a court of competent jurisdiction, specific performance, or injunction, or any other equitable relief in order to enforce such compliance. Procuring Agency's rights to obtain equitable relief pursuant to this Agreement shall be in addition to, and not in lieu of, any other remedy that Procuring Agency may have under applicable law, including, but not limited to, monetary damages.

New Mexico Employees Health Coverage:

A. If Contractor has, or grows to, six (6) or more employees who work, or who are expected to work, an average of at least 20 hours per week over a six (6) month period during the term of this Agreement, Contractor certifies, by signing this agreement, to have in place, and agree to maintain for the term of the Agreement, health insurance for those employees and offer that health insurance to those employees if the expected annual value in the aggregate of any and all contracts between Contractor and the State exceed $250,000 dollars.

B. Contractor agrees to maintain a record of the number of employees who have (a) accepted health insurance; (b) declined health insurance due to other health insurance coverage already in place; or (c) declined health insurance for other reasons. These records are subject to review and audit by a representative of the state.

C. Contractor agrees to advise all employees of the availability of State publicly financed health care coverage programs by providing each employee with, as a minimum, the following web site link to additional information: http://insurenewmexico.state.nm.us/.

Employee Pay Equity Reporting:

Contractor agrees if it has ten (10) or more New Mexico employees OR eight (8) or more employees in the same job classification, at any time during the term of this Agreement, to complete and submit the PE10-249 form on the annual anniversary of the initial report submittal for agreements up to one (1) year in duration. If contractor has (250) or more employees contractor must complete and submit the PE250 form on the annual anniversary of the initial report submittal for agreements up to one (1) year in duration. For agreements that extend beyond one (1) calendar year, or are extended beyond one (1) calendar year, contractor also agrees to complete and submit the PE10-249 or PE250 form, whichever is applicable, within thirty (30) days of the annual agreement anniversary date of the initial submittal date or, if more than 180 days has elapsed since submittal of the last report, at the completion of the Agreement, whichever comes first. Should contract or not meet the size requirement for reporting at contract award but subsequently grows such that they meet or exceed the size requirement for reporting, contractor agrees to provide the required report within ninety (90 days) of meeting or exceeding the size requirement. That submittal date shall serve as the basis for submittals required thereafter. Contractor also agrees to levy this requirement on any subcontractor(s) performing more than 10% of the dollar value of this Agreement if said subcontractor(s) meets, or grows to meet, the stated employee size thresholds during the term of the Agreement. Contractor further agrees that,

Not Required

should one or more subcontractor not meet the size requirement for reporting at contract award but subsequently grows such that they meet or exceed the size requirement for reporting, Contractor will submit the required report, for each such subcontractor, within ninety (90 days) of that subcontractor meeting or exceeding the size requirement. Subsequent report submittals, on behalf of each such subcontractor, shall be due on the annual anniversary of the initial report submittal. Contractor shall submit the required form(s) to the State Purchasing Division of the General Services Department, and other departments as may be determined, on behalf of the applicable subcontractor(s) in accordance with the schedule contained in this Clause. Contractor acknowledges that this subcontractor requirement applies even though Contractor itself may not meet the size requirement for reporting and be required to report itself.

Notwithstanding the foregoing, if this Agreement was procured pursuant to a solicitation, and if Contractor has already submitted the required report accompanying their response to such solicitation, the report does not need to b e re-submitted with this Agreement.

Not Required

Indemnification:

The Contractor shall defend, indemnify and hold harmless the Procuring Agency and the State of New Mexico from all actions, proceeding, claims, demands, costs, damages, attorneys' fees and all other liabilities and expenses of any kind from any source which may arise out of the performance of this Agreement, caused by the negligent act or failure to act of the Contractor, its officers, employees, servants, subcontractors or agents, resulting in injury or damage to persons or property during the time when the Contractor or any officer, agent, employee, servant or subcontractor thereof has or is performing services pursuant to this Agreement. In the event that any action, suit or proceeding related to the services performed by the Contractor or any officer, agent, employee, servant or subcontractor under this Agreement is brought against the Contractor, the Contractor shall, as soon as practicable but no later than two (2) days after it receives notice thereof, notify the legal counsel of the Procuring Agency and the Risk Management Division of the New Mexico General Services Department by certified mail.

Default and Force Majeure:

The State reserves the right to cancel all or any part of any orders placed under this Agreement without cost to the State, if the Contractor fails to meet the provisions of this Agreement and, except as otherwise provided herein, to hold the Contractor liable for any excess cost occasioned by the State due to the Contractor's default. The Contractor shall not be liable for any excess costs if failure to perform the order arises out of causes beyond the control and without the fault or negligence of the Contractor; such causes include, but are not restricted to, acts of God or the public enemy, acts of the State or Federal Government, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes, unusually severe weather and defaults of subcontractors due to any of the above, unless the State shall determine that the supplies or services to be furnished by the subcontractor were obtainable from other sources in sufficient time to permit the Contractor to meet the required delivery scheduled. The rights and remedies of the State provided in this Clause shall not be exclusive and are in addition to any other rights now being provided by law or under this Agreement.

Assignment:

The Contractor shall not assign or transfer any interest in this Agreement or assign any claims for money due or to become due under this Agreement without the prior written approval of the Procuring Agency.

Subcontracting:

The Contractor shall not subcontract any portion of the services to be performed under this Agreement without the prior written approval of the Procuring Agency. No such subcontract shall relieve the primary Contractor from its obligations and liabilities under this Agreement, nor shall any subcontract obligate direct payment from the Procuring Agency.

Inspection of Plant:

The State Purchasing Agent or agency or entity that is a party to this Agreement may inspect, at any reasonable time during Contractor's regular business hours and upon prior written notice, the Contractor's plant or place of business, or any subcontractor's plant or place of business, which is related to the performance of this Agreement.

Commercial Warranty:

The Contractor agrees that the tangible personal property or services furnished under this Agreement shall be covered by the most favorable commercial warranties the Contractor gives to any customer for such tangible personal property or services, and that the rights and remedies provided herein shall extend to the State and are in addition to and do not limit any rights afforded to the State by any other Clause of this Agreement or order. Contractor agrees not to disclaim warranties of fitness for a particular purpose or merchantability.

Condition of Proposed Items:

Where tangible personal property is a part of this Agreement, all proposed items are to be NEW and of most current production, unless otherwise specified.

Release:

Final payment of the amounts due under this Agreement shall operate as a release of the Procuring Agency, its officers and employees, and the State of New Mexico from all liabilities, claims and obligations whatsoever arising from or under this Agreement.

Confidentiality:

Any Confidential Information provided to the Contractor by the Procuring Agency or, developed by the Contractor based on information provided by the Procuring Agency in the performance of this Agreement shall be kept confidential and shall not be made available to any individual or organization by the Contractor without the prior written approval of the Procuring Agency. Upon termination of this Agreement, Contractor shall deliver all Confidential Information in its possession to the Procuring Agency within thirty (30) Business Days of such termination. Contractor acknowledges that failure to deliver such Confidential Information to the Procuring Agency will result in direct, special and incidental damages.

Contractor Personnel:

A. Key Personnel. Contractor's key personnel shall not be diverted from this Agreement without the prior written approval of the Procuring Agency. Key personnel are those individuals considered by

the Procuring Agency to be mandatory to the work to be performed under this Agreement. Key personnel shall be:
[Insert Contractor Staff Name(s)]
B. Personnel Changes. Replacement of any personnel shall be made with personnel of equal ability, experience, and qualification and shall be approved by the Procuring Agency. For all personnel, the Procuring Agency reserves the right to require submission of their resumes prior to approval. If the number of Contractor's personnel assigned to the Project is reduced for any reason, Contractor shall, within ten (10) Business Days of the reduction, replace with the same or greater number of personnel with equal ability, experience, and qualifications, subject to Procuring Agency approval. The Procuring Agency, in its sole discretion, may approve additional time beyond the ten (10) Business Days for replacement of personnel. The Contractor shall include status reports of its efforts and progress in finding replacements and the effect of the absence of the personnel on the progress of the Project. The Contractor shall also make interim arrangements to assure that the Project progress is not affected by the loss of personnel. The Procuring Agency reserves the right to require a change in Contractor's personnel if the assigned personnel are not, in the sole opinion of the Procuring Agency, meeting the Procuring Agency's expectations.

Incorporation by Reference and Precedence:

If this Agreement has been procured pursuant to a request for proposals, this Agreement is derived from (1) the request for proposal, (including any written clarifications to the request for proposals and any agency response to questions); (2) the Contractor's best and final offer; and (3) the Contractor's response to the request for proposals.
In the event of a dispute under this Agreement, applicable documents will be referred to for the purpose of clarification or for additional detail in the following order of precedence: (1) amendments to the Agreement in reverse chronological order; (2) the Agreement, including the scope of work and all terms and conditions thereof; (3) the request for proposals, including attachments thereto and written responses to questions and written clarifications; (4) the Contractor's best and final offer if such has been made and accepted by the SPA or Procuring Agency or entity; and (5) the Contractor's response to the request for proposals.

Inspection:

If this Agreement is for the purchase of tangible personal property (goods), final inspection and acceptance shall be made at Destination. Tangible personal property rejected at Destination for non-conformance to specifications shall be removed at Contractor's risk and expense promptly after notice of rejection and shall not be allowable as billable items for payment.

Inspection of Services:

If this Agreement is for the purchase of services, the following terms shall apply.

A. Services, as used in this Clause, include services performed, workmanship, and material furnished or utilized in the performance of services.

B. The Contractor shall provide and maintain an inspection system acceptable to the

State Purchasing Agent or other party to this Agreement covering the services under this Agreement. Complete records of all inspection work performed by the Contractor shall be maintained and made available to the State Purchasing Agent or other party to this Agreement during the term of performance of this Agreement and for as long thereafter as the Agreement requires.

C. The State Purchasing Agent or other party to this Agreement has the right to inspect and test all services contemplated under this Agreement to the extent practicable at all times and places during the term of the Agreement. The State Purchasing Agent or other party to this Agreement shall perform inspections and tests in a manner that will not unduly delay or interfere with Contractor's performance.

D. If the State Purchasing Agent or other party to this Agreement performs inspections or tests on the premises of the Contractor or a subcontractor, the Contractor shall furnish, and shall require subcontractors to furnish, at no increase in Agreement price, all reasonable facilities and assistance for the safe and convenient performance of such inspections or tests.

E. If any part of the services do not conform with the requirements of this Agreement, the State Purchasing Agent or other party to this Agreement may require the Contractor to re-perform the services in conformity with the requirements of this Agreement at no increase in Agreement amount. When the defects in services cannot be corrected by re-performance, the State Purchasing Agent or other party to this Agreement may:

(1) require the Contractor to take necessary action(s) to ensure that future performance conforms to the requirements of this Agreement; and

(2) reduce the Agreement price to reflect the reduced value of the services performed.

F. If the Contractor fails to promptly re-perform the services or to take the necessary action(s) to ensure future performance in conformity with the requirements of this Agreement, the State Purchasing Agent or other party to this Agreement may:

(1) by Agreement or otherwise, perform the services and charge to the Contractor any cost incurred by the State Purchasing Agent or other party to this Agreement that is directly related to the performance of such service; or

(2) terminate the Agreement for default.

THE PROVISIONS OF THIS CLAUSE ARE NOT EXCLUSIVE AND DO NOT WAIVE THE STATE PARTIES' TO THIS AGREEMENT OTHER LEGAL RIGHTS AND REMEDIES CAUSED BY THE CONTRACTOR'S DEFAULT/BREACH OF THIS AGREEMENT.

Insurance:

If the services contemplated under this Agreement will be performed on or in State facilities or property, Contractor shall maintain in force during the entire term of this Agreement, the following insurance coverage(s), naming the State of New Mexico, General Services Department or other party to this Agreement as additional insured.

A. Workers Compensation (including accident and disease coverage) at the statutory limit.

Employers liability: $100,000.

B. Comprehensive general liability (including endorsements providing broad form property damage, personal injury coverage and contractual assumption of liability for all liability the Contractor has assumed under this Agreement). Limits shall not be less than the following:

a. Bodily injury: $1,000,000 per person /$1,000,000 per occurrence.

b. Property damage or combined single limit coverage: $1,000,000.

c. Automobile liability (including non-owned automobile coverage): $1,000,000.

d. Umbrella: $1,000,000.

C. Contractor shall maintain the above insurance for the term of this Agreement and name the State of New Mexico, General Services Department or other party to this Agreement as an additional insured and provide for 30 days cancellation notice on any Certificate of Insurance form furnished by Contractor. Such certificate shall also specifically state the coverage provided under the policy is primary over any other valid and collectible insurance and provide a waiver of subrogation.

Arbitration:

Any controversy or claim arising between the parties shall be settled by arbitration pursuant to NMSA 1978 § 44-7A-1 *et seq.*

New Mexico Administrative Reporting and Fees:

All contracts and Purchase Orders arising out of this agreement shall be deemed to include an Administrative Fee assessment at the rate of **percent (1.00 %), but not to exceed $2,000 per order** for the gross total sales and other revenues (including commissions and fees charged). This assessment shall apply to all New Mexico state agencies and local public bodies. **"Gross total sales"** means any invoiced amount less any applicable state and local taxes.

For reporting purposes: list payments received for the issued invoice during the applicable quarter by state agency, local public body and invoice number. The Quarters are as follows.

Quarter:	Period End:	Report Due:
First	September 30	October 31
Second	December 31	January 31
Third	March 31	April 30
Fourth	June 30	July 31

Even if contractor experiences zero sales during the quarter, a report is still required. This will also apply if the contract starts partial within a Quarter. Reports and Administrative Fee shall be due no later than thirty (30) days following the end of the quarter. Only submit one payment and one report for each quarter, do not combine payments or reports.

Payment shall be made by check payable to the *"State Purchasing Division."* This contract number **80-000-18-00048AE** must be included on all payments and Quarterly Sales Reports.

Remit Checks to:

State Purchasing Division
1100 St. Francis Drive, Room 2016
PO Box 6850
Santa Fe, NM 87505
Attn: Compliance Officer

Sample Reports can be found at:
http://www.generalservices.state.nm.us/statepurchasing/resourcesandinformation.aspx#Vendors

Email completed reports to: GSD.QuarterlyUsageR@state.nm.us
For questions regarding the Administrative Fees and Quarterly Sales Reports contact the Compliance Officer at (505) 827-0472.

4. **Distributors; Sub-Contractors or Authorized Dealers**: The Contractor may utilize distributors; however, the contractual agreement that may result from this Participating Addendum shall specify that the price prime Contractor is solely responsible for fulfillment of all requirements of the contractual agreement with the State.

Additionally, the Contractor must receive approval in writing, from New Mexico's State Purchasing Agent before any distributor is used during the term of this agreement.

Distributors are classified as follows, and their role shall be specified in Contractor's request for approval.

a. Contractor authorized resellers
   (1) Contract authorized resellers shall provide quotes, accept purchase order, and accept payment from entities ordering under this Participating Addendum.
   (2) Authorizes resellers are responsible for sending a copy of all purchase orders and invoices to the Contractor for compliance with quarterly usage reporting and administrative requirements.
   (3) All purchase documents to authorized resellers shall reference the participating addendum number and Kovach Mobile Equipment Corp. as the contractor.
b. Contractor authorized subcontractors
   (1) Contractor authorized subcontractors are authorized to provide quotes, sales assistance, configuration guidance and ordering support for services available under this Participating Addendum.

   (2) Contractor authorized subcontractors ARE NOT authorized to accept orders, purchase orders or payments from entities ordering under this Participating Addendum.

5. **Records Administration and Audit:** Participating State's right as specified in Section 25 of the Master Agreement shall survive for a period of six (6) years following termination of this Participating Addendum or final payment for any order placed by a Purchasing Entity against this Participating Addendum, which is later, to assure compliance with the terms hereof or to evaluate performance hereunder.

6. **Primary Contacts:** The primary contact individuals for this Participating Addendum are as follows (or their named successors):

7. **Primary Contacts**: The primary contact individuals for this Participating Addendum are as follows (or their named successors):

Contractor

Name	Stephen Carleton
Address	One Industrial Complex, Nesquehoning, PA 18240
Telephone	(570) 669-5174
Fax	
E-mail	scarleton@kovatch.com

Participating Entity

Name	Travis Dutton-Leyda
Address	PO Box 6850, Santa Fe, NM 87502

Telephone	505-827-0477/505-795-1076
Fax	505-827-2484
E-mail	Travis.dutton-leyda@state.nm.us

8. **Subcontractors:** All [contactor] dealers and resellers authorized in the State of New Mexico, as shown on the dedicated **[contractor]** (cooperative contract) website, are approved to provide sales and service support to participants in the NASPO ValuePoint Master Agreement. The **[contractors]** dealer's participation will be in accordance with the terms and conditions set forth in the aforementioned Master Agreement.

9. Orders: Any Order placed by a Participating Entity or Purchasing Entity for a Product and/or Service available from this Master Agreement shall be deemed to be a sale under (and governed by the prices and other terms and conditions) of the Master Agreement unless the parties to the Order agree in writing that another contract or agreement applies to such Order.

IN WITNESS WHEREOF, the parties have executed this Addendum as of the date of execution by both parties below.

Participating State: New Mexico	Contractor: **Kovach Mobile Equipment Corp.**
By:	By:
Name: ~~Lawrence Maxwell~~ MARK R. HAYDEN	Name: Stephen Carleton
Title: State Purchasing Agent	Title: Director of Sales
Date:	Date: 08-29-19

[Additional signatures as required by Participating State]

For questions on executing a participating addendum, please contact:

NASPO ValuePoint

Cooperative Development Coordinator	Tim Hay
Telephone	503-428-5705
E-mail	thay@naspovaluepoint.org

[Please email fully executed PDF copy of this document to PA@naspovaluepoint.org to support documentation of participation and posting in appropriate data bases]

ACTION SHEET
PUBLIC WORKS AND UTILITES COMMITTEE MEETING OF 11/09/2020

ISSUSE NO. 8C

Request for approval of a Budget Adjustment Resolution (BAR) in the total amount of $76,484.62 from the Water Enterprise Cash Balance to the unused 2020 Balance of the Alpha SW Contract. (Jonathan Montoya, Source of Supply Operations Manager, jmmontoya@santafenm.gov, 955-4373)

Committee Review:

Public Works and Utilities Committee - 11/09/2020
Finance Committee - 11/30/2020
Governing Body - 12/09/2020

PUBLIC WORKS AND UTILITES COMMITTEE ACTION: Approved on consent agenda to forward to 11/30/2020 Finance Committee

SPECIAL CONDITIONS OR AMENDMENTS:

STAFF FOLLOW UP:

VOTE:	FOR	AGAINST	ABSTAIN
COUNCILOR RIVERA, CHAIR	X		
COUNCILOR GARCIA	X		
COUNCILOR ABEYTA	X		
COUNCILOR LINDELL	X		
COUNCILOR VIGIL COPPLER	X		

City of Santa Fe, New Mexico

memo

Date: October 19, 2020

To: PW-UC/Finance/City Council

Via: Shannon Jones, Public Utilities Director SJ
Jesse Roach, Water Division Director JR

From: Jonathan Montoya, Source of Supply Operations Manager JM
Re: Approval of BAR in the amount of $76,484.62 from the Water Enterprise Cash Balance

ITEM
Source of Supply staff is requesting approval of accompanying BAR to fund the unused 2020 balance of the Alpha SW contract.

JUSTIFICATION
Alpha Southwest currently holds a 4-year emergency well repair contract for Source of Supply for $189,328.13 per year. Work under this contract typically involves non-routine or emergency repairs to the Canyon Road water treatment plant, and city water facilities (Wells, booster pumps, water storage tanks, etc.).

In May of 2020, a task order was issued under this contract to repair or replace four pumps that had reached the end of their useful life at two of the Water division's booster pump sites. These pumps are no longer supported by the manufacture and have become obsolete. The amount of lead time it took to build the new pumps pushed the final billing past the FY20 PO cut off which left $76,484.62 unused when the PO was closed out. The delay in billing caused this amount to be applied to the current fiscal year balance, which has left us with limited funds for other repairs needed in our water system. Source of supply is requesting the current FY 2021 Budget be increased from the Water Enterprise fund for $76,484.62. This will allow staff to amend the purchase order to include this unused balance to complete the funding for this pump project. This change will not increase the total 4-year contract amount.

RECOMMENDED ACTION
- Please approve accompanying BAR in the amount of $76,484.62

Log # *{Finance use only}*:	
Batch # *{Finance use only}*:	

City of Santa Fe, New Mexico
BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME	DATE
PUD/Water/SOS	10/21/2020

ITEM DESCRIPTION	ORG	OBJECT	PROJECT	INCREASE	DECREASE
EXPENDITURES				*{enter as positive #}*	*{enter as negative #}*
Service Contracts	5050385	510310		76,485	
REVENUES				*{enter as negative #}*	*{enter as positive #}*
				$ 76,485	$ -

JUSTIFICATION: *(use additional page if needed)*
--Attach supporting documentation/memo

Budget Increase from Cash Balance in Water Divisiont Enterprise Fund to fund

unsused 2020 balance of contract.

{Complete section below if BAR results in a net change to ANY Fund}	
Fund(s) Affected	Fund Balance Increase/(Decrease)
505	(76,485)
TOTAL:	**(76,485)**

Maya Martinez 10/21/2020
Prepared By *{print name}* Date

AJH (Oct 22, 2020 10:38 MDT)
Budget Officer Date

{Use this form for Finance Committee/ City Council agenda items ONLY}

CITY COUNCIL APPROVAL

City Council Approval Date

Agenda Item #:

Division Director Signature *{optional}* Date

Shannon Jones (Oct 21, 2020 16:40 MDT)

Finance Director *{≤ $5,000}* Date

Department Director Signature Date

City Manager *{≤ $60,000}* Date

Signature: Jonathan Montoya
Jonathan Montoya (Oct 21, 2020 14:53 MDT)

Email: jmmontoya@santafenm.gov

Alpha BAR

Final Audit Report 2020-10-22

Created:	2020-10-21
By:	Maya Martinez (mfmartinez@ci.santa-fe.nm.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAEUeadzhiToTdZ4cQDKhA-8EelWE7s1ei

"Alpha BAR" History

Document created by Maya Martinez (mfmartinez@ci.santa-fe.nm.us)
2020-10-21 - 8:45:58 PM GMT- IP address: 63.232.20.2

Document emailed to Jonathan Montoya (jmmontoya@santafenm.gov) for signature
2020-10-21 - 8:47:08 PM GMT

Email viewed by Jonathan Montoya (jmmontoya@santafenm.gov)
2020-10-21 - 8:53:07 PM GMT- IP address: 104.47.64.254

Document e-signed by Jonathan Montoya (jmmontoya@santafenm.gov)
Signature Date: 2020-10-21 - 8:53:55 PM GMT - Time Source: server- IP address: 63.232.20.2

Document emailed to Jesse Roach (jdroach@santafenm.gov) for signature
2020-10-21 - 8:53:57 PM GMT

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2020-10-21 - 8:57:25 PM GMT- IP address: 104.47.65.254

Document e-signed by Jesse Roach (jdroach@santafenm.gov)
Signature Date: 2020-10-21 - 8:57:45 PM GMT - Time Source: server- IP address: 63.232.20.2

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2020-10-21 - 8:57:47 PM GMT

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2020-10-21 - 10:40:04 PM GMT- IP address: 174.28.170.100

Document e-signed by Shannon Jones (swjones@santafenm.gov)
Signature Date: 2020-10-21 - 10:40:19 PM GMT - Time Source: server- IP address: 174.28.170.100

Document emailed to AJH (ajhopkins@santafenm.gov) for signature
2020-10-21 - 10:40:21 PM GMT

Email viewed by AJH (ajhopkins@santafenm.gov)

2020-10-22 - 4:38:34 PM GMT- IP address: 104.47.64.254

Document e-signed by AJH (ajhopkins@santafenm.gov)

Signature Date: 2020-10-22 - 4:38:57 PM GMT - Time Source: server- IP address: 63.232.20.2

Agreement completed.

2020-10-22 - 4:38:57 PM GMT

ACTION SHEET
ITEM FROM FINANCE COMMITTEE MEETING OF 11/30/20
FOR CITY COUNCIL MEETING OF 12/09/20

d) Request for Approval of a Budget Adjustment Resolution (BAR) in the Total Amount of $76,484.62 from the Water Enterprise Cash Balance to the Unused 2020 Balance of the Alpha SW Contract. (Jonathan Montoya, Source of Supply Operations Manager, jmmontoya@santafenm.gov, 955-4373)

Committee	**Review:**
Public Works and Utilities Committee	11/09/2020
Finance Committee	11/30/2020
Governing Body	12/09/2020

FINANCE COMMITTEE ACTION:
Approved on Consent

FUNDING SOURCE:

SPECIAL CONDITIONS OR AMENDMENTS

VOTE	**FOR**	**AGAINST**	**ABSTAIN**
COUNCILOR ROMERO-WIRTH	x		
COUNCILOR CASSUTT-SANCHEZ	x		
COUNCILOR LINDELL	x		
COUNCILOR VILLARREAL	x		
CHAIRPERSON ABEYTA	x		

ACTION SHEET
ITEM FROM FINANCE COMMITTEE MEETING OF 11/30/20
FOR CITY COUNCIL MEETING OF 12/09/20

e) Request for Approval to join the San Juan Chama Contractors Association for an Annual Amount of $2,615. (Jesse Roach, Water Division Director, jdroach@santafenm.gov, 955-4309)

Committee **Review:**
Quality of Life: 10/07/2020
Governing Body: 12/09/2020

FINANCE COMMITTEE ACTION:
Approved on Consent

FUNDING SOURCE:

SPECIAL CONDITIONS OR AMENDMENTS

VOTE	**FOR**	**AGAINST**	**ABSTAIN**
COUNCILOR ROMERO-WIRTH	x		
COUNCILOR CASSUTT-SANCHEZ	x		
COUNCILOR LINDELL	x		
COUNCILOR VILLARREAL	x		
CHAIRPERSON ABEYTA	x		

9-19-20

ACTION SHEET
PUBLIC WORKS AND UTILITES COMMITTEE MEETING OF 09/29/2020

ISSUE NO. 8E

Request for approval to join the San Juan Chama Contractors Association for an annual amount of $2,615(Jesse Roach, Water Division Director, jdroach@santafenm.gov, 955-4309)

COMMITTEE REVIEW:
Quality of Life (Scheduled) 10/07/2020
Governing Body (Scheduled) 10/14/2020

PUBLIC WORKS AND UTILITES COMMITTEE ACTION: Approved on Consent Agenda to forward to 10/07/2020 Quality of Life Committee.

SPECIAL CONDITIONS OR AMENDMENTS:

STAFF FOLLOW UP:

VOTE:	FOR	AGAINST	ABSTAIN
COUNCILOR RIVERA, CHAIR	X		
COUNCILOR GARCIA	X		
COUNCILOR ABEYTA	X		
COUNCILOR LINDELL	X		
COUNCILOR VIGIL COPPLER	X		

City of Santa Fe, New Mexico

memo

DATE: **September 18, 2020**

TO: **Public Works and Public Utilities Committee – September 29, 2020**
Quality of Life Committee – October 7, 2020
City Council – October 14, 2020

VIA: **Shannon Jones, Public Utilities Department Director** SJ

FROM: **Jesse Roach, Director, City of Santa Fe Water** JR

ITEM AND ISSUE:
Memorandum of Agreement (MOA) San Juan-Chama Project (SJCP) Contractors Association (SJCP-CA)

BACKGROUND AND SUMMARY:
The SJCP-CA is formed to facilitate collaboration on water resources and infrastructure asset management for the SJCP. The impetus is to improve communication and active participation of Members for efficient SJCP operations such as water deliveries and accounting, infrastructure upgrades, financial controls and watershed enhancements that are critical to ensure operations and maintenance activities are completed in a timely and cost-effective manner.

The terms and conditions of the SJCP-CA membership are outlined in the attached MOA. The annual cost is pro-rated based on each Member's water allocations at 50 cents per acre-foot, which for the City of Santa Fe (5,230 ac-ft) will be $2,615 per annum. Budget is available in Water Division / Legal Contract Obj/Org 5050381.510200

MEMORANDUM OF AGREEMENT
SAN JUAN-CHAMA PROJECT CONTRACTORS ASSOCIATION

This Memorandum of Agreement (herein the "Agreement") creating the SAN JUAN-CHAMA PROJECT CONTRACTORS ASSOCIATION (herein the "ASSOCIATION or SJCPCA") is made and entered into by the parties listed on Appendix A who are San Juan-Chama Project Contractors ("SJCP Contractors" or "Contractors") each of whom shall be a "Member" of the Association, and will be effective on _____2020.

RECITALS

WHEREAS, in 1962 the Congress authorized the Secretary of the Interior through Public Law 87-483 to construct, operate and maintain the initial stage of the San Juan-Chama Project ("Project"); and

WHEREAS, the Project provides a firm yield of 96,200 acre-feet of water annually for municipal, industrial, agriculture, and other beneficial purposes for the use and benefit of the San Juan-Chama Project Contractors; and

WHEREAS, all of the parties have contracted for water and are interested in the long-term viability of the Project and in the proper storage and use of Project water; and

WHEREAS, all such parties are political subdivisions, public entities, or federally recognized Indian tribes and are empowered to enter into this Memorandum of Agreement under federal law and the laws of the State of New Mexico; and

WHEREAS, parties have agreed to enter into this Agreement for protection of the Project and the associated water supply for the mutual benefit of the water users represented by the parties to this Agreement.

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS AND UNDERSTANDINGS HEREIN SET FORTH, THE PARTIES AGREE AS FOLLOWS:

THIS AGREEMENT SHALL HAVE AN EFFECTIVE DATE COMMENCING UPON THE EXECUTION OF THIS AGREEMENT BY SAN JUAN-CHAMA PROJECT CONTRACTORS .

A. PURPOSES

The purposes of the Agreement and the Association are to:

1. Protect and conserve the Project water resources allocated to the Members.

2. Facilitate and enhance working relationships with state and federal agencies regarding their activities associated with the Project and water delivered from the Project including, but not limited to:

a. Assure the timely dissemination of complete and accurate information to the Contractors regarding operation, maintenance, associated budgets, all project costs, and overall management of the Project facilities;
b. Monitoring the water accounting of the diversion, storage and release of the Project supply in the Rio Grande and San Juan River basins.

3. Compile and share data and create a data clearinghouse network for information exchange regarding the Project and matters of mutual concern and interest including but not limited to the history of the Project.

4. Provide a mechanism to monitor issues that affect the Project and the members of the Association.

5. Assist in water planning and conservation through participation in federal, state and regional planning processes.

6. Provide a mechanism to disseminate information to the public in order to advance the purposes of the Association as described above.

7. The Association is independent of the SJCP Contractors and will not represent or intervene in any individual contracts or disputes between or among Contractors, or with their relationship with the Bureau of Reclamation or the State of New Mexico, unless specifically requested by the parties to such contract, dispute or matter.

B. MEMBERSHIP AND STRUCTURE OF ASSOCIATION

1. The SJCP Contractors and the annual amount of water for which they have contracted are listed by entity in **Appendix A.**

2. Any SJCP Contractor desiring to join this Association may do so at any time by executing this Agreement and providing notice of same to the fiscal agent. SJCP Contractors who have not joined the Association are encouraged to attend and participate in Association meetings.

3. The Association shall be governed by a Board composed of one representative from each member entity to this Agreement. The Board shall adopt bylaws and other policies as needed and consistent with New Mexico state law.

4. The Association shall meet quarterly or at the call of the Chair. The Association shall meet quarterly or at the call of the Chair with the Bureau of Reclamation and the Interstate Stream Commission.

5. At the first official meeting of the Association, the members shall select a Chair, Vice Chair and Secretary who shall serve for a term of 3 years or until their successor is duly selected. A fiscal agent shall also be selected at the first official meeting and shall serve in that capacity for a minimum of one year consistent with a fiscal agent agreement adopted by resolution of the Board.

6. Except as provided below, actions taken on matters brought before the Association shall be determined by a majority of the Members present. A majority of the Members shall constitute a quorum for the purpose of taking action on any fiscal matters of the Association. Action on fiscal matters shall be determined by a majority of the Members present at duly calledAssociation meeting at which a quorum is present.

7. Any member may withdraw from the Association at any time by providing written notification to the Association.

C. AUTHORITY

The Association is authorized to:

1. Receive SJCP Contractor funds, other public funds, and grants to defray the operational and administrative costs of the Association or to conduct studies and investigations.

2. Engage in cooperative studies and activities related to the Project.

3. Collect and analyze and disseminate data regarding any aspect of the Project.

4. Enter into contracts for professional services to further the purposes of the Association.

5. Form and establish Committees and Subcommittees.

6. Adopt and approve a budget and accounting procedures which will result in the strict accountability of all receipts and disbursements. During the budget process the expenditures of the Association will be subject to the review and approval of the fiscal agent.

8. The Board shall adopt bylaws and other policies as needed and consistent with New Mexico state law.

D. FISCAL

1. The fiscal agent shall manage the fiscal affairs of the Association.

2. Members of the Association shall be assessed annually on an equitable basis to be determined by the Association. The initial assessment shall not exceed fifty (50) cents for each acre-foot of a Contractor's annual contracted Project water amount. The Association may also establish special assessments on an as needed basis by supermajority of the Members. A supermajority of Members is seventy-five percent (75%) of the Members.

3. The fiscal agent shall have control over the investment of Association funds which shall be held in trust for the parties and for the purposes of this Agreement.

4. Title to assets held by this Association shall transfer to the Contractors in proportion to the amounts contributed in the event the Association is terminated.

E. SOVEREIGN IMMUNITY RETAINED

The Indian nation members of the Association and their Tribal Councils, officers, employees, agents, and consultants hereby expressly retain their sovereign immunity from suit.

F. SEVERABILITY CLAUSE

If one portion of this Agreement is deemed illegal, the remaining portions are severable and shall remain in full force and effect.

G. ENTIRE AGREEMENT AND AMENDMENT

This Agreement merges all previous negotiations between the parties hereto and constitutes the entire agreement and understanding between the parties with respect to the subject matter hereof. No alteration, modification, or amendment hereto shall be valid except when in writing and when signed by the parties. This Agreement may be amended with the written approval of all of the members.

H. TERMINATION

The Association may terminate by a supermajority of the Members.

I. PERIOD

The period of this MOA is perpetual.

J. COUNTERPARTS

This Agreement may be executed in one or more separate counterparts. All of such counterparts shall, when taken together, constitute one and the same agreement.

_____
SJCP Contractor

_____
Name of SJCP Contractor Representative

_____
Date

CITY OF SANTA FE:

_____
ALAN WEBBER, MAYOR

DATE:_____

ATTEST:

_____
YOLANDA Y. VIGIL,CITY CLERK

APPROVED AS TO FORM:

Marcos Martinez
Marcos Martinez (Oct 21, 2020 08:19 MDT)

_____
SENIOR ASSISTANT CITY ATTORNEY

APPROVED:

_____
MARY MCCOY, FINANCE DIRECTOR

5050381.510200

Appendix A

Albuquerque Bernalillo County Water Utility Authority	48,200 acre-feet
City of Belen	500 acre-feet
Town of Bernalillo	400 acre-feet
City of Espanola	1,000 acre-feet
Jicarilla Apache Nation	6,500 acre-feet
Village of Los Lunas	400 acre-feet
Middle Rio Grande Conservancy District	20,900 acre-feet
Pojoaque Valley Irrigation District	1,030 acre-feet
Town of Red River	60 acre-feet
City of Santa Fe	5,230 acre-feet
County of Santa Fe	375 acre-feet
Taos Pueblo	2,215 acre-feet
Town of Taos	400 acre-feet
Town of Taos Settlement	366 acre-feet
Village of Taos Ski Valley	15 acre-feet
El Prado WSD	40 acre-feet
County of Los Alamos	1,000 acre-feet
Aamodt Settlement	1,079 acre-feet
Ohkay Owingeh	2,000 acre-feet

City of Santa Fe

Real Estate Summary of Contracts, Agreements, Amendments & Leases

Section to be completed by department

1. Munis Contract # N/A

Contractor: **San Juan Chama Project Contractors Association**

Description: **MOA - facilitate collaboration on water resources and infrastructure asset management for the SJCP in the amount of $ 2,615**

Contract ☐ Agreement ☉ Lease / Rent ☐ Amendment ☐

Term Start Date: _____ Term End Date: **none**

☐ Approved by Council Date: **Pending**

Contract / Lease:

Amendment # _____ to the Original Contract / Lease # _____

Increase/(Decrease) Amount $ _____

Extend Termination Date to: _____

☐ Approved by Council Date: _____

Amendment is for:

2. **HISTORY** of Contract, Amendments & Lease / Rent - **Please Elaborate** (option: attach spreadsheet if multiple amendments)
Original MOA no history

3. **Procurement History:** **Exempt 13-1-98 A (State Agency) - procurement of items of tangible personal**

Fran Dunaway (Nov 18, 2020 16:58 MST) Nov 18, 2020

Purchasing Officer Review: Date:

Comment & Exceptions: MOA-Entity to entity/costs paid to fiscal agent.

4. **Funding Source:** **WAter Enterprise** **Org / Object:** 5050381.510200

Alexis Lotero (Nov 18, 2020 15:43 MST) Nov 18, 2020

Budget Officer Approval: Date:

Comment & Exceptions: _____

Staff Contact who completed this form: **Maya Martinez** Phone # **4271**

Email: **mfmartinez@santafenm.gov**

To be recorded by City Clerk:

Clerk # _____

Date of Execution: _____

CITY OF SANTA FE PROCUREMENT CHECKLIST

Contractor Name: San Juan Chama Project – Contractors Association

Procurement Title: Government Agency MOA

Procurement Method: State Price Agreement ☐ *Cooperative* ☐ *Sole Source* ☐ *Other* ☐ _____

Exempt ☒ *Request For Proposal (*RFP) ☐ *Invitation To Bid (ITB)* ☐ *Contract under 60K* ☐ *Contract over 60K* ☐

Department Requesting PUD Staff Name Jesse Roach

Procurement Requirements:

A procurement file shall be maintained for all contracts, regardless of the method of procurement. The procurement file shall contain the basis on which the award is made, all submitted bids, all evaluation materials, score sheets, quotations and all other documentation related to or prepared in conjunction with evaluation, negotiation, and the award process. The procurement shall contain a written determination from the Requesting Department, signed by the purchasing officer, setting forth the reasoning for the contract award decision before submitting to the Committees. .

REQUIRED DOCUMENTS FOR APPROVAL BY PURCHASING*

YES	N/A	
☒	☐	Approved Procurement Checklist (by Purchasing)
☒	☐	Memo addressed to City Manager (under 60K) Committees/City Council (over 60K)
☐	☒	State Price Agreement
☐	☒	RFP
☐	☒	Evaluation Committee Report
☐	☒	ITB
☐	☒	Bib Tab
☐	☒	Quotes (3 valid current quotes)
☐	☒	Cooperative Agreement
☐	☒	Sole Source Request and Determination Form
☐	☒	Contractors Exempt Letter
☒	☐	Purchasing Officers approval for exempt procurement
☐	☒	BAR
☐	☒	FIR
☒	☐	Executed Contract, Agreement or Amendment
☐	☒	Current Business Registration and CRS numbers on contract or agreement
☒	☐	Summary of Contracts and Agreements form
☐	☒	Certificate of Insurance
☐	☐	All documentation presented to Committees
☐	☐	Other: _____

Department Rep Printed Name (attesting that all information included) Title Date

Purchasing Officer (attesting that all information is reviewed) Title Date

Include all other substantive documents and records of communication that pertain to the procurement and any resulting contract.

*

City of Santa Fe, New Mexico
memo

Date: **October 16, 2020**

To: **Fran Dunaway, Chief Procurement Officer**

From: **Jesse Roach, Water Division Director** JR

Subject: **Exemption Determination Request**

The Public Utilities Department Water Division respectfully request exempt determination to be approved by the City's CPO, Fran Dunaway. The Memo of Agreement is between San Juan Chama Project Contractors Association and City of Santa Fe for the San Juan Chama Project.

City of Santa Fe follows the New Mexico State Procurement code.

State Procurement Exemption: ***13-1-98 A (State Agency)*** *- procurement of items of tangible personal property or services by a state agency or a local public body from a state agency, a local public body or external procurement unit except as otherwise provided in Sections 13-1-135 through 13-1-137 NMSA 1978;*

Agency: SJCP Contractors Association
Amount: no cost for City of Santa Fe
Term: N/A

Approved Exemption

_____

Fran Dunaway, Chief Procurement Officer

ACTION SHEET
ITEM FROM FINANCE COMMITTEE MEETING OF 11/30/20
FOR CITY COUNCIL MEETING OF 12/09/20

f) Request for the Approval of Professional Services Contract with LSC Transportation Planning, Inc for the Purpose of Developing a Multi-Modal Transition Plan for the City of Santa Fe not to Exceed $225,000 Starting December 1st, 2020 and Terminating on April 30th, 2022. (Erick J. Aune, Santa Fe MPO Officer, ejaune@santafenm.gov, 955.6664)

Committee	**Review:**
Public Works & Utilities Committee:	10/26/2020
Finance Committee:	11/30/2020
Governing Body: 12/09/2020	

FINANCE COMMITTEE ACTION:
Approved on Consent

FUNDING SOURCE:

SPECIAL CONDITIONS OR AMENDMENTS

VOTE	**FOR**	**AGAINST**	**ABSTAIN**
COUNCILOR ROMERO-WIRTH	x		
COUNCILOR CASSUTT-SANCHEZ	x		
COUNCILOR LINDELL	x		
COUNCILOR VILLARREAL	x		
CHAIRPERSON ABEYTA	x		

ACTION SHEET
PUBLIC WORKS AND UTILITES COMMITTEE MEETING OF 10/26/2020

ISSUE NO. 9D

Request for the Approval of Professional Services Contract with LSC Transportation Planning, Inc for the purpose of developing a Multi-Modal Transition Plan for the City of Santa Fe not to exceed $225,000 starting December 1st, 2020 and terminating on April 30th, 2022. (Erick J. Aune, Santa Fe MPO Officer, ejaune@santafenm.gov, 955.6664)

COMMITTEE REVIEW

Public Works and Utilities Committee – 10/26/2020

Finance Committee – 11/30/2020

Governing Body – 12/09/2020

PUBLIC WORKS AND UTILITES COMMITTEE ACTION: Pulled by Councilor Lindell. Approved to forward to 11/30/2020 Finance Committee

SPECIAL CONDITIONS OR AMENDMENTS:

STAFF FOLLOW UP:

VOTE:	FOR	AGAINST	ABSTAIN
COUNCILOR RIVERA, CHAIR	X		
COUNCILOR GARCIA	X		
COUNCILOR ABEYTA	X		
COUNCILOR LINDELL	X		
COUNCILOR VIGIL COPPLER	X		

City of Santa Fe, New Mexico

memo

DATE: October 13th, 2020

TO: Finance/Public Works Committee/City Council

VIA: Regina Wheeler, Public Works Director RW

FROM: Erick J. Aune, MPO Officer (ejaune@santafenm.gov) EA

RE: Approval of professional Services Contract with LSC, Transportation Consultants Inc. for the development of a Multi-Modal Transition Plan not to exceed $225,000.

ITEM & ISSUE

The Public Works Department in coordination with the Santa Fe Metropolitan Planning Department issued RFP 20/09/P Multi-Modal Transition Plan early in 2020. The RFP resulted in several proposals being evaluated, scored followed by two in-person interviews. LSC Inc. was selected to provide the requested services via the attached contract (MUNIS Contract#3202290, CRS#02108224003 Business Licence#227314)

The budget of $225,000 is available via City bond fund for Fund Org 3359980 and Object 510300.GRT18MPO. This request includes an approval for two city fiscal years beginning December 1st 2020 and concluding April 30th, 2022.

The 2022-2027 Multimodal Transition Plan will be developed in coordination with the Santa Fe Metropolitan Planning Organization (MPO) and the City of Santa Fe with the goal of specifically identifying infrastructure improvement projects, policies and programs that support efficient management and investments in parking solutions, active transportation, mobility management, and transit investments specific to the City of Santa Fe's Transit Division services (Santa Fe Trails, Santa Fe Pick-up and Santa Fe Ride). The purpose of the plan is to develop a 5-10 year blueprint for improving strategic areas within the city's urban fabric and transportation network that addresses key mobility needs to provide better travel choices for the residents, visitors and employees of the city.

Please see attached documentation:

1. City of Santa Fe Procurement Check List
2. Summary of Contracts
3. City of Santa Fe Professional Services Contract Approved As to Form

ACTION REQUIRED

Please approve Professional Services Contract with LSC, Transportation Consultants Inc.

CITY OF SANTA FE

PROFESSIONAL SERVICES CONTRACT

THIS AGREEMENT is made and entered into by and between the City of Santa Fe, New Mexico, hereinafter referred to as the "City," and **LSC Transportation Consultants, Inc.** hereinafter referred to as the "Contractor," and is effective as of the date set forth below upon which it is executed by the Parties.

IT IS AGREED BETWEEN THE PARTIES:

Scope of Work

The Contractor shall perform the following work listed below and further detailed in the attached RFP 20/09/P 2022-2027 Multimodal Transition Plan proposal, schedule and cost estimates (revisions attached):

The 2022-2027 Multimodal Transition Plan will be developed in coordination with the Santa Fe Metropolitan Planning Organization (MPO) and the City of Santa Fe with the goal of specifically identifying infrastructure improvement projects, policies and programs that support efficient management and investments in parking solutions, active transportation, mobility management, and transit investments specific to the City of Santa Fe's Transit Division services (Santa Fe Trails, Santa Fe Pick-up and Santa Fe Ride). The purpose of the plan is to develop a 5-10 year blueprint for improving strategic areas within the city's urban fabric and transportation network that addresses key mobility needs to provide better travel choices for the residents, visitors and employees of the city.

1) The City of Santa Fe's urban and suburban growth pattern provides both challenges and opportunities for enhancing mobility choices. The downtown urban core has the advantages of commercial and residential densities that enable public parking management including on-street parking, walkability, and access to a variety of transit services and key bikeway corridors. As the City has developed outward the land use pattern is more identifiable as suburban development with off-street parking, wider roads, and separated and lower density land uses. It is the City's desire to identify study areas within the City where the capacity to increase multi-mobility operations and improvements exist.

2) The Santa Fe Trails fixed route system launched in January of 1993, is the city of Santa Fe's small urban transit system and provides the greatest level of fixed service to the area. Santa Fe Trails is serviced by a fleet of 32 state-of-the-art buses and hosts 10 distinct routes. The Transit Division also operates the Santa Fe Pick-Up which provides free shuttles around downtown and to Museum Hill utilizing 4 cutaway vans and Santa Fe Ride the Complementary Paratransit Service for ADA and seniors with 18 vehicles of varying sizes. Santa Fe Trails was the nation's first transit system to operate its entire fleet with cleaner burning compressed natural gas (CNG). Its mission is to provide transit service in the City of Santa Fe (and parts of Santa Fe County) to get area residents and visitors where life takes

them and boasts an annual ridership close to 1 million. The purpose of the 5-10 Transit Service Plan is to develop a comprehensive review of the City's existing transit services, identifying any changes in transit need/demand, and ways of delivering service and producing a plan to best address the City's needs over the next 5 and 10 years. Geographically, the plan will focus on the City's entire service area as well as connective services to NCRTD, NMDOT Park and Ride, and Rail Runner Express train service. The plans, proposals and recommendations arising out of the update must consider not only mobility issues but also related topics such as economic development, air quality, housing, job creation, access to healthcare and education, environmental sustainability and energy consumption. The Service Plan will demonstrate equitable service provision throughout the City's service limits to the extent feasible. This plan should also consider future opportunities and provide a safe, reliable and revolutionized mode of transportation in concert with the City's Mission and Vision statements.

3) City's Parking Division operates as an Enterprise Fund which combines all parking revenues and expenditures in a special fund. The City's parking system includes three garages, a number of surface lots and metered street parking. The parking system is successful in generating revenue that offsets the cost of the operations, maintenance and debt service; parking available for customers most of the time in most places; parking in downtown neighborhoods are controlled. Challenges include local and elected official objection to paid parking, approximately 50 days per year when there is not sufficient parking downtown, insufficient parking in the growing innovation district, lack of understanding of parking policies and procedures, lack of integration with and support for multimodal transition.

Plan Overview

1. Multimodal Transition Plan – Starting with existing plans, land uses, transportation and parking systems and programs this analysis shall identify key urban areas (not to exceed six) that have measurable capacity to increase multimodal usage through investments in infrastructure, policies and programs. These will include urban design, landscape architecture, land use zoning, transportation and parking systems, environmental planning and other approaches that incorporate a comprehensive approach to reducing dependence on the automobile and increase livability.

2. The Transit Division 5-10 Year Service Plan – The City of Santa Fe is seeking to increase its efficiency of transit services with a review of the costs and benefits of service reorganization and expansion. The Santa Fe Metropolitan Public Transit Master Plan will provide baseline information to help inform the service plan. The plan will include updates to demographics, review of existing service routes/schedules and the development of recommended service improvements.

3. Santa Fe Parking Assessment– The City is seeking to assess and study existing parking services. The study will establish a baseline analysis of existing parking availability both public and private, how the parking is being utilized, customer satisfaction with parking, and quantify demand versus capacity throughout the year and develop suggestions for improvements. The assessment shall analyze parking occupancy, duration, customers and turnover and present findings in a manner that identifies strategies for improved efficiency

and also measured approaches to parking that leverages the City's capacity to increase active transportation and multi-modal uses. The parking assessment shall also inform a comprehensive suite of recommendations to advance the goals derived in the overall Multimodal Transition Plan.

4. Plan Outcomes – Each of the core elements as described will be used to develop the 5-10 year blueprint for improving the city's parking and transportation system with additional attention and plans for strategic areas within the city's urban fabric with primary goals of minimizing demand for private vehicles and vehicle storage, increasing walkability, active transportation, transit ridership, and increased community and economic vitality. Objectives to these goals may include, but are not limited to; recommended programs, capital improvements, policies, code revisions, and marketing strategies.

Scope of Services

Task 1. Meetings

A. Project Team Kick-Off Meeting – Refine scope, begin process for the identification of the specific study areas (not to exceed six) required for the project.
B. Bi-Weekly Team Meetings – Identify times to meeting for the coordination and communication of project management and progress with MPO and City staff, as necessary.

Task 2. Plan Coordination and Public Engagement.

A. The scope of work anticipates that each step listed below is done in coordination with all three elements of this planning effort to maximize efficiency in project management including public engagement which is anticipated to be developed in a unified manner to inform all three elements.

Task 3. Multi-Modal Transition Plan

A. Study Area Identification – Specific study areas based on existing urban elements such as density, existing and potential transit, active transportation and public parking services shall be identified to commence plan analysis.
B. Website/Communications/Social Media Integration
C. Review existing City web services related to elements of this plan and recommend an integrated web based approach to provide the public with seamless access to information to maximize their multi-modal options/services
D. Develop plan purpose, goals, and objectives
E. Collect data and information
F. Review prior relevant studies and plans
G. Analyze existing and future conditions
H. Conduct field studies
I. Interview stakeholders
J. Develop individual plan elements for each mode and for various policies
K. Refine recommendations
L. Prepare draft plan document for review
M. Develop the implementation strategy and identify funding sources

Task 4. Transit Service Plan (5 to 10 years)
The plan shall include:

A. Existing Service Assessment; and
B. Future Recommended Service Opportunities; and
C. Implementation Strategies

The plan will consider the general needs of the traveling public as well as the specific needs of particular sub- markets including, but not necessarily limited to, businesses, higher education students, K-12 school-aged children, elderly people, veterans, and people with disabilities. The plan will also consider people who do not currently use local public transportation. The plan will describe how non-users may be encouraged to become transit passengers by identifying what specific barriers or objections non-users have and how Santa Fe Trails might overcome those barriers or objections.

The plan will include a financial component that describes the costs, both capital and operating, of undertaking plan recommendations and will recommend implementation strategies and metrics for plan elements, including discussion of priorities, staffing levels, levels of service and timing issues.

1) Transit Needs Assessment
   The needs assessment will characterize the transit needs of people traveling within, and to and from the City's service territory. Transit needs will be described for both the present and future time periods, up to the year 2026 and 2032. The needs assessment will include an evaluation of the existing transit system's ability to meet those travel needs and will identify those needs which are not met by the existing system.

   The needs assessment shall describe the consequences of current and future unmet transit needs in terms of mobility, economic impacts, safety, social impacts, and environmental impacts.

   The needs assessment shall be informed and guided by stakeholder and public involvement and be subject to a process of review, comment and possible revisions, based on stakeholder, public involvement and City/MPO staff input. Community meetings will be held in each of the four City Council Districts to maximize geographically diverse populations.

   Area Profile and Review of Existing Services

   i. Vehicle/Equipment Inventory
   ii. Current and Future Demographics (Land Use Development Patterns)
   iii. Public Input – Need to look at non-traditional means to solicit input
      a. Passenger, General Public Survey and Stakeholder Forums
      b. Updates and feedback via the Transit Advisory Board

   (The community meeting dates will be publicized at least two weeks prior to the meeting, and will be advertised in appropriate media, i.e. newspapers, radio, and/or flyers. Contractor should utilize emailing lists from each of the local government units to reach a broad segment of each communities' constituencies. Sign-in sheets will be retained to verify attendance; an agenda will also be established by

Contractor and City/MPO staff and retained for verification. Minutes of the meeting will be kept and responses to all questions will be documented for inclusion in the plan.)

2) Develop future service scenarios, opportunities and improvements
    i. Existing fixed route model (Route Structure and Performance Indicators)
    ii. Redesign exiting routes and/or design new routes
    iii. Micro/Macro Transit/Demand Response/TNC Partnerships/Mobility on Demand opportunities
    iv. Coordination with NCRTD/Rail Runner/Park and Ride and other entities
    v. Service and Staffing Level Recommendations

3) The Contractor will be provided direct access and shall utilize Santa Fe Trails existing route planning software where possible to assess current services, create/modify services for the future, and demonstrate impacts to the region. The plan will provide the following details with respect to future proposed operations:

    i. Types, or modes, of service to be provided (fixed-route bus service, para-transit- flex or deviated-route bus service, demand response services, commuter, bus rapid transit, micro transit service, etc.)
    ii. Routes and/or locations of the service
    iii. Existing schedule brochure review and assessment, recommendations for future improvements
    iv. Geographic service area
    v. Days and hours of service
    vi. Vehicle requirements
    vii. Staffing requirements
    viii. Facility requirements

4) Develop a financial and capital plan (menu of options) include economic value from public transit
5) Recommend an implementation strategy
6) Review of paratransit services
7) Develop strategic scenarios that include elements in technological advances such as coordination and/or integration with ride-share services, autonomous vehicles
8) First/Last mile strategies
9) Shared mobility options
10) Fare structure assessment
11) High level pros and cons for free fare payment systems

As further information to Contractors, the following issues should be addressed by the plan:

1) What is an optimal transit plan now, 5 and 10 years from now?
2) Is the City effectively leveraging their strengths and optimizing their resources?
3) Are there services or relationships that should develop out of collaboration?
4) Is there a duplication of services and efforts?
5) Are there existing services that should no longer be provided?

6) Is the method of delivery appropriate or is there another better approach?
7) What factors must be measured to determine the success of each transit mode/initiative?
8) What current transit services/initiatives are most successful?
9) How successful are they? What makes them successful?
10) What current transportation services/initiatives are not as successful as desired?
11) Should these transportation services/initiatives be improved and kept, or be cut?
12) If these services/initiatives should be kept, what specifically should be done to improve them to make them successful?
13) What is the cost-benefit for improving each under-performing transit service/initiative?
14) What services and planning efforts are being duplicated among the City and other local stakeholders?
15) What opportunities for collaboration exist and how does the City move toward further collaboration with each stakeholder?

Task 5. Parking Assessment

1) Assessment – The Assessment shall contain the following elements
   a) Existing Conditions Inventory/Analysis
      i. The existing conditions analysis will provide real-time data on parking that City staff, developers, and the community can use to understand the parking conditions within the designated study areas.
      ii. Review the current land use code/zoning ordinance relative to parking regulations for study areas.
      iii. Assess current operational practices including investments in technology
   b) Supply/Demand -Develop future parking supply/demand forecast for each study area
   c) Stakeholder Input – Gather input from key stakeholders (major business/property owners)
   d) Goal Identification – The management of curbside and parking resources are essential to achieving strategic goals. These goals, framing up the Multi-Modal Transition Plan, need to be agreed upon and integrated in a manner that the following recommendations steps begin to implement them.
   e) Develop recommendations the City can implement to address challenges and opportunities that also advance multi-modal goals and objectives identified in the overall plan.
      i. Recommendations to include a description, benefits, obstacles to implementation, responsible parties, costs, and implementation timeframe/steps.
      ii. In coordination with the identified study areas identified, review and make recommendations as regards to the City's off-street parking requirements found within all appropriate local development regulations.
      iii. Recommendation of underground and surface parking facilities including garages that may meet derived parking supply and demand in a manner that maximizes land use efficiencies including increased densities, access to transit, multi-use trails and other amenities that reduce vehicle dependency.
      iv. Public and private partnership opportunities should be included for consideration of recommendations.

v. Develop strategies to implement recommendations in two, five and ten year increments. Consider comprehensive solutions that aim to maximize both parking management and regulation and multi-modal transition goals. Include infrastructure investments, policies, and education and enforcement.

Task 6: Plan Integration

1) Development of the 5-10 year blueprint with recommendations.
   A. Within the selected study areas key findings from each of the above tasks shall be integrated in a manner that offers the City of Santa Fe a suite of options in the form of objectives. These shall include costs and benefits and be detailed in a temporal and organized manner that provide decision makers measured (performance based) steps to derived goals within five and ten years.

2) Performance Measures.
   Contractor shall substantially perform the following Performance Measures:
   A. Promoting a sustainable City, where residents feel safe, and care for their environment and the well-being of those within it.

   B. Creating a future in Santa Fe were all people can afford to live, and can enjoy a quality of life that is better than any other city in our country.

2. <u>Compensation.</u>

MULTI-YEAR – A. The City shall pay to the Contractor in full payment for services satisfactorily performed pursuant to the Scope of Work at the rate of one hundred twenty nine thousand three hundred and seventy dollars ($129,370) in FY21. The New Mexico gross receipts tax levied on the amounts payable under this Agreement in FY21($6,630,21) shall be paid by the City to the Contractor. **The total amount payable to the Contractor under this Agreement, including gross receipts tax and expenses, ($136,000) in FY21.**

MULTI-YEAR – A (2).The City shall pay to the Contractor in full payment for services satisfactorily performed pursuant to the Scope of Work at the rate of eighty four thousand six hundred fifty three dollars ($84,653) in FY22. The New Mexico gross receipts tax levied on the amounts payable under this Agreement in FY22 totaling ($4,338,47) shall be paid by the City to the Contractor. **The total amount payable to the Contractor under this Agreement, including gross receipts tax and expenses, ($88,991) in FY22.**

The total amount payable to the Contractor under this Agreement, including gross receipts tax and expenses, is not to exceed ($224,992).

B. Payment in FY21 and FY22 is subject to availability of funds pursuant to the Appropriations Paragraph set forth below and to any negotiations between the parties from year to year pursuant to Paragraph 1, Scope of Work, and to approval by the City. All invoices MUST BE received by the City no later than fifteen (15) days after the termination of the Fiscal Year in

which the services were delivered. Invoices received after such date WILL NOT BE PAID.)

C. Contractor must submit a detailed statement accounting for all services performed and expenses incurred. If the City finds that the services are not acceptable, within thirty days after the date of receipt of written notice from the Contractor that payment is requested, it shall provide the Contractor a letter of exception explaining the defect or objection to the services, and outlining steps the Contractor may take to provide remedial action. Upon certification by the City that the services have been received and accepted, payment shall be tendered to the Contractor within thirty days after the date of acceptance. If payment is made by mail, the payment shall be deemed tendered on the date it is postmarked. However, the City shall not incur late charges, interest, or penalties for failure to make payment within the time specified herein.

3. Term.

THIS AGREEMENT SHALL NOT BECOME EFFECTIVE UNTIL APPROVED BY THE CITY. This Agreement shall terminate on **April 30th 2022** unless terminated pursuant to paragraph 4 (Termination), or paragraph 5 (Appropriations). In accordance with Section 13-1-150 NMSA 1978, no contract term for a professional services contract, including extensions and renewals, shall exceed four years, except as set forth in Section 13-1-150 NMSA 1978.

4. Termination.

A. Termination. This Agreement may be terminated by either of the parties hereto upon written notice delivered to the other party at least thirty (30) days prior to the intended date of termination. Except as otherwise allowed or provided under this Agreement, the City's sole liability upon such termination shall be to pay for acceptable work performed prior to the Contractor's receipt of the notice of termination, if the City is the terminating party, or the Contractor's sending of the notice of termination, if the Contractor is the terminating party; provided, however, that a notice of termination shall not nullify or otherwise affect either party's liability for pre-termination defaults under or breaches of this Agreement. The Contractor shall submit an invoice for such work within thirty (30) days of receiving or sending the notice of termination. Notwithstanding the foregoing, this Agreement may be terminated immediately upon written notice to the Contractor if the Contractor becomes unable to perform the services contracted for, as determined by the City or if, during the term of this Agreement, the Contractor or any of its officers, employees or agents is indicted for fraud, embezzlement or other crime due to misuse of City funds or due to the Appropriations paragraph herein. *THIS PROVISION IS NOT EXCLUSIVE AND DOES NOT WAIVE THE City's OTHER LEGAL RIGHTS AND REMEDIES CAUSED BY THE CONTRACTOR'S DEFAULT/BREACH OF THIS AGREEMENT.*

B Termination Management. Immediately upon receipt by either the City or the Contractor of notice of termination of this Agreement, the Contractor shall: 1) not incur any further obligations for salaries, services or any other expenditure of funds under this Agreement without written approval of the City; 2) comply with all directives issued by the City in the notice of termination as to the performance of work under this Agreement; and 3) take such action as the City shall direct for the protection, preservation, retention or transfer of all property titled to the City and records generated under this Agreement. Any non-expendable personal property or equipment provided to or purchased by the Contractor with contract funds shall become property of the City upon termination and shall be submitted to the City as soon as practicable.

5. Appropriations.

The terms of this Agreement are contingent upon sufficient appropriations and authorization being made by the City Council for the performance of this Agreement. If sufficient appropriations and authorization are not made by the City Council, this Agreement shall terminate immediately upon written notice being given by the City to the Contractor. The City's decision as to whether sufficient appropriations are available shall be accepted by the Contractor and shall be final. If the City proposes an amendment to the Agreement to unilaterally reduce funding, the Contractor shall have the option to terminate the Agreement or to agree to the reduced funding, within thirty (30) days of receipt of the proposed amendment.

6. Status of Contractor.

The Contractor and its agents and employees are independent contractors performing professional services for the City and are not employees of the City. The Contractor and its agents and employees shall not accrue leave, retirement, insurance, bonding, use of City vehicles, or any other benefits afforded to employees of the City as a result of this Agreement. The Contractor acknowledges that all sums received hereunder are reportable by the Contractor for tax purposes, including without limitation, self-employment and business income tax. The Contractor agrees not to purport to bind the City unless the Contractor has express written authority to do so, and then only within the strict limits of that authority.

7. Assignment.

The Contractor shall not assign or transfer any interest in this Agreement or assign any claims for money due or to become due under this Agreement without the prior written approval of the City.

8. Subcontracting.

The Contractor shall not subcontract any portion of the services to be performed under this Agreement without the prior written approval of the City. No such subcontract shall relieve the primary Contractor from its obligations and liabilities under this Agreement, nor shall any subcontract obligate direct payment from the City.

9. Release.

Final payment of the amounts due under this Agreement shall operate as a release of the City, its officers and employees from all liabilities, claims and obligations whatsoever arising from or under this Agreement.

10. Confidentiality.

Any confidential information provided to or developed by the Contractor in the performance of this Agreement shall be kept confidential and shall not be made available to any individual or organization by the Contractor without the prior written approval of the City.

11. Product of Service -- Copyright.

All materials developed or acquired by the Contractor under this Agreement shall become the property of the City and shall be delivered to the City no later than the termination date of this Agreement. Nothing developed or produced, in whole or in part, by the Contractor under this

Agreement shall be the subject of an application for copyright or other claim of ownership by or on behalf of the Contractor.

12. Conflict of Interest; Governmental Conduct Act.

A. The Contractor represents and warrants that it presently has no interest and, during the term of this Agreement, shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance or services required under the Agreement.

B. The Contractor further represents and warrants that it has complied with, and, during the term of this Agreement, will continue to comply with, and that this Agreement complies with all applicable provisions of the Governmental Conduct Act, Chapter 10, Article 16 NMSA 1978.

C. Contractor's representations and warranties in Paragraphs A and B of this Article 12 are material representations of fact upon which the City relied when this Agreement was entered into by the parties. Contractor shall provide immediate written notice to the City if, at any time during the term of this Agreement, Contractor learns that Contractor's representations and warranties in Paragraphs A and B of this Article 12 were erroneous on the effective date of this Agreement or have become erroneous by reason of new or changed circumstances. If it is later determined that Contractor's representations and warranties in Paragraphs A and B of this Article 12 were erroneous on the effective date of this Agreement or have become erroneous by reason of new or changed circumstances, in addition to other remedies available to the City and notwithstanding anything in the Agreement to the contrary, the City may immediately terminate the Agreement.

D. All terms defined in the Governmental Conduct Act have the same meaning in this section.

13. Amendment.

A. This Agreement shall not be altered, changed or amended except by instrument in writing executed by the parties hereto and all other required signatories.

B. If the City proposes an amendment to the Agreement to unilaterally reduce funding due to budget or other considerations, the Contractor shall, within thirty (30) days of receipt of the proposed Amendment, have the option to terminate the Agreement, pursuant to the termination provisions as set forth in Article 4 herein, or to agree to the reduced funding.

14. Merger.

This Agreement incorporates all the Agreements, covenants and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, Agreements and understandings have been merged into this written Agreement. No prior Agreement or understanding, oral or otherwise, of the parties or their agents shall be valid or enforceable unless embodied in this Agreement.

15. Penalties for violation of law.

The Procurement Code, Sections 13-1-28 through 13-1-199, NMSA 1978, imposes civil and criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for illegal bribes, gratuities and kickbacks.

16. Equal Opportunity Compliance.

The Contractor agrees to abide by all federal and state laws and rules and regulations, and Santa Fe City Code, pertaining to equal employment opportunity. In accordance with all such laws of the State of New Mexico, the Contractor assures that no person in the United States shall, on the grounds of race, religion, color, national origin, ancestry, sex, age, physical or mental handicap, or serious medical condition, spousal affiliation, sexual orientation or gender identity, be excluded from employment with or participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity performed under this Agreement. If Contractor is found not to be in compliance with these requirements during the life of this Agreement, Contractor agrees to take appropriate steps to correct these deficiencies.

17. Applicable Law.

The laws of the State of New Mexico shall govern this Agreement, without giving effect to its choice of law provisions. Venue shall be proper only in a New Mexico court of competent jurisdiction in accordance with Section 38-3-1 (G) NMSA 1978. By execution of this Agreement, Contractor acknowledges and agrees to the jurisdiction of the courts of the State of New Mexico over any and all lawsuits arising under or out of any term of this Agreement.

18. Workers Compensation.

The Contractor agrees to comply with state laws and rules applicable to workers compensation benefits for its employees. If the Contractor fails to comply with the Workers Compensation Act and applicable rules when required to do so, this Agreement may be terminated by the City.

19. Professional Liability Insurance. Contractor shall maintain professional liability insurance throughout the term of this Agreement providing a minimum coverage in the amount required under the New Mexico Tort Claims Act. The Contractor shall furnish the City with proof of insurance of Contractor's compliance with the provisions of this section as a condition prior to performing services under this Agreement.

20. Other Insurance

If the services contemplated under this Agreement will be performed on or in City facilities or property, Contractor shall maintain in force during the entire term of this Agreement, the following insurance coverage(s), naming the City as additional insured.

A. Workers Compensation (including accident and disease coverage) at the statutory limit. Employers liability: $100,000.

B. Comprehensive general liability (including endorsements providing broad form property damage, personal injury coverage and contractual assumption of liability for all liability the Contractor has assumed under this contract). Limits shall not be less than the following:

a. Bodily injury: $1,000,000 per person /$1,000,000 per occurrence.
b. Property damage or combined single limit coverage: $1,000,000.
c. Automobile liability (including non-owned automobile coverage): $1,000,000.
d. Umbrella: $1,000,000.

C. Contractor shall maintain the above insurance for the term of this Agreement and name the City as an additional insured and provide for 30 days cancellation notice on any Certificate of Insurance form furnished by Contractor. Such certificate shall also specifically state the coverage provided under the policy is primary over any other valid and collectible insurance and provide a waiver of subrogation.

21. Records and Financial Audit.

The Contractor shall maintain detailed time and expenditure records that indicate the date; time, nature and cost of services rendered during the Agreement's term and effect and retain them for a period of three (3) years from the date of final payment under this Agreement. The records shall be subject to inspection by the City. The City shall have the right to audit billings both before and after payment. Payment under this Agreement shall not foreclose the right of the City to recover excessive or illegal payments

22. Indemnification.

The Contractor shall defend, indemnify and hold harmless the City from all actions, proceeding, claims, demands, costs, damages, attorneys' fees and all other liabilities and expenses of any kind from any source which may arise out of the performance of this Agreement, caused by the negligent act or failure to act of the Contractor, its officers, employees, servants, subcontractors or agents, or if caused by the actions of any client of the Contractor resulting in injury or damage to persons or property during the time when the Contractor or any officer, agent, employee, servant or subcontractor thereof has or is performing services pursuant to this Agreement. In the event that any action, suit or proceeding related to the services performed by the Contractor or any officer, agent, employee, servant or subcontractor under this Agreement is brought against the Contractor, the Contractor shall, as soon as practicable but no later than two (2) days after it receives notice thereof, notify the legal counsel of the City.

23. New Mexico Tort Claims Act

Any liability incurred by the City of Santa Fe in connection with this Agreement is subject to the immunities and limitations of the New Mexico Tort Claims Act, Section 41-4-1, et. seq. NMSA 1978, as amended. The City and its "public employees" as defined in the New Mexico Tort Claims Act, do not waive sovereign immunity, do not waive any defense and do not waive any limitation of liability pursuant to law. No provision in this Agreement modifies or waives any provision of the New Mexico Tort Claims Act.

24. Invalid Term or Condition.

If any term or condition of this Agreement shall be held invalid or unenforceable, the remainder of this Agreement shall not be affected and shall be valid and enforceable.

25. Enforcement of Agreement.

A party's failure to require strict performance of any provision of this Agreement shall not

waive or diminish that party's right thereafter to demand strict compliance with that or any other provision. No waiver by a party of any of its rights under this Agreement shall be effective unless express and in writing, and no effective waiver by a party of any of its rights shall be effective to waive any other rights.

26. Notices.

Any notice required to be given to either party by this Agreement shall be in writing and shall be delivered in person, by courier service or by U.S. mail, either first class or certified, return receipt requested, postage prepaid, as follows:

To the City: Regina Wheeler, Public Works Director, PO Box 909, Santa Fe, NM 87501
rawheeler@santafenm.gov

To the Contractor: LSC Inc. Att: Gordon Shaw, PO 1096, Tahoe City, CA 96145
gordonshaw@lsctahoe.com

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27. Authority.

If Contractor is other than a natural person, the individual(s) signing this Agreement on behalf of Contractor represents and warrants that he or she has the power and authority to bind Contractor, and that no further action, resolution, or approval from Contractor is necessary to enter into a binding contract.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date of the signature by the required approval authorities below.

CITY OF SANTA FE:

_____
ALAN M. WEBBER, MAYOR

DATE:_____

CONTRACTOR:
LSC, INC.

_____
NAME

President
TITLE

DATE: 10/1/2020
CRS# 02108224003

Registration # 227314

ATTEST:

_____
YOLANDA Y. VIGIL, CITY CLERK

CITY ATTORNEY'S OFFICE:

Marcos Martinez
Marcos Martinez (Sep 11, 2020 08:32 MDT)
_____
SENIOR ASSISTANT CITY ATTORNEY

APPROVED FOR FINANCES:

_____
MARY MCCOY, FINANCE DIRECTOR

3359980-510300
Business Unit Line Item

Attachment 1

Scope of Work

A. The Contractor shall perform the following work:

The 2022-2027 Multimodal Transition Plan will be developed in coordination with the Santa Fe Metropolitan Planning Organization (MPO) with the goal of specifically identifying infrastructure improvement projects, policies and programs that support efficient management and investments in parking solutions, active transportation, mobility management, and transit investments specific to the City of Santa Fe's Transit Division services (Santa Fe Trails, Santa Fe Pick-up and Santa Fe Ride). The purpose of the plan is to develop a 5-10 year blueprint for improving strategic areas within the city's urban fabric and transportation network that addresses key mobility needs to provide better travel choices for the residents, visitors and employees of the city.

1. The City of Santa Fe's urban and suburban growth pattern provides both challenges and opportunities for enhancing mobility choices. The downtown urban core has the advantages of commercial and residential densities that enable public parking management including on-street parking, walkability, and access to a variety of transit services and key bikeway corridors. As the City has developed outward the land use pattern is more identifiable as suburban development with off-street parking, wider roads, and separated and lower density land uses. It is the City's desire to identify study areas within the City where the capacity to increase multi-mobility operations and improvements exist.

2. The Santa Fe Trails fixed route system launched in January of 1993, is the city of Santa Fe's small urban transit system and provides the greatest level of fixed service to the area. Santa Fe Trails is serviced by a fleet of 32 state-of-the-art buses and hosts 10 distinct routes. The Transit Division also operates the Santa Fe Pick-Up which provides free shuttles around downtown and to Museum Hill utilizing 4 cutaway vans and Santa Fe Ride the Complementary Paratransit Service for ADA and seniors with 18 vehicles of varying sizes. Santa Fe Trails was the nation's first transit system to operate its entire fleet with cleaner burning compressed natural gas (CNG). Its mission is to provide transit service in the City of Santa Fe (and parts of Santa Fe County) to get area residents and visitors where life takes them and boasts an annual ridership close to 1 million. The purpose of the 5-10 Transit Service Plan is to develop a comprehensive review of the City's existing transit services, identifying any changes in transit need/demand, and ways of delivering service and producing a plan to best address the City's needs over the next 5 and 10 years. Geographically, the plan will focus on the City's entire service area as well as connective services to NCRTD, NMDOT Park and Ride, and Rail Runner Express train service. The plans, proposals and recommendations arising out of the update must consider not only mobility issues but also related topics such as economic development, air quality, housing, job creation, access to healthcare and education, environmental sustainability and energy consumption. The Service Plan will demonstrate equitable service provision throughout the City's service limits to the extent feasible. This plan should also consider future opportunities and provide a safe, reliable and revolutionized mode of transportation in concert with the City's Mission and Vision statements.

3. City's Parking Division was established in 1982 by consolidating all municipal parking functions into one "responsibility center" with the goals of providing improved parking services and making parking functions financially self-sufficient without any subsidy from the City's General Fund. Financially, the division operates as an Enterprise Fund which combines all parking revenues and expenditures in a special fund separate from other City finances. The Parking Enterprise Fund provides a unified funding category dedicated to the delivery, improvement and expansion of municipal parking facilities and services.

PLAN OVERVIEW

5. Multimodal Transition Plan – Starting with existing plans, land uses, transportation systems and programs this analysis shall identify key urban areas (not to exceed six) that have measurable capacity to increase multimodal usage through investments in infrastructure, policies and programs. These will include urban design, landscape architecture, land use zoning, transportation systems, environmental planning and other approaches that incorporate a comprehensive approach to reducing dependence on the automobile and increase livability.

6. The Transit Division 5-10 Year Service Plan – The City of Santa Fe is seeking to increase its efficiency of transit services with a review of the costs and benefits of service reorganization and expansion. The Santa Fe Metropolitan Public Transit Master Plan will provide baseline information to help inform the service plan. The plan will include updates to demographics, review of existing service routes/schedules and the development of recommended service improvements.

7. Santa Fe Parking Assessment – The City is seeking to assess and study existing parking management services. The study will identify specific study areas in conjunction with the Multimodal Transition Plan and derive a baseline analysis of existing parking availability both public and private, how the parking is being utilized and identify demand and capacity. The assessment shall analyze parking occupancy, duration and turnover and present findings in a manner that identifies strategies for improved efficiency and also measured approaches to public/private parking that leverages the City’s capacity to increase active transportation and multi-modal uses. The City will also benefit from baseline assessment of private parking within the study areas with the goal of providing recommendations to its land use code regarding parking standards. The parking assessment shall also inform a comprehensive suite of recommendations that may advance the goals derived in the overall Multimodal Transition Plan.

8. Plan Outcomes – Each of the core elements as described will be reviewed and the 5-10 year blueprint for improving strategic areas within the city’s urban fabric and transportation network shall be developed with primary goals of minimizing demand for private vehicles and vehicle storage, increasing walkability, active transportation, transit ridership, and increased community and economic vitality. Objectives to these goals may include, but are not limited to; recommended programs, projects, policies, code revisions, public investments and marketing strategies.

SCOPE OF SERVICES

Task 1. Meetings

1) Project Team Kick-Off Meeting – Refine scope, begin process for the identification of the specific study areas (not to exceed six) required for the project.
2) Bi-Weekly Team Meetings – Identify times to meeting for the coordination and communication of project management and progress with MPO and City staff as necessary.

Task 2. Plan Coordination and Public Engagement.

1) The scope of work anticipates that each step listed below is done in coordination with all three elements of this planning effort to maximize efficiency in project management including public engagement, which is anticipated to be developed in a unified manner to inform all three elements.

Task 3. Multi-Modal Transition Plan

1) Study Area Identification – Specific study areas based on existing urban elements such as density, existing and potential transit, active transportation and public parking services shall be identified to commence plan analysis.
2) Website/Communications/Social Media Integration
    a. Review existing City web services related to elements of this plan and recommend an integrated web based approach to provide the public with seamless access to information to maximize their multi-modal options/services
3) Develop plan purpose, goals, and objectives
4) Collect data and information
5) Review prior relevant studies and plans
6) Analyze existing and future conditions
7) Conduct field studies
8) Interview stakeholders
9) Develop individual plan elements for each mode and for various policies
10) Refine recommendations
11) Prepare draft plan document for review
12) Develop the implementation strategy and identify funding sources

Task 4. Transit Service Plan (5 to 10 years)

The plan shall include:

1. Existing Service Assessment; and
2. Future Recommended Service Opportunities; and
3. Implementation Strategies

The plan will consider the general needs of the traveling public as well as the specific needs of particular sub- markets including, but not necessarily limited to, businesses, higher education students, K-12 school-aged children, elderly people, veterans, and people with disabilities. The plan will also consider

people who do not currently use local public transportation. The plan will describe how non-users may be encouraged to become transit passengers by identifying what specific barriers or objections non-users have and how Santa Fe Trails might overcome those barriers or objections.

The plan will include a financial component that describes the costs, both capital and operating, of undertaking plan recommendations and will recommend implementation strategies and metrics for plan elements, including discussion of priorities, staffing levels, levels of service and timing issues.

12) Transit Needs Assessment

The needs assessment will characterize the transit needs of people traveling within, and to and from the City's service territory. Transit needs will be described for both the present and future time periods, up to the year 2027 and 2032. The needs assessment will include an evaluation of the existing transit system's ability to meet those travel needs and will identify those needs which are not met by the existing system.

The needs assessment shall describe the consequences of current and future unmet transit needs in terms of mobility, economic impacts, safety, social impacts, and environmental impacts.

The needs assessment shall be informed and guided by stakeholder and public involvement and be subject to a process of review, comment and possible revisions, based on stakeholder, public involvement and City/MPO staff input. Community meetings will be held in each of the four City Council Districts to maximize geographically diverse populations.

Area Profile and Review of Existing Services

iv. Vehicle/Equipment Inventory
v. Current and Future Demographics (Land Use Development Patterns)
vi. Public Input – Need to look at nontraditional means to solicit input
    a. Passenger, General Public Survey and Stakeholder Forums
    b. Updates and feedback via the Transit Advisory Board

(The community meeting dates will be publicized at least two weeks prior to the meeting, and will be advertised in appropriate media, i.e. newspapers, radio, and/or flyers. Contractor should utilize emailing lists from each of the local government units to reach a broad segment of each communities' constituencies. Sign-in sheets will be retained to verify attendance; an agenda will also be established by Contractor and City/MPO staff and retained for

verification. Minutes of the meeting will be kept and responses to all questions will be documented for inclusion in the plan.)

13) Develop future service scenarios, opportunities and improvements
    a) Existing Fixed Route model (Route Structure and Performance Indicators)
    b) Redesign Exiting Routes and/or Design New Routes
    c) Micro/Macro Transit/Demand Response/TNC Partnerships/Mobility on Demand opportunities
    d) Coordination with NCRTD/Rail Runner/Park and Ride and other entities
    e) Service and Staffing Level Recommendations
        1. The Contractor will be provided direct access and shall utilize Santa Fe Trails existing route planning software where possible to assess current services, create/modify services for the future, and demonstrate impacts to the region. The plan will provide the following details with respect to future proposed operations:

        2. Types, or modes, of service to be provided (fixed-route bus service, para-transit- flex or deviated-route bus service, demand response services, commuter, bus rapid transit, micro transit service, etc.)
        3. Routes and/or locations of the service
        4. Existing schedule brochure review and assessment, recommendations for future improvements
        5. Geographic service area
        6. Days and hours of service
        7. Vehicle requirements
        8. Staffing requirements
        9. Facility requirements
    f) Develop a financial and capital plan (menu of options) include economic value from public transit
    g) Recommend an implementation strategy
    h) Review of Paratransit Services
    i) Develop strategic scenarios that include elements in technological advances such as coordination and/or integration with ride-share services, autonomous vehicles
14) First/Last Mile Strategies
    a) Shared Mobility Options
15) Fare structure Assessment
    a) High level pros and cons for free fare
    b) Payment Systems
    c) As further information to Contractors, the following issues should be addressed by the plan:

        i. What is an optimal transit plan now, 5 and 10 years from now?
        ii. Is the City effectively leveraging their strengths and optimizing their resources?
        iii. Are there services or relationships that should develop out of collaboration?

iv. Is there a duplication of services and efforts?
v. Are there existing services that should no longer be provided?
i. Is the method of delivery appropriate or is there another better approach?
ii. What factors must be measured to determine the success of each transit mode/initiative?
iii. What current transit services/initiatives are most successful?
i. How successful are they? What makes them successful?
iv. What current transportation services/initiatives are not as successful as desired?
v. Should these transportation services/initiatives be improved and kept, or be cut?
vi. If these services/initiatives should be kept, what specifically should be done to improve them to make them successful?
vii. What is the cost-benefit for improving each under-performing transit service/initiative?
viii. What services and planning efforts are being duplicated among the City and other local stakeholders?
ix. What opportunities for collaboration exist and how does the City move toward further collaboration with each stakeholder?

Task 5. Parking Assessment

2) Assessment – The Assessment shall contain the following elements
   a) Existing Conditions Inventory/Analysis
      i. The existing conditions analysis will provide real-time data on parking that City staff, developers, and the community can use to understand the parking conditions within the designated study areas.
      ii. Review the current land use code/zoning ordinance relative to parking regulations for study areas.
      iii. Assess current operational practices including investments in technology
   b) Supply/Demand -Develop future parking supply/demand forecast for each study area
   c) Stakeholder Input – Gather input from key stakeholders (major business/property owners)
   d) Goal Identification – The management of curbside and parking resources are essential to achieving strategic goals. These goals, framing up the Multi-Modal Transition Plan, need to be agreed upon and integrated in a manner that the following recommendations steps begin to implement them.
   e) Develop recommendations the City can implement to address challenges and opportunities that also advance multi-modal goals and objectives identified in the overall plan.
      vi. Recommendations to include a description, benefits, obstacles to implementation, responsible parties, costs, and implementation timeframe/steps.
      vii. In coordination with the identified study areas identified, review and make recommendations as regards to the City's off-street parking requirements found within all appropriate local development regulations.

viii. Recommendation of underground and surface parking facilities including garages that may meet derived parking supply and demand in a manner that maximizes land use efficiencies including increased densities, access to transit, multi-use trails and other amenities that reduce vehicle dependency.

ix. Public and private partnership opportunities should be included for consideration of recommendations.

x. Develop strategies to implement recommendations in two, five and ten year increments. Consider comprehensive solutions that aim to maximize both parking management and regulation and multi-modal transition goals. Include infrastructure investments, policies, and education and enforcement.

Task 6: Plan Integration

3) Development of the 5-10 year blueprint with recommendations.
   a. Within the selected study areas key findings from each of the above tasks shall be integrated in a manner that offers the City of Santa Fe a suite of options in the form of objectives. These shall include costs and benefits and be detailed in a temporal and organized manner that provide decision makers measured (performance based) steps to derived goals within five and ten years.

B. *Performance Measures.*

Contractor shall substantially perform the following Performance Measures:

2. Promoting a sustainable City, where residents feel safe, and care for their environment and the well-being of those within it.

3. Creating a future in Santa Fe were all people can afford to live, and can enjoy a quality of life that is better than any other city in our country.

Attachment 2: LSC RFP PROPOSAL

C'NA

IMPORTANT: THIS ENDORSEMENT CONTAINS DUTIES THAT APPLY TO THE ADDITIONAL INSURED IN THE EVENT OF OCCURRENCE, OFFENSE, CLAIM OR SUIT. SEE PARAGRAPH C.1. OF THIS ENDORSEMENT FOR THESE DUTIES.

ALSO, THIS ENDORSEMENT CHANGES THE CONTRACTUAL LIABILITY COVERAGE WITH RESPECTS TO THE "BODILY INJURY" OR "PROPERTY DAMAGE" ARISING OUT OF THE "PRODUCTS-COMPLETED OPERATIONS HAZARD." SEE PARAGRAPH 8.3. OF THIS ENDORSEMENT FOR THIS COVERAGE CHANGE.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

CONTRACTOR'S SCHEDULED AND BLANKET ADDITIONAL INSURED ENDORSEMENT WITH LIMITED PRODUCTS - COMPLETED OPERATIONS COVERAGE

This endorsement modifies insurance provided under the following: POLICY #2097381503

COMMERCIAL GENERAL LIABILITY COVERAGE

	Location(s) Of Covered Operations
Merced County of Governments	Any and All Projects by the Insured
	LSC Transportation Consultants, Inc.

A. **WHO IS AN INSURED (Section II)** is amended to include as an insured any person or organization, including any person or organization shown in the schedule above, (called additional insured) whom you are required to add as an additional insured on this policy under a written contract or written agreement; but the written contract or written agreement must be:

1. Currently in effect or becoming effective during the term of this policy; and
2. Executed prior to the "bodily injury," "property damage," or "personal and advertising injury."

B. The insurance provided to the additional insured is limited as follows:

1. That person or organization is an additional insured solely for liability due to your negligence and specifically resulting from "your work" for the additional insured which is the subject of the written contract or written agreement. No coverage applies to liability resulting from the sole negligence of the additional insured.
2. The Limits of Insurance applicable to the additional insured are those specified in the written contract or written agreement or in the Declarations of this policy, whichever is less. These Limits of Insurance are inclusive of, and not in addition to, the Limits of Insurance shown in the Declarations.
3. The coverage provided to the additional insured by this endorsement and paragraph **f.** of the definition of "insured contract" under **DEFINITIONS (Section V)** do not apply to "bodily injury" or "property damage" arising out of the "products-completed operations hazard" unless required by the written contract or written agreement. When coverage does apply to "bodily injury" or "property damage" arising out of the "products-completed operations hazard" such coverage will not apply beyond:
   - **a.** The period of time required by the written contract or written agreement; or
   - **b.** 5 years from the completion of "your work" on the project which is the subject of the written contract or written agreement,

whichever is less.

4. The insurance provided to the additional insured does not apply to "bodily injury," "property damage," or "personal and advertising injury" arising out of an architect's, engineer's, or surveyor's rendering of or failure to render any professional services including:

   a. The preparing, approving, or failing to prepare or approve maps, shop drawings, opinions, reports, surveys, field orders, change orders or drawings and specifications; and

   b. Supervisory, or inspection activities performed as part of any related architectural or engineering activities.

C. As respects the coverage provided under this endorsement, **SECTION IV - COMMERCIAL GENERAL LIABILITY CONDITIONS** are amended as follows:

1. The following is added to the Duties In The Event of Occurrence, Offense, Claim or Suit Condition:

   e. An additional insured under this endorsement will as soon as practicable

      (1) Give written notice of an occurrence or an offense to us which may result in a claim or "suit" under this insurance;

      (2) Tender the defense and indemnity of any claim or "suit" to us for a loss we cover under this Coverage Part;

      (3) Tender the defense and indemnity of any claim or "suit" to any other insurer which also has insurance for a loss we cover under this Coverage Part; and

      (4) Agree to make available any other insurance which the additional insured has for a loss we cover under this Coverage Part.

   f. We have no duty to defend or indemnify an additional insured under this endorsement until we receive written notice of a claim or "suit" from the additional insured.

2. Paragraph **4.b.** of the Other Insurance Condition is deleted and replaced with the following:

   4. Other Insurance

   b. Excess Insurance

   This insurance is excess over any other insurance naming the additional insured as an insured whether primary, excess, contingentor on any other basis unless a written contract or written agreement specifically requires that this insurance be either primary or primary and noncontributing to the additional insured's own coverage. This insurance is excess over any other insurance to which the additional insured has been added as an additional insured by endorsement.

   When this insurance is excess, we will have no duty under Coverages **A or B** to defend the additional insured against any "suit" if any other insurer has a duty to defend the additional insured against that "suit." If no other insurer defends, we will undertake to do so, but we will be entitled to the additional insured's rights against all those other insurers.

   When this insurance is excess over other insurance, we will pay only our share of the amount of the loss, if any, that exceeds the sum of:

   (1) The total amount that all such other insurance would pay for the loss in the absence of this insurance; and

   (2) The total of all deductible and self-insured amounts under all that other insurance.

   We will share the remaining loss, if any, with any other insurance that is not described in this Excess Insurance prov1s1on and was not bought specifically to apply in excess of the Limits of Insurance shown in the Declarations of this Coverage Part.

CITY OF SANTA FE

"REQUEST FOR PROPOSALS"

2020-2030 MULTIMODAL TRANSITION PLAN INCLUDING PARKING ASSESSMENT AND TRANSIT 5-10 YEAR SERVICE PLAN

RFP #'20/09/P

PROPOSAL DUE:

December 30, 2019
3:00 P.M.
PURCHASING OFFICE
CITY OF SANTA FE
200 Lincoln Ave Rm 122
SANTA FE, NEW MEXICO 87501

TABLE OF CONTENTS

Advertisement for Proposals.....3

Proposal Schedule.....4

Information to Proponents.....5

Local Preference.....6

Special Conditions.....8

Scope of Services Required.....11

Submittal Requirements.....15

Final Evaluation for Written Proposals and Interviews.....16

Attachments:

1. Non-Disclosure and Conflict of Interest Statement
2. Campaign Contribution Form
3. Sample Contract
4. Minimum Wage Ordinance
5. Evaluation Criteria Form

REQUEST FOR PROPOSALS

PROPOSAL NUMBER '20/09/P

Proposals will be received by the City of Santa Fe and shall be delivered to the City of Santa Fe Purchasing Office, 200 Lincoln Ave Rm122 Santa Fe, New Mexico 87501 **until 3:00 P.M. local prevailing time December 30th, 2019.** Any proposal received after this deadline will not be considered. This proposal is for the purpose of procuring professional services for the following:

2020 -2030 MULTIMODAL TRANSITION PLAN INCLUDING PARKING ASSESSMENT AND TRANSIT 5-10 YEAR SERVICE PLAN

The proponent's attention is directed to the fact that all applicable Federal Laws, State Laws, Municipal Ordinances, and the rules and regulations of all authorities having jurisdiction over said item shall apply to the proposal throughout, and they will be deemed to be included in the proposal document the same as though herein written out in full.

The City of Santa Fe is an Equal Opportunity Employer and all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, sexual orientation or national origin. The successful proponent will be required to conform to the Equal Opportunity Employment regulations.

Proposals may be held for sixty (60) days subject to action by the City. The City reserves the right to reject any of all proposals in part or in whole. Proposal packets are available by contacting: City of Santa Fe, Purchasing Office, 200 Lincoln Ave Rm122 Santa Fe, New Mexico, 87505, (505) 955-6432.

CPO 11/22/19.

Purchasing Officer

Received by the Santa Fe New Mexican Newspaper on: November 22, 2019
To be published on: November 27, 2019

Received by the Albuquerque Journal Newspaper on: November 22, 2019
To be published on: November 27, 2019

PROPOSAL SCHEDULE

RFP # '20/09/P

1.	Advertisement	November 27th, 2019
2.	Issuance of RFP'S:	November 27th, 2019
3.	Receipt of proposals:	December 30th, 2019 at 3:00 p.m. local prevailing time. Purchasing Office 200 Lincoln Ave Rm 122 Santa Fe, New Mexico 87501
4.	Evaluation of proposals:	January 7th, 2019
5.	Interviews:	January21st, 2020
6.	Recommendation of award to Finance Committee:	February 17th, 2020
7.	Recommendation of award to City Council:	February 26th, 2020

DATES OF CONSIDERATION BY FINANCE COMMITTEE AND CITY COUNCIL ARE TENTATIVE AND SUBJECT TO CHANGE WITHOUT NOTICE.

INFORMATION FOR PROPONENTS

1. RECEIPT OF PROPOSALS

The City of Santa Fe (herein called "City"), invites firms to submit one electronic file and two copies of the proposal. Proposals will be received by the Purchasing Office, until 3:00 p.m. local prevailing time, December 30, 2019.

The packets shall be submitted and addressed to the Purchasing Office, at 200 Lincoln Ave Rm122 Santa Fe, New Mexico 87505. No late proposals will be accepted whether hand delivered, mailed or special delivery. Do not rely on "overnight delivery" without including some lead-time. "Overnight delivery" will be determined to be non-responsive if delivered late, no matter whose fault it was. It is recommended that extra days be included in the anticipated delivery date to ensure delivery is timely. The Purchasing Office is closed 12:00 p.m. to 1:00 p.m. The outside of the envelope should clearly indicate the following information:

Proposal number: '20/09/P
Title of the proposal:
Name and address of the proponent:

Any proposal received after the time and date specified shall not be considered. No proposing firm may withdraw a proposal within 60 days after the actual date of the opening thereof.

2. PREPARATION OF PROPOSAL

Vendors shall comply with all instructions and provide all the information requested. Failure to do so may disqualify your proposal. All information shall be given in ink or typewritten. Any corrections shall be initialed in ink by the person signing the proposal.

This request for proposal may be canceled or any and all proposals may be rejected in whole or in part, whenever the City of Santa Fe determines it is in the best interest of the city.

3. ADDENDA AND INTERPRETATIONS

No oral interpretation of the meaning of any section of the proposal documents will be binding. Oral communications are permitted in order to make an assessment of the need for an addendum. Any questions concerning the proposal must be addressed prior to the date set for receipt of proposal.

Every request for such interpretation should be in writing addressed to, Purchasing Officer, 200 Lincoln Ave Rm 122 Santa Fe, New Mexico, 87501 and to be given

consideration must be received at least (5) days prior to the date set for the receiving of proposals.

Any and all such interpretations and any supplemental instruction will be in the form of written addenda to the RFP, which if issued, will be delivered to all prospective firms not later than three days prior to the date fixed for the receipt of the proposals. Failure of any proposing firm to receive any such addenda or interpretations shall not relieve such firm from any obligation under their proposal as submitted. All addenda so issued shall become part of the contract documents.

The City reserves the right to not comply with these time frames if a critical addendum is required or if the proposal deadline needs to be extended due to a critical reason in the best interest of the City of Santa Fe.

4. LAWS AND REGULATIONS

The proposing firm's attention is directed to the fact that all applicable Federal Laws, State Laws, Municipal Ordinances, and the rules and regulations of all authorities having jurisdiction over said item shall apply to the contract throughout. They will be deemed to be included in the contract the same as though herein written out in full.

5. METHOD OF AWARD

The proposal is to be awarded based on qualified proposals as per the enclosed rating system and at the discretion and consideration of the governing body of the City of Santa Fe. The selection committee may interview the top three rated proponents; however, contracts may be awarded without such interviews. At its discretion the city reserves the right to alter the membership or size of the selection committee. The City reserves the right to change the number of firms interviewed.

6. COMPLIANCE WITH CITY'S MINIMUM WAGE RATE ORDINANCE (LIVING WAGE ORDINANCE)

A copy of the City of Santa Fe Ordinance No. 2003-8, passed by the Santa Fe City Council on February 26, 2003 is attached. The proponent or bidder will be required to submit the proposal or bid such that it complies with the ordinance to the extent applicable. The recommended Contractor will be required to comply with the ordinance to the extent applicable, as well as any subsequent changes to the Ordinance throughout the term of this contract.

7. CITY LOCAL PREFERENCE

A state of New Mexico Taxation and Revenue Department Resident Business Certification of eligibility must be attached. If an offer is received without a copy of the appropriate State

of New Mexico Taxation and Revenue Department issued Resident Business Certificate, the preference will not be applied.

The City shall apply the following definitions and preferences:

1) "resident business" means a business that has a valid resident business certificate issued by the taxation and revenue department pursuant to Section 13-1-22, and which shows that the resident business resides within the Santa Fe municipal limits.

2) When the city makes a purchase using a formal bid process, the public body shall deem a bid submitted by a resident business to be 3% percent lower than the bid actually submitted. In addition, if the bid includes subcontractors who are also resident businesses, the public body shall deem a bid submitted by a resident business with resident business subcontractors to be 6% lower than the bid actually submitted. If a non-resident business hires all resident business subcontractors, the public body shall deem the bid to be 3% percent lower than the bid actually submitted.

3) When the city makes a purchase using a formal request for proposals process, not including contracts awarded on a point-based system, the city shall award an additional:

   (a) three percent or the total weight of all the factors used in evaluating the proposals to a resident business; and

   (b) three percent or the total weight of all the factors used in evaluating the used in evaluating the proposals to a business with all resident business subcontractors.

4) When the city makes a purchase using a formal request for proposals process, and the contract is awarded based on a point-based system, the city shall award additional points equivalent to:

   (1) three percent of the total possible points to a resident business: and

(2) three percent of the total possible points to a business with all resident business subcontractors.

5) The maximum available local preference shall be 6%.

6) Competitive sealed proposals valued in excess of one million dollars ($1,000,000.00)

(1) If the bid or proposal includes to subcontractors who are also resident business, the public body shall deem a bid or proposal submitted by a resident business to be six percent (6%) lower than the bid actually submitted, if and only if at least fifty percent (50%) of the subcontracted services go to subcontractors who are resident businesses.

(2) If a non-resident business hires resident business subcontractors, the public body shall deem the bid or proposal to be three percent (3%) lower than the bid actually submitted, if and only at least fifty percent (50%) of the subcontracted services go to subcontractors who are resident businesses."

8. PROTESTS AND RESOLUTIONS PROCEDURES

Any proponent, offeror, or contractor who is aggrieved in connection with a procurement may protest to the Purchasing Officer. The protest must be in writing and submitted within fifteen (15) days and requirements regarding protest and resolution of protests are available from the Purchasing Office upon request.

SPECIAL CONDITIONS

1. GENERAL

When the City's Purchasing Officer issues a purchase order document in response to the vendor's bid, a binding contract is created.

2. ASSIGNMENT

Neither the order, nor any interest therein, nor claim under, shall be assigned or transferred by the vendor, except as expressly authorized in writing by the City Purchasing

Officer's Office. No such consent shall relieve the vendor from its obligations and liabilities under this order.

3. **VARIATION IN SCOPE OF WORK**

No increase in the scope of work of services or equipment after award will be accepted, unless means were provided for within the contract documents. Decreases in the scope of work of services or equipment can be made upon request by the city or if such variation has been caused by documented conditions beyond the vendor's control, and then only to the extent, as specified elsewhere in the contract documents.

4. **DISCOUNTS**

Any applicable discounts should be included in computing the bid submitted. Every effort will be made to process payments within 30 days of satisfactory receipt of goods or services. The City Purchasing Officer shall be the final determination of satisfactory receipt of goods or services.

5. **TAXES**

The price shall include all taxes applicable. The city is exempt from gross receipts tax on tangible personal property. A tax exempt certificate will be issued upon written request.

6. **INVOICING**

(A) The vendor's invoice shall be submitted in duplicate and shall contain the following information: invoice number and date, description of the supplies or services, quantities, unit prices and extended totals. Separate invoices shall be submitted for each and every complete order.

(B) Invoice must be submitted to ACCOUNTS PAYABLE and NOT THE CITY PURCHASING AGENT.

7. **METHOD OF PAYMENT**

Every effort will be made to process payments within 30 days of receipt of a detailed invoice and proof of delivery and acceptance of the products hereby contracted or as otherwise specified in the compensation portion of the contract documents.

8. **DEFAULT**

The City reserves the right to cancel all or any part of this order without cost to the City if the vendor fails to meet the provisions for this order, and except as otherwise provided herein, to hold the vendor liable for any excess cost occasioned by the city due to the vendor's default. The vendor shall not be liable for any excess cost if failure to perform the order arises out of causes beyond the control and with the fault or negligence of the Vendor and these causes have been made known to the City of Santa Fe in written form within five working days of the vendor becoming aware of a cause which may create any delay; such causes include, but are not limited to, acts of God or the public enemy, acts of the State or of the Federal Government, fires, floods, epidemics, quarantine restrictions,

strikes, freight embargoes, unusually severe weather and defaults of sub-contractors due to any of the above unless the city shall determine that the suppliers or services to be furnished by the sub-contractor are obtainable from other sources in sufficient time to permit the vendor to meet the required delivery schedule. The rights and remedies of the city are not limited to those provided for in this paragraph and are in addition to any other rights provided for by law.

9. **NON-DISCRIMINATION**

By signing this City of Santa Fe bid or proposal, the vendor agrees to comply with the Presidents Executive Order No. 11246 as amended.

10. **NON-COLLUSION**

In signing this bid or proposal, the vendor certifies they have not, either directly or indirectly, entered into action in restraint of full competition in connection with this bid or proposal submittal to the City of Santa Fe.

SCOPE OF SERVICES
'20/09/P

BACKGROUND

The City of Santa Fe invites you to respond to this "Request for Proposals" for the development of the 2020 – 2025 Multimodal Transition Plan including Parking Assessment and Transit 5-10 Year Service Plan. The project proposal shall be received no later than, December 30, 2019 by 3:00 p.m.

The 2020-2025 Multimodal Transition Plan will be developed in coordination with the Santa Fe Metropolitan Planning Organization (MPO) with the goal of specifically identifying infrastructure improvement projects, policies and programs that support efficient management and investments in parking solutions, active transportation, mobility management, and transit investments specific to the City of Santa Fe's Transit Division services (Santa Fe Trails, Santa Fe Pick-up and Santa Fe Ride). The purpose of the plan is to develop a 5-10 year blueprint for improving strategic areas within the city's urban fabric and transportation network that addresses key mobility needs to provide better travel choices for the residents, visitors and employees of the city.

- The City of Santa Fe's urban and suburban growth pattern provides both challenges and opportunities for enhancing mobility choices. The downtown urban core has the advantages of commercial and residential densities that enable public parking management including on-street parking, walkability, and access to a variety of transit services and key bikeway corridors. As the City has developed outward the land use pattern is more identifiable as suburban development with off-street parking, wider roads, and separated and lower density land uses. It is the City's desire to identify study areas within the City where the capacity to increase multi-mobility operations and improvements exist.

- The Santa Fe Trails fixed route system launched in January of 1993, is the city of Santa Fe's small urban transit system and provides the greatest level of fixed service to the area. Santa Fe Trails is serviced by a fleet of 32 state-of-the-art buses and hosts 10 distinct routes. The Transit Division also operates the Santa Fe Pick-Up which provides free shuttles around downtown and to Museum Hill utilizing 4 cutaway vans and Santa Fe Ride the Complementary Paratransit Service for ADA and seniors with 18 vehicles of varying sizes. Santa Fe Trails was the nation's first transit system to operate its entire fleet with cleaner burning compressed natural gas (CNG). Its mission is to provide transit service in the City of Santa Fe (and parts of Santa Fe County) to get area residents and visitors where life takes them and boasts an annual ridership close to 1 million. The purpose of the 5-10 Transit Service Plan is to develop a comprehensive review of the City's existing transit services, identifying any changes in transit need/demand, and ways of delivering service and producing a plan to best address the City's needs over the next 5 and 10 years. Geographically, the plan will focus on the City's entire service area as well as connective

services to NCRTD, NMDOT Park and Ride, and Rail Runner Express train service. The plans, proposals and recommendations arising out of the update must consider not only mobility issues but also related topics such as economic development, air quality, housing, job creation, access to healthcare and education, environmental sustainability and energy consumption. The Service Plan will demonstrate equitable service provision throughout the City's service limits to the extent feasible. This plan should also consider future opportunities and provide a safe, reliable and revolutionized mode of transportation in concert with the City's Mission and Vision statements.

- City's Parking Division was established in 1982 by consolidating all municipal parking functions into one "responsibility center" with the goals of providing improved parking services and making parking functions financially self-sufficient without any subsidy from the City's General Fund. Financially, the division operates as an Enterprise Fund which combines all parking revenues and expenditures in a special fund separate from other City finances. The Parking Enterprise Fund provides a unified funding category dedicated to the delivery, improvement and expansion of municipal parking facilities and services.

PLAN OVERVIEW

A. Multimodal Transition Plan – Starting with existing plans, land uses, transportation systems and programs this analysis shall identify key urban areas (not to exceed six) that have measurable capacity to increase multimodal usage through investments in infrastructure, policies and programs. These will include urban design, landscape architecture, land use zoning, transportation systems, environmental planning and other approaches that incorporate a comprehensive approach to reducing dependence on the automobile and increase livability.

B. The Transit Division 5-10 Year Service Plan – The City of Santa Fe is seeking to increase its efficiency of transit services with a review of the costs and benefits of service reorganization and expansion. The Santa Fe Metropolitan Public Transit Master Plan will provide baseline information to help inform the service plan. The plan will include updates to demographics, review of existing service routes/schedules and the development of recommended service improvements.

C. Santa Fe Parking Assessment – The City is seeking to assess and study existing parking management services. The study will identify specific study areas in conjunction with the Multimodal Transition Plan and derive a baseline analysis of existing parking availability both public and private, how the parking is being utilized and identify demand and capacity. The assessment shall analyze parking occupancy, duration and turnover and present findings in a manner that identifies strategies for improved efficiency and also measured approaches to public/private parking that leverages the City's capacity to increase active transportation and multi-modal uses. The City will also benefit from baseline assessment of private parking within the study areas with the goal of providing recommendations to its land use code regarding parking standards. The parking

assessment shall also inform a comprehensive suite of recommendations that may advance the goals derived in the overall Multimodal Transition Plan.

D. Plan Outcomes – Each of the core elements as described will be reviewed and the 5-10 year blueprint for improving strategic areas within the city's urban fabric and transportation network shall be developed with primary goals of minimizing demand for private vehicles and vehicle storage, increasing walkability, active transportation, transit ridership, and increased community and economic vitality. Objectives to these goals may include, but are not limited to; recommended programs, projects, policies, code revisions, public investments and marketing strategies.

SCOPE OF SERVICES

Task 1. Meetings

1) Project Team Kick-Off Meeting – Refine scope, begin process for the identification of the specific study areas (not to exceed six) required for the project.
2) Bi-Weekly Team Meetings – Identify times to meeting for the coordination and communication of project management and progress with MPO and City staff as necessary.

Task 2. Plan Coordination and Public Engagement.

1) The scope of work anticipates that each step listed below is done in coordination with all three elements of this planning effort to maximize efficiency in project management including public engagement which is anticipated to be developed in a unified manner to inform all three elements.

Task 3. Multi-Modal Transition Plan

1) Study Area Identification – Specific study areas based on existing urban elements such as density, existing and potential transit, active transportation and public parking services shall be identified to commence plan analysis.
2) Website/Communications/Social Media Integration
    a. Review existing City web services related to elements of this plan and recommend an integrated web based approach to provide the public with seamless access to information to maximize their multi-modal options/services
3) Develop plan purpose, goals, and objectives
4) Collect data and information
5) Review prior relevant studies and plans
6) Analyze existing and future conditions
7) Conduct field studies
8) Interview stakeholders
9) Develop individual plan elements for each mode and for various policies
10) Refine recommendations
11) Prepare draft plan document for review
12) Develop the implementation strategy and identify funding sources

Task 4. Transit Service Plan (5 to 10 years)
The plan shall include:

1. Existing Service Assessment; and
2. Future Recommended Service Opportunities; and
3. Implementation Strategies

The plan will consider the general needs of the traveling public as well as the specific needs of particular sub- markets including, but not necessarily limited to, businesses, higher education students, K-12 school-aged children, elderly people, veterans, and people with disabilities. The plan will also consider people who do not currently use local public transportation. The plan will describe how non-users may be encouraged to become transit passengers by identifying what specific barriers or objections non-users have and how Santa Fe Trails might overcome those barriers or objections.

The plan will include a financial component that describes the costs, both capital and operating, of undertaking plan recommendations and will recommend implementation strategies and metrics for plan elements, including discussion of priorities, staffing levels, levels of service and timing issues.

1) Transit Needs Assessment
The needs assessment will characterize the transit needs of people traveling within, and to and from the City's service territory. Transit needs will be described for both the present and future time periods, up to the year 2025 and 2030. The needs assessment will include an evaluation of the existing transit system's ability to meet those travel needs and will identify those needs which are not met by the existing system.

The needs assessment shall describe the consequences of current and future unmet transit needs in terms of mobility, economic impacts, safety, social impacts, and environmental impacts.

The needs assessment shall be informed and guided by stakeholder and public involvement and be subject to a process of review, comment and possible revisions, based on stakeholder, public involvement and City/MPO staff input. Community meetings will be held in each of the four City Council Districts to maximize geographically diverse populations.

Area Profile and Review of Existing Services

i. Vehicle/Equipment Inventory
ii. Current and Future Demographics (Land Use Development Patterns)
iii. Public Input – Need to look at none traditional means to solicit input
    a. Passenger, General Public Survey and Stakeholder Forums
    b. Updates and feedback via the Transit Advisory Board

(The community meeting dates will be publicized at least two weeks prior to the meeting, and will be advertised in appropriate media, i.e. newspapers, radio, and/or

flyers. Contractor should utilize emailing lists from each of the local government units to reach a broad segment of each communities' constituencies. Sign-in sheets will be retained to verify attendance; an agenda will also be established by Contractor and City/MPO staff and retained for verification. Minutes of the meeting will be kept and responses to all questions will be documented for inclusion in the plan.)

2) Develop future service scenarios, opportunities and improvements
    - Existing Fixed Route model (Route Structure and Performance Indicators)
    - Redesign Exiting Routes and/or Design New Routes
    - Micro/Macro Transit/Demand Response/TNC Partnerships/Mobility on Demand opportunities
    - Coordination with NCRTD/Rail Runner/Park and Ride and other entities
    - Service and Staffing Level Recommendations
    - The Contractor will be provided direct access and shall utilize Santa Fe Trails existing route planning software where possible to assess current services, create/modify services for the future, and demonstrate impacts to the region. The plan will provide the following details with respect to future proposed operations:

        i. Types, or modes, of service to be provided (fixed-route bus service, para-transit- flex or deviated-route bus service, demand response services, commuter, bus rapid transit, micro transit service, etc.)
        ii. Routes and/or locations of the service
        iii. Existing schedule brochure review and assessment, recommendations for future improvements
        iv. Geographic service area
        v. Days and hours of service
        vi. Vehicle requirements
        vii. Staffing requirements
        viii. Facility requirements
    - Develop a financial and capital plan (menu of options) include economic value from public transit
    - Recommend an implementation strategy
    - Review of Paratransit Services
    - Develop strategic scenarios that include elements in technological advances such as coordination and/or integration with ride-share services, autonomous vehicles
3) First/Last Mile Strategies
    - Shared Mobility Options
4) Fare structure Assessment
    - High level pros and cons for free fare
    - Payment Systems

As further information to Contractors, the following issues should be addressed by the plan:

- What is an optimal transit plan now, 5 and 10 years from now?
- Is the City effectively leveraging their strengths and optimizing their resources?
- Are there services or relationships that should develop out of collaboration?
- Is there a duplication of services and efforts?
- Are there existing services that should no longer be provided?
- Is the method of delivery appropriate or is there another better approach?
- What factors must be measured to determine the success of each transit mode/initiative?
- What current transit services/initiatives are most successful? How successful are they? What makes them successful?
- What current transportation services/initiatives are not as successful as desired?
- Should these transportation services/initiatives be improved and kept, or be cut?
- If these services/initiatives should be kept, what specifically should be done to improve them to make them successful?
- What is the cost-benefit for improving each under-performing transit service/initiative?
- What services and planning efforts are being duplicated among the City and other local stakeholders?
- What opportunities for collaboration exist and how does the City move toward further collaboration with each stakeholder?

Task 5. Parking Assessment

1) Assessment – The Assessment shall contain the following elements
   - Existing Conditions Inventory/Analysis
     i. The existing conditions analysis will provide real-time data on parking that City staff, developers, and the community can use to understand the parking conditions within the designated study areas.
     ii. Review the current land use code/zoning ordinance relative to parking regulations for study areas.
     iii. Assess current operational practices including investments in technology
   - Supply/Demand -Develop future parking supply/demand forecast for each study area
   - Stakeholder Input – Gather input from key stakeholders (major business/property owners)
   - Goal Identification – The management of curbside and parking resources are essential to achieving strategic goals. These goals, framing up the Multi-Modal Transition Plan, need to be agreed upon and integrated in a manner that the following recommendations steps begin to implement them.
   - Develop recommendations the City can implement to address challenges and opportunities that also advance multi-modal goals and objectives identified in the overall plan.

i. Recommendations to include a description, benefits, obstacles to implementation, responsible parties, costs, and implementation timeframe/steps.
ii. In coordination with the identified study areas identified, review and make recommendations as regards to the City's off-street parking requirements found within all appropriate local development regulations.
iii. Recommendation of underground and surface parking facilities including garages that may meet derived parking supply and demand in a manner that maximizes land use efficiencies including increased densities, access to transit, multi-use trails and other amenities that reduce vehicle dependency.
iv. Public and private partnership opportunities should be included for consideration of recommendations.
v. Develop strategies to implement recommendations in two, five and ten year increments. Consider comprehensive solutions that aim to maximize both parking management and regulation and multi-modal transition goals. Include infrastructure investments, policies, and education and enforcement.

Task 6: Plan Integration

1) Development of the 5-10 year blueprint with recommendations.
   - Within the selected study areas key findings from each of the above tasks shall be integrated in a manner that offers the City of Santa Fe a suite of options in the form of objectives. These shall include costs and benefits and be detailed in a temporal and organized manner that provide decision makers measured (performance based) steps to derived goals within five and ten years.

SUBMITTAL REQUIREMENTS
'20/09/P

Consultant Team and Resumes

Provide a personnel summary of individuals participating including roles, task-lead responsibility, percentage of the project, and professional resumes. Identify relevant similar projects and the contributions of the individuals.

Consultant's Experience

Describe experience with similar Transportation, Parking and Transit Plans. Identify previous project work experience that is relevant to this project. Highlight the key features and benefits produced by the Consultant in that project. Identify which of the team members proposed for this project also worked on the example project. Provide contact names, phone number and e-mail addresses for at least four (4) representative example projects.

ANTICIPATED WORK TASKS AND CONSULTANT'S PROJECT UNDERSTANDING AND APPROACH

Provide a clear statement of the project, including the overall objectives and key challenges as your team understands them. Provide an outline of specific tasks to be performed indicating what will be done, in what sequence, and as led by whom. Describe key features of the planning approaches that could be employed by the project team, noting any previous experience with these features.

- List all major tasks and activities (see discussion of tasks below)
- List all deliverables
- List any key assumptions
- List any optional services or deliverables and identify why/when these should be included
- Propose a project schedule
- Describe project management approach
- Describe project staffing plan and lead office location
- Provide cost estimates for each Task as proposed

EVALUATION CRITERIA
&
WEIGHTED VALUES

EVALUATION COMMITTEE MEMBERS

At its discretion, the City reserves the right to alter the membership and size of the committee.

Scores of the evaluation committee members will be totaled to determine the top rated firms.

If interviews are conducted for the top three rated firms, those scores totaled from the evaluation committee members from the interview evaluations will determine the final top rated firm, unless other tangible extenuating circumstances are documented.

Unless noted elsewhere in this RFP, the same evaluation form will be used to separate the interview scores.

EVALUATION CRITERIA FORM

RFP '19/49/P

Electrical Engineering Services, On-Call

NAME OF FIRM: _____

The consultant selection, or short listing for interviews, will be based upon evaluation of the proposal and the Firm's qualifications, relative to the evaluation criteria.

Proposal Component	Weighted Value	(1=low, 10=high)	Total Score	Max Score
Approach/ Methodology: *Grasp of project requirements*	10			100
Relevant experience of firm and specific qualifications & experience of project team, demonstrated by previous projects related to wastewater treatment aeration system projects and other work elements as outlined in the Scope of Work.	20			200
Past Performance: *The quality and timeliness of previous work for the City or other entity; the demonstrated ability to complete projects satisfactorily, to complete work within budget and to meet schedules. The demonstration of interfacing and collaborating with owners. The demonstration of completing a aeration system upgrade project similar in which the client was satisfied.*	10			100
Innovative Elements: *The level of attention developed that intends to address the scope in a manner that is innovative, creative and strives to address meet the scope.*	15			150
Work Plan & Project Schedule: Discussion of work elements and time frames	10			100
Work Load: *Consultant's staff size related to current uncompleted work and the amount of work proposed under this project. The amount of city work, if any, not yet 75% complete.*	10			100
Proposed Fees: *Is fee reasonable for scope and schedule? A very low fee may reflect a narrow scope, missing scope or a reduced amount of qualified engineer time. A very high fee may reflect us paying firm's learning curve, higher than normal area pay rates or higher effort than is required.*	25			250
Total Score	**100**			**1000**

Please do not minimize the importance of an adequate response in any area.

SELECTION COMMITTEE
EVALUATOR SIGNATURE: _____DATE: _

FEDERAL CHANGES 2 CFR 200

Federal Changes - Contractor shall at all times comply with all applicable FTA regulations, policies, procedures and directives, including without limitation those listed directly or by reference in the Master Agreement between Purchaser and FTA, as they may be amended or promulgated from time to time during the term of this contract. Contractor's failure to so comply shall constitute a material breach of this contract.

CIVIL RIGHTS REQUIREMENTS 29 U.S.C. § 623, 42 U.S.C. § 2000
42 U.S.C. § 6102, 42 U.S.C. § 12112
42 U.S.C. § 12132, 49 U.S.C. § 5332
29 CFR Part 1630, 41 CFR Parts 60 et seq.

Civil Rights - The following requirements apply to the underlying contract:

(1) Nondiscrimination - In accordance with Title VI of the Civil Rights Act, as amended, 42 U.S.C.

§ 2000d, section 303 of the Age Discrimination Act of 1975, as amended, 42 U.S.C. § 6102, section 202 of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12132, and Federal transit law at 49 U.S.C. § 5332, the Contractor agrees that it will not discriminate against any employee or applicant for employment because of race, color, creed, national origin, sex, age, or disability. In addition, the Contractor agrees to comply with applicable Federal implementing regulations and other implementing requirements FTA may issue.

(2) Equal Employment Opportunity - The following equal employment opportunity requirements apply to the underlying contract:

(a) Race, Color, Creed, National Origin, Sex - In accordance with Title VII of the Civil Rights Act, as amended, 42 U.S.C. § 2000e, and Federal transit laws at 49 U.S.C. § 5332, the Contractor agrees to comply with all applicable equal employment opportunity requirements of U.S. Department of Labor (U.S. DOL) regulations, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor," 41 C.F.R. Parts 60 et seq., (which implement Executive Order No. 11246, "Equal Employment Opportunity," as amended by Executive Order No. 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," 42

U.S.C. § 2000e note), and with any applicable Federal statutes, executive orders, regulations, and Federal policies that may in the future affect construction activities undertaken in the course of the Project. The Contractor agrees to take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, creed, national origin, sex, or age. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. In addition, the Contractor agrees to comply with any implementing requirements FTA may issue.

(b) Age - In accordance with section 4 of the Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. § § 623 and Federal transit law at 49 U.S.C. § 5332, the Contractor agrees to refrain from discrimination against present and prospective employees for reason of age. In addition, the Contractor agrees to comply with any implementing requirements FTA may issue.

(c) Disabilities - In accordance with section 102 of the Americans with Disabilities Act, as amended, 42 U.S.C. § 12112, the Contractor agrees that it will comply with the requirements of

U.S. Equal Employment Opportunity Commission, "Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act," 29 C.F.R. Part 1630, pertaining to employment of persons with disabilities. In addition, the Contractor agrees to comply with any implementing requirements FTA may issue.

(3) The Contractor also agrees to include these requirements in each subcontract financed in whole or in part with Federal assistance provided by FTA, modified only if necessary, to identify the affected parties.

NEW MEXICO DEPARTMENT OF TRANSPORTATION TRANSIT AND RAIL DIVISION: DISADVANTAGED BUSINESS ENTERPRISE RACE-NEUTRAL IMPLEMENTATION AGREEMENT FOR FEDERAL TRANSIT ADMINISTRATION SUBRECIPIENTS

INTRODUCTION AND INSTRUCTIONS:

The New Mexico Department of Transportation (NMDOT) Transit and Rail Division, through the NMDOT Office of Equal Opportunity Programs (OEOP), must ensure that Subrecipient of Federal Transit Administration (FTA) funds meet applicable DBE requirements when funds are used in whole or in part to finance procurement and contracts of products and service(s). To that end, Subrecipient with contracting opportunities must submit a *Disadvantaged Business Enterprise Race-Neutral Implementation Agreement for Federal Transit Administration Subrecipients* (Agreement).

Please read the entire Agreement before completing, and do not change or add to the wording of the Agreement. The Agreement is incorporated into and becomes a material part of your contract with NMDOT, and Subrecipients are responsible for complying with the requirements contained therein.

DISADVANTAGED BUSINESS ENTERPRISE RACE-NEUTRAL IMPLEMENTATION AGREEMENT for North Central Regional Transit District (NCRTD) hereinafter referred to as "**Subrecipient.**"

I. Definition of Terms

The terms used in this agreement have the meanings defined in 49 CFR Part 26.5.

II. OBJECTIVE/POLICY STATEMENT (§26/1. 26/23)

The Subrecipient intends to receive federal financial assistance from the U.S. Department of Transportation (USDOT) through the New Mexico Department of Transportation (NMDOT), and as a condition of receiving this assistance, the Subrecipient will sign the New Mexico Department of Transportation's Disadvantaged Business Enterprise Race Neutral Implementation Agreement (hereinafter referred to as Agreement).

The Subrecipient must implement a policy to ensure that DBEs, as defined in 49 CFR Part 26 (also referred to as the DBE Program), have an equal opportunity to receive and participate in USDOT-assisted contracts. It is also their policy:
To ensure nondiscrimination in the award and administration of USDOT-assisted procurement and contracts of products and services contracts.
To create a level playing field on which DBE's can compete fairly for USDOT-assisted procurement and contracts of products and services contracts.
To ensure that their annual overall DBE participation percentage is narrowly tailored, in accordance with applicable law.
To ensure that only firms that fully meet 49 CFR, Part 26 eligibility standards are permitted to participate as DBEs.
To help remove barriers to the participation of DBEs in USDOT-assisted procurement and contracts of products and services contracts.
To assist the development of firms that can compete successfully in the market place outside the DBE Program.

III. Nondiscrimination (§26.7)

Subrecipient will never exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone in connection with the award and performance of any contract covered by 49 CFR Part 26 on the basis of race, color, sex, or national origin. Subrecipient will not, directly, or through contractual or other arrangements, use criteria or methods of administration that have the effect of defeating or substantially impairing accomplishment of the objectives of the DBE Program with respect to individuals of a particular race, color, sex, or national origin.

IV. Race-Neutral Means of Meeting the Annual DBE Goal (§26.51)

Subrecipient will assist NMDOT to achieve its Overall Statewide DBE Goal by race-neutral means of facilitating DBE participation. Race-neutral DBE participation includes any time a DBE wins a prime contract through customary competitive procurement procedures, is awarded a subcontract on a prime contract that does not carry a DBE goal, or even if there is a DBE goal, wins a subcontract from a prime contractor that did not consider its DBE status in making the award (e.g., a prime contractor that uses a strict low-bid system to award subcontracts).
Race-neutral means include, but are not limited to, the following:

1. Arranging solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate DBE, and other small businesses, participation (e.g., unbundling large contracts to make them more accessible to small businesses, requiring or encouraging prime contractors to subcontract portions of work that they might otherwise perform with their own forces);

2. Providing assistance in overcoming limitations such as inability to obtain bonding or financing (e.g., by such means as simplifying the bonding process, reducing bonding requirements, eliminating the impact of surety costs from bids, and providing services to help DBEs, and other small businesses, obtain bonding and financing);

3. Providing technical assistance and other services;

4. Carrying out information and communication programs on contracting procedures and specific contract opportunities (e.g., ensuring the inclusion of DBEs, and other small businesses, on recipient mailing lists of bidders; ensuring the dissemination to bidders on prime contracts of lists of potential subcontractors; provision of information in languages other than English, where appropriate);

5. Implementing a supportive services program to develop and improve immediate and long-term business management, record keeping, and financial and accounting capability for DBEs and other small businesses;

6. Providing services to help DBEs, and other small businesses, improve long-term development, increase opportunities to participate in a variety of kinds of work, handle increasingly significant projects, and achieve eventual self-sufficiency;

7. Establishing a program to assist new, start-up firms, particularly in fields in which DBE participation has been historically low;

8. Ensuring distribution of the New Mexico DBE directory, through print and electronic means, to the widest feasible universe of potential contractors; and

9. Assisting DBEs, and other small businesses, to develop their capability to utilize emerging technology and conduct business through electronic media.

Subrecipient will encourage utilization of DBE contractors whenever possible on its USDOT-assisted contracts. New Mexico Certified DBE firms and the fields of work in which they participate are listed in the electronic web-based DBE Directory located at https://nmdot.dbesystem.com

V. Quotas (§26.43)

Subrecipient will not use quotas or set-asides in any way in the administration of the DBE Program.

VI. DBE Liaison Officer (§26.25)

Subrecipient must designate a DBE Liaison Officer (DBELO). The DBELO is responsible for implementing the DBE Program as it pertains to the Subrecipient and ensures that the Subrecipient is fully and properly advised concerning DBE Program matters.

VII. Federal Financial Assistance Agreement Assurance (§26.13)

The Subrecipient will sign the following assurance, applicable to and to be included in all USDOT-assisted procurements and contracts for products and services:

The recipient shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any USDOT-assisted contract, or in the administration of its DBE Program, or the requirements of 49 CFR Part 26. The recipient shall take all necessary and reasonable steps under 49 CFR, Part 26 to ensure nondiscrimination in the award and administration of USDOT-assisted contracts. The recipient's DBE Program, as required by 49 CFR, Part 26 as approved by USDOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the recipient of its failure to carry out its approved program, the Department may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

VIII. Required Contract Clauses (§§26.13, 26.29)

Subrecipient assures that the following clauses will be included in each USDOT-assisted prime contract: A. Contract Assurance

The contractor or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR, Part 26 in the award and administration of USDOT-assisted procurement and contracts of products and services contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy, as recipient deems appropriate.

B. Prompt Payment

Prompt Progress Payment to Subcontractors

A prime contractor or subcontractor shall pay to any subcontractor not later than 10 days of receipt of each progress payment. The 10-days is applicable unless a longer period is agreed to in writing. Any delay or postponement of payment over 30 days may take place only for good cause and with the NMDOT's prior written approval. Any violation of this Section shall subject the violating contractor or subcontractor to penalties, sanctions, and other remedies provided by law. This requirement shall not be construed to limit or impair any contractual, administrative, or judicial remedies otherwise available to the contractor or subcontractor in the event of a dispute involving late payment or nonpayment by the contractor, deficient subcontractor performance, and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors.

Prompt Payment of Retainage

Subrecipient shall include either (1), (2), or (3) of the following provisions in their USDOT-assisted contracts to ensure prompt and full payment of retainage (withheld funds) to subcontractors in compliance with 49 CFR 26.29.

1. No retainage will be held by the agency from progress payments due to the prime contractor. Prime contractors and subcontractors are prohibited from holding retainage from subcontractors. Any delay or postponement of payment may take place only for good cause and with the agency's prior written approval. Any violation of these provisions shall subject the violating contractor or subcontractor to the penalties, sanctions, and other remedies provided by law. This requirement shall not be construed to limit or impair any contractual, administrative, or judicial remedies, otherwise available to the contractor or subcontractor in the event of a dispute involving late payment or nonpayment by the contractor, deficient subcontractor performance, and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors.

2. No retainage will be held by the agency from progress payments due the prime contractor. Any retainage kept by the prime contractor or by a subcontractor must be paid in full to the earning subcontractor within 30 days after the subcontractor's work is satisfactorily completed. Any delay or postponement of payment may take place only for good cause and with the agency's prior written approval. Any violation of these provisions shall subject the violating contractor or subcontractor to the penalties, sanctions, and remedies provided by law. This requirement shall not be construed to limit or impair any contractual, administrative, or judicial remedies, otherwise available to the contractor or subcontractor in the event of a dispute involving late payment or nonpayment by the contractor, deficient subcontractor performance, and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors.

3. The agency shall hold retainage from the prime contractor and shall make prompt and regular incremental acceptances of portions, as determined by the agency of the contract work and pay retainage to the prime contractor based on these acceptances. The prime contractor or subcontractor shall return all monies withheld in retention from all subcontractors within 30 days after receiving payment for work satisfactorily completed and accepted including incremental acceptances of portions of the contract work by the agency. Any delay or postponement of payment may take place only for good cause and with the agency's prior written approval. Any violation of these provisions shall subject the violating prime contractor to the penalties, sanctions, and other remedies provided by law. This requirement shall not be construed to limit or impair any contractual, administrative, or judicial remedies, otherwise available to the contractor or subcontractor in the event of a dispute involving late payment or nonpayment by the contractor; deficient subcontractor performance; and/or noncompliance by a subcontractor. This clause applies to both DBE and non-DBE subcontractors.

IX. Bidders List (§26.11)

The Subrecipient will create and maintain a bidders list, consisting of information about all DBE and non- DBE firms that bid or quote on its USDOT-assisted procurement and contracts for products and services. The bidders list will include the name, address and telephone number of each quoting firm and whether the quoter is a New Mexico certified DBE. Subrecipient will include language in its procurement documents that requires each bidding Contractor, at the time that bids are submitted, to list the quotes received for the project as detailed above.

X. Reporting

Subrecipient will report bidders list and related DBE information to the NMDOT Transit and Rail Division or the NMDOT Office of Equal Opportunity Programs upon request.

Subrecipient will complete and submit annually to the NMDOT Office of Equal Opportunity Programs the NMDOT Annual Profile Registration Form. This Form will be mailed to Subrecipient.

Subrecipient will compile and provide such other information related to its procurements and the DBE Program as deemed necessary by the NMDOT Transit and Rail Division or the NMDOT Office of Equal Opportunity Programs.

XI. Incorporation of Agreement

This Agreement is incorporated into Subrecipient's financial assistance agreement with NMDOT by reference and made a part of that agreement.

Date:
Signature of Subrecipient Official
Phone Number:
Printed Name of Subrecipient Official

CITY OF SANTA FE (CSF)
NON-DISCLOSURE AND CONFLICT OF INTEREST STATEMENT

REQUEST FOR PROPOSAL # '

EVALUATOR NAME: _____

CSF policy is to prevent personal or organizational conflict of interest, or the appearance of such conflict of interest, in the award and administration of CSF contracts and Purchase Orders.

I, _____, the undersigned, hereby certify that the following statements are true and correct and that I understand and agree to be bound by commitments contained herein.

I am acting at the request of CSF as a participant in the evaluation of *offers/ proposals* received in response to the *Request for Offers! Request for Proposals,* entitled and/ or numbered. I am acting of my own accord and not acting under duress. I am not currently employed by, nor am I receiving any compensation from, nor have I been the recipient of any present or future economic opportunity, employment, gift, loan, gratuity, special discount, trip, favor, or service in connection with any *offer/proposal* or involved *Offeror/Proposer* in return for favorable consideration. I have no preconceived position on the relative merits of any of the *offers/proposals* nor have I established a personal preference or position on the worth or standing of any *Offeror/Proposer* participating in this action. CSF policy is to prevent personal or organizational conflict of interest, or the appearance of such conflict of interest, in the award and administration of CSF contracts, including, but not limited to contracts for professional services, agreements with consultants and Purchase Orders.

I hereby certify that to the best of my knowledge and belief, no conflict of interest exists that may diminish my capacity to perform an impartial, technically sound, objective review of this proposal(s) or otherwise result in a biased opinion or unfair competitive advantage. I agree not to disclose or otherwise divulge any information pertaining to the contents, status, or ranking of any *offer/proposal* to anyone other than the team leader or other evaluation team members. I understand the terms and "disclose or otherwise divulge" to include, but are not limited to, reproduction of any part or any portion of any *offer/proposal,* or removal of same from designated areas without prior authorization from the evaluation team leader. I agree to perform any and all evaluations of said *offers/proposals* in an unbiased manner, to the best of my ability, and with the best interest of CSF paramount in all decisions.

I agree to return to CSF Purchasing Department all copies of proposals, as well as any abstracts, upon completion of the evaluation.

_____

SIGNATURE AND DATE

CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Pursuant to NMSA 1978, § 13-1-191.1 (2006), any person seeking to enter into a contract with any state agency or local public body **for professional services, a design and build project delivery system, or the design and installation of measures the primary purpose of which is to conserve natural resources** must file this form with that state agency or local public body. This form must be filed even if the contract qualifies as a small purchase or a sole source contract. The prospective contractor must disclose whether they, a family member or a representative of the prospective contractor has made a campaign contribution to an applicable public official of the state or a local public body during the two years prior to the date on which the contractor submits a proposal or, in the case of a sole source or small purchase contract, the two years prior to the date the contractor signs the contract, if the aggregate total of contributions given by the prospective contractor, a family member or a representative of the prospective contractor to the public official exceeds two hundred and fifty dollars ($250) over the two year period.

Furthermore, the state agency or local public body shall void an executed contract or cancel a solicitation or proposed award for a proposed contract if: 1) a prospective contractor, a family member of the prospective contractor, or a representative of the prospective contractor gives a campaign contribution or other thing of value to an applicable public official or the applicable public official's employees during the pendency of the procurement process or 2) a prospective contractor fails to submit a fully completed disclosure statement pursuant to the law.

THIS FORM MUST BE FILED BY ANY PROSPECTIVE CONTRACTOR WHETHER OR NOT THEY, THEIR FAMILY MEMBER, OR THEIR REPRESENTATIVE HAS MADE ANY CONTRIBUTIONS SUBJECT TO DISCLOSURE.

The following definitions apply:

"**Applicable public official**" means a person elected to an office or a person appointed to complete a term of an elected office, who has the authority to award or influence the award of the contract for which the prospective contractor is submitting a competitive sealed proposal or who has the authority to negotiate a sole source or small purchase contract that may be awarded without submission of a sealed competitive proposal.

"**Campaign Contribution**" means a gift, subscription, loan, advance or deposit of money or other thing of value, including the estimated value of an in-kind contribution, that is made to or received by an applicable public official or any person authorized to raise, collect or expend contributions on that official's behalf for the purpose of electing the official to either statewide or local office. "Campaign Contribution" includes the payment of a debt incurred in an election campaign, but does not include the value of services provided without compensation or unreimbursed travel or other personal expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or political committee, nor does it include the administrative or solicitation expenses of a political committee that are paid by an organization that sponsors the committee.

"**Family member**" means spouse, father, mother, child, father-in-law, mother-in-law, daughter-in-law or son-in-law.

"**Pendency of the procurement process**" means the time period commencing with the public notice of the request for proposals and ending with the award of the contract or the cancellation of the request for proposals.

"**Person**" means any corporation, partnership, individual, joint venture, association or any other private legal entity.

"**Prospective contractor**" means a person who is subject to the competitive sealed proposal process set forth in the Procurement Code or is not required to submit a competitive sealed proposal because that person qualifies for a sole source or a small purchase contract.

"**Representative of a prospective contractor**" means an officer or director of a corporation, a member or manager of a limited liability corporation, a partner of a partnership or a trustee of a trust of the prospective contractor.

DISCLOSURE OF CONTRIBUTIONS:

Contribution Made by: _____

Relation to Prospective Contractor: _____

Name of Applicable Public Official: _____

Date Contribution(s) Made: _____

_____

Amount(s) of Contribution(s) _____

_____

Nature of Contribution(s) _____

_____

Purpose of Contribution(s) _____

_____

(Attach extra pages if necessary)

_____ _____

Signature Date

_____

Title (position)

--OR—

NO CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER TWO HUNDRED FIFTY DOLLARS ($250) WERE MADE to an applicable public official by me, a family member or representative.

_____ _____

Signature Date

_____

CITY OF SANTA FE

PROFESSIONAL SERVICES CONTRACT

REQUEST FOR PROPOSALS ONLY

THIS AGREEMENT is made and entered into by and between the City of Santa Fe, New Mexico, hereinafter referred to as the "City," and **NAME OF CONTRACTOR**, hereinafter referred to as the "Contractor," and is effective as of the date set forth below upon which it is executed by the Parties.

IT IS AGREED BETWEEN THE PARTIES:

1. **Scope of Work.**

A. The Contractor shall perform the following work:

The 2020-2025 Multimodal Transition Plan will be developed in coordination with the Santa Fe Metropolitan Planning Organization (MPO) with the goal of specifically identifying infrastructure improvement projects, policies and programs that support efficient management and investments in parking solutions, active transportation, mobility management, and transit investments specific to the City of Santa Fe's Transit Division services (Santa Fe Trails, Santa Fe Pick-up and Santa Fe Ride). The purpose of the plan is to develop a 5-10 year blueprint for improving strategic areas within the city's urban fabric and transportation network that addresses key mobility needs to provide better travel choices for the residents, visitors and employees of the city.

1) The City of Santa Fe's urban and suburban growth pattern provides both challenges and opportunities for enhancing mobility choices. The downtown urban core has the advantages of commercial and residential densities that enable public parking management including on-street parking, walkability, and access to a variety of transit services and key bikeway corridors. As the City has developed outward the land use pattern is more identifiable as suburban development with off-street parking, wider roads, and separated and lower density land uses. It is the City's desire to identify study areas within the City where the capacity to increase multi-mobility operations and improvements exist.

2) The Santa Fe Trails fixed route system launched in January of 1993, is the city of Santa Fe's small urban transit system and provides the greatest level of fixed service to the area. Santa Fe Trails is serviced by a fleet of 32 state-of-the-art buses and hosts 10 distinct routes. The Transit Division also operates the Santa Fe Pick-Up which provides free shuttles around downtown and to Museum Hill utilizing 4 cutaway vans and Santa Fe Ride the Complementary Paratransit Service for ADA and seniors with 18 vehicles of varying sizes. Santa Fe Trails was the nation's first transit system to operate its entire fleet with cleaner burning compressed natural gas (CNG). Its mission is to provide transit service in the City of Santa Fe (and parts of Santa Fe County) to get area residents and visitors where life takes them and boasts an annual ridership close to 1 million. The purpose of the 5-10 Transit Service Plan is to develop a comprehensive review of the City's existing transit services, identifying any changes in transit need/demand, and ways of delivering

service and producing a plan to best address the City's needs over the next 5 and 10 years. Geographically, the plan will focus on the City's entire service area as well as connective services to NCRTD, NMDOT Park and Ride, and Rail Runner Express train service. The plans, proposals and recommendations arising out of the update must consider not only mobility issues but also related topics such as economic development, air quality, housing, job creation, access to healthcare and education, environmental sustainability and energy consumption. The Service Plan will demonstrate equitable service provision throughout the City's service limits to the extent feasible. This plan should also consider future opportunities and provide a safe, reliable and revolutionized mode of transportation in concert with the City's Mission and Vision statements.

3) City's Parking Division was established in 1982 by consolidating all municipal parking functions into one "responsibility center" with the goals of providing improved parking services and making parking functions financially self-sufficient without any subsidy from the City's General Fund. Financially, the division operates as an Enterprise Fund which combines all parking revenues and expenditures in a special fund separate from other City finances. The Parking Enterprise Fund provides a unified funding category dedicated to the delivery, improvement and expansion of municipal parking facilities and services.

PLAN OVERVIEW

A. Multimodal Transition Plan – Starting with existing plans, land uses, transportation systems and programs this analysis shall identify key urban areas (not to exceed six) that have measurable capacity to increase multimodal usage through investments in infrastructure, policies and programs. These will include urban design, landscape architecture, land use zoning, transportation systems, environmental planning and other approaches that incorporate a comprehensive approach to reducing dependence on the automobile and increase livability.

B. The Transit Division 5-10 Year Service Plan – The City of Santa Fe is seeking to increase its efficiency of transit services with a review of the costs and benefits of service reorganization and expansion. The Santa Fe Metropolitan Public Transit Master Plan will provide baseline information to help inform the service plan. The plan will include updates to demographics, review of existing service routes/schedules and the development of recommended service improvements.

C. Santa Fe Parking Assessment – The City is seeking to assess and study existing parking management services. The study will identify specific study areas in conjunction with the Multimodal Transition Plan and derive a baseline analysis of existing parking availability both public and private, how the parking is being utilized and identify demand and capacity. The assessment shall analyze parking occupancy, duration and turnover and present findings in a manner that identifies strategies for improved efficiency and also measured approaches to public/private parking that leverages the City's capacity to increase active transportation and multi-modal uses. The City will also benefit from baseline assessment of private parking within the study areas with the goal of providing recommendations to its land use code regarding parking standards. The parking assessment shall also inform a

comprehensive suite of recommendations that may advance the goals derived in the overall Multimodal Transition Plan.

D. Plan Outcomes – Each of the core elements as described will be reviewed and the 5-10 year blueprint for improving strategic areas within the city's urban fabric and transportation network shall be developed with primary goals of minimizing demand for private vehicles and vehicle storage, increasing walkability, active transportation, transit ridership, and increased community and economic vitality. Objectives to these goals may include, but are not limited to; recommended programs, projects, policies, code revisions, public investments and marketing strategies.

SCOPE OF SERVICES

Task 1. Meetings.

1) Project Team Kick-Off Meeting – Refine scope, begin process for the identification of the specific study areas (not to exceed six) required for the project.
2) Bi-Weekly Team Meetings – Identify times to meeting for the coordination and communication of project management and progress with MPO and City staff as necessary.

Task 2. Plan Coordination and Public Engagement.

1) The scope of work anticipates that each step listed below is done in coordination with all three elements of this planning effort to maximize efficiency in project management including public engagement which is anticipated to be developed in a unified manner to inform all three elements.

Task 3. Multi-Modal Transition Plan.

1) Study Area Identification – Specific study areas based on existing urban elements such as density, existing and potential transit, active transportation and public parking services shall be identified to commence plan analysis.
2) Website/Communications/Social Media Integration
    a. Review existing City web services related to elements of this plan and recommend an integrated web based approach to provide the public with seamless access to information to maximize their multi-modal options/services
3) Develop plan purpose, goals, and objectives
4) Collect data and information
5) Review prior relevant studies and plans
6) Analyze existing and future conditions
7) Conduct field studies
8) Interview stakeholders
9) Develop individual plan elements for each mode and for various policies
10) Refine recommendations
11) Prepare draft plan document for review
12) Develop the implementation strategy and identify funding sources

Task 4. Transit Service Plan (5 to 10 years)
The plan shall include:

1) Existing Service Assessment; and
2) Future Recommended Service Opportunities; and
3) Implementation Strategies.

The plan will consider the general needs of the traveling public as well as the specific needs of particular sub- markets including, but not necessarily limited to, businesses, higher education students, K-12 school-aged children, elderly people, veterans, and people with disabilities. The plan will also consider people who do not currently use local public transportation. The plan will describe how non-users may be encouraged to become transit passengers by identifying what specific barriers or objections non-users have and how Santa Fe Trails might overcome those barriers or objections.

The plan will include a financial component that describes the costs, both capital and operating, of undertaking plan recommendations and will recommend implementation strategies and metrics for plan elements, including discussion of priorities, staffing levels, levels of service and timing issues.

1) Transit Needs Assessment.
   The needs assessment will characterize the transit needs of people traveling within, and to and from the City's service territory. Transit needs will be described for both the present and future time periods, up to the year 2025 and 2030. The needs assessment will include an evaluation of the existing transit system's ability to meet those travel needs and will identify those needs which are not met by the existing system.

   The needs assessment shall describe the consequences of current and future unmet transit needs in terms of mobility, economic impacts, safety, social impacts, and environmental impacts.

   The needs assessment shall be informed and guided by stakeholder and public involvement and be subject to a process of review, comment and possible revisions, based on stakeholder, public involvement and City/MPO staff input. Community meetings will be held in each of the four City Council Districts to maximize geographically diverse populations.

   Area Profile and Review of Existing Services
   - i. Vehicle/Equipment Inventory
   - ii. Current and Future Demographics (Land Use Development Patterns)
   - iii. Public Input – Need to look at none traditional means to solicit input
     - a. Passenger, General Public Survey and Stakeholder Forums
     - b. Updates and feedback via the Transit Advisory Board

   (The community meeting dates will be publicized at least two weeks prior to the meeting, and will be advertised in appropriate media, i.e. newspapers, radio, and/or flyers. Contractor should utilize emailing lists from each of the local government units to reach a broad segment of each communities' constituencies. Sign-in sheets will be retained to verify attendance; an agenda will also be established by Contractor and City/MPO staff and retained for verification. Minutes of the meeting

will be kept and responses to all questions will be documented for inclusion in the plan.)

2) Develop future service scenarios, opportunities and improvements.
   a) Existing Fixed Route model (Route Structure and Performance Indicators)
   b) Redesign Exiting Routes and/or Design New Routes
   c) Micro/Macro Transit/Demand Response/TNC Partnerships/Mobility on Demand opportunities
   d) Coordination with NCRTD/Rail Runner/Park and Ride and other entities
   e) Service and Staffing Level Recommendations
      1. The Contractor will be provided direct access and shall utilize Santa Fe Trails existing route planning software where possible to assess current services, create/modify services for the future, and demonstrate impacts to the region. The plan will provide the following details with respect to future proposed operations:

         i. Types, or modes, of service to be provided (fixed-route bus service, para-transit- flex or deviated-route bus service, demand response services, commuter, bus rapid transit, micro transit service, etc.)
         ii. Routes and/or locations of the service
         iii. Existing schedule brochure review and assessment, recommendations for future improvements
         iv. Geographic service area
         v. Days and hours of service
         vi. Vehicle requirements
         vii. Staffing requirements
         viii. Facility requirements

   f) Develop a financial and capital plan (menu of options) include economic value from public transit
   g) Recommend an implementation strategy
   h) Review of Paratransit Services
   i) Develop strategic scenarios that include elements in technological advances such as coordination and/or integration with ride-share services, autonomous vehicles
   j) First/Last Mile Strategies
   k) Shared Mobility Options
   l) Fare structure Assessment
   m) High level pros and cons for free fare
   n) Payment Systems

As further information to Contractors, the following issues should be addressed by the plan:

a) What is an optimal transit plan now, 5 and 10 years from now?
b) Is the City effectively leveraging their strengths and optimizing their resources?
c) Are there services or relationships that should develop out of collaboration?
d) Is there a duplication of services and efforts?
e) Are there existing services that should no longer be provided?
f) Is the method of delivery appropriate or is there another better approach?

g) What factors must be measured to determine the success of each transit mode/initiative?
h) What current transit services/initiatives are most successful?
i) How successful are they? What makes them successful?
j) What current transportation services/initiatives are not as successful as desired?
k) Should these transportation services/initiatives be improved and kept, or be cut?
l) If these services/initiatives should be kept, what specifically should be done to improve them to make them successful?
m) What is the cost-benefit for improving each under-performing transit service/initiative?
n) What services and planning efforts are being duplicated among the City and other local stakeholders?
o) What opportunities for collaboration exist and how does the City move toward further collaboration with each stakeholder?

Task 5. Parking Assessment.

1) Assessment – The Assessment shall contain the following elements
   a) Existing Conditions Inventory/Analysis:
      i. The existing conditions analysis will provide real-time data on parking that City staff, developers, and the community can use to understand the parking conditions within the designated study areas.
      ii. Review the current land use code/zoning ordinance relative to parking regulations for study areas.
      iii. Assess current operational practices including investments in technology
   b) Supply/Demand -Develop future parking supply/demand forecast for each study area.
   c) Stakeholder Input – Gather input from key stakeholders (major business/property owners).
   d) Goal Identification – The management of curbside and parking resources are essential to achieving strategic goals. These goals, framing up the Multi-Modal Transition Plan, need to be agreed upon and integrated in a manner that the following recommendations steps begin to implement them.
   e) Develop recommendations the City can implement to address challenges and opportunities that also advance multi-modal goals and objectives identified in the overall plan.
      i. Recommendations to include a description, benefits, obstacles to implementation, responsible parties, costs, and implementation timeframe/steps.
      ii. In coordination with the identified study areas identified, review and make recommendations as regards to the City's off-street parking requirements found within all appropriate local development regulations.
      iii. Recommendation of underground and surface parking facilities including garages that may meet derived parking supply and demand in a manner that maximizes land use efficiencies including increased densities, access to transit, multi-use trails and other amenities that reduce vehicle dependency.

iv. Public and private partnership opportunities should be included for consideration of recommendations.

v. Develop strategies to implement recommendations in two, five and ten year increments. Consider comprehensive solutions that aim to maximize both parking management and regulation and multi-modal transition goals. Include infrastructure investments, policies, and education and enforcement.

Task 6: Plan Integration.

1) Development of the 5-10 year blueprint with recommendations.
   a) Within the selected study areas key findings from each of the above tasks shall be integrated in a manner that offers the City of Santa Fe a suite of options in the form of objectives. These shall include costs and benefits and be detailed in a temporal and organized manner that provide decision makers measured (performance based) steps to derived goals within five and ten years.

B. *Performance Measures.*

Contractor shall substantially perform the following Performance Measures:

1) Promoting a sustainable City, where residents feel safe, and care for their environment and the well-being of those within it.

2) Creating a future in Santa Fe were all people can afford to live, and can enjoy a quality of life that is better than any other city in our country.

The receipt of the deliverables contemplated under this Agreement shall assist the City in obtaining its goal(s) as set forth in its Strategic Plan on page(s) 8 FY20 Annual Budget.

2. Compensation.

MULTI-YEAR – A. The City shall pay to the Contractor in full payment for services satisfactorily performed pursuant to the Scope of Work at the rate of ninety two thousand dollars (XXXX) in FY20. The New Mexico gross receipts tax levied on the amounts payable under this Agreement in FY20 totaling (XXXX) shall be paid by the City to the Contractor. **The total amount payable to the Contractor under this Agreement, including gross receipts tax and expenses, shall not exceed (XXXX) in FY20.**

MULTI-YEAR – A (2).The City shall pay to the Contractor in full payment for services satisfactorily performed pursuant to the Scope of Work at the rate of ninety two thousand dollars (XXXX) in FY21 The New Mexico gross receipts tax levied on the amounts payable under this Agreement in FY21 totaling (XXXX) shall be paid by the City to the Contractor. **The total amount payable to the Contractor under this Agreement, including gross receipts tax and expenses, shall not exceed (XXXX) in FY21.**

B. Payment in FY20, FY21 is subject to availability of funds pursuant to the

Appropriations Paragraph set forth below and to any negotiations between the parties from year to year pursuant to Paragraph 1, Scope of Work, and to approval by the City. All invoices MUST BE received by the City no later than fifteen (15) days after the termination of the Fiscal Year in which the services were delivered. Invoices received after such date WILL NOT BE PAID.)

C. Contractor must submit a detailed statement accounting for all services performed and expenses incurred. If the City finds that the services are not acceptable, within thirty days after the date of receipt of written notice from the Contractor that payment is requested, it shall provide the Contractor a letter of exception explaining the defect or objection to the services, and outlining steps the Contractor may take to provide remedial action. Upon certification by the City that the services have been received and accepted, payment shall be tendered to the Contractor within thirty days after the date of acceptance. If payment is made by mail, the payment shall be deemed tendered on the date it is postmarked. However, the City shall not incur late charges, interest, or penalties for failure to make payment within the time specified herein.

3. Term.

THIS AGREEMENT SHALL NOT BECOME EFFECTIVE UNTIL APPROVED BY THE CITY. This Agreement shall terminate on **June 30th 2021** unless terminated pursuant to paragraph 4 (Termination), or paragraph 5 (Appropriations). In accordance with Section 13-1-150 NMSA 1978, no contract term for a professional services contract, including extensions and renewals, shall exceed four years, except as set forth in Section 13-1-150 NMSA 1978.

4. Termination.

A. Termination. This Agreement may be terminated by either of the parties hereto upon written notice delivered to the other party at least thirty (30) days prior to the intended date of termination. Except as otherwise allowed or provided under this Agreement, the City's sole liability upon such termination shall be to pay for acceptable work performed prior to the Contractor's receipt of the notice of termination, if the City is the terminating party, or the Contractor's sending of the notice of termination, if the Contractor is the terminating party; provided, however, that a notice of termination shall not nullify or otherwise affect either party's liability for pre-termination defaults under or breaches of this Agreement. The Contractor shall submit an invoice for such work within thirty (30) days of receiving or sending the notice of termination. Notwithstanding the foregoing, this Agreement may be terminated immediately upon written notice to the Contractor if the Contractor becomes unable to perform the services contracted for, as determined by the City or if, during the term of this Agreement, the Contractor or any of its officers, employees or agents is indicted for fraud, embezzlement or other crime due to misuse of City funds or due to the Appropriations paragraph herein. *THIS PROVISION IS NOT EXCLUSIVE AND DOES NOT WAIVE THE City's OTHER LEGAL RIGHTS AND REMEDIES CAUSED BY THE CONTRACTOR'S DEFAULT/BREACH OF THIS AGREEMENT.*

B Termination Management. Immediately upon receipt by either the City or the Contractor of notice of termination of this Agreement, the Contractor shall: 1) not incur any further obligations for salaries, services or any other expenditure of funds under this Agreement without written approval of the City; 2) comply with all directives issued by the City in the notice of termination as to the performance of work under this Agreement; and 3) take such action as the City shall direct for the protection, preservation, retention or transfer of all property titled to the

City and records generated under this Agreement. Any non-expendable personal property or equipment provided to or purchased by the Contractor with contract funds shall become property of the City upon termination and shall be submitted to the City as soon as practicable.

5. **Appropriations.**

The terms of this Agreement are contingent upon sufficient appropriations and authorization being made by the City Council for the performance of this Agreement. If sufficient appropriations and authorization are not made by the City Council, this Agreement shall terminate immediately upon written notice being given by the City to the Contractor. The City's decision as to whether sufficient appropriations are available shall be accepted by the Contractor and shall be final. If the City proposes an amendment to the Agreement to unilaterally reduce funding, the Contractor shall have the option to terminate the Agreement or to agree to the reduced funding, within thirty (30) days of receipt of the proposed amendment.

6. **Status of Contractor.**

The Contractor and its agents and employees are independent contractors performing professional services for the City and are not employees of the City. The Contractor and its agents and employees shall not accrue leave, retirement, insurance, bonding, use of City vehicles, or any other benefits afforded to employees of the City as a result of this Agreement. The Contractor acknowledges that all sums received hereunder are reportable by the Contractor for tax purposes, including without limitation, self-employment and business income tax. The Contractor agrees not to purport to bind the City unless the Contractor has express written authority to do so, and then only within the strict limits of that authority.

7. **Assignment.**

The Contractor shall not assign or transfer any interest in this Agreement or assign any claims for money due or to become due under this Agreement without the prior written approval of the City.

8. **Subcontracting.**

The Contractor shall not subcontract any portion of the services to be performed under this Agreement without the prior written approval of the City. No such subcontract shall relieve the primary Contractor from its obligations and liabilities under this Agreement, nor shall any subcontract obligate direct payment from the City.

9. **Release.**

Final payment of the amounts due under this Agreement shall operate as a release of the City, its officers and employees from all liabilities, claims and obligations whatsoever arising from or under this Agreement.

10. **Confidentiality.**

Any confidential information provided to or developed by the Contractor in the performance of this Agreement shall be kept confidential and shall not be made available to any individual or organization by the Contractor without the prior written approval of the City.

11. Product of Service -- Copyright.

All materials developed or acquired by the Contractor under this Agreement shall become the property of the City and shall be delivered to the City no later than the termination date of this Agreement. Nothing developed or produced, in whole or in part, by the Contractor under this Agreement shall be the subject of an application for copyright or other claim of ownership by or on behalf of the Contractor.

12. Conflict of Interest; Governmental Conduct Act.

A. The Contractor represents and warrants that it presently has no interest and, during the term of this Agreement, shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance or services required under the Agreement.

B. The Contractor further represents and warrants that it has complied with, and, during the term of this Agreement, will continue to comply with, and that this Agreement complies with all applicable provisions of the Governmental Conduct Act, Chapter 10, Article 16 NMSA 1978.

C. Contractor's representations and warranties in Paragraphs A and B of this Article 12 are material representations of fact upon which the City relied when this Agreement was entered into by the parties. Contractor shall provide immediate written notice to the City if, at any time during the term of this Agreement, Contractor learns that Contractor's representations and warranties in Paragraphs A and B of this Article 12 were erroneous on the effective date of this Agreement or have become erroneous by reason of new or changed circumstances. If it is later determined that Contractor's representations and warranties in Paragraphs A and B of this Article 12 were erroneous on the effective date of this Agreement or have become erroneous by reason of new or changed circumstances, in addition to other remedies available to the City and notwithstanding anything in the Agreement to the contrary, the City may immediately terminate the Agreement.

D. All terms defined in the Governmental Conduct Act have the same meaning in this section.

13. Amendment.

A. This Agreement shall not be altered, changed or amended except by instrument in writing executed by the parties hereto and all other required signatories.

B. If the City proposes an amendment to the Agreement to unilaterally reduce funding due to budget or other considerations, the Contractor shall, within thirty (30) days of receipt of the proposed Amendment, have the option to terminate the Agreement, pursuant to the termination provisions as set forth in Article 4 herein, or to agree to the reduced funding.

14. Merger.

This Agreement incorporates all the Agreements, covenants and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, Agreements and understandings have been merged into this written Agreement. No prior Agreement or understanding, oral or otherwise, of the parties or their agents shall be valid or enforceable unless

embodied in this Agreement.

15. Penalties for violation of law.

The Procurement Code, Sections 13-1-28 through 13-1-199, NMSA 1978, imposes civil and criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for illegal bribes, gratuities and kickbacks.

16. Equal Opportunity Compliance.

The Contractor agrees to abide by all federal and state laws and rules and regulations, and Santa Fe City Code, pertaining to equal employment opportunity. In accordance with all such laws of the State of New Mexico, the Contractor assures that no person in the United States shall, on the grounds of race, religion, color, national origin, ancestry, sex, age, physical or mental handicap, or serious medical condition, spousal affiliation, sexual orientation or gender identity, be excluded from employment with or participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity performed under this Agreement. If Contractor is found not to be in compliance with these requirements during the life of this Agreement, Contractor agrees to take appropriate steps to correct these deficiencies.

17. Applicable Law.

The laws of the State of New Mexico shall govern this Agreement, without giving effect to its choice of law provisions. Venue shall be proper only in a New Mexico court of competent jurisdiction in accordance with Section 38-3-1 (G) NMSA 1978. By execution of this Agreement, Contractor acknowledges and agrees to the jurisdiction of the courts of the State of New Mexico over any and all lawsuits arising under or out of any term of this Agreement.

18. Workers Compensation.

The Contractor agrees to comply with state laws and rules applicable to workers compensation benefits for its employees. If the Contractor fails to comply with the Workers Compensation Act and applicable rules when required to do so, this Agreement may be terminated by the City.

19. Professional Liability Insurance. Contractor shall maintain professional liability insurance throughout the term of this Agreement providing a minimum coverage in the amount required under the New Mexico Tort Claims Act. The Contractor shall furnish the City with proof of insurance of Contractor's compliance with the provisions of this section as a condition prior to performing services under this Agreement.

20. Other Insurance

If the services contemplated under this Agreement will be performed on or in City facilities or property, Contractor shall maintain in force during the entire term of this Agreement, the following insurance coverage(s), naming the City as additional insured.

A. Workers Compensation (including accident and disease coverage) at the statutory limit. Employers liability: $100,000.

B. Comprehensive general liability (including endorsements providing broad form property damage, personal injury coverage and contractual assumption of liability for all liability the Contractor has assumed under this contract). Limits shall not be less than the following:

a. Bodily injury: $1,000,000 per person /$1,000,000 per occurrence.
b. Property damage or combined single limit coverage: $1,000,000.
c. Automobile liability (including non-owned automobile coverage): $1,000,000.
d. Umbrella: $1,000,000.

C. Contractor shall maintain the above insurance for the term of this Agreement and name the City as an additional insured and provide for 30 days cancellation notice on any Certificate of Insurance form furnished by Contractor. Such certificate shall also specifically state the coverage provided under the policy is primary over any other valid and collectible insurance and provide a waiver of subrogation.

21. Records and Financial Audit.

The Contractor shall maintain detailed time and expenditure records that indicate the date; time, nature and cost of services rendered during the Agreement's term and effect and retain them for a period of three (3) years from the date of final payment under this Agreement. The records shall be subject to inspection by the City. The City shall have the right to audit billings both before and after payment. Payment under this Agreement shall not foreclose the right of the City to recover excessive or illegal payments

22. Indemnification.

The Contractor shall defend, indemnify and hold harmless the City from all actions, proceeding, claims, demands, costs, damages, attorneys' fees and all other liabilities and expenses of any kind from any source which may arise out of the performance of this Agreement, caused by the negligent act or failure to act of the Contractor, its officers, employees, servants, subcontractors or agents, or if caused by the actions of any client of the Contractor resulting in injury or damage to persons or property during the time when the Contractor or any officer, agent, employee, servant or subcontractor thereof has or is performing services pursuant to this Agreement. In the event that any action, suit or proceeding related to the services performed by the Contractor or any officer, agent, employee, servant or subcontractor under this Agreement is brought against the Contractor, the Contractor shall, as soon as practicable but no later than two (2) days after it receives notice thereof, notify the legal counsel of the City.

23. New Mexico Tort Claims Act

Any liability incurred by the City of Santa Fe in connection with this Agreement is subject to the immunities and limitations of the New Mexico Tort Claims Act, Section 41-4-1, et. seq. NMSA 1978, as amended. The City and its "public employees" as defined in the New Mexico Tort Claims Act, do not waive sovereign immunity, do not waive any defense and do not waive any limitation of liability pursuant to law. No provision in this Agreement modifies or waives any provision of the New Mexico Tort Claims Act.

24. Invalid Term or Condition.

If any term or condition of this Agreement shall be held invalid or unenforceable, the remainder of this Agreement shall not be affected and shall be valid and enforceable.

25. **Enforcement of Agreement.**

A party's failure to require strict performance of any provision of this Agreement shall not waive or diminish that party's right thereafter to demand strict compliance with that or any other provision. No waiver by a party of any of its rights under this Agreement shall be effective unless express and in writing, and no effective waiver by a party of any of its rights shall be effective to waive any other rights.

26. **Notices.**

Any notice required to be given to either party by this Agreement shall be in writing and shall be delivered in person, by courier service or by U.S. mail, either first class or certified, return receipt requested, postage prepaid, as follows:

To the City: [insert name, address and email].

To the Contractor: [insert name, address and email].

27. **Authority.**

If Contractor is other than a natural person, the individual(s) signing this Agreement on behalf of Contractor represents and warrants that he or she has the power and authority to bind Contractor, and that no further action, resolution, or approval from Contractor is necessary to enter into a binding contract.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date of the signature by the required approval authorities below.

CITY OF SANTA FE:

_____
CITY MAYOR/MANAGER

DATE:_____

CONTRACTOR:

_____

_____
NAME AND TITLE
DATE:_____

CRS#_____

Registration # _____

ATTEST:

_____
YOLANDA Y. VIGIL
CITY CLERK

APPROVED AS TO FORM FOR REQUEST FOR PROPOSALS:

ERIN K. MCSHERRY, CITY ATTORNEY

APPROVED:

MARY MCCOY, FINANCE DIRECTOR

5400091-510340
Business Unit Line Item

Attachment 1

Scope of Work

A. The Contractor shall perform the following work:

The 2020-2025 Multimodal Transition Plan will be developed in coordination with the Santa Fe Metropolitan Planning Organization (MPO) with the goal of specifically identifying infrastructure improvement projects, policies and programs that support efficient management and investments in parking solutions, active transportation, mobility management, and transit investments specific to the City of Santa Fe's Transit Division services (Santa Fe Trails, Santa Fe Pick-up and Santa Fe Ride). The purpose of the plan is to develop a 5-10 year blueprint for improving strategic areas within the city's urban fabric and transportation network that addresses key mobility needs to provide better travel choices for the residents, visitors and employees of the city.

1) The City of Santa Fe's urban and suburban growth pattern provides both challenges and opportunities for enhancing mobility choices. The downtown urban core has the advantages of commercial and residential densities that enable public parking management including on-street parking, walkability, and access to a variety of transit services and key bikeway corridors. As the City has developed outward the land use pattern is more identifiable as suburban development with off-street parking, wider roads, and separated and lower density land uses. It is the City's desire to identify study areas within the City where the capacity to increase multi-mobility operations and improvements exist.

2) The Santa Fe Trails fixed route system launched in January of 1993, is the city of Santa Fe's small urban transit system and provides the greatest level of fixed service to the area. Santa Fe Trails is serviced by a fleet of 32 state-of-the-art buses and hosts 10 distinct routes. The Transit Division also operates the Santa Fe Pick-Up which provides free shuttles around downtown and to Museum Hill utilizing 4 cutaway vans and Santa Fe Ride the Complementary Paratransit Service for ADA and seniors with 18 vehicles of varying sizes. Santa Fe Trails was the nation's first transit system to operate its entire fleet with cleaner burning compressed natural gas (CNG). Its mission is to provide transit service in the City of Santa Fe (and parts of Santa Fe County) to get area residents and visitors where life takes them and boasts an annual ridership close to 1 million. The purpose of the 5-10 Transit Service Plan is to develop a comprehensive review of the City's existing transit services, identifying any changes in transit need/demand, and ways of delivering service and producing a plan to best address the City's needs over the next 5 and 10 years. Geographically, the plan will focus on the City's entire service area as well as connective services to NCRTD, NMDOT Park and Ride, and Rail Runner Express train service. The plans, proposals and recommendations arising out of the update must consider not only mobility issues but also related topics such as economic development, air quality, housing, job creation, access to healthcare and education, environmental sustainability and energy consumption. The Service Plan will demonstrate equitable service provision throughout the City's service limits to the extent feasible. This plan should also consider future opportunities and provide a safe, reliable and revolutionized mode of transportation in concert with the City's Mission and Vision statements.

3) City's Parking Division was established in 1982 by consolidating all municipal parking functions into one "responsibility center" with the goals of providing improved parking services and making parking functions financially self-sufficient without any subsidy from the City's General Fund. Financially, the division operates as an Enterprise Fund which combines all parking revenues and expenditures in a special fund separate from other City finances. The Parking Enterprise Fund provides a unified funding category dedicated to the delivery, improvement and expansion of municipal parking facilities and services.

PLAN OVERVIEW

A. Multimodal Transition Plan – Starting with existing plans, land uses, transportation systems and programs this analysis shall identify key urban areas (not to exceed six) that have measurable capacity to increase multimodal usage through investments in infrastructure, policies and programs. These will include urban design, landscape architecture, land use zoning, transportation systems, environmental planning and other approaches that incorporate a comprehensive approach to reducing dependence on the automobile and increase livability.

B. The Transit Division 5-10 Year Service Plan – The City of Santa Fe is seeking to increase its efficiency of transit services with a review of the costs and benefits of service reorganization and expansion. The Santa Fe Metropolitan Public Transit Master Plan will provide baseline information to help inform the service plan. The plan will include updates to demographics, review of existing service routes/schedules and the development of recommended service improvements.

C. Santa Fe Parking Assessment – The City is seeking to assess and study existing parking management services. The study will identify specific study areas in conjunction with the Multimodal Transition Plan and derive a baseline analysis of existing parking availability both public and private, how the parking is being utilized and identify demand and capacity. The assessment shall analyze parking occupancy, duration and turnover and present findings in a manner that identifies strategies for improved efficiency and also measured approaches to public/private parking that leverages the City's capacity to increase active transportation and multi-modal uses. The City will also benefit from baseline assessment of private parking within the study areas with the goal of providing recommendations to its land use code regarding parking standards. The parking assessment shall also inform a comprehensive suite of recommendations that may advance the goals derived in the overall Multimodal Transition Plan.

D. Plan Outcomes – Each of the core elements as described will be reviewed and the 5-10 year blueprint for improving strategic areas within the city's urban fabric and transportation network shall be developed with primary goals of minimizing demand for private vehicles and vehicle storage, increasing walkability, active transportation, transit ridership, and increased community and economic vitality. Objectives to these goals may include, but are not limited to; recommended programs, projects, policies, code revisions, public investments and marketing strategies.

SCOPE OF SERVICES

Task 1. Meetings.

1) Project Team Kick-Off Meeting – Refine scope, begin process for the identification of the specific study areas (not to exceed six) required for the project.
2) Bi-Weekly Team Meetings – Identify times to meeting for the coordination and communication of project management and progress with MPO and City staff as necessary.

Task 2. Plan Coordination and Public Engagement.

1) The scope of work anticipates that each step listed below is done in coordination with all three elements of this planning effort to maximize efficiency in project management including public engagement which is anticipated to be developed in a unified manner to inform all three elements.

Task 3. Multi-Modal Transition Plan.

1) Study Area Identification – Specific study areas based on existing urban elements such as density, existing and potential transit, active transportation and public parking services shall be identified to commence plan analysis.
2) Website/Communications/Social Media Integration
    a. Review existing City web services related to elements of this plan and recommend an integrated web based approach to provide the public with seamless access to information to maximize their multi-modal options/services
3) Develop plan purpose, goals, and objectives
4) Collect data and information
5) Review prior relevant studies and plans
6) Analyze existing and future conditions
7) Conduct field studies
8) Interview stakeholders
9) Develop individual plan elements for each mode and for various policies
10) Refine recommendations
11) Prepare draft plan document for review
12) Develop the implementation strategy and identify funding sources

Task 4. Transit Service Plan (5 to 10 years)
The plan shall include:

1) Existing Service Assessment; and
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specific barriers or objections non-users have and how Santa Fe Trails might overcome those barriers or objections.

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b) Redesign Exiting Routes and/or Design New Routes
c) Micro/Macro Transit/Demand Response/TNC Partnerships/Mobility on Demand opportunities
d) Coordination with NCRTD/Rail Runner/Park and Ride and other entities
e) Service and Staffing Level Recommendations

l. The Contractor will be provided direct access and shall utilize Santa Fe Trails existing route planning software where possible to assess current services, create/modify services for the future, and demonstrate impacts to the region. The plan will provide the following details with respect to future proposed operations:

i. Types, or modes, of service to be provided (fixed-route bus service, para-transit- flex or deviated-route bus service, demand response services, commuter, bus rapid transit, micro transit service, etc.)
ii. Routes and/or locations of the service
iii. Existing schedule brochure review and assessment, recommendations for future improvements
iv. Geographic service area
v. Days and hours of service
vi. Vehicle requirements
vii. Staffing requirements
viii. Facility requirements

f) Develop a financial and capital plan (menu of options) include economic value from public transit
g) Recommend an implementation strategy
h) Review of Paratransit Services
i) Develop strategic scenarios that include elements in technological advances such as coordination and/or integration with ride-share services, autonomous vehicles
j) First/Last Mile Strategies
k) Shared Mobility Options
l) Fare structure Assessment
m) High level pros and cons for free fare
n) Payment Systems

As further information to Contractors, the following issues should be addressed by the plan:

a) What is an optimal transit plan now, 5 and 10 years from now?
b) Is the City effectively leveraging their strengths and optimizing their resources?
c) Are there services or relationships that should develop out of collaboration?
d) Is there a duplication of services and efforts?
e) Are there existing services that should no longer be provided?
f) Is the method of delivery appropriate or is there another better approach?
g) What factors must be measured to determine the success of each transit mode/initiative?
h) What current transit services/initiatives are most successful?
i) How successful are they? What makes them successful?
j) What current transportation services/initiatives are not as successful as desired?
k) Should these transportation services/initiatives be improved and kept, or be cut?
l) If these services/initiatives should be kept, what specifically should be done to improve them to make them successful?
m) What is the cost-benefit for improving each under-performing transit service/initiative?

n) What services and planning efforts are being duplicated among the City and other local stakeholders?

o) What opportunities for collaboration exist and how does the City move toward further collaboration with each stakeholder?

Task 5. Parking Assessment.

1) Assessment – The Assessment shall contain the following elements

a) Existing Conditions Inventory/Analysis:

ii. The existing conditions analysis will provide real-time data on parking that City staff, developers, and the community can use to understand the parking conditions within the designated study areas.

iii. Review the current land use code/zoning ordinance relative to parking regulations for study areas.

iv. Assess current operational practices including investments in technology

b) Supply/Demand -Develop future parking supply/demand forecast for each study area.

c) Stakeholder Input – Gather input from key stakeholders (major business/property owners).

d) Goal Identification – The management of curbside and parking resources are essential to achieving strategic goals. These goals, framing up the Multi-Modal Transition Plan, need to be agreed upon and integrated in a manner that the following recommendations steps begin to implement them.

e) Develop recommendations the City can implement to address challenges and opportunities that also advance multi-modal goals and objectives identified in the overall plan.

i. Recommendations to include a description, benefits, obstacles to implementation, responsible parties, costs, and implementation timeframe/steps.

ii. In coordination with the identified study areas identified, review and make recommendations as regards to the City's off-street parking requirements found within all appropriate local development regulations.

iii. Recommendation of underground and surface parking facilities including garages that may meet derived parking supply and demand in a manner that maximizes land use efficiencies including increased densities, access to transit, multi-use trails and other amenities that reduce vehicle dependency.

vi. Public and private partnership opportunities should be included for consideration of recommendations.

vii. Develop strategies to implement recommendations in two, five and ten year increments. Consider comprehensive solutions that aim to maximize both parking management and regulation and multi-modal transition goals. Include infrastructure investments, policies, and education and enforcement.

Task 6: Plan Integration.

1) Development of the 5-10 year blueprint with recommendations.

a. Within the selected study areas key findings from each of the above tasks shall be integrated in a manner that offers the City of Santa Fe a suite of options in the form of objectives. These shall include costs and benefits and be detailed in a temporal and organized manner that provide decision makers measured (performance based) steps to derived goals within five and ten years.

B. *Performance Measures.*

Contractor shall substantially perform the following Performance Measures:

1) Promoting a sustainable City, where residents feel safe, and care for their environment and the well-being of those within it.

2) Creating a future in Santa Fe were all people can afford to live, and can enjoy a quality of life that is better than any other city in our country.

The receipt of the deliverables contemplated under this Agreement shall assist the City in obtaining its goal(s) as set forth in its Strategic Plan on page(s) 8 FY20 Annual Budget.

City of Santa Fe Living Wage Ordinance

PURSUANT TO THE CITY OF SANTA FE
LIVING WAGE ORDINANCE, SECTION 28-1 SFCC 1987
EFFECTIVE MARCH 1, 2019 ALL WORKERS WITHIN THE
CITY OF SANTA FE
SHALL BE PAID A LIVING WAGE OF

$11.80
PER HOUR

Santa Fe's Living Wage

- The Santa Fe Living Wage Ordinance establishes minimum hourly wages.
- The March Living Wage increase corresponds to the increase in the Consumer Price Index (CPI).
- All employers required to have a business license or registration from the City of Santa Fe ("City") must pay at least the adjusted Living Wage to employees for all hours worked within the Santa Fe city limits.

Who is Required to Pay the Living Wage?

- The City to all full-time permanent workers employed by the City;
- Contractors for the City, that have a contract requiring the performance of a service but excluding purchases of goods;
- Businesses receiving assistance relating to economic development in the form of grants, subsidies, loan guarantees or industrial revenue bonds in excess of twenty-five thousand dollars ($25,000) for the duration of the City grant or subsidy;
- Businesses required to have a business license or registration from the City; and
- Nonprofit organizations, except for those whose primary source of funds is from Medic-aid waivers.
- For workers who customarily receive more than one hundred dollars ($100) per month in tips or commissions, any tips or commissions received and retained by a worker shall be counted as wages and credited towards satisfaction of the Living Wage provided that, for tipped workers, all tips received by such workers are retained by the workers, except that the pooling of tips among workers shall be permitted.

More Information, including the Living Wage Ordinance, is available at
http://www.santafenm.gov
(Click on Hot Topics/Living Wage)

City of Santa Fe

Real Estate Summary of Contracts, Agreements, Amendments & Leases

Section to be completed by department

1. Munis Contract # **3202290**

Contractor: **LSC, Inc**

Description: **Professional Planning, Engineering and Design Services for a Multi-Modal Transition Plan for the City not to exceed $225,000**

Contract ☉ Agreement ○ Lease / Rent ○ Amendment ○

Term Start Date: **December 1st 2020** Term End Date: **April 30th 2022**

☐ Approved by Council Date: _____

Contract / Lease:

Amendment # _____ to the Original Contract / Lease # _____

Increase/(Decrease) Amount $ _____

Extend Termination Date to: _____

☐ Approved by Council Date: _____

Amendment is for:

2. **HISTORY of Contract, Amendments & Lease / Rent - Please Elaborate** (option: attach spreadsheet if multiple amendments)

New Contract Public Works

3. **Procurement History:** Contract is a result of RFP#20/09/P Multi-Modal Transition Plan

Fran Dunaway (Nov 4, 2020 12:21 MST) Nov 4, 2020

Purchasing Officer Review: Date:

Comment & Exceptions: _____

4. **Funding Source:** **City Bond** **Org / Object:** **3359980 510300.GRT18MPO**

Alexis Lotero (Nov 4, 2020 09:44 MST) Nov 4, 2020

Budget Officer Approval: Date:

Comment & Exceptions: _____

Staff Contact who completed this form: **Erick Aune** Phone # **505.330.8483**

Email: **ejaune@santafenm.gov**

To be recorded by City Clerk:

Clerk # _____

Date of Execution: _____

CITY OF SANTA FE PROCUREMENT CHECKLIST

Contractor Name: LSC, Transportation Consultants Inc.

Procurement Title: Contract for Professional Services: Multi-Modal Transition Plan - Public Works

Procurement Method: State Price Agreement ☐ Cooperative ☐ Sole Source ☐ Other ☐

Exempt ☐ Request For Proposal (RFP) ☉ Invitation To Bid (ITB) ☐ Contract under 60K ☐ Contract over 60K ☐

Department Requesting Public Works Staff Name Erick Aune

Procurement Requirements:

A procurement file shall be maintained for all contracts, regardless of the method of procurement. The procurement file shall contain the basis on which the award is made, all submitted bids, all evaluation materials, score sheets, quotations and all other documentation related to or prepared in conjunction with evaluation, negotiation, and the award process. The procurement shall contain a written determination from the Requesting Department, signed by the purchasing officer, setting forth the reasoning for the contract award decision before submitting to the Committees.

REQUIRED DOCUMENTS FOR APPROVAL BY PURCHASING*

YES	N/A	
☉	☐	Approved Procurement Checklist (by Purchasing)
☉	☐	Memo addressed to City Manager (under 60K) Committees/City Council (over 60K)
☐	☉	State Price Agreement
☉	☐	RFP
☐	☉	Evaluation Committee Report
☐	☉	ITB
☐	☉	Bib Tab
☐	☉	Quotes (3 valid current quotes)
☐	☉	Cooperative Agreement
☐	☉	Sole Source Request and Determination Form
☐	☉	Contractors Exempt Letter
☐	☉	Purchasing Officers approval for exempt procurement
☐	☉	BAR
☐	☉	FIR
☉	☐	Executed Contract, Agreement or Amendment
☉	☐	Current Business Registration and CRS numbers on contract or agreement
☉	☐	Summary of Contracts and Agreements form
☉	☐	Certificate of Insurance
☉	☐	All documentation presented to Committees
☐	☐	Other:

Erick Aune

Department Rep Printed Name (attesting that all information included)	Title	Date
Erick Aune MPO Officer Fran Dunaway (Nov 4, 2020 12:21 MST)		10/06/20
Purchasing Officer (attesting that all information is reviewed)	Title	Date

Include all other substantive documents and records of communication that pertain to the procurement and contract.

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 10/02/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Key Insurance Group, LLC
6355 Ward Road, Suite 208
Arvada, CO 80004
License #: 250474

CONTACT NAME: Mike Fitzgerald
PHONE (A/C, No, Ext): (303)431-1888
FAX (A/C, No): (303)431-7812
E-MAIL ADDRESS: Mike@mykeyinsurance.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : American Casualty Company	20427
INSURER B : National Fire Ins. Co of Hartford	20478
INSURER C : Continental Insurance Company	35289
INSURER D : Continental Casualty Company	20443
INSURER E :	
INSURER F :	

INSURED
LSC TRANSPORTATION CONSULTANTS, INC.
2690 LAKE FOREST ROAD, SUITE C
Tahoe City, CA 96145

COVERAGES CERTIFICATE NUMBER: 00000815-1959393 REVISION NUMBER: 312

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR X Primary & Non-Cont. GEN'L AGGREGATE LIMIT APPLIES PER: POLICY X PRO-JECT LOC OTHER:	Y	Y	2097381503	06/18/2020	06/18/2021	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 1,000,000 $ 300,000 $ 5,000 $ 1,000,000 $ 2,000,000 $ 2,000,000
B	AUTOMOBILE LIABILITY ANY AUTO OWNED AUTOS ONLY X HIRED AUTOS ONLY SCHEDULED AUTOS X NON-OWNED AUTOS ONLY	Y	Y	2097381419	06/18/2020	06/18/2021	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ 1,000,000 $ $ $
C	X UMBRELLA LIAB X OCCUR EXCESS LIAB CLAIMS-MADE DED X RETENTION $ 0	Y	Y	2097381307	06/18/2020	06/18/2021	EACH OCCURRENCE AGGREGATE	$ 3,000,000 $ 3,000,000
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y/N ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N / A	Y	2099451109	06/18/2020	06/18/2021	PER STATUTE X OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$ 1,000,000 $ 1,000,000 $ 1,000,000
D	Professional E & O	Y	Y	MCH276153961	06/18/2020	06/18/2021		2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The certificate holder listed below is an additional insured, the policies are primary and non-contributory, and contain a waiver of subrogration. The certificate holder shall be given thirty (30) days written notice of cancellation, suspension, or material changes on the policies listed.

RE: YARTS Strategic Plan, LSC #207480

CERTIFICATE HOLDER

Merced County of Governments
369 W. 18th St.
Merced, CA 95340

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
Mike Fitzgerald (MJF)

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ACTION SHEET
ITEM FROM FINANCE COMMITTEE MEETING OF 11/30/20
FOR CITY COUNCIL MEETING OF 12/09/20

i) Request for Approval to enter into a Grant Agreement with the New Mexico Environment Department to provide Reimbursable Funding for Electric Vehicle Charging Stations at City's Public Parking Garages; the Grant Funds are Reimbursable in the Total Amount of $26,303.00. (Neal Denton, Sustainability Planner, Environmental Services Department, nhdenton@santafenm.gov, 955.2229)

Committee	**Review:**
Public Works and Utilities Committee	11/09/2020
Finance Committee	11/30/2020
Governing Body - 12/09/2020	

FINANCE COMMITTEE ACTION:
Approved on Discussion

FUNDING SOURCE:

SPECIAL CONDITIONS OR AMENDMENTS

VOTE	**FOR**	**AGAINST**	**ABSTAIN**
COUNCILOR ROMERO-WIRTH	x		
COUNCILOR CASSUTT-SANCHEZ	x		
COUNCILOR LINDELL	x		
COUNCILOR VILLARREAL	x		
CHAIRPERSON ABEYTA	x		

ACTION SHEET
PUBLIC WORKS AND UTILITES COMMITTEE MEETING OF 11/09/2020

ISSUE NO. 8I

Request for approval to enter into a grant agreement with the New Mexico Environment Department to provide reimbursable funding for electric vehicle charging stations at City's public parking garages; the grant funds are reimbursable in the total amount of $26,303.00 (Neal Denton, Sustainability Planner, Environmental Services Department, nhdenton@santafenm.gov, 955.2229)

Committee Review:
Public Works and Utilities Committee - 11/09/2020
Finance Committee - 11/30/2020
Governing Body - 12/09/2020

PUBLIC WORKS AND UTILITES COMMITTEE ACTION: Approved on consent agenda to forward to 11/30/2020

SPECIAL CONDITIONS OR AMENDMENTS:

STAFF FOLLOW UP:

VOTE:	FOR	AGAINST	ABSTAIN
COUNCILOR RIVERA, CHAIR	X		
COUNCILOR GARCIA	X		
COUNCILOR ABEYTA	X		
COUNCILOR LINDELL	X		
COUNCILOR VIGIL COPPLER	X		

MEMO

Environmental Services Division
Recycling | Trash | Sustainability
Keep Santa Fe Beautiful

Date: September 28, 2020

To: Public Utilities Committee, Finance Committee, and Governing Body

Via: Shannon W. Jones, Public Utilities Department Director SJ
Shirlene E. Sitton, Environmental Services Division Director SS

From: Neal Denton, Sustainability Planner ND

RE: Grant Agreement Approval/Agreement # NM-VW-20-14

ITEM AND ISSUE:
The Environmental Services Division is requesting approval to enter into a grant agreement with the New Mexico Environment Department to provide reimbursable funding for electric vehicle charging stations at the City's public parking garages; the grant funds are reimbursable in the total amount $26,303.

BACKGROUND AND SUMMARY:
The Volkswagen Settlement Environmental Mitigation Trust was established as a result of the United States v. Volkswagen. As a beneficiary of the Mitigation Trust, the New Mexico Environment Department (NMED) announced $5 million of grant funding was available for alternative-fueled and all-electric vehicles, as well as electric vehicle charging stations.

The Environmental Services Division, in coordination with the Parking Division, applied for the grant in January 2020; requesting five electric vehicle charging stations to be located one each at the Sandoval Garage, Railyard Garage, Community Convention Center Garage, Water Street Municipal Lot, and Railyard Park parking area. In April 2020, NMED offered an award that was less than applied for- they awarded 50% of the funding requested for the estimated cost of the three electric vehicle charging stations to be located at the Sandoval Garage, Railyard Garage, and Community Convention Center Garage; in the amount of $26,303. Each charging station would serve two parking spaces.

The entire project for three charging stations is estimated to cost $48,880; the City of Santa Fe has been awarded $26,303. This is a reimbursable grant, and Capital outlay funds from HB 349 (approximately $750,000 awarded to the City Santa Fe for electric vehicles and charging stations) can be used to cover the remaining $22,577. There is not stipulated timeframe for spending the funding in the project agreements, it is sourced from the Mitigation Trust, not the State of New Mexico.

ACTION REQUESTED:
Staff respectfully recommends approval to enter into Grant Agreement #NM-VW-20-14 with NMED.

The signatures can be either original or certified electronic signatures (i.e., DocuSign or certified Adobe Acrobat). • ESD2051001-STATE-NMENV-TRUST

ATTTACHMENTS:
NM-VW-20-14 PROJECT AGREEMENT w/ signature page

Munis # 3202358

Item#_____

NEW MEXICO ENVIRONMENT DEPARTMENT Munis # 3202358
AIR QUALITY BUREAU
NEW MEXICO VOLKSWAGEN MITIGATION TRUST

CITY OF SANTA FE:
1. SANTA FE RAILYARD MUNICIPAL GARAGE PROJECT
2. SANTA FE SANDOVAL PARKING GARAGE PROJECT
3. SANTA FE COMMUNITY CONVENTION CENTER GARAGE PROJECT
 # NM-VW-20-14 PROJECT AGREEMENT

THIS PROJECT AGREEMENT ("Agreement") is made and entered into by the **New Mexico Environment Department** ("**NMED"**) and **The City of Santa Fe ("AWARDEE")**.

WHEREAS, the United States District Court for the Northern District of California entered an order on October 25, 2016 adopting the proposed Partial Consent Decree in the matter of *In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation*, MDL No. 2672 CRB (JSC);

WHEREAS, the Partial Consent Decree establishes a mitigation trust to be used by the beneficiaries for the reduction of Oxides of Nitrogen (NOx);

WHEREAS, NMED has been designated as the Lead Agency for purposes of administering New Mexico's portion of the Mitigation Trust;

WHEREAS, based upon the project described within the scope of work of the Agreement in Attachment A, the AWARDEE has a qualified project for the beneficiary mitigation program;

WHEREAS, the AWARDEE has agreed to use the funds for the construction of light-duty zero emission vehicle (LDZEV) infrastructure;

WHEREAS, both parties wish to enter into this Agreement; and

WHEREAS, this Agreement is exempt from the provisions of the Procurement Code in accordance with NMSA 1978, § 13-1-98A because funds will be provided directly from the trustee to the AWARDEE on a cost-reimbursement basis;

NOW THEREFORE, in consideration of the premises and mutual obligations of this Agreement, the parties agree to the following:

ARTICLE 1 FUNDING

Pursuant to the terms of the Partial Consent Decree and the New Mexico Beneficiary Mitigation Plan, NMED authorizes reimbursement of 50% but not to exceed twenty six thousand, three hundred and three dollars ($26,303) of the total project equipment costs to the AWARDEE for

the execution of the project as referenced in Article 5 and defined in the Project Description, attached as "Attachment A". Such funds shall be paid as reimbursement for allowable costs as defined in Article 10.

ARTICLE 2 EFFECTIVE DATE AND TERMS OF AGREEMENT

This Agreement shall become effective upon execution by the NMED Secretary or their delegated representative. No funds shall be expended nor work undertaken unless and until this Agreement is executed by the Secretary of NMED or their delegated representative.

If it becomes apparent that this Agreement cannot be brought to full completion, the AWARDEE shall so notify NMED in writing within 14 days of becoming aware of this situation. NMED shall, at its sole discretion, determine whether there is need or sufficient justification to amend this Agreement or withdraw the unencumbered amount of the project award.

ARTICLE 3 SPECIAL TERMS AND CONDITIONS

The AWARDEE agrees to abide by the following:

A. None of the funds shall be used to pay, refund, renew, roll over, retire or replace any other obligations previously issued or incurred by the AWARDEE.

B. NMED shall instruct the Trustee to reimburse AWARDEE for incurred expenditures as described in Article 10 only if incurred after the effective date of this Agreement.

C. This award is funded by the Volkswagen Mitigation Trust. The AWARDEE agrees to comply with all applicable requirements as conditions of the award. Disbursement of trust funds is expressly contingent upon the AWARDEE's agreement that it shall fully comply with the requirements specified in the Partial Consent Decree, the Trust, and the New Mexico Beneficiary Trust Mitigation Plan. NMED will not approve any request for reimbursement until applicable requirements are met and the project has been completed.

ARTICLE 4 TRUST CONTRIBUTIONS

The parties recognize that the costs of the project may exceed the available funds under this Agreement**,** and the AWARDEE shall additionally contribute the amount of the difference between the total cost of the awarded funds under this Agreement plus any matching funds secured by AWARDEE from another source, or the scope of work (Article 5) shall be reduced, subject to NMED's right of prior approval as provided in Article 5(B) of this Agreement.

ARTICLE 5 SCOPE OF WORK

A. The AWARDEE agrees to implement, in all respects, the project outlined in Attachment A. The AWARDEE also agrees to expend funds under this Agreement in accordance with the Budget, attached as "Attachment B".

B. The AWARDEE agrees to make no change to Attachment A without (i) submitting a written request to NMED and obtaining NMED's written approval of the required change, and (ii) amending this Agreement if necessary pursuant to Article 16.

ARTICLE 6 ADMINISTRATIVE PROCEDURES

Upon execution of this Agreement, the AWARDEE shall follow the procedures listed below unless waived in writing by NMED. Reimbursement by the Trust through NMED may be withheld if any of these procedures are not followed by the AWARDEE.

A. The AWARDEE shall submit all modifications to plans and contracts in writing to NMED's representative (Article 21) for written approval prior to implementation of such modification or change. NMED's decision shall be rendered in a timely manner in writing to the AWARDEE. In cases necessitating immediate action, a verbal decision shall be rendered by NMED and shall be followed by written notification to the AWARDEE.

B. Notwithstanding those inspections performed by the AWARDEE and its representatives, NMED shall have the right to examine all vehicle replacements, disabled vehicles, and installations comprising the project, including materials delivered and stored on-site for use on the project. Such examinations shall not be considered an inspection for compliance with contract plans, but shall be in the nature of general NMED review as described in Article 7.

C. The AWARDEE shall submit written requests for reimbursement payments in accordance with Article 9.

D. NMED shall require proof of payment to contractors and vendors, including the disbursement of other funds prior to approval of the request for reimbursement. The funds shall not be used for the purchase of used equipment.

E. The project shall not be considered complete until the work as defined in this Agreement has been fully performed and finally and unconditionally accepted by NMED.

ARTICLE 7 NMED REVIEW

NMED inspection, review, and approval are only for purposes of compliance with applicable requirements, procedures, and regulations. NMED's approval shall not be interpreted as any warranty or guarantee, and all defects and their correction shall be the responsibility of the AWARDEE. Approval of projects means only that the submitted projects are complete and in compliance with applicable state and Partial Consent Decree requirements, procedures, and regulations. The AWARDEE and its contractors, vendors and consultants shall be responsible for

the completion and success of the project. Approval by NMED does not relieve the AWARDEE of legal responsibilities for the overall integrity of the project or compliance with applicable requirements.

ARTICLE 8 OPERATION AND MAINTENANCE

The AWARDEE shall be responsible for all operation and maintenance of the project, after completion and acceptance.

ARTICLE 9 COMPENSATION AND METHOD OF PAYMENT

A. NMED shall instruct the Trustee to reimburse the AWARDEE upon satisfactory performance of all work and services required under the terms of this Agreement and upon receipt of payment requests for actual costs incurred, up to the limit set forth in Article 1. A transmittal letter is required with every payment request for reimbursement. Payment requests shall be certified by the AWARDEE authenticating that the requests accurately reflect work completed, amount due, remaining Agreement balance, and NMED Project Number. Reimbursement requests shall include expenditures to date by approved budget category (Attachment B). All expenses shall be actual rather than estimated and shall be listed on the reimbursement request as charged. Actual invoices, receipts, or other proof of payment from the fleet owner to the vendor or contractor shall be attached to the reimbursement request. The proper signatory authority, as designated in Article 22, shall sign all reimbursement requests. NMED shall authorize reimbursement for only those expenses that NMED, at its sole discretion, determines are properly documented eligible costs under Article 10 and within the approved scope of work as described in Attachment A. Incomplete submittals shall be returned to the AWARDEE for corrections. NMED shall not reimburse the AWARDEE for any costs incurred prior to the full execution of this Agreement, after the termination of the Agreement, or in excess of the maximum dollar amount of the Agreement.

B. When multiple funding sources are used to complete this project, the project Budget (Attachment B) shall identify all funding sources and the line item to which funds are allocated from each source.

C. Any portion of funds correlated to this Agreement that remain unexpended after all conditions of this Agreement have been satisfied or upon expiration or termination of this Agreement shall remain with the Trust.

D. The funds referred to in Article 1 shall constitute full and complete payment of monies to be received by the AWARDEE from the Trust.

E. The project shall not be considered complete until the work as defined in this Agreement has been fully performed and finally and unconditionally accepted by NMED.

F. Upon completion of the project, payment shall be made after the final inspection has been conducted by NMED and where the AWARDEE has contracted or subcontracted with others, the following, unless waived by NMED, have been reviewed and approved by NMED:

1. A final reimbursement request including the final certified pay request approved by the AWARDEE's signatory authority.
2. A certification of project acceptance, prepared by the AWARDEE, stating that work has been satisfactorily completed and all contractors have fulfilled all of the obligations required under the contract documents with the AWARDEE.
3. If applicable, certification letter by the AWARDEE that the Labor Standards Contract Provisions have been met.
4. If applicable, complete and legally effective release or waivers (satisfactory to the AWARDEE), of liens arising out of the contract documents and the labor services performed and the materials and equipment furnished thereunder. In lieu of, and as approved by the AWARDEE, contractor(s) may furnish receipt or releases in full, and releases and receipts include labor, services, materials, and equipment for which a lien could be filed and that all payrolls, material and equipment bills, and other indebtedness connected with the work for which the AWARDEE or its property might in any way be responsible, have been paid or otherwise satisfied.
5. A written consent of the surety, if any, to final payment.
6. AWARDEE's accounting ledger sheets, including all payments made by the AWARDEE, may be requested with the final reimbursement request, and before the final reimbursement request is processed by NMED.

ARTICLE 10 ALLOWABLE AND UNALLOWABLE COSTS

A. The parties agree that allowable costs shall be limited to those costs that are necessary, reasonable, and directly related to the efficient achievement of the objectives of this Agreement as defined in Attachment A. AWARDEE shall justify all expenditures for which it requests reimbursement, according to accepted NMED criteria and procedures. NMED may withhold reimbursement of any item or expenditure and may reclaim improperly documented reimbursement until the AWARDEE provides sufficient justification.

B. Unallowable costs include but are not limited to: costs of preparing grant applications, costs of AWARDEE employees not directly employed for the project, late fees, interest or penalties and in accordance with 2 C.F.R. Part 200.

ARTICLE 11 ACCOUNTING

The AWARDEE shall comply with generally accepted accounting principles to account for all funds.

ARTICLE 12 RECORDS/AUDIT AND INSPECTION

A. The AWARDEE shall maintain books, records, documents, and other evidence sufficient to reflect the costs incurred in the performance of this Agreement. The project site and AWARDEE facilities that are in any part the subject of this Agreement, including all books, records, documents, ledgers, and other evidence required by this Article, shall be preserved and made available to NMED, the State Auditor and/or their agent(s) during the agreement period and for a period of six (6) years from date of final payment. If, upon expiration or termination of this Agreement, questions exist concerning proper expenditure of funds, the AWARDEE shall preserve and make available all books, records, documents, ledgers, and other evidence relating to this Agreement until such questions are settled and the AWARDEE has received written notice to that effect from NMED. All contracts let by the AWARDEE and costs that are to be claimed for reimbursements shall be the substance of this record/audit and inspection clause.

B. Additional Audit and Inspector General Reviews: In accordance with the access to records provisions of 2 CFR 215.53 or 40 CFR 31.42, the AWARDEE agrees to allow any appropriate representative of the Office of Inspector General to:

1. Examine any records of the AWARDEE, contractors and subcontractors, or any State or local agency administering such contract, that pertain to, and involve transactions relating to, the procurement contract or subcontract; and
2. Interview any officer or employee of the AWARDEE, contractor, subcontractor, or agency regarding such transactions.
3. Nothing in this Article shall be interpreted to limit or restrict in any way any existing authority of an inspector general.

C. AWARDEE further agrees to abide by the following:

1. Allow access by the Government Accountability Office Comptroller General and their representatives to examine any records of the AWARDEE or any of the AWARDEE'S subcontractors, or any State or local agency administering such contract, that directly pertain to, and involve transactions relating to, this Agreement or subcontract;
2. Allow the Comptroller General and their representatives to interview any officer or employee of the AWARDEE or any of the AWARDEE'S subcontractors, or of any State or local government agency administering the Agreement, regarding such transactions; and
3. Nothing in this Article shall be interpreted to limit or restrict in any way any existing authority of the Comptroller General.

D. The AWARDEE agrees to maintain documentation and records that support all information submitted to NMED for federal reporting purposes.

E. The AWARDEE is advised that providing false, fictitious or misleading information with respect to the receipt and disbursement of Volkswagen Mitigation Trust funds may result in criminal, civil or administrative fines and/or penalties.

F. The AWARDEE agrees that it shall include in any contract agreement pertaining to this Agreement an affirmative obligation upon any contractor to comply with and submit to all of the additional audit requirements specified herein.

ARTICLE 13 CERTIFICATION

The AWARDEE gives assurance and certifies, by signing this Agreement that:

A. The AWARDEE possesses legal authority to make application for these funds and to execute this Agreement.

B. The AWARDEE's current governing body, if any, has duly adopted or passed a resolution authorizing the person(s) identified as the official representative of the AWARDEE to submit any documents pertaining to the project, along with all understandings and assurances contained in this agreement. The official resolution identifies the person(s) with signatory authority for the AWARDEE (the person(s) authorized to submit and sign reimbursement requests to NMED). The person(s) with signatory authority for the AWARDEE pursuant to the official resolution are listed in Article 23 of this Agreement. The AWARDEE shall submit a copy of the official resolution to NMED when the AWARDEE returns the signed Agreement.

C. The AWARDEE shall provide all necessary qualified personnel, material, and facilities to implement the project described in this Agreement.

D. The AWARDEE shall comply with federal, state and local regulations, policies, guidelines and any other legal requirements with respect to the acceptance and use of funds for this project.

E. No officer or employee of the AWARDEE or its designees or agents, or member of the governing body of the locality in which the project is situated during their tenure or for one year after their tenure, shall have any interest, direct or indirect, in any contract or subcontract, or the process thereof, for work to be performed in connection with the project assisted under this Agreement. The AWARDEE shall incorporate in all such contracts or subcontracts a provision prohibiting such interest pursuant to the purposes of this certification.

ARTICLE 14 OCCUPATIONAL SAFETY

The AWARDEE covenants that it shall take affirmative action to ensure that the project shall be conducted in conformance with federal and state laws and regulations relating to occupational health and safety. Authorized inspectors from NMED's Occupational Health and Safety Bureau shall have unobstructed access to project sites and shall not be impeded in any way from performance of their duties. These provisions will be included in any contract entered into by the AWARDEE and its contractors.

ARTICLE 15 EQUAL EMPLOYMENT OPPORTUNITY

The AWARDEE agrees to abide by all federal and state laws, rules, and regulations, and executive orders of the Governor of the State of New Mexico, pertaining to equal employment opportunity. In accordance with all such laws, rules, regulations, and executive orders of the Governor of the

State of New Mexico, the AWARDEE agrees to assure that no person will, on the grounds of race, color, national origin, sex, sexual preference, age or handicap, be excluded from employment with or participation in, be denied the benefits of, or otherwise be subject to, discrimination under any activity performed under this Agreement. If AWARDEE is not in compliance with these requirements during the life of this Agreement, AWARDEE agrees to take appropriate steps to correct any deficiencies.

ARTICLE 16 SCOPE OF AGREEMENT AND AMENDMENTS

This Agreement constitutes the entire and exclusive agreement between the AWARDEE and NMED with respect to the project. This Agreement supersedes any and all prior agreements, discussions, communication, representation, or negotiations, written or verbal. The parties may amend this Agreement if the amendment is in writing and signed by both parties.

ARTICLE 17 TERMINATION

NMED shall have the right to terminate this Agreement if at any time in the judgment of NMED the terms of the Agreement have been violated or the activities described in the attached exhibits are not progressing satisfactorily. This Agreement may also be terminated for failure to provide adequate deliverables within the agreed upon time frames, non-performance of tasks, for missing mutually agreed upon deliverable work plan dates, or any other reason as determined by NMED.

Upon termination, NMED may demand a refund of all or part of the funds disbursed to AWARDEE. Any termination shall be in writing and is effective upon receipt of the written notice by the AWARDEE or as determined by NMED in the termination letter. Such termination will be effected by sending written a notice to the AWARDEE. The AWARDEE shall accept as final NMED's decision as to terminate the contract.

ARTICLE 18 GENERAL LIABILITY

As between NMED and the AWARDEE, each party shall be responsible for liability arising from personal injury or damage to persons or property occasioned by its own agents or employees in the performance of this Agreement, subject in all instances to the immunities and limitations of the New Mexico Tort Claims Act, NMSA 1978, §§ 41-4-1 to -30, and any amendments thereto.

ARTICLE 19 NOTICE

The AWARDEE shall give notice to all contractors that the Procurement Code, NMSA 1978, §§ 13-1-28 to -199, imposes civil and criminal penalties for its violation and that the New Mexico criminal statutes impose felony penalties for illegal bribes, kickbacks or rebates.

ARTICLE 20 SEVERABILITY

In the event that any portion of this Agreement is determined to be void, unconstitutional, or otherwise unenforceable, the remainder of this Agreement shall remain in full force and effect.

ARTICLE 21 NMED REPRESENTATIVE / SIGNATORY AUTHORITIES

NMED hereby designates the person(s) listed below as the official NMED Representative(s) responsible for overall supervision of the Project and the official NMED Signatory Authority(s).

NMED REPRESENTATIVE(s)

Name: Elizabeth Bisbey-Kuehn Phone:(505)476-4305 elizabeth.kuehn@state.nm.us

Name: Kerwin Singleton Phone: (505) 476-4350 kerwin.singleton@state.nm.us

Address: 525 Camino de los Marquez, Suite 1, Santa Fe, New Mexico 87505

NMED SIGNATORY AUTHORITY(s)

Name: James Kenney, Secretary of NMED Phone: (505) 827-2855

Address: 1190 Saint Francis Dr., PO Box 5469, Santa Fe, New Mexico 87502-5469

Name: Sandra Ely, Director, Environmental Protection Division Phone: (505) 827-2855

Address: 1190 Saint Francis Dr., PO Box 5469, Santa Fe, New Mexico 87502-5469

Name: Marlene Velasquez, Chief Financial Officer Phone: (505) 476-3723

Address: 1190 Saint Francis Dr., PO Box 5469, Santa Fe, New Mexico 87502-5469

ARTICLE 22 AWARDEE REPRESENTATIVE / SIGNATORY AUTHORITY

The AWARDEE hereby designates the person(s) listed below as the official AWARDEE Representative(s) responsible for overall supervision of the Project and the official AWARDEE Signatory Authority(s).

AWARDEE REPRESENTATIVE(s)

Name: Neal Denton Phone: (505) 955-2229 E-mail: nhdenton@santafenm.gov

Address: P.O. Box 909, Santa Fe, NM 87504

AWARDEE SIGNATORY AUTHORITY(s)

Name: Jarel LaPan Hill Phone: (505) 955-6534 E-mail: jlapanhill@santafenm.gov

Address: P.O. Box 909, Santa Fe, NM 87504

AWARDEE RESPONSIBLE FINANCIAL OFFICER

Name: Mary McCoy Phone: (505) 955-6171 E-mail: mtmccoy@santafenm.gov

Address: P.O. Box 909, Santa Fe, NM 87504

REPORTING REPRESENTATIVE(s)

Name: Neal Denton Phone: (505) 955-2229 E-mail: nhdenton@santafenm.gov

Address: P.O. Box 909, Santa Fe, NM 87504

In witness whereof, the parties have set their hands the day and year set forth below.

AWARDEE: City of Santa Fe: _____	**Date**_____
Alan Webber, Mayor	
Attest: _____ **Yolanda Y. Vigil, City Clerk** **City Attorney's Office:** Marcos Martinez (Jun 15, 2020 14:07 MDT) **, Senior Assistant City Attorney**	**Date:**_____ Date: Jun 15, 2020
Approved for Finances: _____ **Mary McCoy, Finance Director**	**Date**_____
NMED: _____	
James Kenney, Cabinet Secretary	Date
NMED: _____	
Marlene Velasquez, Chief Financial Officer	Date
NMED: Reviewed for legal sufficiency: _____	
Jennifer Hower, General Counsel	Date

ATTACHMENT A
PROJECT DESCRIPTION

NEW MEXICO ENVIRONMENT DEPARTMENT
NEW MEXICO VOLKSWAGEN MITIGATION TRUST

CITY OF SANTA FE:
1. SANTA FE RAILYARD MUNICIPAL GARAGE PROJECT
2. SANTA FE SANDOVAL PARKING GARAGE PROJECT
3. SANTA FE COMMUNITY CONVENTION CENTER GARAGE PROJECT
 # NM-VW-20-14 PROJECT AGREEMENT

The projects consist of one dual-port Level II electric vehicle charging station at each of the three sites – Railyard Municipal Garage, Sandoval Parking Garage, and Community Convention Center Garage.

ATTACHMENT B
PROJECT BUDGET

NEW MEXICO ENVIRONMENT DEPARTMENT
NEW MEXICO VOLKSWAGEN MITIGATION TRUST

CITY OF SANTA FE:
1. SANTA FE RAILYARD MUNICIPAL GARAGE PROJECT
2. SANTA FE SANDOVAL PARKING GARAGE PROJECT
3. SANTA FE COMMUNITY CONVENTION CENTER GARAGE PROJECT
 # NM-VW-20-14 PROJECT AGREEMENT

1. SANTA FE RAILYARD MUNICIPAL GARAGE PROJECT

LDEVSEM Project Component	**Cost**
Charger	$6,705
Labor Installation Costs	$6,556
Permitting Fees	$585
Initial Activation and Configuration Service	$349
Commercial Cloud Plan	$2,242
Maintenance and Management Program	$2,495
Shipping and Handling	$150
NM GRT	$583
TOTAL ESTIMATED PROJECT COST	$19,665
TOTAL FUNDING AWARD FROM TRUST	$10,000
MATCHING FUNDING BY GRANTEE	$9,665

2. SANTA FE SANDOVAL PARKING GARAGE PROJECT

LDEVSEM Project Component	**Cost**
Charger	$6,705
Labor Installation Costs	$4,145
Permitting Fees	$350
Initial Activation and Configuration Service	$349
Commercial Cloud Plan	$2,242
Maintenance and Management Program	$2,495
Shipping and Handling	$150
NM GRT	$380
TOTAL ESTIMATED PROJECT COST	$16,816
TOTAL FUNDING AWARD FROM TRUST	$9,309
MATCHING FUNDING BY GRANTEE	$7,507

3. SANTA FE COMMUNITY CONVENTION CENTER GARAGE PROJECT

LDEVSEM Project Component	Cost
Charger	$3,400
Labor Installation Costs	$3,120
Permitting Fees	$350
Initial Activation and Configuration Service	$349
Commercial Cloud Plan	$2,242
Maintenance and Management Program	$2,495
Shipping and Handling	$150
NM GRT	$293
TOTAL ESTIMATED PROJECT COST	$12,399
TOTAL FUNDING AWARD FROM TRUST	$6,994
MATCHING FUNDING BY GRANTEE	$5,405

2020 06 15 NMED City of Santa Fe - VW Settlement Project Agreement

Final Audit Report 2020-06-15

Created:	2020-06-15
By:	Irene Romero (ikromero@ci.santa-fe.nm.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAOpN6HXX2Lv9x-n3l4G1S3xvGO0NQ2EC7

"2020 06 15 NMED City of Santa Fe - VW Settlement Project Agreement" History

Document created by Irene Romero (ikromero@ci.santa-fe.nm.us)
2020-06-15 - 7:41:28 PM GMT- IP address: 63.232.20.2

Document emailed to Marcos Martinez (mdmartinez@santafenm.gov) for signature
2020-06-15 - 7:43:04 PM GMT

Email viewed by Marcos Martinez (mdmartinez@santafenm.gov)
2020-06-15 - 7:59:01 PM GMT- IP address: 67.0.215.15

Document e-signed by Marcos Martinez (mdmartinez@santafenm.gov)
Signature Date: 2020-06-15 - 8:07:28 PM GMT - Time Source: server- IP address: 67.0.215.15

Signed document emailed to Irene Romero (ikromero@ci.santa-fe.nm.us) and Marcos Martinez (mdmartinez@santafenm.gov)
2020-06-15 - 8:07:28 PM GMT

Log # *{Finance use only}*:	
Batch # *{Finance use only}*:	

City of Santa Fe, New Mexico
BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME	DATE
Public Utilities / Environmental Services Division	10/7/2020

ITEM DESCRIPTION	ORG	OBJECT	PROJECT	INCREASE	DECREASE
EXPENDITURES				*{enter as positive #}*	*{enter as negative #}*
Building & Structure NonExempt	5100331	570400	ESD2051001-STATE-NMENV-TRUST	26,303	
REVENUES				*{enter as negative #}*	*{enter as positive #}*
NMED	5100331	490190		(26,303)	
				$ -	$ -

JUSTIFICATION: *(use additional page if needed)*
--Attach supporting documentation/memo

Increase for electric vehicle charging stations.

Project Ledger # ESD2051001-STATE-NMENV-TRUST Grant Id S2108

{Complete section below if BAR results in a net change to ANY Fund}

Fund(s) Affected	Fund Balance Increase/(Decrease)
510	(26,303)
TOTAL:	**(26,303)**

Manuel Sanchez 10/7/2020
Prepared By *{print name}* Date

Shirlene Sitton
Shirlene Sitton (Oct 16, 2020 16:08 MDT)

Division Director Signature *{optional}* Date

Shannon Jones (Oct 16, 2020 17:30 MDT)
Department Director Signature Date

{Use this form for Finance Committee/ City Council agenda items ONLY}

CITY COUNCIL APPROVAL

City Council Approval Date

Agenda Item #:

AJH
AJH (Oct 22, 2020 10:36 MDT)
Budget Officer Date

Finance Director *{≤ $5,000}* Date

City Manager *{≤ $60,000}* Date

City of Santa Fe

Real Estate Summary of Contracts, Agreements, Amendments & Leases

Section to be completed by department

1. Munis Contract # N/A

Contractor: New Mexico Environment De;pt

Description: Grant Agreement for 3, level 2 dual port wall-mounted electric vehicle charging stations with cord

Contract ☐ Agreement ☉ Lease / Rent ☐ Amendment ☐

Term Start Date: _____ Term End Date: _____

☐ Approved by Council Date: _____

Contract / Lease:

Amendment # _____ to the Original Contract / Lease # _____

Increase/(Decrease) Amount $ _____

Extend Termination Date to: _____

☐ Approved by Council Date: _____

Amendment is for:

2. **HISTORY** of Contract, Amendments & Lease / Rent - **Please Elaborate** (option: attach spreadsheet if multiple amendments)

3. **Procurement History:** N/A grant

Fran Dunaway (Oct 28, 2020 17:01 MDT) Oct 28, 2020

Purchasing Officer Review: Date:

Comment & Exceptions: Grant Agreement

4. **Funding Source:** ESD Enterprise Fund **Org / Object:** 5100331.570400

Alexis Lotero (Oct 27, 2020 14:17 MDT) Oct 27, 2020

Budget Officer Approval: Date:

Comment & Exceptions: _____

Staff Contact who completed this form: Maya Martinez Phone # 4271

Email: mfmartinez@santafenm.gov

To be recorded by City Clerk:

Clerk # _____

Date of Execution: _____

CITY OF SANTA FE OTHER METHOD PROCUREMENT CHECKLIST

Contractor Name: NMED, Air Quality Bureau

Procurement Title: NM-VW-20-14 PROJECT AGREEMENT for electric vehicle charging stations

Other Methods: State Price Agreement ☐ *Cooperative* ☐ *Sole Source* ☐ *Exempt* ☐ *Other* ☒ Grant Funding

Department Requesting/Staff Member Public Utilities/Neal Denton

Procurement Requirements:
A procurement file shall be maintained for all contracts, regardless of the method of procurement. The procurement file shall contain the basis on which the award is made, all submitted bids, all evaluation materials, score sheets, quotations and all other documentation related to or prepared in conjunction with evaluation, negotiation, and the award process. The procurement shall contain a written determination from the Requesting Department, signed by the purchasing officer, setting forth the reasoning for the contract award decision before submitting to the Committees. .

REQUIRED DOCUMENTS FOR APPROVAL BY PURCHASING*

YES	N/A	
☒	☐	Approved Procurement Checklist (by Purchasing)
☒	☐	Departments Recommendation of Award Memo addressed to Finance
☐	☒	State Price Agreement
☐	☒	Cooperative Agreement
☐	☒	Sole Source Request and Determination Form
☐	☒	Contractors Exempt Letter
☐	☒	Purchasing Officers approval for exempt procurement
☐	☒	BAR
☐	☒	FIR
☒	☐	Contract, Agreement or Amendment
☐	☒	Current Business Registration and CRS numbers on contract or agreement
☒	☐	Summary of Contracts and Agreements form
☐	☒	Certificate of Insurance
☐	☒	Other: _____

Neal Denton, Sustainability Planner
Department Rep Printed Name and Title

Department Rep Signature attesting that all information included

Fran Dunaway (Oct 28, 2020 17:01 MDT)
Purchasing Officer attesting that all information is reviewed

REQUIRED DOCUMENTS FOR OTHER METHOD FILE*

YES	N/A	
☐	☒	State Price Agreement
☐	☒	Cooperative Agreement
☐	☒	Sole source Request and Determination Form
☐	☒	Contractors Exempt Letter
☐	☒	Purchasing Officers approval of exempt procurement
☐	☒	Copies of all Sole Source submittals

*

☐ ☒ Other: _____

AWARD*

YES **N/A**

☒ ☐ Fully executed Memo to Committees from the Department with recommendation of award
☐ ☒ Other: _____

CONTRACT*

YES **N/A**

☒ ☐ Copy of Executed Contract
☒ ☐ Copy of all documentation presented to the Committees
☒ ☐ Finalized Council Committee Minutes
☐ ☒ Other: _____

Include all other substantive documents and records of communication that pertain to the procurement and any resulting contract.

Create a separate file folder which may contain any documents with trade secrets or other competitively sensitive, confidential or proprietary information.

Neal Denton, Sustainability Planner

Department Rep Printed Name and Title

Department Rep Signature attesting that all information included

*

City of Santa Fe
FY20 Fiscal Impact Analysis (Non-Personnel Expenditures)

General Information

Department Name:	Public Utilities	Department Name:	N/A
Division Name:	Environmental Services	Division Name:	N/A

Financial Information

Amount Requested:	$26,303 (grant award amount)	Munis Fund Number:	
Vendor Name:	N/A	Munis Org Number:	5100331
Approved by Director?	Shannon Jones (Oct 16, 2020 17:30 MDT)	Munis Object Code:	570400

Expenditure Information

1. Describe the purchase of goods/services. Is this one-time or recurring? Please explain why this is the lowest cost option for this expenditure.
Three level 2, 208/240V, 30A, dual-port, wall-mount electric vehicle charging stations with cord management and services related to installation and activation. This is a one-time purchase with funding from the New Mexico Environment Department. Procurement will occur after execution of agreement.

2. Please describe which legally required City service does this procurement support? Does this procurement provide support for compliance with City, State and Federal requirements? If yes, please explain.
Strategy EN5 of the Sustainable Santa Fe 25-Year Plan approved by Resolution #2018-65 calls for development of public electric vehicle charging infrastructure. Resolution $2017-86 directed the City Manager to develop charging infrastructure for City electric vehicles.

3. Can these services be performed by City employees in your department or in other departments? If the answer is no, please explain.
No. Per a discussion with the Public Works Director, City electricians do not have the skill-set to install electric vehicle charging stations.

4. Would there be any adverse health, safety or economic implications if this expenditure was not approved? What impact will there be on the department and the City operations if this expenditure is not approved.
Yes, according to the World Health Organization, an estimated 4.2 million premature deaths are linked to ambient air pollution. Combustion vehicle engines are the primary source of air pollution in Santa Fe. Electric vehicles have no tailpipe emissions. We will lose the grant funding if the expenditure is not approved.

5. If this purchase is not approved with City funds, what are alternative funding sources for the proposed expenditure? Does this duplicate efforts being provided by other governmental, for profit or non-profit entities?
An existing Legislative appropriation can be used to cover the city's share of the grant. As this charging stations would be in city facilities, it does not duplicate efforts being provided by other entities.

Procurement Office Signature	Budget Office Signature	Finance Director Signature

Signature: Neal Denton
Neal Denton (Oct 16, 2020 16:05 MDT)

Email: nhdenton@santafenm.gov

NMED Grant packet

Final Audit Report 2020-10-22

Created:	2020-10-22
By:	Maya Martinez (mfmartinez@ci.santa-fe.nm.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAe7NV5wHNDPUgXs8Iy8zMnkwwJeo0uLju

"NMED Grant packet" History

Document created by Maya Martinez (mfmartinez@ci.santa-fe.nm.us)
2020-10-22 - 3:12:19 PM GMT- IP address: 63.232.20.2

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2020-10-22 - 3:15:25 PM GMT

Email viewed by AJH (ajhopkins@santafenm.gov)
2020-10-22 - 4:02:09 PM GMT- IP address: 174.28.41.32

Document e-signed by AJH (ajhopkins@santafenm.gov)
Signature Date: 2020-10-22 - 4:36:02 PM GMT - Time Source: server- IP address: 63.232.20.2

Agreement completed.
2020-10-22 - 4:36:02 PM GMT

GB ESD NM ENVIRONMENT DEPT GRANT NM-VW-20-14

Final Audit Report 2020-10-28

Created:	2020-10-27
By:	YODEL CATANACH (yocatanach@ci.santa-fe.nm.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAA79DAZBnVOZBskBW1uMH3hpuv7w342ddt

"GB ESD NM ENVIRONMENT DEPT GRANT NM-VW-20-14" History

Document created by YODEL CATANACH (yocatanach@ci.santa-fe.nm.us)
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2020-10-27 - 8:14:52 PM GMT

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2020-10-27 - 8:15:23 PM GMT- IP address: 104.47.64.254

Document e-signed by Alexis Lotero (aclotero@santafenm.gov)
Signature Date: 2020-10-27 - 8:17:01 PM GMT - Time Source: server- IP address: 63.232.20.2

Document emailed to Fran Dunaway (fadunaway@santafenm.gov) for signature
2020-10-27 - 8:17:05 PM GMT

Email viewed by Fran Dunaway (fadunaway@santafenm.gov)
2020-10-28 - 10:56:35 PM GMT- IP address: 104.47.64.254

Document e-signed by Fran Dunaway (fadunaway@santafenm.gov)
Signature Date: 2020-10-28 - 11:01:58 PM GMT - Time Source: server- IP address: 63.232.20.2

Agreement completed.
2020-10-28 - 11:01:58 PM GMT

POWERED BY Adobe Sign

ACTION SHEET
PUBLIC WORKS AND UTILITES COMMITTEE MEETING OF 11/09/2020

ISSUE NO. 8K

Consideration of Resolution No. 2020- : A Resolution Establishing City of Santa Fe Legislative Priorities for Consideration by the New Mexico State Legislature During the 55th Legislature – State of New Mexico – First Session, 2021. (Mayor Webber) (Regina Wheeler, Public Works Department Director, rawheeler@santafenm.gov, 955-6622; Jesse Guillen, Legislative Liaison, jbguillen@santafenm.gov, 955-6518)

Committee Review:

Public Works and Utilities Committee: 11/9/20
Finance Committee: 11/30/20
Quality of Life Committee: 12/2/20
Governing Body: 12/9/20

PUBLIC WORKS AND UTILITES COMMITTEE ACTION: Pulled by Councilor Vigil Coppler. Approved to move forward to 11/30/2020 with no recommendations

SPECIAL CONDITIONS OR AMENDMENTS:

STAFF FOLLOW UP:

VOTE:	FOR	AGAINST	ABSTAIN
COUNCILOR RIVERA, CHAIR	X		
COUNCILOR GARCIA	X		
COUNCILOR ABEYTA	X		
COUNCILOR LINDELL	X		
COUNCILOR VIGIL COPPLER	X		

ACTION SHEET
ITEM FROM FINANCE COMMITTEE MEETING OF 11/30/20
FOR CITY COUNCIL MEETING OF 12/09/20

j) Consideration of Resolution No. 2020-__: A Resolution Establishing City of Santa Fe Legislative Priorities for Consideration by the New Mexico State Legislature During the 55th Legislature – State of New Mexico – First Session, 2021. (Mayor Webber) (Regina Wheeler, Public Works Department Director, rawheeler@santafenm.gov, 955-6622; Jesse Guillen, Legislative Liaison, jbguillen@santafenm.gov, 955-6518)

Committee	**Review:**
Public Works and Utilities Committee:	11/9/20
Finance Committee:	11/30/20
Quality of Life Committee:	12/2/20
Governing Body:	12/9/20

FINANCE COMMITTEE ACTION:
Approved on Discussion

FUNDING SOURCE:

SPECIAL CONDITIONS OR AMENDMENTS

VOTE	**FOR**	**AGAINST**	**ABSTAIN**
COUNCILOR ROMERO-WIRTH	x		
COUNCILOR CASSUTT-SANCHEZ	x		
COUNCILOR LINDELL	x		
COUNCILOR VILLARREAL		x	
CHAIRPERSON ABEYTA	x		

9-19-20

City of Santa Fe New Mexico
Memorandum

Date: November 6, 2020

To: Public Works and Utilities Committee, Finance Committee, Quality of Life Committee, and Governing Body

From: Regina Wheeler, Public Works Department Director
Jesse Guillen, Legislative Liaison

RE: Legislative Priorities 2021

ITEM AND ISSUE:

Adoption of the City's annual Legislative Priorities for the 2021 Legislative session.

BACKGROUND AND SUMMARY:

Every year the City adopts its legislative priorities for the next year's legislative session. The Resolution includes capital outlay for city-wide projects as well as for district-specific projects. The city-wide capital outlay include the following:

1. $890,000 for the addition of COVID-safe elements to the Southside Teen Center;
2. $10,000,000 for expansion of the Santa Fe Regional Airport;
3. $1,000,000 to renovate and repair City parks that allow for COVID-safe activities;;
4. $8,000,000 to reduce maintenance and improve beautification and safety; and
5. $10,000,000 for infrastructure improvements at Midtown Santa Fe.

District priorities include:

1. $150,000 to repave Paseo de las Vistas;
2. $150,000 for pedestrian and bike safety improvements on certain portions of Pacheco Street and Siringo Road;
3. $150,000 for improvements to the Tierra Contenta trail system; and
4. $150,000 to design pedestrian, bicycle, and drainage improvements along Governor Miles Road.

The Resolution also includes legislative priorities that would be beneficial to the City of Santa Fe and its residents. Those items include support for the following issues:

1. The transfer of State land located adjacent to Midtown Santa Fe in exchange for City-owned property currently occupied by the NM Department of Public Safety;
2. The legalization and taxation of recreational cannabis that provides municipalities the ability to regulate local zoning provides an unrestricted portion of the tax on sales, establishes strict guidelines for packaging and advertising, and pardons and expunges the

records of those who are, or have been, incarcerated for certain marijuana-related charges;
3. Establishment of a regional drug treatment facility;
4. Legislation that allows the creation of a State public bank;
5. Legislation that ensures hold harmless payments are not eliminated or further reduced;
6. Various sustainability initiatives including establishing a community solar program, promoting of water reuse and planning, and any other legislation that advances the environmental sustainability goals of the City;
7. Eliminating the 3% cap on annual property tax increases on residences that are not owner-occupied as the owner's principal place of residence;
8. Establishment of an occupancy surtax that would be used to defray the cost of providing affordable housing or to leverage federal funding for affordable housing; and
9. Any initiatives that would improve and expand early childhood education.

The Resolution also directs the City's lobbyist to support certain New Mexico Municipal League priorities as established in Exhibit A, support any legislation deemed to be beneficial to the City and its residents, and work against any legislation deemed to be harmful to the City and its residents.

ACTION REQUESTED:

Adopt the Resolution as presented.

ATTACHMENTS:

Resolution
Exhibit A – New Mexico Municipal League Legislative Priorities
Fiscal Impact Report

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2020-__

INTRODUCED BY:

Mayor Alan Webber

A RESOLUTION

ESTABLISHING CITY OF SANTA FE LEGISLATIVE PRIORITIES FOR CONSIDERATION BY THE NEW MEXICO STATE LEGISLATURE DURING THE 55TH LEGISLATURE – STATE OF NEW MEXICO – FIRST SESSION, 2021.

WHEREAS, the 60-day Legislative Session of the 2021 New Mexico State Legislature begins on January 19, 2021 and ends on March 20, 2021; and

WHEREAS, the Governing Body desires to establish City of Santa Fe legislative priorities to be considered by the City of Santa Fe Legislative Delegation and the New Mexico State Legislature; and

WHEREAS, the Governing Body has other legislative priorities it desires to be considered by the New Mexico State Legislature, including City of Santa Fe city-wide capital outlay priorities, City of Santa Fe statutory priorities, City of Santa Fe general fund priorities, City of Santa Fe City Council District capital outlay priorities, and other legislative priorities beneficial to the City to be introduced during the 2021 New Mexico Legislative Session.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE

CITY OF SANTA FE that the Governing Body hereby establishes the following city-wide capital outlay legislative funding priorities for consideration by the New Mexico Legislature during the 2021 Legislative Session:

1. From any statewide capital outlay initiative associated with the addition of COVID-safe elements to the construction of Southside Teen Center, the City of Santa Fe requests **$890,000** for this project to provide essential services to help teens succeed.

2. From any statewide capital outlay initiative associated with economic development, the City of Santa Fe requests funding in the amount of **$10,000,000** for the expansion of the Santa Fe Regional Airport terminal building and related infrastructure, including an expansion to accommodate additional airlines, flights, increase seating, and enhance the flow of passenger traffic.

3. From any statewide capital outlay initiative associated with municipal parks, the City of Santa Fe requests funding in the amount of **$1,000,000** that will be used to renovate and repair city parks that allow for COVID-safe activities for resident well-being.

4. From any statewide capital outlay initiative associated with medians, the City of Santa Fe requests **$8,000,000** to reduce maintenance and improve beautification and safety throughout the City.

5. From any statewide capital outlay initiative to support economic development, the City of Santa Fe requests **$10,000,000** to plan, design, and construct infrastructure within the Midtown Santa Fe property including, but not limited to, digital, transportation, drainage, facility, and utility infrastructure.

BE IT FURTHER RESOLVED that the Governing Body requests the Legislature enact a Joint Resolution ratifying and approving the transfer of one or more tracts of City of Santa Fe-owned real property to the State of New Mexico Department of Public Safety in trade and exchange for the transfer of multiple tracts of State-owned real property to the City of Santa Fe, New Mexico.

BE IT FURTHER RESOLVED that the Governing Body supports and endorses legislation

during the 2021 Legislative Session that would legalize the sale and consumption of recreational cannabis that gives municipalities the ability to regulate it through local zoning, gives municipalities an unrestricted portion of the tax on sales, establishes strict guidelines for packaging and advertising, and pardons and expunges the records of those who are, or have been, incarcerated for certain marijuana-related charges.

BE IT FURTHER RESOLVED that the Governing Body supports and endorses the establishment of a regional drug treatment facility that would serve the residents of Santa Fe and northern New Mexico established and funded by revenue derived from the taxation on the legal sale of recreational cannabis.

BE IT FURTHER RESOLVED that the Governing Body supports and endorses legislation during the 2021 Legislative Session that would allow for a New Mexico Public Bank owned by and for the people of New Mexico that would direct the State's investment decisions to support and diversify the economy including achieving goals in eco-tourism, food security, solar energy installations, broadband expansion, health clinic upgrades, and clean energy infrastructure projects.

BE IT FURTHER RESOLVED that the Governing Body requests the New Mexico State Legislature pass legislation during the 2021 Legislative Session which would amend New Mexico's tax law to allow for the imposition of additional gross receipts taxes on out-of-state vendors and implement a formula for calculating the distribution of gross receipts tax revenue from out-of-state vendors which ensures fair and equitable distribution to municipalities and counties.

BE IT FURTHER RESOLVED that the Governing Body request the New Mexico State Legislature work to ensure that the New Mexico Taxation and Revenue Department charges administrative fees connected to the distribution of gross receipts tax revenue in accordance with applicable New Mexico state statutes which limit such fees to 3% and that any repayment sought by the New Mexico Taxation and Revenue Department pursuant to the overpayment of gross receipts tax revenue to a county or municipality be limited in time as provided for by applicable New Mexico state

statutes.

BE IT FURTHER RESOLVED that the Governing Body requests that the New Mexico State Legislature ensure hold harmless payments to counties and municipalities are not eliminated or further reduced and returned to their original schedule and/or ensure that any tax reform continues to hold counties and municipalities harmless in lieu of the enactment of legislation reinstating the gross receipts tax on food and medical.

BE IT FURTHER RESOLVED that the Governing Body request that the New Mexico State Legislature appropriate money from the general fund to support the Santa Fe Thrive public safety program which allows law enforcement officers to work with the Santa Fe Fire Department to redirect persons suspected of involvement in non-violent, low-level crimes to community-based services in lieu of prosecution or jail.

BE IT FURTHER RESOLVED that the Governing Body supports and endorses any legislation that improves broadband infrastructure throughout the state, specifically as it relates to associated economic development.

BE IT FURTHER RESOLVED that the Governing Body supports and endorses any legislation that supports the development and construction of affordable housing to decrease and/or subsidize the cost of housing for residents of Santa Fe and New Mexico.

BE IT FURTHER RESOLVED that the Governing Body supports and endorses any legislation that would authorize the development of a community solar program that provides customers with the voluntary option of accessing solar energy produced by a community solar facility through a subscription process.

BE IT FURTHER RESOLVED that the Governing Body requests the New Mexico State Legislature support legislation that promotes water reuse and water planning and other legislation designed to improve overall sustainability at the state and local level.

BE IT FURTHER RESOLVED that the Governing Body supports and endorses any

legislation that would support municipal recycling program,; product packaging changes that reduce waste, and programs that support recycling market development.

BE IT FURTHER RESOLVED that the Governing Body supports any legislation that advances the environmental sustainability goals of the City of Santa Fe including carbon neutrality, ecological resilience, economic vitality, and quality of life and social equity.

BE IT FURTHER RESOLVED that the Governing Body supports and endorses any legislation that would eliminate the 3% cap on annual property tax increases on residences that are not owner-occupied as the owner's principal place of residence.

BE IT FURTHER RESOLVED that the Governing Body supports and endorses any legislation that establishes an occupancy surtax, the proceeds of which would be used by municipalities and counties to defray the cost of providing affordable housing or to leverage federal funding for affordable housing.

BE IT FURTHER RESOLVED that the Governing Body supports and endorses any legislation or initiatives of the Legislature or Administration that would improve and expand early childhood education.

BE IT FURTHER RESOLVED that the Governing Body supports and endorses any legislation that would increase funding for the New Mexico Tourism Department for use in advertising, a state-wide co-op grant program, and personnel expansion that restores the reduction in services at the Department between 2010-2018.

BE IT FURTHER RESOLVED that the Governing Body requests the New Mexico State Legislature adopt legislation that pertains to statewide business licensing that permit business owners to operate in all cities, counties, and municipalities provided business owners comply with local and use and safety requirements.

BE IT FURTHER RESOLVED that the Governing Body endorses legislation that amends the Public Employees Retirement Act's definition of "salary" in NMSA 1978, Section 10-11-2, to

include fire fighters' overtime hours that are inherent to a regular shift schedule.

BE IT FURTHER RESOLVED that the Governing Body hereby establishes the following City Council District capital outlay legislative funding priorities for improvements of citywide infrastructure for consideration by the New Mexico Legislature during the 2021 Legislative Session:

1. For a capital outlay initiative located within **City Council District 1**, as identified in the 2022-2026 ICIP submittal of the City, funding is requested in the total amount of **$150,000** to repave Paseo de las Vistas.

2. For a capital outlay initiative located within **City Council District 2**, funding is requested in the total amount of **$150,000** for pedestrian and bike safety improvements in dense business areas on Pacheco Street from Alta Vista to San Mateo and on Siringo Road from Pacheco Street to St. Francis Drive.

3. For a capital outlay initiative located within **City Council District 3**, funding is requested in the total amount of **$150,000** for improvements to the Tierra Contenta trail system.

4. For a capital outlay initiative located within **City Council District 4**, funding is requested in the total amount of **$150,000** to design pedestrian, bicycle, and drainage improvements along Governor Miles Road.

BE IT FURTHER RESOLVED that the Governing Body directs the City lobbyist to work with the New Mexico Municipal League in support of any Municipal League 2021 Legislative Priority (see attached Exhibit A) where the City of Santa Fe would benefit from the passage of such initiative.

BE IT FURTHER RESOLVED that the Governing Body directs the City lobbyist to make any capital outlay project directly or indirectly included in the City of Santa Fe ICIP Priority List a priority.

BE IT FURTHER RESOLVED that the Governing Body directs the City lobbyist to work to advance any legislation introduced during the 2021 New Mexico Legislative Session deemed to be beneficial to the City of Santa Fe.

BE IT FURTHER RESOLVED that the Governing Body directs the City lobbyist to work to defeat any legislation introduced during the 2021 New Mexico Legislative Session deemed to be detrimental to the City of Santa Fe.

BE IT FURTHER RESOLVED that while this Resolution represents a majority of the intent of the Governing Body as to 2021 New Mexico legislative priorities, other timely priorities may be approved by the Governing Body, incorporated into the City's 2021 state legislative agenda, and forwarded to the City's lobbying team for action.

BE IT FURTHER RESOLVED that the City Clerk be directed to forward a copy of this Resolution to the City of Santa Fe lobbyist and the City of Santa Fe State Legislative Delegation.

PASSED, APPROVED, and ADOPTED this ___ day of _____, 2020.

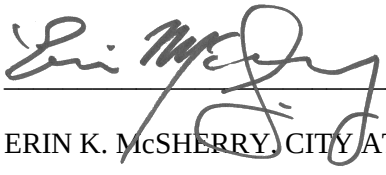
_____

ATTEST: ALAN WEBBER, MAYOR

_____

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:



_____

ERIN K. McSHERRY, CITY ATTORNEY

Legislation/2020/Resolutions/Legislative Priorities 2021

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO RESOLUTION NO. 2020-__
Legislative Priorities

Mayor and Members of the City Council:

I propose the following amendment(s) to Resolution No. 2020-__:

1. On page 5, ***strike*** lines 6- 8 in their entirety.

2. On page 5, line 10 ***strike*** "occupancy surtax", and ***insert*** in lieu thereof "additional lodgers' tax".

Respectfully submitted,

_____
JoAnne Vigil Coppler, Councilor

Approved as to Form:

_____
Erin K. McSherry, City Attorney

ADOPTED: _____
NOT ADOPTED: _____
DATE: _____

_____
Yolanda Y. Vigil, City Clerk

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO RESOLUTION NO. 2020-__
Legislative Priorities 2021

Mayor and Members of the City Council:

I propose the following amendment(s) to Resolution No. 2020-__:

1. On page 4, line 15 ***insert*** the following new paragraph:
"**BE IT FURTHER RESOLVED,** that the Governing Body supports a statewide ban on the use of no-knock warrants and requiring the use of body-worn cameras during the execution of any search warrant as established in Ordinance 2020-32."

2. On page 4, line 16 ***strike*** "supports" and ***insert*** in lieu thereof "advocates for"

3. On page 4, line 18 ***insert*** the following new paragraph:
"**BE IT FURTHER RESOLVED,** that the Governing Body supports and endorses any legislation that creates prevention mechanisms and/or funding support for individuals and families who may, or are, experiencing evictions as a result of the COVID-19 pandemic."

4. On page 6, line 18 ***strike*** "Priority" and ***insert*** in lieu thereof "Priorities"

5. On page 6, line 19 after the first occurrence of "the" ***insert*** "legislation is aligned with City priorities and goals established herein and the"

Respectfully submitted,

_____
Renee Villarreal, Councilor

Approved as to Form:

_____
Erin K. McSherry, City Attorney

ADOPTED: _____
NOT ADOPTED: _____
DATE: _____

_____
Yolanda Y. Vigil, City Clerk

10240.2(B)

New Mexico Municipal League

2021 LEGISLATIVE PRIORITIES

Adopted By:
NMML Board of Directors
October 3, 2020
Via Zoom - Santa Fe

The New Mexico Municipal League Board of Directors adopted the following priorities for the League's Action Program during the 2021 Legislative Session.

TAXATION & REVENUE

- **State and Local Tax Reform.** *(Resolution 2020-18).* The NMML will continue to participate in the Tax Policy Advisory Committee (TPAC) to develop a tax reform plan for the State of New Mexico.

- **Relationship between the Taxation and Revenue Department and Municipalities.** *(Resolution 2020-19)*. The NMML will continue to make every effort possible to improve the relationship between the Department and municipalities.

- **Hold Harmless Gross Receipts Tax Distributions**. *(Resolution 2020-20)*. Supports legislation for a continuation of Hold Harmless GRT distributions.

- **Local Government Safety Net Act**. *(Resolution 2020-22)*. Seeks legislation to obtain revenue replacement for municipalities.

PUBLIC SAFETY

- **Law Enforcement and Mental Health Professionals Crisis Intervention for the Mentally Ill**. *(Resolution 2020-31).* Seeks legislation to provide funding and legislative statutory support for mental health resources, and mandated Regional Crisis Intervention Teams.

- **Enhancing Safety in Public Schools**. *(Resolution 2020-33).* Proposes to:
  - amend the PERA conditions for retirement to allow retired law enforcement to be employed in public schools without penalty to their PERA benefits;
  - fund technology to enhance school safety;
  - further increase penalties regarding school shooting threats to a felony;
  - support new bullying legislation to include monitoring and follow-up on threats made by social media; and
  - provide training through a School Safety Omnibus bill to respond to Active Shooters.

- **Police Body Cameras and Public Records Implications**. *(Resolution 2020-34).* Supports legislation with the development and adoption of guidelines and restrictions regarding Inspection of Public Records Act requests and the release of certain body-worn camera footage.

- **Fire Fund**. *(Resolution 2020-35).* Supports legislation that will ensure that funding is appropriated in the best interest of the Fire Protection Fund and its beneficiaries.

- **Creation of a Police Reform Committee**. *(Resolution 2020-37).* A request be made to the Governor to appoint and convene a committee of police executives, elected officials, community members, and other stakeholders to identify and set the goals for police reform. Additionally, the State Legislature should consider a well-reasoned approach to achieve effective police reform.

COMMUNITY & ECONOMIC DEVELOPMENT

- **State Grants for Libraries**. *(Resolution 2020-5).* Endorses the passage of legislation to increase the appropriation to the library division of the Cultural Affairs Department to provide grants-in-aid for local library services and operations.

- **Job Creation Incentives in Rural Low Income Areas**. *(Resolution 2020-11).* Seeks legislation to provide funding and legislative support for a Rural Job Creation Incentive Program.

- **An Amendment to Article 10 Local Economic Development 5-10-3 Definitions M. Retail Business (1) And (2) To Support Retail Business; Setting A Percentage of Municipal Economic Development Act Funds for Municipalities with Populations Over 35,000; Setting A Sunset Date.** *(Resolution 2020-13). S*eeks legislation to amend the language contained in Article 10 dealing with Local Economic Development retail businesses.

ENVIRONMENT

- **Water Conservation Fee**. *(Resolution 2020-17).* Urges the Legislature to:

  - Support NMED sampling and analysis efforts through the appropriation of funds to ensure an adequate balance in the Water Conservation Fund; and

  - Modify the Act requiring the Taxation and Revenue Department to collaborate with NMED in identifying water systems on the status of water conservation fund payments; and

  - Consideration of any increase in the Fund should be sufficient to cover all sampling and analytical requirements of the federal Safe Drinking Water Act.

RESOLUTION 2020-18

CONCERNING STATE AND LOCAL TAX REFORM

Whereas, the New Mexico Municipal League is aware of various proposals for tax reform in the state; and

Whereas, the New Mexico Municipal League is generally supportive of state and local tax reform that will result in increased revenues for both state and local governments.

Now, Therefore, Be It Resolved that the New Mexico Municipal League will continue to participate in the Tax Policy Advisory Committee (TPAC) to develop a tax reform plan for the State of New Mexico; and

Be It Further Resolved that the Tax Policy Advisory Committee (TPAC) has representation from the New Mexico Municipal League and the New Mexico Counties in order to give input on state and local tax reform.

Passed, Approved and Adopted this 3rd day of September at the City of Santa Fe, New Mexico.

2020 FIRT Committee Priority: **HIGH**

RESOLUTION 2020-19

CONCERNING THE RELATIONSHIP BETWEEN THE TAXATION AND REVENUE DEPARTMENT AND MUNICIPALITIES

Whereas, in order for municipalities to function efficiently and provide necessary services to citizens, it is imperative that municipalities be assured that the revenues they are receiving are being accounted for and distributed properly; and

Whereas, New Mexico Municipalities pay the state 3% of Local Option Gross Receipts Taxes collected for administration and distribution of the tax; and

Whereas, municipalities desire to have a functioning and trusting relationship with the Taxation and Revenue Department that would result in cooperation between the Department and municipalities with the Department sharing as much information as possible with municipalities; and

Whereas, municipalities desire that the Department become consistent in the type of information it is willing and able to share with municipalities so municipalities can utilize the information for analysis purposes and to compare the Department's data against Municipal Business Registrations.

Now, Therefore, Be It Resolved that the New Mexico Municipal League calls on the Taxation and Revenue Department to make every effort possible to improve the relationship between the Department and municipalities; and

Be It Further Resolved that New Mexico Municipal League members stand ready to discuss with the Taxation and Revenue Department ways in which the relationship between the department and municipalities can be improved.

Passed, Approved and Adopted this 3rd day of September at the City of Santa Fe, New Mexico.

2020 FIRT Committee Priority: **HIGH**

RESOLUTION 2020-20

CONCERNING MUNICIPAL HOLD HARMLESS GROSS RECEIPTS TAX DISTRIBUTIONS

Whereas, in 2004, the New Mexico Legislature exempted food and some medical services from Gross Receipt Taxes and provided payments to cities and counties to replace the lost revenue with a Hold Harmless Gross Receipts Tax; and

Whereas, in a last-minute action during the 2013 Legislative Session, lawmakers passed a bill to phase out the Hold Harmless payments over a 15 year period beginning in 2015; and

Whereas, over a dozen of New Mexico's largest municipalities cannot replace the revenue lost from the State's exemption of the Food and Medical GRT from the tax base and the three-eighths hold harmless increment is insufficient to replace the loss in revenue.

Now, Therefore, Be it Resolved that the New Mexico Municipal League seeks legislation for a continuation of Hold Harmless GRT distributions.

Passed, Approved and Adopted this 3rd day of September at the City of Santa Fe, New Mexico.

2020 FIRT Committee Priority: **HIGH**

RESOLUTION 2020-22

CONCERNING LOCAL GOVERNMENT SAFETY NET ACT

Whereas, events related to COVID-19 community spread are expected to create a revenue shortfall, including projections of significantly-reduced gross receipts tax revenue; and

Whereas, seventy percent (70%) of municipal budgets are derived directly from gross receipts tax revenue; and

Whereas, significantly-reduced revenue tied to such a large percentage of municipal budgets will require similarly significant cuts to municipal spending absent robust, State-based relief efforts; and

Whereas, municipalities are already struggling to maintain basic services.

Now, Therefore, Be It Resolved that the New Mexico Municipal League will seek legislation to obtain revenue replacement for municipalities.

Passed, Approved and Adopted this 3rd day of September at the City of Santa Fe, New Mexico.

2020 FIRT Committee

RESOLUTION 2020-31

CONCERNING LAW ENFORCEMENT AND MENTAL HEALTH PROFESSIONALS CRISIS INTERVENTION FOR THE MENTALLY ILL

Whereas, one of the greatest challenges first responders face in New Mexico and across the nation is how to effectively respond to people who have mental health disorders or who are in crisis; and

Whereas, HJM 17 (2011) made recommendations to reduce the number of individuals with mental health disorders who require law enforcement intervention; and

Whereas, New Mexico Law Enforcement agencies, Fire Personnel, EMS, and their supporting agencies are the first responders when dealing with a person who suffers from mental illness or is in crisis and such response requires adequate resources, knowledge, and equipment if such a response is to be compassionate, effective and in the best interests of the individual; and

Whereas, it is the responsibility of the State Legislature to provide adequate resources devoted to dealing with the issue of mental illness in New Mexico. This responsibility extends to all social service agencies and advocacy groups whose mission is to assist citizens suffering from mental illness, thereby reducing the need for Law Enforcement Personnel to respond to individuals in mental health crisis; and

Whereas, New Mexico Law Enforcement personnel are frequently drawn into numerous contacts with citizens suffering from mental illness or who are in crisis, and options for placement and treatment of these citizens are not readily available; and

Whereas, the risk of physical confrontation between the citizen suffering from mental illness or crisis and responding Law Enforcement personnel is high and such confrontations may result in serious injury or death to the citizen, bystanders or to the responding Law Enforcement personnel; and

Whereas, New Mexico Law Enforcement Personnel currently receive basic training on how to assess and handle those suffering from Mental illness as part of the New Mexico Law Enforcement Academy training curriculum pursuant to HB 93; and

Whereas, one of the paramount challenges facing New Mexico Law Enforcement agencies is the lack of adequate support resources for effectively handling and de-escalating potentially deadly situations involving a person or persons in crisis, the first responder and the general public. Having these support options readily available is critical when first responders arrive on-scene to prevent further tragedy. The critical missing link is the availability of Crisis Intervention Teams comprised of specifically trained Law Enforcement Personnel and Mental Health Professionals who will engage in the crisis intervention process on scene as a team; and

Whereas, New Mexico Law Enforcement recognizes and has identified the lack of available resources and professionals specifically trained in crisis intervention and dealing with the mentally ill, and has determined this to be a state wide issue which is not regionalized to a single urban, suburban or rural area. Law Enforcement agencies across the state face the same challenges in not having the readily available resource

of an available Crisis Intervention Team to assist in de-escalating potentially deadly situations and bring about a safe resolution; and

Whereas, New Mexico Law Enforcement seeks to establish a collaborative partnership with Mental Health professionals, and develop regionally based Crisis Intervention Teams throughout New Mexico that can offer immediate assistance either telephonically, or in person, thereby incorporating a level of expertise and intervention which would provide an additional resource for de-escalating a potentially deadly situation and obtaining the proper emergency assistance needed for the person or persons in crisis; and

Whereas, New Mexico Law Enforcement proposes to partner with Mental Health Professionals statewide in developing regionalized teams to effectively handle potentially volatile situations involving those who suffer from mental illness and are in crisis. This partnership in creating Regional Crisis Intervention Teams will serve as an essential tool for first responders in de-escalating potentially deadly situations, and would make sure those who are in crisis get the appropriate medical care, that especially in rural areas, is often not available pursuant to Section 43-1-10 NMSA 1978; and

Whereas, existing Crisis Intervention Teams that exist in New Mexico's larger law enforcement agencies are available to use as a model and resource for the proposed regional Crisis Intervention Teams.

Now, Therefore, Be It Resolved that the New Mexico Municipal League seek legislation to provide funding and legislative statutory support for mental health resources, and mandated Regional Crisis Intervention Teams that would be established and utilized to further support the Law Enforcement and First Responder mission of protecting and assisting a person or persons in crisis, protecting the remainder of the New Mexico community from the potential negative effects of contacts with those in crisis, and furthering collaborative efforts that would mitigate the amount and severity of negative contacts with those in crisis, thus avoiding further tragic loss of life.

Passed, Approved and Adopted this 3rd day of September at the City of Santa Fe, New Mexico.

RESOLUTION 2020-33

CONCERNING ENHANCING SAFETY IN PUBLIC SCHOOLS

Whereas, the Public Employee's Retirement Act (PERA) requires retired police officers to suspend their retirement cost of living adjustments if they are employed by a school whose employees are included under the Educational Retiree's Act (ERA) making it difficult to hire retired law enforcement officers; and

Whereas, current state statutes have making a bomb threat a Felony, but currently state statues for making a school shooting threat, involving school campuses, or affecting students and school staff are classified as misdemeanors. This includes threats using social media; and

Whereas, firearms possession is not regulated by state law for individuals with mental health issues, history of violence, or other demonstrated instability creating situations where currently individuals in crisis lawfully have access to firearms. Those individuals are not under any restriction from purchasing firearms in the unstable, crisis condition they are in; and

Whereas, School districts have not been funded to upgrade and/or install any security measures they deem necessary to protect their students and staff including but not limited to technology to enhance school security with card access, surveillance cameras, perimeter fencing, staff/student/visitor ID systems, intrusion alarm systems, security/police on-site personnel, etc.; and

Whereas, statues to mitigate bullying have not been effectively enforced.

Now, Therefore, Be it Resolved that the New Mexico Municipal League supports legislation to:

- amend the PERA conditions for retirement to allow retired law enforcement to be employed in public schools without penalty to their PERA benefits;
- fund technology to enhance school safety;
- further increase penalties regarding school shooting threats to a felony;
- support new bullying legislation to include monitoring and follow-up on threats made by social media; and
- provide training through a School Safety Omnibus bill to respond to Active Shooters.

Passed, Approved and Adopted this 3rd day of September at the City of Santa Fe, New Mexico.

2020 PS Committee Priority: **MEDIUM**

RESOLUTION 2020-34

CONCERNING POLICE BODY CAMERAS AND PUBLIC RECORDS IMPLICATIONS

Whereas, trust between law-enforcement agencies and the public is vital for the delivery of high-quality public safety services; and

Whereas, the use of body-worn cameras can help law-enforcement agencies strengthen performance, accountability, and transparency; and

Whereas, in other jurisdictions, the use of body-worn cameras has improved the documentation of evidence for investigations and court proceedings and reduced the number of use of force incidents and complaints against officers; and

Whereas, Police Officers collect body-worn camera footage in a number of sensitive locations in performance of their duties, such as private residences, during sensitive non-criminal citizen encounters, at graphic crime scenes and in locations such as hospitals and emergency rooms; and

Whereas, the Inspection of Public Records Act was written well before the introduction of body-worn cameras and consequently did not contemplate the attendant privacy implications surrounding the use of body-worn cameras; and

Whereas, Senate Bill 8 from the First Special Session of the 54th Legislature created two new causes of action under the New Mexico Tort Claims Act, both of which require peace officers to collect and law enforcement agencies to store body-worn camera footage, and neither of which contemplated the public records implications of such a requirement.

Now, Therefore Be It Resolved the New Mexico Municipal League and the New Mexico Association of Chiefs of Police, strongly encouraged the development and adoption of guidelines and restrictions regarding Inspection of Public Records Act requests and the release of certain body-worn camera footage that addresses the following:

(1) Limit Public access to and release of data from body-worn camera footage in regards to privacy consideration concerning body-worn cameras.

(2) Inspection, redaction, and production of footage including: reasonable time-line for production and reasonable cost recovery for production and redaction of footage.

Passed, Approved and Adopted this 3rd day of September at the City of Santa Fe, New Mexico.

2020 PS Committee Priority: **HIGH #3**

RESOLUTION 2020-35

CONCERNING THE FIRE FUND

Whereas, the current practice of the New Mexico State Legislature is to use potentially unconstitutional notwithstanding language to divert funds from the Fire Protection Fund; and

Whereas, the current practice will be opposed by all beneficiaries of the Fire Protection Fund; and

Whereas, the Fire Protection Grant Fund shall only be used to support administrative services directly benefiting beneficiaries of the Fire Protection Fund; and

Whereas, the Fire Protection Fund shall only revert to the Fire Protection Fund; and

Whereas, the current statute ensures that increases to insurance excise tax goes in to the distribution to fire departments.

Now, Therefore, Be it Resolved that the New Mexico Municipal League supports legislation that will ensure that funding is appropriated in the best interest of the Fire Protection Fund and it's beneficiaries.

Passed, Approved and Adopted this 3rd day of September at the City of Santa Fe, New Mexico.

2020 PS Committee Priority: **HIGH #5**

RESOLUTION 2020-37

CONCERNING THE CREATION OF A POLICE REFORM COMMITTEE

Whereas, police leaders, elected officials and community members should work together to develop and implement solutions regarding concerns over policing practices and operations. It is imperative that these efforts reflect a balanced strategic approach to combating crime and prioritizing community safety; and

Whereas, emotions are running high and politically expedient measures are being taken and unfortunately implementation of policy or other short sided measures are being hastily implemented without input and do not accomplish community and police engagement; and

Whereas, the Governor and the State of New Mexico should engage in a balanced approach so as not to negatively impact the quality of life for all citizens of our great State by soliciting input from all stakeholders, including Police Chiefs and Sheriffs, in all matters effecting implemented changes; and

Whereas, comprehensive police reform will be a challenge and all parties should be engaged, including law enforcement leadership, to collectively establish effective, transparent and lasting institutional change.

Now, Therefore, Be It Resolved that a request be made to the Governor to appoint and convene a committee of police executives, elected officials, community members, and other stakeholders to identify and set the goals for police reform. As another legislative session quickly approaches, many “reform” bills are already being drafted and presented, and there should be comprehensive discussions to accomplish well-reasoned approaches to achieve effective police reform. Currently, we see a series of disconnected ideas that have not been analyzed and discussed that may in fact, either not accomplish or work against, the goals of true police reform. Law enforcement is bound by public service duty to keep all communities safe. Because of that commitment, the ultimate outcome shall be to implement change together. With the Governor’s appointment, this committee will engage in future, ongoing discussions to ascertain ideas that shall result in effective, transparent and accountable police reform across New Mexico.

Passed, Approved and Adopted this 3rd day of September at the City of Santa Fe, New Mexico.

RESOLUTION 2020-5

CONCERNING STATE GRANTS FOR LIBRARIES

Whereas, New Mexico public libraries provide books and other materials and services to meet the informational, educational, cultural and recreational needs of all New Mexicans; and

Whereas, the effectiveness of a library is determined by its ability to deliver current, accurate information in a timely manner through books and materials answering community needs; and

Whereas, advances in technology have made information resources increasingly accessible electronically; and

Whereas, the demand for library resources continues to rise while the cost of providing the resources is beyond local funding capacity; and

Whereas, publicly funded libraries have increased their effectiveness by sharing their resources electronically, enabling public, school and college libraries to coordinate the use of scarce library funds within the community and statewide; and

Whereas, public libraries have experienced a substantial growth in usage, yet many municipalities lack resources to support adequate funding for library collections and operating expenditures; and

Whereas, the current state grants-in-aid distribution is $0.57 per capita; and

Whereas, the national average for public library state grants in aid is $3.55 per capita.

Now, Therefore, Be It Resolved That the New Mexico Municipal League endorses the passage of legislation to increase the appropriation to the library division of the Cultural Affairs Department to provide grants-in-aid for local library services and operations.

Passed, Approved and Adopted this 3rd day of September at the City of Santa Fe, New Mexico.

2020 CEDGO Committee Priority: **HIGH**

RESOLUTION 2020-11

CONCERNING JOB CREATION INCENTIVES IN RURAL LOW INCOME AREAS

Whereas, many rural New Mexico communities face significant economic sustainability challenges; and

Whereas, existing New Mexico incentives for economic development and job creation generally have little impact in New Mexico's smaller rural communities and these communities are underserved by existing programs; and

Whereas, many smaller rural New Mexico communities lack resources to implement effective economic development programs, promote private investment and incentivize job creation; and

Whereas, many smaller rural New Mexico communities experience lower median household income and median wage and salary than state-wide averages.

Now, Therefore, Be It Resolved, that the New Mexico Municipal League seeks legislation to provide funding and legislative support for a Rural Job Creation Incentive Program that would be established and administered under the New Mexico Economic Development Department to fund rural employment expansion grants to business entities for creation of qualifying full time jobs created in a municipality of less than 15,000 population, where annual median household income is 85% or less than state-wide New Mexico annual median household income.

Passed, Approved and Adopted this 3rd day of September at the City of Santa Fe, New Mexico.

2020 CEDGO Committee Priority: **MEDIUM / LOW**

RESOLUTION 2020-13

CONCERNING AN AMENDMENT TO ARTICLE 10 LOCAL ECONOMIC DEVELOPMENT 5-10-3 DEFINITIONS M. RETAIL BUSINESS (1) AND (2) TO SUPPORT RETAIL BUSINESS; SETTING A PERCENTAGE OF MUNICIPAL ECONOMIC DEVELOPMENT ACT FUNDS FOR MUNICIPALITIES WITH POPULATIONS OVER 35,000; SETTING A SUNSET DATE

Whereas, since 2002, more than 83 communities throughout the State of New Mexico have implemented a Local Economic Development Act (LEDA) tax increment to assist in incentivizing economic development in their communities; and

Whereas, throughout the nation, the retail industry is a significant economic driver in municipalities regardless of their size; and

Whereas, many municipalities throughout the State of New Mexico have experienced a negative economic impact due to the COVID-19 pandemic, which has also had a significant impact on the retail industry and, subsequently, municipal gross receipts tax; and

Whereas, in the State of New Mexico, municipalities with populations less than 35,000 have the ability to support retail for economic development purposes in their communities, while municipalities with populations larger than 35,000 are not currently able to utilize the Local Economic Development Act (LEDA) for retail industry in their community, thereby placing them at a competitive disadvantage; and

Whereas, for larger municipalities, retail business is a major economic driver, where the municipality is a retail hub for the surrounding area, attracts shoppers from throughout the area, including other states and counties when the municipality is located on the periphery of the state. For hub municipalities, retail business greatly positively impacts the gross receipts tax potential; and

Whereas, to allow municipalities the ability to adapt to the current economic climate, greater latitude in the expenditure of LEDA funds is needed to allow municipalities the ability to self-determine how to expend their LEDA funds to better reflect the economic development needs of their community. Current state legislation impedes that ability; and

Whereas, in order to address the economic development needs of New Mexico's municipalities, an amendment to the current language of the Local Economic Development Act (LEDA) funding Article 10 Local Economic Development 5-10-3 Definitions M "retail business" (1) and (2) is recommended as follows:

▪ ***Current Language*** - *M. "retail business" means a business that is primarily engaged in the sale of goods or commodities at retail and that is located in a municipality with a population, according to the most recent federal decennial census, of:*

(1) Fifteen thousand or less; or

(2) More than fifteen thousand but less than thirty-five thousand if:

(a) the economic development project is not funded or financed with state government revenues; and

(b) the business created through the project will not directly compete with an existing business that is: 1) in the municipality; and 2) engaged in the sale of the same or similar goods or commodities at retail.

▪ ***Proposed Language*** *- M. "retail business" means a business that is primarily engaged in the sale of goods or commodities at retail and that is located in a municipality with a population, according to the most recent federal decennial census, of:*

(1) Fifteen thousand or less; or

(2) More than fifteen thousand but less than thirty-five thousand if:

(a) the economic development project is not funded or financed with state government revenues; and

(b) the business created through the project will not directly compete with an existing business that is: 1) in the municipality; and 2) engaged in the sale of the same or similar goods or commodities at retail.

(3) For a period with a sunset date of June 30, 2030,municipalities with more than thirty-five thousand but less than two-hundred thousand may use up to twenty-five percent (25%)of municipal LEDA funding for retail development if the economic development project is not funded or financed with state government revenues.

Now, Therefore, Be It Resolved, that the New Mexico Municipal League seek legislation to amend the language contained in Article 10 Local Economic Development 5-10-3 Definitions M retail business" to allow municipalities, including municipalities over 35,000 the ability to address their individual and unique economic development needs; and

Be It Further Resolved, for municipalities larger than 35,000 but smaller than 200,000 that there be a sunset date of June 30, *2030*.

Passed, Approved and Adopted this 3rd day of September at the City of Santa Fe, New Mexico.

RESOLUTION 2020-17

CONCERNING THE WATER CONSERVATION FEE

Whereas, the Water Conservation Fee Act (the Act) was adopted by the New Mexico Legislature in 1993, with further amendments adopted in 2013; and

Whereas, the Act created a water conservation fee imposed on every public water supply system in an amount equal to three cents ($.03) per thousand gallons of water produced on which the fee imposed by some water systems has not been paid; and

Whereas, the Act created the "water conservation fund" in the state treasury to be administered by the Department of Environment. The fund shall consist of water conservation fees collected pursuant to this section. Balances in the fund at the end of any fiscal year shall not revert to the general fund but shall accrue to the credit of the fund. Earnings on the fund shall be credited to the fund; and

Whereas, money in the water conservation fund is appropriated to the Department of Environment for administration of a public water supply program to:

(1) Test public water supplies for the contaminants required to be tested pursuant to the provisions of the federal Safe Drinking Water Act (SDWA), and collect chemical compliance samples as required under the relevant provisions of the federal act;

(2) Perform vulnerability assessments which will be used to assess a public water supply's susceptibility to those contaminants; and

(3) Implement new requirements of the Utility Operators Certification Act [61-33-1 NMSA 1978] and provide training for all public water supply operators; and

Whereas, the Taxation and Revenue Department shall provide by regulation for the manner and form of collection of the water conservation fee. All water conservation fees collected by the Taxation and Revenue Department, less the administrative fee withheld pursuant to Section 1 [7-1-6.41 NMSA 1978] of this 1997 act, shall be deposited in the water conservation fund; and

Whereas, the fee imposed by this section shall be administered in accordance with the provisions of the Tax Administration Act [7-1-1 NMSA 1978] and shall be paid to the Taxation and Revenue Department; and

Whereas, current expenditures under the Water Conservation Fund exceed revenues due to increased analytical fees and personnel costs, as well as additional and more stringent sampling requirements; and

Whereas, there are systems that are not paying into the fund but still receiving sampling and analytical services from NMED using Water Conservation Fund monies, thus helping to deplete available funding available to those systems paying into the fund.

Now, Therefore, Be It Resolved that the New Mexico Municipal League:

- Urges the Governor of New Mexico and the New Mexico Legislature to support NMED's sampling and analysis efforts through the appropriation of funds to ensure an adequate balance in the Water Conservation Fund;

- Urges the Legislature to modify the Act in a manner requiring the Tax and Revenue Department to collaborate with NMED on a regular basis to identify those systems on a regular basis which are, and are not, paying the required fees into the Water Conservation Fund;

- Urges the NM Legislature to modify the Act to enact requirements that Water Conservation Fund revenues only be expended by NMED on those systems current with their required payments into the fund. Additionally, Water Conservation Fund revenues should not be used to pay for any increased sampling that may be required of systems as a result of their noncompliance with the SDWA;

- Requests that NMED should also provide an annual list of all sampling and analysis required under the provisions of the SDWA, which are covered by the Fund, as intended by the 2013 amendments to the Act;

- Any increase to the Water Conservation fees are justified to the public. If fees are increased, the increase should be scheduled with adequate time provided for water systems to prepare and raise their system fees and/or budgets as appropriate. If the Conservation Fee levels are increased, the increase should be implemented incrementally, and should be sufficient to cover all sampling and analytical requirements of the federal Safe Drinking Water Act; and

Be It Further Resolved, that the New Mexico Municipal League is committed to continuing its recent collaboration and efforts with the New Mexico Environment Department to address the lack of adequate revenues in the Water Conservation Fund to fulfill the intent purposes of the Act.

Passed, Approved and Adopted this 3rd day of September at the City of Santa Fe, New Mexico.

FIR No. 3292

FISCAL IMPACT REPORT

General Information:

(Check) Bill: _____ Resolution: X

Short Title(s): Legislative Priorities 2021

Sponsor(s): Mayor Webber

Reviewing Department(s): Public Works, Legislative Services

Staff Completing FIR: Regina Wheeler/Jesse Guillen Date: 10/27/20 Phone: 955-6622/955-6518

Reviewed by City Attorney: _____ Date: Nov 6, 2020

Reviewed by Finance Director: _____ Date: Nov 9, 2020

Summary:

The proposed Resolution establishes the legislative and capital outlay requests for the City of Santa Fe for the 2021 Legislative Session. City-wide funding requests would provide enhanced COVID-safe elements to the Southside Teen Center, final funding to complete the expansion of the Santa Fe Regional Airport terminal building, renovation and repairs to City parks for resident well-being, reduction in maintenance and enhanced beautification and safety of medians city-wide, and digital, transportation, drainage, facility, and utility infrastructure improvements to the Midtown Property. Other legislative priorities include support for the legalization and taxation of recreational cannabis, legislation that would allow for the creation of a State Public Bank, improvements to state-wide broadband infrastructure, legislation that supports the development and construction of affordable housing, and any legislation that advances the environmental sustainability goals of the City in advancement of the 2045 carbon neutrality commitment.

Departments Affected:

All departments.

Consequences of Not Enacting Legislation:

Because the delegation and lobbyist would not be given direction on items to support or oppose, this could negatively affect the amount of capital outlay the City receives from the Legislature and statutory outcomes for the City's preferred initiatives.

Conflict, Duplication, Companionship, or Relationship to Other Legislation:

None identified. The Governing Body has adopted a similar Resolution in past years.

Performance and Administrative Implications:

Any capital outlay received will require project management and administration. Resources are in place.

Fiscal Implications:

The City stands to gain funding for capital priorities. No costs associated with the adoption of the Resolution.

Fiscal Impact

_____ Check here if no fiscal impact

Expenditures

Expenditure Type	FYE __	FYE __	FYE __	Require BAR (Y/N)	Recurring (R) or Non-recurring (NR)	Fund	3-Year Total Cost
Personnel and Benefits*	$	$	$				
Capital Outlay	$	$	$				
Contractual/ Professional Services	$	$	$				
Operating	$	$	$				$
Total:	$	$	$				$

* This includes all staff time associated with executing the job functions of the proposed legislation.

Expenditure Narrative:

NO EXPENDITURES WITHOUT REVENUE

Revenue

Revenue Type	FYE _22_	FYE __	FYE __	Recurring (R) or Non-recurring (NR)	Fund
General Fund	$	$	$		
Special Revenue	$	$	$		
CIP	$ 100K - $3M	$	$	NR	
Enterprise	$	$	$		
Internal Service	$	$	$		
Trust and Agency	$	$	$		
Federal	$	$	$		
Other	$	$	$		
Total	$	$	$		

Revenue Narrative:

Adoption of this Resolution, and subsequent action by the Legislature in accordance with the priorities established in this Resolution, may result in capital appropriations as well as changes in state statutes that bring revenue to the general fund.

Signature: Regina Wheeler (Nov 10, 2020 09:01 MST)

Email: rawheeler@santafenm.gov

Signature:

Email: jbguillen@ci.santa-fe.nm.us

ACTION SHEET
ITEM FROM FINANCE COMMITTEE MEETING OF 11/30/20
FOR CITY COUNCIL MEETING OF 12/09/20

k) Request for the Approval of the Budget Amendment Resolution-North Central New Mexico Economic Development District-Non Metro Area Agency on Aging Covid-19 CARES Federal Sub-Award. Item # 20-0591 (Munis Contract #3202384) in the Amount of $166,644.57. The Covid-19 CARES Federal Sub-Award Grant Funds will be Utilized to Provide Services to our Eligible Senior Clientele who Receive In-Home Support, Transportation, and Nutrition. (Gino Rinaldi, Senior Services Division Director earinaldi@santafenm.gov 505-955-4710)

Committee	**Review**:
Finance Committee:	11/30/2020
Quality of Life Committee:	12/2/2020
Governing Body: 12/9/2020	

FINANCE COMMITTEE ACTION:
Approved on Consent

FUNDING SOURCE:

SPECIAL CONDITIONS OR AMENDMENTS

VOTE	**FOR**	**AGAINST**	**ABSTAIN**
COUNCILOR ROMERO-WIRTH	x		
COUNCILOR CASSUTT-SANCHEZ	x		
COUNCILOR LINDELL	x		
COUNCILOR VILLARREAL	x		
CHAIRPERSON ABEYTA	x		

9-19-20

City of Santa Fe, New Mexico
Memorandum

DATE: October 29, 2020

TO: Jarel LaPan Hill, City Manager

VIA: Kyra Ochoa, Community Services Department Director KO (Oct 30, 2020 10:27 MDT)

FROM: Gino Rinaldi, Senior Services Division Director

RE: North Central New Mexico Economic Development District Non-Metro Area Agency on Aging Covid-19 CARES Federal Sub-Award, Munis Contract# 3202384, Project: SSD2124112-CARES ACT SUB AWARD SUPPORT PROGRAM

ITEM AND ISSUE:

The Covid-19 CARES Federal Sub-Award Grant has been allocated to the City of Santa Fe Division of Senior Services in the amount of $165,644.57. The purpose of this award is to provide services based on the assessed need of the community and individuals receiving services in accordance with the Coronavirus Aid, Relief, and Economic Security Act (CARES), Title III of the Older Americans Act of 1965 and all relevant amendments and state and federal enabling regulations, within the Service Area. The services provided shall support older adults in maintaining independent and healthy lifestyles, address food insecurity and nutrition.

The awarded grant funding will be utilized to provide services to our eligible senior clientele who receive In Home Support, Nutrition, and Transportation services.

FUNDING SOURCE:

Fund Name/Number: Senior Citizens Grants & Programs Fund/Fund 241
Munis Org Name/Number: Senior In-Home Support, Nutrition, and Transportation Programs/2410113, 2410114, 2410115
Munis Object Name/Number: Operating Supplies/530200, Food/530400, Salaries/500110

ACTION REQUESTED:

The Community Services Department respectfully requests your review and approval of the Covid-19 CARES Federal Sub-Award Grant.

CITY OF SANTA FE PROCUREMENT CHECKLIST

Contractor Name: North Central New Mexico Economic Development District Non-Metro AAA

Procurement Title: Covid-19 CARES Federal Sub-Award

Procurement Method: State Price Agreement ☐ Cooperative ☐ Sole Source ☐ Other ☒

Exempt ☐ Request For Proposal (RFP) ☐ Invitation To Bid (ITB) ☐ Contract under 60K ☐ Contract over 60K ☒

Department Requesting Community/Senior Services Staff Name Anya Alarid

Procurement Requirements:

A procurement file shall be maintained for all contracts, regardless of the method of procurement. The procurement file shall contain the basis on which the award is made, all submitted bids, all evaluation materials, score sheets, quotations and all other documentation related to or prepared in conjunction with evaluation, negotiation, and the award process. The procurement shall contain a written determination from the Requesting Department, signed by the purchasing officer, setting forth the reasoning for the contract award decision before submitting to the Committees.

REQUIRED DOCUMENTS FOR APPROVAL BY PURCHASING*

YES	N/A	
☒	☐	Approved Procurement Checklist (by Purchasing)
☒	☐	Memo addressed to City Manager (under 60K) Committees/City Council (over 60K)
☐	☒	State Price Agreement
☐	☒	RFP
☐	☒	Evaluation Committee Report
☐	☒	ITB
☐	☒	Bib Tab
☐	☒	Quotes (3 valid current quotes)
☐	☒	Cooperative Agreement
☐	☒	Sole Source Request and Determination Form
☐	☒	Contractors Exempt Letter
☐	☒	Purchasing Officers approval for exempt procurement
☐	☒	BAR
☐	☒	FIR
☒	☐	Executed Contract, Agreement or Amendment
☐	☒	Current Business Registration and CRS numbers on contract or agreement
☒	☐	Summary of Contracts and Agreements form
☐	☒	Certificate of Insurance
☐	☒	All documentation presented to Committees
☐	☒	Other:

Anya Alarid — Project Administrator — 10/29/20

Department Rep Printed Name (attesting that all information included) — Title — Date

Fran Gilmoway (Nov 3 2020 08:34 MST)

Purchasing Officer (attesting that all information is reviewed) — Title — Date

Include all other substantive documents and records of communication that pertain to the procurement and contract.

City of Santa Fe

Real Estate Summary of Contracts, Agreements, Amendments & Leases

Section to be completed by department

1. Munis Contract # **3202384**

Contractor: **North Central New Mexico Economic Development District Non-Metro AAA**

Description: **Covid-19 CARES Federal Sub Award. Funding to be utilized for Nutrition, Caregiver Support Programs, and Supportive Services for the Division of Senior Services.**

Contract ☐ Agreement ☉ Lease / Rent ☐ Amendment ☐

Term Start Date: **May 1st, 2020** Term End Date: **September 30th, 2020**

☐ Approved by Council Date: _____

Contract / Lease:

Amendment # _____ to the Original Contract / Lease # _____

Increase/(Decrease) Amount $ _____

Extend Termination Date to: _____

☐ Approved by Council Date: _____

Amendment is for:

2. **HISTORY** of Contract, Amendments & Lease / Rent - **Please Elaborate** (option: attach spreadsheet if multiple amendments)

3. **Procurement History:**

Fran Gunawa... (Nov 2 2020 08:24 MST) Nov 2, 2020

Purchasing Officer Review: Date:

Comment & Exceptions: GRANT AWARDED FUNDS from NMALTS- NOT A PROCUREMENT

4. **Funding Source: Rev Object-490710 Area Agency on Aging** **Org / Object: See Comments**

Alexis Lotero (Oct 30, 2020 16:49 MDT) Oct 30, 2020

Budget Officer Approval: Date:

Comment & Exceptions: **Expense Orgs-2410113.530200, 2410113.530400, 2410115.500110**

Staff Contact who completed this form: Anya Alarid Phone # **505-955-4744**

Email: **aalarid@santafenm.gov**

To be recorded by City Clerk:

Clerk # _____

Date of Execution: _____

Log # *{Finance use only}*:	
Journal # *{Finance use only}*:	

City of Santa Fe, New Mexico
BUDGET AMENDMENT RESOLUTION (BAR)

DEPARTMENT / DIVISION NAME	DATE
Community Services/Senior Services	10/29/2020

ITEM DESCRIPTION	ORG	OBJECT	PROJECT	INCREASE	DECREASE
EXPENDITURES				*{enter as positive #}*	*{enter as negative #}*
Operating Supplies	2410113	530200	SSD2124112	23,514	
Professional Contracts	2410113	510300	SSD2124112	23,456	
Food Supplies	2410114	530400	SSD2124112	95,219	
Rep & Maintenance Vehicles	2410115	520500	SSD2124112	7,819	
Operating Supplies	2410115	530200	SSD2124112	7,819	
Gasoline	2410115	531000	SSD2124112	7,818	
REVENUES				*{enter as negative #}*	*{enter as positive #}*
Area Agency on Aging-State-IFT	2410113	490710	SSD2124112-FEDAAA-PASS THRU	(46,970)	
Area Agency on Aging-State-IFT	2410114	490710	SSD2124112-FEDAAA-PASS THRU	(95,219)	
Area Agency on Aging-State-IFT	2410115	490710	SSD2124112-FEDAAA-PASS THRU	(23,456)	
				$ 0	$ -

JUSTIFICATION: *(use additional page if needed)*
–Attach supporting documentation/memo
COVID-19 CARES Federal Sub-Award. Grant funding will be utilized to provide services to eligible seniors who receive In-Home Support, Nutrition, and Transportation Services.

{Complete section below if BAR results in a net change to ANY Fund}	
Fund(s) Affected	Fund Balance Increase/(Decrease)
TOTAL:	0

Anya Alarid — 10/29/2020
Prepared By *{print name}* — Date

Division Director Signature *{optional}* — Date

Kyra Ochoa
Kyra Ochoa (Nov 6, 2020 11:18 MST)
Department Director Signature — Date

{Use this form for Finance Committee/ City Council agenda items ONLY}

CITY COUNCIL APPROVAL

City Council Approval Date

Agenda Item #:

Andy Hopkins
Digitally signed by Andy Hopkins
Date: 2020.11.06 12:28:36 -07'00'
Budget Officer — Date

Finance Director *{≤ $5,000}* — Date

City Manager *{≤ $60,000}* — Date

Covid-19 CARES Sub-Award BAR 10.29.2020

Final Audit Report 2020-11-06

Created:	2020-11-06
By:	Kent DeYoung (kddeyoung@ci.santa-fe.nm.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAOgbB0GJRPbkfPxN0dCE8hNAX78aDHR6K

"Covid-19 CARES Sub-Award BAR 10.29.2020" History

Document created by Kent DeYoung (kddeyoung@ci.santa-fe.nm.us)
2020-11-06 - 6:13:35 PM GMT- IP address: 63.232.20.2

Document emailed to Kyra Ochoa (krochoa@santafenm.gov) for signature
2020-11-06 - 6:14:08 PM GMT

Email viewed by Kyra Ochoa (krochoa@santafenm.gov)
2020-11-06 - 6:17:15 PM GMT- IP address: 104.47.64.254

Document e-signed by Kyra Ochoa (krochoa@santafenm.gov)
Signature Date: 2020-11-06 - 6:18:04 PM GMT - Time Source: server- IP address: 63.232.20.2

Agreement completed.
2020-11-06 - 6:18:04 PM GMT

POWERED BY
Adobe Sign

City of Santa Fe, New Mexico
Memorandum

DATE: October 29, 2020

TO: Jarel LaPan Hill, City Manager

VIA: Kyra Ochoa, Community Services Department Director KO

FROM: Gino Rinaldi, Senior Services Division Director GR

RE: North Central New Mexico Economic Development District Non-Metro Area Agency on Aging Covid-19 CARES Federal Sub-Award, Munis Contract# 3202384, Project: SSD2124112-CARES ACT SUB AWARD SUPPORT PROGRAM

ITEM AND ISSUE:

The Covid-19 CARES Federal Sub-Award Grant has been allocated to the City of Santa Fe Division of Senior Services in the amount of $165,644.57. The purpose of this award is to provide services based on the assessed need of the community and individuals receiving services in accordance with the Coronavirus Aid, Relief, and Economic Security Act (CARES), Title III of the Older Americans Act of 1965 and all relevant amendments and state and federal enabling regulations, within the Service Area. The services provided shall support older adults in maintaining independent and healthy lifestyles, address food insecurity and nutrition.

The awarded grant funding will be utilized to provide services to our eligible senior clientele who receive In Home Support, Nutrition, and Transportation services.

FUNDING SOURCE:

Fund Name/Number: Senior Citizens Grants & Programs Fund/Fund 241
Munis Org Name/Number: Senior In-Home Support, Nutrition, and Transportation Programs/2410113, 2410114, 2410115
Munis Object Name/Number: Operating Supplies/530200, Food/530400, Salaries/500110

ACTION REQUESTED:

The Community Services Department respectfully requests your review and approval of the Covid-19 CARES Federal Sub-Award Grant.

Federal Sub-Award 2019-20- 60026 CARES

North Central New Mexico Economic Development District
Non-Metro Area Agency on Aging

COVID-19 CARES FEDERAL SUB-AWARD

This Award is made and enterend into by and between North Central New Mexico Economic Development District (NCNMEDD) Non-Metro Area Agency on Aging (Non-Metro AAA), hereinafter referred to as "Agency", and **City of Santa Fe,** hereinafter referred to as "Subrecipient", and is effective as of the date set forth below upon which it is executed by the Agency and collectively as the "Parties". This emergency award agreement is for utilization of the Coronavirus Aid, Relief, and Economic Security Act (CARES) awarded to New Mexico on April 20, 2020.

IT IS IN AGREEMENT BETWEEN THE PARTIES:

1. **Scope of Services.**
   A. The Subrecipient shall perform the work outlined in Attachment 1, Scope of Work.

2. **Compensation.**
   A. The Agency shall pay to the Subrecipient, in full, payment for services satisfactorily performed based upon deliverables as outlined in Attachment 1, Scope of Work. The amount payable to the Subrecipient under this Award, including gross receipts tax, shall not exceed **$165,644.57**. Said aggregate amount is to be derived from the following sources:

1. III FCC3 Family Caregiver Support Programs	$	23,514.19
2. III HDC3: Nutrition Services	$	95,219.27
3. III SSC3: Supportive Services	$	46,911.12

   B. The Subrecipient shall ensure that the COVID-19 Emergency funds are to be used exclusively as outlined in Attachment 1, Scope of Work. The Subrecipient is responsible for notifying the Agency when the services provided under this Award reach the total compensation amount. In no event will the Subrecipient be paid for services provided in excess of the total compensation amount without this Award being amended in writing prior to those services in excess of the total compensation amount being provided.

   C. Payment for services shall be consistent with all applicable federal and state laws and regulations.

   D. Payments to the Subrecipient will be made subsequent to receipt of funds by the Agency. Any expenditure made prior to the receipt of funds or pending the Agency's approval shall be made at the Subrecipient's own risk, and the Agency shall not be liable for such expenditures.

E. Payments to the Subrecipient may be withheld or denied by the Agency for expenditures which are not authorized by, or are in excess of, the regulations, terms and conditions contained in this Award or for expenditures which are not properly documented or substantiated by the Subrecipient. The Subrecipient agrees to hold the Agency harmless against all audit exceptions arising from the Subrecipient's violation and shall make restitution to the Agency of such amounts of money due to the Subrecipient's non-compliance.

E. The total payments for services rendered by the Agency under the terms and conditions of this Award shall not exceed those listed in this Award.

F. Payments to the Subrecipient will be made electronically through the Automated Clearing House (ACH) Network.

3. **Terms of the Award**
This Award shall become effective May 1, 2020 and shall terminate on September 30, 2021, unless terminated pursuant to the Coronavirus Aid, Relief, and Economic Security Act (CARES) awarded to New Mexico Aging and Long-Term Services Department on April 20, 2020.

4. **TERMINATION.**

A. This Award may be terminated by the Agency without cause upon written notice delivered to the Subrecipient at least thirty (30) days prior to the intended date of termination. By such termination, neither party may nullify obligations already incurred for performance or failure to perform prior to the date of termination. This Award may be terminated immediately, upon written notice to the Subrecipient, if the Subrecipient becomes unable to perform the services contracted for, as determined by the Agency, or if, during the term of this Award, the Subrecipient or any of its officers, employees or agents is indicted for fraud, embezzlement or other crime due to misuse of state funds or due to the Appropriations paragraph herein, or if the Subrecipient fails to comply with any of the terms contained herein or is in breach of this Award as set forth in Paragraph 6, below. This provision is not exclusive and does not waive the Agency's other legal rights and remedies caused by the Subrecipient's default or breach of this Award. This Award may also be terminated by the Subrecipient upon thirty (30) days written notice to the Agency.

B. Termination Management. Immediately upon receipt of notice of termination of this Award by either the Agency or the Subrecipient, the Subrecipient shall: 1) not incur any further obligations for salaries, services or any other expenditure of funds under this Award without written approval of the Agency; 2) comply with all directives issued by the Agency in the notice of termination as to the performance of work under this Award; and 3) take such action as the Agency shall direct for the protection, preservation, retention or transfer of all property titled to the Agency and client records generated under this Award and any non-expendable personal property or equipment purchased by the Subrecipient with award funds shall become property of the Agency upon termination. On the date the notice of termination is received, the Subrecipient shall furnish to the Agency a complete,

detailed inventory of non-expendable personal property purchased with funds provided under the existing and previous Agency agreements with the Subrecipient; the property listed in the inventory report including client records and a final closing of the financial records and books of accounts which were required to be kept by the Subrecipient under the paragraph of this Award regarding financial records.

5. **Status of Subrecipient.**
The Subrecipients, its agents, and employees are independent contractors performing professional services for the Agency and are not employees of the Agency. The Subrecipient, its agents and employees shall not accrue leave, retirement, insurance, bonding, use of Agency vehicles, or any other benefits afforded to employees of the Agency as a result of this Award. The Subrecipient acknowledges that all sums received hereunder are reportable for income tax purposes.

6. **Assignment.**
The Subrecipient shall not assign or transfer any interest in this Award or assign any claims for money due or to become due under this Award without the prior written approval of the Agency.

7. **Subcontracting.**
The Subrecipient shall not subcontract any portion of the services to be performed under this Award without the prior written approval of the Agency. No such subcontract shall relieve the primary Subrecipient from its obligations and liabilities under this Award, nor shall any subcontract obligate direct payment from the Agency.

8. **Release.**
The Subrecipient acceptance of final payment of the amount due under this Awardshall operate as a release of the Agency, its officers and employees from all liabilities, claims and obligations, whatsoever, arising from or under this Award. The Subrecipient agrees not to purport to bind the Agency unless the Subrecipient has express written authority to do so, and then only within the strict limits of that authority.

9. **Confidentiality.**
Any information provided to or developed by the Subrecipient in the performance of this Award shall be kept confidential and shall not be made available to any individual or organization, by the Subrecipient without the prior written approval of the Agency. Disclosure of confidential information shall only be made in accordance with the Inspection of Public Records Act or the applicable state or federal laws or regulations. Subrecipient shall establish a method to guarantee the confidentiality of all information relating to clients in accordance with applicable federal, state and local laws, rules and regulations, as well as the terms of this Award. However, this provision shall not be construed as limiting the rights of the Agency or any other federal or state authorized representative to access client case records or other information relating to clients served under this Award.

10. **Product of Service – Copyright.**
All materials developed or acquired, by the Subrecipient, under this Award, shall become the property of the Agency and shall be delivered to the Agency no later than the termination date of this Award. Nothing produced, in whole or in part, by the Subrecipient, under this Award, shall be the subject of an application for copyright or other claim of ownership, by or on behalf, of the Subrecipient.

11. **Conflict of Interest.**
The Subrecipient warrants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree, with the performance or services required under the Award. The Subrecipient certifies that the requirements of the Governmental Conduct Act, Sections 10-16-1 through 10-16-18, NMSA 1978, regarding contracting with a public officer or state employee or former state employee have been followed.

12. **Amendment.**
This Award shall not be altered, changed or amended, except by instrument in writing, executed by the parties hereto.

13. **Merger.**
This Award incorporates all the agreements, covenants and understandings between the parties hereto, concerning the subject matter hereof, and all such covenants, agreements and understandings have been merged into this written Award. No prior agreement or understanding, oral or otherwise, of the parties or their agents shall be valid or enforceable unless embodied in this Award.

14. **Penalties.**
The Procurement Code, Sections 13-1-28 through 13-1-199, NMSA 1978, imposes civil and criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for illegal bribes, gratuities and kickbacks.

15. **Applicable Law.**
The laws of the State of New Mexico shall govern this agreement.

16. **Workers Compensation.**
The Subrecipient agrees to comply with state laws and rules applicable to workers compensation benefits for its employees. If the Subrecipient fails to comply with the Workers Compensation Act and applicable rules when required to do so, this Award may be terminated by the Agency.

17. **Records and Financial Audit.**
The Subrecipient shall maintain detailed time and expenditure records, including, but not limited to, client records, books, supporting documents pertaining to services provided, that indicate the date. time, nature and cost of services rendered during the Award's term

and effect and retain them for a period of three (3) years from the date of final payment under this Award. The records shall be subject to inspection by the Agency, the Department of Finance and Administration and the State Auditor. The Agency shall have the right to audit billings both before and after payment. Payment under this Award shall not foreclose the right of the Agency to recover excessive or illegal payments. If, pursuant to this Award, the Subrecipient receives federal funds subject to the Single Audit Act, the Subrecipient shall submit to the Agency an audit conducted by a certified public accountant in compliance with the Single Audit Act.

18. Indemnification.

Neither party shall be responsible for liability incurred as a result of the other party's acts or omissions in connection with this Award. Any liability incurred in connection with this Award is subject to the immunities and limitation of the New Mexico Tort Claims Act.

19. Internal Dispute Mediation.

The Subrecipient shall attempt to resolve all disputes with participants by negotiation in good faith and with such mediators as may be acceptable to the parties involved. The Subrecipient shall implement an internal grievance policy with procedures in place to effectively and fairly negotiate and resolve disputes with participants. The Subrecipient must provide all participants with notice, at the commencement of the contract year that disputes may be resolved in this manner. If negotiation and mediation through the grievance procedure fail, any party may submit the dispute to the ALTSD in accordance with the following provisions:

1. In any dispute submitted, the Agency and the Subrecipient hereby agree and consent to the ALTSD mediation of the dispute.
2. Mediation may only be instituted by written request, which request shall include a statement of the matter in controversy.
3. Initial contacts and negotiation shall be conducted by the appropriate Agency staff.
4. Any resolution of the matter shall be binding and final on the Subrecipient and the Subrecipient hereby agrees to be bound by said resolution.
5. Failure of the Subrecipient to resolve any dispute pursuant to the procedures set forth herein or to comply with a resolution ordered by the ALTSD shall amount to a material breach of this Award.
6. Internal Dispute Mediation does not supersede the appeal hearing policies and procedures.

20. Participant Grievance.

The Subrecipient will establish a system through which applicants for, and recipients of services, may present grievances about the operation of the service program. The Subrecipient will advise applicants and recipients of their right to appeal denial of service and their right to a fair hearing of these respects. The Subrecipient shall notify the Agency of termination of services, to a client, as part of a monthly service report, on any services funded by this Award. The Agency reserves the right to perform follow-up investigations with the client to determine adequate performance and adherence to due process.

21. **KEY PERSONNEL.**
The Agency shall be notified of changes in, and must concur with the selection process for, Key Personnel. The Agency considers the following positions as Key Personnel:
1. Program Director
2. Financial Manager

The Subrecipient will maintain full-time Key Personnel throughout the term of this agreement.

22. **Invalid Term Or Condition.**
If any term or condition of this Award agreement shall be held invalid or unenforceable, the remainder of this agreement shall not be affected and shall be valid and enforceable.

23. **Enforcement Of Award.**
A party's failure to require strict performance of any provision of this Award shall not waive or diminish that party's right thereafter to demand strict compliance with that or any other provision. No waiver by a party of any of its rights under this Award shall be effective unless expressed in writing, and no effective waiver by a party of any of its rights shall be effective to waive any other rights.

24. **Notices.**
Any notice required to be given to either party by this Award shall be in writing and shall be delivered in person, by courier service or by U.S. mail, either first class or certified, return receipt requested, postage prepaid, as follows:

AGENCY:
NCNMEDD
Attn: Marcia A. Medina
3900 Paseo Del Sol
Santa Fe, NM 87507

SUBRECIPIENT:
City of Santa Fe-Seniors
200 Lincoln Ave
Santa Fe, NM 87501

25. **Insurance.**
The Subrecipient shall secure and maintain, during the term of this Award, at its own expense, comprehensive and general public liability insurance and/or other types of insurance as the Agency may require. The Subrecipient shall secure and maintain, during the term of this Award, at its own expense, workers' compensation insurance in the amounts required by the applicable laws of the State of New Mexico covering the Subrecipient's employees. All policies of liability insurance that Subrecipient is obligated to maintain, according to this Award, except for any policy of workers' compensation insurance, shall name Agency as an additional insured. The Subrecipient shall furnish to the Agency, directly from its insurance carrier, a memorandum or certification of all insurance carried, before the payment of any monies as consideration for the services rendered hereunder shall be made. Upon such certificates and/or memoranda being furnished to the Agency, the same shall be annexed to this Award and by reference made a part hereof.

26. Authority.
The individual(s) signing this Award on behalf of Subrecipient represents and warrants that he or she has the power and authority to bind Subrecipient, and that no further action, resolution, or approval from Subrecipient is necessary to enter into a binding contract.

27. Signatures.
For the faithful performance of the terms of this Award, the parties affix their signatures and bind themselves May 1, 2020.

City of Santa Fe

Legal Name of Subrecipient

Jarel LaPan Hill
Jarel LaPan Hill (Nov 2, 2020 15:09 MST)

Signature

Jarel LaPan Hill

Printed/Typed Name of Signatory

Nov 2, 2020

Date

NCNMEDD Non-Metro Area Agency on Aging

Name of Area Agency on Aging

Monica Abeita

Signature

Monica Abeita, Executive Director

Printed/Typed Name of Signatory

05/21/2020

Date

North Central New Mexico Economic Development District
Non-Metro Area Agency on Aging
COVID-19 CARES FEDERAL SUB-AWARD

ATTACHMENT 1 –SCOPE OF WORK

A. Purpose.

The purpose of this Scope of Work is to provide services based on the assessed need of the community and individuals receiving services in accordance with the Coronavirus Aid, Relief, and Economic Security Act (CARES), Title III of the Older Americans Act of 1965 and all relevant amendments and state and federal enabling regulations, within the Service Area. The services provided shall support older adults in maintaining independent and healthy lifestyles, address food insecurity and nutrition.

B. Target Population.

1. Target populations include persons age 60 or older and their spouses of any age, younger disabled persons who reside with persons age 60 or older, caregivers of any age who care for persons age 60 or older, caregivers age 60 or older who care for children or younger disabled persons, and the recipients of their care.

2. Per the Older Americans Act, an effort must be given to serving eligible persons with the greatest social or economic need, with particular attention to minority individuals with low incomes. Efforts must also be given to targeting individuals residing in rural areas, individuals with limited English proficiency, and individuals with Alzheimer's disease and related disorders, with severe disabilities or at-risk of institutionalization and their caregivers.

C. <u>Guidelines for CARES funds</u>.

1. This Award acknowledges New Mexico's Major Disaster Declaration (MDD) (https://www.fema.gov/disaster/4529) which allows flexibility for use of the Coronavirus Aid, Relief, and Economic Security Act (CARES) by subrecipients.

2. The flexibility applies to funding awarded in current FY20 contracts, and any future contracts issued for CARES funding. **As of April 2020, all expenditures should be based upon actual expenditures and should not be tied to a unit or unit cost.** Please note the reporting requirement below to use the COVID-19 SAMS roster to capture units of service.

3. Meals funded through CARES following a declaration of a major disaster, are not required to meet the DGAs and the DRIs, *however,* ACL recommends the use of these standards to help older adults maintain their health and manage their chronic conditions and to provide quality service.

4. When meals that meet the DRIs/DRAs are unavailable, subrecipients should try to provide meals that meet, at a minimum, no less than 1/3 of the recommended daily caloric intake for an older individual.

D. **Responsibilities of the Subrecipient.**

1. Allowable Activities
    a. Increase the number of congregate and home delivered meals provided.
    b. Restore or reinstate staff positions that have been eliminated or reduced.
    c. Create jobs that will support the increase in number of meals provided.
2. Funding Requirements
    a. CARES funding was originally granted specifically for:
        i. III FCC3 Family Caregiver Support Programs
        ii. III HDC3: Nutrition Services
        iii. III SSC3: Supportive Services
    b. The MDD means this funding can be used for any disaster relief activities for older individuals or family caregivers served under the OAA.
3. Reporting Requirements
    a. CARES funding will be tracked separately from the Older Americans Act program funds.
    b. Subrecipients are required to submit separate reports specifically related to the Award. Budget Detail Form.
    c. Subrecipients shall utilize the COVID-19 SAMS roster to capture units of service – regardless of what they are.
    d. Subrecipients must maintain a separate accounting fund for CARES dollars.
    e. III FCC3, III HDC3 AND III SSC3 reporting must be separate for both program and fiscal reports.
    f. Subrecipients shall only be compensated for expenses itemized in their approved CARES budget form which is to be completed and returned each month per the reporting requirements.

E. Descriptions

CARES Act funds are available for use with maximum flexibility as related to disaster relief activities.

1. III FCC3 Family Caregiver Support Programs – includes all services in Family Caregiver III E to include services for children
2. III HDC3: Nutrition Services – grab & go and home delivered meals III C1 & C2
3. III SSC3: Supportive Services – all III B services

{end}

NORTH CENTRAL NEW MEXICO ECONOMIC DEVELOPMENT DISTRICT
NOTIFCATION OF GRANT AWARD
(NGA)

COVID-19 CARES

GRANTEE: Santa Fe, City of ADDRESS: PHONE:				APPROVED BUDGET PERIOD FROM: 5/21/2020 TO: 9/30/2021		Grant/Action New/Cont: ☒ Revision: ☐ BAR: ☐ Other: ☐	NGA DATE 5/18/2020
DESCRIPTION		**FEDERAL**	**STATE**	**LOCAL**	**IN-KIND**	**PROJ. INC.**	**TOTAL**
AAA Administration	III FCC3	23514.19	0	0	0	0	23514.19
	III HDC3	95219.27	0	0	0	0	95219.27
	III SSC3	46911.12	0	0	0	0	46911.12
	Subtotal	$ 165,644.57	$ -	$ -	$ -	$ -	$ 165,644.57
Title III FCC3 Family Caregiver Support		$ 23,514.19			$ -		$ 23,514.19
	Subtotal	$ 23,514.19	$ -	$ -	$ -	$ -	$ 23,514.19
Title III HDC3 Nutrition Services		$ 95,219.27					$ 95,219.27
	Subtotal	$ 95,219.27	$ -	$ -	$ -	$ -	$ 95,219.27
Title III SSC3 Supportive Services		$ 46,911.12					$ 46,911.12
		$ 46,911.12	$ -	$ -	$ -	$ -	$ 46,911.12
SUB TOTALS	III FCC3	$ 23,514.19	$ -	$ -	$ -	$ -	$ 23,514.19
	III HDC3	$ 95,219.27	$ -	$ -	$ -	$ -	$ 95,219.27
	III SSC3	$ 46,911.12	$ -	$ -	$ -	$ -	$ 46,911.12
	GRAND TOTAL	$ 165,644.57	$ -	$ -	$ -	$ -	$ 165,644.57

COMPUTATION OF GRANT		
1.Estimated Total Cost.....	$	165,644.57
2.LESS Anticipated Proj. Inc.	$	-
3.Estimated Net Cost.....	$	165,644.57
4.Non-federal and Non-state Share of Net Cost.....		
5.Proj. Inc. (Used as Match).....	$	-
6.Federal Share of Net Cost.....	$	165,644.57
7.State Share of Net Cost.....	$	-

8.Federal/State Shares will be comprised of:				
a.Federal/State grant unearned in previous project year(s)	FY 20__	Federal	0	
		State	0	
			0	
b. Carry Over	FY 20___	Federal	0	
		State	0	
c. New Obligational Authority Herein Awarded	FY-2020	Federal	0	$ 165,644.57
		State	0	$ -

All accounting records are to be kept in accordance with federal and state policy and readily available for examination by Area Agency personnel or other federal and/or state officials authorizedto examine any or all financial and programmatic records. Such records shall be retained in accordance with the following:

1 Keep adequate and complete financial records, and to report promptly and fully to the Area Agency.
2. If a federal and/or state audit has not been made within three (3) years after project termination, project records may then be destroyed, on approval of the Agency
3 In all cases, an over-riding requirement exists to retain records until resolution of any audit questions relating to individual grants.
4. Non-federal resources must be contributed equally to the percentage of the non-federal share of actual net costs for a project year. If a Grantee reports federal and/or state cash received but unearned on the final project report for a project year, the Grantee then owes the Area Agency this amount. This amount may constitute a cash advance on any funds awarded to the Grantee by the Area Agency for the following project year.
5. The disposition of unearned portions of federal and/or state funds at the end of the project year shall be made in accordance with current state policies.
6. Unearned federal and/or state cash at thetime the project is terminated shall be returned in full to the Area Agency .
7. All obligations will be liquidated within 30 days after the end of the project year and before final program and financial reports are submitted.
8. Inventory of project equipment will be maintained and submitted as requested.
9. Project records will preserved and kept available to federal and state auditors at the primary offices of the Grantee.

Signature of Area Agency on Aging Authorizing Official: Monica Abeita, Executive Director	We, the undersigned officers of the Grantee organization, certify that we are in agreement with the terms and conditions of this award.
Monica Abeita 05-21-2020	Jarel LaPan Hill Nov 3, 2020
Signature Date	Jarel LaPan Hill (Nov 3, 2020 08:11 MST)
	Signature Jarel Lapan Hill, City Manager Date
	Signature Date

IN WITNESS WHEREOF, the Parties have executed this North Central NM Economic Development District Non-Metro Area Agency on Aging Covid-19 CARES Federal Sub-Award as of the date of the signature by the required approval authorities below.

ATTEST:

yolanda y. vigil

YOLANDA Y. VIGIL, CITY CLERK

XIV

CITY ATTORNEY'S OFFICE:

Marcos Martinez
Marcos Martinez (Oct 27, 2020 13:41 MDT)

SENIOR ASSISTANT CITY ATTORNEY

APPROVED:

Mary McCoy

MARY MCCOY, FINANCE DIRECTOR

Org.Name/Org.#

2020 10 27 NCNMEDD Non-Metro AAA Covid-19 CARES Federal Sub-Award

Final Audit Report 2020-10-27

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By:	Irene Romero (ikromero@ci.santa-fe.nm.us)
Status:	Signed
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"2020 10 27 NCNMEDD Non-Metro AAA Covid-19 CARES Federal Sub-Award" History

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2020-10-27 - 7:36:54 PM GMT- IP address: 63.232.20.2

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2020-10-27 - 7:41:12 PM GMT

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2020-10-27 - 7:41:25 PM GMT- IP address: 174.56.49.116

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Signature Date: 2020-10-27 - 7:41:38 PM GMT - Time Source: server- IP address: 174.56.49.116

Agreement completed.
2020-10-27 - 7:41:38 PM GMT

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Signature: Xavier Vigil
Xavier Vigil (Nov 2, 2020 14:34 MST)

Email: xivigil@santafenm.gov

CM SENIORS CARES ACT SUB-AWARD SUPPORT PROGRAM SSD2124112

Final Audit Report 2020-11-02

Created:	2020-10-30
By:	YODEL CATANACH (yocatanach@ci.santa-fe.nm.us)
Status:	Signed
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"CM SENIORS CARES ACT SUB-AWARD SUPPORT PROGRAM SSD2124112" History

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2020-10-30 - 10:44:00 PM GMT- IP address: 104.47.65.254

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2020-11-02 - 10:08:44 PM GMT- IP address: 104.47.65.254

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2020-11-02 - 10:40:30 PM GMT

CM SENIORS CARES ACT SUB-AWARD SUPPORT PROGRAM SSD2124112 r1

Final Audit Report 2020-11-03

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By:	YODEL CATANACH (yocatanach@ci.santa-fe.nm.us)
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"CM SENIORS CARES ACT SUB-AWARD SUPPORT PROGRAM SSD2124112 r1" History

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Agreement completed.
2020-11-03 - 3:11:35 PM GMT

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ACTION SHEET
ITEM FROM FINANCE COMMITTEE MEETING OF 11/30/20
FOR CITY COUNCIL MEETING OF 12/09/20

I) Consideration of Bill No. 2020-__: An Ordinance Amending Section 16-15.2 SFCC 1987 to Remove the Possibility of Imprisonment for the Conviction of a Violation of the Section. (Councilors Rivera and Cassutt-Sanchez) (Kyle Hibner, City Prosecutor, kjhibner@santafenm.gov, 955-5195)

Committee	**Review:**
Finance Committee:	11/30/20
Quality of Life Committee:	12/2/20
Governing Body (request to publish):	12/9/20
Governing Body (public hearing):	1/13/21

FINANCE COMMITTEE ACTION:
Approved on Consent

FUNDING SOURCE:

SPECIAL CONDITIONS OR AMENDMENTS

VOTE	**FOR**	**AGAINST**	**ABSTAIN**
COUNCILOR ROMERO-WIRTH	x		
COUNCILOR CASSUTT-SANCHEZ	x		
COUNCILOR LINDELL	x		
COUNCILOR VILLARREAL	x		
CHAIRPERSON ABEYTA	x		

9-19-20

City of Santa Fe New Mexico
Memorandum

Date: November 6, 2020

To: Quality of Life Committee, Finance Committee, Governing Body

Via: Erin K. McSherry, City Attorney EM

From: Kyle Hibner, City Prosecutor KH

RE: Drug Paraphernalia Amendments

ITEM AND ISSUE:

The Bill amends Section 16-15.2(C) to reclassify the possession, delivery, or manufactures of drug paraphernalia from a petty misdemeanor to a penalty assessment.

BACKGROUND AND SUMMARY:

The Bill removes the criminal petty misdemeanor classification for violations of Section 16-15.2(C) and instead requires a penalty assessment of $50. The removal of the petty misdemeanor classification removes the threat of having a drug paraphernalia conviction on an offender's record, potentially leading to future employment difficulties.

ACTION REQUESTED:

Approve the Bill as presented.

ATTACHMENTS:

Bill
Fiscal Impact Report

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2020-35

INTRODUCED BY:

Councilor Chris Rivera

Councilor Jamie Cassutt-Sanchez

Councilor Renee Villarreal

Councilor Michael J. Garcia

AN ORDINANCE

AMENDING SECTION 16-15.2 SFCC 1987 TO REMOVE THE POSSIBLITY OF IMPRISONMENT FOR THE CONVICTION OF A VIOLATION OF THE SECTION.

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

Section 1. Section 16-15.2 of SFCC 1987 (being Ord. No. 2005-7, § 3, as amended) is amended to read:

16-15.2 Possession, delivery or manufacture of drug paraphernalia prohibited; exceptions.

A. It is unlawful for a person to use or possess with intent to use drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance in violation of the Controlled Substances Act. The provisions of this subsection do not apply to a person who is in possession of hypodermic syringes or needles at the time he is directly and immediately engaged in a harm reduction program, as provided in the Harm Reduction Act or to a person who is in possession of drug paraphernalia intended for marijuana use.

underscored material = new [~~bracketed material~~] = delete

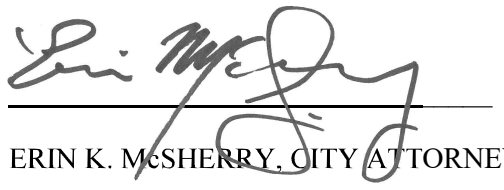
B. It is unlawful for a person to deliver, possess with intent to deliver or manufacture with the intent to deliver drug paraphernalia with knowledge, or under circumstances where one reasonably should know, that it will be used to plant, propagate, cultivate, grow, harm, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce in the human body a controlled substance in violation of the Controlled Substances Act. The provisions of this subsection do not apply to:

(1) Department of health employees or their designees while they are directly and immediately engaged in activities related to the harm reduction program authorized by the Harm Reduction Act; or

(2) The sale or distribution of hypodermic syringes and needles by pharmacists licensed pursuant to the Pharmacy Act.

C. A person who violates this section with respect to paragraph A of this subsection [~~is guilty of a petty misdemeanor and upon conviction~~] shall be punished by a fine of [~~not less than~~] fifty dollars ($50.00) [~~nor more than one hundred dollars ($100.00) or by imprisonment for a definite term of ninety (90) days, or both~~]. A person who violates this section with respect to paragraph B of this subsection is guilty of a petty misdemeanor.

APPROVED AS TO FORM:



ERIN K. McSHERRY, CITY ATTORNEY

FIR No. 3246

FISCAL IMPACT REPORT

General Information:

(Check) Bill: X Resolution: _____

Short Title(s): Drug Paraphernalia Amendments

Sponsor(s): Councilor Rivera

Reviewing Department(s): City Attorney's Office

Staff Completing FIR: Kyle Hibner Date: 10/15/20 Phone: 955-5195

Reviewed by City Attorney: _____ Date: Nov 6, 2020

Reviewed by Finance Director: _____ Date: Nov 9, 2020

Summary:
The Bill amends Section 16-15.2 to remove the classification of possession, delivery, or manufacture of drug paraphernalia as a petty misdemeanor and sets the penalty assessment at $50. The changes to this Section align with State statute, NMSA 1978, Section 30-31-25.1.

Departments Affected:
Police Department, Municipal Court, City Attorney's Office.

Consequences of Not Enacting Legislation:
Violators of this Section would still face possible jail time, and City Code would differ from State Statute.

Conflict, Duplication, Companionship, or Relationship to Other Legislation:
None identified. The changes in the Bill align City Code with State Statute (NMSA 1978, Section 30-31-25.1)

Performance and Administrative Implications:
The Bill would make a charge an officer prosecution, reducing the caseload for the City Prosecutor. Officers could potentially have more work because they would take responsibility for prosecuting the case. There would be no possibility of jail time, altering how the court would sentence offenders. Offenders would not be eligible for the public defender based on this charge alone, so the change may affect the caseload for the public defender as well.

Fiscal Implications:
Between 2018 and 2019 there were 127 citations for "possession, delivery, or manufacture of drug paraphernalia," totaling 1,928 in assessed fines, averaging $15 per citation. Often defendants were given a suspended sentence with no fine. The Bill sets the fine at $50, rather than the current range of $50-$100. Because the classification as a petty misdemeanor is being removed, the Municipal Judge is more likely to assess the full amount of the fine. The calculated difference between current penalty assessments and the proposed assessments is $2211 per year, assuming the full $50 is assessed.

Fiscal Impact

_____ Check here if no fiscal impact

Expenditures

Expenditure Type	FYE __	FYE __	FYE __	Require BAR (Y/N)	Recurring (R) or Non-recurring (NR)	Fund	3-Year Total Cost
Personnel and Benefits*	$	$	$				
Capital Outlay	$	$	$				
Contractual/ Professional Services	$	$	$				
Operating	$	$	$				$
Total:	$	$	$				$

* This includes all staff time associated with executing the job functions of the proposed legislation.

Expenditure Narrative:

Revenue

Revenue Type	FYE 21	FYE 22	FYE 23	Recurring (R) or Non-recurring (NR)	Fund
General Fund	$	$	$		
Special Revenue	$	$	$		
CIP	$	$	$		
Enterprise	$	$	$		
Internal Service	$	$	$		
Trust and Agency	$	$	$		
Federal	$	$	$		
Other	$2211	$2211	$2211	R	
Total	$2211	$2211	$2211		

Revenue Narrative:

Adoption of the Bill is expected to increase penalty assessment revenue by approximately $2211 per year.

Signature:

Email: kjhibner@santafenm.gov

ACTION SHEET
ITEM FROM FINANCE COMMITTEE MEETING OF 11/30/20
FOR CITY COUNCIL MEETING OF 12/09/20

m) Consideration of Resolution No. 2020-__: A Resolution Adopting the City of Santa Fe Mitigation Plan. (Councilors Garcia and Vigil Coppler) (Kyle Mason, Emergency Management Director, 505-955-6704, kamason@santafenm.gov)

Committee	**Review:**
Finance Committee:	11/30/20
Quality of Life Committee:	12/2/20
Governing Body: 12/9/20	

FINANCE COMMITTEE ACTION:
Approved on Consent

FUNDING SOURCE:

SPECIAL CONDITIONS OR AMENDMENTS

VOTE	**FOR**	**AGAINST**	**ABSTAIN**
COUNCILOR ROMERO-WIRTH	x		
COUNCILOR CASSUTT-SANCHEZ	x		
COUNCILOR LINDELL	x		
COUNCILOR VILLARREAL	x		
CHAIRPERSON ABEYTA	x		

9-19-20

City of Santa Fe New Mexico
Memorandum

Date: November 12, 2020

To: Quality of Life Committee, Finance Committee, and Governing Body

From: Kyle Mason, Emergency Management Director

RE: Adoption of Santa Fe Mitigation Plan

ITEM AND ISSUE:

The proposed Resolution adopts the 2020 City of Santa Fe Mitigation Plan.

BACKGROUND AND SUMMARY:

The Mitigation Plan is the result of the months of work with the Emergency Management Coordinating Group. The plan revision was partially funded by the 2017 Pre-Disaster Mitigation grant that assisted the City in hiring Wood PLC that conducted the plan revision process.

An adopted Mitigation Plan is needed for the City to be eligible for certain categories of federal hazard mitigation funding before and after times of disaster. This plan is updated on a five year planning cycle.

ACTION REQUESTED:

Adopt the Resolution and Mitigation Plan as presented.

ATTACHMENTS:

Resolution
Mitigation Plan
Fiscal Impact Report

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2020-__

INTRODUCED BY:

Councilor Michael J. Garcia

Councilor JoAnne Vigil Coppler

A RESOLUTION

ADOPTING THE CITY OF SANTA FE MITIGATION PLAN.

WHEREAS, the City of Santa Fe is vulnerable to natural hazards such as flash floods, wildfire, and drought, as well as human-caused hazards that can result in loss of life and property, damage to the environment, economic hardship, and threats to the public's health and safety; and

WHEREAS, a Mitigation Plan for the City of Santa Fe, New Mexico (the "Plan") was developed by City staff with input from members of the public; and

WHEREAS, the Plan recommends mitigation activities that will reduce loss of life and property, damage to the environment, and threats to public health and safety by the natural and human-caused hazards that face the City; and

WHEREAS, the Federal Emergency Management Agency (FEMA) requires adoption of the plan and updating every five years in order to ensure the City's continued eligibility for certain categories of federal hazard mitigation funding.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that the City of Santa Fe Mitigation Plan, dated April 2020 and attached

hereto as Exhibit A, is hereby adopted as an official plan of the City of Santa Fe.

BE IT FURTHER RESOLVED that the City Manager shall ensure the Santa Fe Emergency Management Director is:

1. Responsible for coordinating hazard mitigation planning and related actions and programs of the City of Santa Fe; and
2. Directed to bring appropriate revisions to the City's mitigation plan to the Governing Body to reflect City issues as soon as possible and thereafter on an annual basis and prepare a report to the Governing Body. The report shall include an assessment of progress made toward meeting the goals and objectives of the Plan and implementing specific actions identified in the Plan. The report shall include targets for the following year, including recommendations for any appropriate revisions to the Plan.

PASSED, APPROVED, and ADOPTED this _____day of _____, 2020.

_____

ATTEST: ALAN WEBBER, MAYOR

_____

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

_____

ERIN K. McSHERRY, CITY ATTORNEY

Legislation/2020/Resolutions/City Mitigation Plan Adoption

City of Santa Fe

Mitigation Plan

April 2020

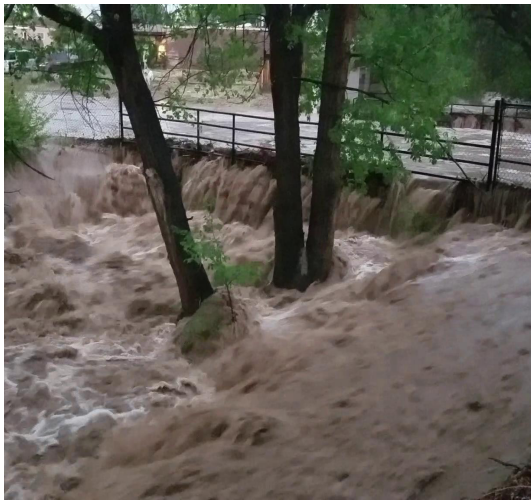


Table of Contents

EXECUTIVE SUMMARY iv
1.0 INTRODUCTION 1
1.1 Purpose 1
1.2 Background & Scope 1
1.3 Plan Organization 2
2.0 COMMUNITY PROFILE 1
2.1 Geography and Climate 1
2.2 Land Use 1
2.3 History 5
2.4 Demographics 5
2.4.1 Population 5
2.4.2 Age 6
2.4.3 Housing 6
2.4.4 Income and Poverty 7
2.4.5 Economy and Employment 7
3.0 PLANNING PROCESS 1
3.1 Background on Mitigation Planning in the City of Santa Fe 1
3.1.1 What's New in the Plan Update 2
3.1.2 2014 Plan Section Review and Analysis 2
3.2 Local Government Participation 5
3.3 The 10-Step Planning Process 5
4.0 RISK ASSESSMENT 1
4.1 Hazard Identification and Prioritization 2
4.1.1 Methodology and Results 2
4.1.2 Disaster Declaration History 4
4.2 Asset Summary 5
4.2.1 Assets Exposure 5
4.2.2 Total Assets at Risk 6
4.3 Hazard Analysis and Risk Assessment 15
4.3.1 Dam Failure 16
4.3.2 Drought 23
4.3.3 Flood 32
4.3.4 Severe Weather (Thunderstorm, Hail, Lightning, Extreme Temperatures, High Wind, Winter Storm) 50
4.3.5 Tornado 68
4.3.6 Wildfire/Wildland Urban Interface 72
4.3.7 Human Caused Hazards 88
4.4 Capability Assessment 88
4.4.1 Regulatory Mitigation Capabilities 89
4.4.2 Administrative/Technical Mitigation Capabilities 95
4.4.3 Fiscal Mitigation Capabilities 96
4.4.4 Mitigation Outreach and Partnerships 96
4.4.5 Opportunities for Enhancement 96
5.0 MITIGATION STRATEGY 1
5.1 Mitigation Strategy: Overview 1

5.2 Goals and Objectives 1
5.3 Identification and Analysis of Mitigation Actions 3
5.3.1 Prioritization Process 4
5.4 Mitigation Action Plan 5
5.4.1 Progress on Previous Mitigation Actions 5
5.4.2 Continued Compliance with NFIP 7
5.5 Updated Mitigation Action Plan 7
5.5.1 Additional Actions Considered 32
6.0 PLAN ADOPTION 1
7.0 PLAN IMPLEMENTATION AND MAINTENANCE 1
7.1 Implementation 1
7.1.1 Role of Hazard Mitigation Planning Committee in Implementation and Maintenance 1
7.2 Maintenance, Monitoring and Evaluation 2
7.2.1 Maintenance and Monitoring Schedule 2
7.2.2 Maintenance Evaluation Process 2
7.2.3 Disaster Proclamation or Declaration 4
7.2.4 Incorporation into Existing Planning Mechanisms 4
7.2.5 Continued Public Involvement 5

Appendices

Appendix A: HMPT Contact List

Appendix B: Planning Process

Appendix C: Plan Adoption

Annex

Annex A: Human Caused Hazards Risk Assessment

EXECUTIVE SUMMARY

The purpose of mitigation is to reduce or eliminate long-term risk to people and property from hazards. The City of Santa Fe developed this Mitigation Plan (MP) to make the City and its residents less vulnerable to future hazard events. This plan was prepared pursuant to the requirements of the Disaster Mitigation Act of 2000 so that the City of Santa Fe would be eligible for the Federal Emergency Management Agency's (FEMA) Pre-Disaster Mitigation and Hazard Mitigation Grant programs.

The City followed a planning process aligned with FEMA guidance, which began with the formation of a hazard mitigation planning team (HMPT) comprised of key City representatives, and other regional stakeholders. The HMPT conducted a risk assessment that identified and profiled hazards that pose a risk to the City, assessed the City's vulnerability to these hazards, and examined the capabilities in place to mitigate them. The City is vulnerable to several hazards that are identified, profiled, and analyzed in this plan. Wildfires, floods and severe weather are among the hazards that can have a significant impact on the City.

Based on the risk assessment, the HMPT identified goals for reducing the City's vulnerability to hazards. The goals of this mitigation plan are:

Plan Goals:

Goal 1: Reduce possibility of damage and loss to existing community assets including structures, critical facilities, and infrastructure including the watershed due to hazards.

Goal 2: Reduce possibility of injury and death from hazards.

Goal 3: Promote disaster-resistant development.

Goal 4: Promote hazard mitigation as a public value in recognition of its importance to the health, safety, and welfare of the population.

Goal 5: Increase awareness and understanding of risks and opportunities for mitigation among citizens and elected officials.

This plan was originally developed in 2014 and underwent a comprehensive update in 2020.

1.0 INTRODUCTION

1.1 Purpose

The City of Santa Fe prepared this Mitigation Plan (MP) in 2020 to better protect the people and property of the City from the effects of hazard events. This plan demonstrates the community's commitment to reducing risks from hazards and serves as a tool to help decision makers direct mitigation activities and resources. This plan was also developed to ensure the City of Santa Fe's eligibility for certain federal disaster assistance; specifically, the FEMA Hazard Mitigation Assistance grants including the Hazard Mitigation Grant Program (HMGP), Pre-Disaster Mitigation Program (PDM), and the Flood Mitigation Assistance Program (FMA). Mitigation planning can also earn credits for the National Flood Insurance Program's Community Rating System (CRS) which provides for lower flood insurance premiums in CRS communities.

1.2 Background & Scope

Each year in the United States, natural disasters take the lives of hundreds of people and injure thousands more. Nationwide, taxpayers pay billions of dollars annually to help communities, organizations, businesses, and individuals recover from disasters. These monies only partially reflect the true cost of disasters, because additional expenses incurred by insurance companies and nongovernmental organizations are not reimbursed by tax dollars. Many natural disasters are predictable and much of the damage caused by these events can be reduced or even eliminated.

Hazard mitigation is defined by FEMA as "any sustained action taken to reduce or eliminate long-term risk to human life and property from a hazard event." The results of a three-year, congressionally mandated independent study to assess future savings from mitigation activities provides evidence that mitigation activities are highly cost-effective. On average, each $1 spent on mitigation saves society an average of $4 in avoided future losses in addition to saving lives and preventing injuries (National Institute of Building Science Multi-Hazard Mitigation Council 2005). An update to this report in 2017 (Natural Hazard Mitigation Saves: 2017 Interim Report) indicates that mitigation grants funded through select federal government agencies, on average, can save the nation $6 in future disaster costs for every $1 spent on hazard mitigation.

Mitigation planning is the process through which hazards are identified, likely impacts determined, mitigation goals set, and appropriate mitigation strategies determined, prioritized, and implemented. This plan documents the City of Santa Fe's mitigation planning process and identifies relevant hazards and vulnerabilities and strategies the City will use to decrease vulnerability and increase resiliency and sustainability in the community.

This plan was prepared pursuant to the requirements of the Disaster Mitigation Act of 2000 (Public Law 106-390) and the implementing regulations set forth by the Interim Final Rule published in the Federal Register on February 26, 2002, (44 CFR §201.6) and finalized on October 31, 2007. (Hereafter, these requirements and regulations will be referred to collectively as the Disaster Mitigation Act (DMA) or DMA 2000.) While the act emphasized the need for mitigation plans and more coordinated mitigation planning and implementation efforts, the regulations established the requirements that local hazard mitigation plans must meet in order for the City to be eligible for certain federal disaster assistance and hazard mitigation funding under the Robert T. Stafford Disaster Relief and Emergency Act (Public Law 93-288). This planning effort also follows FEMA's Local Mitigation Planning Handbook (March 2013). Because the City of Santa Fe's Planning Area is subject to many kinds of hazards, access to FEMA's Hazard Mitigation Assistance programs is vital.

Information in this plan will be used to help guide and coordinate mitigation activities and decisions for local land use policy in the future. Proactive mitigation planning will help reduce the cost of disaster response and recovery to communities and their residents by protecting critical community facilities, reducing liability exposure, and minimizing overall community impacts and disruptions. This plan is a single-jurisdictional plan that includes the incorporated areas of the City of Santa Fe.

The planning area has been affected by hazards in the past and is thus committed to reducing future impacts from hazard events and establishing eligibility for mitigation-related federal funding.

1.3 Plan Organization

The City of Santa Fe's Local Hazard Mitigation Plan is organized as follows:

- Chapter 1: Introduction
- Chapter 2: Community Profile
- Chapter 3: Planning Process
- Chapter 4: Hazard Identification and Risk Assessment
- Chapter 5: Mitigation Strategy
- Chapter 6: Plan Adoption
- Chapter 7: Plan Implementation and Maintenance

Annexes

- Annex A Human Caused Hazards

Appendices

- Appendix A: Hazard Mitigation Planning Team
- Appendix B: Planning Process Documentation
- Appendix C: Adoption

2.0 COMMUNITY PROFILE

The City of Santa Fe is located in central Santa Fe County and is the oldest state capital and the second oldest city in the United States. History of the area dates back to c.1050-1150 AD with historic remnants of Pueblo Indian settlements being found in the modern City of Santa Fe. Spanish settlers made efforts to colonize the area in 1573 establishing the region as a province of New Spain. New Mexico's second Spanish Governor, Don Pedro de Peralta, founded the provincial capital of La Villa Real de la Santa Fe de San Francisco de Asisi (which later became shortened to Santa Fe) in 1610. In modern history, the City of Santa Fe is a charter city with a mayor-council system.

The City of Santa Fe is known for its Pueblo-style architecture and being a center for arts and culture. In 2005, Santa Fe was the first U.S. city to be chosen by the United Nations Educational, Scientific and Cultural Organization (UNESCO) as a Creative City, one of only nine cities in the world to have the designation.

2.1 Geography and Climate

The City of Santa Fe city limits comprise of 53 square miles and is bounded by the Sangre de Cristo Mountains to the east, Interstate 25 to the south and the Municipal Airport and State Highway 599 to the west. At 7,000 feet above sea level, the City is the highest state capital in the United States.

Santa Fe's climate is considered high desert; with low humidity, warm summer days and cool summer nights. The City averages 300 sunny days in a year and has four distinct seasons. The City experiences a 2-month rainy season, known as the "monsoon" season. The monsoon season brings predictable afternoon rainstorms throughout the months of July and August. The average maximum temperature in Santa Fe is 65°F with July being the warmest month on average. The average low temperature is 37°F and December is the coldest month.

2.2 Land Use

The City covers approximately 33,610 acres, of which nearly 78% is developed with the remaining 22% vacant. The dominant land use in the City is residential single-family, which accounts for nearly 40% of the total land area. The City's Land Use and Urban Design Plan (2017) notes that while there is a large amount of vacant land in City, the 2,233 acres owned by the City comprised of the Northwest Quadrant would require substantial public investment to develop the land. The City's land use distribution as of 2017 is shown in Table 2-1.

Population density per square mile of land area was 1,560 persons per square mile in the 2010 Census. As shown in Figure 2-1 the greatest density is in the western and central portions of the City.

Table 2-1 City of Santa Fe Land Use Distribution (as of 2017)

Land Use	Acres	% of Total Area
Residential - Single Family	12,793	38%
Vacant - Privately Owned	5,303	16%
Public ROW	4,502	14%
Vacant - Publicly Owned	2,233	6%
Commercial (Retail & Office)	1,955	6%
Airport	1,643	5%
Industrial/Warehousing	1,331	4%
Parks/Open Space	1,407	4%
Residential - Multi-Family	1,384	4%
Institutional	1,059	3%
Total	**33,610**	**100%**

Source: City of Santa Fe Land Use and Urban Design Plan, 2017

Figure 2-1 City of Santa Fe Planning Area

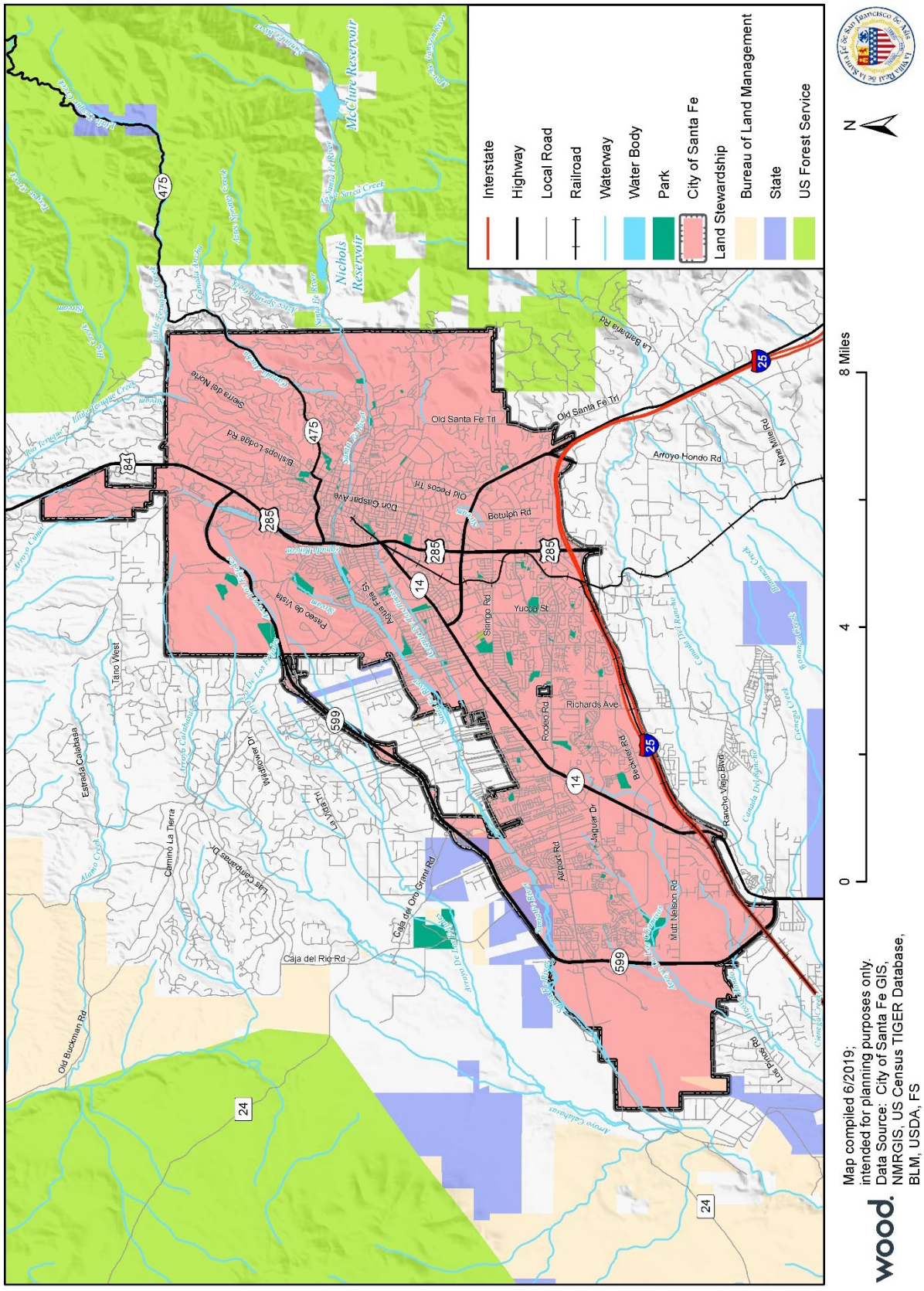
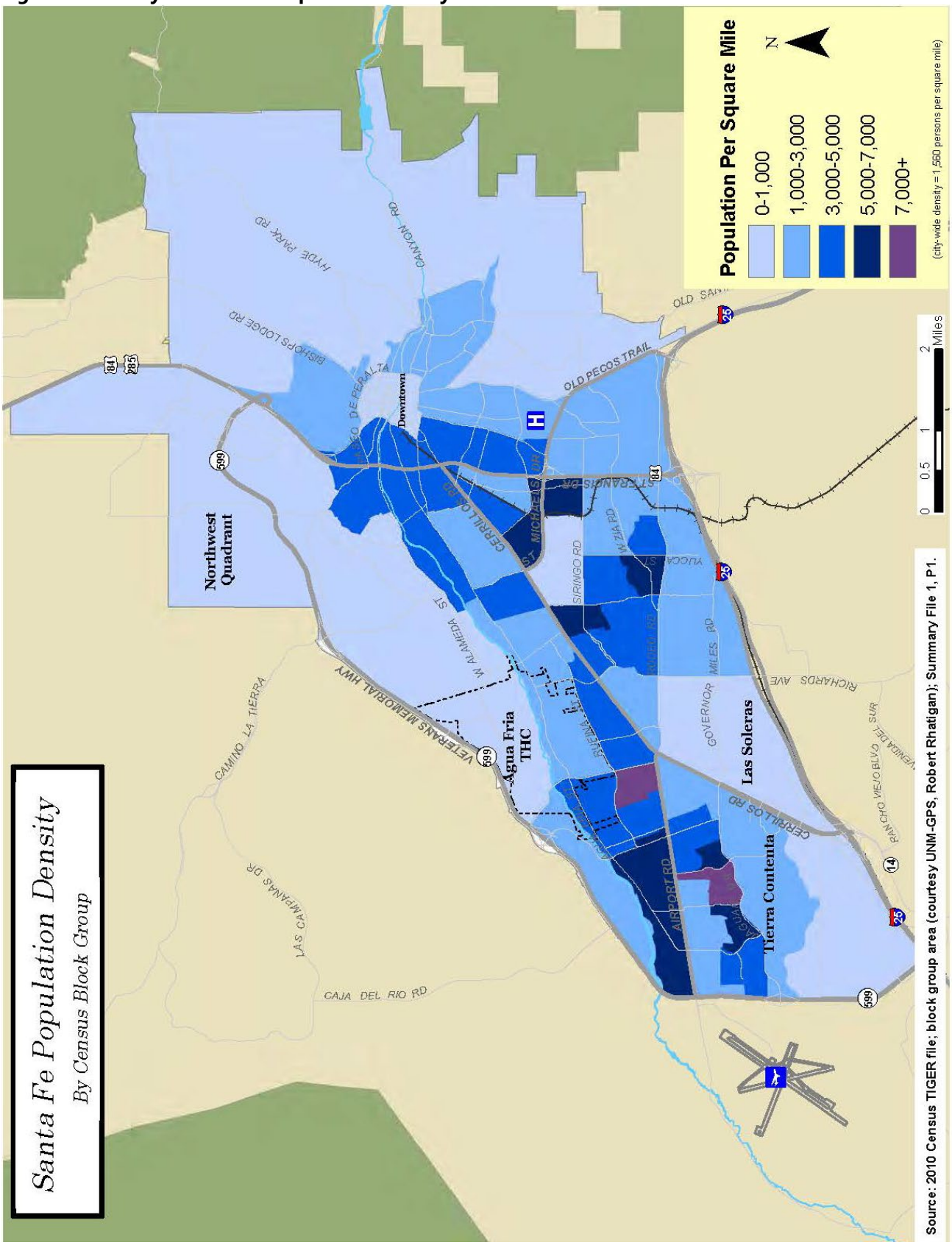


Figure 2-2 City of Santa Fe Population Density



2.3 History

The City of Santa Fe has been a center for commerce for over 400 years. The history of the City can be divided into five periods.

Preconquest and Founding (1050 – 1607) — The area that is today Santa Fe was originally occupied by Pueblo Indians. Archaeologists have found evidence of remains that date back between 1050 and 1150.

Established as a provincial capital of New Spain in 1610 the city's central downtown plaza and surrounding streets were laid out as evidence of Spain's King Phillip II decree.

Settlement Revolt and Reconquest (1607 – 1692) — Early 17th century, Spanish officials and Franciscan missionaries sought to convert Pueblo Indians in the region. By 1680 Pueblo Indians revolted against the Spanish burning many of the buildings in Santa Fe, killing several and pushing others back into Mexico. Santa Fe was occupied by Pueblo Indians until 1692 when the Spanish reconquered the region.

Established Spanish Empire (1692 – 1821) — Santa Fe continued to grow and prosper as a city. Spanish policy at this time was a closed empire restricting trade to the Americans, British, and French.

The Mexican Period (1821 – 1846) — In 1821 New Spain (Mexico) became independent from Spain and shortly after the 1,000-mile-long Santa Fe Trail was established.

Territorial Period (1846 – 1912) — August 1846 in the midst of the Mexican American War, the Americans captured Santa Fe. In 1848 the Treaty of Guadalupe Hidalgo was signed ceding New Mexico and California to the United States. By 1880 the Santa Fe Railroad was established helping to lead New Mexico and Santa Fe into an economic revolution. In 1912 New Mexico gained statehood making the City of Santa Fe the oldest state capital in the United States.

2.4 Demographics

Comprehensive data on the demographics of the City of Santa Fe was obtained from the U.S. Census Bureau's American Community Survey (ACS) five-year estimates (2013-2017).

2.4.1 Population

According to the American Community Survey estimates, the City of Santa Fe population in 2017 was 82,980, an 18 percent increase from 67,947 in 2010. The City's population is aging while also becoming more diverse. Between 2010 and 2017 individuals who identify as Hispanic or Latino increased by 6 percent, while the population that identifies as White decreased by nearly the same amount of 6.2 percent. Individuals 65 years and older experienced the greatest increase from 2010, a trend that is projected to continue. Refer to subsection 2.4.2 Age for additional information.

Table 2-2 City of Santa Fe's Demographic and Social Characteristics, 2017

Characteristic	
Total Population	82,980
Gender/Age	
Median Age	43
Male, percentage	48%
Female, percentage	52%
Under 5 Years, percentage	4.8%
Under 18 Years, percentage	20%

Characteristic	
65 Years and Over, percentage	20%
Race/Ethnicity	Percentage
White	40%
Hispanic or Latino (Any Race)	55%
Asian	1.3%
Some Other Race	0.2%
Black or African American	0.8%
American Indian/Alaska Native	1.5%
Native Hawaiian and Other Pacific Islander	0.1%
Education	Percentage
High School Graduate	28%
Some college or associate degree	45%
Bachelor's Degree or Higher	7.4%

Source: U.S. Census Bureau American Community Survey, 2013-2017, www.census.gov/

2.4.2 Age

The City of Santa Fe's population is older compared to the U.S. and other cities in New Mexico. The City is estimating that this trend will continue; with the senior population estimated to double by the end 2020 averaging 1,000 residents turning 65 each year following. As noted in Table 2-2, the median age in the City is 43 years old as of 2017. As noted above, the greatest increase in population growth has been in the 65 years and older demographic, a trend that is projected to continue through 2030.

The eastern portion of the City is projected to have a 50 percent or more increase in senior population (refer to Figure 4-2). The neighborhoods in this area have steeper terrain and are adjacent to the Santa Fe National Forest. This area is also considered the Wildland Urban Interface being designated as having a high to extreme risk to wildfire based on the City's 2006 Wildland Urban Interface/Wildland Fire Hazard and Risk Analysis. Refer to Section 4.3.6 Wildfire/Wildland Urban Interface for more information on the City's risk and vulnerability to wildfire events.

The U.S. Department of Health and Human Services ePOWER Mapping tool (https://empowermap.hhs.gov/) provides information on Medicare beneficiaries who rely on electricity-dependent medical equipment such as ventilators to live independently in their homes. According to the tool there are 26,832 Medicare Beneficiaries located within the four zip codes that cover the City of Santa Fe: 87501, 87505, 87506, and 87507. Of these individuals, 2,432 are considered electricity dependent and are highly vulnerable to power outages. Zip code 87505 located in the southeast portion of the City including the downtown area, has the most electricity dependent beneficiaries with 808 individuals who require electricity-dependent medical equipment in order to live independently in their own homes.

2.4.3 Housing

Housing tenure for City of Santa Fe was also obtained through ACS and shows the majority of residents live in a home they own. The overall number of housing units in the City as of 2017, has increased to 41,484 units, a 10 percent increase from the 37,200 units in 2010 due to the completion of a phase of the

City's annexation plan in 2016. Owner occupied units also saw a 10 percent increase while renter occupied units increased by 6 percent since 2010. Table 2-3 breaks down the differences in housing tenure.

Table 2-3 City of Santa Fe Housing Tenure 2017

Characteristic	Estimates	Percentage
Total Housing Units	41,485	100%
Occupied Housing Units	35,524	86%
Owner Occupied	22,187	62%
Renter Occupied	13,337	38%

Source: U.S. Census Bureau American Community Survey, 2013-2017, www.census.gov/

2.4.4 Income and Poverty

Individual households are commonly expected to use private resources and funds to prepare for, respond to, and recover from disasters. This means that households living in poverty are automatically disadvantaged when confronting natural and human-caused hazards. Households living in poverty may also occupy poorly built or inadequately maintained housing. These housing types may be more susceptible to damage in flood or severe weather events than other types of housing. Further, residents living below the poverty level are less likely to have insurance to compensate for the losses incurred from natural and human-caused disasters.

Table 2-4 City of Santa Fe Comparative Economic Characteristics 2010 vs. 2017

	City of Santa Fe	
Characteristic	2010	2017
Families below Poverty Level	9.9%	10.6%
All People below Poverty Level (under 18 years)	22.2%	22.8%
All People below Poverty Level (18 years and over)	13.0%	13.2%
Median Family Income	$62,347	$64,728
Median (Nonfamily) Household Income	$34,695	$40,610
Per Capita Income	$34,428	$34,371
Population in Labor Force	37,504	42,764
Population Employed*	35,216	40,339
Unemployment	2,288	2,388

Source: U.S. Census Bureau American Community Survey, 2013-2017 *Exclude active duty and armed forces

2.4.5 Economy and Employment

U.S. Census estimates show economic characteristics for the City. These are shown in Table 2-5, Educational services, arts and entertainment and professional services make up the largest sectors of the local economy.

Table 2-5 City of Santa Fe Employment by Industry, 2017

Industry	# Employed	% Employed
Educational services and Health care and social assistance	8,783	22%
Arts, entertainment, and recreation, and accommodation, and food services	6,146	15%
Professional, scientific, and management, and administrative and waste management services	5,530	14%
Retail Trade	5,256	13%
Public Administration	3,854	10%
Other services	2,472	6%
Construction	2,419	6%
Finance, Insurance, Real Estate and rental and leasing	2,374	6%
Transportation and warehousing, and utilities	1,033	3%
Manufacturing	1,030	3%
Information	676	2%
Wholesale Trade	481	1%
Agriculture, Forestry, Fishing, Mining	285	1%
Total	**40,339**	**100%**

Source: U.S. Census Bureau American Community Survey, 2013-2017 www.census.gov/
*Civilian population 16 or older

The following table shows the top 10 major employers in the City of Santa Fe.

Table 2-6 City of Santa Fe Major Employers, 2017

Company	# Employed
State Personnel Office	23,152
Los Alamos National Laboratory	11,300
Santa Fe Public Schools	2,151
CHRISTUS St. Vincent Regional Medical Center	2,150
City of Santa Fe	1,469
Santa Fe County	844
Santa Fe Community College	800
Santa Fe Opera	791
Peters Corporation	518
Santa Fe Ski Company	400

Source: Santa Fe Chamber of Commerce (2017)

3.0 PLANNING PROCESS

Requirements §201.6(b) and §201.6(c)(1): An open public involvement process is essential to the development of an effective plan. In order to develop a more comprehensive approach to reducing the effects of natural disasters, the planning process shall include:

1) An opportunity for the public to comment on the plan during the drafting stage and prior to plan approval;

2) An opportunity for neighboring communities, local and regional agencies involved in hazard mitigation activities, and agencies that have the authority to regulate development, as well as businesses, academia, and other private and nonprofit interests to be involved in the planning process; and

3) Review and incorporation, if appropriate, of existing plans, studies, reports, and technical information.

[The plan shall document] the planning process used to develop the plan, including how it was prepared, who was involved in the process, and how the public was involved.

3.1 Background on Mitigation Planning in the City of Santa Fe

The City of Santa Fe originally developed this Mitigation Plan (MP) in 2008. The first update to the plan was completed in 2014, which was subsequently approved by FEMA and adopted by the City in October. The plan underwent a comprehensive update in Spring of 2019 to April 2020 to comply with the five-year update cycle required by the Disaster Mitigation Act of 2000 (DMA 2000). The planning process and update of this plan was originally initiated in the spring of 2019 under the coordination of the City of Santa Fe Office of Emergency Management. Funding was secured through a FEMA Pre-Disaster Mitigation planning grant to enable a consultant to be hired to facilitate the process and develop the plan. Wood Environment and Infrastructure Solutions (Wood) of Denver, Colorado contracted with the City to provide professional planning services during the development of the original plan. Wood's role was to:

- Assist in establishing a Hazard Mitigation Planning Team (HMPT) as defined by regulations in DMA 2000,
- Meet the DMA 2000 requirements as established by federal regulations and following the Federal Emergency Management Agency's (FEMA) planning guidance,
- Facilitate the entire planning process under the guidance of a professional planner,
- Identify the data requirements that HMPT participants could provide and conduct the research and documentation necessary to augment that data,
- Assist in facilitating the public input process,
- Produce the draft and final plan documents, and
- Coordinate the New Mexico Department of Homeland Security and Emergency Management (DHSEM) and FEMA Region VI plan reviews.
- The development of the plan followed a structured planning process that involved various local government departments and other public and private stakeholders. The planning process is described further in this chapter and documented in Appendix B.

3.1.1 What's New in the Plan Update

DMA 2000 Requirement §201.6(d)(3):	*A local jurisdiction must review and revise its plan to reflect changes in development, progress in local mitigation efforts, and changes in priorities, and resubmit it for approval within 5 years in order to continue to be eligible for mitigation project grant funding.*

The updated Mitigation Plan (MP) complies with Federal Emergency Management Agency (FEMA) guidance for Local Hazard Mitigation Plans. The update followed the requirements noted in the Disaster Mitigation Act (DMA) of 2000 and FEMA's 2013 Local Hazard Mitigation Planning Handbook.

This MP update involved a comprehensive review and update of each chapter of the 2014 plan and includes an assessment of the progress in evaluating, monitoring, and implementing the mitigation strategy outlined in the initial plan. As part of this plan update, all chapters of the plan were reviewed and updated to reflect new data on hazards and risk, risk analysis processes, capabilities, participating stakeholders, and mitigation strategies. Only the information and data still valid from the 2014 plan was carried forward as applicable into this MP update. One change to the hazard identification and risk assessment (HIRA) was to move the human caused hazards into an annex (Annex A). New to the 2020 plan update was the addition of climate change considerations within each hazard profile, particularly in areas where the frequency and intensity of hazards might change in the future. The hazards addressed in the plan also changed, as described in more detail in Chapter 4 Risk Assessment.

3.1.2 2014 Plan Section Review and Analysis

During the 2020 update process, the HMPT updated each chapter of the previously approved plan to include new information and improve the organization and formatting of the plan's contents. The HMPT and Wood analyzed each chapter using FEMA's local plan update guidance to ensure that the plan met the latest requirements. Upon review the HMPT and Wood determined that nearly every chapter of the plan would need some updates to align with the latest FEMA planning guidance and requirements. The overall format and structure of the plan changed to align the plan with modern hazard mitigation planning practices. The Risk Assessment in Chapter 4 was substantially revised to incorporate recent events and expand on information, including a GIS-based risk assessment. The Mitigation Strategy in Chapter 5 has been updated to reflect current priorities and mitigation actions moving forward from the 2014 plan. The following table details the review and revision process for the 2020 update process.

Table 3-1 2020 Plan Update Summary of Changes by Section

2014 Plan Section	2020 Plan Section	Update Review and Analysis
Preamble materials	Executive Summary	• Updated Executive Summary • Plan Adoption resolutions moved to Section 6
1.0 Introduction and Community Profile	1 Introduction	• Updated language to describe purpose and requirements of the City of Santa Fe Local Mitigation Plan update process. • Updated summary of changes • Described and document the planning process for the 2020 update, including coordination among agencies and integration with other planning efforts.
2.0 Hazard Identification and Risk Assessment	2 Community Profile	• Moved from the Introduction into a separate chapter • Updated Census data, and current economy description, including the results of any recent annexations.
3.0 Vulnerability Assessment	3 Planning Process	• Updated summary of changes. • Described 2020 public participation process.
4.0 Goals, Objectives and Mitigation Actions	4 Hazard Identification and Risk Assessment and Vulnerability Assessment	• Revisited 2014 hazards list for possible modifications. • Reviewed hazards from current New Mexico State Hazard Mitigation Plan and Santa Fe County HMP for consistency. • Split human-caused hazards into separate profiles. • Updated list of disaster declarations to include 2014-2020 data. • Updated hazards data to include 2014-2020 data. • Updated past occurrences for each hazard to include 2014-2020 data. • Incorporated new hazard studies since 2014 and/or CWPPs/wildfire risk mapping. • Considered consequences of climate change on hazard frequency and severity • Updated critical facilities data from the 2014 plan • Provided replacement cost details to critical facilities, as data permits. • Updated growth and development trends to include Census data, state, county, and local data sources. • Updated historic and cultural resources using New Mexico State Historic Preservation Division and other local/state/national sources. • Used 2019 Assessor's data, update current property values. • Estimated flood losses using the latest flood hazard mapping and building counts and values. • Updated NFIP data and Repetitive Loss structure data from the previous plan. • Incorporated new hazard loss estimates since 2014, as applicable. • Changes in growth and development were examined; especially changes in the context of hazard-prone areas and how the changes may affect loss estimates and vulnerability. • Conducted a Hazus-MH Level I earthquake vulnerability analysis. • Updated information regarding specific vulnerabilities to hazards, including maps and tables of specific assets at risk, specific critical facilities at risk, and specific populations at risk • Updated maps in plan where appropriate.

2014 Plan Section	2020 Plan Section	Update Review and Analysis
		• Reviewed City mitigation capabilities and update to reflect current capabilities. • Develop and distribute Data Collection Guide for a more robust capability assessment. • Indicate projects that have been implemented that may reduce previously identified vulnerabilities
5.0 Mitigation Plan and Implementation Strategy	5 Mitigation Plan	• Moved section on goals, objectives to be together in the Mitigation Strategy Chapter • Updated goals based on the results of the updated risk assessment, completed mitigation actions, and implementation obstacles and opportunities over the last five years. • Reviewed goals and objectives to determine if they are still representative of the City's mitigation strategy. If necessary, form new goals and objectives or revise existing ones. • Reviewed mitigation actions from the 2014 plan and develop a status report for each; identify if action has been completed, deleted, or deferred. • Identified and detail new mitigation actions not captured in the previous plan. • Identified projects that have been submitted for funding and those that will be likely candidates for this funding
	6 Adoption	• Moved from Preamble • Includes 2020 plan adoption resolution: City of Santa Fe, New Mexico Mitigation Plan Adoption Resolution
	7 Implementation and Maintenance	• Reviewed and update procedures for monitoring, evaluating, and updating the plan. • Revised to reflect current methods. • Revised to note opportunities for integration in future planning efforts • Updated the system for monitoring progress of mitigation activities by identifying additional criteria for plan monitoring and maintenance.
	Annex	• Annex A – Human Caused Hazards
Appendices Appendix A – Agendas, Meeting Minutes and Invite Letter Appendix B – Public Meetings and Advertisements Appendix C – Hazard Assessment Forms Appendix D – City of Santa Fe Floodplain Maps Appendix E – STAPLE+E Forms Appendix F – References	Appendices	• Appendix A –Hazard Mitigation Planning Team • Appendix B – Planning Process Documentation • Appendix C – Local Adoption

3.2 Local Government Participation

This mitigation plan is a single-jurisdictional plan that covers the City of Santa Fe. The DMA planning regulations and guidance stress that local governments seeking FEMA approval of their mitigation plan must participate in the planning effort in the following ways:

- Participate in the process as part of the Hazard Mitigation Planning Team (HMPT);
- Detail areas within the planning area where the risk differs from that facing the entire area;
- Identify potential mitigation actions to be eligible for funding; and
- Formally adopt the plan.

For the City of Santa Fe HMPT, "participation" was defined at the outset of the plan as the following:

- Providing facilities for meetings;
- Attending and participating in the HMPT meetings;
- Completing and returning the Wood Data Collection Workbooks;
- Collecting and providing other requested data (as available);
- Identifying mitigation actions for the plan;
- Reviewing and providing comments on plan drafts;
- Informing the public, local officials, and other interested parties about the planning process and providing opportunity for them to comment on the plan;
- Coordinating, and participating in the public input process; and
- Coordinating the formal adoption of the plan by the governing board.

In the interest of completing a robust process that would ultimately result in FEMA approval the City met all of these participation requirements. In most cases one or more representatives for each agency attended the HMPT meetings described in Table 3-3 and also brought together department staff to help collect data, identify mitigation actions and implementation strategies, and review and provide data on plan drafts. Appendix B provides additional information and documentation of the planning process.

The City's Emergency Management Director within the Office of Emergency Management (OEM) took the lead on the plan's initial development in 2008, the update process in 2014, as well as in 2020.

3.3 The 10-Step Planning Process

The process for developing the City of Santa Fe Mitigation Plan followed the DMA 2000 planning requirements and FEMA's associated guidance. This guidance is structured around a four-phase process:

1. Organize Resources;
2. Assess Risks;
3. Develop the Mitigation Plan; and
4. Implement the Plan and Monitor Progress.

Into this process, Wood integrated a more detailed 10-step planning process used for FEMA's Community Rating System (CRS) and Flood Mitigation Assistance programs. Thus, the modified 10-step process used for this plan meets the requirements of the Hazard Mitigation Assistance grants (HMA), including Hazard Mitigation Grant Program (HMGP), Pre-Disaster Mitigation program (PDM), Flood Mitigation Assistance (FMA), Community Rating System, and the flood control projects authorized by the U.S. Army Corps of Engineers (USACE). FEMA's March 2013 Local Mitigation Planning Handbook recommends a nine-step process within the four-phase process. Table 3-2 summarizes the four-phase DMA 2000 process, the detailed CRS planning steps and workplan used to develop the plan, the nine handbook planning tasks

from FEMA's 2013 Local Mitigation Planning Handbook, and where the results are captured in the Plan. The sections that follow describe each planning step in more detail.

Table 3-2 Mitigation Planning Processes Used to Develop the City of Santa Fe Local Hazard Mitigation Plan

FEMA's 4-Phase DMA Process	Modified 10-Step CRS Process	FEMA Local Mitigation Planning Handbook Tasks
1) Organize Resources		
201.6(c)(1)	1) Organize the Planning Effort	1: Determine the planning area and resources
201.6(b)(1)	2) Involve the Public	2: Build the planning team - 44 CFR 201.6 (C)(1)
201.6(b)(2) and (3)	3) Coordinate with Other Departments and Agencies	3: Create an outreach strategy - 44 CFR 201.6(b)(1)
		4: Review community capabilities - 44 CFR 201.6 (b)(2)&(3)
2) Assess Risks		
201.6(c)(2)(i)	4) Identify the Hazards	5: Conduct a risk assessment - 44 CFR 201.6 (C)(2)(i) 44 CFR 201.6(C)(2)(ii)&(iii)
201.6(c)(2)(ii)	5) Assess the Risks	
3) Develop the Mitigation Plan		
201.6(c)(3)(i)	6) Set Goals	6: Develop a mitigation strategy - 44 CFR 201.6(c)(3)(i); 44 CFR 201(c)(3)(ii) and 44 CFR 201.6(c)(3)(iii)
201.6(c)(3)(ii)	7) Review Possible Activities	
201.6(c)(3)(iii)	8) Draft an Action Plan	
4) Implement the Plan and Monitor Progress		
201.6(c)(5)	9) Adopt the Plan	7: Review and adopt the plan
201.6(c)(4)	10) Implement, Evaluate, and Revise the Plan	8: Keep the plan current
		9: Create a safe and resilient community - 44 CFR 201.6(c)(4)

Phase 1: Organize Resources

Planning Step 1: Organize the Planning Effort

With the City of Santa Fe's commitment to develop the plan, Wood worked with OEM to establish the framework and organization for the process. Organizational efforts were initiated with the City to inform and educate the plan participants of the purpose and need for the citywide mitigation plan. The planning consultant held an initial call to discuss the organizational aspects of this planning process with the City Emergency Management Specialist, who took the lead on this project. Invitations to the kickoff meeting were extended to key City departments and key state partners. Representatives from the City's Emergency Management Coordinating Group (EMCG) were used as a starting point for the invite list, with additional invitations extended as appropriate throughout the planning process. The HMPT was re-established as a result of this effort.

The HMPT was established as a result of this effort, as well as through interest generated through outreach conduced for this project. The HMPT, comprising of key city government and stakeholder

representatives, developed the plan with leadership from City OEM and facilitation by Wood. Representatives from the following City departments participated on the HMPT and the development of the plan:

- Emergency Management
- Land Use
- Parks and Recreation – Recreation Division
- Parks and Recreation – Parks Division
- Community Services
- Human Resources
- Constituent Services
- Tourism
- Public Utilities – Environmental Services Division
- City Attorney's Office
- Finance
- Economic Development
- Water
- Fire
- Police
- Public Works
- ITT

Per the DMA 2000 requirements the Land Use Department has the authority to regulate development and was an active participant in the plan update process. A complete list of participating HMPT representatives for the City is included in Appendix A.

The planning process officially began with a kick-off meeting held on May 7, 2019. The meeting covered the scope of work and an introduction to the DMA planning requirements. Participants were provided with a Data Collection Guide, which included worksheets to facilitate the collection of information necessary to support development of the plan. Using FEMA guidance, Wood designed these worksheets to capture information on past hazard events, identify hazards of concern to the City, quantify values at risk to identified hazards, inventory existing capabilities, and record possible mitigation actions. Copies of Wood's Data Collection Guide for this project are included in Appendix B. The City completed and returned the worksheets to supply Wood information for incorporation into the plan document.

During the planning process, the HMPT communicated through face-to-face meetings, email, and telephone conversations. Draft documents were shared by email.

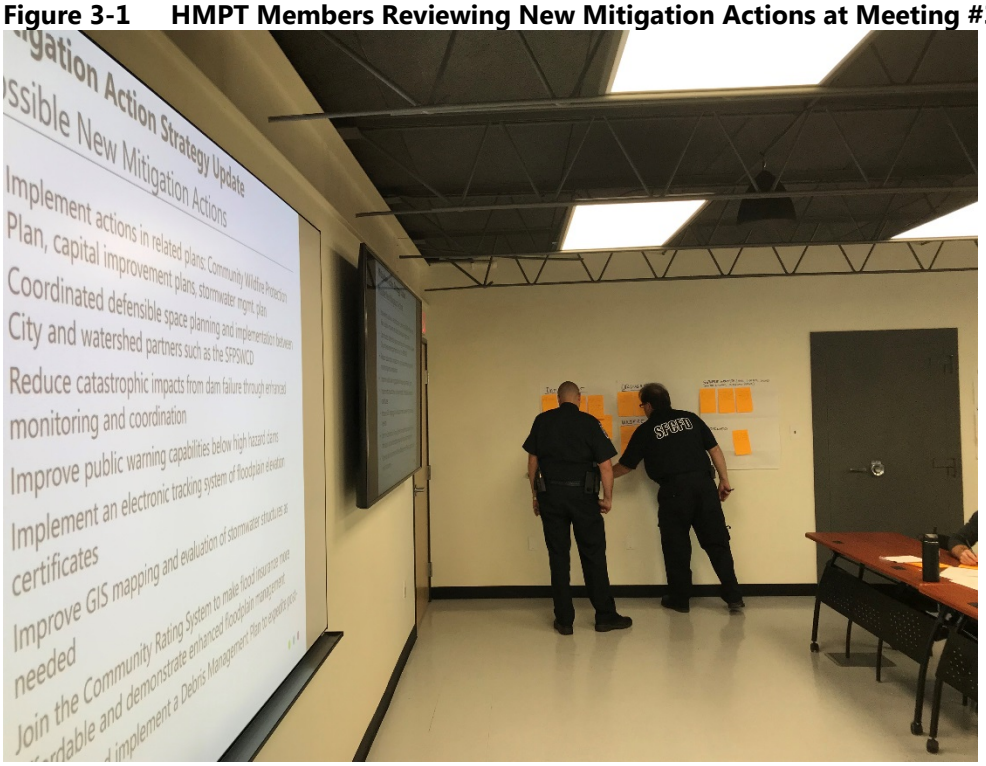
The HMPT held three primary planning meetings during the planning period (May 2019 – September 2019). The purposes of these meetings are described in Table 3-3 and agendas for each of the meetings are included in Appendix B.

Table 3-3 HMPT Meetings

HMPT Meeting	Meeting Topic	Meeting Date
1	Kickoff Meeting: Introduction to DMA Planning and overview of Update Process, Hazard Identification Review from 2014 plan	May 7, 2019
2	Risk Assessment Summary/Goals Development	July 30, 2019
3	Mitigation Strategy Development	September 17, 2019

The following photos were taken at the third meeting, Mitigation Strategy Development, and show members of the HMPT participating in an activity to develop new mitigation actions and beginning to prioritize actions.

Figure 3-1 HMPT Members Reviewing New Mitigation Actions at Meeting #3



Source: Jeff Brislawn

Figure 3-2 HMPT Members Reviewing and Prioritizing New Mitigation Actions at Meeting #3

Source: Jeff Brislawn

Planning Step 2: Involve the Public

Early discussions with City OEM established the initial plan for public and stakeholder involvement. At the planning team kick-off meeting, the HMPT discussed additional strategies for public involvement and agreed to an approach using established public information mechanisms and resources within the community. Public involvement activities for this plan included: posting on City's social media sites such as the OEM Facebook page, press releases; posting noticed on the City's website; collection of results from a public survey; one public workshop and the collection of public and stakeholder comments on the draft plan. Comments from the public survey were reviewed by the HMPT and discussed during the development and prioritization of mitigation projects.

A public workshop was held on September 16, 2019. The meeting notice was also posted on the homepage of the City's website under news and announcements. The City Emergency Management staff and the planning consultant were present, but no members of the public attended. Press releases and the meeting sign in sheet are documented in Appendix B.

Online Public Survey

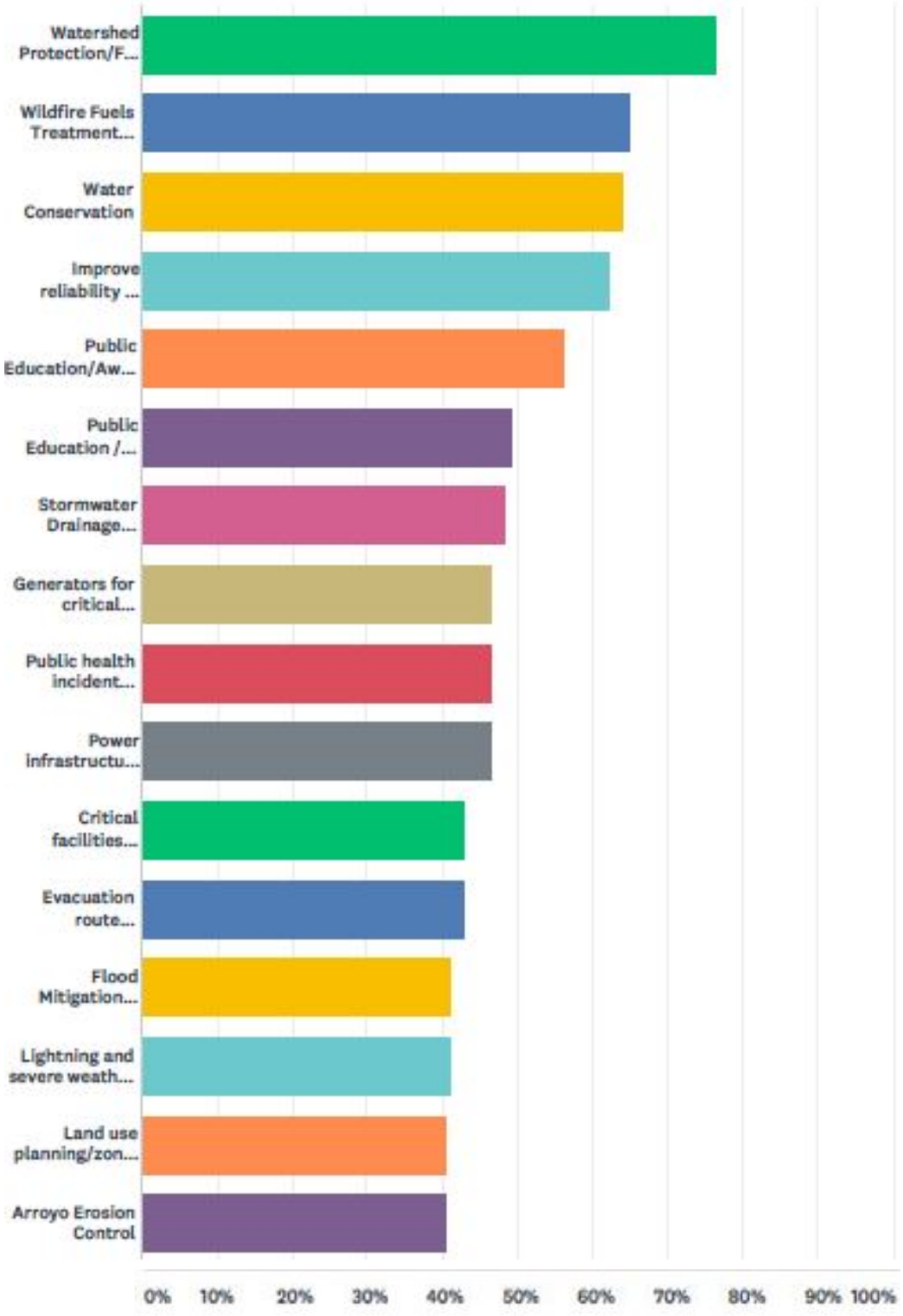
During the plan update's drafting stage, an online public survey was developed as a tool to gather public input. The survey was for the public to provide feedback to the City of Santa Fe HMPT on reducing hazard impacts. The survey provided an opportunity for public input during the planning process, prior to finalization of the plan update. The survey gathered public feedback on concerns about hazards and input on strategies to reduce their impacts. The survey was released on September 4th and closed on October 17th. The HMPT provided links to the public survey by distributing it using social media, email, and posting the link on websites.

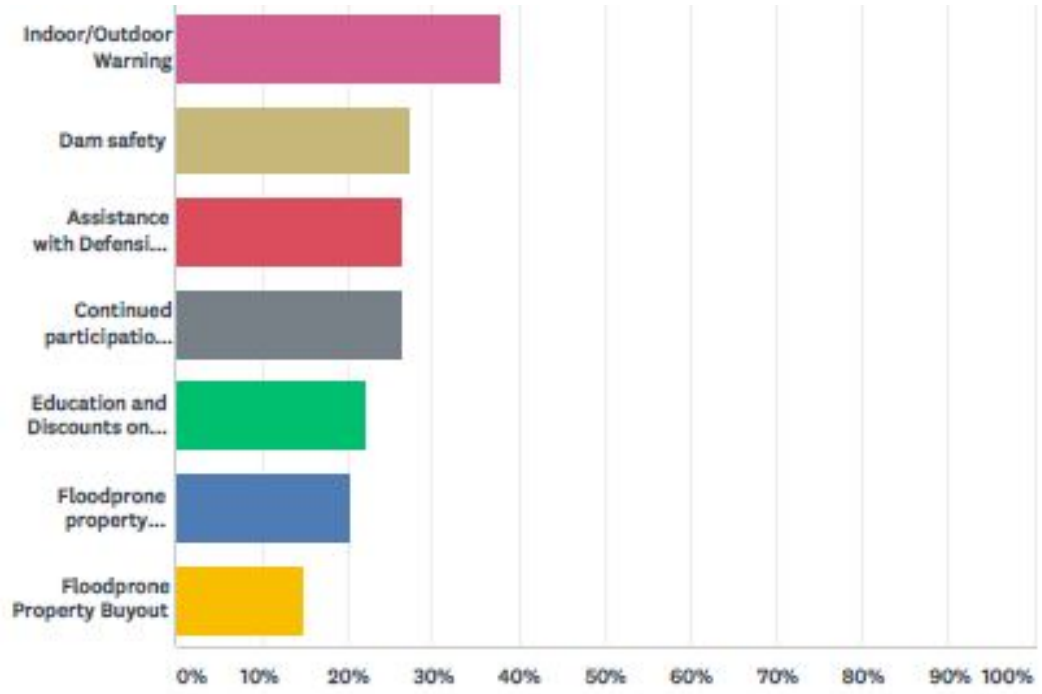
One hundred and eighteen (118) people filled out the survey online. Results showed that the public perceives the most significant hazards to be drought, wildfire, and severe weather (includes: hail, lighting, wind, winter storms, thunderstorms, extreme temperatures). In terms of human caused hazards, the public perceives cyber attacks, active shooters, and hazardous materials release to be the most significant.

Figure 3-3 shows the responses to question 4 of the survey, which solicited the public's opinion on the mitigation actions that should have the highest priority in the updated mitigation plan. Watershed

protection and forest health initiatives, wildfire fuels treatment projects, water conservation, improving the reliability of communications systems, and public education and awareness of hazards were cited as the most popular mitigation actions. This information was shared with the HMPT during the update of the mitigation strategy as a source of potential mitigation ideas. A summary of all the survey data and documentation of the public feedback can be found in Appendix B.

Figure 3-3 Public Survey Responses to Question 4





Stakeholder and public comments and recommendations were considered by the HMPT during the drafting of the final plan, including the sections that address mitigation goals and strategies.

Public Review Process

Prior to finalization of the plan a draft was made available on the City website for a public comment period that spanned March 25 to April 11, 2020. The availability of the public review draft was announced through a press release and on Facebook. An online comment form was posted with the plan to collect feedback. Highlights of the hazard vulnerability assessment including interactive hazard maps, along with a summary of the plan's proposed mitigation actions and link to the plan was posted on the project StoryMap website. The site also allowed the public to report concerns about hazards through a map interface using the ArcGIS Survey123 application.

Eight responses were received in total on the comment form posted with the plan. Seven were from "members of the public" and one from "private industry". Some of the more extensive comments were around concerns for continuity of operations for the city during human caused emergencies, wildfires and snowstorms. Other comments were related to stopping prescribed burns and pile burns during emergencies and limiting firearms and fireworks in vegetated areas. The public review took place during the COVID-19 pandemic and there was a suggestion to create a pandemic annex to the plan to further identify mitigation strategies related to the hazard. Another comment was regarding wanting more information on early warning systems and procedures. A separate email was sent to Santa Fe Office of Emergency Management with comments suggesting highlighting the Santa Fe Fire Department's Ready, Set Go! Brochure, complements on the City's Emergency Management Alert System and Amber Alert System, and suggestions for dam emergency drills and concerns about chlorine gas. Santa Fe Office of Emergency Management considered the input and felt that the early warning systems and procedures was already captured in mitigation actions T-1 and HC-5 in Section 5 of the Mitigation Plan. The recommendations for a pandemic annex will be considered for future updates to the plan.

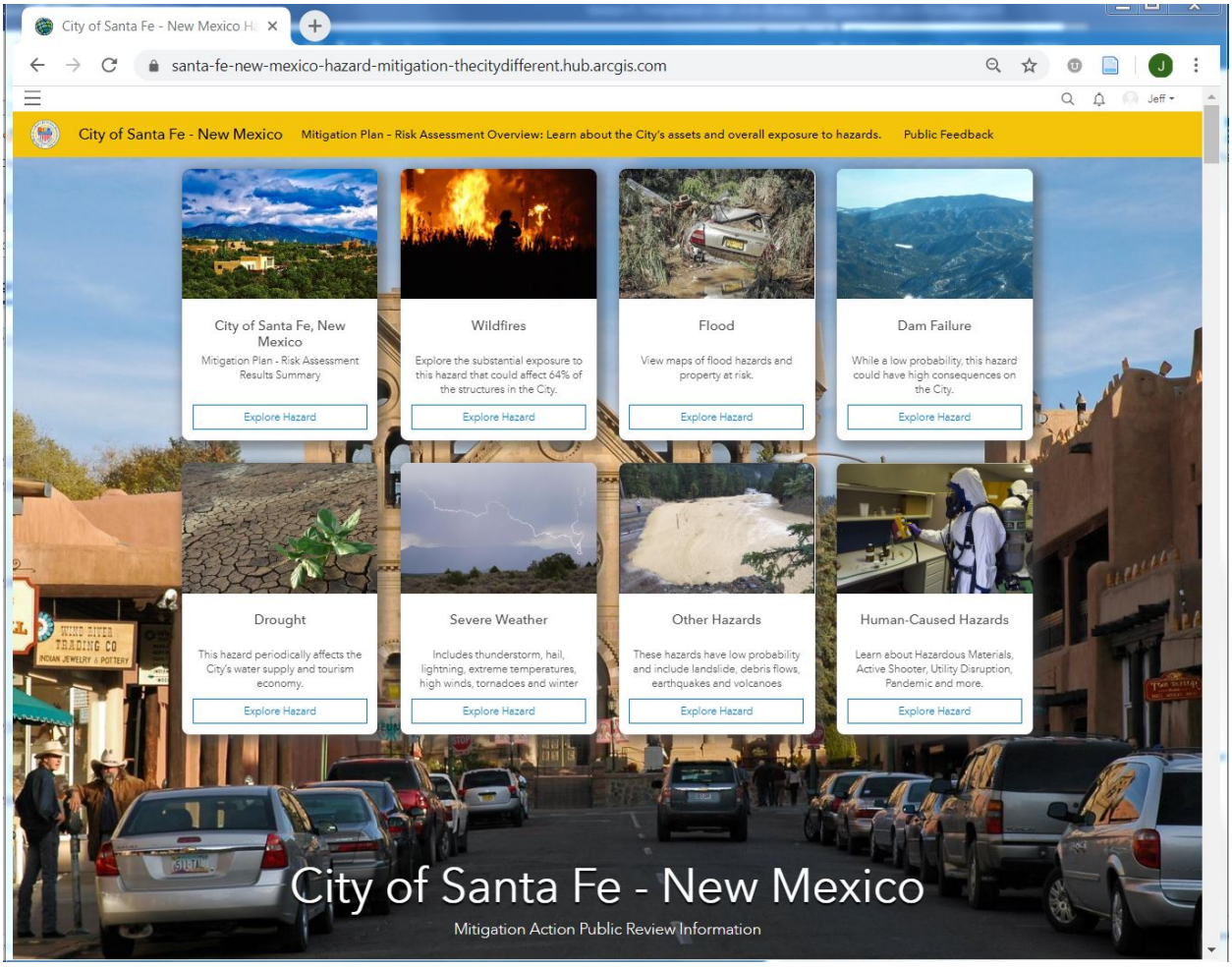
Five comments through the ArcGIS online Survey 123 application. Most of the comments were regarding the maps, including suggestions to add a legend for the wildfire map and have greater details and public

access to the dam failure mapping data. The dam failure inundation, due to the sensitive nature and homeland security concerns, was intentionally more general. None of the comments resulted in changes to the plan, only minor modifications to the StoryMap website. All comments received can be referenced in Appendix B, along with documentation regarding the public review period.

StoryMap

As part of the public outreach strategy for the City of Santa Fe Mitigation Plan Update, a story map was created and placed on the city's website. The StoryMap was created using ArcGIS to summarize the results of the updated risk assessment and used the same hazard and vulnerability maps within the Mitigation Plan. The StoryMap also contains a summary of the hazard mitigation action strategy for quick reference by the public and HMPT.

Figure 3-4 City of Santa Fe Mitigation Plan Story Map



Planning Step 3: Coordinate with Other Departments and Agencies

Early in the planning process, the HMPT determined that data collection, mitigation strategy development, and plan approval would be greatly enhanced by inviting other local, state and federal agencies and organizations to participate in the process. The following groups were invited to participate or provide input into the planning process based on their involvement in hazard mitigation planning,

mitigation projects, climate resilience and sustainability, knowledge of hazards and/or their interest as a neighboring jurisdiction. Many of these agencies that participated in the HMPT planning meetings. Others reviewed drafts or provided data.

State Agencies

- New Mexico Department of Homeland Security and Emergency Management*
- New Mexico Office of the State Engineer – Dam Safety
- New Mexico Bureau of Minerals and Geology

Local Agencies

- Santa Fe County Emergency Management (neighboring jurisdiction)*
- Los Alamos County Emergency Management (neighboring County)*
- Sandoval County Emergency Management (neighboring County)
- San Miguel County Emergency Management (neighboring County)*

Nonprofit/Other

- Forest Stewards Guild
- Pojoaque Valley Irrigation District/Santa Fe Pojoaque Soil Conservation District (neighboring jurisdiction)*
- Urban Sustainability Directors Network**

*Participated in HMPT meetings. **Provided review comments on draft plan

Coordination with key agencies, organizations, and advisory groups throughout the planning process allowed the HMPT to review common problems, development policies, and mitigation strategies as well as identifying any conflicts or inconsistencies with regional mitigation policies, plans, programs and regulations. Key agencies, organizations and advisory groups often provided a resource of information on potential hazards in the City that informed the Risk and Capability Assessments.

Phone calls and emails were used during plan development to directly coordinate with key individuals representing other agencies or regional programs. The City Emergency Manager also worked as the liaison to this plan and other planning efforts to ensure successful coordination and input with other ongoing plans.

As part of the public review and comment period for the draft plan, key agencies, organizations and advisory groups were again specifically solicited to provide any final input to the draft plan document. This input was solicited both through membership on the HMPT and by direct emails to key groups and associations to review and comment on the plan. Edits and comments from key agencies and stakeholders were integrated into Chapter 4 Risk Assessment.

Other Community Planning Efforts and Hazard Mitigation Activities

The coordination and synchronization with other community planning mechanisms and efforts are vital to the success of this plan. As part of this planning process a thorough evaluation of mitigation practices already in place was conducted. A review of appropriate planning procedures involved identifying and reviewing existing plans, policies, regulations, codes, tools, and other actions that are designed to reduce a community's risk and vulnerability from natural hazards. The City of Santa Fe uses a variety of mechanisms to guide growth and development. Integrating existing planning efforts, mitigation policies, and action strategies into this plan establishes a credible, comprehensive document that weaves the common threads of a community's values together. The development and update of this plan involved a comprehensive review of existing plans, studies, reports, and initiatives from the City of Santa Fe that relate to hazards or mitigation. A high-level summary of the key plans, studies and reports is summarized

in the table below. Information on how they informed the update is noted and incorporated where applicable.

Table 3-4 Incorporated Planning Mechanisms

Plan, Study, Report Name	How Plan informed 2020 Mitigation Plan
City of Santa Fe Hazard Mitigation Plan (2014)	Informed past disaster history and starting point for hazard profiles and vulnerability assessment updates
Santa Fe County Hazard Mitigation Plan (2018)	Informed past disaster history; General background on Planning Area
State of New Mexico Hazard Mitigation Plan (2018)	Informed past disaster history and climate change considerations
National Centers for Environmental Information – Storm Events Database	Informed severe weather hazard profile, including past events and vulnerability assessment
Santa Fe County Assessor parcel data	Informed vulnerability assessments and asset summary
New Mexico Historic Preservation Division	Information on the Division's website informed the asset summary section
City of Santa Fe General Plan (1999)	Informed Community Profile chapter and Capability Assessment; provided information on growth management and land use policies and historic resources
City of Santa Fe Land Use and Design Plan (2018)	Informed Capability Assessment
National Drought Impact Reporter	Informed drought vulnerability assessment
City of Santa Fe Long Range Water Supply Plan (2008)	Informed drought hazard profile
City of Santa Fe Water Conservation and Drought Management Plan (2015)	Informed drought hazard profile
Santa Fe County Flood Insurance Study (FIS) (2012)	Informed flood hazard profile
Western Regional Climate Center	Informed the Severe Weather profile
Confronting Climate Change in New Mexico (2016) - Union of Concerned Scientists	Informed the climate considerations sections of the hazard profiles
City of Santa Fe Wildland Urban Interface Wildland Fire Hazard and Risk Analysis (2006) – Anchor Point	Informed the wildfire hazard profile and vulnerability assessment
2019 Wildfire Risk Report – Core Logic	Informed the wildfire hazard profile and vulnerability assessment
Fourth National Climate Change Assessment (2018)	Informed the climate change considerations for each of the hazard profiles
City of Santa Fe Code of Ordinances	Informed the Capability Assessment and the development of new mitigation actions
City of Santa Fe Comprehensive Emergency Management Plan	Informed the Capability Assessment and Hazard Identification
Right to Know Network data – EPA National Response Center	Informed the hazardous materials accidents hazard profile and vulnerability assessment
City of Santa Fe 2017 Annual Water Report	Informed the drought hazard profile
Santa Fe Basin Study: Adaptations to Projected Changes in Water Supply and Demand (2015)	Informed the drought hazard profile and Capability Assessment
City of Santa Fe Stormwater Management Strategic Plan (2018)	Informed the flood hazard profile
Sustainable Santa Fe 25-Year Plan	Informed the climate change considerations section of the drought hazard profile and Capability Assessment
Santa Fe River and Arroyo de Los Chamisos Modeling Report #100-IWM-737272 (2018) – Tetra Tech	Informed the flood profile and vulnerability assessment

Other technical data, reports, studies, and documents were reviewed and considered, as appropriate, during the collection of data to support Planning Steps 4 and 5, which include the hazard identification, vulnerability assessment, and capability assessment. Information from the following agencies and groups were reviewed in the development and update of this plan. Specific references used in the development of this plan are sourced throughout the document as appropriate.

- New Mexico State Forestry Service
- New Mexico Institute of Mining and Technology
- U.S. Geological Survey
- National Weather Service

Phase 2: Assess Risks

Planning Steps 4: Identify the Hazards

Wood led the HMPT in an effort to review the list of hazards identified in the 2014 plan and document all the hazards that have impacted, or could impact the planning area, including documenting recent drought, flood, wildfire and winter storm events. Data collection worksheets were used in this effort to aid in determining hazards and vulnerabilities and where risk varies across the planning area. The profile of each of these hazards was then updated in 2020 with information from the HMPT and additional sources. Web resources, existing reports and plans, and existing GIS layers were used to compile information about past hazard events and determine the location, previous occurrences, probability of future occurrences, and magnitude/severity of each hazard. Geographic information systems (GIS) were used to display, analyze, and quantify hazards and vulnerabilities where data permitted. The potential for climate change to affect the frequency and intensity of the hazards was summarized based on latest available science, where applicable. A more detailed description of the hazard identification and risk assessment process and the results are included in Chapter 4 Risk Assessment.

Planning Steps 5: Assess the Risks

After updating the profiles of the hazards that could affect the City, the HMPT collected information to describe the likely impacts of future hazard events. This step included two parts: a vulnerability assessment and a capability assessment.

Vulnerability Assessment—The vulnerability assessment analyzed assets at risk to natural hazards—including overall exposure and those located in identified hazard areas. These assets included total number and value of structures; critical facilities and infrastructure; natural, historic, and cultural assets; and economic assets. The HMPT also analyzed development trends in hazard areas. The latest DFIRM (2012) was used to refine the estimated flood losses during the update, where available.

Capability Assessment— The HMPT also conducted a capability assessment update to review and document the planning area's current capabilities to mitigate risk and vulnerability from natural hazards. By collecting information about existing government programs, policies, regulations, ordinances, and emergency plans, the HMPT can assess those activities and measures already in place that contribute to mitigating some of the risks and vulnerabilities identified. This information for the City is included in Chapter 4. This addressed FEMA planning task 4: Review community capabilities - 44 CFR 201.6 (b)(2) & (3).

Results of the risk assessment were presented, and comments discussed at the second meeting of the HMPT in July 2019.

A more detailed description of the risk assessment process and the results are included in Chapter 4 Risk Assessment.

Phase 3: Develop the Mitigation Plan

Planning Steps 6 and 7: Set Goals and Review Possible Activities

Wood facilitated brainstorming and discussion sessions with the HMPT that included a description of the purpose and process of developing planning goals, as well as discussion of a comprehensive range of mitigation alternatives, and a method of selecting and defending recommended mitigation actions using a series of selection criteria. Additional details of the process to develop goals and actions is included in Chapter 5 Mitigation Strategy. Additional documentation on the process the HMPT used to develop the goals and strategy is in Appendix B.

Planning Step 8: Draft an Action Plan

Based on input from the HMPT regarding the draft risk assessment and the goals and activities identified in Planning Steps 6 and 7, Wood produced a complete first draft of the plan. This complete draft was distributed electronically to the HMPT for review and comment. Other agencies were invited to comment on this draft as well. Comments were integrated into a public review draft, which was advertised and distributed to collect public input. Wood integrated comments and issues from the public, as appropriate, along with additional internal review comments and produced a final draft for the NMDHSEM and FEMA Region VI to review and approve prior to final adoption by the Santa Fe City Council.

Phase 4: Implement the Plan and Monitor Progress

Planning Step 9: Adopt the Plan

In order to secure buy-in and officially implement the plan, the plan was adopted by the City of Santa Fe using the sample resolution contained in Appendix C.

Planning Step 10: Implement, Evaluate, and Revise the Plan

The true worth of any mitigation plan is in the effectiveness of its implementation. In the previous steps of the planning process the HMPT's efforts have been directed at researching data, gathering information for the plan, and developing appropriate mitigation actions. Each recommended action includes key descriptors, such as a lead entity and possible funding sources, to help initiate implementation. An overall implementation strategy is described in Chapter 7 Plan Implementation and Maintenance.

Finally, there are numerous organizations within the City of Santa Fe Planning Area whose goals and interests' interface with hazard mitigation. Coordination with these other planning efforts, as addressed in Planning Step 3, is key to the ongoing success of this plan and mitigation in the City of Santa Fe and is addressed further in Chapter 7. A plan update and maintenance schedule and a strategy for continued public involvement are also included in Chapter 7.

4.0 RISK ASSESSMENT

DMA Requirement §201.6(c)(2):
[The plan shall include] A risk assessment that provides the factual basis for activities proposed in the strategy to reduce losses from identified hazards. Local risk assessments must provide sufficient information to enable the jurisdiction to identify and prioritize appropriate mitigation actions to reduce losses from identified hazards.

As defined by the Federal Emergency Management Agency (FEMA), risk is a combination of hazard, vulnerability, and exposure. It is the impact that a hazard would have on people, services, facilities, and structures in a community and refers to the likelihood of a hazard event resulting in an adverse condition that causes injury or damage.

The risk assessment process identifies and profiles relevant hazards and assesses the exposure of lives, property, and infrastructure to these hazards. The process allows for a better understanding of the City's potential risk to natural hazards and provides a framework for developing and prioritizing mitigation actions to reduce risk from future hazard events.

This risk assessment builds upon the methodology described in the 2013 FEMA Local Mitigation Planning Handbook which recommends a four-step process for conducting a risk assessment:

1) Describe Hazards
2) Identify Community Assets
3) Analyze Risks
4) Summarize Vulnerability

In essence, the risk assessment evaluates potential loss from hazards by assessing the vulnerability of the city's population, built environment, critical facilities, and other assets. Data collected through this process has been incorporated into the following sections of this chapter:

Section 4.1: Hazard Identification - Identifies the natural hazards that threaten the Planning Area (City of Santa Fe) and describes why some hazards have been omitted from further consideration.

Section 4.2: Asset Summary - Describes the methodology for determining vulnerability of the Planning Area to the identified hazards.

Section 4.3: Hazard Analysis and Risk Assessment - Discusses the threat to the Planning Area and describes previous occurrences of hazard events and the likelihood of future occurrences (2013 FEMA Local Mitigation Planning Handbook Risk Assessment Step 1). It also includes an assessment of the Planning Areas' exposure to natural hazards; considering assets at risk, critical facilities, and future development trends (2013 FEMA Local Mitigation Planning Handbook Risk Assessment Steps 2, 3 and 4).

Section 4.4: Capability Assessment - inventories existing mitigation activities and policies, regulations, and plans that pertain to mitigation and can affect net vulnerability (2013 FEMA Local Mitigation Planning Handbook Planning Task 4).

4.1 Hazard Identification and Prioritization

DMA Requirement §201.6(c)(2)(i):
[The risk assessment shall include a] description of the type of all-natural hazards that can affect the jurisdiction.

The first step in developing a risk assessment is identifying the hazards. The City of Santa Fe HMPT conducted a hazard identification process to determine the hazards that threaten the Planning Area. This section details the methodology and results of this effort.

4.1.1 Methodology and Results

Using the City's 2014 Hazard Mitigation Plan, recent hazards data, other related plans and information and input gained through planning and public meetings, the HMPT agreed upon a list of hazards that could affect the City of Santa Fe. Hazards data from the New Mexico Department of Homeland Security and Emergency Management (DHSEM), FEMA, the National Oceanic and Atmospheric Administration (NOAA), a preliminary Santa Fe Threat and Hazard Identification and Risk Assessment (THIRA) and the Santa Fe County's 2018 Hazard Mitigation Plan, as well as many other sources were examined to assess the significance of these hazards to the Planning Area. The hazards assessment builds upon a hazard identification and ranking exercise undertaken by the City's Emergency Management Coordinating Group (EMCG) in 2018. The natural hazards evaluated as part of this plan include those that have occurred historically or have the potential to cause significant human and/or monetary losses in the future. Human caused hazards have also been identified and assessed and are contained in a separate annex (Annex A).

In alphabetical order, the following hazards were identified and investigated for the City of Santa Fe Mitigation Plan development; those hazards that are new to the plan in 2020 are identified with an asterisk(*):

Natural Hazards

- Dam Failure*
- Drought
- Flood
- Severe Weather (Thunderstorms, Hail, Lightning, Extreme Temperatures, High Wind, Winter Storms)
- Tornado*
- Wildfire/Wildland Urban Interface

Human Caused Hazards

- Active Shooter*
- CBRNE (Chemical, Biological, Radiation, Nuclear Events)
- Cyber Attack*
- Hazardous Materials Release
- Pipeline Explosion*
- Pandemic Influenza*
- Transportation Accident*
- Utility Disruption*

Other Hazards Considered

Based on discussions at the early planning meetings, the HMPT eliminated the natural hazards below from further considerations in this risk assessment due to a low probability of future occurrences based on a

lack of past events in the City of Santa Fe or based on minimal potential impacts at the time of the plan update to the City.

- Earthquake
- Expansive Soils
- Land Subsidence
- Landslide/Debris Flow
- Volcanoes
- Space Weather

Debris flow hazards have not historically been an issue but are acknowledged to be a potential future hazard should a wildfire burn within the City's watershed. Space weather was profiled in the 2014 Hazard Mitigation Plan but is now considered within the Utility Disruption hazard profile.

Overall Hazard Significance Summary

Members of the HMPT used a hazards worksheet to identify and rate the significance of a variety of possible hazards based on their experience and knowledge of the Planning Area. Overall hazard significance was based on a combination of Geographic Area coverage, Probability of Future Occurrence, and Potential Magnitude/Severity (e.g. Extent) as defined below. Table 4-1 summarizes the results of the risk assessment. The most significant hazards based on the input from the HMPT as well as the results of the updated vulnerability assessment are flood and wildfire. This also generally aligns with public input on hazards collected during the public survey, as described in Section 3.

Table 4-1 The City of Santa Fe Hazard Identification Worksheet

Hazard	Geographic Area	Probability of Future Occurrence	Magnitude/ Severity (Extent)	Overall Significance
Dam Failure	Significant	Occasional	Catastrophic	Medium
Drought	Extensive	Likely	Limited	Medium
Flood	Significant	Likely	Critical	High
Severe Weather: Thunderstorm, Hail, Lightning	Extensive	Highly Likely	Limited	Medium
Severe Weather: High Wind	Extensive	Highly Likely	Limited	Medium
Severe Weather: Extreme Temperatures (cold and heat)	Extensive	Highly Likely	Limited	Medium
Severe Weather: Winter Storms	Extensive	Highly Likely	Limited	Medium
Tornado	Limited	Occasional	Limited	Low
Wildfire/Wildland Urban Interface	Significant	Likely	Catastrophic	High
Active Shooter	Limited	Possible	Limited	Low
CBRNE	Limited	Unlikely	Critical	Low
Cyber Attack	Limited	Likely	Negligible	Low
Hazardous Materials Release	Significant	Likely	Limited	Medium
Pandemic	Extensive	Occasional	Critical	Medium
Pipeline Explosion	Limited	Occasional	Limited	Low
Transportation Accident	Limited	Highly Likely	Negligible	Low
Utility Disruption	Limited	Likely	Negligible	Low

Geographic Area
Limited: Less than 10% of planning area
Significant: 10-50% of planning area
Extensive: 50-100% of planning area

Probability of Future Occurrences
Highly Likely: Near 100% chance of occurrence in next year or happens every year.
Likely: Between 10 and 100% chance of occurrence in next year or has a recurrence interval of 10 years or less.
Occasional: Between 1 and 10% chance of occurrence in the next year or has a recurrence interval of 11 to 100 years.
Unlikely: Less than 1% chance of occurrence in next 100 years or has a recurrence interval of greater than every 100 years.

Magnitude/Severity (Extent)
Catastrophic—More than 50 percent of property severely damaged; shutdown of facilities for more than 30 days; and/or multiple deaths
Critical—25-50 percent of property severely damaged; shutdown of facilities for at least two weeks; and/or injuries and/or illnesses result in permanent disability
Limited—10-25 percent of property severely damaged; shutdown of facilities for more than a week; and/or injuries/illnesses treatable do not result in permanent disability
Negligible—Less than 10 percent of property severely damaged, shutdown of facilities and services for less than 24 hours; and/or injuries/illnesses treatable with first aid

Significance
Low: minimal potential impact
Medium: moderate potential impact
High: widespread potential impact

4.1.2 Disaster Declaration History

One method to identify hazards based upon past occurrence is to look at what events triggered federal disaster declarations within the Planning Area. Disaster declarations are granted when the severity and magnitude of the event's impact surpass the ability of the local government to respond and recover.

Disaster assistance is supplemental and sequential. When the local government's capacity has been surpassed, a state disaster declaration may be issued, allowing for the provision of state assistance. Should the disaster be so severe that both the local and state government's capacity is exceeded, a federal disaster declaration may be issued allowing for the provision of federal disaster assistance.

Santa Fe County has experienced five federal disaster declarations, two emergency declarations and one fire suppression authorization since 1973. The City of Santa Fe alone has experienced two federal disaster declarations, one federal emergency disaster declaration and two state emergency declarations. Three of the disaster declarations were associated with severe storms and flooding events and one was associated with a wildfire event. Of the state emergency declarations for the City, one was related to drought and one was for extreme wildfire hazard. Refer to Section 4.3.2 Drought, for discussion related to disaster designations from the US Secretary of Agriculture due to drought for Santa Fe County.

A summary of federal declarations is shown in Table 4-2.

Table 4-2 City of Santa Fe Federal Disaster Declaration History, 1973-2014

Event/ Hazard	Year	Disaster #	Declaration Type	Location
Severe Storms, Snow Melt, Flooding	1973	380	Major	Santa Fe County
Drought	1977	3034	Emergency	Santa Fe County
Flooding	1979	571	Major	Santa Fe County
Flooding	1979	589	Major	Santa Fe County
Drought	1997	3034	State Emergency	City of Santa Fe
Extreme Fire Hazard	1998	3128	State Emergency	City of Santa Fe
Severe Fire Threats	2000	3154	Emergency	City of Santa Fe
Severe Forest Fire	2000	1329	Major	City of Santa Fe
Wildfire - Borrego Fire	2002	2408	Fire Suppression Authorization	Santa Fe County
Severe Storms, Flooding, and Mudslides	2013	4152	Major	City of Santa Fe
Severe Storms and Flooding	2014	4197	Major	Santa Fe County
Severe Storms and Flooding	2014	4199	Major	Santa Fe County

Source: FEMA, 2014 City of Santa Fe MP, 2018 Santa Fe County HMP

4.2 Asset Summary

4.2.1 Assets Exposure

As a starting point for analyzing the Planning Area's vulnerability to identified hazards, the HMPT used a variety of data to define a baseline against which all disaster impacts could be compared. If a catastrophic disaster was to occur in the Planning Area, this section describes significant assets exposed or at risk in the Planning Area. Data used in this baseline assessment included:

- Total assets at risk;
- Critical facility inventory;
- Cultural, historical, and natural resources; and
- Population growth and land use/development trends.

4.2.2 Total Assets at Risk

Parcel boundary data was provided by the City of Santa Fe with parcel attributes from the County Assessor's Office and current to March 2019. This data presents an inventory of the total exposure of developed properties within the county. It is important to note that depending on the nature and type of hazard event or disaster, it is generally the value of the infrastructure or improvements to the land that is of concern or at risk. Generally, the land itself is not a total loss, but may see a reduction in value. Thus, the parcel analysis excludes land value.

Building Exposure

Building counts and valuations in this plan are based on data from the City of Santa Fe GIS Department. An address point layer representing structure point locations throughout the City of Santa Fe was provided in GIS. This layer was used in conjunction with the parcel layer to obtain a structure count for each parcel, and to identify those parcels that have improvements on them. Table 4-3 shows a summary of the total property inventory from the Assessor's Office for the County.

Note that this table includes a total of all parcels and 'improved' parcels. For the purposes of this plan improved includes parcels that have an improvement value greater than zero or includes at least one structure point represented in the GIS structure layer. In some cases, exempt properties such as government-owned parcels have no structure value. Thus, the building value is likely understated as a whole, which is a noted limitation. Building value is based on 2020 full market value. Agriculture value was included because of the analysis of agricultural diseases in this plan.

Table 4-3 City of Santa Fe Total Parcel Exposure

Address Point Type (based on Parcel Type)	Address Point Total	Improved Value (based on Parcel Data)	Content Value	Total Value
Commercial	5,707	$16,817,974,576	$16,817,974,576	$33,635,949,152
Common Area	282	$0	--	$0
Open Spaces/Parks	60	$78,530	--	$78,530
US Government	2	$0	--	$0
Exempt	82	$41,080,767	--	$41,080,767
Lot with Mobile Home	666	$3,221,415	$1,610,708	$4,832,123
Multi-Unit Residential	7,097	$41,349,549,539	$20,674,774,770	$62,024,324,309
Single Family Residential	27,216	$6,475,351,242	$3,237,675,621	$9,713,026,863
Residential: Condo	5,782	$1,488,636,412	$744,318,206	$2,232,954,618
Vacant	2,152	$127,017,312	--	$127,017,312
Undetermined	10	$0	--	$0
TOTAL	**49,056**	**$66,302,909,793**	**$41,476,353,880**	**$107,779,263,673**

Source: City of Santa Fe, Santa Fe County Assessor., Wood Plc analysis

Critical Facility Inventory

For the purposes of this plan, a critical facility is defined using FEMA's Community Lifelines construct. FEMA defines lifelines as providing indispensable "service that enable the continuous operations of critical business and government function, and is critical to human health and safety, or economic security". There are seven total lifelines and lifeline components that provide the scope of and parameters for what is included in each lifeline. Examples of each are provided in Table 4-4 and shown in Figure 4-1.

Table 4-4 Critical Facilities Types and Examples Applicable to the City of Santa Fe

Lifeline	Components
Safety and Security	Law Enforcement/Security
	Fire Services
	Community Safety
Food, Water, Sheltering	Water
	Shelter
Health and Medical	Medical Care
	Public Health
Energy	Power (Grid)
Communications	Infrastructure
Transportation	Mass Transit
	Aviation
Hazardous Materials	Facilities
Other	Community Services
	Daycare
	Schools

Source: FEMA

Figure 4-1 FEMA's Community Lifelines

Source: FEMA

A summary of the specific critical lifelines in the Planning Area (the City) can be found in Table 4-5.

Table 4-5 City of Santa Fe Critical Facilities Summary Table

Lifeline	Total
Safety and Security	46
Food/Water/Shelter	39
Health and Medical	30
Energy	4
Communications	110
Transportation	6
Hazardous Materials	9
Other	63
Total	**307**

Source: Wood Plc analysis of City of Santa Fe GIS data

Cultural, Historical, and Natural Resources

Assessing the City of Santa Fe's vulnerability to disaster also involves inventorying the natural, historical, and cultural assets of the area. This step is important for the following reasons:

- The community may decide that these types of resources warrant a greater degree of protection due to their unique and irreplaceable nature and contribution to the overall economy.
- In the event of a disaster, an accurate inventory of natural, historical and cultural resources allows for more prudent care in the disaster's immediate aftermath when the potential for additional impacts is higher.
- The rules for reconstruction, restoration, rehabilitation, and/or replacement are often different for these types of designated resources.
- Natural resources can have beneficial functions that reduce the impacts of natural hazards, for example, riparian habitats help absorb and attenuate floodwaters and thus support overall mitigation objectives.

Cultural and Historical Resources

The City of Santa Fe has a large stock of historically significant homes, public buildings, and landmarks. To inventory these resources, the HMPT collected information from a number of sources. The New Mexico Historic Preservation Division (NMHPD) was the primary source of information. The Office of Historic Preservation (OHP) is responsible for the administration of federally and state mandated historic preservation programs to further the identification, evaluation, registration, and protection of New Mexico's irreplaceable archaeological and historical resources. NMHPD administers the National Register of Historic Places and the State Register of Cultural Properties. Each program has different eligibility criteria and procedural requirements.

- **The National Register of Historic Places** is the nation's official list of cultural resources worthy of preservation. The National Register is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect historic and archeological resources. Properties listed include districts, sites, buildings, structures, and objects that are significant in American history, architecture, archeology, engineering, and culture. The National Register is administered by the National Park Service, which is part of the U.S. Department of the Interior. Properties listed on this database in the City of Santa Fe are included in Table 4-6.
- **New Mexico State Register of Cultural Properties** are sites, buildings, features, or events that are of local (city or county) significance and have anthropological, cultural, military, political, architectural, economic, scientific or technical, religious, experimental, or other value. Properties listed on this database in the City of Santa Fe are included in Table 4-7.

Table 4-6 City of Santa Fe Historical Resources, National Register

Resource Name	Date Listed
Acequia System of El Rancho de las Golondrinas	2/1/1980
Alarid, Ricardo, House	8/30/1984
Allison Dormitory	11/29/1984
Archbishop Lamy's Chapel	8/19/1988
Arroyo Hondo Pueblo	9/13/2007
Barrio de Analco Historic District	11/24/1968
Baumann, Jane and Gustave, House and Studio	10/10/2012
Bergere, Alfred M., House	10/1/1975

Resource Name	Date Listed
Camino del Monte Sol Historic District	7/11/1988
Camino Real--Canon de las Bocas Section	4/8/2011
Camino Real--La Bajada Mesa Section	4/8/2011
Connor Hall	9/22/1988
Crespin, Gregorio, House	5/29/1975
Davey, Randall, House	7/9/1970
Delgado Street Bridge	8/3/2015
Digneo-Valdes House	11/21/1978
Dodge--Bailey House	5/8/2007
Don Gaspar Bridge	10/16/2002
Don Gaspar Historic District	7/21/1983
El Puente de Los Hidalgos	7/25/2001
El Rancho de las Golondrinas Section--El Camino Real de Tierra Adento	9/25/2013
El Zaguan	8/1/2008
Fairview Cemetery	1/20/2005
Federal Building	8/15/1974
Fort Marcy Officer's Residence	6/20/1975
Fort Marcy Ruins	4/14/1975
Hayt--Wientge House	5/6/1977
Hospital	9/22/1988
Jackson, J.B., House	6/4/1999
Jones, Everret, House	1/15/2004
Kelly, Daniel T., House	10/19/2005
Laboratory of Anthropology	7/12/1983
Las Acequias	7/25/2008
Meem, John Gaw and Faith Bemis, House	4/3/2017
National Park Service Southwest Regional Office	10/6/1970
New Mexico Supreme Court Building	1/18/2002
Otowi Historic District	12/4/1975
Palace of the Governors	10/15/1966
Pond--Kelly House	10/19/2018
Pueblo of Nambe	1/21/1974
Pueblo of Tesuque	7/16/1973
Reredos of Our Lady of Light	9/4/1970
San Lazaro	10/15/1966
Santa Fe Historic District	7/23/1973
Santa Fe National Cemetery	9/6/2016
Santa Fe Plaza	10/15/1966
Santa Fe River Park Channel	12/10/2008
School Building Number 2	9/22/1988
Scottish Rite Cathedral	3/13/1987
Second Ward School	3/30/1978
Seton Village	10/15/1966
Shonnard, Eugenie, House	9/5/1975
Spiegelberg House	5/25/1973
St. John's College--Santa Fe, New Mexico	8/3/2015
Superintendent's Residence	9/22/1988
Tully, Pinckney R., House	11/5/1974
U.S. Courthouse	5/25/1973

Resource Name	Date Listed
Vierra, Carlos, House	8/3/1979
Vigil, Donaciano, House	6/28/1972
Wheelwright Museum of the American Indian	12/18/1990

Source: National Parks Service http://www.nps.gov/nr

Table 4-7 City of Santa Fe Historical Resources, State Register

Resource Name	Date Listed
Ortiz, Nicholas and Antonio Jose, Houses	12/20/1968
Delgado, Felipe, House	5/23/1969
Gallegos, Padre, House	5/23/1969
Hinojos, Francisca, House	5/23/1969
Lobato, Roque, House	5/23/1969
Our Lady of Guadalupe Church	5/23/1969
Rodriguez, Juan, House	5/23/1969
Borrego, House	7/18/1969
Boyle, House	7/18/1969
La Conquistadora	7/18/1969
Rosario Chapel and Cemetery	7/18/1969
Sena Plaza	7/18/1969

Source: New Mexico Historic Preservation Division

It should be noted that these lists change periodically, and they may not include those currently in the nomination process and not yet listed. Additionally, as defined by the National Environmental Policy Act (NEPA), any property over 50 years of age is considered a historic resource and is potentially eligible for the National Register. Thus, in the event that the property is to be altered, or has been altered, as the result of a major federal action, the property must be evaluated under the guidelines set forth by NEPA. Structural mitigation projects are considered alterations for the purpose of this regulation.

Santa Fe Historic and Archaeological Districts

The City of Santa Fe has six historic districts and three archaeological districts. In 1957 the Santa Fe Downtown and Eastside Historic Districts were established, and the Historic Districts Review Board was formed. Four additional historic districts were established in 1983: Westside-Guadalupe Historic District, Don Gaspar Area Historic District, Historic Review Historic District and Historic Transition Historic District.

The City of Santa Fe's Archaeological Districts were established in 1987, they include the following, Historic Downtown Archaeological Review District, River and Trail Archaeological Review District, and Suburban Archeological Review District. The five-member Archaeological Review Committee is responsible for reviewing reports by archaeologists working to provide clearance permits for construction in the three Archaeological Districts.

Natural Resources

Natural resources are important to include in benefit/cost analyses for future projects and may be used to leverage additional funding for mitigation projects that also contribute to community goals for protecting sensitive natural resources. Awareness of natural assets can lead to opportunities for meeting multiple objectives. For instance, protecting wetlands areas protects sensitive habitat as well as reducing the force of and storing floodwaters. Adjacent to the City is the Santa Fe National Forest. This is a significant

natural resource as it provides the primary source of drinking water for the City. It also provides wildlife habitat and abundant recreational opportunities.

Natural and Beneficial Functions

Floodplains can have natural and beneficial functions. Wetlands function as natural sponges that trap and slowly release surface water, rain, snowmelt, groundwater and flood waters. Trees, root mats, and other wetland vegetation also slow the speed of floodwaters and distribute them more slowly over the floodplain. This combined water storage and braking action lowers flood heights and reduces erosion. Wetlands within and downstream of urban areas are particularly valuable, counteracting the greatly increased rate and volume of surface water runoff from pavement and buildings. The holding capacity of wetlands helps control floods and prevents water logging of crops. Preserving and restoring wetlands, together with other water retention, can often provide the level of flood control otherwise provided by expensive dredge operations and levees.

Special Status Species

To further understand natural resources that may be particularly vulnerable to a hazard event, as well as those that need consideration when implementing mitigation activities, it is important to identify at-risk species (i.e., endangered species) in the Planning Area. The US Fish and Wildlife Service maintains a list of threatened and endangered species in New Mexico at the county level. State and federal laws protect the habitat of these species through the environmental review process. Several additional species are of special concern or candidates to make the protected list.

Table 4-8 summarizes Santa Fe County's special status animal species in the Fish and Wildlife Service database. A search for the County's special status plant species in the Fish and Wildlife Service database yielded no results.

Table 4-8 Threatened and Endangered Animals in Santa Fe County

Name	Scientific Name	Status
Yellow-billed Cuckoo	*Coccyzus americanus*	Threatened
Mexican spotted owl	*Strix occidentalis lucida*	Threatened
Southwestern willow flycatcher	*Empidonax traillii extimus*	Endangered
North American wolverine	*Gulo gulo luscus*	*Proposed Threatened*

Source: US Fish and Wildlife Service

Population Growth and Development Trends

As part of the planning process, the HMPT looked at changes in growth and development, both past and future, and examined these changes in the context of hazard-prone areas, and how the changes in growth and development affect loss estimates and vulnerability.

The American Community Survey five-year estimates show that as of 2017 the City of Santa Fe total population to be 82,980 individuals an 18 percent increase from the total population accounted for in the 2010 census. Table **4-9** below summarizes the population change for the City of Santa Fe between 2010 and 2017 based on the U.S. Census Bureau data. The City experienced the greatest growth in total population between in 2015 due to the City annexation and has experienced steady growth since.

Table 4-9 Population Change in the City of Santa Fe, 2010-2017

Year	Total Population	Change

2010	67,588	
2011	67,909	0.5%
2012	68,298	0.6%
2013	68,800	0.7%
2014	69,245	0.6%
2015	83,008	19.9%
2016	82,927	-0.1%
2017	82,980	0.1%

Source: U.S. Census Bureau, ACS 2010-2017 estimates

The following table shows the age of the population estimated in 2017.

Table 4-10 Age of Population in the City of Santa Fe, 2017 ACS estimates

Age	Total (estimate)
Under 18 years	16,322
16 years and over	68,649
18 years and over	66,658
21 years and over	63,720
62 years and over	20,319
65 years and over	16,686

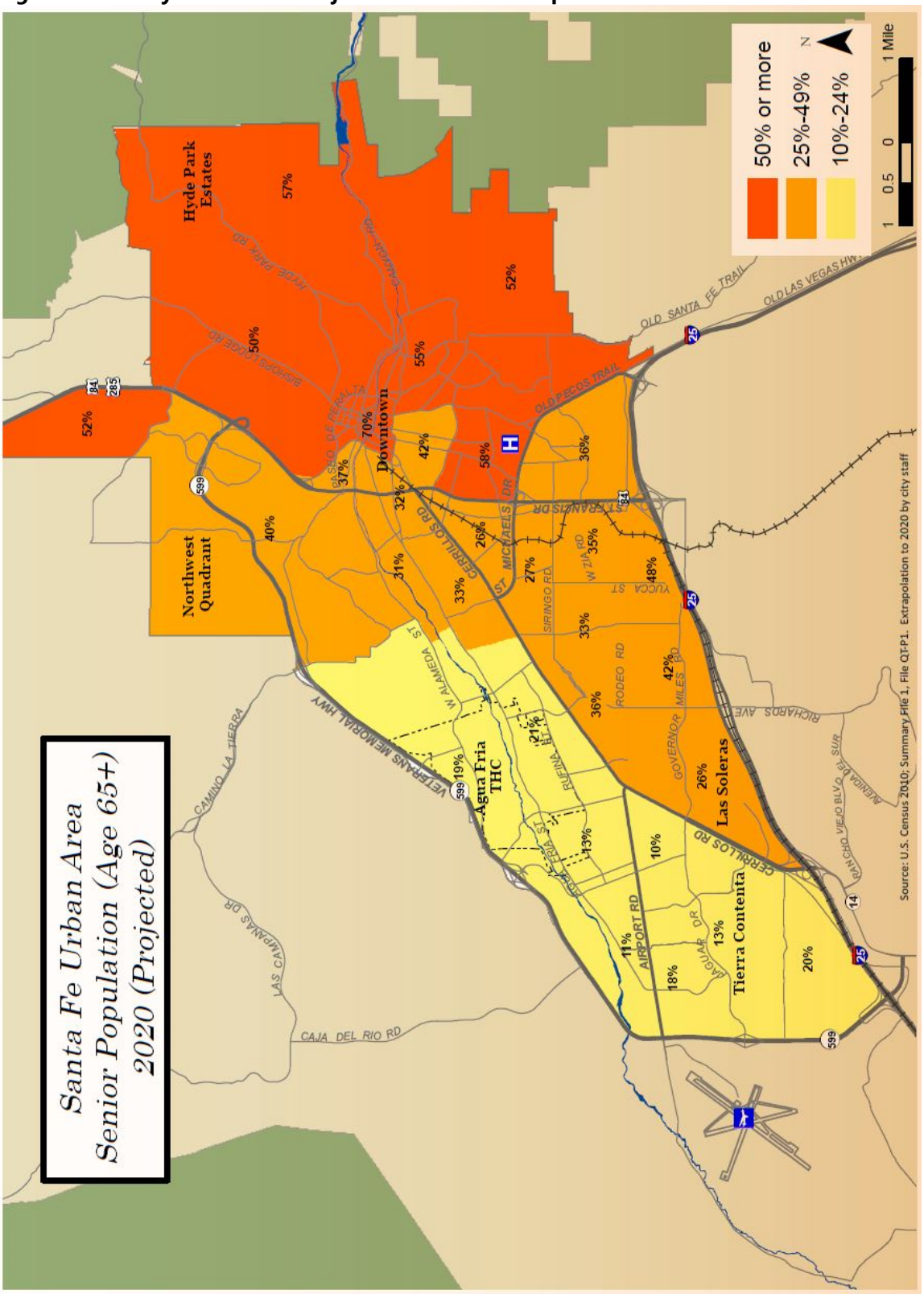
Source: U.S. Census Bureau, ACS 2010-2017 estimates

As of 2017, the median age in the City of Santa Fe was estimated to be 43 years old. The City has been experiencing a "silver tsunami" in recent years with its greatest population growth in the senior population (age 65+). Santa Fe is estimating the senior population could double by 2020 to be over 20,000 senior residents averaging 1,000 residents turning 65 each year. Figure 4-2, created by the City of Santa Fe in 2013, depicts the projected 2020 senior population within the City of Santa Fe.

City's Annexation Plan

The City of Santa Fe and Santa Fe County reached an Annexation Settlement Agreement in 2008. The agreement allows the City to annex areas generally bounded by Interstate 25 and State Highway 599. The City has a plan for three phases of annexation, the first became effective on November 24, 2009. The second phase was effective January 1, 2014 and added over 4,000 acres and an estimated population of 13,251 people. The third annexation phase became effective in 2018 and added 640 individuals to the City's population and 1,072 acres.

Figure 4-2 City of Santa Fe Projected 2020 Senior Population



Source: City of Santa Fe, City of Santa Fe Land Use & Urban Design Plan Draft, 2019

4.3 Hazard Analysis and Risk Assessment

Requirement §201.6(c)(2)(i): [The risk assessment shall include a] description of the location and extent of all natural hazards that can affect the jurisdiction. The plan shall include information on previous occurrences of hazard events and on the probability of future hazard events.

Requirement §201.6(c)(2)(ii): [The risk assessment shall include a] description of the jurisdiction's vulnerability to the hazards described in paragraph (c)(2)(i) of this section. This description shall include an overall summary of each hazard and its impact on the community.

Requirement §201.6(c)(2)(ii)(A): The plan should describe vulnerability in terms of the types and numbers of existing and future buildings, infrastructure, and critical facilities located in the identified hazard areas.

Requirement §201.6(c)(2)(ii)(B): [The plan should describe vulnerability in terms of an] estimate of the potential dollar losses to vulnerable structures identified in paragraph (c)(2)(i)(A) of this section and a description of the methodology used to prepare the estimate.

Requirement §201.6(c)(2)(ii)(C): [The plan should describe vulnerability in terms of] providing a general description of land uses and development trends within the community so that mitigation options can be considered in future land use decisions.

The hazards identified in Section 4.1, are profiled and assessed individually in this section. In general, information provided by planning team members is integrated into this section with information from other data sources. This section also includes the identified vulnerability to each of the priority hazards, describing the impact that each hazard would have on the city. The vulnerability assessment quantifies, to the extent feasible using best available data, assets at risk to hazards and estimates potential losses. Each hazard is assessed in the following areas:

- **Hazard/Problem Description:** A description of the hazard and associated issues; where known, this includes general information on the hazard extent, seasonal patterns, speed of onset/duration, and magnitude and/or any secondary effects.
- **Location:** The geographic areas within the Planning Area that could be affected by the hazard. The entire planning area could be uniformly affected by some hazards.
- **Extent (Magnitude/Severity):** The strength or magnitude of the hazard. Different hazards may have different measures of extent.
- **Previous Occurrences:** A record of historical incidents, including impacts where known. Available hazard data and historical incident worksheets were used to capture information from the HMPT on previous occurrences.
- **Probability of Future Occurrence:** The frequency of past events is used in this section to gauge the likelihood of future occurrences. Where possible, frequency was calculated based on existing data. This was determined by dividing the number of events observed by the number of years on record and multiplying by 100. This gives the percent chance of the event happening in any given year. e.g., three droughts over a 30-year period equates to a 10 percent chance of a drought in any given year). The likelihood of future occurrences is categorized into one of the following classifications:
  - **Highly Likely** — Near 100 percent chance of occurrence in next year or happens every year.
  - **Likely** — Between 10 and 100 percent chance of occurrence in next year or has a recurrence interval of 10 years or less.
  - **Occasional** — Between 1 and 10 percent chance of occurrence in the next year or has a recurrence interval of 11 to 100 years.
  - **Unlikely** — Less than 1 percent chance of occurrence in next 100 years or has a recurrence interval of greater than every 100 years.

- **Climate Change Considerations:** This describes the potential for climate change to affect the frequency and intensity of the hazard in the future
- **Vulnerability Assessment:** The vulnerability of the Planning Area to a specific hazard is assessed through the study of potential impacts to specific sectors:
  - People
  - Economy
  - Built Environment
  - Critical Facilities and Infrastructure
  - Historic, Cultural, and Natural Resources
  - Future Development
  - Risk Summary - Each vulnerability assessment includes a risk summary of the key issues/problems based on threat, vulnerability and consequence to the Planning Area and jurisdictions from the specific hazard.

Data used to support this assessment included the following:

- City GIS data (hazards, base layers, and facilities);
- Statewide GIS datasets to support mitigation planning;
- 2018 Santa Fe County Hazard Mitigation Plan
- 2014 City of Santa Fe Mitigation Plan
- 2018 State of New Mexico Hazard Mitigation Plan
- Written descriptions of inventory and risks provided by the City;
- Online data sources (cited where applicable)
- Data and information from existing plans and studies; and
- Input from planning team members and staff from the City and local, state, and federal agencies.

4.3.1 Dam Failure

Hazard Description

Dams are man-made structures built for a variety of uses including flood protection, power generation, agriculture, water supply, and recreation. When dams are constructed for flood protection, they are usually engineered to withstand a flood with a computed risk of occurrence. For example, a dam may be designed to contain a flood at a location on a stream that has a certain probability of occurring in any one year. If prolonged periods of rainfall and flooding occur that exceed the design requirements, that structure may be overtopped and fail. Overtopping is the primary cause of earthen dam failure in the United States.

Dam failures can also result from any one or a combination of the following causes:

- Earthquake
- Inadequate spillway capacity resulting in excess overtopping flows
- Internal erosion caused by embankment or foundation leakage, or piping or rodent activity
- Improper design
- Improper maintenance
- Negligent operation
- Failure of upstream dams on the same waterway

Water released by a failed dam generates tremendous energy and can cause a flood that is catastrophic to life and property. A catastrophic dam failure could challenge local response capabilities and require evacuations to save lives. Impacts to life safety will depend on the warning time and the resources

available to notify and evacuate the public. Major loss of life could result as well as potentially catastrophic effects to roads, bridges, and homes. Electric generating facilities and transmission lines could also be damaged and affect life support systems in communities outside the immediate hazard area. Associated water supply, water quality and health concerns could also be an issue. Factors that influence the potential severity of a full or partial dam failure are the amount of water impounded; the density, type, and value of development and infrastructure located downstream; and the speed of failure.

In general, there are three types of dams: concrete arch or hydraulic fill, earth and rockfill, and concrete gravity. Each type of dam has different failure characteristics. A concrete arch or hydraulic fill dam can fail almost instantaneously; the flood wave builds up rapidly to a peak then gradually declines. An earth-rockfill dam fails gradually due to erosion of the breach; a flood wave will build gradually to a peak and then decline until the reservoir is empty. And, a concrete gravity dam can fail instantaneously or gradually with a corresponding buildup and decline of the flood wave.

Dams and reservoirs have been built throughout New Mexico to supply water for agriculture and domestic use, to allow for flood control, as a source of hydroelectric power, and to serve as recreational facilities. The storage capacities of these reservoirs range from a few thousand-acre feet to five million acre-feet. The Office of the State Engineer - Dam Safety Bureau regulates the design, construction, reconstruction, modification, removal, inspection, operation, maintenance, and continued safety of dams over 10 feet high, or dams that store more than 10 acre-feet of water. Dams 10 feet or less in height or dams that store 10 acre-feet or less are generally not regulated and are considered non-jurisdictional dams; however, if a non-jurisdictional dam threatens life and property due to an unsafe condition, the state engineer can issue a safety order to the owner requiring action to remove the threat.

Location

According to data provided by the National Inventory of Dams, which was last updated as of 2018, there are 2 high hazard dams upstream the City of Santa Fe. Both of these dams have an Emergency Action Plan (EAP) according to the database. Dam locations can be seen in Figure 4-3 below. Table 4-11 gives details of the dams of concern, which are closest to the City and could drain or inundate portions of it given a failure event.

Figure 4-3 Dams of Concern Upstream of the City of Santa Fe

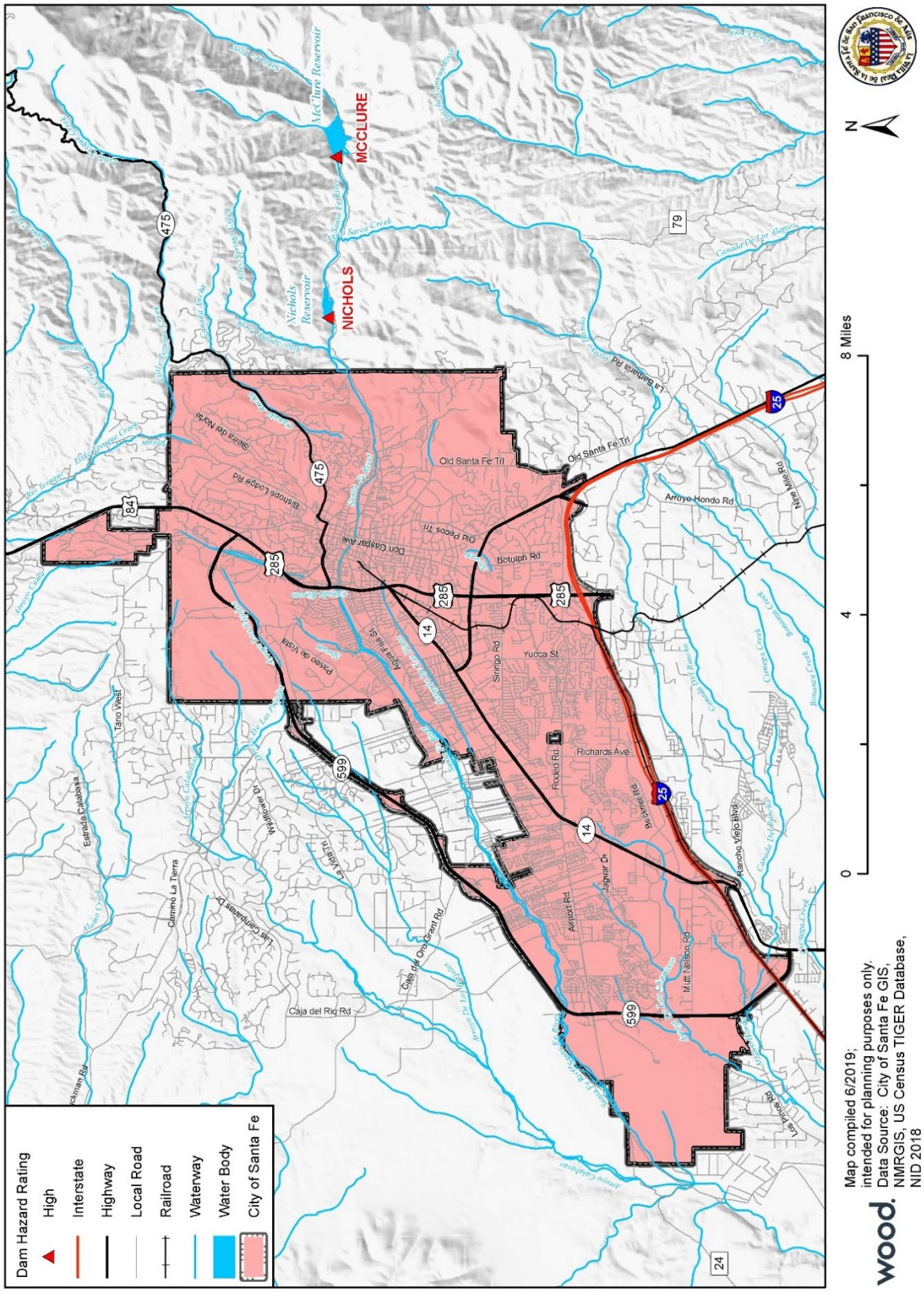


Table 4-11 Dams of Concern Upstream the City of Santa Fe

Hazard Rating	Dam Name	River	Downstream City	Dam Type	Dam Height (ft)	Dam Storage Capacity* (Acre-Feet)	EAP
High	Nichols	Santa Fe River	Santa Fe	Earth	91	1,234	Yes
High	McClure	Santa Fe River	Santa Fe	Earth	128	4,278	Yes

Source: National Inventory of Dams, 2018; These values represent volumes at the dam crest, not volumes at the spillway where impacts may occur downstream due to flooding prior to the full Dam Storage Capacity. For example, at McClure Reservoir the flow to overtop the Dam Storage Capacity is 17,000+ cubic feet per second which would cause downstream flood impacts from spillway flows without the failure of the dam.

Extent (Magnitude/Severity)

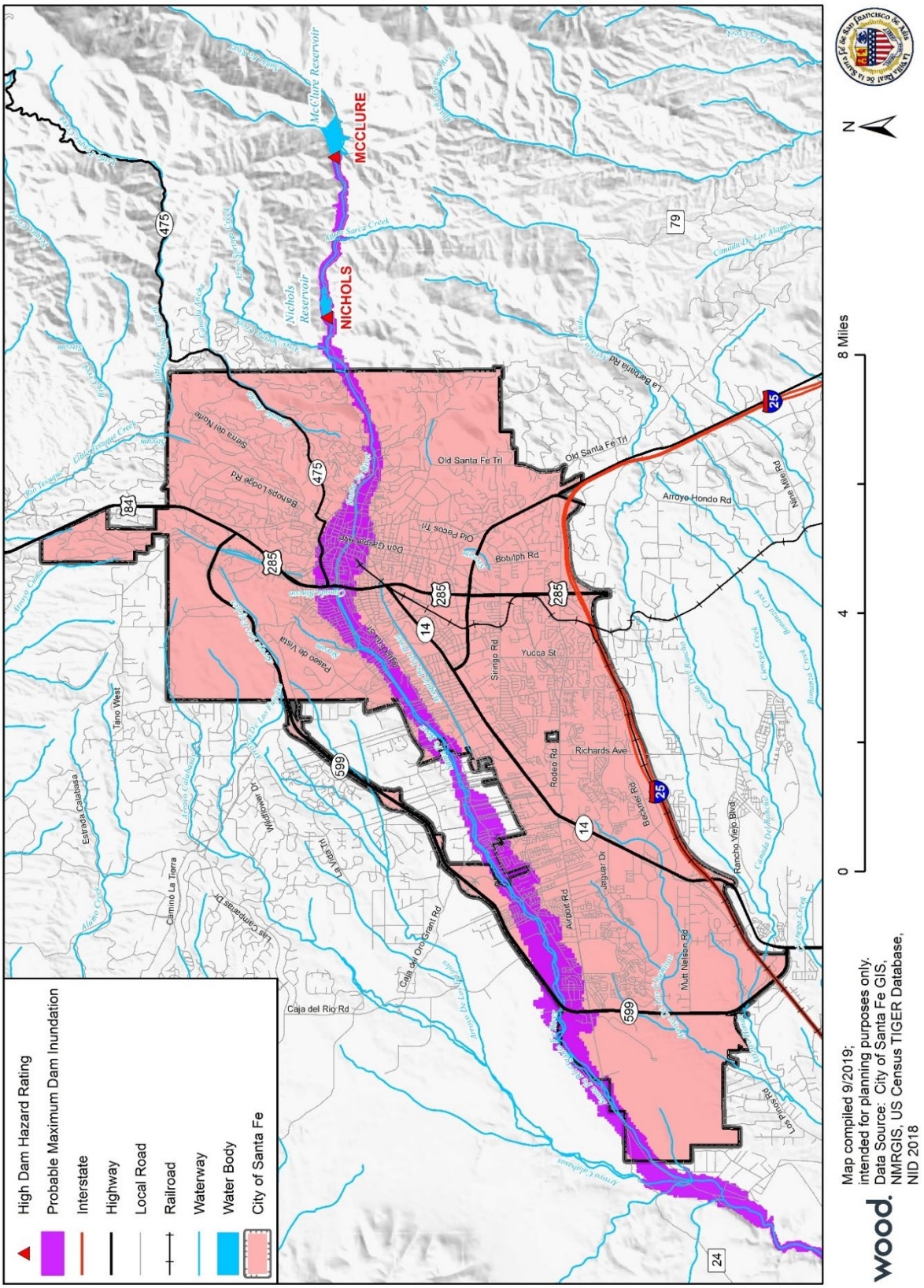
Standard practice among federal and state dam safety offices is to classify a dam according to the potential impact a dam failure (breach) or mis-operation (unscheduled release) would have on downstream areas. The hazard potential classification system categorizes dams based on the probable loss of human life and the impacts on economic, environmental and lifeline facilities. Dams are classified in three categories that identify the potential hazard to life and property:

- *High hazard* indicates that a failure would most probably result in the loss of life;
- *Significant hazard* indicates that a failure could result in appreciable property damage;
- *Low hazard* indicates that failure would result in only minimal property damage and loss of life is unlikely.

Both McClure and Nichols dams are rated high hazard dams. McClure Dam has the greatest storage (able to contain almost 4,300 acre-feet), so failure of this dam could cause the most damage as it would likely overtop and cause a cascading failure of the Nichols Dam. The Nichols Dam has a lower capacity of 1,200 acre-feet. As noted in the footnote to Table 4-11 downstream flooding would occur prior to failure due to spillway flows.

Since the City has these High hazard dams directly upstream of the downtown area and only 5-7 miles away from downtown there is potential for significant loss of life and property damage The Dam Emergency Action Plans (EAPs) for these High hazard dams contain information on inundation areas for dam breaks, and areas that would need evacuation and warning. Dam inundation mapping was available for the McClure and Nichols dams, to show probable maximum flooding from these two structures. There is considerable flooding risk to the downtown are due to the location of the Nichols and McClure dams in the watershed above the City of Santa Fe. The extent of the probable maximum inundation from a dam failure is displayed in Figure 4-4 below; the map represents failure of McClure Dam from a Probable Maximum Flood event, effectively the worst case scenario. The EAPs for McClure and Nichols contain additional details on the maximum flood discharge, maximum water surface elevation, flood stage, and time to maximum flood stage. These details are provided for spillway flows, "Sunny Day" failures without additional precipitation, and Probable Maximum Flood (PMF) breach at three locations throughout the City. Depth of inundation from the McClure Dam would vary from depths of 9-21 feet closest to the Santa Fe River at the intersection of US 84 and US 285 (Saint Francis Dr and Alameda St) depending on spillway flooding vs the PMF breach. Maximum discharge ranges from 20,700 cfs (spillway) to 176,000 cfs (PMF). Time to the maximum stage ranges from 47 to 49 minutes.

Figure 4-4 Probable Maximum Dam Inundation Extents through the City of Santa Fe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NICHOLS
McClure Reservoir
Nichols Reservoir
Old Santa Fe Trl
Arroyo Hondo Rd
Botulph Rd
Yucca St
Richards Ave
Rodeo Rd
Airport Rd
Caja del Rio Rd
Bishops Lodge Rd
Paseo de Vista
Jaguar Dr
Mutt Nelson Rd
Rancho Viejo Blvd
Camino La Tierra
Estrada Calabasa
Taino West
Siringo Rd
Old Pecos Trl
Don Gaspar Ave
Cerro Gordo Rd
Cielo Azul
Buckaroo Trl
Madonna Dr
La Vida Trl
Las Campanas Dr
Los Pinos Rd
La Barbara Rd
Nina Mireles
Camino Cabra
Camino Cascabel
Camino Cielo
Camino Corrales
Camino Cruces
Camino Cuervo
Camino Del Rancho
Camino Encantado
Camino Entrada
Camino Escondido
Camino Las Crucitas
Camino Lejano
Camino Manzano
Camino Mesa
Camino Montoso
Camino Pinon
Camino Rancho
Camino Rincon
Camino Rio
Camino Rosario
Camino Sin Nombre
Camino Tranquilo
Camino Valle
Camino Vista
Camino Viejo
Cerro Colorado
Cerro Gordo
Cerro Negro
Cerro Pelado
Cerro Rojo
Cerro Tesuque
Cerro Verde
Cerro Viejo
Cerro Vista
Cerro Yerba
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Cielo Colorado
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Previous Occurrences

According to the database of the National Performance of Dams Program, there have been no past incidents of dam failure or any dam incidents related to the dams discussed herein. According to the HMPT the Nichols dam spillway ran for a couple of months in spring 2019 due to heavy snowmelt in the watershed, but no flooding issues were noted.

Probability of Future Occurrences

Occasional—No known dam failure events have occurred in the City to record. The State Hazard Mitigation plan made efforts to determine a probability of occurrence for dam failure. Santa Fe County falls in Preparedness Area 3, which the State determined had a 6% chance of a dam failure occurring in a given year. Using the definitions list in Table 4-1, the probability for future events are occasional or between 1 and 10% chance that the City of Santa Fe is to experience dam failure events in any given year.

Climate Change Considerations

The potential for climate change to affect the likelihood of dam failure is not fully understood at this point in time. With a potential for more extreme precipitation events a result of climate change, this could result in large inflows to reservoirs. However, this could be offset by generally lower reservoir levels if storage water resources become more limited or stretched in the future due to climate change, drought and/or population growth.

Vulnerability Assessment

People

Persons located underneath or downstream of a dam are at risk of a dam failure, though the level of risk can be tempered by topography, amount of water in the reservoir, and time of day of the breach. The populations most at-risk are directly downstream of the dams and reservoirs which could cause inundation, followed by people located in the downtown area. For the Nichols and McClure Dams, those populations near or on Upper Canyon Road along the Santa Fe River, on the eastern entrance/exit of the City by Atalaya Mountain, would be hit first and worse were a failure to occur from either of these two structures. The downtown area is also at considerable risk of inundation if failure was to occur from either structure. In addition to the risk to human life, the HMPT noted that a failure of either Nichols or McClure dams would jeopardize the City's water supply.

Economy

Depending on the circumstances and location of the breach, dam failure can have significant impacts on the economy. Waters can flood and ruin buildings, and wash out culverts, roads, bridges and other transportation systems and essential infrastructure providing to the economy directly or indirectly. Due to the potential for inundation in the downtown area, a dam failure could have long term economic impacts on local businesses and affect the tourism industry.

Built Environment

Probable maximum dam inundation-based flooding through the City were available as combined extents for the Nichols and McClure Dams, as shown in Figure 4-4. A GIS overlay analysis was performed using this layer which took the parcel and address point layers and intersected them with the dam inundation extents. The result was a count of total address points found in these inundation zones. Table 4-12 below summarizes the total address points, by parcel type, found in these inundation zones. A substantial number of commercial and residential structures are exposed. Depth of inundation would vary from

minor flooding to flooding depths of 8-25 feet closest to the Santa Fe River at the intersection of US 84 (Saint Francis Dr and Alameda St.

Table 4-12 Total Address Point Count of Properties Within Dam Inundation Extents in the City

Parcel Type	Address Point Count
Commercial	1,735
Exempt	12
Lot with Mobile Home	23
Multi-Unit Residential	836
Residential: Condo	678
Single Family Residential	3,589
Vacant	9
TOTAL	**6,882**

Source: City of Santa Fe GIS and Public Utilities Depts., National Inventory of Dams 2018, Wood Plc analysis

Critical Facilities and Infrastructure

A total dam failure could cause catastrophic impacts to areas downstream along the Santa Fe River which includes critical infrastructure and lifelines. The greatest risk would be to roads and bridges that could be vulnerable to washouts that further complicate emergency response and recovery. A failure of the Nichols or McClure dams would immediately impact Upper Canyon Road.

A GIS overlay analysis was performed which took the critical facility/lifeline layers and intersected them with the dam inundation extents, to obtain a count of total facilities found in these inundation zones. Table 4-13 below summarizes the 68 critical facilities, by FEMA lifeline and component categories, found in these inundation zones.

Table 4-13 Critical Facilities Within Dam Inundation Extents in the City of Santa Fe

Critical Facility based on FEMA Lifeline	Critical Facility Component Category	Critical Facility Total
Communications	Infrastructure	26
Food, Water, Shelter	Shelter	1
	Water	5
Hazardous Materials	Facilities	1
Health and Medical	Medical Care	5
Other	Community Services	1
	Daycare	4
	Schools	5
Safety and Security	Fire Services	2
	Government Services	12
	Law Enforcement/Security	2
Transportation	Mass Transit	4
TOTAL		**68**

Source: City of Santa Fe GIS and Public Utilities Depts., HIFLD, National Inventory of Dams 2018, Wood Plc analysis

Historical, Cultural, and Natural Resources

Dam failure effects on the environment would be similar to those caused by flooding from other causes. Water could erode topsoil, cover the environment with debris, and affect parks and other open spaces within the City. Dam failure has the potential to inundate some of the significant historic and cultural resources within the City's downtown area.

Future Development

Much of the area downstream of the 2 high hazards dams are already developed. As of 2019 there is some sporadic residential development and re-development occurring between the dams and the City Center along the Santa Fe River. In the case of a dam failure, inundation would likely follow some existing FEMA mapped floodplains, which contains development restrictions for the 1% annual chance floods, but it could exceed those floodplains.

Risk Summary

- There are 2 high hazard dams upstream that could affect the City of Santa Fe: the Nichols Dam and the McClure Dam.
- A total of 6,882 parcels are found in the path of the probable maximum dam inundation flooding extents for both dams of concern. Most of these are single family residential parcels followed by commercial, multi-unit residential, residential condos, lots with mobile homes, exempt parcels, and vacant parcels.
- A total of 68 critical facilities are found in the path of the probable maximum dam inundation flooding extents for both dams of concern.
- In addition to risk to life and property, failure of Nichols or McClure dams would also jeopardize the City's water supply.
- According to the National Performance of Dams Program, the City of Santa Fe has never suffered a failure of one of these dams and the probability is low.
- *Related Hazards*: Severe weather, flood

Location	Probability of Future Occurrence	Extent (Magnitude/Severity)	Overall Significance
Limited	Occasional	Catastrophic	Medium

4.3.2 Drought

Hazard Description

Drought is different than many of the other natural hazards in that it is not a distinct event and usually has a slow onset. Drought can severely impact a region both physically and economically. Drought affects different sectors in different ways and with varying intensities. Adequate water is the most critical issue for agricultural, manufacturing, tourism, recreation, and commercial and domestic use. As the population in the area continues to grow, so too will the demand for water.

Although droughts are sometimes characterized as emergencies, they differ from typical emergency events. Most natural disasters, such as floods or forest fires, occur relatively rapidly and afford little time for preparing for disaster response. Droughts occur slowly, over a multi-year period, and it is often not obvious or easy to quantify when a drought begins and ends.

Drought is a complex issue involving many factors. It occurs when a normal amount of moisture is not available to satisfy an area's usual water-consuming activities. Drought can be defined regionally based on its effects:

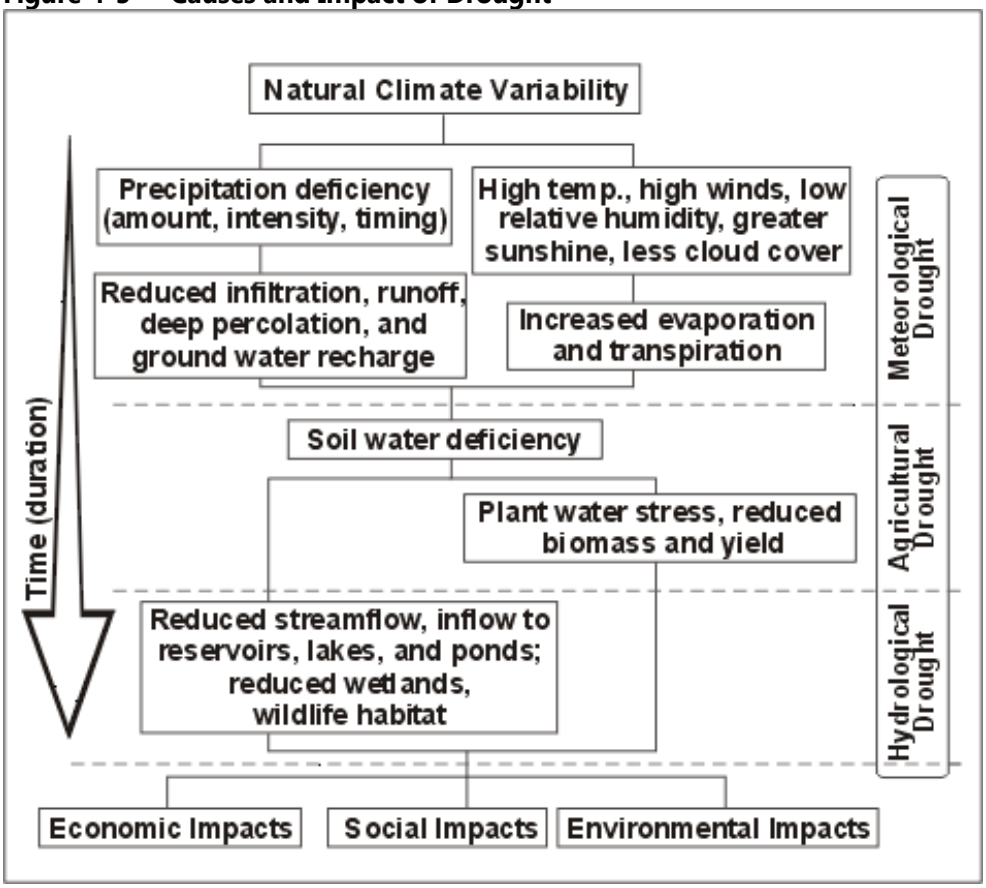
Meteorological Drought - The first stage of drought is known as a meteorological drought. The conditions at this stage include any precipitation shortfall of 75% of normal for three months or longer. This criterion can be misleading if all the precipitation falls in a very short time period resulting in floods.

Agricultural Drought - The second stage is known as agricultural drought. Soil moisture is deficient to the point where plants are stressed and biomass (yield) is reduced.

Hydrological Drought - Defined as deficiencies in surface and subsurface water supplies. It is generally measured as streamflow, snowpack, and as lake, reservoir, and groundwater levels.

Socioeconomic drought - Occurs when a drought impacts health, well-being, and quality of life, or when a drought starts to have an adverse economic impact on a region.

Figure 4-5 Causes and Impact of Drought



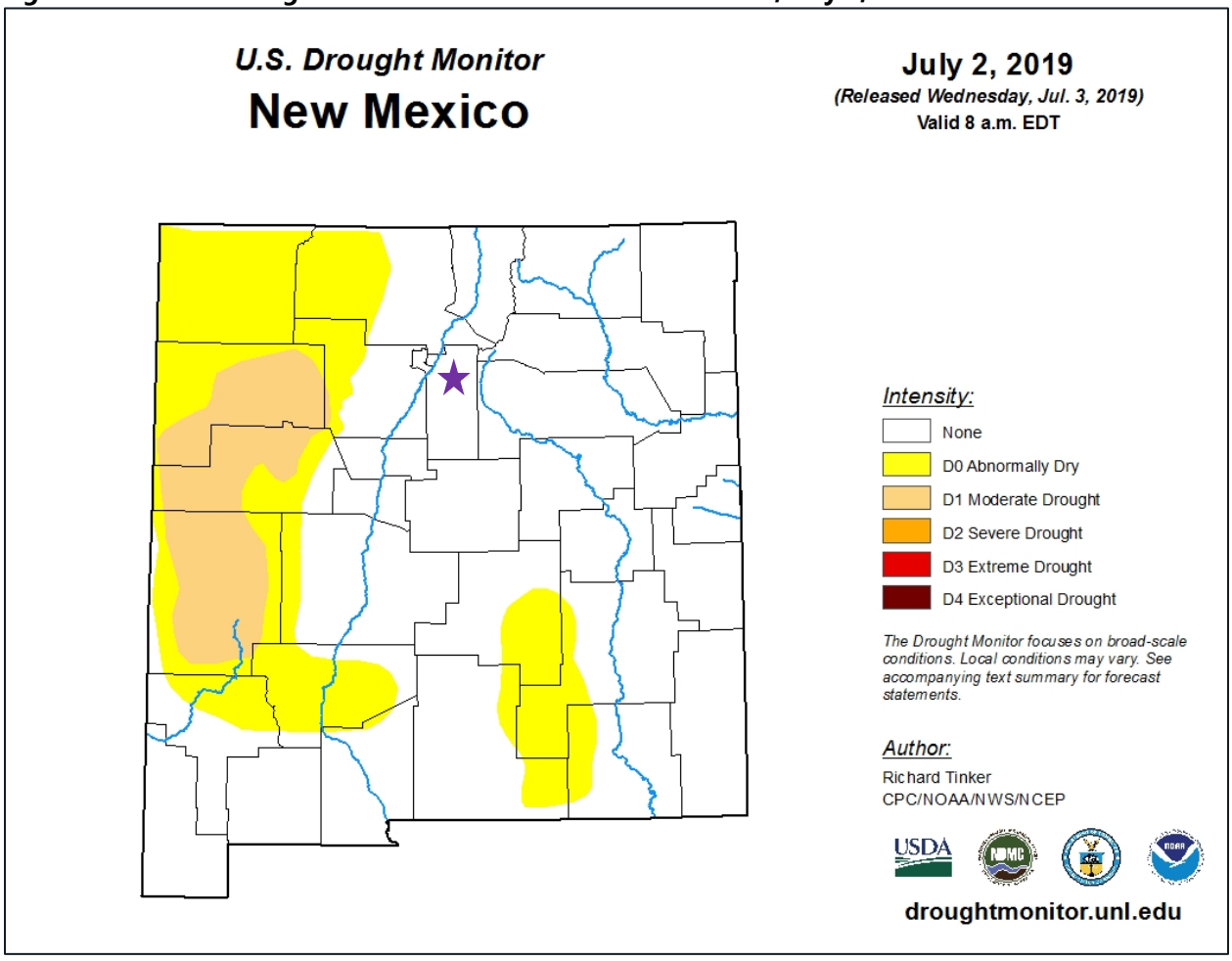
Source: National Drought Mitigation Center

Location

Drought is a regional hazard, impacting vast areas of land at a time. Drought can impact the entire Planning Area at once.

Figure 4-6 shows drought areas identified by the U.S. Drought Monitor as of July 2019. Drought classifications are further defined in the Extent section of this chapter. Santa Fe is noted by a red circle.

Figure 4-6 U.S. Drought Monitor Conditions for New Mexico, July 2, 2019



Extent (Magnitude/Severity)

Drought extent can be defined in terms of intensity, using the U.S. Drought Monitor scale. The Drought Monitor Scale measures drought episodes with input from the Palmer Drought Severity Index, the Standardized Precipitation Index, the Keetch-Byram Drought Index, soil moisture indicators, and other inputs as well as information on how drought is affecting people. Figure 4-7 details the classifications used by the U.S. Drought Monitor. A category of D2 (severe) or higher on the U.S. Drought Monitor Scale can typically result in crop or pasture losses, water shortages, and the need to institute water restrictions.

Figure 4-7 US Drought Monitor Classifications

Category	Description	Possible Impacts	Ranges				
			Palmer Drought Severity Index (PDSI)	CPC Soil Moisture Model (Percentiles)	USGS Weekly Streamflow (Percentiles)	Standardized Precipitation Index (SPI)	Objective Drought Indicator Blends (Percentiles)
D0	Abnormally Dry	Going into drought: ▪ short-term dryness slowing planting, growth of crops or pastures Coming out of drought: ▪ some lingering water deficits ▪ pastures or crops not fully recovered	-1.0 to -1.9	21 to 30	21 to 30	-0.5 to -0.7	21 to 30
D1	Moderate Drought	▪ Some damage to crops, pastures ▪ Streams, reservoirs, or wells low, some water shortages developing or imminent ▪ Voluntary water-use restrictions requested	-2.0 to -2.9	11 to 20	11 to 20	-0.8 to -1.2	11 to 20
D2	Severe Drought	▪ Crop or pasture losses likely ▪ Water shortages common ▪ Water restrictions imposed	-3.0 to -3.9	6 to 10	6 to 10	-1.3 to -1.5	6 to 10
D3	Extreme Drought	▪ Major crop/pasture losses ▪ Widespread water shortages or restrictions	-4.0 to -4.9	3 to 5	3 to 5	-1.6 to -1.9	3 to 5
D4	Exceptional Drought	▪ Exceptional and widespread crop/pasture losses ▪ Shortages of water in reservoirs, streams, and wells creating water emergencies	-5.0 or less	0 to 2	0 to 2	-2.0 or less	0 to 2

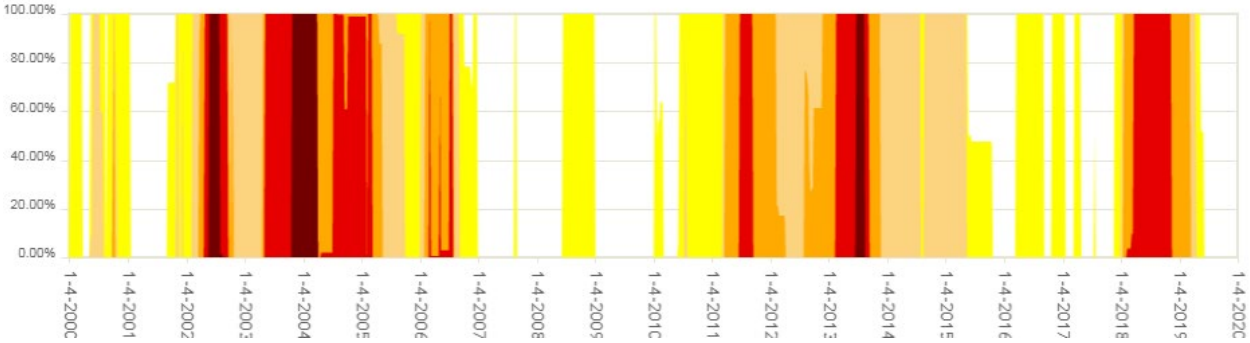
Source: US Drought Monitor

The City of Santa Fe is vulnerable to any category of drought.

Previous Occurrences

Figure 4-8 shows drought conditions since January 2000 in the City of Santa Fe, with drought severity corresponding to the drought classifications in Table 4-5.

Figure 4-8 Drought Conditions in Santa Fe, NM – 2000-2019



Source: US Drought Monitor

The NCEI reports periods of severe drought or worse on a monthly basis. From 1999 through 2018, there were 30 months of drought impacts reported. The longest period of drought lasted nine consecutive months from May 2007 to January 2008. Often the drought conditions coincide with significant wildfires in the area, including the 2003 Molina Complex Fire and 2011 Las Conchas fire.

The following table summarizes the drought declarations for Santa Fe County issued by the U.S Department of Agriculture (USDA) Secretary of Agriculture between 2012 and March 2019. Of the declarations all were Fast Track Secretarial disaster designations. According to the Secretary of Agriculture, a Fast Track designation is for a severe drought and provides an automatic designation when during the growing season any portion of the county meets the severe drought intensity value for eight consecutive weeks. Santa Fe County has received 16 disaster designations from the Secretary of Agriculture since

2012. The 2014 crop year experienced the most disaster declarations with 6 declarations in that year for drought. Many of the disaster declarations were associated with other hazards such as high wind events, wildfire, excessive heat and insects.

Table 4-14 Secretary of Agriculture Drought Disaster Designation for Santa Fe County, 2012-2019

Crop Year	Designation Number	Disaster Description	Associated Hazards	Approval Date	Begin Date	End Date
2012	S3282	Drought-FAST TRACK	Wind, Fire, Heat, Insects	7/12/2012	1/1/2012	Continuing
	S3331	Drought-FAST TRACK	Wind, Fire, Heat, Insects	8/8/2012	6/12/2012	8/6/2012
2013	S3461	Drought-FAST TRACK	Wind, Fire, Heat, Insects	1/9/2013	10/1/2012	Continuing
	S3474	Drought-FAST TRACK	Wind, Fire, Heat, Insects	1/23/2013	11/15/2012	Continuing
	S3494	Drought-FAST TRACK	Wind, Fire, Heat, Insects	2/27/2013	1/1/2013	Continuing
2014	S3630	Drought-FAST TRACK	Wind, Fire, Heat, Insects	1/15/2013	10/1/2013	11/25/2013
	S3645	Drought-FAST TRACK	Wind, Fire, Heat, Insects	2/5/2014	1/28/2014	N/A
	S3653	Drought-FAST TRACK	Wind, Fire, Heat, Insects	3/5/2014	1/1/2014	N/A
	S3630	Drought-FAST TRACK	Wind, Fire, Heat, Insects	1/15/2014	10/1/2013	11/25/2013
	S3645	Drought-FAST TRACK	Wind, Fire, Heat, Insects	2/5/2014	1/28/2014	N/A
	S3653	Drought-FAST TRACK	Wind, Fire, Heat, Insects	3/5/2014	1/1/2014	N/A
2015	S3802	Drought-FAST TRACK	Wind, Fire, Heat, Insects	3/4/2015	1/1/2015	N/A
2018	S4300	Drought-FAST TRACK	--	3/30/2018	1/30/2018	N/A
	S4310	Drought-FAST TRACK	--	4/26/2018	4/10/2018	N/A
	S4316	Drought-FAST TRACK	--	5/3/2018	3/1/2018	N/A
2019	S4469	Drought-FAST TRACK	--	3/22/2019	11/1/2018	N/A

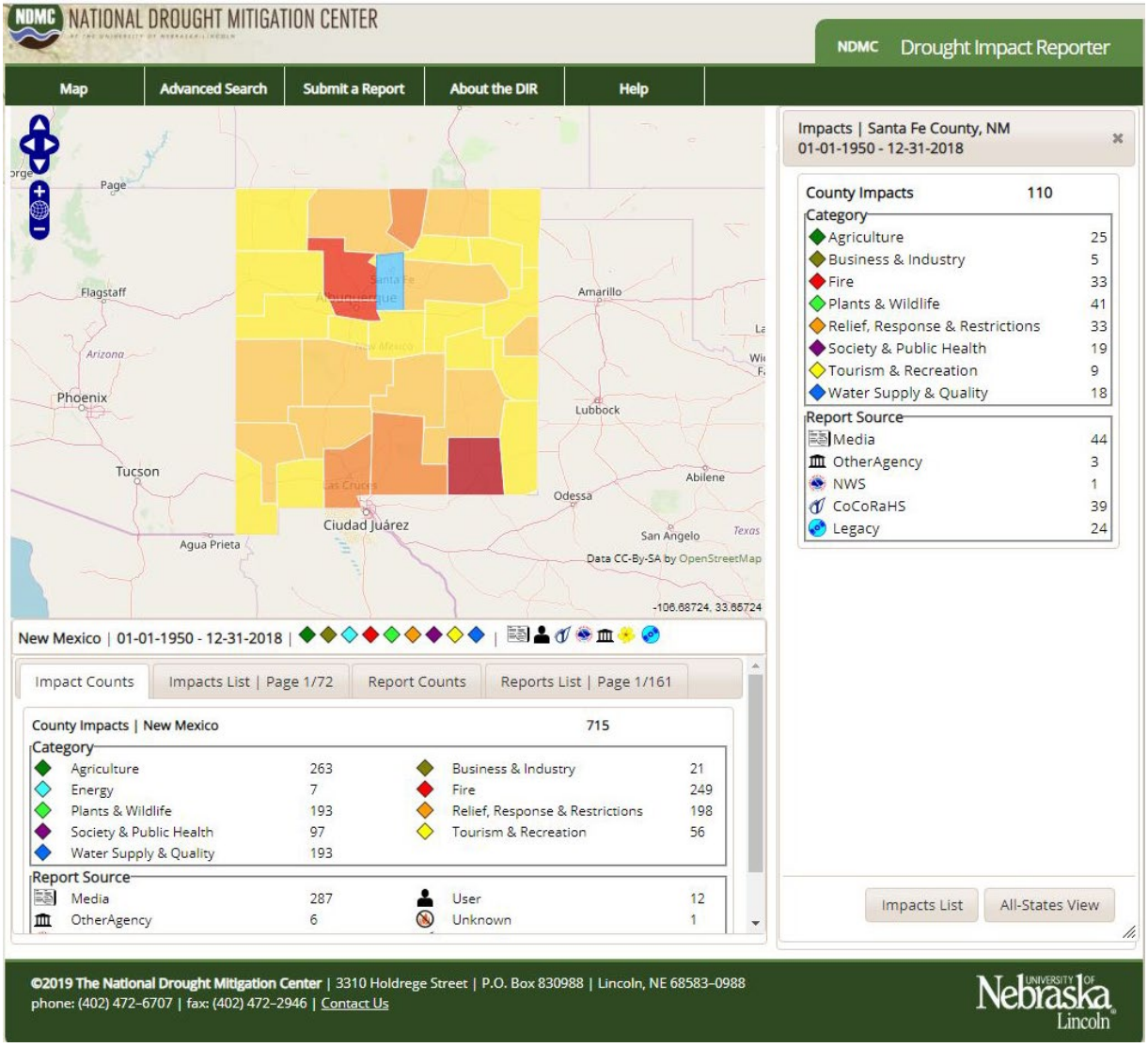
Source: USDA

The National Drought Mitigation Center (NDMC), located at the University of Nebraska in Lincoln, provides a clearinghouse for information on the effects of drought, based on reports from media, observers, impact records, and other sources.

The National Drought Impact Reporter from the NDMC, summarizes drought impacts at the County Level. Figure 4-9 graphically displays the amount of drought-related reported impacts to Santa Fe County 1950-2018. While it is difficult to extract the impacts specifically affecting the City of Santa Fe, a total of 110 reports were made within Santa Fe County between January 1, 1950 and December 31, 2018. It is assumed that these drought-related impacts for areas across Santa Fe County are likely to have also affected the City of Santa Fe at some point or to some extent. Based on the summary of negative effects to the County since 1950, the category of plants and wildlife has had the most reports, followed by fire and relief, response, and restrictions, and agriculture. Agriculture and plants and wildlife have also suffered the effects of drought, but to a lesser extent.

According to the HMPT, the City relies on three sources for their water supply: Nichols and McClure reservoirs, wells and versions from the San Juan/Chama water allocation; despite the diversity in water supply past drought have stretched available resources. During the 2002 drought the City had to turn off irrigation to City parks. The HMPT added the City has some reclaimed and recycled water capabilities.

Figure 4-9 Drought Impact Reporter Summarizing Impacts at the County Level in Santa Fe County, 1950-2018



Source: NDMC

Probability of Future Occurrences

According to over 100 years of precipitation data from the National Climate Data Center, the State of New Mexico experiences negative Palmer Hydrological Drought Index years an average of 5 years per decade and, in some decades (like 1950 through 1960 and 2000 to 2010), negative years outnumber positive years. Based on the above information the probability rating of drought in the City of Santa Fe is 'likely' in any given year.

Climate Change Considerations

The Intergovernmental Panel on Climate has projected dramatic changes in regional climate characteristics between present-day and if global temperatures rise between 1.5 degrees Celsius and 2 degrees Celsius. Climate change will have the greatest impacts on the City's water resources through the reduction of water quality and available water supply. Drought events specifically are projected to increase in frequency and have longer durations due to shifts in seasonal precipitation patterns leading to decreases in snowpack and water content, earlier peak of snow-fed streamflow and increases in proportion of rain to snow, exacerbating hydrological drought. A majority of the Santa Fe River's discharge, the main water supply source for the City, is from snow melt runoff; making monitoring snowpack a critical component to assessing and forecasting river water supply on an annual and seasonal basis.

According to the Sustainable Santa Fe 25-year Plan (2018), climate change modeling predicts that by the year 2055 up to 25% of reductions in the San Juan River, from which Santa Fe diverts water into the Rio Grande, and overall reductions and increased variability in the Santa Fe River will take place. The City and County have taken steps to address this through a series of policies and programs related to water conservation and increased energy efficiency which save water. Some of these policies are included in the 2015 Santa Fe Basin study, a WaterSMART grant funded project, which identified water supply gaps and developed adaptation strategies to ensure a sustainable water supply for the City even in times of drought.

Vulnerability Assessment

Drought impacts are wide-reaching and may be economic, environmental, and/or societal. The most significant impacts associated with drought in the Planning Area are those related to water intensive activities such as agriculture, wildfire protection, municipal usage, commerce, tourism, recreation, and wildlife preservation. Also, during a drought, allocations go down, which results in reduced water availability. Voluntary conservation measures are typically implemented during extended droughts. A reduction of electric power generation and water quality deterioration are also potential problems. Drought conditions can also cause soil to compact and not absorb water well, potentially making an area more susceptible to flooding.

Drought in the United States is monitored by the National Integrated Drought Information System (NIDIS); a major component of this portal is the U.S. Drought Monitor. The Drought Monitor concept was developed jointly by the NOAA's Climate Prediction Center, the NDMC, and the USDA's Joint Agricultural Weather Facility in the late 1990s as a process that synthesizes multiple indices, outlooks and local impacts, into an assessment that best represents current drought conditions. The final outcome of each Drought Monitor is a consensus of federal, state, and academic scientists who are intimately familiar with the conditions in their respective regions.

According to the NDMC Drought Impact Reporter, Santa Fe County (no city-specific data was available) recorded a total of 110 impacts to drought in the survey period between 1/1/1950 and 12/31/2018. Figure 4-9 above shows the total number of impacts recorded for the county.

Using the NDMC Drought Impact Reporter impacts to determine relative exposure/vulnerability to drought has limitations because the methodology can double-count impacts that are recorded at the state level, then counted again for each county within that state. Rather, the NDMC data should be used to develop an ongoing record of drought impacts to sector assets that relate the specific impacts to different intensity and duration droughts at a location. Over time a detailed impact profile could be developed for vulnerable sectors so that the impact of future drought vulnerability could be better defined based on historic impacts.

People

The most significant qualitative impacts associated with drought in the Planning Area are those related to water intensive activities such as wildfire protection, municipal usage, commerce, tourism, recreation, and wildlife preservation. Mandatory conservation measures are typically implemented during extended droughts, which can affect people.

Drought may cause health problems related to low water flows and poor water quality; it may also cause health problems due to dust. Generally, drought may require conservation of water resources, which could mean that water use is restricted to critical uses; this could impact how people use water on a daily basis. Low-to-moderate income households will be most impacted because they will be unable to insulate themselves from the water shortage impacts.

Economy

Drought could have a devastating impact on the City of Santa Fe's economy. As water resources become impacted, effects may be felt by any industry that uses large amounts of water. Prolonged drought would intensify these issues.

Recreation and tourism can also be negatively impacted by drought or drought-enhanced wildfires. Potential impacts include reduced snow for skiing and restrictions on water-based recreation. While it is generally agreed that drought does have an impact on recreation, data is not available to quantify those impacts.

Built Environment

Direct structural damage from drought is rare, though it can happen. Drought can affect soil shrinking and swelling cycles and can result in cracked foundations and infrastructure damage.

Critical Facilities and Infrastructure

Because of their long-lasting nature, the biggest impact of drought is on the water supply. Because of this, critical facilities and lifelines that rely on a steady supply of water could see the greatest impacts if a long-term drought occurred. Examples of these facilities include hospital and medical facilities. Drought can also directly impact water storage, treatment and distribution systems. Low water levels in the City-owned dams can affect water quality and increase water treatment costs.

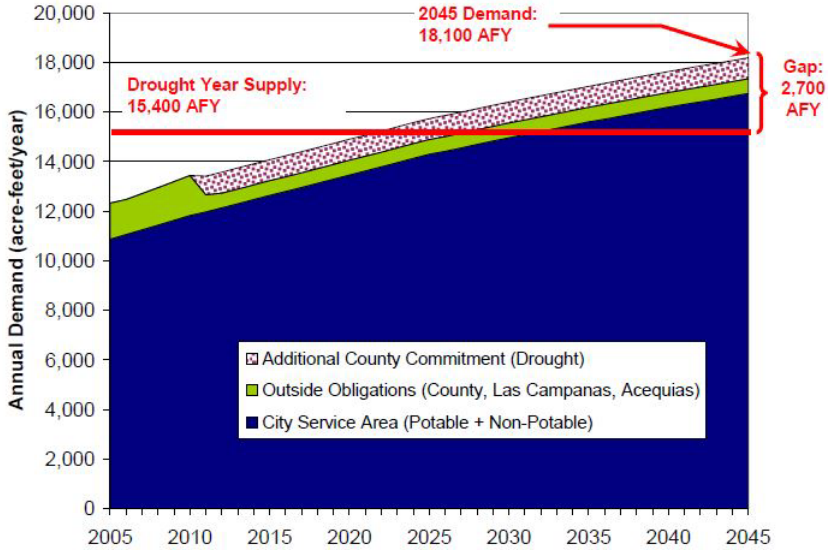
Historic, Cultural, and Natural Resources

While impacts to the City's historic and cultural building inventory may be negligible, severe, prolonged drought can impact the natural environment. Wildlife and natural habitats can be affected, including the shrinkage of habitat, dwindling of food supplies and the migration of wildlife to more palatable areas. Prolonged drought can cause poor soil quality, loss of wetlands, and increased soil erosion. One of the prevailing impacts of drought to the natural environment is the increased risk of wildfires that burn larger and more intensely during dry conditions. Drought conditions can also cause soil to compact and not absorb water well, potentially making an area more susceptible to flooding.

Future Development

The City of Santa Fe Long-Range Water Supply Plan (2008) a document whose primary purpose is to assess future water needs in relationship to the supply of water rights owned by the City project water supply needs through 2045. According to analysis in the plan, the City will need to supply over 18,000-acre feet per year to about 120,000 persons which fall short of meeting projected demands by 2021.

Figure 4-10 City of Santa Fe Projected Water Demand and Supply Balance



Source: City of Santa Fe Long-Range Water Supply Plan, September 2008

The City has taken steps to prevent a water shortage through the development and implementation of the Water Conservation and Drought Management Plan (WCDMP) (2015) which outlines current conditions and water conservation goals and programs. The availability of water resources currently informs land use decisions that are brought before the Governing Body. According to the WCDMP, City Council has enacted fundamental changes to their approach in acquiring water rights to serve new development. New development in the City of Santa Fe is required to either offset any new water demands by water conservation with the existing demand or new development must acquire water rights from the Rio Grande and transfer them to the City.

Risk Summary

- Drought has a cyclical occurrence in the City of Santa Fe and typically every decade has multiple years of drought.
- Santa Fe County has received 16 disaster designations from the USDA Secretary of Agriculture in the past 6.5 years (2012- March 2019). Most designations were associated with high wind, fire, excessive heat and insects.
- The recreation and tourism industries are also vulnerable to drought induced snowpack shortages, water-based recreation, and forest closures due to wildfires or elevated wildfire risk.
- *Related hazards:* Wildfire, flood, severe weather

Location	Probability of Future Occurrence	Extent (Magnitude/Severity)	Overall Significance
Extensive	Likely	Limited	Medium

4.3.3 Flood

Hazard Description

Flooding is the rising and overflowing of a body of water onto normally dry land or the inundation of land or property in a built environment caused by rainfall overwhelming the capacity of drainage systems. Floods are among the costliest natural disasters in terms of human hardship and economic loss nationwide. Floods can cause substantial damage to structures, landscapes, and utilities, as well as causing life safety issues. Floods can be extremely dangerous; six inches of moving water can knock over a person given a strong current. A car will float in less than two feet of moving water and can be swept downstream into deeper waters. These are some reasons why floods kill more people trapped in vehicles than anywhere else during inundation events. During a flood, people can also suffer from electrocution due to electrical equipment short outs. Floodwaters can transport large objects downstream, which can damage or remove stationary structures. Ground saturation due to excess waters can result in soil instability, collapse, or other damage. Objects can also be buried or destroyed through sediment deposition. Floodwaters can break utilities lines and interrupt services. Standing water can cause damage to crops, roads, building foundations, and electrical equipment.

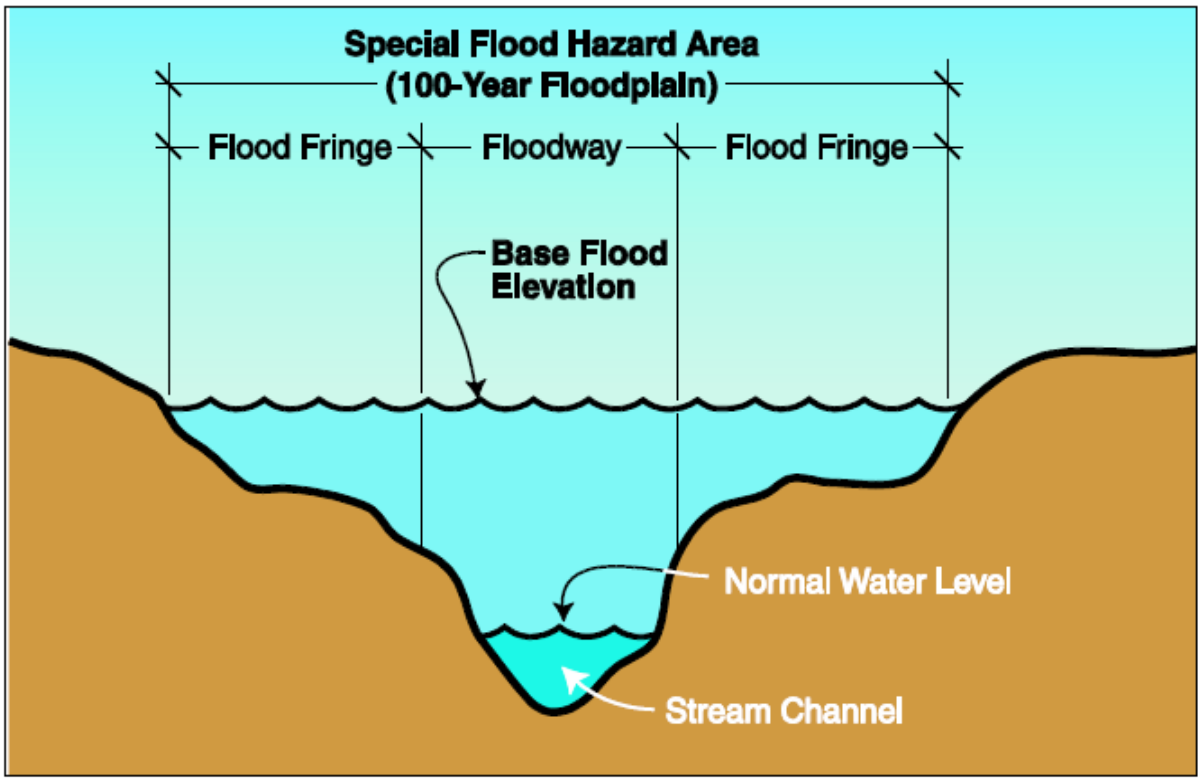
Direct impacts such as drowning can be limited with adequate warning, evacuations, and public education about what to do during floods. Where flooding occurs in populated areas, warning and evacuation will be of critical importance to reduce life and safety impacts from any type of flooding.

Floodplains

The area adjacent to a channel is the floodplain. Floodplains are illustrated on inundation maps, which show areas of potential flooding and water depths. In its common usage, the floodplain most often refers to the FEMA regulatory inundation areas. Particularly, the 100-year flood, or the flood that has a 1% chance in any given year of being equaled or exceeded, is the national minimum standard to which communities regulate their floodplains through the National Flood Insurance Program (NFIP). The other commonly studied and considered floodplain for development and regulatory purposes is the 500-year flood, or the flood that has a 0.2% chance of being equaled or exceeded in any given year. The potential for flooding can change and increase through various land use changes and changes to the land surface, which could result in a change to the floodplain. A change in environmental conditions can create localized flooding problems inside and outside of natural floodplains by altering or confining natural drainage channels. These changes are most often created by human activity.

Figure 4-11 below graphically displays the structure of floodplains when compared to a river's normal stream channel, in the context of FEMA's special flood hazard areas, or SFHAs.

Figure 4-11 Floodplain Definitions



Source: 2013 New Mexico State Hazard Mitigation Plan

According to the latest Flood Insurance Study (FIS) report for Santa Fe County, revised as of December of 2012, the storms that produce large amounts of runoff in the Planning Area and surroundings occur during the Monsoon season. The monsoon season in Santa Fe County starts in June and lasts through October. It is characterized by heavy to severe downpours, lasting anywhere from five minutes to an hour. Such downpours can create flash floods and put people and property at risk.

The City of Santa Fe and its surroundings are susceptible to various types of flood events: riverine, flash, and localized stormwater flooding. The area is also at risk of flooding resulting from dam failures (discussed separately in 4.3.1). Regardless of the type of flood, the cause is often the result of severe weather and excessive rainfall, either in the flood area or upstream reach.

- Riverine flooding – Riverine flooding takes place when a watercourse exceeds its "bank-full" capacity, generally occurring as a result of prolonged rainfall or rainfall that is combined with snowmelt and/or already saturated soils from previous rain events. This type of flood occurs in river systems whose tributaries may drain large geographic areas and include one or more independent river basins. Riverine flooding is the type of flooding that more strongly influences floodplain studies and data development for FEMA purposes (since these floodplains are usually adjacent to main waterways/rivers).
- Flash flooding – Flash floods are intense, short-duration floods. Usually they abate within an hour but can last as long as 24 hours. They occur throughout the southwest, and generally start high up on a mountain or in a canyon. Rain torrents follow the path of least resistance, initially canyons and arroyos. But along the way they pick up speed and debris. They can roll boulders, destroy footbridges, and uproot cottonwoods and pinyons. This is the most prevalent type of flooding in the Planning Area and across Santa Fe County.

- Localized flooding – Localized, stormwater flooding problems are often caused by flash flooding, severe weather, or an unusual amount of rainfall. Flooding from these intense weather events usually occurs in areas experiencing an increase in runoff from impervious surfaces associated with development and urbanization as well as inadequate storm drainage systems.

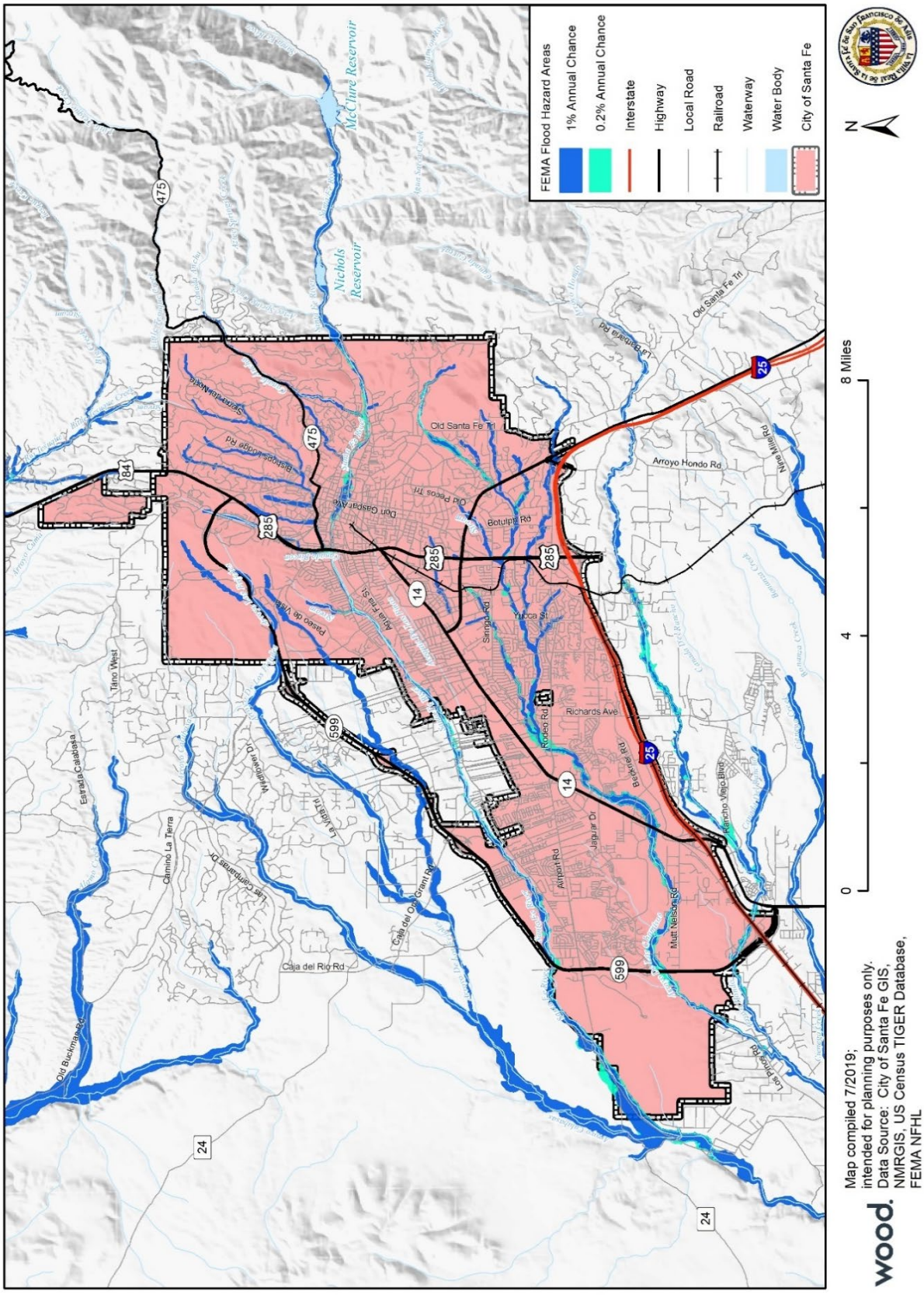
In addition, the often-dry arroyos in the City are prone to erosion and channel migration caused by high waters. This can cause shifting and meandering water channels that can erode sediment and cause damage to adjacent infrastructure and property, including areas not mapped in the official floodplains.

Location

The City of Santa Fe encompasses multiple rivers, streams, creeks, and arroyos. Flood hazards associated with these drainages are shown under Figure 4-12. Main areas where flooding occurs in the City include: along the Santa Fe River, Arroyo De Los Chamisos, Canada Ancha, Arroyo Los Frijoles, Arroyo Hondo, and smaller tributaries from these waterways. During most of the year, these watercourses are often dry. Damaging floods in the Planning Area occur when they impact the developed areas or populations found in or near those waterways. Flood flows generally follow defined stream channels, drainages, and watersheds and described herein.

Floods are often exacerbated by wildfire events because of leaving the ground charred, barren, and unable to absorb water, creating conditions ripe for flash flooding and debris flow activity. Flood risk remains significantly higher until vegetation is restored—up to five years after a wildfire. Wildfire hazards are discussed in more detail in Section 4.3.6.

Figure 4-12 City of Santa Fe FEMA Special Flood Hazard Areas



FEMA Floodplain Mapping and the NFIP

As part of the County's ongoing efforts to identify and manage their flood prone areas, the City of Santa Fe generally relies on FEMA mapping efforts. What follows is a brief description of FEMA mapping efforts covering the City's Planning Area.

FEMA established standards for floodplain mapping studies as part of the National Flood Insurance Program (NFIP). The NFIP makes flood insurance available to property owners in participating communities adopting FEMA-approved local floodplain studies, maps, and regulations. Floodplain studies that may be approved by FEMA include federally funded studies; studies developed by state, city, and regional public agencies; and technical studies generated by private interests as part of property annexation and community development efforts. Such studies may include entire stream reaches or limited stream sections depending on the nature and scope of a study. A general overview of floodplain mapping and associated products is provided in the following paragraphs.

Flood Insurance Study (FIS)

The FIS develops flood-risk data for various areas of the community that will be used to establish flood insurance rates and to assist the community in its efforts to promote sound floodplain management. The current Santa Fe County FIS is dated December 4, 2012. This study covers the entire City of Santa Fe.

Flood Insurance Rate Map (FIRM)

The FIRM is designed for flood insurance and floodplain management applications. For flood insurance, the FIRM designates flood insurance rate zones to assign premium rates for flood insurance policies. For floodplain management, the FIRM delineates 100- and 500-year floodplains, floodways, and the locations of selected cross sections used in the hydraulic analysis and local floodplain regulations. The local FIRMs have recently been replaced by digital flood insurance rate maps (DFIRMs) as part of FEMA's Map Modernization program and can be accessed and used for analysis purposes in spatial (GIS) format.

These digital maps:

- Incorporate the latest updates (Letter of Map Revisions, or LOMRs, and Letters of Map Amendments, or LOMAs)
- Utilize community supplied data
- Verify the currency of the floodplains and refit them to community supplied base maps
- Upgrade the FIRMs to a GIS database format to set the stage for future updates and to enable support for GIS analyses and other digital applications
- Solicit community participation.

Special Flood Hazard Areas (SFHAs) in digital format, available from FEMA's Flood Map Service Center via the National Flood Hazard Layer datasets, or NFHL, are dated November 2018 for Santa Fe County. The applicable SFHAs can be found in Figure 4-12 above for the City of Santa Fe.

As previously introduced, localized, stormwater flooding also occurs throughout the City that may not be shown on FEMA flood maps. Urban storm drain pipes and pump stations have a finite capacity. When rainfall exceeds this capacity, or the system is clogged, water accumulates in the street until it reaches a level of overland release. This type of flooding may particularly occur when intense storms move over areas of development or wildfire burn areas.

Extent (Magnitude/Severity)

Figure 4-12 above illustrates the location of mapped flood hazard areas susceptible to the 1% and 0.2% annual chance floods. Flood damage is typically directly proportional to the depth of flooding in a structure; thus, flood depth can be used as an indicator of extent. In terms of the extent, or range of

magnitude, floods can fluctuate greatly in the City as well as Santa Fe County, based on the type of flood and other weather or infrastructure conditions, varying from localized drainage issues to dangerous flash floods with significant depths and high velocities.

It is difficult to characterize an 'average' or 'extreme' event as the nature of the flooding can be extremely variable based on the duration and intensity of a rainfall event and the location and topography of the watershed upon which the rain occurs. In the eastern portions of the City, where the terrain is more varied, flood depths of two feet greater could occur where variations in topography influence the depth and velocity of floods. Lower elevations with generally flatter terrain, such as the lower Santa Fe River near the airport, can experience broad and shallow flooding ranging from approximately several inches a couple feet, similar to sheet flow or alluvial fan flooding. Flash floods are more common in all areas of the city and by their nature, typically short-lived in duration.

Table 4-15 below summarizes the general FEMA available flood zones for context. Overall, flooding hazards are critical in terms of magnitude or severity for the City of Santa Fe.

Table 4-15 FEMA Special Flood Hazard Zone Descriptions

Flood Zone	Definition
FEMA Special Flood Hazard Areas (SFHA) Subject to Inundation by the 100- or 500-Year Floods	
Zone A	100-year floodplain, or areas with a 1% annual chance of flooding. Because detailed analyses are not performed these areas, no depths or base flood elevations are shown in Zone A areas.
Zone AE	Detailed studies for the 100-year floodplain. The base floodplain where base flood elevations are provided. AE Zones are now used on new format FIRMs instead of A1-A30 zones.
Zone AH	Areas with a 1% chance of shallow flooding, usually in the form of a pong with an average depth ranging from 1 to 3 feet. These are flood elevations derived from detailed analyses.
Zone AO	River or stream flood hazard areas and areas with a 1% or greater chance of shallow flooding each year, usually in the form of sheet flow, with an average depth ranging from 1 to 3 feet. Average flood depths derived from detailed analyses.
0.2 Percent Annual Chance Flood Hazard	500-year floodplains.
Other Flood Areas	
Floodway	A regulatory floodway is the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.
Zone X (shaded)	Areas with a 0.2% annual chance flooding (1 in 500 chance), between the limits of the 100-year and 500-year floodplains. This zone is also used to designate base floodplains of lesser hazards, such as areas protected by levees from the 100-year flood, shallow flooding areas with average depths of less than one foot, or drainage areas less than 1 square mile.
Zone X (unshaded)	500-year floodplain (0.2% annual chance). Area of minimal flood hazard.

Source: FEMA Flood Map Service Center, 2018

Previous Occurrences

Historically, portions of the City have always been at risk of flooding because of monsoon rainfall, topography, and the location of development adjacent to flood-prone areas. Flooding events generally

occur across the entire Planning Area and have caused significant damage in the populated areas in terms of structures and even injuries or deaths. Flooding has occurred both within mapped floodplains and in other localized areas.

Most of the storms that produce large amounts of runoff occur in the months of July through August. Over 70 percent of the average precipitation is received during this time. Summer rainfall is usually a result of thunderstorm activity with maximum rainfall occurring in July. Flood stages sometimes occur in these months when moist tropical air moves north out of the Gulf of Mexico forming intense thunderstorms across the hot New Mexico land. Runoff occurring from these storms is generally termed flash flooding due to the large volumes of water that surge down the normally dry arroyo channels with high velocities.

According to the 2011 County Santa Fe Flood Insurance Study, or FIS report, major floods have been recorded in the area in 1872, 1904, 1914, 1921, 1929, 1957 and 1968. Since 1996 flooding in Santa Fe County and particularly the City of Santa Fe has caused hundreds of thousands of dollars in property and crop damages, 3 deaths, and 1 injury according to the National Oceanic and Atmospheric Administration National Centers for Environmental Information (NCEI). The City was impacted by a 500-year storm event on July 23, 2018. The flood event had moderate impacts to structures mainly impacting private property as well as erosion to arroyo and river channels.

Past events as noted in the NCEI Storm Events database are found in Table 4-16. Only those events which caused property or crop damages or injured or killed people are noted below. All events summarized caused flash flooding, mostly from heavy rains.

Table 4-16 Flood Event History in the City of Santa Fe from 1996 to 2019

Specific Location	Date	Deaths	Injuries	Property Damage	Crop Damage	Event Description
La Cienega	7/9/1996	--	--	$60,000	$10,000	Mud and debris moving swiftly down the Santa Fe River at La Cienega destroying several corrals, covering alfalfa pastures in 1-2 feet of muck and washing away several horses and a half dozen sheep on the Gallegos Ranch. Debris filled in 200 feet of acequia (irrigation channel). Water also destroyed several rock structures dating back 60 years to the Civilian Conservation Corps.
Santa Fe	8/25/1996	--	--	$90,000	--	Heavy rains just south of Santa Fe along New Mexico Highway 14 flooded a home with 5 feet of water, mud and debris and carried away several automobiles.
Santa Fe	7/23/1998	--	1	--	--	A brief heavy thunderstorm produced copious small hail and gusty winds at Santa Fe. Runoff into the Santa Fe River nearly swept away a truck. A man, rescued by a tow truck, was slightly injured. Another man was slightly injured when a large tree blew down on his construction truck.
Santa Fe	8/15/2004	--	--	$50,000	--	Several vehicles were damaged and a number of rooms at a guest lodge were flooded by mud and debris when a small flash flood formed along Bishop's Lodge Road in eastern Santa Fe.
Santa Fe	7/19/2007	--	--	$70,000	--	Thunderstorms produced up to 2.5 inches of rain in the foothills and mountains just east of Santa Fe. Runoff into arroyos flooded 3 nearby homes. One house had water up to a foot deep in it. Runoff forced the closure of Cerro Gordo Road.
Santa Fe	7/21/2007	--	--	$5,000	--	Thunderstorms produced heavy rain which caused street flooding between 1 and 2 feet deep at the intersection of Cerillos Road and Camino Carlos Rey. Cars were stalled in the intersection. A section of Rodeo Road was closed due to flooding. Two homes on the east side of town experienced flooding.
Santa Fe	7/14/2008	1	--	$25,000	--	Flash flooding struck the northeast part of Santa Fe. Arroyos became torrents and overflowed their banks in some instances. Major street flooding ensued in some locations, especially along Lorenzo Road which saw mud deposited two feet deep. One man drowned when he was swept down an arroyo. An unoccupied automobile was damaged when it was also swept down an arroyo. Flash flooding occurred at the Morales Bridge on the north side of town, and a home was flooded on Circle Dr nearby. Deep subtropical moisture brought heavy rain to the Santa Fe area, resulting in flash flooding on the northeast side of town as arroyos became torrents and streets flooded. Locations affected include Morales Bridge, Circle Drive, Lorenzo Road and Cerro Gordo Road. One fatality occurred in this flash flood.
Santa Fe	7/15/2008	--	--	$10,000	--	Heavy rain caused major street flooding for the second consecutive evening in northeast Santa Fe. Lorenzo Road had mud deposited nearly 2 feet deep. Rich moisture and slow storm movement provided a good environment for thunderstorms to produce flooding rains.
(SAF) Santa Fe Muni Airport	8/4/2008	--	--	$1,000	--	Homeowners on Emblem road were stranded from their own due to high water levels around their house. A southerly flow of moist, unstable air poured into New Mexico, causing |a few reports of flash flooding and large hail around the towns of Albuquerque and Bernalillo, and in the Jemez mountains.

Specific Location	Date	Deaths	Injuries	Property Damage	Crop Damage	Event Description
Agua Fria	7/4/2009	--	--	$2,000	--	Monsoonal moisture was responsible for a thunderstorm with heavy rain west of Santa Fe, which resulted in water flowing out of an arroyo at a height of two feet. Lightning from a thunderstorm in Rio Rancho struck and killed a 26-year-old man. Six other members of his family sustained injuries.
Agua Fria	7/3/2010	--	--	$5,000	--	A couple driving home from dinner was caught in the swollen Santa Fe River at San Ysidro Crossing. The couple attempted to drive through the flooded roadway, when the river surged, and a tree came down changing the flow of the river. Santa Fe fire department successfully rescued the couple who only sustained minor injuries. At the time of the rescue, the water was up to the car windows. After the rescue, the car floated and flipped over San Ysidro Falls, where later it was found to be totaled. A deep layer of moisture over northeast New Mexico helped to fuel thunderstorms with heavy rain over Union and Santa Fe counties. This resulted in the flooding of State Highway 370 from Clayton to Clayton Lake State Park, as well as caused the Santa Fe River to swell.
Agua Fria	7/31/2010	--	--	$500	--	Cerrillos Rd. between St. Michael's Dr. and Camino Carlos Rey was flooded and impassable. Deep moisture combined with a weak upper level disturbance allowed slow moving thunderstorms to develop across central and western New Mexico. Torrential rainfall affected many areas, including Gallup, Albuquerque, Los Lunas, and Jemez Springs, where localized flash flooding was reported.
Santa Fe	7/31/2010	--	--	$5,000	--	Heavy rain caused an awning at the Giant gas station to collapse and fall on three cars at the intersection of Sawmill Rd. and St. Francis Dr. Deep moisture combined with a weak upper level disturbance allowed slow moving thunderstorms to develop across central and western New Mexico. Torrential rainfall affected many areas, including Gallup, Albuquerque, Los Lunas, and Jemez Springs, where localized flash flooding was reported.
Santa Fe	8/21/2011	--	--	$50,000	--	Flash flooding was reported in homes on Galisteo Street, within the Forest Circle Street and Calle Torreador subdivisions, Miguel Chaves Road and the Tuscany at St. Francis Apartments. Street flooding was also reported on portions of Cerrillos, St. Francis Dr., and St. Michaels Road. The first day of flash flooding over the Las Conchas burn scar was widespread as weak upper level disturbances rounded the west side of the upper high. Early in the afternoon, showers and thunderstorms developed over the central and northern portions of the burn scar. These storms generally produced 1 to 2 inches of rainfall. Later in the afternoon and early evening, even stronger and very slow-moving storms developed across the southern portions of the burn scar. Radar estimated 3 to 4 inches of rain across a widespread area. Flash flooding was reported with each of these storms. The storms moved eastward over Santa Fe in the evening and produced additional flooding.
Tesuque	7/26/2012	--	--	$10,000	--	Over 1 foot of mud and rocks washed over roadways in Tesuque around the Village Market and Elementary School. Public works crews spent multiple hours removing mud and rocks with several dump trucks. One car was stranded in the mud. Slow-moving, heavy thunderstorms produced

Specific Location	Date	Deaths	Injuries	Property Damage	Crop Damage	Event Description
						torrential rainfall over mesas to the east of Tesuque that resulted in flash flooding in the village center. Mud and rocks covered the roadways more than 1 foot deep at the village market and elementary school.
Agua Fria	7/8/2013	1	--	$0	--	The body of an adult female was recovered from an arroyo on the south side of Santa Fe during the late evening hours. Additionally, one to two feet of water was reported on some roads on the south side of Santa Fe. Rainfall reports ranged from 0.50-1.41. Dry arroyos and streams in the area ran deep and fast well into the evening as a result of runoff from the storm. Arroyos were reported to be filled with about 8 feet of fast-moving water at the peak of the flooding. An upper level high centered over New Mexico continued to dominate the weather pattern. Ample moisture in place provided for a 'recycle' mode pattern. Slow-moving storms with significant moisture caused flooding in areas of central New Mexico throughout the afternoon and evening hours. Storms initially developed across the northern high terrain and drifted slowly east onto the adjacent plains and highlands. Storms continued to develop into the late evening hours in the Albuquerque South Valley prompting evacuations in some areas due to flooding.
(SAF) Santa Fe Muni Airport	7/27/2014	--	--	$5,000	--	After a brief break from heavy rainfall across the state, yet another strong and very moist back door frontal boundary sagged southwest into New Mexico. The upper level high pressure center was generally over far southeast New Mexico allowing for moist southerly flow in the mid and upper levels of the atmosphere to impact the area as well. Slow-moving thunderstorms produced torrential rainfall across many areas during the early to midafternoon hours, including Santa Fe, Rio Rancho, and Albuquerque. The heaviest rainfall occurred over northeast New Mexico during the evening and overnight hours. Raton Crews Airport picked up a record 3.99 inches of rainfall with an impressive 4.91 inches at Mosquero. Incredibly, no reports of damage or flash flooding were received across northeastern New Mexico. However, rises were noted on several area creeks. Photo passed along from KOAT showed a wash out along an arroyo in Santa Fe. The berm estimated to be 4 or 5 feet high was completely gone and remnant water was still flowing through the area.
Santa Fe	8/26/2014	--	--	$0	--	Local Broadcast media shared a photo of a car that was stranded due to flooding at 5th Street and St. Michaels Dr. in Santa Fe. The driver drove into deep water that had accumulated on roadways from short duration, very heavy rainfall. A slow-moving upper level low pressure system over the Great Basin steered rich monsoonal moisture into New Mexico. This system generated widespread showers and thunderstorms along and west of the central mountain chain. Since the system was slow -moving and moisture rich, some storms produced locally heavy rainfall. One such thunderstorm in the Santa Fe area produced enough rain to strand a vehicle at an intersection. Rainfall amounts around the Santa Fe area were near 2 inches.
(SAF) Santa Fe	9/22/2014	1	--	$20,000	--	An upper level impulse moving very slowly northeast over New Mexico after multiple days of heavy rainfall produced areas of flash flooding yet again. A wave of heavy rainfall early in the day over Chaves County produced flash flooding along U.S. 285 north of Roswell. The most serious flash

Specific Location	Date	Deaths	Injuries	Property Damage	Crop Damage	Event Description
Muni Airport						flooding occurred later in the day around Santa Fe as a slow-moving thunderstorm dropped more than 2 inches of rainfall. A 50-year-old man in the Santa Fe River was washed away and drowned by flood waters late in the evening of the 22nd. Local news station reporting that the body of a 58-year-old man was found in the Santa Fe River after heavy rainfall and flash flooding. Reports say that he may have been sleeping in or near the river and drowned when he was swept away from rushing waters.
Agua Fria	7/8/2015	--	--	$1,000	--	An unseasonably deep upper level low over the Great Basin forced a strong jet streak over New Mexico while the monsoon moisture plume was centered from southwest to northeast over the state. This moist and unstable pattern allowed for the development of several severe thunderstorms with large hail and torrential rainfall. A slow-moving storm near Santa Fe dumped quarter to ping pong ball size hail in Santa Fe. Flash flooding was observed as well. A storm around Isleta Pueblo produced quarter size hail. A mudslide was captured on video near Red River. Highway 38 was closed until the flow subsided and the mud was cleared. Significant flooding with estimated 6 inches of flowing water at the corner of Cerrillos and Richards. Gravel washed across the road at the corner of West Alameda and Siler. Landscaping material washed out.
Santa Fe	8/1/2015	--	--	$5,000	--	Public weather station reported 3.35 inches of rainfall in 1 hour near Las Campanas. Video showed flash flood waters flowing quickly over East Sunrise Road northwest of Santa Fe, making it impassable. The water depth was reported to be between 1 and 1.5 feet. Strong to severe thunderstorms moved slowly over portions of northern and eastern New Mexico during the afternoon and evening of the 1st. The strongest of these storms rolled through the Santa Rosa area, dropping quarter size hail and producing damaging wind gusts up to 60 mph that caused roof damage to several buildings. The 1.5 to 2 inches of rain that accompanied the storm also caused flash flooding that resulted in one road being closed due to being submerged in water. Between 1.5 and 3.35 inches of heavy rain also fell near Santa Fe, leading to flash flood waters between 1 and 1.5 feet high making a road impassable. No other significant flooding as a result of heavy rains was reported.
Santa Fe	7/5/2018	--	--	--	--	The first significant surge of monsoon moisture of the 2018 season generated numerous showers and thunderstorms with heavy rainfall across New Mexico. The first thunderstorms of the day developed over the northeast and east central plains followed by scattered activity around the higher terrain of central and western New Mexico. Storm motions were slow to the west with localized areas of heavy rainfall. Heavy rainfall along NM-38 west of Red River forced a mud slide over the highway. Moderate rainfall over the Ute Park burn scar also generated a mud slide and the closure of U.S. Highway 64. Flooding also occurred around Santa Fe where roads were closed around the north side of town. A torrential downpour along U.S. Highway 550 near Rio Rancho produced flash flooding and the closure of several intersections. A levee breach in Belen near

Specific Location	Date	Deaths	Injuries	Property Damage	Crop Damage	Event Description
						Hansen Road flooded a large section of town near the Belen High School. Shelters were open for those affected by flooding in Belen.

Source: NOAA's NCEI, 2019

Probability of Future Occurrences

A "100-year flood" is the flood elevation (or depth) that has a 1- percent chance of being equaled or exceeded each year. Thus, the 100-year flood could occur more than once in a relatively short period of time. The "500-year flood" is the flood elevation or depth that has a 0.2 percent chance of being equaled or exceeded each year, respectively. Based on historical data, flooding events less severe than a 100-year flood and those outside of the 100-year floodplain occur frequently in Santa Fe during periods of heavy rains. The State Hazard Mitigation plan made efforts to determine a probability of occurrence for flash flooding; Santa Fe County falls in Preparedness Area 3. The State determined Preparedness Area 3 has a 29 percent chance of flash flooding occurring in a given year.

While based on a relatively small sample size, Santa Fe County has experienced 22 recorded flooding events in the past 53 years, equating to a 42 percent chance of a flood event in a given year. Overall, the likelihood of some level of flood incident in the City of Santa Fe is likely.

Climate Change Considerations

Climate projections across the United States have shown that while total annual precipitation will likely decrease in the Southwest region, the heaviest annual rainfall events will become more intense. As a result, high frequency flood events will increase with climate change. Also, with wildfires already being a problem in New Mexico, increasing periods of drought and lack of precipitation are expected to exacerbate conditions for fires to occur, and in turn worsen the potential for runoff and flooding associated with burned areas.

Vulnerability Assessment

The City of Santa Fe has mapped flood hazard areas as portrayed in the figures contained throughout this chapter. For the following vulnerability assessment, GIS was used to identify and quantify the possible impacts of flooding within the City's Planning Area. The following methodology was followed in creating these flood vulnerability maps and determining values at risk to the 100- and 500-year flood events.

The City's parcel layer was used as the basis for the inventory of developed parcels, and this was originally developed by the Santa Fe County Assessor's Office. A flood vulnerability assessment was performed for the City of Santa Fe using GIS. The county's parcel layer and associated assessor's building improvement valuation data were provided by the county and were used as the basis for the value of improvements. Santa Fe County's effective DFIRM was used as the hazard layer. DFIRM is FEMA's flood risk data that depicts the 1% annual chance (100-year) and the 0.2% annual chance (500-year) flood events. Santa Fe County's effective FEMA DFIRM, dated December 4, 2012, was determined to be the best available floodplain data.

GIS was used to intersect the parcel boundaries with a structure location layer to obtain the number of structures and count of improved parcels within flood hazard areas. The DFIRM flood zones were overlaid in GIS on the structure data to identify structures that would likely be inundated during a 1% annual chance and 0.2% annual chance flood event. Structure improvement and agriculture values and counts for those points were extracted from the parcel/assessor's data and summarized for the unincorporated county, jurisdictions and Pueblos. More specifics on the content valuations and other calculations related to the parcel analysis are contained under the Built Environment subsection herein. The latest NFHL-based Special Flood Hazard Areas from FEMA were used as the floodplain layers in mapping and analysis of riverine flooding potential. These datasets are the most comprehensive electronic representation of the 100- and 500-year floodplains for the entire Planning Area.

Flood Insurance Coverage and NFIP Claims and Losses

The City of Santa Fe joined the NFIP through an emergency entry on February 13, 1975 and regular entry on July 2, 1980. The current effective map is from December 4, 2012. According to the NFIP Community Information System (CIS) insurance data indicates that as of November 2018 the City has 286 policies in force with $95 million in coverage; there have been 9 claims totaling $159,697 since 1978. Of these policies a majority (222) were for single family residential homes followed by nonresidential (43), multi-family (13) and other residential (8). The NFIP defines repetitive loss properties as having 2 or more claims of $1,000 or more in a 10-year period; severe repetitive loss properties are defined as having 4 or more claims of more than $5,000 each, or 2 or more claims where the total of the payments exceeds the value of the property. There are no repetitive loss or severe repetitive loss properties in the City of Santa Fe.

People

Drowning is a major concern during flooding. Rising waters can quickly envelop people in vulnerable areas and people can also be trapped by floodwaters and need rescuing. According to the HMPT during the July 2018 flood event many first responders were required to respond to the incident causing them to be less available for other emergencies.

According to the previously described GIS analysis, there are 324 residential type parcels in the floodplains across the city, with 97 parcels in the 100-year (1% annual chance event) floodplain, and 227 parcels in the 500-year (0.2% annual chance event) floodplain. Single family residential is the most common parcel type found in the floodplain.

Certain health hazards are common to flood events. While such problems are often not reported, there are general types of health hazards accompany floods. First comes from the water itself; floodwaters carry anything that was on the ground that the upstream runoff picked up, including dirt, oil, animal waste, and lawn, farm and industrial chemicals. Pastures and areas where cattle and hogs are kept, or their wastes are stored can contribute polluted waters to the receiving streams.

Floodwaters saturate the ground, which leads to infiltration into sanitary sewer lines. When wastewater treatment plants are flooded, there is nowhere for the sewage to flow. Infiltration and lack of treatment can lead to overloaded sewer lines that can back up into low-lying areas and homes. Even when it is diluted by flood waters, raw sewage can be a breeding ground for bacteria such as E. coli and other disease-causing agents. Flooding can also impact drinking water quality. If a water system loses pressure, a boil order may be issued to protect people and animals from contaminated water.

Stagnant pools of floodwater can become breeding grounds for mosquitoes, and wet areas of a building that have not been properly cleaned breed mold and mildew. A building that is not thoroughly cleaned becomes a health hazard, especially for small children and the elderly. Another health hazard occurs when heating ducts in a forced air system are not properly cleaned after inundation. When the furnace or air conditioner is turned on, the sediments left in the ducts are circulated throughout the building and breathed in by the occupants.

There is also the risk of long-term psychological impact of having been through a flood and seeing one's home damaged and irreplaceable keepsakes destroyed. The cost and labor needed to repair a flood-damaged home puts a severe strain on people, especially the unprepared and uninsured. There is also a long-term problem for those who know that their homes can be flooded again. According to the HMPT, many homeowners in the City own their homes outright and thus are not required to have flood insurance as a condition of receiving a federally backed loan. Individuals with less financial means to conduct repairs or ability to temporarily relocate are generally the most impacted. The resulting stress on flooded residents takes its toll in the form of aggravated physical and mental health problems.

Economy

Flooding can have a major economic impact on the economy. Based on the flood loss analysis, there are 62 commercial structures worth an estimated $76 million in total value directly at risk to flooding in the 1% annual chance zone, and 187 additional in the 0.2% annual chance zone. Based on the loss analysis (described further below) this could result in approximately $439 million in direct losses. This does not account for other indirect losses such as business interruption, lost wages and other downtime costs.

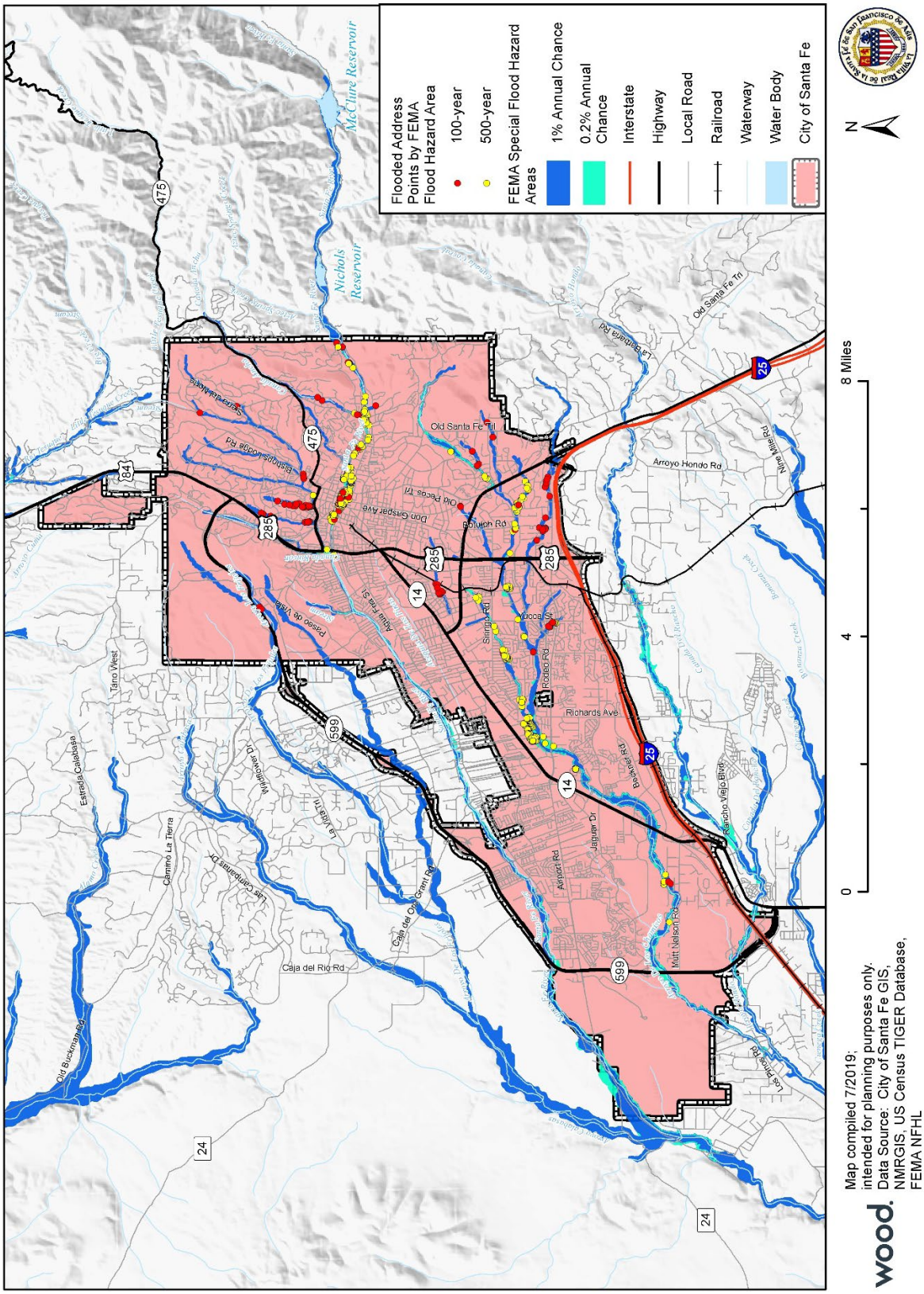
Built Environment

Floods can have devastating impacts on the built environment and is often experienced disproportionately by low-to-moderate income household due to lack of financial means to take care of necessary repairs. Flood recovery can take years for affected communities to be rebuilt, depending on the severity of the flood. According to the HMPT, the July 2018 flood event resulted in silting of roads and culverts and power outages.

The location of properties at risk to flooding is shown in Figure 4-13; The map shows flood risk throughout the city, with a greater concentration in the northern portion. Notable areas of risk include the branches off of the Arroyo De Los Chamisos and the north and southwest along the Santa Fe River and its tributaries (La Cienega, Auga Fria, Tesuque and Chupadero). Flooding also poses a risk to the parcel near the drainages adjacent to the I-285 corridor on the northeastern portion of the City. According to the GIS analysis conducted there are a total of 573 structures with a loss estimates totaling over $483 million in the City of Santa Fe. A majority of property types at risk are commercial (249) followed by single family residential (245).

Tabular results of the overlay analysis area are shown in Table 4-17 and Table 4-18 and are sorted by flood zone and the parcel's property type. Property type refers to the land use of the parcel and includes commercial, exempt (county, federal, state), open space, other, park, residential (condominium, mobile home, single family) and vacant. Contents values were estimated as a percentage of building value based on their property type, using FEMA/HAZUS estimated content replacement values. This includes 100% of the structure value for commercial, exempt, open space, other and park structures, 50% for residential structures and 0% for vacant structures. Improved, agriculture and contents values were summed to obtain a total exposure value. A loss estimate analysis was also performed based on flood depth-damage relationships developed by the Corp of Engineers. An average depth-damage of 25% was applied to the total value to estimate flood loss. This is generally equivalent to the damage associated when buildings are inundated with a two-foot-deep flood.

Figure 4-13 City of Santa Fe FEMA Flood Hazard Areas and Exposed Properties


Flooded Address Points by FEMA Flood Hazard Area
100-year
500-year
FEMA Special Flood Hazard Areas
1% Annual Chance
0.2% Annual Chance
Interstate
Highway
Local Road
Railroad
Waterway
Water Body
City of Santa Fe
N
0
4
8 Miles
Map compiled 7/2019;
intended for planning purposes only.
Data Source: City of Santa Fe GIS,
NMRGIS, US Census TIGER Database,
FEMA NFHL
wood.
McClure Reservoir
Nichols Reservoir
Old Santa Fe Trl
Arroyo Hondo Rd
Richards Ave
Rodeo Rd
Caja del Rio Rd
Old Buckman Rd
Airport Rd
Jaguar Dr
Matt Nelson Rd
Las Prisas Rd
Beckner Rd
Rancho Viejo Blvd
Camino La Tierra
Estrada Calabasa
Tano West
Whitehouse Dr
Las Campanas Dr
Paseo de Vista
Agua Fria St
Siringo Rd
Upper
Lower
Camino del Monte Sol
Don Gaspar Ave
Old Pecos Trl
Cerrillos Rd
Nine Miles Rd
Upper Canada de los Pinos
Upper Canada de los Alamos
Upper Canada de los Chamisos
Upper Canada de los Encinos
Upper Canada de los Manzanos
Upper Canada de los Nogales
Upper Canada de los Piñones
Upper Canada de los Ranchos
Upper Canada de los Sauces
Upper Canada de los Tanques
Upper Canada de los Trujillos
Upper Canada de los Valles
Upper Canada de los Viveros
Upper Canada de los Vistas
Upper Canada de los Zamoranos
Upper Canada de los Zarcillos
Upper Canada de los Zorros
Upper Canada de los Zuzax
Upper Canada de los Zuzax
Upper Canada de los Zuzax

According to the GIS analysis, there are 159 structures at risk that could be lost in a 1% annual chance flood event with an estimated $88 million in direct damages. A 0.2% annual chance flood would add an additional 414 structures to the total at risk to flooding; the majority of which are residential parcel types as discussed above. This analysis does not account for flood losses that may occur outside of mapped flood hazard areas.

Table 4-17 Property Values and Loss Estimates for Structures in the FEMA 100-Year Flood Hazard Areas

Parcel Type	Address Point Count	Improved Value	Content Value	Total Value	Loss Estimate
Commercial	62	$153,958,778	$153,958,778	$307,917,556	$76,979,389
Multi-Unit Residential	7	$1,073,980	$536,990	$1,610,970	$402,743
Residential: Condo	19	$6,712,633	$3,356,317	$10,068,950	$2,517,237
Single Family Residential	71	$22,076,234	$11,038,117	$33,114,351	$8,278,588
Total	**159**	**$183,821,625**	**$168,890,202**	**$352,711,827**	**$88,177,957**

Source: City of Santa GIS Dept., FEMA NFHL, Wood Plc analysis

Table 4-18 Property Values and Loss Estimates for Structures in the FEMA 500-Year Flood Hazard Areas

Parcel Type	Address Point Count	Improved Value	Content Value	Total Value	Loss Estimate
Commercial	187	$724,741,829	$724,741,829	$1,449,483,658	$362,370,915
Multi-Unit Residential	13	$30,438,731	$15,219,366	$45,658,097	$11,414,524
Residential: Condo	40	$11,641,228	$5,820,614	$17,461,842	$4,365,461
Single Family Residential	174	$46,663,146	$23,331,573	$69,994,719	$17,498,680
Total	**414**	**$813,484,934**	**$769,113,382**	**$1,582,598,316**	**$395,649,579**

Source: City of Santa Fe GIS Dept., FEMA NFHL, Wood Plc analysis

Critical Facilities and Infrastructure

Analysis of critical facilities in both the 1% and 0.2% annual probability floodplain was conducted for the City. Table 4-19 contains the number of critical facilities in the 1% and 0.2% annual chance flood zones. An additional three critical facilities were identified under the Stormwater Pond subtype as falling under floodplains, but due to their facility nature they were not deemed to be at risk of this Flooding hazard. As such they were excluded from these summaries.

Table 4-19 Critical Facilities in FEMA Flood Hazard Areas, by Lifeline and Component

Flood Hazard Area	Lifeline	Component	Subtype	Critical Facility Count
100-year	Transportation	Mass Transit	Public Works	1
Total				**1**
500-year	Communications	Infrastructure	Cell Tower	1
Total				**1**
Grand Total				**2**

Source: City of Santa GIS Dept., FEMA NFHL, HIFLD, Wood Plc analysis

Historic, Cultural, and Natural Resources

The City's historic and archaeological districts may be more affected by these flooding hazards, given their likely older construction methods, weaker materials, and potential failure to meet current building code standards.

Natural resources are generally resistant to flooding except where natural landscapes and soil compositions have been altered for human development or after periods of previous disasters such as drought and fire. Wetlands, for example, exist because of natural flooding incidents. Areas that are no longer wetlands may suffer from oversaturation of water, as will areas that are particularly impacted by drought. Areas recently suffering from wildfire damage may erode because of flooding, which can permanently alter an ecological system. This took place after the Las Conchas fire, the burn scar experienced multiple instances of flash flooding from heavy rains. Flood water can also contain contaminants that may adversely affect the environment.

Future Development

Future plans to reduce the risk of future development to localized stormwater/flash flooding can be enhanced by accurate recordkeeping of repetitive localized storm activity. Mitigating the root causes of the localized stormwater or choosing not to develop in areas that often are subject to localized flooding will reduce future risks of losses due to stormwater/localized flooding.

The City of Santa Fe's continued population, housing, and employment growth creates pressure for land use change and the supporting infrastructure improvements. The City's future annexation plans should take flooding risk into consideration. Floodplain management practices implemented through local floodplain management ordinances should mitigate the flood risk to new development in floodplains. Urbanization and increasing impervious surface areas tend to increase both the rate and the volume of stormwater runoff. Thus, the largest issue with future development trends is urbanization and stormwater drainage issues that add to the peak discharge and volume of floodwaters in floodplains.

Risk Summary

- Based on a GIS analysis of mapped flood hazard areas by Wood, 573 structures worth approximately $483 million are potentially at risk to flooding citywide.
- 249 commercial structures with a total value of $439 million are most at risk followed by 245 single family residential structures.
- According to the NFIP the City has 286 policies with $95 million in coverage; there have been 9 claims totaling $159,697 since 1978.
- *Related hazards*: Severe weather, transportation accidents

Location	Probability of Future Occurrence	Extent (Magnitude/Severity)	Overall Significance
Significant	Likely	Critical	High

4.3.4 Severe Weather (Thunderstorm, Hail, Lightning, Extreme Temperatures, High Wind, Winter Storm)

Hazard Description

Severe weather in the City of Santa Fe can take a variety of forms, mostly tied to the season the weather occurs. Warmer weather brings summer hazards related the thunderstorms, including hail, lighting and monsoons. Colder weather can bring winter storms. Wind and extreme temperatures can occur year-round.

This chapter profiles several severe weather sub-hazards that can impact the City of Santa Fe in different ways – thunderstorms, hail, lightning, extreme temperatures, high wind, and winter storms. Tornadoes are addressed separately in the next section.

Thunderstorm

Thunderstorms result from the rapid upward movement of warm, moist air. They can occur inside warm, moist air masses and at fronts. As the warm, moist air moves upward, it cools, condenses, and forms cumulonimbus clouds that can reach heights of greater than 35,000 feet. As the rising air reaches its dew point, water droplets and ice form and begin falling the long distance through the clouds towards earth's surface. As the droplets fall, they collide with other droplets and become larger. The falling droplets create a downdraft of air that spreads out at Earth's surface and causes strong winds associated with thunderstorms.

The City of Santa Fe experiences a rainy season in the summer, often referred to as the "monsoon" season. The term monsoon generally refers to a seasonal wind shift, or monsoon circulation, that produces a radical change in moisture conditions in a given area or region and is often accompanied by thunderstorm hazards. In the southwestern United States, this shift in wind direction is primarily the result of two meteorological changes:

The movement northward from winter to summer of the huge upper level subtropical high-pressure system, specifically known as the Bermuda High, and the intense heating of the Mojave Desert creates rising air and surface low pressure, called a thermal low.

These two features then combine to create a strong southerly flow that helps bring in moisture (i.e., from the Gulf of Mexico, the Gulf of California, and the Pacific Ocean) that lifts and forms thunderstorms when it encounters the higher terrain of New Mexico, including Santa Fe.

Hail

Hail is formed when water droplets freeze and thaw as they are thrown high into the upper atmosphere by the violent internal forces of thunderstorms. Hail is sometimes associated with severe storms within the City of Santa Fe Planning Area. Hailstones are usually less than two inches in diameter and can fall at speeds of 120 miles per hour (mph). Severe hailstorms can be quite destructive, causing damage to roofs, buildings, automobiles, vegetation, and crops.

Lightning

Lightning is defined as any and all of the various forms of visible electrical discharge caused by thunderstorms. Thunderstorms and lightning are usually (but not always) accompanied by rain. Cloud-to-ground lightning can kill or injure people by direct or indirect means. Objects can be struck directly, which may result in an explosion, burn, or total destruction. Damage may also be indirect, when the current passes through or near an object, which generally results in less damage.

Cloud-to-ground lightning is the most damaging and dangerous type of lightning. Most flashes originate near the lower-negative charge center and deliver negative charge to earth. However, a large minority of flashes carry positive charge to earth. These positive flashes often occur during the dissipating stage of a thunderstorm's life. Positive flashes are also more common as a percentage of total ground strikes during the winter months. This type of lightning is particularly dangerous for several reasons. It frequently strikes away from the rain core, either ahead or behind the thunderstorm. It can strike as far as 5 or 10 miles from the storm in areas that most people do not consider to be a threat. Positive lightning also has a longer duration, so fires are more easily ignited. And, when positive lightning strikes, it usually carries a high peak electrical current, potentially resulting in greater damage.

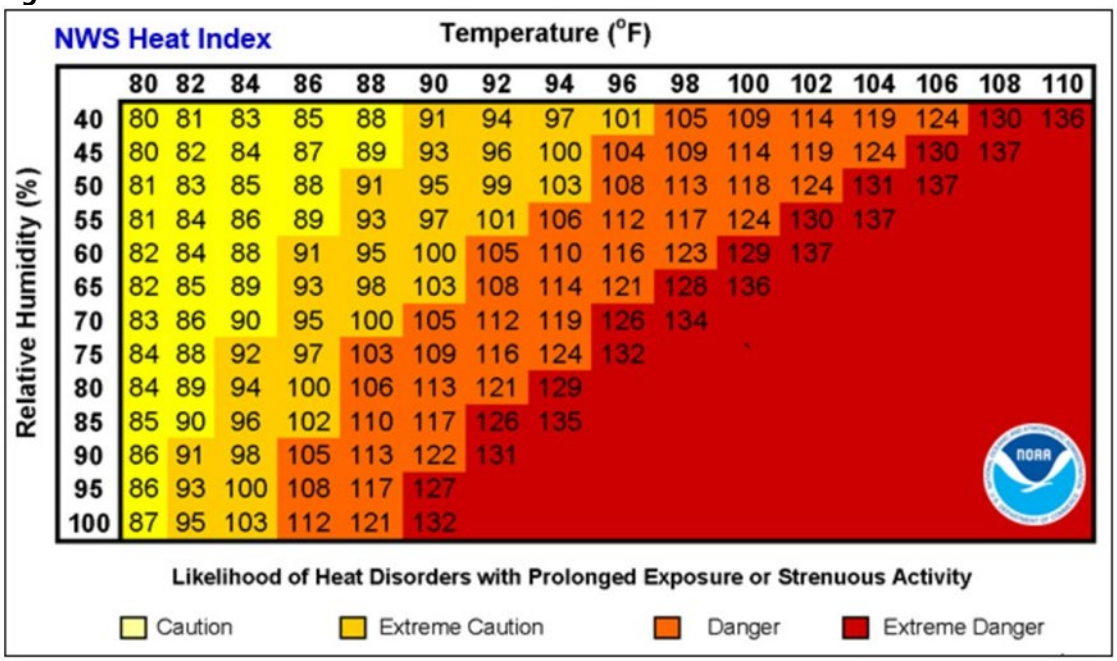
Extreme Temperatures

Extreme Heat

According to information provided by FEMA, extreme heat is defined as temperatures that hover 10 degrees or more above the average high temperature for the region and last for several weeks. Heat kills by taxing the human body beyond its abilities; in a normal year, about 175 Americans succumb to the demands of summer heat. According to the National Weather Service (NWS), among natural hazards, only the cold of winter—not lightning, hurricanes, tornadoes, floods, or earthquakes—takes a greater toll. In the 40-year period from 1936 through 1975, nearly 20,000 people were killed in the United States by the effects of heat and solar radiation. In the heat wave of 1980, more than 1,250 people died.

Heat disorders generally have to do with a reduction or collapse of the body's ability to shed heat by circulatory changes and sweating or a chemical (salt) imbalance caused by too much sweating. When heat gain exceeds the level the body can remove, or when the body cannot compensate for fluids and salt lost through perspiration, the temperature of the body's inner core begins to rise, and heat-related illness may develop. Elderly persons, small children, those with chronic illnesses, those on certain medications or drugs, and persons with weight and alcohol problems are particularly susceptible to heat reactions, especially during heat waves in areas where moderate climate usually prevails. Figure 4-14 illustrates the relationship of temperature and humidity to heat disorders.

Figure 4-14 National Weather Service Heat Index



Source: National Weather Service

Heat Index values were devised for shady, light wind conditions. Exposure to full sunshine can increase values by up to 15°F. Also, strong winds, particularly with very hot, dry air, can be extremely hazardous.

The NWS has in place a system to initiate advisories or warnings when the Heat Index is expected to have a significant impact on public safety. The expected severity of the heat determines whether advisories or warnings are issued. A common guideline for the issuance of excessive heat alerts is when the maximum daytime high is expected to equal or exceed 105°F and a nighttime minimum high of 80°F or above is expected for two or more consecutive days**.**

Extreme Cold

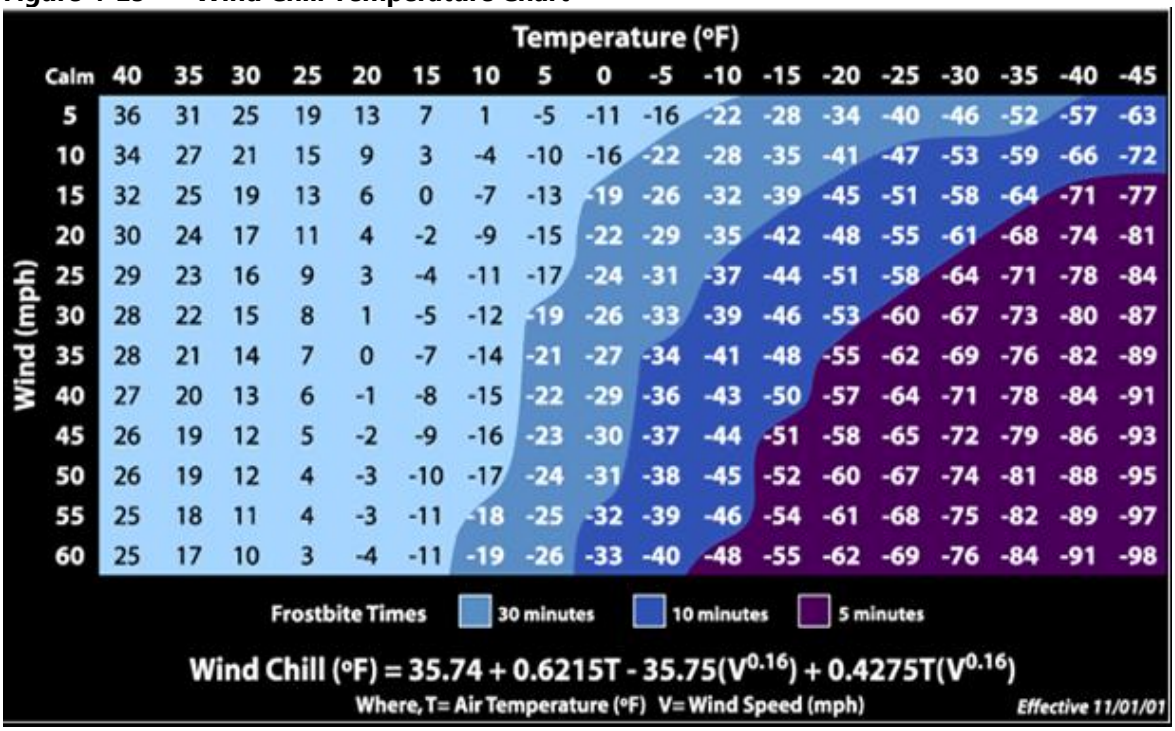
What constitutes extremely cold temperatures varies across different areas of the United States, based on normal climate temperatures for the time of year. In New Mexico, cold temperatures are normal during the winter. When temperatures drop at least 20 degrees below normal winter lows, the cold is considered extreme and begins to impact the daily operations of a community. Extreme cold/wind chill impacts people, pipes, inanimate objects, plants, animals, and water supplies.

Extreme cold can occur on its own, but often accompanies a winter storm, or is left in its wake. It is most likely to occur in the winter months of December, January, and February. Prolonged exposure to the cold can cause frostbite or hypothermia and can be life-threatening; infants and the elderly are most susceptible. Pipes may freeze and burst in homes or buildings that are poorly insulated or without heat. Extreme cold can disrupt or impair communications facilities. The effects of extremely cold temperatures are amplified by strong to high winds that can accompany winter storms. Wind-chill measures how wind and cold feel on exposed skin and is not a direct measurement of temperature As wind increases, heat is carried away from the body faster, driving down the body temperature, which in turn causes the constriction of blood vessels, and increases the likelihood of severe injury or death to exposed persons. Animals are also affected by wind-chill; however, cars, buildings, and other objects are not.

In 2001, the NWS implemented an updated Wind Chill Temperature index, which is provided in Figure 4-15 as a measure of extreme cold. This index was developed to describe the relative discomfort/danger

resulting from the combination of wind and temperature. At -15 degrees Fahrenheit, with no wind, frostbite can occur to exposed skin within 30 minutes and defines the upper end of extreme cold. Wind chill is based on the rate of heat loss from exposed skin caused by wind and cold. As the wind increases, it draws heat from the body, driving down skin temperature and eventually the internal body temperature.

Figure 4-15 Wind Chill Temperature Chart



Source: National Weather Service

High Wind

Wind is defined as the motion of air relative to the earth's surface, and the hazard of high wind is commonly associated with severe thunderstorm winds (exceeding 58 mph) as well as tornadoes, hurricanes, and tropical storms. High winds can also occur in the absence of other definable hazard conditions, events often referred to as simply "windstorms." High wind events might occur over large, widespread areas or in a very limited, localized area. They can occur suddenly without warning, at any time of the day or night.

Typically, high winds occur when large air masses of varying temperatures meet. High winds, often accompanying severe thunderstorms, can cause significant property and crop damage, threaten public safety, and have adverse economic impacts from business closures and power loss. Rapidly rising warm moist air serves as the "engine" for severe thunderstorms, tornadoes and other windstorm events. These storms can occur singularly, in lines or in clusters. They can move through an area very quickly or linger for several hours. Winds in the Planning Area are typically straight-line winds, which are generally any thunderstorm wind that is not associated with rotation or tornadic. These winds can overturn mobile homes, tear roofs off houses, topple trees, snap power lines, shatter windows, and sandblast paint from cars. Other associated hazards include utility outages, arcing power lines, debris blocking streets, dust storms, and an occasional structure fire. While straight line winds are the most common, microbursts and tornadoes may also occur in the city.

Winter Storm

The Planning Area receives snowfall on a regular seasonal basis, mostly between the months of October and April. Because of the size of average storms, every area of the city is usually affected. Winter storms occur when precipitation and freezing temperatures mix to produce a significant accumulation of snow or ice. Winter storms are often worsened by wind that produces blowing and drifting snow and reduced visibility. Winter storms can be quite disruptive. Road closures can occur causing people to become stranded; accidents occur; power, water and sewer services can be temporarily interrupted. These events can cause great impact to the city depending on the severity and duration of a storm.

Location

The entire city is susceptible to the impacts of the severe weather types included in this chapter.

Extent (Magnitude/Severity)

The different sub-hazards profiled as part of the Severe Weather chapter have a variety of references to extent. The even in the absence of historical occurrence, the City of Santa Fe is vulnerable to the full extent of these hazards.

Hail

The National Weather Service classifies hail by diameter size, and corresponding everyday objects to help relay scope and severity to the population. Table 4-20 indicates the hailstone measurements utilized by the National Weather Service.

Table 4-20 Hailstone Measurements

Average Diameter	Corresponding Household Object
.25 inch	Pea
.5 inch	Marble/Mothball
.75 inch	Dime/Penny
.875 inch	Nickel
1.0 inch	Quarter
1.5 inch	Ping-Pong Ball
1.75 inch	Golf Ball
2.0 inch	Hen Egg
2.5 inch	Tennis Ball
2.75 inch	Baseball
3.0 inch	Teacup
4.0 inch	Grapefruit
4.5 inch	Softball

Source: National Weather Service

The largest hailstones recorded by the NCEI in the City of Santa Fe had a diameter of 1.75 inches, or the size of a golf ball, recorded in June 1995; NCEI recorded no property damages for this incident.

The largest hailstones recorded in Santa Fe County had a diameter of 2.5 inches or the size of a tennis ball; these were recorded in June of 2017, causing at least $1 million in property damage.

While a 1.75-inch diameter is a historical maximum size for the city, Santa Fe could be susceptible to larger stones that could do even more damage. The largest hailstones recorded in New Mexico had a

diameter of 4.50 inches or the size of a softball; this size hail has been recorded nine times across the state since 1982.

Lightning

Lightning is measured by the Lightning Activity Level (LAL) scale, created by the National Weather Service to define lightning activity into a specific categorical scale. The LAL is a common parameter that is part of fire weather forecasts nationwide. The LAL is reproduced in Table 4-21.

Table 4-21 Lightning Activity Level Scale

LIGHTNING ACTIVITY LEVEL	
LAL 1	No thunderstorms.
LAL 2	Isolated thunderstorms. Light rain will occasionally reach ground. Lightning is very infrequent, 1 to 5 cloud to ground strikes in a five minute period.
LAL 3	Widely scattered thunderstorms. Light to moderate rain will reach the ground. Lightning is infrequent, 6 to 10 cloud to ground strikes in a five minute period.
LAL 4	Scattered thunderstorms. Moderate rain is commonly produced. Lightning is frequent and intense, 11 to 15 cloud to ground strikes in a five minute period.
LAL 5	Numerous thunderstorms. Rainfall is moderate to heavy. Lightning is frequent and intense, greater than 15 cloud to ground strikes in a five minute period.
LAL 6	Dry lightning (same as LAL 3 but without rain). This type of lightning has the potential for extreme fire activity and is normally highlighted in fire weather forecasts with a Red Flag warning.

Source: National Weather Service

Santa Fe is at risk to experience lightning in any of these categories.

Extreme Temperatures

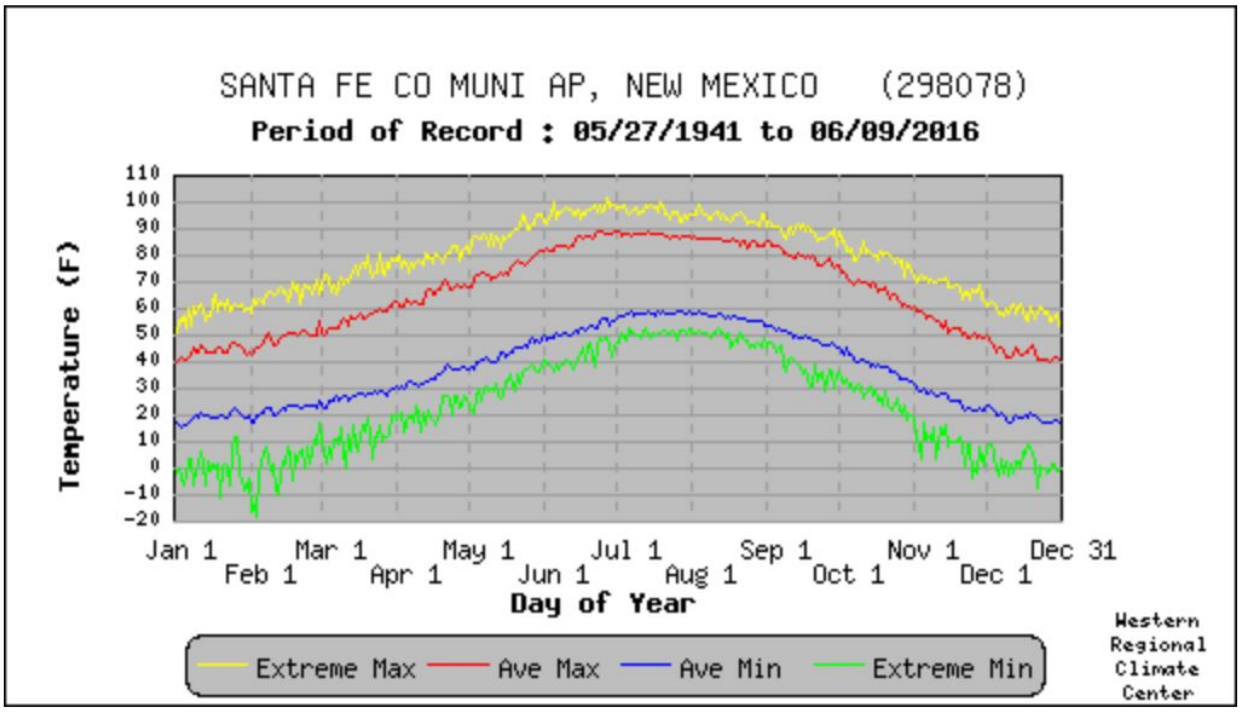
Data was obtained from the Western Regional Climate Center from the weather station located at the Santa Fe County Municipal Airport. Table 4-13 contains temperature summaries for the station. Figure 4-14 graphs the daily temperature averages and extremes recorded between 1941 and 2016 at the Santa Fe County Municipal Airport weather station. The coldest temperature recorded was -18 degrees Celsius on February 3rd, 2011 (see Table 4-23).

Table 4-22 Santa Fe County Municipal Airport Temperature Summaries: May 1941 – June 2016

Station	Winter* Average Minimum Temperature	Summer* Average Maximum Temperature	Average Annual Maximum Temperature	Average Annual Minimum Temperature	# Days >90°F/Annually	# Days <32°F/Annually
Santa Fe CO Municipal Airport	32.2°F	70.1°F	64.9°F	36.9°F	22	156.4

Source: Western Regional Climate Center, https://wrcc.dri.edu/
* Winter Months: December, January, February
*Summer Months: June, July, August

Table 4-23 Santa Fe County Municipal Airport Station Daily Temperature Averages and Extremes 1941-2016



Source: Western Regional Climate Center

High Wind

Table 4-24 outlines the Beaufort scale, which describes the damaging effects of wind speed. The City of Santa Fe has suffered from wind speed in the past that have resulted in trees being downed and property being damaged, which is indicative of Beaufort scale 10, though it is possible for stronger winds to occur.

Table 4-24 Beaufort Wind Scale

Wind Speed (mph)	Scale and Description – Visible Condition
0	0- Calm; smoke rises vertically
1-4	1-Light air; direction of wind shown by smoke but not by wind vanes
4-7	2-Light breeze; wind felt on face; leaves rustle; ordinary wind vane moved by wind
8-12	3-Gentle breeze; leaves and small twigs in constant motion; wind extends light flag
13-18	4-Moderate breeze; raises dust and loose paper; small branches are moved
19-24	5-Fresh breeze; small trees in leaf begin to sway; crested wavelets form on inland water
25-31	6-Strong breeze; large branches in motion; telephone wires whistle; umbrellas used with difficulty
32-38	7-Moderate gale whole trees in motion; inconvenience in walking against wind
39-46	8-Fresh gale breaks twigs off trees; generally, impedes progress
47-54	9-Strong gale slight structural damage occurs; chimney pots and slates removed

Wind Speed (mph)	Scale and Description – Visible Condition
55-63	10-Whole gale trees uprooted; considerable structural damage occurs
64-72	11-Storm very rarely experienced; accompanied by widespread damage
73+	12-Hurricane devastation occurs

Source: NWS

According to NCEI records, there have been 110 high wind events in Santa Fe County in the past 68 years (1950-2018) of these records 7 events are recorded as taking place in the Santa Fe Metro Area weather zone. The 7 recorded events resulted in $106,000 in property damages. The average annual property damages the metro area may experience from a high wind event in a given year is $15,296. The highest recorded windspeed for the Santa Fe Metro Area weather zone was 57mph on March 18, 2012 and resulted in $5,000 in property damages. An event on April 18, 2018 is the costliest event recorded in the NCEI database for the City; the high wind event resulted in $100,000 in property damages including power lines being blown down and numerous power outages. Refer to the Previous Occurrences section below for further details on past high wind events in Santa Fe.

Winter Storm

Overall, severe winter storm impacts could be limited, but the potential for heavy snow and blizzard events as defined by the National Weather Service are possible. The most dangerous of all winter storms is the blizzard and is considered the upper extent for the winter storm hazard in Santa Fe. A blizzard warning is the extent rating scale for the purposes of this plan. A blizzard warning is issued when winds of 35 miles an hour will occur in combination with considerable falling and/or blowing snow for at least 3 hours. Visibilities will frequently be reduced to less than 1/4 mile and temperatures are usually 20 degrees Fahrenheit or lower. City residents take the weather in stride as part of high elevation living and the HMPT notes that typically snow melts quickly. Most property damages with winter storms are related to downed trees and transportation accidents. The highest risk will be to travelers that attempt to drive during adverse conditions. Despite flat roofs being a common architectural feature in the City the HMPT did not have knowledge of past roof collapses due to snow loading.

The Western Regional Climate Center reports data from weather stations in and around the City of Santa Fe. The data from the Santa Fe County Municipal Airport weather station for the average snowfalls and records of highest monthly snowfall and seasonal snowfall for the City of Santa Fe.

Table 4- 25 Santa Fe County Municipal Airport Winter Weather Summaries in Inches[1]

Average Annual Total Snowfall (in.)	Snowiest Month/Average Snowfall (in)	Highest Monthly Snowfall (in.)	Highest Seasonal Snowfall (in.)	Coldest Recorded Temperature (F)
17.7	January/5.2 in.	16.9 in.	33.4 1949	-18 Feb. 3, 2011

[1]Period of Record: 1924- 2012

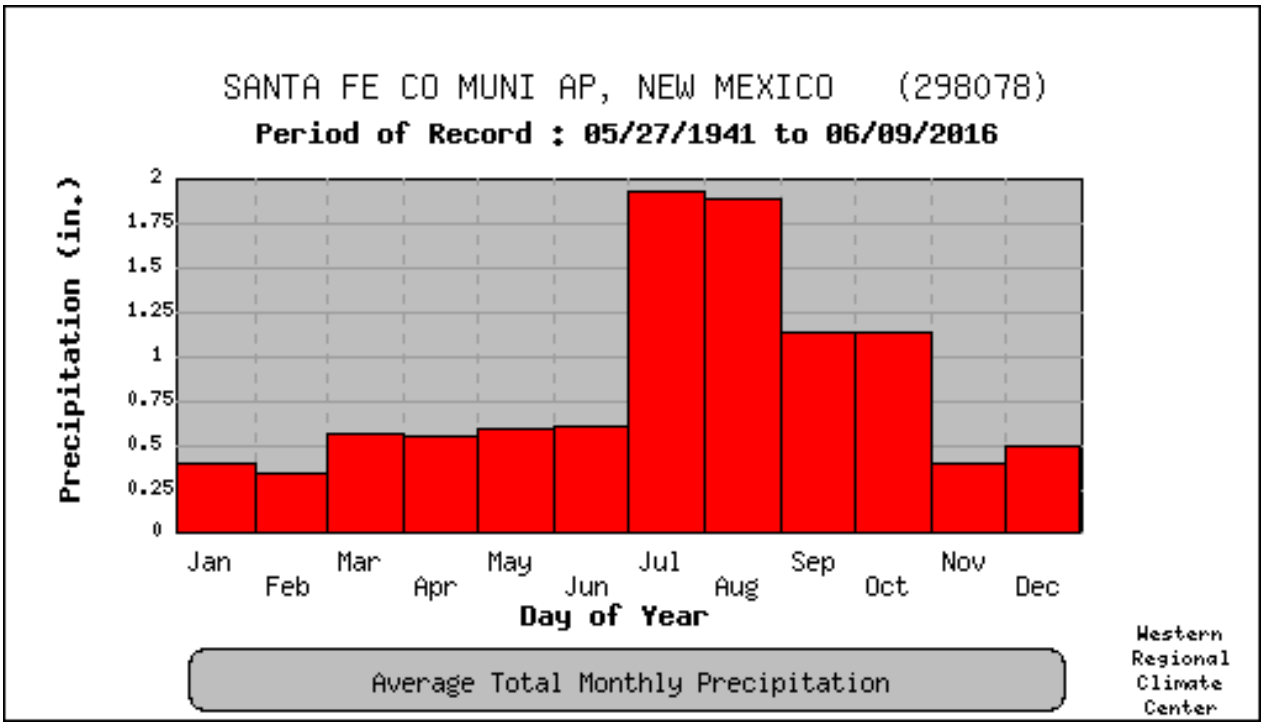
Previous Occurrences

Thunderstorms

Summer begins with warm, and often dry, conditions in June across the Planning Area, followed by a 2-month rainy season. Often referred to as "monsoon" season, July and August brings predictable afternoon thunderstorms. However, the annual total precipitation fluctuates considerably from year to year and the

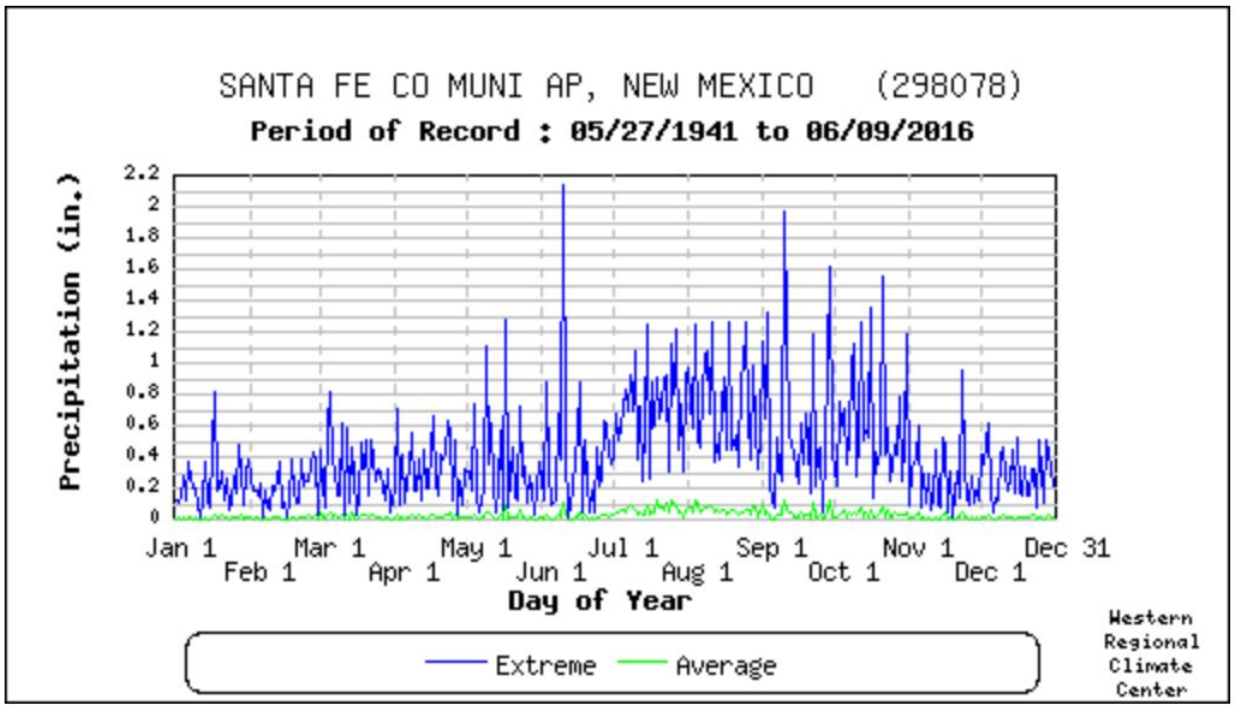
monsoon can start as early as mid-June. Average monthly precipitation totals for the Santa Fe County Municipal Airport weather station, the closest to the City of Santa Fe are shown in Figure 4-16. Precipitation extremes for the same station are shown in Figure 4-17.

Figure 4-16 Monthly Average Total Precipitation Recorded at Santa Fe County Municipal Airport



Source: Western Regional Climate Center

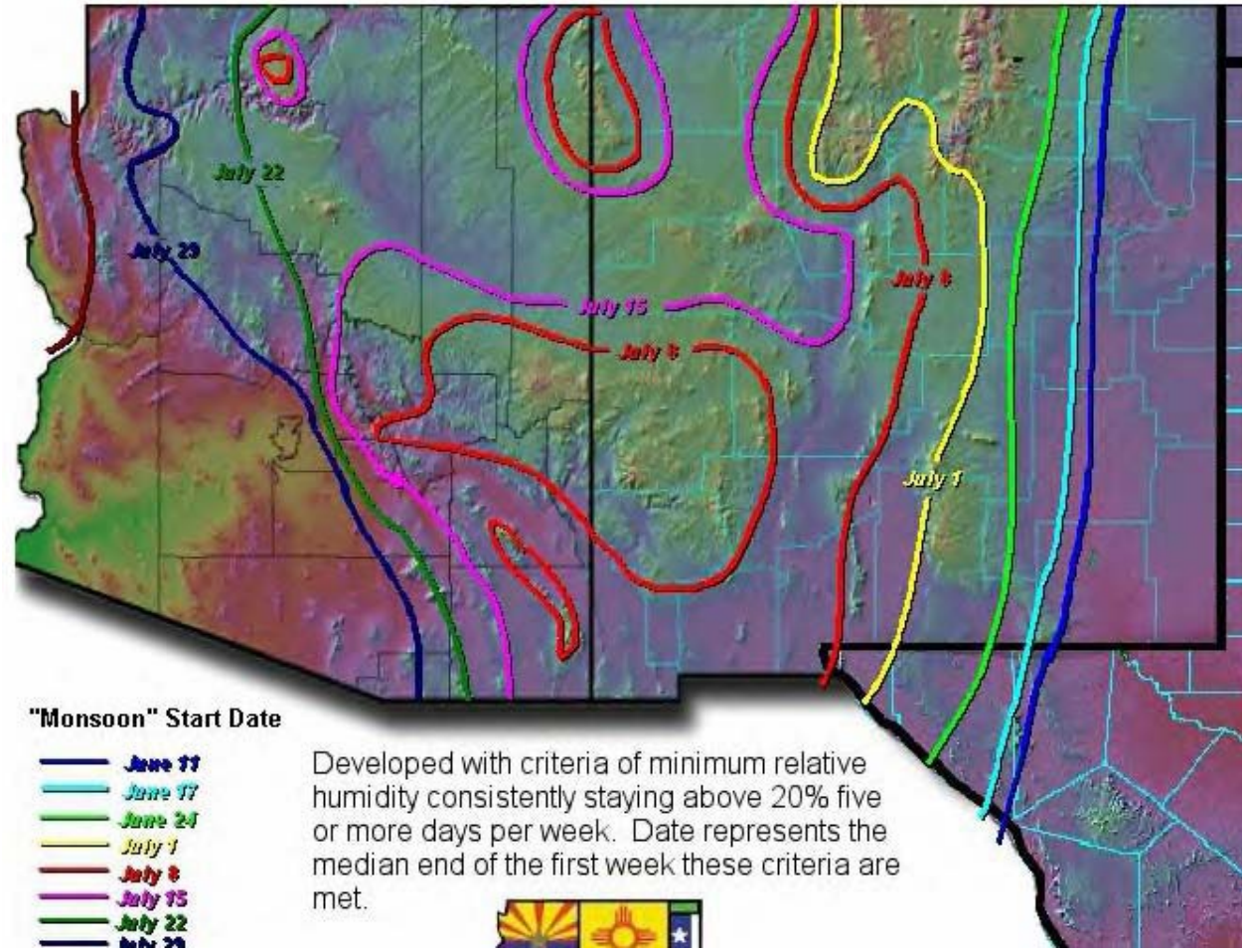
Figure 4-17 Santa Fe County Daily Precipitation Average and Extremes



Source: Western Regional Climate Center

Consistent with the monthly annual precipitation records, Figure 4-18 illustrates the typical monsoon season "start date" in New Mexico and the City of Santa Fe.

Figure 4-18 Monsoon Start Dates in New Mexico and the City of Santa Fe



Source: Southwest Area Predictive Services

Thunderstorms events that include heavy rain, lightning, or hail in Santa Fe are many in number and occur on a yearly basis. The NCEI has not recorded a heavy rain incident between 1950 and 2018, although a search for "flash flood" or "flooding" in the Storm Events Database show that 12 heavy rain events have occurred in the City since 1996 and resulted in severe flooding events. Refer to Table 4-16Flood Event History in the City of Santa Fe from 1996 to 2019 in Section 4.3.3 for detailed information on the events.

Winter Storm and Extreme Cold Temperatures

Winter storms and winter related weather including extreme cold temperatures were the most recorded hazard event in the NCEI Storm Events Database specific to the Santa Fe Metro Area resulting in $30,000 in property damages. None of the recorded events resulted in damages to crops or direct injuries or fatalities. According to the HMPT, a winter storm in 2006 dumped heavy amounts of snow that temporally immobilized the City though the snow melted quickly. The following is a breakdown of events recorded in the NCEI database that resulted in impacts (i.e. property or crop damages, injuries or fatalities). Refer to Tables 4-24 and 4-25 for additional breaks downs of winter storm and extreme cold temperature impacts.

December 7, 2009 - The strong winds combined with the heavy snow resulted in blizzard conditions across the southwest mountains as well as portions of central New Mexico. Wind gusts near 135 mph were measured across Magdalena Peak, which set a new record for the highest wind gust measured in the

state. Across the south central mountains and eastern plains, the high winds were a bigger concern than the snow. Widespread surface wind gusts in excess of 60 mph were measured across this area. Several buildings, vehicles and trees sustained damage. A total of $10,000 in property damages is recorded.

December 23, 2009 - Between 2 and 7 inches of snow fell across the Santa Fe Metro Area, with the heaviest amounts falling in the Santa Fe Foothills. Icy roads lead to a three-car crash 7 miles south of El Dorado on Highway 285 on the morning of the 23rd. A 59 year old man died when his Volkswagen Beetle was struck head-on by a car that slid on the ice at mile marker 282. The man's car was then struck from behind by another vehicle that couldn't stop in time. Three other people were also injured in the accident. The highway was closed for several hours after the crash.

November 12, 2018 - An unseasonably cold upper level storm system moved slowly south from the northern Rockies with an associated potent surface cold front. Very heavy snow fell in the Sangre de Cristo Mountains where up to a foot was reported in less than 12 hours. Severe travel conditions developed over the area with numerous rollovers and closed roadways. Snow gradually ended over the eastern plains during the overnight hours but persisted through the 12th over the high terrain of northern New Mexico. Storm total accumulations in the higher terrain of northern New Mexico ranged from 12 to 20 inches. Clearing skies, exceptionally dry air, and snowpack led to record temperatures across parts of New Mexico in the wake of this system. A total of $20,000 in property damages was recorded.

Hail, Lightning and High Wind

The NCEI recorded 109 hail events between 1960 and 2018 in Santa Fe County, though there were no damages to crops or any direct injuries or fatalities the events there was a total of $1,220,000 in property damages. Of the events, 51 recorded hail with a diameter under one inch, and 58 recorded hail with a diameter between one inch and two inches. The average diameter of hailstone in the Santa Fe Metro Area was 1.25", with the largest recorded hailstorm diameter being 1.75". According to the HMPT, in May 2018 a severe storm resulted in 6 inches of hail in the City causing transportation and traffic issues.

Wind damage has occasionally occurred in the past and caused tree damages and car damages in the downtown area. The HMPT noted that a severe wind event in May 2019 led to $250,000 in property damaged to the Arts Campus. Lightning in the City of Santa Fe occurs on a yearly basis throughout the Planning Area. The following tables shows the high wind events recorded in the NCEI database for the Santa Fe Metro Area weather zone. None of the events had recorded causalities.

Table 4-26 NCEI High Wind Events in Santa Fe Metro Area, 2011-2018

Date	Location	Magnitude (mph)	Property Damage
5/9/2011	Santa Fe Metro Area	52	$0
3/18/2012	Santa Fe Metro Area	57	$5,000
9/17/2012	Santa Fe Metro Area	51	$0
12/4/2013	Santa Fe Metro Area	52	$0
11/17/2016	Santa Fe Metro Area	54	$1,000

Date	Location	Magnitude (mph)	Property Damage
4/17/2018	Santa Fe Metro Area	52	$0
4/19/2018	Santa Fe Metro Area	50	$100,000
		Total	**$106,000**

Source: NOAA Storm Events Database

Not all lightning causes damages. Specific events are detailed by the NCEI database and are noted in Table 4-27. NCEI records any "sudden electrical discharge from a thunderstorm, resulting in a fatality, injury or damage". Injuries and fatalities recorded for Santa Fe County from lightning included hikers, construction workers and others who were not under shelter during a thunderstorm. Property damage was mostly centered on damage to homes. According to the HMPT, severe thunderstorms and lighting have periodically caused power outages in the downtown Santa Fe area.

Table 4-27 NCEI Lightning Incidents in Santa Fe County, 1996 to 2018

Date	Location	Time	Injuries	Fatalities	Property Damage
07/09/1996	Santa Fe	20:30	0	0	$60,000
08/03/1997	Santa Fe	11:30	1	2	-
08/12/1998	Santa Fe	16:30	0	1	-
08/30/1998	Santa Fe	20:30	0	1	-
08/17/2006	Santa Fe	14:00	0	2	-
07/24/2007	Santa Fe	17:55	0	0	$2,000
07/12/2013	Santa Fe	17:00	0	0	-
08/04/2014	Santa Fe	16:30	0	0	$1,000
Totals			**1**	**6**	**$63,000**

Source: NOAA Storm Events Database

Probability of Future Occurrences

Highly Likely – The types of severe weather described in this plan are well-documented hazards that will continue to occur in the Planning Area. The City of Santa Fe is highly likely to experience some type of severe weather annually.

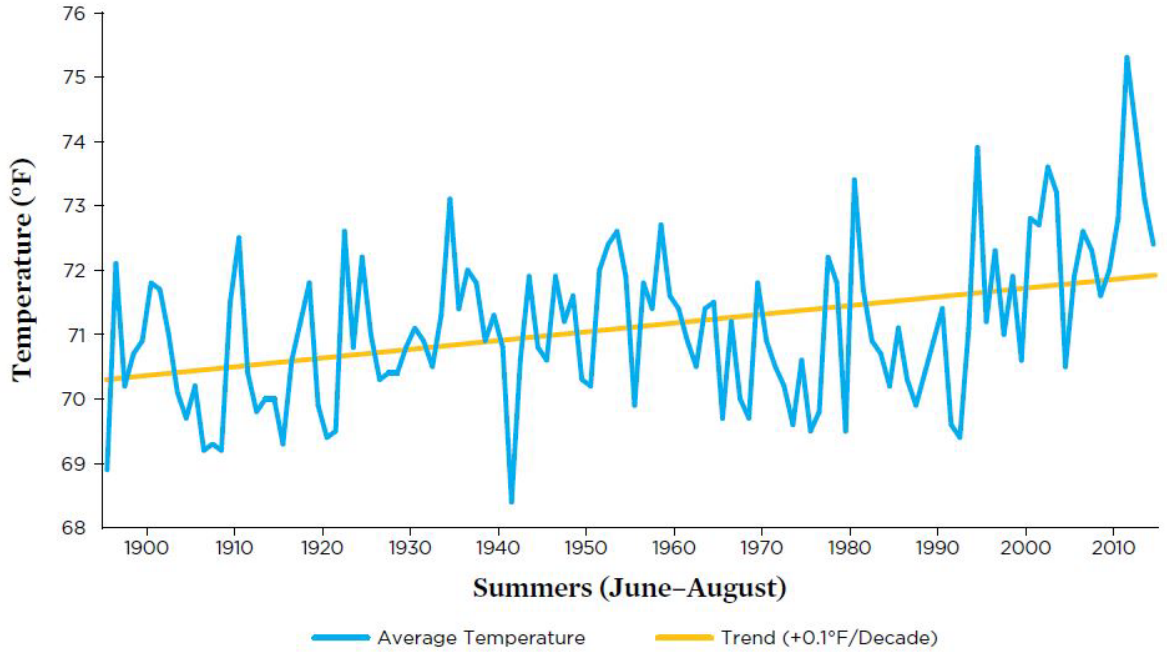
Climate Change Considerations

Climate change studies have shown an increased variability in weather patterns across New Mexico. While extreme rainfall events associated with the monsoon system are common in New Mexico, climate projections predict the heaviest annual rainfall events will decrease in the number of events but could become more intense.

Throughout the southwestern region of the United States heat waves have become more common. The extreme heat events have been less pronounced of an issue for the City of Santa Fe due to its high

elevation. Scientific studies have shown that New Mexico is the sixth-fastest warming state in the U.S., with temperature increases of 0.6°F per decade since 1970 or around 2.7°F over the past 45 years, refer to Figure 4-19 below. (Union of Concerned Scientists 2016). In the summer of 2013 temperatures at the Santa Fe Municipal Airport reached the highest even temperatures recorded there at 102 degrees Fahrenheit. Higher temperatures are expected to reduce snowpack and earlier snowmelt.

Figure 4-19 Warming Trend of Summer Temperatures in New Mexico



Source: NOAA, Union of Concerned Scientists, 2016 ucsusa.org

Vulnerability Assessment

People

Thunderstorm, Hail, Lightning

Exposure is the greatest danger to people from severe thunderstorms. People can be hit by lightning, pelted by hail, and caught in rising waters from heavy rain. Serious injury and loss of human life is rarely associated with hailstorms.

While national data shows that lightning causes more injuries and deaths than any other natural hazard except extreme heat, there doesn't seem to be any trend in the data to indicate that one segment of the population is at a disproportionately high risk of being directly affected. Anyone who is outside during a thunderstorm is at risk of being struck by lightning. Aspects of the population who rely on constant, uninterrupted electrical supplies may have a greater, indirect vulnerability to lightning. As a group, the elderly or disabled, especially those with home health care services rely heavily on an uninterrupted source of electricity. Resident populations in nursing homes, residential facilities, or other special needs housing may also be vulnerable if electrical outages are prolonged.

High Wind

Beyond tornadoes, the planning area is subject to potentially destructive straight-line winds. High winds are common throughout the planning area, throughout the entire year. Straight line winds are primarily a public safety and economic concern. Windstorm can cause damage to structures and power lines which in turn can create hazardous conditions for people. Debris flying from high wind events can shatter windows in structures and vehicles and can harm people that are not adequately sheltered.

Extreme Temperatures

The elderly population in the planning area is most vulnerable to temperature extremes. Children, people in poor physical health and homeless are also vulnerable to exposure. Exposure to extreme cold can cause frostbite or hypothermia and, in some cases, even death. Extreme heat can cause heat stroke or even fatality. Homes with little or no air conditioning can be dangerous during high heat days. Those most vulnerable to heat-related illness include people 65 years of age and older, young children, people with chronic health problems such as heart disease, people who are obese, people who are socially isolated, and people who are on certain medications. Low income families are less likely to have air conditioning and may be disproportionately impacted by rising water costs. Even young and healthy individuals are susceptible if they participate in strenuous physical activities during hot weather or are not acclimated to hot weather.

Winter Storm

The threat to public safety is typically the greatest concern when it comes to impacts of winter storms. While virtually all aspects of the population are vulnerable to the potential indirect impacts of a winter storm, others may be more vulnerable, such as the elderly, particularly if there is a loss of electrical power. The weight of heavy continued snowfall and/or ice accumulating on power lines often brings them to the ground causing service disruptions for thousands of customers.

According to the NCEI Storm Events Database there have been 533 severe weather events in Santa Fe County in the past 58 years (1960-2018), of which seven injuries and one fatality has been recorded. Lighting was responsible to the majority of fatalities and injuries (refer to Table 4-28 below).

Table 4-28 Injuries and Fatalities from Severe Weather Events in Santa Fe County, 1950-2018

Hazard	Number of Events	Total Injuries Recorded	Total Fatalities Recorded
Hail	109	0	0
Lightning	10	6	1
Extreme Heat	1	0	0
Extreme Cold/Cold/Wind Chill	8	0	0
High Wind	110	0	0
Blizzard	7	0	0
Heavy Snow	267	0	0
Winter Storm	10	0	0
Winter Weather	11	1	0
Totals	**533**	**7**	**1**

Source: NOAA NCEI Storm Events Database

Economy

Thunderstorm, Hail, Lightning

Economic impacts of severe thunderstorms are typically short-term in duration. Lightning can cause power outages and fires. Hail can destroy exposed property; an example is car lots, where entire inventories can be damaged. Generally, long-term economic impacts center more around hazards that cascade from a severe thunderstorm, including wildfires ignited by lightning.. Table 4-29 below shows the total property damages due to severe weather events in Santa Fe County.

Extreme Temperatures

Both extreme cold and extreme heat can have impacts on outdoor workers daily activities due to exposure. Loss of work can lead to local economic impacts, although these are typically minor and short lived.

High Wind

High winds can impact exposed critical infrastructure; depending on the impact and the function, this could cause a short-term economic disruption. The most common problems associated with high winds are loss of utilities. Downed power lines can cause power outages, leaving parts of the city isolated, and without electricity, water, and communication. Damage may also limit timely emergency response and the number of evacuation routes. Downed electrical lines following a storm can also increase the potential for lethal electrical shock and can also lead to other hazard events such as wildfires.

Winter Storm

Closure of major road into and out of the City during winter storms could temporarily isolate portions of the City. Depending on the length of the closure it could also hinder the local economy and the movement of goods through the county. An extended power outage after a winter storm event could impact local businesses, hindering the local economy.

Built Environment

Thunderstorm, Hail, Lightning

Thunderstorms can include significant precipitation, lightning, winds, and hail. Utility outages, downing of trees, debris blocking streets and damage to property can be a direct result of these storm events. Given the nature of these types of storms, the entire Planning Area is potentially at risk.

Lightning in particular can cause deaths, injuries, and property damage, including damage to buildings, communications systems, power lines, and electrical systems. Lightning strikes cause intense but localized damage. Structural fires, localized damage to buildings, damage to electrical powerlines and communications outages are typical consequences of a lightning strike. Hail can severely damage buildings and other infrastructure. Hail primarily causes property and vehicle damage in the planning area including impacts to roofs, automobiles, trees and windows.

High Winds

High winds in the planning area often result in downing of trees and damage to properties. Given the nature of these types of storms, the entire city is potentially at risk.

Extreme Temperatures

Extreme cold temperatures can lead to frozen pipes disrupting services to customers and may lead to burst pipes that can causing flooding and property damages. Extreme heat is not anticipated to have structural impact to buildings.

Winter Storms

A common impact of winter storms on the planning area is power loss. The weight of heavy continued snowfall and/or ice accumulating on power lines often brings them to the ground causing service disruptions for thousands of customers. This can cause a loss of community water and sewer services, as well as the supply of gasoline, as these services almost always require electrical pumps. In addition, prolonged power outages can mean loss of food to grocery stores and other facilities that provide food services.

The NCEI records a total of $521,100 in property damage for the Santa Fe Metro Area from each of the severe weather hazards profiled in this chapter. Table 4-29 shows property damage recorded by the NCEI related to severe weather, along with the number of damaging events. These figures do not include insured loss.

Table 4-29 Property Damages as a result of Severe Weather Recorded for Santa Fe Metro Area

Hazard	Number of Events	Total Property Damage Recorded	Total Crop Damage Recorded
Hail	22	$0	$0
Lightning	8	$63,000	$0
Extreme Heat	0	$0	$0
Extreme Cold	1	$0	$0
High Wind	7	$428,100	$0
Heavy Snow	31	$10,000	$0
Winter Weather	4	$20,000	$0
Totals	**73**	**$521,100**	**$0**

Source: NOAA NCEI Storm Events Database

Based on historic information, the primary effect of these storms has not resulted in significant injury or damages to people and property, or the losses are typically covered by insurance. It is the secondary hazards caused by weather, such as floods, that have had the greatest impact on the Planning Area.

Critical Facilities and Infrastructure

Thunderstorm, Hail, Lightning

Because of the unpredictability of severe thunderstorms, hail and lightning strength and path, most critical infrastructure that is above ground is equally exposed to the storm's impacts. All city critical facilities/lifelines are considered to be equally exposed to severe weather hazards.

High Wind

Because of the unpredictability of wind events' strength and path, most critical infrastructure that is above ground is equally exposed to the storm's impacts.

Extreme Temperatures

Secondary impacts of extreme cold can affect the supporting mechanisms or systems of a community's infrastructure. For example, when extreme cold is coupled with high winds or ice storms, power lines may

be downed, resulting in an interruption in the transmission of that power shutting down electric furnaces, which may lead to frozen pipes in homes and businesses.

Prolonged heat exposure can have impacts on infrastructure. Prolonged high heat exposure increases the potential of pavement deterioration, as well as railroad warping or buckling. High heat also puts a strain on energy systems and consumption, as air conditioners are run at a higher rate and for longer. Extreme heat can also reduce transmission capacity over electric systems.

Winter Storm

Roads are especially susceptible to the effects of a winter storm, which can temporarily hinder transportation and require resources for snow removal. As noted under the people section, heavy snow accumulation may also lead to downed power lines not only causing disruption to customers but also have potentially negative impacts on critical facilities in the county which may have cascading impacts on the City's ability to operate.

Historic, Cultural, and Natural Resources

Thunderstorm, Hail, Lightning and High Wind

Severe weather is part of a natural environmental process. As a natural process, the impacts of most severe weather by themselves are part of the overall natural cycle and do not cause long-term consequential damage. Historic buildings within any of the City's Historic Districts could potentially be more vulnerable to roof and structural damage from any of the severe weather hazards profiled in this section. Environmental impacts include the sparking of potentially destructive wildfires by lightning and localized flattening of plants by hail, broken tree branches and wildfire spread caused by wind.

Extreme Temperatures

Both extreme cold and heat can cause stress to natural vegetation. Large amounts of dead vegetation may increase vulnerability to other natural hazards such as wildfire.

Winter Storm

Natural resources may be damaged by the severe winter weather, including broken trees and death of wildlife. Unseasonable storms may damage or kill plant and wildlife, which may impact natural food chains until the next growing seasons. Most of these impacts would be short-term.

Future Development

Severe Weather: Thunderstorm, Hail, Lightning, Extreme Temperatures, High Wind, and Winter Storms

New critical facilities, such as communication towers should be built to withstand heavy rain, high wind and hail damage. Future development projects should consider severe weather hazards at the planning, engineering, and architectural design stage with the goal of reducing vulnerability. Development trends in the City are not expected to increase overall vulnerability to the hazard, but population growth will increase potential exposure to hazards such as lightning. Future buildings that conform to current building codes should be able to withstand snow loads from severe winter storms.

Risk Summary

- The City of Santa Fe is vulnerable to a variety of impacts from different types of severe weather.
- Regular snowfall occurs between the months of October and April. Heavy summertime precipitation occurs between July and August.

- The NOAA NCEI Storm Events Database has recorded a total of 533 severe weather events for the Santa Fe County since 1960. Winter weather hazards were the most common recorded event for the Santa Fe Metro Area.
- Recorded NCEI events show a total of 7 fatalities, 1 injury and $521,100 in property damages. Lighting only has resulted in $63,000 in property damages. High wind alone resulted in $428,100 in property damages.
- Hail has the majority of recorded events for the County with 109 events. The average hail size for the City of Santa Fe is between 1.25" and 1.75".
- Climate change has the potential to affect the variability and intensity of severe weather events, including the increase of intensity of monsoon precipitation events and reduce the frequency of extreme cold, snow and winter storm events.
- *Related hazards:* Flood, Wildfire, Tornado

Location	Probability of Future Occurrence	Extent (Magnitude/Severity)	Overall Significance
Extensive	Highly Likely	Limited	Medium

4.3.5 Tornado

Hazard Description

Tornadoes affect the City of Santa Fe primarily during the rainy season in the late fall and early spring. Tornadoes form when cool, dry air sits on top of warm, moist air. Tornadoes are rotating columns of air marked by a funnel-shaped downward extension of a cumulonimbus cloud whirling at destructive speeds of up to 300 mph, usually accompanying a thunderstorm. Tornadoes are the most powerful storms that exist. They can have the same pressure differential across a path only 300 yards wide or less as 300-mile-wide hurricanes.

Tornadoes can cause damage to property and loss of life. While most tornado damage is caused by violent winds, the majority of injuries and deaths generally result from flying debris. Property damage can include damage to buildings, fallen trees and power lines, broken gas lines, broken sewer and water mains, and the outbreak of fires. Access roads and streets may be blocked by debris, delaying necessary emergency response.

Location

A tornado can strike anywhere in the city, and all areas of the city are equally susceptible to tornado hazards. Size and length of a tornado can be extrapolated using surrounding county data. While the average length of the NCEI recorded tornadoes in Santa Fe County is 1.4 miles, the maximum length is 15.8 miles. The average recorded tornado width in the county is 30 yards, with 60 yards being the recorded maximum.

Due to varying atmospheric conditions and characteristics of the thunderstorm, it is difficult to extrapolate potential dimensions for an EF5 tornado. With the correct conditions, though, the city could experience an EF5 tornado.

Extent (Magnitude/Severity)

Prior to February 1, 2007, tornado intensity was measured by the Fujita (F) scale. This scale was revised and is now the Enhanced Fujita scale. Both scales are sets of wind estimates (not measurements) based on damage. The new scale provides more damage indicators (28) and associated degrees of damage, allowing for more detailed analysis and better correlation between damage and wind speed. It is also more precise because it takes into account the materials affected and the construction of structures damaged by a tornado. Table 4-30 shows the wind speeds associated with the original Fujita scale ratings and the damage that could result at different levels of intensity. Table 4-30 shows the wind speeds associated with the Enhanced Fujita Scale ratings.

Table 4-30 Fujita Scale

Fujita (F) Scale	Fujita Scale Wind Estimate (mph)	Typical Damage
F0	< 73	Light damage. Some damage to chimneys; branches broken off trees; shallow-rooted trees pushed over; sign boards damaged.
F1	73-112	Moderate damage. Peels surface off roofs; mobile homes pushed off foundations or overturned; moving autos blown off roads.
F2	113-157	Considerable damage. Roofs torn off frame houses; mobile homes demolished; boxcars overturned; large trees snapped or uprooted; light-object missiles generated; cars lifted off ground.
F3	158-206	Severe damage. Roofs and some walls torn off well-constructed houses; trains overturned; most trees in forest uprooted; heavy cars lifted and thrown.
F4	207-260	Devastating damage. Well-constructed houses leveled; structures with weak foundations blown away some distance; cars thrown and large missiles generated.
F5	261-318	Incredible damage. Strong frame houses leveled off foundations and swept away; automobile-sized missiles fly through the air in excess of 100 meters (109 yards); trees debarked; incredible phenomena will occur.
F0	< 73	Light damage. Some damage to chimneys; branches broken off trees; shallow-rooted trees pushed over; sign boards damaged.

Source: National Oceanic and Atmospheric Administration Storm Prediction Center

Table 4-31 Enhanced Fujita Scale

Enhanced Fujita (EF) Scale	Enhanced Fujita Scale Wind Estimate (mph)
EF0	65-85
EF1	86-110
EF2	111-135
EF3	136-165
EF4	166-200
EF5	Over 200

Source: National Oceanic and Atmospheric Administration Storm Prediction Center

Historically, the highest-rated tornado occurring in the county was rated F1 on the Fujita Scale; once the switch was made to the Enhanced Scale, the highest-rated historical tornado was an EF0, with the last

recorded on May 9, 2017. Nationally, 80% of tornadoes are rated EF0 or EF1. According to the records of the NCEI the highest rated tornadoes occurring in the state of New Mexico was rated F3, with the last F3 occurring in May 1977. This provides a historical basis to suggest a likely maximum tornado strength in the county and the planning area, though atmospheric conditions could hypothetically still produce a tornado that could rate up to an EF5.

Previous Occurrences

According to the National Weather Service notes the following tornadoes striking the City of Santa Fe:

May 12, 1883 – a small home was destroyed in Santa Fe, two homes were unroofed, and a bank and other businesses were damaged by an F2 tornado.

April 15, 1971 – an F1 tornado moved in the southwestern part of the City of Santa Fe, damaging 12 homes. Most of the damage was confined to roofs, fences, windows, carports and outbuildings.

June 29, 1991 – the public reported an F0 tornado during the mid-afternoon hours which ripped eight trees out of the ground and snapped off another. It also caused damage to a workshop roof but left a mobile home fifty yards away untouched.

The HMPT added that in 2017 an event caused a small amount of damage near the City in the Agua Fria area. In surrounding Santa Fe County, 26 tornadoes occurred between 1950 and 2018 (NCEI). The vast majority of these incidents were rated F0/EF0, with remaining three rated as F1. The storms caused $442,280 in property damage, one injury and no fatalities or crop damage.

Probability of Future Occurrences

Between 1950 and 2018, 26 tornadoes have been recorded in greater Santa Fe County. Given the footprint of the City is much smaller it is less likely a tornado will hit the city limits, but the exact probability is difficult to refine due to the difficulty in predicting where and when tornadoes will occur. With two recorded tornadoes in the last 50 years in City limits that equates to roughly a 4% chance per year.

Climate Change Considerations

Currently, there is not enough data or research to quantify the magnitude of change that climate change may have related to tornado or wind frequency and intensity. NASA's Earth Observatory has conducted studies which aim to understand the interaction between climate change and tornadoes. Based on these studies meteorologists are unsure why some thunderstorms generate tornadoes and others don't, beyond knowing that they require a certain type of wind shear. Tornadoes spawn from approximately one percent of thunderstorms, usually supercell thunderstorms that are in a wind shear environment that promotes rotation. Some studies show a potential for a decrease in wind shear in mid-latitude areas. Because of uncertainty with the influence of climate change on tornadoes, future updates to the mitigation plan should include the latest research on how the tornado hazard frequency and severity could change. The level of significance of this hazard should be revisited over time.

Vulnerability Assessment

People

Populations are the most vulnerable to tornadoes, but the low probability and likely low intensity of tornadoes in and around Santa Fe temper this vulnerability. The availability of sheltered locations such as basements, buildings constructed using tornado-resistant materials and methods, and public storm shelters, all reduce the exposure of the population. However, there are also segments of the population

that are especially exposed to the indirect impacts of tornadoes, particularly the loss of electrical power. These populations include the elderly or disabled, especially those with medical needs and treatments dependent on electricity. The 30 medical care facilities in the City include senior centers and the VA Medical Facilities as well as Community Based Residential Facilities, and other special needs housing facilities are especially vulnerable if electrical outages are prolonged, since backup power generally operates only minimal functions for a short period of time.

Between 1950 and March 2019, Santa Fe has experienced no injuries or fatalities due to a tornado. In the same timeframe, Santa Fe County has experienced one recorded injury and no fatalities directly caused by a tornado - on July 7, 2015, a metal barn used for hay storage was tossed a quarter of a mile by an EF0 tornado and slammed into a house where a woman inside was injured by flying glass. Statewide, New Mexico has seen five deaths and 162 injuries as a direct result of a tornado. The majority of these were due to building collapses and flying debris. Two fatalities and 45 injuries were caused by a tornado outbreak on March 23, 2007; the outbreak occurred in Quay, Chaves, De Baca, Union, Roosevelt and Curry counties simultaneously.

Economy

Economic impacts are dependent on the size and path of the tornado. A tornado with a path through the city could potentially have tremendous economic impacts, including loss of business, transportation system impacts and rebuilding costs. These impacts will be felt more strongly by individuals who lack the means to rebuild or relocate.

Built Environment

General damages are both direct (what the tornado physically destroys) and indirect, which focuses on additional costs, damages and losses attributed to secondary hazards spawned by the tornado, or due to the damages caused by the tornado. Depending on the size of the tornado and its path, a tornado is capable of damaging and/or destroying almost anything. Construction practices and building codes can help maximize the resistance of the structures to damage. It should also be noted that few homes in Santa Fe have basements, removing a normal "safe space" for shelter if tornadoes do occur.

Secondary impacts of tornado damage often result from damage to infrastructure. Downed power and communications transmission lines, coupled with disruptions to transportation, create difficulties in reporting and responding to emergencies. These indirect impacts of a tornado put tremendous strain on a community. In the immediate aftermath, the focus is on emergency services.

No tornado damages were recorded for the city specifically. Historically damaging tornadoes in the County cause an average of $49,000 worth of damage to property, and no reported damage to crops, according to NCEI data.

According to data derived from the NWS, property damages included damage to homes, roofs, fences, windows, carports, outbuildings and tree damages.

Critical Facilities and Infrastructure

All city critical facilities/lifelines that is above ground are considered to be equally exposed to tornado hazards. Due to the random nature of a tornado's strength and path, a more specific risk assessment was not conducted for this plan.

Historic, Cultural, and Natural Resources

Tornadoes can cause damage to the natural environment, uprooting trees and other debris; there is historical precedent for this in the city. This is seldom permanent, however, and the environment will

return to its original state in time. Historic buildings built prior to modern building codes within any of the City's Historic Districts could potentially be more vulnerable to roof and structural damage from a tornado event.

Future Development

As the City continues to add population, the number of people and housing developments exposed to the hazard increases. Proper education on building techniques and the use of sturdy building materials, basements, attached foundations, and other structural techniques may minimize the property vulnerabilities. Public shelters at parks and open spaces may help reduce the impacts of tornadoes on the recreational populations exposed to storms.

Risk Summary

- 3 tornado events have occurred in the City of Santa Fe but damage has been limited and sporadic.
- Tornadoes mainly occur during the late fall and early spring.
- Specific impacts and vulnerabilities are difficult to predict due to the random nature of tornadoes, but a lower likelihood of occurrence suggests the overall significance is low.
- Related hazards: Severe Weather

Location	Probability of Future Occurrence	Extent (Magnitude/Severity)	Overall Significance
Limited	Occasional	Limited	Low

4.3.6 Wildfire/Wildland Urban Interface

Hazard Description

A wildfire is a fire burning uncontrolled on lands covered wholly or in part by timber, brush, grass, grain or other inflammable vegetation. There are several types of wildfires. Prescribed fires are planned fires ignited by land managers to accomplish specific natural resource improvement objectives. Fires that occur from natural causes, such as lightning, that are then used to achieve management purposes under carefully controlled conditions with minimal suppression costs are known as wildland fire use (WFU). Wildfires are unwanted and unplanned fires that result from natural ignition, unauthorized human-caused fire, escaped WFU, or escaped prescribed fire. A wildland-urban interface (WUI) fire is a wildfire occurring in areas where structures and other human developments meet or intermingle with wildland vegetation-fuels. WUI fires are a specific concern because they directly pose risks to human lives, property, structures, and critical infrastructure more so than the other types of wildland fires.

Wildland fire is an ongoing concern for all jurisdictions include the City within Santa Fe County. Generally, the worst fires occur from May to July of each year, before monsoon rains temper the risk during hotter, drier months. Fire conditions arise from a combination of high temperatures, low moisture content in the air and fuel, accumulation of vegetation, and high winds.

WUI fires are the most damaging because they occur where the natural and urban development intersect. Even relatively small acreage fires can result in disastrous damages. In the WUI, structures and vegetation are sufficiently close so that a wildland fire could spread to structures or a structure fire could ignite vegetation.

Generally, there are three major factors that sustain wildfires and allow for predictions of a given area's potential to burn. These factors include fuel, topography, and weather. The WUI/Wildland Fire Hazard and Risk Analysis for the City of Santa Fe (2006) and the Community Wildfire Protection Plan (CWPP) for Santa Fe County both give great details regarding these factors, which are summarized below.

Fuel

Fuel is the material that feeds a fire and is a key factor in wildfire behavior. Fuel is generally classified by type and by volume. Fuel sources are diverse and include everything from dead tree needles and leaves, twigs, and branches to dead standing trees, live trees, brush, and cured grasses. Also, to be considered as a fuel source, are man-made structures and other associated combustibles. The type of prevalent fuel directly influences the behavior of wildfire. Light fuels such as grasses burn quickly and serve as a catalyst for fire spread. Fuel is the only factor that is under human control.

Vegetation in the City ranges from open grasslands to dense canopies of mixed conifer. The most common native vegetation found in the Planning Area is piñon/juniper. The type of vegetation in the City depends on the elevation. According to the 2006 WUI/Wildland Fire Hazard and Risk Analysis document, other significant vegetation in the City of Santa Fe are as follows; grasslands found primarily in the western portion of the Planning Area at lower elevations, Ponderosa/Gambel Oak found at high elevations in the eastern portion of the City on slopes and in canyons of the foothills, and riparian plants found throughout the urban and semi-urban areas of the City near streams, arroyos, and seeps or springs. Each plant association type offers distinct characteristics of potential fire intensity, fire rate of spread, and probability of fire ignition.

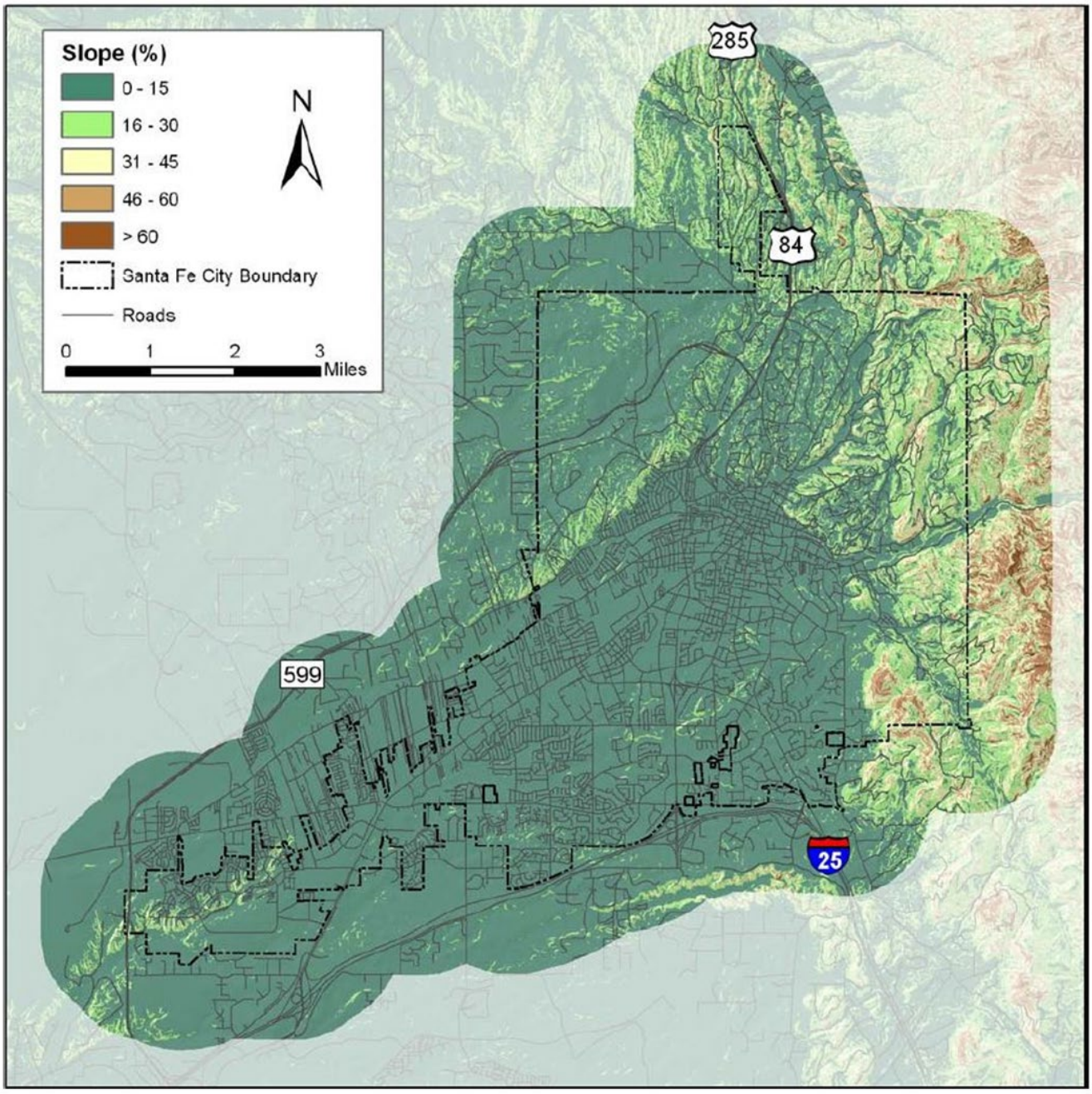
Topography

An area's terrain and land slopes affect its susceptibility to wildfire spread. Fire intensities and rates of spread increase as slope increases due to the tendency of heat from a fire to rise via convection. The natural arrangement of vegetation throughout a hillside can also contribute to increased fire activity on slopes. Terrain factors influencing fire behavior cannot be modified. Fires often run rapidly up steep slopes and are often pushed up or down canyons by daily cycles of wind direction.

The City has dramatic elevations varying from 5,935 feet (ft) in the western portion of the City to over 8,000 ft. in the eastern portion of the City. Wildfires tend to spread faster uphill and the percent of slope is an important factor in determining the types of treatments that should be implemented.

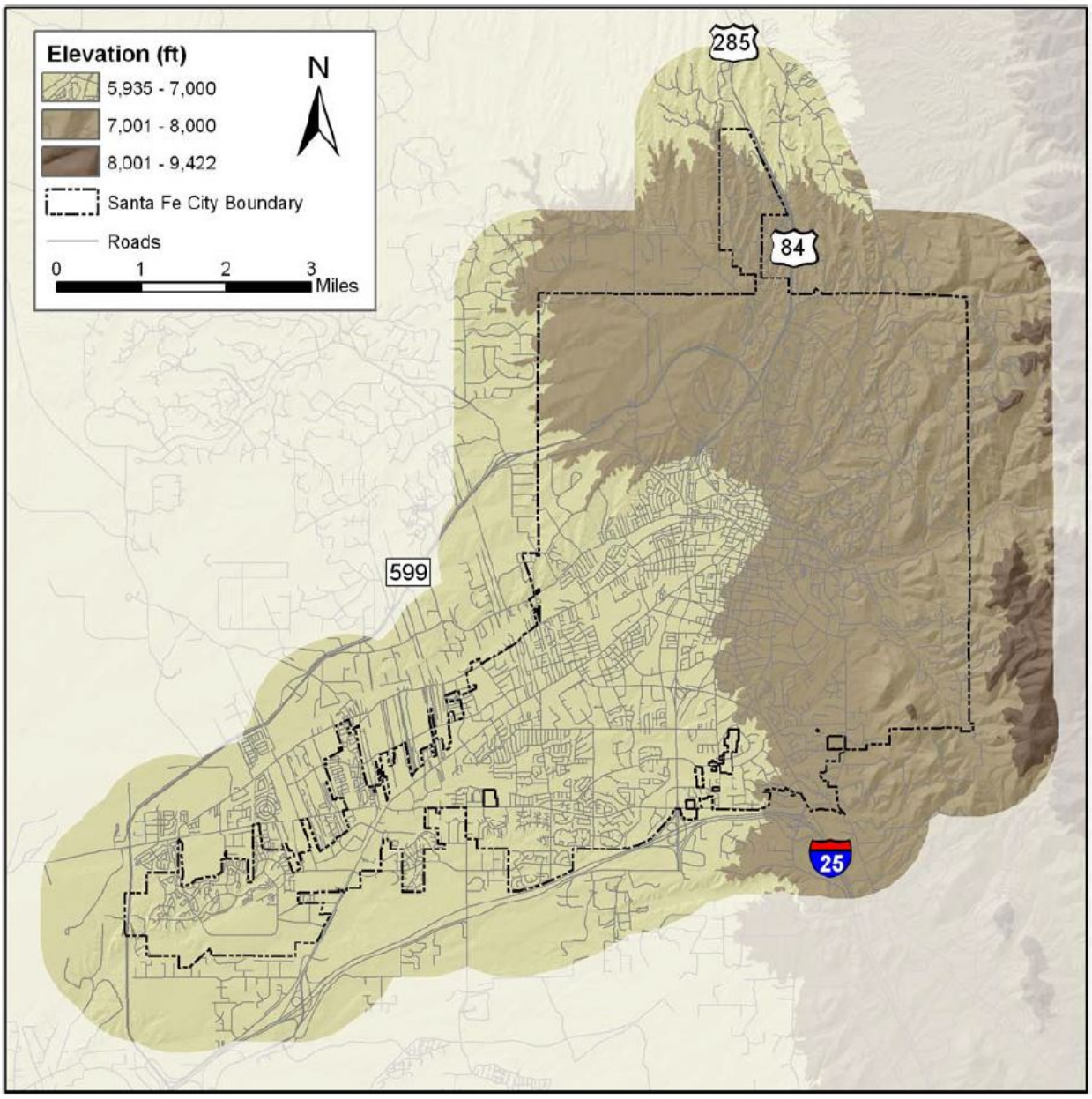
The following maps from the 2006 WUI/Wildland Fire Hazard and Risk Analysis document show the varying elevation and topography of the Planning Area.

Figure 4-20 City of Santa Fe Percent Slope



Source: City of Santa Fe Wildland Urban Interface/Wildland Fire Hazard and Risk Analysis, 2006

Figure 4-21 City of Santa Fe Elevation



Source: City of Santa Fe Wildland Urban Interface/Wildland Fire Hazard and Risk Analysis, 2006

Weather

Weather components such as temperature, relative humidity, wind, and lightning also affect the potential for wildfire. High temperatures and low relative humidity dry out the fuels that feed wildfire, creating a situation where fuel will more readily ignite and burn more intensely.

Differences in topographical characteristics throughout Santa Fe County and the City of Santa Fe contribute to the weather patterns in the Planning Area. The state generally has a mild, arid to semi-arid continental climate characterized by abundant sunshine, light total precipitation, low relative humidity, and relatively large annual and diurnal temperature ranges. July is generally the warmest month. The mean annual precipitation within Santa Fe County is typically light. July and August mark the onset of the

region's monsoonal weather patterns and are typically the hottest and wettest months of the year, accounting for 30% to 40% of the state's annual precipitation as a whole. These storms also generate frequent lightning activity, which may result in multiple fire ignitions from each storm.

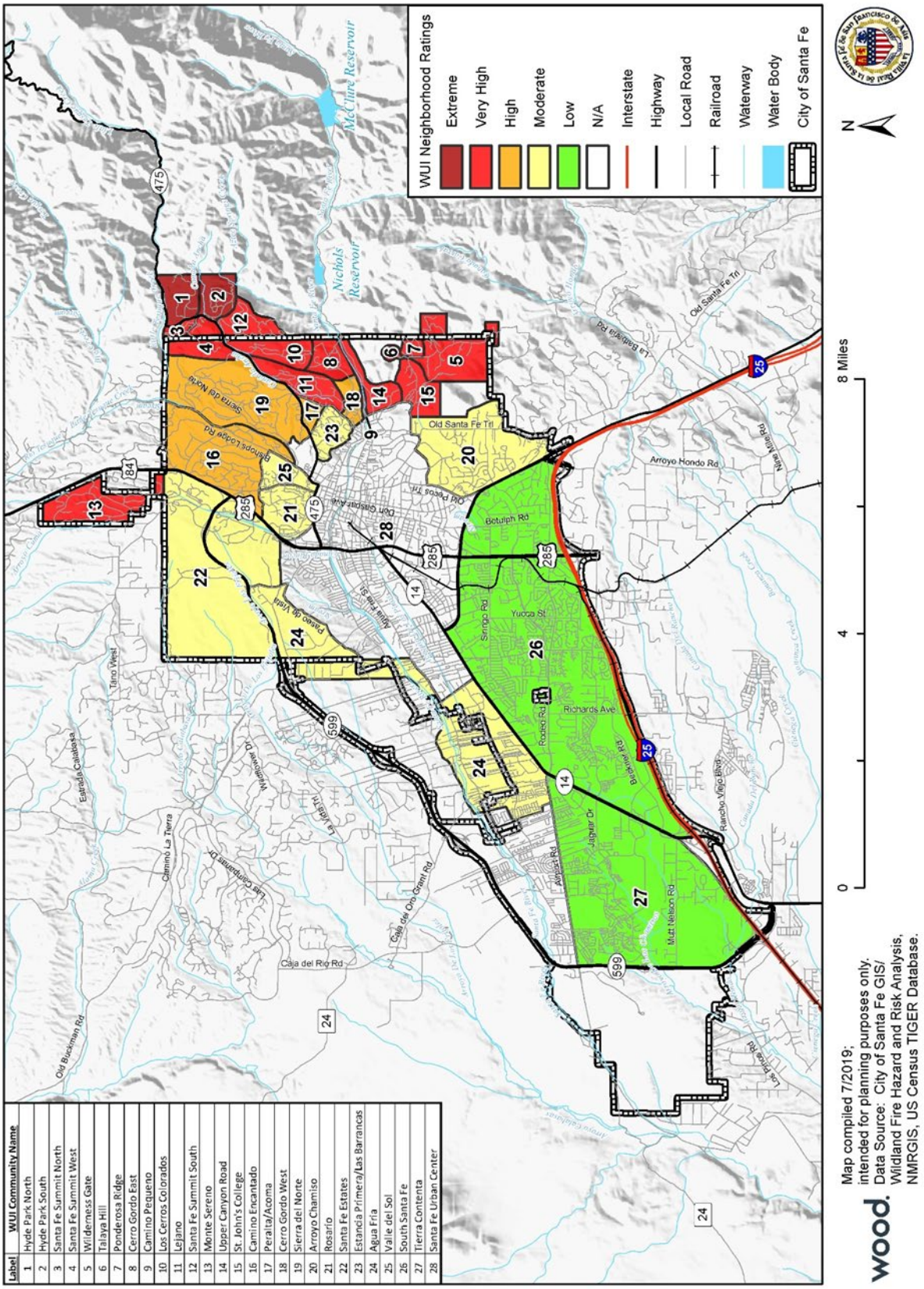
Winter is the driest season in New Mexico. Overall, the climate in the State of New Mexico consists of cyclical drought/wet year patterns. The 2018 National Climate Assessment Report indicates increased drought in New Mexico and projects this pattern to continue through 2050.

Location

The neighborhoods within the WUI, as defined in the City of Santa Fe Wildland Urban Interface – Wildland Fire Hazard and Risk Analysis (Anchor Point September 2006), and their hazard ratings are shown in the figure below. Two neighborhoods, South Santa Fe and Tierra Contenta (numbers 26 and 27 on map) as well as the Urban Center are considered to be at low risk of wildfire. The remaining 25 neighborhoods identified in the WUI are at moderate to extreme risk. With the highest concentration of high, very high and extreme risk being on the northern and eastern portions of the City which also have the greatest percentage of steep slopes and higher elevation. Refer to the Vulnerability Assessment below for a more in-depth parcel analysis for the WUI neighborhoods.

The City's close proximity to the Santa Fe National Forest, which borders the City limits on the east and is also approximately 5 miles west of the City, poses a risk of direct and indirect impacts of wildfires if they were to occur in the Forest as well an increased risk for those neighborhoods in the eastern portion of the city.

Figure 4-22 Wildland Urban Interface (WUI) Neighborhood Hazard Ratings



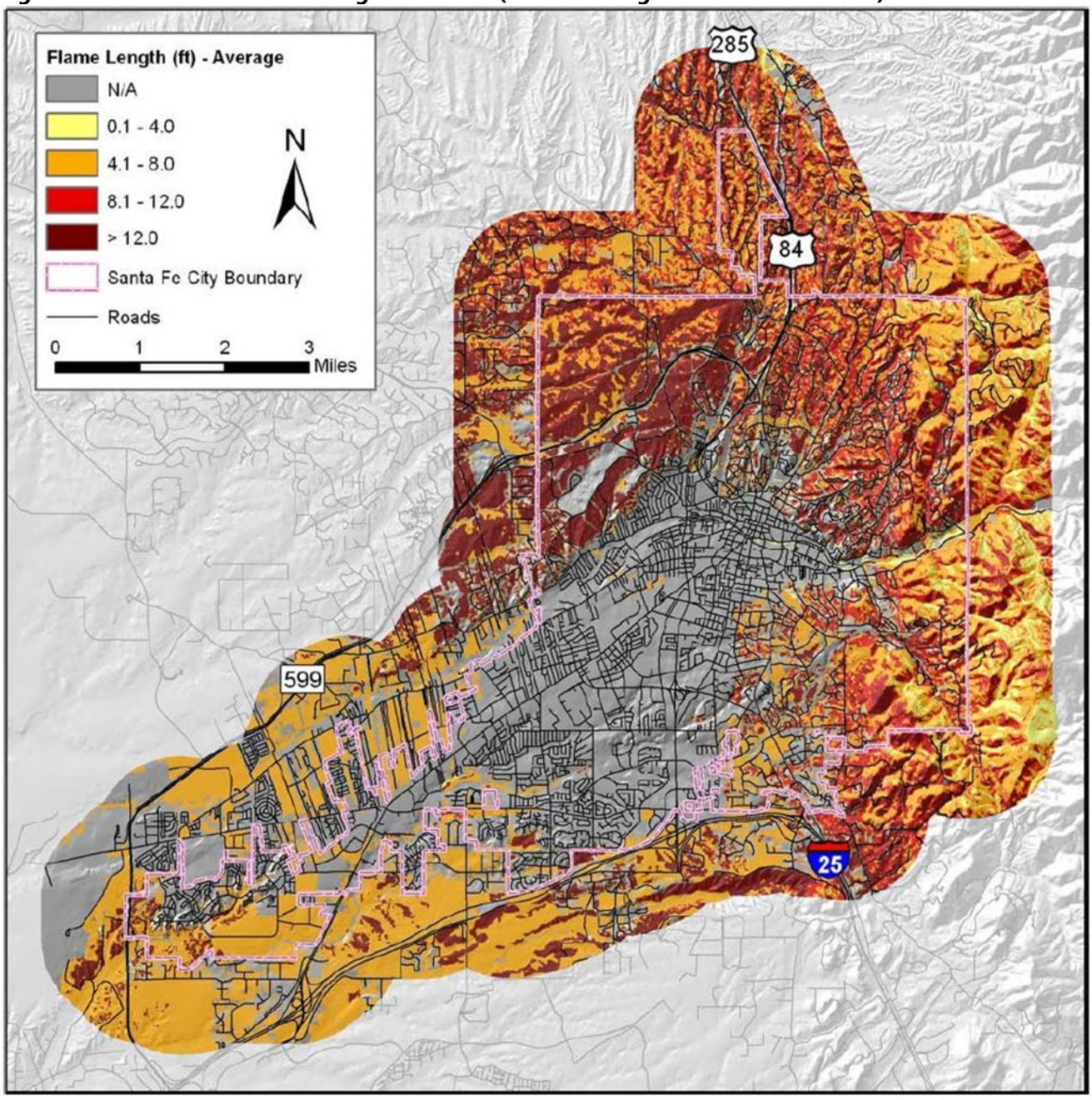
Extent (Magnitude/Severity)

As shown in Figure 4-12 above, almost every neighborhood in the City of Santa Fe is located within the WUI although the risk various depending on certain factors within the neighborhood (i.e. fuels, topography, and other environmental conditions). Risk refers to the potential and frequency with which wildfire ignitions might occur; hazard refers to those conditions of fuels, topography, and other environmental conditions, as well as the relative degree of defensibility that affect the behavior of fires within the interface. According to the HMPT, high risk areas have undergone thinning and fuel reduction projects for several years but there continues to be large sections of the Fire Department's response area that is vulnerable and due to its geographic location, it could make evacuating those areas challenging.

The City's Wildfire Hazard and Risk Assessment study generated Fire Behavior Potential maps for average weather conditions of a fire season day to show the potential flame length and rate of spread that could be generated. Flame length is defined as the distance between the flame tip and the midpoint of the flame depth at the base of the flame and is an indicator of fire intensity.

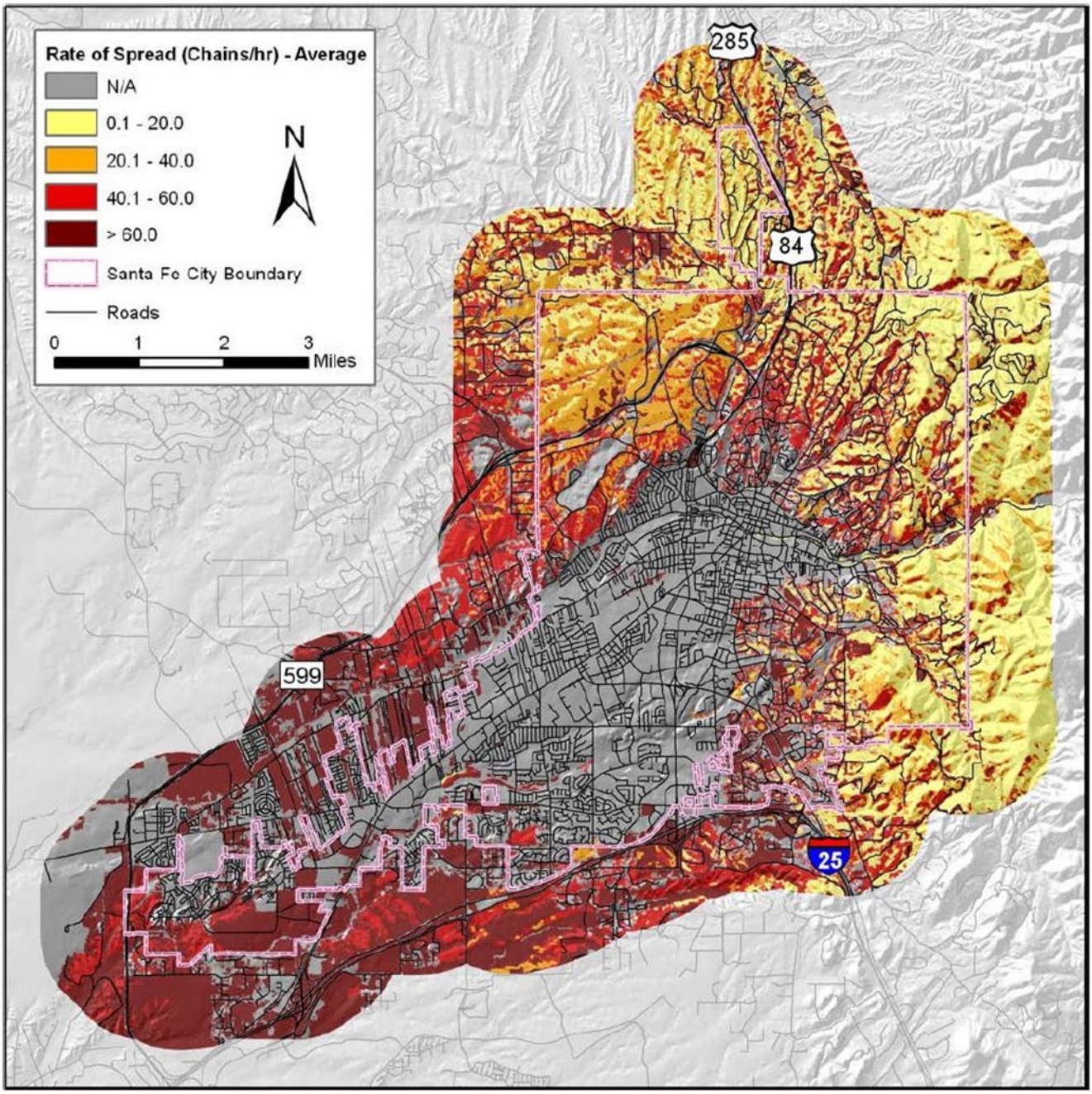
According to a nationwide analysis of wildfire risk (Core Logic 2019 Wildfire Risk Report) the City of Santa Fe ranks 12th out of 15 metropolitan areas in the western United States, based on a count of combined high- and extreme-risk properties (23,546) and reconstruction cost value ($7.28 Billion).

Figure 4-23 Wildfire Flame Length Potential (Under Average Weather Conditions)



Source: City of Santa Fe Wildland Urban Interface/Wildland Fire Hazard and Risk Analysis, 2006

Figure 4-24 Wildfire Rate of Spread Predications (Under Average Weather Conditions)



Source: City of Santa Fe Wildland Urban Interface/Wildland Fire Hazard and Risk Analysis, 2006

*Chain is a logging and fire line measurement 1 chain = 66 feet 80 chains/hour = 1 MPH

Previous Occurrences

There have been numerous wildfires within Santa Fe County and in the vicinity of the City of Santa Fe. The Federal Wildland Fire Occurrence database, maintained by the USGS and other agencies, includes perimeter and point GIS layers for fires on public lands throughout the United States. The data includes fires dating back to 1980. The National Park Service, Bureau of Land Management, and US Forest Service reports include fires of 10 acres and greater. The database is limited to fires on federal lands. Some fires

may be missing altogether or have missing or incorrect attribute data. Some fires may be missing because historical records were lost or damaged, fires were too small for the minimum cutoffs, documentation was inadequate, or fire perimeters have not yet been incorporated into the database. Also, agencies are at different stages of participation. For these reasons, the data should be used cautiously for statistical or analytical purposes. According the County's 2018 Hazard Mitigation Plan, there have been 17 wildfires recorded in the Federal database for the County that exceed 100 acres since 1970, some of which have burned close to the city.

The June 2003 Molina Complex Fire, which was caused by lightning, burned 900 acres and was within 10 miles of city limits. The June 2011 Pacheco Fire came within 2 miles of Ski Santa Fe ski area and threatened the Santa Fe Municipal Watershed, an important source of drinking water for the City of Santa Fe; this watershed was also threatened by the McClure Fire in 2016. The Las Conchas Fire which also took place in June of 2011, started in the Santa Fe National Forest north of the City and burned more than 150,000 acres, threatening the Los Alamos National Laboratory and the town of Los Alamos. Despite these fires burning outside of the City of Santa Fe limits, residents were affected by smoke and it had an economic impact to tourism as well as the closing of the Los Alamos National Laboratory (LANL), a large employer in the City of Santa Fe area.

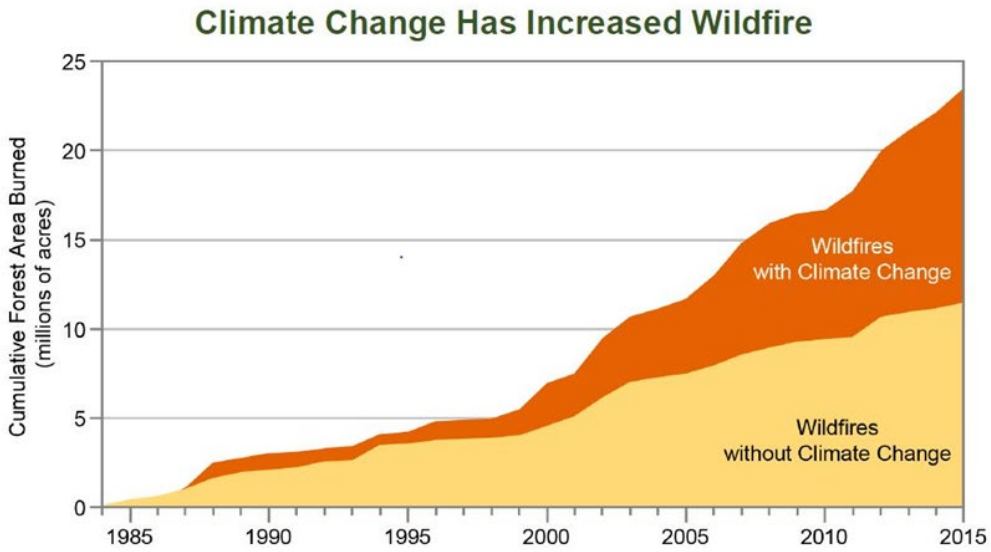
Probability of Future Occurrences

According to the US Forest Service, wildfires can occur at any time of day and during any month of the year, but the peak fire season in New Mexico is normally from May through July. There have been several large wildfires in recent history that have come in close proximity of the City limits and the City's assets. The threat of wildfire and potential losses constantly increase as human development and population increase in the wildland urban interface area in the City. This results in a likely rating of future occurrence.

Climate Change Considerations

The effects of climate change can already be seen in the Southwest region of the United States; including rising temperatures, intensified drought events, and increased susceptibility to invasive species. According to the Fourth National Climate Assessment (2018), wildfires have burned twice as many acres across the western United States between 1985 and 2015 than would have burned had climate change not been occurring.

Figure 4-25 Climate Change and Wildfire Events



Source: Fourth National Climate Change Assessment, 2018

Under current climate change scenarios, hotter and drier temperatures are expected to continue. With higher temperatures and prolonged drought events the severity, frequency, and geographic extent of wildfire events are likely to also increase. The changing climate has also been shown to contribute to tree mortality due to invasive species and drought making vegetation more susceptible to burning. This combination of increased wildfire events and drier conditions may also expand deserts and even change parts of New Mexico's landscape (Environmental Protection Agency 2016).

Vulnerability Assessment

People

The most exposed population are those living in the wildland-urban interface (WUI) zones, where residential properties are directly intruding into traditional wildland areas. The exposure of the population in these zones increases with the exposure of the corresponding built environment, examined in the section below. Other exposed groups include children, the elderly, or those with breathing conditions who may be exposed to high levels of smoke. Populations living in long term care facilities or other skilled care facilities face additional exposures because of increased evacuation times and the potential that the population may be required to shelter in place. Low-to-moderate income households are also more vulnerable due to the financial burdens caused by property damages or health impacts.

Economy

A major wildfire can cause many economic impacts, depending on the location and size of the fire. Economic impacts could include direct fire damage to buildings and facilities, with cascading impacts associated with road closures and the accumulation of fire suppression costs. Since the economy of the City relies heavily on recreation and tourism, wildfires can have a significant indirect impact when tourists avoid the City during times of fire. A wildfire affecting the Santa Fe National Forest and the local ski areas could have significant economic impacts on the City itself. A wildfire event outside of city limits could also have an impact of workers being able to commute to and from work as was seen in the 2011 Las Conchas Fire.

Built Environment

Any flammable materials are vulnerable during a wildfire, including structures and personal property. The vulnerability of general property increases as the distance of the property to wildfire-prone areas decreases and is particularly high for structures located in the WUI. These structures receive an even higher level of vulnerability if the properties surrounding them are not properly mitigated for fire. Appropriate mitigation techniques include using non-flammable materials such as ignition-resistant construction, leaving appropriate spaces between buildings and vegetation, landscaping with non-flammable materials (such as decorative rock or stone), and clearing of underbrush and trees. If a wildland fire were to cross completely into an urban zone, the damage could be extensive and there would likely be a higher exposure of property and homes themselves become fuel in extreme fire weather conditions.

Potential losses to the City of Santa Fe from wildfire was analyzed by using the WUI Community layer from the 2006 WUI/Wildland Fire Hazard and Risk Analysis with parcel data and structure address point data provided by the City of Santa Fe GIS Department.

The WUI layer contains communities throughout the county with associated hazard ratings that range from Low, Moderate, High to Very High. The community ratings are based on the methodology described in the 2006 WUI/Wildland Fire Hazard and Risk Analysis.

GIS was used to intersect the address points layer to obtain number of buildings per parcel. The WUI layer was overlaid in GIS on the structure data to identify structures in each WUI community. Structure improvement values and counts for those points were then extracted from the parcel/assessor's data and summed for the WUI Communities. Contents values were also estimated (see discussion in flood vulnerability discussion). Results of the overlay analysis area shown in

Table **4-32** and Table 4-33 and are sorted by property type, and by WUI community.

The results indicate that over $51 billion in total property value and 25,196 structures (64% of all structures within the city limits) are potentially exposed to wildfire hazards. A majority of these structures are located in neighborhoods that have a low WUI rating, while over 8,000 structures are located within the moderate to extreme WUI rating. The exposure values for wildfire can be considered equivalent to loss estimates, as typically the entire structure and contents are consumed by wildfires. It would be extremely rare, however, for a wildfire to affect all the at-risk communities simultaneously.

Property type refers to the land use of the parcel and includes commercial, exempt (county, federal, state), lot with mobile home, open spaces/parks, residential (condominium, multi-unit, single family) and vacant. Based on the analysis 64% of properties exposed are residential properties. A majority of the exposed residential properties are single family (15,864) followed my multi-unit residential properties (3,790) and condominiums (3,558). Commercial properties are the second parcel type that most at risk of a wildfire event, with nearly 2,000 properties located within the WUI. The following tables show the exposure by property type within the WUI and the neighborhoods in which they are located in.

Table 4-32 Property Type Exposure Within the WUI

Parcel Type	WUI Rated Address Point Count	Estimated Improved Value per WUI Rated Address Point	Content Value for WUI Rated Address Points	Total Value of WUI Rated Address Points
Commercial	1,878	$5,846,752,361	$5,846,752,361	$11,693,504,722
Exempt	19	$15,929,277	--	$15,929,277
Lot with Mobile Home	66	$1,848,812	$924,406	$2,773,218
Multi-Unit Residential	3,790	$22,081,836,375	$11,040,918,187	$33,122,754,562
Open Spaces/Parks	4	$62,824	--	$62,824
Residential: Condo	3,558	$916,361,307	$458,180,653	$1,374,541,960
Single Family Residential	15,864	$3,776,792,239	$1,888,396,119	$5,665,188,358
Vacant	17	$22,033,615	--	$22,033,615
TOTAL	**25,196**	**$32,661,616,810**	**$19,235,171,727**	**$51,896,788,537**

Source: City of Santa Fe GIS Dept., Wood Plc analysis

Table 4-33 WUI Rated Address Points by Community*

WUI Community Name	WUI Rating	Address Point Count
Agua Fria	Moderate	3,032
Arroyo Chamiso	Moderate	1,070
Camino Encantado	High	604
Camino Pequeno	Very High	13
Cerro Gordo East	Very High	130
Cerro Gordo West	High	279
Estancia Primera/Las Barrancas	Moderate	313
Lejano	Very High	143
Los Cerros Colorados	Very High	87
Monte Sereno	Very High	63
Peralta/Acoma	High	61
Ponderosa Ridge	Very High	14
Rosario	Moderate	619
Santa Fe Estates	Moderate	1,001
Santa Fe Summit West	Very High	19
Sierra del Norte	High	473
South Santa Fe	Low	11,977
St. John's College	Very High	117
Talaya Hill	Very High	10
Tierra Contenta	Low	4,593
Upper Canyon Road	Very High	217
Valle del Sol	Moderate	311

WUI Community Name	WUI Rating	Address Point Count
Wilderness Gate	Very High	50
TOTAL		**25,196**

Source: City of Santa Fe GIS Dept., Wood Plc analysis

*Analysis accounts for address points within city limits

Critical Facilities and Infrastructure

The following tables show the results from the GIS analysis to identify facilities at increased risk from a wildfire. In total there are 162 critical facilities within the WUI area. The most common type of facility are communication towers (64) followed by government services (33). While the very high risk WUI area has the fewest amount of critical facilities (4), the majority of the facilities are schools (2) and a preschool/daycare. Table 4-34 is a summary of critical facilities located in each WUI rating. Table 4-35 shows the breakdown by lifeline and component.

Table 4-34 Summary of Critical Facilities in WUI Rated Areas

WUI Rating	CF Total
Low	111
Moderate	46
High	1
Very High	4
TOTAL	**162**

Source: City of Santa Fe GIS Dept., Wood Plc analysis

Table 4-35 Summary of Critical Facilities in WUI Rated Areas by Lifeline and Component

Lifeline	Component	CF Total
Safety and Security	Law Enforcement/Security	3
	Fire Services	5
	Government Services	33
Food/Water/Shelter	Water	15
	Shelter	6
Health and Medical	Medical Care	12
	Public Health	1
Energy	Power	3
Communications	Infrastructure	64
Hazardous Materials	Facilities	1
Other	Community Services	2
	Daycare	10
	Schools	7
TOTAL		**162**

Source: City of Santa Fe GIS Dept., Wood Plc analysis

The following table show the breakdown of critical facilities by WUI community.

Table 4-36 Summary of Critical Faculties by WUI Community

WUI Rating	WUI Community Name	CF Total
Moderate	Agua Fria	23
Moderate	Arroyo Chamiso	9
High	Camino Encantado	1
Very High	Los Cerros Colorados	1
Moderate	Santa Fe Estates	9
Low	South Santa Fe	74
Very High	St. John's College	1
Low	Tierra Contenta	37
Very High	Upper Canyon Road	2
Moderate	Valle del Sol	5
TOTAL		**162**

Source: City of Santa Fe Dept., Wood Plc analysis

Historic, Cultural, and Natural Resources

The City is home to six historic districts and three archeological districts as summarized under Section 4.2 of this document. The historic structures within these districts are sensitive in nature and may not have been built according to the latest building codes due to their age, it is expected that they might be at risk of wildfires (e.g. because of their potential inability to withstand significant heat). However, many of the historic buildings are adobe which is less prone to ignition and generally more wildfire resistant.

Fire is a keystone process in the natural environment, providing many benefiting impacts to the surrounding habitat. Some natural resources and natural areas may benefit from wildland fire, as at some level they must also be exposed to wildfire for a healthy ecological development of the area. However, years of fire suppression has led to more intense wildfire events. Extremely hot fires can result in habitat loss, watershed damage and increased erosion, and other impacts that could take decades to recover.

The Santa Fe Watershed accounts for 17,520 acres and provides 40% of the City's water supply is vulnerable to wildfire events due to the dense vegetation of ponderosa pine, white fir, and douglas fir (Santa Fe County CWPP 2008). A fire on the watershed would also have secondary impacts such as an increased risk of flooding in the City and erosion issues. This type of post-wildfire erosion occurred after the 2011 Las Conchas Fire which generated the largest local erosion event in 1,000 years (Fourth National Climate Assessment 2018). Consecutive large wildfires in New Mexico have led the destruction of habitat for many native species including a reduction of 6 out of the 7 native cold-water fish and some native insects (Fourth National Climate Assessment 2018).

Future Development

According to the HMPT recent development has mostly occurred outside the WUI areas, although the land that is available is more remote and isolated compared to existing development. The City has gone through great lengths to address wildfire risk through land use planning and regulations. The City's Escarpment Overlay District is one of the tools used to address wildfire risk early in the development process. The regulation was established to protect viewsheds along the ridgetop and foothills along escarpment areas which covers 500 acres within the city and contains a majority of the high wildfire risk areas. Applications to develop within the Escarpment Overlay allows the City to also review the proposed development and determine wildfire risk reduction measures that can be taken for each application.

Wildfire will continue to pose a threat to the City of Santa Fe but through planning, a close review of proposed development applications, and general public awareness, the risk can be minimized.

Risk Summary

- 17 wildfires in the County have exceed 100 acres since 1970. 3 of fires have come in proximity to city limits
- 27 neighborhoods are within the WUI. 25 of which are considered to be at moderate to extreme risk
- 25,196 structures are located within the WUI with over $51 billion in total property value at risk.
- Residential properties are most at risk with over 23,000 properties or 64% of all structures in the City located in the WUI. Commercial properties are the second most prominent property type with almost 2,000 potentially exposed.
- 162 critical facilities are located in the WUI. Communication infrastructure is the most common type found in the WUI
- 4 schools are located in the very high risk WUI area.
- The Santa Fe Watershed supplies 40% of the City's water and is considered to be at risk of wildfire
- Wildfire events can have direct and indirect impacts on the local economy.
- Degraded air quality and negative health impacts place already vulnerable populations at further risk.
- Wildfire can lead to secondary hazards such as post-fire erosion and the loss of habitat and native species.
- Climate change will increase the risk of wildfire and lead to more frequent and more intense events.
- The City has in place land use regulations to address wildfire risk in new development.

Location	Probability of Future Occurrence	Extent (Magnitude/Severity)	Overall Significance
Significant	Likely	Catastrophic	High

4.3.7 Human Caused Hazards

The following Human Caused hazards are addressed in Annex A.

- Active Shooter
- CBRNE
- Cyber Attack
- Hazardous Materials Release
- Pipeline Explosion
- Pandemic
- Transportation Accident
- Utility Disruption

4.4 Capability Assessment

Thus far, the planning process has identified the natural hazards posing a threat to the Planning Area and described, in general, the vulnerability of the City to these risks. The next step is to assess what loss prevention mechanisms are already in place. This part of the planning process is the mitigation capability assessment. Combining the risk assessment with the mitigation capability assessment results in the City's net vulnerability to disasters, and more accurately focuses the goals and proposed actions of this plan.

The HMPT used a two-step approach to conduct this assessment for the City. First, an inventory of common mitigation activities was made through the use of a matrix. The purpose of this effort was to

identify policies and programs that were either in place, needed improvement, or could be undertaken if deemed appropriate. Second, the HMPT conducted an inventory and review of existing policies, regulations, plans, and programs to determine if they contributed to reducing hazard-related losses or if they inadvertently contributed to increasing such losses.

Similar to the HMPT's effort to describe hazards, risks, and vulnerability of the City of Santa Fe, this mitigation capability assessment describes the City's existing capabilities, programs, and policies currently in use to reduce hazard impacts or that could be used to implement mitigation activities. This assessment is divided into four sections: regulatory mitigation capabilities, administrative and technical mitigation capabilities, fiscal mitigation capabilities, and mitigation outreach and partnerships. A discussion of other mitigation efforts follows the assessment.

The City of Santa Fe has a number of resources that can be called on to help implement mitigation actions. These resources are both private and public, and exist at the local, state, and federal levels. The diversity of Santa Fe's landscape, culture, and residents is reflected in the varying level of community services found in the City. The areas surrounding the City of Santa Fe benefit from the readily available public services such as police and fire protection, hospitals, and clinics.

4.4.1 Regulatory Mitigation Capabilities

Table 4-37 lists planning and land management tools typically used by local jurisdictions to implement mitigation activities and indicates those that are in place in the City of Santa Fe.

Table 4-37 City of Santa Fe Regulatory Mitigation Capabilities

Regulatory Tool (ordinances, codes, plans)	Yes/No	Comments
General/Comprehensive plan	Yes	Update in progress
Zoning ordinance	Yes	Chapter 14
Subdivision ordinance	Yes	14-3.7
Growth management ordinance	Yes/No	Growth Management Chap of General Plan (adopted 1999 and not updated since)
Floodplain ordinance	Yes	Ordinance 14-8.3
Other special purpose ordinance (stormwater, steep slope, wildfire)	Yes	International Fire Code, Terrain Management-Chapter 14/ MS4 Permits, 14-5.6 Escarpment Overlay District
Building code	Yes	The City has adopted numerous NM building and construction codes.
Fire department ISO rating	Yes	The City of Santa Fe has a rating of 2
Erosion or sediment control program	Yes	Terrain Management – Chapter 14 / MS4 Permits
Stormwater management program	Yes	Stormwater Management Strategic Plan / MS4 Permits
Site plan review requirements	Yes	14-3.9 Development Plans
Capital improvements plan	Yes	Impact Fee Capital Improvements Plan 2020
Economic development plan	Yes	
Local emergency operations plan	Yes	Comprehensive Emergency Management Plan
Other special plans	Yes	https://www.santafenm.gov/river_and_watershed

Regulatory Tool (ordinances, codes, plans)	Yes/No	Comments
		Santa Fe Municipal Watershed Plan providing source water protection through prescribed burning and vegetation management with USFS. https://www.santafenm.gov/river_and_watershed Fire Department Standard Operating Guideline, Rules and Regulations, and EMS Protocols. Sustainable Santa Fe 25-Year Plan
Flood insurance study or other engineering study for streams	Yes	Stormwater Management Strategic Plan
Elevation certificates (for floodplain development)	Yes	
Other	Yes	Sustainable Santa Fe 25-Year Plan

As indicated in the table above, Santa Fe has several plans and programs that guide the City's mitigation of development of hazard-prone areas. Several of these are described in more detail below.

City of Santa Fe Comprehensive Emergency Management Plan

The Comprehensive Emergency Management Plan (CEMP) outlines the City's approach to emergency management. It provides general guidance for emergency management activities and an overview of methods of mitigation, preparedness, response, and recovery. The plan describes the City's emergency response organization, assigns responsibilities for various emergency tasks, and provides a framework for the more detailed functional and hazard-specific plan sections that are outlined in the Response Plan.

City of Santa Fe Land Use & Urban Design Plan

This update to the City of Santa Fe's 1999 General Plan is currently in draft form as of July 2019. It is intended to reflect changing demographic and economic conditions in the community by looking at recent and anticipated development trends and incorporating a vision for future growth. Within the plan, the City acknowledges that the region's environment has experienced significant changes that are likely to continue to occur. The plan has a set of goals and policies for how the City should develop and grow in the future. The City sets forth five "unifying policies", two of which have a connection to planning for future environmental uncertainty:

Policy #1: Response to Environmental Changes - This plan recognizes that significant changes in the region's environment have occurred and are likely to continue to occur. The city will study, plan and prepare for likely changes, and take responsible actions to lessen or prevent changes that adversely affect the health, safety, welfare and economic strength of the community.

Policy #3: Evaluation of Alternative Scenarios - This plan recognizes that there have been significant changes to economic, environmental and demographic factors affecting the community in recent years, and that it will continue to be difficult to accurately forecast future trends. These circumstances mean that the policies in this plan will take into account the likely range of possible future conditions, and that progress in implementing the plan will need to be evaluated periodically.

The Plan's Sustainability and Energy goals also have a connection to hazards and planning for changing climate. This goal has three guiding principles including, "Resiliency: Increase Santa Fe's resiliency to adapt to the effects of climate change, by reducing greenhouse gas emissions." The following policies under this goal relate to mitigation:

Policy #2: Mitigate and Adapt to the Effects of Climate Change- Addressing the complex challenges caused by a changing climate, the city will work with others to analyze the impacts of climate change on Santa Fe's environment and develop mitigation and adaptation strategies to reduce and reverse the negative impacts of climate change.

Policy #7: Storm Water - Capture, infiltrate and utilize storm water on-site and integrate into the design of all projects, including roadways. Coordinate storm water management such as good grading practices, bio-remediation and landscape development and support.

Policy #9: Wastewater - Optimize reclaimed wastewater for re-use and make it a significant part of integrated water resources planning.

Policy #11 Groundwater - Reduce groundwater use through the retirement of domestic wells.

Stormwater Management Strategic Plan

Implementation of the City's Stormwater Management Strategic Plan has begun. The City is identifying locations and conditions of existing structures within the urban watershed, and modeling stormflows for identification of flood hazards and sedimentation and erosion potential. The City is actively pursuing infiltration projects that would reduce volume and velocities within Santa Fe's river and arroyos. River Restoration is projected. GIS analysis of stormwater facilities has begun; however better mapping and evaluation of stormwater structures has been identified as a need.

Santa Fe River Corridor Master Plan

Adopted in 1995, the Santa Fe River Corridor Master Plan is a comprehensive plan to develop a system connecting the parks and natural preserves along the Santa Fe River corridor. The plan's guiding principles are "riparian restoration, flood protection, erosion control, aesthetic design considerations, recreational and community uses, sound engineering, public safety, and cost effectiveness."

Santa Fe Basin Study: Adaptations to Projected Changes in Water Supply and Demand

In partnership with the Santa Fe County the City of Santa Fe received funding from the Bureau of Reclamations' WaterSMART program to develop a study to better understand the effects on and associated risks from surface water use on the Santa Fe Basin. The study, completed in 2015, evaluates the projected changes and lists potential strategies for adaption to be used for future planning.

City of Santa Fe Water Conservation and Drought Management Plan

The City adopted the Water Conservation and Drought Management Plan in 2015 an update of the City's 2005 plan. The update includes data on current water use as well as projections on water supply based on development trends in the city. The plan establishes goals and implementation strategies for future water conservation. The plan update meets both state and federal regulatory requirements allowing the City to be eligible for grant funding related to water and water conservation. This document was recently updated with a 2020 Addendum and serves as a guiding document for the City of Santa Fe Water Division's Water Conservation Office (SFWCO). The SFWCO offers rebates, enforces water waste and time of day restrictions, conducts educational and community outreach programs, coordinates with other city departments to identify conservation opportunities, assists with the development of land use and zoning code relative to water conservation, and assists the department by tracking water user efficiency and water system efficiency (non-revenue water audits).

Santa Fe River and Arroyo de Los Chamisos Modeling Report

This report contains the updates to the Santa Fe River and Arroyo de Los Chamisos Drainage Master Plans that were completed in 1997 and 1998 respectively. The report provides the background on development of new EPA SWMM based flood event models and LSPC based water quality models of the two watersheds. In addition, recommendations for new data collection efforts, modeling, stormwater program implementation and monitoring are provided.

Sustainable Santa Fe 25-Year Plan (2018)

The Sustainable Santa Fe 25-Year Plan includes 91 strategies designed to achieve carbon neutrality and improve ecological resilience, economic vitality, quality of life, and social equity in Santa Fe. The plan strategies include development of a drought preparedness plan; expanding the water conservation program; and enhancing wildfire mitigation, preparedness, and resiliency efforts. Achieving carbon neutrality in Santa Fe will reduce impacts of climate change effects on hazards. The Sustainable Santa Fe 25-Year Plan is a "living document" that will be updated to integrate risk information from this mitigation plan.

Zoning, Building Codes, & Land Use Regulations

Building codes are important mitigation tools because they can be tailored to fit specific hazards present in each region. At a minimum the City has adopted the 2015 State of New Mexico Commercial and Residential Building Codes.

The City of Santa Fe have adopted several development regulations. The 2015 International Building Code (IBC), implemented statewide, and the floodplain ordinance, implemented locally, are two of the most important capabilities that the City utilizes to prevent potential damage from floods, wind, and other hazards.

- International Building Code—Building codes are important mitigation tools because they are tailored to fit specific hazards present in each region. Consequently, structures that are built to applicable codes are resistant to hazards such as strong winds, floods, and wildfires, and can help mitigate the effects of these hazards. New Mexico has adopted the 2015 IBC code as a minimum standard for all communities and provides inspection services through the Construction Industries Division of the State Regulations and Licensing Department.
- Residential Green Building Code – Applies to new single-family attached and detached including guests houses as well as all additions and remodels. According to the HMPT, it will also apply to multi-family residential dwellings in the future. Development of new single-family houses require a minimum performance on HERS (Home Energy Rating System) and WERS (Water Efficiency Rating Score) rating completed by a City approved professional.
- Code of Ordinances – Updated August 27, 2019, the Code of Ordinances contains the City's Land Use Codes (Chapter 14) including Subdivision Regulations (1973) (Section 14-3.7), a Terrain Management Plan, the Santa Fe Water Conservation Ordinance (2002), the Santa Fe Extraterritorial Zoning Ordinance (1997), and the Santa Fe Flood Plain Ordinance (1996).
- Floodplain Ordinance—Through administration of floodplain ordinances, the City ensures that all new construction or substantial improvements to existing structures located in the 100-year floodplain are built with first-floor elevations at least one foot above the base flood elevation.

City Ordinances

Escarpment Overlay District Ordinance

City Ordinance 14-5.6 creates an overlay district in the area of the escarpment (ridgetop). Stricter regulations and more plans are required to build in the escarpment area. No new subdivisions may be permitted that are entirely in the escarpment overlay district. The Ordinance intends to reduce the risk to life and health of residents in the escarpment by reducing wildfire risk; and encourage the conservation of water, especially for maintaining landscaping materials.

West Santa Fe River Corridor Overlay Zoning District

City Ordinance 14-5.11 restricts residential density in all non-residential zoning districts, and includes mandatory building setbacks minimum of fifteen feet from whichever one of the following is the most restrictive:

(1) River Greenway Boundary,

(2) FEMA 100-year Floodplain Boundary, or

(3) City code setback measurement for streams and watercourses,

Terrain and Stormwater Management

City Ordinance 14-8.2 addresses erosion control, stormwater management, and standards for arroyos, streams, or watercourses.

Flood Regulations

City Ordinance 14-8.3 adopts the special flood hazard areas identified by FEMA and regulates development in those areas. The ordinance goes above minimum FEMA requirements by requiring new residential or nonresidential structures to be constructed or substantially improved in the flood fringe to have the elevation of the lowest floor at least one foot above the base flood elevation.

Dam Emergency Action Plans

Having an effective Emergency Action Plan at all high and significant hazard potential dams in the county is critical to reducing the risks of loss of life and property damage from dam failures. An EAP is a written document that identifies potential emergency conditions at a dam and specifies pre-planned actions to be followed to minimize property damage or loss of life as a result of failure or mis-operation of the plan. The dam owner is responsible for development, maintenance and exercise of the EAP. Both McClure and Nichols dams are owned by the City and have EAPs and inundation maps.

Santa Fe County Plans/Studies

Santa Fe County Hazard Mitigation Plan

The most recent update of the County's Hazard Mitigation Plan was approved by FEMA on May 30, 2018. It contains detailed information hazard information, capability assessment, and mitigation strategies for Santa Fe County as a whole.

Santa Fe County Emergency Operations Plan

Santa Fe County has a current Emergency Operations Plan (EOP). This EOP covers countywide response to all hazards identified in the county's hazard analysis.

Community Wildfire Protection Plan - 2008

The Santa Fe County Community Wildfire Protection Plan (SFC CWPP) addresses hazards and risks of wildland fire throughout Santa Fe County (County) and makes recommendations for fuels reduction projects, public outreach and education, structural ignitability reduction, and fire response capabilities.

Some of the recommendations for this plan include more than 55 fuels reduction projects; public education and outreach directed at homeowners to homeowners to help them prepare for wildland fire through events like preplanned triages; strategies for fire responders to improve their capabilities through improved communication, professional training, and equipment; and the reduction of structural ignitability by providing public education on defensible space. Goals for the CWPP are as follows:

- Collaboration: Local and state government representatives, in consultation with federal agencies or other interested groups, must collaboratively develop a CWPP (Society of American Foresters [SAF] 2004).
- Prioritized Fuel Reduction: A CWPP must identify and prioritize areas for hazardous fuels reduction and treatments and recommend the types and methods of treatment that will protect one or more at risk communities and their essential infrastructure (SAF 2004).
- Treatments of Structural Ignitability: A CWPP must recommend measures that communities and homeowners can take to reduce the ignitability of structures throughout the area addressed by the plan (SAF 2004).
- To meet these stated goals, the CWPP recommends a series of actions that fall into 4 different categories: 1) fuels reduction projects, 2) public education and outreach, 3) reduction of structural ignitability, and 4) improved fire response capabilities.

Santa Fe County Evacuation Planning Guide

The County's Office of Emergency Management has a page dedicated to evacuation planning that outlines steps to take to prepare for an emergency wildfire evacuation. The Guide includes 3 elements: 1) Get Ready – Preparation and Planning; 2) Get Set – Putting the Plan into Action; and 3) Go – What to do in the Event of a Fire.

The Office of Emergency Management also has an emergency communications network station (770 AM) that serves as a method of information dissemination in the case of a wildfire event.

Santa Fe County Sustainable Growth Management Plan, 2010

The Santa Fe County Sustainable Growth Management Plan (SGMP) is a comprehensive, long-term framework for the protection of the County's resources and for development in the County. State statutes and the County Code require that the County have and maintain a Comprehensive Plan, and give the responsibility for plan updates to the Planning and Zoning Commission subject to final approval by the County Council.

Water Conservation

Santa Fe County includes numerous water conservation requirements as part of the SLDC (SLDC Section 7.13.11). Ordinance 2002-13 applies to all residential and commercial water uses in the County and is intended to limit water wasting actions by means of a schedule of fines for infractions, as well as a listing of County personnel authorized to issue those fines. Outdoor watering or irrigation is prohibited between 11 am and 7 pm from May through September of each year with only a few exceptions.

Activities are compiled into: outdoor conservation (irrigation and car washing), indoor conservation (remodeling/construction and leaks) conservation signage, domestic well use, and water harvesting. The water harvesting provisions include requirements for rainwater catchment systems for all new construction with a roof area of 2,500 sq. ft or more. Rainwater harvesting provisions include cisterns to capture runoff from roofed areas that are linked to a pump and a drip irrigation system to serve landscaped areas.

4.4.2 Administrative/Technical Mitigation Capabilities

Table 4-38 identifies the personnel responsible for activities related to mitigation and loss prevention in the City of Santa Fe.

Table 4-38 City of Santa Fe Administrative/Technical Mitigation Capabilities

Personnel Resources	Yes/No	Department/Position/Comments
Planner/engineer with knowledge of land development/land management practices	Yes	Land Use Dept. City Drainage Engineer
Engineer/professional trained in construction practices related to buildings and/or infrastructure	Yes	Public Works/ Streets and Drainage
Planner/engineer/scientist with an understanding of natural hazards	Yes	Public Works/River & Watershed Manager
Personnel skilled in GIS	Yes	GIS
Full time building official	Yes	Chief Building Official in Land Use Department
Floodplain manager	Yes	Land Use Drainage Engineer
Emergency manager	Yes	Emergency Management Office
Grant writer	Yes	Public Works – Grant Writer
Other personnel	Yes	Streets and Drainage Maintenance Division Director; Fire Marshal & Inspectors; Water Conservation Office; Sustainability Officer
GIS Data Resources (Hazard areas, critical facilities, land use, building footprints, etc.)	Yes	GIS
Warning Systems/Services (Reverse 9-11, cable override, outdoor warning, text messages)	Yes	Alert Santa Fe. https://www.santafenm.gov/alertsantafe This system is provided by Rave Mobile Safety and powered by Smart911 to send notifications by phone, email, text and social media to keep citizens informed of emergencies. Includes geotargeted messages (calls, texts, emails)
Other	Yes	Buckman Direct Diversion/ Wastewater

4.4.3 Fiscal Mitigation Capabilities

Table 4-39 identifies financial tools or resources that the City could potentially use to help fund mitigation activities.

Table 4-39 City of Santa Fe Fiscal Mitigation Capabilities

Financial Resources	Accessible/Eligible to Use (Yes/No)	Comments
Community Development Block Grants	Potentially	
Capital improvements project funding	Yes	
Authority to levy taxes for specific purposes	Yes	
Fees for water, sewer, gas, or electric services	Yes	
Impact fees for new development	Yes -- Roads	
Incur debt through general obligation bonds	Yes	
Incur debt through special tax bonds	Yes	
Incur debt through private activities	Potentially	
Withhold spending in hazard prone areas	No	
Other		

4.4.4 Mitigation Outreach and Partnerships

The Santa Fe Municipal Watershed Plan adopted in 2009 and updated in 2013 by the governing body. This plan was updated in 2013 and is unique in that it seeks to fund forest restoration activities through a 50/50 cost-share collection agreement between the City of Santa Fe and the Santa Fe National Forest as an insurance policy against future threats, particularly of catastrophic wildfire, to the municipal water supply. In addition, the City has partnered with the Nature Conservancy and Forest Stewards Guild regarding watershed health and wildfire mitigation.

The Santa Fe Pojoaque Soil and Water Conservation District participated as a stakeholder in the mitigation plan update process in 2020. There is the potential for expanded partnerships with this district particularly related to wildfire mitigation on private lands.

4.4.5 Opportunities for Enhancement

The 2020 update provided the City an opportunity to review and update the capabilities currently in place to mitigate hazards. This also provided an opportunity to identify where capabilities could be improved or enhanced. Specific opportunities could include:

Join the CRS: The City may consider joining the Community Rating System to improve flood insurance affordability, public flood hazard notification, and enhanced floodplain management. The City is already going above and beyond some of the minimum NFIP standards by requiring a one foot above base flood elevation freeboard requirement for all new structures permitted in flood hazard areas. The City can get credit for this and potentially lower the cost of flood insurance for residents in the unincorporated areas. A mitigation action specific to exploring the cost/benefit of the CRS has been added to this plan's mitigation strategy.

Training: Provide training opportunities to help inform City staff on how best to integrate hazard information and mitigation projects into their departments planning efforts.

Planning: Implementation of the Stormwater Management plan as well as funding projects list in the plan. The City's Land Use Plan is being updated (currently in draft) and has the opportunity to cross-reference the mitigation plan including acknowledging dam failure hazards.

Technology: Continued use of GIS and other technology for hazard awareness and warning capabilities.

Other opportunities include becoming a Firewise and/or a StormReady Community, as well as ensuring the alignment of future planning efforts with the local Mitigation Plan.

5.0 MITIGATION STRATEGY

Requirement §201.6(c)(3): [The plan shall include] a mitigation strategy that provides the jurisdiction's blueprint for reducing the potential losses identified in the risk assessment, based on existing authorities, policies, programs and resources, and its ability to expand on and improve these existing tools.

5.1 Mitigation Strategy: Overview

Requirement §201.6(c)(3): [The plan shall include] a mitigation strategy that provides the jurisdiction's blueprint for reducing the potential losses identified in the risk assessment, based on existing authorities, policies, programs and resources, and its ability to expand on and improve these existing tools.

This section describes the mitigation strategy process and mitigation action plan for the City of Santa Fe Mitigation Plan. It describes how the City met the following requirements from the 10-step planning process:

- Planning Step 6: Set Goals
- Planning Step 7: Review Possible Activities
- Planning Step 8: Draft an Action Plan

The results of the planning process, the risk assessment, the goal setting, the identification of mitigation actions, and the hard work of the HMPT are captured in this mitigation strategy and mitigation action plan. As part of the 2020 plan update process, a comprehensive review and update of the mitigation strategy portion of the plan was conducted by the HMPT. Some of the goals and objectives from the 2014 plan were revisited, reaffirmed, and refined. The end result is a mitigation strategy that reflects the updated risk assessment, progress on mitigation actions, and the new priorities of this plan update. To support the updated goals, the mitigation actions from 2014 were reviewed and assessed for their value in reducing risk and vulnerability to the planning area from identified hazards and evaluated for their inclusion in this plan update (See Section 5.4.1). Section 5.2 below identifies the current goals and objectives of this plan update and Section 5.4.2 details the updated mitigation action plan.

5.2 Goals and Objectives

Requirement §201.6(c)(3)(i): [The hazard mitigation strategy shall include a] description of mitigation goals to reduce or avoid long-term vulnerabilities to the identified hazards.

Up to this point in the planning process, the HMPT has organized resources, assessed hazards and risks, and documented mitigation capabilities. The resulting goals, objectives, and mitigation actions were developed based on these tasks. The HMPT held a series of meetings designed to achieve a collaborative mitigation strategy as described further throughout this section.

During the initial goal-setting meeting, the HMPT reviewed the results of the hazard identification, vulnerability assessment, and capability assessment. This analysis of the risk assessment identified areas where improvements could be made and provided the framework for the HMPT to formulate planning goals and objectives, and to develop the mitigation strategy for the City of Santa Fe.

Goals were defined for the purpose of this mitigation plan as broad-based public policy statements that:

- Represent basic desires of the community;
- Encompass all aspects of community, public and private;
- Are nonspecific, in that they refer to the quality (not the quantity) of the outcome;

- Are future-oriented, in that they are achievable in the future; and
- Are time-independent, in that they are not scheduled events.

Goals are stated without regard to implementation. Implementation cost, schedule, and means are not considered. Goals are defined before considering how to accomplish them so that they are not dependent on the means of achievement. Goal statements form the basis for objectives and actions that will be used as means to achieve the goals. Objectives define strategies to attain the goals and are more specific and measurable.

To facilitate the development of plan goals the HMPT members were provided a worksheet that explained goals, objectives and actions and listed examples of each. Related plan goals were listed on the worksheet including the City's 2014 mitigation plan and OEM Strategic Plan as well as the State of New Mexico Multi-Hazard Mitigation Plan (2018) and Santa Fe County Hazard Mitigation Plan (2018) (see worksheet in Appendix B). This review was to ensure that this plan's mitigation strategy was aligned and integrated with existing plans and policies. The 2014 goals were hazard specific. Based on the discussion at the HMPT meeting the group decided to make them broader and added a new goal related to increasing public education.

Based on the risk assessment review and goals development process, the HMPT identified the following goals and objectives which provide the direction for reducing future hazard-related losses within the City of Santa Fe.

Goal 1: Reduce possibility of damage and loss to existing community assets including structures, critical facilities, and infrastructure including the watershed due to hazards.

1.1: Reduce the exposure to critical facilities in high or extreme wildfire hazard areas.

1.2: Reduce the exposure of residential structures to wildfires.

1.3: Educate the public in defensible space and other preventative measures to minimize wildfire risk.

1.4: Educate the population on damage and loss due to drought.

1.5: Continue efforts to encourage residents to use water-saving landscaping techniques.

1.6: Reduce exposure of structures and roads to flooding.

1.7: Build and support local capacity to enable the public to prepare for, respond to and recover from disasters.

1.8: Identify critical facilities and buildings that are vulnerable to severe weather events including high winds.

1.9: Develop a comprehensive approach to reducing the possibility of damage and loss of function to identified vulnerable buildings and critical facilities, due to the effects of severe weather hazards.

1.10: Address identified data limitations regarding lack of detailed information about characteristics of individual structures such as construction type, age, condition, compliance with current building codes, etc.

1.11: Protect the public water system and other critical facilities from contamination from hazardous materials incidents.

Goal 2: Reduce possibility of injury and death from hazards

2.1: Increase public awareness of actions to take during all types of severe weather.

2.2: Increase awareness of hazards and actions to take during an emergency.

2.3: Protect communication systems and other critical facilities from hazard events.

2.4: Increase awareness of the impact of hazard events on the community.

2.5: Increase public awareness of actions to take during extreme heat events.

2.6: Protect the general population and special populations from hazardous materials incidents.

2.7: Improve communications with facilities housing special populations, such as nursing homes, senior centers, and daycare centers.

2.9: Develop a comprehensive approach to reducing the possibility of injury and loss of life for residents and occupants of existing structures and critical facilities with the highest relative vulnerability to the effects of hazardous material releases from discrete locations.

Goal 3: Promote disaster-resistant development.

3.1: Encourage and facilitate the development or revision of comprehensive plans and zoning ordinances to limit development in high hazard areas and improve the ability to identify vulnerable structures.

3.2: Encourage and facilitate the adoption of building codes that provide protection for new construction and substantial renovations from the effects of identified hazards.

3.3: Provide adequate and consistent enforcement of ordinances and codes within and between jurisdictions.

Goal 4: Promote hazard mitigation as a public value in recognition of its importance to the health, safety, and welfare of the population.

4.1: Provide public education to increase awareness of hazards and opportunities for mitigation.

4.2: Increase participation in and number of storm watcher programs throughout City.

4.3: Promote partnerships to continue the development of a citywide approach to identifying and implementing mitigation actions.

Goal 5 (NEW): Increase awareness and understanding of risks and opportunities for mitigation among citizens and elected officials.

5.3 Identification and Analysis of Mitigation Actions

Requirement §201.6(c)(3)(ii): [The mitigation strategy shall include a] section that identifies and analyzes a comprehensive range of specific mitigation actions and projects being considered to reduce the effects of each hazard, with particular emphasis on new and existing buildings and infrastructure.

In order to identify and select mitigation measures to support the mitigation goals, each hazard identified in Section 4.1: Identifying Hazards was evaluated. Once it was determined which hazards warranted the development of specific mitigation measures, the HMPT analyzed a set of viable mitigation alternatives that would support identified goals and objectives. Each HMPT member was provided with the following list of categories of mitigation measures, which originate from the Community Rating System:

- Prevention: Administrative or regulatory actions or processes that influence the way land and buildings are developed and built.
- Property protection: Actions that involve the modification of existing buildings or structures to protect them from a hazard or remove them from the hazard area.

- Structural: Actions that involve the construction of structures to reduce the impact of a hazard.
- Natural resource protection: Actions that, in addition to minimizing hazard losses, also preserve or restore the functions of natural systems.
- Emergency services: Actions that protect people and property during and immediately after a disaster or hazard event.
- Public information/education and awareness: Actions to inform and educate citizens, elected officials, and property owners about the hazards and potential ways to mitigate them.

In order to identify and select mitigation actions to support the mitigation goals, each hazard identified and profiled in Chapter 4 was evaluated. At the mitigation strategy meeting the HMPT was also provided with a matrix showing examples of potential mitigation action alternatives for each of the above categories, for each of the identified hazard. The HMPT was also provided a handout that explains the categories and provided further examples. Another reference document titled "Mitigation Ideas" developed by FEMA was distributed to the HMPT via an online link. This document lists the common alternatives for mitigation by hazard. A facilitated discussion then took place to examine and analyze the options while considering both future and existing building in considering possible mitigation actions. Appendix B provides the matrix of alternatives considered. Each proposed action was written on a large sticky note and posted on flip charts underneath the hazards it addressed in the meeting room.

Based upon the key issues identified in the risk assessment, including the capability assessment, and the overall political, technical, and financial feasibility of the potential actions, the HMPT came to consensus on proposed mitigation actions for each hazard. Certain hazards were best addressed through multi-hazard actions. A lead for each new action was identified. The leads were responsible for filling out worksheets with additional details on the project so they could be captured in the plan. Additional discussion and refinement of proposed mitigation actions took place within follow-up meetings of the HMPT and individual departments. The refined mitigation actions were provided to the HMPT lead and planning consultant by filling out details on a mitigation action worksheet (See Appendix B). The final action strategies are captured in Section 5.4.

5.3.1 Prioritization Process

Once the mitigation actions were identified, the HMPT was provided with several decision-making tools, including FEMA's recommended prioritization criteria STAPLEE to assist in deciding why one recommended action might be more important, more effective, or more likely to be implemented than another. STAPLEE is an acronym for the following:

- Social: Does the measure treat people fairly? (e.g., different groups, different generations)
- Technical: Is the action technically feasible? Does it solve the problem?
- Administrative: Are there adequate staffing, funding, and other capabilities to implement the project?
- Political: Who are the stakeholders? Will there be adequate political and public support for the project?
- Legal: Does the jurisdiction have the legal authority to implement the action? Is it legal?
- Economic: Is the action cost-beneficial? Is there funding available? Will the action contribute to the local economy?
- Environmental: Does the action comply with environmental regulations? Will there be negative environmental consequences from the action?

In accordance with the DMA 2000 requirements, an emphasis was placed on the importance of a benefit-cost analysis in determining action priority. Other criteria used to assist in evaluating the benefit-cost of a mitigation action includes:

- Does the action address a hazard or areas with the highest risk?

- Does the action protect lives?
- Does the action protect infrastructure, community assets or critical facilities?
- Does the action meet multiple objectives (Multiple Objective Management)?
- What will the action cost?
- What is the timing of available funding?

The mitigation categories, multi-hazard actions, and criteria are included in Appendix B.

At the mitigation strategy meeting the HMPT used STAPLEE to determine which of the identified actions were most likely to be implemented and effective. Keeping the STAPLEE criteria in mind, each member 'voted' for the new mitigation actions by sticking a colored dot on the sticky note on which the action was written. The number of dots next to each action was totaled as an indication of relative priority and translated into 'high,' 'medium' and 'low.' The priority levels on existing mitigation actions continuing in the plan from 2014 were also revisited using this process, and in some cases revised to reflect current priorities. The results of the STAPLEE evaluation process produced prioritized mitigation actions for implementation within the City.

The process of identification and analysis of mitigation alternatives allowed the HMPT to come to consensus and to prioritize recommended mitigation actions. During the voting process, emphasis was placed on the importance of a benefit-cost review in determining project priority; however, this was not a quantitative analysis. Recognizing the federal regulatory requirement to prioritize by benefit-cost, and the need for any publicly funded project to be cost-effective, the HMPT decided to pursue implementation according to when and where damage occurs, available funding, political will, jurisdictional priority, in addition to the priorities identified in this plan. Cost-effectiveness will be considered in additional detail when seeking FEMA mitigation grant funding for eligible projects identified in this plan.

Benefit-cost was also considered in greater detail in the development of the Mitigation Action Plan detailed in Section 5.3. Specifically, each action developed for this plan contains a description of the problem and proposed project, the entity with primary responsibility for implementation, any other alternatives considered, a cost estimate, expected project benefits, potential funding sources, and a schedule for implementation. Development of these project details for each action led to the determination of a high, medium, or low priority for each.

5.4 Mitigation Action Plan

Requirement §201.6(c)(3)(iii): [The mitigation strategy section shall include] an action plan describing how the actions identified in section (c)(3)(ii) will be prioritized, implemented, and administered by the local jurisdiction. Prioritization shall include a special emphasis on the extent to which benefits are maximized according to a cost benefit review of the proposed projects and their associated costs.

This section outlines the development of the mitigation action plan. The action plan consists of the specific projects, or actions, designed to meet the plan's goals. Over time the implementation of these projects will be tracked as a measure of demonstrated progress on meeting the plan's goals.

5.4.1 Progress on Previous Mitigation Actions

During the 2020 update process the HMPT reviewed and evaluated the 2014 mitigation strategy to determine the status of the actions. The purpose of this was to measure progress by determining which actions were completed, and to revisit the remaining actions to determine if they should be carried forward or removed from the plan.

The 2014 mitigation strategy contained 60 separate mitigation actions. Of these 60 actions, 7 have been completed. Fifteen (15) have not yet been started due to a variety of reasons such as changes in priorities, lack of funding, or changes to the projects themselves but are continuing projects. Three (3) actions were deleted; one (1) related to space weather due to space weather is no longer considered a priority hazard under this plan and one (1) action related to the incorporation of hazard information into city operations which is already being done in the city and one (1) action related conducting assessments on city-owned assets. One (1) action was deferred because of the lack of staffing capacity to complete the project. Because many of these projects are implemented on an annual or other continuous basis, thirty-one (31) of the 2014 projects have been identified to be carried forward, with some modification, in this plan update. The following table (5-1) shows the mitigation actions that have been completed since 2014. Table 5-1 includes a status summary of the mitigation action projects that were continued from the 2014 Plan.

Table 5-1 Completed Mitigation Actions

Hazard(s) Mitigated	Mitigation Action	Priority	Comments
Drought, Dam Failure, Flood, Severe Weather, Tornado, Wildfire, Human Hazards	Promote partnerships among the city departments, non-profit organizations, and the private sector to develop a citywide approach to mitigation activities	Medium	Completed. 2017 Pre-Kickoff Meeting and 2020 Mitigation Plan Revision Process Underway
Drought, Dam Failure, Flood, Severe Weather, Tornado, Wildfire, Human Hazards	Establish a Hazard Mitigation Group	Low	Completed. City's Emergency Management Coordinating Group (EMCG)
Severe Weather; Tornado	Conduct a survey of all manufactured homes in the City to gather data on location, age, and condition to determine appropriate mitigation action (anchoring structures, relocation, and acquisition).	Low	Completed. There is now a requirement that manufactured homes be tethered or anchored within the City.
Severe Weather	Work with social support agencies, homeowners associations and general public to develop and implement monitoring and warning systems focused on vulnerable populations and provision of adequate shelter facilities during extreme heat or cold emergencies.	Low	Completed. Rave Mobile Safety - Rave Prepare Module
Drought	Publish and distribute educational materials on water conservation techniques and drought management strategies.	High	Completed.
Flooding	Protect wells from actual and potential sources of contamination during flooding.	High	Completed. Well Head Protection is evaluated during a sanitary survey completed every 1-3 years.

Hazard(s) Mitigated	Mitigation Action	Priority	Comments
Human-Caused Hazards	Maintain and update equipment used to respond to hazardous materials incidents.	High	Completed. State Homeland Security Grant Program Funding

5.4.2 Continued Compliance with NFIP

Given the significance of the flood hazard in the planning area and as required by DMA 2000, an emphasis is placed on continued compliance with the National Flood Insurance Program (NFIP). The City, as an NFIP participant, will continue to make every effort to remain in good standing with NFIP. This includes continuing to comply with the NFIP's standards for updating and adopting floodplain maps and maintaining and updating the floodplain zoning ordinance.

As evidence of compliance, the City of Santa Fe has participated in the NFIP since 1980; initial flood hazard boundary maps were developed in 1977. The first official Flood Insurance Rate Maps were adopted July 2, 1980. Since then, the City has administered floodplain management regulations that go above and beyond some of the minimum requirements of the NFIP, including requiring a one foot above base flood elevation freeboard requirement for all new structures permitted in flood hazard areas. The City adopted new Digital Flood Insurance Rate Maps that became effective December 4, 2012. The City's Flood Prevention and Flood Control rules of City's Land Use Codes Chapter 14-3.10 are described in Section 4.4 in more detail and flood insurance coverage is discussed in Section 4.3.3.

Also, to be considered are the flood mitigation actions contained in this Mitigation Plan that support the ongoing efforts by the city to minimize the risk and vulnerability of the community to the flood hazard and to enhance their overall floodplain management program.

5.5 Updated Mitigation Action Plan

This action plan presents the recommendations developed by the HMPT outlining how the City of Santa Fe can reduce the risk and vulnerability of people, property, infrastructure, and natural and cultural resources to future disaster losses. The mitigation actions developed by the HMPT are summarized in Table 5-2. It identifies the mitigation action title, lead agency/department, hazards mitigated, priority and if the action mitigates losses to existing or future development (those with an * mitigate losses to future development).

It is important to note that the City of Santa Fe has numerous existing, detailed action descriptions, which include benefit-cost estimates, in other planning documents, such as the community wildfire protection plan, capital improvement budgets, and other planning mechanisms. These actions are considered to be part of this plan, and the details, to avoid duplication, should be referenced in their original source document. The HMPT also realizes that new needs and priorities may arise as a result of a disaster or other circumstances and reserves the right to support new actions, as necessary, as long as they conform to the overall goals of this plan.

Further, it should be clarified that the actions included in this mitigation strategy are subject to further review and refinement; alternatives analyses; and reprioritization due to funding availability and/or other criteria. The City is not obligated by this document to implement any or all of these projects. Rather this mitigation strategy represents the desires of the community to mitigate the risks and vulnerabilities from identified hazards.

Also, many of the action items included in this plan are a collaborative effort among County agencies and other local, state, and federal agencies and stakeholders in the City of Santa Fe planning area. Table 5-2 identifies the lead agency/department.

The following table provides project specifics and implementation details for mitigation actions identified. They are grouped by the type of hazard(s) they address. Status/Implementation Notes describe progress made on the actions so far, using the following categories:

- **In progress:** work has begun on the project and is ongoing.
- **Annual Implementation:** the project is being done on a recurring basis and the HMPT decided to keep the action in the updated plan.
- **Continue - Not completed:** little or no work has been done on the project to date and the HMPT agreed to carry over the action into the updated plan.
- **New in 2020:** The action is new to this plan update; little to no work has been completed.

Table 5-2 City of Santa Fe Mitigation Action Table

ID	Related Goal(s)	Hazard(s) Mitigated	Title/Description/Background/ Benefits	Lead Agency and Partners	Cost Estimate	Potential Funding	Priority	Timeline	Status/ Implementation Notes
MH-1*	1,2,3	Multi-Hazard: Severe Weather, Tornado, Wildfire	**Building code enforcement and coordination.** Review buildings codes at state, county and city jurisdictions and revise where necessary to make them consistent. Further education of building code official to ensure the enforcement of building codes is consistent.	Building Permit Division	$0	Self-funded	Low	24 months	New in 2020.
MH-2*	1,2,3,5	Multi-Hazard: Flood, Severe Weather, Wildfire	**Building inspectors coordination.** Work with the State, County and municipal building inspectors to consistently enforce the building code from jurisdiction to jurisdiction.	Land Use	$0	Self-funded	Medium	Annual	Continue-Not completed. Action added in 2014.
MH-4	4,5	Multi-Hazard: Drought, Dam Failure, Flood, Severe Weather, Tornado, Wildfire, Human Hazards	**Hazard Mitigation Planning Team.** Convene regular meetings with the Mitigation Planning Team to discuss issues and progress related to the implementation of the plan.	OEM	$0	Self-funded; Federal and State grants	Medium	12 Months	Annual Implementation. Action added in 2014.
MH-5*	3,4,5	Multi-Hazard: Drought, Flood, Severe Weather Wildfire	**Incorporation of vulnerability information.** Distribute and promote the inclusion of the vulnerability analysis information as part of periodic plan review and revisions at the City level.	OEM	$0	Self-funded	Medium	12 Months	In progress. The 2014 Mitigation Plan was distributed to a variety of City Departments, but it is unclear what incorporation the vulnerability analysis had in their planning processes.

ID	Related Goal(s)	Hazard(s) Mitigated	Title/Description/Background/ Benefits	Lead Agency and Partners	Cost Estimate	Potential Funding	Priority	Timeline	Status/ Implementation Notes
									Action added in 2014.
MH-6	2,4,5	Multi-Hazard: Drought, Dam Failure, Flood, Severe Weather, Tornado, Wildfire, Human Hazards	**Citizen Corps.** Develop opportunities for community participation in emergency preparedness programs, to include citizen advisory committees and Citizen Corps Programs.	OEM	$125,000	Self-funded; Federal and State grants; Private Sector donations	Low	18 Months	Continue-Not completed. The City of Santa Fe has not started a Citizen Corps program at this time. More research is needed to determine the benefit it would provide to the community. Action added in 2014.
MH-7	4,5	Multi-Hazard: Drought, Dam Failure, Flood, Severe Weather, Tornado, Wildfire, Human Hazards	**Mitigation success stories and hazard public awareness.** Identify and publicize success stories as part of an overall consistent public relations program. The focus would be on how the public can implement similar actions to reduce their risk, where feasible. The project will promote and build on the City's ArcGIS StoryMap, which includes access to maps of flood and dam failure hazards so the public can understand potentially hazardous areas to avoid in advance of an incident.	OEM	$10,000	Self-funded	Low	18 Months	Continue-Not completed. This will occur once mitigation projects from the July 2018 Flood Event have been completed as well as when other actions identified in this plan are completed. Action added in 2014.
MH-8*	1,2,3	Multi-Hazard: Flood, Wildfire	**Spatial analysis of sensitive areas.** Utilize a GIS for identifying "sensitive area" properties in the City.	GIS	$0	Self-funded	Low	24 Months	Continue-Not Completed.

ID	Related Goal(s)	Hazard(s) Mitigated	Title/Description/Background/ Benefits	Lead Agency and Partners	Cost Estimate	Potential Funding	Priority	Timeline	Status/ Implementation Notes
									Action added in 2014.
MH-9	2,3,4	Multi-Hazard: Drought, Flood	**Neighborhood-Scale Water Conservation Pilot – Expansion.** Neighborhood-scale pilot project to reduce stormwater runoff severity through rooftop rainwater catchment on private property and utilize the captured water to offset potable water demand.	Public Works/Water Conservation Office	$50,000	Self-funded	Medium	12 Months	New in 2020. Benefits: Reduce flooding from the connection of rooftop to on-street stormwater flooding
D-1	1,3	Drought	**Domestic wells.** Fund program to meter domestic wells.	Water Division	$200,000	Self-funded	Medium	24 Months	Continue – Not Completed. Will require council direction and ordinance.
D-2	1,3	Drought	**Water metering and leak detection.** Implement water metering and leak detection programs followed by water main repair/replacement to reduce losses.	Water Division	$50,000,000	Self-funded Federal and State Grants	Medium	120 Months	In progress. Programs for leak detection and priority pipeline replacement.
D-3	1,3	Drought	**Non-potable uses.** Implement projects to use treated effluent for non-potable uses.	Water Division	$1,000,000	Self-funded	Medium	24 Months	In progress. Currently working to develop and/or implement reuse strategies including return flow pipeline, Aquifer Storage and Recovery, Direct Potable reuse.
D-4	4,5	Drought	**Drought awareness and education.** Conduct public meetings with local and visiting subject matter experts to educate the public on how to decrease their risk to drought.	Water Division OEM	$0	Self-funded Federal and State Grants	Medium	12 months	In progress. In 2018 completed audit of Marty Sanchez Golf Course. In 2020

ID	Related Goal(s)	Hazard(s) Mitigated	Title/Description/Background/ Benefits	Lead Agency and Partners	Cost Estimate	Potential Funding	Priority	Timeline	Status/ Implementation Notes
						Private Sector Donations			completed 5-year conservation plan.
D-5	4,5	Drought	**Continue to expand public education on water conservation.** Encourage citizens to implement water conservation measures by distributing water saving kits which include replacement shower heads, flow restrictions and educational pamphlets which describe water saving techniques. Also encourage conservation by offering rebates for ultra-low-flow toilets. Provide water conservation education in schools and to adults. School programs begin in fourth grade and continue in fifth with information about the water cycle, the water-energy nexus, field trips to the watershed and water treatment facilities, a full day water fiesta with classes on many aspects of water production and management.	Water Division	$150,000	Self-funded Federal and State Grants Private Sector Donation	Low	60 Months	In progress. Completed in 5-year Conservation Plan, but education efforts to continue annually. High school educational outreach includes opportunities for peer-to-peer mentoring, promotional campaigns, and volunteer opportunities. In addition, continuing education is available for water conservation professionals in both irrigation and plumbing through collaboration with the Santa Fe Community College
D-6*	4,5	Drought	**Water conservation incentive program Expansion.** Expand City of Santa Fe water conservation incentive program to accomplish the goals of the 5-year plan and expand the basis and	Water Division	$200,000	Self-funded Federal and State Grants	Low	24 Months	In progress. Completed in 5-year Conservation Plan, but education efforts need

ID	Related Goal(s)	Hazard(s) Mitigated	Title/Description/Background/ Benefits	Lead Agency and Partners	Cost Estimate	Potential Funding	Priority	Timeline	Status/ Implementation Notes
			beneficial potential of the rebate program.						continued expansion to meet the goals of the Conservation Plan.
D-7*	3	Drought	**Enforcement of zoning and building regulations related to water use.** Enforce existing zoning and building regulations on water use.	Water Division Land Use	$0	Self-funded Federal and State Grants	Low	12 Months	Annual Implementation. Water Division Construction Standards are enforced annually.
D-8	2,3,4	Drought	**Commercial Submetering Expansion.** Collect detailed usage data on commercial water users and expand existing restaurant water audit program into the rest of the commercial sector.	Water Conservation Office/ Santa Fe Community College Santa Fe Green Chamber of Commerce	$2,000 (per install)	Self-funded Federal and State Grants	Low	60 Months	New in 2020. Benefits: This will provide data to direct commercial water conservation projects.
D-9*	1,2,3	Drought	**40 and 80 Year Water Plans.** Develop 40 and 80 year water plans. A science based, community informed, five year planning cycle to develop an 80 year water resource plan, from which shorter plans may be developed as needed. The first cycle which will begin in 2020 and end at the end of 2024. Outcomes from the first planning cycle will include the planning approach, scenario development, preferred projects and initiatives, and 40 and 80 year water plans.	Water Division Santa Fe County Utilities	$500,000	Self-funded Federal and State Grants	Medium	48 Months	New in 2020. Benefits: Reliable water sourcing.
F-1	1	Flood and Dam Failure	**Implement improvements to Nichols and McClure Reservoirs outlet conduits and the raw water pipeline**	Water Division	$5,500,000	Self-funded	High	60 Months	New in 2020. A risk assessment of Probable

ID	Related Goal(s)	Hazard(s) Mitigated	Title/Description/Background/ Benefits	Lead Agency and Partners	Cost Estimate	Potential Funding	Priority	Timeline	Status/ Implementation Notes
			to the Canyon Road Water Treatment Plant to mitigate dam failure and flood-related erosion.						Maximum Precipitation & Probable Maximum Flood for the reservoirs has been completed in 2019 and included in the Emergency Action Plan. Additional work is needed to apply studies to improve the outlet conduits and reduce the potential impacts to the raw water line.
F-2*	1,2,3	Flood	**Enhance and/or develop drainage in flood prone areas of the city.** The project includes implementation of priority projects identified in the City's Stormwater Management Strategic Plan.	Public Works	$10,000	Self-funded Federal and State Grants	High	60 Months	In progress. Adoption of Stormwater Management Strategic Plan has occurred and a priority project list is kept current; some work completed including a drainage study. The stormwater fee to fund maintenance and capital improvements has been increased. A Project

ID	Related Goal(s)	Hazard(s) Mitigated	Title/Description/Background/ Benefits	Lead Agency and Partners	Cost Estimate	Potential Funding	Priority	Timeline	Status/ Implementation Notes
									Administrator has been hired to manage capital projects. The City is actively pursuing infiltration projects that would reduce volume and velocities within Santa Fe's river and arroyos. River Restoration is projected. GIS analysis of stormwater facilities has begun; however better mapping and evaluation of stormwater structures has been identified as a need.
F-3*	3	Flood	**Conduct updated floodplain studies.** Conduct studies and update floodplain and Floodway maps in the City of Santa Fe	Land Use	$300,000	Self-funded Federal and State Grants	High	60 Months	Continue-not completed. Action added in 2014.
F-4	1,2	Flood	**Conduct Arroyo de los Pinos drainage improvements including culverts, road repair, and arroyo stabilization.** The Arroyo de los Pinos is a tributary arroyo to the Arroyo de los Chamisos. At the intersection of Camino Consuelo and Corte de Princesa there is	Public Works USACE NMED	$2,000,000	Self-funded Federal and State Grants	High	24 Months	New in 2020 <u>Benefits:</u> Prevention of flooding to adjacent properties,

ID	Related Goal(s)	Hazard(s) Mitigated	Title/Description/Background/ Benefits	Lead Agency and Partners	Cost Estimate	Potential Funding	Priority	Timeline	Status/ Implementation Notes
			a culvert crossing that spans the arroyo. During July 23, 2018 storm event, arroyo flows over-topped the culvert undermining the adjacent road, box culvert, retaining walls, washed sidewalks away, and flooded homes. Public infrastructure, sewer lines are present within the arroyo channel as well as electric overhead. The channel has increased scour and erosion and bank stabilization is needed. High flows and velocities have been reported in the area between Avenida de las Campana to the confluence of the Arroyo de los Pinos and Arroyo de la Chamisos. The project would include implementing arroyo stabilization measures to prevent future flood damages, and upsizing of the culvert to pass higher flows. A drainage study will be needed to determine what specific stabilization measures will be most effective.						protection of public infrastructure and utilities, and overall reduction in erosion and sedimentation.
F-5	1,2	Flood	**Implement an Arroyo San Antonio and Acequia Madre-Pinos drainage study and mitigation.** The Arroyo San Antonio and Acequia Madre-Pinos parallel Agua Fria Road until they meet the Santa Fe River. The channel characteristics are small channels (appx 4′ – 6′ w x 2′- 4′d) to moderate channels (6′ – 8′w x 4′d – 6′d) that are remnants of the traditional acequia system. The contributing areas are primarily private property but there are several areas	Public Works Land Use	$500,000	Self-funded Federal and State Grants	High	36 Months	New in 2020 Benefits: Prevention of flooding to adjacent properties, protection of public infrastructure and utilities, and overall reduction in

ID	Related Goal(s)	Hazard(s) Mitigated	Title/Description/Background/ Benefits	Lead Agency and Partners	Cost Estimate	Potential Funding	Priority	Timeline	Status/ Implementation Notes
			that are city-owned or are park space. In the past, as development occurred inlets and curb cuts from local roads were made. During 2018 storm events, these areas flooded property adjacent the channels and other properties as flows made their way to the river. A drainage analysis needs to be done to determine if conditions can be improved in the public right of way. The study would allow the identification of mitigation alternatives that will be pursued by the City. Detailed specification of hydrologic cross section should be made available to property owners to ensure proper maintenance. Additionally, a public outreach effort should be done to educate resident as to impacts.						velocities that contribute to damages.
F-6	1,2	Flood	**Implement an Arroyo Chamisos, Tributary drainage channel (Nava Ade) drainage study and mitigation.** This drainage channel runs from Richards Avenue along Governors Mile Road to an open space that is bordered by Dancing Ground Road and Cactus Flower Lane in the Nava Ade subdivision. Homes along the open space were flooded during the 2018 storm events. A public trail was also destroyed. Drainage studies are required to evaluate the problem and determine appropriate mitigation alternatives. Both volumes and velocities should be evaluated. An	Public Works Land Use	$500,000	Self-funded Federal and State Grants	High	36 Months	New in 2020 Benefits: Prevention of flooding to adjacent properties, protection of public infrastructure and utilities, and overall reduction in velocities that contribute to damages.

ID	Related Goal(s)	Hazard(s) Mitigated	Title/Description/Background/ Benefits	Lead Agency and Partners	Cost Estimate	Potential Funding	Priority	Timeline	Status/ Implementation Notes
			infiltration solution would be desirable mitigation alternative, pending the outcome of the drainage study.						
F-7*	1,2,3	Flood	**Implement Santa Fe River Flood Mitigation Enhancements.** The Santa Fe River is ones of two primary stormwater channels out of the city and bordered by both public and private property. Within the channel, stormwater improvements have been constructed to control volume and velocities of water to mitigate flood. During the storms of 2018, significant damages occurred to infrastructure within the channel and adjacent lands. The project would implement repairs and reconstruction of 4 to 6 grade-control cross vanes, 4 to 6 finger vanes, 5 stormwater rundowns, and construction of a 400 ft, three-tiered, retaining wall is needed for future flood control.	City of Santa Fe USACENMED	$1,300,000	Self-funded Federal and State Grants	High	24 Months	New in 2020. A drainage analysis was done in 2018. The city has shovel-ready 90% engineering plans. Benefits: Damage to existing stormwater and channel infrastructure, protection of public and private property.
F-8	1	Flood	**Implement Hospital Tank Drainage Improvements.** The retaining wall around the hospital tank experienced sinking due to the July 2018 rain event. A rain gauge located next to the tank site at Christus St Vincent Hospital recorded 2.86 inches in 30-minutes, or approximately a 500-year rain event. The site is not able to drain greater than a 100-year event. As a result, the retaining wall was compromised. Future risks include tank settling or cracking. This project would implement	Water Division	$250,000	Self-funded	High	6 Months	New in 2020

ID	Related Goal(s)	Hazard(s) Mitigated	Title/Description/Background/ Benefits	Lead Agency and Partners	Cost Estimate	Potential Funding	Priority	Timeline	Status/ Implementation Notes
			drainage improvements to reduce the potential damage to the tank and retaining wall.						
F-9	1	Flood	**Implement the Buckman Pipeline Erosion Control Project.** This project will include the design and installation of mitigation measures to protect the Buckman water transmission pipeline from flood and erosion. This will include the construction of a concrete-lined low water crossing on a tributary arroyo and strategic berms and swales to divert drainage and minimize erosion. The project was identified as a need in the 2018 flood recovery.	Water Division	$500,000	Mitigation grants; Federal and State grants	High	12 Months	New in 2020 Some initial work has begun on the project in 2019 including preliminary design.
F-10	2,4,5	Flood	**Develop CERT program.** Develop, support and fund Citizen Corps Programs, to include Community Emergency Response Teams (CERT) that also includes a mitigation component.	OEM	$125,000	Self-Funded; Federal and State grants; Private Sector donations	High	18 Months	Continue-Not completed. While no progress has been made to date, OEM is still looking into the viability of a CERT program for the City of Santa Fe. Action Added in 2014.
F-11*	2,4,5	Flood	**Expand and disseminate GIS and other hazard information on the internet.**	GIS	$30,000	Self-funded	Low	12 Months	Continue-Not completed. Through the City's ESRI ArcGIS Enterprise Agreement more work will be done

ID	Related Goal(s)	Hazard(s) Mitigated	Title/Description/Background/ Benefits	Lead Agency and Partners	Cost Estimate	Potential Funding	Priority	Timeline	Status/ Implementation Notes
									in the next planning period. Action Added in 2014.
F-12	2,4,5	Flood	**Develop a Flood Hazard Education/Outreach Plan**	Land Use Public Works OEM	$40,000	Mitigation grants; Self-funded	Medium	12 Months	Continue-Not completed. This will be incorporated in the OEM Public Outreach Strategy once developed.
F-13*	1,2	Flood	**Conduct flash flooding hydrology studies in flood prone areas of the city.**	Land Use Public Works	$300,000	Self-funded; Federal and State Grants	Medium	18 Months	Continue-Not completed.
F-14	2,4,5	Flood	**Enhance flood education and awareness.** Work with city officials to increase awareness among property owners including information mailings to property owners in the 100-year floodplain; and sponsoring a series of workshops about costs and benefits of acquiring and maintaining flood insurance coverage for property owners in the 100-year floodplain.	Land Use Public Works	$50,000	Mitigation grants; Self-funded	Medium	12 Months	Continue-Not completed.
F-15	1,3	Flood	**Create a virtual and physical library that contains all technical studies, particularly hazard mitigation and natural resources.**	Land Use	$150,000	Self-funded	Low	18 Months	Continue-Not completed.
F-16*	1,2,3,4,5	Flood	**Continued NFIP compliance.** Continue to meet the compliance requirements outlined in the NFIP.	Land Use	$0	Self-funded Federal and State Grants	Low	12 Months	Annual Implementation. Action added in 2014.

ID	Related Goal(s)	Hazard(s) Mitigated	Title/Description/Background/ Benefits	Lead Agency and Partners	Cost Estimate	Potential Funding	Priority	Timeline	Status/ Implementation Notes
SW-1	4,5	Severe Weather (Lightning, Hail, Extreme Temps, Wind, Winter Storms) Tornado	**Pursue StormReady Santa Fe status.** Establish city as a StormReady City to enhance Mitigation and preparedness for the impacts of severe weather through better planning, education, and awareness.	OEM	$5,000	Self-funded Federal and State Grants Private Sector Donations	High	12 Months	Continue – Not Completed.
SW-2	2	Severe Weather (Extreme Temperatures)	**Enhance extreme temperature plans.** Review existing extreme heat or cold emergency response plans for enhancement opportunities to include hazard mitigation and education and awareness.	OEM	$0	Self-funded	Medium	12 Months	In progress. Code Blue Policy Form developed.
SW-3	3	Severe Weather (Winter Storm)	**Winter Weather Response.** Winter weather preparedness, mitigation and response: Improve equipment for snow removal and improve the placement of equipment in strategic equipment, improve response time for street safety, and improve public education on driving techniques for the community.	Public Works – Streets and Drainage	$0	Self-funded	Low	12 Months	New in 2020.
SW-4	1	Severe Weather (Lightning, Hail, Extreme Temps, Wind, Winter Storms	**Critical facilities evaluation.** Conduct non-technical evaluation process for critical facilities to determine relative severe weather vulnerability and gather information for subsequent refinements of this mitigation plan.	Land Use OEM	$0	Self-Funded; Federal and State grants;	High	12 Months	Continue-Not completed. Action added in 2014.
SW-5	1,2	Severe Weather (Lightning, Hail, Extreme Temps, Wind,	**Critical facilities identification.** Utilize existing critical facility data records in the city's Geographic Information System to target structures in need of updating.	GIS Land Use	$50,000	Self-funded	High	12 Months	In progress Critical facilities identified and updated in 2020 Mitigation Plan including

ID	Related Goal(s)	Hazard(s) Mitigated	Title/Description/Background/ Benefits	Lead Agency and Partners	Cost Estimate	Potential Funding	Priority	Timeline	Status/ Implementation Notes
		Winter Storms)							alignment with FEMA Lifelines framework. Action added in 2014.
SW-6	1	Severe Weather (Lightning, Hail, Extreme Temps, Wind, Winter Storms	**City-owned critical facilities evaluation.** Utilize existing critical facility data records in the Santa Fe City Geographic Information System to target City-owned structures in need of updating.	GIS Land Use	$50,000	Self-funded	Low	12 Months	In progress. Critical facilities identified and updated in 2020 Mitigation Plan. An initial GIS assessment of facilities at risk was completed, but site specific evaluations is needed. Action added in 2014.
SW-7	1,2,3,5	Severe Weather (Lightning, Hail, Extreme Temps, Wind, Winter Storms	**Update GIS data.** Complete structure data records in the city's Geographic Information System to allow future revisions of this plan to more easily incorporate information about property values, construction types, etc.	GIS	$50,000	Self-funded	Medium	12 Months	Completed. This was completed as part of the 2020 HMP update. Action added in 2014.
T-1	2,4,5	Tornado, Severe Weather (Lightning, Hail, Extreme Temps, Wind, Winter Storms)	**Enhance Warning systems.** Install tornado warning-capable radios/televisions in all public buildings, parks, and recreational areas to announce alerts from the Emergency Alert System and National Weather Radio.	OEM	$15,000	Self-funded Federal and State Grants Private Sector Donations	Medium	12 Months	In progress. Alert Santa Fe has been expanded and implemented to enhance warning capabilities. Action added in 2014.

ID	Related Goal(s)	Hazard(s) Mitigated	Title/Description/Background/ Benefits	Lead Agency and Partners	Cost Estimate	Potential Funding	Priority	Timeline	Status/ Implementation Notes
T-2	2	Tornado, Severe Weather (Lightning, Hail, Extreme Temps, Wind, Winter Storms)	**Acquire Generators for critical facilities**. Acquire and install additional emergency generators to power essential buildings to ensure continuity of operations if power is knocked out by a tornado, high winds, thunderstorm, blizzard, lightning, or hail storm.	Facilities OEM	$2,000,000	Self-funded Federal and State Grants Private Sector Donations	High	36 Months	In progress. Some sites have had preliminary assessments done but more work is needed to determine appropriate locations and associated costs. Action added in 2014.
T-3	2,4	Tornado, Severe Weather (Lightning, Hail, Extreme Temps, Wind, Winter Storms)	**Expand weather radios in public buildings.** Purchase and install NOAA radio for public buildings to broadcast tornado and severe weather warnings.	OEM Safety Office	$5,000	Self-funded Federal and State Grants Private Sector Donations	Low	6 Months	In progress. Not all public buildings have weather radios and those that do need to be inventoried. Action added in 2014.
T-4	2,4	Tornado, Severe Weather (Lightning, Hail, Extreme Temps, Wind, Winter Storms)	**Expand Storm spotters.** Increase number of National Weather Service's SKYWARN on the ground storm spotters; recruit and train additional storm spotters. SKYWARN spotters enhance the National Weather Service's storm detection capabilities by identifying and reporting potentially dangerous weather conditions.	OEM	$5,000	Self-funded Federal and State Grants Private Sector Donations	Low	24 Months	In progress. OEM has not worked to increase the number of storm spotters in the area. Action added in 2014.
W-1	1,2	Wildfire	**Implement Fuel Reduction Projects.** Reduce fuel load on forested lands to build wildfire resilient landscapes. – Expand Fuel Thinning Program	FD	$300,000	Self-funded Federal	High	24 Months	Annual Implementation. Fuel thinning has occurred at various

ID	Related Goal(s)	Hazard(s) Mitigated	Title/Description/Background/ Benefits	Lead Agency and Partners	Cost Estimate	Potential Funding	Priority	Timeline	Status/ Implementation Notes
						and State Grants			locations on an annual basis. Action added in 2014.
W-2	1,2	Wildfire	**Identify and implement defensible space for critical facilities.** Identify, create and maintain defensible space around critical facilities located in high or extreme wildfire hazard areas, such as schools, fire stations, etc.	FD OEM	$600,000	Self-funded Federal and State Grants	High	18 Months	Continue-Not Completed. Action added in 2014.
W-3*	2,4,5	Wildfire	**Enhance public education on defensible space.** Make educational materials available through the Land Use Department to inform citizens about Best Management Practices (BMPs) for defensible Space	FD Land Use	$30,000	Self-funded Federal and State Grants	High	60 Months	Continue- Not Completed Action added in 2014.
W-*	1,2	Wildfire	**Develop additional water sources for fire suppression.** Develop dependable sources of water for fire suppression in all residential areas of the City.	Water Division	$8,000,000	Self-funded Federal and State Grants	High	96 Months	In progress. Ongoing priority for pipeline replacement and construction standards improvements.
W-5	2,4,5	Wildfire	**Expand delivery of "Ready, Set, Go!" program.**	FD	$125,000	Self-funded Federal and State Grants	High	12 Months	Annual Implementation. FD continues to distribute Ready, Set, Go! (RSG) material to neighborhoods, printing about 200 booklets every quarter. RSG is an integral part of our mitigation program

ID	Related Goal(s)	Hazard(s) Mitigated	Title/Description/Background/ Benefits	Lead Agency and Partners	Cost Estimate	Potential Funding	Priority	Timeline	Status/ Implementation Notes
									and education and outreach. Action added in 2014.
W-6*	2,3	Wildfire	**Implementation of WUI ordinance.** Ensure compliance with the recently adopted wildland-urban interface ordinance by hiring additional staff to do on-site inspections and enforcement.	FD	$0	Self-funded Federal and State Grants	Medium	Deferred	Continue- Not Completed. This action requires additional staff or direction on accomplishing this task. Capacity to accomplish this action is needed. Action added in 2014.
W-7	2,4	Wildfire	**WUI public education and awareness.** Educate the public on Wildland-Urban Interface (WUI) best practices through demonstration site and educational brochures.	FD	$60,000	Self-funded Federal and State Grants	Low	12 Months	Annual Implementation. Education and Outreach plays a critical role in the FD efforts to reach communities and make individual connections which further our wildfire mitigation goals. Action added in 2014.
W-8	2,4,5	Wildfire	**Evacuation routes awareness and education**. Educate the public on evacuation routes and evacuation procedures. Build upon existing evacuation routes.	FD OEM	$0	Self-funded Federal and State Grants	Low	18 months	Continue – not completed. OEM, Fire, and GIS need to assess one way in/out communities to determine

ID	Related Goal(s)	Hazard(s) Mitigated	Title/Description/Background/ Benefits	Lead Agency and Partners	Cost Estimate	Potential Funding	Priority	Timeline	Status/ Implementation Notes
									appropriate education strategies. Action added in 2014.
W-9*	2,4,5	Wildfire	**Firewise**. Create Firewise Communities in high risk subdivisions	FD Neighborhoods	$60,000	Self-funded Federal and State Grants	Low	24 Months	In progress. The Monte Sereno neighborhood became a Firewise Community in 2014 and have continued to be renewed every year. The Fire Department continues to support Monte Sereno in their mitigation efforts with staff time to attend meetings, provide funding opportunities, and provide green waste pickups. Action added in 2014.
W-10	4,5	Wildfire	**Coalition for wildfire mitigation.** Establish a Fire Hazard Mitigation Coalition.	OEM	$0	Self-funded	Low	12 Months	Annual Implementation. Action added in 2014.
W-11	1,2	Wildfire	**Implement prescribed burns to reduce fuel loads.** Coordinate prescribed burning and regular	Water Division	$350,000	Self-funded; USDA –	High	60 Months	In progress. Implementing FY 2020-24 City of

ID	Related Goal(s)	Hazard(s) Mitigated	Title/Description/Background/ Benefits	Lead Agency and Partners	Cost Estimate	Potential Funding	Priority	Timeline	Status/ Implementation Notes
			vegetation thinning on public lands near wildland urban interface with City of Santa Fe Fire Department. Work with defensible space on private properties.			Forest Service			SF/SF National Forest Collection Agreement beginning in FY2020 will be for a total of $480,000 ($240K City/$240K USFS).
W-12*	1,2,3	Wildfire	**Coordinate the defensible space planning with Santa Fe Pojoaque Soil and Water Conservation District to avoid gaps.**	SFPSWCD	Low cost-staff time	Self-funded, SFPSWCD	Medium	60 Months	New in 2020
W-13	2,3	Wildfire	**Wildfire Hazard Assessments.** Assessing wildfire hazards on private property to reduce the risk of wildfire to those properties. Rapid assessments-curbside assessments with no interaction. In-depth assessments – one-on-one assessments held with the property owner to discuss hazards and provide information on mitigation programs	FD	$60,000	Self-funded Federal and State Grants	High	12 Months	New in 2020.. Approximately 2400 assessments completed since 2013. About 30% are in-depth assessments. This is a critical part of our mitigation program as it provides the initial contact in most cases to build relationships in the community to facilitate mitigation actions.
W-14	2,3,4	Wildfire	**Wildfire Mitigation Agreement.** Labor-share agreement between private property owners and the Fire Department's Wildland Division to implement defensible space projects. The Fire Department cuts	FD	$60,000	Self-funded Federal and State grants	High	12 Months	New in 2020.. This project relies on the Wildfire Hazard Agreements to generate

ID	Related Goal(s)	Hazard(s) Mitigated	Title/Description/Background/ Benefits	Lead Agency and Partners	Cost Estimate	Potential Funding	Priority	Timeline	Status/ Implementation Notes
			the trees and the property owner removes the cut material off-site. Property owner agrees to maintain the property for 10 years. Implemented projects benefit the property and adjacent properties with reduced wildfire risk.						program awareness and agreement services and will average about 12 properties a year.
W-15	2,3,4,5	Wildfire	**Green Waste Pick-up.** Once a month during the first full week of every month between October and May residents in the wildland-urban interface can pile green waste on the street side for pick-up. Only tree branches and yard clippings removed to reduce wildfire risk are accepted.	FD	30,000	Self-funded Federal and State Grants	Medium	12 Months	New in 2020. Implemented in October-May annually, this program has essentially erased the need to use the department's chipper. The department's grapple truck is more efficient and effective. Approximately 100 tons a year is removed with this program.
HC-1	4,5	Human-Caused Hazards	**Hazardous materials public education and awareness.** Seek opportunities to inform individuals and business owners regarding recommendations for how to prepare for hazardous material releases. The recommendations will advise taking some of the same actions to prepare for	OEM	$0	Self-funded Federal and State Grants Private Sector Donations	High	12 Months	Annual Implementation. Ready Santa Fe iOS and Google Play Application; National Preparedness Month Annual

ID	Related Goal(s)	Hazard(s) Mitigated	Title/Description/Background/ Benefits	Lead Agency and Partners	Cost Estimate	Potential Funding	Priority	Timeline	Status/ Implementation Notes
			earthquakes, floods, and fires, i.e., store a multi-day supply of food and water, make sure flashlights, portable radios, and spare batteries are on hand; and identify out-of-town contacts and a place to reunite if separated from family members. All residents can be better prepared by becoming more aware of surroundings and reporting suspicious activity to local officials.						Campaigns; National Wildfire Preparedness Day; General Social Media.
HC-2	1,2,3	Human-Caused Hazards	**Harden critical facilities**. Assess need to and methods to harden critical facilities against the effects of human-made hazards, e.g., the accidental or intentional release of chemical, biological, or radioactive material; the accidental or intentional detonation of explosives; or acts of random violence or terrorism.	OEM	$0	Self-funded Federal and State Grants	High	24 Months	In progress. Critical Infrastructure Survey; DHS Active Shooter Training.
HC-3	2	Human-Caused Hazards	**Review City EOP**. Ensure the Emergency Operations Plan meets or exceeds current state and federal hazardous materials emergency planning requirements.	OEM SFPD	$0	Self-funded Federal and State Grants Private Sector Donations	Medium	12 Months	In progress. The Emergency Operations Plan is under revision.

ID	Related Goal(s)	Hazard(s) Mitigated	Title/Description/Background/ Benefits	Lead Agency and Partners	Cost Estimate	Potential Funding	Priority	Timeline	Status/ Implementation Notes
HC-4	2,4,5	Human-Caused Hazards	**Active shooter public education**. Educate the public on safety plans for a mass shooting and/or terrorist attack. "Harden" locations with armed security.	OEM SFPD	Staff Time	Dept. Budget	Low	12 Months	In progress. SFPD has been providing training to the public on Active Shooter Response and is not a new initiative. We conduct the training as a community outreach program and absorb the cost within our budget to pay for the instructor's time to put on the class. Any initiative by City Departments to include the use of armed or unarmed security personnel would be within the Department's respective budget.
HC-5	2,4	Human-Caused Hazards	**City-wide emergency communication systems.** Provide city-wide emergency communication systems that are not dependent on local telephone and electrical services.	OEM PD RECC	$500,000	Self-funded Federal and State Grants Private Sector Donations	Medium	24 Months	Action added in 2014.

ID	Related Goal(s)	Hazard(s) Mitigated	Title/Description/Background/ Benefits	Lead Agency and Partners	Cost Estimate	Potential Funding	Priority	Timeline	Status/ Implementation Notes
HC-6	1,2,3	Human-Caused Hazards	**Coordination with hazardous materials facility owners and operators**. Work with facility owners and operators identified in Section One of this plan as having the greatest potential impact (based on population in the immediate vicinity) to ensure: Facilities are in compliance with all relevant local, state and federal requirements; Neighboring property owners understand the potential extent of the risk; and Alert and warning systems are appropriate to the situation. Pursue the installation of warning systems around hazardous material facilities if it is determined that existing warning systems are inadequate for the purposes of alerting neighboring property owners.	OEM	$125,000	Self-funded Federal and State Grants Private Sector Donations	Medium	12 Months	Continue-Not completed. No action has been made during the previous planning period. Action added in 2014.

5.5.1 Additional Actions Considered

Several additional mitigation actions were proposed at HMPT meeting 3 in 2020. These did not move forward as an action in the updated mitigation action plan for various reasons which may include duplication with an already existing action or ongoing program; some of these were suggested by outside stakeholders but a lead department within the City was not identified. These are shown in Table 5-3. These may be considered for formal implementation in future planning efforts.

Table 5-3 Additional Mitigation Actions Identified and Considered in 2020 Mitigation Strategy

Hazard(s)	Proposed Mitigation Action
Dam Incident	Coordinate with dam owners to make sure inundation mapping is correct and current.
Dam Incident	Enhance monitoring and coordination of dams to reduce catastrophic impacts. Improve public warning capability below high hazard dams.
Drought	Low-flow toilet rebate program: Mailer rebate with Lowe's, Home Depot, or other local supports to have homeowners convert to low-flow toilets. Could also include low-flow sprinklers, shower heads, and faucet aerators.
Drought	Herd management: Reduction of herd numbers by Department of Agriculture or Game & Fish.
Flood	NFIP/insurance outreach to those in the floodplain (water bill inserts/mailers, door-to-door)
Flood	Install backup power sources that will keep critical infrastructure and critical facilities operational during prolonged power outages.
Flood	Install remote sensing water flow in drainage next to Sam's, below mall, and below Walmart.
Flood and Dam Incident	Develop a flood warning/flow rate monitoring capability. Include cameras at key streams gages for confirmation; overflow sensors for spillways.
Severe Weather	Work with NWS/NOAA on Storm Watcher program and see if there are gaps in weather monitoring with weather stations throughout the city. Trainings for citizens. Purchase weather stations to fill any gaps in Santa Fe.
Tornado	Identify tornado shelter options for all public school sites.
Wildfire	Reduce hazard of vegetation fuels on both public and private lands with City Fire, Santa Fe County fire, State Forestry, and USFS.
Multi-Hazard	Develop education programs for schools to raise awareness of proactive approaches.
Human-Caused	Cyber security threat assessment to evaluate the ability to recover from a large-scale cyber terrorist attack on city infrastructure.
Human-Caused	Communications redundancy for police and fire departments because an accident within the 911 center would cripple the city.
Human-Caused	To mitigate a cyber-attack on city infrastructure, have backup radio towers, security firewalls, and active monitoring.

6.0 PLAN ADOPTION

Requirement §201.6(c)(5): [The local hazard mitigation plan shall include] documentation that the plan has been formally approved by the governing body of the jurisdiction requesting approval of the plan (e.g., City Council, County Commissioner, Tribal Council).

The purpose of formally adopting this plan is to secure buy-in from the City of Santa Fe, raise awareness of the plan, and formalize the plan's implementation. The adoption of this plan completes Planning Step 9 of the 10-step planning process: Adopt the Plan, in accordance with the requirements of DMA 2000. Following FEMA's initial approval, the City of Santa Fe will re-adopt this Mitigation Plan by passing a resolution. A copy of the resolution is included in Appendix C and will be submitted as documentation to FEMA Region VI through the New Mexico Department of Homeland Security and Emergency Management.

7.0 PLAN IMPLEMENTATION AND MAINTENANCE

Requirement §201.6(c)(4): [The plan maintenance process shall include a] section describing the method and schedule of monitoring, evaluating, and updating the mitigation plan within a five-year cycle.

Implementation and maintenance of the plan is critical to the overall success of mitigation planning. This is Planning Step 10 of the 10-step planning process. This chapter provides an overview of the overall strategy for plan implementation and maintenance and outlines the method and schedule for monitoring, updating, and evaluating the plan. The chapter also discusses incorporating the plan into existing planning mechanisms and how to address continued public involvement.

7.1 Implementation

Once adopted, the plan faces the truest test of its worth: implementation. While this plan contains many worthwhile actions, the City will need to decide which action(s) to undertake first. Two factors will help with making that decision: the priority assigned the actions in the planning process and funding availability. Low or no-cost actions most easily demonstrate progress toward successful plan implementation.

Implementation will be accomplished by adhering to the schedules identified for each action (see Section 5 for mitigation actions), and through constant, pervasive, and energetic efforts to network and highlight the multi-objective, win-win benefits of each project to the Santa Fe community and its stakeholders. These efforts include the routine actions of monitoring agendas, attending meetings, and promoting a safe, sustainable community.

Mitigation is most successful when it is incorporated into the day-to-day functions and priorities of government and development. Implementation will be accomplished by adhering to the schedules identified for each action and through constant, pervasive, and energetic efforts to network and highlight the benefits to each program and the City of Santa Fe community and its stakeholders. This effort is achieved through the routine actions of monitoring meeting agendas for hazard mitigation related initiatives, coordinating on the topic at meetings, and promoting a safe, sustainable community. Additional mitigation strategies could include consistent and ongoing enforcement of existing policies and vigilant review of programs for coordination and multi-objective opportunities.

Simultaneous to these efforts, it is important to maintain a constant monitoring of funding opportunities that can be leveraged to implement some of the more costly recommended actions. This will include creating and maintaining a bank of ideas on how to meet local match or participation requirements. When funding does become available, the City will be in a position to capitalize on the opportunity. Funding opportunities to be monitored include special pre- and post-disaster funds, state and federal earmarked funds, benefit assessments, and other grant programs, including those that can serve or support multi-objective applications.

7.1.1 Role of Hazard Mitigation Planning Committee in Implementation and Maintenance

With adoption of this plan, the City will be responsible for the plan implementation and maintenance. Led by the Office of Emergency Management (OEM), the HMPT/EMCG will reconvene for plan implementation and maintenance. This HMPT will be the same committee (in form and function, if not actual individuals) that developed this MP and will also be responsible for the next formal update to the plan in five years. The HMPT will:

- Act as a forum for hazard mitigation issues;
- Disseminate hazard mitigation ideas and activities to all participants;
- Pursue the implementation of high-priority, low/no-cost recommended actions;
- Ensure hazard mitigation remains a consideration for community decision makers;
- Maintain a vigilant monitoring of multi-objective cost-share opportunities to help the community implement the plan's recommended actions for which no current funding exists;
- Monitor and assist in implementation and update of this plan;
- Report on plan progress and recommended changes to the Santa Fe City Council; and
- Inform and solicit input from the public.

The HMPT will not have any powers over City staff; it will be purely an advisory body. The primary duty is to see the plan successfully carried out and to report to the City Council Members and the public on the status of plan implementation and mitigation opportunities. Other duties include reviewing and promoting mitigation proposals, considering stakeholder concerns about hazard mitigation, passing concerns on to appropriate entities, and posting relevant information on the City website (and others as appropriate).

7.2 Maintenance, Monitoring and Evaluation

Plan maintenance implies an ongoing effort to monitor and evaluate plan implementation and to update the plan as progress, roadblocks, or changing circumstances are recognized.

7.2.1 Maintenance and Monitoring Schedule

The City of Santa Fe OEM is responsible for initiating plan reviews and consulting with the heads of participating departments. In order to monitor progress and update the mitigation strategies identified in the action plan, City of Santa Fe OEM and the standing HMPT will conduct an annual review of this plan and/or following a hazard event. An annual mitigation action progress report will be prepared by the HMPT and kept on file to assist with for future updates. The annual review will be conducted by re-convening the HMPT in November of each year. At a minimum, the meeting will include the review of the mitigation actions ranked high and medium priority.

This plan will be updated, approved and adopted within a five-year cycle as per Requirement §201.6(c)(4)(i) of the Disaster Mitigation Act of 2000 unless disaster or other circumstances (e.g., changing regulations) require a change to this schedule. The City will inquire with NMDHSEM and FEMA for funds to assist with the update. It is recommended to begin seeking funds in 2024 as most applicable grants have multiple years to expend the funds. Funding sources may include the Emergency Management Performance Grants, Pre- Disaster Mitigation, Hazard Mitigation Grant Program (if a presidential disaster has been declared), and Flood Mitigation Assistance grant funds. The next plan update should be completed and reapproved by NMDHSEM and FEMA Region VI within five years of the FEMA final approval date. The planning process to prepare the update should begin no later than 15 months prior to that date. If grant funding is needed to complete the update OEM will need to seek funding two years prior to this plan's expiration.

7.2.2 Maintenance Evaluation Process

The planning team will continually observe the incorporation process, evaluation method, updating method, continued public participation, and completion of the action/projects to assure that the planning team and the plan itself are performing as anticipated. By monitoring these processes, the planning team will then be able to evaluate them at the time of the plan update, determining if any changes are needed.

The Mitigation Plan update every five years provides an opportunity to determine whether there have been any significant changes in the City that may, in turn, necessitate changes in the types of mitigation actions proposed. New development in identified hazard areas, an increased exposure to hazards, the increase or decrease in capability to address hazards, and changes to federal or state legislation are examples of factors that may affect the necessary content of the Mitigation Plan.

The plan review provides city officials with an opportunity to evaluate those actions that have been successful and to explore the possibility of documenting potential losses that were avoided due to the implementation of specific mitigation measures. The plan review also provides the opportunity to address mitigation actions that may not have been successfully implemented as assigned.

Evaluation of progress can be achieved by monitoring changes in vulnerabilities identified in the plan. Changes in vulnerability can be identified by noting:

- Decreased vulnerability as a result of implementing recommended actions;
- Increased vulnerability as a result of new or altered hazards, and
- Increased vulnerability as a result of new development.

Updates to this plan will:

- Consider changes in vulnerability due to action implementation;
- Document success stories where mitigation efforts have proven effective;
- Document areas where mitigation actions were not effective;
- Document any new hazards that may arise or were previously overlooked;
- Incorporate new data or studies on hazards and risks;
- Incorporate new capabilities or changes in capabilities;
- Incorporate growth and development-related changes to infrastructure inventories; and
- Incorporate new action recommendations or changes in action prioritization.

In order to best evaluate any changes in vulnerability as a result of plan implementation, the City will adhere to the following process:

- A representative from the responsible office identified in each mitigation measure will be responsible for tracking and reporting on an annual basis to the department lead on action status and provide input on whether the action as implemented meets the defined objectives and is likely to be successful in reducing vulnerabilities.
- If the action does not meet identified objectives, the lead will determine what additional measures may be implemented, and an assigned individual will be responsible for defining action scope, implementing the action, monitoring success of the action, and making any required modifications to the plan.

Changes will be made to the plan to accommodate for actions that have failed or are not considered feasible after a review of their consistency with established criteria, time frame, community priorities, and/or funding resources. Actions that were not ranked high but were identified as potential mitigation activities will be reviewed as well during the monitoring and update of this plan to determine feasibility of future implementation. Updating of the plan will be by written changes and submissions, as the HMPT deems appropriate and necessary, and as approved by the City of Santa Fe City Council. In keeping with the five-year update process, the HMPT will convene public meetings to solicit public input on the plan and its routine maintenance and the final product will be adopted by the governing council.

7.2.3 Disaster Proclamation or Declaration

Following a disaster proclamation or declaration, the Mitigation Plan will be revised as necessary to reflect lessons learned, or to address specific issues and circumstances arising from the event. It will be the responsibility of OEM to reconvene the Hazard Mitigation Planning Committee and ensure the appropriate stakeholders are invited to participate in the plan revision and update process following declared disaster events.

7.2.4 Incorporation into Existing Planning Mechanisms

Another important implementation mechanism that is highly effective and low-cost is incorporation of the mitigation plan recommendations and their underlying principles into other City plans and mechanisms. Where possible, plan participants will use existing plans and/or programs to implement hazard mitigation actions. This plan should also be cross-referenced when related planning mechanisms are updated. As previously stated above, mitigation is most successful when it is incorporated into the day-to-day functions and priorities of government and development. As described in this plan's capability assessment, the City already implements policies and programs to reduce losses to life and property from hazards.

The 2014 HMP was incorporated into other City planning mechanisms, to include:

- The City's Comprehensive Emergency Management Plan (CEMP) lists the HMP as a related plan.
- SFOEM's Strategic Plan (which is part of the CEMP) lists five strategic goals, the first of which is "Develop a comprehensive planning strategy encompassing the threats and hazards of the City of Santa Fe for prevention, protection, mitigation, response, and recovery." The plan also lists maintaining an updated mitigation plan as a priority, and states "a community that is aware of the hazards they face and the steps they can take to prepare for emergencies is the cornerstone of effective emergency management."
- The Sustainable Santa Fe 25-Year Plan also lists the HMP as a related plan, although it does not go into details about how the HMP was incorporated into that plan.

This updated plan builds upon the momentum developed through previous and related planning efforts and mitigation programs and recommends implementing actions, where possible, through these other program mechanisms. These existing mechanisms include (but not limited to) the following:

- City Comprehensive Plan
- City Land Development Code
- City Emergency Operations Plan
- Community Wildfire Protection Plan
- Transportation Master Plan
- Sustainable Santa Fe 25-Year Plan
- Capital improvement plans and budgets
- Recovery planning efforts
- Watershed planning efforts
- Wildfire planning efforts on adjacent public lands
- Master planning efforts
- Greenway or river corridor planning efforts
- Other plans, regulations, and practices with a mitigation aspect

HMPT members involved in the updates to the planning mechanisms will be responsible for integrating the findings and recommendations of this plan with these other plans, programs, etc., as appropriate. As an action step to ensure integration with other planning mechanisms the City Office of Emergency

Management Director or designee will discuss this topic at the annual meeting of the HMPT described in subsection 7.2.1. The HMPT will discuss where there are opportunities to incorporate the plan into other planning mechanisms and who would be responsible for leveraging those opportunities. As described in Section 7.1 Implementation, incorporation into existing planning mechanisms will be done through the process of:

- Monitoring other planning/program agendas;
- Attending other planning/program meetings;
- Participating in other planning processes;
- Ensuring that the related planning process cross-references the mitigation plan, where appropriate, and
- Monitoring community budget meetings for other community program opportunities.

Examples of opportunities to cross reference the mitigation plan in other planning efforts.

- Opportunity to cross Reference the Mitigation Plan into updates of the City's Comprehensive Plan or Capital Improvement Plan.
- Cross reference the MP in the City's Land Use Code when it is updated.

The successful implementation of this mitigation strategy will require constant and vigilant review of existing plans and programs for coordination and multi-objective opportunities that promote a safe, sustainable community.

Efforts should continuously be made to monitor the progress of mitigation actions implemented through these other planning mechanisms and, where appropriate, their priority actions should be incorporated into updates of this mitigation plan.

7.2.5 Continued Public Involvement

Activities related to public involvement during the 2020 update are documented in Chapter 3 and Appendix B.

Continued public involvement is imperative to the overall success of the plan's implementation. The update process provides an opportunity to solicit participation from new and existing stakeholders and to publicize success stories from the plan implementation and seek additional public comment. The plan maintenance and update process will include continued public and stakeholder involvement and input through attendance at designated committee meetings, web postings, press releases to local media, and through public hearings. This includes maintaining a digital version of the plan on the City OEM website for public review. In addition, the Story Map created during the 2020 update will be available on the City's website to showcase hazard and risk assessment information and the mitigation action plan. Information on who to contact within the OEM will be posted with the plan. The City of Santa Fe OEM will maintain a file of comments received for reference during the next five-year update. Any revisions to the plan that may occur as a result of a disaster will also be made public and posted on the city website.

The next five-year update process also provides an opportunity to solicit participation from new and existing stakeholders and to publicize success stories from the plan implementation and seek additional public comment. When the HMPT reconvenes for the update, they will coordinate with all stakeholders participating in the planning process—including those that joined the committee since the planning process began—to update and revise the plan. In reconvening, the HMPT plans to identify a public outreach subcommittee, which will be responsible for coordinating the activities necessary to involve the greater public. Public notice will be posted, and public participation will be invited, at a minimum, through available website postings and press releases to the local media outlets, primarily newspapers. As

part of this effort, at least one public meeting will be held, and public comments will be solicited on the plan update draft.

APPENDIX A: MITIGATION PLANNING TEAM

APPENDIX A: HMPT MEMBERS

Name	Department	Division	Title	Meetings[1] Attended
Kyle Mason	Office of Emergency Management	--	Emergency Management Director	Kick-off; Mtg #2; Mtg#3
David Silver	Office of Emergency Management	--	Emergency Manager (former)	Kick-off; Mtg #2
Noah Berke	Land Use	Current Planning	Planning Manager	Kick-off; Mtg #2
Melissa McDonald	Public Works	Engineering – River, Watershed and Trails Section	River & Watershed Manager	Kick-off; Mtg #3
Javier Martinez	Public Works	Streets & Drainage Maintenance	PE Division Director	Kick-off
Regina Wheeler	Public Works	--	Public Works Director	Mtg #2
Alan Hook	Public Utility	Water	Water Resources Coordinator	Kick-off; Mtg #3
Leroy Griego	Public Utilities	Environmental Services	Commercial Supervisor	Mtg #2
Neal Denton	Public Utilities	Environmental Services	Sustainability Planner	
Shannon Jones	Public Utilities	Wastewater	Waste Water Director	
Eric Lucero	Public Utilities	Environmental Service	Operations Manager	
Gary Varela	Parks and Recreation	Parks	Parks Superintendent	Mtg #2
Chris Ortiz	Parks and Recreation	Parks and Watershed	Parks Superintendent	
Sheila Chavez	Parks and Recreation	Recreation	Administrative Manager	Mtg #2
Kristine Mihelcic	Constituent Services	Constituent and Council Services	Director	Mtg #2
Michelle Gurule	Constituent Services	--	Administrative Services	
Richard DeMella	Community Services	Youth and Family Division	Division Director	Kick-off
Edith Martinez	Community Services	Youth and Family Service	Office Manager	
Celeste Garcia	Human Resources	--	HR Associate	
Marcos Martinez	City Attorney's Office	--	Assistant Attorney	Kick-off; Mtg #2
Erin McSherry	City Attorney's Office	--	City Attorney	
Jessica Sandoval	Economic Development		Project Specialist	
Carolynn Roibal	Finance		Administration Manager	Kick-off; Mtg #2; mtg #3

[1] Those that are not listed as attending a meeting participated in the planning process in other ways such as emails, phone calls and face-to-face meetings with the City Emergency Manager/Project Manager and consultants.

Name	Department	Division	Title	Meetings[1] Attended
Debra Harris-Garmedina	Finance	Accounting	Controller	
Matt Harding	Tourism	Community Convention Center	Lead Specialist	Kick-off; Mtg #2; Mtg #3
Melanie Moore	Tourism	Community Convention Center	Operations Manager	
Phillip Pacheco	ITT	GIS	GIS Project Coordinator	
Leonard Padilla	ITT	GIS	GIS Project Coordinator	
Larry Worstell	ITT	Infrastructure	Infrastructure Manager	Kick-off; Mtg #2;
Jan Snyder	Fire	Administration	Assistant Fire Chief	
Greg Gallegos	Fire	Wildland Fire Preparedness	Wildland Superintendent	Kick-off
Porfirio Chavarria	Fire	Wildfire Preparedness	WUI Specialist	Kick-off
David Webb	Police		Lieutenant	Kick-off
Anthony Tapia	Police		Captain	Mtg #2; Mtg#3
Ben Valdez	Police	Investigations	Operations Deputy Chief	
Robert Vasquez	Police	Operations	Administration Deputy Chief of Police	
Stakeholders				
Martin Vigil	Santa Fe County	Office of Emergency Management	Emergency Manager	Mtg #3
Alicia Storer	Santa Fe County	Office of Emergency Management	Special Projects Administrator	Kick-off; Mtg #2; Mtg #3
Ignacio Dominguez	Santa Fe County	Office of Emergency Management	Emergency Management Coordinator	Kick-off; Mtg #2; Mtg #3
Cody Ulrich	Los Alamos County	Office of Emergency Management	Emergency Management Specialist	Kick-off
Beverley Simpson	Los Alamos County	Office of Emergency Management	Emergency Manager	Kick-off
Sigmund Silber	Santa Fe Pojoaque Soil and Water Conservation District		Elected Supervisor	Kick-off; Mtg #2; Mtg #3
Leo Maestas	San Miguel County/CLV	Office of Emergency Management	Emergency Manager	Kick-off
Marcella Benton	State of New Mexico	Department of Homeland Security and Emergency Management		Kick-off
Sara Gerlitz	State of New Mexico	Department of Homeland Security and Emergency Management	Mitigation Specialist	Kick-off

Name	Department	Division	Title	Meetings[1] Attended
Evelyn D. Ward	Santa Fe Amateur Radio Emergency Service		Emergency Coordinator	Mtg #2; Mtg #3
Kristin Baja	Urban Sustainability Directors Network	Climate Resilience	Programs Director	
Wood Environment and Infrastructure Solutions, Inc. Planning Team				
Jeff Brislawn	Wood		Project Manager	
Scott Field	Wood		Senior Planner	
Amy Carr	Wood		Hazard Mitigation Planner	

APPENDIX B: PLANNING PROCESS DOCUMENTATION

City of Santa Fe Hazard Mitigation Plan Update Kickoff Meeting Agenda

Date: Tuesday, May 7, 2019
9:30-11:30 am MDT

Meeting at: Emergency Operations Center
Mid-town Campus
1600 St Michaels Dr
Santa Fe, NM 87505

Project: City of Santa Fe Hazard Mitigation Plan Update

Subject/Purpose

The purpose of the meeting is to initiate the process for updating the City's Hazard Mitigation Plan (HMP), introduce the Disaster Mitigation Act of 2000, and summarize the hazard mitigation planning process. The HMP is intended to identify hazards, assets at risk, and ways to reduce impacts through long-term sustainable mitigation projects.

Attendees: Santa Fe Emergency Management Coordinating Group and Stakeholders

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1. Introductions
2. Mitigation, Mitigation Planning, and the Disaster Mitigation Act Requirements
3. The Role of the Hazard Mitigation Planning Team (HMPT)
4. Overview of the 2014 City of Santa Fe Hazard Mitigation Plan
5. Objectives and Schedule for HMP Update
6. Review of Identified Hazards
7. Coordinating with Other Agencies, Related Planning Efforts, and Recent Studies
8. Planning for Public Involvement
9. Initial Information Needs
10. Questions and Answers

wood.

SIGN-IN SHEET
CITY OF SANTA FE HAZARD MITIGATION PLAN UPDATE
Kickoff Meeting
Tuesday, May 7, 2019 9:30 AM – 11:30 am
Midtown Campus - Emergency Operations Center
1600 St Michaels Dr. Santa Fe, NM 87505

Name	Agency/Dept	Title	Phone	E-mail
Jeff Brislawn	Wood	Project Mgr	303-XXX-5506	Jeff.brislawn@woodplc.com
Javier Martine	City of Santa Fe	Streets Director	955-2402	jamartinez2@santafenm.gov
Alicia Storer	Santa Fe County OEM	EM Specialist	505-235-17576	agstorer@santafecountynm.gov
Ignacio Dominguez	Santa Fe County OEM	EM Coordinator	505-992-3074	Idominguez@santafecounty
Marcella Benton	DHSEM		505-476-9690	marcella.benton@gmail.com
Sara Gerlitz	DHSEM	Mitigation Spec.	505 660 3808	Sara.gerlitz@state.nm.us
Richard DeMella	COMSEN.	Youth Fam Div Dir	955-6573	rmdemella@SFNM.GOV
Matt Harding	convention center	Lead Specialist	801-376-6295	mdharding@sfnm.gov
GREGG GALLEGOS	FIRE	WILDLAND SUPT.	505-955-3901	ggallegos@ "
DAVID WEBB	SFPD	LIEUTENANT	505-955-5357	dweb66@Santafenm.gov
Sigmund Silber	SFPSWCD	Elected Supervisor	505 473-7666	Sigmund Silber e g.com
Melissa McDonald	Public Works	River + Watershed Coordinator	955-6840	MAMcDonald@santafenm.gov
LARRY WORSTELL	IT	Infrastructure Mgr	955-5580	LFWORSTELL@santafe.gov
Porfirio Chavarria	SFFD	WUI Specialist	955.3119	pchavarria@santafenm.gov
Cody Ulrich	LAC OEM	EM Spec.	5056628290	cody.ulrich@lacnm.us

SIGN-IN SHEET
CITY OF SANTA FE HAZARD MITIGATION PLAN UPDATE
Kickoff Meeting
Tuesday, May 7, 2019 9:30 AM – 11:30 am
Midtown Campus - Emergency Operations Center
1600 St Michaels Dr. Santa Fe, NM 87505

Name	Agency/Dept	Title	Phone	E-mail
Beverley Simpson	Los Alamos	EM	662-8283	beverley.simpsm@lacnm.us
Leo Maestas	SMC/CLV OEM	Emergency Manager	429-6805	lmaestas@co.sanmiguel.nm.us
Carolyn Roibal	Finance	Admin Mgr	955-6531	croibal@santafenm.gov
Noah Berke	Land Use	Planning Manager	955-6647	NCBerke@santafenm.gov
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City of Santa Fe
Hazard Mitigation Plan 2019 Update

Kick-Off Meeting Summary
9:30 am-11:30 am
May 7, 2019

Emergency Operations Center
Mid-town Campus
1600 St Michaels Dr.
Santa Fe, NM 87505

Introductions and Opening Remarks

Kyle Mason with the City Office of Emergency Management began the meeting with welcoming remarks and introduced Jeff Brislawn, project manager at Wood Environment & Infrastructure Solutions, Inc. (Wood), the consulting firm hired to facilitate the planning process and develop the updated plan. Jeff asked everyone around the room to introduce themselves. Twenty seven (27) persons representing a mix of city departments and stakeholders were present and documented on a sign-in sheet. City department representatives included Planning, Office of Emergency Management, Community Services, Public Utilities, Public Works, Fire, GIS, Legal, Finance, and the Convention Center.

Stakeholders and other interested parties present included:

- New Mexico Department of Homeland Security and Emergency Management
- Santa Fe County Fire Department – Emergency Management
- Los Alamos County Emergency Management
- San Miguel County Emergency Management
- Santa Fe Pojoaque Soil and Water Conservation District

Jeff asked how many had participated in a local hazard mitigation planning process and a few raised their hands. Jeff discussed the agenda items; the key discussion is summarized below and additional details are within the meeting PowerPoint presentation.

Mitigation Planning and the Disaster Mitigation Act Requirements

Jeff presented PowerPoint slides that outlined the planning process and the Disaster Mitigation Act (DMA) of 2000 Requirements. Jeff also mentioned the increase in the number of disaster incidents and the corresponding increase in recovery costs in New Mexico and nationwide in recent years. The upside of these disasters is that more funding is becoming available for mitigation projects. The City of Santa Fe Hazard Mitigation Plan (HMP) will be updated in accordance with the DMA 2000. The planning process involves a 4 Phase approach with 9 steps per FEMA guidance updated in 2013.

An important aspect of the plan update is that it's needed to be eligible for FEMA mitigation grant funding. Jeff emphasized the importance and benefits of hazard mitigation planning and the types of mitigation projects that can be funded if eligibility requirements are met. In New Mexico, these projects have included wildfire mitigation/fuels treatment, flood reduction/drainage improvements, generators and warning systems. He also noted 'climate resilient' activities including groundwater recharge for drought mitigation and green infrastructure for stormwater mitigation.

Role of the Hazard Mitigation Planning Team (HMPT)

The City and interested stakeholders will comprise the Hazard Mitigation Planning Team (HMPT) to provide input into the plan update. The HMPT is largely comprised of the City's Emergency Management Coordinating Group (EMCG). Jeff emphasized that local input will shape the plan to reflect the City's current priorities. Active participation is required for full approval of the plan from FEMA. Participation includes the following:

- Attend meetings and participate in the planning process
- Provide requested information to update the plan
- Review drafts and provide comments
- Identify mitigation projects, provide status on existing actions in the 2014 HMP
- Assist with and participate in the public input process
- Coordinate formal adoption

Stakeholders include other local, state and federal agencies with a stake in hazard mitigation in the City, and may include academic institutions, adjacent jurisdictions, and local business and industry. Stakeholders have various options and levels of participation including:

- Attend HMPT meetings or stay in loop via email list
- Provide data/information
- Partner on mitigation efforts
- Review draft plan

Overview of the 2014 City of Santa Fe Hazard Mitigation Plan

Jeff presented slides with an overview of the 2014 plan, including the overarching goals and a sample of the high priority mitigation actions. Jeff explained that the mitigation strategy contained approximately 60 hazard mitigation actions, which is a lot for a single jurisdictional plan. The update process will be an opportunity to revisit the actions and refine them to make it a realistic and achievable action plan.

Objectives and Schedule for the HIRA Update

The HMP update will be based on existing documents and studies, with the 2014 HMP and other related municipal plans providing the baseline for identified hazards and the groundwork for policies and actions for hazard mitigation.

Aspects of the planning process include:

- Engage the City participants to create a plan that reflects current priorities, development trends, hazards and risks
- Raise awareness and engage the public
- Update hazards and baseline development data to reflect current conditions
- Update the mitigation strategy

The HMP will be updated over the next six months, with at least two more meetings of the Hazard Mitigation Planning Team. Wood will be updating the Hazard Identification and Risk Assessment (HIRA) in the next couple of months, with input from the HMPT. The next meeting will cover the highlights of the risk assessment update and will likely occur in July, with a specific date TBD. Three drafts of the HMP will be created: the first for review by HMPT members, a second for public review and review by NM DHSEM, and a third for FEMA review. The first draft for HMPT review is targeted for October 2019, and the public review and DHSEM review draft is targeted for November. The final plan for FEMA review is targeted for December. The City will need to re-adopt the plan once it has been initially approved by FEMA. Due to the length of FEMA reviews that could be May or June of 2020.

Review of Identified Hazards

Based on hazards from the 2014 City HMP, the list of potential hazards was reviewed. Jeff showed a slide that listed the hazards in the 2014 HMP. Climate change was also included in the 2014 plan and noted with the hazards that could be affected (probability and intensity), where applicable. Jeff also showed a slide with the results of a hazard identification and ranking exercise completed by the EMCG in October 2018. The group discussed the 2014 HMP hazards, 2018 hazard ranking and potential additional hazards and arrived at the following list to be addressed in the HMP update:

Natural Hazards

- Dam Failure (new to plan)
- Drought
- Flood
- Severe Weather
  - Extreme temperatures
  - Hail
  - Lightning
  - Thunderstorms
  - Wind
  - Winter Storms
- Tornado
- Wildfire/Wildland Urban Interface

Possible natural hazards to at least mention but maybe not profile:

- Land subsidence (some areas in county, will look to see if areas in city)
- Debris flow (potential for post-fire debris flows affecting watershed/water supply outside city limits)
- Earthquake (low probability)
- Expansive soil (some areas in county, will look to see if areas in city)
- Volcano (low probability and few mitigation options)

Human Caused Hazards

- Active Shooter
- CBRNE
- Cyber Attack
- Hazardous Materials Release
- Pipeline Explosion
- Public Health Emergency
- Transportation Accident
- Utility Disruption

Jeff noted that the significance level of hazards will vary and instead of a numeric ranking the hazards will be grouped into High, Medium and Low categories. The group noted that the compounding and cascading nature of hazards should be noted in the plan where applicable (e.g. drought leads to wildfire leading to flood and debris flows). Arroyo erosion is an issue which will be included in the flood hazard profile. Dam failure was a noted omission from the 2014 plan and is one of the high significance hazards noted in the Santa Fe County Hazard Mitigation Plan. Space weather was profiled in the 2014 plan but will not be a separate hazard in the 2019 update; since the impacts are largely on utility disruption it will be noted within that hazard's profile.

Human caused hazards are optional in local hazard mitigation plans and will not be reviewed by FEMA. City OEM wants them included in the HMP to provide a basis for all-hazards planning.

Jeff will prepare a revised hazard identification list to share via email and finalize with input from the HMPT after the meeting. Jeff noted that every hazard profiled must have at least two mitigation actions identified per NM DHSEM and FEMA Region VI guidance.

Jeff Brislawn asked the group to review the list of hazards and comment on how they could be enhanced or updated with:

- Historic incidents
- Incident logs
- Public perception
- Scientific studies
- Other plans and reports (e.g., flood and drainage studies, CWPPs, Internet databases)
- Recent disasters

Suggested resources from the HMPT included:

- Cooperative project with state engineers from New Mexico and Colorado related to dam safety and inundation areas.
- USGS has done some debris flow mapping/modeling in the watershed.
- The Nature Conservancy has done a fireshed risk assessment
- An arroyo hazard assessment study has been done

Coordinating with Related Planning Efforts

Jeff asked the group what other studies have been completed or are in process that could inform or be linked (or cross-referenced) with the HMP update. The following were suggested by the HMPT:

- The countywide CWPP is going to be updated in the next year
- City did a 'lite' CWPP update
- City stormwater plan recently updated
- Source Water Protection Plan – 2001 – is going through an update
- Fireshed strategic plan – this is about a year out
- Water conservation and drought management plan – update of plan about a year out
- Santa Fe Metropolitan Planning Organization transportation plan is ramping up

Coordinating with Other Agencies

The group discussed other agencies that should be coordinated with. Those that have a stake or interest in hazard mitigation included:

- The Nature Conservancy
- Fireshed Coalition
- Santa Fe Watershed Organization
- New Mexico State Engineer – Dam Safety
- National Weather Service
- Utility providers: PNM, NM Gas, Comcast, Century Link

Planning for Public Involvement

How to involve the public was discussed. The public can be a source of information on hazards and mitigation ideas. An ArcGIS online 'StoryMap' will be created, with options for the public to provide input via online surveys. Public meetings are scoped to be part of the effort, but Jeff recommend 'piggy backing' on other public forums where possible to ensure an audience. Suggestions included:

- Stormwater outreach to the public and business
- National public preparedness month in September
- Next Gen Water conference – June 9th

Data Collection Needs and Next steps

A "Local Hazard Mitigation Plan Data Collection Guide" handout was provided and discussed. Jeff emphasized that this guide is for City staff participating in the plan update. It contains worksheets that will help focus needed input. **These are due back to Jeff Brislawn by email June 14, 2019**. A Google Share Drive will be set up for the project to share large documents. A GIS needs list was provided to the City to assist with data collection. City OEM will provide the meeting summary, handouts, presentation and sign in sheet by email so that other HMPT members that could not attend today's meeting could get up to speed. Jeff noted that he will be in touch to followup on some of the previously identified data sources and plans.

Adjourn

The meeting adjourned at 11:30 am.

Summary prepared by Jeff Brislawn, Wood

Jeff.brislawn@woodplc.com
303-209-3781
1942 Broadway, Suite 314
Boulder, CO 80302

Subject: Emergency Management Coordinating Group
Location: Emergency Operations Center

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Start: Tue 5/7/2019 9:00 AM
End: Tue 5/7/2019 11:00 AM
Show Time As: Tentative

Recurrence: (none)

Organizer: MASON, KYLE A.

Hello all,

The City of Santa Fe is initiating the process for updating the City's Mitigation Plan. The Emergency Management Coordinating Group (EMCG) will form the basis of our team to develop the updated plan. As a representative on this group, and or a key City department with an stake in hazard mitigation, you are being invited to participate. The planning effort will be assisted by Wood Environment & Infrastructure's professional planning services. Three planning team workshops over the next 6 months are anticipated.

The City's Mitigation Plan is being updated in accordance with the Disaster Mitigation Act of 2000 and the required 5 year update cycle. The purpose of this plan is to reduce or eliminate long-term risk to the people and property of the City from the effects of hazard events. Updating the plan will also ensure the City remains eligible for FEMA mitigation grant funding.

In addition to City government staff, we are inviting other key stakeholders to participate in the plan development process. These stakeholders are those who have significant interests in the City or that have information to support the planning process, to include other local, state, federal, or tribal agencies, as well as representatives from key business, industry, nonprofit organizations, and the public.

You are invited to the first of three planning meetings:

Workshop 1: Kickoff Meeting
Date: Thursday May 7, 2019
Time: 9:00 – 11:00 am
Location: Emergency Operations Center – Mid-town Campus, 1600 St Michaels Dr (See Attached Map)

From: MASON, KYLE A. <kamason@santafenm.gov>
Sent: Friday, May 24, 2019 8:25 AM
Subject: Hazard Mitigation Plan Kickoff Meeting Follow-Up
Attachments: Santa Fe City Data Collection Workbook.docx; Santa Fe_KickOff_Slides Wood 5-7-19.pdf; Santa Fe HMP update Kickoff Meeting Summary5-7-19.pdf

Follow Up Flag: Follow up
Due By: Monday, June 10, 2019 8:00 AM
Flag Status: Flagged

Thanks for your participation in the kickoff meeting for the update of the Hazard Mitigation Plan on May 7. Attached is a summary of the meeting and the slides that were presented by Wood. The Data Collection Guide (to be completed by City of Santa Fe Staff only) handed out at the meeting is also attached as a Word document. **The Guide is intended to help facilitate the collection of the necessary information for the plan update and needs to be returned to Jeff Brislawn by June 14th.**

There were a number of documents and studies identified in the meeting and captured in the summary that could help inform the plan. Please send any information or links to information that may be relevant to Jeff Brislawn (jeff.brislawn@woodplc.com), preferably by June 14.

Kyle Mason
Emergency Management Specialist
City of Santa Fe Office of Emergency Management
kamason@santafenm.gov
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Please consider the environment before printing this email.

City of Santa Fe Mitigation Plan Update
Risk and Goals Meeting Agenda

Date: Tuesday, July 30, 2019
1:00-4:00pm

Meeting at: Emergency Operations Center
Mid-town Campus
1600 St Michaels Dr
Santa Fe, NM 87505

Project: City of Santa Fe Mitigation Plan Update

Subject/Purpose

The purpose of the meeting is to discuss the highlights of the hazard identification and risk assessment update. This will form the basis for the update of the mitigation strategy as we move forward in the planning process. We will also revisit the goals of the hazard mitigation plan to see if they need to be adjusted to meet current needs.

Attendees: Santa Fe Emergency Management Coordinating Group and Stakeholders

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1. Introductions
2. Review of the Planning Process
3. Review of Identified Hazards
4. Vulnerability Assessment Overview by Hazard
5. Capabilities Assessment Update
6. Updating Goals for the Mitigation Plan
7. Update on Planning for Public Involvement
8. Schedule and Next Steps
9. Questions and Answers

wood.

SIGN-IN SHEET
CITY OF SANTA FE HAZARD MITIGATION PLAN UPDATE
Risk Assessment and Goals Meeting
Tuesday, July 30, 2019 1:00 –4:00 pm
Midtown Campus - Emergency Operations Center
1600 St Michaels Dr. Santa Fe, NM 87505

Name	Agency/Dept	Title	Phone	E-mail
Alicia Storer	SFC OEM	Special Projects Administrator	505.235.1756	agstorer@santafecountynm.gov
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J L M	P & R	P. Director	[illegible]	JPM@SantaFe.Gov
Sigmund Silber	Santa Fe Playgroque Soil and water Cons Dist	Elected Supervisor	505 473 7006	Sigmund Silber@q.com
Leroy Griego	Environmental Services	Commercial Supervisor	(505) 316-1912	logriego@ci.santa-fe.nm.us
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Kyle Mann	SF OEM	EM Specialist	955-6704	Kamann@santafenm.gov
Jeff Brislawn	Wood	Project Mgr	303-704-5506	jeff.brislawn@woodplc.com
Matt Harding	Convention Center	Lead Specialist	801-376-6295	mdharding@santafenm.gov
ANTHONY TAPIA	SFPD	CAPT.	505-955-5286	MATAPIA@SANTAFENM.GOV
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Gary Varela	Parks	Superintendent	231-6164	gvarela@SantaFeNM.Gov
BOBBY VALDEZ	SANTA FE POLICE	DEPUTY CHIEF	505-955-5040	bpvaldez@santafenm.gov
Noah Berke	Land Use	Planner Manager	955-6647	NJBERKE

SIGN-IN SHEET
CITY OF SANTA FE HAZARD MITIGATION PLAN UPDATE
Risk Assessment and Goals Meeting
Tuesday, July 30, 2019 1:00 –4:00 pm
Midtown Campus - Emergency Operations Center
1600 St Michaels Dr. Santa Fe, NM 87505

Name	Agency/Dept	Title	Phone	E-mail
Marcos Martinez	City Attorney		955-6512	mdmartinez@
Evelyn D Ward	SFHRES	Emergency Coord. Nator	660-2454	redcross@ cmsn.com
Lanny Cornfield	ITT	Lanny	955-5580	
Regina Wheeler	Public Works	Director	690 4197	rawheeler@santafenm.gov

Summary of the City of Santa Fe
Mitigation Plan Update
Risk Assessment and Goals Meeting

July 30, 2019
1:00 – 4:00pm
Emergency Operations Center - Mid-town Campus
1600 St Michaels Dr
Santa Fe, NM 87505

Introductions and Opening Remarks

Jeff Brislawn of Wood, the consulting firm hired to facilitate the plan update process, began the meeting with welcoming remarks. Nineteen persons were present and documented on a sign in sheet.

Review of the Planning Process

Following introductions a PowerPoint presentation was presented by Jeff Brislawn. Jeff reviewed the planning process being followed and discussed the project status. Following the FEMA 9 step process the effort is presently in Step 5 Conduct a Risk Assessment and will transition to Step 6 Develop a Mitigation Strategy.

Risk Assessment Presentation and Discussion

Jeff outlined the general risk assessment requirements before beginning a detailed discussion of each hazard. He presented highlights on each hazard included in the updated risk assessment chapter of the plan. Refer to the City of Santa Fe Risk Assessment & Goals Meeting PowerPoint presentation for specific details on each hazard and a handout summarizing hazard significance.

Jeff discussed the asset inventory including buildings, people, critical facilities and natural and historic resources as a baseline for measuring hazard impacts. Critical facilities have been categorized in accordance with a new FEMA Community Lifelines methodology for identifying assets important for community disaster resiliency and recovery. Regarding utilities infrastructure it was suggested to reach out to PNM to get more information on the main power lines coming into the City, and New Mexico Gas Company for gas lines. They might be able to provide information on outages, causes and impacts.

Additional insight and details were learned during the risk assessment conversation among participants. Highlights of the discussion are noted by hazard in the table below.

Hazard or Topic	Meeting Discussion and Problem Statements
Dam Incident	• Considerable risk to the downtown area is anticipated due to the location of Nichols and McClure dams in the watershed above town. • Wood did not have inundation layers to assess specific impacts in GIS; OEM should have some mapping done in 2012 that can be provided, and Public Works could do modeling if needed. • The Nichols dam spillway ran for a couple of months this past spring due to heavy snowmelt in the watershed, but no flooding issues were noted. • In addition to risk to life and property damage it was noted that failure of Nichols or McClure would jeopardize the City's water supply
Drought	• Impacts from drought were discussed • The City had turned off irrigation to parks during the 2002 drought • There was discussion around the coincidence of drought with high wildfire activity. This typically is the case, though 2018 was a bad drought but not so bad for wildfire; It was suggested by the HMPC to juxtapose the US Drought Monitor data with large fire events in New Mexico. • The City relies on three sources of water supply - Nichols and McClure reservoirs, wells, and diversions from the San Juan/Chama water allocation (Buckman); despite this diversity past droughts have stretched those available resources. • It was noted that the City has some reclaimed/recycled water capabilities
Flood	• The overall significance should be changed from Medium to High • FEMA flood hazard mapping doesn't capture all risk from stormwater and arroyo flooding • City Land Use has mapping of all arroyos capable of carrying 200 cfs of flow or more • Land Use also noted that they have a layer of flood prone properties • Jeff discussed flood insurance policy numbers, which appear to generally be in line with the count of flood prone properties identified through GIS analysis • It was noted that many homeowners own their homes outright and thus are not required to have flood insurance as a condition of receiving a federally backed loan.

Hazard or Topic	Meeting Discussion and Problem Statements
	• The City can provide more specifics on the impacts of the July 2018 flood including City costs, maps of damage assessment areas. The SBA may have additional damage in formation. Consequences of the flood was silting of roads and culverts, power outages, and many first responders were required to respond to the incident, making them less available for other emergencies.
Severe Weather (Hail, Lightning, Wind, Winter Storms, Thunderstorms, Extreme Temperatures)	• Storms and lighting have periodically caused power loss in the downtown area • Winter storms have sometimes dumped heavy amounts of snow that can temporarily immobilize the City though typically the snow melts fast; a 2006 incident was noted • Despite a lot of flat roofs in the area there was not knowledge of roof collapses due to snow loading. It was noted the 2015 International Building Code standards have been adopted • Hail has sometimes caused issues and in recent years the amount, as opposed to the size, has caused issues. A May 2018 storm dumped about 6" of hail that caused transportation and traffic issues. • Wind damage occasionally occurs and has caused tree damages and car damage in the downtown area; in May (?) of 2019 the City suffered about $250,000 in damage to the Arts Campus
Tornado	• Recent events were discussed. • It was noted that in 2017 an event caused a small amount of damage near or in the City, in the Auga Fria area. • An event was thought to have occurred in 2018 also • It was suggested to check with the local National Weather Service
Wildfire	• Wildfire was discussed as the hazard with the greatest potential for impacts to the City and city water supply • Some public engagement has occurred to educate homeowners of the risk and the benefits of defensible space • It was noted that there are no incentives for defensible space • A representative from the Santa Fe-Pojoaque Soil and Water Conservation District noted that they could help with mitigation projects on private lands
Other natural hazards not profiled	• Landslide, subsidence, volcanoes and earthquake are noted as potential hazards

Hazard or Topic	Meeting Discussion and Problem Statements
	• HAZUS modelling done for the Santa Fe County HMP indicates potential for significant damage in the City; since probability is low the HMPC suggested noting this but not fully profiling it. • A general lack of data on landslide hazards was noted. It was suggested to reach out to State DHSEM and the Streets Department (Cerro Gordo). • Subsidence has caused a few issues; areas noted were in the Plaza area downtown and an incident at Target.
Hazardous Materials	• Incident statistics were discussed; a question was raised about what the 6 fatalities was associated with. Wood will check to see if there are any additional specifics in the database sourced.
Pipeline Explosion	• Not much data available on this; OEM has access to the non- public viewer of the National Pipeline Mapping System and will check, though they may not want specifics put in a public document • It was noted a gas line was hit by construction workings in 2011 or 2012 which resulted in an evacuation of the vicinity. • The city does have CNG facility for vehicles in the vicinity of Meow Wolf.
Utility Disruption	• Communications disruptions have been problematic; a Century Link outage for 20 hours in the spring of 2019 was noted. • It was suggested to reach out to PNM to see if they have statistics on average number and average duration of electrical outages.
Transportation Accidents	• It was noted that large accidents are the concern, as opposed to the common smaller accidents • Potential exists for bus, train, airplane mass casualty incidents
CBRNE	• Chemical, Biological, Radiological, Nuclear, Explosion • The City has many resources in place and regularly train and prepare for these incidents • Personal Protective Equipment resources and communications plans were noted as additional capabilities • No recent incidents were noted, but sometimes Police gets calls about IED incidents; Police may have Explosive Ordinance Disposal call records.

Hazard or Topic	Meeting Discussion and Problem Statements
Active Shooter	• The Police and Fire departments have done a lot of preparedness and training for these incidents • An incident at the Benny Keith High School in Albuquerque in 2018 was noted • The incidents can have longer term ramifications – the Aztec High School building in Farmington was noted as still not usable after the 2017 incident • The definition of active shooter is broad and is intended to include attacks such as vehicle and knife attacks
Cyber	• Cyber threats are increasing • Isolated ransomware attacks have occurred • A trend of attacks on 911 communications facilities was noted • Utilities (PNM) could be targets • SCADA systems that could be targeted include water treatment, wastewater treatment, city wells and the Buckman diversion facility. • A December 2018 combination ransomware and bomb threat nationwide affected 3 locations in Santa Fe and caused a strain on first responders
Pandemic Disease	• The Department of Health has done a lot of preparedness planning • The City has a higher vulnerability due to the influx of tourists from around the country and world
Capabilities	• Jeff discussed capability highlights • Opportunities for enhancement were discussed including: ○ Update of 2019 Land Use Plan is currently in draft and it could be an opportunity to cross-reference the hazard mitigation plan and acknowledge dam failure inundation ○ More cross-referencing of the hazard mitigation plan in other plans was mentioned ○ Implementation of the stormwater management plan is needed, as well as funding for projects ○ Joining the Community Rating System should be looked at as a way to make flood insurance more affordable ○ Continued use of GIS and technology for hazards awareness and warning

Plan Goals Update

The HMPC reviewed the goals and objectives from the previous plan to see if they were still relevant or needed updating, based on a handout that included the state mitigation plan goals and other related plan goals including the Santa Fe County HMP. The 2014 goals were hazard specific and the group would like to have them be broader. In general the group thought the County HMP goals #1-4 could be used, supplemented with the New Mexico HMP goal #7. The City OEM Strategic Plan goals should be reviewed as well. Jeff will revise per the suggestions and the group will revisit the goals for finalization at the beginning of the next meeting.

Mitigation Action Strategy update needs

Jeff noted that the mitigation action strategy will be revisited moving forward and will be the focus of the next HMPC meeting. Jeff said that the existing mitigation actions from the 2014 plan will need to be reviewed by the HMPC with a status indicated for each action. Jeff provided a worksheet to help facilitate the status reporting prior to the next meeting, which will also be shared by email. Jeff will work with OEM first, then the list will be provided to the rest of the group. There are 60 actions identified; the list should be reviewed and refined to those that are realistic and achievable.

There will be an opportunity to develop new mitigation actions for the plan as well. These will be identified at the next meeting.

Update on Public Involvement Activities/public meeting.

An ArcGIS online 'StoryMap' will be created with highlights of the updated risk assessment, with options for the public to provide input via online surveys. A public meeting will be scheduled around the next HMPC meeting date, with details forthcoming. There could be an opportunity to discuss the HMP update as part of national public preparedness month activities in September.

Plan Timeline/Next steps

The next and final HMPC planning meeting will be scheduled in September. The purpose of this meeting is to develop mitigation actions for the plan. Once a date has been identified, a calendar update will be sent out to save the date. The meeting materials will also be shared electronically, including the presentation and handouts.

The meeting adjourned at 3:50pm.

CITY OF SANTA FE MITIGATION PLAN
2019 UPDATE
Updating the Mitigation Strategy

Mitigation Planning Goals, Objectives, and Actions - Definitions

Goals, objectives, and mitigation actions should be based on the information revealed in the Risk Assessment. Definitions and examples are provided below:

Goals are general guidelines that explain what you want to achieve. Goals are defined before considering how to accomplish them so that the goals are not dependent on the means of achievement. They are usually broad policy-type statements, long term, and represent global visions, such as:

- Reduce exposure to hazard related losses
- Minimize the risk from natural disasters to existing facilities and proposed development.
- Reduce the impact of natural hazards to the citizens and visitors
- Provide protection for natural resources from hazard impacts
- Maintain and enhance existing mitigation measures.
- Increase public awareness of vulnerability to hazards and support and demand for hazard mitigation

Objectives define strategies or implementation steps to attain the identified goals. Unlike goals, objectives are specific and measurable, such as:

- Maintain the flood mitigation programs to provide 100-year flood protection
- Protect critical facilities to the 500 year flood
- Educate citizens about wildfire defensible space actions.
- Prepare plans and identify resources to facilitate reestablishing operations after a disaster.

Mitigation Actions are specific actions that help you achieve your goals and objectives. Some examples include:

- Elevate three historic structures located in the downtown district
- Sponsor a community fair to promote wildfire defensible space
- Retrofit the police department to withstand flood damage

The goals and objectives from the 2014 City of Santa Fe Hazard Mitigation Plan are shown on the next page. The 2019 plan update presents an opportunity to review the goals and modify if desired. Use this handout to verify that they are still appropriate or suggest modifications to the planning committee and Wood (Jeff.brislawn@woodplc.com).

2014 City of Santa Fe Hazard Mitigation Plan

Goals & Objectives

Goal 1: Reduce possibility of damage and loss to existing community assets including structures, critical facilities, and infrastructure including the watershed due to **wildfires**.

1.1: Reduce the exposure to critical facilities in high or extreme wildfire hazard areas.

1.2: Reduce the exposure of residential structures to wildfires

1.3: Educate the public in defensible space and other preventative measures to minimize wildfire risk

Goal 2: Reduce possibility of damage and loss due to **drought**.

2.1: Educate the population on damage and loss due to drought

2.2: Continue efforts to encourage residents to use water-saving landscaping techniques.

Goal 3: Reduce possibility of damage and loss to existing community assets including structures, critical facilities, and infrastructure due to **flooding**.

3.1: Reduce exposure of structures and roads to flooding

3.2: Build and support local capacity to enable the public to prepare for, respond to and recover from disasters

Goal 4: Reduce possibility of damage and loss to existing community assets including structures, critical facilities, and infrastructure due to **severe weather**.

4.1: Develop a comprehensive approach to reducing the possibility of damage and loss of function to identified vulnerable buildings and critical facilities, due to the effects of severe weather hazards.

4.2: Address identified data limitations regarding lack of detailed information about characteristics of individual structures such as construction type, age, condition, compliance with current building codes, etc.

Goal 5: Reduce possibility of injury and death due to **severe weather**.

5.1: Increase public awareness of actions to take during all types of severe weather.

5.2: Increase participation in and number of storm watcher programs throughout City.

5.3: Identify critical facilities and buildings that are vulnerable to severe weather events.

Goal 6: Reduce possibility of severe damage, injury and death due to **high wind**.

6.1: Identify critical facilities and buildings that are vulnerable to high winds.

Goal 7: Reduce possibility of injury and death due to **extreme heat**.

7.1: Increase public awareness of actions to take during extreme heat events.

Goal 8: Reduce possibility of damage and loss to existing community assets including structures, critical facilities, and infrastructure due to **human-caused hazards**.

8.1: Develop a comprehensive approach to reducing the possibility of injury and loss of life for residents and occupants of existing structures and critical facilities with the highest relative vulnerability to the effects of hazardous material releases from discrete locations.

8.2: Protect the public water system and other critical facilities from contamination from hazardous materials incidents

8.3: Protect the general population and special populations from hazardous materials incidents.

8.4: Improve communications with facilities housing special populations, such as nursing homes, senior centers, and daycare centers.

8.5: Increase awareness of hazards and actions to take during an emergency.

Goal 9: Reduce possibility of damage and loss to existing community assets including structures, critical facilities, and infrastructure due to **space weather**.

9.1: Protect the communication systems and other critical facilities from space weather events.

9.2: Increase awareness of the impact of space weather events on the community.

Goal 10: Promote disaster-resistant development.

10.1: Encourage and facilitate the development or revision of comprehensive plans and zoning ordinances to limit development in high hazard areas and improve the ability to identify vulnerable structures.

10.2: Encourage and facilitate the adoption of building codes that provide protection for new construction and substantial renovations from the effects of identified hazards.

10.3: Provide adequate and consistent enforcement of ordinances and codes within and between jurisdictions.

Goal 11: Promote hazard mitigation as a public value in recognition of its importance to the health, safety, and welfare of the population.

11.1: Provide public education to increase awareness of hazards and opportunities for mitigation.

11.2: Promote partnerships to continue the development of a citywide approach to identifying and implementing mitigation actions.

Other Related Plan Goals

It is also important to integrate the mitigation strategy with other existing goals to ensure consistency, efficiency, and effectiveness, which is also useful in identifying funding and implementation opportunities. The following are provided for reference purposes.

City of Santa Fe Land Use & Urban Design Plan, 2019 Draft

Goal: Santa Fe intends to maintain a healthy, balanced natural environment.

> **Policy #1: The Santa Fe River & the Living River Initiative –** Support efforts to ensure that the Santa Fe River functions as a natural living system and also continues to serve as an appealing urban habitat.
>
> **Policy #2: Ground Water & Surface Water –** Support comprehensive efforts to conserve and protect both ground water and surface water within the Santa Fe water shed and aquifer basin.
>
> **Policy #7: Urban Forest –** Support the urban forest as an important element of the City's environmental resources and civic space. Increase the tree canopy to reduce the heat island effect and continue to assess and promote appropriate tree species. Require new development to protect and enhance the urban forest.
>
> **Policy #8: Vegetation –** Minimize the direct loss and/or modification of riparian and wildlife habitat, corridors and wetlands within the Santa Fe area.
>
> **Policy #9: Environmentally Sensitive Areas –** Protect, enhance and restore environmental and biological resources, including the Santa Fe River and habitats that are sensitive or declining within the Santa Fe urban area.

Goal: Santa Fe will have a complete, well-connected transportation network.

> **Policy #7: Safety –** Increase the safety of the transportation system for all users.
>
> **Policy #9: Upgrade the Road Network –** Identify and prioritize projects to correct and prevent safety problems and congestion.

Goal: Santa Fe is committed to creating a sustainable, energy-efficient city for future generations.

> **Policy #2: Mitigate and Adapt to the Effects of Climate Change –** Addressing the complex challenges caused by a changing climate, the city will work with others to analyze the impacts of climate change on Santa Fe's environment and develop mitigation and adaptation strategies to reduce and reverse the negative impacts of climate change.
>
> **Policy #7: Storm water –** Capture, infiltrate and utilize storm water on-site and integrate into the design of all projects, including roadways. Coordinate storm water management such as good grading practices, bio-remediation and landscape development and support.

Goal: Santa Fe will have a more diverse economy.

> **Policy #4: Traditional Infrastructure –** Ensure that road, water and wastewater infrastructure are adequate to serve existing and future needs of city businesses. Work with public and private utility providers to ensure that infrastructure needs for telecommunication (including fiber optic), electricity and natural gas are met.

Santa Fe County Hazard Mitigation Plan, 2018

Goal 1: Reduce the number of injuries and fatalities from hazards

Goal 2: Reduce the amount of property damage, both public and private, from hazards

Goal 3: Minimize recovery time for both community function and the natural environment after natural hazard events

Goal 4: Enhance communication, collaboration and integration among county, federal, state, and tribal agencies in regards to hazard mitigation.

New Mexico State Hazard Mitigation Plan, 2018

Goal 1: Reduce the number of injuries due to natural hazards;

Goal 2: Reduce the number of fatalities from natural hazards;

Goal 3: Reduce the amount of property damage, both public and private, from natural hazards;

Goal 4: Reduce the number of necessary evacuations;

Goal 5: Shorten recovery time for both community function and the natural environment after natural hazard events;

Goal 6: Improve communication, collaboration and integration among State, Tribal and Local emergency management agencies;

Goal 7: Increase awareness and understanding of risks and opportunities for mitigation among the citizens and elected officials of New Mexico; and

Goal 8: Mitigate repetitive loss and severe repetitive loss structures in the state to reduce impacts of flooding

City of Santa Fe Mitigation Plan Update
Mitigation Strategy Meeting Agenda

Date: Tuesday, September 17, 2019
9:00am-Noon

Meeting at: Emergency Operations Center
Mid-town Campus
1600 St Michaels Dr
Santa Fe, NM 87505

Project: City of Santa Fe Mitigation Plan Update

Subject/Purpose

The purpose of the meeting is to discuss the update of the mitigation strategy, building on actions identified in the 2014 plan. The meeting will include a group process to identify potential new mitigation actions to include in the updated plan.

Attendees: Santa Fe Emergency Management Coordinating Group and Stakeholders

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1. Introductions
2. Review of the Planning Process
3. Finalizing Updated Goals
4. Review of possible mitigation activities and alternatives
5. Discuss criteria for mitigation action selection and prioritization
6. Review of progress on existing actions in the plan
7. Brainstorming Session: Development of new mitigation actions (group process)
8. Prioritize mitigation actions (group process)
9. Discuss plan implementation and maintenance
10. Discuss next steps
11. Questions and Answers/Adjourn

wood.

SIGN-IN SHEET
CITY OF SANTA FE MITIGATION PLAN UPDATE
Risk Assessment and Goals Meeting
Tuesday, September 17, 2019 9:00am – Noon
Midtown Campus - Emergency Operations Center
1600 St Michaels Dr. Santa Fe, NM 87505

Name	Agency/Dept	Title	Phone	E-mail
Kyle Mason	SFOEM	EM Specialist	505 955 6704	kemason@santafenm.gov
ANTHONY TAPIA	SFPD	CAPTAIN	955-5286	ATAPIA@SANTAFENM.GOV
Ignacio Dominguez	SFC OEM	EM Coordinator	505-992-3074	idominguez@santafecountynm.gov
Alicia Storer	SFC OEM	Special Projects Admin.	505-428-3102	agstorer@santafecountynm.gov
Martin Vigil	SFC OEM	EM Director	505-670-0207	mavigil@santafecountynm.gov
Melissa M Rondo	Public Works	Rivect Waters	955-6840	mmrondo@santafenm.gov
Matt Harding	Convention Center	Lead Specialist	801-376-6295	mdharding@santafenm.gov
Evelyn D. Ward	SFARES	Emergency Coordinator	505 660-2454	rendorne@msn.com
Carolyn A Roibal	Finance	Adm MGR	5059556531	cjroibal@santafenm.gov
Sigmund Silber	SFPSWCD	supervisor	5054737006	sigmundsilber@q.com
Alan Hook	SF WATER DIVISION	WATER RESOURCES COORDINATOR	(505) 955-4203	aghook@santafenm.gov
MARTIN VIGIL	SFCo OEM	OEM Director	505-992-3072	mavigil@santafecountynm.gov
Jeff Brislawn	Wood	Project Mgr	303-704-5506	Jeff.brislawn@woodplc.com

Example Mitigation Actions by FEMA categories with Hazards Identified in the Santa Fe Mitigation Plan Update 2019

Alternative Mitigation Actions	Dam Incident	Floods	HazMat and Pipeline Explosion	Human Hazards: Pandemic Transportation Accident; CBRNE; Cyber, Shooter	Weather Extremes (drought, hail, lightning, wind and tornado, temps)	Wildfire	Severe Winter Storm and Utility Disruption
PLANS and REGULATIONS							
Building codes and enforcement		■	■		■	■	■
Comprehensive Watershed Tax		■					
Density controls	■	■	■			■	
Design review standards		■	■			■	
Easements		■	■			■	
Environmental review standards		■	■			■	
Floodplain development regulations	■	■	■				
Hazard mapping	■	■	■			■	
Floodplain zoning	■	■	■				
Forest fire fuel reduction						■	
Housing/landlord codes			■		■		
Slide-prone area/grading/hillside development regulations						■	
Manufactured home guidelines/regulations		■			■		
Minimize hazardous materials waste generation			■				
Multi-Jurisdiction Cooperation within watershed	■	■					
Open space preservation	■	■				■	
Performance standards	■	■			■	■	■
Periodically contain/remove wastes for disposal			■				
Pesticide/herbicide management regulations			■				
Special use permits	■	■	■			■	
Stormwater management regulations		■	■				
Subdivision and development regulations	■	■	■			■	

Alternative Mitigation Actions	Dam Incident	Floods	HazMat and Pipeline Explosion	Human Hazards: Pandemic Transportation Accident; CBRNE; Cyber, Shooter	Weather Extremes (drought, hail, lightning, wind and tornado, temps)	Wildfire	Severe Winter Storm and Utility Disruption
Surge protectors and lightning protection					■		
Tree Management					■	■	■
Transfer of development rights		■				■	
Utility location			■		■		■
STRUCTURE AND INFRASTRUCTRE PROJECTS							
Acquisition of hazard prone structures	■	■				■	
Facility inspections/reporting	■	■	■	■			
Construction of barriers around structures	■	■	■				
Elevation of structures	■	■					
Relocation out of hazard areas	■	■	■			■	
Structural retrofits (e.g., reinforcement, floodproofing, bracing, etc.)		■	■		■	■	■
Channel maintenance		■					
Dams/reservoirs (including maintenance)	■	■					
Isolate hazardous materials waste storage sties			■				
Levees and floodwalls (including maintenance)		■					
Safe room/shelter					■		■
Secondary containment system			■				
Site reclamation/restoration/revegetation		■					
Snow fences							■
Water supply augmentation					■		
Debris Control		■					
Defensible Space						■	
Stream stabilization		■					
EDUCATION AND AWARENESS							

Alternative Mitigation Actions	Dam Incident	Floods	HazMat and Pipeline Explosion	Human Hazards: Pandemic Transportation Accident; CBRNE; Cyber, Shooter	Weather Extremes (drought, hail, lightning, wind and tornado, temps)	Wildfire	Severe Winter Storm and Utility Disruption
Flood Insurance	■	■					
Hazard information centers	■	■	■	■	■	■	■
Public education and outreach programs	■	■	■	■	■	■	■
Real estate disclosure	■	■	■		■	■	■
Crop Insurance					■		
Lightning detectors in public areas					■		
Cyber hygiene practices				■			
NATURAL SYSTEMS PROTECTION							
Best Management Practices (BMPs)		■	■		■	■	
Forest and vegetation management	■	■			■	■	■
Hydrological Monitoring	■	■	■		■		
Sediment and erosion control regulations	■	■	■				
Stream corridor restoration		■					
Stream dumping regulations		■	■				
Urban forestry and landscape management		■			■	■	■
Wetlands development regulations		■	■			■	
EMERGENCY SERVICES							
Critical facilities protection	■	■	■	■	■	■	■
Emergency response services	■	■	■	■	■	■	■
Facility employee safety training programs	■	■	■	■	■	■	■
Hazard threat recognition	■	■	■	■	■	■	■
Hazard warning systems (community sirens, NOAA weather radio)	■	■	■	■	■	■	■
Health and safety maintenance	■	■	■	■	■	■	■
Post-disaster mitigation	■	■	■		■	■	■
Evacuation planning	■	■	■	■		■	

City of Santa Fe Mitigation Plan Update 2019
New Mitigation Action Worksheet

Use this to record new potential mitigation projects (1 form per project) identified during the planning process. Provide as much detail as possible and use additional pages as necessary. Complete and return to Jeff Brislawn by **October 8th.**

Mitigation Action/Project Title	
Hazard(s) Mitigated	
Priority (High, Medium, Low)	
Project Description, Issue/Background	
Responsible Office/ Agency and partners	
Timeline for Completion	
Cost Estimate	
Benefits (Avoided Losses)	

Prepared by: _____

Title/Dept: _____

Phone: _____

Email: _____

Please return worksheets by email to:
Jeff Brislawn
jeff.brislawn@woodplc.com
Phone: 303-704-5506

CITY OF SANTA FE MITIGATION PLAN
2019 UPDATE
Updating the Mitigation Strategy

Revised and Updated Goals & Objectives

Goal 1: Reduce possibility of damage and loss to existing community assets including structures, critical facilities, and infrastructure including the watershed due to hazards.

1.1: Reduce the exposure to critical facilities in high or extreme wildfire hazard areas.

1.2: Reduce the exposure of residential structures to wildfires

1.3: Educate the public in defensible space and other preventative measures to minimize wildfire risk

1.4: Educate the population on damage and loss due to drought

1.5: Continue efforts to encourage residents to use water-saving landscaping techniques.

1.6: Reduce exposure of structures and roads to flooding

1.7: Build and support local capacity to enable the public to prepare for, respond to and recover from disasters

1.8: Identify critical facilities and buildings that are vulnerable to severe weather events including high winds

1.9: Develop a comprehensive approach to reducing the possibility of damage and loss of function to identified vulnerable buildings and critical facilities, due to the effects of severe weather hazards.

1.10: Address identified data limitations regarding lack of detailed information about characteristics of individual structures such as construction type, age, condition, compliance with current building codes, etc.

1.11: Protect the public water system and other critical facilities from contamination from hazardous materials incidents

Goal 2: Reduce possibility of injury and death from hazards

2.1: Increase public awareness of actions to take during all types of severe weather.

2.2: Increase awareness of hazards and actions to take during an emergency.

2.3: Protect communication systems and other critical facilities from hazard events.

2.4: Increase awareness of the impact of hazard events on the community.

2.5: Increase public awareness of actions to take during extreme heat events.

2.6: Protect the general population and special populations from hazardous materials incidents.

2.7: Improve communications with facilities housing special populations, such as nursing homes, senior centers, and daycare centers.

2.9: Develop a comprehensive approach to reducing the possibility of injury and loss of life for residents and occupants of existing structures and critical facilities with the highest relative vulnerability to the effects of hazardous material releases from discrete locations.

Goal 3: Promote disaster-resistant development.

3.1: Encourage and facilitate the development or revision of comprehensive plans and zoning ordinances to limit development in high hazard areas and improve the ability to identify vulnerable structures.

3.2: Encourage and facilitate the adoption of building codes that provide protection for new construction and substantial renovations from the effects of identified hazards.

3.3: Provide adequate and consistent enforcement of ordinances and codes within and between jurisdictions.

Goal 4: Promote hazard mitigation as a public value in recognition of its importance to the health, safety, and welfare of the population.

4.1: Provide public education to increase awareness of hazards and opportunities for mitigation.

4.2: Increase participation in and number of storm watcher programs throughout City.

4.3: Promote partnerships to continue the development of a citywide approach to identifying and implementing mitigation actions.

Goal 5 (NEW): Increase awareness and understanding of risks and opportunities for mitigation among citizens and elected officials.

Public Meeting Agenda

Date: 16 September 2019
5:00 PM – 7:00 PM

Meeting at: Emergency Operations Center
Mid-town Campus
1600 St Michaels Dr
Santa Fe, NM 87505

Project: City of Santa Fe Mitigation Plan Update

Subject/Purpose

This meeting is for the public to learn more about the City of Santa Fe Mitigation Plan Update, learn about hazards and vulnerabilities, and provide input into the planning process. The primary intent of the meeting is to gather feedback on mitigation strategies to reduce identified hazard vulnerabilities, answer questions, and gather input to share with the Emergency Management Coordinating Group (Planning Committee) for the plan update. The plan identifies hazards, vulnerabilities, assets at risk, and ways to reduce impacts through long-term, sustainable mitigation projects.

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1. Introductions
2. Overview of the Hazard Mitigation Plan Update and Planning Process
3. Online Public Survey
4. Review of Identified Hazards
5. Discuss Mitigation Action Strategies (current and recommended)
6. Schedule and Next Steps
7. Questions and Answers

SIGN-IN SHEET
CITY OF SANTA FE MITIGATION PLAN UPDATE PROJECT
Public Meeting
Monday, September 16, 2019 5:00 PM – 7:00 PM

Name	Citizen or Organization	Community	E-mail (optional)
Kyle Mason	SFDEM	Agfe Fire	kmason@santafe.nm.gov
Jeff Brislawn	Wood	City CONSULTANT	jeff.brislawn@woodplc.com

COMMENT CARD

City of Santa Fe Mitigation Plan Update: Public Meeting – September 16, 2019

Please leave a comment related to the City's Mitigation Plan update. Please provide your contact info if you would like to receive ongoing updates and information related to the Plan by email, phone, or mail.

Name (optional):

Email (optional):

Phone Number (optional):

Mailing Address (optional):

Comment:

Or fill out the brief Online Survey at:
https://woodplc.surveymonkey.com/r/SanteFeMP

Comment cards must be delivered to the comment box by the end of the meeting.

From: MASON, KYLE A. <kamason@santafenm.gov>
Sent: Tuesday, October 01, 2019 8:44 AM
To: Brislawn, Jeff P
Subject: FW: Hazard Mitigation Plan Survey

This email was sent to all city employees.

Kyle Mason
Interim Emergency Management Director
City of Santa Fe Office of Emergency Management
kamason@santafenm.gov
C: 505-469-7662
O: 505-955-6704
Please consider the environment before printing this email.

From: CHACON, LILIA A. <lachacon@santafenm.gov>
Sent: Friday, September 27, 2019 8:37 AM
To: All City Employees <everyone@santafenm.gov>
Subject: Hazard Mitigation Plan Survey

The City of Santa Fe is updating its Hazard Mitigation Plan in 2019 per the five year update cycle required of FEMA and the federal Disaster Mitigation Act of 2000.

Please take a moment and complete this survey to help us collect information to better understand the vulnerabilities within the City of Santa Fe as well as solicit input on needs to best mitigate, or reduce, the impacts of hazards before they occur.

The Hazard Mitigation Plan analyzes the City's vulnerabilities to natural and manmade hazards and identifies mitigation actions the City can take to minimize property damage and reduce the loss of life by lessening the impacts of disasters.

https://woodplc.surveymonkey.com/r/SanteFeMP

Regards,

Lilia Chacon
Communications Director
City of Santa Fe
200 Lincoln Ave.
Santa Fe, NM 87501
O: 505-955-6045
C: 505-670-0719
E: lachacon@santafenm.gov

From: MASON, KYLE A. <kamason@santafenm.gov>
Sent: Tuesday, October 08, 2019 7:36 AM
To: Brislawn, Jeff P
Subject: FW: Hazard Mitigation Plan Survey

Kyle Mason
Interim Emergency Management Director
City of Santa Fe Office of Emergency Management
kamason@santafenm.gov
C: 505-469-7662
O: 505-955-6704
Please consider the environment before printing this email.

From: CHACON, LILIA A. <lachacon@santafenm.gov>
Sent: Thursday, October 3, 2019 2:12 PM
To: All City Employees <everyone@santafenm.gov>
Subject: Hazard Mitigation Plan Survey

There is still time to participate!

The City of Santa Fe is updating its Hazard Mitigation Plan in 2019 per the five year update cycle required of FEMA and the federal Disaster Mitigation Act of 2000.

Please take a moment and complete this survey to help us collect information to better understand the vulnerabilities within the City of Santa Fe as well as solicit input on needs to best mitigate, or reduce, the impacts of hazards before they occur.

The Hazard Mitigation Plan analyzes the City's vulnerabilities to natural and manmade hazards and identifies mitigation actions the City can take to minimize property damage and reduce the loss of life by lessening the impacts of disasters.

https://woodplc.surveymonkey.com/r/SanteFeMP

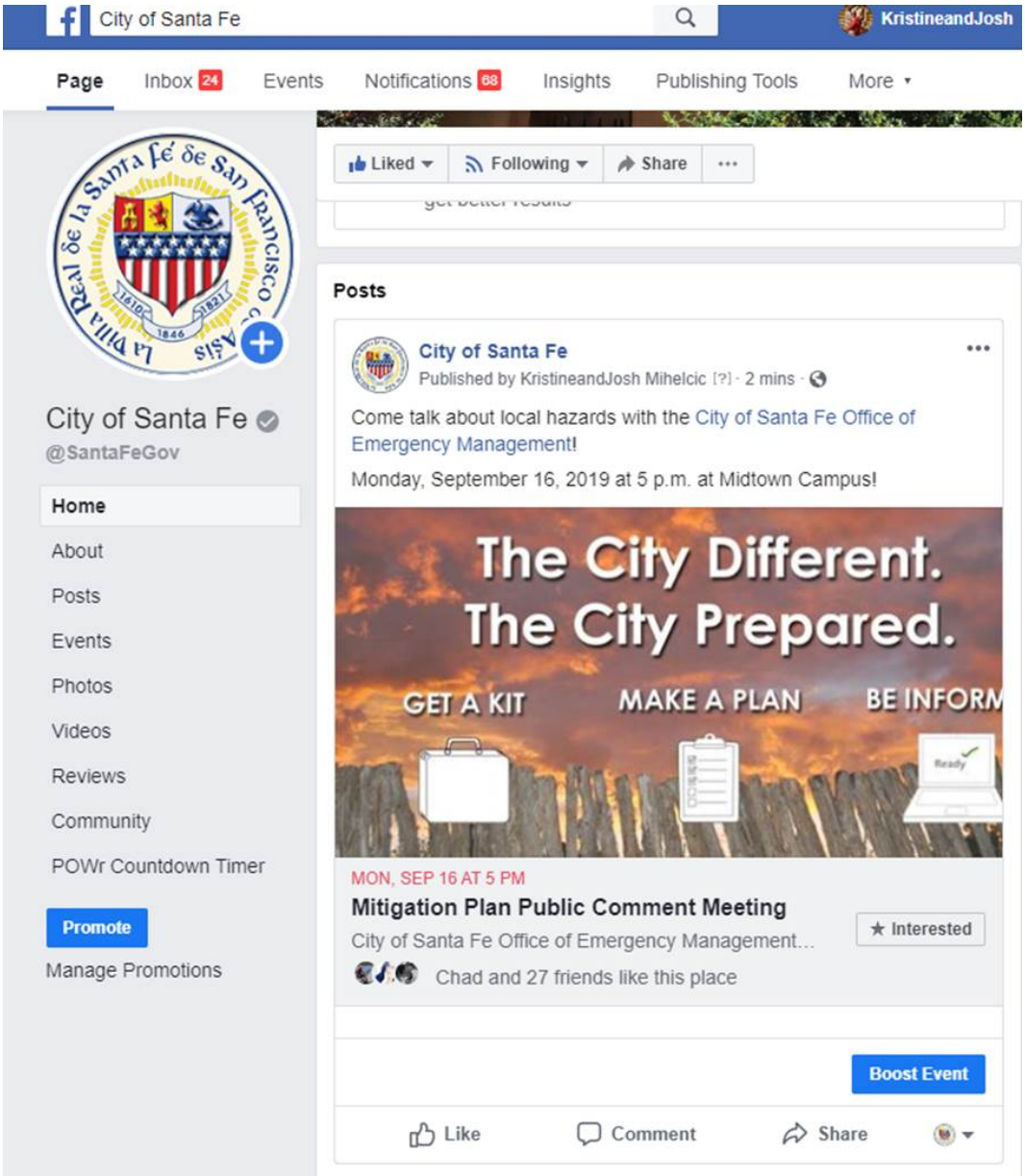
Regards,

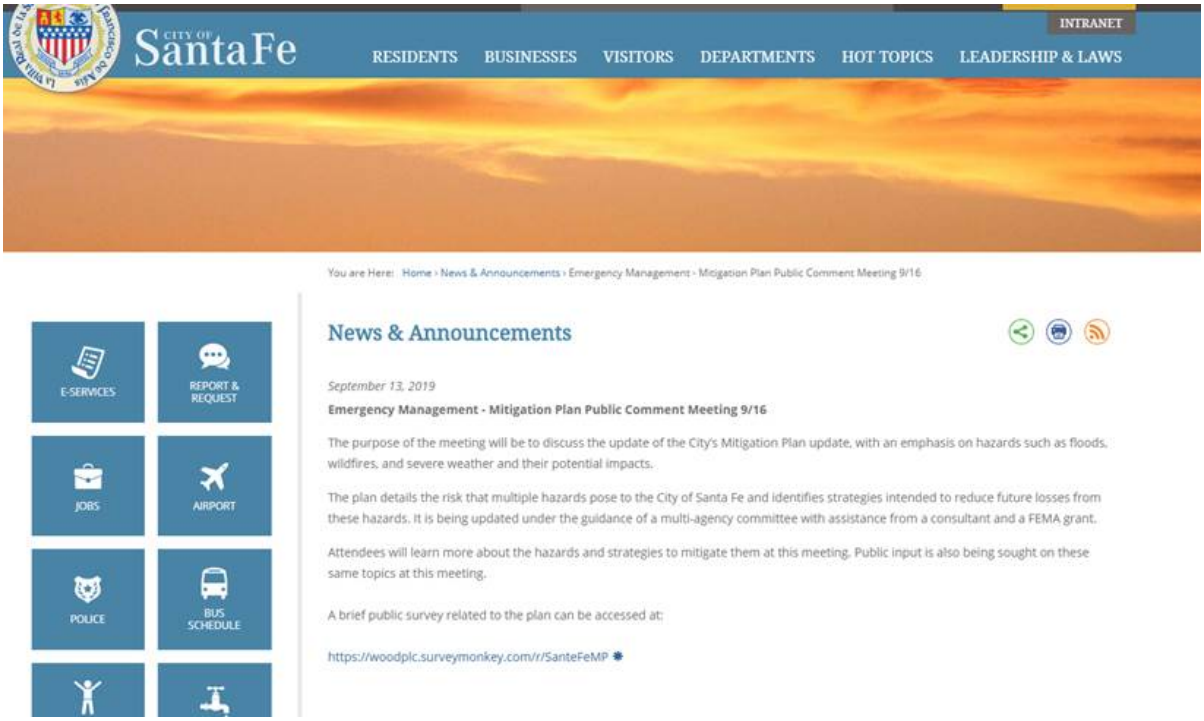
Lilia Chacon
Communications Director
City of Santa Fe
200 Lincoln Ave.
Santa Fe, NM 87501
O: 505-955-6045
C: 505-670-0719
E: lachacon@santafenm.gov

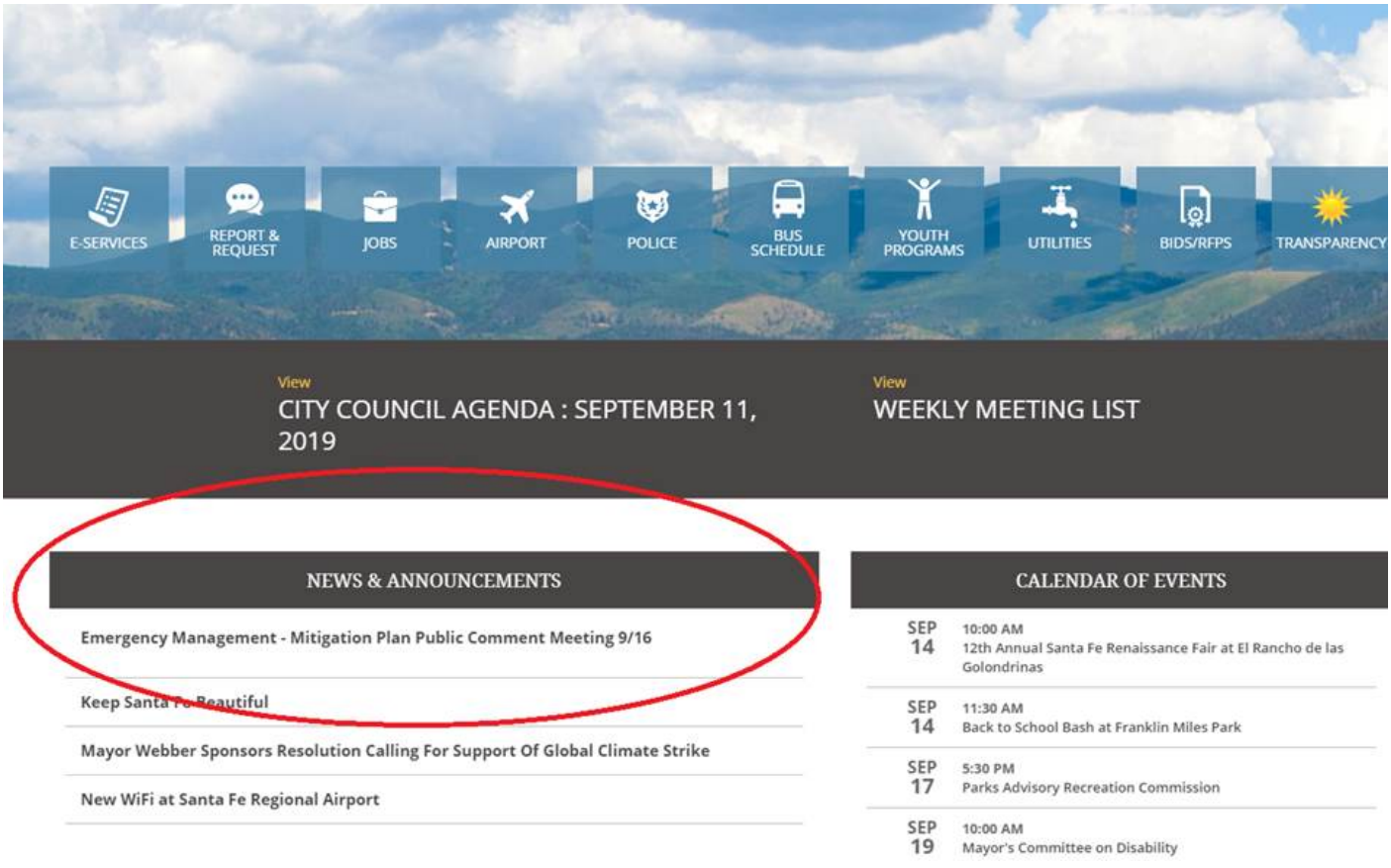
From: MASON, KYLE A. <kamason@santafenm.gov>
Sent: Friday, September 13, 2019 2:35 PM
To: Brislawn, Jeff P
Subject: FW: Screenshots - FB City Page and News and Announcements

Kyle Mason
Emergency Management Specialist
City of Santa Fe Office of Emergency Management
kamason@santafenm.gov
C: 505-469-7662
O: 505-955-6704
Please consider the environment before printing this email.

From: MIHELCIC, KRISTINE M. <kmmihelcic@santafenm.gov>
Sent: Friday, September 13, 2019 2:33 PM
To: MASON, KYLE A. <kamason@santafenm.gov>
Subject: Screenshots - FB City Page and News and Announcements



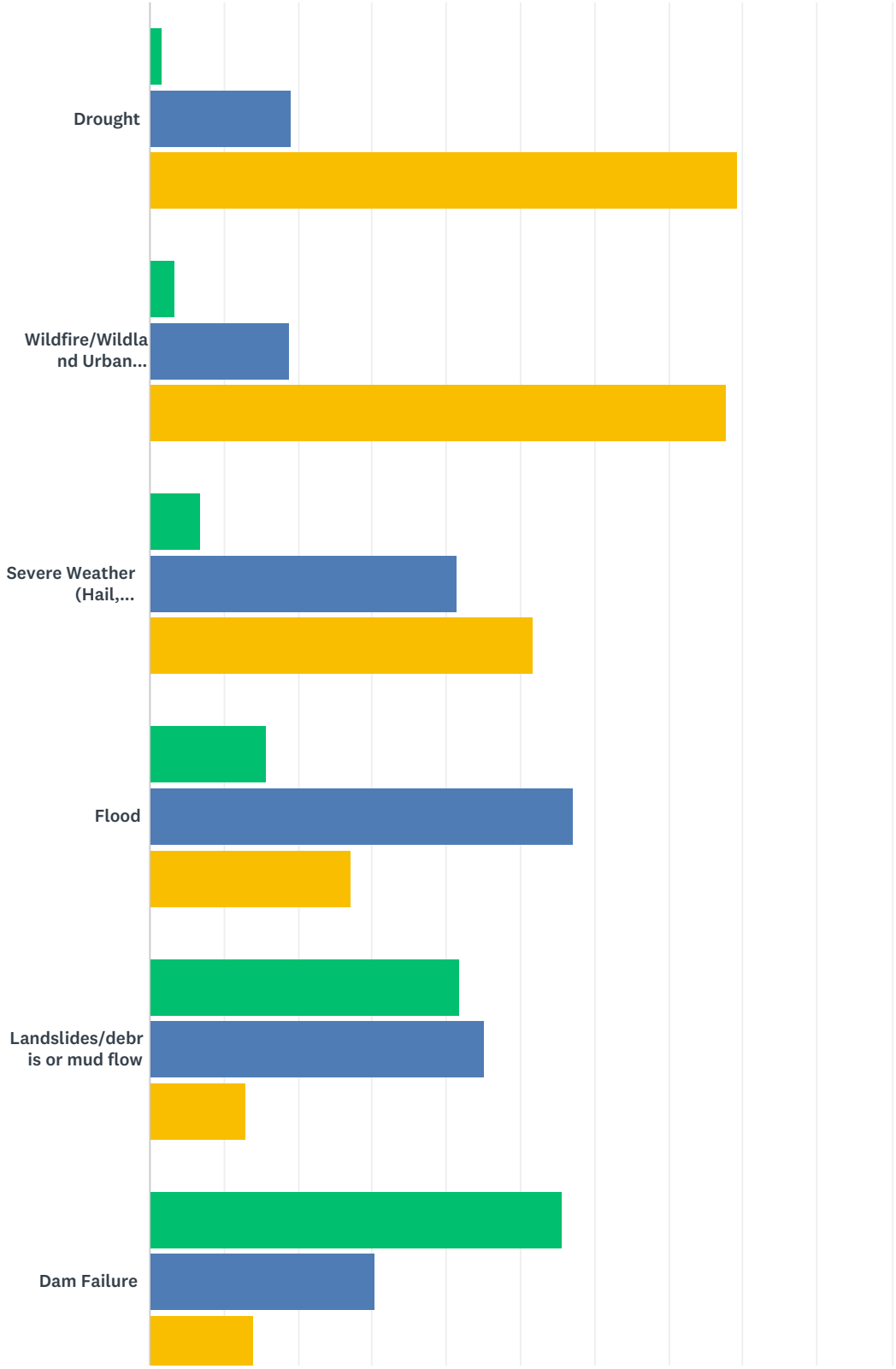


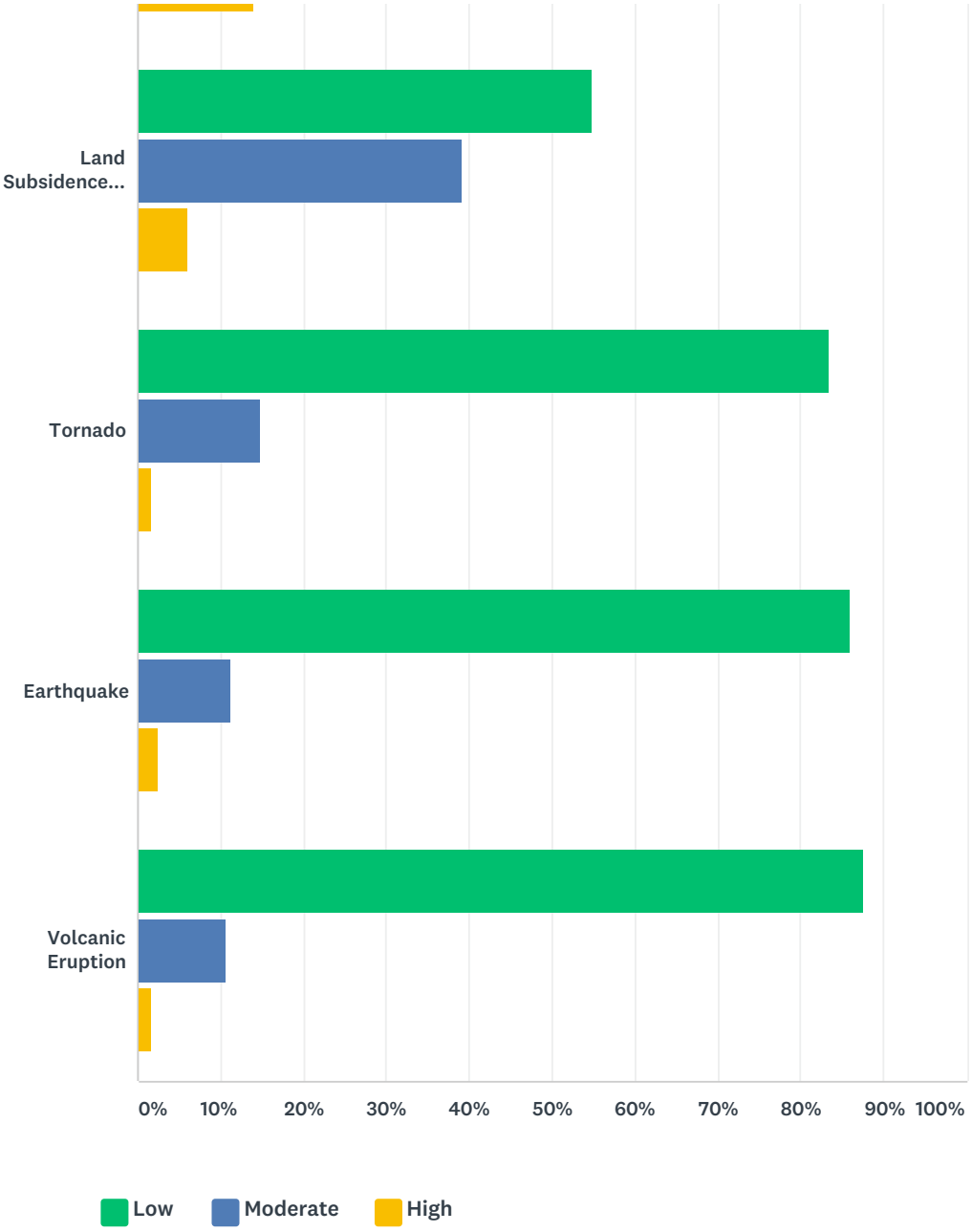


Kristine Mihelcic (Mi-hel-sick)
Constituent and Council Services Director

Q1 The natural hazards addressed in the Mitigation Plan update are listed below. Please indicate the level of significance in the City of Santa Fe that you perceive for each hazard.

Answered: 118 Skipped: 0





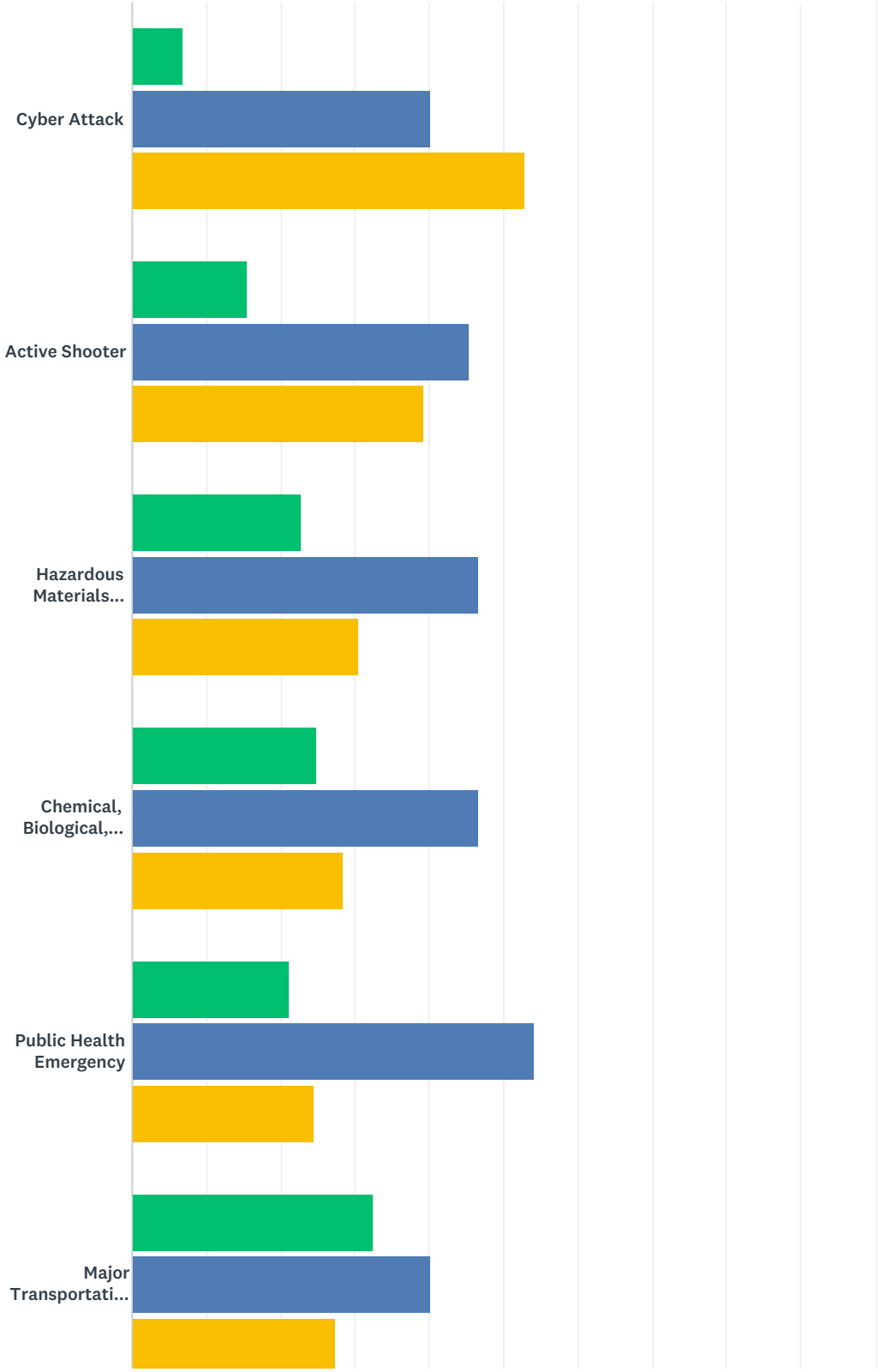
	LOW	MODERATE	HIGH	TOTAL	WEIGHTED AVERAGE
Drought	1.72% 2	18.97% 22	79.31% 92	116	2.78
Wildfire/Wildland Urban Interface	3.42% 4	18.80% 22	77.78% 91	117	2.74
Severe Weather (Hail, Lightning, Wind, Winter Storms, Thunderstorms, Extreme Temperatures)	6.90% 8	41.38% 48	51.72% 60	116	2.45
Flood	15.79% 18	57.02% 65	27.19% 31	114	2.11
Landslides/debris or mud flow	41.74% 48	45.22% 52	13.04% 15	115	1.71
Dam Failure	55.65% 64	30.43% 35	13.91% 16	115	1.58

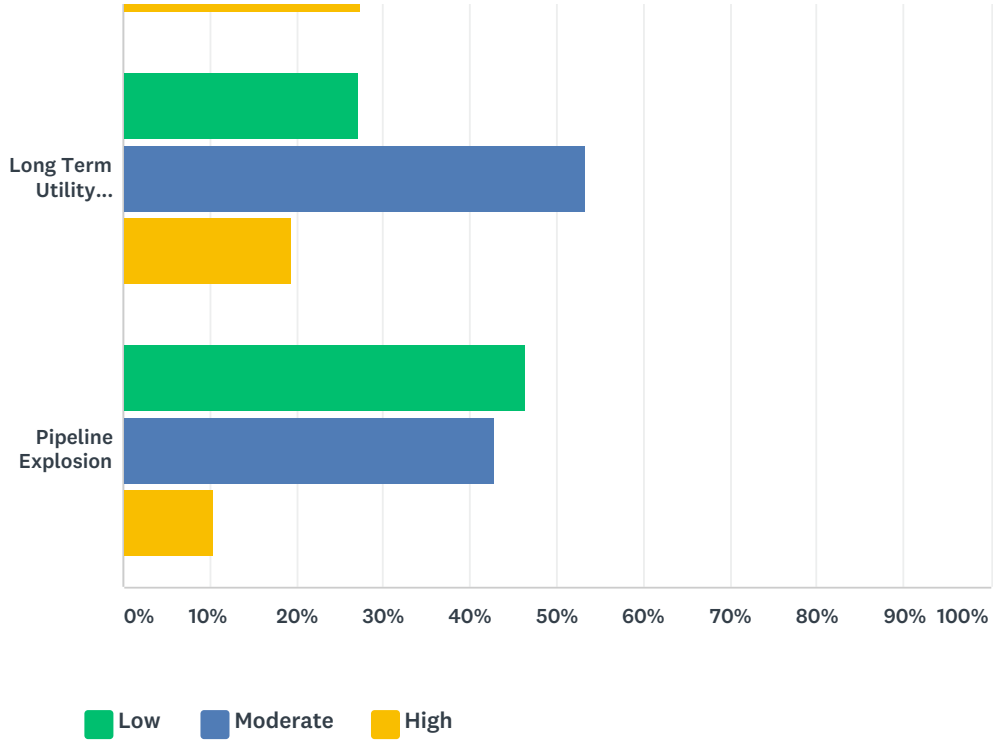
Land Subsidence (settlement or sinkholes)	54.78% 63	39.13% 45	6.09% 7	115	1.51
Tornado	83.48% 96	14.78% 17	1.74% 2	115	1.18
Earthquake	86.09% 99	11.30% 13	2.61% 3	115	1.17
Volcanic Eruption	87.61% 99	10.62% 12	1.77% 2	113	1.14

#	OTHER (PLEASE SPECIFY)	DATE
1	We have had two floods at the La Farge Library. the building is old and in some cases the roof gutter are right over doorways (children's room) west side.	10/4/2019 5:23 PM
2	Heatwave	10/2/2019 4:14 PM
3	Radiation coming from labs	10/1/2019 3:19 PM
4	soil and groundwater contamination as a result of poor storage practices, especially at Los Alamos.	9/28/2019 8:50 PM
5	Mass Shooting Incident, Homeless homicides	9/23/2019 7:02 PM

Q2 The human-caused hazards addressed in the Mitigation Plan update are listed below. Please indicate the level of significance in the City of Santa Fe that you perceive for each hazard.

Answered: 118 Skipped: 0





	LOW	MODERATE	HIGH	TOTAL	WEIGHTED AVERAGE
Cyber Attack	6.84% 8	40.17% 47	52.99% 62	117	2.46
Active Shooter	15.38% 18	45.30% 53	39.32% 46	117	2.24
Hazardous Materials Release (fixed facility or transportation)	22.88% 27	46.61% 55	30.51% 36	118	2.08
Chemical, Biological, Radiological, Nuclear, or Explosive Attack	25.00% 29	46.55% 54	28.45% 33	116	2.03
Public Health Emergency	21.19% 25	54.24% 64	24.58% 29	118	2.03
Major Transportation Accident	32.48% 38	40.17% 47	27.35% 32	117	1.95
Long Term Utility Disruption	27.12% 32	53.39% 63	19.49% 23	118	1.92
Pipeline Explosion	46.49% 53	42.98% 49	10.53% 12	114	1.64

#	OTHER (PLEASE SPECIFY)	DATE
1	Poverty	10/2/2019 4:14 PM
2	water contamination from Los Alamos or leaky underground storage tanks	9/27/2019 10:34 PM
3	Regional Jet crash KSAF	9/27/2019 7:22 PM
4	air pollution, water pollution	9/27/2019 4:38 PM
5	Vehicle-ramming attack on crowds.	9/27/2019 3:35 PM
6	Water and ground contamination, aquifers, rivers and lakes	9/27/2019 2:40 PM
7	Aliens from Venus or Mars	9/27/2019 12:10 AM
8	Short Term Rental disturbance	9/23/2019 7:02 PM

Q3 Do you have information on specific hazard issues/problem areas that you would like the planning committee to consider?

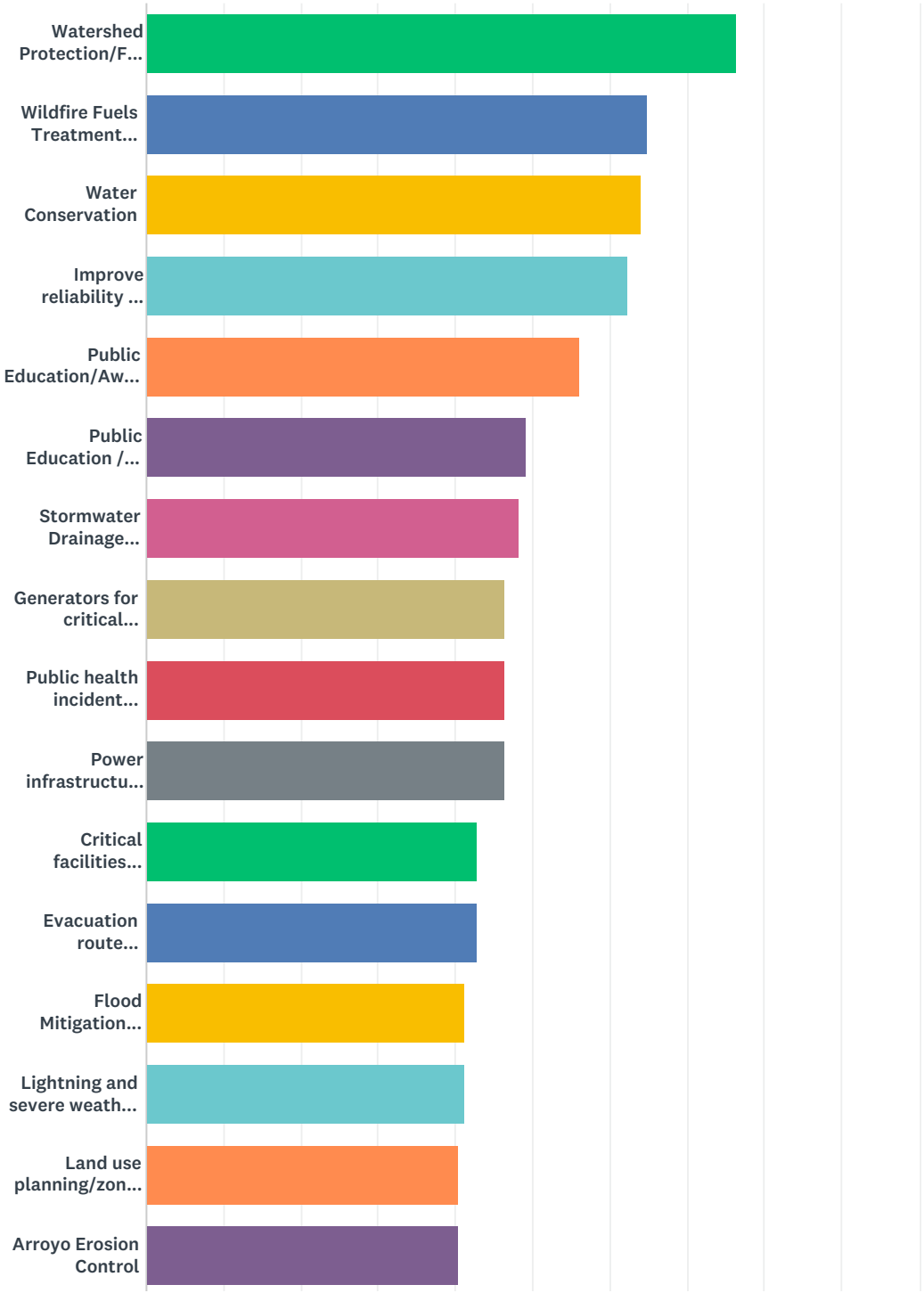
Answered: 61 Skipped: 57

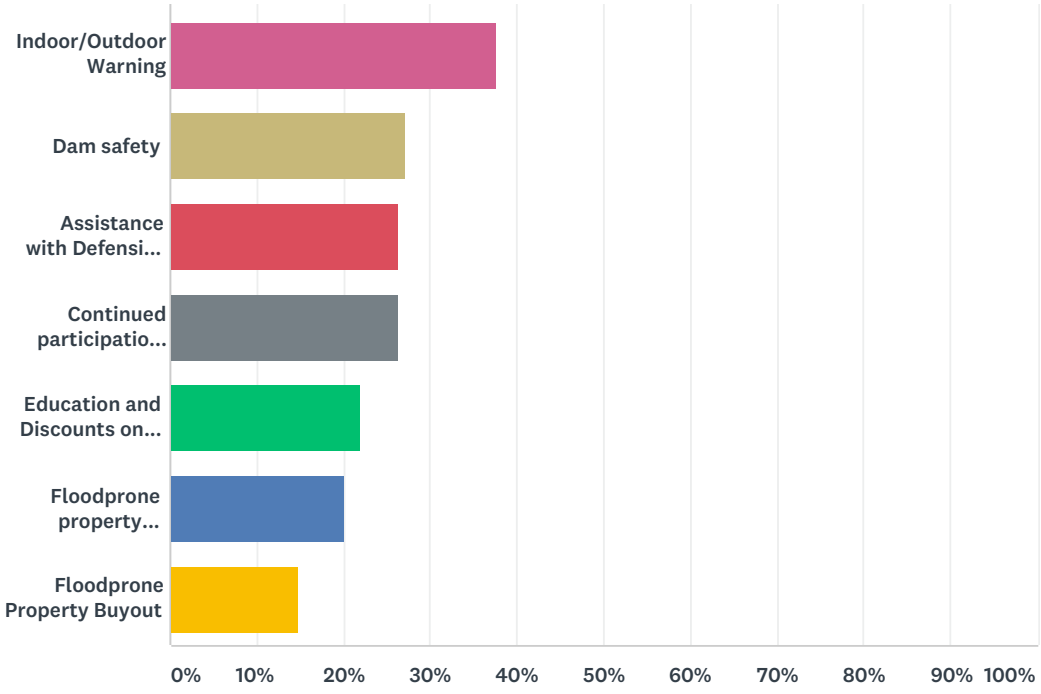
#	RESPONSES	DATE
1	my major concern is about how residents of Canyon and Cerro Gordo Rds can evacuate in case of wildfire. Is there a plan?	10/16/2019 6:31 PM
2	wildfire mitigation	10/14/2019 4:01 AM
3	Wildfire devastation around Upper Canyon and along eastern foothills of Santa Fe	10/11/2019 2:39 AM
4	Traffic congestion on most roads; poor median planning and space	10/4/2019 8:50 PM
5	Old Eberline building on Airport rd next to country club aprts. had a radiation rods pool high levels of radiation	10/4/2019 7:35 PM
6	different landscaping near new Milagro school to lessen the chance of water coming into La Farge staff parking lot east side of building.	10/4/2019 5:24 PM
7	Cerrillos Rd St Francis Intersection	10/3/2019 9:56 PM
8	nope	10/3/2019 8:41 PM
9	Operational permitting inforced	10/3/2019 8:26 PM
10	n/a	10/3/2019 8:23 PM
11	N/A	10/3/2019 8:23 PM
12	no	10/3/2019 8:18 PM
13	Fire escape routes for Windmill Ridge community	10/3/2019 6:07 PM
14	Fire mitagation efforts on city green right of ways. So much brush behind my house on city land.	10/3/2019 4:34 PM
15	Plans to support people in extreme poverty/homeless	10/2/2019 7:20 PM
16	Poverty	10/2/2019 4:14 PM
17	No	10/1/2019 6:54 PM
18	not at this time	10/1/2019 3:35 PM
19	Adress the loitering problem, homless people in need	10/1/2019 3:20 PM
20	not aware of any specific	9/30/2019 2:29 PM
21	Fuel Chemical Transport Trucks, Limited supply of equipment to deal with these types of spills, lack of training for first responders	9/30/2019 1:10 PM
22	Yes	9/29/2019 5:34 PM
23	Managing Wastes Produced by Natural Disasters	9/29/2019 2:41 AM
24	Active shooter, there is no plan for city wide response just pd response. We havent organized faith base organizations as well as st. vincents will quikcly be overwhelemed. David SIlver did a good job in organizing a training event at Capshaw Middle School and St. Vincent's. But since that time we now have the new presbyterian. Our first responsders need to organize howto work with both hospitals.	9/28/2019 9:39 PM
25	The streets are full of human feces and needles. There needs to be a plan to keep things healthy and provide places for people to use public bathrooms.	9/28/2019 8:51 PM
26	No	9/28/2019 6:01 PM
27	How the city will deal with/work to prevent climate change.	9/28/2019 4:36 PM
28	No	9/27/2019 10:46 PM

29	We need to shift to clean energy and shitft our grid to beable to share solar energy efficiently. We need to encourage opening up our roadways for essential transportation only. We need to have a coordinate evacuation plan, which may require busses. We need busses.	9/27/2019 10:39 PM
30	prairie dogs damaging vegitation and landscape	9/27/2019 8:22 PM
31	not at this time	9/27/2019 6:14 PM
32	No	9/27/2019 5:51 PM
33	yes, Market Street station needs a second egress in case of fire	9/27/2019 5:22 PM
34	Emerald Ash Borer being imported in Firewood from Colorado. This will destroy 12% of the urban forest in Santa Fe and increase temps. We need a n Urban Forest Management Plan in place that includes tree planting!	9/27/2019 4:12 PM
35	Wildfire risk in Santa Fe Watershed and surrounding communities	9/27/2019 3:50 PM
36	wildfires/hazardous materials and waste (LANL and otherwise)	9/27/2019 3:44 PM
37	Active Killer./Shooter (guns, edged weapons, IED, and vehicle attacks.) As far as I know there are no drills conducted, or regularly conducted, for City of Santa Fe Employees.	9/27/2019 3:36 PM
38	No	9/27/2019 3:34 PM
39	no	9/27/2019 3:13 PM
40	Flood Issues	9/27/2019 3:11 PM
41	No	9/27/2019 3:11 PM
42	no	9/27/2019 3:08 PM
43	There are specific areas of the city that do not respond well to inclement weather: there is substantial standing water and ice accumulation on Cerrillos and St. Francis with comparatively little rain and snow.	9/27/2019 3:04 PM
44	Climate change is increasing some "natural" risks such as drought, wildfire, flood, and extreme weather.	9/27/2019 3:03 PM
45	No	9/27/2019 3:02 PM
46	n/a	9/27/2019 3:02 PM
47	no	9/27/2019 2:59 PM
48	No	9/27/2019 2:57 PM
49	need to educate residents on the importance of keeping dry trees off propertys	9/27/2019 2:52 PM
50	employee work area safety	9/27/2019 2:51 PM
51	Combined Fire->Damage and loss of water supply at Canyon Rd	9/27/2019 2:49 PM
52	not necessarily	9/27/2019 2:47 PM
53	no	9/27/2019 2:45 PM
54	No.	9/27/2019 2:45 PM
55	Plane Crashes at City of Santa Fe Airport and surrounding City facilities	9/27/2019 2:44 PM
56	no	9/27/2019 2:43 PM
57	No.	9/27/2019 2:43 PM
58	Wildfire	9/27/2019 1:56 AM
59	Trees overhanging in the road on Upper Canyon, Cerro Gordo and Gonzales as well as the entire Eastside. If we have a fire and those branches fall in the road we all get to burn in our cars.	9/27/2019 12:13 AM
60	Extra Terrestrial takeover	9/27/2019 12:11 AM
61	CBRNE/WMD EVENT ON TRIBAL LANDS	9/14/2019 1:02 PM

Q4 Hazard mitigation is defined as actions that can be taken to reduce or eliminate the long-term risk to hazards, prior to a hazard event.The following types of mitigation actions may be considered in the City of Santa Fe. Please indicate the types of mitigation actions that you think should have the highest priority in the City of Santa Fe Hazard Mitigation Plan.

Answered: 114 Skipped: 4





ANSWER CHOICES	RESPONSES	
Watershed Protection/Forest Health Initiatives	76.32%	87
Wildfire Fuels Treatment projects	64.91%	74
Water Conservation	64.04%	73
Improve reliability of communications systems	62.28%	71
Public Education/Awareness	56.14%	64
Public Education / Awareness of hazards	49.12%	56
Stormwater Drainage Improvements	48.25%	55
Generators for critical facilities	46.49%	53
Public health incident preparedness	46.49%	53
Power infrastructure protection	46.49%	53
Critical facilities protection from hazards	42.98%	49
Evacuation route development	42.98%	49
Flood Mitigation including stream restoration	41.23%	47
Lightning and severe weather protection for critical facilities	41.23%	47
Land use planning/zoning with consideration of hazards	40.35%	46
Arroyo Erosion Control	40.35%	46
Indoor/Outdoor Warning	37.72%	43
Dam safety	27.19%	31
Assistance with Defensible Space	26.32%	30
Continued participation in the National Flood Insurance Program	26.32%	30

Education and Discounts on Flood Insurance	21.93%	25
Floodprone property elevation	20.18%	23
Floodprone Property Buyout	14.91%	17
Total Respondents: 114		

Q5 Please comment on any other pre-disaster strategies that the planning committee should consider for reducing future losses caused by natural or human-caused hazards:

Answered: 41 Skipped: 77

#	RESPONSES	DATE
1	evacuation rehearsals	10/16/2019 6:33 PM
2	wildfire action preparation plan	10/14/2019 4:03 AM
3	The Santa Fe Fire Department currently has NO plans in place for safe evacuation of Upper Canyon/Cerro Gordo neighborhoods despite multiple attempts by residents to discuss this issue. We understand wildfires are highly dynamic events. However, that the fire department has zero planning in place for safe egress of residents is irresponsible at best. The fire department is 100% aware that narrow roads in that area would immediately become jammed and yet the response to resident concerns has been a collective shrug. As one fire department official said, "Well, you chose to live there." Which is completely unacceptable. I would have thought the local fire officials would have taken notice of the devastation and death in Paradise, California.	10/11/2019 2:43 AM
4	Training Emergency Coordinators of each department.	10/7/2019 3:04 PM
5	Drinking water transportation	10/4/2019 8:53 PM
6	Invest funds in protection already in place like Fire Derpartment Haz-Mat team. Pre-plan target hazard areas	10/4/2019 7:38 PM
7	parking has become a problem during pick up at Milagro School next door to Oliver La Farge library	10/4/2019 5:26 PM
8	Food and supplies stash	10/3/2019 11:20 PM
9	LANL legacy waste Runoff	10/3/2019 8:52 PM
10	N/A	10/3/2019 8:44 PM
11	Enforcement of operational permits	10/3/2019 8:28 PM
12	Poverty reduction	10/2/2019 4:16 PM
13	evacuation plans and shelters communicated to community	10/2/2019 3:40 PM
14	Cyber attacks to our electrical grid pose the greatest threat.	10/1/2019 6:58 PM
15	Work on storm drans prior to rain event to prevent flooding	10/1/2019 3:22 PM
16	unknown	9/30/2019 2:31 PM
17	Training, Most of this training is free via FEMA, Orange hazmat books for first responders. Put together your Incident Command System(ICS) as outlined in the ICS	9/30/2019 1:18 PM
18	Managing Wastes Produced by Natural Disasters	9/29/2019 2:43 AM
19	current police radio's have blank area's specifically near SWAN park. Police Admin acknowledged this but said there was nothing they could do.	9/28/2019 9:42 PM
20	control of runoff from farmland that pollutes rivers with fertilizers.	9/28/2019 8:57 PM
21	Increasing public awareness of safe destinations in the event of fires or other disasters.	9/28/2019 4:40 PM
22	None	9/27/2019 10:47 PM
23	Encourage dryland farming in neighboring areas so as to save groundwater.	9/27/2019 10:40 PM
24	Traffic and DWI enforcement	9/27/2019 7:24 PM
25	Critical facilties should be built to withstand flooding and other hazards and equiped to fully operate for 7 days (with suffient fuel for generators); vulnerable communiites and community members identified and located with neighbor system of checking in on them.	9/27/2019 6:16 PM

26	Ability to set up clean air refuges for those affected by summer wildfires who do not have central air. Our house gets incredibly hot and the only way to cool down in summer is open windows and fans at night. If a wildfire came very close, our house would be unlivable, and I know many in the same situation who worry about this.	9/27/2019 4:45 PM
27	Urban Forest Management to assist with Santa Fe's 2040 Plan is very important.	9/27/2019 4:14 PM
28	Importance of taking resposibility for your preparedness	9/27/2019 3:53 PM
29	All hazards approach to planning. Meaning planning, drills, and training that can be used for multiple disasters/mass casualty incidents.	9/27/2019 3:38 PM
30	na	9/27/2019 3:15 PM
31	enforcement of environmental laws	9/27/2019 3:10 PM
32	unknown	9/27/2019 3:04 PM
33	unknown	9/27/2019 3:01 PM
34	lightning protection, generators and satellite phone for water treatment plants, employee and citizen protection measures for Dam failures.	9/27/2019 2:55 PM
35	Develop a more resilient water supply via reuse	9/27/2019 2:50 PM
36	Consevation plan, sustainability plan, dam safety plan	9/27/2019 2:50 PM
37	Forest fire mitigation.	9/27/2019 2:48 PM
38	N/A	9/27/2019 2:46 PM
39	Forest thinning	9/27/2019 1:57 AM
40	Escape route from the planet to the moons of Jupiter.	9/27/2019 12:13 AM
41	Specialized WMD/CBRNE Training for First Responder's	9/14/2019 1:05 PM

City of Santa Fe
NEWS RELEASE
www.santafenm.gov

FOR IMMEDIATE RELEASE
Contact: Kyle Mason, Emergency Management Director
Email: kamason@santafenm.gov
O: 505-955-6704

CITY OF SANTA FE MITIGATION PLAN UPDATE AVAILABLE FOR PUBLIC REVIEW AND COMMENT

Santa Fe, March 25, 2020--Would you like to learn more about what the City of Santa Fe is doing to minimize the impacts of floods, wildfires, hazardous materials incidents, and other hazards? A draft of the City's updated Mitigation Plan is being made available for public review and comment. The plan assesses risks posed by natural and human-caused hazards, identifies ways to reduce those risks, and allows the City to be eligible for mitigation grants from FEMA. A Hazard Mitigation Planning Team (HMPT) that includes representatives from various City departments and stakeholders updated the plan over the past eleven months with assistance from a consultant. The plan identifies hazard mitigation goals and a variety of mitigation projects with the intent of reducing losses from hazard events before they occur again. The planning team is now soliciting public comment on the plan before it is finalized and submitted for FEMA review and approval.

The comment period will be March 25 - April 11, 2020.

The plan and a comment form can be accessed at the following website: https://www.santafenm.gov/mitigation_plan
Comments on the plan can be left here: https://bit.ly/Santa_Fe_Mit_Plan_Feedback

Highlights of the hazard vulnerability assessment including hazard maps can be accessed at this link, along with a summary of the plan's proposed mitigation actions. The site also allows the public to report concerns about hazards through a map interface.

https://santa-fe-new-mexico-hazard-mitigation-thecitydifferent.hub.arcgis.com/

Hardcopies will also be available for review upon request through: Kyle Mason – kamason@santafenm.gov

For more information, contact Kyle Mason, Emergency Management Director. kamason@santafenm.gov

###

From: MASON, KYLE A. <kamason@santafenm.gov>
Sent: Thursday, April 02, 2020 11:17 AM
To: Brislawn, Jeff P
Subject: FW: Mitigation Plan Public Review Press Release
Attachments: Santa Fe Mitigation Public Review Press Release 3.25.2020 (003).docx

Kyle Mason
Emergency Management Director
City of Santa Fe Office of Emergency Management
kamason@santafenm.gov
C: 505-469-7662
O: 505-955-6704
Please consider the environment before printing this email.

From: CHACON, LILIA A. <lachacon@santafenm.gov>
Sent: Thursday, April 2, 2020 10:56 AM
To: MASON, KYLE A. <kamason@santafenm.gov>
Cc: MIHELCIC, KRISTINE M. <kmmihelcic@santafenm.gov>
Subject: RE: Mitigation Plan Public Review Press Release

Hi Kyle,
This was sent out to media and councilors on Wed. March 25 at 11:30 a.m. as well as Kristine. Not sure if/where posted.

City of Santa Fe
NEWS RELEASE
www.santafenm.gov

FOR IMMEDIATE RELEASE
Contact: Kyle Mason, Emergency Management Director
Email: kamason@santafenm.gov
O: 505-955-6704

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For more information, contact Kyle Mason, Emergency Management Director. kamason@santafenm.gov
###

From: MASON, KYLE A. <kamason@santafenm.gov>
Sent: Thursday, April 2, 2020 10:44 AM
To: CHACON, LILIA A. <lachacon@santafenm.gov>
Cc: Brislawn, Jeff P <jeff.brislawn@woodplc.com>; MIHELCIC, KRISTINE M. <kmmihelcic@santafenm.gov>
Subject: RE: Mitigation Plan Public Review Press Release

Lilia – did this get posted on the city website? Do you have a link by chance?

Kyle Mason
Emergency Management Director
City of Santa Fe Office of Emergency Management
kamason@santafenm.gov
C: 505-469-7662
O: 505-955-6704
Please consider the environment before printing this email.

From: MASON, KYLE A.
Sent: Wednesday, March 25, 2020 10:54 AM
To: CHACON, LILIA A. <lachacon@santafenm.gov>; MIHELCIC, KRISTINE M. <kmmihelcic@santafenm.gov>
Cc: Brislawn, Jeff P <jeff.brislawn@woodplc.com>
Subject: RE: Mitigation Plan Public Review Press Release

This is the final version – sorry. Please let me know when it gets posted online.

Kyle Mason
Emergency Management Director
City of Santa Fe Office of Emergency Management
kamason@santafenm.gov

C: 505-469-7662
O: 505-955-6704
Please consider the environment before printing this email.

From: MASON, KYLE A.
Sent: Wednesday, March 25, 2020 9:24 AM
To: CHACON, LILIA A. <lachacon@santafenm.gov>; MIHELCIC, KRISTINE M. <kmmihelcic@santafenm.gov>
Cc: 'Brislawn, Jeff P' <jeff.brislawn@woodplc.com>
Subject: RE: Mitigation Plan Public Review Press Release

Looks like I missed the date on the first line. See revised attachment and make any corrections you see fit.

Kyle Mason
Emergency Management Director
City of Santa Fe Office of Emergency Management
kamason@santafenm.gov
C: 505-469-7662
O: 505-955-6704
Please consider the environment before printing this email.

From: MASON, KYLE A.
Sent: Wednesday, March 25, 2020 9:23 AM
To: CHACON, LILIA A. <lachacon@santafenm.gov>; MIHELCIC, KRISTINE M. <kmmihelcic@santafenm.gov>
Cc: Brislawn, Jeff P <jeff.brislawn@woodplc.com>
Subject: Mitigation Plan Public Review Press Release

Please distribute far and wide. Send me links or screenshots of the postings as we need to demonstrate public engagement for the planning process.

I will be posting to OEM's social medias if you are able to repost/share.

Kyle Mason
Emergency Management Director
City of Santa Fe Office of Emergency Management
kamason@santafenm.gov
C: 505-469-7662
O: 505-955-6704
Please consider the environment before printing this email.

From: MASON, KYLE A. <kamason@santafenm.gov>
Sent: Thursday, April 16, 2020 10:15 AM
To: Brislawn, Jeff P
Subject: FW: AlertSantaFe: Emergency Preparedness Information

Did I forward this onto you?

Kyle Mason
Emergency Management Director
City of Santa Fe Office of Emergency Management
kamason@santafenm.gov
C: 505-469-7662
O: 505-955-6704
Please consider the environment before printing this email.

From: Linda Tanner <ljtanner1@mac.com>
Sent: Thursday, April 2, 2020 3:12 PM
To: MASON, KYLE A. <kamason@santafenm.gov>
Subject: Fwd: AlertSantaFe: Emergency Preparedness Information

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Kyle Mason,

I did read and glance at this very fine attached Plan. Given the title, I did expect to see actual mitigation efforts listed that businesses, contractors and homeowners could take. The first one that comes to mind is the great brochure produced by the Santa Fe Fire Dept called Ready, Set, Go! It gives homeowners, contractors and businesses actual things to do to protect structures from fire. I don't see those kinds of practical efforts listed in this attached Plan, which is strange given the mitigation title of the plan.

Second, Santa Fe seems to have a superb Emergency Management Alert System and Amber Alert System recently used for COVID-19. I didn't see these systems highlighted in the attached Plan and I hope you agree they should be. Maybe I missed these.

Third, I think the two earthen dams that could impact downtown Santa Fe if they broke through should warrant a Drill every few years. I think you know that there were three Corona Virus-like Drills under two administrations where the findings were largely ignored. Drills are very powerful tools. Similarly, there should be a Santa Fe Drill if legacy waste and current operations were to burn at LANL. Perhaps Santa Fe already dovetails in to their LANL Drills and if that's the situation, it should be so stated in this attached Plan.

Fourth, I was sad to see the low turnout of some of the meetings on this topic, especially when it was a requirement to attend. Perhaps you can explore remote dial-in participation to these meetings.

Lastly, I would like to see your team address gases in your attached Plan. It's possible that some of the larger swimming pools (e.g. Centennial, Chavez Center) use chlorine gas instead of pellets. When

modeled, a shoulder high sheared off chlorine gas cylinder depending on the prevailing wind and topography could exceed one mile.

Thank you for sharing your Plan.
Kind regards,

Linda Tanner
224 Cibola Dr.
Santa Fe, NM 87501
ljtanner1@mac.com

Begin forwarded message:

From: City of Santa Fe Office of Emergency Management <AlertSantaFe@getrave.com>
Subject: AlertSantaFe: Emergency Preparedness Information
Date: March 25, 2020 at 10:14:00 AM MDT
To: ljtanner1@mac.com
Reply-To: City of Santa Fe Office of Emergency Management <OEM@santafenm.gov>

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kamason@santafenm.gov

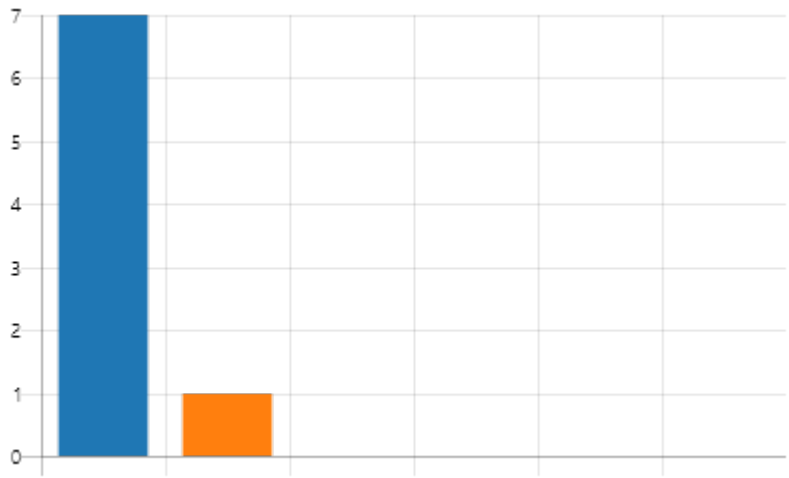
Forms Feedback Survey for City of Santa Fe Draft... - Saved

Feedback Survey for City of Santa Fe Draft Mitigation Plan Update

8	13:16	Active
Responses	Average time to complete	Status

1. Select affiliation (select one):

Member of the Public	7
Private industry	1
Nonprofit	0
Government-Local	0
Government-State	0
Government-Federal	0



2. Please provide comments regarding the Draft Update of the City of Santa Fe Mitigation Plan here:

8
Responses

Latest Responses

"Please do not do prescribed burns or pile burns during pandemics or ot...

"I believe it would be prudent to contract with the same vendor to gener...

"This is David Perez, CEO Of the Santa Fe Group. We are a local business...

Public Feedback Results

ID	Start time	Completion time	Email	Name	Select affiliation (select one):	Please provide comments regarding the Draft Update of the City of Santa Fe Mitigation Plan here:
2	3/25/20 11:42:06	3/25/20 11:42:54	anonymous		Member of the Public	The Dam Failure map is unavailable requiring a password.
3	3/26/20 9:39:06	3/26/20 9:43:43	anonymous		Member of the Public	Keep firearms out of all vegetative areas, especially woods, forests, arroyos, bosques, canyons; no campfires and no fireworks--ever.
4	3/26/20 11:29:22	3/26/20 11:32:50	anonymous		Member of the Public	Very complete although i had a question about early identification. Seemed on first read there was plenty of attention to hazard management / risk assessment but not much about early warning systems and procedures. What's in place there? Do we rely mostly on the State & Fed agencies? How quickly does that translate to alerts?
5	3/26/20 11:33:12	3/26/20 11:52:05	anonymous		Member of the Public	I have browsed through the mitigation plan. I retired from the City in 2007 and served under five different City Managers as their 'troubleshooter.' I worked with the Emergency Preparedness person from the SFFD and we held meetings with key personnel from each department to formulate what kinds of mitigation efforts needed to be addressed. I have the same concerns now that I had then. There is nothing detailed I could see that indicates how you keep the City of Santa Fe functioning from remote centers. As an example: there is a gas explosion or a severe fire restricting access to City Hall or the facilities on Siringo Road. How organized are you that there can be access to the City's IT systems. Can Finance and Payroll still continue to issue paychecks, or PO's? Does HR have the ability to connect with all city employees via their cell phones and does HR have a complete and current list of each employee's emergency contact information. How set up is Finance to be able to issue emergency PO's in large amounts should there ever be a need to procure massive amounts of supplies? I remember so well the big snowstorm we had prior to my retirement and we were not prepared. Employees could not get to work, and we did not have a command central that could be operational immediately. You have thousands of personnel files and should there ever

					be a fire in city hall, you are screwed if they are lost. What kind of plans are in place should IT be affected and the systems go down. Years ago there were backup tapes being run and taken supposedly to a secure place. Today I imagine there are more secure ways of having backups. When Santa Fe was being surrounded by Wildfires, again, before I retired, we spent many meetings trying to figure out our strategy to pay for setting up shelters and purchasing supplies to feed and house residents that could not return to their homes. At that time Finance had some restraints to issuing PO's in short order to stores statewide. And now? I am sure I could come up with more questions to ask, but for now, the above are my comments. Julie Berman
6	3/26/20 15:47:43	3/26/20 15:49:17	anonymous	Member of the Public	Please stop all prescribed burns and pile burns during emergencies
7	3/27/20 11:37:35	3/27/20 11:40:32	anonymous	Private industry	This is David Perez, CEO Of the Santa Fe Group. We are a local business with a global enterprise and third party risk organization called Shared Assessments (www.sharedassessments.org) We would like to offer to help with your risk mitigation program for free as a way to help the city. Please reach out to me at david@santa-fe-group.com
8	3/29/20 9:08:28	3/29/20 10:21:12	anonymous	Member of the Public	I believe it would be prudent to contract with the same vendor to generate a Pandemic Annex to this plan. The sooner the city moves forward with identifying mitigation actions related to pandemic the better prepared it will be when the inevitable mitigation funds become available. The city should identify all mitigation opportunities and needs regardless of whether they currently meet FEMA or State funding eligibility. These actions might include localized strategic stockpiling, protection of critical public facilities, such as perimeter fencing for hospitals, pharmacies and grocery stores, architectural modifications to public spaces to reduce the exposure to disease, policy change associated with cleaning and maintenance, security, hoarding management, resource distribution and supply chains.

					I further believe by acting provocatively the city will avoid public skepticism of the mitigation plan because it does not address pandemic at the level we are currently experiencing. An Annex to the Plan would allow the city to make minor modifications to the existing plan and then thoroughly address the mitigation opportunities that reveal themselves for pandemic, rather than rushing to amend the existing plan. Just my thoughts Brian Williams
9	4/11/20 9:42:12	4/11/20 9:43:21	anonymous	Member of the Public	Please do not do prescribed burns or pile burns during pandemics or other natural disasters.

Survey123 Feedback

Please Enter Date of Your Concern	Hazard Concern	Other Hazards - Hazard Concern	Concern Description	Ideas for Mitigation	Do you wish to have the City contact you regarding this concern?	If Yes, please provide a contact information
3/25/2020 18:00	wildfire		I always have a wildfire concern. I live in the county off 9 mile rd. BUT if you create a map which shows the WUI interface wildfire areas - PLEASE GIVE A KEY TO THE COLOR CODING. I CAN ASSUME RED IS MOST DANGEROUS. yellow? Green? Thanks	We need more Chamisa clearing.		dtverite@comcast.net
3/25/2020 18:00	wildfire		The color-coded map that accompanies the Wildfire risk assessment does not appear to include any definition of what the colors mean, which renders the map useless to lay residents such as myself.		no	
3/25/2020 18:00	dam_failure		The map that would show the properties at risk of inundation requires a ArcGIS Online login, which renders this section useless to the lay property owner such as myself.		no	
3/25/2020 18:00	human_caused_hazards		This otherwise thoughtful plan completely fails to address our current situation in which a sociopathic president, enabled and protected by a small cadre of self-serving officials and extremist	Governmental and religious leaders of integrity must forge and activate common cause networks to	no	

			religious leaders is deliberately endangering the lives and well-being of the nation and the planet.	speak out truthfully and enlist other leaders in the private sector, to include retired military, to break through the cacophony of lies, expose the shameful self-interest of the few, and create a tsunami of public outrage sufficient to bring voters to the polls to evict the criminal enterprise now endangering our future.		

APPENDIX C: ADOPTION RESOLUTION

FIR No. 3285

FISCAL IMPACT REPORT

General Information:

(Check) Bill: _____ Resolution: X

Short Title(s): City Mitigation Plan Adoption

Sponsor(s): Councilors Garcia and Vigil Coppler

Reviewing Department(s): Emergency Management and Safety

Staff Completing FIR: Kyle Mason Date: 10/7/2020 Phone: 955-6704

Reviewed by City Attorney: _____ Date: Nov 12, 2020

Reviewed by Finance Director: _____ Date: Nov 16, 2020

Summary:
This Resolution adopts of the 2020 City of Santa Fe Mitigation Plan. This Mitigation Plan is the result of the months of work with the Emergency Management Coordinating Group. The plan revision was partially funded by the 2017 Pre-Disaster Mitigation grant that assisted the City in hiring Wood PLC that conducted the plan revision process.

Departments Affected:
All departments.

Consequences of Not Enacting Legislation:
Without this Resolution adopting the Mitigation Plan, the City will not be eligible for mitigation and recovery funding on an annual basis or if there were a large scale disaster.

Conflict, Duplication, Companionship, or Relationship to Other Legislation:
None identified.

Performance and Administrative Implications:
This Resolution enables potential funding for Mitigation Projects outlined in the plan.

Fiscal Implications:
This Resolution enables the City to apply for grant opportunities in the future while not committing the City to any finance impact.

Fiscal Impact

X Check here if no fiscal impact

Expenditures

Expenditure Type	FYE __	FYE __	FYE __	Require BAR (Y/N)	Recurring (R) or Non-recurring (NR)	Fund	3-Year Total Cost
Personnel and Benefits*	$	$	$				
Capital Outlay	$	$	$				
Contractual/ Professional Services	$	$	$				
Operating	$	$	$				$
Total:	$	$	$				$

* This includes all staff time associated with executing the job functions of the proposed legislation.

Expenditure Narrative:

Revenue

Revenue Type	FYE __	FYE __	FYE __	Recurring (R) or Non-recurring (NR)	Fund
General Fund	$	$	$		
Special Revenue	$	$	$		
CIP	$	$	$		
Enterprise	$	$	$		
Internal Service	$	$	$		
Trust and Agency	$	$	$		
Federal	$	$	$		
Other	$	$	$		
Total	$	$	$		

Revenue Narrative:

Signature:

Email: kamason@santafenm.gov

ACTION SHEET
ITEM FROM FINANCE COMMITTEE MEETING OF 11/30/20
FOR CITY COUNCIL MEETING OF 12/09/20

n) Consideration of Resolution No. 2020-__: A Resolution Urging the New Mexico State Legislature to Establish a State Public Bank, Owned by and for the People of New Mexico, During the 2021 Legislative Session. (Mayor Webber, Councilors Villarreal, Cassutt-Sanchez, Lindell, and Romero-Wirth) (Jesse Guillen, Legislative Liaison, jbguillen@santafenm.gov, 955-6518)

Committee	**Review:**
Finance Committee:	11/30/20
Quality of Life Committee:	12/2/20
Governing Body: 12/9/20	

FINANCE COMMITTEE ACTION:
Approved on Consent

FUNDING SOURCE:

SPECIAL CONDITIONS OR AMENDMENTS

VOTE	**FOR**	**AGAINST**	**ABSTAIN**
COUNCILOR ROMERO-WIRTH	x		
COUNCILOR CASSUTT-SANCHEZ	x		
COUNCILOR LINDELL	x		
COUNCILOR VILLARREAL	x		
CHAIRPERSON ABEYTA	x		

9-19-20

City of Santa Fe New Mexico
Memorandum

Date: November 16, 2020

To: Quality of Life Committee, Finance Committee, and Governing Body

Via: Erin McSherry, City Attorney

From: Jesse Guillen, Legislative Liaison

RE: State Public Bank Support

ITEM AND ISSUE:

The proposed Resolution would establish the Governing Body's support for the creation of a state public bank by the New Mexico Legislature.

BACKGROUND AND SUMMARY:

A public bank is a financial institution in which a governmental entity, in this case it would be the State, is the owner. The most well-known state public bank in the United States is the Bank of North Dakota, which was formed in 1919 as a response to farmers' limited access to credit. The bank now plays an integral role in North Dakota's economic development with the State of North Dakota and its agencies are required to deposit funds in the bank.

The Governing Body has a record of supporting the creation of a state public bank. In 2017, the Governing Body adopted Resolution No. 2017-32, which created a Task Force to "determine the procedures, timelines, and requirements that would be necessary to establish a chartered public bank…". The Task Force returned to the Governing Body with its final report in May of 2018. It determined that a public bank, if limited to the City of Santa Fe's financial assets, would not provide the envisioned benefits, but that a public bank at the state level would be a more viable alternative. The Governing Body then adopted Resolution No. 2018-62 that called for a State Constitutional Amendment to allow for the creation of a state public bank.
The proposed Resolution once again establishes the Governing Body's support for the creation of a state public bank.

ATTACHMENTS:

Resolution
Exhibit A – Resolution No. 2017-32
Exhibit B – Resolution No. 2018-62
Fiscal Impact Report

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2020-__

INTRODUCED BY:

Mayor Alan Webber

Councilor Renee Villarreal

Councilor Jamie Cassutt-Sanchez

Councilor Signe I. Lindell

Councilor Carol Romero-Wirth

A RESOLUTION

URGING THE NEW MEXICO STATE LEGISLATURE TO ESTABLISH A STATE PUBLIC BANK, OWNED BY AND FOR THE PEOPLE OF NEW MEXICO, DURING THE 2021 LEGISLATIVE SESSION.

WHEREAS, a state public bank could improve the state's use and management of its funds for investment within New Mexico; and

WHEREAS, a state public bank could make this investment in a way that both (i) enhances the vitality and viability of New Mexico's communities and economic sectors – including increasing the potential for locally-owned banks and credit unions, and (ii) advances the state's public and private economic and community well-being by increasing its human and social capital, building its infrastructure, and regenerating its natural assets; and

WHEREAS, public banks offer a mechanism for governmental entities such as cities, counties, tribes, and states to deposit and invest their revenues in a public institution that allows them to more directly and efficiently invest those funds within the state to address priority needs; and

WHEREAS, because public banks are created in the public interest rather than to maximize profit for individuals, they can invest in community development and economic diversification projects, like affordable housing, renewable energy, agricultural development, and other needed infrastructure programs that enhance public wealth; and

WHEREAS, the Bank of North Dakota, a public bank founded in 1919, has helped the state's residents weather recessions, including the current recession created by the COVID-19 pandemic, and has provided hundreds of millions of dollars to North Dakota's treasury; and

WHEREAS, the taxpayers of New Mexico desire and require responsible and equitable use of public funds for public benefit and accountability in their financial system, and a New Mexico Public Bank would operate according to state and federal financial and banking laws; and

WHEREAS, New Mexico relies upon out-of-state investors to finance capital infrastructure and the City of Santa Fe recognizes the need to increase access to capital for small businesses, community development, and public infrastructure; and

WHERAS, a public bank owned by, and created for, New Mexicans would provide greater transparency and lower lending costs to the state and local governments compared to for-profit banks; and a public bank would partner with community banks, credit unions, and community development financial institutions (CDFIs), would keep taxpayer dollars in New Mexico, and has been endorsed by the Credit Union Association of New Mexico; and

WHEREAS, public banking is the preferred model of public development in many high-achieving economies throughout the world, in both developed and developing countries, and states and cities in the U.S. are now introducing and passing laws to charter public banks; and

WHEREAS, New Mexico needs a more robust and diversified economy to balance the volatile revenue from oil and gas production that are subject to significant market swings; and

WHEREAS, a public bank can grow New Mexico's general fund and direct New Mexico's investment decisions to support and diversify the economy, and it can facilitate

additional goals, in eco-tourism, food security, broadband expansion, health clinic upgrades, and clean energy infrastructure projects; and

WHEREAS, a public bank chartered in New Mexico, and approved by the legislature and Governor, could lower financing and debt service costs to the City of Santa Fe, while supporting local community development efforts; and

WHEREAS, in 2017 the Governing Body adopted Resolution No. 2017-32, which created a Task Force to "determine the procedures, timelines, and requirements that would be necessary to establish a chartered public bank…"; and

WHEREAS, that Task Force was appointed in June, 2017, and provided a final report to the Governing Body on May 9, 2018; and

WHEREAS, the Task Force found that a public bank that was limited to the City of Santa Fe's financial assets would not provide the envisioned benefits, while a public bank at the state level would be a more viable alternative; and

WHEREAS, the Governing Body adopted Resolution No. 2018-62 on October 10, 2018, that established the Governing Body's support for a State Constitutional Amendment that would allow for the creation of a state public bank; and

WHEREAS, as the City, State, and country rebuild in the wake of the COVID-19 pandemic, a state public bank could be particularly helpful as a financial tool to assist small- and medium-sized local businesses to survive and grow; and

WHEREAS, what was a good idea previously is all the more important as a tool the State could use to keep local funding in the State and to put the dollars to work where the need is greatest with locally-owned small- and medium-sized businesses that experienced the most negative impacts from the pandemic, due to a jump in online purchases.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that the Governing Body urges the New Mexico State Legislature to

establish a state public bank owned by and for the people of New Mexico.

BE IT FURTHER RESOLVED that a copy of this Resolution be provided to the Governor of New Mexico, leadership of the House and Senate, Santa Fe legislative delegation, New Mexico State Treasurer, New Mexico State Auditor, Board of the New Mexico State Investment Council, Board of the New Mexico Finance Authority, leadership of the Legislative Finance Council, and the Director of the Financial Institutions Division of the Regulation and Licensing Department.

PASSED, APPROVED, and ADOPTED this _____day of _____, 2020.

_____

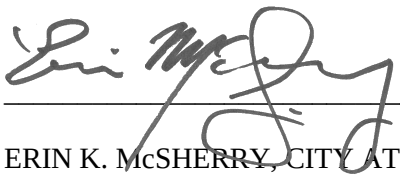
ALAN WEBBER, MAYOR

ATTEST:

_____

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:



_____

ERIN K. McSHERRY, CITY ATTORNEY

Legislation/2020/Resolutions/State Public Bank Support

FIR No. 3289

FISCAL IMPACT REPORT

General Information:

(Check) Bill: _____ Resolution: X

Short Title(s): State Public Bank Support

Sponsor(s): Mayor Webber and Councilors Villareal, Cassutt-Sanchez, and Lindell

Reviewing Department(s): City Attorney's Office

Staff Completing FIR: Jesse Guillen Date: 10/16/20 Phone: 955-6518

Reviewed by City Attorney: _____ Date: Nov 16, 2020

Reviewed by Finance Director: _____ Date: Nov 16, 2020

Summary:
The proposed Resolution urges the New Mexico State Legislature to establish a public bank owned by and for the people of New Mexico. A state public bank could lower financing and debt service costs to the City while also supporting local community development efforts. An institution such as a public bank is all the more important in the wake of the financial uncertainty in the wake of the COVID-19 pandemic. Small- and medium-sized businesses could be primary beneficiaries of a public bank, assisting in a local economic recovery.

Departments Affected:
None with the adoption of this Resolution.

Consequences of Not Enacting Legislation:
The Governing Body will not continue to express its support for the creation of a state public bank.

Conflict, Duplication, Companionship, or Relationship to Other Legislation:
This Resolution relates to Resolution No. 2017-32 which created a task force related to the establishment of a public bank; and to Resolution No. 2018-62 which supported a State Constitutional Amendment that would allow for the creation of a state public bank.

Performance and Administrative Implications:
None associated with the adoption of this Resolution.

Fiscal Implications:
None associated with the adoption of this Resolution.

Fiscal Impact

X Check here if no fiscal impact

Expenditures

Expenditure Type	FYE __	FYE __	FYE __	Require BAR (Y/N)	Recurring (R) or Non-recurring (NR)	Fund	3-Year Total Cost
Personnel and Benefits*	$	$	$				
Capital Outlay	$	$	$				
Contractual/ Professional Services	$	$	$				
Operating	$	$	$				$
Total:	$	$	$				$

* This includes all staff time associated with executing the job functions of the proposed legislation.

Expenditure Narrative:

Revenue

Revenue Type	FYE __	FYE __	FYE __	Recurring (R) or Non-recurring (NR)	Fund
General Fund	$	$	$		
Special Revenue	$	$	$		
CIP	$	$	$		
Enterprise	$	$	$		
Internal Service	$	$	$		
Trust and Agency	$	$	$		
Federal	$	$	$		
Other	$	$	$		
Total	$	$	$		

Revenue Narrative:

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2018-62

INTRODUCED BY:

Councilor Renee D. Villarreal

Councilor Christopher M. Rivera

Councilor Peter N. Ives

A RESOLUTION

SUPPORTING A STATE CONSTITUTIONAL AMENDMENT ALLOWING FOR A PUBLIC BANK IN NEW MEXICO; ADDING THIS RESOLUTION TO THE LEGISLATIVE PRIORITIES; AND ENCOURAGING THE MAYOR TO SUPPORT THE STATEWIDE OUTREACH EFFORTS

WHEREAS, the Santa Fe City Council, in accordance with Resolution No. 2017-32, appointed a Public Bank Task Force in June, 2017, to investigate, research, and recommend the pros and cons of establishing a public bank in Santa Fe; and

WHEREAS, the Public Bank Task Force commenced its work in August, 2017, and concluded with a final report to the City Council on May 9, 2018; and

WHEREAS, the Public Bank Task Force concluded that: "If limited to the City of Santa Fe's financial assets, the possible benefits that a Public Bank might generate are at best marginal and at worst would carry the risk of non-viability because of the relatively small scale of the City's financial means...."; and

WHEREAS, the Public Bank Task Force also found that a Public Bank at a viable scale

could bring many benefits to New Mexico that are currently unavailable; and

WHEREAS, on June 15, 2018, the Mayor's transition teams made a number of compelling short-term suggestions for improvements to our City that require capital to initiate in the short term and sustain in the long term; and

WHEREAS, appropriate to its findings, the Public Bank Task Force proffered three recommendations to the Governing Body, the first of which - to continue the Finance Department's operating improvements - is already underway, while the second recommendation advocated participation in a collaborative and concerted effort to investigate, and, if deemed appropriate, develop a statewide Public Bank in which Santa Fe would participate.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that the Governing Body supports the pursuit of the State Constitutional Amendment allowing for a State Public Bank.

BE IT FURTHER RESOLVED that the Governing Body will include the Public Bank Constitutional Amendment on its list of the City's legislative priorities for the 2019 Legislative Session.

BE IT FURTHER RESOLVED that the Mayor of Santa Fe is encouraged to assist the statewide outreach effort by reaching out to other mayors in New Mexico to encourage their respective cities' support for an investigation of how a State Public Bank could benefit their jurisdiction.

BE IT FURTHER RESOLVED that a copy of this resolution be provided to the Santa Fe Legislative delegation.

PASSED, APPROVED AND ADOPTED this 10th day of October, 2018.

ALAN M. WEBBER, MAYOR

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

ERIN K. McSHERRY, CITY ATTORNEY

M/Legislation/Resolutions 2018/2018-62 State Public Bank Support

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2017-32

INTRODUCED BY:

Councilor Renee D. Villarreal
Councilor Carmichael A. Dominguez
Councilor Joseph M. Maestas
Councilor Peter N. Ives
Councilor Signe I. Lindell
Councilor Mike Harris

A RESOLUTION

REQUESTING THE FINANCE DEPARTMENT STAFF TO PROVIDE THE GOVERNING BODY WITH AN ASSESSMENT OF THE CURRENT FINANCIAL MANAGEMENT PRACTICES AS THEY PERTAIN TO THE FINDINGS IN THE PUBLIC BANKING FEASIBILITY STUDY; AND CREATING A TASK FORCE TO DETERMINE THE PROCEDURES, TIMELINES AND REQUIREMENTS THAT WOULD BE NECESSARY TO ESTABLISH A CHARTERED PUBLIC BANK AND TO MAKE RECOMMENDATIONS TO THE GOVERNING BODY IN PREPARATION FOR THE GOVERNING BODY TO MAKE AN INFORMED DECISION.

WHEREAS, the primary goal and intent of continuing to explore the possibility of establishing a chartered public bank in Santa Fe is to continue the ongoing enhancement of responsible stewardship of public funds; and

WHEREAS, the call for a chartered public bank was initiated by the public, and the mayor then convened local and national leaders to a forum in June 2014 to begin the discussion of a public bank for the City of Santa Fe; and

WHEREAS, the city participated in an international broadcast symposium on public banking on September 27, 2014 with participants including civic leaders and citizens from across the nation and the world; and

WHEREAS, on October 20, 2014 the governing body approved a study be completed to explore the feasibility of establishing a public bank for the City of Santa Fe, and in 2015 the city contracted a study to explore the feasibility of establishing a chartered public bank for the city of Santa Fe; and

WHEREAS, on September 25, 2015 David Buchholtz of Rodey Law Firm provided a legal memorandum to the *WeArePeopleHere!* Educational Fund with perspectives on a public bank, and;

WHEREAS, the feasibility study was completed in January, 2016 and the findings reported to the public: a) areas for improvement in the city's liquidity management, investment performance-and capital financing administration, and b) that there could be financial benefit to the city if a chartered public bank were implemented; and

WHEREAS, the feasibility study did not address the process and responsibilities related to establishing a chartered public bank; and,

WHEREAS, since the completion of the feasibility study, several other municipalities and states are on active developmental tracks pursuing a public bank.

WHEREAS, since the completion of the feasibility study, the Governing Body adopted significant financial reforms that include, but are not limited to: updated financial policies for cash management and investments, a balanced budget policy in which recurring expenditures are only paid with recurring revenues, a one-year capital budget, and a 5-year capital improvement plan; and

WHEREAS, since the completion of the feasibility study the City's Finance Department has established a Treasury division; examined the City's cash and investment policies and

practices and adopted improvements; eliminated unnecessary fund accounts; restructured the City's debt portfolio and initiated an inter-fund loan policy in response to a recent bond transaction; and

WHEREAS, the City's 2017-2018 capital improvements plan identified more than $8.8 million in unfunded needs for the next fiscal year; and

WHEREAS, financing infrastructure projects through bond issue increases costs to projects; and

WHEREAS, by potentially reducing the City's borrowing costs and capturing interest that would otherwise be paid to private investors, with a chartered public bank, the city can continue to participate in financially sound loans that promote our public welfare; and

WHEREAS, the City acknowledges opportunities remain to further improve the financial policies and practices of the City government; enhance and leverage relationships with other public and private financial institutions; and that it is ready to determine the potential role for a public bank.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE: Within thirty (30) days the city Finance Department will provide a written report to the Governing Body and the public that details the changes in policy and practice for treasury, cash management and investment, and bank services since the completion of the Public Bank feasibility report and that identifies the significant opportunities that remain to further improve the financial policies and practices of the city government.

BE IT FURTHER RESOLVED that the mayor will appoint, with the approval of the governing body, members of a Public Bank Task Force within sixty (60) calendar days of adoption of this resolution.

PURPOSE: The sole purpose of the Public Bank Task Force is to provide the governing body with the information needed to make an informed decision about the pros and cons of submitting

an application for a New Mexico Bank Charter for a Public Bank of Santa Fe.

DUTIES AND RESPONSIBILITIES: The task force shall consider the processes, resources, risks and timelines necessary for the governing body make an informed decision, and shall examine the following through the course of their work:

A. Work with legal experts in the field of public finance, banking and law to determine the regulatory constraints that are applicable under the legal structure of the Public Bank, as well as a legal opinion from the City Attorney.

B. Investigate the legal steps necessary to establish a public bank, such as obtaining necessary municipal, state and federal approvals; and identify the legally required components of a potential enabling ordinance; and

C. Investigate and make recommendations on bank governance structures that provide transparency and accountability to the public and maintenance of high ethical standards; and

D. Investigate and make recommendations on the capitalization options, sources and methods, and underwriting parameters; and

E. Examine the de novo bank procedure in the state of New Mexico, its work components, responsibilities and timelines and identify those work components that may require work beyond the scope of the Task Force or City Staff;

F. Draft a five-year business plan per de novo bank procedure requirements that:

1. Identifies a potential purpose for a chartered public bank for Santa Fe, and

2. Recommends options for phasing of implementation for consideration that includes:

a) Refinancing the City's existing debt, and

b) Financing currently identified capital improvement projects, and

c) Consider the long term, potential implications of partnering with other public institutions.

3. Identifies the one-time, as well as recurring costs associated with the creation and operation of a public bank.

MEMBERSHIP; OFFICERS; TERMS: The task force shall consist of a facilitator and nine (9) members that shall have the following credentials:

A. One (1) member to be the director of the city finance department, or their representative as needed.

B. Three (3) members with financial and/or banking experience who are currently employed by or retired from a community bank, a community credit union, and/or a community development financial institution (CDFI) in New Mexico; and

C. Two (2) members with legal experience in public finance and the banking industry in New Mexico.

D. One (1) member with federal and state regulatory experience in the banking industry.

E. Two (2) residents at large.

F. At least one of these nine members shall have expertise in governance models that provide for transparency and accountability to the public for bank operations and decisions. The Mayor, with the approval of the Governing Body, shall designate the chairperson; the vice chairperson shall be designated by the chairperson. The members shall serve until they complete their duties and responsibilities as set forth above.

VACANCIES: Vacancies on the Public Bank Task Force shall be filled in the same manner as initial appointments. Members shall serve without compensation.

MEETINGS; DURATION: Staff shall identify and utilize a third party facilitator who in coordination with the chairperson shall lead the task force meetings. The chairperson shall coordinate with the professional facilitator to convene the task force within ninety (90) calendar days of adoption of this resolution by the governing body, facilitate meetings, take notes, schedule task force meetings and complete the work of the task force. The task force shall hold at least two (2) public meetings between three (3) and six (6) months from the first meeting to report to residents on their progress, to hear public comment, and to assure transparency and accountability to the public of the task force's efforts toward a coherent plan for the work necessary to determine the merits of establishing a public bank in Santa Fe. The task force shall report to the finance committee on the progress of their work after three (3) months of its first meeting. That the task force shall complete its work within six (6) months of its first meeting and provide a formal written and oral report of its findings and recommendations to the Finance Committee, and then to the Governing Body at a public meeting that provides for public comment.

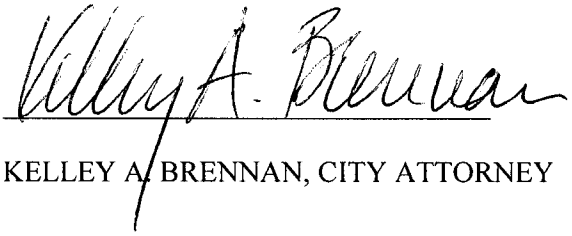
PASSED, APPROVED AND ADOPTED this 26th day of April, 2017.

JAVIER M. GONZALES, MAYOR

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:



KELLEY A. BRENNAN, CITY ATTORNEY

M/Legislation/Resolutions 2017/2017-32 Public Bank Task Force

City of Santa Fe, New Mexico

memo

Date: December 9, 2020

To: Governing Body

From: Sally A. Paez, Assistant City Attorney

Via: Erin K. McSherry, City Attorney

Subject: Request for Approval of Settlement Agreement

ACTION REQUESTED:

The City Attorney's Office respectfully requests Governing Body approval of a Settlement Agreement between Gail Gilbert and the City of Santa Fe, which will resolve issues related to two administrative appeals that were filed in the First Judicial District Court, Case Nos. D-101-CV-2019-02819 and D-101-CV-2020-0097. Those cases involved remodeling and construction projects at 503 Camino del Monte Sol, which is located within the Downtown and Eastside Historic District. The proposed Settlement Agreement includes the terms previously discussed.

Attachments:

- Settlement Agreement and Exhibits

ITEM#_____

SETTLEMENT AGREEMENT

This Settlement Agreement ("Agreement") is made by and between Gail Gilbert ("Gilbert") and the City of Santa Fe, New Mexico (the "City") and is effective as of the date of the last signature below.

RECITALS

A. Gilbert owns the real property in Santa Fe, New Mexico known as 503 Camino del Monte Sol (the "Property").

B. Located upon the Property is a residential structure of approximately 1,612 square feet (the "Residence").

C. Gilbert made certain modifications to the Residence without first obtaining a building permit from the City or approval from the City of Santa Fe's Historic Districts Review Board (the "Board"). The modifications to the Residence included the following:

1. the replacement of a door with a window on the north-facing primary façade of the Residence that was previously designated by the Board in Case #H-013-058 as façade #6 of the Residence;

2. the replacement of a window with two French doors and the construction of a portal on the south-facing primary façade of the Residence that was previously designated by the Board in Case #H-013-058 as façade #4 of the Residence; and

3. the construction of a hallway on the south-facing elevation previously designated by the Board in Case #H-013-058 as façade #2 of the Residence that connected the Residence to another structure known as the "Gatehouse" on the Property.

D. In March 2019, the City of Santa Fe issued a Stop-Work Order to Gilbert as a result of the foregoing modifications to the Residence and other work that had been done on the Property without prior approval of the Board.

E. After the issuance of the Stop-Work Order, Gilbert submitted an application to the City in which she requested exceptions, pursuant to Santa Fe City Code ("SFCC") Section 14-5.2(C)(5), for the modifications to the Residence and other work, which request was denied in part and granted in part by the Board in Case #H-19-027. The Board denied Gilbert's request for exceptions for the replacement of a door with a window on façade #6, the replacement of a window with two French doors and the construction of a portal on façade #4, and the construction of a hallway on façade #2 that connected the Residence to the Gatehouse.

F. Gilbert appealed to the Governing Body that part of the Board's decision denying her requests for exceptions for the replacement of a door with a window on façade #6, the replacement of a window with two French doors and the construction of a portal on façade #4, and the construction of a hallway on façade #2 that connected the Residence to the Gatehouse. The Governing Body, in Appeal No. 2019-59, granted Gilbert an exception for the construction of a

hallway on façade #2 of the Residence that connected the Residence to the Gatehouse, but denied her request for the remaining exceptions that were the subject of the appeal.

G. Gilbert filed an administrative appeal to the First Judicial District Court, Cause No. D-101-CV-2019-02819 (the "First District Court Appeal"), in which Gilbert appealed that part of the Governing Body's decision in Appeal No. 2019-59 denying her requests for exceptions for the replacement of a door with a window on façade #6 and the replacement of a window with two French doors and the construction of a portal on façade #4.

H. Because there was no appeal of the Governing Body's decision in Appeal No. 2019-59 granting Gilbert an exception for the construction of a hallway on façade #2 that connected the Residence to the Gatehouse, that part of the Governing Body's decision was and remains a final decision granting such exception.

I. In the First District Court Appeal, Judge Sanchez-Gagne reversed the Governing Body's decision in Appeal No. 2019-59 denying Gilbert's requests for exceptions for the replacement of a door with a window on façade #6 and the replacement of a window with two French doors and the construction of portal on façade #4. In her decision, Judge Sanchez-Gagne also reversed that part of the Governing Body's decision in Appeal No. 2019-59 requiring Gilbert to submit an application to the City for the restoration of the foregoing modifications to their prior condition. Judge Sanchez-Gagne remanded the case back to the City for further proceedings consistent with her decision.

J. Gilbert also filed a second administrative appeal to the First Judicial District Court, Cause No. D -101-CV-202-00979 (the "Second District Court Appeal"), in which Gilbert appealed a decision by the Governing Body dismissing Gilbert's appeal to the Board of a decision by the City's Land Use Director regarding Gilbert's proposed method of complying with the requirements for restoration of the foregoing modifications as set forth in the Governing Body's decision in Appeal No. 2019-59.

K. Gilbert and the City wish to resolve the dispute between them regarding the modifications that Gilbert made to the Property that were the subject of Case #H-19-027, including the modifications that were the subject of the First District Court Appeal, in accordance with the terms set forth below.

AGREEMENT

In consideration of the mutual covenants set forth below, the parities agree as follows:

1. No Further Appeal. The City will not appeal the Decision in the First District Court Appeal.

2. Dismissal of Second Appeal. The Second District Court Appeal will be dismissed as moot by the filing of to the Stipulated Order of Dismissal in the form attached hereto as Exhibit A.

3. Stipulation of No Precedential Effect. Gilbert and the City shall file in the First District Court Appeal a Stipulation of No Precedential Effect in the form attached hereto as Exhibit B.

4. No Further Proceedings. There shall be no further proceedings required before the Governing Body or the Board on Gilbert's request for exceptions for the replacement of a door with the existing window installed on façade #6 of the Residence and the replacement of a window with the two existing French doors and the existing portal that were installed on façade #4 of the Residence. The City hereby retroactively grants exceptions to Gilbert, pursuant to SFCC Section 14-5.2(C)(5), for said modifications.

5. Building Permits. Within thirty (30) days of the effective date of this Agreement, Gilbert shall obtain building permits (the "Building Permits") for all unpermitted work, including the scope of work that was already conducted (all items in the application for Case #H-19-027) and future work (window replacements, yard wall lowering). The permit fee amount for work that has already been conducted is twice the regular fee.

6. Non-Historic Windows. Gilbert shall replace non-historic windows on the Residence as proposed in the application filed by Mark Hogan on September 25, 2019, subject to administrative approval by the Historic Preservation Division. Gilbert shall submit the application for such administrative approval with her application for the building permits pursuant to Section 5 above, and shall complete the work to replace such windows within 150 days after the issuance of the building permit and administrative approval for such work are issued.

7. Yard Wall. Gilbert shall comply with her pre-existing obligation in Case #H-19-027 to lower the yard wall to the maximum allowable height and shall submit drawings for this work with the application for the building permits to be submitted pursuant to Section 5 above. Gilbert shall complete the work to lower the yard wall within 150 days after the issuance of the building permit for such work.

8. Settlement Amount. Within two (2) business days after the issuance of the Building Permits Gilbert shall pay to the City a monetary settlement amount of $7,000.00.

9. Counterparts. This Agreement may be executed through the use of separate signature pages or in any number of counterparts, and each of such counterparts shall, for all purposes, constitute one agreement binding on all the parties, notwithstanding that all parties are not signatories to the same counterpart.

10. Modification. Any modification of this Agreement must be made in writing and must be executed by the parties.

11. Entire Agreement. This Agreement constitutes the entire agreement between the parties, and any other prior agreements between the parties, written or oral, are merged herein.

12. Binding Effect. This Agreement shall be binding upon and inure to the benefit of the Parties and their respective heirs, successors, and assigns.

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates set forth next to their signatures below.

Gail Gilbert

Date: 10 November, 2020

CITY OF SANTA FE:

Alan M. Webber, Mayor

Date: _____, 2020

Attest:

Yolanda Y. Vigil, City Clerk

Date: _____, 2020

City Attorney's Office:

Erin K. McSherry, City Attorney

Date: _____, 2020

Approved for Finances:

Mary T. McCoy, Finance Director

Date: _____, 2020

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates set forth next to their signatures below.

_____ Date: _____, 2020
Gail Gilbert

CITY OF SANTA FE:

_____ Date: _____, 2020
Alan M. Webber, Mayor

Attest:

_____ Date: _____, 2020
Yolanda Y. Vigil, City Clerk

City Attorney's Office:

_____ Date: Nov 12, 2020, 2020
Erin K. McSherry, City Attorney

Approved for Finances:

_____ Date: _____, 2020
Mary T. McCoy, Finance Director

EXHIBIT A

FIRST JUDICIAL DISTRICT COURT
STATE OF NEW MEXICO
COUNTY OF SANTA FE

Cause No. D-101-CV-2020-00979

GAIL GILBERT,

Appellant,

v.

THE CITY OF SANTA FE, NEW MEXICO, and
THE GOVERNING BODY OF THE
CITY OF SANTA FE, NEW MEXICO,

Appellees.

STIPULATED ORDER OF DISMISSAL

Upon the stipulation of Appellant, Gail Gilbert, and Appellees, the City of Santa Fe, New Mexico, and the Governing Body of the City of Santa Fe, New Mexico, by and through their undersigned counsel,

IT IS HEREBY ORDERED that this matter is hereby dismissed without prejudice on the ground that the issues raised in this appeal have been rendered moot as a result of the decision in Cause No. D-101-CV-2019-02819. The parties shall each pay their own attorney's fees and costs incurred in connection with this matter.

_____
The Honorable Francis J. Mathew
District Court Judge

Submitted by and stipulated to:

KATZ HERDMAN MACGILLIVRAY & FULLERTON PC

By_____
Frank T. Herdman
Post Office Drawer 250
Santa Fe, New Mexico 87504
(505) 946-2815
fth@santafelawgroup.com
Attorneys for Appellant, Gail Gilbert

Stipulated to:

THE CITY OF SANTA FE, NEW MEXICO AND
THE GOVERNING BODY OF THE CITY OF SANTA FE, NEW MEXICO

By_____

Erin K. McSherry, City Attorney
Sally A. Paez, Assistant City Attorney
City of Santa Fe
P.O. Box 909
Santa Fe, NM 87504-0909
ekmcsherry@santafenm.gov
sapaez@santafenm.gov
Attorneys for the City of Santa Fe, New Mexico and
The Governing Body of the City of Santa Fe, New Mexico

EXHIBIT B

FIRST JUDICIAL DISTRICT COURT
STATE OF NEW MEXICO
COUNTY OF SANTA FE

Cause No. D-101-CV-2019-02819

GAIL GILBERT,

Appellant,

v.

THE CITY OF SANTA FE, NEW MEXICO, and
THE GOVERNING BODY OF THE
CITY OF SANTA FE, NEW MEXICO,

Appellees.

STIPULATION OF NO-PRECENDENTIAL EFFECT

Appellant, Gail Gilbert, and Appellees, the City of Santa Fe, New Mexico, and the Governing Body of the City of Santa Fe, New Mexico, by and through their undersigned counsel, hereby stipulate as follows:

1. On September 3, 2020, Judge Sanchez-Gagne entered her Decision in this matter in which she reversed that part of decision of the Governing Body of the City of Santa Fe in Appeal No. 2019-59 in which the Appellant requested exceptions, pursuant to Section 14-5.2(C)(5) of the City of Santa Fe Code, for certain modifications that Appellant made to two primary facades of the subject residence located at 503 Camino del Monte Sol in the City of Santa Fe.

2. The parties have entered into a Settlement Agreement in which they have resolved Appellant's claims in this matter.

3. Because of that settlement, the Appellees elected not to seek further review of the Decision by the New Mexico Court of Appeals. Additionally, as part of the parties' settlement, there were no further proceedings before the Governing Body or the City of

Santa Fe Historic Districts Review Board (the "Board") on Appellant's request for the exceptions.

4. As a result of the foregoing, the parties agree and stipulate that the Decision in this matter does not constitute, and shall not be relied upon as, binding precedent on the City of Santa Fe, in any future cases coming before the Governing Body of the City of Santa Fe or the Board or the appeal of any decisions rendered by them.

Submitted and stipulated to:

KATZ HERDMAN MACGILLIVRAY & FULLERTON PC

By_____

Frank T. Herdman
Post Office Drawer 250
Santa Fe, New Mexico 87504
(505) 946-2815
fth@santafelawgroup.com
Attorneys for Appellant, Gail Gilbert

Stipulated to:

THE CITY OF SANTA FE, NEW MEXICO AND
THE GOVERNING BODY OF THE CITY OF SANTA FE, NEW MEXICO

By_____

Erin K. McSherry, City Attorney
Sally A. Paez, Assistant City Attorney
City of Santa Fe
P.O. Box 909
Santa Fe, NM 87504-0909
ekmcsherry@santafenm.gov
sapaez@santafenm.gov
Attorneys for Appellees, the City of Santa Fe, New Mexico, and
The Governing Body of the City of Santa Fe, New Mexico

Settlement Agreement (110920) (final with Gilbert signature)

Final Audit Report 2020-11-12

Created:	2020-11-12
By:	Irene Romero (ikromero@ci.santa-fe.nm.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAO0t2LBZyAYHYV4mQNsWeAZVjPxj0KPot

"Settlement Agreement (110920) (final with Gilbert signature)" History

Document created by Irene Romero (ikromero@ci.santa-fe.nm.us)
2020-11-12 - 5:53:40 PM GMT- IP address: 63.232.20.2

Document emailed to Erin McSherry (ekmcsherry@santafenm.gov) for signature
2020-11-12 - 5:54:14 PM GMT

Email viewed by Erin McSherry (ekmcsherry@santafenm.gov)
2020-11-12 - 6:59:31 PM GMT- IP address: 174.62.11.171

Document e-signed by Erin McSherry (ekmcsherry@santafenm.gov)
Signature Date: 2020-11-12 - 8:25:04 PM GMT - Time Source: server- IP address: 174.62.11.171

Agreement completed.
2020-11-12 - 8:25:04 PM GMT

CARDENAS, GERALYN F.

From: VIGIL, YOLANDA Y.
Sent: Wednesday, December 9, 2020 11:01 AM
To: CARDENAS, GERALYN F.
Subject: FW: public comment on gilbert settlement

Importance: High

From: Stefanie Beninato <info@nmmediate.com>
Sent: Wednesday, December 9, 2020 10:19 AM
To: WEBBER, ALAN M. <amwebber@santafenm.gov>; ROMERO-WIRTH , CAROL <cromero-wirth@santafenm.gov>; RIVERA, CHRISTOPHER M. <cmrivera@santafenm.gov>; VILLARREAL, RENEE D. <rdvillarreal@santafenm.gov>; ABEYTA, ROMAN R. <rrabeyta@santafenm.gov>; COPPLER, JOANNE V. <jvcoppler@santafenm.gov>; CASSUTT-SANCHEZ, JAMIE A. <jcsanchez@santafenm.gov>; GARCIA, MICHAEL J. <mjgarcia@santafenm.gov>; LINDELL, SIGNE I. <silindell@santafenm.gov>; MCSHERRY, ERIN K. <ekmcsherry@santafenm.gov>; LAPAN HILL, JAREL <jlapanhill@santafenm.gov>; VIGIL, YOLANDA Y. <yyvigil@santafenm.gov>
Subject: public comment on gilbert settlement
Importance: High

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Yolanda, Alan, Erin and Jarel

I am sending this comment and expect it will be put in the record as a PUBLIC COMMENT since the agenda/portal gives no opportunity for public comment now. HOW TRANSPARENT and PARTICIPATORY of the city government during a pandemic!!!!
I have two more comments, one on HDRB that you all should have received last night which I am resending as a public comment and another one on lack of real time response at the city despite multiple employees in the City Mgr and Mayors office. Here is the first comment also attached to your discussion ITEM 11 C NOTE no public comment for DISCUSSION ITEM 11 a or b

Starting at 6PM just seems to give Council more time for talking etc. It has not helped keep meetings to end at more reasonable times.

Also why no public comment on Discussion ITems 11 A and B. My question on why Ms Paez is urging settlement for Gail Gilbert who insists she needs an exception to expand a guest unit so that her FRIEND can have family visit for the holidays? Really? Is it Ms Gilbert's wealth or her lawyer that gets Ms Paez to recommend settlement? Also why was Ms Paez "not willing" to discuss settlement in the 203 E Santa Fe Ave case with me? She should know from SF Ord 2.5-1 that the City Attorney Office represents boards—not the owner of a project. John Eddy and I were appealing a BOARD decision....but hey we don't have money and she thinks as she did with you all that she can bury the court with paper. And of course, the Watsons who can afford to hire 12 people to weed in their small front yard can afford to finally hire Frank Herdman...We wanted the Board to find that they did NOT grant Watsons' an exception for aging in place but based on preventing harm to the public because of HDRB discussion concerning design/material that would be used. And that future speculative needs cannot be conclusively proven and that the staff should have noticed the project for status review before it came to the HDRB. We asked the project be sent back for status review while the permit went forward. All that could have been settled in OCTOBER 2020 and the Watsons would not be given a permit in

violation of the same ordinance that Paez used to shut us off WATSONS were NOT the appellees. Think of PC actions where a NA comes in protesting a PC decision. It is the city who is the Appellee and the owner is a special public participant with more time than a normal public member to supplement whatever the CAO has to argue about the legitimacy of the PC action. Same is and should be true for HDRB actions WASTE OF CITY RESOURCES and an obvious example of income inequality leading to inequitable handling of a case.

City of Santa Fe New Mexico
Memorandum

Date: December 1, 2020

To: Governing Body

Via: Regina Wheeler, Public Works Director *ew*

From: David A. Chapman, Grant Administrator *DAC*
DAC (Dec 1, 2020 15:47 MST)

RE: Santa Fe Trails Agency Safety Plan

ACTION REQUESTED:
Approval of Santa Fe Trails Agency Safety Plan

BACKGROUND AND SUMMARY:
On July 19, 2018, the Federal Transit Administration (FTA) published the Public Transportation Agency Safety Plan (PTASP) Final Rule, which requires certain operators of public transportation systems that receive federal funds under FTA's Urbanized Area Formula Grants (49 U.S.C. § 5307) to implement Safety Management Systems (SMS). The PTASP rule became effective on July 19, 2019 and the compliance deadline is December 31, 2020.

The extraordinary operational challenges presented by the COVID-19 public health emergency, the loss of key staff within the Transit Division and the resulting increase in workload to the remaining staff all caused the development of this Agency Safety Plan to be late and require immediate action.

SMS is a comprehensive, collaborative approach that builds on the transit industry's existing safety foundation to control risk better, detect and correct safety problems earlier, share and analyze safety data more effectively, and measure safety performance more carefully. SMS includes systematic procedures, practices, and policies for managing risks and hazards.

The City's Transit Division currently has a strong safety culture, program and performance that includes continuous training and monitoring including randomly reviewing bus camera video. This Agency Safety Plan formalizes and expands that program.

The attached Santa Fe Trails Agency Safety Plan was co-developed by Transit Division Director, Thomas Martinez and FTA Consultant Ream Lazaro.

ATTACHMENTS:
Santa Fe Trails Agency Safety Plan

Santa Fe Trails

Agency Safety Plan

Table of Contents

1. TRANSIT AGENCY INFORMATION 2

System Description 3

2. PLAN DEVELOPMENT, APPROVAL, AND UPDATES 5

3. SAFETY PERFORMANCE TARGETS 6

4. SAFETY MANAGEMENT POLICY 7

Santa Fe Trails Safety Management Policy Statement (SMPS) 7
Safety Management Policy Communication 8
Authorities, Accountabilities, and Responsibilities 9
Employee Safety Reporting Program 11

5. SAFETY RISK MANAGEMENT (SRM) 13

Safety Hazard Identification 13
Safety Risk Assessment 15
Safety Risk Mitigation 16

6. SAFETY ASSURANCE 18

Safety Performance Monitoring and Measurement 18

7. SAFETY PROMOTION 22

Competencies and Training 22
Safety Communication 25

ADDITIONAL INFORMATION 27

APPENDIX A: DEFINITIONS 28

APPENDIX B: ACRONYMS AND ABBREVIATIONS 31

APPENDIX C: CITY OF SANTA FE ASP APPROVAL DOCUMENTATION 32

APPENDIX D: CERTIFICATION DOCUMENTATION 33

APPENDIX E: SANTA FE TRAILS SAFETY RISK ASSESSMENT MATRIX 34

APPENDIX F: SANTA FE TRAILS ORGANIZATIONAL CHART 36

1. Transit Agency Information

Transit Agency Name	Santa Fe Trails		
Transit Agency Address	Santa Fe Trails, 2931 Rufina St. Santa Fe NM, 87507		
Name and Title of Accountable Executive	Regina Wheeler, Public Works Director The Accountable Executive meets the requirements in 49 CFR § 673.5 and $673.23(d)(1). Please see the Roles and Responsibilities of the Accountable Executive in Section 4-Safety Management Policy.		
Name of SMS Executive/Chief Safety Officer	Thomas Martinez, Director of Operations and Maintenance, SMS Executive The SMS Executive meets the requirements of § 673.5 and $673.23(d)(2). Please see the Roles and Responsibilities of the SMS Executive in Section 4-Safety Management Policy.		
Mode(s) of Service Covered by This Plan	Fixed-route Bus and Demand Response	**List All FTA Funding Types (e.g., 5307, 5310, 5311)**	5307, 5310, 5339
Mode(s) of Service Provided by the Transit Agency (Directly operated or contracted service)	Fixed-route Bus – directly operated Demand Response – directly operated		
Does the agency provide transit services on behalf of another transit agency or entity?	NO	**Description of Arrangement(s)**	N/A
Name and Address of Transit Agency(ies) or Entity(ies) for Which Service Is Provided	N/A		

System Description

History
In 1991, the City of Santa Fe ordinance was passed enabling the formation of Santa Fe Trails. The purpose of this legislation was to:

- provide safe and efficient transit services
- reduce congestion, crashes, and pollution caused by single-occupant vehicles;
- extend the life of the city's roads by reducing traffic;
- provide transportation alternatives to residents, particularly transit-dependent groups such as seniors, youth, low- income, and mobility-impaired residents;
- provide residents with better access to educations and higher-paying jobs, and;
- reduce oil dependence by incorporating the use of alternative fuels; such as CNG.

Governing Body
Santa Fe Trails is governed by the Transit Advisory Board (TAB) along with the Mayor and an eight-member Council that represents the four districts within the City of Santa Fe. The TAB consists of nine representatives who represent Seniors, At-large, ADA, Business, Tourism, Intuitions and Government, and Education.

Description
The Santa Fe Trails fixed route system launched in January of 1993, which is the city of Santa Fe's small urban transit system and provides the greatest level of fixed service to the area. Santa Fe Trails is serviced by a fleet of 32 state-of-the-art buses and hosts ten distinct routes. The Transit Division also operates the Santa Fe Pick-Up, which provides free shuttles around downtown and to Museum Hill, utilizing four cutaway vans. The Transit Division also operates Santa Fe Ride, the Complementary Paratransit Service for ADA and Seniors, using 18 vehicles of varying sizes. Santa Fe Trails was the nation's first transit system to operate its entire fleet with cleaner-burning compressed natural gas (CNG). Its mission is to provide transit service in the City of Santa Fe (and parts of Santa Fe County) to get area residents and visitors where life takes them and boasts an annual ridership close to 1 million.

Santa Fe Trails Executive Leadership
The Public Works Director serves as the Accountable Executive and has responsibility for the Transit Asset Management (TAM) Plan. The Director of Operations and Maintenance serves as the director of the City of Santa Fe's Transit Division and has safety oversight responsibilities.

Goals

- provide a level of service that meets, if not exceeds, industry standards;
- identify, eliminate, minimize, and control safety hazards and their associated risks, and;
- comply with the applicable requirements of regulatory agencies.

Agency Safety Plan and Safety Management System (SMS)
Santa Fe Trails developed this safety plan to comply with 49 CFR Part 673, the PTASP regulation. This plan also serves as an "SMS user's manual" that guides Santa Fe Trails in the successful implementation and operation of its SMS.

The FTA defines SMS as:

> "The formal, top-down, organization-wide approach to managing safety risk and assuring the effectiveness of a transit agency's safety risk mitigation. SMS includes systematic procedures, practices, and policies for managing risks and hazards."

Furthermore, SMS is a comprehensive, collaborative approach that brings management and labor together to build on the transit industry's existing safety foundation to control risk better, detect and correct safety problems earlier, share and analyze safety data more effectively, and measure safety performance more carefully.

Santa Fe Trails' SMS has four distinct components, which are discussed in subsequent sections of this safety plan:

- Safety management policy
- Safety risk management
- Safety assurance
- Safety promotion

2. Plan Development, Approval, and Updates

Name of Entity that Drafted this Plan	Santa Fe Trails	
Signature by the Accountable Executive	**Signature of Accountable Executive**	**Date of Signature**
Approval by the Board of Directors or an Equivalent Authority	**Name of Entity that Approved**	**Date of Approval**
	City of Santa Fe Governing Body	
	Relevant Documentation (title and location)	
Certification by State Department of Transportation	N/A	

Version Number and Updates			
Version Number	**Section/Pages Affected**	**Reason for Change**	**Date Issued**
1		New Document	

Annual Review and Update of the Public Transportation Agency Safety Plan
This Santa Fe Trails Agency Safety Plan and its safety performance targets will be jointly reviewed and updated by the Accountable Executive and the SMS Executive by July 1st of each year. The Accountable Executive will review and approve any changes, sign the new ASP, and forward to the Santa Fe City Council for final review and approval.

3. Safety Performance Targets

Safety Performance Targets							
The targets listed below are based on reviews of the previous five years of Santa Fe Trails' safety performance data.							
Mode of Transit Service	**Fatalities (total)**	**Fatalities (per 100 thousand VRM)**	**Injuries (total)**	**Injuries (per 100 thousand VRM)**	**Safety Events (total)**	**Safety Events (per 100 thousand VRM)**	**System Reliability (VRM / failures)**
Fixed Route							
Demand Response							

Safety Performance Target Coordination		
The Santa Fe Trails Accountable Executive shares its safety performance targets with the Santa Fe Metropolitan Planning Organization (MPO) each year after its formal adoption by the Santa Fe City Council. The Accountable Executive also provides a copy of our formally adopted Safety Plan, including safety performance targets, to the New Mexico Department of Transportation (NMDOT). Santa Fe Trails personnel are available to coordinate with NMDOT and the MPO in the selection of NMDOT and MPO safety performance targets upon request.		
Targets Transmitted to the State	**State Entity Name**	**Date Targets Transmitted**
	New Mexico Department of Transportation	
Targets Transmitted to the Metropolitan Planning Organization(s)	**Metropolitan Planning Organization Name**	**Date Targets Transmitted**
	Santa Fe Metropolitan Planning Organization	

4. Safety Management Policy

Santa Fe Trails Safety Management Policy Statement (SMPS)

To all Santa Fe Trails Staff:

Santa Fe Trails developed a Public Transportation Agency Safety Plan (PTASP) in accordance with the Federal Transit Administration (FTA) final rule 49 CFR Part 673. This rule requires the development of a uniform system of public transit safety management, called the Safety Management System (SMS). As the Director of Operations and Maintenance at Santa Fe Trails, I will be our Accountable Executive as specified under the new regulations. Ultimately, I am responsible to ensure the successful implementation of the new safety standards, which will be upheld throughout our organization.

To facilitate this process, I will support the efforts to integrate this Policy Statement. This document will serve as a guiding beacon as we adopt and follow the federal safety guidelines.

Safety has always been a core value of Santa Fe Trails, and managing safety is a core business commitment for our agency. Santa Fe Trails is committed to developing, implementing, maintaining, and continuously improving our daily practices to ensure the safety of our customers, employees, contractors, and the public. Santa Fe Trails will use the safety management processes to guide the prioritization of safety and allocate our organizational resources (such as people, funding, and technology) to integrate into our everyday operations. We aim to develop and support a robust safety culture and achieve the highest levels of safety performance set forth by the FTA.

Santa Fe Trails is committed to the following core capacities:

Executive Commitment to Safety—Executive Management will lead the development of an organizational culture that promotes safe operations. We will provide appropriate resources to support the PTASP development by fostering and ensuring safe practices, improving procedures when needed, and encouraging effective employee safety reporting and communication. Santa Fe Trails will keep every executive, manager, and employee accountable for our priority of safe operations.

Communication & Training—Employee engagement is crucial to a functioning SMS. Communication systems will be developed and fine-tuned to enable greater awareness of Santa Fe Trails safety objectives, performance targets, and ongoing safety communication throughout every level of our organization. All levels of management must proactively engage employees, and continuously work to keep the lines of safety communication simple, honest, and open. All employees will be made aware of the importance of Santa Fe Trails' SMS and trained in any new or improved safety reporting procedures.

Responsibility & Accountability—All employees, managers, and contractors will be responsible for delivering safe and quality transit services that represents Santa Fe Trails' performance standards. Each manager will take an active role in the SMS process and ensure that the Safety Assurance functions are supported and advocated. Managers are also responsible for ensuring that Safety Risk Management is being performed in their operational areas of control to assure that the safety risk associated with identified safety hazards is assessed and mitigated. Safety performance will be an important part of annual performance evaluations for all Santa Fe Trails employees and managers.

Employee Reporting—We will institute a safety reporting program as a viable tool for employees to

clearly voice their safety concerns. All frontline employees will be responsible for utilizing this program as part of the SMS. No action will be taken against any employee who communicates a safety condition through the Santa Fe Trails safety reporting program, unless such disclosure indicates the following: an illegal act, gross misconduct or negligence, or a deliberate or willful disregard of Santa Fe Trails rules, policies, and procedures.

Performance Monitoring & Measurement—Santa Fe Trails will establish realistic measures of safety performance and safety performance targets to ensure our continuous improvement. A team of our employees, representing different crafts within the organization, will work together with management to verify that the resulting safety risk mitigations are appropriate, helpful, and effective.

Review & Evaluation—Santa Fe Trails will measure our SMS performance by analyzing our key safety performance indicators, reviewing inspections, and evaluating our corrective action reports. These activities will become the basis for revising or developing safety objectives, safety performance targets, and the overall Agency Safety Plan with the goal of continuous, effective safety improvements. The Agency Safety Plan is a living document and frequently monitored for applicability and functionality.

Thank you for your full cooperation in building a safer workplace for all of our employees and customers.

Sincerely,

_____
Director of Operations and Maintenance
Santa Fe Trails

Safety Management Policy Communication

In May 2020 the Transit Training Administrator held our monthly staff training for all employees. A paper copy of the policy was distributed to each employee as well as obtaining a signature of receipt to acknowledge receipt of the Safety Management Policy Statement (SMPS). The SMPS was also posted on bulletin boards within the facility along with a link posted on the Santa Fe Trails website.

Authorities, Accountabilities, and Responsibilities

Roles and Responsibilities of the Accountable Executive
The Santa Fe Trails Accountable Executive has ultimate responsibility for carrying out the Agency Safety Plan. The Accountable Executive has control or direction over the human and capital resources needed to develop and maintain this Agency Safety Plan.

The Accountable Executive is accountable for ensuring that Santa Fe Trails effectively implements its SMS throughout the agency and addresses SMS substandard safety performance. The Accountable Executive is responsible for signing SMS implementation planning documents and endorsing SMS implementation team membership.

The Accountable Executive may delegate specific responsibilities, but the ultimate accountability for Santa Fe Trails safety performance cannot be delegated and always rests with the Accountable Executive.

The Santa Fe Trails Accountable Executive's roles include, but are not necessarily limited to:

- Decision-making about human and capital resources needed to support asset management, SMS activities, and capital investments;
- Maintaining the Transit Asset Management (TAM) Plan;
- Signing SMS implementation planning documents, and ensuring that SMS is effectively implemented throughout Santa Fe Trails public transportation system;
- Ensuring action is taken to address substandard performance in Santa Fe Trails SMS;
- Endorsing SMS implementation team membership;
- Developing and maintaining SMS documentation;
- Directing hazard identification and safety risk assessment;
- Monitoring safety risk mitigation activities;
- Planning safety management training; and
- Providing periodic reports on safety performance.

Roles and Responsibilities of the SMS Executive
The SMS Executive supports the Accountable Executive in developing, implementing, and operating Santa Fe Trails' SMS. The SMS Executive reports directly to the Accountable Executive for matters involving SMS.

The SMS Executive's role includes:

- Assisting in developing and maintaining SMS documentation;
- Assisting in hazard identification and safety risk assessment;
- Assisting in safety risk mitigation activities;
- Assisting in planning safety management training, and;
- Other duties as assigned/necessary

Santa Fe Trails identifies and documents all the SMS-related organizational accountabilities and responsibilities of the SMS Executive job function, and this documentation is captured and stored in the Accountable Executive's office.

Agency Leadership and Executive Management Roles
Members of Santa Fe Trails' leadership have authorities and responsibilities for the day-to-day implementation and operation of the agency's SMS.

Santa Fe Trails Agency Leadership and Executive Management include:

- Director of Maintenance and Operations
- Grant Administrator – Writer
- Supervisors
- Training Administrator
- Fleet and Facilities Manager
- City Council
- Transit Advisory Board (TAB)
- Mayor
- City Manager

The Agency Leadership and Executive Management are responsible for the following accountabilities and responsibilities of this plan. Its roles include, but are not necessarily limited to:

- Overseeing the implementation and operation of Santa Fe Trails' SMS;
- Providing input into the allocation of resources to accomplish the goals and objectives of the agency safety plan;
- Providing oversight and maintaining compliance with the agency safety plan;
- Modifying policies consistent with the implementation of the agency safety plan;

Key Staff Roles
Santa Fe Trails' Key Staff has the following accountabilities and responsibilities of this plan. Its roles include, but are not necessarily limited to:

- Assisting the Accountable Executive and the SMS Executive in developing, implementing, and operating the SMS. Based on responsibilities and expertise, the Key Staff assist in hazard identification, safety risk assessment, safety risk mitigation, safety performance monitoring, safety performance measurement, safety training, and safety communication activities.
- Key staff plays a significant role as subject matter experts in hazard identification, safety risk assessment, safety risk mitigation, and safety performance monitoring activities.
- Key staff functions that bring experience and expertise to bear on SMS activities include:
    - Managers;
    - Supervisors
    - Dispatchers;
    - Bus Operators;
    - Vehicle Mechanics, and;
    - Other skilled professionals as needed.
- Safety Meetings: All staff are mandated to attend our Safety Meetings which are held the 3rd Wednesday of each month. With the purpose of presenting and discussing potential hazards

and strategies to mitigate the consequences of those hazards. Management and Supervisors are required to attend a weekly meeting with the same mission.

Employee Safety Reporting Program

Santa Fe Trails has established and implemented a formal safety reporting program that allows its employees to voluntarily report any safety issues, conditions, or concerns they may see during their day-to-day delivery of transit services. This voluntary safety reporting program is separate from Santa Fe Trails' mandatory reporting requirements for accidents and incidents.

The employee safety reporting program (ESRP) provides protections for employees who report safety issues, concerns, or conditions and ensures that discipline will not be applied, and employees have protection against reprisal or any other adverse action for reporting a safety issue, concern, or condition.

The ESRP also describes employee behaviors that are not protected under the program and may result in disciplinary action, such as an employee engaged in an illegal act, committed gross negligence, or deliberately or willfully disregarded regulations or Santa Fe Trails' procedures.

The ESRP clarifies:

- What to report, what not to report, and how to report;
- What managers should do when employees report safety concerns;
- How reports are documented; and
- How employees will receive feedback about the results of their reports.

The reporting system is simple to use and available to all Santa Fe Trails employees. Santa Fe Trails' ESRP addresses the following:

- Who is responsible for developing and managing the employee safety reporting program;
- Timely response to employee safety reports.
- How the agency provides feedback to employees on the action(s) taken to address the reported safety issue, condition, or concern;
- Investigation of reported safety issues, conditions, or concerns for causal or contributing factors.
- How the transit system documents and reviews safety issues, conditions, or concerns to determine if a hazard exists; and
- If the issue is determined to be a hazard, how the hazard is then entered into the safety risk management process.

Santa Fe Trails is committed to providing feedback to its employees who report a safety issue, condition, or concern. This feedback is provided either directly in a one-on-one conversation or through the safety meeting platform. The feedback addresses what, if any action, will be taken to address the reported safety issue, condition, or concern.

Forms are available in dispatch for employees to fill out and report any safety issues, conditions, or concerns along with a dispatch log for employees who report over the radio. There is also the ability for each employee to e-mail a safety issue, concern, or condition directly to management. If an employee does not have access to e-mail, they can contact the call center at 505-955-2001 and the safety issue, condition, or concern will be logged and management immediately informed via email. The general public can also utilize e-mail via the City of Santa Fe website and the call center as mentioned above.

A description of the ESRP is kept in the Accountable Executive's office at Santa Fe Trails Headquarters. The ESRP is distributed to all current employees during the training provided on employee safety reporting and new employees during their new-hire orientation.

5. Safety Risk Management (SRM)

Santa Fe Trails uses the SRM process as a primary method to ensure the safety of our operations, passengers, employees, vehicles, and facilities. It is a process wherein hazards and their consequences are identified, assessed for potential safety risk, and resolved in a manner acceptable to Santa Fe Trails' leadership. The Santa Fe Trails SRM process allows us to carefully examine what could cause harm, determine whether we have taken sufficient precautions to minimize the harm, or if further mitigations are necessary.

The Accountable Executives supported by the SMS Executive leads the Santa Fe Trails SRM process to identify hazards and consequences, assess safety risk of potential consequences, and mitigate the safety risk. The results of the SRM process are documented in the Safety Risk Register and referenced materials.

The SRM process applies to all elements of the system, including operations, maintenance, facilities, vehicles, personnel recruitment, employee training, and supervision.

Overall, the Santa Fe Trails SRM process includes the following steps that are carried out under the guidance of the Accountable Executive, supported by the SMS Executive, with input from appropriate subject matter experts:

- Identify hazards
- Identify the potential consequences of each hazard
- Evaluate consequences in terms of probability and severity
- Prioritize risk using our formal risk matrix
- Communicate prioritized risk to the Accountable Executive
- Based on the Accountable Executive's approval, create safety risk mitigations to eliminate or reduce the effects of hazards.
- Implement the mitigation
- Create a strategy for monitoring mitigation effectiveness

In carrying out the SRM process, Santa Fe Trails uses the following terms:

- **Safety event** – Any accident, incident, or occurrence.
- **Hazard** – Any real or potential condition that can cause injury, illness, death, damage to/loss of facilities, equipment, rolling stock, or infrastructure belonging to SANTA FE TRAILS, or damage to the environment.
- **Risk** – Composite of predicted severity and likelihood of the potential effect of a hazard.
- **Risk Mitigation** – Method(s) to eliminate or reduce the effects of hazards.
- **Consequence** – An effect of a hazard involving injury, illness, death, or damage to SANTA FE TRAILS property or the environment.

Safety Hazard Identification

All subsequent safety risk management activities are contingent on effectively identifying sources for hazard identification and the processes to obtain information on hazards.

Santa Fe Trails has developed methods and processes to identify hazards and consequences of the hazards. Santa Fe Trails considers, as a source for hazard identification, data and information provided

by City Management and the City Council, the FTA, and NMDOT. Santa Fe Trails also considers the results of its asset condition assessments when performing safety hazard identification activities through its SMS. The results of the condition assessments and safety risk management activities help inform Santa Fe Trails' determination as to whether an asset meets the state of good repair standards under 49 CFR Part 625.

The Accountable Executive, supported by the SMS Executive, is responsible for overseeing and facilitating Santa Fe Trails' hazard identification process. The Accountable Executive is also responsible for documenting identified hazards and ensuring that subject matter experts identify the potential consequences of those hazards. Information related to hazard identification and consequence determination is stored in the Santa Fe Trails' Safety Risk Assessment register, which is an Excel spreadsheet that allows for the documentation of all identified safety hazards and the subsequent activities related to addressing those hazards. This risk register is maintained by the Accountable Executive.

The safety hazard identification process helps Santa Fe Trails identify hazards and potential consequences in the operation and maintenance of the system. Hazards are identified through a variety of sources, including:

- Employee Safety Reporting
- Review of Vehicle Camera Footage
- Review of Monthly Performance Data Sheets
- Observation from Supervisors
- Maintenance Reports
- Comments from Customers and Passengers
- Employee Safety Meetings
- Manager and Supervisor Safety Meetings
- Results of audits and inspections of vehicles and facilities
- Results of training assessments
- Results of internal safety audits
- Investigations into safety events, incidents, and occurrences, and;
- FTA, the New Mexico Department of Transportation, and other oversight authority agencies.

The Accountable Executive, with support from the SMS Executive, reviews these sources for hazards and documents them in Santa Fe Trails' safety risk register.

The Accountable Executive also enters hazards into the safety risk register from reviews of the Santa Fe Trails operations and maintenance, results of audits and observations, and information received from FTA, New Mexico Department of Transportation, and other oversight authorities, including the National Transportation Safety Board.

The Accountable Executive or SMS Executive may conduct further analysis of hazards and consequences entered into the Safety Risk Register to collect information, identify additional consequences, and to inform management which hazards should be prioritized for safety risk assessment. In following up on identified hazards, the Accountable Executive or SMS Executive may:

- Reach out to the reporting party, if available, to gather all known information about the reported hazard;
- Conduct a walkthrough of the affected area, assess the possible hazardous condition/s, generate

visual documentation (photographs and/or video), and take any measurements that are deemed necessary;
- Conduct interviews with employees in the area to gather potentially relevant information on the reported hazard;
- Review any documentation associated with the hazard (such as records, reports, procedures, inspections, technical documents, etc.);
- Contact other departments that may have association with or technical knowledge relevant to the reported hazard;
- Review any previously-reported hazards of a similar nature; and
- Evaluate tasks and/or processes associated with the reported hazard.

Any identified hazard that poses a real and immediate threat to life, property, or the environment must immediately be brought to the attention of the Accountable Executive and addressed through the SRM process for safety risk assessment and mitigation. This signifies the belief that immediate intervention is necessary to preserve life, prevent major property destruction, or avoid harm to the environment that would constitute a violation of the Environmental Protection Agency or NMDOT environmental protection standards.

Santa Fe Trails involves subject matter experts in safety hazard identification processes by matching the experience and expertise of the individual(s) with the type of hazard to be analyzed. For example, if the hazard is operations related, then the primary subject matter experts will be from operations; if the hazard is vehicle maintenance related, that type of hazard requires vehicle maintenance expertise and skills.

Determination of the potential consequences of hazards drives our safety risk assessment activities. Hazards in and of themselves do not cause damage. It is the consequences of hazards that cause injuries and death, destroy property, harm the environment, or impair the ability of a transit provider to deliver transit services. Santa Fe Trails subject matter experts identify the potential consequences of hazards, keeping in mind that a single hazard could have many potential consequences. Each potential consequence is identified and recorded.

The Accountable Executive is responsible for ensuring that the documentation of hazards and consequences is taking place.

Safety Risk Assessment

Santa Fe Trails has established processes to assess the safety risk associated with identified safety hazards. These safety risk assessment processes include an assessment of the likelihood and severity of the consequences of the hazards, including existing mitigations and prioritization of the hazards, based on the safety risk.

Assessing the likelihood and severity of hazard consequences is the first step in prioritizing safety risk. Santa Fe Trails established procedures for assessing the safety risk of the consequences of identified safety hazards and prioritizing the hazards based on this safety risk. The agency assesses safety risk in terms of likelihood (the probability of a consequence occurring) and severity (the seriousness of a consequence, if it does occur). A color-coded safety risk index provides a rating system to use with a safety risk assessment matrix to prioritize safety risk. The safety risk assessment matrix helps us determine the probability and severity of consequences and allows for prioritization of safety risk. The

safety risk assessment risk matrix used by Santa Fe Trails is presented in Appendix E: Safety Risk Assessment Matrix.

Santa Fe Trails chooses subject matter experts to involve in safety risk assessment by matching the experience and expertise of subject matter experts with the type of hazard under assessment. This assessment is carried out under the guidance of the Accountable Executive or SMS Executive using Santa Fe Trails' safety risk assessment matrix.

Safety risk prioritization is linked to safety risk mitigation creation. Prioritizing our safety risk provides the Accountable Executive with the information needed to make decisions about resource application. It helps Santa Fe Trails apply its limited time, financial, and human resources to the highest priority transit safety risk. The Accountable Executive is the ultimate decision-maker on applying resources to mitigate high priority transit safety risk.

Safety Risk Mitigation

Developing safety risk mitigations to proactively reduce the agency's safety risk is the culmination of the safety risk management process. Santa Fe Trails has established processes to identify mitigations or strategies necessary, as a result of its safety risk assessment activities, to reduce the likelihood and severity of its consequences. The Accountable Executive with support from the SMS Executive is responsible for guiding and overseeing the subject experts during the risk mitigation process at Santa Fe Trails. Safety risk mitigations requiring additional resources or changes in agency policy are approved by the Accountable Executive.

Santa Fe Trails has established procedural steps for creating safety risk mitigations to address the potential consequences of its prioritized risk. The steps include how Santa Fe Trails determines when safety risk mitigation is necessary, and the job function(s) or position(s) that is responsible for creating mitigations. Within these procedural steps, Santa Fe Trails references any forms used to create mitigations and describes how it will record the results of this activity and where these recorded results are stored or maintained. Santa Fe Trails understands that the goal of a mitigation is to reduce assessed safety risk to an acceptable level. It is unrealistic that a transit operation can assume that it will be able to completely eliminate all safety risk.

Santa Fe Trail's safety risk mitigation steps include:

- Examining the consequences of hazards and their probability and severity
- Develop strategies to reduce the probability and/or severity of those consequences
- Ensure the strategy can be realistically implemented with available resources
- Turn the strategy into a mitigation plan
- Put the mitigation plan into place
- Create a plan for monitoring the effectiveness of the mitigation

After creating a safety risk mitigation that may have involved subject matter expertise, Santa Fe Trails develops and documents a strategy for implementing the mitigation. These implementation strategies include:

- who is responsible for implementing the mitigation;
- where the mitigation will reside within agency activities;
- how the mitigation will be implemented, and;

- how long implementation should take.

Santa Fe Trails needs to know that its mitigations are working. When we develop a mitigation, we also define and document the way the mitigation will positively impact safety performance so that we can then monitor whether that positive impact is taking place and if the mitigation is effective. Under the guidance of the Accountable Executive and/or SMS Executive, the subject matter experts involved in creating a safety risk mitigation also decide on the best ways to monitor the effectiveness of the mitigation being implemented. This includes developing and documenting monitoring strategies. Santa Fe Trails created strategies for monitoring the effectiveness of mitigations. These strategies provide consistency in monitoring activities, regardless of whether the mitigation is implemented in operations, maintenance, or administration.

Santa Fe Trails understands that successful mitigation implementation and monitoring activities depend on having a process for how it will formally communicate mitigation and monitoring strategies to operations, maintenance, or administration staff who will implement and monitor the mitigations. Santa Fe Trails has documented this process. This communication feeds cross-functional ownership in SMS processes since employees who create the mitigations may not be the same employees that implement and monitor the mitigations.

Strong documentation of safety risk mitigations feeds safety performance monitoring. Santa Fe Trails has established and documented how it will record all of its various safety risk mitigation activities and their outcomes. Within this process, Santa Fe Trails references any forms that it uses during safety risk mitigation activities and where the completed records of safety risk mitigation activities are stored.

6. Safety Assurance

Santa Fe Trails has established processes to:

- Monitor its operations for compliance with and sufficiency of its policies and procedures;
- Santa Fe Trails works to ensure that it is performing maintenance which is consistent with Santa Fe Trails' ability to safely meet its operational requirements and in compliance with all safety policies and procedures;
- Monitor its operations to identify any safety risk mitigations that may be ineffective, inappropriate, or that were not implemented as intended;
- Conduct investigations of safety events to identify causal factors, and;
- Monitor the effectiveness of its employee safety reporting program.

Safety Performance Monitoring and Measurement

Santa Fe Trails has many processes in place to monitor its entire transit system for compliance with operations and maintenance procedures, including:

- Safety audits;
- Informal inspections;
- Regular review of on-board camera footage to assess drivers and specific incidents;
- Investigation of safety occurrences;
- Safety review prior to the launch or modification of any facet of service;
- Daily data gathering and monitoring of data relating to the delivery of service using its RouteMatch software, and;
- Regular vehicle inspections and preventative maintenance.

Results from the above processes are compared against recent performance trends both quarterly and annually to determine where corrective actions need to occur. The Accountable Executive enters any identified non-compliant or ineffective activities, including any resulting mitigations, back into the SRM process for reevaluation.

Operations Monitoring

The Accountable Executive and operations supervisors are responsible for ensuring and documenting the system's compliance with and sufficiency of its operations policies and procedures. Santa Fe Trails has checklists and forms that it uses to drive and document its operations monitoring activities. This documentation is stored within Santa Fe Trails' safety performance monitoring files located in the Accountable Executive's office.

The operational areas that are monitored for compliance with policies and procedures include but are not limited to:

- Bus operator pre-trip inspections;
- Bus operator behind the wheel performance;
- Bus operator passenger assistance;
- Bus operator emergency response, and;
- Operation Supervisor and Dispatch activities.

When Santa Fe Trails' monitoring activities determine lack of compliance with operations policies and procedures or inadequacies of those policies and procedures, it then uses this information to feed Santa

Fe Trails' hazard identification and safety risk assessment process.

Within these documented processes, Santa Fe Trails describes:

- the job functions responsible for the different areas of field observations;
- how it will record the results of field observations;
- where these records are stored, and;
- how it will address hazards or safety issues identified during field observations.

Santa Fe Trails has established and documented emergency procedure checklists that supervisors and dispatchers can readily access to help direct their response to bus operators who may experience an emergency during revenue service. These procedures include, but are not limited to:

- responding to accidents and incidents;
- evacuating a vehicle under smoke and fire conditions, and;
- responding to a potentially dangerous passenger and other security threats.

Vehicle Maintenance Monitoring

Santa Fe Trails monitors the following areas of its vehicle maintenance and documents all monitoring activities and their results:

- Mechanic skills and performance;
- Adherence to preventive maintenance schedules;
- Effectiveness of corrective maintenance activities, and;
- Maintenance-related vehicle road calls.

Facility Safety Inspections

Santa Fe Trails maintenance management with support from City personnel conduct periodic facility safety, shop safety, and HAZMAT inspections. These inspections are documented as well as activities to mitigate any problems identified during the inspections. These records are kept in the Accountable Executive's office.

Fire Hazard and Fire Extinguisher Inspections

Santa Fe Fire Department and Risk Management division conduct independent annual fire inspections at our facilities. Santa Fe Trails utilizes independent contractors to inspect and replace facility and vehicle and facility fire extinguishers as well as fire safety systems on an annual and as needed basis.

Field Observations of Service Delivery

Santa Fe Trails has documented processes that it uses to conduct field observations of safety-related aspects of the following elements of service delivery:

- bus stops;
- bus transfer locations;
- fixed-route schedules and service delivery; and
- paratransit/demand response scheduling and service delivery.

The Accountable Executive, supported by the SMS Executive, has overall responsibility to ensure that this monitoring is carried out and documented. Field observations are carried out by operations, maintenance, and administrative staff. If deficiencies are noted during the monitoring process, these deficiencies are documented and addressed as a source of proactive hazard identification through Santa Fe Trails' safety risk management processes. All these service delivery monitoring activities are

documented and stored in the Accountable Executive's office.

Risk Mitigation Monitoring
The Accountable Executive with support from the SMS Executive and operations, maintenance, and administrative staff has responsibility for monitoring operations to identify any safety risk mitigations that may be ineffective, inappropriate, or not implemented as intended. The actual field monitoring of the mitigations is often carried out by subject matter experts, including those that assisted in the creation of the mitigation of the SRM process.

Santa Fe Trails documents how it carries out these monitoring strategies to periodically assess the effectiveness of safety risk mitigations.

Activities to monitor the effectiveness of safety risk mitigations ultimately assist Santa Fe Trails in determining whether:

- the existing mitigation is working as desired;
- the existing mitigation needs some modification to work as desired;
- the existing mitigation is not working and needs to be replaced, or;
- the existing mitigation is no longer needed.

The results of mitigation monitoring activities are made available for further safety risk management activity if needed. Mitigation monitoring documentation is stored in the Accountable Executive's office.

Safety Event Investigation
Responsibility for Santa Fe Trails safety event investigation process is shared by the Accountable Executive and the SMS Executive. Actual performance of safety event investigations, including identifying causal factors, involves not only the Accountable Executive and SMS Executive but also Operations Supervisors, Maintenance Staff, and Training Staff. Local law enforcement responds to accident scenes, as well.

Safety event records provide critical baseline information to support SMS implementation, operation, and safety performance target achievement.

Santa Fe Trails has documented procedures for safety event investigation. Santa Fe Trails has forms, consistent with industry standards, for documenting the results of safety events as well as the subsequent investigation. Safety event documentation is on file in the Accountable Executive's office.

After a safety event investigation is complete, Santa Fe Trails management, with input from subject matter experts, determines whether the safety event was preventable or non-preventable and based on that decision, whether discipline of employees involved is required.

Santa Fe Trails takes the process a step further and performs causal analysis of safety events to help determine if latent organizational factors, beyond individual employee behavior, may have contributed to the event. The results of causal analysis are documented on a causal analysis form. Records of the results of the analysis of the forms are kept in the Accountable Executive's office.

Results of this analysis for causal factors provide potential hazard identification information that may need to be put through Santa Fe Trails' safety risk management process to reduce the potential risk of recurrence of a similar accident or incident.

Employee Safety Reporting Program Monitoring
An effective ESRP supports hazard identification. The Accountable Executive with support from the SMS Executive is responsible for monitoring the transit agency's ESRP.

Santa Fe Trails has established and documented the activities it will use on an ongoing basis to monitor whether its ESRP is effective and achieving desired outcomes. Within this process, Santa Fe Trails has established criteria that will determine if the program is performing as desired. Some of the criteria include: volume of reports received, value of reports received, response to reports received in terms of hazard identification risk assessment and risk mitigation, how information gathered from the ESRP is shared and communicated, and the timeliness and accuracy of feedback provided to employees who have reported a safety issue, concern, or condition.

Documentation on all aspects of monitoring the safety reporting program is stored in the Accountable Executive's office.

Safety Performance Measurement
Santa Fe Trails is committed to periodically measuring its safety performance. This measurement includes using not only using safety performance indicators to measure the achievement of our safety performance targets but also how well we do in addressing safety risk within every aspect of our service delivery. Documentation of periodic performance measurement results is on file in the SMS Executive's office.

7. Safety Promotion

Competencies and Training

Under the guidance of the SMS Executive, the Santa Fe Trails Training Administrator has the day-to-day responsibility for the development, delivery, and documentation of all SMS-related safety skill competencies and SMS training.

Santa Fe Trails has established competencies and training for all personnel directly responsible for safety. Training is provided to employees at-hire and on an ongoing refresher basis.

Training Needs Analyses
Santa Fe Trails periodically conducts training needs analyses to ensure that its training is up to date, and addresses critical, safety-related concerns. It carries out these training needs analyses by doing the following:

- Reviewing existing job descriptions;
- Identifying which positions, including contractors, have direct responsibility for determining when safety training is needed;
- Determining what SMS roles, responsibilities, and processes are missing from job descriptions, and;
- Updating job descriptions to reflect SMS practices.

New-Hire Bus Operator Training Program
Santa Fe Trails has comprehensive lesson plans for new-hire, classroom, and hands-on bus operator training. Continuation of skill training helps it identify hazards, such as training gaps or outdated lesson plans. Lesson plans and schedules not only assist the instructor in delivering the training but also provide a record of the content of the training should it be needed for any other purpose. All Santa Fe Trails new-hire bus operator lesson plans and schedules are kept on file a in the Training Administrator's office.

Bus Operator Refresher Training
Santa Fe Trails presently provides monthly bus operator refresher training on a variety of topics, including defensive driving, bloodborne pathogens, wheelchair securement, emergency procedures, active shooter, de-escalation, and ergonomics.

Santa Fe Trails maintains lesson plans, agendas, and sign-in sheets to document the content of refresher training and individual attendance at that training. These documents are on file in the Training Administrator's office.

Santa Fe Trails also provides retraining for Bus Operators for performance deficits.

Supervisors, Dispatchers, and Mechanic Training
Supervisors, dispatchers, and mechanics play a critical role in identifying and responding to hazards, and helping to both proactively and reactively mitigate risk. Training for supervisors, dispatchers, and mechanics primarily consists of mentoring, coaching, and on-the-job training.

Mentoring, coaching, and on-the-job training are very appropriate training approaches, but ones that need to be guided by a structured agenda of topics. Santa Fe Trails has developed checklists with topics for experienced supervisors, dispatchers, and maintenance staff to use during on-the-job training, coaching, and mentoring of trainees.

These checklists are also used to document an employee's satisfactory completion of the training and include instructor and trainee signatures and the dates the training took place. These documents are kept on file in the Training Administrator's office.

SMS Orientation
A cross-functional and multi-level understanding of SMS supports all SMS-related activities. Successful SMS implementation and operation require employee involvement and ownership at every level of the agency and within every service-delivery related function. Employees need to understand SMS; what their role is within SMS; and how they, the organization, and customers benefit from SMS success. This knowledge will nurture employee "buy-in."

Santa Fe Trails presented SMS orientation sessions for all employee functions and addressed the implications of SMS for all agency functions. This initiative addressed SMS with experienced employees. Santa Fe Trails has also plugged information on SMS into all new-hire employee orientations. Documentation of these orientations, including agenda of topics covered, signatures of trainer/trainee, are kept on file in the Training Administrator's office.

Safety Risk Management Orientation for Subject Matter Experts
Successful proactive safety risk mitigation begins with subject matter experts who have a clear understanding of their responsibilities and the skills required to carry them out.

Employees who participate in safety risk management activities as subject matter experts need to understand how to carry out their responsibilities. The SMS Executive makes sure that subject matter experts are orientated on their safety risk management responsibilities, the desired outcomes of safety risk management activities, and the importance of the effort to Santa Fe Trails' safety performance.

Documentation of the orientation process, as well as the orientations themselves, includes how the agency:

- assesses hazards for consequences;
- conducts safety risk assessments, and;
- creates safety risk mitigations.

Documentation of this ongoing activity is on file in the Training Administrator's office.

Safety Performance Monitoring Orientation
The quality of safety performance monitoring is reflected in an agency's overall positive safety performance. Employees who participate in safety performance monitoring activities need to know how to carry out their responsibilities. The Accountable Executive and SMS Executive make sure that these employees receive orientations on what their responsibilities are, the desired outcomes of safety performance monitoring, and the importance of the effort to overall agency safety performance.

Orientations include how to perform monitoring activities of both internal and contracted operations as well as external maintenance activities. Performance monitoring includes such activities as:

- field observations to ensure operations and maintenance policies and procedures are being followed correctly;
- assessing and documenting employee safety performance; monitoring the effectiveness of safety risk mitigations, and;
- evaluating the effectiveness of the employee safety program.

Documentation of these activities is kept on file in the Training Administrator's office.

Orientation on Employee Safety Reporting Program
An effective ESRP is one of the most important tools for hazard identification.

Santa Fe Trails' ESRP, at a minimum, provides the following information:

- the purpose and benefits of the program;
- guidelines on the types of safety concerns and issues employees should report;
- the reporting methods available to employees (how to report);
- an explanation of how the information will be managed and shared;
- the protections for employees who report safety concerns;
- a description of the operational behaviors that are not protected and may result in discipline, and;
- the agency's commitment to providing feedback on reported safety concerns.

Agendas of the ESRP orientation and attendance records are on file in the Training Administrator's office.

Training Documentation
Training documentation is a source of hazard identification.

Training documentation provides formal proof that employees were trained and shows that employees received timely certification and recertification in critical skill areas. Up-to-date training documentation also assists Santa Fe Trails in forecasting future training schedules.

Santa Fe Trails training documentation includes:

- records of training needs analysis for lesson plan development;
- curricula for initial and refresher training;
- training schedules and records of all completed training;
- procedures for revising training materials;
- course assessment materials, and;
- copies of individual employee training records.

Santa Fe Trails records of course completion include:

- date the training was held;
- content covered during the training session;
- length of the session;
- training format, and;
- signatures of instructor and trainee.

Records of training documentation and course completion are kept on file in the Training

Administrator's office.

Training Monitoring
Santa Fe Trails regularly monitors its training to ensure effectiveness. Specifically, the training monitoring process addresses the following:

- monitor training to make sure it delivers the necessary SMS skills and information;
- establish a process for reviewing and revising training courses and consider review frequency, reviewers, and decision-making process for revisions.

Safety Communication

The Accountable Executive and SMS Executive are responsible for ensuring the distribution and communication of safety and safety performance information throughout Santa Fe Trails. They are assisted in this responsibility by appropriate managers and supervisors.

Safety communication provides a foundation to build SMS processes and activities. Santa Fe Trails has ensured that all of its employees are aware of information relevant to their safety-related roles and responsibilities. This information includes explanations of changes to policies, activities, or procedures. Santa Fe Trails has documented its overall approach to safety communication and supporting safety communication activities. This overall approach to safety communication is on file in the Accountable Executive's office.

In general, Santa Fe Trails' documentation of safety communication includes details about:

- objectives of the communication;
- content;
- target audience;
- format;
- frequency of the communication, and;
- ways to ensure communication was understood.

Safety Meetings
An effective employee safety meeting process provides a strong platform for safety-related communication and dialogue, identification of safety hazards, concerns, and issues, and the delivery of refresher training.

Santa Fe Trails holds monthly employee safety meetings, which can include safety-related refresher training. Agendas for these meetings are comprehensively documented.

Santa Fe Trails' documentation of its safety meeting process includes:

- how often it schedules employee safety meetings;
- the job functions that are required to attend meetings;
- how it chooses topics to discuss during the meetings, and;
- how it addresses those topics within the employee safety meeting.

Organization-Wide Communication of Safety Hazard and Safety Risk Information
A goal of safety risk management processes is to reduce safety risk for employees and customers. Safety-sensitive employees are always vulnerable to the consequences of safety hazards within the transit environment. Timely reporting to employees of newly identified safety hazards and the safety risks those hazards present can help reduce that vulnerability.

Santa Fe Trails has documented procedures for communicating hazards. The Accountable Executive and SMS Executive are responsible for making sure this communication takes place. The documentation of these procedures is on file in the SMS Executive's office.

Communication about Safety Risk Mitigations
Santa Fe Trails is committed to informing employees at every level of operations about the safety risk mitigations it is putting into effect. The reasons it provides this information are:

- it tells employees that the transit agency is doing all it can to reduce risk;
- it brings attention to employee roles and responsibilities that may be affected by new mitigations, and;
- informed employees are better situated to be a source of information on determining how well mitigations are working.

Santa Fe Trails has documented its procedures for communicating safety risk mitigations to employees along with who is responsible for making sure this communication takes place. The Accountable Executive and SMS Executive share responsibility for making sure that this communication takes place. This documentation is on file in the SMS Executive's office.

Organization-Wide Communication of Agency Safety Performance
Transit agencies implement SMS to help them continuously improve their safety performance. Communicating agency safety performance information promotes employee "buy-in" to SMS processes, thus further improving the agency's overall safety performance.

Santa Fe Trails employees should have ownership of safety. To reinforce this ownership, Santa Fe Trails periodically communicates statistics on the agency's overall safety performance to all employees regardless of job function. This includes providing information on Santa Fe Trails' status related to achieving its safety performance targets.

Santa Fe Trails has documented how it communicates safety performance information throughout its organization. The Accountable Executive is responsible for taking the lead on this communication and making sure that it takes place. The documented procedures are on file in the SMS Executive's office.

Additional Information

Santa Fe Trails will maintain documents that describe the programs, policies, and procedures it uses to carry out its agency safety plan. It will also maintain documents not included or referenced elsewhere in this safety plan, related to the implementation of the transit agency's SMS, as well as results from SMS processes and activities.

These documents will be maintained for at least three years after their creation and made available upon request by the FTA, other federal entities, or the NMDOT. The Accountable Executive and SMS Executive will be points of contact for providing Agency Safety Plan-related information to external agencies to ensure access to these documents.

Appendix A: Definitions

Accident means an Event that involves any of the following: A loss of life; a report of a serious injury to a person; a collision of public transportation vehicles; a runaway train; an evacuation for life safety reasons; or any derailment of a rail transit vehicle, at any location, at any time, whatever the cause.

Accountable Executive means a single, identifiable person who has ultimate responsibility for carrying out the Public Transportation Agency Safety Plan of a public transportation agency; responsibility for carrying out the agency's Transit Asset Management Plan; and control or direction over the human and capital resources needed to develop and maintain both the agency's Public Transportation Agency Safety Plan, in accordance with 49 U.S.C. 5329(d), and the agency's Transit Asset Management Plan in accordance with 49 U.S.C. 5326.

Equivalent Authority means an entity that carries out duties similar to that of a Board of Directors, for a recipient or subrecipient of FTA funds under 49 U.S.C. Chapter 53, including sufficient authority to review and approve a recipient or subrecipient's Public Transportation Agency Safety Plan.

Event means any Accident, Incident, or Occurrence.

Hazard means any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment.

Incident means an event that involves any of the following: A personal injury that is not a serious injury; one or more injuries requiring medical transport; or damage to facilities, equipment, rolling stock, or infrastructure that disrupts the operations of a transit agency.

Investigation means the process of determining the causal and contributing factors of an accident, incident, or hazard, for the purpose of preventing recurrence and mitigating risk.

National Public Transportation Safety Plan means the plan to improve the safety of all public transportation systems that receive Federal financial assistance under 49 U.S.C. Chapter 53.

Occurrence means an Event without any personal injury in which any damage to facilities, equipment, rolling stock, or infrastructure does not disrupt the operations of a transit agency.

Operator of a public transportation system means a provider of public transportation as defined under 49 U.S.C. 5302(14).

Performance measure means an expression based on a quantifiable indicator of performance or condition that is used to establish targets and to assess progress toward meeting the established targets.

Performance target means a quantifiable level of performance or condition, expressed as a value for the measure, to be achieved within a time period required by the Federal Transit Administration (FTA).

Public Transportation Agency Safety Plan means the documented comprehensive agency safety plan

for a transit agency that is required by 49 U.S.C. 5329 and this part.

Risk means the composite of predicted severity and likelihood of the potential effect of a hazard.

Risk mitigation means a method or methods to eliminate or reduce the effects of hazards.

Safety Event means any Accident, Incident, or Occurrence.

Safety Assurance means processes within a transit agency's Safety Management System that functions to ensure the implementation and effectiveness of safety risk mitigation, and to ensure that the transit agency meets or exceeds its safety objectives through the collection, analysis, and assessment of information.

Safety Management Policy means a transit agency's documented commitment to safety, which defines the transit agency's safety objectives and the accountabilities and responsibilities of its employees in regard to safety.

Safety Management System (SMS) means the formal, top-down, organization-wide approach to managing safety risk and assuring the effectiveness of a transit agency's safety risk mitigation. SMS includes systematic procedures, practices, and policies for managing risks and hazards.

Safety Management System (SMS) Executive means a Chief Safety Officer or an equivalent.

Safety performance target means a Performance Target related to safety management activities.

Safety Promotion means a combination of training and communication of safety information to support SMS as applied to the transit agency's public transportation system.

Safety risk assessment (SRA) means the formal activity whereby a transit agency determines Safety Risk Management priorities by establishing the significance or value of its safety risks.

Safety Risk Management means a process within a transit agency's Public Transportation Agency Safety Plan for identifying hazards and analyzing, assessing, and mitigating safety risk.

Serious injury means any injury which: (1) Requires hospitalization for more than 48 hours, commencing within 7 days from the date of the injury was received; (2) Results in a fracture of any bone (except simple fractures of fingers, toes, or noses); (3) Causes severe hemorrhages, nerve, muscle, or tendon damage; (4) Involves any internal organ; or (5) Involves second- or third-degree burns, or any burns affecting more than 5 percent of the body surface.

Small public transportation provider means a recipient or subrecipient of Federal financial assistance under 49 U.S.C. 5307 that has one hundred (100) or fewer vehicles in peak revenue service and does not operate a rail fixed guideway public transportation system.

State means a State of the United States, the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the Virgin Islands.

State of good repair means the condition in which a capital asset is able to operate at a full level of

performance.

Transit agency means an operator of a public transportation system.

Transit Asset Management Plan means the strategic and systematic practice of procuring, operating, inspecting, maintaining, rehabilitating, and replacing transit capital assets to manage their performance, risks, and costs over their life cycles, for the purpose of providing safe, cost- effective, and reliable public transportation, as required by 49 U.S.C. 5326 and 49 CFR part 625.

Appendix B: Acronyms and Abbreviations

Acronym or Abbreviation	Meaning
ADA	Americans with Disabilities Act
ASP	Agency Safety Plan
CFR	Code of Federal Regulations
CNG	Compressed Natural Gas
ESRP	Employee Safety Reporting Program
FTA	Federal Transit Administration
NMDOT	New Mexico Department of Transportation
MPO	Metropolitan Planning Organization
PTASP	Public Transportation Agency Safety Plan
SMPS	Safety Management Policy Statement
SMS	Safety Management System
SRM	Safety Risk Management
TAB	Transit Advisory Board
TAM	Transit Asset Management

Appendix C: City of Santa Fe ASP Approval Documentation

Appendix D: Certification Documentation

Appendix E: Santa Fe Trails Safety Risk Assessment Matrix

Risk Assessment Matrix

SEVERITY LIKELIHOOD	Catastrophic (1)	Critical (2)	Marginal (3)	Negligible (4)
Frequent (A)	High	High	High	Medium
Probable (B)	High	High	Medium	Medium
Occasional (C)	High	Medium	Medium	Low
Remote (D)	Medium	Medium	Low	Low
Improbable (E)	Medium	Low	Low	Low

Severity of the Consequence		
Definition Category	*Meaning*	*Value*
Catastrophic	Could result in one or more of the following: death, permanent total disability, irreversible significant environmental impact that violates law or regulation, or monetary loss equal to or exceeding $250,000.	1
Critical	Could result in one or more of the following: permanent partial disability, injuries or occupational illness that may result in hospitalization of at least one person, property damage exceeding $25,000 but less than $250,000, system shut down lasting between 10 minutes and 4 hours, or reversible significant environmental impact causing a violation of law or regulation.	2
Marginal	Could result in one or more of the following: injury or occupational illness resulting in one or more lost work day(s), reversible moderate environmental impact without violation of law or regulation, or monetary loss up to $25,000, or system shutdown of less than 10 minutes	3
Negligible	Could result in one or more of the following: injury or occupational illness not resulting in a lost work day, minimal environmental impact, or monetary loss less than $25,000.	4

Qualitative Definition	*Meaning*	*Value*
Frequent	Likely to Occur Frequently - more than once per month	A
Probable	Likely to Occur less than once per month but more than once per year	B
Occasional	Likely to Occur less than once per year but more than once per decade	C
Remote	Very Unlikely to Occur - once in the life of the system	D
Improbable	Almost inconceivable that the event will occur in the life of the system	E

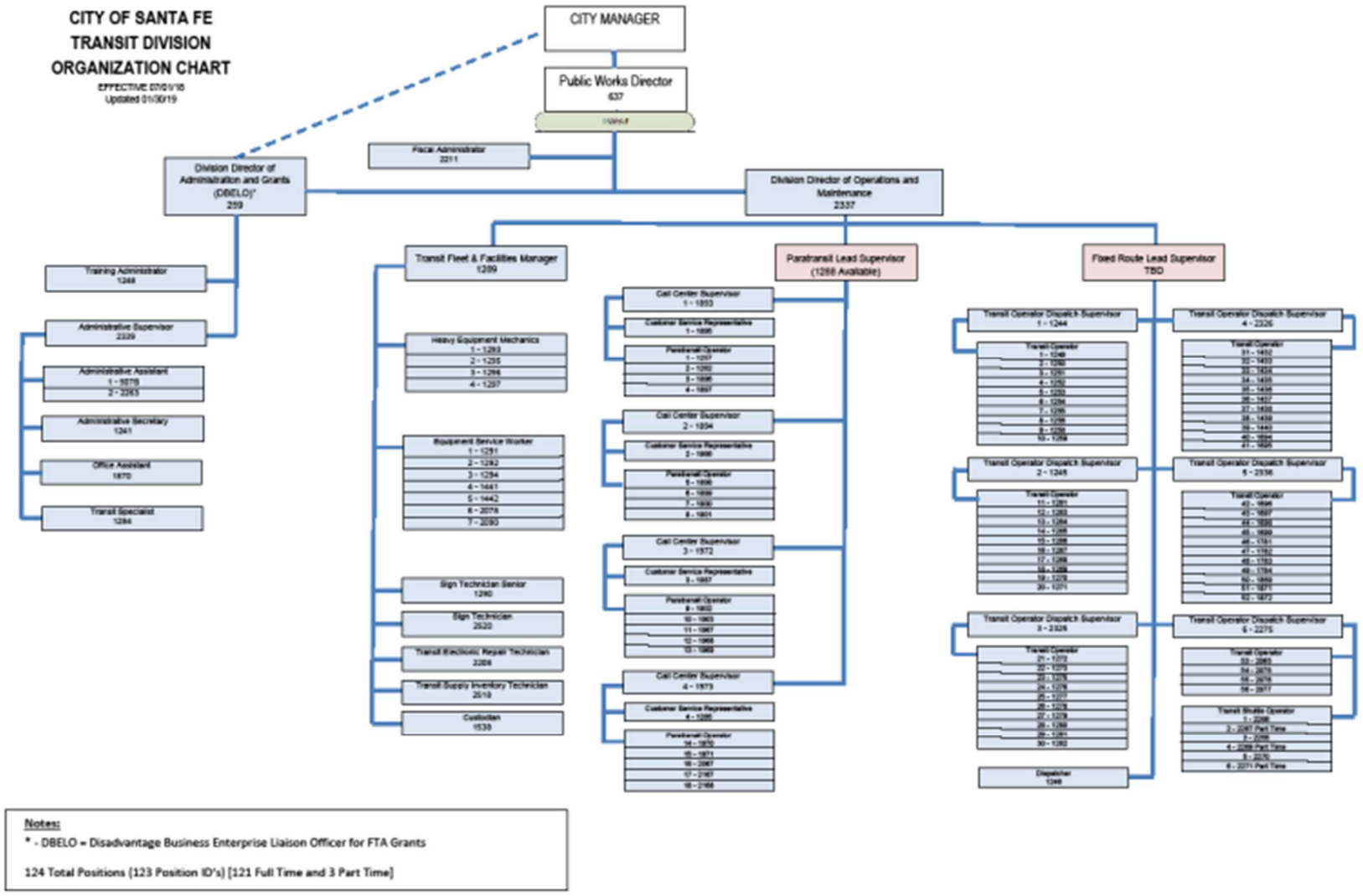
Safety Risk Levels

Risk Assessment Matrix Color Code

"Tolerability" based on identified severity and likelihood.

	Unacceptable under the existing circumstances.
	Acceptable based upon mitigations; monitoring is necessary.
	Acceptable under existing circumstances; with senior management approval.

Appendix F: Santa Fe Trails Organizational Chart



Notes:

* - DBELO = Disadvantage Business Enterprise Liaison Officer for FTA Grants

124 Total Positions (123 Position ID's) [121 Full Time and 3 Part Time]

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2020-__

INTRODUCED BY:

Councilor Renee Villarreal

A RESOLUTION

EXTENDING THE EARLIER START TIME OF AFTERNOON SESSIONS OF GOVERNING BODY MEETINGS TO 4:00 P.M. AND EVENING SESSIONS OF GOVERNING BODY MEETINGS TO 6:00 P.M. THROUGH THE JUNE 30, 2021 GOVERNING BODY MEETING.

WHEREAS, since March 25, 2020, all public meetings for the City of Santa Fe ("City"), including Governing Body meetings, have been held virtually; and

WHEREAS, on July 29, 2020 the Governing Body adopted Resolution No. 2020-28 that changed the start time of afternoon sessions of Governing Body meetings to 4:00 p.m. and evening sessions of Governing Body meetings to 6:00 p.m. through the December 9, 2020 meeting; and

WHEREAS, the City is facing a financial crisis that requires acute attention to spending; and

WHEREAS, staff attendance at Governing Body meetings beyond their normal 5:00 p.m. workday negatively impacts the City management's and Governing Body's collective

attempts to reduce spending; and

WHEREAS, earlier meetings of the Governing Body meetings will continue to reduce potential overtime costs, and facilitate public participation.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that Resolution No. 2020-28 changing the start time of the Afternoon Session of Governing Body meetings to 4:00 p.m. and the Evening Session of Governing Body meetings to 6:00 p.m. is hereby extended through the June 30, 2020 Governing Body meeting.

PASSED, APPROVED, and ADOPTED this _____day of _____, 2020.

_____

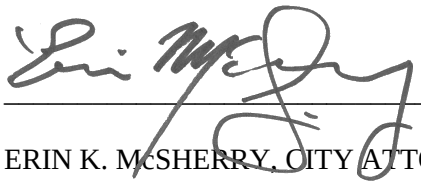
ALAN WEBBER, MAYOR

ATTEST:

_____

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:



_____

ERIN K. McSHERRY, CITY ATTORNEY

Legislation/2020/Resolutions/Extending Early Governing Body Start Time Change

FIR No. 3295

FISCAL IMPACT REPORT

General Information:

(Check) Bill: _____ Resolution: X

Short Title(s): Extending Early Governing Body Start Time

Sponsor(s): Councilor Villarreal

Reviewing Department(s): Legislative Services

Staff Completing FIR: Jesse Guillen Date: 12/1/20 Phone: 955-6518

Reviewed by City Attorney: _____ Date: Dec 2, 2020

Reviewed by Finance Director: _____ Date: Dec 1, 2020

Summary:
The Governing Body adopted Resolution No. 2020-28 on July 29th, 2020. The Resolution temporarily changed the start time of afternoon sessions of the Governing Body to 4:00 p.m. and evening session of the Governing Body to 6:00 p.m. The time change was made in an attempt to decrease the need for staff to work beyond their normal hours and to conserve City funds during a pandemic that requires acute attention to spending. The proposed Resolution extends the change in start times of the afternoon and evening sessions of the Governing Body through the end of June, 2021.

Departments Affected:
All.

Consequences of Not Enacting Legislation:
Governing Body meetings will revert to their normal start time, costing the City funds in additional staff time associated with the need to attend the meetings after normal working hours.

Conflict, Duplication, Companionship, or Relationship to Other Legislation:
This Resolution extends the earlier start time of Governing Body meetings established by Resolution No. 2020-28.

Performance and Administrative Implications:
The earlier start time will continue the decrease overtime/comp time accrued by staff and provide public comment at a more decent hour.

Fiscal Implications:
Staff costs, as described below, will continue to be lower than what they would be if the Governing Body meetings started at 5:00 p.m.

Fiscal Impact

_____ Check here if no fiscal impact

Expenditures

Expenditure Type	FYE 21	FYE __	FYE __	Require BAR (Y/N)	Recurring (R) or Non-recurring (NR)	Fund	3-Year Total Cost
Personnel and	$5,377.40	$	$	N	NR		
Benefits*							
Capital Outlay	$	$	$				
Contractual/	$	$	$				
Professional Services							
Operating	$	$	$				$
Total:	$5,377.40	$	$				$5,377.40

* This includes all staff time associated with executing the job functions of the proposed legislation.

Expenditure Narrative:

Over three meetings in September and October, City staff, other than Department Directors, the City Manager, City Clerk, and City Attorney (who do not receive comp time or overtime) spent a total of 35.5 hours attending Governing Body meetings. This number of hours cost the City approximately $1,344.35 in comp time or overtime or hours lost from other projects during the week if they were able to flex their scheduled hours. If the Governing Body meetings had started at 5:00 p.m. instead, staff would have spent an additional 19 hours attending Governing Body meetings, with an impact of approximately $724.15 in extra staff costs. Extrapolating these savings over the first six months of 2021 will save the City approximately $5,377.40 in additional staff costs.

Revenue

Revenue Type	FYE __	FYE __	FYE __	Recurring (R) or Non-recurring (NR)	Fund
General Fund	$	$	$		
Special Revenue	$	$	$		
CIP	$	$	$		
Enterprise	$	$	$		
Internal Service	$	$	$		
Trust and Agency	$	$	$		
Federal	$	$	$		
Other	$	$	$		
Total	$	$	$		

Revenue Narrative:

City of Santa Fe New Mexico
Memorandum

Date: November 19, 2020

To: Quality of Life Committee and Governing Body

Via: Kyra Ochoa, Community Services Director KO

From: Julie Sanchez, Youth and Family Services Division Director JJS

RE: Veterans Legacy Program Support

ITEM AND ISSUE:

The proposed Resolution expresses Governing Body support for the Veterans Legacy Program, a project of the National Veteran Cemetery Administration that seeks to memorialize veterans in perpetuity in innovative and engaging ways.

BACKGROUND AND SUMMARY:

The Veterans Legacy Program engages teachers and students at the elementary, middle school, high school, and collegiate level around the country to provide resources and learning opportunities with the historical resources found at the country's national cemeteries, including the Santa Fe National Cemetery.

ACTION REQUESTED:

Approve the Resolution as presented.

ATTACHMENTS:

Resolution
Fiscal Impact Report

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2020-__

INTRODUCED BY:

Councilor Signe I. Lindell	Councilor Roman "Tiger" Abeyta
Councilor Chris Rivera	Councilor JoAnne Vigil Coppler
Councilor Renee Villarreal	Councilor Michael J. Garcia

A RESOLUTION

IN SUPPORT OF THE NATIONAL VETERAN CEMETERY ADMINISTRATION'S VETERANS LEGACY PROGRAM.

WHEREAS, the National Cemetery Administration established the Veterans Legacy Program on Memorial Day, 2016, as the Administration's educational outreach initiative for the nation and to memorialize veterans in perpetuity in innovative and engaging ways; and

WHEREAS, the Veterans Legacy Program commemorates the nation's veterans through the discovery and sharing of their stories and encourages students and teachers at the elementary, middle, high school, and collegiate levels around the country to immerse themselves in the rich historical resources found within national cemeteries; and

WHEREAS, the Veterans Legacy Program is a model for local engagement in veterans' research that can best serve each community; and

WHEREAS, each Veterans Legacy Program project is intended to create an experience of learning that builds a veteran's legacy by sharing positive narratives that may be used to teach about both unique qualities of individual veterans and veterans as a community; and

WHEREAS, the National Cemetery Administration awards funding to colleges and universities to create opportunities, in partnership with their local national cemetery, for faculty members and students to research the histories of veterans interred in those cemeteries; and

WHEREAS, participants in the Veterans Legacy Program research veterans interred in national cemeteries and develop educational tools that increase public awareness of the service and sacrifice of veterans; and

WHEREAS, partners from across the country have created Veterans Legacy Program products and events that reflect the unique impact of veterans on their local communities; and

WHEREAS, the Veterans Legacy Program has facilitated the discovery of nearly one thousand veterans' stories that have been researched and shared by fifty-five college professors; two hundred college students, two hundred and sixty elementary, middle, and high school teachers; and nine thousand elementary, middle, and high school students; and

WHEREAS, the next solicitation for the Veterans Legacy Program proposals will occur in late 2020 and will provide an opportunity to share the stories of Native American and other New Mexican veterans representing diverse cultural backgrounds; and

WHEREAS, the Santa Fe Community College has established a partnership with community leaders to respond to the National Cemetery Administration's next solicitation for funding to launch a New Mexico Veteran Legacy Program that will serve residents statewide, and help educate the country about New Mexico's long and distinguished military service to the United States of America; and

WHEREAS, support for the Veterans Legacy Program follows the City's installation of banners along Cerrillos Road between I-25 and Rodeo Road commemorating the lives of those local veterans who are serving, have served, or been honorably discharged from the United States military.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE

CITY OF SANTA FE that recognition and support be given to the National Veteran Cemetery Administration for the establishment of a New Mexico Veterans Legacy Program at the Santa Fe Community College.

PASSED, APPROVED, and ADOPTED this _____day of _____, 2020.

_____

ALAN WEBBER, MAYOR

ATTEST:

_____

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

_____

ERIN K. McSHERRY, CITY ATTORNEY

Legislation/2020/Resolutions/Veterans Legacy Program Support

FIR No. 3282

FISCAL IMPACT REPORT

General Information:

(Check) Bill: _____ Resolution: X

Short Title(s): Veterans Legacy Program Support

Sponsor(s): Councilors Lindell, Abeyta, and Rivera

Reviewing Department(s): Community Health and Safety Department

Staff Completing FIR: Julie Sanchez Date: 1113/20 Phone: 955-6678

Reviewed by City Attorney: _____ Date: Nov 19, 2020

Reviewed by Finance Director: _____ Date: Nov 23, 2020

Summary:
The proposed Resolution expresses Governing Body support for the establishment of a Veterans Legacy Program at the Santa Fe Community College. The Program is a project of the National Veteran Cemetery Administration that seeks to memorialize veterans in perpetuity in innovative and engaging ways.

Departments Affected:
None identified.

Consequences of Not Enacting Legislation:
The Governing Body will not express its support for the establishment of Veterans Legacy Program at the Santa Fe Community College.

Conflict, Duplication, Companionship, or Relationship to Other Legislation:
None identified.

Performance and Administrative Implications:
The proposed Resolution expresses support for a federal program to be established at the Santa Fe Community College and requires no other action by City staff.

Fiscal Implications:
None identified.

Fiscal Impact

X Check here if no fiscal impact

Expenditures

Expenditure Type	FYE __	FYE __	FYE __	Require BAR (Y/N)	Recurring (R) or Non-recurring (NR)	Fund	3-Year Total Cost
Personnel and Benefits*	$	$	$				
Capital Outlay	$	$	$				
Contractual/ Professional Services	$	$	$				
Operating	$	$	$				$
Total:	$	$	$				$

* This includes all staff time associated with executing the job functions of the proposed legislation.

Expenditure Narrative:

Revenue

Revenue Type	FYE __	FYE __	FYE __	Recurring (R) or Non-recurring (NR)	Fund
General Fund	$	$	$		
Special Revenue	$	$	$		
CIP	$	$	$		
Enterprise	$	$	$		
Internal Service	$	$	$		
Trust and Agency	$	$	$		
Federal	$	$	$		
Other	$	$	$		
Total	$	$	$		

Revenue Narrative:

Signature: Julie Sanchez (Nov 19, 2020 10:28 MST)

Email: jjsanchez@santafenm.gov

Signature: Kyra Ochoa (Nov 19, 2020 09:43 MST)

Email: krochoa@santafenm.gov

City of Santa Fe, New Mexico
Memorandum

DATE: **December 2, 2020**

TO: **Governing Body**

VIA: **Rich Brown – Community and Economic Development** RB

FROM: **Sam Burnett, Public Works Property Maintenance & Midtown Property Manager**

ITEM AND ISSUE:
Request for the Approval of Amendment #1 to Service Contract 19-0653 for on-call, Economic Analysis and Urban Planning Services from Strategic Economics: Increasing compensation in the total amount of $325,000.00, plus NMGRT and extending the Term of the Agreement (one year). Sam Burnett, Public Works Property Maintenance and Midtown Campus Property Manager, jsburnett@santafenm.gov, (505) 795-2498

BACKGROUND AND SUMMARY:
On April 22, 2019, the City advertised a Request for Proposals (RFP #1937P) for Economic Analysis and Urban Planning for the Midtown Redevelopment project. Strategic Economics was selected and awarded a $325,960.00 services contract. The scope of services provided by Strategic Economics include:

Economic Analysis
- Fiscal and Economic Analysis and Yield Evaluation
- Land Valuation Analysis and Financial Modeling
- Public Financing and Public Policy Analysis / Impact Fee Analysis
- Disposition and Development RFP Evaluation

Urban Planning
- Urban Planning and Design
- Land Use
- Redevelopment Planning and Revitalization/Activation Strategies
- Disposition and Development RFP Evaluation

In response to Covid-19 driven changes to the development and financial industries, the Midtown redevelopment project has increased in complexity. Due to this increased complexity, the City's Midtown Redevelopment Team requires an extension of the services provided to the City by Strategic Economics. The team requests a one (1) year extension of the Term of their Agreement and an up to $325,000.00 increase to their compensation. As an on-call service, there is no guarantee to the contractor that the City will spend any or all of these funds. However, there is a guarantee to the City that the compensation will not exceed this amount.

PROCUREMENT METHOD:
Request for Proposals, RFP #1937P.

FUNDING SOURCE:
3359980.572970

ACTION REQUESTED:
Please approve this contract amendment with Strategic Economics to extend the Term of their Contract by one year and increase their compensation by up to $325,000.00.

CITY OF SANTA FE
AMENDMENT No. 1 TO
PROFESSIONAL SERVICES AGREEMENT
ITEM# 19-0653

AMENDMENT No. 1 (the "Amendment") to the CITY OF SANTA FE PROFESSIONAL SERVICES AGREEMENT, dated August 2, 2019 the "Agreement"), between the City of Santa Fe (the "City") and Strategic Economics (the "Contractor") Item #19-0653. The date of this Amendment shall be the date when executed by the City and the Contractor; whichever occurs last.

RECITALS:

A. Under the terms of the Agreement, Contractor has agreed to provide Economic Analysis and Urban Planning services for the City of Santa Fe.

B. During the current Term of the Agreement, Strategic Economics has been unable to complete the Scope of Work of the Contract due to the unexpected slowing down of the Midtown Campus project under the current COVID Pandemic.

C Pursuant to Article 13 of the Agreement, for good and valuable consideration, and the receipt and sufficiency of which are acknowledged by the parties, the City and the Contractor agree as follows.

AMENDMENT:

2. <u>COMPENSATION</u>

1. Article 2 of the Agreement is amended to increase the amount of compensation by a total of Three Hundred Twenty-Five Thousand Dollars and No Cents ($325,000.00), plus applicable gross receipts tax so that Article 2 reads in its entirety as follows:

A. The City shall pay to the Contractor in full payment for services rendered a sum not to exceed Seven Hundred Fifty Thousand Dollars and No Cents

($750,000.00) plus applicable gross receipts tax. **This amount is a maximum, not a guarantee that the work assigned to be performed by Contractor under this Agreement shall equal the amount stated herein. When the total amount is reached, the parties do not intend for the Contractor to continue to provide services without compensation. Contractor is responsible for notifying the City when the services provided under this Agreement reach the total compensation amount. In no event will the Contractor be compensated for services provided in excess of the total compensation amount without this Agreement being amended in writing, prior to those services in excess of the total compensation amount being provided.**

3. TERM

2. Article 3, Paragraph A of the Agreement is amended to extend the term of the Agreement by one (1) year so that Article 3 is amended in its entirety as follows:

A. THIS AGREEMENT SHALL NOT BECOME EFFECTIVE UNTIL APPROVED BY THE CITY. This Agreement shall terminate on December 31, 2021. Unless terminated pursuant to paragraph 4 (Termination), or paragraph 5 (Appropriations). In accordance with Section 13-1-150 NMSA 1978, no contract term for a professional services contract, including extensions and renewals, shall exceed four years, except as set forth in Section 13-1-150 NMSA 1978.

B. Shelter in Place Extension. In the event the State of New Mexico or any other relevant local, state or federal authority issues a "shelter in place" order, or similar emergency order regarding COVID-19, that directly prevents the

Contractor from completing the Scope of Work, then the Term of this Agreement, or any holdover period then in effect, shall automatically be extended for a period equal to the duration of the emergency order's prevention of the Contractor's execution of the Scope of Work, but in no event shall the term exceed the period permitted by NMSA 1978, sec. 13-1-150.

3. AGREEMENT IN FULL FORCE.

Except as specifically provided in this Amendment, the Agreement remains and shall remain in full force and effect, in accordance with its terms.

IN WITNESS WHEREOF, the parties have executed this Amendment No. 1 to the City of Santa Fe Professional Services Agreement Item # 19-0653 as of the dates set forth below.

CITY OF SANTA FE:

_____
ALAN M. WEBBER, MAYOR

Date:_____

ATTEST:

_____
YOLANDA Y. VIGIL, CITY CLERK

CITY ATTORNEY'S OFFICE:

Marcos Martinez
Marcos Martinez (Nov 20, 2020 11:49 MST)
_____
SENIOR ASSISTANT CITY ATTORNEY

APPROVED AS TO BUDGET:

_____
MARY MCCOY, FINANCE DIRECTOR
Business Unit/Line Item: 3359980.572970

CONTRACTOR:
STRATEGIC ECONOMICS

Dena Belzer
Dena Belzer (Dec 3, 2020 15:05 PST)
_____
Dena Belzar, Principal

_____
TITLE
Date: Dec 3, 2020

CRS #: 03-500447-00-9
Business License: 20-00158722

AL

City of Santa Fe
Summary of Contracts, Agreements, & Amendments

Section to be completed by department for each contract or contract amendment

1 **FOR:** ORIGINAL CONTRACT ☐ or CONTRACT AMENDMENT ☑

2 Name of Contractor Strategic Economics

3 Complete information requested ☑ Plus GRT ☐ Inclusive of GRT

Original Contract Amount: $325,960.00

Termination Date: December 31, 2020

☑ Approved by Council Date: July 31, 2019

☐ or by City Manager Date:

Contract is for: Professional Economic Analysis and Urban Planning Services

Amendment # 1 to the Original Contract# 19-0653

Increase/(Decrease) Amount $ $325,000.00

Extend Termination Date to: December 31, 2021

☑ Approved by Council PENDING

☐ or by City Manager Date:

Amendment is for: Increase the contract total by to provide security services at the Santa Fe Railyard.

4 **History of Contract & Amendments:** (option: attach spreadsheet if multiple amendments) ☑ Plus GRT ☐ Inclusive of GRT

Amount $ 325,960.00 of original Contract# 19-0653 Termination Date: 12/31/2020

Reason: Original Contract

Amount $ 325,000.00 amendment # 1 Termination Date: 12/31/2021

Reason: Increase compensation and term

Total of Original Contract plus all amendments: $ $650,960.00

5 **Procurement Method of Original Contract:** (complete one of the lines)

RFP# 19/37/P Date: Arpil 22, 2019

RFQ ☐ Date:

Sole Source ☐ Date:

City of Santa Fe
Summary of Contracts, Agreements, & Amendments

Other _____

6 **Procurement History:** Second year of up to a 4-year contract
example: (First year of 4 year contract)

Fran Dunaway (Dec 4, 2020 09:23 MST)

Purchasing Officer Review

Comments or Exceptions: Amendment #1 to increase current contract .

7 **Funding Source:** _____ **BU/Line Item:** 3359980.572970

Alexis Lotero (Dec 4, 2020 09:09 MST)

Budget Officer Approval

Comments or Exceptions: _____

8 **Any out-of-the ordinary or unusual issues or concerns:**
None
(Memo may be attached to explain detail.)

9 **Staff Contact who completed this form:** Sam Burnett

Phone # 505-795-2491

10 **Certificate of Insurance attached.** (if original Contract) ☑

Submit to City Attorney for review/signature
Forward to Finance Director for review/signature
Return to originating Department for Committee(s) review or forward to City Manager for review and approval (depending on dollar level).

To be recorded by City Clerk:

Contract # 19-0653

Date of contract Executed (i.e., signed by all parties): _____

Note: If further information needs to be included, attach a separate memo.

Comments:

CITY OF SANTA FE RFP PROCUREMENT CHECKLIST

Contractor Name: Strategic Economics

Procurement Title: Economic Analysis and Urban Planning for the Midtown Redevelopment

Solicitation RFP#: 19/37/P

Department Requesting/Staff Member: Public Works Dept, Facilities Division. J Sam Burnett, Property Manager

Procurement Requirements:
A procurement file shall be maintained for all contracts, regardless of the method of procurement. The procurement file shall contain the basis on which the award is made, all submitted bids, all evaluation materials, score sheets, quotations and all other documentation related to or prepared in conjunction with evaluation, negotiation, and the award process. The procurement shall contain a written determination from the Requesting Department, signed by the purchasing officer, setting forth the reasoning for the contract award decision before submitting to the Committees..

REQUIRED DOCUMENTS FOR APPROVAL BY PURCHASING*

YES	N/A	
☒	☐	Approved Procurement Checklist (by Purchasing)
☐	☒	Departments Recommendation of Award Memo addressed to Finance
☐	☒	Evaluation Committee Report
☐	☒	BAR
☐	☒	FIR
☒	☐	Contract, Agreement or Amendment – How does Purchasing staff verify the contract has been approved to form by City Attorney?
☒	☐	Current Business Registration and CRS numbers on contract or agreement
☒	☐	Summary of Contract
☒	☐	Certificate of Insurance
☐	☒	Other: _____

J Sam Burnett, Public Works Property Manager
Department Rep Printed Name and Title

_____
Department Rep Signature attesting that all information included

Fran Dunaway CPO 12/4/20
Fran Dunaway (Dec 4, 2020 09:23 MST)

_____
Purchasing Officer attesting that all information is reviewed

REQUIRED DOCUMENTS FOR RFP FILE*

YES	N/A	
☐	☒	Final RFP Document
☐	☒	Copy of legal solicitation published in the newspaper, website, etc.
☐	☒	All addendums
☐	☒	Plan holders list
☐	☒	Copies of all RFP submittals
☐	☒	Complete evaluation score sheets
☐	☒	Non-Responsive/Non-Responsibility Form and correspondence or letters from Department to vendor regarding disqualifications
☐	☒	Oral presentations (sign-in sheets, presentation materials, etc.)

*

☐ ☒ Documentation sent to Proponents/Offerors and responses received regarding clarifications, decisions, negotiations, and/or best and final offers, etc.
☐ ☒ Reference Reviews/Reference Check Questionnaires
☐ ☒ Pricing evaluation
☐ ☒ Final overall evaluation matrix or summary of evaluator scores
☐ ☒ Other: _____

AWARD*

YES N/A

☐ ☒ Fully executed Memo to Committees from the Department with recommendation of award
☐ ☒ Winning proposal (this is a copy that has all confidential/proprietary information excluded)
☐ ☒ Contract Award Notice
☐ ☒ Email or notification sent to all Proponent(s)/Offerors that award was made
☐ ☒ Waiver or "No Action Taken" from Procurement Office
☐ ☒ If IFB and not awarded to lowest responsive, responsible bidder; written explanation
☐ ☒ Other: _____

DISCLOSURES*

YES N/A

Contractor Disclosures & Conflicts of Interest
☐ ☒ Disclosures & Conflicts of Interest Form(s) (winning proponent(s)/offeror(s))
Contractor –Conflicts of Interest
☐ ☒ Purchasing Office Letter or e-mail to designated individual regarding potential conflict
☐ ☒ Conflict of Interest Form signed by all parties
☐ ☒ Letter from Procurement Office regarding the potential conflict
Subcontractor Disclosures
☐ ☒ Disclosures & Conflicts of Interest form of Subcontractor(s)
Subcontractor –Conflicts of Interest
☐ ☒ Purchasing Officer Letter or email to designated individual regarding potential conflict
☐ ☒ Conflict of Interest form signed by all parties
☐ ☒ Letter from Legal Office regarding the potential conflict
☐ ☒ Other: _____

CONTRACT*

YES N/A

☒ ☐ Copy of Executed Contract
☒ ☐ Copy of all documentation presented to the Committees
☒ ☐ Finalized Council Committee Minutes
☒ ☐ Other: _____

MISCELLANEOUS FILE*

YES N/A

☐ ☒ Local Preference Form
☐ ☒ New Mexico Residence Form
☐ ☒ Veterans Exemption
☐ ☒ Other: _____

Include all other substantive documents and records of communication that pertain to the procurement and any resulting contract.

*

PROTEST (If applicable)*

YES	N/A	
☐	☒	Documentation from protester filed with the Purchasing Office
☐	☒	Letter from Department to Purchasing Office Providing response to protest
☐	☒	Letter from Purchasing Officer to protester and Department on final outcome
☐	☒	Other: _____

Create a separate file folder which may contain any documents with trade secrets or other competitively sensitive, confidential or proprietary information.

YES	N/A	
☒	☐	Original proposal (s) with no redactions

J Sam Burnett, Public Works Property Manager
Department Rep Printed Name and Title

_____
Department Rep Signature attesting that all information included

*

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 2/4/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Dealey, Renton & Associates License # 0020739 P. O. Box 12675 Oakland CA 94604-2675	**CONTACT NAME:** **PHONE (A/C, No, Ext):** 510-465-3090 **FAX (A/C, No):** 510-452-2193 **E-MAIL ADDRESS:** certificates@dealeyrenton.com
INSURED STRATECON Strategic Economics Inc. 2991 Shattuck Avenue, No. 203 Berkeley CA 94705	**INSURER(S) AFFORDING COVERAGE** / **NAIC #** **INSURER A :** Travelers Property Casualty Company of America — 25674 **INSURER B :** Travelers Casualty and Surety Co of America — 31194 **INSURER C :** **INSURER D :** **INSURER E :** **INSURER F :**

COVERAGES **CERTIFICATE NUMBER:** 1753207492 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
B	X **COMMERCIAL GENERAL LIABILITY** [ ] CLAIMS-MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [ ] POLICY [X] PRO-JECT [ ] LOC [ ] OTHER:	Y	Y	6805F339381	1/30/2020	1/30/2021	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG $	$ 1,000,000 $ 1,000,000 $ 10,000 $ 1,000,000 $ 2,000,000 $ 2,000,000 $
B	**AUTOMOBILE LIABILITY** [ ] ANY AUTO [ ] OWNED AUTOS ONLY [ ] SCHEDULED AUTOS [X] HIRED AUTOS ONLY [X] NON-OWNED AUTOS ONLY	Y	Y	6805F339381	1/30/2020	1/30/2021	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident) $	$ 1,000,000 $ $ $ $
A	X **UMBRELLA LIAB** [X] OCCUR **EXCESS LIAB** [ ] CLAIMS-MADE [ ] DED [ ] RETENTION $	Y	Y	CUP5F339485	1/30/2020	1/30/2021	EACH OCCURRENCE AGGREGATE $	$ 4,000,000 $ 4,000,000 $
A	**WORKERS COMPENSATION AND EMPLOYERS' LIABILITY** Y / N ANYPROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? [N] **(Mandatory in NH)** If yes, describe under DESCRIPTION OF OPERATIONS below	N / A	Y	UB0K495161	1/30/2020	1/30/2021	X PER STATUTE [ ] OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	 $ 1,000,000 $ 1,000,000 $ 1,000,000
B	Professional Liability			106235453	1/30/2020	1/30/2021	$4,000,000 $4,000,000	per Claim Annl Aggr.

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

RE: All operations of the named insured. City of Santa Fe is named as Additional Insured for General and Auto Liability as required by written contract or agreement. Insurance is primary per policy form. A Waiver of Subrogation applies per the attached.

CERTIFICATE HOLDER

City of Santa Fe
P.O. Box 909
Santa Fe, NM 87504

CANCELLATION 30 Days Notice of Cancellation

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Angela Borg

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THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

BLANKET ADDITIONAL INSURED – OWNERS, LESSEES OR CONTRACTORS

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

PROVISIONS:

1. WHO IS AN INSURED (SECTION II) is amended to include as an insured any person or organization (called hereafter "additional insured") whom you have agreed in a written contract, executed prior to loss, to name as additional insured, but only with respect to liability arising out of "your work" or your ongoing operations for that additional insured performed by you or for you.
2. With respect to the insurance afforded to Additional Insureds the following conditions apply:
   a. Limits of Insurance – The following limits of liability apply:
      1. The limits which you agreed to provide; or
      2. The limits shown on the declarations,

      whichever is less.
   b. This insurance is excess over any valid and collectible insurance unless you have agreed in a written contract for this insurance to apply on a primary or contributory basis.
3. This insurance does not apply:
   a. on any basis to any person or organization for whom you have purchased an Owners and Contractors Protective policy.
   b. to "bodily injury," "property damage," "personal injury," or "advertising injury" arising out of the rendering of or the failure to render any professional services by or for you, including:
      1. The preparing, approving or failing to prepare or approve maps, drawings, opinions, reports, surveys, change orders, designs or specifications; and
      2. Supervisory, inspection or engineering services.

Copyright, The Travelers Indemnity Company, 1994.
Includes Copyrighted Material from Insurance Services Office, Inc.

TRAVELERS

WORKERS COMPENSATION
AND
EMPLOYERS LIABILITY POLICY

ENDORSEMENT WC 99 03 76(00) — 001

POLICY NUMBER: UB0K495161

WAIVER OF OUR RIGHT TO RECOVER FROM OTHERS ENDORSEMENT CALIFORNIA (BLANKET WAIVER)

We have the right to recover our payments from anyone liable for an injury covered by this policy. We will not enforce our right against the person or organization named in the Schedule.

You must maintain payroll records accurately segregating the remuneration of your employees while engaged in the work described in the Schedule.

The additional premium for this endorsement shall be 3.00 % of the California workers' compensation premium otherwise due on such remuneration.

Schedule

Person or Organization	Job Description
ALL PERSONS OR ORGANIZATIONS THAT REQUIRES YOU TO OBTAIN EXECUTED THE CONTRACT BEFORE	**THAT ARE PARTIE TO A CONTRACT THIS AGREEMENT, PROVIDED YOU THE LOSS.**

DATE OF ISSUE: 2/4/2020 **ST ASSIGN:** CA

ITEM # 19-0653

CITY OF SANTA FE

PROFESSIONAL SERVICES CONTRACT

THIS AGREEMENT is made and entered into by and between the City of Santa Fe, New Mexico, hereinafter referred to as the "City," and **Strategic Economics**, hereinafter referred to as the "Contractor," and is effective as of the date set forth below upon which it is executed by the Parties.

IT IS AGREED BETWEEN THE PARTIES:

1. **Scope of Work.**

A. The Contractor shall perform the following work:

1) The Scope of Work for the Economic Analysis and Urban Planning Team ("Planning Team") shall include the following services:

a. Economic Analysis
   i. Fiscal and Economic Analysis and Yield Evaluation
   ii. Land Valuation Analysis and Financial Modeling
   iii. Public Financing and Public Policy Analysis / Impact Fee Analysis
   iv. Disposition and Development RFP Evaluation

b. Urban Planning
   i. Urban Planning and Design
   ii. Land Use
   iii. Redevelopment Planning and Revitalization/Activation Strategies
   iv. Disposition and Development RFP Evaluation

B. *Performance Measures.*

1) Contractor shall substantially perform the following Performance Measures:

a. Deliverables pursuant to the analysis, modeling, and evaluation outline above.

b. Advice on decision making processes for the development of the Midtown Property.

2) The receipt of the deliverables contemplated under this Agreement shall assist the City in obtaining its goal(s) as set forth in The Planning Guidelines for the City's Midtown Property.

2. **Compensation.**

A. The City shall pay to the Contractor in full payment for services rendered a sum not to exceed $325,960. **This amount is a maximum and not a guarantee that the work assigned to be performed by Contractor under this Agreement shall equal the amount stated herein. The parties do not intend for the Contractor to continue to provide services without compensation when the total compensation amount is reached. Contractor is responsible for notifying the City when the services provided under this Agreement reach the total compensation amount. In no event will the Contractor be paid for services provided in excess of the total compensation amount without this Agreement being amended in writing prior to those services in excess of the total compensation amount being provided.**

B. Payment is subject to availability of funds pursuant to the Appropriations Paragraph set forth below and to any negotiations between the parties from year to year pursuant to Paragraph 1, Scope of Work, and to approval by the City. All invoices MUST BE received by the City no later than thirty 30) days after the termination of the Fiscal Year in which the services were delivered. Invoices received after such date WILL NOT BE PAID.

C. Contractor must submit a detailed statement accounting for all services performed and expenses incurred. If the City finds that the services are not acceptable, within thirty days after the date of receipt of written notice from the Contractor that payment is requested, it shall provide the Contractor a letter of exception explaining the defect or objection to the services, and outlining steps the Contractor may take to provide remedial action. Upon certification by the City that the services have been received and accepted, payment shall be tendered to the Contractor within thirty days after the date of acceptance. If payment is made by mail, the payment shall be deemed tendered on the date it is postmarked. However, the City shall not incur late charges, interest, or penalties for failure to make payment within the time specified herein.

3. **Term.**

THIS AGREEMENT SHALL NOT BECOME EFFECTIVE UNTIL APPROVED BY THE CITY. This Agreement shall terminate on **December 31, 2020**. unless terminated pursuant to paragraph 4 (Termination), or paragraph 5 (Appropriations). In accordance with Section 13-1-150 NMSA 1978, no contract term for a professional services contract, including extensions and renewals, shall exceed four years, except as set forth in Section 13-1-150 NMSA 1978.

4. **Termination.**

A. Termination. This Agreement may be terminated by either of the parties hereto upon written notice delivered to the other party at least thirty (30) days prior to the intended date of termination. Except as otherwise allowed or provided under this Agreement, the City's sole liability upon such termination shall be to pay for acceptable work performed prior to the Contractor's receipt of the notice of termination, if the City is the terminating party, or the Contractor's sending of the notice of termination, if the Contractor is the terminating party; provided, however, that a notice of termination shall

not nullify or otherwise affect either party's liability for pre-termination defaults under or breaches of this Agreement. The Contractor shall submit an invoice for such work within thirty (30) days of receiving or sending the notice of termination. Notwithstanding the foregoing, this Agreement may be terminated immediately upon written notice to the Contractor if the Contractor becomes unable to perform the services contracted for, as determined by the City or if, during the term of this Agreement, the Contractor or any of its officers, employees or agents is indicted for fraud, embezzlement or other crime due to misuse of City funds or due to the Appropriations paragraph herein. *THIS PROVISION IS NOT EXCLUSIVE AND DOES NOT WAIVE THE City's OTHER LEGAL RIGHTS AND REMEDIES CAUSED BY THE CONTRACTOR'S DEFAULT/BREACH OF THIS AGREEMENT.*

B Termination Management. Immediately upon receipt by either the City or the Contractor of notice of termination of this Agreement, the Contractor shall: 1) not incur any further obligations for salaries, services or any other expenditure of funds under this Agreement without written approval of the City; 2) comply with all directives issued by the City in the notice of termination as to the performance of work under this Agreement; and, 3) take such action as the City shall direct for the protection, preservation, retention or transfer of all property titled to the City and records generated under this Agreement. Any non-expendable personal property or equipment provided to or purchased by the Contractor with contract funds shall become property of the City upon termination and shall be submitted to the City as soon as practicable.

5. Appropriations.

The terms of this Agreement are contingent upon sufficient appropriations and authorization being made by the City Council for the performance of this Agreement. If sufficient appropriations and authorization are not made by the City Council, this Agreement shall terminate immediately upon written notice being given by the City to the Contractor. The City's decision as to whether sufficient appropriations are available shall be accepted by the Contractor and shall be final. If the City proposes an amendment to the Agreement to unilaterally reduce funding, the Contractor shall have the option to terminate the Agreement or to agree to the reduced funding, within thirty (30) days of receipt of the proposed amendment.

6. Status of Contractor.

The Contractor and its agents and employees are independent contractors performing professional services for the City and are not employees of the City. The Contractor and its agents and employees shall not accrue leave, retirement, insurance, bonding, use of City vehicles, or any other benefits afforded to employees of the City as a result of this Agreement. The Contractor acknowledges that all sums received hereunder are reportable by the Contractor for tax purposes, including without limitation, self-employment and business income tax. The Contractor agrees not to purport to bind the City unless the Contractor has express written authority to do so, and then only within the strict limits of that authority.

7. **Assignment.**

The Contractor shall not assign or transfer any interest in this Agreement or assign any claims for money due or to become due under this Agreement without the prior written approval of the City.

8. **Subcontracting.**

The Contractor shall not subcontract any portion of the services to be performed under this Agreement without the prior written approval of the City. No such subcontract shall relieve the primary Contractor from its obligations and liabilities under this Agreement, nor shall any subcontract obligate direct payment from the City.

9. **Release.**

Final payment of the amounts due under this Agreement shall operate as a release of the City, its officers and employees from all liabilities, claims and obligations whatsoever arising from or under this Agreement.

10. **Confidentiality.**

Any confidential information provided to or developed by the Contractor in the performance of this Agreement shall be kept confidential and shall not be made available to any individual or organization by the Contractor without the prior written approval of the City.

11. **Product of Service -- Copyright.**

All materials developed or acquired by the Contractor under this Agreement shall become the property of the City and shall be delivered to the City no later than the termination date of this Agreement. Nothing developed or produced, in whole or in part, by the Contractor under this Agreement shall be the subject of an application for copyright or other claim of ownership by or on behalf of the Contractor.

12. **Conflict of Interest; Governmental Conduct Act.**

A. The Contractor represents and warrants that it presently has no interest and, during the term of this Agreement, shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance or services required under the Agreement.

B. The Contractor further represents and warrants that it has complied with, and, during the term of this Agreement, will continue to comply with, and that this Agreement complies with all applicable provisions of the Governmental Conduct Act, Chapter 10, Article 16 NMSA 1978.

C. Contractor's representations and warranties in Paragraphs A and B of this Article 12 are material representations of fact upon which the City relied when this Agreement was entered into by the parties. Contractor shall provide immediate written notice to the City if, at any time during the term of this Agreement, Contractor learns that Contractor's representations and warranties in Paragraphs A and B of this Article 12 were erroneous on the effective date of this Agreement or have become erroneous by reason of

new or changed circumstances. If it is later determined that Contractor's representations and warranties in Paragraphs A and B of this Article 12 were erroneous on the effective date of this Agreement or have become erroneous by reason of new or changed circumstances, in addition to other remedies available to the City and notwithstanding anything in the Agreement to the contrary, the City may immediately terminate the Agreement.

D. All terms defined in the Governmental Conduct Act have the same meaning in this section.

13. Amendment.

A. This Agreement shall not be altered, changed or amended except by instrument in writing executed by the parties hereto and all other required signatories.

B. If the City proposes an amendment to the Agreement to unilaterally reduce funding due to budget or other considerations, the Contractor shall, within thirty (30) days of receipt of the proposed Amendment, have the option to terminate the Agreement, pursuant to the termination provisions as set forth in Article 4 herein, or to agree to the reduced funding.

14. Merger.

This Agreement incorporates all the Agreements, covenants and understandings between the parties hereto concerning the subject matter hereof, and all such covenants, Agreements and understandings have been merged into this written Agreement. No prior Agreement or understanding, oral or otherwise, of the parties or their agents shall be valid or enforceable unless embodied in this Agreement.

15. Penalties for violation of law.

The Procurement Code, Sections 13-1-28 through 13-1-199, NMSA 1978, imposes civil and criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for illegal bribes, gratuities and kickbacks.

16. Equal Opportunity Compliance.

The Contractor agrees to abide by all federal and state laws and rules and regulations, and Santa Fe City Code, pertaining to equal employment opportunity. In accordance with all such laws of the State of New Mexico, the Contractor assures that no person in the United States shall, on the grounds of race, religion, color, national origin, ancestry, sex, age, physical or mental handicap, or serious medical condition, spousal affiliation, sexual orientation or gender identity, be excluded from employment with or participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity performed under this Agreement. If Contractor is found not to be in compliance with these requirements during the life of this Agreement, Contractor agrees to take appropriate steps to correct these deficiencies.

17. **Applicable Law.**

The laws of the State of New Mexico shall govern this Agreement, without giving effect to its choice of law provisions. Venue shall be proper only in a New Mexico court of competent jurisdiction in accordance with Section 38-3-1 (G) NMSA 1978. By execution of this Agreement, Contractor acknowledges and agrees to the jurisdiction of the courts of the State of New Mexico over any and all lawsuits arising under or out of any term of this Agreement.

18. **Workers Compensation.**

The Contractor agrees to comply with state laws and rules applicable to workers compensation benefits for its employees. If the Contractor fails to comply with the Workers Compensation Act and applicable rules when required to do so, this Agreement may be terminated by the City.

19. **Professional Liability Insurance**. Contractor shall maintain professional liability insurance throughout the term of this Agreement providing a minimum coverage in the amount required under the New Mexico Tort Claims Act. The Contractor shall furnish the City with proof of insurance of Contractor's compliance with the provisions of this section as a condition prior to performing services under this Agreement.

20. **Other Insurance**

If the services contemplated under this Agreement will be performed on or in City facilities or property, Contractor shall maintain in force during the entire term of this Agreement, the following insurance coverage(s), naming the City as additional insured.

A. Workers Compensation (including accident and disease coverage) at the statutory limit.

Employers liability: $100,000.

B. Comprehensive general liability (including endorsements providing broad form property damage, personal injury coverage and contractual assumption of liability for all liability the Contractor has assumed under this contract). Limits shall not be less than the following:
    a. Bodily injury: $1,000,000 per person /$1,000,000 per occurrence.
    b. Property damage or combined single limit coverage: $1,000,000.
    c. Automobile liability (including non-owned automobile coverage): $1,000,000.
    d. Umbrella: $1,000,000.

C. Contractor shall maintain the above insurance for the term of this Agreement and name the City as an additional insured and provide for 30 days cancellation notice on any Certificate of Insurance form furnished by Contractor. Such certificate shall also specifically state the coverage provided under the policy is primary over any other valid and collectible insurance and provide a waiver of subrogation.

21. Records and Financial Audit.

The Contractor shall maintain detailed time and expenditure records that indicate the date; time, nature and cost of services rendered during the Agreement's term and effect and retain them for a period of three (3) years from the date of final payment under this Agreement. The records shall be subject to inspection by the City. The City shall have the right to audit billings both before and after payment. Payment under this Agreement shall not foreclose the right of the City to recover excessive or illegal payments

22. Indemnification.

The Contractor shall defend, indemnify and hold harmless the City from all actions, proceeding, claims, demands, costs, damages, attorneys' fees and all other liabilities and expenses of any kind from any source which may arise out of the performance of this Agreement, caused by the negligent act or failure to act of the Contractor, its officers, employees, servants, subcontractors or agents, or if caused by the actions of any client of the Contractor resulting in injury or damage to persons or property during the time when the Contractor or any officer, agent, employee, servant or subcontractor thereof has or is performing services pursuant to this Agreement. In the event that any action, suit or proceeding related to the services performed by the Contractor or any officer, agent, employee, servant or subcontractor under this Agreement is brought against the Contractor, the Contractor shall, as soon as practicable but no later than two (2) days after it receives notice thereof, notify the legal counsel of the City.

23. New Mexico Tort Claims Act

Any liability incurred by the City of Santa Fe in connection with this Agreement is subject to the immunities and limitations of the New Mexico Tort Claims Act, Section 41-4-1, et. seq. NMSA 1978, as amended. The City and its "public employees" as defined in the New Mexico Tort Claims Act, do not waive sovereign immunity, do not waive any defense and do not waive any limitation of liability pursuant to law. No provision in this Agreement modifies or waives any provision of the New Mexico Tort Claims Act.

24. Invalid Term or Condition.

If any term or condition of this Agreement shall be held invalid or unenforceable, the remainder of this Agreement shall not be affected and shall be valid and enforceable.

25. Enforcement of Agreement.

A party's failure to require strict performance of any provision of this Agreement shall not waive or diminish that party's right thereafter to demand strict compliance with that or any other provision. No waiver by a party of any of its rights under this Agreement shall be effective unless express and in writing, and no effective waiver by a party of any of its rights shall be effective to waive any other rights.

26. Notices.

Any notice required to be given to either party by this Agreement shall be in writing and shall be delivered in person, by courier service or by U.S. mail, either first class or certified, return receipt requested, postage prepaid, as follows:

To the City: Office of Economic Development, P.O. Box 909, Santa Fe, NM 87501

To the Contractor: [Strategic Economics, 2991 Shattuck Avenue, Suite 203, Berkeley, CA, 94705, c/o Dena Belzar, Principal].

27. Authority.

If Contractor is other than a natural person, the individual(s) signing this Agreement on behalf of Contractor represents and warrants that he or she has the power and authority to bind Contractor, and that no further action, resolution, or approval from Contractor is necessary to enter into a binding contract.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date of the signature by the required approval authorities below.

CITY OF SANTA FE:

ALAN WEBBER, MAYOR

DATE: 8/2/19

CONTRACTOR:
STRATEGIC ECONOMICS

Dena Belzar, Principal

DATE: 08-27-2019

CRS# 03-500447-00-9

Registration # 19-00158722

ATTEST:

YOLANDA Y. VIGIL
CITY CLERK

cc mtg. 7-31-19

APPROVED AS TO FORM:

7/2/19
ERIN K. MCSHERRY, CITY ATTORNEY

APPROVED:

(for M. McCoy) 08.02.19
MARY MCCOY, FINANCE DIRECTOR

32161.572970.011990
Business Unit Line Item

Attachment 1

Scope of Work
Performance Measures

Through satisfactory completion of the Scope of Work set forth above and submission of acceptable Deliverables, the Contractor will assist the City to meet the goals and objectives described in The Planning Guidelines for the City's Midtown Property.

Pursuant to RFP # 19/36/P: Economic Analysis & Urban Planning, the Scope of Work has been phased into the following categories and associated Fee structure:

FEE BY SCOPE OF WORK PHASE

Phase 1:	$ 58,961	(2 months)
Phase 2:	$ 90,733	(2-3 months)
Phase 3:	$ 80,113	(2-3 months)
Phase 4:	$ 76,153	(2-3 months)
Subtotal:	$305,960	
Expenses	$ 20,000	(reimbursable)
TOTAL:	$325,960	(total 80-10 months)

PHASE 1: PROJECT INITIATION AND ESTABLISHMENT OF INITIAL PROJECT GOALS AND DECISIONMAKING FRAMEWORK

This work phase will focus on bringing the Strategic Economic team "up to speed" by reviewing already available background material regarding the Midtown Site; establishing the City's preliminary goals and benchmark/measurable objectives against which various development/disposition options for the Site can be evaluated; and, identifying how the various development/disposition options for the site will be identified. The entire Strategic Economics team will participate in a multi-day working session in Santa Fe, and the Strategic Economics leadership team will participate in bi-weekly meetings with Santa Fe's Core Staff/Proyecto. In addition to attending the working session and reviewing background materials, Phase 1 team member activities are shown below by discipline.

Urban Planning Team

Establish Development Framework options based on:

i. Reviewing alternatives from Midtown Property Planning Guidelines
ii. Input from staff on existing building conditions
iii. Buildings suitable for reuse
iv. Buildings suitable for decommissioning and demolition
v. Initial interest in sites and buildings
vi. Access and circulation options based on internal access and establishing

connecting to the greater

Economics Team

Establish modeling parameters and metrics

i. Debt service repayment
ii. Revenue generation for site operation and maintenance costs
iii. Land valuation
iv. Impact fee options and potential revenues
v. Identify parameters for measuring the broader economic impacts associated with various development/development options
vi. Review sources for model inputs including construction costs, rents/sales prices
vii. Review building conditions by building
viii. Review potential disposition strategies (single sale, sell individual parcels, ground lease, etc.)

Infrastructure Team

Energy Systems

i. Establish parameters for further consideration (district energy, net zero buildings, etc.)

Water Management

i. Establish water management priorities for storm water, water conservation, and potentially for managing grey and black water.

Entire Team

i. Set preliminary performance benchmarks by goal/objective including potential community benefits
ii. Establish process for identifying other goals, objectives and performance benchmarks

PHASE 2: IDENTIFY AND TEST DEVELOPMENT FRAMEWORK OPTIONS

Phase 2 work will establish and test various development framework scenarios. Based on input from the City Project Team/Proyecto, the urban planning and infrastructure teams will work together to develop initial development framework scenarios using market input gathered during the previous phase. These scenarios will address land use by building type (existing and new construction); potential parcelization; public and civic space; circulation and access; and infrastructure systems, especially with respect to the way these could impact development patterns/phasing. Once development programs have been identified, the economics team will incorporate these development scenarios into the financial modeling process to assess the direct financial benefits to the City. Additional community benefits and regional impacts will be evaluated during Phase 3 once the most financially viable development/disposition frameworks have been identified. Both the development framework scenarios and the modeling process will be iterative. However, this process must also be accomplished within the budget and scheduling parameters established by the City and the Strategic Economics team. Also, the analysis for some variables may be qualitative instead of quantitative. Phase 2 will culminate in identifying

up to three development framework scenarios and potential disposition strategies that can meet minimum financial performance benchmarks, i.e., are these scenarios financially feasible, do they generate sufficient operating revenues to the City to cover debt service and carrying costs, and do they generate any additional revenue above a "break even" threshold. If certain uses, parcelization strategies, and/or disposition approaches cannot meet these basic financial parameters, they will not be able to offer any additional community benefits, including paying for affordable housing, etc. During Phase 2 Strategic Economics team members will participate in bi-weekly phone calls with the City's Project Team. Detailed team member activities will also include the following:

Urban Planning and Infrastructure Teams

Develop potential development framework alternatives including development programs

i. Use by building type
ii. Parcelization
iii. Access and circulation internal to the Site and to connect with the greater Midtown area

Test infrastructure options

i. Access and circulation
ii. Energy (with input from Integral)
iii. Water management systems (with input from Sherwood)

Refine the development frameworks as necessary

Economics Team

i. Gather cost and revenue data
ii. Build appropriate financial models to test the development/disposition options
iii. Analyze demographic and economic growth trends to inform phasing assumptions
iv. Examine the market potential and financial feasibility of desired land uses, and estimate likely absorption rates
v. Develop phasing options
vi. Identify transaction/disposition structures, which could vary by development type, site location, and/or development phase

PHASE 3: TEST DEVELOPMENT FRAMEWORK OPTIONS PERFORMANCE AGAINST COMMUNITY OBJECTIVES

The Phase 2 results will provide a set of the most robust development/disposition options for the Site. At this point, these options can be further evaluated to test which ones are best able to meet the broader community objectives, focusing on various ways to address housing affordability, employment opportunities, etc. During this Phase, the City Project Team and the Strategic Economics Team will identify various tradeoffs among development options and disposition options to further test financial performance and to measure how each option performs with respect to community benefits. The primary objective of this Phase will be to identify a final development framework for the Site, and to lay the groundwork for Scope B as identified in the Request for Proposals. Because this work Phase is an important step between analyzing alternatives and developing a

final Development Framework, representatives from the economics team and the urban planning team will attend the second in-person working session with the City Project Team. This meeting, or series of meetings, will identify the final evaluation process combining financial and other metrics to test how well the final Framework performs against the City's goals for the site. Another topic to be addressed is the form and content for the final Development Framework/Design Guidelines document to be produced in Phase 4. This document will need to provide sufficient detail to articulate the City's expectations for future uses and users at the Site, but also allow enough flexibility to respond to various market cycles and other incremental changes that may affect the Site's eventual development. Detailed team member activities will also include the following:

Economics Team

i. Prepare further financial evaluation of various development and disposition options and combinations to measure performance against the community's goals for the Site, including financial metrics, community benefits (including affordable housing), sustainability/resilience, delivery mechanisms.
ii. Refine or reconsider phasing options (based on information from RFI).
iii. Refine model assumptions as appropriate (iterative based on trade-offs discussions and potential further community input and developer RFIs).
iv. Identify public agency programs gaps for community stabilization that should be combined with development options to optimize community benefits both on the Site and for the broader Midtown community.

Urban Planning and Infrastructure Teams

i. Refine Development Framework
ii. Identify opportunities to transition the Site's infrastructure towards more sustainable energy and water systems

PHASE 4: PREPARE DEVELOPMENT FRAMEWORK

This final work phase will provide an integrated strategy for advancing future development at the Midtown site by specifying principles and guidelines that address property disposition, development phasing, infrastructure phasing, general circulation, public space, and urban design. A key element of this document will be to address a governance strategy or other ongoing mechanism for decision making to ensure that all public agencies making decisions regarding this site will be making those decisions in a coordinated and holistic manner. This decision-making process should also allow for ongoing community input and accountability. Adopting a governance strategy along with the Development Framework will ensure that the City and its partners, including the private sector, other governmental agencies, and other community partners will all work together to deliver the community's complete vision for the Midtown Site. Strategic Economics team members will work with the City's Project Team to prepare one draft and one final Development Framework document. Strategic Economics Team members will also come to Santa Fe to present the Draft Development Framework and take input from appropriate stakeholders including, but not limited to, City Councilors. Detailed team member activities will also include the following:

Urban Planning and Infrastructure Teams

Prepare Development Framework

i. Prepare design concepts for access and circulation
ii. Identify development parcels
iii. Identify public realm by type
iv. Prepare infrastructure implementation framework

Economics Team

i. Prepare disposition strategy.
ii. Identify preliminary infrastructure funding and financing strategy.
iii. Identify a governance strategy or other mechanism for ensuring that City departments coordinate their ongoing work and investment priorities to ensure that as the Midtown site evolves, it will continue to deliver optimal benefits. This strategy or mechanism may include other public departments, and/or a separate special purpose semi-governmental entity, for preliminary consideration. Strategy will propose next steps in the analysis for establishing the appropriate governance structure, while considering the various large-scale development projects within the City's portfolio.
iv. Refine or reconsider phasing options
v. Identify suggested public agency programs or initiatives focusing on community stabilization
vi. Prepare final model runs against performance benchmarks

2020 11 20 Strategic Economics Amendment #1 Final Draft

Final Audit Report 2020-11-20

Created:	2020-11-20
By:	Irene Romero (ikromero@ci.santa-fe.nm.us)
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"2020 11 20 Strategic Economics Amendment #1 Final Draft" History

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GB ECON DEV STRATEGIV ECONOMICS AMENDMENT 1

Final Audit Report 2020-12-04

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"GB ECON DEV STRATEGIV ECONOMICS AMENDMENT 1" History

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Agreement completed.

2020-12-04 - 4:23:10 PM GMT

CARDENAS, GERALYN F.

From: VIGIL, YOLANDA Y.
Sent: Wednesday, December 9, 2020 10:59 AM
To: CARDENAS, GERALYN F.
Subject: FW: public comment shout out for city clerk pool reservations Salvador Perez

Importance: High

From: Stefanie Beninato <info@nmmediate.com>
Sent: Wednesday, December 9, 2020 10:19 AM
To: ROMERO-WIRTH , CAROL <cromero-wirth@santafenm.gov>; RIVERA, CHRISTOPHER M. <cmrivera@santafenm.gov>; VILLARREAL, RENEE D. <rdvillarreal@santafenm.gov>; ABEYTA, ROMAN R. <rrabeyta@santafenm.gov>; COPPLER, JOANNE V. <jvcoppler@santafenm.gov>; CASSUTT-SANCHEZ, JAMIE A. <jcsanchez@santafenm.gov>; GARCIA, MICHAEL J. <mjgarcia@santafenm.gov>; LINDELL, SIGNE I. <silindell@santafenm.gov>; MCSHERRY, ERIN K. <ekmcsherry@santafenm.gov>; LAPAN HILL, JAREL <jlapanhill@santafenm.gov>; WEBBER, ALAN M. <amwebber@santafenm.gov>; VIGIL, YOLANDA Y. <yyvigil@santafenm.gov>
Subject: public comment shout out for city clerk pool reservations Salvador Perez
Importance: High

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Yolanda
Please include in public comment for 9 Dec
Shout out for City clerk's office

On Friday morning I noticed that Chavez's webpage said it was opened. I have a reservation to swim on Friday afternoons. I called the general # at Chavez to find an outdated message (3 weeks old about closure) I called two other # at Chavez—no answer. I called head of Rec (John Munoz) whom I did not expect to answer but I also called his assistant and again no answer at those numbers.
I then called the city manager's office—it went to constituent service voice mail. I called the Mayor's office and it too went to constituent service voice mail.
Where are all the numerous and highly paid staff in the latter two offices? How are they responding to public needs during this time of shutout OH I mean shutdown at the city….
In desperation I called the city clerk's office because during this shutdown I have found on the few occasions I had a question I thought was in their realm someone ACTUALLY answers the phone. True to form someone DID ANSWER . I was hoping they could walk downstairs and find someone in either mayor/city manager's office. I knew it was asking them to go beyond their pay level but GUESS WHAT? Jerilyn called me back and told me that she had called several #s and was unable to get any response. I want to give a SHOUTOUT to Ms Vigil and her staff for being responsive and going the extra steps to help a constituent who is a senior and disabled and really needs to use the pool And just for being there and always answering the phone.
Also very happy the pool is reopened. And the solution for pool reservations being limited to 2 swims a week is not to go back to everday calling but to OPEN SALVADOR PEREZ ASAP.
Thank you
Stefanie Beninato

CARDENAS, GERALYN F.

From: VIGIL, YOLANDA Y.
Sent: Wednesday, December 9, 2020 11:00 AM
To: CARDENAS, GERALYN F.
Subject: FW: Public Comment on integrity of Asst city attorney and waste of city resources.

Importance: High

From: Stefanie Beninato <info@nmmediate.com>
Sent: Wednesday, December 9, 2020 10:19 AM
To: WEBBER, ALAN M. <amwebber@santafenm.gov>; ROMERO-WIRTH , CAROL <cromero-wirth@santafenm.gov>; RIVERA, CHRISTOPHER M. <cmrivera@santafenm.gov>; VILLARREAL, RENEE D. <rdvillarreal@santafenm.gov>; ABEYTA, ROMAN R. <rrabeyta@santafenm.gov>; COPPLER, JOANNE V. <jvcoppler@santafenm.gov>; CASSUTT-SANCHEZ, JAMIE A. <jcsanchez@santafenm.gov>; GARCIA, MICHAEL J. <mjgarcia@santafenm.gov>; LINDELL, SIGNE I. <silindell@santafenm.gov>; MCSHERRY, ERIN K. <ekmcsherry@santafenm.gov>; LAPAN HILL, JAREL <jlapanhill@santafenm.gov>; VIGIL, YOLANDA Y. <yyvigil@santafenm.gov>
Subject: Public Comment on integrity of Asst city attorney and waste of city resources.
Importance: High

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Yolanda Please include for public comment There is no such place on portal to make public comments In fact it is not on the agenda
PUBLIC COMMENT FOR 9 DEC meeting
Mayor and Council:
Why do you have an assistant city attorney staffing the HDRB who does not know that Ord 2.5-1 clearly states that the city Attorney's Office represents the board? Why didn't the city attorney know that? That means that in the case you all dismissed without really reading the 105 pages she buried you with (203 E Santa Fe Ave 14 OCt 2020) that the CAO was the Appellee—not the owner. The ordinance which you had in front of you said the APPELLEE had to be served….There is NOTHING in 2.5-1 that says the CAO can delegate that statutory responsibility to represent the board to a LAY PERSON. There is no other definition of Appellee in the code. Maybe you all should ask as many questions about these unconstitutional administrative "recommendations" as you do about leases and grants. Maybe you should allow the Appellant an opportunity to be heard. It is a TOTAL WASTE OF EVERYONE"s RESOURCES!!! And BTW the city ordinance is SILENT on waiver of service but case law is not. Parties can waive service of process requirements even when stated in mandatory terms and if you had bothered to get to RP 96 in 203 E Santa Fe Ave case you would have seen that the owner KNOWINGLY accepted LATE service BTW the city issued a permit despite an ongoing appeal at district court on this project.

Additionally last week Ms Paez sleep walked through another application by the same architect Wayne Lloyd who argued for 203 E Santa Fe Ave that aging in place was a hardship and a future speculative need could be conclusively proved just by saying it might happen. He argued to get a 2nd story on a commercial bldg. on Catron that the hardship was that they could not comply with the needed parking places without the 2nd story. THE ZONING CODE (the law) can NEVER be used as a hardship Not only did Paez remain mute but the historic staff member only wasn't sure that it met the criterion. WHAT A WASTE OF TIME….If your staff is so poorly trained and members of the HDRB so clueless—even those who have been on the board for 20 plus years (and I know this use of the zoning code as a hardship has been

rejected before and rightly so since there is case law to that effect) why not save everyone money and time and just let the city go to 4 or 5 stories and overcrowd lots. I mean DO YOU REALLY CARE???
IMHO Ms Paez should be removed as CAO liaison to the board at the least.

Tonight yet another screw up….wrong code connection…Why could that not have been corrected immediately. I know I can set up an instant meeting if I need to on zoom so why can't the city. Less than a month ago the HDRB cancelled a meeting because public notice was not timely given.

As a taxpayer, I resent my money being wasted in this way.
I would like a written response.
Thank you.
Stefanie Beninato

City of Santa Fe, New Mexico

memo

DATE: **December 1, 2020**

TO: **City Council**

FROM: **Mayor Alan Webber**

RE: **Appointment**

I would like to make the following appointment:

Occupancy Tax Advisory Board

Keith S. Kirk (Lodging Industry) – to fill unexpired term ending 2/2021 (Resume attached)

KEITH S. KIRK

OBJECTIVE **Hotel Operations** or related position utilizing experience, education, and proven record of performance in the area of hotel operations, sales, account management, revenue management, training and customer service.

SUMMARY 22 + years experience in hotel operations, property management systems, sales, training and customer service with demonstrated skills and experience including:

- **OPERATIONS / MANAGEMENT** – Focusing on QSPT Goals for Drury Hotels, meeting or exceeding the Quality, Service, Profitability and Turnover Goals of the Company. Operating one of Drury Hotels top performing hotels for 10 years.
- **TRAINER / MENTOR** – Training leader for Drury Hotels, helping to rollout and provide support for new programs, software, hardware and policies. Mentor to new General Managers and help develop their skills and provide support guidance.

Strengths Include: energetic, team player; excellent problem-solver, strict attention to detail; strong positive communication and interpersonal skills; highly results oriented.

EXPERIENCE

DRURY PLAZA HOTEL IN SANTA FE, Santa Fe, New Mexico 11/15 to Present

DRURY INN & SUITES TEMPE, Phoenix, Arizona 9/14 – 11/15 (Opened our third hotel in the Phoenix market)

DRURY INN & SUITES PHOENIX AIRPORT , Phoenix, Arizona 3/11 – 9/14 (Opened new hotel in our new market)

DRURY INN & SUITES NEAR THE GALLERIA, Houston, Texas 4/1 – 3/11

General Manager Responsibilities

- Drive revenue growth and protect customer base in the consumer market
- ADR has increased $25.00 and REV PAR has increased $17 during tenure at hotel
- Total Revenue has grown more than $850,000 during tenure at hotel
- Effectively penetrate existing and new clients by partnering with internal and external resources
- Successfully execute sales plans and analyze customer needs
- Delegating, training and development of the management team
- Provide targeted collateral for distribution to retail partners
- Mentor to new General Manager within the company's development program
- Trainer for Region 6 within the Drury Hotels Structure.
- Responsible for entire operation of the hotel
- Consistently has met Quality, Service, Profitability & Turnover Goals year after year
- Annually Honor Roll Award winner for almost entire tenure
- JD Power Award 2006, 2007, 2008, 2009 & 2010 "Highest in Guest Satisfaction among mid-scale hotel chains with limited service 5 years in a row"

DRURY INN & SUITES HOUSTON WEST, Houston, Texas
General Manager, 8/99 – 4/01

- Re-build hotel team from ground up, took over poorly run operation and made successful
- Focus on Quality, Service, Profitability and Turnover Goals of the Company
- Achieved Honor Roll Status for Hotel
- Raised Hotel ADR and Increased overall Revenue Production
- Responsible for entire operation of the hotel
- Hiring, training, coaching, counseling & development of entire team
- Promoted back to the Galleria Location after proven success and results as a General Manager

DRURY INN & SUITES NEAR THE GALLERIA, Houston, Texas
Assistant General Manager, 8/96 – 8/99

- Responsible for front desk operation of the hotel
- Assisted the General Manager in meeting all of the hotels QSPT Goals
- Responsible training & development of front desk employees
- Oversaw the collections of hotel accounts and maintaining current billings
- Responsible for scheduling Front Desk, Maintenance, Breakfast & Sales
- Traveled to other hotel locations within the company to assist with management coverage and training needs

DESIGNFIT, INC, Houston, Texas
Co-Owner / Manager, 1999 – 2004

- Co-owner and operator of a private personal training studio and private gym.
- Hiring trainers and gym personnel
- Office Manager
- Membership Development, Marketing and Sales

CARL JUNCTION R-1 SCHOOL DISTRICT, Carl Junction, Missouri
Educator / Coordinator, 8/87 – 8/96

- American History instructor 8th Grade
- Developed successful lesson plans and implemented daily
- Achieved annually assessment goals that evaluated students success
- Created a nationally acclaimed Educations Travel Program
- Director of the National History Day Program
- Sponsor and Coach for Future Problem Solvers Academic Program
- Assistant Coach for Volleyball, Basketball and Wrestling
- Certified Driver's Education Instructor
- Developed Special Educational Travel Class for elective credit

GRADUATE COLLEGE INSTRUCTOR, Bolivar, Missouri
Graduate Class Instructor, Summer 1995

- Developed Educational travel class for the University.
- Taught class that culminated in taking secondary educators to Washington D.C.
- Responsible for curriculum development and evaluations.

MORROW'S NUT HOUSE, Independence, Missouri
Employee / Manager / Trainer, 10/81-08/87

- Retail sales of nuts and candies
- Youngest person to become Retail Manager of Independence Center Mall Location
- Responsible for hiring, training, and team development
- Traveled for Company to help open new locations

EDUCATION

- Bachelor of Science in Social Science Education & Psychology. Missouri Life Certification in Secondary Education in Social Studies and Driver's Education. Southwest Baptist University, Bolivar, Missouri. May 1987. GPA 3.6 on a 4.0 scale (3.8 in major fields).
- Master of Science in Education with History emphasis. Southwest Baptist University, Bolivar, Missouri. GPA 4.0 on a 4.0 scale.

HOTEL WORKSHOPS & PROFESSIONAL DEVELOPMENT

- 2005-2009 AMTC (Advanced Managers Training Classes)
- Annual Management Conference
- 2000-2007 LAFF & DIRFT Workshops
- 1998 Sales Development Workshop
- 1997 Seven Habits of Highly Effective People (Covey)
- 1997 Lead to Succeed
- 1996 Management Training
- 1996 Personnel Workshop

ACHIEVEMENTS

DRURY HOTELS OPERATIONAL ACHEIVEMENTS & AWARDS

Awards are given in 4 areas of Operational Excellence: Quality, Service, Profitability & Turnover Performance is judged against all Drury Hotels nationwide.

- 2009 Turnover Top Performer 1st place
- 2008 Turnover Top Performer 2nd place
- 2007 Turnover Top Performer 1st place
- 2006 Turnover Top Performer 2nd place
- 2005 Turnover Top Performer 3rd place
- 2005 Overall Top Performing Hotel 1st place all Categories Combined (highest award)
- 2004 Overall Top Performing Hotel 3rd place all Categories Combined
- 2002 Overall Top Performing Hotel 1st place all Categories Combined (highest award)
- 2001 Overall Top Performing Hotel 1st place all Categories Combined (highest award)
- 2001 Service Top Performer 3rd place

Honor Roll Hotel: Meeting all Drury Goals of Quality, Service, Profitability & Turnover

- 1997, 1998, 1999, 2000, 2001, 2005, 2006, 2007, 2008

EDUCATION RELATED ACHEIVEMENTS & AWARDS

- Missouri History Day Teacher of Merit, 1993
- National History Day Missouri representative to Summer Institute in Washington, D.C., 93 & 95.
- Roelker Mentorship Award Finalist, 1995
- Who's Who Among America's Teachers, 1993, 1994,1995
- Judge Clay Cowgill Blair Outstanding Teacher Of the Year Award for Carl Junction Schools 1993
- Distinguished Educator Award –*The Joplin Globe* 1993
- National History Day/Missouri History Day Certificate of Recognition, 1988-1995 consecutively
- Missouri Scholar's Academy Teacher Appreciation Award, 1991
- Dean's List 1983-87
- President's List 1985-87
- University Scholars Award
- Dillard A. Mallory Education Award.

ACTION SHEET
ITEM FROM FINANCE COMMITTEE MEETING OF 10/19/20
FOR CITY COUNCIL MEETING OF 10/28/20

e) Consideration of Bill No. 2020-__: An Ordinance Amending Section 2-4.6 SFCC1987 to Allow the City Manager to Enter Agreements Accepting Funds that Are Offered to the City Without Time to Place the Agreements on the Next Scheduled Governing Body Meeting, with Ratification by the Governing Body at the next Scheduled Meeting for which the Deadline to Include the Matter on an Agenda Has not yet Passed; and Amending Section 11-4 to Allow the City Manager to Approve Grant Applications, Grant Awards, Grant Match Requirements, and Grant Agreements in any Amount if the Deadline to Approve Such Documents Occurs Before the Deadline to Include the Application or Award on the Agenda for the Governing Body's Next Regularly Scheduled Meeting, with Ratification by the Governing Body at the Next Scheduled Meeting for Which an Agenda Has not yet Been Posted. (Councilors Rivera and Cassutt-Sanchez) (Marcos Martinez, mdmartinez@santafenm.gov, 955-6502)

COMMITTEE	**REVIEW:**
Public Works and Utilities Committee:	10/13/20
Governing Body (request to publish):	10/14/20
Finance Committee:	10/19/20
Governing Body (public hearing):	11/10/20

FINANCE COMMITTEE ACTION:
Approved on Consent

FUNDING SOURCE:

SPECIAL CONDITIONS OR AMENDMENTS

VOTE	**FOR**	**AGAINST**	**ABSTAIN**
COUNCILOR ROMERO-WIRTH	x		
COUNCILOR CASSUTT-SANCHEZ	x		
COUNCILOR LINDELL	x		
COUNCILOR VILLARREAL	x		
CHAIRPERSON ABEYTA	x		

9-19-20

ACTION SHEET
PUBLIC WORKS AND UTILITES COMMITTEE MEETING OF 10/13/2020

ISSUE NO. 9B

Consideration of Bill No. 2020-__: An Ordinance Amending Section 2-4.6 SFCC1987 to Allow the City Manager to Enter Agreements Accepting Funds that Are Offered to the City Without Time to Place the Agreements on the Next Scheduled Governing Body Meeting, with Ratification by the Governing Body at the next Scheduled Meeting for which the Deadline to Include the Matter on an Agenda Has not yet Passed; and Amending Section 11-4 to Allow the City Manager to Approve Grant Applications, Grant Awards, Grant Match Requirements, and Grant Agreements in any AMount if the Deadline to Approve Such Documents Occurs Before the Deadline to Include the Application or Award on the Agenda for the Governing Body's Next Regularly Scheduled Meeting, with Ratification by the Governing Body at the Next Scheduled Meeting for Which an Agenda Has not yet Been Posted. (Councilors Rivera and Cassutt-Sanchez)

COMMITTEE REVIEW:
Public Works and Utilities Committee: 10/13/20
Governing Body (request to publish): 10/14/20
Finance Committee: 10/19/20
Governing Body (public hearing): 11/10/20

PUBLIC WORKS AND UTILITES COMMITTEE ACTION: Approved on Consent Agenda to forward to 10/14/2020 Governing Body

SPECIAL CONDITIONS OR AMENDMENTS:

STAFF FOLLOW UP:

VOTE:	FOR	AGAINST	ABSTAIN
COUNCILOR RIVERA, CHAIR	X		
COUNCILOR GARCIA	X		
COUNCILOR ABEYTA	X		
COUNCILOR LINDELL	Excused		
COUNCILOR VIGIL COPPLER	X		

City of Santa Fe New Mexico
Memorandum

Date: October 1, 2020

To: Public Works and Utilities Committee, Finance Committee, and Governing Body

Via: Erin K McSherry, City Attorney EM

From: Marcos Martinez, Senior Assistant City Attorney MM

RE: Bll No. 2020-__: City Manager Grant Authority

ITEM AND ISSUE:

This Bill proposes to grant the City Manager the authority to enter agreements seeking or accepting funds offered to the city, of any amount, when the deadline to seek or accept the funds occurs before the deadline to include the agreement on the agenda for the Governing Body's next regularly scheduled meeting.

BACKGROUND AND SUMMARY:

Under the current City Code, the City Manager can only enter into grant agreements up to sixty thousand dollars ($60,000). Although this is convenient for small grant applications and awards, the City receives other funding opportunities, often with short deadlines that require special or emergency meetings of the Governing Body to apply or accept the awards.

With this Bill, the City Manager will be able to apply or accept money on behalf of the City if there is insufficient time to bring the grant to the next regularly scheduled meeting. The agreements the City Manager approves under this change shall be subject to ratification by the GB ody at the next scheduled meeting for which an agenda has not yet been posted.

The Bill amends both Section 2-4.6 which relates to the powers and duties of the City Manager as well as 11-4 which relates to budget adjustments. Both Sections need to be amended to allow the City Manager to enter the grant agreements.

ACTION REQUESTED:

Approve the Bill as presented.

ATTACHMENTS:

Bill
Fiscal Impact Report

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2020-34

INTRODUCED BY:

Councilor Chris Rivera

Councilor Jamie Cassutt-Sanchez

AN ORDINANCE

AMENDING SECTION 2-4.6 SFCC 1987 TO ALLOW THE CITY MANAGER TO ENTER AGREEMENTS ACCEPTING FUNDS THAT ARE OFFERED TO THE CITY WITHOUT TIME TO PLACE THE AGREEMENTS ON THE NEXT SCHEDULED GOVERNING BODY MEETING, WITH RATIFICATION BY THE GOVERNING BODY AT THE NEXT SCHEDULED MEETING FOR WHICH THE DEADLINE TO INCLUDE THE MATTER ON AN AGENDA HAS NOT YET PASSED; AND AMENDING SECTION 11-4 TO ALLOW THE CITY MANAGER TO APPROVE GRANT APPLICATIONS, GRANT AWARDS, GRANT MATCH REQUIREMENTS, AND GRANT AGREEMENTS IN ANY AMOUNT IF THE DEADLINE TO APPROVE SUCH DOCUMENTS OCCURS BEFORE THE DEADLINE TO INCLUDE THE APPLICATION OR AWARD ON THE AGENDA FOR THE GOVERNING BODY'S NEXT REGULARLY SCHEDULED MEETING, WITH RATIFICATION BY THE GOVERNING BODY AT THE NEXT SCHEDULED MEETING FOR WHICH AN AGENDA HAS NOT YET BEEN POSTED.

underscored material = new [~~bracketed material~~] = delete

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

Section 1. Section 2-4.6 of SFCC 1987 (being Ord. No. 1954-3, § 3, as amended) is amended to read:

2-4 CITY MANAGER

2-4.6 Powers and duties of the city manager.

The city manager shall:

A. Be the chief administrator officer of the city, and be the contracting officer of the city, with the approval of the governing body. The city manager shall enter into or terminate the following types of contracts or agreements only with the express approval of the governing body. This does not change the city manager's authority already established in the city's procurement code.

(1) Memoranda of understanding (MOUs) with governmental entities, joint powers agreements (JPAs), or any other agreement or contract with a value that exceeds the authority given to the city manager under the city's procurement code. For the purposes of this provision governmental entity includes but is not limited to; counties, states, federal agencies, housing authorities, tribes or intergovernmental agencies;

(2) Agreements on land use issued that modify the terms of land use approvals made by the governing body or any other public decision-making body to whom the governing body has delegated some of its zoning and land use authority, or agreements on land use issues that deviate from the ordinances contained in Chapter 14 SFCC 1987 or any plans or agreements that have been approved under those ordinances except as may be authorized in Chapter 14 or by such agreement.

B. Have the authority to enter agreements seeking or accepting funds of any amount, when the deadline to seek or accept the funds occurs before the deadline to include

the agreement on the agenda for the governing body's next regularly scheduled meeting. Such agreements shall be subject to ratification by the governing body at the next scheduled meeting for which an agenda has not yet been posted.

[~~B~~]C. Employ and discharge all municipal employees in accordance with the city's personnel rules and regulations, collective bargaining agreements and other applicable policies and ordinances;

[~~C~~]D. Coordinate and supervise the activities and operations of the various departments established by the governing body within the city government, and efficiently manage the administrative affairs of the city;

[~~D~~]E. Carry out, expeditiously and efficiently, the programs and policies adopted by the governing body and cause to be enforced all ordinances and regulations adopted by the governing body;

[~~E~~]F. Attend all meetings of the governing body and of committees thereof, or send a delegate, and the city manager or delegate shall participate in the discussion of all matters pertaining to the administration of city affairs coming before the governing body or such committees, but the city manager or delegate shall not have the right to vote;

[~~F~~]G. Be responsible for the preparation of the annual budget;

[~~G~~]H. Keep the governing body informed of the financial condition and of the needs of the city and render reports with respect thereto and with respect to all other city affairs at such times and in such forms as may, from time to time, be prescribed by the governing body, accompanied by such recommendations as the city manager may deem advisable;

[~~H~~]I. Formulate and recommend to the mayor and city council the adoption of such measures as the city manager may, from time to time, deem necessary or advisable for the health, safety and welfare of the city and its inhabitants, or for the improvement of administrative or departmental functions and services;

[~~I~~]J. Make recommendations with respect to the purchase in behalf of the city departments of materials, supplies and equipment and supervise the making of such purchases when and in the manner authorized by the governing body;

[~~J~~]K. Ensure that the city's collective bargaining management team and the governing body hold a meeting in executive session for the purpose of broadly discussing issues of collective bargaining previous to the annual collective bargaining negotiations between the city and its bargaining units so as to empower the management team with the authority to negotiate in good faith; and

[~~K~~]L. May appoint a deputy city manager within sixty (60) days of being appointed city manager. Prior to the appointment of a deputy city manager, the city manager shall present a job description to the governing body for review and approval. The powers and duties designated to the deputy city manager shall not exceed the powers and duties of the city manager.

[~~L~~]M. Report to the governing body every six months regarding the organization of the city's departments and divisions.

Section 2. Section 11-4 of SFCC 1987 (being Code 1953, Sec. 2-66, as amended) is amended to read:

11-4 BUDGET ADJUSTMENTS.

When budget adjustments are needed during the fiscal year, the following procedures shall apply:

A. The finance director has the authority to approve budget increases or decreases in revenue or transfers-in or in expenditures, expenses or transfers-out, that reflect increases or decreases in the budget up to and including five thousand dollars ($5,000.00).

B. The city manager has the authority to approve budget increases or decreases in revenue or transfers-in or in expenditures, expenses or transfers-out, that reflect increases

or decreases in the budget up to and including sixty thousand dollars ($60,000.00).

C. The governing body shall approve budget increases or decreases in revenue or transfers-in or in expenditures, expenses or transfers-out, that reflect increases or decreases in the budget that are over sixty thousand dollars ($60,000.00).

D. Budget adjustments approved by the finance director, city manager, and the governing body shall be included by fund in a quarterly budget resolution approved by the governing body.

E. Budget adjustment requests will conform to the rules and regulations adopted by the local government division of the department of finance and administration.

F. For budgets associated with grants and grant agreements, the following shall apply:

(1) The finance director may approve grant applications, grant awards, grant match requirements, and agreements up to and including five thousand dollars ($5,000.00).

(2) The city manager may approve grant applications, grant awards, grant match requirements, and grant agreements up to and including sixty thousand dollars ($60,000.00), or in any amount if the deadline to approve grant applications, grant awards, grant match requirements, or grant agreements occurs before the deadline to include the application or award on the agenda for the governing body's next regularly scheduled meeting, in which case the application or award shall be subject to ratification by the governing body at the next scheduled meeting for which an agenda has not yet been posted.

(3) The city manager may approve budget revenue and related expenditure/expense increases exceeding sixty thousand dollars ($60,000.00) (including budget adjustments or decreases, as applicable), for grants provided that all

of the following conditions are met:

(a) The governing body has already approved the grant application including the recommended match (if applicable), unless the deadline to seek or accept the funds occurs before the deadline to include the agreement on the agenda for the governing body's next regularly scheduled meeting, in which case the agreement shall be subject to ratification by the governing body at the next scheduled meeting for which an agenda has not yet been posted; and

(b) The final grant award does not significantly differ from the grant application in the amount, match, requirements, or other requirements on the part of the city; and

(4) Any city department receiving a grant shall submit a copy of the final award agreement and documentation for the grant to the finance department for financial tracking, reporting and auditing purposes.

G. Unspent amounts from multi-year grants and capital projects that the governing body approved in the prior fiscal year may be appropriated in the following fiscal year if the department administering the grant or capital project requests, and the finance director approves, such an appropriation. The appropriation shall be the entire remaining balance and it shall be budgeted for the same purpose and project that were approved by the governing body during the prior fiscal year. The finance department shall include such amounts in a quarterly budget resolution for review and approval of the governing body.

APPROVED AS TO FORM:

ERIN K. McSHERRY, CITY ATTORNEY

FIR No. 3282

FISCAL IMPACT REPORT

General Information:

(Check) Bill: X Resolution: _____

Short Title(s): City Manager Grant Authority

Sponsor(s): Councilor Rivera and Cassutt-Sanchez

Reviewing Department(s): City Attorney's Office

Staff Completing FIR: Marcos Martinez Date: 9/16/20 Phone: 955-6502

Reviewed by City Attorney: _____ Date: Oct 1, 2020

Reviewed by Finance Director: _____ Date: Oct 1, 2020

Summary:
The purpose of this bill is to grant the City Manager the authority to enter agreements seeking or accepting funds offered to the city of any amount, when the deadline to seek or accept the funds occurs before the deadline to include the agreement on the agenda for the Governing Body's next regularly scheduled meeting. Such agreements shall be subject to ratification by the Governing Body at the next scheduled meeting for which an agenda has not yet been posted.

Departments Affected:
All departments.

Consequences of Not Enacting Legislation:
The City may continue to hold special or emergency meetings to meet funding deadlines or risk missing such deadlines and potentially funding opportunities.

Conflict, Duplication, Companionship, or Relationship to Other Legislation:
None.

Performance and Administrative Implications:
If the Governing Body adopts the Bill, the City will be able to act more expeditiously on funding applications and agreements.

Fiscal Implications:
The City will be less likely to miss grant funding deadlines.

Fiscal Impact

X Check here if no fiscal impact

Expenditures

Expenditure Type	FYE __	FYE __	FYE __	Require BAR (Y/N)	Recurring (R) or Non-recurring (NR)	Fund	3-Year Total Cost
Personnel and Benefits*	$	$	$				
Capital Outlay	$	$	$				
Contractual/ Professional Services	$	$	$				
Operating	$	$	$				$
Total:	$	$	$				$

* This includes all staff time associated with executing the job functions of the proposed legislation.

Expenditure Narrative:

Revenue

Revenue Type	FYE __	FYE __	FYE __	Recurring (R) or Non-recurring (NR)	Fund
General Fund	$	$	$		
Special Revenue	$	$	$		
CIP	$	$	$		
Enterprise	$	$	$		
Internal Service	$	$	$		
Trust and Agency	$	$	$		
Federal	$	$	$		
Other	$	$	$		
Total	$	$	$		

Revenue Narrative:

Signature: Marcos Martinez
Marcos Martinez (Oct 1, 2020 10:33 MDT)

Email: mdmartinez@santafenm.gov

City of Santa Fe New Mexico
Memorandum

Date: November 5, 2020

To: Mayor & City Council

Via: Jarel LaPan Hill, City Manager JLH
Elias Isaacson, Land Use Director ESI

From: Carlos Gemora; CIAC Staff Liaison, Senior Land Use Planner CEG

RE: Impact Fee Capital Improvement Plan 2021-2027 – Resolution Adopting Plan & Bill Amending 14-8.14

ITEM AND ISSUE:
This proposal involves a resolution to adopt the Impact Fee Capital Improvement Plan 2021-2027 (IFCIP) and an ordinance amending impact fees assessed in Section 14-8.14 SFCC 1987. Both items are legally required to continue the collection of impact fees.

BACKGROUND & SUMMARY:
Impact fees are used by local governments to charge new development a proportionate share of the infrastructure costs they impose on the community. In New Mexico, impact fees shall only be collected per a valid capital improvement plan which estimates the cost of providing infrastructure, calculates the maximum amount of impact fees we can charge, and documents the types of projects we can spend impact fees on (New Mexico *Development Fees Act* Sec. 5-8-1, et seq., NMSA).

The City currently charges impact fees for roads, parks, fire, and police facilities per Section 14-8.14 SFCC 1987. Past funds have been used to develop SWAN Park, the Railyard Park, the Southside Library, parks in Las Soleras, expansions to Rufina, Siler, and Cerrillos Road, sidewalk improvements throughout the city, and fire station expansions. Forthcoming projects include new park bathrooms, playground and exercise equipment, roadway improvements, and increased storage for the Fire and Police Departments. The Capital Improvements Advisory Committee (CIAC) provides citizen oversight, reviews fund utilization, and provides recommendations regarding the IFCIP and assessment of fees.

The proposed ordinance initially maintains lower fees but also establishes annually increasing fees ($300-600 for most residential units) to "catch-up" and maintain relevance with escalating infrastructure costs. The resolution and ordinance update the existing IFCIP (2014-2020), provide compliance with state requirements, and allow the City to continue collecting impact fees.

ACTION REQUESTED:
Staff request approval of both the resolution to adopt the IFCIP update (2021-2027) and the ordinance amending the assessment of impact fees (Section 14-8.14 SFCC 1987).

IMPACT FEE CAPITAL IMPROVEMENT PLAN:

The proposed plan has been assembled in compliance with New Mexico state laws via a professional contractor. Most importantly, the plan documents that the calculated cost of providing infrastructure for new development has risen dramatically (in most cases) and provides a legal nexus for assessing increased fees on new development.

The proposed IFCIP also includes land use assumptions which forecast residential growth and it documents the types of projects eligible for impact fee expenditures. Though growth is forecasted and eligible projects are listed in the plan, the document does not analyze where or how growth will occur and does not prioritize which projects are most important to the City nor does it estimate when, how or if projects will be initiated within a particular time frame.

The following tables show the fees adopted in 2014, the maximum fees calculated in 2020, and the percentage of difference between the two. Maximum calculated fees reflect an estimated cost of providing infrastructure to new development, not the proposed assessment of fees.

2014 Assessed Fees

Land Use Type	Unit	Roads	Parks	Fire	Police	Total
Single-Family Detached*						
1,500 sq. ft. or less	Dwelling	$1,894	$967	$154	$64	$3,079
1,501-2,000 sq. ft.	Dwelling	$2,064	$1,010	$161	$68	$3,303
2,001-2,500 sq. ft.	Dwelling	$2,141	$1,108	$176	$74	$3,499
2,501-3,000 sq. ft.	Dwelling	$2,245	$1,163	$186	$78	$3,672
More than 3,000 sq. ft.	Dwelling	$2,377	$1,238	$197	$83	$3,895
Accessory Unit	Dwelling	$947	$483	$77	$32	$1,539
Multi-Family	Dwelling	$1,299	$945	$150	$63	$2,457
Retail/Commercial	1,000 sq. ft.	$4,006	$0	$269	$113	$4,388
Office	1,000 sq. ft.	$2,402	$0	$126	$53	$2,581
Industrial	1,000 sq. ft.	$1,856	$0	$55	$23	$1,934
Warehouse	1,000 sq. ft.	$968	$0	$24	$10	$1,002
Mini-Warehouse	1,000 sq. ft.	$375	$0	$22	$9	$406
Public/Institutional	1,000 sq. ft.	$1,460	$0	$113	$48	$1,621

2020 Maximum Calculated Fees

Land Use Type	Unit	Roads	Parks	Fire	Police	Total
Single-Family Detached (avg.)	Dwelling	$3,403	$2,935	$559	$141	$7,038
1,500 sq. ft. or less	Dwelling	$3,208	$2,700	$514	$130	$6,552
1,501-2,500 sq. ft.	Dwelling	$3,381	$2,906	$554	$140	$6,981
2,501-3,000 sq. ft.	Dwelling	$3,553	$3,111	$592	$150	$7,406
more than 3,000 sq. ft.	Dwelling	$3,748	$3,346	$636	$161	$7,891
Accessory Unit	Dwelling	$1,673	$1,849	$352	$89	$3,963
Multi-Family	Dwelling	$1,961	$2,201	$420	$106	$4,688
Mobile Home Park	Space	$1,802	$4,491	$855	$216	$7,364
Retail/Commercial	1,000 sq. ft.	$4,670	$0	$624	$158	$5,452
Office	1,000 sq. ft.	$3,986	$0	$303	$77	$4,366
Industrial	1,000 sq. ft.	$1,592	$0	$131	$33	$1,756
Warehouse	1,000 sq. ft.	$825	$0	$61	$15	$901
Mini-Warehouse	1,000 sq. ft.	$403	$0	$12	$3	$418
Public/Institutional	1,000 sq. ft.	$1,808	$0	$140	$36	$1,984

INITIAL ASSESSMENT OF IMPACT FEES (2021):

The IFCIP 2021-2027 calculates the maximum amount of impact fees that may be assessed but does not determine at what rate the City should assess fees. The City may assess a lesser amount of fees based on each individual impact fee category (roads, parks, fire, police). Existing fees currently comprise half the calculated cost of new, growth-related infrastructure. The Land Use Department, in consultation with Ordinance Sponsor Mayor Alan Webber, the receiving departments, and per the recommendation of the CIAC, proposes initial fees (2021) which are relatively similar to 2014 fees.

The proposal is to assess Roads fees at 70%, Parks fees at 40%, Fire fees at 40%, and Police fees at 50% of the maximum calculated in the IFCIP. In 2021, fees would increase by $322 for each new single-family detached unit (2,001 and 2,500 square feet), $17 for multi-family units, and would *decrease* retail/commercial fees by $790 per 1,000 square feet. Fees cannot be assessed based on the land use type, thus we cannot decrease residential fees or increase commercial fees independently.

Proposed Impact Fee Schedule (2021)

Land Use Type	Unit	Roads	Parks	Fire	Police	Total
Adoption Percentage of Maximum:		70%	40%	40%	50%	
Single-Family Detached						
1,500 sq. ft. or less	Dwelling	$2,246	$1,080	$206	$65	$3,596
1,501-2,500 sq. ft.	Dwelling	$2,367	$1,162	$222	$70	$3,821
2,501-3,000 sq. ft.	Dwelling	$2,487	$1,244	$237	$75	$4,043
more than 3,000 sq. ft.	Dwelling	$2,624	$1,338	$254	$81	$4,297
Accessory Unit	Dwelling	$1,171	$740	$141	$45	$2,096
Multi-Family	Dwelling	$1,373	$880	$168	$53	$2,474
Mobile Home Park	Space	$1,261	$1,796	$342	$108	$3,508
Retail/Commercial	1,000 sq. ft.	$3,269	$0	$250	$79	$3,598
Office	1,000 sq. ft.	$2,790	$0	$121	$39	$2,950
Industrial	1,000 sq. ft.	$1,114	$0	$52	$17	$1,183
Warehouse	1,000 sq. ft.	$578	$0	$24	$8	$609
Mini-Warehouse	1,000 sq. ft.	$282	$0	$5	$2	$288
Public/Institutional	1,000 sq. ft.	$1,266	$0	$56	$18	$1,340

Change Between 2014 Assessed Fees & Proposed 2020 Proposed Fees

Land Use Type	Unit	Roads	Parks	Fire	Police	Total
Change for 2,001-2500sf Single-Family		$322		Change for Multi-Family		$17
Single-Family Detached						
1,500 sq. ft. or less	Dwelling	19%	12%	34%	2%	17%
1,501-2,000 sq. ft.	Dwelling	15%	15%	38%	3%	16%
2,001-2,500 sq. ft.	Dwelling	11%	5%	26%	-5%	9%
2,501-3,000 sq. ft.	Dwelling	11%	7%	27%	-4%	10%
more than 3,000 sq. ft.	Dwelling	10%	8%	29%	-3%	10%
Accessory Unit	Dwelling	24%	53%	83%	39%	36%
Multi-Family	Dwelling	6%	-7%	12%	-16%	1%
Mobile Home Park	Space	n/a	n/a	n/a	n/a	n/a
Retail/Commercial	1,000 sq. ft.	-18%	n/a	-7%	-30%	-18%
Office	1,000 sq. ft.	16%	n/a	-4%	-27%	14%
Industrial	1,000 sq. ft.	-40%	n/a	-5%	-28%	-39%
Warehouse	1,000 sq. ft.	-40%	n/a	2%	-25%	-39%
Mini-Warehouse	1,000 sq. ft.	-25%	n/a	-78%	-83%	-29%
Public/Institutional	1,000 sq. ft.	-13%	n/a	-50%	-63%	-17%
Percent Change in Revenue from 2014		5%	0%	15%	-14%	3%

PHASED INCREASE OF IMPACT FEES (2022-2025):
The proposal aims to keep fees in 2021 roughly similar to 2014 but also establishes annually increasing fees starting in 2022. Predictable increases allow the City to "catch up" and maintain relevance with increasing infrastructure costs. Increases would annually raise residential fees approximately $300 to $600 per unit till 2025 and the ordinance directs the CIAC to review and make recommendations regarding impact fee assessments no later than 2023.

Fees currently fund about half the estimated cost of growth-related infrastructure (55%) and naturally escalating costs and inventories could result in 2021 impact fees covering drastically less by 2025 (requiring funding from other sources). Phased increases enable the City to fund a majority of growth-related infrastructure at predictable rates that are relevant to annually increasing costs.

2021 Assessed Fees

Land Use Type	Unit	Roads	Parks	Fire	Police	Total
Adoption Percentage of Maximum:		70%	40%	40%	50%	
Single-Family Detached (avg.	Dwelling	$2,382	$1,174	$224	$71	$3,850
Accessory Unit	Dwelling	$1,171	$740	$141	$45	$2,096
Multi-Family	Dwelling	$1,373	$880	$168	$53	$2,474
Retail/Commercial	1,000 sq. ft.	$3,269	$0	$250	$79	$3,598
Office	1,000 sq. ft.	$2,790	$0	$121	$39	$2,950
Industrial	1,000 sq. ft.	$1,114	$0	$52	$17	$1,183
Warehouse	1,000 sq. ft.	$578	$0	$24	$8	$609
Mini-Warehouse	1,000 sq. ft.	$282	$0	$5	$2	$288
Public/Institutional	1,000 sq. ft.	$1,266	$0	$56	$18	$1,340

2022 Assessed Fees

Land Use Type	Unit	Roads	Parks	Fire	Police	Total
Adoption Percentage of Maximum:		78%	45%	45%	56%	
Single-Family Detached (avg.	Dwelling	$2,668	$1,315	$250	$79	$4,312
Accessory Unit	Dwelling	$1,312	$828	$158	$50	$2,348
Multi-Family	Dwelling	$1,537	$986	$188	$59	$2,770
Retail/Commercial	1,000 sq. ft.	$3,661	$0	$280	$88	$4,029
Office	1,000 sq. ft.	$3,125	$0	$136	$43	$3,304
Industrial	1,000 sq. ft.	$1,248	$0	$59	$18	$1,325
Warehouse	1,000 sq. ft.	$647	$0	$27	$8	$682
Mini-Warehouse	1,000 sq. ft.	$316	$0	$5	$2	$323
Public/Institutional	1,000 sq. ft.	$1,417	$0	$63	$20	$1,500

2023 Assessed Fees

Land Use Type	Unit	Roads	Parks	Fire	Police	Total
Adoption Percentage of Maximum:		88%	50%	50%	63%	
Single-Family Detached (avg.	Dwelling	$2,988	$1,473	$280	$88	$4,829
Accessory Unit	Dwelling	$1,469	$927	$177	$56	$2,629
Multi-Family	Dwelling	$1,721	$1,104	$211	$66	$3,102
Retail/Commercial	1,000 sq. ft.	$4,100	$0	$314	$99	$4,513
Office	1,000 sq. ft.	$3,500	$0	$152	$48	$3,700
Industrial	1,000 sq. ft.	$1,398	$0	$66	$20	$1,484
Warehouse	1,000 sq. ft.	$725	$0	$30	$9	$764
Mini-Warehouse	1,000 sq. ft.	$354	$0	$6	$2	$362
Public/Institutional	1,000 sq. ft.	$1,587	$0	$71	$22	$1,680

ATTACHMENTS:

Materials for Review: The following materials are provided for review and approval by the Governing Body.

1. **Resolution Adopting the Impact Fee Capital Improvement Plan 2021-2027**
2. **Impact Fee Capital Improvement Plan 2021-2027**
3. **Bill Amending Various Subsections of 14-8.14 to Adopt a New Impact Fee Schedule & Clarifying Appropriate Land Use Categories**
4. **Fiscal Impact Report**

Supplemental Materials: The following materials are provided to supplement and provide context for the primary materials under review.

5. **Fiscal Year 2019/2020 Impact Fee Revenue and Fund Balances**
6. **Memos Regarding Upcoming Usage of Roads, Parks, Fire, and Police Impact Fee Funds**
7. **2015 Impact Fee Reduction Analysis**
8. **Impact Fee Capital Improvement Plan 2014-2020**

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2020-__

INTRODUCED BY:

Mayor Alan Webber

A RESOLUTION

ADOPTING THE "IMPACT FEE CAPITAL IMPROVEMENTS PLAN 2021-2027 FOR ROADS, PARKS, FIRE/EMS AND POLICE" TO UPDATE THE CITY'S IMPACT FEE CAPITAL IMPROVEMENT PLAN, LAND USE ASSUMPTIONS, AND IMPACT FEES, AS REQUIRED BY THE STATE DEVELOPMENT FEES ACT, NMSA 1978, SECTION 5-8-30.

WHEREAS, the State of New Mexico enacted the Development Fees Act, NMSA 1978, §§ 5-8-1 to -43 ("Act"), to enable local governments to adopt local development impact fees; and

WHEREAS, the Act requires periodic updates of the impact fee land use assumptions and capital improvement plan at least every five (5) years, *see* NMSA 1978, § 5-8-30; and

WHEREAS, on August 27, 2014, in accordance with the Act, the City adopted Resolution 2014-71, which approved the "Impact Fee Capital Improvements Plan 2020 for Roads, Parks, Fire/EMS and Police," and Ordinance 2014-28, which amended the Impact Fee Ordinance in SFCC 1987, Section 14-8.14; and

WHEREAS, the City has added capital improvements to its roads, parks, fire/EMS, and

police amenities and it has experienced inflated costs of providing capital improvements since 2014; and

WHEREAS, the "Impact Fee Capital Improvements Plan, 2021-2027" calculates the expected cost of providing additional capital improvements related to future growth in the City; and

WHEREAS, the "Impact Fee Capital Improvements Plan, 2021-2027" provides the background and basis for approving new projects eligible for impact fee funds and adopting an Ordinance to amend the impact fee schedule set forth in SFCC 1987, Subsection 14-8.14(E).

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that the Governing Body hereby adopts the "Impact Fee Capital Improvements Plan and Land Use Assumptions 2021-2027", attached as "Exhibit A."

PASSED, APPROVED, and ADOPTED this _____day of _____, 2020.

_____

ALAN WEBBER, MAYOR

ATTEST:

_____

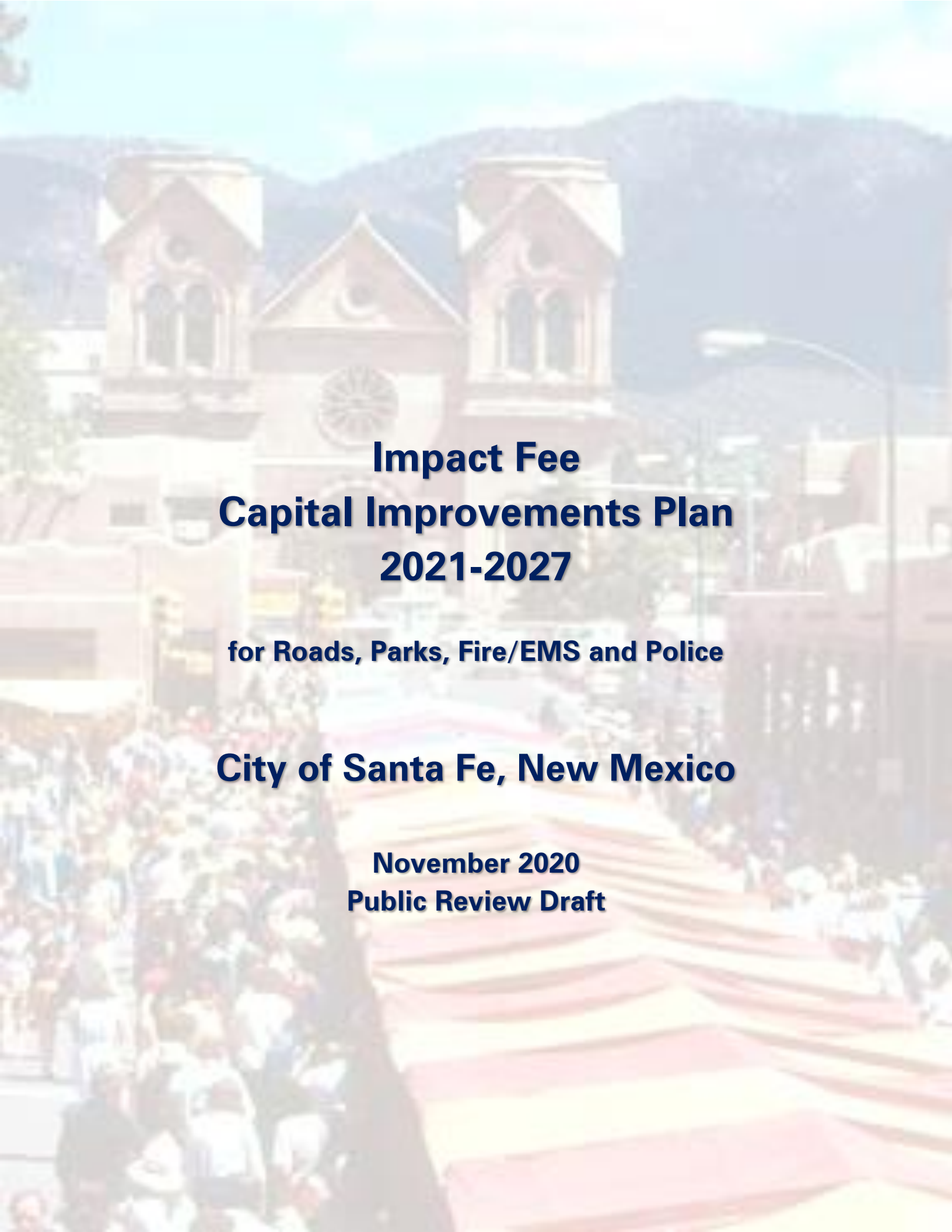
YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

_____

ERIN K. McSHERRY, CITY ATTORNEY

Legislation/2020/Resolutions/IFCIP 2021-2027



Impact Fee Capital Improvements Plan 2021-2027

for Roads, Parks, Fire/EMS and Police

City of Santa Fe, New Mexico

November 2020
Public Review Draft

Table of Contents

EXECUTIVE SUMMARY 1
LEGAL FRAMEWORK 6
SERVICE AREAS 8
LAND USE ASSUMPTIONS 11
METHODOLOGIES 12
ROADS 14
PARKS/TRAILS 28
FIRE/EMS 36
POLICE 42
APPENDIX A: ROAD INVENTORY 48
APPENDIX B: AVERAGE HOUSEHOLD SIZE 53
APPENDIX C: FUNCTIONAL POPULATION 56
APPENDIX D: PARK/TRAIL INVENTORY 60
APPENDIX E: FINANCIAL DATA 64
APPENDIX F: LAND USE ASSUMPTIONS 69
APPENDIX G: CAPITAL FACILITY PLANS 73

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List of Tables

Table 1. Maximum Impact Fees Calculated in 2014 Study 1
Table 2. Adopted Impact Fee Schedule 2
Table 3. Updated Maximum Impact Fees 2
Table 4. Percentage Change from 2014 Study Fees 3
Table 5. Potential Impact Fee Revenue, 2021-2027 4
Table 6. Example of Different Adoption Rates by Fee Type 5
Table 7. Projected Revenue for Adoption Rate Example, 2021-2027 5
Table 8. Land Use Assumptions Summary, 2021-2027 11
Table 9. Affordable Housing Waivers 11
Table 10. Existing Road Level of Service 16
Table 11. Traffic Signal Level of Service 17
Table 12. Single-Family Trip Generation Rates 18
Table 13. Expected Vehicle-Miles of Travel 19
Table 14. Local Trip Length Adjustment Factor 20
Table 15. Average Trip Length by Trip Purpose 20
Table 16. Travel Demand Schedule 21
Table 17. Road Segment Cost per Service Unit 22
Table 18. Traffic Signal Cost per Service Unit 22
Table 19. Total Road Cost per Service Unit 22
Table 20. Total Daily Travel Demand, 2021-2027 23
Table 21. Major Road Capital Needs, 2021-2027 23
Table 22. Road Federal/State Funding Credit 24
Table 23. Road Grant Credit 25
Table 24. Road Debt Credit 25
Table 25. Road Net Cost per Service Unit 25
Table 26. Road Net Cost Schedule 26
Table 27. Change in Road Impact Fees 26
Table 28. Potential Road Impact Fee Revenue, 2021-2027 27
Table 29. Park/Trail Equivalent Dwelling Unit Multipliers 29
Table 30. Park/Trail Service Units, 2021-2027 30
Table 31. City Share of MRC/Golf Course Facilities 31
Table 32. Park/Trail Replacement Cost 32
Table 33. Park/Trail Cost Per Service Unit 32
Table 34. Park/Trail Capital Needs, 2021-2027 33
Table 35. Park/Trail Debt Credit 33
Table 36. Park/Trail Grant Funding Credit 34
Table 37. Park/Trail Net Cost Per Service Unit 34
Table 38. Park/Trail Net Cost Schedule 35
Table 39. Change in Park/Trail Impact Fees 35
Table 40. Potential Park/Trail Impact Fee Revenue, 2021-2027 35
Table 41. Fire/EMS Facility Replacement Cost 38
Table 42. Fire/EMS Cost Per Service Unit 38
Table 43. Fire/EMS Capital Needs, 2021-2027 38
Table 44. Fire/EMS Debt Credit 39
Table 45. Fire/EMS Net Cost Per Service Unit 39
Table 46. Fire/EMS Net Cost Schedule 40
Table 47. Fire/EMS Impact Fee Comparisons 40
Table 48. Potential Fire/EMS Impact Fee Revenue, 2021-2027 41
Table 49. Police Facility Replacement Cost 43

Table 50. Police Equipment Replacement Cost 43
Table 51. Police Cost Per Service Unit 43
Table 52. Police Capital Needs, 2021-2027 44
Table 53. Police Debt Credit 44
Table 54. Police Grant Funding Credit Per Service Unit 45
Table 55. Police Net Cost Per Service Unit 45
Table 56. Police Net Cost Schedule 46
Table 57. Change in Police Impact Fees 46
Table 58. Potential Police Impact Fee Revenue, 2021-2027 47
Table 59. Major Roadway Inventory 48
Table 60. Average Household Size, City of Santa Fe, 2014-2018 53
Table 61. Average Household Size, Santa Fe County, 2014-2018 53
Table 62. Average Household Size, City of Santa Fe 54
Table 63. Average Household Size by Unit Size, Western U.S. 55
Table 64. Average Household Size by Unit Size 55
Table 65. Average Household Size Summary 55
Table 66. Time Usage Survey Data 57
Table 67. Residential Functional Population per Unit 57
Table 68. Nonresidential Functional Population per Unit 58
Table 69. Functional Population Multipliers 59
Table 70. Functional Population, 2021-2027 59
Table 71. Inventory of Existing Parks and Open Space 60
Table 72. Existing Trail Inventory 63
Table 73. Impact Fee Revenues/Expenditures, FY 2014-2019 64
Table 74. Outstanding Non-Utility Debt Summary 64
Table 75. Distribution of Debt by Facility Type 65
Table 76. Outstanding Debt by Facility Type 65
Table 77. 2004A Gross Receipts Tax Bond Projects 66
Table 78. 2008 Gross Receipts Tax Bond Projects 67
Table 79. 2012A Gross Receipts Tax Bond Projects 68
Table 80. Planned Major Road Improvements, 2021-2027 73
Table 81. Planned Park/Trail Improvements, 2021-2027 74
Table 82. Planned Fire/EMS Improvements, 2021-2027 74
Table 83. Planned Police Improvements, 2021-2027 75

List of Figures

Figure 1. Santa Fe City Limits Map 9
Figure 2. Functional Classification Map 15
Figure 3. Road Impact Fee Formula 17
Figure 4. Existing Parks, Open Space and Trails 28
Figure 5. Existing Fire Stations 36
Figure 6. Nonresidential Functional Population Formula 58

EXECUTIVE SUMMARY

Duncan Associates has been retained by the City of Santa Fe to update the City's capital improvements plans, land use assumptions and impact fees for roads, parks/trails, fire/EMS and police facilities. This study calculates maximum impact fees that Santa Fe can charge based on the existing levels of service.

Report Layout

The report begins with four chapters that have general applicability to all impact fees: legal framework, service areas, land use assumptions, and methodologies. The last four chapters address the four types of facilities: roads, parks/trails, fire/EMS and police. Appendices provide more detailed data and analysis to support the individual fee calculations. The final appendix contains the list of planned improvements, which may be amended between comprehensive impact fee updates. To make the calculations easier to follow, number that are inputs into another table are highlighted in red.

Current Fees

The last comprehensive update of the City's impact fees was based on a study that was adopted by the City Council in 2014. The maximum fees calculated in the current Impact Fee Capital Improvements Plan are summarized in Table 1.

Table 1. Maximum Impact Fees Calculated in 2014 Study

Land Use Type	Unit	Roads	Parks	Fire	Police	Total
Single-Family Detached (avg.)*	Dwelling	$3,009	$1,552	$247	$104	$4,912
1,500 sq. ft. or less	Dwelling	$2,706	$1,381	$220	$92	$4,399
1,501-2,000 sq. ft.	Dwelling	$2,949	$1,443	$230	$97	$4,719
2,001-2,500 sq. ft.	Dwelling	$3,059	$1,583	$252	$106	$5,000
2,501-3,000 sq. ft.	Dwelling	$3,207	$1,661	$265	$111	$5,244
More than 3,000 sq. ft.	Dwelling	$3,395	$1,769	$282	$119	$5,565
Accessory Unit	Dwelling	$1,617	$1,180	$187	$79	$3,063
Multi-Family	Dwelling	$1,855	$1,350	$214	$90	$3,509
Mobile Home Park	Space	$974	$2,154	$343	$144	$3,615
Retail/Commercial	1,000 sq. ft	$5,723	$0	$384	$161	$6,268
Office	1,000 sq. ft	$3,431	$0	$180	$76	$3,687
Industrial	1,000 sq. ft	$2,651	$0	$78	$33	$2,762
Warehouse	1,000 sq. ft	$1,383	$0	$34	$14	$1,431
Mini-Warehouse	1,000 sq. ft	$535	$0	$31	$13	$579
Public/Institutional	1,000 sq. ft	$2,086	$0	$162	$68	$2,316

* square feet is heated living area; includes mobile home not in mobile home park
Source: Impact Fee Capital Improvement Plan 2020, adopted by Santa Fe City Council, August 27, 2014.

The City Council adopted fees at 70% of the calculated maximum amounts, except for accessory units (adopted fee is one-half the adopted fee at 70% for a 1,500 sq. ft. or smaller single-family detached unit) and mobile home park (that fee was not adopted). The current impact fee schedule is summarized in Table 2.

Table 2. Adopted Impact Fee Schedule

Land Use Type	Unit	Roads	Parks	Fire	Police	Total
Single-Family Detached*						
1,500 sq. ft. or less	Dwelling	$1,894	$967	$154	$64	$3,079
1,501-2,000 sq. ft.	Dwelling	$2,064	$1,010	$161	$68	$3,303
2,001-2,500 sq. ft.	Dwelling	$2,141	$1,108	$176	$74	$3,499
2,501-3,000 sq. ft.	Dwelling	$2,245	$1,163	$186	$78	$3,672
More than 3,000 sq. ft.	Dwelling	$2,377	$1,238	$197	$83	$3,895
Accessory Unit	Dwelling	$947	$483	$77	$32	$1,539
Multi-Family	Dwelling	$1,299	$945	$150	$63	$2,457
Retail/Commercial	1,000 sq. ft	$4,006	$0	$269	$113	$4,388
Office	1,000 sq. ft	$2,402	$0	$126	$53	$2,581
Industrial	1,000 sq. ft	$1,856	$0	$55	$23	$1,934
Warehouse	1,000 sq. ft	$968	$0	$24	$10	$1,002
Mini-Warehouse	1,000 sq. ft	$375	$0	$22	$9	$406
Public/Institutional	1,000 sq. ft	$1,460	$0	$113	$48	$1,621

* square footage ranges refer to heated living area; includes mobile home not in mobile home park
Source: Santa Fe City Code, Sec. 14-8.14/E(a).

Updated Fees

The maximum fees calculated in this update of the Santa Fe Impact Fee Capital Improvements Plan are summarized in Table 3.

Table 3. Updated Maximum Impact Fees

Land Use Type	Unit	Roads	Parks	Fire	Police	Total
Single-Family Detached (avg.)	Dwelling	$3,403	$2,935	$559	$141	$7,038
1,500 sq. ft. or less	Dwelling	$3,208	$2,700	$514	$130	$6,552
1,501-2,500 sq. ft.	Dwelling	$3,381	$2,906	$554	$140	$6,981
2,501-3,000 sq. ft.	Dwelling	$3,553	$3,111	$592	$150	$7,406
more than 3,000 sq. ft.	Dwelling	$3,748	$3,346	$636	$161	$7,891
Accessory Unit	Dwelling	$1,673	$1,849	$352	$89	$3,963
Multi-Family	Dwelling	$1,961	$2,201	$420	$106	$4,688
Mobile Home Park	Space	$1,802	$4,491	$855	$216	$7,364
Retail/Commercial	1,000 sq. ft.	$4,670	$0	$624	$158	$5,452
Office	1,000 sq. ft.	$3,986	$0	$303	$77	$4,366
Industrial	1,000 sq. ft.	$1,592	$0	$131	$33	$1,756
Warehouse	1,000 sq. ft.	$825	$0	$61	$15	$901
Mini-Warehouse	1,000 sq. ft.	$403	$0	$12	$3	$418
Public/Institutional	1,000 sq. ft.	$1,808	$0	$140	$36	$1,984

Source: Updated fees from Table 26 (roads), Table 38 (parks), Table 46 (fire/EMS) and Table 56 (police).

The changes in fees by land use and facility type are summarized in Table 4. The major increase in residential fees is from the park fees, which account for 65%, of the $2,126 increase for an average single-family unit from the previous maximum fees. Fire fees are increasing by a higher percentage, but are much smaller fees.

The picture is mixed for nonresidential uses, with an increase in total fees for office uses and a decline for other uses. Road fees are the dominant fee for nonresidential uses, and the change in the road fee largely determines the change in the total fee. The differential changes between nonresidential land uses largely reflect changes in trip generation rates from the updated *Trip Generation Manual*.

Table 4. Percentage Change from 2014 Study Fees

Land Use Type	Unit	Roads	Parks	Fire	Police	Total
Single-Family Detached (avg.)	Dwelling	13%	89%	126%	36%	43%
1,500 sq. ft. or less	Dwelling	19%	96%	134%	41%	49%
1,501-2,000 sq. ft.	Dwelling	15%	101%	141%	44%	48%
2,001-2,500 sq. ft.	Dwelling	11%	84%	120%	32%	40%
2,501-3,000 sq. ft.	Dwelling	11%	87%	123%	35%	41%
more than 3,000 sq. ft.	Dwelling	10%	89%	126%	35%	42%
Accessory Unit	Dwelling	3%	57%	88%	13%	29%
Multi-Family	Dwelling	6%	63%	96%	18%	34%
Mobile Home Park	Space	85%	108%	149%	50%	104%
Retail/Commercial	1,000 sq. ft.	-18%	n/a	63%	-2%	-13%
Office	1,000 sq. ft.	16%	n/a	68%	1%	18%
Industrial	1,000 sq. ft.	-40%	n/a	68%	0%	-36%
Warehouse	1,000 sq. ft.	-40%	n/a	79%	7%	-37%
Mini-Warehouse	1,000 sq. ft.	-25%	n/a	-61%	-77%	-28%
Public/Institutional	1,000 sq. ft.	-13%	n/a	-14%	-47%	-14%
Weighted Avg. Increase	n/a	4%	73%	99%	20%	31%

Source: Percentages represent changes from 2014 study fee in Table 1 to updated fee in Table 3; weighted average increase is change from projected 7-year revenue under current maximum fees from Table 5 below.

The reasons for the significant increase in park fees, which as noted is primarily driving the residential fee increases, warrant some explanation. Overall, the total replacement value of existing park facilities increased by about 20%, which is the same as the increase in the *Engineering News Record* Construction Cost Index since the previous study estimates were made. However, a significant increase in average household size, the exclusion of unincorporated area housing units (including in the Agua Fria Traditional Community), and a major reduction in outstanding park debt resulted in the park fees increases ranging from 57% to double what was calculated in the 2014 study depending on the housing type and unit size.

Based on the land use assumptions, the adopted current fees at 70% would generate about $17.1 million in total impact fee revenue over the next seven years. If the current fees had been adopted at 100%, they would generate $24.7 million. If the updated fees are adopted at 100%, they would be expected to generate about $32.2 million over the next seven years. Most of the revenue increase over current fees would come from the updated road and park impact fees.

Table 5. Potential Impact Fee Revenue, 2021-2027

Fee Type	Current Fees (70%)	2014 Max. Fees (100%)	2020 Max. Fees (100%)	% Change 2020 to: Current	% Change 2020 to: 2014 Max.
Roads	$10,634,926	$15,300,859	$15,884,699	49.4%	3.8%
Parks/Trails	$5,138,111	$7,419,050	$12,832,988	149.8%	73.0%
Fire/EMS	$968,446	$1,395,997	$2,777,060	186.8%	98.9%
Police	$407,363	$587,229	$703,392	72.7%	19.8%
Total	$17,148,846	$24,703,135	$32,198,139	87.8%	30.3%

Source: 2014 and 2020 maximum fee revenue projections from Table 28 (roads), Table 40 (parks), Table 48 (fire/EMS) and Table 58 (police); revenue from current fees is 2014 maximum fee revenue divided by 70%; the percentage changes are from the current and 2014 maximum fee revenues to the 2020 maximum fee revenue.

Implementation Options

Adoption Rates. The adoption rate for the current fees is set at 70% for all four fees. Setting the implementation rates differently by land use type (e.g., residential versus nonresidential) is to be avoided, because it breaks the nexus between the impact of the development and the amount of the fee. A key requirement of impact fee case law is that the fee needs to be proportional to the impact of the development. If the City desires to assess a lower fee for a specific development or for a specific land use type, it should instead use City funds to buy down the fees shown in the fee schedule for qualifying developments.

However, the City could set different adoption rates for roads, parks, fire and police fees. An example of adoption rates that would keep single-family fees from increasing too dramatically, while ensuring that total revenues for all four types of facilities increase somewhat compared to current fees, is shown in Table 6 and Table 7 on the following page. Accessory dwelling units have largest percentage increase in the total fee. The amount of the increase for an accessory unit would be $652, compared to a $906 increase for a typical 2,001-2,500 square foot single-family unit.

Interim Fee Increases. Ways to mitigate large fee changes between 5-year comprehensive impact fee updates include annual incremental increases to the adoption rates or annual adjustments for construction cost inflation. These fee adjustments can be made by the City Council amending the ordinance each year, or by amending the ordinance when the updated fees are adopted to either (1) set out a phased schedule of adoption rates for the next four years or (2) include a provision for staff to follow to adjust the fees annually by a specified construction cost index.

Table 6. Example of Different Adoption Rates by Fee Type

Land Use Type	Unit	Roads	Parks	Fire	Police	Total
Updated Fees by Adoption Rate:		72%	43%	38%	64%	
Single-Family Detached						
1,500 sq. ft. or less	Dwelling	$2,310	$1,161	$195	$83	$3,749
1,501-2,500 sq. ft.	Dwelling	$2,434	$1,250	$211	$90	$3,985
2,501-3,000 sq. ft.	Dwelling	$2,558	$1,338	$225	$96	$4,217
more than 3,000 sq. ft.	Dwelling	$2,699	$1,439	$242	$103	$4,483
Accessory Unit	Dwelling	$1,205	$795	$134	$57	$2,191
Multi-Family	Dwelling	$1,412	$946	$160	$68	$2,586
Mobile Home Park	Space	$1,297	$1,931	$325	$138	$3,691
Retail/Commercial	1,000 sq. ft.	$3,362	n/a	$237	$101	$3,700
Office	1,000 sq. ft.	$2,870	n/a	$115	$49	$3,034
Industrial	1,000 sq. ft.	$1,146	n/a	$50	$21	$1,217
Warehouse	1,000 sq. ft.	$594	n/a	$23	$10	$627
Mini-Warehouse	1,000 sq. ft.	$290	n/a	$5	$2	$297
Public/Institutional	1,000 sq. ft.	$1,302	n/a	$53	$23	$1,378
Change from Current Fees						
Single-Family Detached						
1,500 sq. ft. or less	Dwelling	22%	20%	27%	30%	22%
1,501-2,000 sq. ft.	Dwelling	18%	24%	31%	32%	21%
2,001-2,500 sq. ft.	Dwelling	14%	13%	20%	22%	14%
2,501-3,000 sq. ft.	Dwelling	14%	15%	21%	23%	15%
more than 3,000 sq. ft.	Dwelling	14%	16%	23%	24%	15%
Accessory Unit	Dwelling	27%	65%	74%	78%	42%
Multi-Family	Dwelling	9%	0%	7%	8%	5%
Mobile Home Park	Space	n/a	n/a	n/a	n/a	n/a
Retail/Commercial	1,000 sq. ft.	-16%	n/a	-12%	-11%	-16%
Office	1,000 sq. ft.	19%	n/a	-9%	-8%	18%
Industrial	1,000 sq. ft.	-38%	n/a	-9%	-9%	-37%
Warehouse	1,000 sq. ft.	-39%	n/a	-4%	0%	-37%
Mini-Warehouse	1,000 sq. ft.	-23%	n/a	-77%	-78%	-27%
Public/Institutional	1,000 sq. ft.	-11%	n/a	-53%	-52%	-15%

Source: Updated fees are maximum fees from Table 3 times adoption rate; percentage changes are from current fees in Table 2.

Table 7. Projected Revenue for Adoption Rate Example, 2021-2027

	Roads	Parks	Fire	Police	Total
Adoption Rate for Updated Fees	72%	43%	38%	64%	
Projected Revenue from Updated Fees	$11,436,983	$5,518,185	$1,055,283	$450,171	$18,460,622
Projected Revenue from Current Fees	$10,634,926	$5,138,111	$968,446	$407,363	$17,148,846
Total Revenue Change, 2021-2027	8%	7%	9%	11%	8%

Source: Projected revenue from updated fees by adoption rates are 2020 (100%) revenue projections from Table 5 times adoption rate; projected revenue from current fees from Table 5.

LEGAL FRAMEWORK

Impact fees are a way for local governments to require new developments to pay a proportionate share of the infrastructure costs they impose on the community. In contrast to traditional "negotiated" developer exactions, impact fees are charges that are assessed on new development using a standard formula based on objective characteristics, such as the number and type of dwelling units constructed. The fees are one-time, up-front charges, with the payment usually made at the time of building permit issuance. Impact fees require each new development project to pay its pro-rata share of the cost of new capital facilities required to serve that development.

Impact fees were pioneered by local governments in the absence of explicit state enabling legislation. Consequently, such fees were originally defended as an exercise of local government's broad "police power" to protect the health, safety and welfare of the community. The courts gradually developed guidelines for constitutionally-valid impact fees, based on a "rational nexus" that must exist between the regulatory fee or exaction and the activity that is being regulated. To date, 28 states have adopted impact fee enabling legislation. These acts have tended to embody the constitutional standards that have been developed by the courts. Impact fees in New Mexico are governed by the New Mexico *Development Fees Act* (Sec. 5-8-1, et. seq., New Mexico Revised Statutes).

Service Area

The New Mexico *Development Fees Act* requires that Land Use Assumptions and Capital Improvements Plans must be prepared for each "service area." A service area is a geographic area within which a set of capital facilities provides roughly equivalent benefit to all development located within the area. In general, impact fees collected within a service area will be spent within the same service area, although there may be instances where the facility that serves development in the service area is actually physically located outside the service area.

Land Use Assumptions

An impact fee update must include land use assumptions (growth projections) for each service area. The *Development Fees Act* defines land use assumptions as "projections of changes in land uses, densities, intensities and population in the service area over at least a five-year period." Because the Capital Improvements Plan that must be prepared for each service area must identify improvement needs for a period not to exceed ten years, a 5-to-10-year time-frame is appropriate for an impact fee study. A seven-year time frame is used for the land use assumptions and capital improvements plans in this study. The Land Use Assumptions prepared by the City are provided in Appendix F.

Capital Improvements Plan

According to the *Development Fees Act*, impact fees can only be spent on improvements identified in the Capital Improvements Plan. The Capital Improvements Plan required by the *Development Fees Act* is somewhat different from the traditional capital improvements program. Like a traditional capital improvements program, the Capital Improvements Plan required by the *Development Fees Act* must include a list of capital projects, their costs and anticipated sources of funding. However, the similarity stops there. Elements required in the Capital Improvements Plan but not found in a typical capital improvements program include an inventory of existing facilities, including an analysis of current usage and capacity of such facilities; a determination of the portion of the cost of planned improvements, as well as existing improvements with remaining excess capacity, that is attributable to growth; an equivalency table that estimates the service demand generated by different land use types;

and the projected growth in service demand based on the recommended Land Use Assumptions over a period not to exceed ten years. In essence, the impact fee Capital Improvements Plan is the impact fee study.

Capital Facilities Plans

While the Capital Improvements Plan includes much more than a list of planned projects, the project list has special relevance. Impact fees can only be spent on projects that are listed in the adopted Capital Improvements Plan. In addition, credits against the impact fees in return for dedications of land or improvements made by developers are only allowed if the dedication or improvement is listed in the Capital Improvements Plan. In order to distinguish between the full Capital Improvements Plan and the list of projects, the list of projects will be referred to as the Capital Facilities Plan. The Capital Facility Plans for each of the four fee types are provided in Appendix G.

Level of Service

The Act requires "an analysis of the total capacity [and] the level of current usage" of existing facilities, a relationship that is often referred to as "level of service" (although this term does not appear in the Act). The impact fee principle that is being referred to here is that new development should not be charged for a higher level of service than is being provided to existing development. If facilities are currently deficient with respect to the capacity standard that is being used to calculate the impact fees, a credit should be provided to new development to acknowledge tax or rate payments that will be made by new development and used to remedy the deficiency. The necessity of providing a deficiency credit is avoided by basing the impact fees on the current level of service.

Service Unit

Both demand and capacity need to be expressed in terms of the same "service units" – defined by the Act as "a standardized measure of consumption, use, generation or discharge." The service unit for parks, for example, might be acres of park land. In order to translate land use projections into additional demands for service, the Capital Improvements Plan must include "an equivalency or conversion table establishing the ratio of a service unit to various types of land uses, including residential, commercial, and industrial." Such a table, which relates various land use categories and the service demands associated with them, is the basis for the fee schedule. The equivalency table for road impact fees, for example, would specify the typical travel demand generated by a single-family unit, 1,000 square feet of office space, etc.

Fee Schedule

The fee schedule brings together all of the fee calculation components. These include the land use categories, service demands associated with a unit of development, cost per service unit and revenue credits. Although the Act does not specifically mention credits for other revenue contributions (e.g., gross receipts taxes used to pay debt service on the same facility), established case law clearly indicates that double-charging must be avoided and that such contributions must be credited in the impact fee formulation.

Updates

The *Development Fees Act* requires that the land use assumptions and capital improvements plan be updated within five years from the date that the last capital improvements plan was adopted.

SERVICE AREAS

The New Mexico *Development Fees Act* defines "service area" as:

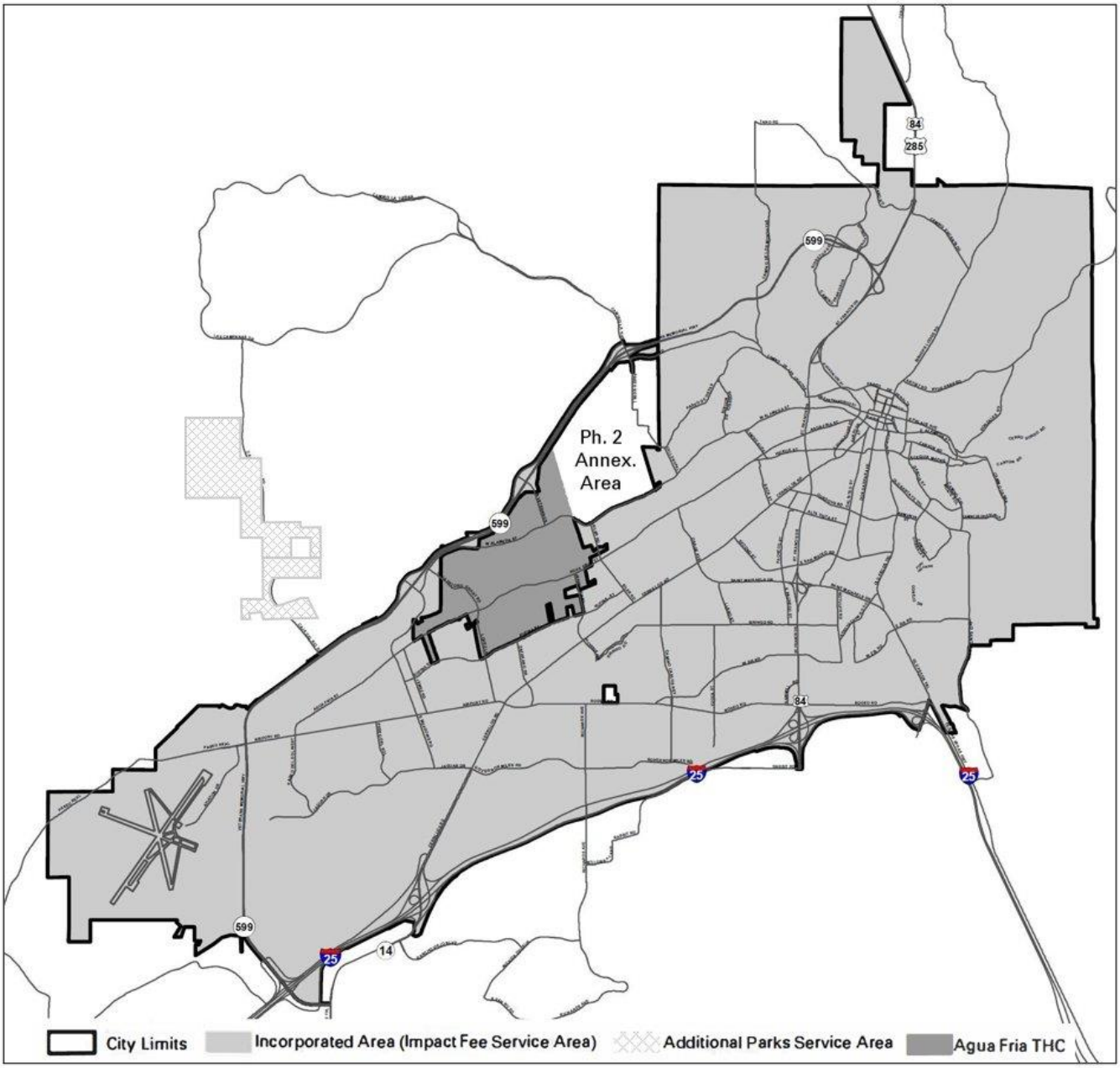
> *the area within the corporate boundaries or extraterritorial jurisdiction of a municipality or the boundaries of a county to be served by the capital improvements or facility expansions specified in the capital improvements plan designated on the basis of sound planning and engineering standards.*

The current service area for all the City's impact fees is the Santa Fe Urban Area. The Urban Area is the geographic area that includes the City's incorporated area as well as some additional unincorporated area that may be annexed into the city at some time in the future. However, the Agua Fria Traditional Historic Community, containing an estimated 1,527 single-family units, is located within the urban area but is expected to remain unincorporated. City impact fees are charged only within the corporate limits and unincorporated areas within the Urban Area where the City has building permit authority.

The City has completed annexation of most of the land within the urban area, with the exceptions of the Agua Fria Traditional Historic Community, an unincorporated island of County-owned land north of Rodeo Road that contains the County Fairgrounds, and a phase 2 annexation area of just over 1,000 acres that contained 322 dwelling units in 2010. Section 5-8-12 of the Development Fees Act says "Any new development for which an impact fee has been paid is entitled to the permanent use and benefit of the services for which the fee was exacted and is entitled to receive prompt service from any existing facilities with actual capacity to serve the new service units." New development in areas outside the city limits could be assessed impact fees, and would have immediate access to City parks and major roads, but would not have access to City fire and police service. It appears that the City should not collect impact fees outside the city limits under its extra-jurisdictional planning and zoning authority unless it is currently providing fire/EMS and policing services. Based on these considerations, it is recommended that the incorporated area, rather than the urban area, be the service area for all the City's impact fees, with one exception.

This update utilizes the incorporated area as the service area for the road, fire/EMS and police impact fees. For reasons discussed in the Parks chapter (see text preceding Table 31), the park impact fee service area also includes the roughly 1,200-acre City-owned property occupied by the Municipal Recreation Center and Marty Sanchez Golf Course. The updated land use assumptions are prepared for the incorporated area (which works for parks as well, because there is no existing or anticipated residential development in the MRC/golf course land). Major roadways that determine the estimated traffic demand generated by existing development exclude any that are located outside the city limits. The current City limits are illustrated in Figure 1 on the following page.

Figure 1. Santa Fe City Limits Map



The City currently has a single service area for all of the fees. In general, multiple service areas should be avoided where possible. Each service area requires the preparation of separate land use assumptions, facility inventories, impact fee calculations and capital improvements plans. In addition, multiple service areas limit the City's ability to accumulate sufficient funds to make improvements. Multiple service areas are sometimes used to create fee differentials as an incentive to steer development to desired locations. Impact fee differentials by area, however, are unlikely to be large enough to have any significant effect on the location of development.

The City's road impact fees fund improvements to the major roadway system, defined as arterial and collector roadways within the City's incorporated area, excluding expressways (I-25, NM 599, and US 285 north of NM 599) that mostly carry traffic around the city. Because the major roadway system facilitates travel throughout the community, a single service area continues to be appropriate for road impact fees.

The City's park/trail impact fees fund improvements to the system of recreational facilities, including regional parks, neighborhood parks and trails. Regional parks and trails tend to serve relatively large areas, while neighborhood parks have more localized benefit. As long as the City makes a good faith effort to ensure that park/trail impact fees used to fund neighborhood park improvements are in areas that are experiencing residential development, a single service area will continue to be appropriate for park/trail impact fees. As discussed above, the updated service area for park fees includes some City-owned property in the unincorporated area used for recreational purposes.

A single service area continues to be appropriate for fire and police facilities. Police facilities tend to be centralized, and police protection is provided throughout the city from roving patrol cars. While fire facilities are by necessity more decentralized, responding units are not always located at the nearest station, and units respond to major incidents from all over the city. The City's fire and police facilities and equipment thus form integrated systems, and single service areas are appropriate.

LAND USE ASSUMPTIONS

Land Use Assumptions for the impact fees are provided in Appendix F. The land use assumption report provides growth projections for the City of Santa Fe, a unified service area within which the City may expend impact fee monies for eligible capital improvement projects. The New Mexico Development Fees Act (§§ 5-8-1 through 5-8-43, NMSA 1978), specifies that land use assumptions must be adopted for a period of at least five years. The land use assumptions cover a period of seven years from 2021 to 2027.[1] Over this period, the land use assumptions anticipate that the service area will gain 5,540 new dwelling units with approximately 7,162 new residents and 0.926 million square feet of new nonresidential development. The growth projections for housing, population, and nonresidential floor area over the next seven years are summarized in Table 8.

Table 8. Land Use Assumptions Summary, 2021-2027

	2020	2027	Increase
Population	85,403	92,565	7,162
Housing			
Single-Family Detached	27,831	29,815	1,984
Accessory Dwelling Units	3,274	3,508	234
Multi-Family	12,225	15,547	3,322
Total Housing Units	43,330	48,870	5,540
Nonresidential			
Retail/Commercial (1,000 sf)	13,790	14,176	386
Office (1,000 sf)	5,526	5,681	155
Industrial (1,000 sf)	2,450	2,519	69
Warehouse (1,000 sf)	2,754	2,831	77
Mini-Warehouse (1,000 sf)	1,283	1,319	36
Public/Institutional (1,000 sf)	7,261	7,464	203
Total Nonresidential (1,000 sf)	33,064	33,990	926

Source: City of Santa Fe Long Range Planning Division, Impact *Fee Land Use Assumptions 2021-2027*, (see Appendix F - forthcoming).

The City waives or reduces impact fees for qualifying affordable housing units. Based on recent history, such waivers over the next seven years are estimated in Table 9.

Table 9. Affordable Housing Waivers

Calendar Year	Single-Family	Multi-Family
2015	12	0
2016	12	0
2017	37	0
2018	22	0
2019	4	87
2020 (est.)	14	65
Total, Last 6 Years	101	152
AverageWaivers per Year	17	25
7-Year Estimate	119	175

Source: City of Santa Fe Long-Range Planning Division, October 15, 2020.

[1] Years may refer to a point in time during a year or to a full calendar year. 2020-2027 refers to the 7-year interval between a point in time in those years, while 2021-2027 refers to the increase during those seven full calendar years.

METHODOLOGIES

This chapter reviews the existing methodologies for all four facility types, identifies potential alternatives and makes recommendations for changes. There are a variety of methodologies that can be employed to calculate impact fees. Any methodology, however, must comply with the fundamental principle of impact fees, which is that new development should not be charged for a higher level of service than existing development. Impact fees can be based on a higher level of service than currently exists, but if they are based on a higher level of service a funding plan must be put in place to remedy the existing deficiencies and a credit must be provided for the portion of the funding used to remedy the deficiencies that will be generated by new development.

Alternative Methodologies

There are two basic types of impact fee methodologies: "standards-based" and "plan-based." Standards-based methodologies use a generalized, system-wide level of service measure, such as the number of park acres per 1,000 residents. With such a standard, appropriate impact fees can be calculated based on the cost of maintaining the existing level of service without a master plan specifying specific improvements to be constructed. This approach gives the City flexibility to modify its capital facility plans to respond to changing conditions without triggering the need for a comprehensive impact fee update.

A plan-based methodology relies on a list of planned capital improvements, and is basically calculated by dividing the cost of needed improvements over a period of time by the anticipated new service units over the same time period. The essential requirement for a plan-based fee is that it must demonstrate the nexus between the cost of the planned improvements and the amount of anticipated development. Some plan-based fees use a long-range master plan to establish this nexus. The master plan approach is generally based on an improvement-specific or geographically-based level of service standard, such as "all major roadways shall operate at LOS D or better," and often results in the identification of existing deficiencies. Other plan-based fees are based on a build-out plan or list of capital improvements that are not based on a master plan. These non-master plan approaches must generally be combined with a standards-based analysis that demonstrates that the plan-based fee does not exceed the existing level of service, in order to establish the nexus between the planned improvements and the amount of development to be served by those improvements.

Current Methodologies

The City's current impact fees are all based on a standards-based methodology, as described below. No changes from the basic methodologies are proposed.

Roads

The standards-based methodology for road impact fees is generally referred to as a "consumption-based" approach. In the standard consumption-based approach, the total cost of a representative set of improvements is divided by the capacity added by those improvements in order to determine an average cost per vehicle-mile of capacity (VMC). This cost per VMC is then multiplied by the vehicle-

miles of travel (VMT) generated by a unit of development of a particular land use type to determine the gross impact fee (i.e., before credits). A variant is the modified consumption-based approach, which uses a system-wide VMC/VMT ratio higher than the 1:1 ratio implicit in the standard approach.

The City's current road impact fees are based on the standard consumption-based methodology. This is a relatively conservative approach, because most roadway systems require a VMC/VMT ratio greater than one to operate effectively, due to the fact that vehicular travel does not always go where excess road capacity is located. Nevertheless, it is a widely-used, reliable approach to the calculation of road impact fees.

Parks

The standards-based methodology is sometimes referred to as "incremental expansion," because it uses the existing level of service to determine the cost required to serve future development. It is based on the reasonable assumption that facilities will need to be expanded proportional to the amount of growth that occurs. This approach is appropriate for facilities that do not have a significant amount of excess capacity to serve future development.

Park impact fees are typically only assessed on residential development, because the need for parks is related to the number of people residing in the community. Some park impact fees use the ratio of park acres to population as the level-of-service measure. However, rather than using population as the service unit for parks, the current fees use Equivalent Dwelling Units (EDUs). A typical single-family home is 1.00 EDU, while the EDUs for other housing types are based on the average household size relative to a typical single-family unit. Using EDUs rather than population has the advantage of taking volatile occupancy rates out of the equation.

While a ratio of acres to population may be a useful level-of-service measure for park planning purposes, it is less appropriate as the basis for impact fee calculations. An acre developed with ball fields represents a much lower capital investment than an acre developed with a community center or a swimming pool. The current park methodology uses the inventory of actual improvements and current replacement costs to quantify the capital investment in existing facilities. The existing LOS is defined in terms of capital investment per EDU.

Fire and Police

The current fire and police impact fees are also based on the incremental expansion approach, based on the existing city-wide level of service. The level of service is quantified in terms of the capital investment per service unit. The service unit for fire and police fees is "functional population." A functional person is similar to the concept of a full-time equivalent worker, and represents the equivalent of a person being present at the land use for 24 hours a day. The functional population approach is appropriate for fire and police services, since the demand for such services is strongly related to the number of people present at a land use.

ROADS

The New Mexico Development Fees Act authorizes local governments to impose impact fees for "roadway facilities," including traffic signals. In the 2008 update, the arterial impact fee was expanded to include collector roads and was combined with the traffic signal impact fee into comprehensive road impact fee. In this update, the service area is changed from the urban area to the incorporated area.

Service Unit

In impact fee analysis, capital costs, revenue credits and net costs are calculated on the basis of a "service unit," which is a common unit of measurement of facility demand and capacity. An appropriate service unit for roadway capital cost analysis is vehicle-miles of travel (VMT). Vehicle-miles is a combination of the number of vehicles traveling during a given time period and the distance (in miles) that these vehicles travel. The two time periods most often used in traffic analysis are the 24-hour day (average daily trips or ADT) and the single hour of the day with the highest traffic volume (peak hour trips or PHT). Since available traffic counts are in the form of daily volumes, the impact fees will continue to be based on ADT.

Major Road System

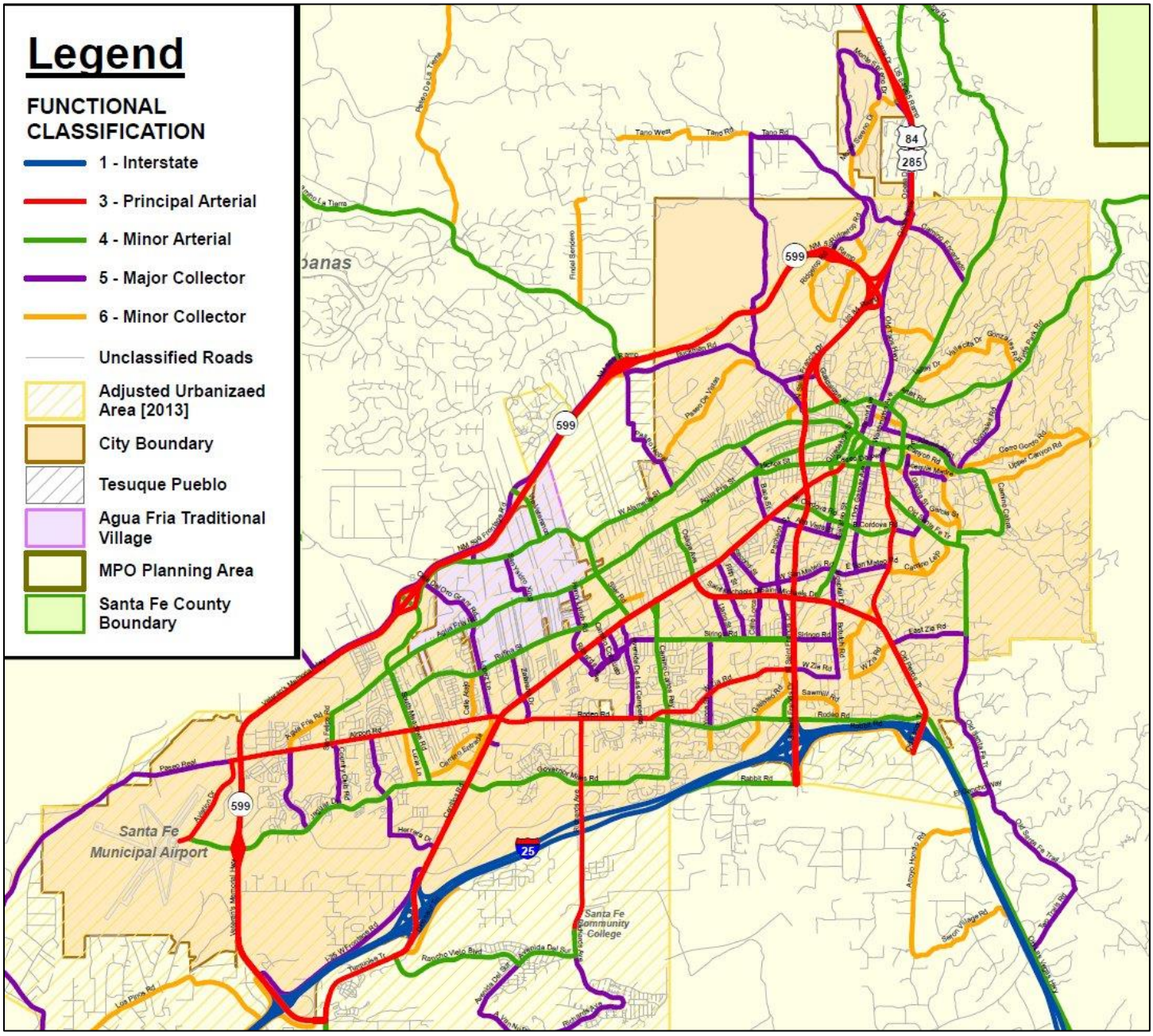
The New Mexico Development Fees Act limits the use of transportation impact fees to "roadway facilities," which are defined as:

> *…arterial or collector streets or roads that have been designated on an officially adopted roadway plan of the municipality or county, including bridges, bike and pedestrian trails, bus bays, rights of way, traffic signals, landscaping and any local components of state or federal highways.*

The City's land development code defines the major road system as all collector and arterial roads. However, the major road system has always excluded I-25, and the 2014 study excluded NM 599 as well. This update also excludes US 285 north of NM 599, because this is also a limited-access facility that largely functions to move traffic around the city. The functional classification system is illustrated in Figure 2.

An inventory of the major roadway system was prepared as part of this update and is presented in Table 59 in Appendix A. The update removes segments of US 285 north of NM 599, arterials and collector outside the city limits, and other roads not classified as arterials or collectors on the current functional classification map. The major purpose of the inventory is to determine the total amount of travel on the major road system, expressed in vehicle-miles of travel (VMT), and system-wide capacity, expressed as vehicle-miles of capacity (VMC). The system-wide VMT is used to calibrate national travel demand factors to local conditions.

Figure 2. Functional Classification Map



Source: Functional classification map from Santa Fe Metropolitan Planning Organization website.

Methodology

As with the previous road impact fee calculation, the methodology for determining the road segment component of the road impact fee is based on a "consumption-based" model, which basically charges a new development the cost of replacing the capacity that it consumes on the major road system. That is, for every vehicle-mile of travel (VMT) generated by the development, the road impact fee charges the net cost to construct an additional vehicle-mile of capacity (VMC).

Since travel is never evenly distributed throughout a road system, actual road systems require more than one unit of capacity for every unit of demand in order for the system to function at an acceptable level of service. Suppose, for example, that the City completes a major arterial widening project. The completed arterial is likely to have a significant amount of excess capacity for some period of time. If the entire system has just enough capacity to accommodate all of the vehicle-miles of travel, then the excess capacity on this segment must be balanced by another segment being over-capacity. Clearly, road systems in the real world need more total aggregate capacity than the total aggregate demand, because the traffic does not always precisely match the available capacity. Consequently, the standard consumption-based model generally underestimates the full cost of accommodating new development at the existing level of service.

In most rapidly growing communities, some roads will be experiencing an unacceptable level of congestion at any given point in time. One of the principles of impact fees is that new development should not be charged for a higher level of service than is provided to existing development. In the context of road impact fees, this has sometimes been interpreted to mean that impact fees should not be spent on roads that are already over-capacity. However, it is not necessary to address existing deficiencies in a consumption-based system, which, unlike an improvements-driven system, is not designed to recover the full costs to maintain the desired LOS on all road segments. Instead, it is only designed to maintain a minimum one-to-one overall ratio between system demand and system capacity. Virtually all major road systems have more capacity (VMC) than demand (VMT) on a system-wide basis. Consequently, under a consumption-based system, the level of service standard is really a system-wide VMC/VMT ratio of one.

The existing system-wide VMC/VMT ratio is considerably higher than one, as shown in Table 10. Because the City's major road system currently operates at better than a one-to-one ratio, there are no existing deficiencies on a system-wide basis.

Table 10. Existing Road Level of Service

	Arterials	Collectors	Total
Daily Vehicle-Miles of Capacity (VMC)	1,904,404	710,429	2,614,833
÷ Daily Vehicle-Miles of Travel (VMT)	1,087,610	192,241	1,279,851
System-Wide Capacity/Demand Ratio	1.75	3.70	2.04

Source: Table 59 in Appendix A.

The road impact fee formula is presented in Figure 3.

Figure 3. Road Impact Fee Formula

FEE	=	VMT X NET COST/VMT
Where:		
VMT	=	TRIPS x % NEW x LENGTH x ADJUST
TRIPS	=	1/2 average daily trip ends during weekday
% NEW	=	Percent of trips that are primary trips
LENGTH	=	Average length of a trip
ADJUST	=	Local travel demand adjustment factor
NET COST/VMT	=	COST/VMT - CREDIT/VMT
COST/VMT	=	COST/VMC X VMC/VMT
COST/VMC	=	Average cost per new VMC
VMC/VMT	=	Ratio of vehicle-miles of capacity to vehicle-miles of travel
CREDIT/VMT	=	Credit per VMT based on revenues generated

The traffic signal portion of the road impact fee is based on the ratio of existing traffic demand to existing signals. The current traffic signal level of service is shown in Table 11.

Table 11. Traffic Signal Level of Service

Existing Vehicle-Miles of Travel (VMT)	1,087,610
÷ Existing Traffic Signals	123
Existing VMT per Signal	8,842

Source: Existing VMT from Table 10; existing signals from City of Santa Fe Long Range Planning Division, July 27, 2020.

Travel Demand

The travel demand generated by specific land use types is a product of three factors: 1) trip generation, 2) percent new trips and 3) trip length. The first two factors are well documented in the professional literature, and the average trip generation characteristics identified in studies of communities around the nation should be reasonably representative of trip generation characteristics in Santa Fe. In contrast, trip lengths are much more likely to vary between communities, depending on the geographic size and shape of the community and its major street system.

Trip Generation

Trip generation rates are based on information published in the most recent edition of the Institute of Transportation Engineers' (ITE) *Trip Generation Manual*. Trip generation rates represent trip ends, or driveway crossings at the site of a land use. Thus, a single one-way trip from home to work counts as one trip end for the residence and one trip end for the workplace, for a total of two trip ends. To avoid over-counting, all trip rates have been divided by two. This places the burden of travel equally between the origin and destination of the trip and eliminates double-charging for any particular trip.

As with the current impact fee schedule, the road impact fees calculated in this report will vary by the size of the dwelling unit for single-family detached units. The average household size of single-family detached units by unit size is combined with data on trips by household size from the 2017 National Household Travel Survey to derive daily trip generation rates by unit size, as shown in Table 12.

Table 12. Single-Family Trip Generation Rates

Single-Family Unit Size (Heated Living Area)	Average HH Size	Daily Trips
1,500 sq. ft. or less	2.19	4.45
1,501-2,500 sq. ft.	2.36	4.69
2,501-3,000 sq. ft.	2.52	4.93
3,001 sq. ft. or more	2.71	5.20
All Single-Family Detached Units	2.38	4.72
Accessory Unit	1.50	2.32

Source: Average household sizes from Table 64; daily trips derived from 2017 National Household Transportation Survey data on daily trips by household size.

New Trip Factor

Trip rates also need to be adjusted by a "new trip factor" to exclude pass-by and diverted-link trips. This adjustment avoids over-counting by only including primary trips generated by the development. Pass-by trips are those trips that are already on a particular route for a different purpose and simply stop at a particular development on that route. For example, a stop at a convenience store on the way home from the office is a pass-by trip for the convenience store. A pass-by trip does not create an additional burden on the street system and therefore should not be counted in the assessment of impact fees. A diverted-link trip is similar to a pass-by trip, but a diversion is made from the regular route to make an interim stop. The reduction for pass-by and diverted-link trips was drawn from ITE and other published information.

Average Trip Length

In the context of a road impact fee based on a consumption-based methodology, it is important to determine the average length of a trip on the local major road system. The point of departure in developing local trip lengths is to utilize national data. The U.S Department of Transportation's 2009 National Household Travel Survey identifies average trip lengths for specific land uses and trip purposes. However, these trip lengths are unlikely to be representative of Santa Fe. An adjustment factor for local trip lengths can be derived by dividing the VMT that is actually observed on the major road system by the VMT that would be expected using national average trip lengths and trip generation rates.

The first step in developing the adjustment factor for local travel demand is to estimate the total daily vehicle-miles of travel (VMT) that would be expected on Santa Fe's major road system based on national travel demand characteristics. Existing land use data from the Land Use Assumptions are multiplied by average daily trip generation rates, percent of primary trips and national average trip lengths and summed to estimate total city-wide VMT. As shown in Table 13, existing service area land uses, using national trip generation and trip length data, would be expected to generate approximately 2.7 million VMT on the major road system during an average weekday.

Table 13. Expected Vehicle-Miles of Travel

Land Use Type	Unit	Existing Units	Trip Rate	New Trips	Trip Length	Expected VMT
Single-Family Detached	Dwelling	27,831	4.72	100%	8.58	1,127,089
Multi-Family	Dwelling	12,225	2.72	100%	8.58	285,302
Accessory Unit	Dwelling	3,274	2.32	100%	8.58	65,171
Retail/Commercial	1,000 sf	13,790	18.87	42%	7.03	768,318
Office	1,000 sf	5,526	4.87	100%	9.76	262,657
Industrial	1,000 sq. ft	2,450	1.68	100%	11.28	46,428
Warehouse	1,000 sq. ft	2,754	0.87	100%	11.28	27,027
Mini-Warehouse	1,000 sq. ft	1,283	0.75	100%	6.39	6,149
Public/Institutional	1,000 sf	7,261	3.32	100%	6.48	156,210
Total Expected VMT						2,744,351

Source: Existing units from Table 8; trip rates and percent new trips from Table 16; national average trip lengths from Table 15.

The next step in developing the local trip length adjustment factor is to determine actual service area VMT on the City of Santa Fe's major road system. Actual current daily VMT is calculated in Table 59 in Appendix A. Daily traffic counts were obtained from the Santa Fe Metropolitan Planning Organization. For most major road segments, 2019 counts were available, but for a few segments older counts were used. Lack of any recent traffic counts for some collector segments required use of an estimated volume based on 75 percent of the average volume for collector road with counts.

An adjustment of total existing VMT is sometimes necessary to take into account trips that travel on the major road system without an origin or destination in the city. However, because this study excludes any travel on roadways outside the city limits, on local roads, or on I-25 or other expressways (NM 599, and US 285 north of NM 599) that carry the vast majority of through trips, such an adjustment is not necessary.

Not surprisingly, the expected system-wide VMT based on existing land use data and national travel demand characteristics over-estimates VMT actually observed on the major road system. Consequently, it is necessary to develop an adjustment factor to account for this variation. The local trip length adjustment factor is the ratio of actual to projected VMT on the major road system. As shown in Table 14 on the following page, the national average trip length for each land use should be multiplied by a local adjustment factor of 0.396.

Table 14. Local Trip Length Adjustment Factor

Actual Daily VMT on Major Road System	1,087,610
÷ Expected Daily VMT on Major Road System	2,744,351
Ratio of Expected to Actual VMT	0.396

Source: Actual daily VMT from Table 10; expected VMT from Table 13.

The U.S. Department of Transportation's 2017 National Household Travel Survey identifies average trips lengths for residential housing types and for specific trip purposes, including shopping, medical/dental, home-to-work, family/personal and school/church trips. The national average trip lengths by trip purpose have been adjusted by the local adjustment factor calculated in the preceding table to derive local trip lengths, as shown in Table 15.

Table 15. Average Trip Length by Trip Purpose

Land Use Type	Trip Type	National (miles)	Ratio of Local/National	Local (miles)
Residential	Average	8.58	0.396	3.40
Retail/Commercial	Shopping	7.03	0.396	2.78
Office	Medical/Dental	9.76	0.396	3.86
Industrial	To or From Work	11.28	0.396	4.47
Warehouse	To or From Work	11.28	0.396	4.47
Mini-Warehouse	Family/Personal	6.39	0.396	2.53
Public/Institutional	School/Church	6.48	0.396	2.57

Source: National average trip lengths from US. Department of Transportation, National Household Travel Survey, 2017; local adjustment factor from Table 14.

Travel Demand Schedule

The result of combining trip generation rates, new trip factors and average trip lengths is a travel demand schedule that establishes the VMT during the average weekday generated by various land use types per unit of development in Santa Fe. The recommended travel demand schedule is presented in Table 16 on the following page.

Table 16. Travel Demand Schedule

Land Use Type	Unit	ITE Code	Daily Trips	New Trips	Trip Length	VMT/ Unit
Single-Family Detached (avg.)	Dwelling	210	4.72	100%	3.40	16.05
1,500 sq. ft. or less	Dwelling	210	4.45	100%	3.40	15.13
1,501-2,500 sq. ft.	Dwelling	210	4.69	100%	3.40	15.95
2,501-3,000 sq. ft.	Dwelling	210	4.93	100%	3.40	16.76
More than 3,000 sq. ft.	Dwelling	210	5.20	100%	3.40	17.68
Accessory Unit	Dwelling	n/a	2.32	100%	3.40	7.89
Multi-Family	Dwelling	230	2.72	100%	3.40	9.25
Mobile Home	Dwelling	240	2.50	100%	3.40	8.50
Retail/Commercial	1,000 sq. ft.	820	18.87	42%	2.78	22.03
Office	1,000 sq. ft.	710	4.87	100%	3.86	18.80
Industrial	1,000 sq. ft.	130	1.68	100%	4.47	7.51
Warehousing	1,000 sq. ft.	150	0.87	100%	4.47	3.89
Mini-Warehouse	1,000 sq. ft.	151	0.75	100%	2.53	1.90
Public/Institutional	1,000 sq. ft.	620	3.32	100%	2.57	8.53

Source: Trip rate is one-half average daily trip ends during a weekday from Institute of Transportation Engineers (ITE), *Trip Generation Manual*, 10th ed., 2017; trip rates for single-family by unit size from Table 12; new trip factor for shopping center from the ITE manual; average trip lengths from Table 15.

Cost per Service Unit

The road impact fee is designed to cover the cost of adding capacity to the major road system. All the normal components of a road expansion or intersection improvement project are eligible for impact fee funding, including construction of new lanes, reconstruction of existing lanes and relocation of utilities where necessary as part of a widening project, as well as new traffic signals, sidewalks, multi-use paths, street lighting, and associated landscaping within the major road corridors.

While all eligible improvements add vehicular capacity, either directly or indirectly by providing alternative mobility options, the cost of new capacity added can most readily be quantified for new roads or road widening projects. The road improvement costs exclude the cost of traffic signals, which are addressed in the calculation of the traffic signal component of the calculation.

Recent and planned road improvements are summarized in Table 17. The average cost of the capacity added by these projects, without the two costlier Cerrillos Road projects, is $346 per vehicle-mile of capacity (VMC) added. However, these projects average less than a mile in length and may lack economies of scale. In recognition of this, a lower cost of $260 per VMC will be used in the impact fee calculations. Under the standard consumption-based methodology, the cost per VMC does not need to be adjusted by the actual VMC/VMT ratio to determine the cost per VMT, because a ratio of one-to-one is assumed.

Table 17. Road Segment Cost per Service Unit

Road Improvement	Miles	Lanes	Capacity Before	Capacity After	New VMC	Cost	Cost/ VMC
Siler Rd, Agua Fria-W Alameda St (2010)	0.68	0-2	0	14,800	10,064	$4,000,000	$397
S Meadows, Agua Fria-NM 599 (2012)	0.91	0-2	0	14,800	13,468	$3,925,000	$291
Cerrillos, Cielo Ct-Camino Carlos Rey (2012)	0.57	6-8	50,000	67,300	9,861	$6,906,677	$700
Cerrillos, Camino Carlos Rey-St. Michaels	0.57	6-8	50,000	67,300	9,861	$10,300,000	$1,045
Beckner Rd, Las Soleras-Richards	1.25	2-4	13,300	32,400	23,875	$7,000,000	$293
Paseo del Sol Ext., Jaguar-Jaguar	1.20	0-2	0	13,300	15,960	$7,000,000	$439
Total	5.18				83,089	$39,131,677	$471
Total without Cerrillos	4.04				63,367	$21,925,000	$346
Assumed in Fee Calculations							$260

Source: City of Santa Fe Long Range Planning Division, July 27, 2020; generalized daily capacity estimates from Florida Department of Transportation, *2011 Quality/Level of Service Handbook*, Table 1.

The traffic signal improvement component of the road impact fee calculation is based on the average current cost of installing a new traffic signal. The cost per service unit is calculated by dividing the average cost of a traffic signal by the existing level of service, which is expressed as the ratio of existing traffic to existing traffic signals. As shown in Table 18, the traffic signal cost per service unit is $57 per VMT.

Table 18. Traffic Signal Cost per Service Unit

Average Cost per Traffic Signal	$500,000
÷ Existing Vehicle-Miles of Travel per Signal	8,842
Traffic Signal Cost per VMT	$57

Source: Cost per signal from City of Santa Fe Public Works Department, July 27, 2020; VMT per signal from Table 11.

The combined cost for the road segment and traffic signal components of the impact fee is $317 per VMT, as shown in Table 19.

Table 19. Total Road Cost per Service Unit

Road Segment Cost per Vehicle-Mile of Travel (VMT	$260
Traffic Signal Cost per VMT	$57
Total Road Cost per VMT	$317

Source: Road segment cost per VMT is the same as the cost per VMC from Table 17; traffic signal cost per VMT from Table 18.

Capital Facilities Plan

Projected growth from the Land Use Assumptions can be translated into projected impact on the major road system by multiplying existing and projected development in each major land use category by daily vehicle-miles of travel (VMT) associated with each land use. In Table 20, existing and future land uses within Santa Fe's incorporated area have been multiplied by VMT rates and summed to determine reasonable estimates of new daily travel demand that will be generated by anticipated new development within the city limits. As can be seen, new development is expected to increase travel demand in the service area by 78,453 daily VMT over the next seven years.

Table 20. Total Daily Travel Demand, 2021-2027

		Projected Units		VMT/	Projected VMT		
Land Use Type	Unit	2020	2027	Unit	2020	2027	New
Single-Family Detached	Dwelling	27,831	29,815	16.05	446,688	478,531	31,843
Multi-Family	Dwelling	12,225	15,547	9.25	113,081	143,810	30,729
Accessory Dwelling Unit	Dwelling	3,274	3,508	7.89	25,832	27,678	1,846
Retail/Commercial	1,000 sq. ft.	13,790	14,176	22.03	303,794	312,297	8,503
Office	1,000 sq. ft.	5,526	5,681	18.80	103,889	106,803	2,914
Industrial	1,000 sq. ft.	2,450	2,519	7.51	18,400	18,918	518
Warehouse	1,000 sq. ft.	2,754	2,831	3.89	10,713	11,013	300
Mini-Warehouse	1,000 sq. ft.	1,283	1,319	1.90	2,438	2,506	68
Public/Institutional	1,000 sq. ft.	7,261	7,464	8.53	61,936	63,668	1,732
Total					1,086,771	1,165,224	78,453

Source: Projected development units from Table 8; VMT per unit from Table 16.

A method of estimating growth-related capital needs over the next seven years is to multiply new VMT by the capital cost per VMT to get an estimate of the cost of expanding the capacity of the major road system to accommodate projected growth. This technique is applied in Table 21, and it results in estimated capital road needs of $24.9 million over the next seven years.

Table 21. Major Road Capital Needs, 2021-2027

New Vehicle-Miles of Travel, 2020-2027	78,453
x Capital Cost per VMT	$317
Road Capital Needs, 2020-2027	$24,869,601

Source: New VMT from Table 20; capital cost per VMT from Table 19.

The planned road, intersection and traffic signal improvements over the next seven years are summarized in Table 80 in Appendix G. The cost of the planned improvements totals $59.5 million, which exceeds the anticipated capital cost attributed to growth over the next seven years. These improvements will likely serve growth over a longer time horizon. The actual pace of development may be faster or slower than anticipated by the Land Use Assumptions, resulting in greater or lesser growth-related capital needs. In addition, the planned capital projects and estimated costs may change over time, and some of the costs may be funded from other sources.

Net Cost per Service Unit

In the calculation of the impact of new development on infrastructure costs, credit should be given for non-local funding that will be generated by new development and used to pay for capacity-related capital improvements. Credit should also be provided for taxes that will be paid by new development and used to retire outstanding debt for past major road improvements.

Over the next four years, the regional Transportation Improvement Program commits to spending approximately $25 million in Federal and State highway funding for capacity-expanding improvements to the City's major road system, or about $6.4 million per year. Dividing the anticipated annual State and Federal funding by existing travel on the major road system yields the annual State and Federal capital funding per VMT. Multiplying annual capacity funding per service unit by the appropriate present value factor yields the equivalent current value of the future stream of funding over the next 25 years, a period that generally corresponds to the period used for long-term debt repayment (20-30 years). The result is a Federal/State funding credit of $103 per VMT, as shown in Table 22.

Table 22. Road Federal/State Funding Credit

Acequia Trail Preliminary Engineering Rufina to San Felipe	$300,000
Canada Trail Connection, Calle Mejia-Camino Francisca	$900,000
Agua Fria St./Cottonwood Drive Intersection	$969,000
St. Michael's Dr. Rail Trail Pedestrian Crossing/Underpass	$4,984,999
Cerrillos Road Phase IA, B, C, D; phase II Final Design	$1,004,386
St. Michaels and St. Francis Interchange	$17,290,210
Federal and State Funding for Capacity, FY 2020-2023	$25,448,595
÷ Years in Funding Period	4
Annual Federal/State Capacity Funding	$6,362,149
÷ Existing VMT	1,279,851
Annual Federal/State Capacity Funding per VMT	$4.97
x Net Present Value Factor (25 years)	20.72
Federal/State Funding Credit per VMT	$103

Source: Federal/State capacity funding from Santa Fe Metropolitan Planning Organization, *2020-2013 Transportation Improvement Program*; existing VMT from Table 10; discount rate for present value factor is the average of national yields on 20- and 30-year AAA municipal bonds from fmsbonds.com on September 9, 2020.

In addition to the state and federal funding that is programed through the Metropolitan Planning Organization, the City also received state grants for capacity-expanding roadway projects. Over the last seven years, the City's major roads have been improved with State grants to the tune of about $25 million. If this rate of funding continues, the City will receive the present value equivalent over the next 25 years of $1 per VMT, as shown in Table 23.

Table 23. Road Grant Credit

Ref. #	Project Name	Amount
13-0954	Agua Fria / South Meadows Improvements	$25,000
18-C2663	Agua Fria / South Meadows Improvements	$100,000
18-C2664	Harrison Road Lighting/Sidewalk	$28,000
18-C2665	Sandoval / Montezuma Intersection Improvements	$100,000
19-D3408	Agua Fria / South Meadows Improvements	$125,000
19-D3409	Harrison Road Improvements	$200,000
Total, State Grant Funding, 2013-2019		$578,000
÷ Years in Funding Period		7
Annual State Grant Funding		$82,571
÷ Existing VMT		1,279,851
Annual State Grant Funding per VMT		$0.06
x Net Present Value Factor (25 years)		20.72
State Grant Funding Credit per VMT		$1

Source: Grant information from City of Santa Fe Finance Department, October 7, 2020; existing VMT from Table 10; discount rate for present value factor is the average of national yields on 20- and 30-year AAA municipal bonds from fmsbonds.com on September 9, 2020

The City of Santa Fe has some outstanding debt for past street improvements. The principal and interest payments on the outstanding debt are funded with revenues from the City's one-half cent gross receipts tax dedicated for capital improvements. Dividing the City's outstanding debt by existing travel demand on the major road system results in a debt credit of $1 per service unit, as shown in Table 24. This puts existing and new development on the same footing with respect to the portion of their attributable costs that will be paid through future debt service payments made by both existing and new development.

Table 24. Road Debt Credit

Total Outstanding Eligible Debt	$1,430,645
÷ Existing Major Road System Vehicle-Mies of Travel (VMT)	1,279,851
Road Debt Credit per VMT	$1

Source: Outstanding debt principal from Table 76; total VMT from Table 10.

Deducting the Federal/State funding, State grant, and debt credits from the capital cost per VMT yields a net cost per service unit of $212, as summarized in Table 25.

Table 25. Road Net Cost per Service Unit

Cost per Vehicle-Mile of Travel (VMT)	$317
– Federal/State Funding Credit per VMT	-$103
– Grant Credit per VMT	-$1
– Debt Credit per VMT	-$1
Road Net Cost per VMT	$212

Source: Cost per VMT from Table 19; federal/state funding credit from Table 22; grant credit from Table 23; debt credit from Table 24.

Net Cost Schedule

The maximum road impact fees that could be charged by the City, based on the data, methodology and assumptions utilized in this report, are presented in Table 26. The updated fees are calculated by multiplying the daily vehicle-miles of travel (VMT) generated by the development by the net cost per VMT calculated above.

Table 26. Road Net Cost Schedule

Land Use Type	Unit	VMT/ Unit	Net Cost/ VMT	Net Cost/ Unit
Single-Family Detached (avg.)	Dwelling	16.05	$212	$3,403
1,500 sq. ft. or less	Dwelling	15.13	$212	$3,208
1,501-2,500 sq. ft.	Dwelling	15.95	$212	$3,381
2,501-3,000 sq. ft.	Dwelling	16.76	$212	$3,553
3,001 sq. ft. or more	Dwelling	17.68	$212	$3,748
Accessory Unit	Dwelling	7.89	$212	$1,673
Multi-Family	Dwelling	9.25	$212	$1,961
Mobile Home/RV Park	Space	8.50	$212	$1,802
Retail/Commercial	1,000 sq. ft.	22.03	$212	$4,670
Office	1,000 sq. ft.	18.80	$212	$3,986
Industrial	1,000 sq. ft.	7.51	$212	$1,592
Warehousing	1,000 sq. ft.	3.89	$212	$825
Mini-Warehouse	1,000 sq. ft.	1.90	$212	$403
Public/Institutional	1,000 sq. ft.	8.53	$212	$1,808

Source: Daily VMT per unit from Table 16; net cost per VMT from Table 25.

The updated road impact fees calculated in this report are compared with the maximum fees calculated in the 2014 study in Table 27. The updated fee for a typical single-family unit is 13% higher than what was calculated in the previous study.

Table 27. Change in Road Impact Fees

Land Use Type	Unit	2014 Fee/Unit (100%)	2020 Fee/Unit (100%)	Percent Change
Single Family Detached (avg.)	Dwelling	$3,009	$3,403	13%
1,500 sq. ft. or less	Dwelling	$2,706	$3,208	19%
1,501-2,000 sq. ft.	Dwelling	$2,949	$3,381	15%
2,001-2,500 sq. ft.	Dwelling	$3,059	$3,381	11%
2,501-3,000 sq. ft.	Dwelling	$3,207	$3,553	11%
3,001 sq. ft. or more	Dwelling	$3,395	$3,748	10%
Accessory Unit	Dwelling	$1,617	$1,673	3%
Multi-Family	Dwelling	$1,855	$1,961	6%
Retail/Commercial	1,000 sq. ft.	$5,723	$4,670	-18%
Office	1,000 sq. ft.	$3,431	$3,986	16%
Industrial	1,000 sq. ft.	$2,651	$1,592	-40%
Warehousing	1,000 sq. ft.	$1,383	$825	-40%
Mini-Warehouse	1,000 sq. ft.	$535	$403	-25%
Public/Institutional	1,000 sq. ft.	$2,086	$1,808	-13%

Source: 2014 net cost per unit from Table 1; updated fees from Table 26.

Potential Revenue

Based on residential and nonresidential construction forecast in the Land Use Assumptions, the City could expect the road impact fees calculated in this report, if adopted at 100%, to generate only slightly more revenue than the current maximum fees over the next seven years, as shown in Table 28.

Table 28. Potential Road Impact Fee Revenue, 2021-2027

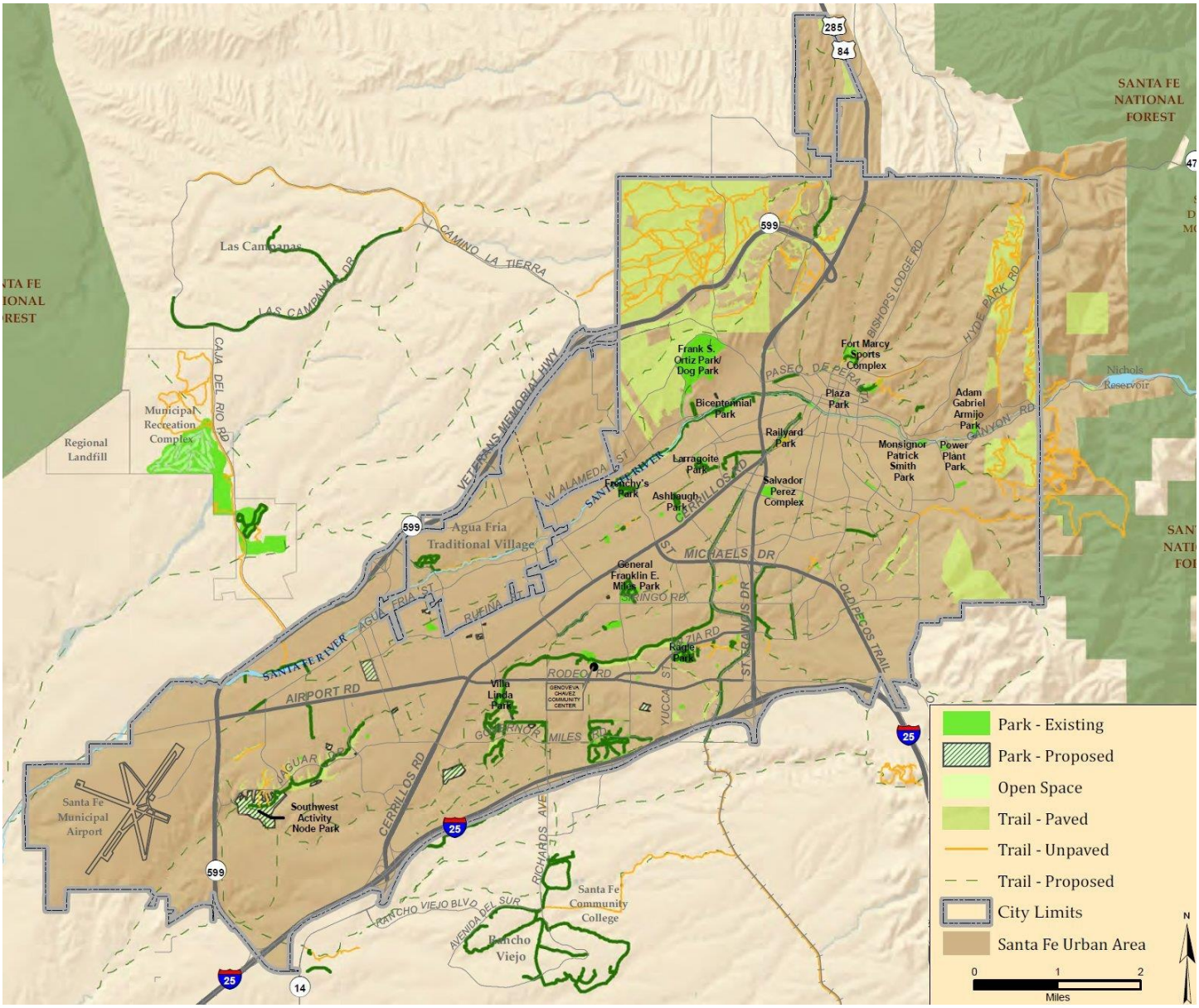
		Fee per Unit		7-Year	Potential Revenue, 2021-2027	
Land Use Type	Unit	2014 (100%)	2020 (100%)	Growth	2014 (100%)	2020 (100%)
Single-Family Detached	Dwelling	$3,009	$3,403	1,865	$5,611,785	$6,346,595
Multi-Family	Dwelling	$1,855	$1,961	3,147	$5,837,685	$6,171,267
Accessory Unit	Dwelling	$1,617	$1,673	234	$378,378	$391,482
Subtotal, Residential					$11,827,848	$12,909,344
Retail/Commercial	1,000 sq. ft.	$5,723	$4,670	386	$2,209,078	$1,802,620
Office	1,000 sq. ft.	$3,431	$3,986	155	$531,805	$617,830
Industrial	1,000 sq. ft.	$2,651	$1,592	69	$182,919	$109,848
Warehouse	1,000 sq. ft.	$1,383	$825	77	$106,491	$63,525
Mini-Warehouse	1,000 sq. ft.	$535	$403	36	$19,260	$14,508
Public/Institutional	1,000 sq. ft.	$2,086	$1,808	203	$423,458	$367,024
Subtotal, Nonresidential					$3,473,011	$2,975,355
Total Potential Fee Revenue, 2021-2027					$15,300,859	$15,884,699
Percent Change in Potential Revenue						3.8%

Source: 2014 and 2020 fee per unit from Table 26 (industrial/warehouse is average of industrial, warehousing and mini-warehouse); 7-year growth from Table 8, less anticipated affordable housing waivers from Table 9; potential revenue is new units times fee per unit.

PARKS/TRAILS

This chapter of the study updates the City's park/trail impact fee. The primary purpose of this study is to update the fees to reflect the current level of service and current costs to provide park facilities. The locations of the City's existing parks, open space and trails are illustrated in Figure 4.

Figure 4. Existing Parks, Open Space and Trails



Service Unit

Disparate types of development must be translated into a common unit of measurement that reflects the impact of new development on the demand for park facilities. This unit of measurement is called a "service unit." The most common service unit used in park impact fee analysis is population. Population estimates are based on three factors: the number of dwelling units, average household sizes for various types of units and occupancy rates. The number of dwelling units can be estimated with some degree of precision, and average household size has been declining somewhat predictably but has been stabilizing in recent years. Occupancy rates, on the other hand, tend to vary significantly over time, and not in predictable directions. Consequently, this report recommends the use of a service unit that avoids the need to make assumptions about occupancy rates. This service unit is the "equivalent dwelling unit" or EDU, which represents the impact of a typical single-family dwelling. By definition, a typical single-family unit represents, on average, one EDU. Other types of units each represent a fraction of an EDU, based on their relative average household sizes.

Because the level of service for park facilities is measured in terms of population, demand for park facilities is proportional to the number of people in a dwelling unit. Consequently, data on average household size for various types of units is a critical component of a park impact fee. These data are presented and analyzed in Appendix B.

As described earlier, the service unit for Santa Fe's park/trail impact fees is defined as an equivalent dwelling unit, or EDU. An EDU is a unit that has an average household size equivalent to a typical single-family unit in Santa Fe. The EDUs associated with each housing type and unit size category are shown in Table 29.

Table 29. Park/Trail Equivalent Dwelling Unit Multipliers

Housing Type/Living Area	Unit	Avg. HH Size	EDUs/ Unit
Single-Family Detached (avg.)	Dwelling	2.38	1.00
1,500 sq. ft. or less	Dwelling	2.19	0.92
1,501-2,500 sq. ft.	Dwelling	2.36	0.99
2,501-3,000 sq. ft.	Dwelling	2.52	1.06
More than 3,000 sq. ft.	Dwelling	2.71	1.14
Accessory Unit	Dwelling	1.50	0.63
Multi-Family	Dwelling	1.79	0.75
Mobile Home Park	Pad	3.64	1.53

Source: Average household size from Table 65; EDUs/unit is ratio of average household size to average for single-family detached..

The number of existing and future park/trail service units can be determined by multiplying the number of dwelling units by housing type from the land use assumptions by the park/trail service units per dwelling unit for each housing type. As shown in Table 30, a total of 4,622 new park/trail service units is projected to be added in the City of Santa Fe over the next seven years.

Table 30. Park/Trail Service Units, 2021-2027

Housing Type	Dwelling Units 2020	Dwelling Units 2027	EDUs/ Unit	Park Service Units (EDUs) 2020	Park Service Units (EDUs) 2027	Park Service Units (EDUs) New
Single-Family Detached	27,831	29,815	1.00	27,831	29,815	1,984
Multi-Family	12,225	15,547	0.75	9,169	11,660	2,491
Accessory Unit	3,274	3,508	0.63	2,063	2,210	147
Total	43,330	48,870		39,063	43,685	4,622

Source: Dwelling units from Table 8; EDUs/unit from Table 29.

Cost per Service Unit

The park/trail impact fees are based on the existing level of service for parks, open space and trails. The level of service is measured in terms of the ratio of the replacement value of existing facilities to the number of existing service units, or park EDUs. The level of service used in calculating the park/trail impact fee relies on the replacement value of existing park land and improvements, rather than on acres, since, for example, an acre of intensively-developed park land is not equivalent to an acre of open space or passive recreation land.

The initial step in determining the current level of service is to identify the current inventory of parks, open space and trails currently provided by the City. A detailed inventory of existing City parks, trails and opens space is presented in Appendix D.

One issue to address is how to treat City-owned park and open space land and improvements that are located in the unincorporated area, which means they are outside the City's service area – the incorporated area of the City. The New Mexico Development Fees Act states that the impact fee capital improvements plan shall include "existing capital improvements within the service area and the costs to upgrade, update, improve, expand or replace the described capital improvements to adequately meet existing needs and usage and stricter safety, efficiency, environmental or regulatory standards;" as well as "an analysis …. of the total capacity, the level of current usage and commitments for usage of capacity of the existing capital improvements;".[2] While the statute does not use the phrase "level of service," this language clearly is a nod to national case law relating to impact fees, which holds as a fundamental premise that impact fees should not charge new development for a higher level of service than is currently provided to existing development in the service area, unless the deficiencies in the existing level of service are remedied by another funding source.

The City's Municipal Recreation Complex (MRC) and the Marty Sanchez Golf Course are located on a roughly 1,200-acre parcel of City-owned land located roughly 1-2 miles north of the city limit line at NM 599 and Caja del Rio Road. They are open to unincorporated county residents, are major specialized facilities that may draw visitors from a wide area, and are easily accessible via NM 599 to non-City residents. While there may be other City parks facilities located within the city limits that also draw a significant number of unincorporated area residents, the MRC/golf course complex is not in the city limits and it would be reasonable to allocate these facility costs to county-wide population.

[2] NMSA 5-8-6.A(1) and (2) [emphasis added]

Our recommendation to comply with the Development Fees Act is to define the park impact fee service area as the incorporated area plus the City-owned MRC/golf course property. This does not affect the land use assumptions, because there is no existing residential development on the land, nor is there likely to be any in the future. This would allow the City to include the value of its investment in land and improvements in this area in determining the existing level of service, as well as to use park impact fee funds collected from new residential development inside the city limits to make improvements in this area.

We also recommend that the share of the value attributed to residential development inside the city limits be equal to the City's share of county-wide population. Recent U.S. Census estimates indicate that the incorporated area of the City accounts for 56.4% of county-wide household population. Using this percentage, the values of the two facilities attributed to residential development in the incorporated area are calculated in Table 31

Table 31. City Share of MRC/Golf Course Facilities

Type of Park Capital Facility	Units	Unit Cost	Total Cost
Municipal Recreation Center			
Acres of Land	428.38	$16,260	$6,965,459
Playground	1	$72,360	$72,360
Soccer Field	5	$289,440	$1,447,200
Baseball Field	2	$303,960	$607,920
Softball Field	2	$303,960	$607,920
Trails - Paved (miles)	10.84	$960,000	$10,406,400
Trails - Soft Surface (miles)	9.00	$12,500	$112,500
Total, Municipal Recreation Center			$20,219,759
x City Percentage of County Population			56.4%
City Share, Municipal Recreation Center			$11,403,944
Marty Sanchez Golf Course			
Acres of Land	850.00	$16,260	$13,821,000
Golf Course Hole	27	$200,000	$5,400,000
Club House (sq. feet)	4,000	$300	$1,200,000
Total, Marty Sanchez Golf Course			$20,421,000
x City Percentage of County Population			56.4%
City Share, Marty Sanchez Golf Course			$11,517,444

Source: Units from Table 72 and Table 73 in Appendix D; unit costs from Table 32 below; City percentage of county-wide population is the ratio of city to county household population from U.S. Census Bureau, 2019 American Community Survey tabular data,

Based on the inventory of existing facilities and the current unit costs provided by the City, the total replacement cost of existing park land and facilities attributable to City residents is about $154 million, as summarized in Table 32.

Table 32. Park/Trail Replacement Cost

Type of Park Capital Facility	Units	Unit Cost	Total Cost
Park/Open Space Acres (excluding MRC/golf)	1,436.33	$16,260	$23,354,726
Playground	41	$72,360	$2,966,760
Picnic Area	48	$65,160	$3,127,680
Activity Area	17	$28,920	$491,640
Tennis Court	20	$86,880	$1,737,600
Soccer Field	12	$289,440	$3,473,280
Basketball Court	25	$57,840	$1,446,000
Baseball Field	14	$303,960	$4,255,440
Softball Field	8	$303,960	$2,431,680
Handball Court	3	$43,440	$130,320
Volleyball Court	4	$50,640	$202,560
Skateboard Park	2	$376,320	$752,640
Trails - Paved Miles (excl. MRC/Golf Course)	37.35	$960,000	$35,854,080
Trails - Soft Surface Miles (excl. MRC/Golf Course)	69.51	$12,500	$868,900
Bicentennial Pool	1	$2,315,520	$2,315,520
Salvador Perez Pool and Fitness Center	1	$4,052,160	$4,052,160
Genoveva Chavez Community Center	1	$36,180,000	$36,180,000
Fort Marcy Recreation Center	1	$6,078,240	$6,078,240
Municipal Recreation Center Land/Improvements*	1	$11,403,944	$11,403,944
Marty Sanchez Golf Course Land/Improvements*	1	$11,517,444	$11,517,444
Capital Equipment	n/a	n/a	$1,705,750
Total Replacement Cost			$154,346,364

* share of total cost attributable to city residents

Source: Acres and number of facilities from Appendix D, Table 71; miles of trail from Table 72; unit costs from City of Santa Fe Parks Department, August 29, 2020; (pools and recreation center costs are estimated replacement costs, Municipal Recreation Center and Marty Sanchez Golf Course values attributable to City residents from Table 31).

The cost to maintain the existing park level of service is the total replacement cost of existing park land and improvements divided by the existing service units. The park cost per service unit is $3,951 per EDU, as summarized in Table 33.

Table 33. Park/Trail Cost Per Service Unit

Total Replacement Cost	$154,346,364
÷ Existing Park Service Units (EDUs)	39,063
Park Cost per EDU	$3,951

Source: Cost from Table 32; existing EDUs from Table 30.

Capital Facilities Plan

A reasonable method of estimating growth-related capital needs is one that is consistent with the methodology used to calculate park/trail impact fees in this study. This approach is to multiply the projected new park EDUs by the capital cost per EDU to get an estimate of the cost of expanding the capacity of the park system to accommodate projected growth. As shown in Table 34, this results in estimated growth-related park capital improvement need over the next seven years of $18.3 million.

Table 34. Park/Trail Capital Needs, 2021-2027

New Park Service Units (EDUs), 2020-2027	4,622
x Park Cost per EDU	$3,951
Park Capital Needs, 2020-2027	$18,261,522

Source: New park EDUs from Table 30; cost per EDU from Table 33.

Park improvements currently planned over the next seven years are summarized in Table 81 in Appendix G. The $46 million cost of the planned improvements far exceeds the projected capital cost attributable to growth over the next seven years. The actual pace of development may be faster or slower than anticipated by the Land Use Assumptions, resulting in greater or lesser growth-related capital needs. In addition, the planned capital projects and estimated costs may change over time, and some of the costs may be funded from other sources.

Net Cost per Service Unit

As noted earlier, to avoid double-charging, credit against impact fees should be provided to account for debt service payments by new development that will be used to retire outstanding debt on existing facilities and for outside funding sources available to pay a portion of the capital costs of growth.

The City's primary funding source for park-related capital improvements is revenue bonds repaid primarily with revenues from the City's half-cent capital improvement gross receipts tax (GRT). An analysis of the City's outstanding debt indicates that the debt attributable to past park-related improvements equals 15% of the total estimated replacement cost of all of the City's parks, open space and recreational facilities. In order to account for the outstanding debt, the impact fees must be reduced to ensure that new development is placed on the same footing as existing development in terms of the portion of park costs funded through debt. As shown in Table 35, the debt credit is $610 per service unit.

Table 35. Park/Trail Debt Credit

Total Outstanding Debt Principal	$23,836,228
÷ Existing Park Service Units (EDUs)	39,063
Park Debt Credit per EDU	$610

Source: Outstanding debt from Table 76; EDUs from Table 30.

Although future grant funding is difficult to predict, it is reasonable to assume that the level of funding received over the last 12 years will continue to the extent that growth rates are constant. If recent grant funding continues at the same rate, the City should receive the current present value equivalent of $406 in grant funding for parks, open space and trails for each new single-family home or park/trail service unit equivalent over the next 25 years, as shown in Table 36.

Table 36. Park/Trail Grant Funding Credit

Project Description	Amount
Larragoite Park Improvements	$20,000
Santa Fe Southwest Activity Node Park (SWAN)	$35,000
Santa Fe Water History Park & Museum Phase 2	$150,000
Santa Fe Parks Shade Structure	$320,000
Salvador Perez Park Rec Center Improvement	$20,000
SWAN Regional Park	$200,800
Acequia Trail Link to San Felipe	$256,320
Cañada Trail Connection	$768,960
Grant Funding, 2013-2019	$1,771,080
Grant Funding, 2008-2013	$7,411,295
Grant Funding, 2008-2019	$9,182,375
÷ Years in Funding Period	12
Annual Grant Capacity Funding	$765,198
÷ Existing Park Service Units (EDUs)	39,063
Annual Grant Funding per EDU	$19.59
x Net Present Value Factor (25 years)	20.72
Grant Funding Credit per EDU	$406

Source: Grant information for 2013-2019 from City of Santa Fe Finance Department, October 7, 2020; funding for 2008-2013 from City of Santa Fe Impact Fee Capital Improvements Plan, 2014, Table 35; existing park EDUs from Table 30; discount rate for present value factor is the average of national yields on 20- and 30-year AAA municipal bonds from fmsbonds.com on September 9, 2020.

The City does not have any additional dedicated funding for park capital improvements. As shown in Table 37, deducting the credits for outstanding park debt and anticipated park grants results in a net park cost of $2,935 per service unit.

Table 37. Park/Trail Net Cost Per Service Unit

Park Cost per Service Unit (EDU)	$3,951
– Debt Credit per EDU	-$610
– Grant Funding Credit per EDU	-$406
Park Net Cost per EDU	$2,935

Source: Park cost per EDU from Table 33; debt credit from Table 35; grant credit from Table 36.

Net Cost Schedule

The maximum park fees that can be adopted by the City based on this study are derived by multiplying the number of equivalent dwelling units (EDUs) represented by each dwelling unit by the net cost per EDU, as shown in Table 38.

Table 38. Park/Trail Net Cost Schedule

Land Use Type	Unit	EDU/ Unit	Net Cost/ EDU	Net Cost/ Unit
Single-Family Detached (avg.)	Dwelling	1.00	$2,935	$2,935
1,500 sq. ft. or less	Dwelling	0.92	$2,935	$2,700
1,501-2,500 sq. ft.	Dwelling	0.99	$2,935	$2,906
2,501-3,000 sq. ft.	Dwelling	1.06	$2,935	$3,111
More than 3,000 sq. ft.	Dwelling	1.14	$2,935	$3,346
Accessory Unit	Dwelling	0.63	$2,935	$1,849
Multi-Family	Dwelling	0.75	$2,935	$2,201
Mobile Home Park	Dwelling	1.53	$2,935	$4,491

Source: EDUs per unit from Table 29; net cost per EDU from Table 37.

The updated park/trail impact fees calculated in this report are compared with the City's current fees in Table 39. In general, the updated fees are close to double the fees calculated in the 2014 study.

Table 39. Change in Park/Trail Impact Fees

Housing Type	Unit	2014 Fee/Unit (100%)	2020 Fee/Unit (100%)	Percent Change
Single Family Detached	Dwelling	$1,552	$2,935	89%
Up to 1,500 sq. ft.	Dwelling	$1,381	$2,700	96%
1,501 - 2,000 sq. ft.	Dwelling	$1,443	$2,906	101%
2,001 - 2,500 sq. ft.	Dwelling	$1,583	$2,906	84%
2,501 - 3,000 sq. ft.	Dwelling	$1,661	$3,111	87%
More than 3,000 sq. ft.	Dwelling	$1,769	$3,346	89%
Accessory Unit	Dwelling	$1,180	$1,849	57%
Multi-Family	Dwelling	$1,350	$2,201	63%
Mobile Home Park	Dwelling	$2,154	$4,491	108%

Source: 2014 maximum fees from Table 1; updated fees from Table 38.

Potential Revenue

Under the updated fee structure if adopted at 100%, the City could expect to receive about $12.8 million in park/trail impact fees over the next seven years. The revenue generated by the updated fees would be more than double what would be received under the maximum fees calculated in the previous study.

Table 40. Potential Park/Trail Impact Fee Revenue, 2021-2027

		Fee per Unit		7-Year	Potential Revenue	
Housing Type	Unit	2014 (100%)	2020 (100%)	Growth	2014 (100%)	2020 (100%)
Single-Family Detached	Dwelling	$1,552	$2,935	1,865	$2,894,480	$5,473,775
Multi-Family	Dwelling	$1,350	$2,201	3,147	$4,248,450	$6,926,547
Accessory Unit	Dwelling	$1,180	$1,849	234	$276,120	$432,666
Total Potential Fee Revenue, 2021-2027					$7,419,050	$12,832,988
Percent Change in Potential Revenue						73.0%

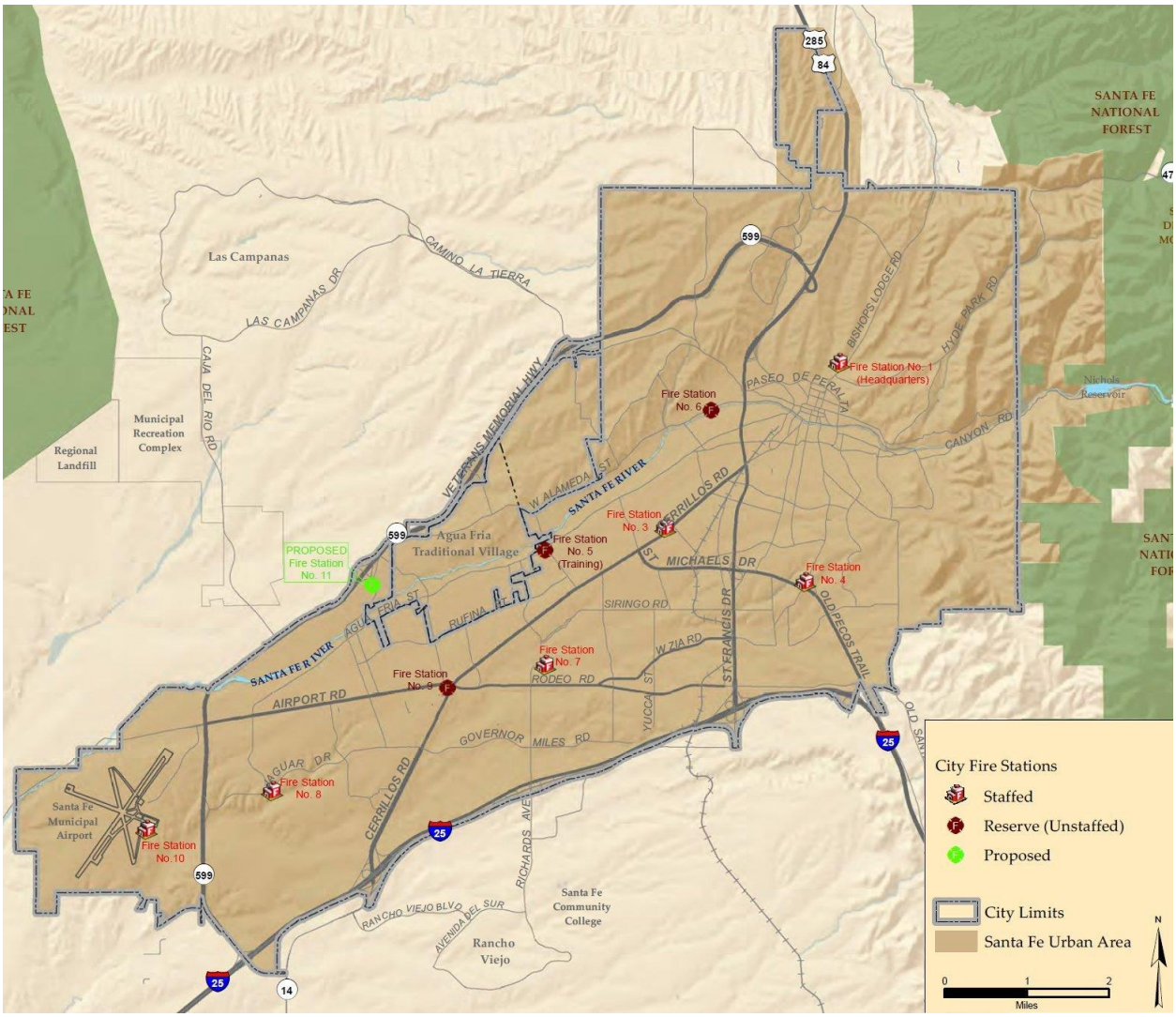
Source: 2014 and 2020 fee per unit from Table 39; 7-year growth from Table 8, less anticipated affordable housing waivers from Table 9; potential revenue is new units times fee per unit.

FIRE/EMS

The New Mexico Development Fees Act authorizes cities to establish impact fees for "buildings for fire, police and rescue, and essential equipment costing $10,000 or more and having a ten-year life expectancy." This chapter updates the City of Santa Fe fire/EMS impact fee. One change recommended in this update is to change the service area from the urban area to the incorporated area.

The City of Santa Fe Fire Department operates seven fire stations, one airport station that houses the aircraft rescue and firefighting apparatus, and three support facilities. The existing fire/EMS facilities are shown in Figure 5.

Figure 5. Existing Fire Stations



In addition to structural fire suppression, the Fire Department provides emergency medical services (EMS), enforces City fire codes, reviews building plans, investigates fires and provides fire safety and injury prevention education. The Department is also responsible for response to and initial mitigation of reported hazardous materials incidents, technical rescues that include high angle rescue, trench rescue, swift-water rescue, building collapse, and wildland-urban interface fires.

Service Unit

Disparate types of development must be translated into a common unit of measurement that reflects the impact of new development on the demand for fire/EMS service. This common unit of measurement is referred to as a "service unit." Service units create the link between the supply of fire capital facilities and the demand for such facilities generated by new development.

The two most common methodologies used in calculating fire/EMS impact fees are the "calls-for-service" approach and the "functional population" approach. While annual call data are available for fire/EMS calls, this study continues to use functional population. Typically, the majority of fire calls are responses to emergencies, which are associated with the presence of people, rather than structural fires. In addition, almost 40 percent of calls in Santa Fe's Fire Department are not directly attributed to a land use; such calls are likely responses to motor-vehicle accidents, which are related to movement between land uses.

The functional population approach is a more generalized approach than calls-for-service, and it presumes that the demand for fire services is strongly related to the presence of people at the site of a land use. Functional population is analogous to the concept of "full-time equivalent" employees. It represents the number of "full-time equivalent" people present at the site of a land use, and it is used for the purpose of determining the impact of a particular development on the need for fire facilities. For residential development, functional population is simply average household size times the percent of time people tend to spend at home. For nonresidential development, functional population is based on a formula that includes trip generation rates, average vehicle occupancy and average number of hours spent by visitors at a land use. Functional population multipliers by land use type and total existing and projected functional population are presented in Appendix C.

Cost per Service Unit

Fire/EMS impact fees are designed to charge new development the cost of providing the same level of service that is provided to existing development. The existing level of service for fire/EMS facilities is based on the replacement cost of existing facilities. The Department estimates that new facilities will cost $475 per square foot for fire stations and $300 per square foot for support facilities. The total building and land replacement cost for the Fire Department's existing City-owned facilities is about $35 million, as shown in Table 41.

Table 41. Fire/EMS Facility Replacement Cost

Station No.	Address	Bldg. (sq. ft.)	Land (ac.)	Building Value	Land Value	Total Value
1 - Urban Station	200 Murales Rd	11,440	1.20	$5,434,000	$240,000	$5,674,000
3A - Fire Prev.	1751 Cerrillos Rd	3,124	1.00	$937,200	$200,000	$1,137,200
3 - Urban Station	1751 Cerrillos Rd	10,605	1.00	$5,037,375	$200,000	$5,237,375
4 - Urban Station	1130 Arroyo Chamiso	8,242	1.00	$3,914,950	$200,000	$4,114,950
5 - Office	1130 Siler Rd	10,156	5.00	$3,046,800	$1,000,000	$4,046,800
6 - Storage	1030 W. Alameda	2,000	0.20	$700,000	$40,000	$740,000
7 - Suburban Station	2391 Richards Ave	14,440	2.25	$6,859,000	$450,000	$7,309,000
8 - Urban Station	6796 Jaguar Dr	10,241	2.52	$4,864,475	$504,000	$5,368,475
9 - Urban Station	2501 Camino Entrada	2,100	3.00	$997,500	$600,000	$1,597,500
10 - Airport (leased)	121 Aviation Dr	n/a	n/a	n/a	n/a	n/a
Total		72,348	17.17	$31,791,300	$3,434,000	$35,225,300

Source: Santa Fe Fire Department, July 16, 2020 (land cost based on $200,000 per acre).

The New Mexico Development Fees Act authorizes the use of impact fees for all essential fire-fighting and EMS equipment costing $10,000 or more and having a life expectancy of at least ten years. However, most of the cost of apparatus and major equipment is funded by State grants and is not included in the fee calculations.

The fire/EMS impact fee is based on the replacement value of existing capital facilities divided by the total number of service units associated with the City's functional population. As shown in Table 42, the replacement cost for fire and EMS facilities and equipment is $369 per service unit.

Table 42. Fire/EMS Cost Per Service Unit

Fire/EMS Facility Replacement Cost	$35,225,300
÷ Existing Functional Population	95,582
Fire/EMS Cost per Functional Population	$369

Source: Replacement cost from Table 41; existing functional population from Table 70 in Appendix C.

Capital Facilities Plan

The magnitude of future growth-related fire/EMS capital needs can be estimated by multiplying the anticipated growth in service units associated by the cost per unit. As shown in Table 43, this results in estimated fire/EMS capital improvement needs over the next seven years of about $3.1 million.

Table 43. Fire/EMS Capital Needs, 2021-2027

New Functional Population, 2020-2027	8,288
x Fire/EMS Cost per Functional Population	$369
Fire/EMS Capital Needs, 2020-2027	$3,058,272

Source: New functional population Table 70, Appendix C; cost per functional population from Table 42.

According to the Fire Department, existing fire/EMS facilities are only marginally adequate based on the population served, travel distance, and call volume. Current plans include the construction of two new fire stations to better serve the expanding southern and southwestern areas, and the remodeling/expansion of Stations 5 and 6. As summarized in Table 82 in Appendix G, planned fire/EMS improvements identified and eligible to receive impact fee funding total about $14 million.

Net Cost per Service Unit

In calculating the impact of new development on infrastructure costs, credit should be given for non-local funding that will be generated by new development and used to pay for capacity-related capital improvements. Credit should also be provided for taxes that will be paid by new development and used to retire outstanding debt for past fire/EMS facility improvements.

The City of Santa Fe has some outstanding debt for past fire/EMS capital improvements, including construction of two fire stations. As shown in Table 44, dividing the outstanding debt by existing service units results in the debt credit per service unit. This puts existing and new development on the same footing with respect to the portion of their attributable costs that will be paid through future debt service payments made by both existing and new development.

Table 44. Fire/EMS Debt Credit

Total Outstanding Eligible Debt	$1,656,756
÷ Existing Functional Population	95,582
Fire/EMS Debt Credit per Functional Population	$17

Source: Outstanding fire-related debt from Table 76 in Appendix E; existing functional population from Table 70, Appendix C.

The Fire Department receives enough State grant funding to satisfy its apparatus needs, and for this reason no apparatus or equipment costs have been included in the cost calculations. Because those costs have not been included, no grant credit is warranted. Deducting the credit for outstanding debt from the capital cost yields the net fire/EMS cost of $352 per service unit, as summarized in Table 45.

Table 45. Fire/EMS Net Cost Per Service Unit

Fire/EMS Cost per Functional Population	$369
– Debt Credit per Functional Population	-$17
Fire/EMS Net Cost per Functional Population	$352

Source: Cost from Table 42; debt credit from Table 44.

Potential Fee Schedule

The maximum fire/EMS impact fees that may be charged by the City of Santa Fe based on the data, assumptions and methodology used in this report are shown in Table 46.

Table 46. Fire/EMS Net Cost Schedule

Land Use Type	Unit	Func. Pop/ Unit	Net Cost/ Func. Pop.	Net Cost/ Unit
Single-Family Detached (avg.)	Dwelling	1.587	$352	$559
1,500 sq. ft. or less	Dwelling	1.461	$352	$514
1,501-2,500 sq. ft.	Dwelling	1.574	$352	$554
2,501-3,000 sq. ft.	Dwelling	1.681	$352	$592
More than 3,000 sq. ft.	Dwelling	1.808	$352	$636
Accessory Unit	Dwelling	1.001	$352	$352
Multi-Family	Dwelling	1.194	$352	$420
Mobile Home/RV Park	Space	2.428	$352	$855
Retail/Commercial	1,000 sq. ft.	1.773	$352	$624
Office	1,000 sq. ft.	0.861	$352	$303
Industrial	1,000 sq. ft.	0.373	$352	$131
Warehousing	1,000 sq. ft.	0.173	$352	$61
Mini-Warehouse	1,000 sq. ft.	0.035	$352	$12
Public/Institutional	1,000 sq. ft.	0.399	$352	$140

Source: Functional population per unit from Table 69 in Appendix C; net cost per functional population from Table 45.

The updated fire/EMS impact fees calculated in this report are compared with the City's current maximum fees in Table 47. These significant fee increases are largely due to more realistic estimates of what it actually costs to build new fire stations in Santa Fe today.

Table 47. Fire/EMS Impact Fee Comparisons

Land Use Type	Unit	2014 Fee/Unit (100%)	2020 Fee/Unit (100%)	Percent Change
Single Family Detached	Dwelling	$247	$559	126%
Up to 1,500 sq. ft.	Dwelling	$220	$514	134%
1,501 - 2,000 sq. ft.	Dwelling	$230	$554	141%
2,001 - 2,500 sq. ft.	Dwelling	$252	$554	120%
2,501 - 3,000 sq. ft.	Dwelling	$265	$592	123%
More than 3,000 sq. ft.	Dwelling	$282	$636	126%
Accessory Unit	Dwelling	$187	$352	88%
Multi-Family	Dwelling	$214	$420	96%
Retail/Commercial	1,000 sq. ft.	$384	$624	63%
Office	1,000 sq. ft.	$180	$303	68%
Industrial	1,000 sq. ft.	$78	$131	68%
Warehouse	1,000 sq. ft.	$34	$61	79%
Mini-Warehouse	1,000 sq. ft.	$31	$12	-61%
Public/Institutional	1,000 sq. ft.	$162	$140	-14%

Source: 2014 study maximum fees fees from Table 1; updated fees from Table 46.

Potential Revenue

If adopted at the full updated amounts, the fire/EMS impact fees could generate about $2.8 million over the next seven years, based on the development projected in the Land Use Assumptions, as shown in Table 48. These revenue projections assume no waivers or fee reductions, other than for affordable housing. This is almost twice the revenue that would be anticipated under the maximum fees calculated in the 2014 study.

Table 48. Potential Fire/EMS Impact Fee Revenue, 2021-2027

		Fee per Unit		7-Year	Potential Revenue	
Land Use Type	Unit	2014 (100%)	2020 (100%)	Growth	2014 (100%)	2020 (100%)
Single-Family Detached	Dwelling	$247	$559	1,865	$460,655	$1,042,535
Multi-Family	Dwelling	$214	$420	3,147	$673,458	$1,321,740
Accessory Unit	Dwelling	$187	$352	234	$43,758	$82,368
Subtotal, Residential					$1,177,871	$2,446,643
Retail/Commercial	1,000 sq. ft.	$384	$624	386	$148,224	$240,864
Office	1,000 sq. ft.	$180	$303	155	$27,900	$46,965
Industrial	1,000 sq. ft.	$78	$131	69	$5,382	$9,039
Warehouse	1,000 sq. ft.	$34	$61	77	$2,618	$4,697
Mini-Warehouse	1,000 sq. ft.	$31	$12	36	$1,116	$432
Public/Institutional	1,000 sq. ft.	$162	$140	203	$32,886	$28,420
Subtotal, Nonresidential					$218,126	$330,417
Total Potential Fee Revenue, 2021-2027					$1,395,997	$2,777,060
Percent Change in Potential Revenue						99%

Source: 2014 and 2020 fee/unit from Table 46; 7-year growth from Table 8, less anticipated affordable housing waivers from Table 9; potential revenue is units times fee per unit.

POLICE

This chapter updates the City of Santa Fe police impact fee. The Santa Fe Police Department was originally founded in 1851, and is responsible for upholding the law within the jurisdictional boundaries of the City of Santa Fe.

Service Unit

Disparate types of development must be translated into a common unit of measurement that reflects the impact of new development on the demand for police protection. This common unit of measurement is referred to as a "service unit." Service units create the link between the supply of capital facilities and the demand for such facilities generated by new development.

The two most common methodologies used in calculating police impact fees are the "calls-for-service" approach and the "functional population" approach. While annual call data are available for police calls, this study uses functional population in order to allocate police capital costs among more specific land-use categories. The functional population approach is a more generalized approach than calls-for-service, and it presumes that the demand for police services is strongly related to the presence of people at the site of a land use. Functional population is analogous to the concept of "full-time equivalent" employees. It represents the number of "full-time equivalent" people present at the site of a land use, and it is used for the purpose of determining the impact of a particular development on the need for police facilities. For residential development, functional population is simply average household size times the percent of time people are assumed to spend at home. For nonresidential development, functional population is based on a formula that factors trip generation rates, average vehicle occupancy and average number of hours spent by visitors at a land use. Functional population multipliers by land use type and total existing and projected functional population for the Urban Area are presented in Appendix C.

Cost per Service Unit

Police impact fees are designed to charge new development the cost of providing the same level of service that is provided to existing development. The existing level of service for police facilities is based on the replacement cost of existing facilities. The Department estimates that the current cost to construct new police facilities is $300 per square foot ($200 was used in the 2014 study). The total building and land replacement cost for the Police Department's existing facilities is estimated to be about $11 million, as shown in Table 49.

Table 49. Police Facility Replacement Cost

Station	Location	Building (sq. ft.)	Land (acres)	Building Value	Land Value	Total Value
Police Headquarters	2515 Camino Entrada	25,560	0.60	$7,668,000	$90,000	$7,758,000
Police Records	2651 Siringo Rd.	2,610	1.00	$783,000	$150,000	$933,000
Frenchy's Park Substation	2011 Agua Fria St.	558	0.90	$167,400	$135,000	$302,400
Internal Affairs	2509 Camino Entrada	1,680	0.20	$504,000	$30,000	$534,000
Police Evidence Impound Lot	4201 Huey Road	3,684	2.30	$1,105,200	$345,000	$1,450,200
Police Auxilary Fleet Lot	2602 Camino Entrada	0	1.18	$0	$177,000	$177,000
Total		34,092	6.18	$10,227,600	$927,000	$11,154,600

Source: City of Santa Fe Facility Division, July 28, 2020; building cost based on estimated cost of $300 per square foot; land value based on $150,000 per acre.

The New Mexico Development Fees Act authorizes the use of impact fees for all essential police equipment costing $10,000 or more and having a life expectancy of at least ten years. The table below lists the current capital equipment that is eligible for impact fee funding. As shown in Table 50, the total replacement cost for eligible equipment is about $1.7 million.

Table 50. Police Equipment Replacement Cost

Major Equipment	Total Cost
Firearms Training System	$91,000
Firearms Moving Target System	$14,000
SWAT BearCat Rescue Truck	$300,000
SWAT Equipment	$90,000
EOD Equipment	$300,000
FARBER Mobile Command Post	$600,000
Crisis Negotiations Van	$90,000
Mobile Crime Scene Truck	$202,674
Total	$1,687,674

Source: City of Santa Fe Police Department, July 28, 2020.

The police protection impact fee is based on the replacement value of existing capital facilities divided by the total number of service units within the city limits. As shown in Table 51, the replacement cost for police facilities and equipment is $134 per service unit.

Table 51. Police Cost Per Service Unit

Police Facility Replacement Cost	$11,154,600
Police Equipment Replacement Cost	$1,687,674
Total Police Replacement Cost	$12,842,274
÷ Existing Functional Population	95,582
Police Cost per Functional Population	$134

Source: Police facility replacement cost from Table 49; police equipment replacement cost from Table 50; existing functional population from Table 70 in Appendix C.

Capital Facilities Plan

The magnitude of growth-related police protection capital needs can be estimated by multiplying the anticipated growth in service units by the cost per service unit. As shown in Table 52, this results in estimated police protection capital improvement needs over the next seven years of about $1 million.

Table 52. Police Capital Needs, 2021-2027

New Functional Population, 2020-2027	8,288
x Police Cost per Functional Population	$134
Police Capital Needs, 2020-2027	$1,110,592

Source: New functional population Table 70, Appendix C; cost per functional population from Table 51.

According to the Police Department, existing police facilities and equipment are only marginally adequate based on the population served and call volume. Current plans call for the construction of two new substations and other improvements and capital equipment totaling $3.6 million over the next seven years (see Table 83 in Appendix G). Only a percentage of the planned project costs can be attributed to projected growth over the next seven years, based on the Land Use Assumptions and the existing level of service.

Net Cost per Service Unit

In the calculation of the impact of new development on infrastructure costs, credit should be given for non-local funding that will be generated by new development and used to pay for capacity-related capital improvements. Credit should also be provided for taxes that will be paid by new development and used to retire outstanding debt for past police facility improvements.

The City of Santa Fe has some outstanding debt for past police protection capital improvements. As shown in Table 53, dividing the outstanding debt by existing service units results in the debt credit per service unit. This puts existing and new development on the same footing with respect to the portion of their attributable costs that will be paid through future debt service payments made by both existing and new development.

Table 53. Police Debt Credit

Total Outstanding Eligible Debt	$1,045,737
÷ Existing Functional Population	95,582
Police Debt Credit per Functional Population	$11

Source: Outstanding police-related debt from Table 76 in Appendix E; existing functional population from Table 70, Appendix C.

The City has received some grants for police protection in recent years. However, some of these grants were for operating costs, or for equipment that is not eligible for impact fee funding under the Development Fees Act. The eligible grant amounts received over last seven years for impact fee-eligible capital improvements totaled $0.9 million. Assuming that the grant funding received annually per service unit over the last seven years for impact fee-eligible police protection capital improvements will continue proportional to the amount of development in Santa Fe, the City will receive the present value equivalent of $34 per service unit over the next 25 years, as shown in Table 54.

Table 54. Police Grant Funding Credit Per Service Unit

Year	Funding Source	Project Description	Amount
2013	State	Santa Fe Police Station Expansion	$900,000
Federal/State Grants for Capacity, 2013-2019			$1,097,766
÷ Years in Funding Period			7
Annual Federal/State Capacity Grants			$156,824
÷ Existing Functional Population			95,582
Annual Federal/State Grants per Functional Population			$1.64
x Net Present Value Factor (25 years)			20.72
Federal/State Grant Credit per Functional Population			$34

Source: Grant funding from City of Santa Fe Finance Department, October 7, 2020; existing functional population from Table 70 in Appendix C; discount rate for present value factor is the average of national yields on 20- and 30-year AAA municipal bonds from fmsbonds.com on September 9, 2020.

Deducting the credits for outstanding debt and grants from the capital cost yields the net police cost of $89 per service unit, as summarized in Table 55.

Table 55. Police Net Cost Per Service Unit

Police Cost per Functional Population	$134
– Debt Credit per Functional Population	-$11
– Grant Funding Credit per Functional Population	-$34
Police Net Cost per Functional Population	$89

Source: Cost from Table 51; debt credit from Table 53; grant credit from Table 54.

Net Cost Schedule

The maximum police impact fees that may be charged by the City of Santa Fe based on the data, assumptions and methodology used in this report are shown in Table 56.

Table 56. Police Net Cost Schedule

Land Use Type	Unit	Func. Pop/ Unit	Net Cost/ Func. Pop.	Net Cost/ Unit
Single-Family Detached (avg.)	Dwelling	1.587	$89	$141
1,500 sq. ft. or less	Dwelling	1.461	$89	$130
1,501-2,500 sq. ft.	Dwelling	1.574	$89	$140
2,501-3,000 sq. ft.	Dwelling	1.681	$89	$150
More than 3,000 sq. ft.	Dwelling	1.808	$89	$161
Accessory Unit	Dwelling	1.001	$89	$89
Multi-Family	Dwelling	1.194	$89	$106
Mobile Home/RV Park	Space	2.428	$89	$216
Retail/Commercial	1,000 sq. ft.	1.773	$89	$158
Office	1,000 sq. ft.	0.861	$89	$77
Industrial	1,000 sq. ft.	0.373	$89	$33
Warehousing	1,000 sq. ft.	0.173	$89	$15
Mini-Warehouse	1,000 sq. ft.	0.035	$89	$3
Public/Institutional	1,000 sq. ft.	0.399	$89	$36

Source: Functional population per unit from Table 69 in Appendix C; net cost per functional population from Table 55.

The updated police impact fees calculated in this report are compared with the City's current maximum fees in Table 57. In general, the updated fees are significantly higher than the fees calculated in the 2014 study for residential uses, and similar or lower for nonresidential uses. As with the fire/EMS fees, the increases are largely due to more realistic estimates of what it actually costs to build new facilities in Santa Fe today.

Table 57. Change in Police Impact Fees

Land Use Type	Unit	2014 Fee/Unit (100%)	2020 Fee/Unit (100%)	Percent Change
Single Family Detached	Dwelling	$104	$141	36%
1,500 sq. ft. or less	Dwelling	$92	$130	41%
1,501-2,000 sq. ft.	Dwelling	$97	$140	44%
2,001-2,500 sq. ft.	Dwelling	$106	$140	32%
2,501-3,000 sq. ft.	Dwelling	$111	$150	35%
More than 3,000 sq. ft.	Dwelling	$119	$161	35%
Accessory Unit	Dwelling	$79	$89	13%
Multi-Family	Dwelling	$90	$106	18%
Mobile Home/RV Park	Space	$144	$216	50%
Retail/Commercial	1,000 sq. ft.	$161	$158	-2%
Office	1,000 sq. ft.	$76	$77	1%
Industrial	1,000 sq. ft.	$33	$33	0%
Warehouse	1,000 sq. ft.	$14	$15	7%
Mini-Warehouse	1,000 sq. ft.	$13	$3	-77%
Public/Institutional	1,000 sq. ft.	$68	$36	-47%

Source: 2014 study fees from Table 1; updated fees from Table 56.

Potential Revenue

If adopted at the full updated amounts, police impact fees could generate about $703,000 over the next seven years, based on the development projected in the Land Use Assumptions, as shown in Table 58. These revenue projections assume no waivers or fee reductions other than for affordable housing. The projected revenue is about 20% higher than what would be expected under the maximum fees calculated in the 2014 study. This is the same rate of increase as the *Engineering News-Record* Construction Cost Index since the previous study.

Table 58. Potential Police Impact Fee Revenue, 2021-2027

		Fee per Unit		7-Year	Potential Revenue	
Land Use Type	Unit	2014 (100%)	2020 (100%)	Growth	2014 (100%)	2020 (100%)
Single-Family Detached	Dwelling	$104	$141	1,865	$193,960	$262,965
Multi-Family	Dwelling	$90	$106	3,147	$283,230	$333,582
Accessory Unit	Dwelling	$79	$89	234	$18,486	$20,826
Subtotal, Residential					$495,676	$617,373
Retail/Commercial	1,000 sq. ft.	$161	$158	386	$62,146	$60,988
Office	1,000 sq. ft.	$76	$77	155	$11,780	$11,935
Industrial	1,000 sq. ft.	$33	$53	69	$2,277	$3,657
Warehouse	1,000 sq. ft.	$14	$23	77	$1,078	$1,771
Mini-Warehouse	1,000 sq. ft.	$13	$10	36	$468	$360
Public/Institutional	1,000 sq. ft.	$68	$36	203	$13,804	$7,308
Subtotal, Nonresidential					$91,553	$86,019
Total Potential Fee Revenue, 2021-2027					$587,229	$703,392
Percent Change in Potential Revenue						20%

Source: 2014 and 2020 fee/unit from Table 57; 7-year growth from Table 8, less anticipated affordable housing waivers from Table 9; potential revenue is units times fee per unit.

APPENDIX A: ROAD INVENTORY

Table 59. Major Roadway Inventory

Street Name	Street Segment	Lns	Mi.	Cap.	ADT	VMC	VMT
Arterial Roads							
Agua Fria St	Airport-Jemez	2	1.61	14,800	9,251	23,828	14,894
Agua Fria St	Jemez-Lopez	2	0.98	14,800	4,687	14,504	4,593
Agua Fria St	Henry Lynch-Siler	2	0.38	14,800	9,902	5,624	3,763
Agua Fria St	Siler-Osage	2	1.08	14,800	17,043	15,984	18,406
Agua Fria St	Osage-Cam. Alire	2	1.17	14,800	16,614	17,316	19,438
Agua Fria St	Cam. Alire-St Francis	2	0.57	14,800	7,899	8,436	4,502
Agua Fria St	St Francis-Guadalupe	2	0.57	14,800	5,785	8,436	3,297
Airport Rd	NM 599-Agua Fria Rd	4	0.52	32,400	16,974	16,848	8,826
Airport Rd	Agua Fria Rd-Country Club	4	0.50	32,400	15,198	16,200	7,599
Airport Rd	Country Club-S Meadows Rd	4	1.00	32,400	20,200	32,400	20,200
Airport Rd	S Meadows-Jemez Rd	4	0.12	32,400	23,402	3,888	2,808
Airport Rd	Jemez Rd-Cerrillos	4	0.91	32,400	23,402	29,484	21,296
Alameda	NM 599-Chicoma Vista	2	0.95	14,800	9,251	14,060	8,788
Alameda	Chicoma Vista-Calle Nopal	2	1.42	14,800	8,275	21,016	11,751
Alameda	Calle Nopal-Cam. Alire	2	0.95	14,800	8,799	14,060	8,359
Alameda	Cam. Alire-St Francis	2	0.85	14,800	12,210	12,580	10,379
Alameda	St Francis-Guadalupe	2	0.57	14,800	4,626	8,436	2,637
Alameda	Guadalupe-Paseo de Peralta	2	0.66	14,800	6,694	9,768	4,418
Alameda	Paseo de Peralta-Canyon Rd	2	0.95	14,800	5,714	14,060	5,428
Alta Vista	Cerrillos-St Francis	2	0.38	14,800	3,573	5,624	1,358
Alta Vista	St Francis-Galisteo	2	0.51	14,800	3,901	7,548	1,990
Armenta	Old Pecos Trail-Cam. Corrales	2	0.25	14,800	2,645	3,700	661
Baca Street	Hickox-Cerrillos	2	0.57	14,800	5,523	8,436	3,148
Bishop's Lodge Rd	Paseo Peralta-Artist	2	0.20	14,800	9,865	2,960	1,973
Bishop's Lodge Rd	Artist-Cam. Encantado	2	1.50	14,800	3,702	22,200	5,553
Bishop's Lodge Rd	Cam. Encantado-City Limits	2	1.04	14,800	2,038	15,392	2,120
Botulph Rd	Zia St-Siringo Rd	2	0.40	14,800	3,251	5,920	1,300
Botulph Rd	Siringo Rd-St Michael's	2	0.85	14,800	4,120	12,580	3,502
Camino Cabra	Canyon Rd-Cam. de Cruz Blanca	2	0.79	14,800	3,532	11,692	2,790
Camino Carlos Rey	Gov. Miles-Rodeo	2	0.76	14,800	4,708	11,248	3,578
Camino Carlos Rey	Rodeo-Zia	4	0.09	32,400	7,233	2,916	651
Camino Carlos Rey	Zia-Siringo	2	0.85	14,800	7,183	12,580	6,106
Camino Carlos Rey	Siringo-Cerrillos	2	0.47	14,800	9,243	6,956	4,344
Camino Alire	Alameda-Agua Fria	2	0.38	14,800	8,591	5,624	3,265
Camino Cabra	Cam. Cruz Blanca-Up. Canyon	2	0.66	14,800	3,532	9,768	2,331
Camino Cruz Blanca	Cam. Monte Sol-Cam. Cabra	2	0.38	14,800	3,959	5,624	1,504
Camino del Monte Sol	Cam. Cruz Blanca-Old Santa Fe	2	0.15	14,800	2,355	2,220	353
Canyon Rd	E Alameda St-Upper Canyon Rd	2	0.10	14,800	3,256	1,480	326
Cerrillos Rd (NM 14)	Beckner-Jaguar	6	1.14	50,000	26,202	57,000	29,870
Cerrillos Rd (NM 14)	Jaguar-Airport	6	0.85	50,000	29,100	42,500	24,735
Cerrillos Rd (NM 14)	Airport-Richards	6	1.17	50,000	42,370	58,500	49,573
Cerrillos Rd (NM 14)	Richards-St Michael's	6	1.65	50,000	42,108	82,500	69,478
Cerrillos Rd (NM 14)	St Michael's-2nd St	4	0.50	32,400	24,252	16,200	12,126
Cerrillos Rd (NM 14)	2nd St-Alta Vista	4	0.60	32,400	28,281	19,440	16,969
Cerrillos Rd (NM 14)	Alta Vista-St Francis	4	0.54	32,400	30,490	17,496	16,465
Cerrillos Rd (NM 14)	St Francis-Galisteo	4	0.76	32,400	21,689	24,624	16,484

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Table 59. Major Roadway Inventory (continued)

Street Name	Street Segment	Lns	Mi.	Cap.	ADT	VMC	VMT
Cordova	Cerrillos-St Francis	4	0.27	32,400	14,877	8,748	4,017
Cordova	St Francis-Don Diego	4	0.28	32,400	14,394	9,072	4,030
Cordova	Don Diego-Old Pecos Trail	4	0.80	14,800	8,968	11,840	7,174
Don Diego Ave	Cordova Rd-Cam. de los Marquez	2	0.08	14,800	6,027	1,184	482
Don Diego Ave	Camino de los Marquez-Cerrillos	2	0.50	14,800	8,332	7,400	4,166
Galisteo	St Michael's-Cordova	2	0.95	14,800	6,613	14,060	6,282
Galisteo	Cordova-Cerillos	2	0.95	14,800	3,424	14,060	3,253
Galisteo	Zia-Rodeo	2	0.73	14,800	3,825	10,804	2,792
Governor Miles	Cerrillos-Walking Sky	2	1.00	14,800	4,073	14,800	4,073
Governor Miles	Walking Sky-Richards	2	0.74	14,800	4,807	10,952	3,557
Governor Miles	Richards-Cliff Palace	2	0.57	14,800	3,300	8,436	1,881
Governor Miles	Cliff Palace-Cam. Carlos Rey	2	0.38	14,800	2,121	5,624	806
Guadalupe St	Cerrillos-Alameda	2	0.57	14,800	14,305	8,436	8,154
Guadalupe St	Alameda-Paseo de Peralta	4	0.38	32,400	22,372	12,312	8,501
Guadalupe St	Paseo de Peralta-84/285	4	0.38	32,400	15,743	12,312	5,982
Hickox St	Agua Fria-St Francis	2	0.57	14,800	1,970	8,436	1,123
Hyde Park Rd	Bishop's Lodge-Gonzales	2	1.38	14,800	4,658	20,424	6,428
Hyde Park Rd	Gonzales-City Limits	2	1.70	14,800	3,383	25,160	5,751
Jaguar Dr	NM599-Country Club	2	1.45	14,800	9,251	21,460	13,414
Jaguar Dr	Country Club-S Meadows	2	1.14	14,800	6,197	16,872	7,065
Jaguar Dr	S Meadows-Cerrillos	2	0.38	14,800	6,197	5,624	2,355
Jemez Rd	Agua Fria-Airport	2	0.80	14,800	5,716	11,840	4,573
Old Pecos Trail	Rodeo Rd-Arroyo Chamiso	4	1.52	32,400	14,682	49,248	22,317
Old Pecos Trail	Arroyo Chamiso-Cordova	2	0.95	14,800	18,958	14,060	18,010
Old Pecos Trail	Cordova-Old Santa Fe Trail	2	0.42	14,800	10,863	6,216	4,562
Old Santa Fe Trail	City Limits-Zia Rd	2	1.14	14,800	5,220	16,872	5,951
Old Santa Fe Trail	Zia-Cam. del Monte Sol	2	1.08	14,800	3,326	15,984	3,592
Old Santa Fe Trail	Cam. del Monte Sol-Old Pecos	2	1.06	14,800	4,874	15,688	5,166
Old Santa Fe Trail	Old Pecos Trail-Paseo Peralta	2	0.36	14,800	10,970	5,328	3,949
Osage Ave	Agua Fria-Cerrillos	2	0.66	14,800	6,118	9,768	4,038
Paseo de Peralta	St Francis-Cerrillos	4	0.47	32,400	5,773	15,228	2,713
Paseo de Peralta	Cerrillos-Acequia Madre	4	0.63	32,400	12,891	20,412	8,121
Paseo de Peralta	Acequia Madre-Alameda	4	0.25	32,400	9,094	8,100	2,274
Paseo de Peralta	Alameda-Palace	2	0.15	14,800	13,077	2,220	1,962
Paseo de Peralta	Palace-Washington	2	0.32	14,800	13,160	4,736	4,211
Paseo de Peralta	Washington-St Francis	4	1.04	32,400	11,033	33,696	11,474
Richards Ave	Rodeo-I-25	2	1.14	14,800	6,155	16,872	7,017
Rodeo Rd	Cerillos-Richards	4	0.95	32,400	27,884	30,780	26,490
Rodeo Rd	Richards-Camino Carlos Rey	4	1.00	32,400	18,715	32,400	18,715
Rodeo Rd	Camino Carlos Rey-Galisteo	2	1.04	14,800	10,062	15,392	10,464
Rodeo Rd	Galisteo-Sawmill	4	0.28	32,400	9,482	9,072	2,655
Rodeo Rd	Sawmill-Old Pecos Trail	2	1.70	14,800	7,279	25,160	12,374

continued on next page

Table 59. Major Roadway Inventory (continued)

Street Name	Street Segment	Lns	Mi.	Cap.	ADT	VMC	VMT
Rufina St	S Meadows Rd-Jemez	2	0.20	14,800	8,043	2,960	1,609
Rufina St	Jemez-Lopez	2	0.91	14,800	12,145	13,468	11,052
Rufina St	Lopez-Richards	2	1.40	14,800	7,992	20,720	11,189
Rufina St	Richards-Siler	2	0.55	14,800	5,015	8,140	2,758
Siler Rd	Agua Fria-Cerrillos	2	0.64	32,400	14,171	20,736	9,069
Siler Rd	Agua Fria-West Alameda	2	0.40	14,800	10,003	5,920	4,001
Siringo Rd	Cam. Carlos Rey-Llano	2	0.63	14,800	10,607	9,324	6,682
Siringo Rd	Llano-St Francis	2	0.98	14,800	13,865	14,504	13,588
South Meadows	Jaguar-Airport	2	0.66	14,800	4,560	9,768	3,010
South Meadows	Airport-Agua Fria	2	0.80	14,800	5,963	11,840	4,770
South Meadows	Agua Fria-NM 599	2	1.00	14,800	*5,963*	14,800	5,963
St Francis (US 285)	Rodeo-Siringo	4	0.95	32,400	25,802	30,780	24,512
St Francis (US 285)	Siringo-San Mateo	4	0.70	32,400	39,295	22,680	27,507
St Francis (US 285)	San Mateo-Cerrillos	6	0.98	50,000	44,379	49,000	43,491
St Francis (US 285)	Cerrillos-Paseo de Peralta	6	0.28	50,000	50,028	14,000	14,008
St Francis (US 285)	Paseo de Peralta-Agua Fria	6	0.20	50,000	35,318	10,000	7,064
St Francis (US 285)	Agua Fria-Alameda	6	0.31	50,000	19,981	15,500	6,194
St Francis (US 285)	Alameda-Alamo	6	0.57	50,000	22,424	28,500	12,782
St Francis (US 285)	Alamo-NM599	6	1.33	50,000	36,667	66,500	48,767
St Michael's Dr	Cerillos-St Francis	6	1.29	50,000	23,607	64,500	30,453
St Michael's Dr	St Francis-Old Pecos Trail	4	1.04	32,400	20,385	33,696	21,200
Yucca St	Rodeo-Zia	2	0.40	14,800	2,679	5,920	1,072
Yucca St	Zia-Siringo	2	0.63	14,800	8,222	9,324	5,180
Zia Rd	Rodeo- St Francis	4	1.70	32,400	15,200	55,080	25,840
Subtotal, Arterial Roads			84.01			1,904,404	1,087,610
Collector Roads							
2nd St	W San Mateo Rd-Cerrillos Rd	2	0.43	13,300	2,875	5,719	1,236
2nd St	Cerrillos Rd-Calle Lorca	2	0.57	13,300	2,875	7,581	1,639
5th St	Cerrillos Rd-Saint Michaels Dr	2	0.43	13,300	4,815	5,719	2,070
5th St	Saint Michaels Dr-Siringo Rd	2	0.52	13,300	3,485	6,916	1,812
Acequia Madre	Paseo de Peralta-Garcia St	2	0.14	13,300	3,650	1,862	511
Acequia Madre	Garcia St-Camino del Monte Sol	2	0.48	13,300	7,059	6,384	3,388
Agua Fria Rd	Airport-San Felipe Rd	2	0.70	13,300	*2,653*	9,310	1,857
Alamo Dr	N Guadalupe St-St Francis Dr	2	0.13	13,300	1,665	1,729	216
Alamo Dr	St Francis-Camino de las Crucitas	2	0.23	13,300	2,068	3,059	476
Alto St	Camino Alire-N Saint Francis	2	0.72	13,300	*2,653*	9,576	1,910
Arroyo Chamiso Rd	Saint Michaels Dr-Old Pecos Trail	2	0.15	13,300	1,573	1,995	236
Ave de las Campanas	Siringo Rd-Rodeo Rd	2	0.84	13,300	5,258	11,172	4,417
Avenida Rincon	N Ridgetop Rd-NM 599	2	0.41	13,300	876	5,453	359
Avenida Rincon	NM 599-Calle David	2	0.63	13,300	*2,653*	8,379	1,671
Buckman Rd	City Limits-Camino de los Montoyas	2	1.31	13,300	3,059	17,423	4,007
Buckman Rd	Cam Los Montoyas-Cam Las Crucitas	2	0.12	13,300	1,669	1,596	200

continued on next page

Table 59. Major Roadway Inventory (continued)

Street Name	Street Segment	Lns	Mi.	Cap.	ADT	VMC	VMT
Calle del Cielo	Siringo Rd-Cerrillos	2	0.26	13,300	1,079	3,458	281
Calle del Resolana	Siringo Rd-Cerrillos	2	0.27	13,300	3,390	3,591	915
Calle Estado	Bishops Lodge Rd-Old Taos Hwy	2	0.68	13,300	3,861	9,044	2,625
Calle Lorca	Siringo Rd-San Mateo Rd	2	0.64	13,300	3,950	8,512	2,528
Calle Nopal	W Alameda St-Paseo de Vistas	2	0.34	13,300	1,082	4,522	368
Camino Consuelo	Siringo Rd-Cerrillos	2	0.27	13,300	1,864	3,591	503
Camino Corrales	Fort Union Dr-Armenta St	2	0.57	13,300	1,863	7,581	1,062
Camino Corrales	Armenta St-Old Santa Fe Trail	2	0.15	13,300	5,109	1,995	766
Camino Corrales	Old Santa Fe Trail-Garcia St	2	0.18	13,300	4,737	2,394	853
Cam de las Crucitas	Buckman-Alamo Dr	2	2.03	13,300	3,566	26,999	7,239
Cam de las Crucitas	Alamo Dr-Rio Vista St	2	2.00	13,300	2,831	26,600	5,662
Cam de las Crucitas	Vista St-N Saint Francis Dr	2	0.13	13,300	7,836	1,729	1,019
Cam de los Montoyas	Buckman-NM 599	2	0.53	13,300	1,667	7,049	884
Cam de los Montoyas	NM 599-Avenida de Sevilla	2	1.70	13,300	5,028	22,610	8,548
Camino Encantado	Circle Dr-Bishops Lodge Rd	2	0.97	13,300	1,335	12,901	1,295
Canyon Rd	Garcia St-Camino del Monte Sol	2	0.48	13,300	1,994	6,384	957
Canyon Rd	Camino del Monte Sol-E Palace Ave	2	0.09	13,300	1,994	1,197	179
Canyon Rd	E Palace Ave-Acequia Madre	2	0.14	13,300	745	1,862	104
Canyon Rd	Acequia Madre-E Alameda St	2	0.24	13,300	2,295	3,192	551
Cerro Gordo Rd	Upper Canyon Rd-Gonzales Rd	2	1.73	13,300	2,484	23,009	4,297
Cerro Gordo Rd	Gonzales Rd- E Palace Ave	2	0.11	13,300	471	1,463	52
Country Club	Airport-Jaguar	2	0.76	13,300	4,875	10,108	3,705
Don Diego Ave	Alta Vista St-Cordova Rd	2	0.17	13,300	6,862	2,261	1,167
Don Gaspar Ave	E San Mateo Rd-Cordova Rd	2	0.50	13,300	3,374	6,650	1,687
Don Gaspar Ave	Cordova Rd-Paseo de Peralta	2	0.80	13,300	1,964	10,640	1,571
Don Gaspar Ave	Paseo de Peralta-W Alameda St	2	0.23	13,300	2,732	3,059	628
Don Gaspar Ave	W Alameda St-E Water St	2	0.10	13,300	2,511	1,330	251
Don Gaspar Ave	E Water St-W San Francisco St	2	0.05	13,300	2,511	665	126
E Palace Ave	Washington Ave Cathedral Pl	2	0.06	13,300	4,859	798	292
E Palace Ave	Cathedral Pl-Paseo de Peralta	2	0.17	13,300	4,244	2,261	721
E Palace Ave	Paseo de Peralta-Cerro Gordo	2	0.71	13,300	3,392	9,443	2,408
E Palace Ave	Cerro Gordo Rd-E Alameda St	2	0.07	13,300	2,221	931	155
E Palace Ave	E Alameda St-Canyon Rd	2	0.04	13,300	2,460	532	98
E Zia Rd	Old Pecos Tr-Calle de Sebastian	2	0.09	13,300	2,730	1,197	246
E Zia Rd	Calle de Sebastian-Conejo Dr	2	0.28	13,300	2,770	3,724	776
E Zia Rd	Conejo Dr-Old Santa Fe Trail	2	0.52	13,300	2,594	6,916	1,349
Garcia St	Cam. del Monte Sol-Cam. Corrales	2	0.41	13,300	1,173	5,453	481
Garcia St	Camino Corrales-Acequia Madre	2	0.53	13,300	3,608	7,049	1,912
Garcia St	Acequia Madre-Canyon Rd	2	0.20	13,300	4,357	2,660	871
Gonzales Rd	Vallecita Dr-Hyde Park Rd	2	0.61	13,300	1,234	8,113	753
Gonzales Rd	Hyde Park Rd-Cerro Gordo Rd	2	1.26	13,300	2,958	16,758	3,727
Gonzales Rd	Cerro Gordo Rd-E Alameda St	2	0.07	13,300	2,514	931	176
Herrera Drive	Cerrillos Road-Paseo del Sol	2	0.50	13,300	4,545	6,650	2,273
Llano St	Siringo-St Michaels	2	0.53	13,300	6,599	7,049	3,497
Lopez Ln	Airport-Agua Fria	2	1.10	13,300	4,981	14,630	5,479

continued on next page

Table 59. Major Roadway Inventory (continued)

Street Name	Street Segment	Lns	Mi.	Cap.	ADT	VMC	VMT
Monte Serena Dr	NM 599.-San Juan Ranch	3	3.09	13,300	3,887	41,097	12,011
Murales Rd	Bishops Lodge Rd-Old Taos Hwy	2	0.29	13,300	*2,653*	3,857	769
Old Taos Hwy	Paseo de Peralta-Murales Rd	2	0.39	13,300	3,748	5,187	1,462
Old Taos Hwy	Murales Rd-Calle Estado	2	0.55	13,300	1,923	7,315	1,058
Old Taos Hwy	Calle Estado-Calle Largo	2	0.47	13,300	1,344	6,251	632
Pacheco St	Siringo-St Michael's	2	0.51	13,300	6,821	6,783	3,479
Pacheco St	St Michael's-Cam. Monte Rey	2	0.47	13,300	10,620	6,251	4,991
Pacheco St	Cam. de Monte Rey-Alta Vista	2	0.41	13,300	6,073	5,453	2,490
Paseo del Sol	Airport-Jaguar	2	1.00	13,300	3,088	13,300	3,088
Paseo del Sol	Jaguar-Herrera	2	0.25	13,300	*4,545*	3,325	1,136
Paseo de Vistas	Calle Nopal-Rincon de Torreon	2	1.02	13,300	444	13,566	453
Paseo de Vistas	Rincon de Torreon-Cam. de las Crucitas	2	0.74	13,300	444	9,842	329
Paseo Nopal	Calle Nopal-City Limits	2	0.06	13,300	1,082	798	65
Richards Ave	Siringo-Cerrillos	2	0.28	13,300	3,670	3,724	1,028
Richards Ave	Cerrillos-Rufina	4	0.32	32,400	8,051	10,368	2,576
Ridgetop Rd	NM 599-Avenida Rincon	2	0.45	13,300	1,501	5,985	675
Ridgetop Rd	Avenida Rincon-Tano Rd	2	0.49	13,300	*2,653*	6,517	1,300
Rio Vista St	Alamo Dr-Camino de las Crucitas	2	0.37	13,300	3,625	4,921	1,341
Rio Vista St	Camino de las Crucitas-Alamo	2	0.30	13,300	*2,653*	3,990	796
Rufina St	Siler-Jorgensen Rd	2	0.25	13,300	8,535	3,325	2,134
San Mateo Rd	Calle Lorca-St Francis	2	0.42	13,300	4,491	5,586	1,886
San Mateo Rd	St Francis-Galisteo	2	0.47	13,300	3,463	6,251	1,628
San Mateo Rd	Galisteo-Old Pecos Trail	2	0.66	13,300	3,572	8,778	2,358
Siringo Rd	Richards-Camino Carlos	2	0.91	13,300	11,630	12,103	10,583
Siringo Rd	St Francis-Botulph	2	0.47	13,300	11,912	6,251	5,599
S Ridgetop Rd	Camino Francisca-NM 599	2	0.38	13,300	*2,653*	5,054	1,008
Sawmill Rd	Rodeo Rd-S Saint Francis Dr	2	0.32	13,300	9,119	4,256	2,918
Sawmill Rd	S Saint Francis Dr-Rodeo Rd	2	0.68	13,300	1,028	9,044	699
Solana Dr	W Alameda St-Rio Vista St	2	0.08	13,300	*2,653*	1,064	212
Tano Rd	N Ridgetop Rd-Opera Dr	2	0.69	13,300	*2,653*	9,177	1,831
Upper Canyon Rd	Camino Cabra-Cerro Gordo Rd	2	1.30	13,300	2,653	17,290	4,940
Vallecita Dr	Valley Dr-Gonzales Rd	2	0.76	13,300	546	10,108	415
Valley Dr	Bishops Lodge Rd-Vallecita Dr	2	0.38	13,300	758	5,054	288
W Palace Ave	Grant Ave-Lincoln Ave	2	0.11	13,300	4,107	1,463	452
W Palace Ave	Lincoln Ave-Old Santa Fe Trail	2	0.05	13,300	9,354	665	468
W Palace Ave	Old Santa Fe Trail-Washington Ave	2	0.01	13,300	9,354	133	94
W Zia Rd	Old Arroyo Chamiso Rd-Old Pecos Tr	2	0.65	13,300	3,484	8,645	2,265
W Zia Rd	St Francis-Botulph	2	0.51	14,800	2,713	7,548	1,384
Zafrano Dr	Rufina-Cerrillos	2	0.54	14,800	6,755	7,992	3,648
Zafrano Dr	Cerrillos-Rodeo	4	0.27	32,400	24,851	8,748	6,710
Subtotal, Collectors			52.45			710,429	192,241
Total			136.46			2,614,833	1,279,851

Source: Segment descriptions, number of through lanes and lengths from Santa Fe Metropolitan Planning Organization, August 28, 2020; generalized daily capacity estimates from Florida Department of Transportation, *2013 Quality/Level of Service Handbook*, Table 1: Generalized Annual Average Daily Volumes for Florida's Urbanized Areas; ADT is most current daily traffic count almost all from 2019) from Santa Fe Metropolitan Planning Organization; volume in italics are estimated based on 75% of the average volume for 2-lane collector roads (for eight collector roads with no available count) or on a nearby count.

APPENDIX B: AVERAGE HOUSEHOLD SIZE

The Census Bureau's American Community Survey conducts a sample of 1% of dwelling units each year. The most current data from are provided in a 5% sample dataset, consisting of 1% samples collected in 2014 through 2018. For cities the size of Santa Fe, only tabular data are available, and these data are summarized in Table 60. Unfortunately, the tabular data do not provide household population for single-family detached units separately from single-family attached units (i.e., townhouses). This presents a problem, because the impact fee categories include townhouses with other types of multi-family units.

Table 60. Average Household Size, City of Santa Fe, 2014-2018

Housing Type	Household Population	House-holds	Avg. HH Size
Single-Family Detached	n/a	20,659	n/a
Single-Family Attached	n/a	3,110	n/a
Single-Family Detached/Att.	54,230	23,769	2.28
Single-Family Attached	n/a	3,110	n/a
Other Multi-Family	15,333	8,282	1.85
Multi-Family	n/a	11,392	n/a
Mobile Home	12,894	3,542	3.64
Total	82,457	35,593	2.32

Source: U.S. Census, American Community Survey, 2014-2018 for City of Santa Fe.

For areas the size of Santa Fe County, however, microdata is available that contains information for individual dwelling units. In addition, 88.5% of single-family attached units in the county are in the city limits, meaning that the average household size for townhouses in the county should also be representative for townhouses in the city. The countywide data also indicate that single-family attached and other types of multi-family units have much the same average household size.

Table 61. Average Household Size, Santa Fe County, 2014-2018

Housing Type	Household Population	House-holds	Avg. HH Size
Single-Family Detached	86,229	40,028	2.15
Single-Family Attached	5,555	3,401	1.63
Single-Family Det./Att.	91,784	43,429	2.11
Single-Family Attached	5,555	3,401	1.63
Other Multi-Family	15,790	9,476	1.67
Multi-Family	21,345	12,877	1.66
Mobile Home	25,211	9,068	2.78
Total	132,785	61,973	2.14

Source: U.S. Census, American Community Survey, 2014-2018 for Santa Fe County.

Using the average household size for single-family attached units from the countywide data and the data available for the city allows us to calculate reasonable estimates for both single-family detached and all multi-family units, as shown in Table 62.

Table 62. Average Household Size, City of Santa Fe

Housing Type	Household Population	House-holds	Avg. HH Size
Single-Family Detached	49,161	20,659	2.38
Single-Family Attached	5,069	3,110	1.63
Single-Family Detached/Att.	54,230	23,769	2.28
Single-Family Attached	5,069	3,110	1.63
Other Multi-Family	15,333	8,282	1.85
Multi-Family	20,402	11,392	1.79
Mobile Home	12,894	3,542	3.64
Total	82,457	35,593	2.32

Note: Total household population and households do not double-count single-family attached, which are in the two subtotals.

Source: Except as otherwise noted, household population and households from Table 60 and average household size calculated as ratio of population to households; average household size for single-family attached from countywide data in Table 61; household population for single-family attached is households times average household size; household size for single-family detached and all multi-family is remainder after subtracting single-family attached.

Average household sizes by square footage ranges can be calculated using the most recent 2017 data from the American Housing Survey for the Western Census Region, which includes New Mexico. This survey provides data on the number of residents and the square footage of a sample of individual housing units. Regional data are used to develop average household sizes by unit size, as shown in Table 63 on the following page. Average household sizes by dwelling unit size are converted to Equivalent Dwelling Units (EDUs), with one EDU representing the average number of persons residing in an occupied single-family detached unit.

Small multi-family units are also analyzed in Table 63 as the basis for fees for accessory or guest units built as attached or detached additions to single-family units. Such units may be rented and would seem to function similarly to a multi-family unit, and they are likely to be smaller than the average multi-family unit. While the City Code does not limit the size of accessory units directly, their size is likely may be limited in many cases by the size of the lot and the need to comply with setbacks and other zoning regulations. In this update, fees are calculated for an accessory unit based on the average household size for multi-family units of less than 750 square feet. Units of this size constitute 30% of occupied multi-family units in the western region of the country, according to the 2017 American Housing Survey.

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Table 63. Average Household Size by Unit Size, Western U.S.

Heated Living Area	Household Population	House-holds	Avg. HH Size	EDUs/ Unit
Single-Family Detached				
1,500 sq. ft. or less	12,943,701	4,876,875	2.65	0.92
1,501-2,500 sq. ft.	20,825,884	7,295,548	2.85	0.99
2,501-3,000 sq. ft.	5,032,646	1,652,064	3.05	1.06
More than 3,000 sq. ft.	6,871,745	2,104,276	3.27	1.14
All Single-Family Units	45,673,976	15,928,763	2.87	1.00
Multi-Family				
750 sq. ft. or less	4,349,727	2,417,084	1.80	0.63

Source: U.S. Department of Housing and Urban Development, American Housing Survey, 2017 microdata sample for Western Census Region; EDUs is ratio of average household size to average household size for all single-family detached units.

The City data are combined with the regional data to estimates average household sizes for the City by unit size in Table 64.

Table 64. Average Household Size by Unit Size

Heated Living Area	EDUs/ Unit	Avg. HH Size
Single-Family Detached		
1,500 sq. ft. or less	0.92	2.19
1,501-2,500 sq. ft.	0.99	2.36
2,501-3,000 sq. ft.	1.06	2.52
More than 3,000 sq. ft.	1.14	2.71
All Single-Family Detached	1.00	2.38
Multi-Family		
750 sq. ft. or less	0.63	1.50

Source: EDU multipliers for western U.S. from Table 63; average household size for all single-family detached units in Santa Fe from Table 60; household sizes by unit size for Santa Fe based on EDU multipliers.

Average household sizes by housing type and single-family by square footage ranges are summarized in Table 65.

Table 65. Average Household Size Summary

Housing Type/Living Area	Unit	Avg. HH Size
Single-Family Detached (avg.)	Dwelling	2.38
1,500 sq. ft. or less	Dwelling	2.19
1,501-2,500 sq. ft.	Dwelling	2.36
2,501-3,000 sq. ft.	Dwelling	2.52
More than 3,000 sq. ft.	Dwelling	2.71
Accessory Unit*	Dwelling	1.50
Multi-Family	Dwelling	1.79
Mobile Home Park	Pad	3.64

* based on multi-family units with 750 sq. ft. of living area or less
Source: Table 62 and Table 64.

APPENDIX C: FUNCTIONAL POPULATION

This update continues to utilize the "functional population" approach to measuring demand for fire/EMS and police impact fees. This is a generally-accepted approach for public safety fees, based on the observation that demand for such services tends to be proportional to the presence of people at the site. To make the calculations of functional population easier to follow, numbers in one table that are inputs into another table are highlighted in red.

Functional population is analogous to the concept of "full-time equivalent" employees. It represents the number of "full-time equivalent" people present at the site of a land use, and it is used for the purpose of determining the impact of a particular development on the need for public safety facilities. For residential development, functional population is simply average household size times the percent of time people spend at home. For nonresidential development, functional population is based on a formula that includes trip generation rates, average vehicle occupancy and average number of hours spent by visitors and employees at a land use.

Residential Functional Population

For residential land uses, the impact of a dwelling unit on the need for capital facilities is generally proportional to the number of persons residing in the dwelling unit. This can be measured for different housing types in terms of either average household size (average number of persons per occupied dwelling unit) or persons per unit (average number of persons per dwelling unit, including vacant as well as occupied units). In this analysis, average household size is used to develop the functional population multipliers, as it avoids the need to make assumptions about occupancy rates.

The first step is to determine the percentage of time people spend at their place of residence. In 2018, the U.S. Bureau of Labor Statistics interviewed one person each from 9,600 randomly-selected households to determine how people spent their time during a recent day. Survey respondents were limited to persons aged 15 or older in the civilian population. The survey determined the average number of hours spent on various types of activities. While it did not itemize where the activities occurred, reasonable assumptions have been made about which activities were more likely to take place at the place of residence or away from home. The results, summarized in Table 66 on the following page, indicate that people spend an average of two-thirds of each 24-hour day at their place of residence.

Table 66. Time Usage Survey Data

Primary Activity	Total Hrs. per Day	At Home	Away
Sleeping (including naps, spells of sleeplessness)	8.82	8.82	–
Personal care activities (other than sleeping)	0.76	0.76	–
Eating and drinking*	1.19	0.89	0.30
Household activites	1.78	1.78	–
Purchasing goods and services	0.72	–	0.72
Caring for and helping household members	0.51	0.51	–
Caring for and helping non-household members	0.21	–	0.21
Working and work-related activities	3.57	–	3.57
Educational activities	0.46	–	0.46
Organizational, civic and religious activities	0.30	–	0.30
Watching television	2.84	2.84	–
Other leisure and sports	2.43	–	2.43
Telephone, mail and email	0.15	0.15	–
Other activities	0.26	0.26	–
Total Hours	24.00	16.01	7.99
Percent of Time	100.0%	66.7%	33.3%

* assumes 3/4 of meals are at home
Source: U.S. Dept. of Labor, Bureau of Labor Statistics, *American Time Use Survey - 2018 Results*, June 19, 2019 release, survey of U.S. civilians 15 years of age or older.

The functional population multipliers for residential uses are calculated in Table 67 by multiplying average household size by the percent of time spent in the unit.

Table 67. Residential Functional Population per Unit

Housing Type	Unit	Average HH Size	% of Time in Unit	Func. Pop./Unit
Single-Family, Detached (All)	Dwelling	2.38	66.7%	1.587
1,500 sq. ft. or less	Dwelling	2.19	66.7%	1.461
1,501-2,500 sq. ft.	Dwelling	2.36	66.7%	1.574
2,501-3,000 sq. ft.	Dwelling	2.52	66.7%	1.681
More than 3,000 sq. ft.	Dwelling	2.71	66.7%	1.808
Accessory Unit	Dwelling	1.50	66.7%	1.001
Multi-Family	Dwelling	1.79	66.7%	1.194
Mobile Home/RV Park	Pad/Space	3.64	66.7%	2.428

Source: Average household size from Table 65;; occupancy factor from Table 66.

Nonresidential Functional Population

The functional population methodology for nonresidential uses is based on trip generation data utilized in developing the transportation demand schedule prepared for the updated transportation impact fee update. Functional population per 1,000 square feet is derived by dividing the total number of hours spent by employees and visitors during a weekday by 24 hours. Employees are estimated to spend eight hours per day at their place of employment, and visitors are estimated to spend one-half to one hour per visit depending on land use. The formula used to derive the nonresidential functional population estimates is summarized in Figure 6.

Figure 6. Nonresidential Functional Population Formula

Functional population/1000 sf = (employee hours/1000 sf + visitor hours/1000 sf) ÷ 24 hours/day

Where:

Employee hours/1000 sf = employees/1000 sf x 8 hours/day

Visitor hours/1000 sf (retail/office/public) = visitors/1000 sf x 1 hour/visit

Visitors hours/1000 sf (industrial/warehouse) = visitors/1000 sf x 1/2 hour/visit

Visitors/1000 sf = ADT/1000 sf x avg. vehicle occupancy - employees/1000 sf

ADT/1000 sf = average daily trips (1/2 trip ends) on a weekday per 1000 sf

Using this formula and information on trip generation rates used in this study for the transportation impact fee update, vehicle occupancy rates from the *National Household Travel Survey* , average employee densities from the Department of Energy, and the formula in Figure 6, nonresidential functional population estimates per 1,000 square feet of gross floor area are calculated. Table 68 presents the results of these calculations for the nonresidential land use categories.

Table 68. Nonresidential Functional Population per Unit

Land Use	Unit	Trip Rate	Persons/ Trip	Employee/ Unit	Visitors/ Unit	Functional Pop./Unit
Retail/Commercial	1,000 sq. ft.	18.87	1.91	0.93	35.11	1.773
Office	1,000 sq. ft.	4.87	1.27	2.07	4.11	0.861
Industrial	1,000 sq. ft.	1.68	1.27	1.05	1.08	0.373
Warehouse	1,000 sq. ft.	0.87	1.27	0.48	0.62	0.173
Mini Warehouse	1,000 sq. ft.	0.75	1.27	0.05	0.90	0.035
Public/Institutional	1,000 sq. ft.	3.32	1.98	0.43	6.14	0.399

Source: Trip rates are one-half trip ends from Table 16; persons/trip is average vehicle occupancy from Federal Highway Administration, *Nationwide Household Travel Survey*, 2017; employees/unit from U.S. Department of Energy, *Commercial Buildings Energy Consumption Survey*, 2012; visitors/unit is trips times persons/trip minus employees/unit; functional population/unit calculated based on formula from Figure 6.

Functional Population Summary

The functional population multipliers for the residential and nonresidential land use categories are summarized in Table 69 on the following page.

Table 69. Functional Population Multipliers

Land Use	Unit	Functional Pop./Unit
Single-Family, Detached (All)	Dwelling	1.587
1,500 sq. ft. or less	Dwelling	1.461
1,501-2,500 sq. ft.	Dwelling	1.574
2,501-3,000 sq. ft.	Dwelling	1.681
More than 3,000 sq. ft.	Dwelling	1.808
Accessory Unit	Dwelling	1.001
Multi-Family	Dwelling	1.194
Mobile Home/RV Park	Pad/Space	2.428
Retail/Commercial	1,000 sq. ft.	1.773
Office	1,000 sq. ft.	0.861
Industrial	1,000 sq. ft.	0.373
Warehouse	1,000 sq. ft.	0.173
Mini Warehouse	1,000 sq. ft.	0.035
Public/Institutional	1,000 sq. ft.	0.399

Source: Residential dwelling unit functional population per unit from Table 67; nonresidential functional population per unit from Table 68.

Existing and projected total functional population for the City of Santa Fe are derived based on existing and projected land uses from the Land Use Assumptions and functional population per unit multipliers summarized above. The results are displayed in Table 70.

Table 70. Functional Population, 2021-2027

Land Use	Unit	No. of Units	Functional Pop. per Unit	Functional Pop. Total
Existing (2020)				
Single-Family Detached	Dwelling	27,831	1.587	44,168
Multi-Family	Dwelling	12,225	1.194	14,597
Accessory Unit	Dwelling	3,274	1.001	3,277
Retail/Commercial	1,000 sq. ft.	13,790	1.773	24,450
Office	1,000 sq. ft.	5,526	0.861	4,758
Industrial	1,000 sq. ft.	2,450	0.373	914
Warehouse	1,000 sq. ft.	2,754	0.173	476
Mini-Warehouse	1,000 sq. ft.	1,283	0.035	45
Public/Institutional	1,000 sq. ft.	7,261	0.399	2,897
Total Functional Population, 2020				95,582
Projected (2027)				
Single-Family Detached	Dwelling	29,815	1.587	47,316
Multi-Family	Dwelling	15,547	1.194	18,563
Accessory Unit	Dwelling	3,508	1.001	3,512
Retail/Commercial	1,000 sq. ft.	14,176	1.773	25,134
Office	1,000 sq. ft.	5,681	0.861	4,891
Industrial	1,000 sq. ft.	2,519	0.373	940
Warehouse	1,000 sq. ft.	2,831	0.173	490
Mini-Warehouse	1,000 sq. ft.	1,319	0.035	46
Public/Institutional	1,000 sq. ft.	7,464	0.399	2,978
Total Functional Population, 2027				103,870
New Functional Population, 2020-2027				8,288

Source: Existing and projected units from Table 8; functional population per unit from Table 69.

APPENDIX D: PARK/TRAIL INVENTORY

Table 71. Inventory of Existing Parks and Open Space

Park Facility	Acres	Play-grnd	Picnic Area	Activ. Area	Tennis Court	Hand-ball	Soccer Field	Bskt-ball	Base-ball	Soft-ball	Vball Ct	Skate-board
Pocket Parks												
Arroyo Sonrisa Park	0.26		1									
Cielo Vista	1.23	1	1					1				
Canada Gardens	0.89											
City Hall Park	0.68											
Don Diego Entrada Park	0.30											
Espinacitas Park	0.16											
Gregory Lopez Park	1.91	1	1									
Guadalupe Neighborhood Parcel	0.17											
John F. Griego Park (Vietnam Vets)	0.92	1	1					1				
Kiva Center	0.72											
La Farge Library	1.20											
La VIlla Serena Park	1.28											
Los Milagros Park	1.16	1	1	1								
Maclovia Park	1.20		1									
Main Library	0.93											
Maloof Park	2.62											
Melendez Park	0.45											
Monica Roybal Center	0.81	2	1	1				2				
Dancing Ground Community Park	1.66	1	1	1								
Orlando Fernandez Park	0.47		1									
Peralta Park	0.58			1								
Plaza Entrada	0.48											
Rancho Del Sol Phase II Park	1.11	1	1	1								
Rancho Siringo Park	0.33	1	1	1				1				
Resolana Park	1.64	1	1	1								
Santa Fe Riverside Park	0.72		1	1								
South Meadows	1.64											
Sunnyslope Meadows	0.51											
Thomas Macaione Park	0.33		1									
Valentine Park	1.02	1	1									
Young Park	0.91	1	1					1				
Subtotal, Pocket Parks	28.29	12	16	8	0	0	0	6	0	0	0	0
Neighborhood Parks												
Adam Gabriel Armijo Park	6.49	1	1									
Alvarado Park	4.74	1	1									
Amelia E White Park	2.96		1									
Calle Lorca Park	3.02	1	1					2				
Candelero Park	6.07	1	1		2			1				
Colonia Prisma Park	2.54	1	1									
Dawson Park	1.50	1						1				
Frank S. Ortiz Park Playground	5.73	1	1									
Galisteo Park	0.78											
Herb Martinez Park	8.66		1		4			2	0			
Las Acequias Park	5.89	2	1	1				2				
Las Soleras Park	22.36											
Las Estanclas #1	1.99											
Los Hermanos Rodriguez Park	3.76	1	1					1				
Martin Luther King Park	1.28	1	1	1								

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Table 71. Inventory of Existing Parks and Open Space (cont'd)

Park Facility	Acres	Play-grnd	Picnic Area	Activ. Area	Tennis Court	Hand-ball	Soccer Field	Bskt-ball	Base-ball	Soft-ball	Vball Ct	Skate-board
Mark Brandt Park	5.27		1									
Monica Lucero Park	10.48	1	1							0		
Monsignor Patrick Smith Park	4.63	1	1				1	2				
Parque del Rio	4.00											
Pueblos del Sol	5.30											
San Isidro Village Park	2.74											
Santa Fe Estates	6.33											
Torreon Park	3.21	2	1					2				
VIlla Caballero Park	4.80											
Villa Sonata	1.52											
Subtotal, Neighborhood Parks	126.05	15	15	2	6	0	1	13	0	0	0	0
Community Parks												
Ashbaugh Park	16.12	1	1				1	1			1	
Bicentennial Park	12.91	1	1		4		1	1	3			
Casa Linda Park	0.29											
Fort Marcy Complex	16.11	1	1	1	2		2		1			
General Franklin E. Miles Park	28.39	2	1					2	5		2	1
Larragoite Park	11.52	1	1		2			1		0	0	
Ragle Park	33.57	1	1			1				4		
Salvador Perez Park / Patio Park	11.95	2	1	1	4		1		3	2	1	
Villa Linda Park	13.21	1	1				1					
Water History Park & Museum	3.51											
Subtotal, Community Parks	147.58	10	8	2	12	1	6	5	12	6	4	1
Regional Parks												
Municipal Recreation Center	428.38	1					5		2	2		
Marty Sanchez Golf Course	850.00											
Southwest Activity Node Park	96.72	1										
Subtotal, Regional Parks	1,375.10	2	0	0	0	0	5	0	2	2	0	0
Special Use Parks												
Atalaya Park	1.29											
Boys and Girls Club	1.59											
Cathedral Park	0.69		1	1								
Cornell Park (Rose Garden)	1.54		1									
Cross of the Martyrs	2.35		1									
De Vargas Park (East/West)	2.85		1	1								1
Handball Park	n/a					2						
Louis Montano Park	0.56											
Marcel Marc Brandt Park	4.93											
Plaza Park	1.07			1								
Prince Park	10.02		1	1								
Power Plant Park	3.40	1										
Railyard Park	9.73		1									
Subtotal, Special Use Parks	40.02	1	6	4	0	2	0	0	0	0	0	1
Recreation Facilities												
Baca Street Cristobal Colon Parcels	1.27											
Bicentennial Pool	0.80											
Boys and Girls Club	0.70											
Fort Marcy Rec. Center	2.67											

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Table 71. Inventory of Existing Parks and Open Space (cont'd)

Park Facility	Acres	Play-grnd	Picnic Area	Activ. Area	Tennis Court	Hand-ball	Soccer Field	Bskt-ball	Base-ball	Soft-ball	Vball Ct	Skate-board
Galisteo Tennis Courts	0.66				2							
Monica Roybal Center	0.40							1				
Salvador Perez Pool	1.33											
Senior Citizens Center	1.15											
Subtotal, Recreation Facilities	8.98	0	0	0	2	0	0	1	0	0	0	0
Open Space												
Airport Rd Open Space (Lot 9 Sec 7)	1.69											
Cerro Gordo Open Space	2.41											
Frenchy's Field Park & Commons	16.53	1	1	1								
La Paz Open Space	3.82											
Mountain View Apartments Dedication	0.03											
Mountain View Apartments Dedication	0.11											
N Tract W Portion of NE Quad of City	141.58											
Nava Ade	2.29		1									
Parque Escudero	0.65											
Pueblos del Sol	4.85											
Rlo Vlsta	4.86											
Santa Fe Estates Open Space	25.63											
Sierra del Norte	58.96											
Tierra Contenta	452.18											
Tierra Escondida Drainage Pond	0.47		1									
Tract A. E of Almeda Public Housing	0.12											
Vista de La Sierra Drainage and Rec	1.16											
Vista del Prado Open Space	2.07											
Vista del Sol	28.79											
Vistas de Santa Fe	0.90											
Wuest Parcel	0.83											
Yucca Park	2.07											
Zia Vista	9.45											
Subtotal, Open Space	761.45	1	3	1	0	0	0	0	0	0	0	0
ATV/MX/BIKE Skills Park												
Buckman Track ATV/MX Park	55.55											
Dirt Jumps	17.06											
Freeride Jump Park	16.11											
Alto Pump Tracks	0.22											
Ragle Pump Tracks	1.27											
Zona Pump Tracks	0.58											
Subtotal, ATV/MX/BIKE Skills Park	90.79	0	0	0	0	0	0	0	0	0	0	0
Dog Parks												
Frank Ortiz Dog Park	135.43											
Salvador Perez Dog Park	0.45											
\\\\\\	n/a											
Villa Linda Dog Park	0.57											
Subtotal, Dog Park	136.45	0	0	0	0	0	0	0	0	0	0	0

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Table 71. Inventory of Existing Parks and Open Space (cont'd)

Park Facility	Acres	Play-grnd	Picnic Area	Activ. Area	Tennis Court	Hand-ball	Soccer Field	Bskt-ball	Base-ball	Soft-ball	Vball Ct	Skate-board
Totals												
Pocket Parks	28.29	12	16	8	0	0	0	6	0	0	0	0
Neighborhood Parks	126.05	15	15	2	6	0	1	13	0	0	0	0
Community Parks	147.58	10	8	2	12	1	6	5	12	6	4	1
Municipal Recreation Center	428.38	1	0	0	0	0	5	0	2	2	0	0
Marty Sanchez Golf Course	850.00	0	0	0	0	0	0	0	0	0	0	0
Other Regional Parks	96.72	1	0	0	0	0	0	0	0	0	0	0
Special Use Parks	40	1	6	4	0	2	0	0	0	0	0	1
Recreation Facilities	8.98	0	0	0	2	0	0	1	0	0	0	0
Open Space	761.45	1	3	1	0	0	0	0	0	0	0	0
ATV/MX/BIKE Skills Park	90.79	0	0	0	0	0	0	0	0	0	0	0
Dog Park	136.45	0	0	0	0	0	0	0	0	0	0	0
Grand Total, All Parks	2,714.71	41	48	17	20	3	12	25	14	8	4	2
Total, excluding MRC/Golf Course	1,436.33	40	48	17	20	3	7	25	12	6	4	2

Source: City of Santa Fe Parks and Recreation, October 1, 2020.

Table 72. Existing Trail Inventory

Trail	Miles	Trail	Miles
Acequia Trail	3.60	St. Vincent Hospital Footpaths	0.99
Ashbaugh Park	0.33	Tierra Contenta	1.50
Arroyo Chamisos Trail	4.47	Villa Sonata	0.77
Botulph Rd. Trail	0.43	Zia Trail	0.09
Chili Line	0.18	Subtotal, Paved Trails*	37.35
Country Club Road Side Path	0.29		
Cross of the Martyrs	0.38	Arroyo Mascaras Trail	0.33
Diverging Diamond Trail	1.17	Arroyo Mora (Polai) Trail	1.63
El Rio	0.06	Atalaya Wilderness Trail	5.16
Fort Marcy	0.49	Dale Ball Trails	23.75
Franklin Miles	0.08	De Vargas Heights Bridle Paths	n/a
Franklin Miles Park	0.76	Dorothy Stewart Trail	1.64
Frenchy's Park	0.75	Fullerton Legacy	0.27
Gail Ryba	0.32	Hyde Park Rd	0.66
Gonzales Road Trail	1.00	La Piedra Trail	1.91
Larragoite Park	0.42	La Tierra Trail System	25.95
Marc Brandt Park - Siringo Rd	0.50	Las Estrellas Trails - Santa Fe Estates	3.00
Museum Hill Trail	0.37	Prince Park Trail	1.00
Nava Ade Trails	2.61	Santa Fe Estates	0.92
Old Pecos Trail ROW Trail	1.00	Sun Mountain Trail	2.00
Pueblos del Sol Trails	3.08	Visto Del Prado	n/a
Ragel Park	1.16	Zocalo	1.30
Rail Trail	5.00	Subtotal, Soft Surface Trails*	69.51
Santa Fe River Trail	4.08	MRC Paved Trails	10.84
Siringo	0.48	MRC Soft-Surface Trails	9.00
St. Francis Drive Trail	1.00	Total, All Trails	126.70

* excludes Municipal Recreation Center (MRC) trails

Source: City of Santa Fe Parks and Recreation, August 28. 2020.

APPENDIX E: FINANCIAL DATA

Impact Fee Revenues/Expenditures

Table 73. Impact Fee Revenues/Expenditures, FY 2014-2019

Fund/Activity	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Roads							
Revenues	$863,666	$560,147	$728,938	$621,409	$1,026,420	$1,495,765	$1,376,304
Expenditures	-$1,717,292	-$317	-$326,282	-$1,144,643	$0	-$475,000	$0
Net Revenues	-$853,626	$559,830	$402,656	-$523,234	$1,026,420	$1,020,765	$1,376,304
Ending Balance	$1,057,711	$1,624,805	$2,027,275	$1,501,178	$2,516,195	$3,576,876	$4,953,180
Parks							
Revenues	$77,056	$58,840	$77,547	$134,752	$185,927	$525,901	$463,521
Expenditures	-$15,000	-$60,000	$0	$0	$0	$0	$0
Net Revenues	$62,056	-$1,160	$77,547	$134,752	$185,927	$525,901	$463,521
Ending Balance	$231,900	$231,635	$309,153	$444,101	$630,028	$1,155,929	$1,619,450
Fire/EMS							
Revenues	$63,098	$44,061	$52,478	$67,147	$80,925	$129,015	$136,685
Expenditures	-$3,000	-$108,040	$0	-$77,297	$0	$0	$0
Net Revenues	$60,098	-$63,979	$52,478	-$10,150	$80,925	$129,015	$136,685
Ending Balance	$88,081	$24,715	$77,199	$67,096	$148,021	$277,036	$413,721
Police							
Revenues	$38,278	$34,469	$22,259	$39,938	$34,049	$54,078	$57,228
Expenditures	-$2,000	$0	$0	$0	$0	$0	$0
Net Revenues	$36,278	$34,469	$22,259	$39,938	$34,049	$54,078	$57,228
Ending Balance	$72,006	$106,617	$128,867	$168,890	$202,940	$257,018	$314,246

Source: City of Santa Fe Finance Department, October 7, 2020.

Outstanding Debt

The City of Santa Fe's outstanding gross receipts tax (GRT) and general obligation (GO) bonds that wholly or partially funded capacity-related improvements to roads, parks, fire or police facilities are summarized in Table 74. The debt for land acquisition for general government purposes, convention center, solid waste, wastewater and the Railyard are unrelated to the impact fee facilities and are excluded from this analysis.

Table 74. Outstanding Non-Utility Debt Summary

Bond Issue	Purpose	Original	Outstanding
GRT Refunding Bonds 2012A*	Refund 2004A	$14,390,000	$5,553,727
GRT Rev. Bonds 2012A*	CIP	$18,335,000	$7,076,273
GRT Rev. Bonds 2016B	Refund 2008	$20,135,000	$10,563,000
GRT Rev. Bonds 2016C	Refund MRC 2005	$15,315,000	$2,455,000
Total from 1/2% GRT		$68,175,000	$25,648,000
General Obligation 2013	Parks/Envir.	$14,000,000	$8,940,000
General Obligation 2014	Parks/Envir.	$5,800,000	$4,745,000
General Obligation 2019	Refund 2010-Parks	$10,300,000	$5,445,000
Total from Property Tax		$30,100,000	$19,130,000

* $32,725,000 bond, split between refunding and new capital projects
Source: City of Santa Fe Finance Department, August 26, 2020.

The outstanding debt amounts attributable to refunding issues, as well as to original issues that funded a variety of improvement types, are allocated among facility types based on the original planned project costs for each bond issue. Only debt that was incurred for capacity-expanding improvements is included. The analysis of the individual bond issues is provided at the end of this appendix. The resulting distributions by facility type are summarized in Table 75 on the following page.

Table 75. Distribution of Debt by Facility Type

	Impact Fee-Eligible Original Project Cost				Other Cost/	Total
Bond Issue	Streets	Parks	Fire	Police	Non-Eligible	Original
Original Project Costs						
GRT Revenue Bonds 2004 A	$2,200,000	$3,960,000	$1,700,000	$0	$10,800,000	$18,660,000
GRT Rev. Bonds 2008	$1,200,000	$2,450,000	$2,200,000	$2,000,000	$12,285,000	$20,135,000
GRT Rev. Bonds 2012A (CIP)	$430,000	$2,300,000	$0	$0	$19,270,000	$22,000,000
MRC 2005 Refunding	$0	$15,315,000	$0	$0	$0	$15,315,000
General Obligation 2010	$0	$10,300,000	$0	$0	$0	$10,300,000
General Obligation 2013	$0	$12,500,000	$0	$0	$1,500,000	$14,000,000
Percentage of Bond Cost						
GRT Revenue Bonds 2004 A	11.80%	21.20%	9.10%	0.00%	57.90%	100.00%
GRT Rev. Bonds 2008 (CIP)	6.00%	12.20%	10.90%	9.90%	61.00%	100.00%
GRT Rev. Bonds 2012A (CIP)	2.00%	10.50%	0.00%	0.00%	87.60%	100.00%
MRC 2005 Refunding	0.00%	100.00%	0.00%	0.00%	0.00%	100.00%
General Obligation 2010	0.00%	100.00%	0.00%	0.00%	0.00%	100.00%
General Obligation 2013	0.00%	89.29%	0.00%	0.00%	10.70%	100.00%
General Obligation 2014	0.00%	100.00%	0.00%	0.00%	0.00%	100.00%

Source: Original planned project costs from the following tables: GRT 2004A (Table 77), GRT 2008 (Table 78) and GRT 2012A (CIP portion, Table 79); MRC 2005 refunding bond issued to refund the 1996C and 1998 MRC bonds that were used for parks (60% attributed to golf courses per City of Santa Fe Finance Department, August 15, 2002); GO bonds for parks all deemed capacity except for $1.5 million for trail maintenance in 2013 bond.

The distributions from the table above are multiplied by the total outstanding debt for those mixed-facility bond issues to determine outstanding debt for each impact fee facility type.

Table 76. Outstanding Debt by Facility Type

	Impact Fee-Eligible Outstanding Debt				Total
Bond Issue (Refunded Issue)	Streets	Parks	Fire	Police	Outstanding
GRT Refunding 2012A (2004A)	$655,340	$1,177,390	$505,389	$0	$5,553,727
GRT Refunding 2012A (CIP)	$141,525	$743,009	$0	$0	$7,076,273
GRT Rev. Bonds 2016B (2008)	$633,780	$1,288,686	$1,151,367	$1,045,737	$10,563,000
GRT Rev. Bonds 2016C (MRC 2005)	$0	$2,455,000	$0	$0	$2,455,000
General Obligation 2019 (2010)	$0	$5,445,000	$0	$0	$5,445,000
General Obligation 2013	$0	$7,982,143	$0	$0	$8,940,000
General Obligation 2014	$0	$4,745,000	$0	$0	$4,745,000
Total	$1,430,645	$23,836,228	$1,656,756	$1,045,737	$44,778,000

Source: Total outstanding principal from Table 74; outstanding amount by facility for mixed-facility issues based on percent of original debt from Table 75.

Table 77. 2004A Gross Receipts Tax Bond Projects

Project	Amount	Eligible
Parks and Median Maint.	$400,000	$0
Water Management	$500,000	$0
Artificial Turf	$500,000	$0
Tennis Court Rehab	$200,000	$0
Alto Park, Phase II	$700,000	$700,000
Trails	$1,500,000	$1,500,000
Railyard Infrastructure	$350,000	$350,000
Tierra Contenta Park	$200,000	$200,000
La Cieneguita Park	$200,000	$200,000
Plaza Improvements	$500,000	$500,000
State Game and Fish Property	$450,000	$450,000
Amelia White Park	$60,000	$60,000
Subtotal, Parks	$5,560,000	$3,960,000
Traffic Safety Improvements	$300,000	$300,000
Re-paving	$1,250,000	$0
Unpaved Rehab.	$150,000	$0
Small Sidewalks	$100,000	$0
Bridge Rehab.	$200,000	$0
Recycled Asphalt Paving Program	$250,000	$0
Siler Road Extension Design	$400,000	$400,000
Alire Bridge Rehab.	$400,000	$0
Traffic Calming	$1,500,000	$1,500,000
Subtotal, Streets	$4,550,000	$2,200,000
Fire Station #8	$1,700,000	$1,700,000
Subtotal, Fire	$1,700,000	$1,700,000
ADA Improvements	$300,000	n/a
Municipal Facility Repair	$600,000	n/a
Cerrillos Road IT Conduit	$100,000	n/a
Airport Matching Funds	$285,000	n/a
Small Drainage	$100,000	n/a
Ortiz Landfill Re-mediation	$200,000	n/a
South Side Library	$4,800,000	n/a
Affordable Housing	$500,000	n/a
Arts	$180,000	n/a
Total	$18,875,000	$7,860,000

Source: City of Santa Fe Finance Department, March 8, 2007.

Table 78. 2008 Gross Receipts Tax Bond Projects

Project	Amount	Eligible
Intersection Safety	$350,000	$0
Safety Misc. Projects	$300,000	$0
Signal Maintenance	$200,000	$0
Sight, Paint & Signal	$200,000	$0
Municipal Facilities Repair	$600,000	$0
Paved Street Rehab.	$3,230,000	$0
Unpaved Street Rehab.	$150,000	$0
Small Sidewalks	$150,000	$0
Small Drainage	$300,000	$0
Bridge Rehab.	$500,000	$0
Cerrillos Road	$1,000,000	$1,000,000
Airport Road Safety Project	$100,000	$0
Paseo de Vista Prelim Design	$200,000	$200,000
Subtotal, Streets	$7,280,000	$1,200,000
Park Maintenance	$400,000	$0
Parks/Water Mgt.	$300,000	$0
Turf Rehab.	$300,000	$0
Bicentennial Pool	$300,000	$300,000
Santa Fe Railyard Park & Plaza	$1,000,000	$1,000,000
Trails City Wide (incl. Santa Fe Trail)	$1,000,000	$1,000,000
Old Power Plant Building & Park	$150,000	$150,000
Subtotal, Parks	$3,450,000	$2,450,000
Fire Station #3	$2,000,000	$2,000,000
Fire Station #4 (#9 Design NWQ)	$200,000	$200,000
Subtotal, Fire	$2,200,000	$2,200,000
Police Facility Design (Main Station)	$2,000,000	$2,000,000
Subtotal, Police	$2,000,000	$2,000,000
Effluent Line for SW Sector	$500,000	n/a
CIP for the Arts	$370,000	n/a
ADA Improvements	$300,000	n/a
Telecomm Imp City Wide	$500,000	n/a
Airport Matching Funds	$100,000	n/a
Court Rehab.	$200,000	n/a
GCCC-CIP Bond	$250,000	n/a
City Hall Renovations	$600,000	n/a
Warehouse 21 (Youth Center)	$1,000,000	n/a
Tino Griego Teen Ctr (La Farge Lib.)	$500,000	n/a
Farmers Market	$200,000	n/a
Affordable Housing	$500,000	n/a
Zona del Sol (Youth Consortium)	$750,000	n/a
ITT	$300,000	n/a
Total	$21,000,000	$7,850,000

Source: City of Santa Fe Finance Department, February 7, 2014.

Table 79. 2012A Gross Receipts Tax Bond Projects

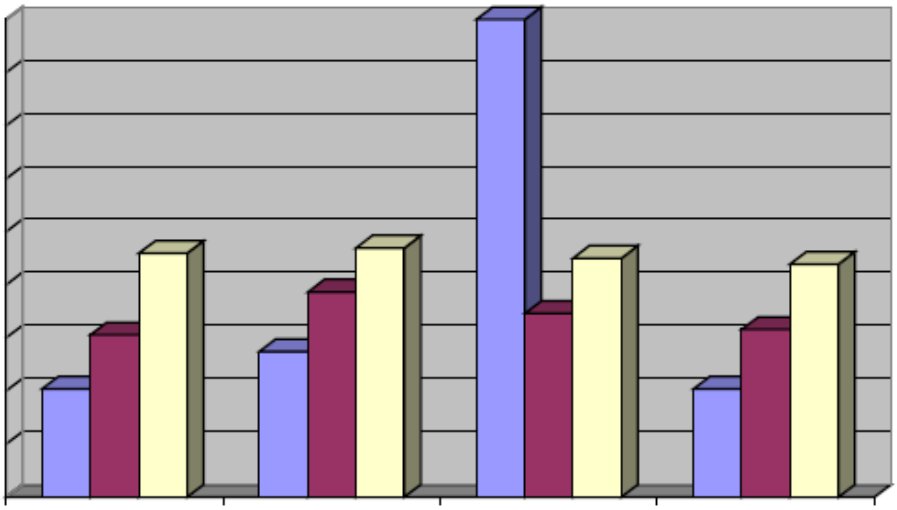
Project	Amount	Eligible
Intersection Safety	$350,000	$0
Traffic Miscellaneous Safety	$300,000	$0
Paved Street Rehabilitation	$4,000,000	$0
Unpaved Street Rehabilitation	$2,000,000	$0
Small Sidewalks	$500,000	$0
Small Drainage	$300,000	$0
Bridge Rehabilitation	$500,000	$0
Signal Replacement/Repair	$340,000	$0
Signing and Striping	$260,000	$0
Paseo de Peralta/Washington Intersection	$230,000	$230,000
Road Sharrows	$250,000	$0
Airport Road Landscaping	$200,000	$200,000
Butulph Rd Shoulders/Pedestrian Safety	$250,000	$0
LED Streetlights at Traffic Signals	$120,000	$0
Total, Streets	$9,600,000	$430,000
Parks and Medians	$2,000,000	$2,000,000
Poof Roof/HVAC Renovations	$300,000	$0
Gonzales Road Pedestrian Trail	$300,000	$300,000
Total, Parks	$2,600,000	$2,300,000
Municipal Facilities	$600,000	n/a
City Roofs	$200,000	n/a
GCCC	$500,000	n/a
Airport Matching Funds	$200,000	n/a
Transit Matching Funds	$500,000	n/a
Rodeo de SF Arena & Ag Disaster Relief	$100,000	n/a
Effluent Line SW Sector	$1,000,000	n/a
ITT Citywide	$1,000,000	n/a
Court ITT Improvements	$300,000	n/a
Zona del Sol	$100,000	n/a
ADA Improvements	$300,000	n/a
Bus Replacement	$2,000,000	n/a
Santa Fe Railyard	$600,000	n/a
2% for Arts	$400,000	n/a
Solar Loan Program	$200,000	n/a
Affordable Housing	$800,000	n/a
Broadband Infrastructure	$1,000,000	n/a
Total	$22,000,000	$2,730,000

Source: City of Santa Fe Finance Department, February 10, 2014.

APPENDIX F: LAND USE ASSUMPTIONS

City of Santa Fe

Impact Fee Land Use Assumptions
2020-2027



City of Santa Fe
Land Use Department
October 2020

Introduction

This report provides land use assumptions (growth projections) for the City of Santa Fe, a unified service area, within which the city may expend impact fee monies for eligible capital improvement projects (see map). The New Mexico *Development Fees Act (§§ 5-8-1 through 5-8-43, NMSA 1978),* specifies that land use assumptions must be adopted for a period of at least five years. These land use assumptions cover a period of seven years from 2020 to 2027 and are applicable to the Impact Fee Capital Improvement Plan 2021-2027.

The projections take a conservative approach to growth to reconcile slow growth projections for the Urban Area and County with the rapid residential development over the past three years. For residential construction, this assumes a correction in the market and gradual downward trend in residential growth rates stabilizing near the average growth rate experienced over the last seven years. Additional residential units are expected to result in strong population growth at rates twice as fast as the last seven years and approximately similar to the 1990's and early 2000's. Commercial development is expected to increase at a slow but steady rate.

Residential and Non-Residential Development, 2020-2027

The following table summarizes anticipated growth over seven years from 2020 to 2027. The Land Use Assumptions in Table 1 reflect recent growth trends based on United States Census Bureau population estimates and city building permit data.

Table 1. Residential & Non-Residential Development, 2021-2027

	2020	2027	2020-27 Growth
Population	**85,403**	**92,565**	**7,162**
	2020	**2027**	**2020-27 Growth**
Total Housing Units	**43,330**	**48,870**	**5,539**
Single Family (Detached Units Only)	27,831	29,815	1,984
Multi Family & Single Family Attached Units	12,225	15,547	3,322
Accessory Dwelling Units	3,274	3,508	234
Total Non-Residential (1000 sf)	**33,064**	**33,990**	**926**
Retail/Commercial (1000 sf)	13,790	14,176	386
Office (1000 sf)	5,526	5,681	155
Industrial (1000 sf)	2,450	2,519	69
Warehouse (1000 sf)	2,754	2,831	77
Mini-Warehouse (1000 sf)	1,283	1,319	36
Public/Institutional (1000 sf)	7,261	7,464	203

Sources: U.S. Census Bureau, Population Division (File: SUB-IP-EST2019-ANNRES-35); U.S. Census Bureau, 2010 Decennial Census (File H1); 2014 annexation; City Building Permit Data; City Studies of Non-Residential Square Footage.

Housing & Population Assumptions

Excluding annexations, the City of Santa Fe experienced comparatively low housing growth between 2009 and 2016, averaging 215 units of permitted housing units per year. Between 2017 and 2020 housing growth increased rapidly, averaging 736 units per year and with 980 units expected in 2020.

Though residential development has grown faster in the last couple years than any time since 1990, projections for the Urban Area and Santa Fe County remain relatively stagnant. To reconcile available data and keep estimates conservative, this document forecasts that annual growth rates will continue to be strong but will trend towards lower levels, approximately matching an average of the last six years.

Using longitudinal population/housing data and estimates about future housing growth, this document applies a conservative forecast to estimate that annual population growth will increase at rates about twice as fast as during the last seven years and approximately similar to growth in the 1990's and 2000's.

Non-Residential Assumptions

Non-residential construction is projected to continue at a modest, but healthy rate. Despite fast-paced residential growth, COVID-19 and online business activities are anticipated to have a moderating effect on new commercial development over the next few years.

Residential and Non-Residential Development, 2014 to 2020

Between 2014 and 2020 the city population is estimated to have grown by 2,579 residents and added approximately 3,088 housing units. This represents an annual average of approximately 430 new residents and 515 new housing units within the city. The city also experienced significant growth of institutional floor area with the addition of Presbyterian Hospital (342,000 sq. ft.) and two new community schools, Nina Otero and El Camino Real Academy (each adding 135,000 sq. ft.).

Table 2. Residential and Non-Residential Development, 2014-2020

	2014	2020	2014-20 Growth
Population	**82,824**	**85,403**	**2,579**
	2014	**2020**	**2014-20 Growth**
Total Housing Units	**40,649**	**43,330**	**3,088**
Single Family (Detached Units Only)	26,580	27,831	1,252
Multi Family & Single Family Attached Units	10,943	12,225	1,690
Accessory Dwelling Units	3,127	3,274	147
Total Non-Residential (1000 sf)	**32,064**	**33,064**	**1,003**
Retail/Commercial (1000 sf)	13,570	13,790	220
Office (1000 sf)	5,403	5,526	123
Industrial/Warehouse (1000 sf)	6,447	6,487	40
Public/Institutional (1000 sf)	6,641	7,261	620

Sources: U.S. Census Bureau, Population Division (File: SUB-IP-EST2019-ANNRES-35); U.S. Census Bureau, 2010 Decennial Census (File H1); 2014 annexation; City Building Permit Data; City Studies of Non-Residential Square Footage.

Figure 1. Permitted & Forecasted Dwelling Units, 1990-2027

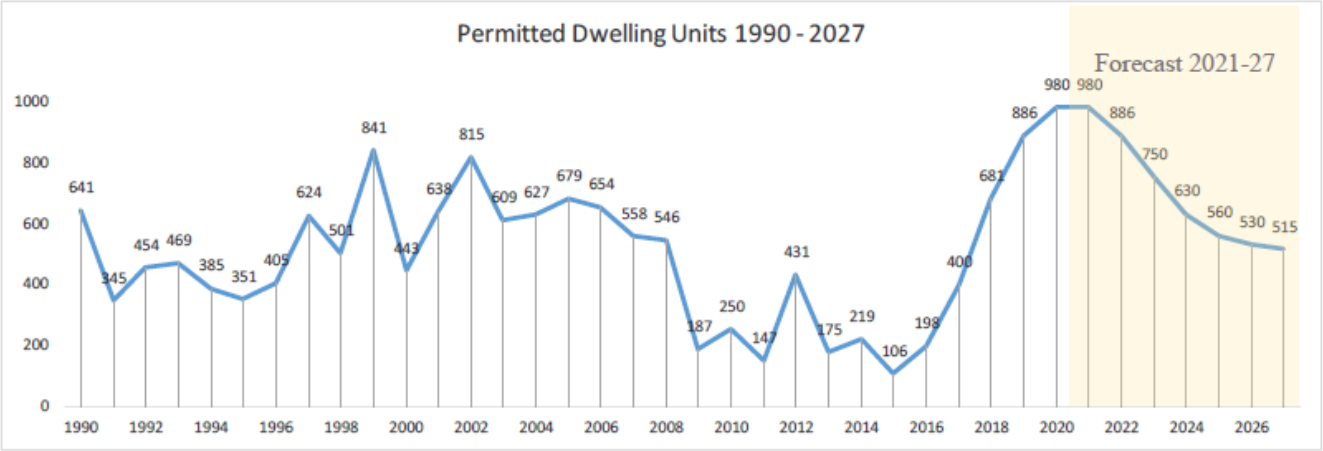
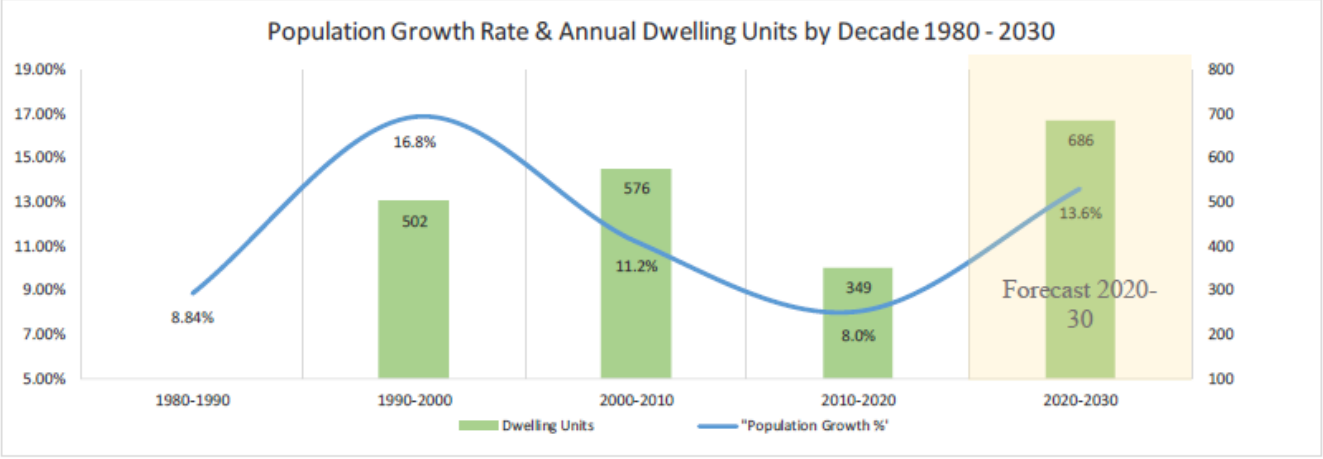


Figure 2. Population Growth Rate & Annual Dwelling Units, 1980-2030



APPENDIX G: CAPITAL FACILITY PLANS

Table 80. Planned Major Road Improvements, 2021-2027

Project Name	Location	Est. Cost
Beckner Road	Los Soleras to Richards	$7,000,000
Calle Po Ae Pi	Airport to Rufina	$900,000
West Alameda Reconstruction*	Calle Nopal to Siler	$7,000,000
Arroyo Chamiso Crossing	Cerrillos to Rodeo	$4,000,000
Jaguar Drive Extension	NM599 to Municipal Airport	$3,000,000
Governor Miles	Richards to Nizhoni	$2,000,000
Guadalupe St. Reconstruction*	Agua Fria to Paseo de Peralta	$5,800,000
Henry Lynch	Rufina to Agua Fria	$2,200,000
Paseo del Sol Extension	Jaguar to Jaguar	$7,000,000
Bike Lanes/Sidewalks*	Reconstruction/Expansion	$4,000,000
Rufina	Harrison to Camino Carlos Rey	$750,000
San Felipe	Agua Fria to Airport Road	$2,000,000
Southside Transit Center (Addl.)	Valdes Industrial Park (Camino Entrada)	$500,000
Total, Road Improvements		$46,150,000
Agua Fria/South Meadows		$3,150,000
Cerrillos/Sandoval/Manhattan		$1,800,000
Grant/Griffin		$260,000
Sandoval/Montezuma		$850,000
Agua Fria/Cottonwood		$2,000,000
Airport Road/Calle Po Ae Pi		$500,000
Galisteo/Rodeo		$500,000
Paseo de Peralta/Acequia Madre		$500,000
Rufina/Lopez Lane		$1,800,000
Beckner/Richards		$2,000,000
Total, Intersection/Signalization Improvements		$13,360,000
Total, All Road Projects		$59,510,000

* cost estimate is for the portion of the project that is expanding growth-related capacity
Source: Planned improvements and costs from City of Santa Fe Long Range Planning Division, October 20, 2020.

Table 81. Planned Park/Trail Improvements, 2021-2027

Project Name	Est. Cost
Las Soleras Park/Open Space/Trails	$8,250,000
Nava Ade Park Development (Ph2 -South Park, open space)	$2,115,000
SW Activity Node (SWAN - Tierra Contenta) Ph2-4	$20,000,000
Small Parks (new)	$500,000
Play Equipment (new)	$150,000
Exercise Equipment (new)	$650,000
Picnic Area, Shade Structures, Misc. Equipment (new)	$203,625
Restrooms (new)	$1,950,000
Tennis/Pickle Ball Courts (new)	$250,000
Signature Series Fitness Courts	$600,000
Subtotal, Neighborhood & Community Parks	$34,668,625
Acequia Trail (South Meadows to San Felipe)	$1,500,000
Acequia Trail (Otowi to Maclovia)	$250,000
Acequia Trail (Maclovia to Hermanos Rodriguez)	$500,000
Canada Rincon Trail	$1,200,000
Northwest Quadrant Trails	$300,000
Tierra Contenta Trail	$400,000
Bicycle and Pedestrian Wayfinding	$350,000
St Michaels/Rail Trail Underpass	$4,985,000
Rail Trail Extension - Pen Rd. to Alta Vista	$1,000,000
Las Soleras Trail (NEW)	$1,000,000
Subtotal, Trails	$11,485,000
Total, Parks and Trails	$46,153,625

Source: City of Santa Fe Parks Department, October 20, 2020.

Table 82. Planned Fire/EMS Improvements, 2021-2027

	Building Sq. Feet		Total	Eligible
Improvement	Existing	Proposed	Est. Cost	Est. Cost
New Station & Equip. (Agua Fria)	0	10,605	$5,037,375	$5,037,375
New Station & Equip. (Las Soleras)	0	10,605	$5,037,375	$5,037,375
Fire Station No. 5 Remodel*	10,156	15,000	$4,875,000	$1,574,300
Fire Station No. 6 Remodel*	2,000	8,242	$3,090,750	$2,340,750
Fire Apparatus Storage	0	n/a	$300,000	$300,000
Bunker/Turnout Fire Safety Gear	n/a	n/a	$110,000	$110,000
Fire Hoses	n/a	n/a	$50,000	$50,000
Mobile Mini-Storage Containers	n/a	n/a	$20,000	$20,000
Total	12,156	44,452	$18,520,500	$14,469,800

Source: City of Santa Fe Fire Department, November 3, 2020.

Table 83. Planned Police Improvements, 2021-2027

Improvement		Est. Cost
Professional Standards-Camino Entrada	Update building type	$200,000
Police Support Operations Office	Remodel of police records bldg/parking	$220,000
Police Vehicle Lot	New bldg w/garages, lifts, storage	$406,000
North Community Substation	New substation (including land)	$905,000
South Community Substation	New substation (including land)	$905,000
Mobile Mini Storage Containers	Climate-controlled storage equip.	$120,000
Mobile Equipment, Vehicles, Trailers	Expand deployment capacities	$650,000
Firearms Training System	New training equipment	$200,000
Total		$3,606,000

Source: City of Santa Fe Police Department, November 3, 2020.

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2020-33

INTRODUCED BY:

Mayor Alan Webber

AN ORDINANCE

AMENDING SECTION 14-8.14(C) SFCC 1987 TO ADD A REFERENCE TO THE IMPACT FEE SERVICE AREA; AMENDING SECTION 14-8.14(E) TO ADOPT A NEW IMPACT FEE SCHEDULE AND CLARIFY APPROPRIATE LAND USE CATEGORIES AS THEY RELATE TO IMPACT FEE COLLECTION; AMENDING SECTION 14-8.14(G) TO ADD A REFERENCE TO THE IMPACT FEE SERVICE AREA; AMENDING SECTION 14-8.14(J) TO ADD A REFERENCE TO THE IMPACT FEE SERVICE AREA; ADDING A SERVICE AREA MAP AS EXHIBIT F IN THE APPENDIX TO THE LAND DEVELOPMENT CODE; AND ESTABLISHING AN EFFECTIVE DATE.

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

Section 1. Subsection 14-8.14(C) of the Land Development Code (being Ord. No. 2011-37, § 11, as amended) is amended to read:

(C) **Fee Assessment and Collection**

(1) [~~The~~] For development within the service area, as defined in subsection

underscored material = new [~~bracketed material~~] = delete

14-8.14(J)(6), the assessment for impact fees occurs on the date a *plat* or *development* plan receives final approval, from the *city* or the *state* construction industries division or, in the absence of a *plat* or plan, the date of the *development permit application*. Impact fees collected within four (4) years of the date of assessment shall be based on the impact fee schedule in effect at the time of assessment. After the expiration of the four (4)-year period, the new *development* shall be subject to the fee schedule in effect at the time of *application* for a construction *permit*. No action on the part of the city is required for assessment to occur. It shall be the responsibility of the applicant for a construction *permit* to present evidence of the date of *plat* or *development* plan approval in order for the fees to be based on the previous impact fee schedule. After the impact fee has been paid, no refunds will be provided based on the differences in the fee schedules. An applicant must pay all fees according to one (1) fee schedule only and may not mix the various fees from the schedules.

(2) [~~The~~] For development within the service area, as defined in Subsection 14-8.14(J)(6), the collection of impact fees shall occur at the time of issuance of a construction *permit* according to the fee schedule in effect for the *development*.

Section 2. Subsection 14-8.14(E) of the Land Development Code (being Ord. No. 2011-37, § 11, as amended) is amended to read:

(E) **Fee Determination**

(1) A person who applies for a construction *permit*, except those exempted or preparing an independent fee calculation study, shall pay impact fees in accordance with the following fee schedule. If a credit is due pursuant to Section 14-8.14(I), the amount of the credit shall be deducted from the amount of the fee to be paid.

(2) Beginning [~~February 27, 2014 and ending February 26, 2016, construction *permits* for *residential developments* shall be charged fifty percent (50%) of the~~

~~scheduled values in the Fee Schedule in Subsection 14-8.14(E)(3). Beginning February 27, 2016, such *residential developments* shall be charged one hundred percent (100%) of the scheduled values in the Fee Schedule~~] January 1, 2021, the city shall assess the scheduled values in the fee schedule set forth in subsection 14-8.14(E)(3). On January 1, 2022, and at the beginning of each subsequent calendar year, the city shall implement phased fee increases by adding an additional twelve percent (12%) to the scheduled values in the fee schedule each year until a new fee schedule is approved or until after the fees are increased in 2025. The capital improvements advisory committee shall review and, if deemed necessary, recommend to the governing body changes to the impact fee schedule no later than September 30, 2023.

(3) The fee schedule in this Subsection 14-8.14(E)(3), as increased each year pursuant to subsection 14-8.14(E)(2), shall be used and its fees assessed on *plats* and *development* plans that receive final approval from the *city* or from the *state* construction industries division, except where the *permit* is issued for a subdivision or for a *development* plan that is still subject to a prior fee schedule available and on file in the Land Use Department.

[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]

FEE SCHEDULE						
Land Use Type	**Unit**	**Roads**	**Parks**	**Fire**	**Police**	**Total**
Single-Family Detached[/](Heated) [~~Living Area~~]						
1,500 sq. ft. or less	Dwelling	[~~$1,894~~] $2,246	[~~$967~~] $1,080	[~~$154~~] $206	[~~$64~~] $65	[~~$3,079~~] $3,596
[~~1,501-2,000 sq. ft.~~]	[~~Dwelling~~]	[~~$2,064~~]	[~~$1,010~~]	[~~$161~~]	[~~$68~~]	[~~$3,303~~]
[~~2,001~~]1,501-2,500 sq. ft.	Dwelling	[~~$2,141~~] $2,367	[~~$1,108~~] $1,162	[~~$176~~] $222	[~~$74~~] $70	[~~$3,499~~] $3,821
2,501-3,000 sq. ft.	Dwelling	[~~$2,245~~] $2,487	[~~$1,163~~] $1,244	[~~$186~~] $237	[~~$78~~] $75	[~~$3,672~~] $4,043
3,001 sq. ft. or more	Dwelling	[~~$2,377~~] $2,624	[~~$1,238~~] $1,338	[~~$197~~] $254	[~~$83~~] $81	[~~$3,895~~] $4,297
Accessory Dwelling	Dwelling	[~~$947~~] $1,171	[~~$483~~] $740	[~~$77~~] $141	[~~$32~~] $45	[~~$1,539~~] $2,096
Multi-Family	Dwelling	[~~$1,299~~] $1,373	[~~$945~~] $880	[~~$150~~] $168	[~~$63~~] $53	[~~$2,457~~] $2,474
Mobile Home Park	Space	$1,261	$1,796	$342	$108	$3,508
Nonresidential	**G.F.A.**					
Retail/Commercial	1,000 sq. ft.	[~~$4,006~~] $3,269	$0	[~~$269~~] $250	[~~$113~~] $79	[~~$4,388~~] $3,598
Office	1,000 sq. ft.	[~~$2,402~~] $2,790	$0	[~~$126~~] $121	[~~$53~~] $39	[~~$2,581~~] $2,950
Industrial	1,000 sq. ft.	[~~$1,856~~] $1,114	$0	[~~$55~~] $52	[~~$23~~] $17	[~~$1,934~~] $1,183
Warehouse	1,000 sq. ft.	[~~$968~~] $578	$0	$24	[~~$10~~] $8	[~~$1,002~~] $609
Mini-Warehouse	1,000 sq. ft.	[~~$375~~] $282	$0	[~~$22~~] $5	[~~$9~~] $2	[~~$406~~] $288
Public/Institutional	1,000 sq. ft.	[~~$1,460~~] $1,266	$0	[~~$113~~] $56	[~~$48~~] $18	[~~$1,621~~] $1,340

(4) The *land use director* shall determine the fee to be collected as a condition of construction *permit* approval based on the applicable fee schedule in Subsection 14-8.14(E)(3) above and the provisions of this Subsection 14-8.14(E)(4), or on the basis of an independent fee calculation study pursuant to Subsection 14-8.14(F).

(a) The determination of the appropriate land use category shall be based on the following.

(i) Single-Family Detached means a *single-family dwelling*, which may consist of a *manufactured home* or *mobile home*, and which is detached from other units.

(ii) Accessory Dwelling Unit means a dwelling unit complying with the provisions of Subsection 14-6.3(D)(1).

([~~ii~~]iii) Multi-Family means a *multiple-family dwelling* which, for the calculation of impact fees, includes duplexes, triplexes, and any other structures which are not considered to be detached from other residential dwellings.

([~~iii~~]iv) Retail/Commercial means an establishment engaged in the selling or rental of goods, services, lodging or entertainment to the general public. Such uses include, but are not limited to, shopping center or mall, *alcoholic beverage sales activities* , *antique shop* , *bed and breakfast inn* , *boarding house* , *commercial recreational use or structure*, *drive-in*, *equipment rental or leasing*, *filling station*, *flea market, florist, garden center, gift shop, grocery store, hotel, laundromat, motel*, *nightclub*, *personal service establishment*, *pet service establishment*, *pharmacy*, *repair garage*, *residential suite hotel or motel*, or *retail establishment*.

([~~iv~~]v) Office means a building not located in a shopping center and exclusively containing establishments providing executive, management, administrative or professional services, and which may include ancillary services for office

workers, such as a restaurant, coffee shop, newspaper or candy stand, or child care facilities. Such uses include, but are not limited to, real estate, insurance, property management, investment, employment, travel, advertising, secretarial, data processing, telephone answering, telephone marketing, music, radio and television recording and broadcasting studios; professional or consulting services in the fields of law, architecture, design, engineering, accounting and similar professions; interior decorating consulting services; medical and dental offices and clinics, including veterinarian clinics; and business offices of private companies, utility companies, trade associations, unions and nonprofit organizations. Specific examples include *business services* (excluding equipment rental and leasing), *arts and crafts studio*, *clinic*, *funeral home*, *veterinary establishment* and *vocational school*.

([~~v~~]vi) Industrial/Manufacturing means an establishment primarily engaged in the fabrication, assembly or processing of goods. Typical uses include manufacturing plants, welding shops, wholesale bakeries, commercial laundries, commercial greenhouses, food and drug manufacturing, dry cleaning plants, and bottling works. Specific uses include *light assembly and manufacturing* and *manufacturing*.

([~~vi~~]vii)Warehouse means an establishment primarily engaged in the display, storage and sale of goods to other firms for resale, as well as activities involving significant movement and storage of products or equipment. Such uses include, but are not limited to, wholesale distributors, storage warehouses, moving and storage firms, trucking and shipping operations, and major mail processing centers. Specific uses include *commercial stable, junkyard, outdoor storage, salvage yard, warehouse, and wholesale operations.*

([~~vii~~]viii) Mini-Warehouse means *mini-storage units*.

([~~viii~~]ix) Public/Institutional means a governmental, quasi-public, or institutional use, or a non-profit recreational use, not located in a shopping

center. Such uses include, but are not limited to, elementary, secondary, or higher educational establishments, day care centers, hospitals, mental institutions, nursing homes, assisted living facilities, fire stations, city halls, courthouses, post offices, jails, libraries, museums, places of religious worship, military bases, airports, bus stations, fraternal lodges, and parks and recreational buildings. Specific examples include *child day-care facility*, *club*, *college or university*, *community residential corrections program*, *continuing care community*, *electric facilities*, *extended care facility*, *group residential care facility*, *hospital*, *human services establishment*, *institutional building*, *museum*, *personal care facility for the elderly*, *private club or lodge*, *public utility*, *recreational facility*, *religious assembly*, *sheltered care facility*, and *transportation terminal*.

(b) If the type of new *development* for which a construction *permit* is requested is not specified on the fee schedule, the *land use director* shall determine the fee on the basis of the fee applicable to the most nearly comparable type of land use on the fee schedule.

(c) The impact fees for development of land outside of *buildings* that increases the demand for capital facilities is determined by application of the fee for the corresponding type of *building*. In particular, the *building* square footage for a retail/commercial use shall include indoor or outdoor sales areas or inventory storage areas, growing area for a garden center/nursery, and any drive-through kiosk and associated queuing lane with or without a roof. If the *land use director* determines that *development* of land outside of *buildings* is intended for seasonal usage that reduces the increased demand for capital facilities, the *land use director* may reduce impact fees charged for the *development* of land outside of *buildings* by up to seventy-five percent (75%) of the original assessment.

(d) Impact fees shall be assessed and collected based on the primary use of the *building* as determined by the *land use director*. Uses that are distinct and

separate from the primary use, which are not merely ancillary to the primary use and are one thousand (1,000) square feet or greater, will be charged the impact fee category based on the distinct and separate use.

(e) Where a permit is to be issued for a *building* "shell" and the *land use director* is unable to determine the intended use of the *building*, the *land use director* shall assess and collect impact fees according to the zoning district in which the *building* is to be located as follows:

(i) C-2 and all SC zones - "Retail/Commercial";

(ii) HZ zone - "Office";

(iii) C-1 and C-4 - "Office"; and

(iv) I-1 and I-2 - "Industrial/Manufacturing".

(f) If there is an increase in the amount of the impact fee calculation once a tenant improvement *permit* is submitted, the difference from what was paid at the time of the shell *permit* and the tenant improvement fee calculation shall be paid prior to issuance of the construction *permit*. If the fee schedule determination for the square footage of the use identified in the tenant improvement construction *permit* results in a net decrease from what was paid at the time of the shell *permit*, there shall be no refund of impact fees previously paid.

(g) Live/work *developments* containing *dwelling units* in combination with *nonresidential* floor area in a common *building* shall pay impact fees for each *dwelling unit* according to the *residential* fee rate for "Multi-Family" and for the *gross floor area* intended for *nonresidential* use according to the "*Office*" fee rate. If the initial Live/Work construction *permit* application is for a shell construction *permit*, the *land use director* shall collect impact fees at the "Office" fee rate. If *dwelling units* are added as a use within the *building* after the *building* has been charged impact fees at a *nonresidential* fee

rate, and there is no increase in *gross floor area*, the *land use director* shall collect only the required park impact fees for the *dwelling units* at the fee rate for "Multi-Family" at the time of the *dwelling unit permit application*.

(h) If a construction *permit application* changes or intensifies the use of an existing *building*, increases the *gross floor area* of an existing *building*, or replaces an existing *building* with a new *building* and new use, the fee shall be based on the net increase in the fee for the new use or increase as compared to what the current fee would be for the previous use or floor area. If the proposed change results in a net decrease in the fee there shall be no refund of impact fees previously paid.

(i) "G.F.A." in the fee schedule refers to *gross floor area*.

Section 3. Subsection 14-8.14(G) of the Land Development Code (being Ord. No. 2011-37, § 11, as amended) is amended to read:

(G) **Use of Fees**

(1) An "impact fee fund" that is distinct from the general fund of the *city* is created, and the impact fees received shall be deposited in the following interest-bearing accounts of the impact fee fund:

(a) fire impact fee account;

(b) police impact fee account;

(c) parks impact fee account; and

(d) roads impact fee account.

(2) The impact fee accounts shall contain only those impact fees collected pursuant to this Section 14-8.14 for the type of facilities reflected in the title of the account, plus accrued interest.

(3) The money in each impact fee account shall be used only for the following:

(a) to acquire or construct *capital improvements* or *facility expansions*

of the type reflected in the title of the account, located within the service area, as defined in Subsection 14-8.14(J)(6), and identified in the *capital improvements plan*;

(b) to pay debt service on the portion of any current or future general obligation bond or revenue bond used to finance *capital improvements* or *facility expansions* of the type reflected in the title of the account and identified in the *capital improvements plan*;

(c) planning, surveying, and engineering fees paid to an independent qualified professional who is not an *employee* of the *city* or *county* for services provided for and directly related to the construction of *capital improvements* or *facility expansions*;

(d) fees actually paid or contracted to be paid to an independent qualified professional, who is not an *employee* of the *city*, for the preparation or updating of a *capital improvements plan*;

(e) up to three percent (3%) of total impact fees collected for administrative costs for *city* personnel, for professional services related to impact fee assignment/distribution, or for reporting to the capital improvements advisory board;

(f) refunds as provided in Subsection 14-8.14(H); and

(g) credits as provided in Subsection 14-8.14(I).

Section 4. Subsection 14-8.14(J) of the Land Development Code (being Ord. No. 2011-37, § 11, as amended) is amended to read:

(J) **Miscellaneous Provisions**

(1) Nothing in this Section 14-8.14 shall restrict the *city* from requiring the construction of reasonable project improvements required to serve the *new development* project, whether or not the improvements are of a type for which credits are available under Subsection 14-8.14(I).

(2) The *land use director* shall maintain accurate records of the impact fees paid, including the name of the *person* paying the fees, the project for which the fees were paid,

the date of payment of each fee, the amounts received in payment for each fee, the amount of any credits provided against the fees or refunds paid and any other information the *city* deems appropriate or necessary for the accurate accounting of the fees. Records shall be available for review by the public during normal *business* hours and with reasonable advance notice.

(3) If an impact fee has been calculated and paid based on a mistake or misrepresentation, it shall be recalculated and paid as follows:

(a) the amount overpaid by an *applicant* shall be refunded by the *land use director* to the *applicant* within thirty (30) days after the approval of the recalculated amount;

(b) the amount underpaid by the *applicant* shall be paid to the *land use director* within thirty (30) days after the acceptance of the recalculated amount; and

(c) in the case of an underpayment or nonpayment of impact fees, the *city* shall not issue any additional *permits* or approvals for the project for which the impact fee was previously underpaid until such underpayment is corrected and, if amounts owed to the *city* are not paid within the thirty (30)-day period, the *city* may also issue a stop work order or rescind any *permits* issued in reliance on the previous payment of the impact fee.

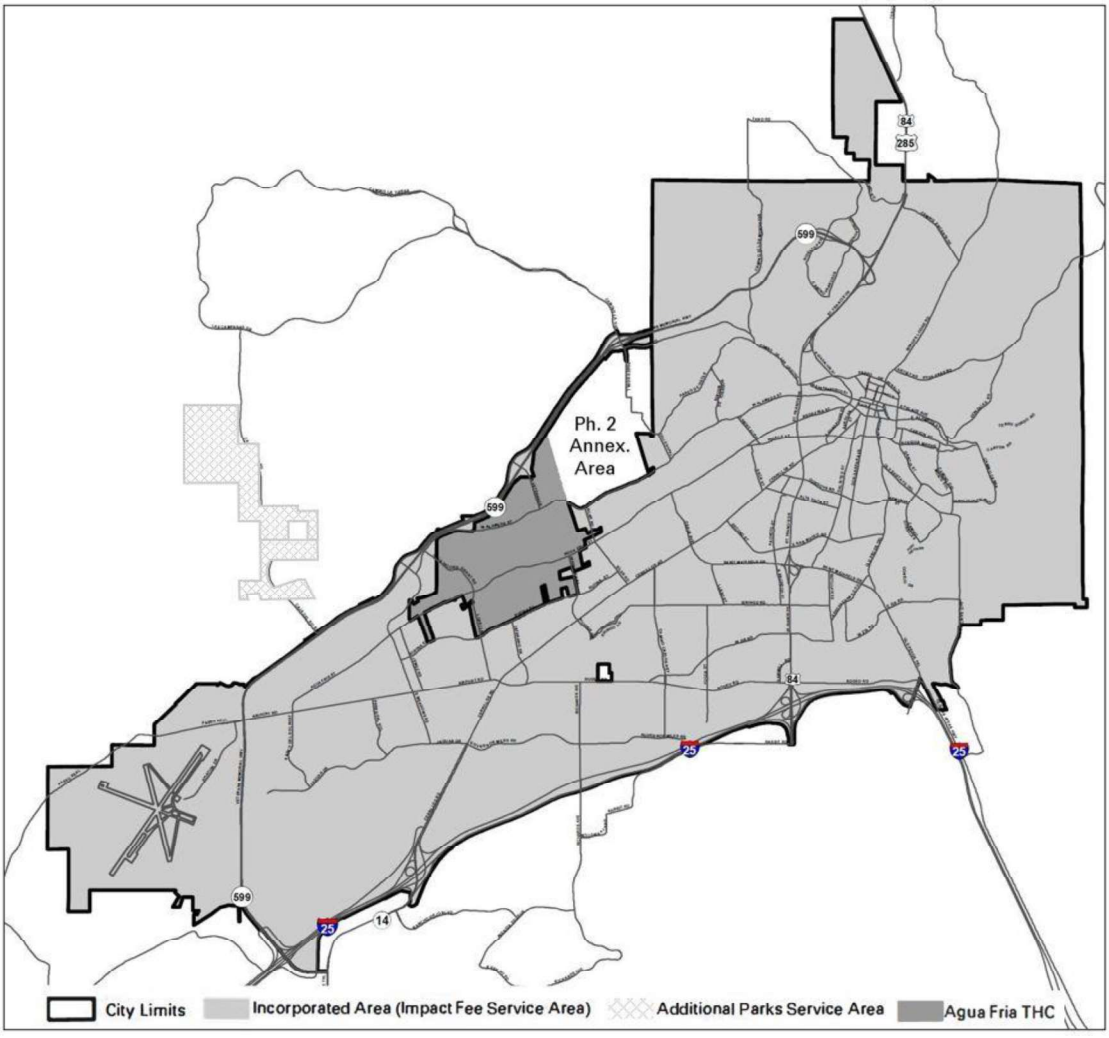
(4) A determination made by the *land use director* may be appealed to the city manager within thirty (30) days from the date of the determination. The city manager's decision is final.

(5) Furnishing false information on any matter relating to the administration of this Section 14-8.14, including the furnishing of false information regarding the expected size, use, or impacts from a proposed *new development*, is a violation of this Section 14-8.14. The *city* may issue a stop work order or rescind any *permits* issued in reliance on the previous payment of such impact fee.

(6) The service area for the road, fire, and police impact fees is the incorporated area of the city, as may change over time with annexation. The service area for the

parks impact fee is the incorporated area plus the city-owned land in the unincorporated area known as the municipal recreation complex and the Marty Sanchez golf course.

Section 5. A new Exhibit F in the Appendix to the Land Development Code is ordained to read:



Section 6. Effective Date. This ordinance shall become effective on January 1, 2021.

APPROVED AS TO FORM:

ERIN K. McSHERRY, CITY ATTORNEY

Legislation/2020/Bills/Impact Fee Schedule Update

FIR No. 3290

FISCAL IMPACT REPORT

General Information:

(Check) Bill: x Resolution: x

Short Title(s): Impact Fee Schedule Update and 2021-2027 Plan Adoption

Sponsor(s): Mayor Webber

Reviewing Department(s): Planning and Land Use Department

Staff Completing FIR: Carlos Gemora Date: 10/19/20 Phone: 955-6670

Reviewed by City Attorney: Date: Oct 28, 2020

Reviewed by Finance Director: Mary McCoy Date: Oct 28, 2020

Summary:
The Impact Fee Capital Improvement Plan 2021-2027 (IFCIP) is required per the Development Fees Act (§§ 5-8-1 to 5-8-43, NMSA 1978) for the City to continue the assessment and utilization of impact fees. A Resolution is required to adopt the Impact Fee Capital Improvement Plan and an Ordinance is required to assess the fees in the Land Development Code.

Departments Affected:
Community Health and Safety (Police and Fire), Public Works (Roads and Parks), Community Development (Planning and Land Use).

Consequences of Not Enacting Legislation:
Without the IFCIP, the City cannot assess nor use collected impact fees and may be required to refund all impact fees to past payors.

Conflict, Duplication, Companionship, or Relationship to Other Legislation:
The IFCIP process involves both a Resolution and a Bill.

Performance and Administrative Implications:
Without the IFCIP, the City can not assess or use collected impact fees, which would affect the City's ability to provide infrastructure improvements and address impacts related to growth.

Fiscal Implications:
The IFCIP collects impact fees, but impact fees are independent from other City funds and may only be used as specified by the IFCIP and the State's Development Fees Act.

Fiscal Impact

_____ Check here if no fiscal impact

Expenditures

Expenditure Type	FYE 20	FYE 21	FYE __	Require BAR (Y/N)	Recurring (R) or Non-recurring (NR)	Fund	3-Year Total Cost
Personnel and Benefits*	$	$	$				
Capital Outlay	$	$	$				
Contractual/ Professional Services	$	$	$				
Operating	$	$	$				$
Total:	$	$	$				$

* This includes all staff time associated with executing the job functions of the proposed legislation.

Expenditure Narrative:

Revenue

Revenue Type	FYE 21	FYE 22	FYE 23	Recurring (R) or Non-recurring (NR)	Fund
General Fund	$	$	$		
Special Revenue	$	$	$		
CIP	$	$	$		
Enterprise	$	$	$		
Internal Service	$	$	$		
Trust and Agency	$	$	$		
Federal	$	$	$		
Other	$2,500,000	$2,500,000	$2,500,000	R	Impact Fees – 232 (Roads, Parks, Police, Fire)
Total	$2,500,000	$2,500,000	$2,500,000		

Revenue Narrative:

Assessed impact fees collect revenue is independent from other City funds and may only be used as specified in the IFCIP and the State's Development Fees Act. Projected revenue is variable and based on estimated future rates of new development. Revenues may decrease if the City experiences less new development and may increase if the City experiences more development or if the fees are raised through regularly scheduled assessment rate increases.

City of Santa Fe
Quarterly Report for Impact Fees FY 19/20

Impact Fee Fund Revenue & Expense Accounts	Total Impact Fees	Roads 232 2320471 2320471	Parks 232 2324150 2324150	Police 232 2325001 2325001	Fire 232 2322001 2322001
Beginning Fund Balance at 7/1/19	**(5,266,859.00)**	**(3,576,876.00)**	**(1,155,929.00)**	**(257,018.00)**	**(277,036.00)**
1st Quarter FY 19-20					
Impact Fee Revenue	$ (108,076.00)	$ (78,621.00)	$ (21,209.00)	$ (2,340.00)	$ (5,906.00)
Obligated Projects	-	-	-	-	-
Ending Quarterly Balance	**$ (5,374,935.00)**	**$ (3,655,497.00)**	**$ (1,177,138.00)**	**$ (259,358.00)**	**$ (282,942.00)**
2nd Quarter FY 19-20					
Impact Fee Revenue	$ (825,730.42)	$ (515,564.69)	$ (237,056.00)	$ (21,599.27)	$ (51,510.46)
Obligated Projects	-	-	-	-	-
Ending Quarterly Balance	**$ (6,200,665.42)**	**$ (4,171,061.69)**	**$ (1,414,194.00)**	**$ (280,957.27)**	**$ (334,452.46)**
3th Quarter FY 19-20					
Impact Fee Revenue	$ (788,986.61)	$ (582,761.19)	$ (120,075.00)	$ (25,478.24)	$ (60,672.18)
Obligated Projects	-	-	-	-	-
Ending Quarterly Balance	**$ (6,989,652.03)**	**$ (4,753,822.88)**	**$ (1,534,269.00)**	**$ (306,435.51)**	**$ (395,124.64)**
4th Quarter FY 19-20					
Impact Fee Revenue	$ (310,945.53)	$ (199,357.57)	$ (85,181.00)	$ (7,810.36)	$ (18,596.60)
Obligated Projects	-	-	-	-	-
Gain on Sale-Investment	-	-	-	-	-
Interest on Investment	-	-	-	-	-
Unrealized Gain/Losses	-	-	-	-	-
Interest Receivable	-	-	-	-	-
3% Administrative Fee	-	-	-	-	-
Ending Quarterly Balance	**$ (7,300,597.56)**	**$ (4,953,180.45)**	**$ (1,619,450.00)**	**$ (314,245.87)**	**$ (413,721.24)**
FY19/20 Revenue	**(2,033,738.56)**	**(1,376,304.45)**	**(463,521.00)**	**(57,227.87)**	**(136,685.24)**
FY19/20 Obligated Projects	**-**	**-**	**-**	**-**	**-**
FY19/20 Ending Fund Balance (6/30/20)	**(7,300,597.56)**	**(4,953,180.45)**	**(1,619,450.00)**	**(314,245.87)**	**(413,721.24)**

City of Santa Fe, New Mexico

memo

DATE: October 19, 2020

TO: Capital Improvement Advisory Committee

Via: Carlos Gemora, Land Use Senior Planner

FROM: Regina Wheeler, Public Works Director RW

RE: Plans for Roads and Parks Expansion Projects

The City of Santa Fe Public Works Department plans to use impact fees to complete a number of capacity expansion road and parks projects that are currently underway. Details are provided below.

Roads

Guadalupe Street Reconstruction. The 60% design estimate for the project was $8,201,000 including construction, ROW acquisition, construction management, contingency and GRT. The project has $4,500,000 of funding leaving a need (based on 60% design) for $3,683,000 from impact fees. The 90% design and final construction estimate will be completed and forwarded to NMDOT for approval by November 1, 2020. The project is scheduled to be bid in Spring 2021 and begin construction in Summer 2021.

Southside Transit Center (Camino Entrada) This project was allocated $1,144,585 of impact fees via Resolution 2016-47 and leverages federal funding for the new transit center which includes improvements to Camino Entrada for ADA accessibility and safety. The project is nearing 90% design and expects to require an additional $500,000 of impact fees to complete the project.

Agua Fria South Meadows Intersection improvements at Agua Fria Street and South Meadows Road to relieve congestion and reduce delays caused by construction of El Camino Real Academy and anticipated future growth in the area. The construction cost is currently estimated at $1,658,386. Legislative appropriations and MAP funding secured for design and a portion of construction leave $1,055,635 to be funded with impact fees. Construction is scheduled to begin in Spring 2021.

Agua Fria Cottonwood This project will add a roundabout at the intersection of Agua Fria and Cottonwood Drive. Design funding of $362,000 secured from NMDOT Highway Safety

Improvement Program. Based on the 60% design, NMDOT funded construction at $1,594,000 from Highway Safety Improvement Program (NMDOT). Right-of-way acquisition and required project certifications (environmental, right-of-way, utility, railroad and intelligent transportation systems) are underway. Construction is scheduled to begin in March 2021.

Sandoval Montezuma Design is funded by a legislative appropriation for $100,000. Design alternatives were submitted in January 2020. ENN Meeting was held in September 2020. Design 65% drawings submitted October 2020. Construction estimate pending 90% design. Additional funding will be sought from NMDOT, legislative appropriation and impact fees.

Parks

Downtown Restrooms at Cerletti Park The project is estimated to cost $900,000 and is currently funded at $550,000 with a legislative appropriation. A design build contract has been awarded and with approval from CIAC as an eligible project for $350,000 of funding, construction would be scheduled to begin in Summer 2021.

SWAN Park Phase II This project has $550,000 of funding from the 2018 GRT Bond. Improvements will include a dog park, tournament rated horseshoe pits, a BMX park and other landscaping enhancements. A road extension, which is included in the SWAN Park Master Plan is needed to provide access to these new amenities. The estimate for the road extension is $900,000 and is sought from Impact Fees. Once funded, the project manager expects to award a design build contract within 90 days.

Dawson Park Play Equipment Quotes for the play equipment, a shade structure, tables, irrigation upgrades, and other capacity improvements are being gathered. Anticipated estimated cost is $80,000. Impact fees will be used for these improvements. Construction is scheduled for completion in March 2021.

Acequia Trail South Meadows to San Felipe This project received $256,320 of funding from NMDOT. The project is scheduled to construct in 2022. Impact fees will used for the City project match of $43,680.

City of Santa Fe Fire Department
P.O. Box 909, 200 Murales Road – Santa Fe, New Mexico 87504
(505) 955-3110 – FAX (505) 955-3115

Date: October 18, 2020

To : Capital Improvement Advisory Committee

Via : Carlos Gemora

Subject: Santa Fe Fire Department's Impact Fees

From: Paul Babcock, Fire Chief

This memo serves to update the CIAC of the intended use of fire impact fees. The Santa Fe Fire Department previously planned on using fire impact fees to help fund the build of Fire Station 2 (South Meadows and 599). The fire department build project was stopped when the bids to build the station exceeded funding availability; additionally, the financial burden the City has been facing during Covid-19 has seen an economic down turn.

The fire department still has many means of utilizing the impact fees within the criteria that must be met:

- Larger projects involving much needed repairs, updates and remodeling at the fire stations currently on the approved by CIAC list; and
- Smaller projects that the fire department respectfully requests your consideration for approval:
    - Firefighter turnout gear to expand current inventory;
    - Large storage containers to store equipment that is not currently properly stored in one central location;
    - Expansion of apparatus storage, as many pieces of equipment are stored outdoors;
    - Purchase fire hose to allow the department to have additional apparatus response ready for larger emergencies / incidents.

With the approval of the additional projects, the fire department's ability to serve the community and expand services throughout the City will be beneficial. Thank you for your consideration. Please do not hesitate to call me with any questions.

City of Santa Fe New Mexico

Memo

Date: October 19, 2020

To: Capital Improvement Advisory Committee

Via: Carlos Gemora, Senior Planner / Land Use Department
Andrew Padilla, Chief of Police

From: Ben Valdez, Deputy Chief of Police

ITEM AND ISSUE:
Continue allocation of Capital Improvement Impact Fees to increase capacity for services provided to the City of Santa Fe by the Police Department.

BACKGROUND AND SUMMARY:
The Santa Fe Police Department has been updated on the availability of Capital Improvement Impact Fees that are made available to expand services for the City through fees collected on developments. The funding stream provides the ability for the Department to expand capacity to serve the community and the additional growth as a result of the development. Without the availability of the impact fees, the funding source will need to be found within the budget of the City.

The Department inquired on the availability of capital improvement funding when we began the planning process to modernize and expand the capacity of our Evidence Room. At the time we were informed funding was unavailable. After we had secured funding within the City's budget to accomplish the evidence project we learned about the funding available through impact fees. Although the current amount would have not been sufficient to accomplish what was needed, many needs currently exist.

The following needs exists that would meet the criteria and benefit from the use of impact fees:

- Large Projects
  - Improvements to Professional Standards Unit Building
  - Improvements to Police Support Operations Office
  - Police Fleet Vehicle and Equipment Lot Building
  - (2) Community Substations

- Small Projects
    - Mobile Mini Connex Boxes to provide secured storage solutions for storage of police records, equipment, motorcycles, and all-terrain vehicles
    - SWAT BearCat Rescue Truck to supplement current BearCat vehicle
    - EOD BearCat Command Vehicle to supplement current EOD Command Vehicle
    - Firearms Training Simulator System

ACTION RECOMMENDED:

The Santa Fe Police Department respectfully requests your review and approval of the additional projects to support the ability of our personnel to provide professional services to the City of Santa Fe.

Residential Impact Fee Reduction Analysis for the City of Santa Fe, New Mexico

Background

This analysis focuses on the City of Santa Fe's impact fees for roads, parks, fire and police facilities,[1] and evaluates the effect, if any, the reduction of these fees has had on the amount of residential development.

The recent history of the City's impact fees is briefly summarized as follows.

- **2003** – The City's impact fees for roads, parks, fire and police facilities were established in 2003. The fees were adopted at 85.6% of the maximum allowable amounts calculated in the 2003 study.[2] The total adopted fee for a typical single-family unit was $2,860.

- **2008** – The fees were updated in 2008 based on a consultant study.[3] Updated fees were adopted by the City Council at 60% of the maximum allowable amounts on January 9, 2008. The total adopted impact fee in 2008 for a typical-size single-family unit was $3,714.

- **2012** – The City Council subsequently suspended impact fees for residential uses for two years, effective January 23, 2012 through January 22, 2014. No fees were collected from residential construction during this period.

- **2014** – The fees reverted back to 2008 level for about a month, but since February 27, 2014, residential impact fees have been collected at 50% of the 2008 adopted amounts. When the 50% assessment rate went into effect, the typical single-family fee was $1,857.

- **August 2014** – The City Council adopted a new impact fee ordinance and revised fee schedule, based on a new study,[4] on August 27, 2014. The updated fees were adopted at 70% of the calculated maximum allowable amounts, resulting in decreases in fees for residential units. At the 50% assessment rate, the total fee for a typical single-family unit is currently $1,750.

Total impact fee amounts charged by the City of Santa Fe over the last 12 years for a typical 2,000-2,500 square foot single-family unit are illustrated in Figure 1 on the following page. The Council will decide in its scheduled review prior to February 26, 2016 whether or not the 50% rate should be continued beyond the initial two years.

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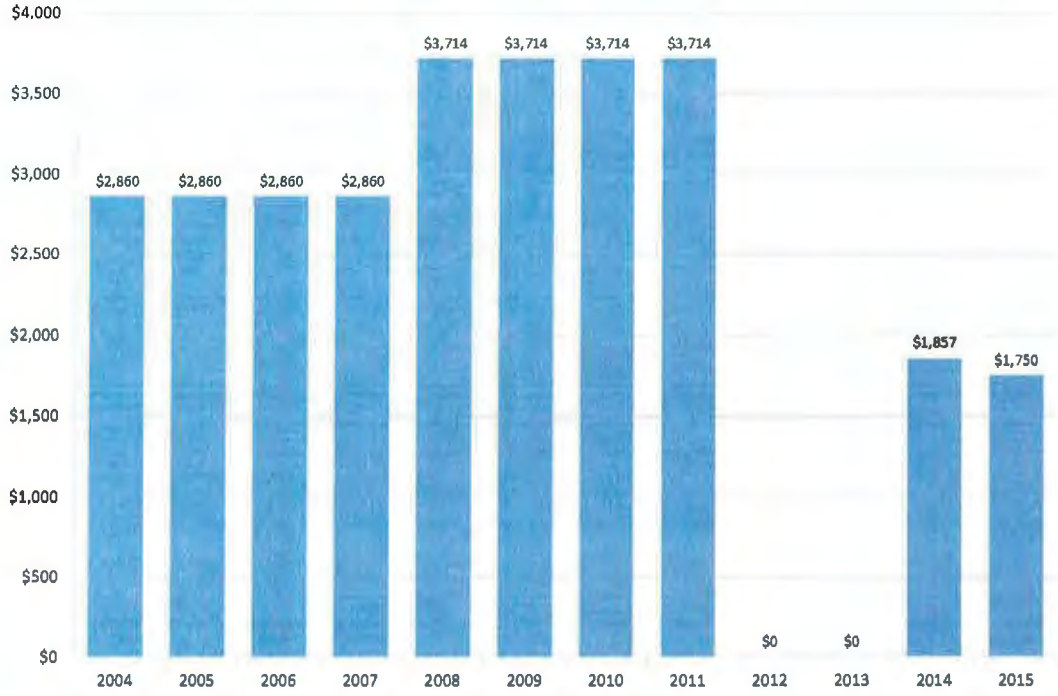
[1] The City also charges new development water and wastewater utility expansion charges, but while these are a cost to development, so are the alternatives of private wells and septic tanks.

[2] Duncan Associates, *Impact Fees Capital Improvements Plan for Water, Wastewater, Roads, Parks, Fire and Police*, approved by the Santa Fe City Council on August 13, 2003.

[3] Duncan Associates, *Impact Fee Capital Improvements Plan and Land Use Assumptions for Roads, Parks, Fire and Police*, approved by the Santa Fe City Council on January 9, 2008.

[4] Duncan Associates, *Impact Fee Capital Improvements Plan for Roads, Parks, Fire/EMS and Police, City of Santa Fe, New Mexico*, April 2014.

Figure 1. Total Impact Fee per Single-Family Unit, Santa Fe, 2004-2015



Impact Fees in Context

It is difficult to gauge the effect of impact fees, or the lack thereof, on a particular local housing market. The performance of the local homebuilding market depends on many factors besides impact fees. Like any market, the homebuilding market is subject to the laws of supply and demand. However, single-family housing is a very complex commodity. Unlike most other goods and services, it is extremely location-specific, because it cannot be moved. Its location determines the taxing jurisdiction, the public school district, the nearby public and commercial amenities, the commuting range of possible job opportunities, etc.

Impact fees have an effect on this market by imposing an additional cost on development. The extent to which that cost is passed on to the homebuyer in the form of higher prices is the subject of extensive economic literature, with the general conclusion that, at least for lower-priced housing, most of it is, although some of it may be absorbed by landowners accepting less for their land. Higher home prices, in turn, are likely to reduce demand for new homes, as some potential buyers seek lower-cost alternatives in the resale market or in rental housing.

On the other hand, impact fees fund public facilities that can either increase demand for housing (e.g., funding the construction of a new park in a developing area) or lower costs (e.g., funding a new fire station that results in reducing insurance costs). Impact fees can also reduce land costs by providing the infrastructure needed to increase the supply of buildable lots.[5]

[5] Arthur C. Nelson and Mitch Moody, *Paying for Prosperity: Impact Fees and Job Growth*, Brookings Institution, Center on Urban and Metropolitan Policy, 2003

Just focusing on development costs, other significant factors besides impact fee amounts include land costs, subdivision improvement standards, landscaping standards, developer exactions for right-of-way and frontage improvements, construction sales tax rates, and development review fees, among others. All of these can vary substantially from one jurisdiction to the next, but are not as easily quantified as impact fees.

While developers and builders might prefer lowest-cost locations, they must follow market demand and build where people want to live and where companies want to locate. People's location decisions do include housing costs (of which impact fees are a small component), but they also include climate, availability of jobs, shopping opportunities, quality of schools and parks, proximity to medical facilities, adequacy of transportation infrastructure, and a host of other factors.

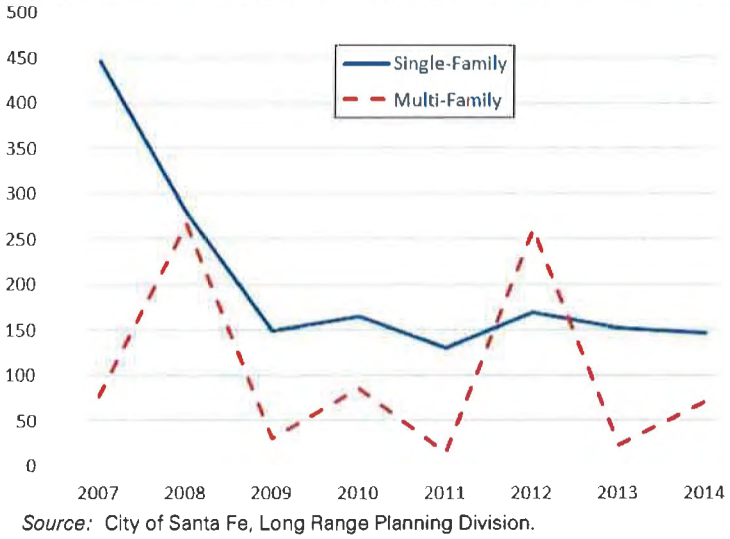
Approach

It is not possible to know with certainty what amount of local residential construction would have occurred in the absence of the fee reductions. Anecdotal accounts regarding whether specific projects would have been built or not built based solely on the impact fee amounts are impossible to verify and of limited utility. However, it is possible to compare local building permit issuance with broader trends at the state and national levels.

Analyses that look at a single jurisdiction that reduced impact fees and try to measure the effect on local construction have inherent limitations. Studies that incorporate a number of jurisdictions provide a stronger basis for evaluating the effects of fee reductions. Two recent multi-jurisdictional studies will be summarized.

The two major residential housing types are single-family detached and multi-family. As can be seen in Figure 2 below, multi-family permits are much more volatile than single-family permits, due to the large number of units permitted at one time when a new apartment building is constructed. Given the episodic nature of multi-family construction, this analysis will focus on single-family permit issuance.

Figure 2. Permits by Housing Type, Santa Fe, 2007-2014



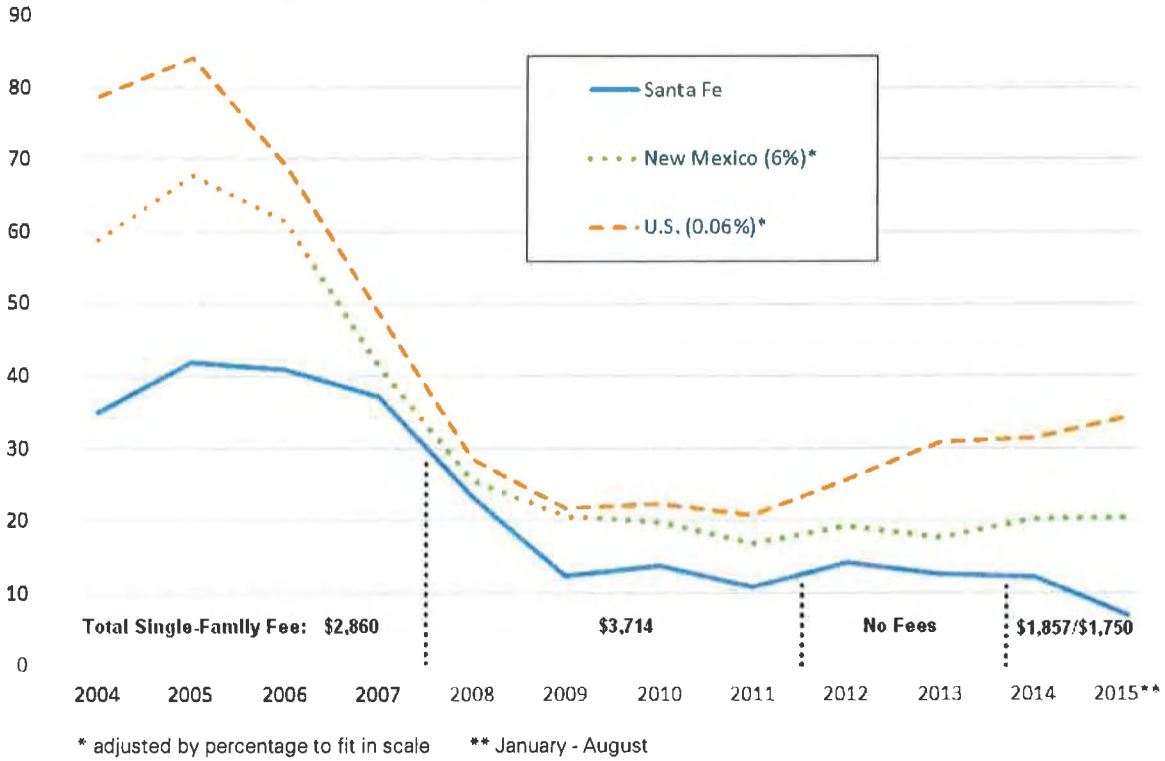
Source: City of Santa Fe, Long Range Planning Division.

Housing Market Context, 2004-2015

In attempting to gauge the effect of the City's recent fee reductions on the local homebuilding market, it is important to recognize that some change in building permit activity is to be expected immediately before and after a change in fees, as builders delay applying for permits if they know fees are likely to go down soon, or apply earlier than they might otherwise have if they anticipate fees will be going up. Consequently, assuming nothing else changes, one would expect that impact fee reductions would produce a temporary uptick in building permit issuance, and that impact fee increases would result in a drop in permit issuance, simply by causing some applicants to "game the system."

Santa Fe's single-family construction generally tracked with state and national trends from the beginning of the housing market crash in 2006 to the depths of the recession in 2009-2011, as shown in Figure 3 (state-wide and national permits are adjusted by a percentage to fit on the chart). However, while the national housing market has been recovering since 2011, New Mexico's improvement has been only modest, and Santa Fe's single-family permits have been stuck at recession levels. The City's suspension of residential impact fees at the beginning of 2012 accompanied an increase in permits for that year (although this may have been partly due to applicants "gaming the system" as described above), and also tracked state and national trends of an improving housing market from 2011-2012. From 2012-2013, with residential fees still suspended, the number of City single-family permits declined, contrary to the national recovery, but consistent with the state-wide trend. City permit issuance was relatively stable from 2013 to 2014, when residential fees were reinstated at 50%, but dropped in the first eight months of 2015, at a time when state and national permitting rates have been stable or increasing.

Figure 3. Average Monthly Single-Family Permits, 2004-2015



City of Santa Fe, 2007-2015

For the purposes of this first analysis, it may be useful to break the last 8-plus years (January 2007 – August 2015) into four periods: the end of the housing crash (2 years), the recession (3 years), the City's suspension of residential fees (2 years), and the period of 50% fees (18 months). During the first two periods, the end of the housing crash and recession, the City charged relatively high fees (although those fees were only 60% of the calculated amounts for most of the period). The third period was two years of complete suspension of residential fees as the national housing market began to recover. The fourth period is the last year and a half, during which the national housing recovery continued and fees were reinstated at 50% of the adopted amounts. These four periods are described as follows.

- **End of the Housing Crash** (January 2007 – December 2008): 24 months at the tail end of the housing crash (the typical single-family fee increased from $2,860 to $3,714 in January 2008)

- **Recession Period** (January 2009 – January 2012): 37 months of recession-related permit levels (typical single-family fee of $3,714)

- **100% Suspension Period** (February 2012 – January 2014): 24 months at the beginning of the national housing market recovery with 100% residential impact fee suspension

- **50% Reduction Period** (March 2014 – August 2015): latest 18 months with 50% residential impact fee reduction (typical single-family fee lowered from $1,857 to $1,750 in August 2014)

Table 1 below compares the change in average monthly single-family building permits in Santa Fe during the last 8-plus years with changes in permit issuance at the state and national levels. The City's single-family permitting rates have generally decreased during this period, with a very slight uptick during the two-year fee suspension. Monthly permits issued state-wide and nationally also declined during the housing crash, with state permits being pretty flat and national permits increasing in the suspension/reduction periods. Overall, the City's decline in monthly single-family permits from the 5-year pre-suspension period during which it charged relatively high fees to the last 3-plus years during which no or reduced fees were charged has been greater in percentage terms than the state-wide decline.

Table 1. Change in Average Monthly Single-Family Permits, 2007-2015

	Santa Fe	New Mexico	United States
End of Housing Crash Period (24 months)	30.3	548	64,099
Recession Period (37 months)	12.3	316	35,736
Suspension Period (24 months)	13.3	314	47,522
50% Reduction Period (18 months)*	10.1	331	56,079
Pre-Suspension Period (61 months)	19.3	408	46,895
Suspension/Reduction Period (42 months)*	11.9	321	51,189
Percent Change	-38%	-21%	9%

* all data exclude February 2014 (Santa Fe's fees were at 100% for that month)
Source: Based on monthly building permit data from Table 4 in the Appendix.

Santa Fe, Rio Rancho and Las Cruces, 2009-2015

In this section, the analysis focuses on the last 6-plus years (January 2009 through August 2015), and looks at Santa Fe, Rio Rancho and Las Cruces. The other two cities are of comparable size, and also charge impact fees that were changed during this time period. Rio Rancho is still somewhat of a bedroom community for Albuquerque, although it has been aggressive in recruiting industry and corporate headquarters. Las Cruces is more of a university town. A profile of the three cities is provided in Table 2 below, showing population, impact fees per single-family unit, and average monthly single-family permits issued from 2009-2015.

Table 2. Profile of Selected Cities

	Santa Fe	Rio Rancho	Las Cruces	New Mexico	United States
2010 Population	81,000	87,521	97,618		
Typical Single-Family Fee in:					
2009	$3,714	$4,320	$800	n/a	n/a
2010	$3,714	$4,320	$800	n/a	n/a
2011	$3,714	$4,320	$800	n/a	n/a
2012	$0	$4,320	$1,439	n/a	n/a
2013	$0	$2,160	$3,239	n/a	n/a
2014	$1,857	$2,160	$3,239	n/a	n/a
2015	$1,750	$4,320	$3,239	n/a	n/a
Avg. Monthly Single-Family Permits in:					
2009	12	57	52	346	36,258
2010	14	38	47	332	37,221
2011	11	25	36	283	34,465
2012	14	35	33	320	42,850
2013	13	40	29	296	51,458
2014	12	37	24	338	52,525
2015*	8	38	30	347	58,362
Percent change, 2009-2015	-37%	-34%	-43%	1%	61%

* January through August

Source: 2010 population from U.S. Census (Santa Fe's adjusted for 2013 annexation); typical single-family impact fees, excluding water and wastewater, from the respective cities (Santa Fe's are for a mid-sized 2,000-2,500 sq. ft. unit),; monthly single-family permits for cities of Rio Ranch and Las Cruces from the respective cities, monthly permits for Santa Fe, New Mexico and U.S. from Table 4 in the Appendix.

The three years from 2009-2011 were the bottom of the homebuilding industry recession nationally, and nation-wide permits are up 61% from 2009 levels. State-wide permits, however, have not yet experienced a recovery.

The impact fee policies of the three cities varied considerably over this period. The City of Santa Fe charges road, park, fire and police impact fees, which totaled $3,714 from 2009-2012. All four fees were suspended for residential uses in 2012 and 2013, and were reinstated at 50% in 2014. Santa Fe currently charges $1,750 per typical single-family unit, less than half of what it was in 2009. Rio Rancho also charges road, park and public safety fees, which totaled $4,320 in 2009. After a two-year 50% reduction, the fees are back to 2009 levels. Las Cruces started the period with only an $800 park fee, but added public safety fees in 2012 and increased the park fee in 2013. Las Cruces now charges $3,239 per single-family unit.

Despite varying impact fee policies, all three cities now have monthly single-family permitting levels that are well below what they were in 2009. Rio Rancho, which charged higher fees than the other two during most of this period, has seen its permit levels decrease least over the last 6-plus years.

Multi-Jurisdictional Studies

As noted earlier, looking at individual cities that changed their impact fee rates and attempting to evaluate how those changes affected local construction activity has inherent limitations. One cannot infer a causal relationship between changes in fees and changes in construction, because each jurisdiction's housing market is unique and responds to many other changing factors. Changes in permitting rates immediately before or after a change in fees are more likely to reflect applicants anticipating the fee change than to any lasting effect of a fee reduction or increase. Longer-term changes may reflect broader economic factors rather than the change in fees. The best that can be done is to compare local changes in construction to changes in broader markets, in order to see the extent to which changes in permitting at the local level may be a reflection of larger economic trends.

Studies that compare changes in fees and permitting for a large number of jurisdictions offer more promise of establishing a connection between fees and permitting levels. There have been two recent studies that looked at multiple jurisdictions that reduced impact fees, and compared their building permit changes with those of a number of comparable jurisdictions that did not reduce their fees. Both studies found no significant difference in single-family building permit issuance between fee-reducing jurisdictions and comparable non-fee-reducing jurisdictions.

An analysis of 20 counties in Florida was conducted in 2010. The consultant, in collaboration with Dr. James C. Nicholas of the University of Florida, identified a 19-month period (January 2008 – July 2009) during which a number of Florida counties reduced their impact fees in an attempt to stimulate growth. Nine fee-reduction counties were compared to 11 comparable non-fee-reduction counties. [6] The analysis compared the change in building permit issuance for single-family detached units from the year before the 19-month period to the year after. No statistically significant difference was found between counties that had reduced fees and the counties that had not.

A regional transportation impact fee system in California allowed participating jurisdictions to reduce fees for up to three years (2010-2012), creating a unique opportunity to measure changes in building activity between jurisdictions that opted for the reduction and jurisdictions that did not. The Western Riverside Council of Governments (WRCOG) represents the western third of Riverside County, California. Riverside County is the 11th most populous county in the country, and extends from about 40 miles east of Los Angeles to the Arizona state line. WRCOG administers a regional transportation impact fee program that applies to 16 cities and the unincorporated area in the western third of the county. The fee is about $9,000 per single-family unit. WRCOG provided an option for participating jurisdictions to reduce the fee by 50%. Riverside County and nine of the 16 cities opted to reduce the fees, while the other seven cities continued to collect the fees at 100%.

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[6] Clancy Mullen and Dr. James C. Nicholas, Professor Emeritus of the University of Florida, "Impact Fee Reductions and Development Activity: A Quantitative Analysis of Florida Counties," paper presented at the conference of the Growth and Infrastructure Consortium, Tampa, Florida, November 4, 2010 (http://growthandinfrastructure.org/proceedings/2010_proceedings/reductions_paper.pdf

WRCOG performed an analysis of single-family building permit issuance for the fee-reduction jurisdictions compared to the non-reduction jurisdictions during the three years that the reduction was in effect. The analysis found that the non-reduction jurisdictions experienced a greater increase in single-family permits than did the fee-reduction jurisdictions.[7]

Fiscal Effects of Reductions

Measuring the fiscal effects of the residential reduction of impact fees raises some issues. Some amount of the residential development that occurred during this period might not have occurred without the reduction. However, additional property and sales tax revenue generated by new development does not fully cover the capital costs of the additional roads, parks, and public safety facilities required to accommodate that development, which is what the impact fees are designed to recover. Even if the reduction did generate some additional development, that development imposed obligations for capital costs that were not recovered through the full payment of impact fees during this period. Consequently, the uncollected impact fees during this period represent an additional fiscal cost, because the residential development imposed future capital costs for which impact fee revenue was not collected to pay.

The amount of impact fees collected and not collected during the 24 months of the suspension and the first 18 months of the reduction are summarized in Table 3. The City has not collected about $2.1 million in impact fees during the first 42 months of the suspension/reduction of fees. It should be noted that the suspension or reduction of residential impact fees most severely affected the parks fund, because park fees, unlike road and public safety fees, are collected only from residential development.

Table 3. Impact Fees Collected during Reduction Period

Time Period	Collected	Not Collected	Total w/o Reduction
Suspension Perid (1/23/12 - 1/22/14)	$798,156	$1,656,707	$2,454,863
50% Reduction Period (2/27/14 - 8/31/15)	$1,518,550	$452,620	$1,971,170
Total, Suspension/Reduction Period	$2,316,706	$2,109,327	$4,426,033

Source: City of Santa Fe, Long Range Planning Division

Conclusion

To briefly summarize, there is no way to know with absolute certainty what effect Santa Fe's suspension and subsequent 50% reduction of residential impact fees has had on the local housing market. Santa Fe's single-family building permit issuance before and after the suspension/reduction does not clearly indicate any long-term positive effect of the fee changes, relative to state-wide and national trends. Similar analysis of two New Mexico cities of comparable size that also charge impact fees – Rio Rancho and Las Cruces – also failed to reveal any clear correlation between fee changes and permitting levels. Finally, two recent multi-jurisdictional studies, one for Florida counties and the other for California cities in the same county, failed to find any evidence of a significant statistical difference between jurisdictions that reduced fees and comparable jurisdictions that did not.

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[7] Western Riverside Council of Governments and Parsons Brinckerhoff, "The Effects of Reducing Impact Fees," presentation at the annual conference of the Growth and Infrastructure Consortium, Bradenton, Florida, November 14, 2014 (http://growthandinfrastructure.org/proceedings/2014_proceedings/henderson-reductions.pdf)

Appendix: Monthly Permit Data

Table 4. Monthly Single-Family Permits, 2007-2015

Year	Month	City of Santa Fe	New Mexico	United States
2007	January	37	616	79,552
2007	February	11	707	78,382
2007	March	29	880	103,185
2007	April	32	841	97,691
2007	May	42	903	105,295
2007	June	54	1,041	96,083
2007	July	40	767	88,995
2007	August	55	788	86,451
2007	September	79	454	66,219
2007	October	23	547	69,444
2007	November	24	383	54,267
2007	December	20	322	43,932
2008	January	38	402	47,533
2008	February	17	453	47,530
2008	March	15	499	53,567
2008	April	59	503	62,732
2008	May	8	540	61,147
2008	June	26	542	58,704
2008	July	27	413	55,025
2008	August	21	437	47,409
2008	September	16	342	45,298
2008	October	13	337	39,833
2008	November	9	199	25,866
2008	December	31	238	24,245
2009	January	19	279	21,824
2009	February	14	216	25,942
2009	March	5	274	32,254
2009	April	25	433	37,269
2009	May	11	332	38,841
2009	June	13	381	46,231
2009	July	10	456	46,112
2009	August	6	402	42201
2009	September	23	346	40,042
2009	October	8	335	37,899
2009	November	12	280	31,376
2009	December	3	312	34,152
2010	January	3	264	30,806
2010	February	8	331	34,970
2010	March	11	427	49,871
2010	April	22	414	46,276
2010	May	7	370	40,099
2010	June	9	424	43,008
2010	July	16	352	37,509
2010	August	27	319	37,212
2010	September	21	310	34,473
2010	October	15	273	31,778
2010	November	12	255	29,391
2010	December	14	259	30,212

Table continued on following page

Table 4. Monthly Single-Family Permits, 2007-2015 (cont'd)

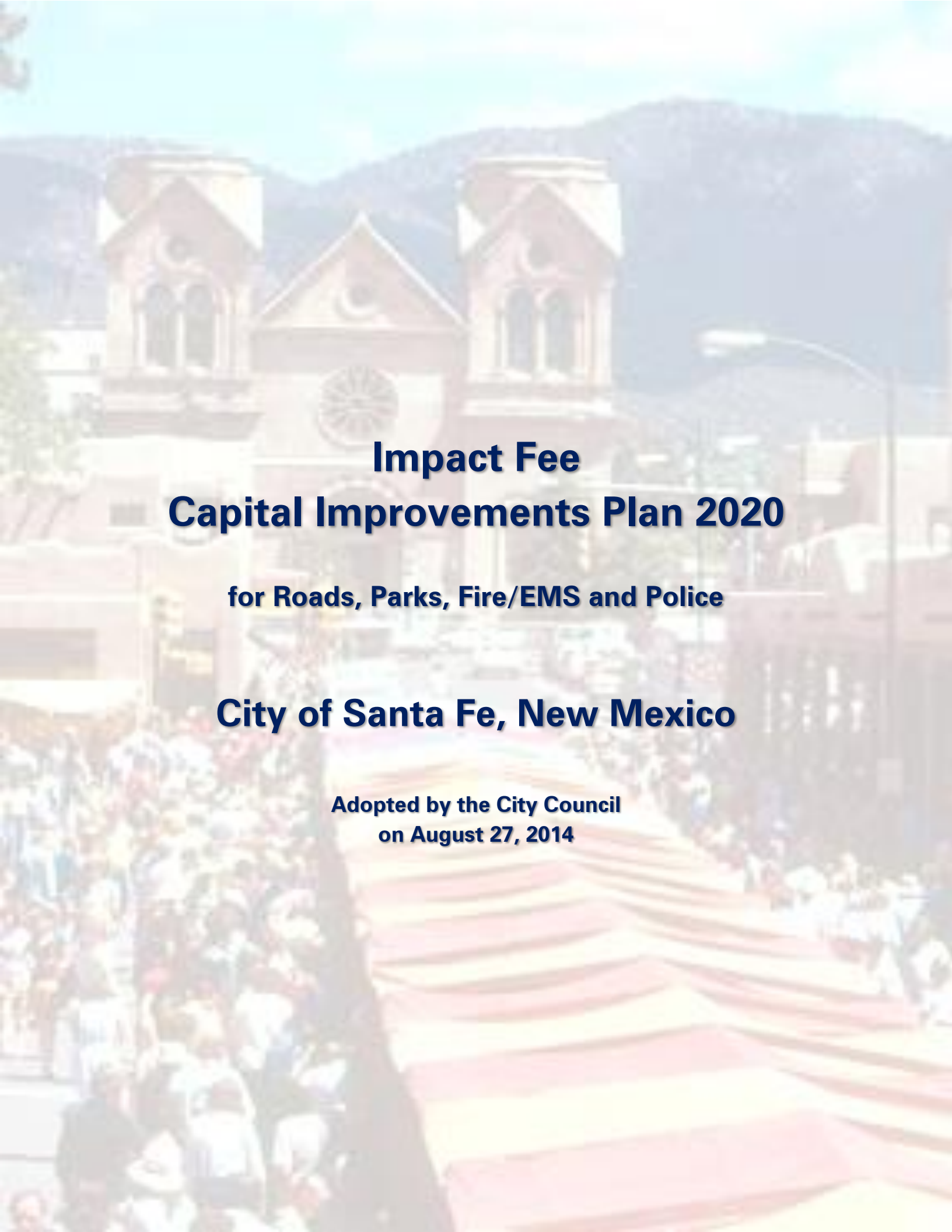
Year	Month	City of Santa Fe	New Mexico	United States
2011	January	8	223	26,267
2011	February	13	201	26,469
2011	March	14	292	37,592
2011	April	12	337	36,910
2011	May	14	356	39,215
2011	June	10	371	40,870
2011	July	4	295	35,250
2011	August	17	360	40,778
2011	September	14	269	35,579
2011	October	7	252	33,623
2011	November	4	216	30,912
2011	December	13	227	29,136
2012	January	10	266	29,885
2012	February	17	275	35,086
2012	March	14	325	42,217
2012	April	16	315	43,897
2012	May	13	390	49,621
2012	June	19	333	47,553
2012	July	14	389	46,842
2012	August	13	368	49,357
2012	September	4	343	42,971
2012	October	19	332	49,198
2012	November	20	296	40,110
2012	December	11	256	36,101
2013	January	9	317	40,468
2013	February	10	314	42,032
2013	March	18	326	51,395
2013	April	18	314	59,745
2013	May	14	337	62,413
2013	June	13	317	57,026
2013	July	20	333	58,322
2013	August	8	297	57,588
2013	September	16	324	50,160
2013	October	5	288	54,003
2013	November	18	245	43,469
2013	December	3	250	39,881
2014	January	6	241	41,079
2014	February	21	272	41,237
2014	March	6	322	51,351
2014	April	9	333	57,580
2014	May	20	345	59,144
2014	June	18	329	61,084
2014	July	15	293	60,168
2014	August	12	391	55,038
2014	September	7	292	54,305
2014	October	11	369	56,857
2014	November	14	234	41,072
2014	December	7	269	45,932

Table continued on following page

Table 4. Monthly Single-Family Permits, 2007-2015 (cont'd)

Year	Month	City of Santa Fe	New Mexico	United States
2015	January	6	264	43,481
2015	February	10	242	43,505
2015	March	4	350	57,474
2015	April	4	369	64,154
2015	May	8	406	62,282
2015	June	10	427	69,967
2015	July	11	375	64,931
2015	August	10	346	61,099

Source: Building permit data for Santa Fe from City of Santa Fe, Long Range Planning Division (single-family includes single-family, affordable single-family, and manufactured home); building permit data for New Mexico and the United States are U.S. Census Bureau building permit estimates (http://censtats.census.gov/bldg/bldgprmt.shtml and http://www.census.gov/construction/bps/statemonthly.html).



Impact Fee
Capital Improvements Plan 2020

for Roads, Parks, Fire/EMS and Police

City of Santa Fe, New Mexico

Adopted by the City Council
on August 27, 2014

Table of Contents

EXECUTIVE SUMMARY 1
LEGAL FRAMEWORK 6
SERVICE AREAS 8
LAND USE ASSUMPTIONS 11
METHODOLOGIES 12
LAND USE CATEGORIES 14
ROADS 18
PARKS/TRAILS 31
FIRE/EMS 39
POLICE 47
APPENDIX A: ROAD INVENTORY 53
APPENDIX B: AVERAGE HOUSEHOLD SIZE 58
APPENDIX C: FUNCTIONAL POPULATION 61
APPENDIX D: PARK/TRAIL INVENTORY 64
APPENDIX E: OUTSTANDING DEBT 67
APPENDIX F: LAND USE ASSUMPTIONS 74
APPENDIX G: CAPITAL FACILITY PLANS 77

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List of Tables

Table 1. Adopted Impact Fee Schedule....2
Table 2. Updated Fees Compared to 2008 Calculated/Adopted Fees....3
Table 3. Updated Fees at 70% Compared to Adopted Fees....4
Table 4. Potential Impact Fee Revenue, 2014-2020....4
Table 5. Land Use Assumptions Summary, 2014-2020....11
Table 6. Impact Fee Revenue, Detailed vs. General Nonresidential Categories....16
Table 7. Impact Fee Revenue, Detailed vs. General Residential Categories....17
Table 8. System-Wide Ratio of Road Capacity to Demand....20
Table 9. Traffic Signal Level Of Service....21
Table 10. Single-Family Trip Generation Rates....22
Table 11. Expected Vehicle-Miles of Travel....23
Table 12. Local Trip Length Adjustment Factor....23
Table 13. Average Trip Length by Trip Purpose....24
Table 14. Travel Demand Schedule....24
Table 15. Road Segment Cost per Service Unit....25
Table 16. Traffic Signal Cost per Service Unit....25
Table 17. Total Road Cost per Service Unit....26
Table 18. Total Daily Travel Demand, 2014-2020....26
Table 19. Major Road Capital Needs, 2014-2020....26
Table 20. Federal and State Transportation Funding, FY 2011-2014....27
Table 21. Federal/State Funding Credit per Service Unit....27
Table 22. Road Debt Credit....28
Table 23. Road Net Cost per Service Unit....28
Table 24. Road Net Cost Schedule....28
Table 25. Road Impact Fee Comparisons....29
Table 26. Potential Road Impact Fee Revenue, 2014-2020....30
Table 27. Park/Trail Equivalent Dwelling Unit Multipliers....32
Table 28. Park/Trail Service Units, 2014-2020....33
Table 29. Park/Trail Replacement Cost....33
Table 30. Park/Trail Cost Per Service Unit....34
Table 31. Park/Trail Capital Needs, 2014-2020....34
Table 32. Park/Trail Debt Credit....35
Table 33. Park/Trail Grant Funding Credit....35
Table 34. Park/Trail Net Cost Per Service Unit....35
Table 35. Park/Trail Grant Funding, FY 2008-2013....36
Table 36. Park/Trail Net Cost Schedule....37
Table 37. Park/Trail Impact Fee Comparisons....37
Table 38. Potential Park/Trail Impact Fee Revenue, 2014-2020....38
Table 39. Fire/EMS Facility Replacement Cost....41
Table 40. Fire/EMS Equipment Replacement Cost....41
Table 41. Fire/EMS Cost Per Service Unit....42
Table 42. Fire/EMS Capital Needs, 2014-2020....42
Table 43. Fire/EMS Debt Credit....43
Table 44. Fire/EMS Grant Funding, FY 2008-2013....43
Table 45. Fire/EMS Grant Funding Credit Per Service Unit....44
Table 46. Fire/EMS Net Cost Per Service Unit....44
Table 47. Fire/EMS Net Cost Schedule....44
Table 48. Fire/EMS Impact Fee Comparisons....45
Table 49. Potential Fire/EMS Impact Fee Revenue, 2014-2020....46

Table 50. Police Facility Replacement Cost 48
Table 51. Police Equipment Replacement Cost 48
Table 52. Police Cost Per Service Unit 48
Table 53. Police Capital Needs, 2014-2020 49
Table 54. Police Debt Credit 49
Table 55. Police Grant Funding, FY 2008-2013 50
Table 56. Police Grant Funding Credit Per Service Unit 50
Table 57. Police Net Cost Per Service Unit 50
Table 58. Police Net Cost Schedule 51
Table 59. Police Impact Fee Comparisons 51
Table 60. Potential Police Impact Fee Revenue, 2014-2020 52
Table 61. Major Roadway Inventory 53
Table 62. Average Household Size by Housing Type, 2000 58
Table 63. Average Household Size by Housing Type, 2008-2012 58
Table 64. Equivalent Dwelling Unit Multipliers 59
Table 65. Single-Family Average Household Size by Unit Size 60
Table 66. Residential Functional Population per Unit 61
Table 67. Nonresidential Functional Population per Unit 62
Table 68. Functional Population Multipliers 63
Table 69. Total Functional Population, 2014-2020 63
Table 70. Inventory of Existing Parks and Open Space 64
Table 71. Existing Trail Inventory 66
Table 72. Outstanding Non-Utility Debt Summary 67
Table 73. Distribution of Debt by Facility Type 68
Table 74. Outstanding Debt by Facility Type 68
Table 75. 2002 Gross Receipts Tax Bond Projects 69
Table 76. 2004A Gross Receipts Tax Bond Projects 70
Table 77. 2006A Gross Receipts Tax Bond Projects 71
Table 78. 2008 Gross Receipts Tax Bond Projects 72
Table 79. 2012A Gross Receipts Tax Bond Projects 73
Table 80. Planned Major Road Improvements, 2014-2020 77
Table 81. Planned Park/Trail Improvements, 2014-2020 78
Table 82. Planned Fire/EMS Improvements, 2014-2020 78
Table 83. Planned Police Improvements, 2014-2020 78

List of Figures

Figure 1. Santa Fe Urban Area 9
Figure 2. Current and Proposed Land Use Categories 15
Figure 3. Major Roadway System 19
Figure 4. Road Impact Fee Formula 21
Figure 5. Existing Parks, Open Space and Trails 31
Figure 6. Existing Fire Stations 39
Figure 7. Nonresidential Functional Population Formula 62

EXECUTIVE SUMMARY

Duncan Associates has been retained by the City of Santa Fe to update the City's capital improvements plans, land use assumptions and impact fees for roads, parks/trails, fire/EMS and police facilities. This study calculates maximum impact fees that Santa Fe can charge based on the existing levels of service.

Report Layout

The report begins with five chapters that have general applicability to all four fee types: legal framework, service areas, land use assumptions, methodologies and land use categories. The last four chapters address the four facility types: roads, parks/trails, fire/EMS and police. Appendices provide more detailed data and analysis to support the individual fee calculations. The final appendix contains the list of planned improvements, which may be amended prior to the next comprehensive impact fee update.

Background

The last comprehensive update of the City's impact fees was based on a 2008 study that was adopted by the City Council on January 9, 2008.[1] The fees were adopted at 60% of the calculated amounts.

Impact fees for residential uses were suspended for two years, effective January 22, 2012. Beginning February 27, 2014, residential impact fees are being collected at 50% of adopted amounts for the next two years.

The current adopted fees are summarized in Table 1 on the following page. The temporary 50% residential fee reduction is not reflected in the table.

In addition to impact fees, the City assesses Utility Expansion Charges (UECs) for water and wastewater. UECs are similar to impact fees, but are adopted under authority provided in state law to assess charges for water and wastewater facilities, rather than under the authority of the *Development Fees Act* that regulates impact fees. The City's UECs are addressed in a separate analysis.

Land Use Categories

It is recommended that the current 20 nonresidential land use categories in the impact fee schedules be reduced to six: retail/commercial, office, industrial, warehouse, mini-warehouse and public/institutional. This approach recognizes that commercial land uses often change, avoids extremely high fees for a small number of land uses (e.g., restaurants, convenience stores, medical offices), eliminates most impact fee charges for change of use, thereby encouraging reuse of existing buildings, and simplifies impact fee administration. This change, however, would result in impact fee revenues about 5% lower than under the more detailed land use categories (see page 16).

[1] Duncan Associates, *Impact Fee Capital Improvements Plan and Land Use Assumptions for Roads, Parks, Fire and Police*, approved by the Santa Fe City Council on January 9, 2008.

Table 1. Adopted Impact Fee Schedule

Land Use Type	Unit	Roads	Parks	Fire	Police	Total
Single Family Detached Units (heated living area):						
(0 to 1,500 sq. ft.)	Dwelling	$1,850	$1,111	$125	$44	$3,130
(1,501 to 2,000 sq. ft.)	Dwelling	$2,100	$1,214	$136	$48	$3,498
(2,001 to 2,500 sq. ft.)	Dwelling	$2,183	$1,328	$150	$53	$3,714
(2,501 to 3,000 sq. ft.)	Dwelling	$2,248	$1,379	$155	$55	$3,837
(3,001 to 3,500 sq. ft.)	Dwelling	$2,309	$1,418	$159	$56	$3,942
(3,501 to 4,000 sq. ft.)	Dwelling	$2,359	$1,444	$163	$58	$4,024
(more than 4,000 sq. ft.)	Dwelling	$2,424	$1,495	$169	$59	$4,147
Accessory Units (attached or detached)						
(0 to 500 sq. ft.)	Dwelling	$518	$324	$37	$13	$892
(501 to 1,000 sq. ft.)	Dwelling	$1,036	$647	$73	$26	$1,782
(1,000 to 1,500 sq. ft.)	Dwelling	$1,554	$971	$110	$39	$2,674
Other (Apts., Condos, S.F. Attached)	Dwelling	$1,554	$971	$110	$39	$2,674
Hotel/Motel	Room	$1,203	$0	$82	$29	$1,314
Retail/Commercial (gross floor area)						
Shopping Center/General Retail	1000 sq. ft.	$4,597	$0	$221	$78	$4,896
Auto Sales/Service	1000 sq. ft.	$2,180	$0	$221	$78	$2,479
Bank	1000 sq. ft.	$4,948	$0	$221	$78	$5,247
Convenience Store w/Gas Sales	1000 sq. ft.	$8,778	$0	$221	$78	$9,077
Health Club, Recreational	1000 sq. ft.	$4,394	$0	$221	$78	$4,693
Movie Theater	1000 sq. ft.	$10,412	$0	$221	$78	$10,711
Restaurant, Packaged Food	1000 sq. ft.	$4,597	$0	$221	$78	$4,896
Restaurant, Sit-Down	1000 sq. ft.	$5,083	$0	$221	$78	$5,382
Restaurant, Fast Food	1000 sq. ft.	$11,064	$0	$221	$78	$11,363
Office/Institutional (gross floor area)						
Office, General	1000 sq. ft.	$2,429	$0	$124	$44	$2,597
Medical Building	1000 sq. ft.	$3,903	$0	$124	$44	$4,071
Nursing Home	1000 sq. ft.	$1,354	$0	$124	$44	$1,522
Church	1000 sq. ft.	$1,521	$0	$124	$44	$1,689
Day Care Center	1000 sq. ft.	$3,202	$0	$124	$44	$3,370
Educational Facility	1000 sq. ft.	$586	$0	$124	$44	$754
Educational Facility Dorm Room	1000 sq. ft.	$1,203	$0	$82	$29	$1,314
Industrial/Warehousing (gross floor area)						
Industrial, Manufacturing	1000 sq. ft.	$1,610	$0	$74	$26	$1,710
Warehouse	1000 sq. ft.	$1,147	$0	$47	$16	$1,210
Mini-Warehouse	1000 sq. ft.	$417	$0	$47	$16	$480

Source: Santa Fe City Code, Sec. 14-8.14/E(a), as amended by Ordinance 2013-44 adopted February 27, 2014.

Updated Fees

While the updated fees are generally lower than those calculated in the 2008 study, the 2008 fees were adopted at only 60% of the full proportionate-share amounts. Consequently, the updated fees are higher than the current adopted fees for most land uses, as shown in Table 2. Note that a 67% increase from current levels would be necessary to bring the fees up to the levels calculated in 2008 (while it may not be intuitive, if fees are adopted with a 40% reduction, it takes a 67% increase to get back to 100%). Because the updated fees are generally lower than those calculated in 2008, the maximum percentage increases from current adopted fees are generally significantly below 67%.

Table 2. Updated Fees Compared to 2008 Calculated/Adopted Fees

Land Use Type	Unit	Roads	Parks	Fire	Police	Total
Single-Family Detached (avg.)	Dwelling	$3,009	$1,552	$247	$104	$4,912
1,500 sq. ft. or less	Dwelling	$2,706	$1,381	$220	$92	$4,399
1,501-2,000 sq. ft.	Dwelling	$2,949	$1,443	$230	$97	$4,719
2,001-2,500 sq. ft.	Dwelling	$3,059	$1,583	$252	$106	$5,000
2,501-3,000 sq. ft.	Dwelling	$3,207	$1,661	$265	$111	$5,244
3,001 sq. ft. or more	Dwelling	$3,395	$1,769	$282	$119	$5,565
Multi-Family	Dwelling	$1,855	$1,350	$214	$90	$3,509
Retail/Commercial	1,000 sq. ft	$5,723	$0	$384	$161	$6,268
Office	1,000 sq. ft	$3,431	$0	$180	$76	$3,687
Industrial	1,000 sq. ft	$2,651	$0	$78	$33	$2,762
Warehouse	1,000 sq. ft	$1,383	$0	$34	$14	$1,431
Mini-Warehouse	1,000 sq. ft	$535	$0	$31	$13	$579
Public/Institutional	1,000 sq. ft	$2,086	$0	$162	$68	$2,316
Percent Change from 2008 Calculated Fees						
Single-Family Detached						
1,500 sq. ft. or less	Dwelling	-12%	-25%	5%	24%	-16%
1,501-2,000 sq. ft.	Dwelling	-16%	-29%	1%	21%	-19%
2,001-2,500 sq. ft.	Dwelling	-16%	-29%	1%	19%	-19%
2,501-3,000 sq. ft.	Dwelling	-14%	-28%	3%	22%	-18%
3,001 sq. ft. or more	Dwelling	-12%	-25%	6%	27%	-15%
Multi-Family	Dwelling	-28%	-17%	17%	38%	-21%
Retail/Commercial	1,000 sq. ft	-25%	n/a	4%	24%	-23%
Office	1,000 sq. ft	-15%	n/a	-13%	4%	-15%
Industrial	1,000 sq. ft	-1%	n/a	-37%	-25%	-3%
Warehouse	1,000 sq. ft	-28%	n/a	-56%	-48%	-29%
Mini-Warehouse	1,000 sq. ft	-23%	n/a	-60%	-52%	-28%
Public/Institutional	1,000 sq. ft	-8%	n/a	-22%	-7%	-9%
Percent Change from Adopted Fees						
Single-Family Detached						
1,500 sq. ft. or less	Dwelling	46%	24%	76%	109%	41%
1,501-2,000 sq. ft.	Dwelling	40%	19%	69%	102%	35%
2,001-2,500 sq. ft.	Dwelling	40%	19%	68%	100%	35%
2,501-3,000 sq. ft.	Dwelling	43%	20%	71%	102%	37%
3,001 sq. ft. or more	Dwelling	47%	25%	77%	113%	41%
Multi-Family	Dwelling	19%	39%	95%	131%	31%
Retail/Commercial	1,000 sq. ft	24%	n/a	74%	106%	28%
Office	1,000 sq. ft	41%	n/a	45%	73%	42%
Industrial	1,000 sq. ft	65%	n/a	5%	27%	62%
Warehouse	1,000 sq. ft	21%	n/a	-28%	-13%	18%
Mini-Warehouse	1,000 sq. ft	28%	n/a	-34%	-19%	21%
Public/Institutional	1,000 sq. ft	54%	n/a	31%	55%	52%

Source: Updated fees from Table 24 (roads), Table 36 (parks), Table 47 (fire/EMS) and Table 58 (police); percentage comparison to 2008 fees based on fees calculated in Duncan Associates, *Impact Fee Capital Improvements Plan and Land Use Assumptions for Roads, Parks, Fire and Police*, approved by the Santa Fe City Council on January 9, 2008 and adopted fees from Table 1 (comparison uses shopping center for retail/commercial, general office for office and nursing home for public/institutional).

Adoption of the updated fees at a 70% implementation rate would essentially be revenue-neutral (see Table 4). The updated total impact fees are very similar to current adopted fees for most land uses, as illustrated in Table 3. The Impact Fee Capital Improvements Advisory Committee (CIAC) recommends adoption of the updated fees at this percentage.

Table 3. Updated Fees at 70% Compared to Adopted Fees

Land Use Type	Unit	Roads	Parks	Fire	Police	Total
Single-Family Detached (avg.)	Dwelling	$2,106	$1,086	$173	$73	$3,438
1,500 sq. ft. or less	Dwelling	$1,894	$967	$154	$64	$3,079
1,501-2,000 sq. ft.	Dwelling	$2,064	$1,010	$161	$68	$3,303
2,001-2,500 sq. ft.	Dwelling	$2,141	$1,108	$176	$74	$3,499
2,501-3,000 sq. ft.	Dwelling	$2,245	$1,163	$186	$78	$3,672
3,001 sq. ft. or more	Dwelling	$2,377	$1,238	$197	$83	$3,895
Multi-Family	Dwelling	$1,299	$945	$150	$63	$2,457
Retail/Commercial	1,000 sq. ft	$4,006	$0	$269	$113	$4,388
Office	1,000 sq. ft	$2,402	$0	$126	$53	$2,581
Industrial	1,000 sq. ft	$1,856	$0	$55	$23	$1,934
Warehouse	1,000 sq. ft	$968	$0	$24	$10	$1,002
Mini-Warehouse	1,000 sq. ft	$375	$0	$22	$9	$406
Public/Institutional	1,000 sq. ft	$1,460	$0	$113	$48	$1,621
Percent Change from Adopted Fees						
Single-Family Detached						
1,500 sq. ft. or less	Dwelling	2%	-13%	23%	45%	-2%
1,501-2,000 sq. ft.	Dwelling	-2%	-17%	18%	42%	-6%
2,001-2,500 sq. ft.	Dwelling	-2%	-17%	17%	40%	-6%
2,501-3,000 sq. ft.	Dwelling	0%	-16%	20%	42%	-4%
3,001 sq. ft. or more	Dwelling	3%	-13%	24%	48%	-1%
Multi-Family	Dwelling	-16%	-3%	36%	62%	-8%
Retail/Commercial	1,000 sq. ft	-13%	n/a	22%	45%	-10%
Office	1,000 sq. ft	-1%	n/a	2%	20%	-1%
Industrial	1,000 sq. ft	15%	n/a	-26%	-12%	13%
Warehouse	1,000 sq. ft	-16%	n/a	-49%	-38%	-17%
Mini-Warehouse	1,000 sq. ft	-10%	n/a	-53%	-44%	-15%
Public/Institutional	1,000 sq. ft	8%	n/a	-9%	9%	7%

Source: 70% of updated fees from Table 2; percentage comparison to adopted fees from Table 1 (comparison uses shopping center for retail/commercial, general office for office and nursing home for public/institutional).

Potential Revenue

If the updated fees are adopted at 100% of the proportionate fair-share costs identified in this study, total impact fee revenues over the next seven years would be about $14 million, assuming no residential fee waivers or reductions, other than for affordable housing. The revenue effects of 100%, 70% and 60% adoption rates are summarized in Table 4, based on the growth projections contained in the updated Land Use Assumptions, and compared to revenue from current fees.

Table 4. Potential Impact Fee Revenue, 2014-2020

	Adoption Rates (No Waivers)			Current
Fee Type	100%	70%	60%	Fees
Roads	$10,352,347	$7,246,643	$6,211,408	$8,140,027
Parks/Trails	$2,674,647	$1,872,253	$1,604,788	$2,192,480
Fire/EMS	$774,244	$541,971	$464,546	$455,399
Police	$325,566	$227,896	$195,340	$162,915
Total	$14,126,804	$9,888,763	$8,476,082	$10,950,821

Source: Revenue for updated fees at 100% from Table 26 (roads), Table 38 (parks), Table 49 (fire/EMS) and Table 60 (police); revenue from current fees assumes single-family fee for 2,001-2,500 sq. ft. unit; 95% shopping center rate plus 5% fast-food restaurant rate (fast-food restaurant was actually 9% of retail square footage over the last two years) for retail, general office for office, average of industrial/warehouse for industrial/warehouse and nursing home for institutional.

Recommendations

The consultant offers the following recommendations relating to the impact fee update:

1. **Consolidate/Reduce Number of Nonresidential Land Use Categories**. The City should consolidate the nonresidential land use categories as reflected in the updated fee schedules. Even though this is likely to result in slightly less revenue than would be received if the current detailed categories were retained, such consolidation will recognize that commercial land uses often change, avoid extremely high fees for a small number of land uses, eliminate most impact fee charges for change of use, thereby encouraging reuse of existing buildings, and simplify impact fee administration.

2. **Consider Single-Family Flat Rate**. The City could also consider adopting flat rate for single-family detached units in place of the current differentiated fees by dwelling unit size. Both options have been calculated in this study, and both options would generate about the same amount of revenue. This would result in somewhat higher fees for smaller units and lower fees for larger units. However, the difference between fees for the smallest and largest single-family size categories has gone down from a theoretical maximum of $3,089 when the differential fees were first calculated in 2003 to only $1,166 in this update,[2] due to switch to more reliable regional data. The City may well decide that this relatively small differential is no longer worth the additional complexity.

3. **Adopt Fees at the Same Percentage for All Land Uses.** The updated fees may be adopted at a percentage less than the proportionate fair-share amounts documented in this study. Different adoption percentages could be applied to the different types of fees (e.g., roads or parks), but the percentage for each fee type should be applied uniformly to all land use types in order to retain the proportionality of the fees to the impact of various types of development. Adoption of all fees at 70% would produce about the same revenue as current fees.

[2] Sum of road, park, fire and police fees, if adopted at 100% with no residential fee waivers.

LEGAL FRAMEWORK

Impact fees are a way for local governments to require new developments to pay a proportionate share of the infrastructure costs they impose on the community. In contrast to traditional "negotiated" developer exactions, impact fees are charges that are assessed on new development using a standard formula based on objective characteristics, such as the number and type of dwelling units constructed. The fees are one-time, up-front charges, with the payment usually made at the time of building permit issuance. Impact fees require each new development project to pay its pro-rata share of the cost of new capital facilities required to serve that development.

Impact fees were pioneered by local governments in the absence of explicit state enabling legislation. Consequently, such fees were originally defended as an exercise of local government's broad "police power" to protect the health, safety and welfare of the community. The courts gradually developed guidelines for constitutionally-valid impact fees, based on a "rational nexus" that must exist between the regulatory fee or exaction and the activity that is being regulated. To date, 28 states have adopted impact fee enabling legislation. These acts have tended to embody the constitutional standards that have been developed by the courts. Impact fees in New Mexico are governed by the New Mexico *Development Fees Act* (Sec. 5-8-1, et. seq., New Mexico Revised Statutes).

Service Area

The New Mexico *Development Fees Act* requires that Land Use Assumptions and Capital Improvements Plans must be prepared for each "service area." A service area is a geographic area within which a set of capital facilities provides roughly equivalent benefit to all development located within the area. In general, impact fees collected within a service area will be spent within the same service area, although there may be instances where the facility that serves development in the service area is actually physically located outside the service area.

Land Use Assumptions

An impact fee update must include land use assumptions (growth projections) for each service area. The *Development Fees Act* defines land use assumptions as "projections of changes in land uses, densities, intensities and population in the service area over at least a five-year period." Because the Capital Improvements Plan that must be prepared for each service area must identify improvement needs for a period not to exceed ten years, a 5-to-10-year time-frame is appropriate for an impact fee study. A seven-year time frame is used for the land use assumptions and capital improvements plans in this study. The land use assumptions are provided in Appendix F.

Capital Improvements Plan

According to the *Development Fees Act*, impact fees can only be spent on improvements identified in the Capital Improvements Plan. The Capital Improvements Plan required by the *Development Fees Act* is somewhat different from the traditional capital improvements program. Like a traditional capital improvements program, the Capital Improvements Plan required by the *Development Fees Act* must include a list of capital projects, their costs and anticipated sources of funding. However, the similarity stops there. Elements required in the Capital Improvements Plan but not found in a typical capital improvements program include an inventory of existing facilities, including an analysis of current usage and capacity of such facilities; a determination of the portion of the cost of planned improvements, as well as existing improvements with remaining excess capacity, that is attributable to growth; an equivalency table that estimates the service demand generated by different

land use types; and the projected growth in service demand based on the recommended Land Use Assumptions over a period not to exceed ten years. In essence, the impact fee Capital Improvements Plan is the impact fee study.

Capital Facilities Plans

While the Capital Improvements Plan includes much more than a list of planned projects, the project list has special relevance. Impact fees can only be spent on projects that are listed in the adopted Capital Improvements Plan. In addition, credits against the impact fees in return for dedications of land or improvements made by developers are only allowed if the dedication or improvement is listed in the Capital Improvements Plan. In order to distinguish between the full Capital Improvements Plan and the list of projects, the list of projects will be referred to as the Capital Facilities Plan. The Capital Facility Plans for each of the four fee types are provided in Appendix G.

Level of Service

The Act requires "an analysis of the total capacity [and] the level of current usage" of existing facilities, a relationship that is often referred to as "level of service" (although this term does not appear in the Act). The impact fee principle that is being referred to here is that new development should not be charged for a higher level of service than is being provided to existing development. If facilities are currently deficient with respect to the capacity standard that is being used to calculate the impact fees, a credit should be provided to new development to acknowledge tax or rate payments that will be made by new development and used to remedy the deficiency. In general, the necessity of providing a deficiency credit is avoided by basing the impact fees on the current level of service.

Service Unit

Both demand and capacity need to be expressed in terms of the same "service units" – defined by the Act as "a standardized measure of consumption, use, generation or discharge." The service unit for parks, for example, might be acres of park land. In order to translate land use projections into additional demands for service, the Capital Improvements Plan must include "an equivalency or conversion table establishing the ratio of a service unit to various types of land uses, including residential, commercial, and industrial." Such a table, which relates various land use categories and the service demands associated with them, is the basis for the fee schedule. The equivalency table for road impact fees, for example, would specify the typical travel demand generated by a single-family unit, 1,000 square feet of office space, etc.

Fee Schedule

The fee schedule brings together all of the fee calculation components. These include the land use categories, service demands associated with a unit of development, cost per service unit and revenue credits. Although the Act does not specifically mention credits for other revenue contributions (e.g., gross receipts taxes used to pay debt service on the same facility), established case law clearly indicates that double-charging must be avoided and that such contributions must be credited in the impact fee formulation.

Updates

The *Development Fees Act* requires that the land use assumptions and capital improvements plan be updated within five years from the date that the last capital improvements plan was adopted.

SERVICE AREAS

The New Mexico *Development Fees Act* defines "service area" as

> *the area within the corporate boundaries or extraterritorial jurisdiction of a municipality or the boundaries of a county to be served by the capital improvements or facility expansions specified in the capital improvements plan designated on the basis of sound planning and engineering standards.*

The service area for the City's current impact fees is the Santa Fe Urban Area (see Figure 1). The Urban Area is the geographic area that includes the City's incorporated area as well as some additional unincorporated area that is likely to be annexed into the city at some time in the future. In the future, comparisons between the "city" and "urban area" may be unnecessary as the city annexes most of the urban area. However, the Agua Fria Traditional Historic Community, containing 2,800 residents and 1,134 housing units according to the 2010 Census, is located within the urban area and is expected to remain unincorporated. City impact fees are charged only within the corporate limits and unincorporated areas within the Urban Area where the City has building permit authority.

The City currently has a single service area for all of the fees. In general, multiple service areas should be avoided where possible. Each service area requires the preparation of separate land use assumptions, facility inventories, impact fee calculations and capital improvements plans. In addition, multiple service areas limit the City's ability to accumulate sufficient funds to make improvements.

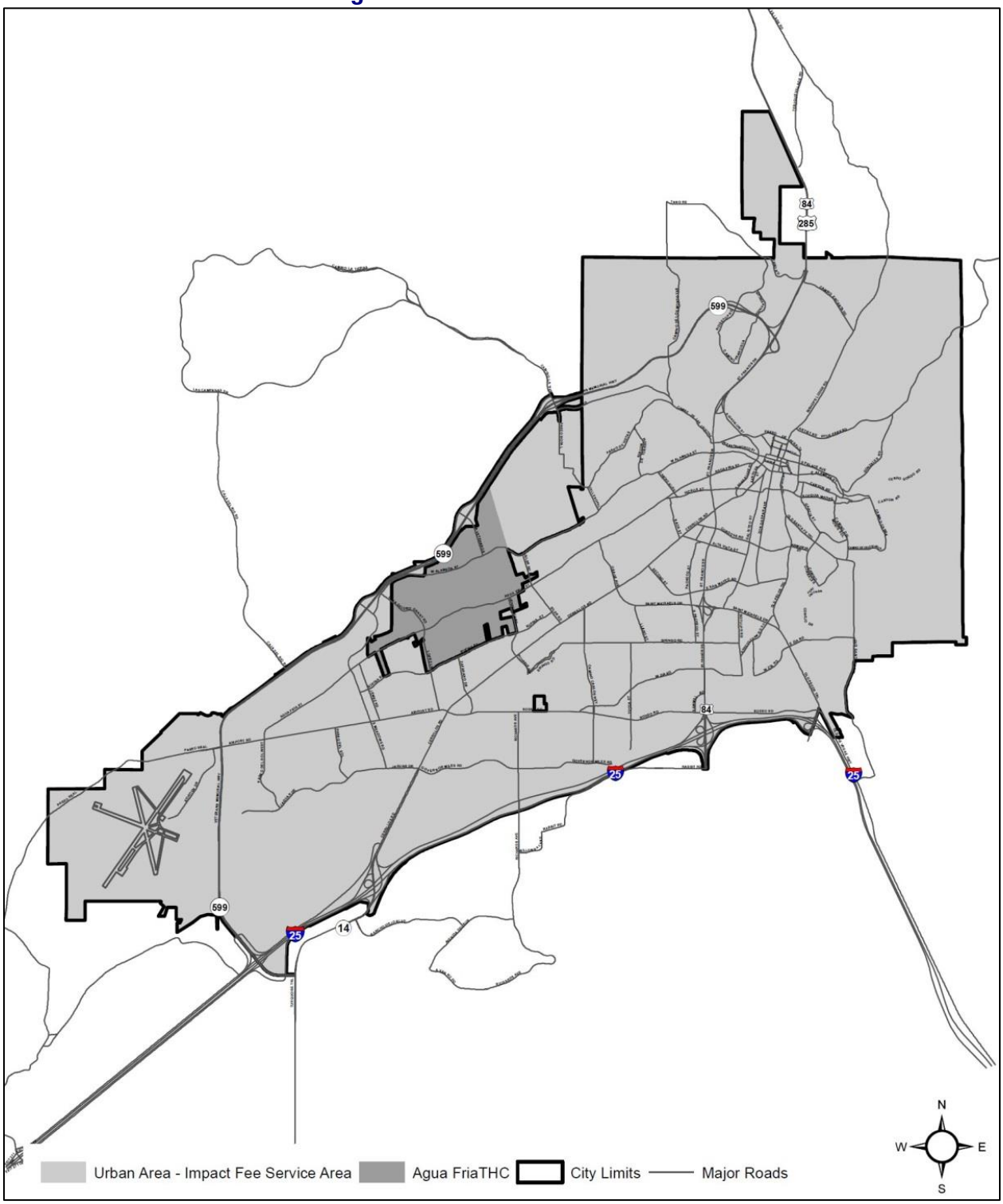
Multiple service areas are sometimes used to create fee differentials as an incentive to steer development to desired locations. Impact fee differentials by area, however, are unlikely to be large enough to have any significant effect on the location of development.

Benefit District Option. While multiple service areas are to be avoided, the City could consider the division of the service area (for one or more impact fee types) into two or more "benefit districts." Benefit districts are not described in the State's impact fee enabling act, but they are used in many impact fee systems around the country. A benefit district is simply a requirement that impact fees collected in a defined area be spent in the same area. Benefit districts use a requirement of geographic proximity to help ensure that the fees are spent on improvements that benefit the developments generating the fees.

Multiple benefit districts put the same restrictions on the expenditure of funds as multiple service areas would, but the preparation of separate land use assumptions, capital improvements plans and impact fee calculations for each benefit district is not required. Multiple benefit districts generally make the most sense for road and park impact fees. Fire and police facilities tend to be either more centralized (police) or more integrated (fire), and are generally not appropriate for multiple benefit districts.

The City has been experiencing significant growth in its recently-annexed southwest portion of the Urban Area, and some interest has been expressed in implementing two benefit districts (southwest/non-southwest) for road and park/trail impact fees.

Figure 1. Santa Fe Urban Area



Roads

The City's road impact fees fund improvements to the major roadway system, defined as arterial and collector roadways, excluding I-25 and NM 599. Because the major roadway system facilitates travel throughout the community, a single service area continues to be appropriate for road impact fees.

Parks/Trails

The City's park/trail impact fees fund improvements to the system of recreational facilities, including regional parks, neighborhood parks and trails. Regional parks and trails tend to serve relatively large areas, while neighborhood parks have more localized benefit. As long as the City makes a good faith effort to use park/trail impact fees to fund neighborhood park improvements in areas that are experiencing residential development, a single service area will continue to be appropriate for park/trail impact fees.

Fire and Police

A single service area continues to be appropriate for fire and police facilities. Police facilities tend to be centralized, and police protection is provided throughout the city from roving patrol cars. While fire facilities are by necessity more decentralized, responding units are not always located at the nearest station, and units respond to major incidents from all over the city. The City's fire and police facilities and equipment thus form integrated systems, and single service areas are appropriate.

LAND USE ASSUMPTIONS

Land Use Assumptions for the impact fees are provided in Appendix F. The land use assumption report provides growth projections for the Santa Fe Urban Area, a unified service area within which the city may expend impact fee monies for eligible capital improvement projects. The New Mexico Development Fees Act (§§ 5-8-1 through 5-8-43, NMSA 1978), specifies that land use assumptions must be adopted for a period of at least five years. The land use assumptions cover a period of seven calendar years from the beginning of 2014 through the end of 2020. Over this period, the land use assumptions anticipate that the service area will gain 2,100 new dwelling units with approximately 3,500 new residents and approximately 1.23 million square feet of new nonresidential development. The growth projections for housing, population and nonresidential floor area from 2014 through 2020 are summarized in Table 5.

Table 5. Land Use Assumptions Summary, 2014-2020

	2014	2020	Increase
Populaton	86,500	90,000	3,500
Single-Family Detached*	25,075	26,563	1,488
Multi-Family**	14,125	14,737	612
Moble Home	5,200	5,200	0
Total Housing Units	44,400	46,500	2,100
Retail (1,000 sf)	10,198	10,898	700
Office (1,000 sf)	8,972	9,322	350
Industrial (1,000 sf)	4,360	4,465	105
Institutional (1,000 sf)	2,960	3,030	70
Total Nonresidential (1,000 sf)	26,490	27,715	1,225

* 85% of combined single-family detached and attached provided in the *Land Use Assumptions* (percentage from U.S. Census, American Community Survey, 2008-2012 for City of Santa Fe)

** adjusted from *Land Use Assumptions* to include single-family attached, per note above

Source: City of Santa Fe Long Range Planning Division, *Santa Fe Urban Area, Impact Fee Land Use Assumptions 2014-2020*, August 2013 (see Appendix F).

METHODOLOGIES

This section reviews the existing methodologies for all four facility types, identifies potential alternatives and makes recommendations for changes.

There are a variety of methodologies that can be employed to calculate impact fees. Any methodology, however, must comply with the fundamental principle of impact fees, which is that new development should not be charged for a higher level of service than existing development. Impact fees can be based on a higher level of service than currently exists, but if they are based on a higher level of service a funding plan must be put in place to remedy the existing deficiencies and a credit must be provided for the portion of the funding used to remedy the deficiencies that will be generated by new development.

Alternative Methodologies

There are two basic types of impact fee methodologies: "standards-based" and "plan-based." Standards-based methodologies use a generalized, system-wide level of service measure, such as the number of park acres per 1,000 residents. With such a standard, appropriate impact fees can be calculated based on the cost of maintaining the existing level of service without a master plan specifying specific improvements to be constructed. This approach gives the City flexibility to modify its Capital Improvements Plan to respond to changing conditions without triggering the need for an impact fee update.

A plan-based methodology relies on a list of planned capital improvements, and is basically calculated by dividing the cost of needed improvements over a period of time by the anticipated new service units over the same time period. The essential requirement for a plan-based fee is that it must demonstrate the nexus between the cost of the planned improvements and the amount of anticipated development. Some plan-based fees use a master plan to establish this nexus. The master plan approach is generally based on an improvement-specific or geographically-based level of service standard, such as "all major roadways shall operate at LOS D or better," and often results in the identification of existing deficiencies. Other plan-based fees are based on a build-out plan or list of capital improvements that are not based on a master plan. These non-master plan approaches must generally be combined with a standards-based analysis that demonstrates that the plan-based fee does not exceed the existing level of service, in order to establish the nexus between the planned improvements and the amount of development to be served by those improvements.

Current Methodologies

The City's current impact fees are all based on a standards-based methodology, as described below. No changes from the basic methodologies are proposed.

Roads

The standards-based methodology for road impact fees is generally referred to as a "consumption-based" approach. In the standard consumption-based approach, the total cost of a representative set of improvements is divided by the capacity added by those improvements in order to determine an average cost per vehicle-mile of capacity (VMC). This cost per VMC is then multiplied by the

vehicle-miles of travel (VMT) generated by a unit of development of a particular land use type to determine the gross impact fee (i.e., before credits). A variant is the modified consumption-based approach, which uses a system-wide VMC/VMT ratio higher than the 1:1 ratio implicit in the standard approach.

The City's current road impact fees are based on the standard consumption-based methodology. This is a relatively conservative approach, because most roadway systems require a VMC/VMT ratio greater than one to operate effectively, due to the fact that vehicular travel does not always go where excess road capacity is located. Nevertheless, it is a widely-used, reliable approach to the calculation of road impact fees.

Parks

The standards-based methodology is sometimes referred to as "incremental expansion," because it uses the existing level of service to determine the cost required to serve future development. It is based on the reasonable assumption that facilities will need to be expanded proportional to the amount of growth that occurs. This approach is appropriate for facilities that do not have a significant amount of excess capacity to serve future development.

Park impact fees are typically only assessed on residential development, because the need for parks is related to the number of people residing in the community. Some park impact fees use the ratio of park acres to population as the level-of-service measure. However, rather than using population as the service unit for parks, the current fees use Equivalent Dwelling Units (EDUs). A typical single-family home is 1.00 EDU, while the EDUs for other housing types are based on the average household size relative to a typical single-family unit. Using EDUs rather than population has the advantage of taking volatile occupancy rates out of the equation.

While a ratio of acres to population may be a useful level-of-service measure for park planning purposes, it is less appropriate as the basis for impact fee calculation. An acre developed with ball fields represents a much lower capital investment than an acre developed with a community center or a swimming pool. The current park methodology uses the inventory of actual improvements and current replacement costs to quantify the capital investment in existing facilities. The existing LOS is defined in terms of capital investment per EDU.

Fire and Police

The current fire and police impact fees are also based on the incremental expansion approach, based on the existing city-wide level of service. The level of service is quantified in terms of the capital investment per service unit. The service unit for fire and police fees is "functional population." A functional person is similar to the concept of a full-time equivalent worker, and represents the equivalent of a person being present at the land use for 24 hours a day. The functional population approach is appropriate for fire and police services, since the demand for such services is strongly related to the number of people present at a land use.

LAND USE CATEGORIES

This section contains the consultant's recommendations relating to the land use categories to be included in the updated impact fee schedule.

Single-Family Fees by Unit Size

The analysis provided in Appendix B indicates that average household size does not increase for single-family detached units over about 3,000 square feet. Consequently, this update recommends collapsing the 3,001-3,500 square feet, 3,501-4,000 square feet, and over 4,000 square foot categories. Alternatively, the City Council could choose to charge single-family fees based on the average fee per dwelling unit.

Nonresidential Land Use Categories

The consultant recommends reducing the number of nonresidential land use categories in the impact fee schedule. In hindsight, the categories we initially prepared for the City in 2003, and updated in 2008, are probably too detailed. In recent years, we have been encouraging clients to simplify their impact fee systems, including reducing the land uses in their fee schedules to fewer, more general, categories. Fewer, broader land use categories are just as defensible from a legal standpoint and offer several advantages, including avoiding extremely high fees for a small number of land uses (e.g., restaurants, convenience stores, medical offices), eliminating most impact fee charges for change of use, thereby encouraging reuse of existing buildings, and simplifying impact fee administration. We most recently applied this approach in our 2012 update of Albuquerque's impact fees.[3]

The major suggested change is to simplify and reduce the number of nonresidential land use categories included in the impact fee schedule. Including many land use categories seems on the face of it to be more accurate and to make it easier to classify proposed uses. After all, if a use is specifically listed, that should make it easier to assess fees when that particular use is proposed. The problem is that it is impossible to list all potential uses, and including many land use categories does not necessarily improve accuracy. For example, while the Institute of Transportation Engineers (ITE) *Trip Generation* manual provides trip rates for many categories, the land uses are often not well defined, many of the rates are based on very small samples, and data on pass-by rates and average trip lengths for most of those uses are not readily available. In addition, short-term accuracy can end up overcharging for long-term impacts, because commercial uses change frequently and impact fees are not refunded when a use is changed to one that generates less impact.

The alternative approach of listing fewer, broader categories in the fee schedule is becoming increasing popular as a way to encourage the reuse of existing buildings and simplify impact fee administration. Such fee schedules list a few very general nonresidential categories, such as retail/commercial, office, public/institutional, industrial, warehouse and mini-warehouse. This approach may not generate as much revenue as the more detailed approach, but it is legally

[3] Duncan Associates, *Impact Fee Land Use Assumptions and Capital Improvements Plan, 2012-2022, prepared for the City of Albuquerque, New Mexico*, September 2012 (https://www.cabq.gov/council/documents/OC127.pdf).

defensible, reasonable and simpler to administer. It recognizes that the use of buildings often changes over time, and it focuses on average long-term impacts. Short-term impacts in the immediate vicinity of a use are a legitimate focus for traffic impact analyses designed to determine impacts on nearby intersections, but are not necessarily the most appropriate for road impact fees. Most commercial uses tend to be located in shopping centers, and the ITE trip generation rates for shopping centers are based on a broad mix of land uses. Shopping centers often include high-traffic uses such as movie theaters, banks, medical offices and restaurants, and the ITE manual notes that some of the studies of shopping centers include trips generated from outparcels, which tend to be occupied by the highest-traffic uses, such as convenience stores, gas stations and fast food restaurants. This approach recognizes that commercial land uses often change, avoids extremely high fees for a small number of land uses (e.g., restaurants, convenience stores), eliminates most impact fee charges for change of use, thereby encouraging reuse of existing buildings, and simplifies impact fee administration.

The proposed land use categories are compared to the current categories in Figure 2. In addition, this update calculates an average impact fee for single-family detached units, which would allow the City to update the current single-family fees by size category or use a single, average fee.

Figure 2. Current and Proposed Land Use Categories

Proposed Land Use Categories	Current Land Use Categories	
Single Family Detached	Single Family Detached	
Up to 1,500 sq. ft.	Up to 1,500 sq. ft.	
1,501 - 2,000 sq. ft.	1,501 - 2,000 sq. ft.	
2,001 - 2,500 sq. ft.	2,001 - 2,500 sq. ft.	
2,501 - 3,000 sq. ft.	2,501 - 3,000 sq. ft.	
More than 3,000 sq. ft.	3,001 - 3,500 sq. ft. More than 4,000 sq. ft.	3,501 - 4,000 sq. ft.
Guest Unit, 750 sf or less	Guest Unit, 500 sf or less	Guest Unit, 501-750 sf
Multi-Family/Guest Unit >750 sf	Multi-Family/Other	Guest Unit, > 750 sf
Retail/Commercial	Shopping Center/Gen. Retail Auto Sales/Service Bank Conv. Store w/Gas Sales Health Club	Hotel/Motel Movie Theater Restaurant, Packaged Food Restaurant, Sit-Down Restaurant, Fast Food
Office	Office, General	Medical Building
Public/Institutional	Nursing Home Church	Day Care Center Educational Facility/Dorm
Industrial	Industrial	
Warehouse	Warehouse	
Mini-Warehouse	Mini-Warehouse	

To estimate the potential revenue loss from moving to the more generalized nonresidential categories, permit data were reviewed for the last two years. Table 6 below shows the difference between the impact fees that would have been collected under the current adopted fee schedule (with no reduction or waiver of residential fees) versus under the proposed more general land use categories. Industrial and warehouse categories are not shown, because the City did not permit any developments of these types over the last two years. This comparison suggests that the more general land use categories would result in total impact fee revenue about 5% lower than under the more detailed categories.

Table 6. Impact Fee Revenue, Detailed vs. General Nonresidential Categories

Land Use Categories	Unit	No. of Units Permitted	Impact Fee Revenue				
			Roads	Parks	Fire	Police	Total
Residential (all)	Dwelling	455	$836,527	$505,610	$56,983	$20,143	$1,419,263
Shopping Center/Gen. Retail	1,000 sq. ft.	89.319	$410,599	$0	$19,740	$6,967	$437,306
Auto Sales	1,000 sq. ft.	8.852	$19,297	$0	$1,956	$690	$21,943
Bank	1,000 sq. ft.	6.267	$31,009	$0	$1,385	$489	$32,883
Restaurant, Sit-Down	1,000 sq. ft.	22.321	$113,458	$0	$4,933	$1,741	$120,132
Restaurant, Fast Food	1,000 sq. ft.	13.096	$144,894	$0	$2,894	$1,021	$148,809
Health Club	1,000 sq. ft.	2.740	$12,040	$0	$606	$214	$12,860
Office, General	1,000 sq. ft.	31.501	$76,516	$0	$3,906	$1,386	$81,808
Office, Medical	1,000 sq. ft.	3.328	$12,989	$0	$413	$146	$13,548
Nursing Home	1,000 sq. ft.	17.068	$23,110	$0	$2,116	$751	$25,977
Church	1,000 sq. ft.	32.897	$50,036	$0	$4,079	$1,447	$55,562
Mini-Warehouse	1,000 sq. ft.	3.106	$1,295	$0	$146	$50	$1,491
Total, Detailed Categories			$1,731,770	$505,610	$99,157	$35,045	$2,371,582
Residential (all)	Dwelling	455	$836,527	$505,610	$56,983	$20,143	$1,419,263
Retail/Commercial	1,000 sq. ft.	142.595	$655,509	$0	$31,513	$11,122	$698,144
Office	1,000 sq. ft.	34.829	$84,600	$0	$4,319	$1,532	$90,451
Public/Institutional	1,000 sq. ft.	49.965	$29,279	$0	$6,196	$2,198	$37,673
Mini-Warehouse	1,000 sq. ft.	3.106	$1,295	$0	$146	$50	$1,491
Total, General Categories			$1,607,210	$505,610	$99,157	$35,045	$2,247,022
Percentage Revenue Change			-7.2%	0.0%	0.0%	0.0%	-5.3%

Note: Approximate two-year revenue, based on 22 months of residential permits (1/23/12-11/23/13) and nonresidential permits for 2012-2013 calendar years

Source: Residential permits and revenue from Table 7; nonresidential permits for calendar years 2012 and 2013 from City of Santa Fe Long Range Planning Division, February 21, 2014; impact fee revenue based on current fees for detailed land use categories from Table 1 and general categories based on shopping center for retail, general office for office, and education for public/institutional.

Most of the reduced revenue is attributable to fast food restaurants, which would pay significantly less under the more generalized retail/commercial category. However, this may be a function of the fact that the City experienced a lot of fast food restaurant development over the last two years, but not any development in some other high-fee categories, such as convenience store/gas sales and movie theaters. While the distribution of land use types developed may change, the percentage shown in the above table is a reasonable estimate of the relative amounts of revenue likely to be received under the detailed versus general nonresidential land use categories.

While only modest changes are proposed to the residential categories, the City also has the option of charging a flat rate for single-family detached, rather than the tiered rates by dwelling size. The 2008 study did not calculate an average single-family fee, but the current fee for the 1,501-2,000 square feet category is a reasonable approximation (the City has been issuing an equal number of permits for smaller and larger units). Accessory units are treated as multi-family in the general categories, because fees for accessory units were not calculated in the 2008 study. The analysis suggests that collapsing the residential categories would have very little revenue impact, as shown in Table 7 below.

Table 7. Impact Fee Revenue, Detailed vs. General Residential Categories

Land Use Categories	Unit	No. of Units Permitted	Impact Fee Revenue				
			Roads	Parks	Fire	Police	Total
Single Family Detached							
(0 to 1,500 sq. ft.)	Dwelling	75	$138,750	$83,325	$9,375	$3,300	$234,750
(1,501 to 2,000 sq. ft.)	Dwelling	115	$241,500	$139,610	$15,640	$5,520	$402,270
(2,001 to 2,500 sq. ft.)	Dwelling	47	$102,601	$62,416	$7,050	$2,491	$174,558
(2,501 to 3,000 sq. ft.)	Dwelling	20	$44,960	$27,580	$3,100	$1,100	$76,740
(3,001 to 3,500 sq. ft.)	Dwelling	4	$9,236	$5,672	$636	$224	$15,768
(3,501 to 4,000 sq. ft.)	Dwelling	2	$4,718	$2,888	$326	$116	$8,048
(more than 4,000 sq. ft.)	Dwelling	3	$7,272	$4,485	$507	$177	$12,441
Accessory Units (attached or det.)							
(0 to 500 sq. ft.)	Dwelling	3	$1,554	$972	$111	$39	$2,676
(501 to 1,000 sq. ft.)	Dwelling	6	$6,216	$3,882	$438	$156	$10,692
(1,000 to 1,500 sq. ft.)	Dwelling	4	$6,216	$3,884	$440	$156	$10,696
Multi-Family	Dwelling	176	$273,504	$170,896	$19,360	$6,864	$470,624
Nonresidential (all)	1,000 sq. ft.	230.495	$895,243	$0	$42,174	$14,902	$952,319
Total, Detailed Categories			$1,731,770	$505,610	$99,157	$35,045	$2,371,582
Single-Family Detached	Dwelling	266	$558,600	$322,924	$36,176	$12,768	$930,468
Multi-Family/Accessory	Dwelling	189	$293,706	$183,519	$20,790	$7,371	$505,386
Nonresidential (all)	1,000 sq. ft.	230.495	$895,243	$0	$42,174	$14,902	$952,319
Total, General Categories			$1,747,549	$506,443	$99,140	$35,041	$2,388,173
Percentage Revenue Change			0.9%	0.2%	0.0%	0.0%	0.7%

Note: Approximate two-year revenue, based on 22 months of residential permits (1/23/12-11/23/13) and nonresidential permits for 2012-2013 calendar years

Source: Nonresidential permits and revenue from Table 6; residential permits for the 22-month period from 1/23/12-11/23/13 from City of Santa Fe Land Use Department, November 27, 2013 memorandum; impact fee revenue based on current fees for detailed residential land use categories from Table 1 and general categories based on single-family detached (1,501-2,000 sq. ft.) and multi-family.

ROADS

The New Mexico Development Fees Act authorizes local governments to impose impact fees for "roadway facilities," including traffic signals. In the 2008 update, the arterial impact fee was expanded to include collector roads and was combined with the traffic signal impact fee into comprehensive road impact fee.

Service Area

Road impact fees will be calculated in this section for the City's Urban Area, which includes the incorporated area of the City of Santa Fe and unincorporated areas around the city that will likely be provided with City service and may ultimately be annexed by the City. The road impact fees will be collected by the City only within the city limits and unincorporated areas within the Urban Area where the City has building permit authority, and will be limited to being spent within the Urban Area.

Service Unit

In impact fee analysis, capital costs, revenue credits and net costs are calculated on the basis of a "service unit," which is a common unit of measurement of facility demand and capacity. An appropriate service unit for roadway capital cost analysis is vehicle-miles of travel (VMT). Vehicle-miles is a combination of the number of vehicles traveling during a given time period and the distance (in miles) that these vehicles travel. The two time periods most often used in traffic analysis are the 24-hour day (average daily trips or ADT) and the single hour of the day with the highest traffic volume (peak hour trips or PHT). Since available traffic counts are in the form of daily volumes, the impact fees will continue to be based on ADT.

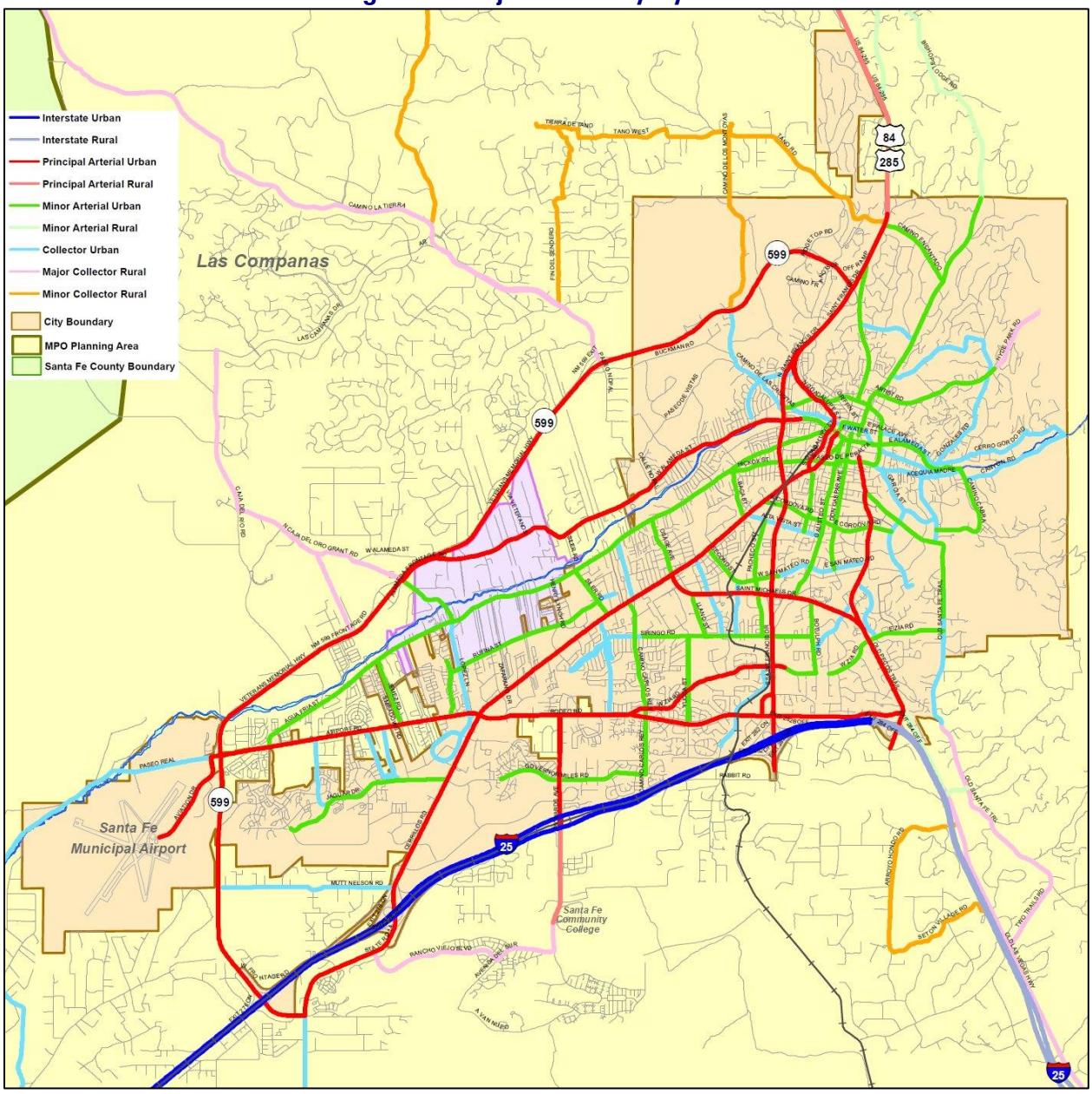
Major Road System

The New Mexico Development Fees Act limits the use of transportation impact fees to "roadway facilities," which are defined as:

> *…arterial or collector streets or roads that have been designated on an officially adopted roadway plan of the municipality or county, including bridges, bike and pedestrian trails, bus bays, rights of way, traffic signals, landscaping and any local components of state or federal highways.*

The City's road impact fee ordinance defines the major road system as all collector and arterial roads. The major road system excludes I-25, because this facility serves long-distance travel and it is unlikely that the City will make any contributions toward expanding its capacity. In this update, NM 599 is also excluded, because it is a State-maintained expressway that is on the border of its incorporated boundary. The City's major roadway system is illustrated in Figure 3. Traffic signals and intersection improvements that are associated with the major road system can be funded with the road impact fee.

Figure 3. Major Roadway System



An inventory of the major roadway system was prepared as part of this update and presented in Table 61 in Appendix A. The major purpose of the inventory is to determine the total amount of travel on the major road system, expressed in vehicle-miles of travel (VMT), and system-wide capacity, expressed as vehicle-miles of capacity (VMC). The system-wide VMT is used to calibrate national travel demand factors to local conditions.

Road impact fees will only be allowed to be spent to make improvements to the major road system. By the same token, no credit should be given unless the developer is required to improve the major road system being funded by the fee.

Methodology

As with the previous road impact fee calculation, the methodology for determining the road segment component of the road impact fee is based on a "consumption-based" model, which basically charges a new development the cost of replacing the capacity that it consumes on the major road system. That is, for every vehicle-mile of travel (VMT) generated by the development, the road impact fee charges the net cost to construct an additional vehicle-mile of capacity (VMC).

Since travel is never evenly distributed throughout a road system, actual road systems require more than one unit of capacity for every unit of demand in order for the system to function at an acceptable level of service. Suppose, for example, that the City completes a major arterial widening project. The completed arterial is likely to have a significant amount of excess capacity for some period of time. If the entire system has just enough capacity to accommodate all of the vehicle-miles of travel, then the excess capacity on this segment must be balanced by another segment being over-capacity. Clearly, road systems in the real world need more total aggregate capacity than the total aggregate demand, because the traffic does not always precisely match the available capacity. Consequently, the standard consumption-based model generally underestimates the full cost of accommodating new development at the existing level of service.

In most rapidly growing communities, some roads will be experiencing an unacceptable level of congestion at any given point in time. One of the principles of impact fees is that new development should not be charged for a higher level of service than is provided to existing development. In the context of road impact fees, this has sometimes been interpreted to mean that impact fees should not be spent on roads that are already over-capacity. However, it is not necessary to address existing deficiencies in a consumption-based system, which, unlike an improvements-driven system, is not designed to recover the full costs to maintain the desired LOS on all road segments. Instead, it is only designed to maintain a minimum one-to-one overall ratio between system demand and system capacity. Virtually all major road systems have more capacity (VMC) than demand (VMT) on a system-wide basis. Consequently, under a consumption-based system, the level of service standard is really a system-wide VMC/VMT ratio of one.

The existing system-wide VMC/VMT ratio is considerably higher than one, as shown in Table 8. Because the City's major road system currently operates at better than a one-to-one ratio, there are no existing deficiencies on a system-wide basis.

Table 8. System-Wide Ratio of Road Capacity to Demand

Daily Vehicle-Miles of Capacity (VMC)	2,813,450
÷ Daily Vehicle-Miles of Travel (VMT)	1,324,631
System-Wide Capacity/Demand Ratio	2.12

Source: Table 61 in Appendix A.

The road impact fee formula is presented in Figure 4.

Figure 4. Road Impact Fee Formula

FEE	=	VMT X NET COST/VMT
Where:		
VMT	=	TRIPS x % NEW x LENGTH x ADJUST
TRIPS	=	1/2 average daily trip ends during weekday
% NEW	=	Percent of trips that are primary trips
LENGTH	=	Average length of a trip
ADJUST	=	Local travel demand adjustment factor
NET COST/VMT	=	COST/VMT - CREDIT/VMT
COST/VMT	=	COST/VMC X VMC/VMT
COST/VMC	=	Average cost per new VMC
VMC/VMT	=	Ratio of vehicle-miles of capacity to vehicle-miles of travel
CREDIT/VMT	=	Credit per VMT based on revenues generated

The traffic signal portion of the road impact fee is based on the ratio of existing traffic demand to existing signals. The current traffic signal level of service is shown in Table 9.

Table 9. Traffic Signal Level Of Service

Existing Vehicle-Miles of Travel (VMT)	1,324,631
÷ Existing Traffic Signals	119
Existing VMT per Signal	11,131

Source: Existing Urban Area VMT from Table 8; existing signals from City of Santa Fe Long Range Planning Division, October 25, 2013.

Travel Demand

The travel demand generated by specific land use types is a product of three factors: 1) trip generation, 2) percent new trips and 3) trip length. The first two factors are well documented in the professional literature, and the average trip generation characteristics identified in studies of communities around the nation should be reasonably representative of trip generation characteristics in Santa Fe. In contrast, trip lengths are much more likely to vary between communities, depending on the geographic size and shape of the community and its major street system.

Trip Generation

Trip generation rates are based on information published in the most recent edition of the Institute of Transportation Engineers' (ITE) Trip Generation manual. Trip generation rates represent trip ends, or driveway crossings at the site of a land use. Thus, a single one-way trip from home to work counts as one trip end for the residence and one trip end for the work place, for a total of two trip ends. To avoid over-counting, all trip rates have been divided by two. This places the burden of travel equally between the origin and destination of the trip and eliminates double-charging for any particular trip.

As with the current impact fee schedule, the road impact fees calculated in this report will vary by the size of the dwelling unit for single-family detached units. The average household size of single-family detached units by unit size is available from the 2008-2012 American Community Survey

conducted by the U.S. Census Bureau for Santa Fe. This information is combined with the trip rate data by household size provided by the National Cooperative Highway Research Program to derive daily trip generation rates, as shown in Table 10.

Table 10. Single-Family Trip Generation Rates

Single-Family Unit Size (Heated Living Area)	Average HH Size	Daily Trips
1,500 sq. ft. or less	1.95	8.56
1,501-2,000 sq. ft.	2.04	9.33
2,001-2,500 sq. ft.	2.23	9.68
2,501-3,000 sq. ft.	2.35	10.15
3,001 sq. ft. or more	2.50	10.74
All Single-Family Detached Units	2.19	9.52
Guest Unit, 750 sq. ft. or less	1.66	5.80

Source: Average household sizes from Table 65; daily trips derived from Transportation Research Board, NCHRP Report 365, "Travel Estimation Techniques for Urban Planning," Washington, D.C.: National Academy Press, Table 9 (for urban areas with populations of 50,000 to 199,999), 1998.

New Trip Factor

Trip rates also need to be adjusted by a "new trip factor" to exclude pass-by and diverted-link trips. This adjustment avoids over-counting by only including primary trips generated by the development. Pass-by trips are those trips that are already on a particular route for a different purpose and simply stop at a particular development on that route. For example, a stop at a convenience store on the way home from the office is a pass-by trip for the convenience store. A pass-by trip does not create an additional burden on the street system and therefore should not be counted in the assessment of impact fees. A diverted-link trip is similar to a pass-by trip, but a diversion is made from the regular route to make an interim stop. The reduction for pass-by and diverted-link trips was drawn from ITE and other published information.

Average Trip Length

In the context of a road impact fee based on a consumption-based methodology, it is important to determine the average length of a trip on the local major road system. The point of departure in developing local trip lengths is to utilize national data. The U.S Department of Transportation's 2009 National Household Travel Survey identifies average trip lengths for specific land uses and trip purposes. However, these trip lengths are unlikely to be representative of travel on the major road system utilized in this study for Santa Fe, since the major road system does not include local roads or the interstate highway system. An adjustment factor for local trip lengths can be derived by dividing the VMT that is actually observed on the major road system by the VMT that would be expected using national average trip lengths and trip generation rates.

The first step in developing the adjustment factor for local travel demand is to estimate the total daily vehicle-miles of travel (VMT) that would be expected on Santa Fe's major road system based on national travel demand characteristics. Existing land use data from the Land Use Assumptions are multiplied by average daily trip generation rates, percent of primary trips and national average trip lengths and summed to estimate total city-wide VMT. As shown in Table 11, existing service area land uses, using national trip generation and trip length data, would be expected to generate approximately 2.9 million VMT every day.

Table 11. Expected Vehicle-Miles of Travel

Land Use Type	Unit	Existing Units	Trip Rate	New Trips	Trip Length	Expected VMT
Single-Family Detached	Dwelling	25,075	9.52	100%	9.75	1,163,731
Multi-Family	Dwelling	14,125	6.65	100%	8.62	404,844
Mobile Home/RV Park	Space	5,200	4.99	100%	6.03	78,233
Retail/Commercial	1,000 sf	10,198	42.70	42%	6.27	573,363
Office	1,000 sf	8,972	11.03	100%	9.61	475,508
Industrial/Warehouse*	1,000 sf	4,360	5.20	100%	11.98	135,805
Public/Institutional	1,000 sf	2,960	7.60	100%	8.47	95,271
Total Expected VMT						2,926,755

* Trip rate is average of industrial and warehouse from Table 14

Source: Existing units from Table 5; trip rates and percent new trips from Table 14; national average trip lengths from Table 13.

The next step in developing the local trip length adjustment factor is to determine actual service area VMT on the City of Santa Fe's major road system. Road segment lengths and recent traffic counts from Table 61 in Appendix A are used to determine actual daily VMT.

Annualized average daily traffic (AADT) volumes were obtained from the Santa Fe Metropolitan Planning Organization. Traffic volumes from 2008 and 2011 were available, with the most recent segment volume utilized in the analysis of system-wide volume. Lack of traffic counts for some road segments required use of estimated volumes; arterial road volume estimates were based on 75 percent of the volume for roads with counts, while collector road volume estimates were based on 50 percent of the volume for roads with counts. Where this occurred, it has been noted in the road inventory in Table 61 in Appendix A.

An adjustment of total VMT is sometimes necessary to take into account trips that travel on the major road system without an origin or destination in the urban area. However, since this study excludes I-25 and NM 599, which carry the vast majority of through trips, an adjustment is not deemed necessary.

The expected system-wide VMT based on existing land use data and national travel demand characteristics over-estimates VMT actually observed on the major road system. This is not surprising, given that the major road system excludes all local roads, I-25 and NM 599. Consequently, it is necessary to develop an adjustment factor to account for this variation. The local trip length adjustment factor is the ratio of actual to projected VMT on the major road system. As shown in Table 12, the average trip length for each land use should be multiplied by a local adjustment factor of 0.453.

Table 12. Local Trip Length Adjustment Factor

Actual Daily VMT on Major Road System	1,324,631
÷ Expected Daily VMT on Major Road System	2,926,755
Ratio of Expected to Actual VMT	0.453

Source: Actual daily VMT from Table 8; expected VMT from Table 11.

The U.S. Department of Transportation's 2009 National Household Travel Survey identifies average trips lengths for residential housing types and for specific trip purposes, including home-to-work trips, doctor/dentist, school/church and shopping trips. The national average trip lengths by trip

purpose have been adjusted by the local adjustment factor calculated in the preceding table to derive local trip lengths, as shown in Table 13.

Table 13. Average Trip Length by Trip Purpose

Land Use Type	Trip Type	National (miles)	Ratio of Local/National	Local (miles)
Single-Family Detached	Single-Family Detached	9.75	0.453	4.42
Multi-Family	Multi-Family	8.62	0.453	3.90
Mobile Home	Mobile Home	6.03	0.453	2.73
Retail/Commercial	Shopping	6.27	0.453	2.84
Office	Medical/Dental	9.61	0.453	4.35
Industrial	To or From Work	11.98	0.453	5.43
Warehouse	To or From Work	11.98	0.453	5.43
Mini-Warehouse	Family/Personal	6.61	0.453	2.99
Public/Institutional	School/Church	8.47	0.453	3.84

Source: National average trip lengths from US. Department of Transportation, National Household Travel Survey, 2009; local adjustment factor from Table 12.

Travel Demand Schedule

The result of combining trip generation rates, primary trip factors and average trip lengths is a travel demand schedule that establishes the VMT during the average weekday generated by various land use types per unit of development for Santa Fe. The recommended travel demand schedule is presented in Table 14.

Table 14. Travel Demand Schedule

Land Use Type	Unit	ITE Code	Trip Rate	New Trips	Trip Length	VMT/ Unit
Single-Family Detached (avg.)	Dwelling	210	9.52	100%	4.42	21.04
1,500 sq. ft. or less	Dwelling	210	8.56	100%	4.42	18.92
1,501-2,000 sq. ft.	Dwelling	210	9.33	100%	4.42	20.62
2,001-2,500 sq. ft.	Dwelling	210	9.68	100%	4.42	21.39
2,501-3,000 sq. ft.	Dwelling	210	10.15	100%	4.42	22.43
3,001 sq. ft. or more	Dwelling	210	10.74	100%	4.42	23.74
Guest Unit, 750 sf or less	Dwelling	n/a	5.80	100%	3.90	11.31
Multi-Family	Dwelling	220	6.65	100%	3.90	12.97
Mobile Home/RV Park	Space	240	4.99	100%	2.73	6.81
Retail/Commercial	1,000 sq. ft.	820	42.70	66%	2.84	40.02
Office	1,000 sq. ft.	710	11.03	100%	4.35	23.99
Industrial	1,000 sq. ft.	130	6.83	100%	5.43	18.54
Warehousing	1,000 sq. ft.	150	3.56	100%	5.43	9.67
Mini-Warehouse	1,000 sq. ft.	151	2.50	100%	2.99	3.74
Public/Institutional	1,000 sq. ft.	620	7.60	100%	3.84	14.59

Source: Trip rate is average daily trip ends during a weekday from Institute of Transportation Engineers (ITE), *Trip Generation*, 9th ed., 2012; trip rates for single-family by unit size from Table 10; new trip factor for shopping center from ITE, *Trip Generation Handbook*, 2004; average trip lengths from Table 13 (small guest unit uses multi-family trip length).

Cost per Service Unit

The road impact fee is designed to cover the cost of adding capacity to the road system and major intersections. All of the normal components of a road expansion or intersection improvement project are eligible for impact fee funding, including construction of new lanes, reconstruction of

existing lanes and relocation of utilities where necessary as part of a widening project, traffic signals and installation of sidewalks, street lighting, and landscaping along new roads and at intersections. However, transportation impact fees should not be used for ancillary components of an expansion project when not part of a capacity-expanding improvement. For example, installing sidewalks along an existing road, landscaping an existing median or reconstructing an existing road would not be eligible improvements.

The road segment component of the impact fee calculation is based on the cost of new capacity added by recent and planned road widening and extension projects. The road improvement costs exclude the cost of traffic signals, which are addressed in the calculation of the traffic signal component of the transportation impact fee calculation. Recent and planned road improvements are summarized in Table 15. The average cost of the capacity added by these projects, without the two Cerrillos Road projects, is $345 per vehicle-mile of capacity (VMC). This is double the cost per VMC identified in the 2008 study. The increase may be due in part to the fact that the projects are relatively short (all under one mile), and consequently lack economies of scale. In consideration of this, a more conservative estimate of $200 per VMC will be used in the impact fee calculations. Under the standard consumption-based methodology, the cost per VMC does not need to be adjusted by the actual VMC/VMT ratio to determine the cost per VMT, because a ratio of one-to-one is assumed.

Table 15. Road Segment Cost per Service Unit

			Capacity		New		Cost/
Road Improvement	Miles	Lanes	Before	After	VMC	Cost	VMC
Siler Rd, Agua Fria-W Alameda St (2010)	0.68	0-2	0	14,800	10,064	$4,000,000	$397
S Meadows, Agua Fria-NM 599 (2012)	0.91	0-2	0	14,800	13,468	$3,925,000	$291
Cerrillos, Cielo Ct-Camino Carlos Rey (2012)	0.57	6-8	50,000	67,300	9,861	$6,906,677	$700
Cerrillos, Camino Carlos Rey-St. Michaels	0.57	6-8	50,000	67,300	9,861	$10,300,000	$1,045
Calle P'o Ae Pi, Airport Rd-Rufina St	0.09	0-2	0	14,800	1,332	$500,000	$375
Rufina St, Harrison-Camino Carlos Rey	0.07	0-2	0	14,800	1,036	$500,000	$483
Total	2.89				45,622	$26,131,677	$573
Total without Cerrillos	1.75				25,900	$8,925,000	$345
Assumed in Fee Calculations							$200

Source: City of Santa Fe Long Range Planning Division, February 13, 2014; generalized daily capacity estimates from Florida Department of Transportation, *2011 Quality/Level of Service Handbook*, Table 1.

The traffic signal improvement component of the road impact fee calculation is based on the average cost of traffic signals, which is estimated to be $350,000. The cost per service unit is calculated by dividing the average cost of a traffic signal by the existing level of service, which is expressed as the ratio of existing traffic to existing traffic signals. As shown in Table 16, the traffic signal cost per service unit is $31 per VMT.

Table 16. Traffic Signal Cost per Service Unit

Average Cost per Traffic Signal	$350,000
÷ Existing Vehicle-Miles of Travel per Signal	11,131
Traffic Signal Cost per VMT	$31

Source: Cost per signal from City of Santa Fe Public Works Department, October 25, 2013; VMT per signal from Table 9.

The combined cost for the road segment and traffic signal components of the impact fee is $231 per VMT, as shown in Table 17.

Table 17. Total Road Cost per Service Unit

Road Segment Cost per Vehicle-Mile of Travel (VMT)	$200
Traffic Signal Cost per VMT	$31
Total Road Cost per VMT	$231

Source: Road segment cost per VMT from Table 15; traffic signal cost per VMT from Table 16.

Capital Facilities Plan

Projected growth from the Land Use Assumptions can be translated into projected impact on the major road system by multiplying existing and projected development in each major land use category by daily vehicle-miles of travel (VMT) associated with each land use. In Table 18, existing and future land uses within Santa Fe's Urban Area have been multiplied by VMT rates and summed to determine reasonable estimates of new daily travel demand that will be generated by anticipated new development within the Urban Area. As can be seen, new development is expected to increase travel demand by 78,160 daily VMT in the service area over the next seven years.

Table 18. Total Daily Travel Demand, 2014-2020

		Projected Units		VMT/	Projected VMT		
Land Use Type	Unit	2014	2020	Unit	2014	2020	New
Single-Family Detached	Dwelling	25,075	26,563	21.04	527,578	558,886	31,308
Multi-Family	Dwelling	14,125	14,737	12.97	183,201	191,139	7,938
Mobile Home	Dwelling	5,200	5,200	6.81	35,412	35,412	0
Retail/Commercial	1,000 sq. ft.	10,198	10,898	40.02	408,124	436,138	28,014
Office	1,000 sq. ft.	8,972	9,322	23.99	215,238	223,635	8,397
Industrial/Warehouse*	1,000 sq. ft.	4,360	4,465	14.11	61,520	63,001	1,481
Public/Institutional	1,000 sq. ft.	2,960	3,030	14.59	43,186	44,208	1,022
Total					1,474,259	1,552,419	78,160

Source: Projected development units from Table 5; VMT per unit from Table 14 (industrial/warehouse is average).

A conservative method of estimating growth-related capital needs uses an approach that is consistent with the consumption-based methodology used to calculate road impact fees in this study. This approach is to multiply new VMT by the capital cost per VMT to get an estimate of the cost of expanding the capacity of the major road system to accommodate projected growth. This technique is applied in Table 19, and it results in estimated capital road needs in the Urban Area of $18.1 million over the next seven years.

Table 19. Major Road Capital Needs, 2014-2020

New Vehicle-Miles of Travel, 2014-2020	78,160
x Capital Cost per VMT	$231
Road Capital Needs, 2014-2020	$18,054,960

Source: New VMT from Table 18; road and signal cost per VMT from Table 17.

The planned road, intersection and traffic signal improvements over the next seven years are summarized in Table 80 in Appendix G. The cost of the planned improvements ($24.8 million)

exceeds the anticipated capital cost attributed to growth. The actual pace of development may be faster or slower than anticipated by the Land Use Assumptions, resulting in greater or lesser growth-related capital needs. In addition, the planned capital projects and estimated costs may change over time, and some of the costs may be funded from other sources.

Net Cost per Service Unit

In the calculation of the impact of new development on infrastructure costs, credit should be given for non-local funding that will be generated by new development and used to pay for capacity-related capital improvements. Credit should also be provided for taxes that will be paid by new development and used to retire outstanding debt for past major road improvements.

Over the 2011-2014 fiscal year period, approximately $30.2 million in State and Federal highway funding was available to help pay for capacity-expanding improvements to the major road system in the urban area, as summarized in Table 20.

Table 20. Federal and State Transportation Funding, FY 2011-2014

Project Name	Fed/State
Design and Construction of the NM599/County Road 62 Interchange 1	$7,304,000
NM475/Washington Ave Intersection Reconstruction 1	$2,731,456
Cerrillos Road Reconstruction Phase IIC - Camino Carlos Rey to St Michaels Dr	$11,000,000
Design and Construction of improvements to the I-25/Cerrillos Rd Interchange 2	$9,060,683
Design of Guadalupe St & Defouri St Bridge Improvements	$150,000
Total, Road Funding	$30,246,139

Source: City of Santa Fe Public Works Department, October 22, 2013.

Based on recent trends, the projected annual State and Federal funding for capacity-expanding road projects is approximately $7.6 million. Dividing the anticipated annual State and Federal funding by existing travel on the major road system yields the annual State and Federal capital funding per VMT. Multiplying annual capacity funding per service unit by the appropriate present value factor provides the equivalent current value of the future stream of funding over the next 25 years, a period that generally corresponds to the period used for long-term debt repayment. The result is a Federal/State funding credit of $84 per VMT, as shown in Table 21.

Table 21. Federal/State Funding Credit per Service Unit

Federal and State Funding for Capacity, FY 2011-2014	$30,246,139
÷ Years in Funding Period	4
Annual Federal/State Capacity Funding	$7,561,535
÷ Existing VMT	1,324,631
Annual Federal/State Capacity Funding per VMT	$5.71
x Net Present Value Factor (25 years)	14.68
Federal/State Funding Credit per VMT	$84

Source: Federal/State capacity funding from Table 20; existing road VMT from Table 8; discount rate for present value factor is the average interest rate on state and local bonds for November 2013 from the Federal Reserve at http://www.federalreserve.gov/releases/h15/data/Monthly.

The City of Santa Fe has some outstanding debt for past street improvements. The principal and interest payments on the outstanding debt are funded with revenues from the City's one-half cent gross receipts tax dedicated for capital improvements. Dividing the City's outstanding debt by existing travel demand on the major road system results in a debt credit of $4 per service unit, as

shown in Table 22. This puts existing and new development on the same footing with respect to the portion of their attributable costs that will be paid through future debt service payments made by both existing and new development.

Table 22. Road Debt Credit

Total Outstanding Eligible Debt	$5,100,580
÷ Existing Major Road System Vehicle-Mies of Travel (VMT)	1,324,631
Road Debt Credit per VMT	$4

Source: Outstanding debt principal from Table 74; total VMT from Table 8.

Deducting the Federal/State funding credit per VMT and the debt credit per VMT from the capital cost per VMT yields the net cost per service unit, as summarized in Table 23.

Table 23. Road Net Cost per Service Unit

Road Cost per Vehicle-Mile of Travel (VMT)	$231
– Federal/State Funding Credit per VMT	-$84
– Debt Credit per VMT	-$4
Road Net Cost per VMT	$143

Source: Road cost per VMT from Table 17; federal/state funding credit per VMT from Table 21; debt credit per VMT from Table 22.

Potential Fee Schedule

The maximum road impact fees that could be charged by the City, based on the data, methodology and assumptions utilized in this report, are presented in Table 24. The updated fees are calculated by multiplying the daily vehicle-miles of travel (VMT) generated by the development by the net cost per VMT calculated above.

Table 24. Road Net Cost Schedule

Land Use Type	Unit	VMT/ Unit	Net Cost/ VMT	Net Cost/ Unit
Single-Family Detached (avg.)	Dwelling	21.04	$143	$3,009
1,500 sq. ft. or less	Dwelling	18.92	$143	$2,706
1,501-2,000 sq. ft.	Dwelling	20.62	$143	$2,949
2,001-2,500 sq. ft.	Dwelling	21.39	$143	$3,059
2,501-3,000 sq. ft.	Dwelling	22.43	$143	$3,207
3,001 sq. ft. or more	Dwelling	23.74	$143	$3,395
Guest Unit, 750 sf or less	Dwelling	11.31	$143	$1,617
Multi-Family	Dwelling	12.97	$143	$1,855
Mobile Home/RV Park	Space	6.81	$143	$974
Retail/Commercial	1,000 sq. ft.	40.02	$143	$5,723
Office	1,000 sq. ft.	23.99	$143	$3,431
Industrial	1,000 sq. ft.	18.54	$143	$2,651
Warehousing	1,000 sq. ft.	9.67	$143	$1,383
Mini-Warehouse	1,000 sq. ft.	3.74	$143	$535
Public/Institutional	1,000 sq. ft.	14.59	$143	$2,086

Source: Daily VMT per unit from Table 14; net cost per VMT from Table 23.

Comparative Road Fees

The updated road impact fees calculated in this report are compared with the City's current fees in Table 25. In general, the updated fees are lower than the fees calculated in the 2008 study. However, because the current fees were adopted at only 60% of the proportionate fair-share costs identified in the 2008 study, the updated fees are higher than the current adopted fees for most land uses. The comparison to adopted fees does not include the temporary 50% fee reduction for residential uses.

Table 25. Road Impact Fee Comparisons

Land Use Type	Unit	2008 Net Cost/Unit	Adopted Fee (60%)	Updated Fee/Unit	% Change From 2008 Net Cost/Unit	% Change From Adopted Fee (60%)
Single Family Detached						
Up to 1,500 sq. ft.	Dwelling	$3,084	$1,850	$2,706	-12%	46%
1,501 - 2,000 sq. ft.	Dwelling	$3,500	$2,100	$2,949	-16%	40%
2,001 - 2,500 sq. ft.	Dwelling	$3,639	$2,183	$3,059	-16%	40%
2,501 - 3,000 sq. ft.	Dwelling	$3,746	$2,248	$3,207	-14%	43%
3,001 - 3,500 sq. ft.	Dwelling	$3,848	$2,309	$3,395	-12%	47%
3,501 - 4,000 sq. ft.	Dwelling	$3,932	$2,359	$3,395	-14%	44%
More than 4,000 sq. ft.	Dwelling	$4,040	$2,424	$3,395	-16%	40%
Multi-Family	Dwelling	$2,590	$1,554	$1,855	-28%	19%
Retail/Commercial						
Shopping Center/General Retail	1,000 sq. ft.	$7,661	$4,597	$5,723	-25%	24%
Auto Sales/Service	1,000 sq. ft.	$3,634	$2,180	$5,723	57%	163%
Bank	1,000 sq. ft.	$8,246	$4,948	$5,723	-31%	16%
Convenience Store w/Gas Sales	1,000 sq. ft.	$14,630	$8,778	$5,723	-61%	-35%
Health Club	1,000 sq. ft.	$7,324	$4,394	$5,723	-22%	30%
Movie Theater	1,000 sq. ft.	$17,354	$10,412	$5,723	-67%	-45%
Restaurant, Sit-Down	1,000 sq. ft.	$8,471	$5,083	$5,723	-32%	13%
Restaurant, Fast Food	1,000 sq. ft.	$18,440	$11,064	$5,723	-69%	-48%
Office						
Office, General	1,000 sq. ft.	$4,049	$2,429	$3,431	-15%	41%
Medical Office	1,000 sq. ft.	$6,505	$3,903	$3,431	-47%	-12%
Industrial/Warehouse						
Industrial	1,000 sq. ft.	$2,683	$1,610	$2,651	-1%	65%
Warehouse	1,000 sq. ft.	$1,912	$1,147	$1,383	-28%	21%
Mini-Warehouse	1,000 sq. ft.	$695	$417	$535	-23%	28%
Public/Institutional						
Nursing Home	1,000 sq. ft.	$2,256	$1,354	$2,086	-8%	54%
Church	1,000 sq. ft.	$2,535	$1,521	$2,086	-18%	37%
Day Care Center	1,000 sq. ft.	$5,336	$3,202	$2,086	-61%	-35%
Elementary/Sec. School	1,000 sq. ft.	$976	$586	$2,086	114%	256%

Source: 2008 net cost per unit is 1.67 times adopted fees from Table 1; updated fees from Table 24.

Potential Revenue

Based on forecast residential and nonresidential construction, the City might expect the road impact fee revenue adopted at the full rate calculated in this report to generate $10.4 million over the next seven years, as shown in Table 26. These revenue projections assume that the fees are adopted at 100% and that there are no residential waivers or fee reductions, other than for affordable housing.

Table 26. Potential Road Impact Fee Revenue, 2014-2020

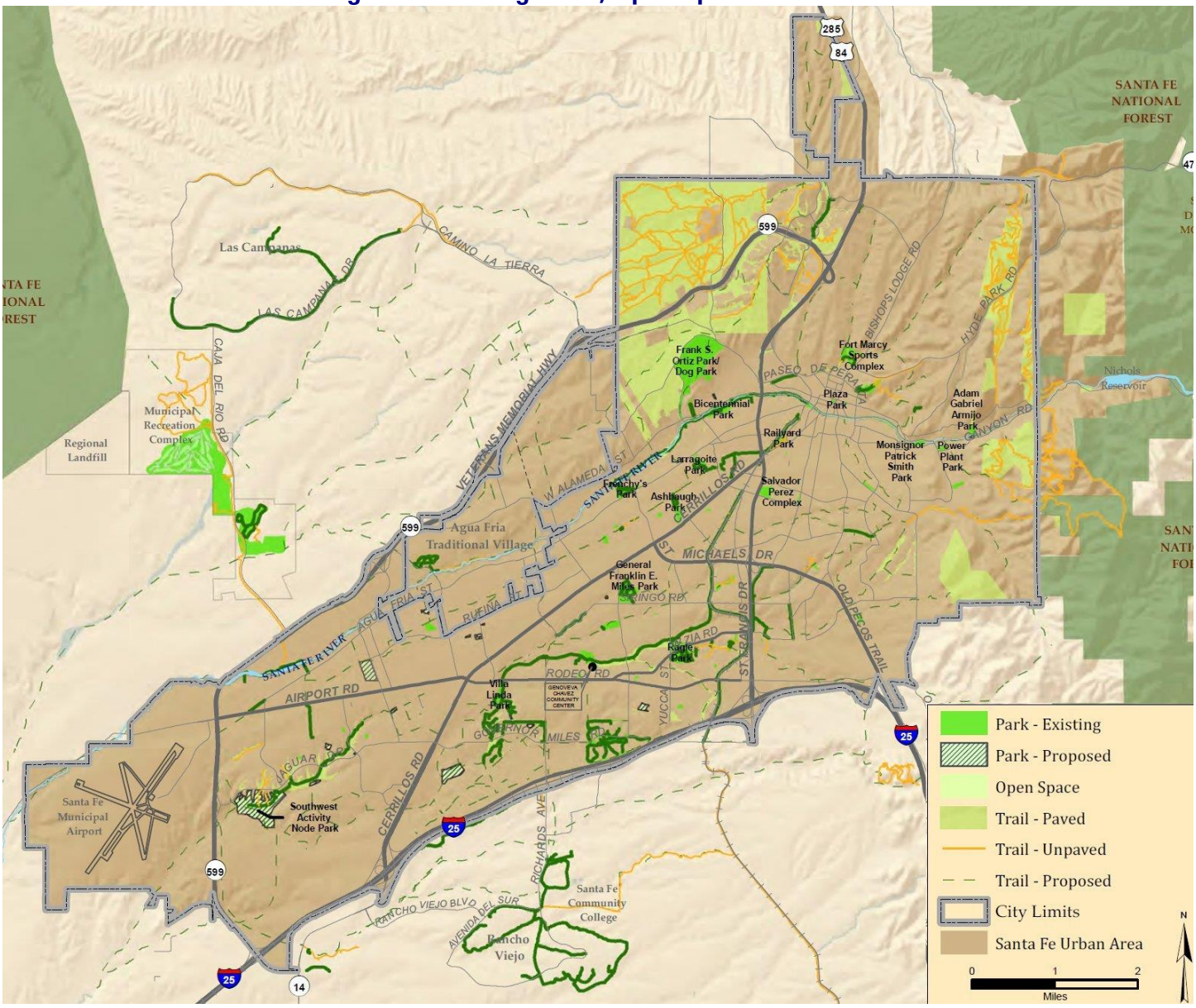
Land Use Type	Unit	New Units	Fee/ Unit	Potential Revenue
Single-Family Detached	Dwelling	1,488	$3,009	$3,819,215
Multi-Family	Dwelling	612	$1,855	$968,377
Subtotal, Residential				$4,787,592
Retail/Commercial	1,000 sq. ft.	700	$5,723	$4,006,100
Office	1,000 sq. ft.	350	$3,431	$1,200,850
Industrial/Warehouse	1,000 sq. ft.	105	$2,017	$211,785
Public/Institutional	1,000 sq. ft.	70	$2,086	$146,020
Subtotal, Nonresidential				$5,564,755
Total				$10,352,347

Source: New units from Table 5; fee per unit from Table 24 (industrial/warehouse is average of the two); potential revenue is units times fee per unit, except that residential revenue is reduced by 14.7%, which is the percentage of residential units from 2008-2013 that were exempted as affordable housing from City of Santa Fe Long Range Planning Division, March 11, 2014.

PARKS/TRAILS

This section of the study updates the City's park/trail impact fee. The primary purpose of this study is to update the fees to reflect the current level of service and current costs to provide park facilities. As is currently the practice, this study recommends that the entire Urban Area be included in the service area. The locations of the City's existing parks, open space and trails are illustrated in Figure 5.

Figure 5. Existing Parks, Open Space and Trails



Service Unit

Disparate types of development must be translated into a common unit of measurement that reflects the impact of new development on the demand for park facilities. This unit of measurement is called a "service unit." The most common service unit used in park impact fee analysis is population. Population estimates are based on three factors: the number of dwelling units, average household sizes for various types of units and occupancy rates. The number of dwelling units can be estimated with some degree of precision, and average household size has been declining somewhat predictably but has been stabilizing in recent years. Occupancy rates, on the other hand, tend to vary significantly over time, and not in predictable directions. Consequently, this report recommends the use of a service unit that avoids the need to make assumptions about occupancy rates. This service unit is the "equivalent dwelling unit" or EDU, which represents the impact of a typical single-family dwelling. By definition, a typical single-family unit represents, on average, one EDU. Other types of units each represent a fraction of an EDU, based on their relative average household sizes.

Because the level of service for park facilities is measured in terms of population, demand for park facilities is proportional to the number of people in a dwelling unit. Consequently, data on average household size for various types of units is a critical component of a park impact fee. These data are presented and analyzed in Appendix B.

As described earlier, the service unit for Santa Fe's park/trail impact fees is defined as an equivalent dwelling unit, or EDU. An EDU is a unit that has an average household size equivalent to a typical single-family unit in Santa Fe. The EDUs associated with each housing type and unit size category are shown in Table 27.

Table 27. Park/Trail Equivalent Dwelling Unit Multipliers

Housing Type	Avg. HH Size	EDUs/ Unit
Single-Family Detached (avg.)	2.19	1.00
1,500 sq. ft. or less	1.95	0.89
1,501-2,000 sq. ft.	2.04	0.93
2,001-2,500 sq. ft.	2.23	1.02
2,501-3,000 sq. ft.	2.35	1.07
3,001 sq. ft. or more	2.50	1.14
Guest Unit, 750 sq. ft. or less	1.66	0.76
Multi-Family	1.90	0.87
Mobile Home	3.04	1.39

Source: Average household size for single–family detached (average), multi-family and mobile home from Table 63; average household sizes by square feet for single-family units from Table 65.

The number of existing and future park/trail service units, as well as the growth in service units, based on the Land Use Assumptions can be determined by multiplying the number of dwelling units by housing type by the park/trail service units per dwelling unit for each housing type. As shown in Table 28, a total of 2,020 new park/trail service units is projected to be added in the Santa Fe Urban Area between 2014 and 2020.

Table 28. Park/Trail Service Units, 2014-2020

Housing Type	Dwelling Units 2014	Dwelling Units 2020	EDUs/ Unit	Park Service Units (EDUs) 2014	Park Service Units (EDUs) 2020	Park Service Units (EDUs) New
Single-Family Detached	25,075	26,563	1.00	25,075	26,563	1,488
Multi-Family	14,125	14,737	0.87	12,289	12,821	532
Mobile Home	5,200	5,200	1.39	7,228	7,228	0
Total	44,400	46,500		44,592	46,612	2,020

Source: Dwelling units from Table 5; EDUs/unit from Table 27.

Cost per Service Unit

This study bases the park/trail impact fees on the existing level of service for parks, open space and trails. The level of service is measured in terms of the ratio of the replacement value of existing facilities to the number of existing service units, or park EDUs. The level of service used in calculating the park/trail impact fee relies on the replacement value of existing park land and improvements, rather than on acres, since, for example, an acre of intensively-developed park land is not equivalent to an acre of open space or passive recreation land.

An initial step in determining the current level of service is to identify the current inventory of parks, open space and trails currently provided by the City. A detailed inventory of existing City parks, trails and opens space is presented in Appendix D. Based on current unit costs provided by the City, the total replacement cost of existing park land and facilities is about $128 million, as summarized in Table 29.

Table 29. Park/Trail Replacement Cost

Type of Park Capital Facility	Units	Unit Cost	Total Cost
Park Land and Open Space (acres)	3,073.26	$16,260	$49,971,208
Playground	32	$60,300	$1,929,600
Picnic Area	41	$54,300	$2,226,300
Activity Area	12	$24,100	$289,200
Tennis Court	25	$72,400	$1,810,000
Soccer Field	9	$241,200	$2,170,800
Basketball Court	22	$48,200	$1,060,400
Baseball Field	15	$253,300	$3,799,500
Softball Field	8	$253,300	$2,026,400
Trails - Paved (per mile)	26.09	$800,000	$20,872,000
Trails - Soft Surface (per mile)	69.36	$10,000	$693,600
Handball Court	1	$36,200	$36,200
Volleyball Court	5	$42,200	$211,000
Skateboard Park	2	$313,600	$627,200
Bicentenniel Pool	1	$1,929,600	$1,929,600
Salvador Perez Pool and Fitness Center	1	$3,376,800	$3,376,800
Genoveva Chavez Community Center	1	$30,150,000	$30,150,000
Fort Marcy Recreation Center	1	$5,065,200	$5,065,200
Total Replacement Cost			$128,245,008

Source: Acres and number of facilities from Appendix D, Table 70; miles of trail from Table 71; unit costs from City of Santa Fe Parks Department, January 7, 2014 (pools and community/recreation center costs are estimated replacement costs).

The cost to maintain the existing park level of service is the ratio of the total replacement cost of existing park land and improvements divided by the existing service units. The park cost per service unit is summarized in Table 30.

Table 30. Park/Trail Cost Per Service Unit

Total Replacement Cost	$128,245,008
÷ Existing Park Service Units (EDUs)	44,592
Park Cost per EDU	$2,876

Source: Cost from Table 29; existing EDUs from Table 28.

Capital Facilities Plan

A reasonable method of estimating growth-related capital needs is one that is consistent with the methodology used to calculate park/trail impact fees in this study. This approach is to multiply the projected new park EDUs by the capital cost per EDU to get an estimate of the cost of expanding the capacity of the park system to accommodate projected growth. As shown in Table 31, this results in estimated growth-related park capital improvement need over the next seven years of $5.8 million.

Table 31. Park/Trail Capital Needs, 2014-2020

New Park Service Units (EDUs), 2014-2020	2,020
x Park Cost per EDU	$2,876
Park Capital Needs, 2014-2020	$5,809,520

Source: New park EDUs from Table 28; cost per EDU from Table 30.

Park improvements currently planned over the next seven years are summarized in Table 81 in Appendix G. The cost of the planned improvements ($37.1 million) far exceeds the projected capital cost attributable to growth over the next seven years. The actual pace of development may be faster or slower than anticipated by the Land Use Assumptions, resulting in greater or lesser growth-related capital needs. In addition, the planned capital projects and estimated costs may change over time, and some of the costs may be funded from other sources.

Net Cost per Service Unit

As noted earlier, to avoid double-charging, credit against impact fees should be provided to account for debt service payments by new development that will be used to retire outstanding debt on existing facilities and for outside funding sources available to pay a portion of the capital costs of growth.

The City's primary funding source for park-related capital improvements is revenue bonds repaid primarily with revenues from the City's half-cent capital improvement gross receipts tax (GRT). An analysis of the City's outstanding debt indicates that the debt attributable to past park-related improvements equals 32% of the total estimated replacement cost of all of the City's parks, open space and recreational facilities. In order to account for the outstanding debt, the impact fees must be reduced to ensure that new development is placed on the same footing as existing development in terms of the portion of park costs funded through debt. As shown in Table 32, the debt credit is $917 per service unit.

Table 32. Park/Trail Debt Credit

Total Outstanding Debt Principal	$40,885,335
÷ Existing Park Service Units (EDUs)	44,592
Park Debt Credit per EDU	$917

Source: Outstanding debt from Table 73; EDUs from Table 28.

Although future grant funding is difficult to predict, it is reasonable to assume that the level of funding received over the next seven years will continue to the extent that growth rates are constant. Actual funding received over the last six fiscal years is shown in Table 35 on the following page.

As noted above, it is reasonable to assume that the grant funding received per park/trail service unit in the recent past will continue in the future. Based on this assumption, the City should receive the current present value equivalent of $407 in grant funding for parks, open space and trails for each new single-family home or park/trail service unit equivalent over the next 25 years, as shown in Table 33.

Table 33. Park/Trail Grant Funding Credit

State/County Funding for Capacity, FY 2008-2013	$7,411,295
÷ Years in Funding Period	6
Annual State/County Capacity Funding	$1,235,216
÷ Existing Park Service Units (EDUs)	44,592
Annual State/County Capacity Funding per EDU	$27.70
x Net Present Value Factor (25 years)	14.68
State/County Funding Credit per EDU	$407

Source: Capacity funding from Table 35; existing park EDUs from Table 28; discount rate for present value factor is the average interest rate on state and local bonds for November 2013 from the Federal Reserve at http://www.federalreserve.gov/releases/h15/data/Monthly.

The City does not have any additional dedicated funding for park capital improvements. As shown in Table 34, deducting the credits for outstanding debt and park grants results in a net park cost of $1,552 per service unit.

Table 34. Park/Trail Net Cost Per Service Unit

Park Cost per Service Unit (EDU)	$2,876
– Debt Credit per EDU	-$917
– Grant Funding Credit per EDU	-$407
Park Net Cost per EDU	$1,552

Source: Park cost per EDU from Table 30; debt credit from Table 32; grant credit from Table 33.

Table 35. Park/Trail Grant Funding, FY 2008-2013

Fiscal Year	Funding Source	Project Description	Amount
2011	County	Acequia Trails	$94,322
2008	State	Alto Park	$50,000
2010	State	Arroyo Chamiso Trail	$80,000
2011	County	Arroyo Chamiso Trail	$75,868
2012	State	Arroyo Chamiso Trail	$122,811
2013	State	Arroyo Chamiso Trail	$6,321
2008	State	Bikeways/Horse Trails, Grant	$489,640
2009	State	Bikeways/Horse Trails, Grant	$1,570,592
2010	State	Bikeways/Horse Trails, Grant	$1,119,244
2011	State	Bikeways/Horse Trails, Grant	$310,164
2008	State	Cathedral Park	$40,013
2008	State	Fort Marcy	$150,000
2008	State	Franklin Miles Park Improvements	$40,000
2009	State	Franklin Miles Park Improvements	$25,000
2008	State	Genoveva Chavez Center	$144,606
2009	State	Genoveva Chavez Center	$286,548
2010	State	Genoveva Chavez Center	$17,029
2013	State	Gonzales Road Pedestrian Trail	$258,330
2008	State	La Tierra Trails	$20,468
2008	State	Larragoite Park	$105,000
2010	State	Old Pecos Trail Design	$160,000
2011	State	Old Pecos Trail Design	$150,000
2009	State	Ortiz Park	$15,493
2009	State	Ragle Park Expansion	$67,714
2008	State	Santa Fe River and Rail Trails	$36,594
2008	County	Santa Fe River and Rail Trails	$226,066
2009	County	Santa Fe River and Rail Trails	$54,035
2010	State	Santa Fe River and Rail Trails	$610,840
2011	State	Santa Fe River and Rail Trails	$89,160
2012	State	Santa Fe River and Rail Trails	$4,899
2009	State	Santa Fe River Trail	$224,070
2010	State	Santa Fe River Trail	$192,757
2011	State	Santa Fe River Trail	$331,928
2008	State	Tierra Contenta Spine Trail	$94,130
2008	County	Trails and Bike Paths	$1,975
2010	State	Trails	$30,000
2011	County	Trails and Bike Paths	$102,282
2013	State	Trails and Bike Paths	$11,634
2013	State	Trails and Bike Paths	$1,762
Total Funding, FY 2008-2013			$7,411,295

Source: City of Santa Fe Finance Department, February 20, 2014.

Potential Fee Schedule

The maximum park fees that can be adopted by the City based on this study are derived by multiplying the number of equivalent dwelling units (EDUs) represented by each dwelling unit by the net cost per EDU, as shown in Table 36.

Table 36. Park/Trail Net Cost Schedule

Land Use Type	Unit	EDU/ Unit	Net Cost/ EDU	Net Cost/ Unit
Single-Family Detached (avg.)	Dwelling	1.00	$1,552	$1,552
1,500 sq. ft. or less	Dwelling	0.89	$1,552	$1,381
1,501-2,000 sq. ft.	Dwelling	0.93	$1,552	$1,443
2,001-2,500 sq. ft.	Dwelling	1.02	$1,552	$1,583
2,501-3,000 sq. ft.	Dwelling	1.07	$1,552	$1,661
3,001 sq. ft. or more	Dwelling	1.14	$1,552	$1,769
Guest Unit, 750 sf or less	Dwelling	0.76	$1,552	$1,180
Multi-Family	Dwelling	0.87	$1,552	$1,350

Source: EDUs per unit from Table 27; net cost per EDU from Table 34.

Comparative Fees

The updated park/trail impact fees calculated in this report are compared with the City's current fees in Table 37. In general, the updated fees are significantly lower than the fees calculated in the 2008 study, due to higher credits for outstanding debt and grant funding. Because the 2008 fees were adopted at only 60% of the proportionate fair-share costs identified in the 2008 study, the updated fees are higher than the current adopted fees. The comparison to adopted fees does not include the temporary 50% fee reduction for residential uses.

Table 37. Park/Trail Impact Fee Comparisons

Land Use Type	Unit	2008 Net Cost/Unit	Adopted Fee (60%)	Updated Fee/Unit	% Change From 2008 Net Cost/Unit	% Change From Adopted Fee (60%)
Single Family Detached						
Up to 1,500 sq. ft.	Dwelling	$1,852	$1,111	$1,381	-25%	24%
1,501 - 2,000 sq. ft.	Dwelling	$2,023	$1,214	$1,443	-29%	19%
2,001 - 2,500 sq. ft.	Dwelling	$2,214	$1,328	$1,583	-29%	19%
2,501 - 3,000 sq. ft.	Dwelling	$2,299	$1,379	$1,661	-28%	20%
3,001 - 3,500 sq. ft.	Dwelling	$2,363	$1,418	$1,769	-25%	25%
3,501 - 4,000 sq. ft.	Dwelling	$2,406	$1,444	$1,769	-26%	23%
More than 4,000 sq. ft.	Dwelling	$2,491	$1,495	$1,769	-29%	18%
Multi-Family	Dwelling	$1,618	$971	$1,350	-17%	39%

Source: 2008 net cost per unit is 1.67 times adopted fees from Table 1; updated fees from Table 36.

Potential Revenue

Under the updated fee structure, the City would expect to receive about $2.7 million in park/trail impact fees over the next seven years. This estimate assumes that the updated fees are adopted at the full net cost, that development occurs as anticipated in the Land Use Assumptions, that all new residential development in the Urban Area falls under the City's building permit authority, and that there are no residential fee waivers or reductions, other than for affordable housing.

Table 38. Potential Park/Trail Impact Fee Revenue, 2014-2020

Housing Type	Unit	New Units	Fee/ Unit	Potential Revenue
Single-Family Detached	Dwelling	1,488	$1,552	$1,969,898
Multi-Family	Dwelling	612	$1,350	$704,749
Total				$2,674,647

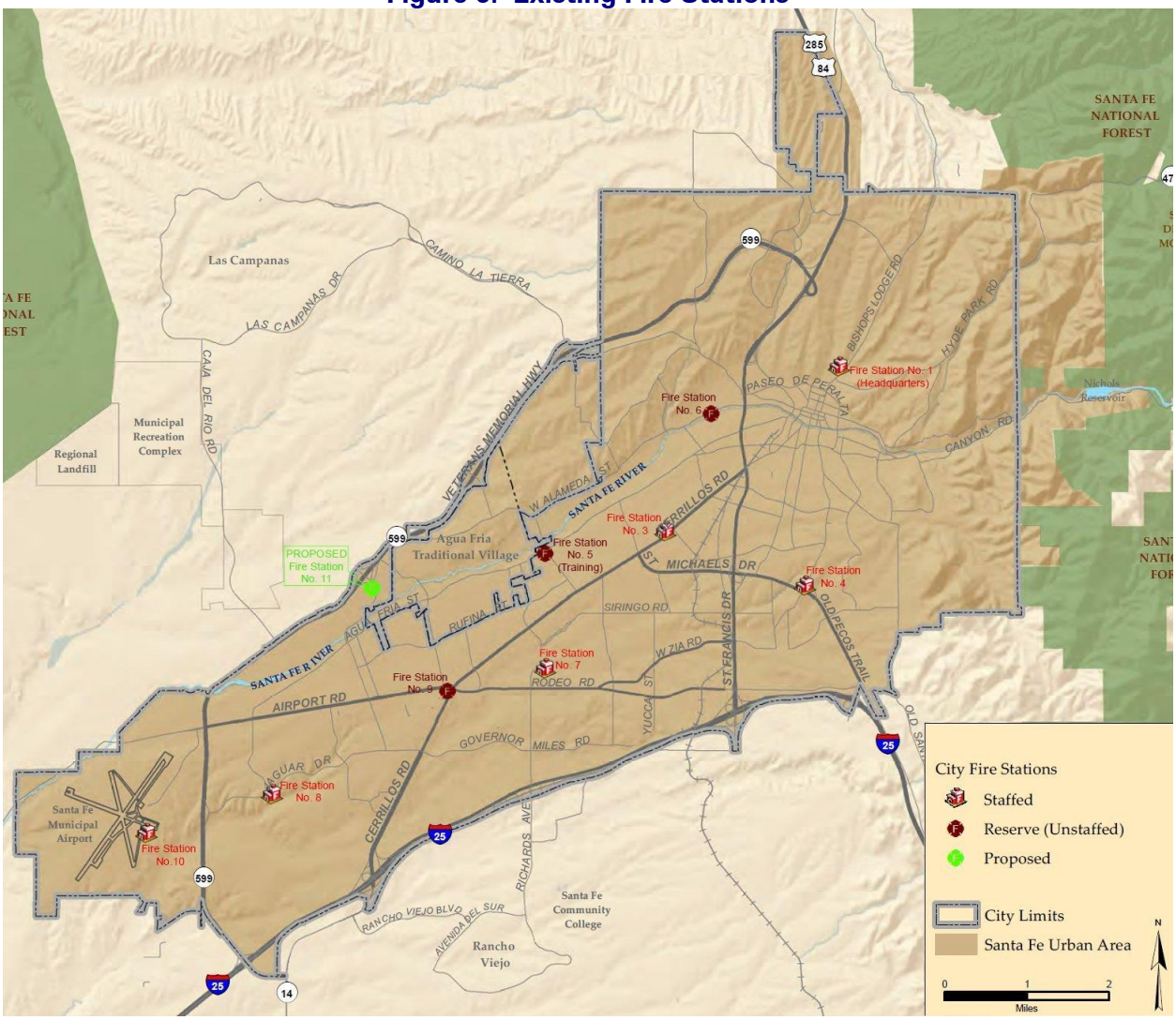
Source: New units from Table 28; fee per unit from Table 34; potential revenue is units times fee per unit, except that residential revenue is reduced by 14.7%, which is the percentage of residential units from 2008-2013 that were exempted as affordable housing from City of Santa Fe Long Range Planning Division, March 11, 2014.

FIRE/EMS

This section updates the City of Santa Fe fire/EMS impact fee. The scope of this update incorporates all eligible firefighting equipment as defined in the New Mexico Development Fees Act, which authorizes cities to establish impact fees for "buildings for fire, police and rescue, and essential equipment costing $10,000 or more and having a ten-year life expectancy."

The City of Santa Fe Fire Department operates five primary fire stations, one airport station that houses the aircraft rescue and firefighting apparatus, two supplemental facilities and a repair service center/ training facility. The existing fire/EMS facilities are shown in Figure 6.

Figure 6. Existing Fire Stations



Supplemental facilities provide back-up for the primary facilities. One of the supplemental facilities, located on West Alameda Street, is primarily a Police Department substation; the Fire Department uses it for the staging of an additional fire truck that can be used in the event of a major fire. The

other supplemental facility, located on Camino Entrada, was originally a primary fire station, but became a supplemental facility upon completion of the new Station #8 on Jaguar Drive. Fire Station #10 is located at the airport, and consists of one fire truck located in aircraft hangar space that is provided to the Fire Department.

In addition to fire suppression, the Fire Department provides emergency medical services (EMS), enforces City fire codes, reviews building plans, investigates fires and provides fire safety and injury prevention education. The Department is also responsible for response to and initial mitigation of reported hazardous materials incidents, technical rescues that include high angle rescue, trench rescue, swift-water rescue and building collapse and Wildland Urban Interface Fires to initiate incident command and initial fire attack.

Service Area

While fire and rescue units and ambulances may be dispatched from a station primarily to calls within that station's fire district, which is the station's primary response area, these units also respond to calls in neighboring districts when needed. In addition, the headquarters and training facilities are centralized. Consequently, fire/EMS facilities constitute an interrelated system that provides service throughout the City's jurisdiction, which is appropriately defined as a single service area.

Service Unit

Disparate types of development must be translated into a common unit of measurement that reflects the impact of new development on the demand for fire/EMS service. This common unit of measurement is referred to as a "service unit." Service units create the link between the supply of fire capital facilities and the demand for such facilities generated by new development.

The two most common methodologies used in calculating fire/EMS impact fees are the "calls-for-service" approach and the "functional population" approach. While annual call data are available for fire/EMS calls, this study continues to use functional population. Typically, the majority of fire calls are responses to emergencies, which are associated with the presence of people, rather than structural fires. In addition, almost 40 percent of calls in Santa Fe's Fire Department are not directly attributed to a land use; such calls are likely responses to motor-vehicle accidents, which are related to movement between land uses.

The functional population approach is a more generalized approach than calls-for-service, and it presumes that the demand for fire services is strongly related to the presence of people at the site of a land use. Functional population is analogous to the concept of "full-time equivalent" employees. It represents the number of "full-time equivalent" people present at the site of a land use, and it is used for the purpose of determining the impact of a particular development on the need for fire facilities. For residential development, functional population is simply average household size times the percent of time people are assumed to spend at home. For nonresidential development, functional population is based on a formula that factors trip generation rates, average vehicle occupancy and average number of hours spent by visitors at a land use. Functional population multipliers by land use type and total existing and projected functional population for the Urban Area are presented in Appendix C.

Cost per Service Unit

Fire/EMS impact fees are designed to charge new development the cost of providing the same level of service that is provided to existing development. The existing level of service for fire/EMS facilities is based on the replacement cost of existing facilities. The replacement cost of the existing Fire Department facilities can be determined based on the most recent construction costs related to the construction of Station No. 3. Based on the actual construction cost, this station cost $294 per square foot. However, because this station required a significant amount of site work, the Department estimates that the two new stations will cost somewhat less, about $238 per square foot. The total building and land replacement cost for the Fire Department's existing City-owned facilities is $19.4 million, as shown in Table 39.

Table 39. Fire/EMS Facility Replacement Cost

Station No.	Address	Building Sq. Feet	Land Acres	Building Value	Land Value	Total Value
1	200 Murales Road	11,440	1.20	$2,718,373	$204,000	$2,922,373
3A	1751 Cerrillos Road	3,124	1.00	$742,325	n/a	$742,325
3	1751 Cerrillos Road	10,605	1.00	$2,519,960	$189,600	$2,709,560
4	1130 Arroyo Chamiso	8,242	1.00	$1,958,464	$169,600	$2,128,064
5	1130 Siler Road	10,156	5.00	$2,413,269	$749,000	$3,162,269
6	1030 W. Alameda	470	0.20	$111,681	$34,000	$145,681
7	2391 Richards Ave	14,440	2.25	$3,431,233	$382,500	$3,813,733
8	6796 Jaguar Drive	10,241	2.52	$2,433,466	$342,000	$2,775,466
9	2501 Camino Entrada	2,100	3.00	$499,002	$540,000	$1,039,002
10	121 Aviation Drive (leased)	n/a	n/a	n/a	n/a	n/a
Total		70,818	17.17	$16,827,773	$2,610,700	$19,438,473

Source: Building square feet from City of Santa Fe Fire Department, November 4, 2013; land and land value from City of Santa Fe Fire Department, March 13, 2014; building value based on $237.62 per square foot from City of Santa Fe Fire Department, November 4, 2013.

The New Mexico Development Fees Act authorizes the use of impact fees for all essential fire-fighting and EMS equipment costing $10,000 or more and having a life expectancy of at least ten years. Table 40 lists the current capital equipment that is eligible for impact fee funding under the New Mexico Development Fees Act. The total replacement cost for eligible equipment is $8.3 million.

Table 40. Fire/EMS Equipment Replacement Cost

Apparatus/Equipment	Units	Cost per Unit	Total Cost
Pumper	8	$450,000	$1,500,000
Quint	3	$750,000	$1,400,000
Ambulance	10	$175,000	$175,000
Rescue Vehicle	1	$750,000	$175,000
Brush Truck	3	$160,000	$2,800,000
Haz. Mat. Truck & Trailer	1	$550,000	$1,100,000
Pump Simulator	1	$90,000	$750,000
Tire Machine	1	$10,000	$280,000
Posi-Check	1	$15,000	$90,000
Service Truck	1	$65,000	$10,000
Total Replacement Cost			$8,280,000

Source: Fire/EMS equipment, number of units and cost per unit from City of Santa Fe Fire Department, November 4, 2013.

The fire/EMS impact fee is based on the replacement value of existing capital facilities divided by the total number of service units associated with the City's functional population. As shown in Table 41, the replacement cost for fire and EMS facilities and equipment is $299 per service unit.

Table 41. Fire/EMS Cost Per Service Unit

Fire/EMS Facility Replacement Cost	$19,438,473
Fire/EMS Equipment Replacement Cost	$8,280,000
Total Fire/EMS Replacement Cost	$27,718,473
÷ Existing Functional Population	92,577
Fire/EMS Cost per Functional Population	$299

Source: Fire/EMS facility replacement cost from Table 39; fire/EMS equipment replacement cost from Table 40; existing functional population from Table 69.

Capital Facilities Plan

The magnitude of growth-related fire/EMS capital needs can be estimated by multiplying the anticipated growth in service units associated by the existing level of service cost per unit. As shown in Table 42, this results in estimated fire/EMS capital improvement needs over the next seven years of about $1.4 million.

Table 42. Fire/EMS Capital Needs, 2014-2020

New Functional Population, 2014-2020	4,557
x Fire/EMS Cost per Functional Population	$299
Fire/EMS Capital Needs, 2014-2020	$1,362,543

Source: New functional population Table 69, Appendix C; cost per functional population from Table 41.

According to the Fire Department, existing fire/EMS facilities and equipment are only marginally adequate based on the population served, travel distance, and call volume. Current plans call for the construction of one or two additional fire stations over the next seven years to better serve the expanding southern and southwestern areas, and to remodel and expand Station No. 5. New fire-fighting apparatus will be needed to equip the proposed stations.

As summarized in Table 82 in Appendix G, planned fire/EMS improvements identified and eligible to receive impact fee funding over the next seven years total about $7.4 million. All of the identified improvements would be eligible for funding with fire/EMS impact fees. However, only about 18% of the planned project costs can be attributed to projected growth over the next seven years, based on the Land Use Assumptions and the existing level of service.

Net Cost per Service Unit

In the calculation of the impact of new development on infrastructure costs, credit should be given for non-local funding that will be generated by new development and used to pay for capacity-related capital improvements. Credit should also be provided for taxes that will be paid by new development and used to retire outstanding debt for past fire/EMS facility improvements.

The City of Santa Fe has some outstanding debt for past fire/EMS capital improvements, including construction of a fire station and purchase of fire apparatus. As shown in Table 43, dividing the outstanding debt by existing service units results in the debt credit per service unit. This puts existing and new development on the same footing with respect to the portion of their attributable costs that will be paid through future debt service payments made by both existing and new development.

Table 43. Fire/EMS Debt Credit

Total Outstanding Eligible Debt	$3,895,495
÷ Existing Functional Population	92,577
Fire/EMS Debt Credit per Functional Population	$42

Source: Outstanding fire-related debt from Table 74 in Appendix E; existing functional population from Table 69, Appendix C.

The City has received some grants for fire protection, EMS and related services in recent years. However, some of these grants were for operating costs, or for equipment that is not eligible for impact fee funding under the Development Fees Act. Deducting the amounts for operational costs or minor equipment, the eligible grant amounts received over last six years for impact fee-eligible capital totaled $2.6 million, as shown in Table 44.

Table 44. Fire/EMS Grant Funding, FY 2008-2013

Fiscal Year	Funding Source	Project Description	Amount
2008	Federal	Assistance to Firefighters Grant	$137,167
2008	State	Fire Protection	$471,847
2009	State	Fire Protection	$461,076
2010	State	Fire Protection	$398,504
2011	State	Fire Protection	$616,322
2009	State	Fire Station #3	$138,600
2009	State	Fire Station #3	$346,500
2009	State	Emergency Medical Service	$20,000
2010	State	Emergency Medical Service	$29,000
Total Funding, FY 2008-2013			$2,619,016

Source: City of Santa Fe Finance Department, February 20, 2014.

Assuming that the grant funding received over the last six years for impact fee-eligible fire/EMS capital improvements will continue to increase proportional to the amount of development in Santa Fe, the City will receive the present value equivalent of $69 per service unit over the next 25 years, as shown in Table 45.

Table 45. Fire/EMS Grant Funding Credit Per Service Unit

Federal and State Funding for Capacity, FY 2008-2013	$2,619,016
÷ Years in Funding Period	6
Annual Federal/State Capacity Funding	$436,503
÷ Existing Functional Population	92,577
Annual Federal/State Funding per Functional Population	$4.72
x Net Present Value Factor (25 years)	14.68
Federal/State Funding Credit per Functional Population	$69

Source: Grant funding from Table 44; existing functional population from Table 69 in Appendix C; discount rate for present value factor is the average interest rate on state and local bonds for November 2013 from the Federal Reserve at http://www.federalreserve.gov/releases/h15/data/Monthly.

Deducting the credits for outstanding debt and grants from the capital cost yields the net fire/EMS cost per service unit, as summarized in Table 46.

Table 46. Fire/EMS Net Cost Per Service Unit

Fire/EMS Cost per Functional Population	$299
– Debt Credit per Functional Population	-$42
– Grant Funding Credit per Functional Population	-$69
Fire/EMS Net Cost per Functional Population	$188

Source: Cost from Table 41; debt credit from Table 43; grant credit from Table 44.

Potential Fee Schedule

The maximum fire/EMS impact fees that may be charged by the City of Santa Fe based on the data, assumptions and methodology used in this report are shown in Table 47.

Table 47. Fire/EMS Net Cost Schedule

Land Use Type	Unit	Func. Pop/ Unit	Net Cost/ Func. Pop.	Net Cost/ Unit
Single-Family Detached (avg.)	Dwelling	1.314	$188	$247
1,500 sq. ft. or less	Dwelling	1.170	$188	$220
1,501-2,000 sq. ft.	Dwelling	1.224	$188	$230
2,001-2,500 sq. ft.	Dwelling	1.338	$188	$252
2,501-3,000 sq. ft.	Dwelling	1.410	$188	$265
3,001 sq. ft. or more	Dwelling	1.500	$188	$282
Guest Unit, 750 sf or less	Dwelling	0.996	$188	$187
Multi-Family	Dwelling	1.140	$188	$214
Mobile Home/RV Park	Space	1.824	$188	$343
Retail/Commercial	1,000 sq. ft.	2.041	$188	$384
Office	1,000 sq. ft.	0.959	$188	$180
Industrial	1,000 sq. ft.	0.416	$188	$78
Warehousing	1,000 sq. ft.	0.180	$188	$34
Mini-Warehouse	1,000 sq. ft.	0.167	$188	$31
Public/Institutional	1,000 sq. ft.	0.863	$188	$162

Source: Functional population per unit from Table 68 in Appendix C; net cost per functional population from Table 46.

Comparative Fees

The updated fire/EMS impact fees calculated in this report are compared with the City's current fees in in Table 48. In general, the updated fees are slightly higher than the fees calculated in the 2008 study for residential and retail uses and lower for other nonresidential uses. Because the 2008 fees were adopted at only 60% of the proportionate fair-share costs identified in the 2008 study, the updated fees are significantly higher than the current adopted fees most land uses other than warehouse and mini-warehouse. The comparison to adopted fees does not include the temporary 50% fee reduction for residential uses.

Table 48. Fire/EMS Impact Fee Comparisons

Land Use Type	Unit	2008 Net Cost/Unit	Adopted Fee (60%)	Updated Fee/Unit	% Change From 2008 Net Cost/Unit	% Change From Adopted Fee (60%)
Single Family Detached						
Up to 1,500 sq. ft.	Dwelling	$209	$125	$220	5%	76%
1,501 - 2,000 sq. ft.	Dwelling	$227	$136	$230	1%	69%
2,001 - 2,500 sq. ft.	Dwelling	$250	$150	$252	1%	68%
2,501 - 3,000 sq. ft.	Dwelling	$258	$155	$265	3%	71%
3,001 - 3,500 sq. ft.	Dwelling	$265	$159	$282	6%	77%
3,501 - 4,000 sq. ft.	Dwelling	$271	$163	$282	4%	73%
More than 4,000 sq. ft.	Dwelling	$281	$169	$282	0%	67%
Multi-Family	Dwelling	$183	$110	$214	17%	95%
Retail/Commercial	1,000 sq. ft.	$368	$221	$384	4%	74%
Office	1,000 sq. ft.	$207	$124	$180	-13%	45%
Industrial	1,000 sq. ft.	$124	$74	$78	-37%	5%
Warehouse	1,000 sq. ft.	$78	$47	$34	-56%	-28%
Mini-Warehouse	1,000 sq. ft.	$78	$47	$31	-60%	-34%
Public/Institutional	1,000 sq. ft.	$207	$124	$162	-22%	31%

Source: 2008 net cost per unit is 1.67 times adopted fees from Table 1; updated fees from Table 47.

Potential Revenue

If adopted at the full updated amounts, the fire/EMS impact fees could generate $0.77 million over the next seven years, based on the development projected in the Land Use Assumptions, as shown in Table 49. These revenue projections assume no residential waivers or fee reductions, other than for affordable housing.

Table 49. Potential Fire/EMS Impact Fee Revenue, 2014-2020

Land Use Type	Unit	New Units	Fee/ Unit	Potential Revenue
Single-Family Detached	Dwelling	1,488	$247	$313,508
Multi-Family	Dwelling	612	$214	$111,716
Subtotal, Residential				$425,224
Retail/Commercial	1,000 sq. ft.	700	$384	$268,800
Office	1,000 sq. ft.	350	$180	$63,000
Industrial/Warehouse	1,000 sq. ft.	105	$56	$5,880
Public/Institutional	1,000 sq. ft.	70	$162	$11,340
Subtotal, Nonresidential				$349,020
Total				$774,244

Source: New units from Table 5; fee/unit from Table 47; potential revenue is units times fee per unit, except that residential revenue is reduced by 14.7%, which is the percentage of residential units from 2008-2013 that were exempted as affordable housing from City of Santa Fe Long Range Planning Division, March 11, 2014..

POLICE

This section updates the City of Santa Fe police impact fee. The Santa Fe Police Department was originally founded in 1851, and is responsible for upholding the law within the jurisdictional boundaries of the City of Santa Fe. The Police Department utilizes the "community policing" concept by operating two neighborhood community substations. Current substations include the Administrative Complex at Siringo Road and the West Alameda station. The West Alameda substation is a shared facility; the Fire Department stages a fire truck at this facility for use in cases of emergencies. In addition to utilizing community substations, the Police Department maintains two other facilities, the main headquarters and the professional standards/internal affairs building.

Service Area

While police substations do have a primary response area, officers respond to calls on a community-wide basis. In addition, the headquarters and training facilities are centralized. Consequently, police facilities constitute an interrelated system that provides service throughout the City's jurisdiction, which, combined with the City's Urban Area, is appropriately defined as a single service area.

Service Unit

Disparate types of development must be translated into a common unit of measurement that reflects the impact of new development on the demand for police protection. This common unit of measurement is referred to as a "service unit." Service units create the link between the supply of capital facilities and the demand for such facilities generated by new development.

The two most common methodologies used in calculating police impact fees are the "calls-for-service" approach and the "functional population" approach. While annual call data are available for police calls, this study uses functional population in order to allocate police capital costs among more specific land-use categories. The functional population approach is a more generalized approach than calls-for-service, and it presumes that the demand for police services is strongly related to the presence of people at the site of a land use. Functional population is analogous to the concept of "full-time equivalent" employees. It represents the number of "full-time equivalent" people present at the site of a land use, and it is used for the purpose of determining the impact of a particular development on the need for police facilities. For residential development, functional population is simply average household size times the percent of time people are assumed to spend at home. For nonresidential development, functional population is based on a formula that factors trip generation rates, average vehicle occupancy and average number of hours spent by visitors at a land use. Functional population multipliers by land use type and total existing and projected functional population for the Urban Area are presented in Appendix C.

Cost per Service Unit

Police impact fees are designed to charge new development the cost of providing the same level of service that is provided to existing development. The existing level of service for police facilities is based on the replacement cost of existing facilities. The total building and land replacement cost for the Police Department's existing facilities is $10.45 million, as shown in Table 50.

Table 50. Police Facility Replacement Cost

Station	Location	Building (sq. ft.)	Land (acres)	Building Value	Land Value	Total Value
Police Records	2651 Siringo Rd.	2,610	1.00	$430,650	$212,500	$643,150
Alameda Substation	1030 West Alameda St	760	0.90	$125,400	$191,250	$316,650
Frenchy's Park Substation	2011 Agua Fria St.	558	0.20	$78,120	$40,000	$118,120
Internal Affairs	2509 Camino Entrada	1680	0.60	$277,200	$112,500	$389,700
Police Headquarters	2515 Camino Entrada	25,560	2.30	$4,734,900	$2,761,875	$7,496,775
Police Evidence Impound Lot	4201 Huey Road	3,684	1.18	$1,300,000	$184,994	$1,484,994
Total		34,852	6.18	$6,946,270	$3,503,119	$10,449,389

Source: City of Santa Fe Facility Division, November 4, 2013.

The New Mexico Development Fees Act authorizes the use of impact fees for all essential police equipment costing $10,000 or more and having a life expectancy of at least ten years. The table below lists the current capital equipment that is eligible for impact fee funding under the New Mexico Development Fees Act. As shown in Table 51, the total replacement cost for eligible equipment is $2.02 million.

Table 51. Police Equipment Replacement Cost

Major Equipment	Total Cost
Firearms Training System	$91,000
Firearms Moving Target System	$14,000
SWAT Rescue Truck	$55,000
SWAT Equipment	$390,000
EOD Equipment	$663,000
FARBER Mobile Command Post	$600,000
Mobile Crime Scene Truck	$202,674
Total	$2,015,674

Source: City of Santa Fe Police Department, November 4, 2013.

The police protection impact fee is based on the replacement value of existing capital facilities divided by the total number of service units associated with the City's functional population. As shown in Table 52, the replacement cost for police facilities and equipment is $135 per service unit.

Table 52. Police Cost Per Service Unit

Police Facility Replacement Cost	$10,449,389
Police Equipment Replacement Cost	$2,015,674
Total Police Replacement Cost	$12,465,063
÷ Existing Functional Population	92,577
Police Cost per Functional Population	$135

Source: Police facility replacement cost from Table 50; police equipment replacement cost from Table 51; existing functional population from Table 69 in Appendix C.

Capital Facilities Plan

The magnitude of growth-related police protection capital needs can be estimated by multiplying the anticipated growth in service units by the existing level of service cost per unit. As shown in Table 53, this results in estimated police protection capital improvement needs over the next seven years of about $0.6 million.

Table 53. Police Capital Needs, 2014-2020

New Functional Population, 2014-2020	4,557
x Police Cost per Functional Population	$135
Police Capital Needs, 2014-2020	$615,195

Source: New functional population Table 69, Appendix C; cost per functional population from Table 52.

According to the Police Department, existing police facilities and equipment are only marginally adequate based on the population served and call volume. Current plans call for the construction of a new substation, expansion of professional standards and records facilities, and Phase III of the addition to the main police facility over the next seven years.

As summarized in Table 83 in Appendix G, planned police improvements identified and eligible to receive impact fee funding over the next seven years total about $0.65 million. All of the identified improvements would be eligible for funding with police impact fees. However, only about 95% of the planned project costs can be attributed to projected growth over the next seven years, based on the Land Use Assumptions and the existing level of service.

Net Cost per Service Unit

In the calculation of the impact of new development on infrastructure costs, credit should be given for non-local funding that will be generated by new development and used to pay for capacity-related capital improvements. Credit should also be provided for taxes that will be paid by new development and used to retire outstanding debt for past police facility improvements.

The City of Santa Fe has some outstanding debt for past police protection capital improvements. As shown in Table 54, dividing the outstanding debt by existing service units results in the debt credit per service unit. This puts existing and new development on the same footing with respect to the portion of their attributable costs that will be paid through future debt service payments made by both existing and new development.

Table 54. Police Debt Credit

Total Outstanding Eligible Debt	$2,465,460
÷ Existing Functional Population	92,577
Police Debt Credit per Functional Population	$27

Source: Outstanding police-related debt from Table 74 in Appendix E; existing functional population from Table 69, Appendix C.

The City has received some grants for police protection in recent years. However, some of these grants were for operating costs, or for equipment that is not eligible for impact fee funding under the Development Fees Act. Deducting the amounts for operational costs or minor equipment, the eligible grant amounts received over last six years for impact fee-eligible capital totaled $1.1 million, as shown in Table 55.

Table 55. Police Grant Funding, FY 2008-2013

Fiscal Year	Funding Source	Project Description	Amount
2008	State	Public Safety Building (Police Main Facility)	$691,502
2009	State	Public Safety Building (Police Main Facility)	$298,498
2013	State	Santa Fe Police Station	$107,766
Total Funding, FY 2008-2013			$1,097,766

Source: City of Santa Fe Finance Department, February 20, 2014.

Assuming that the grant funding received over the last six years for impact fee-eligible police protection capital improvements will continue to increase proportional to the amount of development in Santa Fe, the City will receive the present value equivalent of $29 per service unit over the next 25 years, as shown in Table 56.

Table 56. Police Grant Funding Credit Per Service Unit

Federal and State Funding for Capacity, FY 2008-2013	$1,097,766
÷ Years in Funding Period	6
Annual Federal/State Capacity Funding	$182,961
÷ Existing Functional Population	92,577
Annual Federal/State Funding per Functional Population	$1.98
x Net Present Value Factor (25 years)	14.68
Federal/State Funding Credit per Functional Population	$29

Source: Grant funding from Table 55; existing functional population from Table 69 in Appendix C; discount rate for present value factor is the average interest rate on state and local bonds for November 2013 from the Federal Reserve at http://www.federalreserve.gov/releases/h15/data/Monthly.

Deducting the credits for outstanding debt and grants from the capital cost yields the net police cost per service unit, as summarized in Table 57.

Table 57. Police Net Cost Per Service Unit

Police Cost per Functional Population	$135
– Debt Credit per Functional Population	-$27
– Grant Funding Credit per Functional Population	-$29
Police Net Cost per Functional Population	$79

Source: Cost from Table 52; debt credit from Table 54; grant credit from Table 55.

Potential Fee Schedule

The maximum police impact fees that may be charged by the City of Santa Fe based on the data, assumptions and methodology used in this report are shown in Table 58.

Table 58. Police Net Cost Schedule

Land Use Type	Unit	Func. Pop/ Unit	Net Cost/ Func. Pop.	Net Cost/ Unit
Single-Family Detached (avg.)	Dwelling	1.314	$79	$104
1,500 sq. ft. or less	Dwelling	1.170	$79	$92
1,501-2,000 sq. ft.	Dwelling	1.224	$79	$97
2,001-2,500 sq. ft.	Dwelling	1.338	$79	$106
2,501-3,000 sq. ft.	Dwelling	1.410	$79	$111
3,001 sq. ft. or more	Dwelling	1.500	$79	$119
Guest Unit, 750 sf or less	Dwelling	0.996	$79	$79
Multi-Family	Dwelling	1.140	$79	$90
Mobile Home/RV Park	Space	1.824	$79	$144
Retail/Commercial	1,000 sq. ft.	2.041	$79	$161
Office	1,000 sq. ft.	0.959	$79	$76
Industrial	1,000 sq. ft.	0.416	$79	$33
Warehousing	1,000 sq. ft.	0.180	$79	$14
Mini-Warehouse	1,000 sq. ft.	0.167	$79	$13
Public/Institutional	1,000 sq. ft.	0.863	$79	$68

Source: Functional population per unit from Table 68 in Appendix C; net cost per functional population from Table 57.

Comparative Fees

The updated police impact fees calculated in this report are compared with the City's current fees in in Table 59. In general, the updated fees are higher than the fees calculated in the 2008 study for residential and retail uses and the same or lower for other nonresidential uses. Because the 2008 fees were adopted at only 60% of the proportionate fair-share costs identified in the 2008 study, the updated fees are significantly higher than the current adopted fees for all land uses other than warehouse and mini-warehouse.

Table 59. Police Impact Fee Comparisons

					% Change From	
Land Use Type	Unit	2008 Net Cost/Unit	Adopted Fee (60%)	Updated Fee/Unit	2008 Net Cost/Unit	Adopted Fee (60%)
Single Family Detached						
Up to 1,500 sq. ft.	Dwelling	$74	$44	$92	24%	109%
1,501 - 2,000 sq. ft.	Dwelling	$80	$48	$97	21%	102%
2,001 - 2,500 sq. ft.	Dwelling	$89	$53	$106	19%	100%
2,501 - 3,000 sq. ft.	Dwelling	$91	$55	$111	22%	102%
3,001 - 3,500 sq. ft.	Dwelling	$94	$56	$119	27%	113%
3,501 - 4,000 sq. ft.	Dwelling	$96	$58	$119	24%	105%
More than 4,000 sq. ft.	Dwelling	$99	$59	$119	20%	102%
Multi-Family	Dwelling	$65	$39	$90	38%	131%
Retail/Commercial	1,000 sq. ft.	$130	$78	$161	24%	106%
Office	1,000 sq. ft.	$73	$44	$76	4%	73%
Industrial	1,000 sq. ft.	$44	$26	$33	-25%	27%
Warehouse	1,000 sq. ft.	$27	$16	$14	-48%	-13%
Mini-Warehouse	1,000 sq. ft.	$27	$16	$13	-52%	-19%
Public/Institutional	1,000 sq. ft.	$73	$44	$68	-7%	55%

Source: 2008 net cost per unit is 1.67 times adopted fees from Table 1; updated fees from Table 58.

Potential Revenue

If adopted at the full updated amounts, police impact fees could generate $0.33 million over the next seven years, based on the development projected in the Land Use Assumptions, as shown in Table 60. These revenue projections assume no residential waivers or fee reductions, other than for affordable housing.

Table 60. Potential Police Impact Fee Revenue, 2014-2020

Land Use Type	Unit	New Units	Fee/ Unit	Potential Revenue
Single-Family Detached	Dwelling	1,488	$104	$132,003
Multi-Family	Dwelling	612	$90	$46,983
Subtotal, Residential				$178,986
Retail/Commercial	1,000 sq. ft.	700	$161	$112,700
Office	1,000 sq. ft.	350	$76	$26,600
Industrial/Warehouse	1,000 sq. ft.	105	$24	$2,520
Public/Institutional	1,000 sq. ft.	70	$68	$4,760
Subtotal, Nonresidential				$146,580
Total				$325,566

Source: New units from Table 5; fee/unit from Table 58; potential revenue is units times fee per unit, except that residential revenue is reduced by 14.7%, which is the percentage of residential units from 2008-2013 that were exempted as affordable housing from City of Santa Fe Long Range Planning Division, March 11, 2014..

APPENDIX A: ROAD INVENTORY

Table 61. Major Roadway Inventory

Street Name	Street Segment	Lns	Mi.	Cap.	AADT	VMC	VMT
Agua Fria	Airport-Jemez	2	1.61	14,800	6,125	23,828	9,861
Agua Fria	Jemez-Lopez	2	0.98	14,800	3,257	14,504	3,192
Agua Fria	Lopez-Henry Lynch	2	1.23	14,800	11,900	18,204	14,637
Agua Fria	Henry Lynch-Siler	2	0.38	14,800	11,900	5,624	4,522
Agua Fria	Siler-Osage	2	1.08	14,800	13,033	15,984	14,076
Agua Fria	Osage-Cam. Alire	2	1.17	14,800	12,003	17,316	14,044
Agua Fria	Cam. Alire-St Francis	2	0.57	14,800	10,225	8,436	5,828
Agua Fria	St Francis-Guadalupe	2	0.57	14,800	6,100	8,436	3,477
Airport Rd	NM 599-Agua Fria Rd	4	0.52	32,400	10,800	16,848	5,616
Airport Rd	Agua Fria Rd-Country Club	4	0.50	32,400	17,200	16,200	8,600
Airport Rd	Country Club-S Meadows Rd	4	1.00	32,400	17,200	32,400	17,200
Airport Rd	S Meadows-Jemez Rd	4	0.12	32,400	28,012	3,888	3,361
Airport Rd	Jemez Rd-Cerrillos	4	0.91	32,400	28,012	29,484	25,491
Alameda	NM 599-Chicoma Vista	2	0.95	14,800	1,050	14,060	998
Alameda	Chicoma Vista-Calle Nopal	2	1.42	14,800	5,300	21,016	7,526
Alameda	Calle Nopal-Cam. Alire	2	0.95	14,800	6,400	14,060	6,080
Alameda	Cam. Alire-St Francis	2	0.85	14,800	11,404	12,580	9,693
Alameda	St Francis-Guadalupe	2	0.57	14,800	8,050	8,436	4,589
Alameda	Guadalupe-Paseo de Peralta	2	0.66	14,800	3,800	9,768	2,508
Alameda	Paseo de Peralta-Canyon Rd	2	0.95	14,800	3,800	14,060	3,610
Alta Vista	Cerrillos-St Francis	2	0.38	14,800	3,056	5,624	1,161
Alta Vista	St Francis-Galisteo	2	0.51	14,800	3,056	7,548	1,559
Armenta	Old Pecos Trail-Cam. Corrales	2	0.25	14,800	2,592	3,700	648
Baca Street	Hickox-Cerrillos	2	0.57	14,800	6,865	8,436	3,913
Bishop's Lodge Rd	Paseo Peralta-Cam. Encantado	2	1.70	14,800	2,169	25,160	3,687
Bishop's Lodge Rd	Cam. Encantado-City Limits	2	1.04	14,800	2,430	15,392	2,527
Botulph Rd	Siringo Rd-Zia St	2	0.40	14,800	4,200	5,920	1,680
Botulph Rd	Zia-St Michael's	2	0.85	14,800	4,200	12,580	3,570
Camino Carlos Rey	Gov. Miles-Rodeo	2	0.76	14,800	3,900	11,248	2,964
Camino Carlos Rey	Rodeo-Zia	4	0.09	32,400	4,200	2,916	378
Camino Carlos Rey	Zia-Siringo	2	0.85	14,800	5,600	12,580	4,760
Camino Carlos Rey	Siringo-Cerrillos	2	0.47	14,800	11,300	6,956	5,311
Camino Alire	Alameda-Agua Fria	2	0.38	14,800	7,137	5,624	2,712
Camino Cabra	Cam. Cruz Blanca-Canyon	2	0.66	14,800	*3,000*	9,768	1,980
Camino Cruz Blanca	Cam. Monte Sol-Cam. Cabra	2	0.38	14,800	*3,000*	5,624	1,140
Camino del Monte Sol	Cam. Cruz Blanca-Old Santa Fe	2	0.15	14,800	4,337	2,220	651
Cerrillos Rd	Beckner-Jaguar	6	1.14	50,000	25,650	57,000	29,241
Cerrillos Rd	Jaguar-Airport	6	0.85	50,000	26,458	42,500	22,489
Cerrillos Rd	Airport-Richards	6	1.17	50,000	45,991	58,500	53,809
Cerrillos Rd	Richards-St Michael's	6	1.65	50,000	46,375	82,500	76,519
Cerrillos Rd	St Michael's-2nd St	4	0.50	32,400	35,100	16,200	17,550
Cerrillos Rd	2nd St-Alta Vista	4	0.60	32,400	33,700	19,440	20,220
Cerrillos Rd	Alta Vista-St Francis	4	0.54	32,400	28,903	17,496	15,608
Cerrillos Rd	St Francis-Galisteo	4	0.76	32,400	9,250	24,624	7,030

Table 61. Continued

Street Name	Street Segment	Lns	Mi.	Cap.	AADT	VMC	VMT
Cordova	Cerrillos-St Francis	4	0.27	32,400	19,356	8,748	5,226
Cordova	St Francis-Don Diego	4	0.28	32,400	9,017	9,072	2,525
Cordova	Don Diego-Old Pecos Trail	4	0.80	32,400	9,017	25,920	7,214
Country Club	Airport-Jaguar	2	0.76	14,800	5,400	11,248	4,104
Galisteo	St Michael's-Cordova	2	0.95	14,800	9,350	14,060	8,883
Galisteo	Cordova-Alameda	2	0.95	14,800	3,216	14,060	3,055
Galisteo	Zia-Rodeo	2	0.73	14,800	3,306	10,804	2,413
Governor Miles	Cerrillos-Walking Sky	2	1.00	14,800	2,829	14,800	2,829
Governor Miles	Walking Sky-Richards	2	0.74	14,800	1,900	10,952	1,406
Governor Miles	Richards-Cliff Palace	2	0.57	14,800	11,250	8,436	6,413
Governor Miles	Cliff Palace-Cam. Carlos Rey	2	0.38	14,800	11,250	5,624	4,275
Guadalupe	Cerrillos-Alameda	2	0.57	14,800	10,661	8,436	6,077
Guadalupe	Alameda-Paseo de Peralta	4	0.38	32,400	14,709	12,312	5,589
Guadalupe	Paseo de Peralta-84/285	4	0.38	32,400	14,709	12,312	5,589
Henry Lynch Rd	Rufina-Agua Fria	2	0.47	14,800	3,700	6,956	1,739
Hickox St	Agua Fria-St Francis	2	0.57	14,800	8,800	8,436	5,016
Hyde Park Rd	Bishop's Lodge-Gonzales	2	1.38	14,800	4,050	20,424	5,589
Hyde Park Rd	Gonzales-City Limits	2	1.70	14,800	3,150	25,160	5,355
Jaguar Dr	NM599-Country Club	2	1.33	14,800	*3,000*	19,684	3,990
Jaguar Dr	Country Club-S Meadows	2	1.14	14,800	5,942	16,872	6,774
Jaguar Dr	S Meadows-Cerrillos	2	0.38	14,800	*3,000*	5,624	1,140
Jemez Rd	Agua Fria-Airport	2	0.80	14,800	3,477	11,840	2,782
Llano	Siringo-St Michaels	2	0.53	14,800	4,876	7,844	2,584
Lopez Ln.	Agua Fria-Airport	2	1.10	14,800	5,300	16,280	5,830
Old Pecos Trail	Rodeo Rd-Arroyo Chamiso	4	1.52	32,400	11,040	49,248	16,781
Old Pecos Trail	Arroyo Chamiso-Cordova	2	0.95	14,800	14,125	14,060	13,419
Old Pecos Trail	Cordova-Old Santa Fe Trail	2	0.42	14,800	7,382	6,216	3,100
Old Santa Fe Trail	City Limits-Zia Rd	2	1.14	14,800	2,746	16,872	3,130
Old Santa Fe Trail	Zia-Cam. del Monte Sol	2	1.08	14,800	2,550	15,984	2,754
Old Santa Fe Trail	Cam. del Monte Sol-Paseo Peralta	2	1.42	14,800	12,939	21,016	18,373
Osage	Agua Fria-Cerrillos	2	0.66	14,800	5,373	9,768	3,546
Pacheco St	Siringo-St Michael's	2	0.51	14,800	9,318	7,548	4,752
Pacheco St	St Michael's-Cam. Monte Rey	2	0.47	14,800	4,705	6,956	2,211
Pacheco St	Cam. de Monte Rey-Alta Vista	2	0.41	14,800	4,705	6,068	1,929
Paseo de Peralta	St Francis-Cerrillos	4	0.47	32,400	8,825	15,228	4,148
Paseo de Peralta	Cerrillos-Acequia Madre	4	0.63	32,400	16,350	20,412	10,301
Paseo de Peralta	Acequia Madre-Alameda	4	0.25	32,400	8,667	8,100	2,167
Paseo de Peralta	Alameda-Palace	2	0.15	14,800	9,200	2,220	1,380
Paseo de Peralta	Palace-Washington	2	0.32	14,800	8,050	4,736	2,576
Paseo de Peralta	Washington-St Francis	4	1.04	32,400	13,350	33,696	13,884
Paseo del Sol	Airport-Jaguar	2	0.75	14,800	11,200	11,100	8,400
Paseo del Sol	Jaguar-Herrera	2	0.25	14,800	*3,000*	3,700	750
Richards Ave	Rodeo-I-25	2	1.14	14,800	8,834	16,872	10,071
Richards Ave	Cerrillos-Rufina	4	0.32	32,400	8,090	10,368	2,589
Rodeo Rd	Cerillos-Richards	4	0.95	32,400	29,004	30,780	27,554
Rodeo Rd	Richards-Camino Carlos Rey	4	1.00	32,400	29,004	32,400	29,004
Rodeo Rd	Camino Carlos Rey-Galisteo	2	1.04	14,800	12,650	15,392	13,156
Rodeo Rd	Galisteo-Sawmill	4	0.28	32,400	8,025	9,072	2,247
Rodeo Rd	Sawmill-Old Pecos Trail	2	1.70	14,800	4,323	25,160	7,349

Table 61. Continued

Street Name	Street Segment	Lns	Mi.	Cap.	AADT	VMC	VMT
Rufina St	S Meadows Rd-Jemez	2	0.20	14,800	9,800	2,960	1,960
Rufina St	Jemez-Lopez	2	0.91	14,800	11,482	13,468	10,449
Rufina St	Lopez-Richards	2	1.40	14,800	5,850	20,720	8,190
Rufina St	Richards-Siler	2	0.55	14,800	5,016	8,140	2,759
Rufina St	Siler-Jorgensen Rd	2	0.25	14,800	9,800	3,700	2,450
San Mateo Rd	Calle Lorca-St Francis	2	0.42	14,800	3,200	6,216	1,344
San Mateo Rd	St Francis-Galisteo	2	0.47	14,800	4,450	6,956	2,092
San Mateo Rd	Galisteo-Old Pecos Trail	2	0.66	14,800	9,900	9,768	6,534
Second Street	Cerrillos-Calle Lorca	2	0.57	14,800	3,200	8,436	1,824
Siler Rd	Agua Fria-Cerrillos	4	0.64	32,400	15,250	20,736	9,760
Siler Rd	Agua Fria-West Alameda	2	0.40	14,800	*3,000*	5,920	1,200
Siringo Rd	Richards-Camino Carlos	2	0.91	14,800	7,700	13,468	7,007
Siringo Rd	Cam. Carlos Rey-Llano	2	0.63	14,800	12,504	9,324	7,878
Siringo Rd	Llano-St Francis	2	0.98	14,800	13,700	14,504	13,426
Siringo Rd	St Francis-Botulph	2	0.47	14,800	3,500	6,956	1,645
South Meadows	Jaguar-Airport	2	0.66	14,800	3,925	9,768	2,591
South Meadows	Airport-Agua Fria	2	0.80	14,800	3,800	11,840	3,040
South Meadows	Agua Fria-NM 599	2	1.00	14,800	*3,000*	14,800	3,000
St Francis	Rodeo-Siringo	4	0.95	32,400	45,212	30,780	42,951
St Francis	Siringo-San Mateo	4	0.70	32,400	43,687	22,680	30,581
St Francis	San Mateo-Cerrillos	6	0.98	50,000	42,162	49,000	41,319
St Francis	Cerrillos-Paseo de Peralta	6	0.28	50,000	44,850	14,000	12,558
St Francis	Paseo de Peralta-Agua Fria	6	0.20	50,000	37,300	10,000	7,460
St Francis	Agua Fria-Alameda	6	0.31	50,000	36,500	15,500	11,315
St Francis	Alameda-Alamo	6	0.57	50,000	20,450	28,500	11,657
St Francis	Alamo-NM599	6	1.33	50,000	33,450	66,500	44,489
St Francis	NM599-Tano Rd	4	0.76	32,400	37,800	24,624	28,728
St Francis	Tano Rd-1st Tesuque Exit	4	1.33	32,400	36,400	43,092	48,412
St Michael's Dr	Cerillos-St Francis	6	1.29	50,000	25,472	64,500	32,859
St Michael's Dr	St Francis-Old Pecos Trail	4	1.04	32,400	23,150	33,696	24,076
Yucca	Rodeo-Zia	2	0.40	14,800	5,000	5,920	2,000
Yucca	Zia-Siringo	2	0.63	14,800	5,322	9,324	3,353
Zafrano	Cerrillos-Rodeo	4	0.27	32,400	11,250	8,748	3,038
Zia Rd	Rodeo- St Francis	4	1.70	32,400	14,635	55,080	24,880
Zia Rd	St Francis-Botulph	2	0.51	14,800	3,674	7,548	1,874
Subtotal, Arterial Roads			95.84			2,140,736	1,216,683
2nd St	Cerrillos Rd-W San Mateo Rd	2	0.43	13,300	*1,700*	5,719	731
5th St	Cerrillos Rd-Saint Michaels Dr	2	0.43	13,300	3,711	5,719	1,596
5th St	Saint Michaels Dr-Siringo Rd	2	0.52	13,300	*1,700*	6,916	884
Acequia Madre	Paseo de Peralta-Garcia St	2	0.14	13,300	*1,700*	1,862	238
Acequia Madre	Garcia St-Camino del Monte Sol	2	0.48	13,300	*1,700*	6,384	816
Acequia Madre	Camino del Monte Sol-Canyon Rd	2	0.25	13,300	*1,700*	3,325	425
Alamo Dr	Camino de las Crucitas-Rio Vista St	2	0.47	13,300	*1,700*	6,251	799
Alamo Dr	Camino de las Crucitas-Rio Vista St	2	0.23	13,300	*1,700*	3,059	391
Alamo Dr	Rio Vista St-N St Francis Dr	2	0.07	13,300	*1,700*	931	119
Alamo Dr	N Saint Francis Dr-N Guadalupe St	2	0.13	13,300	*1,700*	1,729	221
Alto St	Camino Alire-N Saint Francis	2	0.72	13,300	*1,700*	9,576	1,224
Arroyo Chamiso Rd	Botulph Rd-Old Arroyo Chamiso Rd	2	0.28	13,300	*1,700*	3,724	476
Arroyo Chamiso Rd	Old Arroyo Chamiso Rd-St Michaels	2	0.30	13,300	*1,700*	3,990	510

Table 61. Continued

Street Name	Street Segment	Lns	Mi.	Cap.	AADT	VMC	VMT
Arroyo Chamiso Rd	Saint Michaels Dr-Old Pecos Trail	2	0.15	13,300	*1,700*	1,995	255
Ave de las Campanas	Siringo Rd-Rodeo Rd	2	0.84	13,300	*1,700*	11,172	1,428
Avenida Rincon	N Ridgetop Rd-NM 599	2	0.41	13,300	*1,700*	5,453	697
Avenida Rincon	NM 599-Calle David	2	0.63	13,300	*1,700*	8,379	1,071
Buckman Rd	Paseo Nopal-Camino de los Montoyas	2	1.60	13,300	*1,700*	21,280	2,720
Buckman Rd	Cam Los Montoyas-Cam Las Crucitas	2	0.12	13,300	*1,700*	1,596	204
Caja del Oro Grant Rd	Agua Fria St-Alameda Frontage Rd	2	0.81	13,300	4,550	10,773	3,686
Calle de Leon	Calle de Sebastian-Conejo Dr	2	0.20	13,300	*1,700*	2,660	340
Calle de Sebastian	Old Pecos Trail-Calle de Leon	2	0.40	13,300	*1,700*	5,320	680
Calle de Sebastian	Calle de Leon-E Zia Rd	2	0.37	13,300	*1,700*	4,921	629
Calle del Cielo	Siringo Rd-Cerrillos	2	0.26	13,300	2,499	3,458	650
Calle Estado	Bishops Lodge Rd-Old Taos Hwy	2	0.68	13,300	*1,700*	9,044	1,156
Calle Nopal	W Alameda St-Paseo de Vistas	2	0.34	13,300	*1,700*	4,522	578
Camino Carlos Real	Agua Fria St-W Alameda St	2	0.42	13,300	*1,700*	5,586	714
Camino Corrales	Fort Union Dr-Armenta St	2	0.57	13,300	*1,700*	7,581	969
Camino Corrales	Armenta St-Old Santa Fe Trail	2	0.15	13,300	*1,700*	1,995	255
Camino Corrales	Old Santa Fe Trail-Garcia St	2	0.18	13,300	*1,700*	2,394	306
Cam de las Crucitas	Buckman-Alamo Dr	2	2.03	13,300	*1,700*	26,999	3,451
Cam de las Crucitas	Alamo Dr-Rio Vista St	2	2.00	13,300	*1,700*	26,600	3,400
Cam de las Crucitas	Vista St-N Saint Francis Dr	2	0.13	13,300	*1,700*	1,729	221
Cam de los Arroyos	Zafarano Dr-Vegas Verde Dr	2	0.22	13,300	*1,700*	2,926	374
Cam de los Montoyas	Buckman-NM 599	2	0.53	13,300	*1,700*	7,049	901
Cam de los Montoyas	NM 599-Avenida de Sevilla	2	1.70	13,300	*1,700*	22,610	2,890
Camino Encantado	Circle Dr-Bishops Lodge Rd	2	0.97	13,300	1,781	12,901	1,728
Camino La Canada	Paseo de La Conquist.-Ave Chris. Colon	2	0.54	13,300	*1,700*	7,182	918
Canyon Rd	Garcia St-Camino del Monte Sol	2	0.48	13,300	2,106	6,384	1,011
Canyon Rd	Camino del Monte Sol-E Palace Ave	2	0.09	13,300	*1,700*	1,197	153
Canyon Rd	E Palace Ave-Acequia Madre	2	0.14	13,300	*1,700*	1,862	238
Canyon Rd	Acequia Madre-E Palace Ave	2	0.24	13,300	*1,700*	3,192	408
Canyon Rd	E Alameda St-Camino Cabra	2	0.10	13,300	*1,700*	1,330	170
Canyon Rd	Camino Cabra-Cerro Gordo Rd	2	1.30	13,300	3,800	17,290	4,940
Cerro Gordo Rd	Canyon Rd-Gonzales Rd	2	1.73	13,300	1,723	23,009	2,981
Cerro Gordo Rd	Gonzales Rd- E Palace Ave	2	0.11	13,300	*1,700*	1,463	187
Conejo Dr	E Zia Rd-Calle de Leon	2	0.33	13,300	*1,700*	4,389	561
Conejo Dr	Calle de Leon-Fort Union Dr	2	0.39	13,300	*1,700*	5,187	663
Don Diego Ave	Cordova Rd-Cam. de los Marquez	2	0.08	13,300	7,793	1,064	623
Don Diego Ave	Camino de los Marquez-Cerrillos	2	0.50	13,300	7,793	6,650	3,897
Don Gaspar Ave	E San Mateo Rd-Cordova Rd	2	0.50	13,300	*1,700*	6,650	850
Don Gaspar Ave	Cordova Rd-Paseo de Peralta	2	0.80	13,300	1,801	10,640	1,441
Don Gaspar Ave	Paseo de Peralta-W Alameda St	2	0.23	13,300	3,425	3,059	788
Don Gaspar Ave	W Alameda St-E Water St	2	0.10	13,300	4,250	1,330	425
Don Gaspar Ave	E Water St-W San Francisco St	2	0.05	13,300	*1,700*	665	85
E de Vargas Rd	Paseo de Peralta-Garcia St	2	0.07	13,300	*1,700*	931	119
E Palace Ave	Washington Ave Cathedral Pl	2	0.06	13,300	*1,700*	798	102
E Palace Ave	Cathedral Pl-Paseo de Peralta	2	0.17	13,300	5,000	2,261	850
E Palace Ave	Paseo de Peralta-Cerro Gordo	2	0.71	13,300	3,026	9,443	2,148
E Palace Ave	Cerro Gordo Rd-E Alameda St	2	0.07	13,300	3,026	931	212
E Palace Ave	E Alameda St-Canyon Rd	2	0.04	13,300	3,026	532	121
E Zia Rd	Old Pecos Tr-Calle de Sebastian	2	0.09	13,300	*1,700*	1,197	153
E Zia Rd	Calle de Sebastian-Conejo Dr	2	0.28	13,300	*1,700*	3,724	476

Table 61. Continued

Street Name	Street Segment	Lns	Mi.	Cap.	AADT	VMC	VMT
E Zia Rd	Conejo Dr-Old Santa Fe Trail	2	0.52	13,300	*1,700*	6,916	884
Fort Union Dr	Conejo Dr-Camino Corrales	2	0.18	13,300	*1,700*	2,394	306
Garcia St	Cam. del Monte Sol-Cam. Corrales	2	0.41	13,300	*1,700*	5,453	697
Garcia St	Camino Corrales-Acequia Madre	2	0.53	13,300	3,182	7,049	1,686
Garcia St	Acequia Madre-Canyon Rd	2	0.20	13,300	*1,700*	2,660	340
Gonzales Rd	Vallecita Dr-Hyde Park Rd	2	0.61	13,300	1,168	8,113	712
Gonzales Rd	Hyde Park Rd-Cerro Gordo Rd	2	1.26	13,300	*1,700*	16,758	2,142
Gonzales Rd	Cerro Gordo Rd-E Alameda St	2	0.07	13,300	*1,700*	931	119
Harrison Rd	Cerrillos Rd-Agua Fria Rd	2	0.65	13,300	2,650	8,645	1,723
Herrera Drive	Cerrillos Road-Paseo del Sol	2	0.50	13,300	*1,700*	6,650	850
Maez Rd	Cerrillos Rd-Agua Fria Rd	2	0.69	13,300	*1,700*	9,177	1,173
Murales Rd	Bishops Lodge Rd-Old Taos Hwy	2	0.29	13,300	*1,700*	3,857	493
Ocate Rd	Cerrillos Rd-Calle Caridad	2	0.43	13,300	*1,700*	5,719	731
Old Arroyo Chamiso	Arroyo Chamiso Rd-W Zia Rd	2	0.48	13,300	*1,700*	6,384	816
Old Taos Hwy	Paseo de Peralta-Murales Rd	2	0.39	13,300	1,684	5,187	657
Old Taos Hwy	Murales Rd-Calle Estado	2	0.55	13,300	1,684	7,315	926
Old Taos Hwy	Calle Estado-Calle Largo	2	0.47	13,300	1,684	6,251	791
Paseo Conquistadora	Camino Alire-Camino La Canada	2	0.63	13,300	*1,700*	8,379	1,071
Paseo Conquistadora	Camino La Canada-Alejandro St	2	0.20	13,300	*1,700*	2,660	340
Paseo de Vistas	Calle Nopal-Rincon de Torreon	2	1.02	13,300	4,700	13,566	4,794
Paseo de Vistas	Rincon de Torreon-Cam. de las Crucitas	2	0.74	13,300	4,700	9,842	3,478
Paseo Nopal	Paseo de Vistas-NM 599	2	1.40	13,300	3,084	18,620	4,318
Ridgetop Rd	NM 599-Avenida Rincon	2	0.45	13,300	*1,700*	5,985	765
Ridgetop Rd	Avenida Rincon-Tano Rd	2	0.49	13,300	*1,700*	6,517	833
Rincon de Torreon	W Alameda St-Paseo de Vistas	2	0.74	13,300	*1,700*	9,842	1,258
Rio Vista St	Solana Dr-Alamo Dr	2	0.05	13,300	*1,700*	665	85
Rio Vista St	Alamo Dr-Camino de las Crucitas	2	0.37	13,300	*1,700*	4,921	629
Rio Vista St	Camino de las Crucitas-Alamo	2	0.30	13,300	*1,700*	3,990	510
S Meadows Rd	Agua Fria St-Rufina St	2	2.27	13,300	*1,700*	30,191	3,859
S Ridgetop Rd	Camino Francisca-NM 599	2	0.38	13,300	*1,700*	5,054	646
Sawmill Rd	Rodeo Rd-S Saint Francis Dr	2	0.32	13,300	4,286	4,256	1,372
Sawmill Rd	S Saint Francis Dr-Rodeo Rd	2	0.68	13,300	*1,700*	9,044	1,156
Solana Dr	W Alameda St-Rio Vista St	2	0.08	13,300	*1,700*	1,064	136
Tano Rd	N Ridgetop Rd-Opera Dr	2	0.69	13,300	*1,700*	9,177	1,173
Vallecita Dr	Valley Dr-Gonzales Rd	2	0.76	13,300	*1,700*	10,108	1,292
Valley Dr	Bishops Lodge Rd-Vallecita Dr	2	0.38	13,300	*1,700*	5,054	646
Vegas Verde Dr	Camino de los Arroyos-Cerrillos	2	0.22	13,300	*1,700*	2,926	374
W Palace Ave	Grant Ave-Lincoln Ave	2	0.11	13,300	*1,700*	1,463	187
W Palace Ave	Lincoln Ave-Old Santa Fe Trail	2	0.05	13,300	*1,700*	665	85
W Palace Ave	Old Santa Fe Trail-Washington Ave	2	0.01	13,300	*1,700*	133	17
W Zia Rd	Old Arroyo Chamiso Rd-Old Pecos Tr	2	0.65	13,300	2,500	8,645	1,625
Subtotal, Collectors			50.58			672,714	107,948
Total			146.42			2,813,450	1,324,631

Source: City of Santa Fe Long Range Planning Division, November 25, 2013; generalized daily capacity estimates from Florida Department of Transportation, *2013 Quality/Level of Service Handbook*, Table 1: Generalized Annual Average Daily Volumes for Florida's Urbanized Areas; AADT is annualized averaged daily traffic from Santa Fe Metropolitan Planning Organization, *Santa Fe Traffic Counts*, 2011 (2008 if 2011 count not available); volume in italics are estimated based on 75% of the average AADT for 2, 4 and 6-lane arterials with counts and 50% of the average AADT for 2-lane collector roads.

APPENDIX B: AVERAGE HOUSEHOLD SIZE

The 2000 U.S. Census provided data on average household sizes by housing types based on a robust sample consisting of one in six dwelling units. The 2000 household sizes for the City of Santa Fe are shown in Table 62.

Table 62. Average Household Size by Housing Type, 2000

Housing Type	Household Population	Occupied Units	Average HH Size
Single-Family Detached	38,868	16,410	2.37
Single-Family Attached	5,177	2,913	1.78
Multi-Family	13,047	7,131	1.83
Mobile Home	3,239	1,065	3.04
Total	60,331	27,519	2.19

Source: 2000 U.S. Census SF-3 data (1-in-6 sample) for the City of Santa Fe.

The Census Bureau has since replaced the sample data collected during the decennial census with the annual American Housing Survey, which conducts a sample of 1% of dwelling units each year. The most current data from the American Housing Survey are provided in a 5% sample dataset, consisting of 1% samples collected in 2008 through 2012. These data do not provide household population for single-family detached units separately from single-family attached units (i.e., townhouses). However, the 2000 Census data presented in the preceding table shows that single-family attached units in Santa Fe have an average household size that is very similar to other types of multi-family units, such as apartments and condominiums. Using this knowledge, updated average household sizes by housing type for Santa Fe can be derived from the American Community Survey data, as shown in Table 63.

Table 63. Average Household Size by Housing Type, 2008-2012

Housing Type	Household Population	Occupied Units	Average HH Size
Single-Family Detached	n/a	18,618	2.19
Single-Family Attached	n/a	2,980	1.90
Single-Family Detached/Attached	46,361	21,598	2.15
Other Multi-Family	15,417	8,102	1.90
Mobile Home	4,707	1,546	3.04
Total	66,485	31,246	2.13

Source: U.S. Census, American Community Survey, 2008-2012 for City of Santa Fe (single-family attached assigned same average household size as other multi-family).

In the 2008 study, average household sizes by square footage ranges for single-family units were estimated using (1) census micro data for Santa Fe County and Los Alamos County to determine average household size by bedrooms (normalized for the City of Santa Fe overall average household size), and (2) realtor listings of homes for sale to determine average dwelling unit size by bedrooms. The two data sets were combined by taking the realtor data set and assuming the average household size for the number of bedrooms in the unit (e.g., each 3-bedroom unit was assumed to have the average number of residents for all 3-bedroom units). Finally, linear regression analysis was performed to develop an equation relating average household size to unit square feet, and the midpoints of the size categories was used as the average household size for each size range.

While the approach used in the 2008 study was reasonable and had the advantage of relying solely on local data, its weakness is that neither data set contains both of the key variables – the census data lack information on the size of the unit, and the realtor data lack information on the number of persons in the unit. Consequently, the 2008 analysis had to utilize an intervening variable – the number of bedrooms in the unit.

A simpler and more direct approach is to utilize regional or national data from the American Housing Survey, sponsored by the U.S. Department of Housing and Urban Development and conducted by the U.S. Census Bureau. The most recent survey was done in 2011. This survey provides data on the number of residents and the square footage of a sample of individual housing units. Regional data for the Western Census Region, which includes New Mexico, can also be used and shows a very similar pattern. Average household sizes by dwelling unit size can be converted to Equivalent Dwelling Units (EDUs), with one EDU representing the average number of persons residing in an occupied single-family detached unit. These national and regional EDU multipliers are compared to those used in the 2008 study in Table 64.

Table 64. Equivalent Dwelling Unit Multipliers

Single-Family Unit Size (Heated Living Area)	2008 Study	Amer. Housing Survey Western Region	Amer. Housing Survey Entire U.S.
1,500 sq. ft. or less	0.87	0.89	0.88
1,501-2,000 sq. ft.	0.95	0.93	0.94
2,001-2,500 sq. ft.	1.04	1.02	1.01
2,501-3,000 sq. ft.	1.08	1.07	1.07
3,001-3,500 sq. ft.	1.11	1.16	1.12
3,501-4,000 sq. ft.	1.13	1.13	1.11
4,001 sq. ft. or more	1.17	1.13	1.11
Average, All Units	1.00	1.00	1.00
3,001 sq. ft. or more	n/a	1.14	1.11

Note: EDU multipliers by unit size are ratios of average household size to overall average household size for all single-family detached units.
Source: 2008 study data from Duncan Associates, *Impact Fee Capital Improvements Plan and Land Use Assumptions for the City of Santa Fe*, 2008; American Housing Survey data for units built 1990 or later from the *2011 American Housing Survey*.

The national and regional data are consistent with the 2008 study results for units up to 3,500 square feet. However, the national and regional data clearly show that household size plateaus at about 3,000 square feet. It is recommended that updated average household sizes by unit size categories be based on American Housing Survey data and that the upper size category include all units larger than 3,000 square feet, as shown in Table 65.

A similar approach is used to determine average household sizes for accessory or guest units built as attached or detached additions to single-family units. The current ordinance provides for fees that vary by the size of the guest unit, but the basis for these fees is unclear. In general, the multi-family fee would be reasonable to use for guest units, but consideration could be made for smaller guest units. Analysis of American Housing Survey data indicates that guest units of 750 square feet or less would have somewhat fewer residents than the average of all multi-family units, as shown in Table 65.

Table 65. Single-Family Average Household Size by Unit Size

Single-Family Unit Size (Heated Living Area)	EDU Multiplier	Avg. HH Size
1,500 sq. ft. or less	0.89	1.95
1,501-2,000 sq. ft.	0.93	2.04
2,001-2,500 sq. ft.	1.02	2.23
2,501-3,000 sq. ft.	1.07	2.35
3,001 sq. ft. or more	1.14	2.50
All Single-Family Detached	1.00	2.19
Guest Unit, 750 sq. ft. or less	0.76	1.66

Source: EDU multipliers for western U.S. from Table 64 (EDU multiplier for guest house of 750 sq. ft. or less derived from American Housing Survey data for multi-family units built in the Western Region in 1990 or later from the *2011 American Housing Survey*); average household size for all single-family detached units in Santa Fe from Table 63; household sizes by unit size for Santa Fe based on EDU multipliers.

APPENDIX C: FUNCTIONAL POPULATION

As previously mentioned, this study modifies the approach for determining service demand for fire/EMS and police impact fee calculations from a service call basis to a "functional population" approach. Under this approach, functional population is calculated for each major land use and then converted into "equivalent dwelling units." The equivalent dwelling unit, or EDU, represents the impact of a typical single-family dwelling on the demand for police and fire/EMS services.

To a large extent, the demand for police and fire/EMS functions are proportional to the presence of people. The functional population concept is analogous to the concept of "full-time equivalent" employees. It represents the number of "full-time equivalent" people present at the site of a land use.

The residential functional population is considerably simpler than the nonresidential component. It is assumed that people spend 12 hours per day at home during week days and 20 hours per day during weekends. In total, people are assumed to spend 100 hours per week, or 60 percent of their time, at home. The other 40 percent of their time spent away from home accounts for working, shopping and other away-from-home activities. For residential uses, then, equivalent dwelling units are calculated by first multiplying average household size by 60 percent to determine functional population per unit. The functional population per unit multipliers for residential uses are shown in Table 66.

Table 66. Residential Functional Population per Unit

Housing Type	Unit	Average HH Size	Occupancy	Func. Pop./Unit
Single-Family, Detached (All)	Dwelling	2.19	0.60	1.314
Less than 1,500 sf	Dwelling	1.95	0.60	1.170
1,500 to 1,999 sf	Dwelling	2.04	0.60	1.224
2,000 to 2,499 sf	Dwelling	2.23	0.60	1.338
2,500 to 2,999 sf	Dwelling	2.35	0.60	1.410
3,000 sf or greater	Dwelling	2.50	0.60	1.500
Guest Unit, 750 sf or less	Dwelling	1.66	0.60	0.996
Multi-Family	Dwelling	1.90	0.60	1.140
Mobile Home/RV Park	Pad/Space	3.04	0.60	1.824

Source: Overall single-family, multi-family and mobile home average household size from Table 63; single-family average household size by housing size from Table 65; occupancy factor estimated (see text above).

Nonresidential Functional Population

The functional population methodology for nonresidential uses is based on trip generation data utilized in developing the transportation demand schedule prepared for the updated transportation impact fee update. Functional population per 1,000 square feet is derived by dividing the total number of hours spent by employees and visitors during a weekday by 24 hours. Employees are estimated to spend eight hours per day at their place of employment, and visitors are estimated to spend one-half to one hour per visit depending on land use. The formula used to derive the nonresidential functional population estimates is summarized in Figure 7.

Figure 7. Nonresidential Functional Population Formula

Functional population/1000 sf = (employee hours/1000 sf + visitor hours/1000 sf) ÷ 24 hours/day

Where:

Employee hours/1000 sf = employees/1000 sf x 8 hours/day

Visitor hours/1000 sf (retail/office/public) = visitors/1000 sf x 1 hour/visit

Visitors hours/1000 sf (industrial/warehouse) = visitors/1000 sf x 1/2 hour/visit

Visitors/1000 sf = ADT/1000 sf x avg. vehicle occupancy - employees/1000 sf

ADT/1000 sf = average daily trips (1/2 trip ends) on a weekday per 1000 sf

Using this formula and information on trip generation rates used in this study for the transportation impact fee update, vehicle occupancy rates from the *National Household Travel Survey* and other sources and assumptions, nonresidential functional population estimates per 1,000 square feet of gross floor area are calculated. Table 67 presents the results of these calculations for a number of nonresidential land use categories.

Table 67. Nonresidential Functional Population per Unit

Land Use	Unit	Trip Rate	Persons/ Trip	Employee/ Unit	Visitors/ Unit	Functional Pop./Unit
Retail/Commercial	1,000 sq. ft.	21.35	1.96	1.02	40.83	2.041
Office	1,000 sq. ft.	5.52	1.24	2.31	4.53	0.959
Industrial	1,000 sq. ft.	3.42	1.24	1.05	3.19	0.416
Warehouse	1,000 sq. ft.	1.78	1.24	0.43	1.78	0.180
Mini Warehouse	1,000 sq. ft.	1.25	1.24	0.43	1.12	0.167
Public/Institutional	1,000 sq. ft.	3.80	1.86	1.95	5.11	0.863

Source: Trip rates are one-half trip ends from Table 14; persons/trip is average vehicle occupancy from Federal Highway Administration, *Nationwide Household Travel Survey*, 2009; employees/unit from U.S. Department of Energy, *Commercial Buildings Energy Consumption Survey*, 2003; visitors/unit is trips times persons/trip minus employees/unit; functional population/unit calculated based on formula from Figure 7.

Functional Population Summary

The functional population multipliers for the residential and nonresidential land use categories are summarized in Table 68.

Table 68. Functional Population Multipliers

Land Use	Unit	Functional Pop./Unit
Single-Family, Detached (All)	Dwelling	1.314
Less than 1,500 sf	Dwelling	1.170
1,500 to 1,999 sf	Dwelling	1.224
2,000 to 2,499 sf	Dwelling	1.338
2,500 to 2,999 sf	Dwelling	1.410
3,000 sf or greater	Dwelling	1.500
Guest Unit, 750 sf or less	Dwelling	0.996
Multi-Family	Dwelling	1.140
Mobile Home/RV Park	Pad/Space	1.824
Retail/Commercial	1,000 sq. ft.	2.041
Office	1,000 sq. ft.	0.959
Industrial	1,000 sq. ft.	0.416
Warehouse	1,000 sq. ft.	0.180
Mini Warehouse	1,000 sq. ft.	0.167
Public/Institutional	1,000 sq. ft.	0.863

Source: Residential dwelling unit functional population per unit from Table 66; nonresidential functional population per unit from Table 67.

Existing and projected total functional population for the Urban Area are derived based on existing and projected land uses from the Land Use Assumptions and functional population per unit multipliers summarized above. The results are displayed in Table 69.

Table 69. Total Functional Population, 2014-2020

Land Use	Unit	No. of Units	Functional Pop. per Unit	Functional Pop. Total
Existing (2014)				
Single-Family Detached	Dwelling	29,500	1.314	38,763
Multi-Family	Dwelling	9,700	1.140	11,058
Mobile Home	Dwelling	5,200	1.824	9,485
Retail/Commercial	1,000 sq. ft.	10,198	2.041	20,814
Office	1,000 sq. ft.	8,972	0.959	8,604
Industrial/Warehouse	1,000 sq. ft.	4,360	0.298	1,299
Public/Institutional	1,000 sq. ft.	2,960	0.863	2,554
Total Functional Population, 2014				92,577
Projected (2020)				
Single-Family Detached	Dwelling	31,250	1.314	41,063
Multi-Family	Dwelling	10,050	1.140	11,457
Mobile Home	Dwelling	5,200	1.824	9,485
Retail/Commercial	1,000 sq. ft.	10,898	2.041	22,243
Office	1,000 sq. ft.	9,322	0.959	8,940
Industrial/Warehouse	1,000 sq. ft.	4,465	0.298	1,331
Public/Institutional	1,000 sq. ft.	3,030	0.863	2,615
Total Functional Population, 2020				97,134
New Functional Population, 2014-2020				4,557

Source: Existing and projected land uses from Table 5; functional population per unit from Table 68; total functional population is product of units and functional population per unit.

APPENDIX D: PARK/TRAIL INVENTORY

Table 70. Inventory of Existing Parks and Open Space

Park Facility	Acres	Play-grnd	Picnic	Activ. Area	Tennis Court	Hand-ball	Soccer Field	Bskt-ball	Base-ball	Soft-ball	Vball Ct	Skate-board	Swim Pool
Arroyo Sonrisa Park	0.26												
Cielo Vista	1.20												
Canada Gardens	0.89												
City Hall Park	0.68												
Don Diego Entrada Park	0.31												
Espinacitas Park	0.16												
Gregory Lopez Park	1.87	1	1										
Guadalupe Neighborhood Parcel	0.17												
John F. Griego Park (Vietnam Vets)	0.92	1	1					1					
Kiva Center	0.72												
La Farge Library	1.20												
La Vllla Serena Park	1.28												
Los Milagros Park	1.16												
Maclovia Park	1.19												
Main Library	0.93												
Maloof Park	2.62												
Melendez Park	0.45												
Monica Roybal Center	0.81	2	1	1				2					
Dancing Ground Community Park	1.66	1	1	1									
Orlando Fernandez Park	0.46		1										
Peralta Park	0.78			1									
Plaza Entrada	0.22												
Rancho Del Sol Phase II Park	0.48												
Rancho Siringo Park	0.31	1	1					1					
Resolana Park	1.58	1	1										
Santa Fe Riverside Park	0.72		1	1									
South Meadows	1.64												
Sunnyslope Meadows	0.41												
Thomas Macaione Park	0.40		1										
Valentine Park	0.67	1	1										
Young Park	0.91	1	1					1					
Subtotal, Pocket Parks	27.06	9	9	3	0	0	0	5	0	0	0	0	0
Adam Gabriel Armijo Park	5.68	1	1										
Alvarado Park	4.85	1	1										
Amelia E White Park	2.97		1										
Calle Lorca Park	6.94	1	1					2					
Candelero Park	6.60	1	1		2			1					
Frank S. Ortiz Park Playground	6.19	1	1										
Herb Martinez Park	7.64		1		6			2	1				
Las Acequias Park	5.59	2	1	1				2					
Las Acequias Park - Phase 4	2.47												
Las Estanclas #1	2.07												
Los Hermanos Rodriguez Park	3.76	1	1					1					
Martin Luther King Park	1.21	1	1	1									
Mark Brandt Park	5.27		1										
Monica Lucero Park	10.75	1	1							1			
Monsignor Patrick Smith Park	4.63	1	1				1	2					
Parque Del Rio	4.00												
Pueblos del Sol	5.30												
Santa Fe Estates	6.33												
Torreon Park	3.44	2	1					2					
Vllla Caballero Park	4.83												
Subtotal, Neighborhood Parks	100.52	13	14	2	8	0	1	12	1	1	0	0	0
Ashbaugh Park	16.12		1				1				1		
Bicentennial Park	15.92	1	1		4			1	3				
Fort Marcy Complex	25.32	1	1	1	2		2		1				
General Franklin E. Miles Park	28.60	2	1					2	7		2	1	
Larragoite Park	11.52	1	1		2			1		1	1		
Ragle Park	38.41	1	1			1				4			
Salvador Perez Park / Patio Park	15.12	2	1	1	4		1		3	2	1		
Villa Linda Park	16.12	1	1				1						
Subtotal, Community Parks	167.13	9	8	2	12	1	4	4	14	7	5	1	0

Table 70. Continued

Park Facility	Acres	Play-grnd	Picnic	Activ. Area	Tennis Court	Hand-ball	Soccer Field	Bskt-ball	Base-ball	Soft-ball	Vball Ct	Skate-board	Swim Pool
Municipal Recreation Complex	428.38						4						
Subtotal, Regional Parks	428.38	0	0	0	0	0	4	0	0	0	0	0	0
Boys and Girls Club	1.59												
Cathedral Park	0.62		1	1									
Cornell Park (Rose Garden)	2.06		1										
Cross of the Martyrs	2.35		1										
De Vargas Park (East/West)	2.93		1	1								1	
Dr Richard Engle Tennis Courts	0.72				3								
Frank S. Ortiz Park	134.29												
Plaza Park	1.07			1									
Prince Park	10.13		1	1									
Power Plant Park	3.40	1											
Railyard Park	10.54												
Santa Fe River Park	6.91												
Santa Fe River Park Downtown East	2.29		1										
Santa Fe River Park Downtown West	1.06		1										
Santa Fe River Park East	9.98		1										
Santa Fe River Park West	11.21		1										
Subtotal, Special Use Parks	201.15	0	9	4	3	0	0	0	0	0	0	1	0
Baca Street Cristobal Colon Parcels	1.27												
Bicentennial Pool	0.80												1
Boys and Girls Club	0.70												
Fort Marcy Rec. Center*	2.67												
Galisteo Tennis Courts	0.66				2								
Genoveva Chavez Community Center*	3.74												
Monica Roybal Center	0.40							1					
Salvador Perez Pool	1.33												1
Senior Citizens Center	1.15												
Subtotal, Recreation Facilities*	12.72	0	0	0	2	0	0	1	0	0	0	0	2
Airport Rd Open Space (Lot 9 Sec 7)	1.69												
Cerro Gordo O.s.	2.41												
Frenchy's Field Park & Commons	16.53	1		1									
Genoveva Chavez Park Land	17.29												
La Paz Open Space	3.82												
Mountain View Apartments Dedication	0.03												
Mountain View Apartments Dedication	0.11												
Municipal Recreation Center	1,291.94												
N Tract W Portion of Ne Quad. Of Sf	141.58												
Nava Ade	8.46												
Parque Escudero	0.65												
Pueblos Del Sol	64.30												
Rlo Vlsta	4.86												
Santa Fe Estates Open Space	25.63												
Sierra Del Norte	58.96												
Tierra Contenta	452.18												
Tierra Escondida Drainage Pond	0.47		1										
Tract A; E of Almeda Public Housing	0.12												
Vista De La Sierra Drainage and Rec	1.16												
Vista Del Prado Openspace	2.07												
Vista Del Sol	28.79												
Vistas De Santa Fe	0.90												
Wuest Parcel	0.83												
Yucca Park	2.07												
Zia Vista	9.45												
Subtotal, Open Space	2,136.30	1	1	1	0	0	0	0	0	0	0	0	0
Total, Neighborhood & Pocket Parks	127.58	22	23	5	8	0	1	17	1	1	0	0	0
Total, Community/Reg./Rec./Sp. Use	809.38	9	17	6	17	1	8	5	14	7	5	2	2
Total, Open Space	2,136.30	1	1	1	0	0	0	0	0	0	0	0	0
Grand Total, All Parks	3,073.26	32	41	12	25	1	9	22	15	8	5	2	2

* recreational facilities subtotal includes land but excludes facilities for Fort Marcy and Genoveva Chavez Community Center

Source: City of Santa Fe Long Range Planning, December 17, 2013.

Table 71. Existing Trail Inventory

Trails	Miles
Acequia Trail	3.60
Arroyo Chamisos Trail	5.68
Botulph Rd. Trail	0.25
Gonzales Road Trail	1.00
Marc Brandt Park - Siringo Rd	0.50
Museum Hill Trail	0.50
Nava Ade Trails	2.25
Old Pecos Trail ROW Trail	1.00
Pueblos del Sol Trails	1.60
Rail Trail	4.00
Santa Fe River Trail	3.21
St. Francis Drive Trail	1.00
Tierra Contenta	1.50
Subtotal, Paved Trails	26.09
Arroyo Mascaras Trail	0.33
Arroyo Mora (Polai) Trail	1.63
Atalaya Wilderness Trail	5.16
Dale Ball Trails	22.22
De Vargas Heights Bridle Paths	n/a
Dorothy Stewart Trail	1.45
Fullerton Legacy	0.27
La Tierra Trail System	25.00
Las Estrellas Trails - Santa Fe Estates	3.00
MRC Trails	7.00
MRC to Agua Fria	2.00
Prince Park Trail	1.00
Visto Del Prado	n/a
Zocalo	0.30
Subtotal, Soft Surface Trails	69.36
Total All Trails	95.45

Source: City of Santa Fe Long Range Planning, December 17, 2013.

APPENDIX E: OUTSTANDING DEBT

The City of Santa Fe's outstanding gross receipts tax (GRT) and general obligation (GO) bonds are summarized in Table 72. The 2013 GO bonds and the portion of the 2012A GRT bonds not used for refunding are not included, because none of the projects funded by these bond issues have been included in the existing facility inventories for the road, park, fire and police impact fee analyses. The debt for land acquisition for general government purposes, convention center, solid waste, wastewater and the Railyard are unrelated to the impact fee facilities and are excluded from the remainder of this analysis.

Table 72. Outstanding Non-Utility Debt Summary

Bond Issue	Purpose	Original	Outstanding
GRT Rev. Bonds 2006A	CIP	$17,710,000	$3,045,000
GRT Rev. Bonds 2008	CIP	$20,135,000	$19,840,000
GRT Refunding Bonds 2010A	Refund 2002	$15,005,000	$9,415,000
GRT Refunding Bonds 2012A*	Refund 2004A	$14,390,000	$14,390,000
GRT Rev. Bonds 2012A*	CIP	$18,335,000	$18,335,000
GRT Refunding Bonds 2013A	Refund 2006A	$10,880,000	$10,880,000
MRC 2005 Refunding Bonds	Parks	$15,315,000	$9,165,000
NMFA - Land Acquisition	Land Purch.	$3,610,000	$2,965,784
Total from 1/2% GRT		$115,380,000	$88,035,784
General Obligation 2008	Parks	$20,000,000	$17,070,000
General Obligation 2010	Parks	$10,300,000	$9,440,000
Total from Property Tax		$30,300,000	$26,510,000
GRT Rev. Bonds 2008-Con. Ctr	Conv. Ctr.	$8,570,000	$7,725,000
NMFA - Conv. Center (+ fees)	Conv. Ctr.	$42,220,000	$37,625,000
Total from Lodger's Tax		$50,790,000	$45,350,000
GRT Refunding Bonds 2006B	Solid Waste	$15,160,000	$10,190,000
Total from MGRT Infrastructure		$15,160,000	$10,190,000
GRT Rev. Ref. Bonds 2012B	WW	$14,280,000	$12,540,000
GRT/WW Bonds 2006C	WW	$9,780,000	$6,070,000
Total from MGRT Env & WW Rev		$24,060,000	$18,610,000
GRT Refunding Bonds 2010B	Railyard	$10,490,000	$9,785,000
GRT Refunding Bonds 2013B	Parking Garage	$13,780,000	$13,780,000
GRT Rev Bonds 2012C	Market Station	$4,685,000	$4,685,000
Total from Railyard GRT		$28,955,000	$28,250,000

* $32,725,000 bond split between refunding and new capital projects

Source: City of Santa Fe Finance Department, October 15, 2013.

The outstanding debt amounts attributable to refunding issues, as well as to original issues that funded a variety of improvement types, are allocated among facility types based on the original planned project costs for each bond issue. Only debt that was incurred for capacity-expanding improvements is included. The analysis of the individual bond issues is provided at the end of this appendix. The resulting distributions by facility type are summarized in Table 73.

Table 73. Distribution of Debt by Facility Type

Bond Issue	Streets	Parks	Police	Fire	Other	Total
Planned Project Costs						
GRT Revenue Bonds 2002	$250,000	$0	$0	$150,000	$17,595,000	$17,995,000
GRT Revenue Bonds 2004 A	$2,200,000	$3,960,000	$0	$1,700,000	$10,800,000	$18,660,000
GRT Revenue Bonds 2006 A	$1,740,000	$3,900,000	$670,000	$460,000	$11,730,000	$18,500,000
MRC 2005 Refunding	$0	$6,126,000	$0	$0	$9,189,000	$15,315,000
GRT Rev. Bonds 2008	$1,200,000	$2,450,000	$2,000,000	$2,200,000	$12,285,000	$20,135,000
GRT Rev. Bonds 2012A	$430,000	$2,300,000	$0	$0	$19,270,000	$22,000,000
Percentage of Bond Project Cost						
GRT Revenue Bonds 2002	1.4%	0.0%	0.0%	0.8%	97.8%	100.0%
GRT Revenue Bonds 2004 A	11.8%	21.2%	0.0%	9.1%	57.9%	100.0%
GRT Revenue Bonds 2006 A	9.4%	21.1%	3.6%	2.5%	63.4%	100.0%
MRC 2005 Refunding	0.0%	40.0%	0.0%	0.0%	60.0%	100.0%
GRT Rev. Bonds 2008 - CIP	6.0%	12.2%	9.9%	10.9%	61.0%	100.0%
GRT Rev. Bonds 2012A (CIP)	2.0%	10.5%	0.0%	0.0%	87.6%	100.0%

Source: Original planned project costs from the following tables: GRT 2002 (Table 75), GRT 2004A (Table 76), GRT 2006A (Table 77), GRT 2008 (Table 78) and GRT 2012A (CIP portion, Table 79); MRC 2005 refunding bond issued to refund the 1996C and 1998 MRC bonds that were used for parks (60% attributed to golf courses per City of Santa Fe Finance Department, August 15, 2002 – classified as "other").

The distributions from the table above are multiplied by the total outstanding debt for those mixed-facility bond issues to determine outstanding debt for each impact fee facility type.

Table 74. Outstanding Debt by Facility Type

Bond Issue (Refunded Issue)	Streets	Parks	Police	Fire	Total
GRT Refunding 2010A (2002)	$131,810	$0	$0	$75,320	$9,415,000
GRT Refunding 2012A (2004A)	$1,698,020	$3,050,680	$0	$1,309,490	$14,390,000
GRT Refunding 2013A (2006A)	$1,022,720	$2,295,680	$391,680	$272,000	$10,880,000
GRT 2006A	$286,230	$642,495	$109,620	$76,125	$3,045,000
GRT 2008	$1,190,400	$2,420,480	$1,964,160	$2,162,560	$19,840,000
GRT 2012A	$430,000	$2,300,000	$0	$0	$18,335,000
MRC 2005 Refunding	$0	$3,666,000	$0	$0	$9,165,000
General Obligation 2008	$341,400	$17,070,000	$0	$0	$17,070,000
General Obligation 2010	$0	$9,440,000	$0	$0	$9,440,000
Total	$5,100,580	$40,885,335	$2,465,460	$3,895,495	$111,580,000

Source: Total outstanding principal from Table 72; outstanding amount by facility for mixed-facility issues based on percent of original debt from Table 73.

Table 75. 2002 Gross Receipts Tax Bond Projects

Project	Amount	Eligible
Traffic Calming	$1,500,000	$0
Intersection Safety	$250,000	$250,000
Repaving	$1,000,000	$0
Unpaved Streets Rehabilitation	$150,000	$0
Small Sidewalks	$100,000	$0
Bridge Rehabilitation	$50,000	$0
Recycled Asphalt	$50,000	$0
Preventative Asphalt	$100,000	$0
Subtotal, Streets	$3,200,000	$250,000
Fire Station #8 Design	$150,000	$150,000
Subtotal, Fire	$150,000	$150,000
Water Management/ Conservation	$700,000	$0
Turf Rehabilitation	$870,000	$0
Subtotal, Parks	$1,570,000	$0
Maez Road Drainage	$500,000	n/a
Municipal Repairs	$600,000	n/a
Building Infrastructure Technology	$500,000	n/a
ITS Infrastructure	$200,000	n/a
Small Drainage	$100,000	n/a
Affordable Housing	$500,000	n/a
Arts	$180,000	n/a
Social Services Facility	$500,000	n/a
Water System Improvements	$10,500,000	n/a
Total	$18,500,000	$400,000

Source: City of Santa Fe Finance Department, June 15, 2002.

Table 76. 2004A Gross Receipts Tax Bond Projects

Project	Amount	Eligible
Parks and Median Maint.	$400,000	$0
Water Management	$500,000	$0
Artificial Turf	$500,000	$0
Tennis Court Rehab	$200,000	$0
Alto Park, Phase II	$700,000	$700,000
Trails	$1,500,000	$1,500,000
Railyard Infrastructure	$350,000	$350,000
Tierra Contenta Park	$200,000	$200,000
La Cieneguita Park	$200,000	$200,000
Plaza Improvements	$500,000	$500,000
State Game and Fish Property	$450,000	$450,000
Amelia White Park	$60,000	$60,000
Subtotal, Parks	$5,560,000	$3,960,000
Traffic Safety Improvements	$300,000	$300,000
Re-paving	$1,250,000	$0
Unpaved Rehab.	$150,000	$0
Small Sidewalks	$100,000	$0
Bridge Rehab.	$200,000	$0
Recycled Asphalt Paving Program	$250,000	$0
Siler Road Extension Design	$400,000	$400,000
Alire Bridge Rehab.	$400,000	$0
Traffic Calming	$1,500,000	$1,500,000
Subtotal, Streets	$4,550,000	$2,200,000
Fire Station #8	$1,700,000	$1,700,000
Subtotal, Fire	$1,700,000	$1,700,000
ADA Improvements	$300,000	n/a
Municipal Facility Repair	$600,000	n/a
Cerrillos Road IT Conduit	$100,000	n/a
Airport Matching Funds	$285,000	n/a
Small Drainage	$100,000	n/a
Ortiz Landfill Re-mediation	$200,000	n/a
South Side Library	$4,800,000	n/a
Affordable Housing	$500,000	n/a
Arts	$180,000	n/a
Total	$18,875,000	$7,860,000

Source: City of Santa Fe Finance Department, March 8, 2007.

Table 77. 2006A Gross Receipts Tax Bond Projects

Project	Amount	Eligible
Parks and Median Maint.	$400,000	$0
Water Management	$300,000	$0
Turf Rehabilitation	$300,000	$0
Tennis Court Rehab	$200,000	$0
Alto Park	$500,000	$500,000
Sports Facilities Improvements	$600,000	$600,000
Railyard Park Offsite Improvements	$800,000	$800,000
Santa Fe River Trail	$750,000	$750,000
Santa Fe Railyard Park	$250,000	$250,000
Amelia White Park	$100,000	$100,000
Dog Parks	$150,000	$150,000
Trails (Citywide)	$500,000	$500,000
Franklin Miles Park Improvements	$250,000	$250,000
Subtotal, Parks	$5,100,000	$3,900,000
Intersection/Signal Improvements	$350,000	$350,000
Traffic Safety Improvements	$300,000	$300,000
Signal Maint.	$200,000	$0
Sign and Striping Maint.	$200,000	$0
Paved Street Rehab.	$3,905,000	$0
Unpaved Rehab.	$150,000	$0
Small Sidewalks	$300,000	$0
Bridge Rehab.	$500,000	$0
Recycled Asphalt Paving Program	$100,000	$0
Camino Alire Bridge	$700,000	$700,000
Carson St. Bridge	$40,000	$40,000
Area Traffic Plan on Galisteo St.	$100,000	$100,000
Traffic Calming	$250,000	$250,000
Subtotal, Streets	$7,095,000	$1,740,000
Main Station Improvements	$600,000	$600,000
Alameda Substation Parking	$70,000	$70,000
Subtotal, Police	$670,000	$670,000
Fire Vehicle Access, Station #8	$300,000	$300,000
Fire Station #3 Design	$160,000	$160,000
Fleet Mechanic	$200,000	$0
Subtotal, Fire	$660,000	$460,000
ADA Improvements	$1,000,000	n/a
Municipal Facility Repair	$600,000	n/a
Telecommunications Improvements	$1,000,000	n/a
Airport Matching Funds	$100,000	n/a
Small Drainage	$300,000	n/a
Property Control–City Hall	$250,000	n/a
Fleet Expansion	$300,000	n/a
Night Sky Implementation	$200,000	n/a
Solid Waste Landfill Closure	$200,000	n/a
Community Services	$400,000	n/a
Warehouse 21	$200,000	n/a
La Familia	$100,000	n/a
PLUD Software	$25,000	n/a
Women's Health Services	$100,000	n/a
Arts	$200,000	n/a
Total	$18,500,000	$7,900,000

Source: City of Santa Fe Finance Department, February 26, 2007.

Table 78. 2008 Gross Receipts Tax Bond Projects

Project	Amount	Eligible
Intersection Safety	$350,000	$0
Safety Misc. Projects	$300,000	$0
Signal Maintenance	$200,000	$0
Sight, Paint & Signal	$200,000	$0
Municipal Facilities Repair	$600,000	$0
Paved Street Rehab.	$3,230,000	$0
Unpaved Street Rehab.	$150,000	$0
Small Sidewalks	$150,000	$0
Small Drainage	$300,000	$0
Bridge Rehab.	$500,000	$0
Cerrillos Road	$1,000,000	$1,000,000
Airport Road Safety Project	$100,000	$0
Paseo de Vista Prelim Design	$200,000	$200,000
Subtotal, Streets	$7,280,000	$1,200,000
Park Maintenance	$400,000	$0
Parks/Water Mgt.	$300,000	$0
Turf Rehab.	$300,000	$0
Bicentennial Pool	$300,000	$300,000
Santa Fe Railyard Park & Plaza	$1,000,000	$1,000,000
Trails City Wide (incl. Santa Fe Trail)	$1,000,000	$1,000,000
Old Power Plant Building & Park	$150,000	$150,000
Subtotal, Parks	$3,450,000	$2,450,000
Fire Station #3	$2,000,000	$2,000,000
Fire Station #4 (#9 Design NWQ)	$200,000	$200,000
Subtotal, Fire	$2,200,000	$2,200,000
Police Facility Design (Main Station)	$2,000,000	$2,000,000
Subtotal, Police	$2,000,000	$2,000,000
Effluent Line for SW Sector	$500,000	n/a
CIP for the Arts	$370,000	n/a
ADA Improvements	$300,000	n/a
Telecomm Imp City Wide	$500,000	n/a
Airport Matching Funds	$100,000	n/a
Court Rehab.	$200,000	n/a
GCCC-CIP Bond	$250,000	n/a
City Hall Renovations	$600,000	n/a
Warehouse 21 (Youth Center)	$1,000,000	n/a
Tino Griego Teen Ctr (La Farge Lib.)	$500,000	n/a
Farmers Market	$200,000	n/a
Affordable Housing	$500,000	n/a
Zona del Sol (Youth Consortium)	$750,000	n/a
ITT	$300,000	n/a
Total	$21,000,000	$7,850,000

Source: City of Santa Fe Finance Department, February 7, 2014.

Table 79. 2012A Gross Receipts Tax Bond Projects

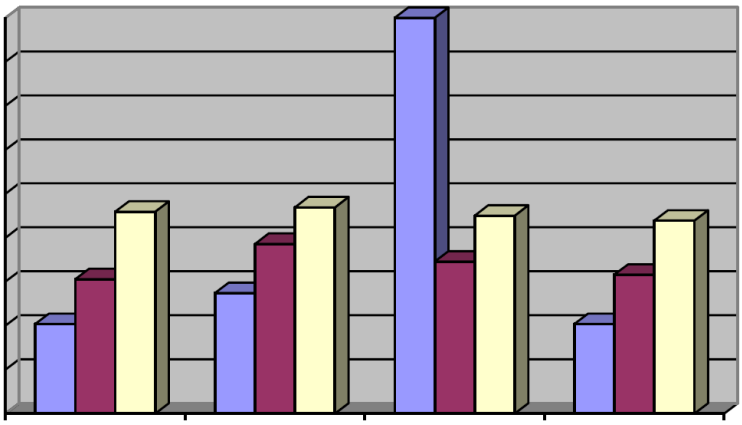
Project	Amount	Eligible
Intersection Safety	$350,000	$0
Traffic Miscellaneous Safety	$300,000	$0
Paved Street Rehabilitation	$4,000,000	$0
Unpaved Street Rehabilitation	$2,000,000	$0
Small Sidewalks	$500,000	$0
Small Drainage	$300,000	$0
Bridge Rehabilitation	$500,000	$0
Signal Replacement/Repair	$340,000	$0
Signing and Striping	$260,000	$0
Paseo de Peralta/Washington Intersection	$230,000	$230,000
Road Sharrows	$250,000	$0
Airport Road Landscaping	$200,000	$200,000
Butulph Rd Shoulders/Pedestrian Safety	$250,000	$0
LED Streetlights at Traffic Signals	$120,000	$0
Total, Streets	$9,600,000	$430,000
Parks and Medians	$2,000,000	$2,000,000
Poof Roof/HVAC Renovations	$300,000	$0
Gonzales Road Pedestrian Trail	$300,000	$300,000
Total, Parks	$2,600,000	$2,300,000
Municipal Facilities	$600,000	n/a
City Roofs	$200,000	n/a
GCCC	$500,000	n/a
Airport Matching Funds	$200,000	n/a
Transit Matching Funds	$500,000	n/a
Rodeo de SF Arena & Ag Disaster Relief	$100,000	n/a
Effluent Line SW Sector	$1,000,000	n/a
ITT Citywide	$1,000,000	n/a
Court ITT Improvements	$300,000	n/a
Zona del Sol	$100,000	n/a
ADA Improvements	$300,000	n/a
Bus Replacement	$2,000,000	n/a
Santa Fe Railyard	$600,000	n/a
2% for Arts	$400,000	n/a
Solar Loan Program	$200,000	n/a
Affordable Housing	$800,000	n/a
Broadband Infrastructure	$1,000,000	n/a
Total	$22,000,000	$2,730,000

Source: City of Santa Fe Finance Department, February 10, 2014.

APPENDIX F: LAND USE ASSUMPTIONS

Santa Fe Urban Area

Impact Fee Land Use Assumptions
2014–2020



City of Santa Fe
Housing & Community Development Department
Long Range Planning Division

August, 2013

INTRODUCTION

This report provides land use assumptions (growth projections) for the Santa Fe Urban Area, a unified service area, within which the city is planning to annex land and therefore expend impact fee monies for eligible capital improvement projects (see map). The New Mexico *Development Fees Act (§§ 5-8-1 through 5-8-43, NMSA 1978),* specifies that land use assumptions must be adopted for a period of at least five years. These land use assumptions cover a period of seven years from the beginning of 2014 through the end of 2020.

The projections assume that urban area growth through 2020 will generally reflect slower growth than occurred during the last decade (2000-2010), due to the slow recovery from the depth of the Great Recession and slower population growth.

Residential and Non-Residential Development, 2014–2020

The following table summarizes anticipated growth from the beginning of 2014 through 2020.

Table 1. Residential & Non-Residential Development, 2014–2020

Housing Units

	2014	Added	2020	(Annual Avg.)
City/Urban Area Total	**44,400**	**2,100**	**46,500**	**300**

Population

	2014	Added	2020	(Annual Avg.)
City/Urban Area Total	**86,500**	**3,500**	**90,000**	**500**

Housing Units, By Type

	2014	Added	2020	(Annual Avg.)
Single-Family (Detached; Attached)	29,500	1,750	31,250	250
Multi-Family	9,700	350	10,050	50
Mobile Homes	5,200	0	5,200	0
City/Urban Area Total	**44,400**	**2,100**	**46,500**	**300**

Commercial Development (square feet of gross floor area)

Land Use Category	2014	Added	2020	(Annual Avg.)
Retail	10,198,000	700,000	10,898,000	100,000
Office	8,972,000	350,000	9,322,000	50,000
Industrial	4,360,000	105,000	4,465,000	15,000
Institutional	2,960,000	70,000	3,030,000	10,000
Commercial Total	**26,490,000**	**1,225,000**	**27,715,000**	**175,000**

Source: *Santa Fe Trends, 2013*; city and county building permit data through July, 2013.

1.

Housing & Population Assumptions

Housing in the city/urban area will continue to grow slowly based on continued lower demand for new housing both from within the community and from those moving here from other places. Larger master-planned developments in the city will continue to account for much of the new housing. Projections of population growth are based on assumptions about the average number of new housing units built each year and the number of occupants in each new unit. The overall average number of occupants in each new housing unit is projected to be 1.67.

Commercial Assumptions

Commercial construction, which for these purposes includes all non-residential construction, is projected to continue at a modest, but healthy, annual average of 175,000 square feet. This represents the annual average of new commercial development from 2006-2012. Though much of this period includes the Great Recession, it is anticipated that an oversupply of commercial floor area leading up to the recession and the increase of computer-based retail sales will keep the annual levels of construction of commercial space moderate through the rest of the decade.

Historical Housing and Population Growth, 2000-2010

From 2000–2010, city population growth represented nearly all of the urban area growth, a dramatic change from the 1990s when the city accounted for less than half of the total urban area population growth. Meanwhile, city housing growth represented 97% of total urban area housing growth from 2000–2010 (compared to only 73% during the 1990s). When comparing the 2000 and 2010 Census, the city and urban area experienced the following population and housing growth:

Note: In the future, comparisons between the "city" and "urban area" may be unnecessary as the city annexes most of the urban area. The Agua Fria Traditional Historic Community (2,800 residents and 1,134 housing units; 2010 Census) located within the urban area is expected to remain part of county jurisdiction.

Table 2. Population & Housing Growth, 2000-2010

	Total Population 2000	Total Population 2010	2000-2010 Growth	Annual Average	Urban Area Growth
City of Santa Fe	62,203	67,947	+5,744	574	99%
Outside the City	16,897	16,930	+ 33	3	1%
Urban Area Total	79,100	84,877	+5,777	577	100%

	Total Housing Units 2000	Total Housing Units 2010	2000-2010 Growth	Annual Average	Urban Area Growth
City of Santa Fe	30,533	37,200	+6,667	667	97%
Outside the City	6,046	6,205	+ 159	16	3%
Urban Area Total	36,579	43,405	+6,826	683	100%

	Persons per Housing Unit 2000	Persons per Housing Unit 2010
City of Santa Fe	2.04	1.82
Outside the City	2.79	2.73
Urban Area Total	2.16	1.95

(not Persons-per-Household)

Source: U.S. Census

2.

APPENDIX G: CAPITAL FACILITY PLANS

Table 80. Planned Major Road Improvements, 2014-2020

Project Name	Location	Cost Estimate
Cerrillos Rd, Phase IIC	Camino Carlos Rey to St. Michaels Dr.	$10,300,000
Calle P'o Ae Pi	Airport Road to Rufina St.	$500,000
Bike Lanes/Sidewalks	Reconstruction / Expansion	$4,000,000
Rufina St.	Harrison Rd. to Camino Carlos Rey	$500,000
West Alameda St.	La Joya Road to Siler Road	$3,000,000
Zia Station Infrastructure	Zia Road Rail Station	$300,000
Total, Road Improvements		$18,600,000
Agua Fria / South Meadows		$1,000,000
Agua Fria / Cottonwood		$1,000,000
Airport Road / Ca P'o Ae Pi		$350,000
Airport Road / Jemez		$100,000
Cerrillos / Sandoval / Manhattan		$1,000,000
Galisteo / St. Michaels		$350,000
Galisteo / Rodeo		$350,000
Galisteo / San Mateo		$350,000
Paseo de Peralta / Marcy		$350,000
Rufina / Ca P'o Ae Pi		$350,000
Rufina / Lopez		$500,000
Sandoval / Montezuma		$500,000
Total, Intersection/Signalization Improvements		$6,200,000
Total, All Road Projects		$24,800,000

Source: Planned improvements and costs from City of Santa Fe Long Range Planning Division, November 5, 2013 and April 1, 2014.

Table 81. Planned Park/Trail Improvements, 2014-2020

Project Name	Cost Estimate
Colonia Prisma Park	$50,000
Las Acequias Park Phase 2	$89,000
Los Soleras Park	$7,250,000
Nava Ade Park Development (Phase 2- South Park)	$2,115,000
San Isidro Park	$20,000
Southwest Activity Node (SWAN - Tierra Contenta) Ph 2-4	$18,670,000
Small Parks (new)	$500,000
Play Equipment (new)	$200,000
Neighborhood & Community Park, Subtotal	$28,894,000
Acequia Trail - Underpass at St. Francis/Cerrillos	$3,500,000
Acequia Trail - Otowi Rd. to Harrison Rd.	$535,000
Arroyo Chamiso Trail - Villa Linda Park to Governor Miles Road	$610,000
Cañada Rincon Trail - Calle Mejia to Cam. Francisca/Ave. Rincon	$250,000
Dale Ball Trail Improvements and Extensions	$50,000
La Tierra Trail - Connections to Camino de las Crucitas & Montoyas	$800,000
MRC Trail Improvements and Extension	$225,000
Rail Trail - Pen Road to Alta Vista	$660,000
River Trail & Parkway - St. Francis Drive to Canyon Road	$1,000,000
Tierra Contenta Trail - Buffalo Grass Road to Camino Entrada	$600,000
Trails, Subtotal	$8,230,000
Parks & Trails, Total	$37,124,000

Source: City of Santa Fe Long Range Planning Division, November 15, 2013.

Table 82. Planned Fire/EMS Improvements, 2014-2020

	Building Sq. Feet		Building	Equipment	Total
Improvement	Existing	Proposed	Cost	Cost	Eligible Cost
New Southwest (Agua Fria) Station	0	10,605	$2,520,000	$673,000	$3,193,000
Fire Station No. 5 Remodel*	10,156	15,000	$1,151,050	$0	$1,151,050
New Las Soleras Station	0	10605	$2,520,000	$525,000	$3,045,000
Total	10156	36,210	$6,191,050	$1,198,000	$7,389,050

* Construction cost represents share of expansion only.

Source: City of Santa Fe Fire Department, November 4, 2013 and February 17, 2014.

Table 83. Planned Police Improvements, 2014-2020

Improvement	Cost
Professional Standards-Camino Entrada	$125,000
Police Records	$220,000
Police Main Facility/Evidence Room	$300,000
Total	$645,000

Source: City of Santa Fe Police Department, November 4, 2013 and April 10, 2014.

City of Santa Fe New Mexico
Memorandum

Date: December 3, 2020

To: City of Santa Fe Land Use Department

Via: Carlos Gemora; CIAC Staff Liaison, Senior Land Use Planner

From: Capital Improvements Advisory Committee

RE: Comments Regarding IFCIP, Land Use Assumptions, and Impact Fee Amendments

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ISSUE:
The following summarizes comments (also reflected in meeting minutes) made by the Capital Improvements Advisory Committee (CIAC) regarding proposed amendments to the Impact Fee Capital Improvements Plan (IFCIP), the Land Use Assumptions, and the Impact Fee Ordinance.

COMMENTS:
Recommendation for Approval:
CIAC members reviewed the proposed Resolution and Ordinance and voted unanimously to recommend approval to the Governing Body.

Proposed IFCIP:
The CIAC did not have concerns regarding the inventory and calculation of maximum allowable fees. The CIAC did not have concerns with proposed eligible projects at this time but recognized that the committee and City should discuss prioritization and project selection at a later time. It was noted that it is difficult to identify eligible uses of Fire/EMS and Police fees.

Proposed Land Use Assumptions (Combined with the IFCIP):
Some committee members were concerned that the land use assumptions were too conservative both by assuming that residential growth will decrease over the next few years and also by assuming that Santa Fe will experience between 0.85-1.20% annual population growth. Staff raised growth projections in response to concerns but also noted that the projections were significantly higher than those calculated by UNM. The CIAC did not ask for further changes.

Proposed Assessment of Impact Fees:
The CIAC agreed that fees have not kept up with increasing infrastructure costs and that increased fees may be necessary. Some committee members were concerned that higher impact fees in addition to higher Land Use application fees could present unplanned difficulties for developers. Some CIAC members were concerned that departments were underutilizing collected impact fee funds and urged departments to use funds on needed and identified projects. The CIAC agreed that, in 2021, fees should remain approximately similar to the existing, 2014 fee assessment, that fees could raise over time, and that fees should be re-addressed within the next couple years.

ACTION SHEET
PUBLIC WORKS AND UTILITES COMMITTEE MEETING OF 11/09/2020

ISSUE NO. 8J

Consideration of Bill No. 2020-32: An Ordinance Amending Section 14-6.2 SFCC 1987 to Adopt by Ordinance a Maximum of One Thousand (1000) Short-Term Rental Permits in the City, to Prospectively Limit the Number of Short-Term Rental Permits to One Per Natural Person, to Prospectively Limit the Proximity of Short-Term Rental Units, to Require a Local Operator for Short-Term Rental Units, to Adopt Record-Keeping and Reporting Requirements for Short-Term Rental Unit Owners and Host Platforms, and to Clarify Other Provisions of the Short-Term Rental Ordinance; Amending the Land Use Code Definitions in Section 14-12.1 SFCC 1987 as They Relate to Short-Term Rental Units; and Amending Section 12-2.3 SFCC 1987 to Clarify That a Short-Term Rental Unitis not a Group R-1 Occupancy for Purposes of Fire Inspections. (Mayor Webber, Councilor Lindell, Councilor Romero-Wirth and Councilor Villarreal) (Elias Isaacson, Planning and Land Use Director, esiasaacson@santafenm.gov, 955-6730 and Sally Paez, Assistant City Attorney, sapaez@santafenm.gov, 955-6501)

Committee Review:

Planning Commission: 10/15/20

Quality of Life Committee: 10/21/20
Public Works and Utilities Committee: 10/26/20
Governing Body (request to publish): 10/28/20
Finance Committee: 11/2/20
Public Works and Utilities Committee: 11/9/20
Governing Body (public hearing): 12/9/20

PUBLIC WORKS AND UTILITES COMMITTEE ACTION: Approved with amendments submitted by Sponsors to forward to 12/09/2020

SPECIAL CONDITIONS OR AMENDMENTS:

STAFF FOLLOW UP:

VOTE:	FOR	AGAINST	ABSTAIN
COUNCILOR RIVERA, CHAIR	X		
COUNCILOR GARCIA		X	
COUNCILOR ABEYTA	X		
COUNCILOR LINDELL	X		
COUNCILOR VIGIL COPPLER		X	

ACTION SHEET
ITEM FROM FINANCE COMMITTEE MEETING OF 11/02/20
FOR CITY COUNCIL MEETING OF 11/10/20

a) Consideration of Bill No. 2020-32: An Ordinance Amending Section 14-6.2 SFCC 1987 to Adopt by Ordinance a Maximum of One Thousand (1000) Short-Term Rental Permits in the City, to Prospectively Limit the Number of Short-Term Rental Permits to One Per Natural Person, to Prospectively Limit the Proximity of Short-Term Rental Units, to Require a Local Operator for Short-Term Rental Units, to Adopt Record-Keeping and Reporting Requirements for Short-Term Rental Unit Owners and Host Platforms, and to Clarify Other Provisions of the Short-Term Rental Ordinance; Amending the Land Use Code Definitions in Section 14-12.1 SFCC 1987 as They Relate to Short-Term Rental Units; and Amending Section 12-2.3 SFCC 1987 to Clarify That a Short-Term Rental Unit is not a Group R-1 Occupancy for Purposes of Fire Inspections. (Mayor Webber, Councilor Lindell, Councilor Romero-Wirth and Councilor Villarreal) (Elias Isaacson, Planning and Land Use Director, esiasaacson@santafenm.gov, 955-6730 and Sally Paez, Assistant City Attorney, sapaez@santafenm.gov, 955-6501)

Committee	**Review:**
Planning Commission:	10/15/20
Quality of Life Committee:	10/21/20
Public Works and Utilities Committee:	10/26/20
Governing Body (request to publish):	10/28/20
Finance Committee:	11/2/20
Public Works and Utilities Committee:	11/9/20
Governing Body (public hearing):	12/9/20

FINANCE COMMITTEE ACTION:
Approved on Discussion to move forward with original sponsor amendments.

FUNDING SOURCE:

SPECIAL CONDITIONS OR AMENDMENTS

Direction to staff

VOTE	**FOR**	**AGAINST**	**ABSTAIN**
COUNCILOR ROMERO-WIRTH	x		
COUNCILOR CASSUTT-SANCHEZ	x		
COUNCILOR LINDELL	x		
COUNCILOR VILLARREAL	x		
CHAIRPERSON ABEYTA	x		

ACTION SHEET
PUBLIC WORKS AND UTILITES COMMITTEE MEETING OF 10/26/2020

ISSUE NO. 9E

Consideration of Bill No. 2020-32: An Ordinance Amending Section 14-6.2 SFCC 1987 to Adopt by Ordinance a Maximum of One Thousand (1000) Short-Term Rental Permits in the City, to Prospectively Limit the Number of Short-Term Rental Permits to One Per Natural Person, to Prospectively Limit the Proximity of Short-Term Rental Units, to Require a Local Operator for Short-Term Rental Units, to Adopt Record-Keeping and Reporting Requirements for Short-Term Rental Unit Owners and Host Platforms, and to Clarify Other Provisions of the Short-Term Rental Ordinance; Amending the Land Use Code Definitions in Section 14-12.1 SFCC 1987 as They Relate to Short-Term Rental Units; and Amending Section 12-2.3 SFCC 1987 to Clarify That a Short-Term Rental Unit is not a Group R-1 Occupancy for Purposes of Fire Inspections. (Mayor Webber, Councilor Lindell, Councilor Romero-Wirth and Councilor Villarreal) (Elias Isaacson, Planning and Land Use Director, esiasaacson@santafenm.gov, 955-6730 and Sally Paez, Assistant City Attorney, sapaez@santafenm.gov, 955-6501)

COMMITTEE REVIEW:
Planning Commission 10/15/2020
Quality of Life Committee – 10/26/2020
Governing Body (request to publish) – 10/28/2020
Finance Committee – 11/02/2020
Public Works and Utilities Committee: 11/09/2020
Governing Body: 12/09/2020

PUBLIC WORKS AND UTILITES COMMITTEE ACTION: Pulled by Councilor Garcia. Approved to forward to 11/02/2020 Finance Committee with no Recommendation

SPECIAL CONDITIONS OR AMENDMENTS:
Finance Amendment made for the 11/02/2020 Finance Committee.

STAFF FOLLOW UP:

VOTE:	FOR	AGAINST	ABSTAIN
COUNCILOR RIVERA, CHAIR	X		
COUNCILOR GARCIA	X		
COUNCILOR ABEYTA	X		
COUNCILOR LINDELL	X		
COUNCILOR VIGIL COPPLER	X		

City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909
www.santafenm.gov

Alan Webber, Mayor

Councilors:
Signe I. Lindell, Mayor Pro Tem, District 1
Renee Villarreal, District 1
Michael J. Garcia, District 2
Carol Romero-Wirth, District 2
Roman "Tiger" Abeyta, District 3
Chris Rivera, District 3
Jamie Cassutt-Sanchez, District 4
JoAnne Vigil Coppler, District 4

MEMORANDUM

DATE: October 15, 2020

TO: Planning Commission, Finance Committee, Public Utilities/Public Works Committee, Quality of Life Committee, Governing Body

FROM: Elias Isaacson, Planning & Land Use Director ESI
Sally Paez, Assistant City Attorney SAP

RE: Proposed Legislation - Short-Term Rental Ordinance

Executive Summary:

The proposed legislation would amend the Short-Term Rental Ordinance set forth in the Santa Fe City Code (SFCC) Subsections 14-6.2(A)(5)-(8). Specifically, the legislation would (1) adopt by ordinance a maximum of one thousand (1000) short-term rental permits on residentially zoned property, (2) prospectively limit the number of short-term rental permits to one per natural person, (3) prospectively limit the proximity of short-term rental units, (4) require a local operator for short-term rental units, (5) adopt record-keeping and reporting requirements for short-term rental unit owners and host platforms, and (6) clarify other provisions of the short-term rental ordinance. The legislation would also amend the Land Use Code definitions in SFCC Section 14-12.1 SFCC 1987, as they relate to short-term rental units; and amend SFCC Section 12-2.3 to clarify that a short-term rental unit is not a Group R-1 occupancy for purposes of fire inspections.

Background:

This proposal originally included two separate bills, one amending the Short-Term Rental (STR) Ordinance set forth in SFCC Subsections 14-6.2(A)(5)-(8), and the other amending the Land Use Code Enforcement Ordinance set forth in SFCC Section 14-11.4. The bill sponsors, who include Mayor Webber and Councilors Lindell, Romero-Wirth, and Villarreal, presented the bills as a package aimed at improving the administration and enforcement of the City's STR program.

Amendments to the Land Use Code require a public hearing and recommendation by the Planning Commission (Commission) prior to consideration by the Governing Body. On June 18, 2020, the

Alan Webber, Mayor

Councilors:
Signe I. Lindell, Mayor Pro Tem, District 1
Renee Villarreal, District 1
Michael J. Garcia, District 2
Carol Romero-Wirth, District 2
Roman "Tiger" Abeyta, District 3
Chris Rivera, District 3
Jamie Cassutt-Sanchez, District 4
JoAnne Vigil Coppler, District 4

Commission reviewed both bills at a public hearing but postponed the matter for further review of the proposed amendments and the high volume of public comment received. The Commission provided the Governing Body with a memorandum (attached) that included initial input on both bills.

On June 24, the bill sponsors decided to table the amendments to the STR Ordinance to consider additional revisions based on input received. Amendments to the Land Use Code Enforcement Ordinance, SFCC Section 14-11.4, continued through the committee review process and were adopted by the Governing Body on August 12, 2020 as Ordinance No. 2020-18.

New Proposal to Amend STR Ordinance:

Following the introduction of the original STR legislation, the bill sponsors received input from numerous constituents and stakeholders, as well as the Commission. The sponsors chose to introduce a new version of the bill that incorporates revisions in response to the public input received. Significant changes from the previous draft legislation include the following:

- STR units on non-residentially zoned property, including the Business Capitol District (BCD), would require a registration and would not be subject to permit limitations, including the 1000 permit limit, the one permit/natural person limit, and the limitation on permit transfers.
- STR units on non-residentially zoned property would not be subject to the limitation of one rental within a seven-day period (this existing limitation would continue to apply to STR units on residentially zoned property).
- The proposed proximity limitations have been revised for both residentially zoned property and non-residentially zoned property.
- The Commission's proposed clarifications to the "natural person" provision and the permit transfer provision have been incorporated.
- The local operator requirement has been revised to require that the operator must be accessible by telephone and able to be physically present at the STR unit within one (1) hour of being contacted.
- The provisions addressing fire and safety inspections have been revised.
- The provisions that apply to host platforms have been revised.
- The provisions that "grandfather in" existing permits and registrations have been revised.

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Chris Rivera, District 3
Jamie Cassutt-Sanchez, District 4
JoAnne Vigil Coppler, District 4

Analysis of Criteria for Amendments to the Land Use Code:

Under SFCC Section 14-3.3, "Amendments to Text of Chapter 14," the Land Use Director must provide the Planning Commission with a recommendation regarding proposed amendments to the Land Use Code, including an assessment of whether the amendments meet the six criteria set forth in Section 14-3.3(B). The criteria are set forth below, followed by the Land Use Director's assessment of each.

(1) compliance with law;

The proposed amendments comply with municipal, state, and federal law concerning regulation of STR.

(2) consistency with the general plan;

Although the General Plan does not speak directly to the regulation of STR, the proposed amendments will further many of the themes and policies set forth in the General Plan, including enhancing the quality of life for residents; fostering economic diversity; maintaining Santa Fe's unique personality, sense of place, and character; and preserving a community-oriented downtown.

(3) consistency with other policies adopted by the governing body;

The policy objectives behind the proposed amendments are consistent with other policies adopted by the Governing Body and are described in the "purpose and intent" section of the draft legislation.

(4) consistency with the purpose and intent of Chapter 14 and of the section being amended;

The proposed amendments are consistent with the general purposes of the Land Use Code, as set forth in SFCC Section 14-1.3, because they are intended to promote the health, safety, order, convenience, prosperity, and general welfare of the residents of Santa Fe.

(5) consideration of how the amendment relates to other provisions of the Santa Fe City Code and the avoidance of unintended consequences; and

The proposed amendments to the STR Ordinance are intended to work in concert with recent amendments to the Land Use Code Enforcement Ordinance, SFCC Section 14-11.4, and with other provisions of the SFCC, including those that govern business licenses and lodgers' tax.

(6) consistency with any approved neighborhood conservation overlay districts.

The amendments are consistent with the regulations that apply in the City's overlay districts.

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JoAnne Vigil Coppler, District 4

Recommendation:

Staff recommends that the Commission make a positive recommendation to the Governing Body concerning the proposed legislation and that the Governing Body adopt the proposed legislation.

Attachments:

1. Proposed Legislation (2nd Draft STR Bill)
2. FIR
3. Previous Draft Legislation (1st Draft STR Bill), Considered by Planning Commission June 18, 2020
4. Planning Commission Meeting Minutes from June 18, 2020
5. Memo from Planning Commission dated June 24, 2020
6. Summary of Public Comments Received on 1st Draft STR Bill
7. Written Comments Received on 1st Draft STR Bill

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2020-32

INTRODUCED BY:

Mayor Alan Webber

Councilor Signe I. Lindell

Councilor Carol Romero-Wirth

Councilor Renee Villarreal

AN ORDINANCE

AMENDING SECTION 14-6.2 SFCC 1987 TO ADOPT BY ORDINANCE A MAXIMUM OF ONE THOUSAND (1000) SHORT-TERM RENTAL PERMITS IN THE CITY, TO PROSPECTIVELY LIMIT THE NUMBER OF SHORT-TERM RENTAL PERMITS TO ONE PER NATURAL PERSON, TO PROSPECTIVELY LIMIT THE PROXIMITY OF SHORT-TERM RENTAL UNITS, TO REQUIRE A LOCAL OPERATOR FOR SHORT-TERM RENTAL UNITS, TO ADOPT RECORD-KEEPING AND REPORTING REQUIREMENTS FOR SHORT-TERM RENTAL UNIT OWNERS AND HOST PLATFORMS, AND TO CLARIFY OTHER PROVISIONS OF THE SHORT-TERM RENTAL ORDINANCE; AMENDING THE LAND USE CODE DEFINITIONS IN SECTION 14-12.1 SFCC 1987 AS THEY RELEATE TO SHORT-TERM RENTAL UNITS; AND AMENDING SECTION 12-2.3 SFCC 1987 TO CLARIFY THAT A SHORT-TERM RENTAL UNIT IS NOT A GROUP R-1 OCCUPANCY FOR PURPOSES OF FIRE INSPECTIONS.

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

Section 1. Subsection 14-6.2(A)(5) of SFCC 1987 (being Ord. No. 2011-37 § 8, as amended) is amended to read:

14-6.2 USE-SPECIFIC STANDARDS

(A) Residential Uses

(1) Continuing Care Community

(a) Density

Independent *dwelling units* are subject to the *density* standards of the district in which the *continuing care community* is located.

(b) Compliance with state and federal law

Continuing care communities must comply with all applicable *state* and federal laws and regulations.

(2) Mobile Home, Permanent Installation

In any district in which permanent single-*family* occupancy of a *mobile home* on an individual *lot* is allowed as a special use *permit* by the board of adjustment, the following minimum standards apply:

(a) the *mobile home* shall be anchored to a concrete foundation and skirted as specified by the *land use director*;

(b) the rental or lease of *mobile homes* used as single-*family* residences on individual *lots* is prohibited; and

(c) minimum requirements for *lot* size, *front*, *side* and *rear yards*, and all other standards pertaining to single-*family residential* land use set forth in Chapter 14 apply.

(3) Mobile Home Park

(a) Applicability

New *mobile home parks* are prohibited as of December 10,

2012 (effective date of this Ordinance No. 2012-37). In a district in which *mobile home parks* are allowed, the minimum standards set out in this section apply.

(b) License

Prior to beginning operation, a *mobile home park* owner or operator must obtain a business license from the *city* under the provisions of Article 18-1 SFCC 1987.

(c) Inspection

The *city* may inspect a *mobile home park* for conformance with the provisions of this section.

(d) Transfer of License

The *city* may issue a transfer of the license only after the following:

(i) *application* in writing for transfer of a license and payment of the transfer;

(ii) an inspection report by the *land use director* has been submitted to the *governing body*, stating conformance or nonconformance with the provisions of this section;

(iii) approval by the *governing body*.

(e) Revocation of License

The *governing body* may revoke a license to maintain and operate a *mobile home park* , as provided in Article 18-1 SFCC 1987 when the *licensee* has violated any provision of this section.

(f) Posting

The license certificate shall be conspicuously posted in the

office of or on the *premises* of the *mobile home park* at all times.

(g) Standards

Mobile home parks shall comply with the standards set forth in Subsection 14-7.2(1).

(4) Manufactured Homes

Manufactured homes:

(a) are permitted in any district in which site-built, *single-family dwellings* are allowed;

(b) shall meet all requirements of other site-built, *single-family dwellings* in the same district and all applicable historic or aesthetic standards set forth in Chapter 14; and

(c) shall be constructed according to the Manufactured Home Construction and Safety Standards, 24 CFR Section 3280.

(5) Short-Term Rental [~~of Dwelling~~] Units [~~- Residentially Zoned Property~~]

(a) [~~Dwelling Units~~] Purpose and Intent

[~~Dwelling units located on residentially zoned property may not be rented for less than thirty days except as set forth in this Subsection 14-6.2(A)(5) are allowed.~~] This section shall be known as the *Short-Term Rental Unit* Ordinance. The purposes of the *Short-Term Rental Unit* Ordinance are the following:

(i) to ensure that the operation of *short-term rental units* does not disrupt the character of the *city*'s residential neighborhoods or affect the quality of life of neighboring residents;

(ii) to prevent speculators from purchasing multiple homes for the purpose of operating multiple *short-term rental units*, thereby reducing

the availability of long-term housing;

(iii) to allow residents who comply with the *city*'s *short-term rental unit* regulations the option of utilizing their homes and *accessory dwelling units* as *short-term rental units* to create wealth and generate supplemental income;

(iv) to minimize public safety risks associated with s*hort-term rental units*, such as higher traffic levels, parking issues, noise, litter, and other public nuisances; and

(v) to ensure that an *owner* or *operator* of a *short-term rental unit* follows applicable regulations, including the payment of all applicable fees and taxes.

(b) Short-Term Rental [~~Units~~] *Permit* or Registration Required

[~~Short-term rental units are prohibited on residentially zoned property except as provided in this Subsection 14-6.2(A)(5)(b).~~

~~(i) Short-term rental units that are operated in compliance with Subsection 14-6.3(D)(1) (Accessory Dwelling Units) and in compliance with this Subsection 14-6.2(A)(5) are allowed.~~

~~(ii) Short-term rental units located in a development containing resort facilities approved pursuant to a special use permit which are owned in common by the owners within the development, are allowed. As used in this item, "resort facility" means any combination of swimming pools, spa facilities, golf courses, restaurants and tennis facilities.~~

~~(iii) The land use director may issue rental permits in a quantity approved by the governing body through adoption, after a public hearing, of a resolution for residential units not otherwise qualifying for permits under Items (i) and (ii) above. Dwelling units on non-residentially zoned property pursuant to §14-6.2(A)(6) and §14-6.2(A)(7) are not~~

~~subject to the permit limit imposed by this subsection.~~

~~(iv) Whenever the demand for short-term rental units exceeds the number permitted in accordance with Subsection 14-6.2(A)(5)(b)(iii) above, the number of additional permits may be increased by the governing body through adoption of a resolution and issued by the land use director. New permits shall be issued in the order that eligible applications are received.~~]

(i) An *owner* of a *short-term rental unit* must have a *city*-issued business license and either a short-term rental *permit* or a short-term rental registration, as set forth in subsections 14-6.2(A)(5)(c) and (d).

(ii) An *owner* or *operator* shall not operate, rent, offer to rent, or advertise a *short-term rental unit* without a valid *permit* or registration.

(iii) A *city*-issued *permit* or registration number must be included in all advertising of a *short-term rental unit*, including listings on a *host platform*.

(c) *Permit*; *Residentially Zoned Property*.

(i) *Permit*. A *short-term rental unit* on *residentially zoned property* requires a *city*-issued *permit*.

(ii) One thousand (1000)-*Permit* Limit. The *land use director* shall issue a maximum of one thousand (1000) short-term rental *permits*. The land use department shall process *applications* in the order of receipt and shall issue new *permits* in the order that complete *applications* are received. If the number of *permits* reaches the one thousand (1000)-*permit* limit, then the land use department shall stop processing *applications* and shall add *applicants* to a waiting list until a *permit* becomes available. If an *applicant* waits on the list for a year or longer, the *land use director* may require the *applicant* to indicate a continued interest in remaining on the list.

(iii) One (1) *Permit* per Natural Person Limit. The *land use*

director shall issue *permits* to *natural persons* only, and each *natural person* may possess a maximum of one (1) *permit*. If the subject *property* is owned by a legal or business entity, the *permit* must be held in the name of a person with legal authority to act on behalf of that entity. The fact that a *permit* must be issued to a *natural person* does not mean that the *property* cannot be titled in such entities as a revocable trust, an LLC, or a corporation. The *land use director* shall not issue *permits* to *dwelling units* that are comprised of multiple, time-divided ownership interests, provided, however, that certain *dwelling units* may be eligible to maintain short-term rental registrations, as set forth in subsection 14-6.2(A)(6)(b).

(iv) *Permit* Not Transferrable. A *permit* is not transferable to another person or *property*. Upon the transfer of ownership of a *short-term rental unit*, the short-term rental *permit* shall terminate and revert to the land use department. If the new *owner* wishes to use the *property* as a *short-term rental unit*, the *owner* shall submit a new *application* to the land use department. A transfer that does not result in new ownership of the *property*, such as a transfer to the owner's revocable trust for estate planning purposes or a transfer to an LLC where there is no change in the ownership interest in the *property*, does not constitute a transfer for purposes of this subparagraph.

(v) Frequency of Rental. A permitted *short-term rental unit* shall not be rented more than once within a seven (7)-day period.

(vi) Proximity. Subject to the exceptions listed below, the *land use director* shall not issue a new *permit* for a *short-term rental unit* if the subject *property*, as identified in the *application*, is located within a fifty (50)-foot radius of a *residentially zoned property* that has a permitted *short-term rental unit*. The radius shall be measured from the subject *property* boundary. This limitation shall not apply to the following:

(A) an *application* for a *short-term rental unit* that complies with the requirements set forth in the *accessory dwelling unit* ordinance, subsection 14-

6.3(D)(1);

(B) an *application* for a *short-term rental unit* in a *multiple-family dwelling development* that contains that contains four (4) or more *dwelling units*, provided, however, that the *land use director* shall not issue short-term rental *permits* for more than twenty-five (25%) of such *dwelling units*, rounded down to the nearest whole number, and shall not issue more than twelve (12) short-term rental *permits* within a single building within a *multiple-family dwelling development.*

(d) Registration; Non-*Residentially Zoned Property*.

(i) Registration. A *short-term rental unit* on non-*residentially zoned property* requires a *city*-issued registration.

(ii) Proximity.

(A) If a *multiple-family dwelling development* located within two-hundred (200) feet of *residentially zoned property* contains four (4) or more *dwelling units*, the *land use director* shall not issue short-term rental registrations for more than twenty-five (25%) of such *dwelling units*, rounded down to the nearest whole number.

(B) The *land use director* shall not issue more than twelve (12) short-term rental registrations within a single building within a *multiple-family dwelling development.*

[~~(c)~~](e) General Provisions

Unless otherwise stated, the following general provisions apply to all short-term rental units[~~:~~].

[~~(i) no more than one rental is allowed within a seven consecutive day period;~~

~~(ii) short-term rental permits will not be issued for more than two short-term rentals units directly adjoining each other on a residentially zoned street. For~~

~~the purposes of this subsection, "directly adjoining" means sharing a common boundary along a public street frontage, but does not include adjoining units in a condominium, townhouse development, in an apartment complex, or residential compound;~~]

(i) A *short-term rental unit* must have a local *operator* that is available twenty-four (24) hours per day, seven (7) days per week, to respond to complaints regarding the operation or occupancy of the *short-term rental unit*. The *operator* must be accessible by telephone and able to be physically present at the *short-term rental unit* within one (1) hour of being contacted.

[~~(iii)~~](ii) An *owner* of a *short-term rental unit* shall provide *off-street parking* [~~shall be provided~~] on site as follows: [~~1)~~]

(A) one (1) bedroom, one (1) parking space; and [~~2)~~]

(B) two (2) or more bedrooms[~~;~~], two (2) parking spaces[~~;~~].

[~~(iv)~~](iii) A *short-term rental unit* must meet all applicable building, [~~and~~] fire, [~~life~~]and safety codes, [~~shall be met~~] and all toilets, faucets, and shower heads [~~shall~~]must meet the water conservation requirements described in Section 25-2.6 SFCC 1987[~~;~~].

(iv) Prior to issuance of a *permit* or registration, a *short-term rental unit* must have a *certificate of occupancy* to ensure compliance with all applicable codes.

(v) At or before the time of *application* for a *permit* or registration, the *owner* of a *short-term rental unit* must also apply for and obtain a business license under Section 18-1 SFCC 1987.

[~~(v)~~](vi) [~~occupants~~]An *owner* or *operator* shall not allow *guests* [~~shall not~~]to park recreational vehicles on site or on the street[~~;~~].

[~~(vi)~~](vii) [~~short-term~~] *Short-term rental units* located on *residentially zoned property* shall be used exclusively for residential purposes and shall not be

used for commercial activities or events, defined as intending to make money, offering goods or services for sale, or conducting any other event or activity that is not residential in nature. An activity "not residential in nature" includes gatherings in excess of [~~three (3)~~] two (2) times the number of legally allowed [~~occupants~~] ***guests*** in the *short-term rental unit* [~~(including occupants)~~], unless the activity or event is otherwise permitted by the *city*[~~;~~].

[~~(vii)~~](viii) [~~the~~]The total number of [~~persons~~]***guests*** that may occupy [~~the~~]a *short-term rental unit* is twice the number of bedrooms[~~;~~].

[~~(viii)~~](ix) [~~noise~~]Noise or other disturbance [~~outside the~~]emitted from a *short-term rental unit* is prohibited after 10:00 p.m., including noise or disturbances emitted from decks, portals, porches, balconies, or patios[~~;~~].

[~~(ix)~~](x) [~~all occupants shall be informed~~]The *owner* or *operator* of a short-term rental unit shall notify all guests in writing of relevant *city* ordinances, including the *city*'s nuisance and water conservation ordinances[~~, by the owner/operator of the short-term rental unit~~]. All [~~occupants~~]***guests*** shall comply with all relevant *city* ordinances [~~and comply with all provisions of the lodger's tax ordinance;~~].

[~~(x)~~](xi) [~~the~~]The *owner*[~~/operator~~] shall pay all applicable local, state, and federal taxes, including lodgers' tax, gross receipts tax, and income tax[~~es;~~].

~~[(xi) should the owner/operator fail to pay all applicable taxes, the owner/operator shall be subject to penalties pursuant to Subsection 14-6.2(A)(5)(f).~~

~~(xii) the *owner*/operator shall make available to the *city* for its inspection all records relating to the operation of the short-term rental unit to determine compliance with this Subsection 14-6.2(A)(5); and~~

~~(xiii) the *owner* shall maintain adequate short-term rental insurance coverage for the *short-term rental unit*. Proof of insurance shall be required at the time the *permit* is issued and such other times as requested by the *land use director*.~~

~~(xiv) upon the transfer of ownership of a *short-term rental unit*, the short-term rental *permit* shall terminate and revert to the land use department. If the new *owner* wishes to use the property as a *short-term rental unit*, new *application* shall be submitted to the land use department.~~]

[~~(d)~~](f) [~~*Applications*~~] *Application* for a Short-Term Rental *Permit* or Registration

[~~Unless otherwise stated, an~~]An *applicant* shall submit an *application* for a short-term rental *permit* or registration[~~shall be submitted to the city as follows~~] that includes the following information and documentation:

(i) [~~the application shall include~~]the name and phone number of the local [~~owner/~~]operator[~~ who is available twenty-four hours per day, seven days per week to respond to complaints regarding the operation or occupancy of the *short-term rental unit* as well as the name and phone number of city staff responsible for enforcing this section~~];

(ii) [~~the application shall include~~]a statement signed by the [~~owner/operator~~] *owner* and *operator*, affirming that they will operate the *short-term rental unit* [~~shall be operated~~] in compliance with this subsection 14-6.2(A)(5) and all other applicable laws, *city* codes, and private covenants; and that no private covenants prohibit the operation of the *short-term rental unit*[~~ is in compliance with any applicable private covenants, including those that prohibit the presence of *short-term rental*~~]; and

(iii) additional information, documentation, and submittals as required by the *land use director*.

[~~(iii) all applicants must submit proof of all required inspections with their initial application. Renewal applications for the same property may submit proof of all required inspections in the form of a statement attesting to compliance with all applicable fire, health, and safety requirements. The city shall perform random inspections to ensure compliance with this~~

~~Subsection 14-6.2(A)(5).~~

~~(iv) prior to issuance of a permit, a certificate of occupancy is required to ensure compliance with this paragraph and all applicable codes;~~

~~(v) the permit is not transferable to another person or property;~~

~~(vi) within ten days of the issuance of the permit, the owner/operator shall mail notice by first class mail, with certificate of mailing, to the homeowners association (if applicable), and to the owners of properties within two hundred (200) feet of the subject property, exclusive of rights of way, as shown in the records of the county assessor, and by first class mail to the physical addresses of such properties where such address is different than the address of the owner and to the land use department. Notice shall be on a form approved by the land use director, and shall contain the name and phone number of the owner and operator who will be available twenty-four hours per day, seven days per week to respond to complaints regarding the operation or occupancy of the short-term rental as well as the name and phone number of city staff responsible for enforcing this paragraph. Copies of all required mailing lists and mailing certificates shall be provided to the land use director within ten days of the mailing. Failure to provide notification as described in this subsection is subject to penalties and prosecution pursuant to Subsection 14-6.2(A)(5)(f);~~

~~(vii) each application shall be accompanied by a fee of one hundred dollars ($100) to cover *application* processing and inspections. This application fee is non-refundable.~~

~~(viii) The annual permit fee schedule is as follows:~~

[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]

Table 14-6.1-1 Annual Permit and Registration Fees*		
Short-term Rental Type	**Permit Fee per Unit**	**Registration Fee per Unit**
§ 14-6.2A(5)(b)(i) Accessory Dwelling Units	$325.00	
§ 14-6.2A(5)(b)(ii) Resort Units		$100.00
§ 14-6.2A(5)(b)(iii) Residential Units	$325.00	
§14-6.2A(6) Non-Residential Districts and § 14-6.2A(7) Commercial Districts		$100.00
Initial Application and Processing Fee (one-time)	$100.00	
*The annual permit fee shall not be prorated for a portion of the year.		

(ix) The annual fee includes the city's business registration fee and fees for inspections related to issuance of the short-term rental permit. Revenue from fees imposed pursuant to this paragraph shall be used only to administer, manage, and enforce this section.

(x) If payment of a permit fee was in excess of that for which a person was liable, the person may claim a refund by directing to the city finance director a written claim for refund no later than one year from the date payment was made. Every claim for refund shall state the amount and basis for the claim. The city finance director may allow the claim in whole or in part or may deny it. If the claim is not allowed in whole, the person may appeal the decision pursuant to Section 14-3.17.

(xi) Unless revoked as set forth in Subsection 14-6.2(A)(5)(f), a permit holder may renew the permit annually. If not renewed by March 15 of each year, the owner/operator may pay a late fee of fifty dollars ($50) to extend the time for filing to renew to April 15. An owner of an expired permit may submit a new application for a short-term rental

~~permit to the land use director in accordance with Subsection 14-6.2(A)(5)(b)(iv) subject to availability of permits.~~

~~(xii) A valid permit number shall be included in all advertising of the short-term rental, including listings on web-based rental sites.~~]

(g) *Permit* and Registration Renewals

(i) Unless revoked pursuant to section 14-11.4, an *owner* may renew a short-term rental *permit* or registration annually.

(ii) An *application* for renewal of a *permit* or registration shall include the records required by subparagraph 14-6.2(A)(5)(k) for the previous one (1) year.

(iii) An owner must renew a short-term rental *permit* or registration and the associated business license by March 15 of each year. If a *permit* or registration is not renewed by March 15, the owner may pay a late fee of fifty dollars ($50) to extend the time for filing to renew to April 15. If a *permit* is not renewed by its expiration date, including any thirty (30) day extension, then the *permit* will revert to the land use department and will become available to the next eligible *applicant* on the waiting list, if any. An *owner* whose *permit* or registration has expired may submit a new *application* for a short-term rental *permit* or registration to the *land use director*. Issuance of a new permit is subject to the availability of *permits*.

(h) Fees for *Short-term Rental Units*

The following fees shall be used only to administer, manage, and enforce this subsection 14-6.2(A)(5) and relevant sections of Chapter 18 SFCC 1987, which address applicable licenses and taxes.

(i) *Application* fee. An *application* for a new short-term rental *permit* shall be accompanied by a one-time non-refundable *application*, processing, and inspection fee of one hundred dollars ($100).

(ii) Business license fee. A *short-term rental unit* is subject to an annual business license fee of thirty-five dollars ($35).

(iii) *Permit* fee. A *short-term rental unit* on *residentially zoned property* is subject to an annual *permit* fee of two hundred and ninety dollars ($290).

(iv) Registration fee. A *short-term rental unit* on non-*residentially zoned property* is subject to an annual registration fee of two hundred and ninety dollars ($290).

(i) Inspections

The *city* shall perform an inspection prior to the issuance of an initial *permit* or registration to ensure compliance with subsection 14-6.2(A)(5) and all applicable fire, health, and safety requirements; and may, upon notice to the *owner*, perform additional inspections as warranted. To obtain a short-term rental *permit* or registration, a *dwelling unit* must meet the following requirements:

(i) fire evacuation plan;

(ii) carbon monoxide detection;

(iii) smoke alarms in all bedrooms;

(iv) fire extinguishers on each floor;

(v) no storage of combustible materials in mechanical, boiler, or electrical rooms;

(vi) fireplace or wood stove must have non-combustible ash receptacle outside the *dwelling unit*; and

(vii) address numerals must be at least four (4) inches tall, with one-half inch stroke width, in contrasting color, visible from the street.

(j) Required Notice for Short-term Rental *Permits*

(i) Within ten (10) days after the issuance or renewal of a short-term rental *permit*, the *owner* or *operator* shall mail notices by first-class mail to the homeowners

association within which the unit is located (if applicable); to the *owners* of *residentially zoned property* within two hundred (200) feet of the subject *property*, exclusive of rights of way, as shown in the records of the county assessor; to the physical addresses of such properties where such address is different than the address of the *owner*; and to the land use department.

(ii) The notices shall be on a form approved by the *land use director*.

(iii) The notices shall contain the name and phone number of the local *operator*. Within ten (10) days after any change in the contact information for the local *operator*, the *owner* or *operator* shall mail a new notice to all parties entitled to notice.

(iv) Within ten (10) days of the mailing, the *owner* or *operator* shall provide the *land use director* with copies of all required mailing lists and an affidavit of mailing signed by the person who mailed the notices.

(k) Records

Each *owner* or *operator* shall maintain records for the *owner's short-term rental unit* for at least the most recent three (3) years for the *owner's short-term rental unit* or units and shall make such records available to the *city* for inspection upon request. The records that must be maintained for each *short-term rental unit* include the following:

(i) For a *short-term rental unit* located on *residentially zoned property*, the starting date of each reservation and the number of nights rented for each reservation;

(ii) For all *short-term rental units*, the amount of rent guests paid by month; and

(iii) For all *short-term rental units*, the amount of each type of tax and fee the owner paid to the *city* in connection with rental of the unit by month.

[~~(e)~~](l) Violations and Penalties

[~~(i) The land use director shall document all alleged violations of this~~

~~paragraph and shall pursue enforcement through the municipal court as set forth in Article 1-3 SFCC 1987 or in another appropriate court of law. The city shall give the owner a written notice of violation, which shall be mailed either to the owner's local or business address or agent's address, informing the owner of the violation. If corrective action is not completed within fifteen (15) days of the date of the letter, the city may file a criminal complaint in municipal court. Upon conviction of a first violation, the land use director shall revoke the permit and operation of the short-term rental shall cease within thirty days.~~

~~(ii) An owner who offers for rent as a short-term rental a dwelling unit that is not permitted for use as a short-term rental is in violation of this paragraph and is subject to penalties, property liens and/or prosecution pursuant to subsection 14-2(A)(5)(f).(iii)An agent who knowingly assists an owner in advertising or renting a dwelling unit as a short-term rental unit that is not permitted under this subsection 14-6.2(A)(5) is subject to penalties and prosecution, and the agent's business license is subject to revocation.~~]

If an *owner* or *operator* fails to obtain the necessary *permit* or registration before renting, offering to rent, or advertising a short-term rental unit; fails to pay or report applicable taxes; or otherwise fails to adhere to the provisions of subsection 14-6.2(A)(5), the *owner* or *operator* shall be subject to the enforcement provisions set forth in Sections 1.3 and 14-11 SFCC 1987 and all other legal remedies and enforcement actions available under the law. These may include civil or criminal penalties or revocation of a short-term rental *permit* or registration.

[~~(f) Penalties~~

~~(i) Any owner who fails to report all applicable taxes, including gross receipts tax and lodger's tax, shall be subject to any and all remedies under the short-term rental ordinance and any other applicable city, county, state, or federal law or statute. Such owner shall also be subject to revocation of their short-term rental permit pursuant to Subsection 14-~~

~~6.2(A)(5)(e)(i).~~

~~(ii) If an owner is found guilty of operating a short-term rental without a valid permit, they shall be fined five hundred dollars ($500). The city may ask the municipal court to treat each day after the initial written notice of violation as a separate violation and assess two hundred fifty dollars ($250) for each day of such daily violations for a total cumulative fine amount. If the city is awarded money as part of a judgment following a court hearing and defendant does not make timely payments to the city, the city may bring an action in lien or equity for the collection of any amounts due.~~]

[~~(g)~~](m) Restrictive Covenants

Private restrictive covenants, enforceable by those governed by the covenants, may prohibit *short-term rental units*.

[~~(h)~~](n) Real Estate Disclosure

A [~~Real~~] real estate [~~brokers~~] broker listing [~~residential~~] *property* in Santa Fe shall provide prospective buyers with a current copy of this ordinance.

(o) Host Platforms.

(i) A *host platform* shall require an *owner* or *operator* of a *short-term rental unit* to include a *city*-issued *permit* or registration number in all listings or advertisements for a *short-term rental unit*.

(ii) Upon notice from the *city* that a *permit* or registration number on a *short-term rental unit* listing is invalid, the host platform shall deactivate that listing within five (5) business days.

(iii) A *host platform* shall provide a monthly report to the *city* that includes the web address (URL) for each *property* listed on the *host platform*, together with the *permit* or registration number associated with that URL.

[~~(i) The land use director shall establish administrative procedures necessary~~

~~to implement, manage and enforce this paragraph.~~

~~(6) Short-term Rental of Dwelling Units - Non-residentially Zoned Property~~

~~Short-term rental of dwelling units on non- residentially zoned property is permitted as set forth in Table 14-6.1-1, must be registered; are subject to a one-time one hundred dollar ($100) application, inspection and processing fee; and must comply with submission requirements and report all applicable taxes.~~]

(6) Existing Short-Term Rental *Permits* and Registrations

(a) Short-term rental *permits* and registrations held at the time the ordinance amending subsection 14-6.2(A) SFCC 1987 (Ordinance No. 2020-__) is adopted remain valid and are not subject to the limitations on proximity set forth in subsection 14-6.2(A)(5)(c) or (d) or the limit of one *permit* per natural person set forth in subsection 14-6.2(A)(5)(c)((iii). The *owner* does not need to renew those *permits* or registrations until they expire. Upon expiration, and in subsequent years, the *owner* is eligible to timely renew the *permits* or registrations pursuant to subsection 14-6.2(A)(5)(i), subject to compliance with applicable requirements of subsection 14-6.2(A)(5) and payment of required fees.

(b) A *short-term rental unit* that is validly permitted or registered at the time the ordinance amending subsection 14-6.2(A) SFCC 1987 (Ordinance No. 2020-__) is adopted and that either is located within a *development containing resort facilities* or is comprised of multiple, time-divided ownership interests may continue to operate as a *short-term rental unit* as provided in this subparagraph. Such units are not subject to the limitations on proximity set forth in subsection 14-6.2(A)(5)(c) or (d) or the limit of one (1) *permit* per natural person set forth in subsection 14-6.2(A)(5)(c)((iii). Upon expiration of the existing *permit* or registration and in subsequent years, the *owner* is eligible to timely file a renewal *application* and to obtain a short-term rental registration for the following year. Eligible units shall be issued a short-term rental registration, not a *permit*, regardless of whether the unit is located on residentially or non-

residentially zoned property, subject to ongoing compliance with applicable requirements of subsection 14-6.2(A)(5) and payment of applicable fees.

(7) *Dwelling Units* in Specified Commercial Districts

In the C-2 and SC Districts, *dwelling units* do not include mobile homes or recreational vehicles and shall be [~~either~~] one of the following:

(a) *accessory dwelling units* for occupancy only by *owners*, employees, or tenants of nonresidential uses that are operated on the same premises;

(b) part of a planned development; [~~or~~]

(c) part of a use for which a development plan or special use *permit* is required; or

(d) part of a qualifying residential project within the Midtown LINC Overlay District.

[~~(8) Effective Date~~

~~The provisions of Subsection 14-6.2(A)(5) of the Land Development Code shall go into effect immediately upon approval of the Governing Body. A ninety (90) day grace period shall be given for effected units to obtain a valid permit. Short-term rental unit owners who possess a valid short-term rental permit at the time this ordinance (Ordinance 2016-20) is adopted shall be considered to possess a valid permit under the new regulations and shall not need to renew their permit until the following year. Short-term rental unit owners who possess a valid short-term permit for a contiguous property issued prior to this ordinance (Ordinance 2016-20) being adopted shall be deemed as a "residential" permit holder upon the adoption of the ordinance and shall renew their permit as a "residential" permit in following years.~~]

Section 2. Section 14-12.1 of SFCC 1987 (being Ord. No. 2011-37, § 15 as amended) is amended to add and amend the following definitions:

14-12.1 DEFINITIONS

DEVELOPMENT CONTAINING RESORT FACILITIES, SHORT-TERM RENTAL

A *development* in which the *owners* own two (2) or more of the following facilities in common and have obtained a special use *permit* for operation of those facilities: swimming pools, spa facilities, golf courses, restaurants, or tennis facilities.

GUEST, SHORT-TERM RENTAL

Any person who rents a *short-term rental unit* or occupies a *short-term rental unit* during a rental period.

HOST PLATFORM, SHORT-TERM RENTAL

An internet website, a mobile application, or any other forum used to connect a short-term rental *owner* or *operator* with guests and to facilitate the booking of a *short-term rental unit*.

NATURAL PERSON

An individual human being, as opposed to an organization of any form or a business entity.

OPERATOR, SHORT-TERM RENTAL

A person who, with or without a short-term rental *permit* or registration, rents or offers to rent a *short-term rental unit* to guests.

SHORT-TERM RENTAL UNIT

A *dwelling unit* or *accessory dwelling unit*, or any portion of a *dwelling unit* or *accessory dwelling unit*, that is offered for rent or rented for a period of less than thirty (30) days.

Section 3. Section 12-2.3 of SFCC 1987 (being Ord. No. 2004-53, §§ 6, 7 as amended) is amended as follows:

12-2.3 Annual fire inspections.

The following types of occupancies, as defined by the International Building Code, shall require an annual inspection by the fire department for compliance with the fire code of the *city* of Santa Fe.

A. Group A-1 occupancies (assembly occupancies including, but not limited to, motion picture theaters, and symphony and concert halls, theaters);

B. Group A-2 occupancies (assembly occupancies including, but not limited to, banquet halls, night clubs, restaurants, taverns, and bars);

C. Group E occupancies (occupancies for educational purposes);

D. Group M occupancies, or greater, (mercantile occupancies including, but not limited to, department stores, drug stores, markets, motor fuel-dispensing facilities, retail or wholesale stores, sales rooms); and

E. Group R-1 occupancies (residential occupancies where the occupants are primarily transient in nature including, but not limited to, [~~short-term rental units,~~] boarding houses, hotels, and motels).

APPROVED AS TO FORM:

ERIN K. McSHERRY, CITY ATTORNEY

Legislation/2020/Bills/Short-Term Rental Changes

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO BILL NO. 2020-32
Short-Term Rental Changes

Mayor and Members of the City Council:

I propose the following amendment(s) to Bill No. 2020-32:

1. On page 1, line 21 ***strike*** "**AND**".
2. On page 1, line 23, before the period ***insert*** "**; AND AMENDING SECTION 18-10.4 SFCC 1987 TO DEDICATE A PORTION OF THE MUNICIPAL GROSS RECEIPTS TAX GENERATED FROM THE RENTAL OF SHORT-TERM RENTAL UNITS TO THE AFFORDABLE HOUSING TRUST FUND".**
3. On page 10, line 17, after the period ***insert*** the following new sentence: "Beginning July 1, 2021, as provided in Section 18-10.4 SFCC 1987, a portion of the gross receipts taxes generated from the rental of short-term rental units within the City of Santa Fe shall be deposited into the affordable housing trust fund, as defined in Section 26.3 SFCC 1987."
4. On page 22, line 12, ***insert*** the following new Section:

"**Section 4. Section 18-10.4 of SFCC 1987 (being Ord. No. XXXX-XX, as amended) is amended to read:**

18-10.4 Dedication.

Revenue from the one and one-half percent (1.5%) municipal gross receipts tax will be used for the purpose(s) listed below:

A. Revenue from the first two (2) one-quarter percent (¼%) increments of the municipal gross receipts tax is dedicated for the following purposes:

(1) Annual debt service for municipal gross receipts tax revenue bonds or other bonds for municipal projects issued for the construction, reconstruction, improvements and replacement of city facilities, parks, streets, sidewalks, utilities, and other public works projects including the related equipment and furnishings for the facilities.

(2) If there are proceeds remaining they may be used for:

(a) Construction, reconstruction, improvements, replacement, facility structural maintenance and repair, including related equipment and furnishings for the facilities.

(b) Operating expenditures necessitated by the expansion of services and facilities to the public.

(c) Personnel, operating, contractual, accounting, administration, equipment, vehicles and other costs related to the city's capital improvements program and operations of public works department.

(d) Computer hardware and software.

B. Revenue from the third and fourth one-quarter percent (¼%) increments of the municipal gross receipts tax is dedicated to the general fund, except as limited in Paragraph (E) below.

C. Revenue from the fifth one-quarter percent (¼%) increment of the municipal gross receipts tax is dedicated to the public bus system and quality of life purposes in the following manner:

(1) Finance the acquisition, operation, maintenance and any other expenses necessary for or incidental to the provision of a public bus system. In the event that the public bus system is ever discontinued, the funds allocated pursuant to this paragraph shall be used for general municipal operations and the discontinuance of the

public bus system shall not affect the allocations set out in paragraph (2) below. The governing body shall not discontinue the public bus system until the notice and hearing requirements of subsections 2-2.3A, 2-2.3B, 2-2.4A, 2-2.4D, and 2-2.6 SFCC 1987 have been met.

(2) After satisfying the distribution provided for in paragraph C(1), the remaining proceeds of the gross receipts tax shall be allocated exclusively for the following quality of life purposes: recreational facilities, bike and pedestrian pathways - with a priority given to pathways that connect with bus stops - libraries, and parks. Allocations for these quality of life purposes shall not exceed eleven percent (11%) of the total amount received from the fifth one-quarter percent (¼%) increment of the gross receipts tax, except that any amount unspent for quality of life purposes shall be used for general municipal operations.

D. [~~Dedication.~~] Revenue from the sixth one-quarter percent (¼%) of the municipal gross receipts tax is dedicated to the general fund of the municipality, except as limited in Paragraph (E) below.

(E) Beginning July 1, 2021, the amount of municipal gross receipts tax estimated to be generated from the rental of short-term rental units within the city of Santa Fe, which would have been dedicated to the general fund pursuant to Paragraphs (B) and (D) above, shall be dedicated to the affordable housing trust fund as defined in Section 26.3 SFCC 1987."

Respectfully submitted,

_____
JoAnne Vigil Coppler, Councilor

Approved as to Form:

_____
Erin K. McSherry, City Attorney

ADOPTED: _____
NOT ADOPTED: _____
DATE: _____

_____
Yolanda Y. Vigil, City Clerk

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO BILL NO. 2020-32
Short-Term Rental Changes

Mayor and Members of the City Council:

I propose the following amendment(s) to Bill No. 2020-32:

1. On page 7, ***strike*** lines 17 and 18 in their entirety.

*** Editor's note: renumber the succeeding subsections accordingly.**

Respectfully submitted,

_____
Michael Garcia, Councilor

Approved as to Form:

_____
Erin K. McSherry, City Attorney

ADOPTED: _____
NOT ADOPTED: _____
DATE: _____

_____
Yolanda Y. Vigil, City Clerk

Short-Term Rental Changes (Garcia Amendment)

Final Audit Report 2020-10-28

Created:	2020-10-28
By:	Jesse Guillen (jbguillen@ci.santa-fe.nm.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAA_WpGNZDMzOdUJ4LAQyiIFWE39-ZQdZgL

"Short-Term Rental Changes (Garcia Amendment)" History

Document created by Jesse Guillen (jbguillen@ci.santa-fe.nm.us)
2020-10-28 - 11:15:35 PM GMT- IP address: 75.161.147.182

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Agreement completed.
2020-10-28 - 11:22:57 PM GMT

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CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO BILL NO. 2020-32
Short-Term Rental Changes

Members of the City Council:

We propose the following amendment(s) to Bill No. 2020-32:

1. On page 1, line 11 ***insert*** "**AMENDING THE TABLE OF PERMITTED USES, TABLE 14-6.1-1, REGARDING SHORT-TERM RENTAL UNITS;**"
2. On page 2, line 1 ***insert*** the following new Section:

   Section 1. Table 14-6.1-1 of SFCC 1987 (being Ord. No. 2012-37 § 2, as amended) is amended to read:

CATEGORY **Specific Use**	**RR**	**R-1 - R-6**	**R-7 - R-9**	**R7 - I**	**RC-5, RC-8**	**R-10 - R-29**	**MHP**	**RAC**	**AC****	**C-1**	**C-2**	**C-4**	**HZ**	**BCD**	**I -1**	**I -2**	**BIP**	**SC-1**	**SC-2**	**SC-3**	**MU *****	**Use-Specific Regs**
RESIDENTIAL																						
Household Living																						
Short-Term Rental Unit	[~~Prohibited except~~]Permitted only as set forth in Section 14-6.2(A)(5)[~~(a)~~], (6)																	Permitted only as set forth in Section 14-6.2(A)(5), (6)				(A)(5), (A)(6)

*** Editor's Note: Renumber the succeeding Sections accordingly.**

3. On page 7, line 16 after the period ***insert*** the following new sentence "Upon the death of the permit holder, the permit may be transferred to the permit holder's spouse or domestic partner if the spouse or domestic partner submits a written request to the *land use director* within ninety (90) days after the permit holder's death, the spouse or domestic partner owns or will own the property upon the settlement of the permit holder's estate, and the spouse or domestic partner does not already hold a short-term rental permit."
4. On page 8, ***strike*** lines 12-15 in their entirety. On line 16, ***strike*** "(B)".

Respectfully submitted,

Alan Webber, Mayor

Signe I. Lindell, Councilor

Carol Romero-Wirth, Councilor

Renee Villarreal, Councilor

10193.4(C)

Approved as to Form:

Erin K. McSherry, City Attorney

ADOPTED: _____
NOT ADOPTED: _____
DATE: _____

_____
Yolanda Y. Vigil, City Clerk

Short-Term Rental Changes (AW-SL-CRW-RV Amend)

Final Audit Report 2020-10-29

Created:	2020-10-28
By:	Jesse Guillen (jbguillen@ci.santa-fe.nm.us)
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"Short-Term Rental Changes (AW-SL-CRW-RV Amend)" History

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2020-10-29 - 1:49:34 AM GMT

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO BILL NO. 2020-32
Short-Term Rental Ordinance

Mayor and Members of the City Council:

I propose the following amendment(s) to Bill No. 2020-32:

1. On page 7, line 5 after "corporation" ***insert*** ", and such entity, whether a revocable trust, an LLC, or a corporation, shall be responsible for any criminal or civil violation and fines".
2. On page 7, line 20 after "if" ***insert*** "the front half of".
3. On page 8, line 5 after "number" ***strike*** the remainder of the sentence.
4. On page 8, line 12 ***strike*** "(A)".
5. On page 8, lines 16-18 ***strike*** subparagraph (B) in its entirety.

Respectfully submitted,

_____
JoAnne Vigil Coppler, Councilor

Approved as to Form:

_____
Erin K. McSherry, City Attorney

ADOPTED: _____
NOT ADOPTED: _____
DATE: _____

_____
Yolanda Y. Vigil, City Clerk

Short-Term Rental Changes (Vigil Coppler Amend 2)

Final Audit Report 2020-11-06

Created:	2020-11-06
By:	Jesse Guillen (jbguillen@ci.santa-fe.nm.us)
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"Short-Term Rental Changes (Vigil Coppler Amend 2)" History

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CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO BILL NO. 2020-32
Short-Term Rental Changes

Members of the City Council:

We propose the following amendment(s) to Bill No. 2020-32:

1. On page 7, line 18 after the period ***insert*** the following new sentence: "The limitation set forth in this subparagraph shall not apply to rentals that begin between November 15 and January 15."

2. On page 14, line 8 after "*application*" ***insert*** "filed on or after January 1, 2022"

3. On page 14, line 24 after "*permit*" ***insert*** "or registration"

4. On page 22, line 12 ***insert*** the following new Section:

   "**Section 4: Effective Date.** The provisions of this ordinance shall become effective January 1, 2021."

Respectfully submitted,

_____
Alan Webber, Mayor

_____
Signe I. Lindell, Councilor

_____
Carol Romero-Wirth, Councilor

_____
Renee Villarreal, Councilor

Approved as to Form:

_____
Erin K. McSherry, City Attorney

ADOPTED: _____
NOT ADOPTED: _____
DATE: _____

_____
Yolanda Y. Vigil, City Clerk

10193.4(E)

FIR No. 3254

FISCAL IMPACT REPORT

General Information:

(Check) Bill: X Resolution: _____

Short Title(s): Short-Term Rental Changes

Sponsor(s): Mayor Webber, and Councilors Lindell, Romero-Wirth, and Villarreal

Reviewing Department(s): Land Use, City Attorney's Office, Finance

Staff Completing FIR: Elias Isaacson, Land Use Director Date: 09/29/20 Phone: 505-955-6370

Reviewed by City Attorney: _____ Date: Oct 7, 2020

Reviewed by Finance Director: _____ Date: Oct 8, 2020

Summary:
The legislation would (1) adopt by ordinance a maximum of one thousand (1000) short-term rental permits in the City, (2) prospectively limit the number of short-term rental permits to one per natural person, (3) prospectively limit the proximity of short-term rental units, (4) require a local operator for short-term rental units, (5) adopt record-keeping and reporting requirements for short-term rental unit owners and host platforms, and (6) clarify other provisions of the short-term rental ordinance. The legislation would also amend the Land Use Code definitions in SFCC Section 14-12.1 SFCC 1987, as they relate to short-term rental units; and amend SFCC Section 12-2.3 to clarify that a short-term rental unit is not a Group R-1 occupancy for purposes of fire inspections.

Departments Affected:
Land Use, Tourism, Finance, and Fire Department

Consequences of Not Enacting Legislation:
Existing Ordinance remains in place, and difficulties with administration, enforcement, and revenue collection persist.

Conflict, Duplication, Companionship, or Relationship to Other Legislation:
No conflicts or duplications exist. This ordinance will work in concert with recently adopted Ordinance amending Section 14-11.4 of the Land Development Code to implement civil penalty provisions, a civil fine schedule, and civil citation procedures for Land Use Code enforcement actions.

Performance and Administrative Implications:
The revised ordinance will make the City's STR program easier to administer and enforce, while also ensuring the proper revenues to the City are collected.

Fiscal Implications:
The impacts to revenue are moderate. Adoption of these revision to the existing Ordinance may lead to more permit fees coming into the City. Impacts to expenditures are negligible.

Fiscal Impact:

_____ Check here if no fiscal impact

Expenditures

Expenditure Type	FYE __	FYE __	FYE __	Require BAR (Y/N)	Recurring (R) or Non-recurring (NR)	Fund	3-Year Total Cost
Personnel and Benefits*	$	$	$				
Capital Outlay	$	$	$				
Contractual/ Professional Services	$	$	$				
Operating	$	$	$				$
Total:	$	$	$				$

* This includes all staff time associated with executing the job functions of the proposed legislation.

Expenditure Narrative:

Revenue

Revenue Type	FYE 20	FYE 21	FYE 22	Recurring (R) or Non-recurring (NR)	Fund
General Fund	$	$11,250	$11,250	R	
Special Revenue	$	$	$		
CIP	$	$	$		
Enterprise	$	$	$		
Internal Service	$	$	$		
Trust and Agency	$	$	$		
Federal	$	$	$		
Other	$	$	$		
Total	$	$11,250	$11,250		

Revenue Narrative:

The amendment includes an increase of the registration fee so that it is commensurate with the permit fee. The recurring revenue increase is based on an assumption of issuing a combined total of 50 new and renewal non-residential registrations over the next year. The difference in current vs. proposed fees for new non-residentially zoned STR registrations is $225. The difference in renewal fees is also $225, suggesting this will be a recurring increase in revenues in years to come.

ATTACHMENT 3

Previous Draft Legislation (1st Draft STR Bill)

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2020-__

INTRODUCED BY:

Mayor Alan Webber

Councilor Signe I. Lindell

Councilor Carol Romero-Wirth

Councilor Renee Villarreal

AN ORDINANCE

AMENDING SECTION 14-6.2 SFCC 1987 TO ADOPT BY ORDINANCE A MAXIMUM OF ONE THOUSAND (1000) SHORT-TERM RENTAL PERMITS IN THE CITY, TO PROSPECTIVELY LIMIT THE NUMBER OF SHORT-TERM RENTAL PERMITS TO ONE PER NATURAL PERSON, TO PROSPECTIVELY LIMIT THE PROXIMITY OF SHORT-TERM RENTAL UNITS ON RESIDENTIALLY ZONED PROPERTY, TO REQUIRE A LOCAL OPERATOR FOR SHORT-TERM RENTAL UNITS, TO ADOPT RECORD-KEEPING AND REPORTING REQUIREMENTS FOR SHORT-TERM RENTAL UNIT OWNERS AND HOST PLATFORMS, AND TO CLARIFY OTHER PROVISIONS OF THE SHORT-TERM RENTAL ORDINANCE.

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

Section 1. Subsection 14-6.2(A)(5) of SFCC 1987 (being Ord. No. 2011-37 § 8, as amended) is amended to read:

14-6.2 USE-SPECIFIC STANDARDS

(A) Residential Uses

(1) Continuing Care Community

(a) Density

Independent *dwelling units* are subject to the *density* standards of the district in which the *continuing care community* is located.

(b) Compliance with state and federal law

Continuing care communities must comply with all applicable *state* and federal laws and regulations.

(2) Mobile Home, Permanent Installation

In any district in which permanent single-*family* occupancy of a *mobile home* on an individual *lot* is allowed as a special use *permit* by the board of adjustment, the following minimum standards apply:

(a) the *mobile home* shall be anchored to a concrete foundation and skirted as specified by the *land use director*;

(b) the rental or lease of *mobile homes* used as single-*family* residences on individual *lots* is prohibited; and

(c) minimum requirements for *lot* size, *front*, *side* and *rear yards*, and all other standards pertaining to single-*family residential* land use set forth in Chapter 14 apply.

(3) Mobile Home Park

(a) Applicability

New *mobile home parks* are prohibited as of December 10, 2012 (effective date of this Ordinance No. 2012-37). In a district in which *mobile home parks* are allowed, the minimum standards set out in this section apply.

(b) License

Prior to beginning operation, a *mobile home park* owner or operator must obtain a business license from the *city* under the provisions of Article 18-1 SFCC 1987.

(c) Inspection

The *city* may inspect a *mobile home park* for conformance with the provisions of this section.

(d) Transfer of License

The *city* may issue a transfer of the license only after the following:

(i) *application* in writing for transfer of a license and payment of the transfer;

(ii) an inspection report by the *land use director* has been submitted to the *governing body*, stating conformance or nonconformance with the provisions of this section;

(iii) approval by the *governing body*.

(e) Revocation of License

The *governing body* may revoke a license to maintain and operate a *mobile home park* , as provided in Article 18-1 SFCC 1987 when the *licensee* has violated any provision of this section.

(f) Posting

The license certificate shall be conspicuously posted in the office of or on the *premises* of the *mobile home park* at all times.

(g) Standards

Mobile home parks shall comply with the standards set forth in Subsection 14-7.2(1).

(4) Manufactured Homes

Manufactured homes:

(a) are permitted in any district in which site-built, *single-family dwellings* are allowed;

(b) shall meet all requirements of other site-built, *single-family dwellings* in the same district and all applicable historic or aesthetic standards set forth in Chapter 14; and

(c) shall be constructed according to the Manufactured Home Construction and Safety Standards, 24 CFR Section 3280.

(5) Short-Term Rental [~~of Dwelling~~] Units [~~–Residentially Zoned Property~~]

(a) [~~Dwelling Units~~] Purpose and Intent

[~~Dwelling units located on residentially zoned property may not be rented for less than thirty days except as set forth in this Subsection 14-6.2(A)(5).~~] The purposes of this *Short-Term Rental Unit* Ordinance are the following:

(i) to ensure that the operation of *short-term rental units* in residential areas does not disrupt the character of the city's neighborhoods or affect the quality of life of neighboring residents;

(ii) to prevent speculators from purchasing multiple homes for the purpose of operating multiple *short-term rental units*, thereby reducing the amount of long-term housing availability;

(iii) to allow law abiding residents the option of utilizing their homes and *accessory dwelling units* as *short-term rental units* to create wealth and generate supplemental income;

(iv) to minimize public safety risks associated with *short-*

term rental units, such as higher traffic levels, parking issues, noise, litter, and other public nuisances; and

(v) to ensure that an *owner* or *operator* of a *short-term rental unit* follows applicable regulations, including the payment of all applicable fees and taxes.

(b) Short-Term Rental [~~Units~~] *Permit* Required

[~~Short-term rental units are prohibited on residentially-zoned property except as provided in this Subsection 14-6.2(A)(5)(b).~~]

[~~(i) Short-term rental units that are operated in compliance with Subsection 14-6.3(D)(1) (Accessory Dwelling Units) and in compliance with this Subsection 14-6.2(A)(5) are allowed.~~]

(i) An *owner* of a *short-term rental unit* must have a *city*-issued business license and a short-term rental *permit*. An *owner* or *operator* shall not operate, rent, offer to rent, or advertise a *short-term rental unit* without a valid *permit* from the *city*.

[~~(ii) Short-term rental units located in a development containing resort facilities approved pursuant to a special use permit which are owned in common by the owners within the development, are allowed. As used in this item, "resort facility" means any combination of swimming pools, spa facilities, golf courses, restaurants and tennis facilities.~~]

[~~(iii)~~](ii) The *land use director* may issue a maximum of one thousand (1000) short-term rental *permits*[~~ in a quantity approved by the governing body through adoption, after a public hearing, of a resolution for residential units not otherwise qualifying for permits under Items (i) and (ii) above. Dwelling units on non-residentially-zoned property pursuant to §14-6.2(A)(6) and §14-6.2(A)(7) are not subject to the permit limit imposed by this subsection~~].

(iii) The *land use director* shall issue *permits* to *natural*

persons only, and each *natural person* may possess a maximum of one (1) *permit.*

(iv) [~~Whenever the demand for short-term rental units exceeds the number permitted in accordance with Subsection 14-6.2(A)(5)(b)(iii) above, the number of additional permits may be increased by the governing body through adoption of a resolution and issued by the land use director. New permits shall be issued in the order that eligible applications are received.~~] The land use department shall process *applications* in the order of receipt and shall issue new *permits* in the order that complete *applications* are received. If the number of *permits* reaches the one thousand (1000)-*permit* limit, then the land use department shall stop processing *applications* and shall add *applicants* to a waiting list until a *permit* becomes available. If an *applicant* waits on the list for a year or longer, the land use department may require the *applicant* to indicate a continued interest in remaining on the list.

(v) A *permit* is not transferable to another person or property. Upon the transfer of ownership of a *short-term rental unit*, the short-term rental *permit* shall terminate and revert to the land use department. If the new *owner* wishes to use the property as a *short-term rental unit*, the *owner* shall submit a new *application* to the land use department.

(c) General Provisions

[~~Unless otherwise stated, the following general provisions apply to short-term rental units:~~]

(i) A *short-term rental unit* must have a local *operator* that is available twenty-four (24) hours per day, seven (7) days per week, to respond to complaints regarding the operation or occupancy of the *short-term rental unit*. For purposes of this subparagraph, "local" means within the municipal boundaries of the city of Santa Fe.

[~~(ii) short-term rental permits will not be issued for more than two short-term rentals units directly adjoining each other on a residentially zoned street. For the purposes of this subsection, "directly adjoining" means sharing a common boundary along a~~

~~public street frontage, but does not include adjoining *units* in a condominium, townhouse development, apartment complex, or residential compound;~~]

(ii) An *owner* or *operator* shall not rent a *short-term dwelling unit* more than once [~~no more than one rental is allowed~~] within a seven (7)-[~~consecutive~~] day period[~~;~~].

(iii) An *owner* of a *permitted short-term rental unit* shall provide *off-street parking* [~~shall be provided~~] on site as follows: [~~1)~~]

(A) one bedroom, one parking space; and [~~2)~~]

(B) two or more bedrooms[~~;~~], two parking spaces[~~;~~].

(iv) A *short-term rental unit* must meet all applicable building, [~~and~~] fire, [~~life~~]and safety codes, [~~shall be met~~] and all toilets, faucets, and shower heads [~~shall~~]must meet the water conservation requirements described in Section 25-2.6 SFCC 1987[~~;~~].

(v) Prior to issuance of a *permit*, a *short-term rental unit* must have a *certificate of occupancy* to ensure compliance with all applicable codes.

(vi) Prior to issuance of a *permit*, the *owner* of a *short-term rental unit* must obtain a business license under Section 18-1 SFCC 1987.

(vii) A valid business license number must be included in all advertising of a *short-term rental unit*, including listings on a *host platform*.

[~~(v)~~](viii) [~~occupants~~]An *owner* or *operator* shall not allow *guests* [~~shall not~~]to park recreational vehicles on site or on the street;

[~~(vi)~~](ix) [~~short-term~~] *Short-term rental units* located on *residentially-zoned property* shall be used exclusively for residential purposes and shall not be used for commercial activities or events, defined as intending to make money, offering goods or services for sale, or conducting any other event or activity that is not residential in nature. An activity "not residential in nature" includes gatherings in excess of [~~three (3)~~] two (2) times the

number of legally allowed [~~occupants~~] *guests* in the *short-term rental unit* [~~(including occupants)~~], unless the activity or event is otherwise permitted by the *city*[~~;~~].

[~~(vii)~~](x) [~~the~~]The total number of [~~persons~~]*guests* that may occupy [~~the~~]a *short-term rental unit* is twice the number of bedrooms[~~;~~].

[~~(viii)~~](xi) [~~noise~~]Noise or other disturbance [~~outside the~~]emitted from a *short-term rental unit* is prohibited after 10:00 p.m., including decks, portals, porches, balconies, or patios[~~;~~].

[~~(ix)~~](xii) [~~all occupants shall be informed~~]The *owner* or *operator* of a short-term rental unit shall notify all guests in writing of relevant *city* ordinances, including the *city*'s nuisance and water conservation ordinances[~~, by the owner/operator of the short-term rental unit~~]. All [~~occupants~~]*guests* shall comply with all relevant *city* ordinances, including [~~and comply with all provisions of~~] the [~~lodger's~~]lodgers' tax ordinance[~~;~~].

[~~(x)~~](xiii) [~~the~~]The *owner*[~~/operator~~] shall pay all applicable local, state, and federal taxes, including lodgers' tax, gross receipts tax, and income tax[~~es;~~].

~~[(xi) should the owner/operator fail to pay all applicable taxes, the owner/operator shall be subject to penalties pursuant to Subsection 14-6.2(A)(5)(f).~~

~~(xii) the *owner*/operator shall make available to the *city* for its inspection all records relating to the operation of the short-term rental unit to determine compliance with this Subsection 14-6.2(A)(5); and~~

~~(xiii) the *owner* shall maintain adequate short-term rental insurance coverage for the *short-term rental unit*. Proof of insurance shall be required at the time the *permit* is issued and such other times as requested by the *land use director*.~~

~~(xiv) upon the transfer of ownership of a *short-term rental unit*, the short-term rental *permit* shall terminate and revert to the land use department. If the new *owner* wishes to use the property as a *short-term rental unit*, new *application* shall be submitted to the~~

~~land use department.~~]

(d) *Applications* for a Short-Term Rental *Permit*

[~~Unless otherwise stated, an~~]An *applicant* shall submit an *application* for a short-term rental *permit* [~~shall be submitted to the city as follows~~] that includes the following information and documentation:

(i) [~~the application shall include~~]the name and phone number of the local owner[~~/operator~~] or *operator* who is available twenty-four (24) hours per day, seven (7) days per week to respond to complaints regarding the operation or occupancy of the *short-term rental unit* [~~as well as the name and phone number of city staff responsible for enforcing this section~~];

(ii) [~~the application shall include~~] a statement signed by the [~~owner/operator~~] *owner* and *operator*, affirming that they will operate the *short-term rental unit*[~~ shall be operated~~] in compliance with this subsection 14-6.2(A)(5) and all other applicable laws, *city* codes, and private covenants; and that no private covenants prohibit the operation of the *short-term rental unit*[~~ is in compliance with any applicable private covenants, including those that prohibit the presence of *short-term rental*~~]; and

(iii) additional information, documentation, and submittals as required by the *land use director*.

[~~(iii) all applicants must submit proof of all required inspections with their initial application. Renewal applications for the same property may submit proof of all required inspections in the form of a statement attesting to compliance with all applicable fire, health, and safety requirements. The city shall perform random inspections to ensure compliance with this Subsection 14-6.2(A)(5).~~

~~(iv) prior to issuance of a permit, a certificate of occupancy is required to ensure compliance with this paragraph and all applicable codes;~~

~~(v) the permit is not transferable to another person or property;~~

~~(vi) within ten days of the issuance of the permit, the owner/operator shall mail notice by first class mail, with certificate of mailing, to the homeowners association (if applicable), and to the owners of properties within two hundred (200) feet of the subject property, exclusive of rights of way, as shown in the records of the county assessor, and by first class mail to the physical addresses of such properties where such address is different than the address of the owner and to the land use department. Notice shall be on a form approved by the land use director, and shall contain the name and phone number of the owner and operator who will be available twenty four hours per day, seven days per week to respond to complaints regarding the operation or occupancy of the short term rental as well as the name and phone number of city staff responsible for enforcing this paragraph. Copies of all required mailing lists and mailing certificates shall be provided to the land use director within ten days of the mailing. Failure to provide notification as described in this subsection is subject to penalties and prosecution pursuant to Subsection 14-6.2(A)(5)(f);]~~

[~~(vii) each application shall be accompanied by a fee of one hundred dollars ($100) to cover *application* processing and inspections. This application fee is non-refundable.~~]

[~~(viii) The annual permit fee schedule is as follows:~~

[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]

Table 14-6.1-1 Annual Permit and Registration Fees*		
Short-term Rental Type	Permit Fee per Unit	Registration Fee per Unit
§ 14-6.2A(5)(b)(i) — Accessory Dwelling Units	$325.00	
§ 14-6.2A(5)(b)(ii) — Resort Units		$100.00
§ 14-6.2A(5)(b)(iii) — Residential Units	$325.00	
§14-6.2A(6) Non-Residential Districts and § 14-6.2A(7) — Commercial Districts		$100.00
Initial Application and Processing Fee (one-time)	$100.00	
*The annual permit fee shall not be prorated for a portion of the year.		

(ix) The annual fee includes the city's business registration fee and fees for inspections related to issuance of the short-term rental permit. Revenue from fees imposed pursuant to this paragraph shall be used only to administer, manage, and enforce this section.

(x) If payment of a permit fee was in excess of that for which a person was liable, the person may claim a refund by directing to the city finance director a written claim for refund no later than one year from the date payment was made. Every claim for refund shall state the amount and basis for the claim. The city finance director may allow the claim in whole or in part or may deny it. If the claim is not allowed in whole, the person may appeal the decision pursuant to Section 14-3.17.

(xi) Unless revoked as set forth in Subsection 14-6.2(A)(5)(f), a permit holder may renew the permit annually. If not renewed by March 15 of each year, the owner/operator may pay a late fee of fifty dollars ($50) to extend the time for filing to renew to April 15. An owner of an expired permit may submit a new application for a short-term rental

~~permit to the land use director in accordance with Subsection 14-6.2(A)(5)(b)(iv) subject to availability of permits.~~

~~(xii) A valid permit number shall be included in all advertising of the short-term rental, including listings on web-based rental sites.~~]

(e) Proximity of *Short-Term Rental Units* on *Residentially Zoned Property*

Subject to the exceptions listed below, the *land use director* shall not issue a new *permit* for a *short-term rental unit* if the subject property, as identified in the *application*, is located within a seventy-five (75)-foot radius of a *residentially zoned property* that has a permitted *short-term rental unit*. The radius shall be measured from the subject property boundary. This limitation shall not apply to the following:

(i) an *application* for a *short-term rental unit* located on non-*residentially zoned property* or within a *development containing resort facilities*;

(ii) an *application* for a *short-term rental unit* that complies with the requirements set forth in the *accessory dwelling unit* ordinance, subsection 14-6.3(D)(1); or

(iii) an application for a *short-term rental unit* in a *multiple-family dwelling* development that contains four (4) or more *dwelling units*, provided, however, that the *land use director* shall not issue short-term rental permits for more than twenty-five (25%) of the *dwelling units* in a *multiple-family dwelling* development that contains four (4) or more *dwelling units*.

[~~(e)~~](f) Fees for *Short-term Rental Units*

The following fees shall be used only to administer, manage, and enforce this subsection 14-6.2(A)(5) and relevant sections of Chapter 18 SFCC 1987, which address applicable licenses and taxes.

(i) *Application* fee. An *application* for a new short-term rental *permit* shall be accompanied by a one-time non-refundable *application*, processing, and

inspection fee of one hundred dollars ($100).

(ii) Business license fee. A *short-term rental unit* is subject to an annual business license fee of thirty-five dollars ($35).

(iii) *Permit* fee. A *short-term rental unit* is subject to an annual *permit* fee of two hundred and ninety dollars ($290).

(g) Required Notice

(i) Within ten (10) days after the issuance or renewal of a short-term rental *permit*, the *owner* or *operator* shall mail notices by first-class mail to the homeowners association within which the unit is located (if applicable); to the *owners* of *residentially-zoned property* within two hundred (200) feet of the subject property, exclusive of rights of way, as shown in the records of the county assessor; to the physical addresses of such properties where such address is different than the address of the *owner*; and to the land use department.

(ii) The notices shall be on a form approved by the *land use director*.

(iii) The notices shall contain the name and phone number of the local *operator*. Within ten (10) days after any change in the contact information for the local *operator*, the *owner* or *operator* shall mail a new notice, to all parties, in accordance with this subparagraph 14-6.2(A)(5)(g).

(iv) Within ten (10) days of the mailing, the *owner* or *operator* shall provide the *land use director* with copies of all required mailing lists and an affidavit of mailing signed by the person who mailed the notices.

(h) Records

Each *owner* or *operator* shall maintain all records for the *owner's short-term rental unit* for at least the most recent three years for the *owner's short-term rental unit* or units and shall make such records available to the *city* for inspection upon request. If a *host platform* collects rent for a *short-term rental unit*, the *host platform* must also maintain such records. The

records to be maintained for each *short-term rental unit* must include the following:

(i) The number of reservations and number of nights rented each calendar month;

(ii) The amount of rent guests paid by month; and

(iii) The amount of each type of tax and fee the owner paid to the *city* in connection with rental of the unit by month.

(i) *Permit* Renewals

Unless revoked pursuant to Section 14-11.4, an *owner* may renew a short-term rental *permit* annually. If not renewed by the expiration date of the existing *permit*, the *owner* may pay a late fee of fifty dollars ($50) to extend the time for filing to renew by thirty (30) days. After the thirty (30) days, if the *owner* has not renewed or requested an extension, the *permit* will become available to the next eligible *applicant*, and the *owner* may submit a new *application* for a short-term rental *permit* to the *land use director*, subject to the availability of *permits*.

(j) Inspections

The *city* shall perform random inspections to ensure compliance with subsection 14-6.2(A)(5) and all applicable fire, health, and safety requirements. The *city* may require an *applicant* to submit proof of inspections at the time of initial *application* and at such other times as requested by the *land use director*.

(k) Violations and Penalties

~~[(i) The land use director shall document all alleged violations of this paragraph and shall pursue enforcement through the municipal court as set forth in Article 1-3 SFCC 1987 or in another appropriate court of law. The city shall give the owner a written notice of violation, which shall be mailed either to the owner's local or business address or agent's address, informing the owner of the violation. If corrective action is not completed within fifteen (15) days of the date of the letter, the city may file a criminal complaint in municipal court. Upon~~

~~conviction of a first violation, the land use director shall revoke the permit and operation of the short term rental shall cease within thirty days.~~

~~(ii) An owner who offers for rent as a short term rental a dwelling unit that is not permitted for use as a short term rental is in violation of this paragraph and is subject to penalties, property liens and/or prosecution pursuant to subsection 14-2(A)(5)(f).(iii)An agent who knowingly assists an owner in advertising or renting a dwelling unit as a short term rental unit that is not permitted under this subsection 14-6.2(A)(5) is subject to penalties and prosecution, and the agent's business license is subject to revocation.~~]

If an *owner* or *operator* fails to obtain the necessary *permit* before renting, offering to rent, or advertising a short-term rental unit; fails to pay or report applicable taxes; or otherwise fails to adhere to the provisions of subsection 14-6.2(A)(5), the *owner* or *operator* shall be subject to the enforcement provisions set forth in Sections 1.3 and 14-11 SFCC 1987 and all other legal remedies and enforcement actions available under the law. These may include civil or criminal penalties or revocation of a short-term rental *permit.*

[~~(f) Penalties~~

~~(i) Any owner who fails to report all applicable taxes, including gross receipts tax and lodger's tax, shall be subject to any and all remedies under the short term rental ordinance and any other applicable city, county, state, or federal law or statute. Such owner shall also be subject to revocation of their short term rental permit pursuant to Subsection 14-6.2(A)(5)(e)(i).~~

~~(ii) If an owner is found guilty of operating a short term rental without a valid permit, they shall be fined five hundred dollars ($500). The city may ask the municipal court to treat each day after the initial written notice of violation as a separate violation and assess two hundred fifty dollars ($250) for each day of such daily violations for a total cumulative fine amount. If the city is awarded money as part of a judgment following a court~~

~~hearing and defendant does not make timely payments to the city, the city may bring an action in lien or equity for the collection of any amounts due.~~]

[~~(g)~~] (l) Restrictive Covenants

Private restrictive covenants, enforceable by those governed by the covenants, may prohibit *short-term rental units*.

[~~(h)~~](m) Real Estate Agent Disclosure

[~~Real~~]A real estate [~~brokers~~] agent [~~listing~~] who represents a prospective buyer of [~~residential~~] *residentially zoned property* in Santa Fe shall provide the prospective [~~buyers~~]buyer with a current copy of this ordinance.

(n) Host Platforms.

(i) A *host platform* shall include a valid business license number in all listings or advertisements for a *short-term rental unit.*

(ii) A *host platform* shall provide a monthly report to the city that includes the following information about the *short-term rental units* advertised in the city, disaggregated by owner, describing the following information for that month:

(A) The number of *short-term rental unit* listings and owners in the city;

(B) The number of reservations and number of rental nights for each unit;

(C) The amount of revenue owners collected through the *host platform*, including rent and each type of taxes and fees.

[~~(i) The land use director shall establish administrative procedures necessary to implement, manage and enforce this paragraph.~~]

(6) [~~Short-term Rental of Dwelling Units – Non-residentially Zoned Property~~]

Existing Short-Term Rental Permits and Registrations

[~~Short-term rental of dwelling units on non-residentially zoned property is permitted as set forth in Table 14-6.1-1, must be registered; are subject to a one-time one hundred dollar ($100) application, inspection and processing fee; and must comply with submission requirements and report all applicable taxes.~~]

(a) Short-term rental *permits* held at the time the ordinance amending subsection 14-6.2(A) SFCC 1987 (Ordinance No. 2020-__) is adopted are valid, even if multiple permits are held by one owner. The *owner* does not need to renew those *permits* until they expire. Upon expiration, the *owner* may be eligible to timely renew the *permits* pursuant to subsection 14-6.2(A)(5)(i), subject to payment of the annual business license and permit fees, as long as the land use department does not revoke the *permit* pursuant to Section 14-11.4.

(b) Short-term rental *permits* that do not comply with the proximity limitations set forth in subsection 14-6.2(A)(5)(e) held at the time that the ordinance amending subsection 14-6.2(5) (Ordinance No. 2020-__) is adopted are valid and owners of such *permits* are eligible to timely renew the *permits* pursuant to subsection 14-6.2(A)(5)(i), subject to payment of the annual business license and permit fees, as long as the land use department does not revoke the *permit* pursuant to Section 14-11.4.

(7) Dwelling Units in Specified Commercial Districts

In the C-2 and SC Districts, dwelling units do not include mobile homes or recreational vehicles and shall be [~~either~~] one of the following:

(a) accessory dwelling units for occupancy only by owners, employees, or tenants of nonresidential uses that are operated on the same premises;

(b) part of a planned development; [~~or~~]

(c) part of a use for which a development plan or special use *permit* is required; or

(d) part of a qualifying residential project within the Midtown LINC Overlay District.

~~[(8) Effective Date~~

~~The provisions of Subsection 14-6.2(A)(5) of the Land Development Code shall go into effect immediately upon approval of the Governing Body. A ninety (90) day grace period shall be given for effected units to obtain a valid permit. Short-term rental unit owners who possess a valid short-term rental permit at the time this ordinance (Ordinance 2016-20) is adopted shall be considered to possess a valid permit under the new regulations and shall not need to renew their permit until the following year. Short-term rental unit owners who possess a valid short-term permit for a contiguous property issued prior to this ordinance (Ordinance 2016-20) being adopted shall be deemed as a "residential" permit holder upon the adoption of the ordinance and shall renew their permit as a "residential" permit in following years.]~~

Section 2. Section 14-12.1 of SFCC 1987 (being Ord. No. 2011-37, § 15 as amended) is amended to add and amend the following definitions:

14-12.1 DEFINITIONS

DEVELOPMENT CONTAINING RESORT FACILITIES, SHORT-TERM RENTAL

A development in which the *owners* own two (2) or more of the following facilities in common and have obtained a special use *permit* for operation of those facilities: swimming pools, spa facilities, golf courses, restaurants, or tennis facilities.

GUEST, SHORT-TERM RENTAL

Any person who rents a *short-term rental unit* or occupies a *short-term rental unit* during a rental period.

HOST PLATFORM, SHORT-TERM RENTAL

An internet website, a mobile application, or any other forum used to connect a short-term rental

owner or operator with guests and to facilitate the booking of a short-term rental unit.

NATURAL PERSON

An individual human being, as opposed to an organization of any form or a business entity.

OPERATOR, SHORT-TERM RENTAL

A person who, with or without a short-term rental *permit* or registration, rents or offers to rent a short-term rental unit to guests.

SHORT-TERM RENTAL UNIT

A *dwelling unit* or *accessory dwelling unit*, or any portion of a *dwelling unit* or *accessory dwelling unit*, that is offered for rent or rented for a period of less than thirty (30) days.

APPROVED AS TO FORM:

ERIN K. McSHERRY, CITY ATTORNEY

Legislation/2020/Bills/Short-Term Rental Changes

ATTACHMENT
4
Planning Commission Meeting Minutes
June 18, 2020

City of Santa Fe

Agenda

PLANNING COMMISSION
Thursday, June 18, 2020 - 6:00pm
ATTEND VIRTUALLY

SPECIAL PROCEDURES FOR VIRTUAL ATTENDANCE AND PUBLIC COMMENT:

In response to the State's declaration of a Public Health Emergency, the Mayor's Proclamation of Emergency, and the ban on public gatherings of more than five (5) people, this meeting will be conducted virtually using Zoom.

Viewing on YouTube: Members of the public may stream the meeting live on the City of Santa Fe's YouTube channel at https://www.youtube.com/channel/UCuW5Fb7iWuKpTdsWYNDurgA. The YouTube live stream can be accessed at this address from most computers, mobile devices, and smartphones. A video recording of the meeting will be posted on YouTube and available for viewing after the meeting.

Attending on Zoom: Members of the public may attend the Zoom meeting on a computer, mobile device, or phone. The video conference link and teleconference number will be posted on the City of Santa Fe's Calendar of Events website at least seventy-two (72) hours before the meeting: https://www.santafenm.gov/events. The direct Zoom link is: https://us02web.zoom.us/j/86975140993?pwd=R21va0g5c1NJdyttdU45T1E3UVlqZz09 and use password: 419763.

Attending Zoom by Phone: Members of the public can attend the Zoom meeting by phone by dialing:
US: +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 929 205 6099 or +1 301 715 8592 or +1 312 626 6799
Webinar ID: 869 7514 0993

Public Comment:

- By video: A person attending the Zoom meeting by using a computer, mobile device, or smart phone may provide public comment during the meeting. Attendees should use the "Raise Hand" function to be recognized by the chair to speak at the appropriate time.
- By phone: A person attending the Zoom meeting by phone may provide public comment during the meeting but **must** provide advance notice to City staff. Please contact Noah Berke (505-490-5930, nlberke@santafenm.gov) no later than Monday, June 15, 2020, and provide your **full name, address, and the phone number** you will be using to call in to the teleconference. Without your phone number, the chair will not be able to recognize you to speak at the meeting.
- In writing: A person may submit written public comments in advance of the meeting by email (LandUsePublicComment@santafenm.gov), by U.S. Postal Service (City of Santa Fe, ATTN: Noah Berke, PO Box 909, Santa Fe, NM 87504-0909), or by dropping off a comment at the physical drop box which will be located outside City Hall at the entrance to Land Use Lobby facing Marcy Street. Please include your full name and address, and identify the specific agenda item you are commenting on. To be included in the official record and considered at the hearing, written public comment **must** be received no later than Monday, June 15, 2020.

A. ROLL CALL
B. PLEDGE OF ALLEGIANCE
C. APPROVAL OF AGENDA
D. APPROVAL OF MINUTES AND FINDINGS/CONCLUSIONS:

MINUTES: May 21, 2020
FINDINGS/CONCLUSIONS: None

OLD BUSINESS

E. NEW BUSINESS

1. **Case #2020-2115. Vista del Rio Final Subdivision Plat.** JenkinsGavin, Inc., Agent, for Moellenbeck Professional Association Retirement Trust and Twilight Homes, Owners, requests approval of a final subdivision plat for twenty-one single family lots located at 5401 Agua Fria St. The property is approximately 4.02 acres and is zoned MU (Mixed Use). (Dan Esquibel, Case Manager, daesquibel@santafenn.gov, 955-6587)

2. An Ordinance Amending Section 14-6.2 SFCC 1987 to Adopt by Ordinance a Maximum of one thousand (1000) Short-Term Rental Permits in the City; to Prospectively Limit the Number of Short-Term Rental Permits to One Per Natural Person; to Prospectively Limit the Proximity of Short-Term Rental Units on Residentially Zoned Property; to Require a Local Operator for Short-Term Rental Units; to Adopt Record-Keeping and Reporting Requirements for Short-Term Rental Unit Owners and Host Platforms; and to Clarify Other Provisions of the Short-Term Rental Ordinance. (Mayor Webber and Councilors Lindell, Romero-Wirth, and Villarreal) (Elias Isaacson, Land Use Director, esiasaacson@santafenm.gov, 955-6730) (Sally Paez, Assistant City Attorney, sapaez@santafenm.gov, 955-6501)

3. An Ordinance Amending Section 14-11.4 of the Land Development Code to Adopt Civil Penalty Provisions, a Civil Fine Schedule, and Civil Citation Procedures for Land Use Code Enforcement Actions; and to Permit the Land Use Director to Order a One-Year Waiting Period for Application for Short-Term Rental Permit by a Person Who Has Violated the Short-Term Rental ordinance, Section 14-6.2(A)(5) SFCC 1987. (Mayor Webber and Councilors Lindell, Romero-Wirth, and Villarreal) (Elias Isaacson, Land Use Director, esiasaacson@santafenm.gov, 955-6730) (Sally Paez, Assistant City Attorney, sapaez@santafenm.gov, 955-6501)

F. STAFF COMMUNICATIONS

G. MATTERS FROM THE COMMISSION

H. ADJOURNMENT

NOTES:

1) Procedures in front of the Planning Commission are governed by the City of Santa Fe Rules & Procedures for City Committees, adopted by resolution of the Governing Body of the City of Santa Fe, as the same may be amended from time to time (Committee Rules), and by Roberts Rules of Order (Roberts Rules). In the event of a conflict between the Committee Rules and Roberts Rules, the Committee Rules control.

2) New Mexico law requires the following administrative procedures to be followed by zoning boards conducting "quasi-judicial" hearings. By law, any contact of Planning Commission members by applicants, interested parties or the general public concerning any development review application pending before the Commission, except by public testimony at Planning Commission meetings, is generally prohibited. In "quasi-judicial" hearings before zoning boards, all witnesses must be sworn in, under oath, prior to testimony and will be subject to reasonable cross examination. Witnesses have the right to have an attorney present at the hearing.

3) The agenda is subject to change at the discretion of the Planning Commission.

***Persons with disabilities in need of special accommodations or the hearing impaired needing an interpreter please contact the City Clerk's Office (955-6520) 5 days prior to the hearing date.**

RECEIVED AT THE CITY CLERK'S OFFICE
DATE: May 2, 2020
TIME: 11:12 AM

SUMMARY INDEX
PLANNING COMMISSION MINUTES
JUNE 18, 2020

ITEM	ACTION TAKEN	PAGE(S)
A. Roll Call	Quorum Present	1
B. Pledge of Allegiance	Recited	1
C. Approval of Agenda	Approved as published	2
D. Approval of Minutes May 21, 2020	Approved	2
Findings/Conclusions	None	2
E. Old Business:	None	2
F. New Business		
1) Case #2020-2115. Vista del Rio Final Subdivision Plat	Approved with conditions	2-3
Findings/Conclusions	Approved	3
2) An Ordinance Amending Section 14-6.2	Postponed	3-37
3) An Ordinance Amending Section 14-11.4	Postponed	3-37
G. Staff Communications	Comments	37-38
H. Matters from the Commission	Comments	38
I. Adjournment	Adjourned at 10:06 pm	38

MINUTES OF THE CITY OF SANTA FE PLANNING COMMISSION
Thursday, June 18, 2020 - 6:00pm
VIRTUAL HEARING

CALL TO ORDER

A regular meeting of the City of Santa Fe Planning Commission was called to order by Chair Hiatt on the above date at approximately 6:00 p.m. at a virtual meeting held at https://www.youtube.com/user/cityofsantafe.

A. ROLL CALL

Roll Call indicated the presence of a quorum for the meeting.

Members Present
Commissioner John B. (Jack) Hiatt, Chair
Commissioner Mark Hogan, Vice Chair
Commissioner Janet Clow
Commissioner Pilar Faulkner, Secretary
Commissioner Brian Patrick Gutierrez
Commissioner Jessica Lawrence
Commissioner Dominic Sategna

Members Absent
Commissioner Lee Garcia (Excused)
(One Vacancy)

Others Present:
Mr. Elias Isaacson, Land Use Director
Mr. Noah Berke, Planner Manager and Staff Liaison
Ms. Sally Paez, Assistant City Attorney
Ms. Melissa D. Byers, Stenographer

NOTE: All items in the Committee packet for all agenda items are incorporated herewith by reference. The original Committee packet is on file in the Land Use Department.

B. PLEDGE OF ALLEGIANCE

Chair Hiatt led the Pledge of Allegiance.

Mr. Berke explained the process for participation by members of the public once the Chair opens the Public Hearing.

C. APPROVAL OF AGENDA

MOTION: Commissioner Faulkner moved, seconded by Commissioner Hogan, to approve the agenda, as presented.

VOTE: The motion passed by unanimous roll call vote with Commissioners Clow, Faulkner, Gutierrez, Hogan, Lawrence and Sategna voting in favor and none voting against.

D. APPROVAL OF MINUTES AND FINDINGS/CONCLUSIONS

MINUTES: May 21, 2020

Commissioner Clow noted on page 25, the sixth paragraph, "Commissioner Clow said the *applicant* appeared to have determined that having..." Instead of *applicant* it should say City staff.

MOTION: Commissioner Sategna moved, seconded by Commissioner Faulkner to approve the Minutes of May 21, 2020 as amended.

VOTE: The motion passed by unanimous roll call vote with Commissioners Clow, Faulkner, Gutierrez, Hogan, Lawrence and Sategna voting in favor and none voting against.

FINDINGS/CONCLUSIONS: None

E. OLD BUSINESS:

None.

F. NEW BUSINESS

1. **Case #2020-2115. Vista del Rio Final Subdivision Plat.** JenkinsGavin, Inc., Agent, for Moellenbeck Professional Association Retirement Trust and Twilight Homes, Owners, requests approval of a final subdivision plat for twenty-one single family lots located at 5401 Agua Fria St. The property is approximately 4.02 acres and is zoned MU (Mixed Use). (Dan Esquibel, Case Manager, daesquibel@santafenn.gov, 955-6587)

Staff Report

Dan Esquibel presented the staff report.

Mr. Esquibel stated the Land Use Department recommends approval for the final subdivision plat for the 21 family units, with the conditions of approval as outlined in the report and technical corrections in Exhibit A. He noted the criteria of section 14-3.7(C) is shown in Exhibit C and the applicant has agreed to the conditions.

Applicant's Presentation

Jennifer Jenkins, 130 Grant Avenue, Suite 101, was sworn. She stated the applicant agreed with all conditions of approval and technical corrections. She stood for questions.

Public Hearing

There were no public comments, therefore, Chair Hiatt closed the public hearing.

Commission Discussion

MOTION: In Case #2020-2115, Vista del Rio Final Subdivision Plat, Commissioner Hogan moved to approve with staff recommendations and technical corrections and conditions of approval. The motion was seconded by Commissioner Clow.

VOTE: The motion was approved by unanimous roll call vote with Commissioners Clow, Faulkner, Hogan, Gutierrez, Lawrence and Sategna voting in favor and none voting against.

MOTION: In Case #2020-2115, Vista del Rio Final Subdivision Plat Findings of Fact and Conclusions of Law, Commissioner Hogan moved, seconded by Commissioner Clow to approve the Findings of Fact and Conclusions of Law.

VOTE: The motion was approved by unanimous roll call vote with Commissioners Clow, Faulkner, Hogan, Gutierrez, Lawrence and Sategna voting in favor and none voting against.

2. **An Ordinance Amending Section 14-6.2 SFCC 1987 to Adopt by Ordinance a Maximum of one thousand (1000) Short-Term Rental Permits in the City; to Prospectively Limit the Number of Short-Term Rental Permits to One Per Natural Person; to Prospectively Limit the Proximity of Short-Term Rental Units on Residentially Zoned Property; to Require a Local Operator for Short-Term Rental Units; to Adopt Record-Keeping and Reporting Requirements for Short-Term Rental Unit Owners and Host Platforms; and to Clarify Other Provisions of**

the Short-Term Rental Ordinance. (Mayor Webber and Councilors Lindell, Romero-Wirth, and Villarreal) (Elias Isaacson, Land Use Director, esiasaacson@santafenm.gov, 955-6730) (Sally Paez, Assistant City Attorney, sapaez@santafenm.gov, 955-6501)

3. **An Ordinance Amending Section 14-11.4 of the Land Development Code to Adopt Civil Penalty Provisions, a Civil Fine Schedule, and Civil Citation Procedures for Land Use Code Enforcement Actions; and to Permit the Land Use Director to Order a One-Year Waiting Period for Application for Short-Term Rental Permit by a Person Who Has Violated the Short-Term Rental ordinance, Section 14-6.2(A)(5) SFCC 1987. (Mayor Webber and Councilors Lindell, Romero-Wirth, and Villarreal) (Elias Isaacson, Land Use Director, esiasaacson@santafenm.gov, 955-6730) (Sally Paez, Assistant City Attorney, sapaez@santafenm.gov, 955-6501)**

Chair Hiatt asked if both ordinances should be heard at the same time.

Ms. Paez explained it was up to the Commission, but the two proposals are meant to work in harmony and have one staff report. Taking them together made sense.

Seeing no objections from the Commission, Chair Hiatt ruled the two Ordinances would be heard together

Staff Report

Director Isaacson provided the staff report. The amendments improve enforcement of the City's Short-Term Rental (STR) program and create a system to impose penalties on owners operating STRs without authorization from the Land Use Department. The sponsors include Mayor Webber and Councilors Signe Lindell, Carol Romero-Wirth, and Renée Villarreal.

Per section 14-3.3, amendments to the Land Use Code require a public hearing, a review, and a recommendation from the Planning Commission before consideration by the Governing Body.

The amendments to section 14-6.2 amend and clarify the existing Short-Term Rental ordinance. The current limitation maximum is 1000 permits that may be issued by the Land Use Department as previously adopted by the City, by resolution. That amount will remain unchanged.

Additionally, the Ordinance will limit short-term rental permits to one per natural person and the proximity of STRs on residentially zoned property and require a local

operator for STR units. The Ordinance will require permit holders and host platforms to adhere to record-keeping and reporting.

Amendments to Section 14-11.4 include provisions for adopting civil penalties, a civil fine schedule, and civil citation procedures for Land Use Code enforcement. The amended ordinance would clarify the circumstances under which the Land-Use Director can invoke permits, including short-term rental permits. The Director could order for anyone that violates Code, a one year waiting period for application for a STR permit.

Director Isaacson referred to a chart in the packet showing the substantive changes to the two ordinances, the policy objectives, and the City's regulatory approach which is to ensure that operation of the STR in residential areas does not disrupt the character or quality of life of the neighborhood. The regulatory approach will be to limit the density and proximity of STRs by preventing new STRs on residentially zoned property within 75 feet of an existing STR. The resolution's 1,000 permit limit would be maintained and incorporated into the Ordinance.

Another policy objective is to prevent speculators from purchasing multiple homes for the purpose of operating multiple STR units, resulting in the reduction of long-term rental (LTR) housing. The regulatory approach is to issue only one permit to one actual person. Additionally, law-abiding residents would be allowed an option to utilize accessory dwelling units (ADU) as STR units to create wealth and generate supplemental income. The regulatory approach would exclude ADUs operating in compliance with the ADU ordinance section 14-6.3(D)(1) from the proximity/density limitations set forth in 14-6.2(E)(5)(e).

The policy objective to minimize public safety risks associated with STR units such as higher traffic levels, parking issues, noise, litter, and other public nuisances. Regulatory approaches would include who is available requiring a local operator 24/7 to respond to complaints and include their contact information. Also proposed is to limit frequency in STR guest turnover by prohibiting the rental of STR units to no more than once in 7 days. Existing limitations will be maintained on the maximum number of guests (2 x the number of bedrooms) and continued administration of the City's formal annual permitting requirements.

Last, to ensure the owner/operator of STR's follows applicable regulations, including the payment of all fees and taxes, they will adopt and enforce new enforcement options. That includes the schedule of civil fines which increases for repeat violators, the revocation of permits, and a one-year application waiting period for anyone who has violated. Permit holders will also be required to maintain books and records for a three-year minimum and record-keeping/reporting by host platforms and to collect revenues.

Director Isaacson turned the floor over to City Attorney Paez to discuss the policy making process and opportunities for public participation.

Ms. Paez said this is the first opportunity for public input on the legislation and is a matter of interest for City Councilors and the Mayor. Due to the limitations in State law for open meetings they cannot get together as a group of interested Councilors outside the context of formal public meetings. The objective of the four sponsors was to create a preliminary proposal with a lot of ideas and take that into the committee process. They would then obtain input from members of the public and stakeholders.

Staff has received a lot of input already and this is the first time a City body could weigh in on the amendments in a formal public meeting. The schedule proposed for the committees staffed by City Councilors is to go before the Quality of Life Committee on July 1; Public Works and Utilities Committee, July 6; request to publish before the City Council on July 8, go to the Finance Committee on July 13; and public hearing before City Council on August 12, 2020.

It is possible the Planning Commission could reach a final recommendation to approve, that contains possible nuances. They can recommend changes of what they like or eliminate what they don't like within their purview.

Staff has been compiling comments even those received after the deadline (Monday), due to the large volume. She hoped that Commissioners had a chance to review the first batch because three additional batches of recent public comments were sent to Commissioners.

Ms. Paez said she would like to read the names of those who sent written comments into the record. Additional comments have been received since the last batch. She will continue to gather that input and make it available to the City Councilors and other committees and the Governing Body to retain as a formal record.

Chair Hiatt asked if the draftsmen or sponsors of the Ordinance had an opportunity to involve the STR community or interested citizens.

Ms. Paez replied she is aware that sponsors individually have been speaking with stakeholders and community members ad hoc. There was no formal opportunity until tonight.

Mr. Berke provided historical context on the STR Ordinance and changes. He said that in about 2005, Santa Fe recognized the operation of vacation rentals throughout the City and they were somewhat disruptive to neighborhoods. They received a lot of neighborhood input on the issue and the City decided to look into the issue. Subsequently through a series of stakeholder meetings an STR ordinance was drafted and passed in 2007/2008. In 2015 the Governing Body passed a resolution that asked staff to analyze the current Land Development Code regarding STRs. They were asked to make recommendations in the ordinance.

There were a series of well attended public meetings with neighborhoods, different stakeholders, the Tourism/Hospitality industry. Options were presented at the meetings by City staff and the Tourism Department and considered changes and issues that would be needed through ordinance revisions. There were online platforms that could be rented through AirBNB, Craig's List, VRBO, etc. all showing short-term rentals that were not captured as having a permit.

The cap at that time was 350 STRs with a lengthy waiting list. They drafted major changes to the STR ordinances in 2015-2016 which included that:

- All rentals of less than 30 days had to register with the City with a registration permit regardless of zoning district.
- The cap for residential permits was increased from 350 to 1000 and could be adjusted if City Council thought necessary.
- They eliminated the 17 rentals per year but kept that there could only be 1 rental every 7 days.
- Two adjoining STRs on a residential street was prohibited.
- They clarified that STR permits were nontransferable and only for the owner of the property, it wouldn't transfer to a new owner.
- Applicants were allowed to submit self-compliance statements for renewal.
- A mailing requirement was added that applicants should notify the homeowners and neighborhood associations within a specific range.
- Fees were adjusted to cover the cost of staff performing fire inspection, home inspection and business permitting, and a late fee of $50 that granted a 30-day extension for renewals.
- Fees for enforcement were added and a fine of $500 with a required written notice to the applicant of a violation.
- Applicants had to list on the application where they advertised for verification by the City that the applicant legally advertised.
- A Short-Term Rental office was added with an increase in staffing of that office.
- The City purchased compliance software with the ability to compare the list of STRs with permits and the lists from VRBO, AirBNB, etc. and the ability to send a notification for non-compliance.
- Council instructed staff to report back and provide an update in 18 months from the adoption of the changes. That has been done.

Chair Hiatt asked Director Isaacson if there was anything else from staff. He was told there was none.

Vice Chair Hogan said he wanted to disclose two things: One, he received a large number of calls on this issue. Out of concern about ex parte, he had encouraged everyone to send their comments in writing to the City to be distributed to everyone. He added he did not believe his capacity to take action on this had been compromised.

Commissioner Hogan said secondly, he may soon be an STR operator. He had applied for a permit in January for his converted office and was given a permit. But he has never acted on that nor received any income because of COVID.

Commissioner Hogan said he felt the obligation to disclose his permit, but again did not think that compromised his ability to participate. He offered to recuse himself if the Chair or Attorney Paez felt differently.

Chair Hiatt said his understanding is that legislative matters for ex parte have a different connotation. He asked Ms. Paez to comment.

Ms. Paez agreed. A legislative matter has no ex parte communication limitation, whereas a quasi-judicial matter does have an ex parte communication limitation. In a quasi-judicial matter, the applicant has a constitutional right to impartial decision-makers who have not been swayed by information from outside the formal record. In this case, as a legislative matter it is okay to correspond. The sponsors have been trying to correspond with interested parties, which is appropriate. She saw no problem as long as a quorum of the Commission does not discuss this outside the context of a public meeting.

Chair Hiatt said on the second matter of the Vice Chair owning a STR but not having any tenants yet, based on Vice Chair Hogan's comments, he did not find an inability for him to participate. He asked if any Commissioner objected to the ruling of the Chair. There were no objections noted.

Ms. Paez provided for the record additional context in the Code of Ethics in Code, Section 1-7 requiring a public official with a conflict of interest to disclose that conflict at the public meeting. It states, *"A public official shall not perform an official act or attempt to influence another person to perform an official act in any matter in which he/she has a conflict of interest."* In this case because changes are not being made that would increase the revenues received, voting on the legislation would not be a conflict of interest. As long as no money is a result to the Commissioner.

Public Hearing

Chair Hiatt explained the process for the public hearing and that the comments were limited to two minutes. He noted 58 people wanted to participate and he appreciated all of their comments.

Ms. Paez read the names of those submitting written comments to the Commission, noting they continue to receive comments. Those will be compiled and be of benefit to additional committee meetings. She read into the record names of those sending written comments in alphabetical order: Rebecca Anderson, Cindy Atanasoff, Irene P. Ayala, Cheryl Benard, Tai Bixby, Steve Harris, Karen Heldmeyer, Robert

Hilgendorf, Craig Lamb, Patricia Lillis, David Mansure (with petition attached), John M. Nye, Paul Plunket, Karen Kolbert Richelli, Victoria Rogers, Tim Ryan, Marvin Schrager, Ron & Myrna Simon, Sara & Dave Singleton, Michael Tankersley, Jon B. Tucker, Elizabeth West, Janet Williams and Richard A. Woodruff. The written public comments are attached hereto as Exhibits 1, 2, 3 and 4.

Ms. Paez indicated the list of names would be provided to the stenographer. She apologized for any incorrect pronunciations.

Chair Hiatt noted for the record that he had not seen at least half of those comments. He counted the names on the petitions and appears there are 700 names.

Preston Ellsworth,1412 Cerrillos Road, was sworn. He thanked Mr. Berke for his help in navigating the administrative management of the system. He said he preferred this go to the Governing Body for better administration and oversight. Secondly, they need to get the County on board so the community could comprehend the problem. Third, the revenues, which are substantial, should be coming to the City and distributed by the Governing Body to the Convention and Visitor's Bureau, minus the fees and charges for enforcement.

Myra Canterbury, 15 Mesa Encantado, Unit 227, was sworn. She wasn't sure if she fell under the guidelines or was outside the boundaries of the 1000 people who are permitted. She asked the boundaries for the legislation.

Chair Hiatt asked Ms. Canterbury if she was registered with the City as a short-term rental owner. She told him she thought she was outside City limits.

Chair Hiatt said they were interested in her comments either way. He asked Mr. Berke to assist Ms. Canterbury.

Ms. Canterbury continued, saying how important it is to balance having affordable housing in Santa Fe because they need them to help manage their properties. She lives in a townhome community that has on-site management. She thought they could probably accommodate that. She pays her taxes through VRBO and they have started collecting taxes for the State and she presumes for Santa Fe, around December.

She asked if she has to be registered with the City of Santa Fe. She is not opposed to the changes other than that this community has a lot of short-term owners. They are back to back and attached, etc. and the 75 feet rule would be a problem for them. She wasn't sure what the 75 feet rule buys them when you have a community that is well-maintained and has a very strict HOA. She wanted to be sure she is legal and has no desire to cheat anyone out of revenues or money.

Ms. Paez encouraged Ms. Canterbury to contact the City. She noted the information is on the website for the Short-Term Rental office and they are easy to contact about the City's boundaries.

Chair Hiatt said he would go a step further and be proactive. He asked Mr. Berke to take Ms. Canterbury's address and initiate contact. He thanked her for coming.

Karen Kolbert Rokelly, 214 Griffin Street, was sworn. She didn't agree with this. She lives downtown and knows that the City needs to look for revenue, but where she lives there are no residents. It is just her and one other person. The City should look at another part, like Catron to Grant, not the Capital District area. They are different than a residential district. Her house was a business for 10 years and she now lives in it and uses it as both. She thought this absurd because the City needs the money more than ever because of the pandemic. They are cutting off their nose to spite their face by not letting a district like this, which is really business. STRs in this area should be exempt if they are not already, because it is not residential and areas like downtown should be excluded.

Andy Duettra, 25 Bluebonnet Circle, was sworn. He owns WSR Properties and manages almost 40 STRs in commercial districts, most within three blocks of the Plaza. They feel zoning rules should be consistent and reasonable. He agrees with Ms. Rokelly on separating commercial and residential areas, the BCD is a business district. He has operated a lodging business recognized by the City for 15 years. He doesn't understand why now that would change and residential rules brought into a business zone. The distinction contained in 14-6.2(A)(6) should remain and be reinserted into the Ordinance. He operates like any other hotel and B&B and the zoning should stay in place and remain sensible.

Marc Bertram, 906 Trail Cross Court, was sworn. He was thankful that Mr. Burke provided the history of the Ordinance. He echoed Andy's concerns on non-residential zoning versus residential. Every iteration of the Ordinance has taken that difference into account and the difference should remain. Another problem with the Ordinance is enforcement. The recommendations of the O'Donnell Report said additional regulation might be needed at some point. The City has to do better at enforcing laws already on the books. He asked how the Planning and Land-Use staff would grade themselves on the enforcement issue. He thought the ultimate problem was the City is trying to get those not in compliance, not registered and/or permitted, to either be in compliance, or get out of the business. Enforcement would go a long way to address the concerns of those in the residential zones. He recommends removing the "*natural person*" ownership requirement and wasn't sure that is legal. It is problematic and could be a legal problem down the road. He agreed with the previous speaker on the 75-foot rule.

David Mansure, 212 E. Berger St., was sworn. He works with Mr. Duettra and would add what he and many others have said, they need to reinsert 14-6.2(A)6. As a

BCD downtown business for 15 years they were exempt from residential rules. They are licensed as a business and operating solely in the BCD District. They should be treated like any other hotel and B&B downtown. He and Mr. Duettra initiated and sent the petition with 700 online signatures and had garnered them in one week. He also canvassed the downtown, BCD District retail businesses, galleries, restaurants, jewelers etc. and has a fair number of signatures in hand from them that he could share. The lists from which the signatures were garnered has past guests, property managers/owners, realtors, and other fellow business owners who all assert the language should be reinserted and all favor the exemption from residential rules.

Chair Hiatt stated unless the Commission objected, the Commission will permit the additional signatures to be added to the record if Mr. Mansure could turn them in to the Land Use staff by tomorrow at 5 PM, since the hearing is a virtual hearing.

Susan Orth, 2115 Calle Tecalote, was sworn. She noted she is the president of the Santa Fe Association of Realtors with over 900 realtor members and 100 affiliated industry members. She respectfully requested on their behalf that the action on the two ordinances be postponed. The ordinances represent significant changes to the City's existing short-term rental ordinance, as well as a fines and penalties structure. They believe the Association, STR owners and the public needs more time to review the proposals and the significant impact they will have on property owners and businesses in how the City will enact those regulations. The regulations were only available for public preview last week and the ordinance was extensively rewritten. Additionally, the fine and penalties section was severed from the original ordinance and changed extensively from a criminal to a civil structure. The Association was not involved nor consulted regarding the proposed changes. They believe the timing of the significant Land Use changes is particularly problematic. The community and local businesses are already seriously stressed in responding to the COVID 19 pandemic. The City should be completely invested in an open, transparent, inclusive process on any regulatory changes, particularly those that impact property rights. The City should ensure that changes are thoroughly vetted and supported to the extent possible by the community. The Association strongly urged the Planning Commission members to postpone action this evening.

Gregg Bovee, 3760 Academy Road, Unit A, was sworn. He said the regulation was brought to preserve the neighborhood's cohesiveness by eliminating traffic, noise, and complaints from neighbors. But he couldn't find a list or police reports verifying that those occurred. He asked if that was available.

Chair Hiatt asked that he address his questions to him as Chair. He has been making a note of them. He asked staff to put his question on the list of questions to be answered at the end of public comment.

Paula Moya, 625 Garcia St., was sworn. She is a registered, compliant short-term rental owner and pays STR taxes even before the platforms started collecting them. They have worked hard to contribute to the City. She grew up and went to school in Santa Fe and her parents owned a business here. She and her husband plan to retire from their jobs as professors at Stanford University to their home in Santa Fe. They purchased the home in Santa Fe not only as a home for them when visiting Santa Fe and her parents, but to be financially feasible they rent the house as an STR. She has two problems with the proposal: one is the STR should be one per natural person. They have the home in an LLC and the "natural" language could be problematic. Also, on the requirement of being a local operator. She manages the rental herself and works with many local residents in Santa Fe. She is available 24 hours a day and has never had any complaints or problems. Those two provisions make it financially unfeasible for her to own the home that they hope to retire to.

Charles Burkhardt, 13 Desert Plume Trail, was sworn. He noted he also owns 1155 Camino Delora and operates his own and several other vacation rentals throughout town. He said he is against the majority of the regulations. Someone earlier asked if the restrictions were to address current weaknesses in regulations. He didn't think so. Additional restrictions will only hurt those following the rules and does nothing to curb those who are operating illegally. The City should enforce the current regulations and look at the results. The Commission should consider the number of actual complaints filed over the last year; how many fines were issued for illegal operation of STRs. He was against all of the restrictions proposed.

Robert Zilinski, 502 Sunset, Unit B, was sworn. He currently lives in New Jersey and graduated from the University of New Mexico. In 1976 he bought property in Santa Fe and started the STR in 2008 after regulations were put in. He has always had a permit and paid all taxes and fees and has never had problems with noise or parking at the rental. He wondered who the regulation benefits because he thought it limits competition and benefits larger hotels. He saw no benefit for the City to limit competition. His renters have said they like staying in a house rather than a hotel and some of his people return again and again. This could hurt the visitors and tourism in Santa Fe and the investors who purchased property with conditions that appear to be changing. He thought this overregulation, and as one person with one property, appeared he was being pushed out of the STR market. He recommended postponing the ordinance or rejecting it.

Frances Maier, 633 Garcia Street, was sworn. She lives in both San Francisco and Santa Fe and grew up here. She has two rental properties that are loved by her guests, pays the taxes and has notified her neighbors. She has never had a complaint and her guests comply with everything. Vacation rentals bring in families who are not comfortable in hotels and like to support the local community. STRs allow her to keep her properties in the best shape. She agrees there is not enough enforcement. This change puts more burden on those who are compliant than someone who is not. She couldn't understand the benefit of the natural person rule. There are good reasons to

have an LLC to protect themselves. And the local operator rule is ridiculous. She pointed out that the Internet and phone works well both in Santa Fe and San Francisco and she can address any issues her guests might have. She said she does have a question on the part of the Ordinance that is grandfathered and isn't clear how or what that applies to. She purchased her second property based on the last ordinance and wants to be sure her property rights are not violated.

Germaine Gomez, 511 Cortez Street, was sworn. She owns and operates Fridays Off in Santa Fe, a STR property management company. She and her business partners were born and raised in Santa Fe. The proposed changes would hurt their small business, which supports 10 local families. They buy and shop in Santa Fe. Vacation rentals bring in revenue to the area and expand the economic pie. They provide jobs, support vendors and contractors regularly, and some rentals bring in traveling nurses. They provide a place for people to stay in a local vacation rental and this will limit competition. They want to see current regulations enforced. She has been in the industry almost 13 years when there were only 350 rentals. She understands a lot of changes have happened, but enforcement has not come full circle. They oppose the one rental per person, and the natural person and have several homeowners that own multiple properties. That should be allowed, and it helps to support the economy. Lastly, on the 16.3 or the one year, if there is a violation there should be a warning. Some of their owners are getting letters of violation when there is no violation. It would be unfair for the home to lose their permit without verification.

Barbara Yoffee, 209 Polaco Street, was sworn. She is the vice president of the Historic Guadalupe Neighborhood Association. She has lived in the neighborhood since 2002 and understands those with a vested interest. She said residential neighborhoods are not here as a business proposition or only for investors. As residents they have invested a lot of blood, sweat and tears and money in their neighborhoods. She has talked to many residents in the neighborhood who feel this is a good balance. Finally, there is a proposal and it should be discussed. Also, the STR rentals in historic neighborhoods have cut the long-term rental housing problem. Their neighborhood used to have long-term rentals for people who worked here, and the neighborhood was more substantial and consistent. She asked that they please talk with the neighbors, not just realtors and investors.

Karl Hans Sommer, PO Box 2678, was sworn. He said the job tonight is to look at the policy behind the amendment in light of the policies for the STR Ordinance. The proposed amendments, with the inclusion of the BCD, will be counterproductive. He noted that Mr. Bertram is just one of many local investors who revitalized buildings that were obsolete and difficult to occupy. He and others have spent tens of millions of dollars to bring properties to a new vitality in the downtown area. If the BCD is subject to the new regulations, they will limit the supply and eviscerate and discourage those investments and discourage further investment downtown. That is a serious policy to consider. Also, there is a serious question about the ownership provision. There is a

case in the New Mexico Supreme Court that may prohibit the amendment on who owns the property.

Chair Hiatt asked that Mr. Sommer to forward a copy of the Supreme Court case to Ms. Paez.

Jerry Richardson, 703 Don Felix St., was sworn. He is the president of the Historic Guadalupe Neighborhood Association but was speaking for himself. He has notified all of the members so they could make their opinions known. He is gratified to see the City looking at problems created by unlimited STR growth that has negatively impacted his neighborhood. His neighborhood is close to downtown and walkable to the Railyard, etc.

Mr. Richardson said people lose the sense of neighborhood and don't know their neighbors and there are a lot of people going in and out. They don't understand how densely populated their neighborhood is with zoning that allows 19 units per acre. It isn't that people are misbehaving or there have been significant issues. They are just not aware of other people living here. He appreciates the efforts to get the issue under control and thought it obviously needs more work. Most of the people talking tonight are not going to be affected by the amendments because they are grandfathered in. This is just trying to control it in some way.

Richard A. Woodruff, 615 Onate St., was sworn. He said for the record he co-owns Adobe Casitas Vacation Rentals. They have been renting about 18 homes for about six years and pay all their taxes and have never had a complaint. There are too many things wrong to go through each point. He doesn't believe they did due diligence on an economic impact study and what it would mean if they did not capture STR and if transfers were prohibited. They are mostly rented by tourists with families, often with pets. The 75-foot radius will decimate home transfer by about 75% of the existing vacation permits. Another point of fact is that since 2018 and the increase from 350 to 850 STR permits, they have not grown and remain flat. He recommends a proper economic impact study be done by City Council and an evaluation.

Laura Post, 832 Dunlap Street, was sworn. She lives in the Guadalupe neighborhood and this has been a concern of hers. She does not have an STR. She lives and works at St. Vincent Hospital and is a full-time resident for 45 years and raised her family here. She understands the economic impact that was expressed but is concerned more about the explosion of the AirBNB's. Specifically, downtown where she lives now. Her focus is on the availability and affordability of houses and the ability to buy affordable houses. Many of the AirBNBs are bought by people from out of State, out-of-towners who are exploiting their neighborhoods. Her son recently moved back with his family this year and couldn't find anything nearby to rent or buy. There is a long list of young people in the same situation.

Denise Ramonas, 600 A Griffin Street, was sworn. She is the president of the Griffin Park Condominium Association off Paseo de Peralta. They have 27 units and now have 8 units licensed for STR. Most of the other units are full-time residents who are very unhappy about the STRs. The Association's declaration prohibits STRs, *"No unit can be used for hotel or transient purposes"*. They have written and met with the STR office over the last three years and ask them not to renew or issue STRs for Griffin Park. Yet renewals continue and new permits have been issued. Most of the Griffin Park owners, including herself, support the proposed changes to the Ordinance. They ask that the Commission also consider including in the ordinance that if a condominium document prohibits STR, the City will honor that and not issue short-term licenses.

Mr. Berke offered to look into that if Ms. Ramonas emailed him the addresses.

Marilyn Proctor, Sandia Circle, was sworn. She has owned Proctor Property Management and Adobe Destinations for over 40 years. Her most important question is addressed to the Land-Use Director or Mr. Berke: "why this is happening"? She wants to hear the complaints and where they were and what the complaint was about. This is her livelihood and she has never had a complaint in 40 years. She asked why now the City is starting random inspections and why they couldn't go back to fire inspections instead. As a small business she shouldn't be punished because of the large corporate businesses like AirBNB. She follows the rules and guidelines and as many others said, there is and never has been enforcement. There has been a huge turnover in the Land Use Department, and she has never had them return her calls. She manages 50 properties and since the pandemic has lost over $300,000 of revenue since March. Tourism is suffering.

Stefanie Beninato, PO Box 1601, was sworn. She was happy that fines would be civil rather than criminal penalties because they will be easier to enforce. She has concerns about some of the provisions. It will not be easy to enforce a 75-foot separation of STRs. There are about the same number of unpermitted STRs as those permitted. The problem is enforcement and the City has been putting that off for at least three years. They say they are acquiring more programs and staff that is needed to enforce, but nothing changes. She favors one STR rental per owner because that does not affect the availability of affordable housing, which is a huge issue in neighborhoods like South Capital. Also, it can be disruptive in terms of feeling like they are part of the neighborhood. She sees a lot of RVs parked on the street in her neighborhood and appreciates that supposedly will not be allowed. But again, it is about enforcement. The City needs for not just the AirBNBs to pay taxes, but all of the platforms and to pursue those without a permit. She knows a person who rents apartments and uses them for AirBNBs. That is a total abuse of the system, as well as the people who own 10 units. People who have a second unit on their property are treated differently than someone with one unit. The treatment of STRs compared to hotels, now STRs have to meet hotel standards for fire. She goes to AirBNBs to avoid chemicals at the hotels. The Commission should look at consistency in terms of fire standards.

Madelyn Carey, 1674 Camino de Cruz Blanca, was sworn. She explained she is Nick's partner and is using his computer. Nick runs an STR. Her experience comes mostly from a federal level in environmental. She is heartened by the amount of diligence, care and opportunity for the public to comment. She would like the City to be regulating, managing and enforcing towards a vision, instead of in response to complaints. It is important to have a vision and know how STR rentals will exist within it. She wanted more discussion about tourism economy and how it has long been a consistent opportunity for locals to participate. To deny or limit how individuals can participate creates an equity issue. She encourages policymakers to consider how STRs can be part of a healthy, thriving Santa Fe and contribute to the locals' ability to remain in Santa Fe and participate in the economy. Ms. Carey said her partner is a full-time freelance creative and the AirBNB allows him to maintain his expenses while participating in the artistic and creative community.

Janet Williams, 1200 Don Gaspar, was sworn. She was speaking on behalf of the amendments which she believes are important. Her daughter lives on Apodaca Hill and neighbors on two sides are AirBNB. They have no neighbors, the STRs are destroying the fabric of neighborhoods. The City needs to get them under control. Owning one is fine, or a guest house rental is fine, but she doesn't want people owning 50 AirBNBs. She wants a limit and approves of the amendments.

Eric Enfield, 612 Old Santa Fe Trail, was sworn. He has lived in Santa Fe most of his life and has invested in the BCD zone and had an AirBNB. He said it is a mistake to include the BCD District in the Ordinance and is short sighted. The dynamics of a downtown area requires visitors. He has lived here for 48 years and worked with many of the City agents and including the BCD in a residential ordinance isn't right. Currently you can build a restaurant and bar next to a house in the BCD District. That is important for them to consider. The idea that a person can only own one unit makes no sense economically. When they change a district in the center of the City there is a lot to consider; it should be vibrant with people coming and going. He would rather have a family stay three days with their dog than a restaurant and bar. That would be what they are talking about if they eliminate residential use in the BCD.

Patricia Lilis, 2119 Conejo Drive, was sworn in. She appreciates the changes to the STRs and recognizes their negative effects on Santa Fe's long-term housing and the neighborhoods. The ordinance is written, *"Any natural person from anywhere can obtain one short-term rental permit."* Primary residency is not a requirement. Denver, Boulder, Charleston, Portland and many other cities chose to have a primary resident requirement in residential neighborhoods to address STR speculation and housing challenges. She has two requests: first, that the ordinance consider allowing one short-term rental per primary residence in residential neighborhoods. One permit per household for a main house or a guest house. Secondly, page 17, *"All current rentals are grandfathered in".* She asked how that would address the current housing issues and neighborhood

complaints. She asked that the Commission consider a grandfather clause of two years, which is generous, and more than many cities have allowed; including anonymous complaints to help identify illegal rentals and the safety of anyone making a complaint; post STR permit numbers instead of a business license; and require the owner's name(s) on the permit to match all names in the deed. STR abuse takes homes from people and families who have a primary residence in Santa Fe. STR regulations need to be reformed and a primary residence requirement is the best way to do that.

Nancy Bookbinder, 426 Abeyta Street, was sworn in. She said she seconded and concurred with everything Ms. Lilis said. Core to the conversations is to define what is meant by community. They use the word a lot and have talked about a key issue, a community that doesn't have housing.

Ms. Bookbinder said Long-term rentals are fine in a neighborhood, but short-term rentals tear up the neighborhood fabric. Not having neighbors or knowing who they are, people who come into your neighborhood and don't respect your property, or letting their dogs come onto your grounds. Someone had mentioned they live in San Francisco. San Francisco recognized what STRs were doing to the neighborhoods and changed their requirements. They allow STRs for a shorter period of time with the requirement that the owner must live on the property. She agrees with one property with a casita, etc., but when talking about what community is, means they have to support the people who want to live in Santa Fe. The hotels in Santa Fe serve people and support tourism. Neighborhoods are not established for people to come in for a night or two and disrupt the rest of the neighborhood. They preclude the opportunity for Santa Fean's to live in these neighborhoods. People who are concerned about their investments should look at the market today and put their place up for sale. It will sell in the next two weeks.

Mr. Berke noted that Karen Heldmeyer, 325 E. Berger had called in and was not able to access the meeting. She asked that her following statement be read into record:

> I swear. Karen Heldmeyer, 325 E. Berger.
>
> I sent in a consensus document w/ suggestions from the Neighborhood Network board.
>
> 3 issues with STRs: affects actual neighborhoods wactual neighborhoods, decreases stock of available housing in many neighborhoods, never really been adequate enforcement especially of fiscal impact
>
> People who actually live here also contribute to the city financially through their ownership and through their living expenses, but also contribute in many other ways to the community. that doesn't occur with transient renters.

Mr. Berke indicated he would email the comments to the stenographer for the record.

Chair Hiatt thanked Ms. Heldmeyer for her comments. He informed the Commission for those who didn't know, Councilor Heldmeyer was *the* Councilor who brought this to the Land Use Department and the various committees and to the Planning Commission when it was originally passed in the early 2,000's.

Paul Dedomenico, 1413 Paseo de Peralta, was sworn. He commented there had been a lot of focus on the BCD, but there are other commercial zonings that allow residential use. He owns properties in both BCD and C1 and thought there shouldn't be any STR limitations on property zoned commercially that allows residential use. He thought if that were to happen it was taking away his property rights.

Michael John Blackwell, 709 Don Felix, Unit D, was sworn in. He said he knows the STR's bring in a lot of revenue to the City in Gross Receipts Tax. He asked if the property tax would be increased or City workers would be laid off if STRs are decreased.

Chair Hiatt said Mr. Blackwell's question would be posed to Director Isaacson after the public hearing.

Chair Hiatt allowed a minute to ensure anyone wanting to comment had done so.

Mr. Berke noted there appeared to be no one else who wanted to comment.

Chair Hiatt closed the public hearing. He asked if there were questions from the Commissioners to staff. There were none.

He noted that he had been in the Director's chair at one time and was there when the Ordinance was passed. He had tried to create a strong enforcement team but thought he had not succeeded and hasn't been successful in enforcement since. He asked if there were statistics on enforcement activity in STR.

Mr. Isaacson replied he didn't have specific data on enforcement. The short-term rental enforcement is challenged by staff's ability to respond in a timely manner to issues. When a complaint is received of noise in the late evening, by the time staff receives the complaint they are not in a position to act. They are not able to verify that a violation occurred when they go to the site the following day.

Another challenge is that, as drafted, the Ordinance contains inherently difficult to enforce supervisions that either lacked clarity. Worse, staff doesn't have the tools to verify a violation. That motivated them in providing clarity in the ordinance where it was not clear and to simplify where necessary for easier interpretation.

He indicated when Ms. Paez started work on the amendments and presented it to the City Attorney's office, a comment was made that the Ordinance, as drafted, was very vague. That kicked off the question, before they went into public comment of, what is your opinion on areas of weakness and do the amendments address them? He thought one area of weakness is the drafting of the current ordinance. They have made significant strides with the proposals to strengthen the areas that are difficult to enforce.

Director Isaacson said they have made important strides in the department in the past 18 months and did a good job aligning their human resources to their technological resources. They now have better tools, especially with the switch to the Inter-Gov Permitting System. They no longer have to manage the STR program by spreadsheet and the licensing program allows them to accept applications online or in person. They can be entered into the system and tracked year to year. The system also communicates with another platform that allows them to monitor the permitted and unpermitted short-term rentals. By comparing a list of both they get a clear picture of who is operating outside the lines. Now they are in a position to strengthen the Ordinance in regard to enforcement. The tools through the civil penalties system will make it significantly easier for them to enforce the STRs.

Commissioner Clow asked to clarify the statement that a permit has to be issued to a natural person. She asked if that meant that the person applying for the permit has to have their name on the permit, but the house could still be deeded in an LLC.

Ms. Paez said yes, the intent of the natural person provision is to ensure the permit is held in the name of an actual human, not a legal or business entity. A real property owned by an LLC would typically have an operating agreement that specifies managing members who have authority to sign documents on behalf of the LLC. The people with that authority could obtain the permit. The intent is to have a human identity for the permit, but it doesn't restrict the underlying manner in which the real property is owned.

Commissioner Clow thought she had heard comments of concern it was legal title.

Ms. Paez said a sentence could be added to clarify that.

Chair Hiatt asked Ms. Paez to work in the meantime on an appropriate sentence.

Ms. Paez confirmed it would be okay to have a concept, so she wouldn't lose track of the substantive discussion.

Chair Hiatt addressed Mr. Isaacson on the argument on the BCD. He didn't understand why they should be treated differently than hotels.

Director Isaacson wasn't sure that had been contemplated. He explained motivation behind one of the changes was to simplify the program rather than have to

make a distinction between permits and registrations. Staff thought STRs would be easier to administer, manage and enforce by having only one license/permit application for all STR operators.

Chair Hiatt said he still didn't understand why they shouldn't be treated that way if in the District and competing with the hotels.

Director Isaacson said the number of comments received indicate the area warrants additional consideration.

Mr. Berke explained the requirements for hotels are completely different in their regulations and fire codes than an STR. At the time the Ordinance was drafted there was a difference between a bed-and-breakfast, a hotel and an STR. The Code differentiates through definitions, not just the amount of days the person stays. Amenities are also considered such as meeting rooms and recreation centers to determine what districts the hotels are allowed.

Commissioner Faulkner thought that wouldn't even be feasible in more dense neighborhoods on the requirement for 75 feet between STRs. The houses are six feet from each other and there isn't enough distance between properties.

Director Isaacson explained the 75 feet is measured with their software, not from property lines, but from the center of the property. As written, no two adjoining properties could have STRs but what is unclear is if adjoining means side to side or rear to rear. That lacks clarity and has been a challenge for staff to determine what properties are eligible for STR permits based on the existing permits. This is a clearer more precise way to quickly analyze proximity and density of the existing permits in any neighborhood.

Commissioner Faulkner asked if the 75 feet is from permits owned by the same person or between permits, period.

Director Isaacson replied 75 feet between permits. Applicants under the new system with exiting permits do not have to give up permits, even if they violate the 75 feet rule. But applicants who apply in the future may not be eligible if within 75 feet of a property holding a permit shown in the system.

Commissioner Faulkner said that would eliminate the ability for anyone in a dense neighborhood to have an STR. Her property is not 75 feet wide.

Director Isaacson agreed if her neighbor has a permit, she may not be eligible.

Commissioner Faulkner said that would exclude a massive amount of people who could have benefited from this in their retirement.

Director Isaacson said this is a way to express an existing provision in Code that is easier for staff to interpret.

Commissioner Faulkner asked if there is a way to specify restrictions of an area based on density and zoning. The 75-foot rule is very prohibitive regarding density. In Tierra Contenta or Las Solaras less than one person per 7-10 houses could have an STR.

Director Isaacson explained they ran an analysis and found applying the existing STRs to the existing permit holders affects roughly 125-140 existing permits. This is not as restrictive, but it is restrictive, intentionally. This was partly an approach to try to reduce the intensity and concentration of STRs in residential areas.

Commissioner Faulkner asked what areas of the City were facing that problem.

Director Isaacson replied that analysis confirmed their suspicions. The densest areas for short-term rentals are in the BCD and neighborhoods immediately adjacent.

Commissioner Faulkner asked why not just address those neighborhoods more stringently.

Chair Hiatt asked to interrupt. He noted that everyone on the Commission has the opportunity to amend and Commissioner Faulkner could provide specific limitations in a motion. He noted there were others that wanted to speak, and they could return to this issue.

Commissioner Sategna in trying to understand the one STR per natural person limitation, asked when married if each individual could own an STR.

Ms. Paez replied yes, one permit per human.

Commissioner Sategna clarified that a married couple could actually own two properties and be within the law.

Ms. Paez said it could be argued that way as community property.

Commissioner Sategna noted that given that; a single person doesn't have the same economic advantage as a married couple.

Ms. Paez replied that could be argued. There are a lot of benefits that tend to favor married couples, taxes and economics. This is not much different.

Commissioner Sategna asked if that was considered when this was being drafted and if staff believes it complies with the law.

Ms. Paez responded she hasn't come across anything that indicated the contrary. Other restrictions were looked at, such as restricting out-of-state owners. That type of limitation is problematic and raised potential issues with constitutional doctrines. She is unaware of a legal limitation treating one person the same as another, married or not.

Commissioner Sategna asked if they had also considered families that pass down property or in a trust where a family will benefit from the property. He asked if this Ordinance would impact that.

Ms. Paez said her understanding is a transfer of property ownership does not transfer an STR permit. She thought that was not allowed in the existing Ordinance. It is an ambiguity they want to clean up and in the current draft it is not allowed. The property has to be held by a natural person, which may have limited duration of ownership. To that point they could add language about transfers to allow the permit to be renewed and remain effective if it remains within the family. More precise limitations could be drafted, but none are in the current draft.

Commissioner Sategna said they have to consider consistency of the criteria with the General Plan. There is not a lot of detail how the changes meet that. The executive summary notes that the General Plan includes enhancing the quality of life for residents; fostering economic diversity; maintaining Santa Fe's unique personality; a sense of place and character; and preserving a community oriented downtown. Other issues raised in public comment were how this will impact small businesses.

He asked if there had been an economic impact study and details on how this met the criteria of consistency with the General Plan.

Director Isaacson said a main motivating factor in the revisions is the quality of life for residents. Several of the public comments today were on concerns for their neighborhoods, some centrally located. The sentiment is that the proliferation of STRs come at the expense of long-term rental units. The O'Donnell Report looked at issues around accessory dwelling units as well as short-term rentals. A connection was made between the proliferation of STRs and the decrease of the long-term rental units available, and the commencement increase in rents with LTR units. The report also connected the proliferation of STRs with the rising cost of housing. Ms. O'Donnell attributed roughly a 20% increase in average home prices directly caused by having more STR units.

Director Isaacson said comments were made tonight on economic diversity and that having LTR units on the market is important to the local workforce. They can see the vulnerabilities in local economy caused by relying solely on tourism for Santa Fe's economic base. More rental units on the market allows people in more diverse sectors of the economy to live, work and have families in Santa Fe. The City is more resilient to things like economic and health crises as currently experienced.

Commissioner Sategna thanked the Director for the additional information. He pointed out that an economic impact study has not been done on the changes.

Director Isaacson replied some decisions in preparation of the proposals have relied on the study by Ms. O'Donnell and informed these changes. But, he agreed, analysis on the changes themselves or the potential economic impact has not been done.

Commissioner Lawrence commented on Commissioner Faulkner's point on the 75 feet. She said she supports a radius and limitations on STRs and is often concerned about the possibility of STRs on multiple sides of her at one time. She wasn't sure 75 feet was the right number, but it is a good way to address the issue. She asked why one STR, opposed to two or three.

Director Isaacson thought that had come up in conversations and questions about primary residents. Limiting one STR to a natural person seemed a way to achieve the same outcome of limitation and move in that direction without going too far. Comments received over the last week may suggest that warrants further consideration.

Commissioner Lawrence asked if other ways were considered to limit the speculation, which clearly is the problem they need to solve.

Director Isaacson replied staff investigated the legality of restricting the permits to local residents, reducing the out-of-towners buying to use as STRs. That was decided as inappropriate. Returning to the question of why they are doing this, it is partly because the STR industry has evolved since the early 2000's and it has been a rapid evolution to now. Although this is more profound in larger cities, it is definitely happening in Santa Fe. One per natural person was a way to push back the trend and try to limit the growth. They wanted it to be more about the preservation of neighborhoods and the STR program to provide opportunities for people to supplement their income, but not as a big business. If STRs become big business, it will be at the detriment to many of their great neighborhoods.

Commissioner Lawrence thought the reasoning was sound, but was hesitant about having just one, opposed to two or three. She suggested increasing fees could obtain more funds from those renting STRs as a small business.

Director Isaacson said it is important that he declare he is not a short-term rental operator. Meetings like tonight are valuable because they receive input from people who are professional STR operators. He is happy with the level of interest, but they should keep in mind that often the operator/management companies operate STRs for private individuals. They manage the listings, do the rentals, etc., but the companies don't own the units and will not be impacted by these changes. He added there are various structures and he realizes he may have misspoken for some.

Commissioner Lawrence added that she also appreciated the public comments and has learned a lot.

Commissioner Clow referenced page 6, section D about a permit not being transferable to another person or property. She suggested clarification that a transfer to a trust for estate planning purposes is allowed. The reference specifically is when transfer is to another owner. Also, on page 12 section E, stating the 75-foot radius, *"shall be measured from the subject property boundary."* She would think that would be the edge of the property.

Director Isaacson replied that is correct, but the statement is inaccurate on how the 75 feet is interpreted.

Commissioner Clow noted she was confused about the exception of STR units that complies with the requirements of an accessory dwelling unit. She asked to clarify whether the 75-foot requirement is excluded.

Ms. Paez explained the Accessory Dwelling Unit Ordinance allows an STR on the property only if the owner resides in one of the units. The ADU Ordinance was written such that both units could not be STRs; for consistency, the STR Ordinance allows an owner who lives on site to rent out either the principal or accessory dwelling unit and excludes that owner from the density limitation. But if they want to rent an accessory or principal dwelling as STR, the owner must reside in one of the units. The nuance is similar to a permanent residency requirement because having an owner reside on the property mitigates damage to the character of the neighborhood. An application for an ADU in that circumstance would not prohibit a permit based on the 75-feet proximity rule.

Commissioner Clow confirmed the owner would be allowed to have an STR in that instance, even if within 75 feet of a neighbor who also has an STR.

Ms. Paez agreed. The ADU was written that both units could not be STRs for consistency, but this excludes the owner from the density limitation.

Commissioner Faulkner asked to clarify that the 75-foot requirement would not affect married couples.

Ms. Paez said the density limitation and the discussion of one per person could potentially impact families with more members. But they have more opportunities to have more permits as long as the permits are spread throughout town. If she and her husband and her daughter all wanted STR permits, they would have to find locations meeting the density requirement.

Director Isaacson thought the scenario described by Commissioner Faulkner may fall under the 75-foot exception rule Commissioner Clow referenced. The additional unit may likely be an accessory dwelling unit and would therefore be exempt.

Commissioner Faulkner asked how difficult it would be to enforce a larger radius instead of the 75-foot rule for one STR to another, using the number of homes within a specific radius, like a block.

Director Isaacson said that would not be as easy to enforce. Many of the amendments proposed are to simplify and eliminate having to do case by case analysis.

Ms. Paez explained problems with the existing proximity provision include the difficulty in defining "more than two adjacent STRs on a residential street", or "what is a residential street" or "what is a Santa Fe block." The City blocks don't look anything alike and it is difficult to apply a universal metric. They also discussed census blocks and tracts and Council Districts as potential quantifiable boundaries.

Commissioner Faulkner agreed each is different and each part of the City has a different matrix. Her thinking was to have a radius, such as 500 feet, in which no more than five STRs would be allowed.

Director Isaacson said that makes more sense, but the question is how to identify the center point of the 500-foot radius. The solution to the issue in other cities may not be one that could be easily applied in Santa Fe.

Commissioner Faulkner asked about a subdivision.

Director Isaacson said again it would be a situation requiring the application of a unique rule to a specific area of town that would have to be tracked or analyzed. They want to remove those unique aspects and have one rule that could be applied as consistently as possible that could determine eligibility.

Commissioner Faulkner said given the neighborhoods are diverse and different, she wasn't sure a blanket approach is the most equitable.

Director Isaacson said staff did a rough analysis on the existing permits on distances ranging from 25 up to 200 feet to find the best spot. In most places 75 feet seemed to work and aligned with areas where sentiment was that there was a concentration of too many STRs. It spoke directly to a policy objective and wouldn't negatively impact other parts of the City.

Commissioner Faulkner noted the intent is to grandfather the existing STR permits. The 75-feet restriction is mostly to ensure additional rentals could not go into areas with high STR rentals.

Director Isaacson explained it is twofold. It will immediately impact new permit applications but have a long-term effect in those areas as well. Through attrition, owners moving etc. the 75-foot rule will balance the neighborhoods and they will find equilibrium.

Chair Hiatt noted Richard Woodruff testified that the 75-foot rule could eliminate 75% of short-term rentals. He asked if that comported with what the Director observed.

Director Isaacson said Jennifer Fabian who helped put the proposals together also worked with GIS staff to analyze the properties. That assessment did not bear out the analysis. There is roughly 800 STRs in the City and the overlapping conflict of the 75-foot radius was about 125-140 of the current permits.

Commissioner Hogan said he appreciated the outline of the policy objectives and was glad the Ordinance was separated from the enforcement. He noted the numbers between the permitted and non-permitted STRs are nearly parallel, which points to enforcement being a significant issue. It would become more complicated to ensure the quality of STR management is maintained if the City doesn't have access. He supports enforcement and likes the idea of the penalty but suggests having a short period of amnesty for those who are noncompliant to be able to get permits.

Commissioner Hogan said he had more questions when it gets to making the changes. But he wondered how many issues they would hear if there were less illegal STRs. He noted the second point from the policy objectives, in the information the Commission was given says, *"Prevent speculation for purchasing multiple homes for the purpose of operating multiple short-term units, thereby, reducing the amount of long-term housing availability."*

Commissioner Hogan thought that seems intuitive, but he wasn't sure if it was factual. He and Alexandra Ladd have discussed that his impression, given the location of the majority of STRs, is they do not have a big impact on the long-term rental market. He asked if the Director could address and substantiate that.

Director Isaacson said he did not have the numbers with him, but agreed it seems intuitive with the fixed amount of housing. It is hard to say and is a one to one correlation. With the current health crisis and the State restriction of STRs operating at full occupancy, more than a handful of STRs have converted to long-term rental. They anticipate the trend to continue if the conditions continue; or a reversal of the trend if tourism increases the demand. One does impact the other.

Commissioner Hogan said it would be good to drill down on that more. Many would find that makes sense, but the action could negatively impact a lot of people financially. Including opportunities for locals to utilize their property to increase their family income. He suggested they get more hard data on that.

Director Isaacson noted some data is available in the O'Donnell Report about STRs as a percentage of housing, and the connection to the impact of STRs on affordable housing and housing prices overall. Also, the report references impact on the overall numbers of LTRs versus STRs and how the ratio fluctuated over the years and STR rentals have increased.

Commissioner Hogan said he couldn't help but wonder how the number would change if the number of illegal STRs were reduced. On the public safety, risk and quality of life it is implied that STRs have less maintenance and care and assumed they therefore become a blight on the neighborhood. He has seen the opposite. The property not viable for renovation in the historic downtown area was renovated. The reason it could be brought back to life is because a higher income could be expected from the STR. It is not necessarily a safe assumption that an STR will degrade the quality of the neighborhood and they are more sensitive to presentation and curb appeal. They advertise in an effort to attract people online.

He said another assumption is there is increase in traffic levels. When occupied full-time the person would make numerous trips in and out. Occupancy with an STR is more restricted because occupancy is cut by 50%, which would be less traffic than the average homeowner.

Director Isaacson pointed out nothing in the proposed revisions restricts occupancy and it remains the same as the existing Ordinance. Earlier his reference was the occupancy description that was related to the public health order issued. The order placed occupancy restrictions on STRs during the health crisis.

Commissioner Hogan asked if the discussion in the packet on the limit of one rental per seven days, is a response to the virus or if it is the existing condition.

Director Isaacson replied it is the existing condition and will carry through to the new version of the Ordinance. His reference was to recent restrictions of 50% occupancy for hotels and lodging in the State.

Commissioner Hogan said he didn't hear a lot of good public testimony and examples of direct testimony of how the quality of life has diminished, other than comments about losing their neighborhoods.

Commissioner Sategna asked on public comment referencing a petition with 700 signatures that favors exempting the BCD, has that been considered and if not, why not. He asked if that action is consistent with other policies adopted by the Governing Body.

Director Isaacson replied based on feedback received, questions regarding the proposed changes in the BCD probably warrant further consideration.

Commissioner Sategna asked if correct that the 800 permits already issued would be grandfathered and 80% of the existing permits would not be impacted by the new amendments. He was told that was correct.

Commissioner Sategna noted the amendments would only apply to 200 future properties and appears applications are already in place for those.

Director Isaacson replied currently not more than a handful of applications are pending.

Commissioner Sategna thought empowering the City to address the issues and enforce the laws was great. He liked that it is separate from other amendments but asked how they really help. They only apply to 20% of the applicants, and 80% are not impacted.

Director Isaacson explained it goes back to his discussion with Commissioner Faulkner. Initially 200 more permits can be issued before reaching the cap, but over time the existing permits will expire. The new applicants will be subject to the new provisions of the Ordinance and they will see a small impact at first. Over time the landscape of STRs will become more in line with the new Ordinance.

Commissioner Sategna said back to the matter on pass-through entities, family trusts; there might be loopholes. He supports a family being able to pass their property down but is concerned about an entire family having the ability to use that opportunity in the Ordinance. He asked that staff consider that while 800 homes will not be impacted currently and some will fall off, they should consider the loopholes and the impact of that.

Commissioner Gutierrez said the Commission was bombarded with additional correspondence and this is the first time the amendments have been heard. He asked if there would be other opportunities for the public to talk with staff on the changes.

Director Isaacson said this is the first time these specific policy proposals have been shared for public comment. There is a steady stream of feedback on the direct strengths and weaknesses of the Ordinance that has informed the policy shaping. And there will be plenty of opportunity for the public to weigh in on the revisions and shape the final Ordinances.

Ms. Paez added this has been driven by the elected policy makers who all have strong thoughts about amending the Ordinance. Limitations on moving this forward were due to the inability to meet with the public without violating the Open Meetings Act and quorum issues. The decision was to get something introduced and receive targeted input such as tonight. She thanked everyone for their help. It is a work in progress and has to go through the legislative process. They will consider the amendments and the input received throughout the summer.

Commissioner Gutierrez noted that it would be up to the chairman of each committee as this goes through the process, whether there will be public comment.

Ms. Paez said that is her understanding. There is a lot of interest and she anticipates the committees will want to hear the public comments. She plans to forward all of the written public comments on the record from this hearing. There are also people emailing City Council directly.

Commissioner Gutierrez said like an ENN, some issues can be hammered out before going to committees or the Governing Body. He was confused why the STR seven-day, one stay limitation was included in the proposed regulatory approach. He asked if that had changed.

Ms. Paez explained they highlighted some things they would keep, including the limit of 1000 permits. Potentially there is some ambiguity in the existing Ordinance about whether the one stay per every seven days limitation applies to non-residentially zoned properties. She explained it is an existing provision that is not expressly limited to residential properties. As she reads it, it is general and applied Citywide, but it could be argued either way. At a minimum they want to clean up the language and be very clear on the intent and rules.

Director Isaacson pointed out prior to the new technology, that provision had been almost impossible to enforce. Though they are not in a position to be proactive, if more than one rental occurs, they can now confidently verify that and pursue enforcement.

Commissioner Gutierrez clarified that when the Director says *technology* the reference is to the host platforms that will notify them.

Director Isaacson said one is the permitting system, Inter-Government, which helps throughout Land-Use and with the STR enforcement and applications. The other is Host Compliance, a platform monitoring service that provides data on all STR activity.

Commissioner Gutierrez asked the Director to pick one of the biggest problems with the STR Ordinance and how the issue is addressed, opposed to what the Commission has before them.

Director Isaacson replied one of the toughest and most confusing is the adjacency provision language. It continues to cause problems because of the number of variations; is it a private drive, a residential street, how do you define adjoining, etc. Some would argue adjoining is across the street or back door to back door. That causes frustration and has led to inconsistent permitting.

Director Isaacson stated that per the comments, they have not done a good job

cracking down on the STR units that have no permits. That impacts quality of life as well as loss of revenue to the City and is important they get a handle on that. They have the staff and technology, but they need an ordinance that is easy to understand and enforce. Those three things will enable the City to be more effective in managing the STR program.

Commissioner Gutierrez asked what other cities comparable to Santa Fe were looked at and what was the biggest take-away.

Director Isaacson said other cities with larger short-term rental programs that were looked at and were comparable in size: Charleston, SC because they are always neck and neck in the Top Tourist Destination for Historic. Also, they looked at larger cities like Austin, Boulder, San Francisco, Denver, and Boston for trends in the industry. Some cities have canceled their STR program altogether, but two consistent approaches were a primary residence versus limiting the number of permits per person. Staff chose to limit the number of permits.

Commissioner Gutierrez asked if Director Isaacson was comfortable that the 75 feet rule would work best for Santa Fe.

Director Isaacson said he was comfortable with the recommendations. The 75 feet is a workable distance; 50 feet didn't work and over 100 feet wasn't workable either. Staff felt the 75 feet would achieve their goals without drastically impacting the existing STRs.

Chair Hiatt indicated that Alexandra Ladd had signed back on to address Commissioner Hogan's question.

Mr. Berke asked to first clarify the discussion on the adjacency issue. That was not recommended by staff, as stated. The recommendation came from Councilors who included that provision as an amendment to proposals. He recalled the intent at the time was that the streets would not be inundated with short-term rentals.

Commissioner Hogan thanked Ms. Ladd for returning to the meeting. He asked her about the idea that an increase in short term rentals results in problems because it reduces the amount of long-term housing availablity. He thought that seemed intuitive and recalled they had discussed it briefly. He was surprised now to hear it was not as big an impact. He asked if she could elaborate.

Ms. Ladd said there is not years of study, but research has shown in other communities there is a tipping point where the number of STRs impact the market. Santa Fe is probably not there yet but certain neighborhoods do have a higher share of STRs. It was possibly because those neighborhoods did not offer a lot of affordability due to their location or they were higher-end homes. She thought it likely that the initial purchase of a home had created more of the impact on raising the values rather than the use of the home for STR that affected rent affordability or rental units available.

Commissioner Clow referenced page 5, *Short-term rental units located in a development containing resort facilities...* She noted the statement had been deleted. She asked to confirm that had been the exception to requiring a permit for an STR.

Ms. Paez explained the existing Ordinance has two categories: the Permit and the Registration category. The registration category is any short-term rental on a non-residentially owned property. Residentially owned property has a list of zoning districts as defined in the definitions and is mostly residentials.

Pursuant to the registration category, the two categories were non-residentially zoned including BCD and Commercial Districts and developments that contain resort facilities. Two of the resort facility communities came into the City through annexation with Special Use Permits for the County. They were built on that business model and that was justification not to subject them to the permit limitations and adjacency requirements. In review, they noticed there are only 3 registered STRs in that category. The sponsors found no reason to include them.

Commissioner Clow asked going forward if those units would have to be permitted, opposed to just registered.

Ms. Paez agreed the existing requirements subject them to being like any STR unit unless they are grandfathered.

Commissioner Clow referenced page 17, Preexisting Permits. She asked if the units in the development have permits or if they were just registered.

Ms. Paez said the Commissioner is pointing out a definite drafting error at the top of page 17.

Commissioner Clow verified it should say *short-term rental permits and registrations held at the time of the Ordinance amendment.*

Ms. Paez said that was correct. She thought this draft had included that and the intent was to convert those.

Commissioner Clow asked if the amendment had to be addressed tonight. It is complicated and she preferred their comments be noted and come back after edits. She said it was good to explore the changes and hear the public comments, but she preferred this come back after it is fine-tuned. She wanted others to hear the changes and get additional comments before making a decision.

Chair Hiatt agreed with Commissioner Clow's point of view. He said he would come back to that after hearing all of the Commissioners comments.

Commissioner Hogan had a point on the BCD. He thought the BCD is very unique given the part of town, income, the number of tourists it attracts and the percentage of turnover. He suggested it should be treated separately.

Director Isaacson agreed that was consistent with feedback from the public and it may warrant further consideration.

Commissioner Sategna asked if Chair Hiatt would entertain a motion.

Chair Hiatt said they were getting close to wrapping up comments.

Commissioner Faulkner agreed with Commissioner Hogan but couldn't step away from the 75-feet radius as the only solution for every part of town. She wouldn't be comfortable voting without trying to amend that in some way.

Commissioner Faulkner said she was trying to be helpful and offer solutions but couldn't understand why they don't apply the 75-foot rule in the areas where there are problems. If it becomes a problem in another part of town they will have a mechanism to activate the 75-foot radius. She agreed there was a lot to consider.

Chair Hiatt confirmed with Ms. Paez recommendation could be to postpone to a date certain.

Ms. Paez said if the Commission could supply input it would be helpful. If further exploration was warranted it possibly could be amended as it goes through the committee process. Then this could be brought back to the Commission.

Chair Hiatt asked why they would go through the process if there is opportunity now to provide input, and then have revisions come back to them. He was concerned because he hadn't read all of the public comments. He heard public comments today that he knows have not been addressed and there are important comments that haven't been answered. He wasn't sure they had been through all of them. He thought this was too quick for him.

He asked if they could keep the amendments here before sending to other committees.

Ms. Paez explained the sponsors are interested in taking it to the additional committee meetings which have been scheduled. They would want to proceed. She offered to forward the request. She noted it would not preclude the Commission from postponing and making a recommendation. Per Code, this would not go to the Governing Body without the Commission's recommendation. She agreed it would be fair for them

to take more time to digest the proposal and the input received.

Ms. Paez indicated she had written a couple of sentences of clarification requested by Commissioners. On clarifying subject property: *"If the subject property is owned by an organization or a legal or business entity, the permit must be held in the name of a person with legal authority to act on behalf of that organization or entity."* That language clarifies that the property could be held by a business or legal entity.

Ms. Paez added in terms of transfer, transferring into an entity, "*This subparagraph does not preclude a permit holder from transferring ownership of the subject property into ownership by an organization or a legal or business entity, provided however, that the permit holder must have legal authority to act on behalf of the organization or entity that owns the property."* She said something could be added that specifies the property title in a person's name could be transferred into a trust, and the owner could maintain their permit as trustee.

Commissioner Clow thought it really applies to whether a legitimate transfer to a different person/entity could apply upon death, if gifted to a trust, or if a person dies and goes through an estate. That is a legitimate transfer that requires a new deed and taxes to be paid. Those are the issues that should be looked into.

She explained if transferred to an entity, 100% owned by the original owner, that is not really a transfer. A transfer is if legally transferred to a different owner, and a gift where gift tax is due, or a transfer to a different entity. She noted comments by Commissioner Sategna of whether there is an exception and if family members should be able to gift to their children and the children retain the permit, are issues to look into further. But they are two separate issues.

Commissioner Clow continued that the two issues, the kind of transfer it is and if a new owner, should be addressed. In addition to whether there should be exceptions to a transfer that allow the permit to be transferred.

Ms. Paez said she hoped Commissioner Clow could render some proposed language.

Mr. Berke thought it beneficial to look at STR permits being transferable in general. He wasn't sure they were.

Ms. Paez informed him they are not transferable but can be held by a business entity which makes them more durable. The persons involved might change and the business entity owning the permit could remain the same. Eliminating the ability to hold a permit by a legal or business entity will preclude turnover of the ownership structure.

Commissioner Clow noted that many people do irrevocable trusts because they don't want a probate. They own a house in their name but retitle it in an irrevocable trust so it passes without probate and that should be excluded. The big issue is when there is a real transfer with new owners.

Director Isaacson explained the intent is for permits to expire at that point. The process was discussed in different contexts and that is how they will slowly implement the new regulation. The permits would expire over time with the transfer of property. The new owner would have to apply and is subject to the new permitting rules. That should remain intact as a critical part of the implementation.

Commissioner Clow agreed but noted the issue raised by Commissioner Sategna whether there should be family exceptions to the transfer.

Chair Hiatt asked Ms. Paez when this would return to the Commission before going to the Governing Body.

Ms. Paez thought it would be either the second meeting in July or the first meeting in August; most likely July.

Mr. Berke also thought the second meeting in July.

Director Isaacson explained they are reviewing the Land Use Development Fee schedule and it would come before the Planning Commission for review. The timeliness of the fee schedule relates to the Land Use operational budget proposal.

Ms. Paez noted it was seen before by the Commission with Carol Johnson.

Chair Hiatt asked if it was necessary for the Governing Body to hear from the Commission at that time. He wouldn't be opposed to both on the same schedule.

Director Isaacson said the timing for the second meeting of July is important. He noted the fee schedule isn't significantly different than last year.

Chair Hiatt said if they receive the draft ordinance by the second meeting in July, and the fees were in the same meeting, he suggests they not hold a public hearing. He asked if that would be acceptable.

Ms. Paez said the motion to postpone should include whether or not the Commission would hear public comment. She thought it might be useful to continue receiving written public comments with a specific deadline before the meeting.

Commission Discussion

MOTION: Commissioner Clow moved to postpone the recommendation on the ordinances until the second meeting in July, at which time there would be no public hearing, but written comments are encouraged to be received by the deadline, a week prior to the meeting. Commissioner Faulkner seconded the motion for both ordinances.

Commissioner Sategna said he suggested exceptions be considered for family pass-through entities. He understood the current proposed amendments already have exceptions through an LLC. He asked Ms. Paez for clarification if people could own multiple properties through an LLC.

Ms. Paez explained the existing draft legislation would preclude that. Any type of ownership transfer would result in the termination of the existing permit. Commissioners could add a friendly amendment or rely on staff, but there is no loophole for that in the draft.

Commissioner Sategna said he still favors exceptions.

Chair Hiatt asked to confirm that if the motion is successful it would not preclude any of the Commissioners contacting Ms. Paez or staff to provide more feedback.

Ms. Paez replied they would be happy to receive feedback. The sponsors are also considering input and amendments before the draft is published.

Chair Hiatt confirmed that Commissioner Clow's motion referred to both item 2 and item 3 and Commissioner Faulkner was aware of that.

Commissioners Clow and Faulkner confirmed that was their understanding.

Director Isaacson asked Ms. Paez if the draft could still move forward to the Governing Body committees if postponed tonight.

Ms. Paez said she wasn't aware of any legal limitation. The Code states there must be a recommendation from the Planning Commission, but the practice is to send legislation to committees. The Commission could include a request in their recommendation to hold this back from review by other committees at this time. She noted staff recommends this stay on schedule with the other committees to keep momentum and to have discussion in other venues.

Director Isaacson thought it important to use the committee's public hearings for the public to participate and provide input. He didn't want to stop the momentum for other committees to also have this type of conversation. He hoped this could still move forward to other committees.

Chair Hiatt said that was his intent.

Commissioner Faulkner asked if they could postpone but include a recommendation requesting the chairs of the committees allow public comment.

Chair Hiatt suggested the Commission just stay in their lane. The other committees will know this is an issue that will have tremendous feedback.

Chair Hiatt said he wanted to be sure everyone has opportunity to hear feedback and that the sponsors receive that feedback. Then the Planning Commission could give the sponsors their best in regard to the recommendation and language. He was looking forward to getting this draft back from the other committees.

Director Isaacson noted the Governing Body committed to the Ordinance revision going through all three Governing Body committees. That shows their interest in getting the draft in front of as many people as possible.

Commissioner Gutierrez repeated that the motion would not have public comment except the written comments. He asked if possible since other committees could decide whether to have public comment, to ask staff to set up a meeting for public feedback. Staff could report back to the Commission on the results.

Chair Hiatt asked if Commissioner Gutierrez was concerned it would stifle public comment by the Planning Commission not having a public hearing in July.

Commissioner Gutierrez replied there are three committees where public comment depends on the chair meaning there is only public comment at the Governing Body level. And they don't know if the other committees will open their meeting to comments.

Chair Hiatt pointed out written comment is requested before the draft comes back to the Commission. That provides opportunity for the public to focus on the changes or something they may have missed.

Commissioner Gutierrez noted there is no interaction with written comment.

He wanted a meeting of some sort with Land Use staff and the public who want to comment.

Chair Hiatt stated the motion limits public comment to written comments. Commissioner Gutierrez would like to ask Land-Use staff if they would consider a meeting with the general public.

Director Isaacson said he is reluctant for several reasons, one because of workload and capacity challenges. Secondly, the circumstances they find themselves in and the challenge of holding a public meeting over Zoom and the efficacy of that. If they could make the request contingent on what happens at the committee meetings, if all three committees hold public comment, the meeting hosted by Land Use may not be necessary.

Chair Hiatt asked if Commissioner Clow would remove public comments from the motion and allow the chair to make that decision.

Ms. Paez suggested the motion specify one way or the other.

Commissioner Clow said for her, listening to someone for two minutes and then cutting them off really doesn't provide a lot. Written comments are much better if everyone reads them and they give more details. She envisions the next meeting as brainstorming and doesn't want to take time for a two-minute public comment.

VOTE: The motion was approved by unanimous roll call vote with Commissioners Clow, Faulkner, Hogan, Gutierrez, Lawrence and Sategna voting in favor and none voting in against.

G. STAFF COMMUNICATIONS

Mr. Berke thanked everyone for their participation and good comments.

Director Isaacson agreed with Mr. Berke. He too appreciated the conversation and good public input. He will keep Chair Hiatt informed on the progress through the committees. He noted that staff will receive several applications and be very busy through July and August.

Ms. Paez added she would work with Director Isaacson to communicate suggestions from the meeting on areas that warrant further consideration. She took notes and thought it important to communicate the highlights of the discussion, especially to City Council. She offered to run what she captured of the discussion by Chair Hiatt and circulate that to the full Commission. Commissioners could contact her directly with their specific comments or anything she missed.

Chair Hiatt said he definitely wanted to see those.

Director Isaacson offered to work with his team to get the numbers for the data driven questions and have them available at the next meeting.

H. MATTERS FROM THE COMMISSION

Chair Hiatt said he received a communication about the Land Use budget issue that he will pass on to staff.

He noted that Commissioner Faulkner had drafted a letter to the Governing Body, and he will postpone the discussion until the next meeting.

Commissioner Gutierrez thanked staff for their work. He asked that they pay attention to the deadline date on the emails for the written comments, and stick to the deadline to allow the Commissioners time to process the comments.

Commissioner Faulkner asked if the letter from the Commission had to be postponed or could it be circulated and sent by the Chair.

Chair Hiatt thought it had to come before the Commission in an open meeting.

Ms. Paez agreed.

I. ADJOURNMENT

Adjourned at 10:06 pm.

Submitted by:

Melissa D. Byers

Melissa D. Byers, Stenographer for
Byers Organizational Support Services

Approved by:

John B. Hiatt

John B. Hiatt, Chair

ATTACHMENT

5

Planning Commission Memo Dated

June 24, 2020

City of Santa Fe, New Mexico

memo

Date: June 24, 2020

To: Members of the Quality of Life Committee, Public Works and Utilities Committee, Finance Committee, and Governing Body

From: Members of the Planning Commission

Via: Sally A. Paez, Assistant City Attorney

Subject: Proposed Amendments to Short-term Rental Ordinance and Land Use Code Enforcement Ordinance

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On Thursday, June 18, 2020, the Planning Commission held a public hearing on proposed amendments to the Short-term Rental (STR) Ordinance, Santa Fe City Code (SFCC) Section 14-6.2(A)(5)-(6), (8); and the Land Use Code Enforcement Ordinance, SFCC Section 14-11.4. Under the SFCC, proposed amendments to the text of Chapter 14 must be submitted to the Commission for review and recommendation at a public hearing, and the Governing Body must review the Commission's recommendations and any public comments received prior to taking final action on the legislation. SFCC § 14-3.3(A)(4).

The Planning Commission received a large volume of public comment on these proposals. Staff distributed written public comments from twenty-four 24 people to the Commission, including many comments received after the formal deadline. Additionally, twenty-nine (29) members of the public spoke at the public hearing.

The Planning Commission discussed the draft legislation at length but ultimately postponed a decision on a recommendation due to the extent of the proposed substantive changes and the high volume of public comment received. The Commission will finalize its recommendation at its July 16, 2020 meeting and will consider additional written public comments received by July 9, 2020. The Commission does not plan to accept additional live comment at the July 16, 2020 hearing.

Meanwhile, the Planning Commission understands that other City committees will be considering the proposed legislation at upcoming meetings. The

Commission offers the following input and suggestions made by individual Commissioners at the June 18, 2020 meeting for consideration by these other committees. These suggestions refer to the page and line numbers of the draft legislation considered at the June 18, 2020 hearing.

- **Global:** The draft legislation would remove the current distinction between STR units on residentially zoned property, which are subject to the permit limits, and STR units on non-residentially zoned property (including the Business Capital District, "BCD") and resort property, which must be registered but are not subject to the permit limits. Suggest that this aspect of the proposal warrants further consideration and should perhaps be withdrawn.
- **Page 4, lines 19-21**: This provision states that one purpose of the legislation is to prevent the reduction of long-term housing availability. Suggest further review of whether the assumptions underlying this provision are accurate, perhaps through further consultation with Alexandra Ladd.
- **Page 5, line 25, to page 6, line 1:** This provision states that the land use director shall issue permits only to "natural persons." Suggest clarifying that although a permit must be held in the name of a natural person, the subject property can be owned by a legal or business entity, such as a trust or LLC. For example, suggest adding language as follows: "If the subject property is owned by a legal or business entity, the permit must be held in the name of any person with legal authority to act on behalf of that entity. The fact that a permit must be issued to a natural person does not mean that the property cannot be titled in such entities as a revocable trust, an LLC, or a corporation." In addition, the limitation of one permit per natural person may warrant further consideration, especially if there is not a distinction between STRs on residentially zoned and non-residentially zoned property.
- **Page 6, lines 6-11:** This provision states that a permit is not transferrable. Suggest considering whether there should be exceptions to this rule. For example, suggest adding the following language: "A transfer that does not result in new ownership of the property, such as a transfer to the owner's revocable trust for estate planning purposes or a transfer to an LLC where there is no change in the ownership interest in the property, does not constitute a transfer for purposes of this subparagraph."
- **Page 7, lines 3-5:** This provision states that an STR unit cannot be rented more than once in a 7-day period. Suggest further consideration of whether this should apply to an STR unit on non-residentially zoned property.
- **Page 12, lines 5-10:** This provision states that a permit shall not be issued for a new STR unit on residentially zoned property if there is already a permitted STR unit within 75'. Suggest the following: (1) consider whether this rule is appropriate for all parts of the city, or whether there should be a different rule (perhaps no proximity limitation) in areas

or council districts where there is not a problem with STR density; (2) suggest further review of whether 75' is the appropriate radius; and (3) suggest further review of whether the 75' radius should be measured from the applicant's property boundary (as set forth in the draft) or whether it should be measured from the center of the parcel, as determined by the city's GIS program (which was used when analyzing the effect of this provision).

- **Page 17, pages 6-11:** Suggest revising the "grandfather" provision to clarify that an STR with an existing registration shall be considered to have a valid permit under the new regulations and that the permit may be timely renewed as long as it is not revoked due to non-compliance.
- **Section 14-11.4, Global:** A large amount of public comment focused on the ability to provide oversight and enforce the regulations. Suggest reviewing to ensure that these changes will be enforceable with city staff resources.

ATTACHMENT
6
Summary
Public Comments
1st Draft STR Bill

City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909
www.santafenm.gov

Alan Webber, Mayor

Councilors:
Signe I. Lindell, Mayor Pro Tem, District 1
Renee Villarreal, District 1
Michael J. Garcia, District 2
Carol Romero-Wirth, District 2
Roman "Tiger" Abeyta, District 3
Chris Rivera, District 3
Jamie Cassutt-Sanchez, District 4
JoAnne Vigil Coppler, District 4

TO: **Planning Commission, Finance Committee, Public Utilities/Public Works Committee, Quality of Life Committee, Governing Body**

FROM: **Assistant City Attorney Sally Paez (sapaez@santafenm.gov, 955-6501)**

DATE: **October 15, 2020**

RE: **Summary of Public Comments Received on 1st Draft Short Term Rental Bill and How the City Has Responded or Proposes to Respond**

*This summary provides a broad, general overview of input received (including written submissions and oral public comment at the Planning Commission). This chart does not provide details about each specific comment. Please refer to full comments submitted for an accurate statement of each commenter's concerns.

	Public Comments & Suggestions	Commenter(s)	How the City Has Responded or Proposes to Respond
1	**General concern about taxes & fees:** Importance of generation, collection, and use.	Michael John Blackwell Paul DeDomenico Preston Ellsworth Two Casitas	• The Bill would adopt new recording keeping and reporting requirements for owners and host platforms. • The City has entered into Voluntary Tax Collection Agreements with Host Platforms. • Failure to collect and pay taxes is subject to enforcement action.
2	**General concern about enforcement:** Need to enforce existing rules.	Stefanie Beninato Marc Bertram Charles Burkhardt Paul DeDomenico Germaine Gomez	• The proposed amendments are intended to clarify existing rules, make the ordinance easier to administer, and facilitate enforcement. • Amendments (adopted August 12, 2020) to the enforcement

		Karen Heldmeyer (Neighborhood Network) Robert Hilgendorf Frances Maier Two Casitas	ordinance, SFCC Section 14-11, allow civil fines, permit revocation, and/or 1-year application waiting period for violators. • The City is under contract with Host Compliance, which assists the City in collecting data about listings. • The 2nd Draft of the Bill would include a provision that requires a host platform to remove invalid listings upon notice from the City that the listing does not comply with the City's ordinance.
3	**General concern about legislative process:** Community members & stakeholders need additional time to review proposed amendments; public health emergency (and use of Zoom virtual meeting platform) makes this a bad time to adopt changes; City should conduct economic impact study; existing permit holders should receive notice of proposed legislation.	Irene P. Ayala Paul DeDomenico Susan Orth (SF Ass. of Realtors) Sara & Dave Singleton Jon B. Tucker Richard A. Woodruff	• Introduction of 1st Draft of the Bill and preliminary public hearing before the Planning Commission generated significant public input, in addition to feedback from the Planning Commission. • The May 2019 Kelly O'Donnell report provided a basis for the need to adopt changes, which are driven by an array of policy objectives, including but not limited to economic concerns. • Bill sponsors have taken additional time to consider input on 1st Draft of Bill. • Bill sponsors met with stakeholders and constituents, and created a 2nd Draft of the Bill in response to input received. • There will be more opportunities for public engagement. The 2nd Draft of the Bill will be considered at public hearings before the Planning Commission and the Governing Body. The Bill will also be considered by three of the City's standing committees.
4	**General concern about stated purpose and intent**: No data supporting idea that STR causes	Gregg Bovee Planning Commission Two Casitas	• Other commenters support the proposal specifically because they do believe that it will protect residential neighborhoods from

	traffic, noise and nuisances; or decreases affordable long-term housing.		these types of concerns and advance availability of long-term housing.
5	**Suggestion:** Adopt a primary residency requirement (owner cannot obtain STR permit unless the unit is their primary residence)	Nancy Bookbinder Karen Heldmeyer (Neighborhood Network) Patricia Lillis Elizabeth West	• Bill sponsors have considered this suggestion and have concluded this requirement is not the best fit for Santa Fe at this time. • The proposal includes other means intended to address the same underlying concerns, such as permit limits and proximity limitations for STR units that are not operated in compliance with the City's ADU ordinance.
6	**Suggestion:** Only locals should be allowed to obtain STR permits.	Janet Williams	• Such a provision could be challenged as unconstitutional under the privileges and immunities clause of 14th amendment and the dormant commerce clause.
7	**Suggestion:** Allow anonymous complaints about STR units.	Karen Heldmeyer (Neighborhood Network) Patricia Lillis Elizabeth West	• Neither the current ordinance nor the proposed changes preclude anonymous complaints, but such complaints may not provide an adequate evidentiary basis for taking enforcement action and proving a code violation. The most effective way to report a problem is to use the CRM system on the Constituent Services webpage.
8	**Suggestion**: Keep rules as clear and simple as possible to facilitate enforcement.	Elizabeth West	• The proposed amendments are intended to clarify existing rules, make the ordinance easier to administer, and facilitate enforcement.
9	**General Opposition:** Real problem is lack of enforcement; amendments will hurt tourism, economy, tax revenues, and competition; amendments will prevent investment and the	Rebecca Anderson Cindy Atanasoff Cheryl Benard Marc Bertram Tai Bixby Amy Bobrick Charles Burkhardt Paul DeDomenico	• Many of the proposed amendments are intended to clarify the existing ordinance. • The City recently amended the enforcement ordinance to add new enforcement tools. • The 2nd Draft of the Bill would retain the existing distinction between residential and non-

	revitalization and maintenance of properties; amendments protect hotels to detriment of local business; no evidence that adopting more restrictions on STR will increase supply of long-term housing.	Germaine Gomez Steve Harris Robert Hilgendorf Lodgers Association Frances Maier Paula Moya Marilyn Proctor Karen Kolbert Richelli Marvin Schrager Ron & Myrna Simon Karl Hans Sommer Jon B. Tucker Two Casitas Richard A. Woodruff Robert Zilinski	residential zoning, which should alleviate some concerns about impacts on tourism and the economy while furthering the goal of protecting residential neighborhoods.
10	**General Support:** Proposal will protect residential neighborhoods and advance long-term housing.	Stefanie Beninato Nancy Bookbinder Karen Heldmeyer (Neighborhood Network) Craig Lamb Cynthia Lamb Patricia Lillis Laura Post Jerry Richardson Mike Tankersley Janet Williams Barbara Yoffee	• The 2nd Draft of the Bill retains provisions intended to protect residential neighborhoods, including permit and proximity limitations. • The 2nd Draft of the Bill incorporates additional limitations on density for multiple-family dwelling units.
11	**Opposes proximity limitation, 75' radius:** Unworkable; hard to enforce; not fair; decreases home values; will prevent existing STRs from obtaining new permit if ownership transferred; will decrease number of STRs below the 1000 permit cap; should be revisited after development of publicly-available maps; suggestion to retain existing density limitation.	Stefanie Beninato Myra Canterbury Karen Heldmeyer (Neighborhood Network) Susan Orth (SF Ass. of Realtors) Ron & Myrna Simon Richard A. Woodruff	• 2nd Draft of the Bill would adopt a 50' radius, instead of a 75' radius, to strike a more appropriate balance. • The existing proximity limitation has been difficult for City staff to interpret and administer. • The proposed proximity limitation can be easily measured and implemented using the City's GIS resources.

12	**Opposes proximity limitation, 25% for multi-family:** Request to clarify types of multi-family to which this applies; request to eliminate this and retain ability to get STR permit for this type of development (as long as this is allowed by HOA or Condo rules); suggestion that allowing any STR units in multi-family housing is detrimental to long-term housing availability and allows unfair competition with hotels.	Paul DeDomenico Lodgers Association Susan Orth (SF Ass. of Realtors)	• As defined in § 14-12.1, "multiple family dwelling," means "[a] residential building containing two or more dwelling units on one lot, or two or more detached principal units on one lot." • The 2nd Draft of the Bill would apply this limitation only to STR units on residentially zoned property and STR units within 200' of residentially zoned property. • The 2nd Draft of the Bill would also limit the total number of STR units within a single building to 12 units.
13	**Non-residentially zoned property:** BCD, Downtown area, other commercial areas that allow residential use (e.g. C-1) should not be subject to new limitations; provisions warrant further consideration.	Cindy Atanasoff Marc Bertram Charles Burkhardt Paul DeDomenico Andy Duettra Eric Enfield Germaine Gomez Robert Hilgendorf Bruce Kuehnle Lodgers Association David Mansure (petition w/ 704 names) Susan Orth (SF Ass. of Realtors) Planning Commission Karen Kolbert Richelli Victoria Rogers Tim Ryan	• The 2nd Draft of the Bill would apply permit limits only to STR units on residentially zoned property. • The 2nd Draft of the Bill would apply proximity limits only to STR units on or within 200' of a residentially zoned property (except the maximum of 12 STR units in a single building, which would apply City-wide). • The 2nd Draft of the Bill would apply the 1 rental per every 7 days rule only to STR units on residentially zoned property.
14	**Opposes "natural person" requirement:** Many STRs are owned by business or legal entities;	Marc Bertram Charles Burkhardt Paul DeDomenico Frances Maier	• The 2nd Draft of the Bill incorporates suggested revisions from the Planning Commission to clarify that property may be held

	limitation may be contrary to law (e.g., *Mecham* case).	Paula Moya Susan Orth (SF Ass. of Realtors) Karl Hans Sommer Mike Tankersley	by a business or legal entity and that the permit must be held by person with legal authority to act on behalf of the legal or business entity that owns the property. • *Mecham* case is distinguishable; that case dealt with a special use permit that ran with the property and required the owner to incur a large investment (tennis courts etc.). An STR permit is a license that runs with the owner, not the property.
15	**Supports 1 permit/natural person limitation:** Suggestion to go one step farther and allow only 1 permit/family.	Stefanie Beninato John M. Nye	• Difficult burden for City to define family for this purpose and to determine whether there is a permit held by a family member.
16	**Opposes 1 permit/person limitation:** Arbitrary; suggestions include 2-3 per owner or a limit on the number of permitted bedrooms/permittee.	Amy Bobrick Charles Burkhardt Paul DeDomenico Craig Lamb Paula Moya Paul Plunkett	• The Bill Sponsors propose that the 1 permit/person limitation strikes the appropriate balance for Santa Fe at this time.
17	**Supports 1000 permit limit**	Charles Burkhardt	• This limitation was adopted by Resolution and is currently in place. The legislation would adopt the existing limitation by ordinance.
18	**Opposes local operator requirement:** Not necessary; operators can be available and prevent problems without residing within City limits; suggestions include allow operator to reside within SF County or within 10, 20, or 25 miles (noting that a person in the county may be very close).	Charles Burkhardt Mike Henry (Campanilla Compound) Frances Maier Paula Moya Mike Tankersley	• The 2nd Draft of the Bill no longer requires the local operator to reside within City limits and would instead require that the operator must be able to be physically present at the STR unit within 1 hour of being contacted to address problems.
19	**Opposes 1/rental per every 7/days limitation**: Difficult to track and	Charles Burkhardt Paul DeDomenico	• Existing ordinance includes this general provision.

	enforce; should be withdrawn or not applied in non-residential areas/districts; suggestion to change to annual cap on rental days to allow more flexibility.	Mike Henry (Campanilla Compound) Patricia Lillis Susan Orth (SF Ass. of Realtors) Planning Commission	• The 2nd Draft of the Bill would remove this limitation for STR units on non-residentially zoned property, as suggested by the Planning Commission and others. • The 2nd Draft of the Bill would require an STR owner on residentially zoned property to keep records of rental dates and to provide records of rentals within the past year when filing a renewal application.
20	**Transfer of permits** – change in ownership should be allowed if underlying beneficial interest does not change; suggested change to address units that are comprised of multiple time-divided interests.	Mike Henry (Campanilla Compound) Planning Commission Susan Orth (SF Ass. of Realtors) Mike Tankersley	• The 2nd Draft of the Bill includes clarifying language proposed by the Planning Commission. • The 2nd Draft of the Bill would "grandfather in" units that are comprised of multiple time-divided interests and would allow such units to remain registered in subsequent years as long as they are in compliance with applicable rules, fees, and taxes.
21	**Private covenants:** Restrictions should be enforced	Denise Ramonas	• Although the City does not directly enforce covenants, the proposal requires an applicant to affirm in the application that the proposed STR unit would not violate private covenants, and the recently adopted amendments to the enforcement ordinance allow the City to revoke a permit if false information is submitted in the application.
22	**Inspections:** Opposes random inspections; supports fire inspections	Stefanie Beninato Marilyn Proctor	• The 2nd Draft of the Bill was revised and clarifies fire inspection requirements.
23	**Grandfather provision:** Should be clarified.	Frances Maier Susan Orth (SF Ass. of Realtors) Planning Commission Mike Tankersley	• The 2nd Draft of the Bill was revised in response to comments received.
24	**Grandfather Provision:** Adopt amortization period;	Nancy Bookbinder Patricia Lillis	• The Bill Sponsors have concluded that it is fair to allow existing STR

	grandfather existing permits for only 2 years.		permittees to continue to operate in compliance with applicable rules, fees, and taxes. • If the City did want to make new limitations retroactive through an amortization provision, the City would need to introduce evidence into the record at public hearings demonstrating that it is reasonable to do so based on the factors set forth in New Mexico law.
25	**Advertisements:** Should list a permit number, not a business license number.	Nancy Bookbinder, Patricia Lillis	• The 2nd Draft of the Bill was revised in response to comments received and would require either a permit or registration number (instead of business license number).
26	**Host Platform Requirements:** Request to amend provisions to avoid undue burden; suggestion that platforms cannot evaluate validity of permit; suggestion to add a "notice and take-down" provision.	Kristina Bennard (Expedia Group) Paul DeDomenico Toral Patel (Airbnb)	• The 2nd Draft of the Bill was revised in response to comments received. • The proposal now includes a "notice and take-down" provision, which requires a host platform to remove a listing upon notice from the City that the listing is invalid or does not comply with City rules. • The 2nd Draft of the Bill was revised to reduce reporting requirements to lessen the burden on host platforms while still obtaining information necessary to assist with enforcement.
27	**Insurance Requirement:** Why remove requirement for adequate insurance?	Rebecca Anderson John M. Nye	• The Bill Sponsors propose to remove this requirement because insurance is a private contract between the owner and the company. Retaining this provision would require the City to regulate a private agreement and determine the type and level of insurance that is adequate and appropriate. Retaining this provision would also impose an administrative burden of reviewing insurance documents at time of application.

28	**Notice Requirements:** Should not apply to STR on commercial property.	Paul DeDomenico	• Notice provisions are included in the existing ordinance. • The ordinance requires notice only to owners of residentially zoned property, not commercial property.
29	**Real Estate Disclosure:** Remove provision or retain existing provision.	Susan Orth (SF Ass. of Realtors)	• The 2nd Draft of the Bill was revised in response to comments received.

ATTACHMENT
7
Written Comments
1st Draft STR Bill

GURULE, GERALDINE A.

Subject: FW: Opposition to the proposed revisions to the City of Santa Fe's Short-Term Rental Ordinance.

From: Becky Anderson <rebeccapanderson@gmail.com>
Sent: Tuesday, June 16, 2020 10:44 AM
To: Mayors Office <mayor@santafenm.gov>; LINDELL, SIGNE I. <silindell@santafenm.gov>; VILLARREAL, RENEE D. <rdvillarreal@santafenm.gov>; ROMERO-WIRTH , CAROL <cromero-wirth@santafenm.gov>; GARCIA, MICHAEL J. <mjgarcia@santafenm.gov>; ABEYTA, ROMAN R. <rrabeyta@santafenm.gov>; cmrivera@santafnm.gov; COPPLER, JOANNE V. <jvcoppler@santafenm.gov>; CASSUTT-SANCHEZ, JAMIE A. <jcsanchez@santafenm.gov>
Subject: Opposition to the proposed revisions to the City of Santa Fe's Short-Term Rental Ordinance.

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Dear Mayor Webber and Santa Fe City Councilors,

I am a resident of Santa Fe (born and raised) and I am writing this email to express my **opposition** to the proposed revisions to the City of Santa Fe's Short-Term Rental Ordinance.

I would also like to know more about the proposal, its rationale, and how the proposal was crafted. Local businesses are hurting - I fail to understand how this revision supports local businesses. It seems to me this revision simply protects the interests of Hilton, Charlestowne Hotels, and Heritage Hotels and Resorts, Inc. Also, why eliminate the requirement for adequate insurance or proof of insurance?

Thank you,
Rebecca Anderson

GURULE, GERALDINE A.

Subject: FW: Please: Stop the changes to the STRO within the BCD

From: Cindy Atanasoff <catanasoff@yahoo.com>
Sent: Tuesday, June 16, 2020 10:27 AM
To: Land Use Public Comment <landusepubliccomment@santafenm.gov>; Mayors Office <mayor@santafenm.gov>; VILLARREAL, RENEE D. <rdvillarreal@santafenm.gov>; LINDELL, SIGNE I. <silindell@santafenm.gov>; GARCIA, MICHAEL J. <mjgarcia@santafenm.gov>; ROMERO-WIRTH , CAROL <cromero-wirth@santafenm.gov>; RIVERA, CHRISTOPHER M. <cmrivera@santafenm.gov>; ABEYTA, ROMAN R. <rrabeyta@santafenm.gov>; CASSUTT-SANCHEZ, JAMIE A. <jcsanchez@santafenm.gov>; COPPLER, JOANNE V. <jvcoppler@santafenm.gov>
Subject: Please: Stop the changes to the STRO within the BCD

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Dear Mr. Mayor, City Council Members, Planning Commission;

I am shocked! I never imagined a city could so drastically change the ordinances in a way that defies logic. You are suddenly changing fundamental rules of commerce in a business district. Why?

Who benefits from this change? There are no 'residences' impacted by downtown Short Term Rentals. How exactly will you reconcile the 1000 limit of residential STR permits allowed versus the current STR registration required in the Business Capitol District? Are you making the Residential limitations more contentious by co-mingling the BCD rentals under the same umbrella?

We are in a lock-down during a global pandemic and you choose now to make these stealth changes to ordinances that have been in place for years? Were you even planning to provide Notification and allow Due Process to property owners impacted by your sudden 180 on basic practices of rentals?

How can you force commerce to be conducted among 'Persons' instead of business entities in today's litigious society? This is cruel to those comforted by common sense risk management. How are you justified in limiting the commerce a 'Person' chooses to do to one property, to one stay per seven days? What??

Who again benefits from this change? You are virtually eliminating a lodging option for families and friends to vacation together and enjoy each other's company in a living room or around a kitchen table with a home-cooked meal. Why??

Who did you say benefits from this change? You are decimating income of multiple entrepreneurs, investors, retirees, and individuals who made a sound business decision to invest in your previously thriving city largely dependent on tourism.

How does this benefit the city? It certainly doesn't benefit the livelihoods of all the now struggling downtown restaurants, cafes, galleries, and shops who enjoy the foot traffic of the downtown visitors.

Who did you say benefits from these changes? Please explain. I would like to know where the 'greater good' will be in exchange for the sacrifice you are forcing me and many others to make.

Sincerely,

Cindy Atanasoff

Local Address: 142 Lincoln Ave #501 Santa Fe, NM 87501

Home Address: 4005 Heron Cove Lane The Colony, TX 75056

GURULE, GERALDINE A.

From: Irene Ayala <ayalalaw@icloud.com>
Sent: Monday, June 15, 2020 12:29 PM
To: Land Use Public Comment
Subject: Short-term rental permit/notification

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Jeri Hull and I are the owners of a home in Santa Fe that has a short-term rental permit. I was just informed this weekend about amendments to the short-term rental permit ordinance. I was able to receive and review a copy of the proposed changes from another permit holder.

I would sincerely appreciate it if in the future all existing permit holders be notified of proposed changes to the permit ordinance so that we can be sure we remain in compliance with those changes. Notification can be made to the email address below.

My property is located at 812 Calle David, Santa Fe, 87506.
Short-Term Rental No. 221793

Thank you

Irene P. Ayala
ayalalaw@icloud.com

Subject: proposed STRO changes
Date: Saturday, June 13, 2020 at 08:26:49 Mountain Daylight Time
From: Cheryl Benard
To: mayor@santafenm.gov
Category: Adobe Casitas

Mr. Mayor,

I live on Calle Estado. For years I would drive by the abandoned building on 301 East Palace and feel sad about the deterioration of such a beautiful building right there in the core area of historic Santa Fe. Finally my husband and I decided to try to buy and rehabilitate it. It had been in the past a hair salon, an art gallery and a medical practice so our first thought was to make it available for business use once more. But we soon discovered that this would not work as there was an oversupply of business real estate and besides, we would not be able to create the required number of parking spaces. We next considered long term rental. But while our motives were in part cultural, we are not in a position to operate at a continual loss and in fact it was the municipal advisors themselves who told us that there was no way we could sustain the building, at least cover our costs and pay the utilties, with long-term rental. Therefore we turned the building into three units, spent a lot of money refurbishing and installing solar panels and updating the electric etc. and then we started to rent it out. The income is modest at best and is slowly going towards offsetting our initial costs. Corona was a blow. And now this proposed ordinance will frankly be a disaster for us and for others who are maintaining properties large and small in historic Santa Fe through short term vacation rentals. The policy besides, makes no sense. I am a researcher by profession and I tell you this with some confidence. You have been told differently - there are lobbies at work here, but their recommendations are short sighted even for their own interests. Our clients will not stay in a hotel if they can't stay with us, nor will they stay in more distant vacation rentals. They want to stay in a group, they want to fix their own breakfast, they want to be able to walk. My guests benefit the nearby hotels, where they visit the spa, the nail salon, the restaurants and the bars. If they can't stay at my place or similar places, they will go elsewhere, to other states and other cities. Please reconsider.

Respectfully,

Dr. Cheryl Benard

PAEZ, SALLY A.

From: Kristina Bennard (ELCA) <kbennard@expediagroup.com>
Sent: Monday, June 29, 2020 9:50 AM
To: PAEZ, SALLY A.; RANDALL, RANDY; ISAACSON, ELIAS S.
Cc: Ashley Hodgini (ELCA); settergroup@gmail.com; Kristina Bennard (ELCA)
Subject: Santa Fe / Vrbo
Attachments: NYC DECISION and ORDER_Preliminary Injunction 2019.01.03.pdf; Boston -- Order on Motion for Preliminary Injunction.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

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Good morning,
Thank you for your time on Friday to discuss Santa Fe's draft amendments to its short-term rental law. We said we'd follow up on a few items: (1) possible language for a mandatory field with notice-and-takedown; (2) additional comments on the draft's data disclosure requirements; and (3) case law regarding data disclosure requirements. This email responds to all three:

(1) **Mandatory field and take-downs.** Here is possible language to accomplish the two-step process we discussed:

Host platforms shall require operators of short-term rental units to include their City-issued business license number in their listings or advertisements, in a format designated by the City. Upon notice from the City that a business license number on a short-term rental unit listing is invalid, the host platform shall deactivate that listing within five business days.

If you prefer to use a short-term rental permit number instead, you can insert that term instead of "business license number."

(2) **Data disclosure by platforms.** The current draft amendments require platforms to submit reports of the following information:
   a. number of short-term rental unit listings and owners in the city;
   b. number of reservations and number of rental nights for each unit; and
   c. amount of revenue owners collected through the host platform, including rent and each type of taxes and fees.

This information is to be reported monthly and disaggregated by owner.

As discussed, this requirement, as written, does not specify that the information has to be provided in a way that identifies a host or property location. Rather, it could be provided similar to how platforms previously reported data to New Orleans. There, each host had an anonymized number assigned to him/her that was consistent for each report. And together with the host number, platforms reported the number of nights the host's property had already been rented for that year and the number of nights it had reservations for the remainder of the year. (New Orleans wanted this information to enforce its annual 90-night cap.) If, in reviewing the reports, New Orleans identified a listing that had exceeded the limit, it could send the platform a subpoena to get the host, property, and transactional information associated with that listing.

New Orleans has since changed its law and no longer requires this kind of reporting. It is also burdensome for platforms to generate these kinds of reports. Santa Fe would be the only place we'd be doing it.

The most common kind of reports that cities have required are monthly reports of the URLs for the properties listed on a platform together with the license number associated with that URL. That's as close to a "standard" report as we've gotten. If you saw news on Friday about the MOU that Vrbo signed with Kauai, Hawaii, this is the monthly report we'll be sending. It's what we do in San Francisco and Seattle, among others. Basically, it's a report that scrapes the platform's own website and provides it in a regular report to the city. The cities then use it to check the license numbers and report back to the platform if any are invalid.

Other cities require aggregate / total data, e.g., how many nights were booked on the platform this quarter, how many properties were listed this quarter, what was the total amount of rent hosts collected via the platform this quarter?

Still other cities don't require reporting at all, but rather find that a mandatory field for a license number together with the notice-and-takedown step is sufficient for their enforcement needs. When only licensed properties are on a host platform, that tends to drive compliance with all other aspects of a city's regulatory requirements.

Another way for Santa Fe to ensure its one-transaction-per-seven-days requirement is being followed is to require *operators*, as part of renewing their license, to submit a record of bookings they had the previous year. The city might also consider whether instead to limit each operator to 52 transactions per year (the equivalent of one transaction per week), which would allow an operator to book more travelers during a busy season. Palm Springs, California, does something similar to that.

Finally, note that if a city does require platforms to provide data, there must be protections for that information and guidelines for how it can be used, shared, and stored by the city because it is often competitively sensitive.

(3) **Case law**. Citing the Fourth Amendment of the U.S. Constitution, two federal courts last year stopped enforcement of laws that required hosting platforms to provide reports of user information to government officials without any legal process. Both New York City and Boston enacted laws that required short-term rental hosting platforms to submit monthly reports that included owner information, property addresses, and transactional information, like number of days booked. Two different federal courts stopped enforcement of those laws, ruling that requiring hosting platforms to disclose their business records without *any* legal process – like a subpoena, warrant, or court order – violated the Fourth Amendment, which guards against unreasonable searches and seizures by government officials. *Airbnb, Inc. v. City of Boston*, Case No. 18-cv-12358-LTS (D. Mass. May 3, 2019); *HomeAway.com, Inc. v. City of New York*, 373 F. Supp. 3d 467 (S.D.N.Y. 2019). Copies of both decisions are attached.

In addition to the Fourth Amendment, the Stored Communications Act, 18 U.S.C. §§ 2702, 2703, is a federal law that mandates specified forms of legal process—like a subpoena or court order—that the government must follow before obtaining personal information from internet providers. A federal court in Oregon halted enforcement of a provision in the Portland City Code that would have required hosting platforms to disclose to city tax officials "all physical addresses of transient lodging occupancy locations within Portland city limits and the related contact information, including the name and mailing address of the general manager, agent, owner, host or other responsible person for the location." *HomeAway.com, Inc. v. City of Portland*, 2017 WL 2213154, at *4 (D. Or. May 11, 2017).

In recognition of these rulings, the City and County of Honolulu acknowledged in a stipulated court filing that a provision in its law that required hosting platforms to provide reports of owner name, property address, tax identification number, length of stay, and price paid was unenforceable given the state of the law. *Kokua Coalition v. Department of Planning and Permitting*, No. 19-cv-00414-DKW, Dkt. 37 at ¶¶ 10-11 (D. Hawai'i Oct.

4, 2019). Similarly, last fall, Palm Beach County, Florida, amended its law to remove a provision that required hosting platforms to provide monthly reports with owner name, property address, tax account number, and parcel number.

I know this is a ton of information. If, after digesting it, you'd like to discuss further, we'd welcome that opportunity. Best, Kristina

Kristina Silja Bennard
Senior Corporate Counsel (Regulatory / Litigation)

Cell +1 206 227 9583
Email: kbennard@expedia.com
expediagroup.com

GURULE, GERALDINE A.

Subject: FW: Voting No On The Ordinance Amending Section 14-6.2 Short Term Rental Ordinance

From: Tai Bixby <tai@gotspaceusa.com>
Sent: Wednesday, June 17, 2020 3:10 PM
To: Land Use Public Comment <landusepubliccomment@santafenm.gov>; esiasaacson@santafenm.gov; PAEZ, SALLY A. <sapaez@santafenm.gov>
Subject: Voting No On The Ordinance Amending Section 14-6.2 Short Term Rental Ordinance

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Dear Santa Fe Land Use Department,

This item is on the Planning Commission Agenda for Thursday June 17, 2020. I am writing as a citizen of the City of Santa Fe and as a real estate professional with direct knowledge of the real estate market. I'm writing to manifest my opinion **against** the proposed amendment Section 14-6.2 the Short Term Rental Ordinance. The proposed changes will decrease tourism by increasing costs and shrinking inventory. The proposed changes will hurt property values and will indirectly reduce tax income to the county and City. The proposed fines are regressive and, rather than increasing city income, will have a chilling effect on the tourist economy. The proposed amendment will cause Santa Fe to lag behind in recovering from the effects of the recession, the depths of which we have yet to arrive at. Please do not change the Short Term Rental Ordinance.

Please VOTE NO on the proposed amendment to the Short Term Rental Ordinance.

Tai Bixby, CCIM
Director
tai@gotspaceusa.com

Transaction Coordinator
Sarah Raboff
sarar@gotspaceusa.com

NAI Maestas & Ward
418 Cerrillos Road Suite 11
Santa Fe NM 87501
gotspaceusa.com

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Main +1 505 878 0001
Santa Fe +1 505 988 8081

NAI Maestas & Ward

PAEZ, SALLY A.

From: BERKE, NOAH L.
Sent: Thursday, June 18, 2020 12:21 PM
To: PAEZ, SALLY A.; ISAACSON, ELIAS S.
Subject: Fwd: 628 1/2 Camino De La luz

Get Outlook for iOS

From: Amy Bobrick <amy.bobrick@kw.com>
Sent: Thursday, June 18, 2020 8:39:58 AM
To: Land Use Public Comment <landusepubliccomment@santafenm.gov>
Subject: Fwd: 628 1/2 Camino De La luz

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Attention Land-Use.

Please see below. I am opposed to your new rules. I started this project and was given guidelines by the City of Santa Fe Short Term Rental Dept. I have all of the e-mails.
>
> Hello Carol,
>
> I see the proposed changes to the short term rental ordinance. I am definitely against them. I have been working for over a year with Christopher Purvis, James Martinez at the City and Mary Ann Seiderer when she was working for the city in short term rentals and MTA Construction.
>
> I have e-mails stating that I could add another rental to my existing rental that is licensed with the city. I live on the premises. I am in the process of adding another auxiliary unit and I do have a building permit. My contractor has been very slow and this should have already been completed but there were snags and especially with the pandemic. I had to divide my 2 legal lots of record which I would not have done if this was not a possibility. It was very expensive to have it surveyed , architectural plans that would be approved by the historic board , and of course the actual project. This is my livelihood and I also was the owner of The Bobcat inn for 15 years. This has been my career. I am asking you to re-think this new stipulation of one short term rental per natural citizen. I would not have done this project if this had been the case. I have e-mails from Maryann stating what would be allowed and I followed all of these guidelines. This would totally not be fair since I would never have done this if this had been brought up. I am spending around 150K on this addition. The new addition is over 75 feet from the front door of the current short term rental. I sincerely hope that you will take property owner's rights into consideration. Again, I am a resident and I live on the property but both units are separate from my house but connected.
>
> Thank you, Amy
>
>
> Amy Bobrick
> 505 920 8941
> amy.bobrick@kw.com
>
> Keller Williams
> 130 lincoln Ave

> Santa Fe, NM 87501
> 505 983 5151
>
>
>
>

Dear Sir/Madam,

I am writing to you today in regards to the proposed changes to the short term rental regulations. I would like to start by introducing myself. I am a resident of Santa Fe, the father of a 3 year old girl, the owner of Santa Fe Property Solutions, as well as an owner of the property located at 1155 Camino Delora that is primarily used for short term and vacation rentals. My company's main focus is management of vacation rentals and second homes. We currently manage 14 properties and employ 4 housekeepers, 1 landscaper, 1 maintenance person, an assistant manager, myself, as well as several others on an as needed basis. The changes, if passed, would ultimately lead to my company going out of business, and my staff losing their jobs.

I have several issues with the proposed legislation. The first is the fact that additional restrictions will only hurt those of us that are following the current rules, but will do nothing to curb those operating illegally. In fact, by having less of us able to be permitted and operate within the boundaries of the law, those operating illegally would see an increase in business and likely the city would see an increase in the number of illegal STRs. I understand that the cap would remain the same, but the changes would essentially reduce the number of properties that are eligible for a permit in the first place.

I do understand and support maintaining the cap of 1000 permits, I do support requiring the owner or operator to live in Santa Fe. However, I do not fully understand why the city council is proposing the changes that will eventually force my business to close. I haven't been given a concrete answer, only that 'there aren't enough affordable long term rentals', or that 'they are hurting the character of our neighborhoods'. Additionally, the Land Use Director stated that he 'didn't believe these changes would affect property managers' in a negative way but that they hadn't actually done an economic impact study. I would like to address these items individually.

'There aren't enough affordable long term rentals'

Many of the properties that I manage are second homes. This means that these homes werent going to be on the long term market to begin with. The owners come to visit Santa Fe frequently and do not wish to enter into a long term agreement that would prohibit them from visiting when they would like. If they lost their ability to do vacation rentals while they are not in Santa Fe, the home would just sit empty, not creating jobs for me and my staff or taxes for the city and state.

Of the homes that aren't second homes and could potentially be converted to long term, none of them would ever be considered 'affordable'. If these homes were somehow made affordable, it is likely that the same people complaining about STR's would complain about the affordable rental next to them. If the city is truly interested in providing affordable housing, one place that it could start is by eliminating the 'fee in lieu' that allows these new apartment complexes to pay a fee in lieu of providing a portion of their units as affordable.

The city could also begin to enforce the current code and eliminate the illegal vacation rentals which currently outnumber permitted vacation rentals.

‘They are hurting the character of our neighborhoods’

Approximately half of the properties we currently manage were purchased in a state of disrepair. Some were downright in shambles. The owners of these homes bought them with the idea that they could spend more money returning them to their original glory and improving the neighborhood ascetic because they would be able to offer them as vacation rentals. Whenever there is a maintenance issue, it is corrected immediately. The landscapes and gardens are always in top shape, and concerns from neighbors are addressed immediately. Those of us that have permitted vacation rentals are concerned with these things, as well as parking, noise, etc because our business depends on it all.

‘This won’t affect property managers in a negative way’

This belief is flat out wrong. According to the Land Use Director, he and his staff believe that initially these changes would reduce currently permitted STRs by about 18% when it comes time to renew. Over time, the changes would continue to decrease the number of eligible properties, some estimates are saying down to 250. Further, keeping the 1 check-in per 7 days rule will continue to drive down profits even further, essentially eliminating property management as a viable business. I would like to remind you that the only people this legislation will affect are those of us that have been following the rules, and the effect will be incredibly negative.

The truth is that Santa Fe is largely a tourist town, vacation rentals drive revenue for the city and small businesses, unemployment has increased by almost 9% since last year, and this would cause increased economic strain on the entire community. During these strange and trying times, to purposefully make it harder/impossible to keep a business open is unthinkable.

To summarize, I would respectfully request the following changes be made to the proposed legislation:

1. Eliminate 1 check in per 7 days rule
2. Eliminate type of ownership requirement
3. Eliminate number of permits each person is eligible to hold
4. Maintain cap of 1000 permits
5. Require owner or operator to reside in Santa Fe County
6. Adopt civil penalties provisions
7. Exempt commercially zoned permits from residential rules

If there is anything I can help with or clarify, I would be more than happy to assist.

Thank you for your time and consideration,
Charles Burkhardt

info@santafepropertysolutions.com 1155 Camino Delora

COMMENTS ON
SHORT TERM RENTAL ORDINANCE & PROPOSED AMENDMENTS

DATE: June 29, 2020

TO: Mayor Alan Webber, Councilor Signe Lindell, Councilor Carol Romero Wirth, Councilor Renee Villarreal, Councilor Michael Garcia, Councilor Chris Rivera, Councilor Roman Abeyta, Councilor Jamie Cassutt-Sanchez, Councilor JoAnne Vigil Coppler, Commissioner John Hiatt, Commissioner Mark Hogan, Commissioner Pilar Faulkner, Commissioner Lee Garcia, Commissioner Brian Gutierrez, Commissioner Janet Clow, Commissioner Jessica Eaton Lawrence, Commissioner Dominic Sategna, City Attorney Erin McSherry, Assistant City Attorney Sally A Paez, Constituent Service Director Kristine Mehelcic,

FROM: Paul DeDomenico, 1413 Paseo De Peralta, Santa Fe, NM 87501.
Email: paul.dedomenico@gmail.com. Cell: 505-660-8215.

I was present at the June 18th Planning Commission Zoom meeting regarding the proposed changes to the short term rental ordinance. Here are my takeaways:

It was evident from staff responses that a couple of things are taking place;

1. **This is "stealth" legislation**. When Commissioner Hiatt asked if there had been any public input from the public or business community previous to the drafting of the amendment the answer from City Attorney Paez was "no". Myself, and people I know in the business community who deal in STRs did not find out about the proposed legislation until a very short time before the PC meeting.
2. **City staff is under pressure** to impose a strategy to push the legislation through on a short timeline with limited public input.

Wheter intentional or not, it certainly gives the impression is that there is an intent to minimize public input and potential pushback, take advantage of the COVID-19 shutdown and quietly push this through legislation. The result is that the amendment is unclear, confusing, **and not well thought out**. I assume this is due to pressure from the sponsors (and perhaps other business interests?) to rush the legislation.

While I am most concerned about how this legislation applies to short term rentals under commercial zoning where residential use is allowed (e.g. BCD, C1, etc..), I must address first address the most glaring issue:

> **ENFORCEMENT:** When Land Use Director Issacson was asked by the PC why the current code has not been enforced he stated that the City did not have the proper enforcement infrastructure. One of the staff or commissioners stated that the number of illegal rentals roughly equaled the amount of legal rentals. **If this is accurate, then enforcement should reduce short term rentals in residentail neighborhoods by a whopping 50% with no impact on lodgers or gross receipts tax revenue.!** Enforcement of the current STRO should be mandatory and city staff should receive the proper support.

Limitations intended for residential neighborhoods should be placed on commercially zoned STRs where residential use is allowed. A lot of problems are created by applying an ordinance intended to address issues in residential areas to commercial properties. Mr Isaacson commented during the PC meeting that the intention of creating a blanket legislation was to simplify the process and management of ST rental by the city. This is not reasonable because **residential and commercial are two very different animals.**

I include myself as one of a number of vital investors and entrepreneurs who choose to invest in downtown Santa Fe because it is a unique city which offers tremendous opportunities to locals and visitors! We are creative and dedicated citiznes and above all we are committed to the pledge of our City Different. Let's not limit the opportunities to our visitors, that come here from all over the globe, to strictly large hotels as option for their stay. Santa Fe has so much to offer these visitors in terms of diverse culture, historic architecture, adaptive reuse and proximity to all of the wonders of the Plaza. It is a rare thing to have such options in a historic, walkable downtown. Don't limit this!

1) **LIMITING THE NUMBER OF SHORT TO RENTALS TO ONE PER NATURAL PERSON:** There was across the board befuddlement at the PC meeting on this point. In my situation, I have two different single member LLCs that hold or manage commercial property. The single member for both LLCs is a NM Sub-Chapter S Corporaton. I can't even fathom how the "One Natural Person" clause could apply to my situation. And you can be sure that my situation is not unique with other commercial landlords also having complicated entity structures.

2) **ONE RENTAL PER SEVEN DAYS:** Converting office or retail to residential use is actually a reduction in occupancy of the converted space. In addition, retail and office are occupied potentially 100% of the year whereas STRs are occupied

60-70% of the year. **There should be no limit on the number of days a commercial short term rental can be occupied.** The city doesn't ordaine that small hotels, B&Bs, retail stores or offices can only operate a certain amount of days per week because they cause too many people on commercial streets. I think this limitation was intended for STRs in residential areas but it makes absolutely no sense to apply it to commercial property.

3) **PERMIT TRANSFER :** Commercial property entrepreneurs spend significant money and time on their investments. They spend significant funds to purchase, improve, restore, add value and create income which in turn creates jobs and genrates taxes. **Commercial differs from residential in that the value of commercial property is based on the property's net income.** Many commercial landlords use STRs to increase cash flow and spend large sums of money to convert a property to residential use. If STR permits cannot be transferred to a buyer it will **DESTROY THE VALUE commercial property** where the permit(s) reside. **Commercial STR permits must be allowed to convey with the property.**

4) **DENSITY:** For the same reasons stated above, **there should be no limitation on the number of STRs at any commercial property where residential use is allowed under zoning.** The 1000 STR licenses limit should not be applied to commercial property.

5) **200 FOOT NOTICE:** Again it is unclear whether the requirement to notify properties within 200 feet would apply to commercial properties. I assume a new STR applicant would unfairly meet resistance from a hotel or competing STR withiin 200 feet. Again it makes no sense for commercial properties.

6) **MULTI-FAMILY LIMITATION:** Would the multi-family limit of STRs to 25% of the dwelling units apply only to specific multi-family zoned properties? What defines multi-family under the proposed ordinance?

7) **HOST PLATFORMS:** STR permit holders have no control over the record-keeping of hostong platforms (AirBnB, VRBO, Booking.com, etc...). If for some reason hostong platforms were unable unable to meet the record-keeping requirements of the city ordinance, does this mean STR perment holders would be excluded from utilizing them?

In case you weren't aware, travel sites such as Airbnb have moved into traditional hospitality and have implemented a hotel program that provides a

platform for smaller boutique hotels and Bed and Breakfasts. It's important to understand that even prior to COVID-19, the hospitality industry's age old models were being challenged by both creative platforms (Airbnb) and a new wave of travelers. This will continue to shift as travelers either become wary of larger hotels where large numbers of people congregate, and/or search out more unique stay opportunities. Let's be at the forefront of change and provide these treaveler opportunities.

I love Santa Fe! I have lived here for 31 years and my three children were all born and raised here. I have been an honest and responsible landlord. My tenants, especially my retail tenants, are struggling through the COVID-19 crisis and I am doing my best to ease their burden. I pay a lot of money each year in property taxes. I only want what is best for Santa Fe.

Commercial landlords pay gross receipts taxes and lodgers taxes on their short term rentals. I understand that **15% of the annual lodgers tax collected by the state comes from STRs** which is a significant amount. Why would the city want to reduce that revenue by limiting stay or STRs in commercial districts when, again, ENFORCEMENT would reduce the number of STRs by as much as 50% with **NO NEGATIVE IMPACT ON LODGERS OR GROSS RECEIPTS TAX.**

Commercial landlords have the legal right to maximize income even if that means converting some commercial space to STR where allowed to by zoning. The majority of my income comes from commercial income property and I view the ordinance as a potential threat to my livelihood and the stability of my family's future. I believe that the application of STR residential limitations on commercial property in both the current ordinance and proposed amendment constitute a taking of property rights.

It is evident that the current ordinance and proposed amendments are intended for residential neighborhoods and should not apply to commercial districts.

Please let me know how I can be of assistance in creating an appropriate STR rental ordinance.

Sincerrely,

Paul DeDomenico

PAEZ, SALLY A.

From: ROMERO-WIRTH , CAROL
Sent: Wednesday, June 24, 2020 2:17 PM
To: LINDELL, SIGNE I.; VILLARREAL, RENEE D.; WEBBER, ALAN M.
Cc: PAEZ, SALLY A.; FAUBION, JENNIFER R.; ISAACSON, ELIAS S.
Subject: Fwd: STRO Zoom call
Attachments: AWD markup of STRO 6-24-20.pdf

FYI

Carol Romero-Wirth
City Councilor, District 2
Office: 505 955-6815
Cell: 505 470-2855

Facebook & Twitter @romerowirth

From: Andy Duettra <aduettra@gmail.com>
Sent: Wednesday, June 24, 2020 11:32 AM
To: ROMERO-WIRTH , CAROL
Cc: Marc Bertram
Subject: Re: STRO Zoom call

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Carol:

Hi! Just to follow up here: you know the real issue we have with the proposed STRO is its effect of inserting rules designed for residentially-zoned STRs into commercial zones such as the BCD. The Planning Commission also noted this significant issue, among others.

This raises serious practical and legal concerns for the city, such as depriving certain property owners of normal use rights granted by commercial zoning and intended by the Land Use Code, and the right to CHANGE that use over time as needs and conditions change.

One insight you might consider is that, if the number of short-term rentals INCREASE in areas like the BCD, that should actually help diminish STRs in close-in residential areas by providing appealing/superior options for tourists. We should encourage that as a needed option to residential-zoned short-term rentals.

I think the "cleanest" option for the City Council might be to change the title of the ordinance to "**Short-Term Rental Units - Residentially-Zoned Property**." In addition, a change in the definitions section to make STRs, as that term is used in Section 14.6-2 (A) (5), be ONLY those located on residentially-zoned property would also clarify that distinction.

The effect would be to allow short-term rentals in ALL commercial areas, putting them on the precise same footing as every other bar, restaurant, jewelry store, gallery, hotel and B&B in our commercial districts, not treated as some especially abhorrent business needing extra and distinctive regulation. Simple and effective, cleans up the mess.

The changes above, detailed in the attachments to this email, along with some "cleanup" and clarification items, will solve the issues we have with the proposed STRO, and allow everyone to focus upon proper regulation in residential areas.

I hope this may prove helpful in your discussions. Please let me know if you can't pull up the attachment.

As always, we are available to discuss any of this and appreciate your time and effort in listening to our concerns!

Sincerely yours,

Andy

Andy Duettra
AdobeStar Properties, LLC
154 West Marcy St, Suite 104
Santa Fe, NM 87501
505 603 7644 (c)

On Mon, Jun 22, 2020 at 4:58 PM ROMERO-WIRTH , CAROL <cromero-wirth@santafenm.gov> wrote:

> Marc,
>
> I have a meeting with the sponsors this week to discuss how to move forward. As of now the bill is scheduled for:
>
> Quality of Life on July 1
> Public Works and Utilities on July 6
> Finance on July 13
> City Council on August 12
>
> It can be amended or substituted at any of these stops.
>
> There is also talk that it may go back to the Planning Commission before it goes to City Council on August 12th. It cannot be amended at the Planning Commission.
>
> I will know more in a couple of days.
>
> -Carol
>
> Carol Romero-Wirth
> City Councilor, District 2
> Office: 505 955-6815
> Cell: 505 470-2855
>
> Facebook & Twitter @romerowirth

From: Marc Bertram <marcbert@aol.com>
Sent: Monday, June 22, 2020 3:49:08 PM

To: ROMERO-WIRTH , CAROL <cromero-wirth@santafenm.gov>
Cc: aduettra@gmail.com <aduettra@gmail.com>
Subject: Re: STRO Zoom call

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Now that we have had the Planning Commission meeting, we would like to circle back with you and make sure we understand the process going forward .Please let us know when we could have another Zoom meeting with you. Let me know what day or time may work.

Marc Bertram
SF Brown Real Estate
PO Box 5735
Santa Fe NM 87505
direct 1-505-473-7740 x 13
mobile 1-505-930-0720
email marcbert@aol.com
Visit Santa Fe's Finest Vacation Rentals www.adobestarproperties.com
Visit Albuquerque's Newest AAA Four Diamond Hotel www.hotelparqcentral.com

In a message dated 6/16/2020 4:08:15 PM Mountain Standard Time, cromero-wirth@santafenm.gov writes:

Zoom

Carol Romero-Wirth
City Councilor, District 2
cromero-wirth@santafenm.gov
(505)955-6815 Office
(505)470-2855 Mobile
Facebook & Twitter @romerowirth

From: Marcbert <marcbert@aol.com>
Sent: Tuesday, June 16, 2020 4:07:18 PM
To: ROMERO-WIRTH , CAROL <cromero-wirth@santafenm.gov>
Cc: Andy Duettra <aduettra@gmail.com>; FAUBION, JENNIFER R. <jrfaubion@santafenm.gov>
Subject: Re: STRO Zoom call

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Do we know yet whether these meetings will be in person or Zoom meetings ?

Marc Bertram

SF Brown Real Estate

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Santa Fe NM 87505
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mobile 1-505-930-0720
email marcbert@aol.com
Visit Santa Fe's Finest Vacation Rentals www.thelincolnsf.com
Visit Albuquerque's Newest AAA Four Diamond Hotel www.hotelparqcentral.com

> On Jun 16, 2020, at 1:38 PM, ROMERO-WIRTH, CAROL <cromero-wirth@santafenm.gov> wrote:

Andy,

The bill is currently scheduled to be at:

Planning Commission on 6/18
Quality of Life on 7/1
Public Works and Utilities on 7/6
Finance on 7/13
City Council for Public Hearing and final passage on 8/12

It can be amended at any of the three Council Committees and at City Council on 8/12

Carol Romero-Wirth
City Councilor, District 2
cromero-wirth@santafenm.gov
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(505)470-2855 Mobile
Facebook & Twitter @romerowirth

From: Andy Duettra <aduettra@gmail.com>
Sent: Tuesday, June 16, 2020 11:54 AM
To: ROMERO-WIRTH , CAROL
Cc: FAUBION, JENNIFER R.; Marc Bertram
Subject: STRO Zoom call

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Carol and Jennifer-Thanks for your time today! Good to be able to discuss our concerns with you regarding keeping the status of STRs in the BCD distinct from those in residential zones.

We did have a few follow up questions: do you know the date of the Quality of Life Committee meeting at which the STRO will be taken up, and will that meeting be a public one? Also, will that be the first opportunity to revise the draft, or might that occur earlier?

Thanks again!

Best regards-Andy and Marc

Andy Duettra
AdobeStar Properties, LLC
154 West Marcy St, Suite 104
Santa Fe, NM 87501
505 603 7644 (c)

Insertions for STRO Revisions

1. Preserve the language in the title of Section 14-6.2 (A) 5 to read "Short-Term Rental Units - Residentially-Zoned Property."

2. Revise Section 14-6.2 (A) 6 to read "Short-Term Rental Units - Non-Residentially Zoned Property Short-term rental of dwelling units on non-residentially zoned property is permitted as per Chapter 14 of the Municipal Charter and Code of Uses City of Santa Fe, New Mexico."

Andy Duetta
6-24-20

CITY OF SANTA FE, NEW MEXICO
BILL NO. 2020-__
INTRODUCED BY:

AN ORDINANCE
AMENDING SECTION 14-6.2 SFCC 1987 TO ADOPT BY ORDINANCE A MAXIMUM OF ONE THOUSAND (1000) SHORT-TERM RENTAL PERMITS IN THE CITY, TO PROSPECTIVELY LIMIT THE NUMBER OF SHORT-TERM RENTAL PERMITS TO ONE PER NATURAL PERSON, TO PROSPECITIVELY LIMIT THE PROXIMITY OF SHORT-TERM RENTAL UNITS ON RESIDENTIALLY ZONED PROPERTY, TO REQUIRE A LOCAL OPERATOR FOR SHORT-TERM RENTAL UNITS, TO ADOPT RECORD-KEEPING AND REPORTING REQUIREMENTS FOR SHORT-TERM RENTAL UNIT OWNERS AND HOST PLATFORMS, AND TO CLARIFY OTHER PROVISIONS OF THE SHORT-TERM RENTAL ORDINANCE.

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

Section 1. Section 14-6.2 of SFCC 1987 (being Ord. No. 2011-37 § 8, as amended) is amended to read:

14-6.2 - USE-SPECIFIC STANDARDS

#1 on Insertion doc

(A) Residential Uses

(5) Short-Term Rental [~~of Dwelling~~] Units [~~Residentially Zoned Property~~]

(Ord. No. 2016-33)

(a) [~~Dwelling Units~~] Purpose and Intent

[~~Dwelling units located on residentially zoned property may not be rented for less than thirty days except as set forth in this Subsection 14-6.2(A)(5).~~] The purposes of this *Short-Term Rental Unit* ordinance are the following:

(i) to ensure that the operation of *short-term rental units* in residential areas does not disrupt the character of the city's neighborhoods or affect the quality of life of neighboring residents;

(ii) to prevent speculators from purchasing multiple homes for the purpose of operating multiple *short-term rental units*, thereby reducing the amount of long-term housing availability;

(iii) to allow law abiding residents the option of utilizing their homes and *accessory dwelling units* as *short-term rental units* to create wealth and generate supplemental income;

(iv) to minimize public safety risks associated with *short-term rental units*, such as higher traffic levels, parking issues, noise, litter, and other public nuisances; and

(v) to ensure that an *owner* or *operator* of a *short-term rental unit* follows applicable regulations, including the payment of all applicable fees and taxes.

(b) Short-Term Rental [~~Units~~] *Permit* Required

[~~Short-term rental units are prohibited on residentially zoned property except as provided in this Subsection 14-6.2(A)(5)(b).~~]

One permit per property

Any legal entity

AD
6-24-20

[~~(i) Short-term rental units that are operated in compliance with Subsection 14-6.3(D)(1) (Accessory Dwelling Units) and in compliance with this Subsection 14-6.2(A)(5) are allowed.~~]

(i) An *owner* of a *short-term rental unit* must have a *city*-issued business license and a short-term rental *permit*. An *owner* or *operator* shall not rent, offer to rent, or advertise a *short-term rental unit* without a valid ~~*permit* or registration~~ from the *city*.

rental

(iii) A *short-term ~~dwelling~~ unit* shall not be operated without a *permit*. The *land use director* may issue a maximum of one thousand (1000) short-term rental *permits*[~~ in a quantity approved by the governing body through adoption, after a public hearing, of a resolution for residential units not otherwise qualifying for permits under Items (i) and (ii) above. Dwelling units on non-residentially zoned property pursuant to §14-6.2(A)(6) and §14-6.2(A)(7) are not subject to the permit limit imposed by this subsection~~]. The *land use director* shall issue ~~*permits to natural persons* only~~, and ~~each *natural person*~~ may possess a maximum of one (1) *permit*.

(iv) [~~Whenever the demand for short-term rental units exceeds the number permitted in accordance with Subsection 14-6.2(A)(5)(b)(iii) above, the number of additional permits may be increased by the governing body through adoption of a resolution and issued by the land use director. New permits shall be issued in the order that eligible applications are received.~~] The land use department shall process *applications* in the order of receipt and shall issue new *permits* in the order that complete *applications* are received. If the number of *permits* reaches the one thousand (1000)-*permit* limit, then the land use department shall stop processing *applications* and shall add *applicants* to a waiting list until a *permit* becomes available. If an *applicant* waits on the list for a year or longer, the land use department may require the *applicant* to indicate a continued interest in remaining on the list.

(v) A *permit* is not transferable to another person or property. Upon the transfer of ownership of a *short-term rental unit*, the short-term rental *permit* shall terminate and revert to the land use department. If the new *owner* wishes to use the property as a *short-term rental unit*, the *owner* shall submit a new *application* to the land use department.

New

~~(c)~~ General Provisions

[~~Unless otherwise stated, the following general provisions apply to short-term rental units:~~]

(i) A *short-term rental unit* must have a local *operator* that is available twenty-four (24) hours per day, seven (7) days per week, to respond to complaints regarding the operation or occupancy of the short-term rental unit. For purposes of this subparagraph, "local" means within city limits.

rental

(ii) An *owner* or *operator* shall not rent a *short-term ~~dwelling~~ unit* more than once [~~no more than one rental is allowed~~] within a seven (7)-[~~consecutive~~]day period[~~;~~].

[~~(ii) short-term rental permits will not be issued for more than two short-term rentals units directly adjoining each other on a residentially zoned street. For the purposes of this subsection, "directly adjoining" means sharing a common boundary along a public street frontage, but does not include adjoining *units* in a condominium, townhouse development, apartment complex, or residential compound;~~]

(iii) An *owner* of a *permitted short-term rental unit* shall provide *off-street parking* [~~shall be provided~~] on site as follows: [~~1~~)]

(A) one bedroom, one parking space; and [~~2~~)]

(B) two or more bedrooms[~~;~~], two parking spaces[~~;~~].

(iv) A *short-term rental unit* must meet all applicable building, [~~and~~] fire, [~~life~~]and safety codes, [~~shall be met~~] and all toilets, faucets, and shower heads [~~shall~~]must

AD
6-24-20

meet the water conservation requirements described in Section 25-2.6 SFCC 1987[~~:~~].

(v) Prior to issuance of a *permit*, a *short-term rental unit* must have a *certificate of occupancy* to ensure compliance with all applicable codes.

(vi) Prior to issuance of a *permit*, the *owner* of a *short-term rental unit* must obtain a business license under Section 18-1 SFCC 1987.

(vii) A valid business license number shall be included in all advertising of a *short-term rental unit*, including listings on a *host platform*.

[~~(v)~~](viii) [~~occupants~~]An *owner* or *operator* shall not allow *guests* [~~shall not~~]to park recreational vehicles on site or on the street;

[~~(vi)~~](ix) [~~short-term~~] *Short-term rental units* ~~located on residentially-zoned property~~ shall be used exclusively for residential purposes and shall not be used for commercial activities or events, defined as intending to make money, offering goods or services for sale, or conducting any other event or activity that is not residential in nature. An activity "not residential in nature" includes gatherings in excess of two (~~3~~2) times the number of legally allowed [~~occupants~~]*guests* in the *short-term rental unit*[~~ (including occupants)~~], unless the activity or event is otherwise permitted by the *city*[~~:~~].

[~~(vii)~~](x) [~~the~~]The total number of [~~persons~~]*guests* that may occupy [~~the~~]a *short-term rental unit* is twice the number of bedrooms[~~:~~].

[~~(viii)~~](xi) [~~noise~~]Noise or other disturbance outside [~~the~~]a *short-term rental unit* is prohibited after 10:00 p.m., including decks, portals, porches, balconies, or patios[~~:~~].

[~~(ix)~~](xii) [~~all occupants shall be informed~~]The *owner* or *operator* of a short-term rental unit shall notify all guests in writing of relevant *city* ordinances, including the *city*'s nuisance and water conservation ordinances[~~, by the owner/operator of the short-term rental unit~~]. All [~~occupants~~]*guests* shall comply with all relevant *city* ordinances, including [~~and comply with all provisions of~~] the [~~lodger's~~]lodgers' tax ordinance[~~:~~].

[~~(x)~~](xiii) [~~the~~]The *owner*[~~/operator~~] shall pay all applicable local, state, and federal taxes, including lodgers' tax, gross receipts tax, and income tax[~~es;~~].

~~(xi) should the owner/operator fail to pay all applicable taxes, the owner/operator shall be subject to penalties pursuant to Subsection 14-6.2(A)(5)(f).~~

~~(xii) the *owner*/operator shall make available to the *city* for its inspection all records relating to the operation of the short-term rental unit to determine compliance with this Subsection 14-6.2(A)(5); and~~

~~(xiii) the *owner* shall maintain adequate short-term rental insurance coverage for the *short-term rental unit*. Proof of insurance shall be required at the time the *permit* is issued and such other times as requested by the *land use director*.~~

~~(xiv) upon the transfer of ownership of a *short-term rental unit*, the short-term rental *permit* shall terminate and revert to the land use department. If the new *owner* wishes to use the property as a *short-term rental unit*, new *application* shall be submitted to the land use department.~~]

(d) *Applications* for Short-Term Rental *Permit*

[~~Unless otherwise stated, an~~] An *applicant* shall submit an *application* for a short-term rental *permit* [~~for a short-term rental shall be submitted to the city as follows~~] that includes the following information and documentation:

(i) [~~the application shall include~~]the name and phone number of the local owner[~~/operator~~] or *operator* who is available twenty-four (24) hours per day, seven (7) days per week to respond to complaints regarding the operation or occupancy of the *short-term rental unit* [~~as well as the name and phone number of city staff responsible for enforcing this section~~];

(ii) [~~the application shall include~~] a statement signed by the

AD
6-24-20

[~~owner/operator~~] *owner* and *operator*, affirming that they will operate the *short-term rental unit*[~~-shall be operated~~] in compliance with this subsection 14-6.2(A)(5) and all other applicable laws, *city* codes, and~~-~~ private covenants; and that no private covenants prohibit the operation of the *short-term rental units*; and

(iii) additional information, documentation, and submittals as required by the *land use director*.

[~~(iii) all applicants must submit proof of all required inspections with their initial application. Renewal applications for the same property may submit proof of all required inspections in the form of a statement attesting to compliance with all applicable fire, health, and safety requirements. The city shall perform random inspections to ensure compliance with this Subsection 14-6.2(A)(5).~~

~~(iv) prior to issuance of a permit, a certificate of occupancy is required to ensure compliance with this paragraph and all applicable codes;~~

~~(v) the permit is not transferable to another person or property;~~

~~(vi) within ten days of the issuance of the permit, the owner/operator shall mail notice by first class mail, with certificate of mailing, to the homeowners association (if applicable), and to the owners of properties within two hundred (200) feet of the subject property, exclusive of rights of way, as shown in the records of the county assessor, and by first class mail to the physical addresses of such properties where such address is different than the address of the owner and to the land use department. Notice shall be on a form approved by the land use director, and shall contain the name and phone number of the owner and operator who will be available twenty four hours per day, seven days per week to respond to complaints regarding the operation or occupancy of the short term rental as well as the name and phone number of city staff responsible for enforcing this paragraph. Copies of all required mailing lists and mailing certificates shall be provided to the land use director within ten days of the mailing. Failure to provide notification as described in this subsection is subject to penalties and prosecution pursuant to Subsection 14-6.2(A)(5)(f);~~]

[~~(vii) each application shall be accompanied by a fee of one hundred dollars ($100) to cover *application* processing and inspections. This application fee is non-refundable.~~]

[~~(viii) The annual permit fee schedule is as follows:~~

[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]

AD 6-24-20

Table 14-6.1-1 Annual Permit and Registration Fees*		
Short-term Rental Type	Permit Fee per Unit	Registration Fee per Unit
§ 14-6.2A(5)(b)(i) — Accessory Dwelling Units	$325.00	
§ 14-6.2A(5)(b)(ii) — Resort Units		$100.00
§ 14-6.2A(5)(b)(iii) — Residential Units	$325.00	
§14-6.2A(6) Non-Residential Districts and § 14-6.2A(7) — Commercial Districts		$100.00
Initial Application and Processing Fee (one-time)	$100.00	
*The annual permit fee shall not be prorated for a portion of the year.		

(ix) The annual fee includes the city's business registration fee and fees for inspections related to issuance of the short-term rental permit. Revenue from fees imposed pursuant to this paragraph shall be used only to administer, manage, and enforce this section.

(x) If payment of a permit fee was in excess of that for which a person was liable, the person may claim a refund by directing to the city finance director a written claim for refund no later than one year from the date payment was made. Every claim for refund shall state the amount and basis for the claim. The city finance director may allow the claim in whole or in part or may deny it. If the claim is not allowed in whole, the person may appeal the decision pursuant to Section 14-3.17.

(xi) Unless revoked as set forth in Subsection 14-6.2(A)(5)(f), a permit holder may renew the permit annually. If not renewed by March 15 of each year, the owner/operator may pay a late fee of fifty dollars ($50) to extend the time for filing to renew to April 15. An owner of an expired permit may submit a new application for a short-term rental permit to the land use director in accordance with Subsection 14-6.2(A)(5)(b)(iv) subject to availability of permits.

(xii) A valid permit number shall be included in all advertising of the short-term rental, including listings on web-based rental sites.]

(e) Proximity of *Short-Term Rental Units*

AD 6-24-20

probably remove as redundant or not Needed?

Subject to the exceptions listed below, the *land use director* shall not issue a new *permit* for a *short-term rental unit* if the subject property, as identified in the application, is located within a seventy-five (75)-foot radius of a *residentially zoned property* that has a permitted *short-term rental unit*. The radius shall be measured from the subject property boundary. This limitation shall not apply to the following:

(i) an *application* for a *short-term rental unit* located on non-*residentially zoned property* or within a *development containing resort facilities*;

(ii) an *application* for a *short-term rental unit* that complies with the requirements set forth in the *Accessory Dwelling Unit* ordinance, subsection 14-6.3(D)(1); or

(iii) an application for a *short-term rental unit* in a *multiple-family dwelling* development that contains four (4) or more *dwelling units*, provided, however, that the *land use director* shall not issue short-term rental permits for more than twenty-five (25%) of the *dwelling units* in a *multiple-family dwelling* development that contains four (4) or more *dwelling units*.

[~~(e)~~](f) Fees for Short-term Rental *Permit*

The following fees shall be used only to administer, manage, and enforce this subsection 14-6.2(A)(5) and relevant sections of Chapter 18 SFCC 1987, addressing applicable licenses and taxes.

(i) *Application* fee. An *application* for a short-term rental *permit* shall be accompanied by a one-time non-refundable *application*, processing, and inspection fee of one hundred dollars ($100).

(ii) Business license fee. A *short-term rental unit* is subject to an annual business license fee of thirty-five dollars ($35).

(iv) *Permit* fee. A *short-term rental unit* is subject to an annual *permit* fee of two hundred and ninety dollars ($290).

(g) Required Notice

(i) Within ten (10) days after the issuance or renewal of a short-term rental *permit*, the *owner* or *operator* shall mail notices by first-class mail to the homeowners association within which the unit is located (if applicable); to the *owners* of *residentially-zoned property* within two hundred (200) feet of the subject property, exclusive of rights of way, as shown in the records of the county assessor; to the physical addresses of such properties where such address is different than the address of the *owner*; and to the land use department.

(ii) The notices shall be on a form approved by the *land use director*.

(iii) The notices shall contain the name and phone number of the local *operator*. Within ten (10) days after any change in the contact information for the local *operator*, the *owner* or *operator* shall mail a new notice, to all parties, in accordance with this subparagraph 14-6.2(A)(5)(e).

(iv) Within ten (10) days of the mailing, the *owner* or *operator* shall provide the *land use director* with copies of all required mailing lists and an affidavit of mailing signed by the person who mailed the notices.

(h) Records

unit

For the current calendar year and the three (3) immediately preceding calendar years, each short-term rental *owner* must maintain records for each *short-term rental unit* and shall make such records available to the *city* for inspection upon request. If a *host platform* collects rent for a *short-term rental unit*, the *host platform* must also maintain such records. The records to be maintained for each *short-term rental unit* must include the following:

(i) The total number of times and number of nights that the unit was rented to guests each calendar month;

(ii) The total amount of rent paid by guests by month; and

(short-term rental!)

AD
6-24-20

(iii) The total amount of each type of tax and fee paid to the *city* in connection with rental of the unit by month.

(i) *Permit* Renewals

Unless revoked pursuant to Section 14-11.4, an *owner* may renew a short-term rental *permit* annually. If not renewed by the expiration date of the existing *permit*, the *owner* may pay a late fee of fifty dollars ($50) to extend the time for filing to renew by thirty (30) days. After the thirty (30) days, if the *owner* has not renewed or requested an extension, the *permit* will become available to the next eligible *applicant*, and the *owner* may submit a new *application* for a short-term rental *permit* to the *land use director*, subject to the availability of *permits*.

(j) Inspections

The *city* shall perform random inspections to ensure compliance with subsection 14-6.2(A)(5) and all applicable fire, health, and safety requirements. The *city* may require an *applicant* to submit proof of inspections at the time of initial *application* and at such other times as requested by the *land use director*.

(k) Violations and Penalties

[~~(i) The land use director shall document all alleged violations of this paragraph and shall pursue enforcement through the municipal court as set forth in Article 1 3 SFCC 1987 or in another appropriate court of law. The city shall give the owner a written notice of violation, which shall be mailed either to the owner's local or business address or agent's address, informing the owner of the violation. If corrective action is not completed within fifteen (15) days of the date of the letter, the city may file a criminal complaint in municipal court. Upon conviction of a first violation, the land use director shall revoke the permit and operation of the short term rental shall cease within thirty days.~~

~~(ii) An owner who offers for rent as a short term rental a dwelling unit that is not permitted for use as a short term rental is in violation of this paragraph and is subject to penalties, property liens and/or prosecution pursuant to subsection 14 2(A)(5)(f).(iii)An agent who knowingly assists an owner in advertising or renting a dwelling unit as a short term rental unit that is not permitted under this subsection 14 6.2(A)(5) is subject to penalties and prosecution, and the agent's business license is subject to revocation.~~]

If an *owner* or *operator* fails to obtain the necessary *permit* before renting, offering to rent, or advertising a short-term rental unit; fails to pay or report applicable taxes; or otherwise fails to adhere to the provisions of subsection 14-6.2(A)(5), the *owner* or *operator* shall be subject to the enforcement provisions set forth in Sections 1.3 and 14-11 SFCC 1987 and all other legal remedies and enforcement actions available under the law. These may include civil or criminal penalties or revocation of a short-term rental *permit*.

[~~(f) Penalties~~

~~(i) Any owner who fails to report all applicable taxes, including gross receipts tax and lodger's tax, shall be subject to any and all remedies under the short term rental ordinance and any other applicable city, county, state, or federal law or statute. Such owner shall also be subject to revocation of their short term rental permit pursuant to Subsection 14 6.2(A)(5)(e)(i).~~

~~(ii) If an owner is found guilty of operating a short term rental without a valid permit, they shall be fined five hundred dollars ($500). The city may ask the municipal court to treat each day after the initial written notice of violation as a separate violation and assess two hundred fifty dollars ($250) for each day of such daily violations for a total cumulative fine amount. If the city is awarded money as part of a judgment following a court hearing and defendant does not make timely payments to the city, the city may bring an action in lien or equity for the collection of any amounts due.~~]

[~~(g)~~] (l) Restrictive Covenants

Private restrictive covenants, enforceable by those governed by

Insert #2 from Insertions revisions AD 6-24-20

the covenants, may prohibit *short-term rental units*.

[~~(h)~~](m) Real Estate Agent Disclosure

[~~Real~~]A real estate [~~brokers~~] agent [~~listing~~] who represents a prospective buyer of [~~residential~~] *residentially zoned property* in Santa Fe shall provide the prospective [~~buyers~~]buyer with a current copy of this ordinance.

(n) Host Platforms.

(i) A *host platform* shall include a valid business license number in any listing or advertisement for a *short-term rental unit*.

(ii) A *host platform* shall provide a monthly report to the city that includes the following information, disaggregated by owner:

(A) The total number of *short-term rental unit* listings and owners in the city;

(B) The total number of times and nights each unit was rented to guests each calendar month;

(C) The total amount of revenue collected from all rentals through the *host platform* in the city, including rent and each type of taxes and fees.

[~~(i) The land use director shall establish administrative procedures necessary to implement, manage and enforce this paragraph.~~]

[~~(6) Short-term Rental of Dwelling Units - Non-residentially Zoned Property~~

~~Short-term rental of dwelling units on non-residentially zoned property is permitted as set forth in Table 14-6.1-1, must be registered, are subject to a one-time one-hundred dollar ($100) application, inspection and processing fee; and must comply with submission requirements and report all applicable taxes.~~]

(o) Existing Short-Term Rental Permits

(a) An *owner* of a *short-term rental unit* who possesses a valid short-term rental *permit* at the time that the ordinance amending subsection 14-6.2(A)(5) (Ordinance No. 2020-) is adopted is considered to possess a valid *permit* under the new regulations and does not need to renew the *permit* until it expires.

(b) An *owner* of a *short-term rental unit* who possesses more than one (1) valid short-term rental *permit* at the time that the ordinance amending subsection 14-6.2(A)(5) (Ordinance No. 2020-) is adopted may timely renew those permits as long as the permits are not revoked under Section 14-11.4.

(c) An *owner* who possesses a valid short-term rental *permit* for a *short-term rental unit* that does not comply with the proximity limitations set forth in subsection 14-6.2(A)(5)(e) at the time that the ordinance amending subsection 14-6.2(5) (Ordinance No. 2020-) is adopted is considered to possess a valid permit under the new regulations and may timely renew that permit as long as the permit is not revoked under Section 14-11.4.

(7) Dwelling Units in Specified Commercial Districts (Ord. No. 2016-39 § 4)

In the C-2 and SC Districts, dwelling units do not include mobile homes or recreational vehicles and shall be [~~either~~] one of the following:

(a) accessory dwelling units for occupancy only by owners, employees, or tenants of nonresidential uses that are operated on the same premises;

(b) part of a planned development; [~~or~~]

(c) part of a use for which a development plan or special use *permit* is required; or

(d) part of a qualifying residential project within the Midtown LINC Overlay District.

[~~(8) Effective Date~~

~~The provisions of Subsection 14-6.2(A)(5) of the Land Development Code shall go into~~

AD 6-24-20

~~effect immediately upon approval of the Governing Body. A ninety (90) day grace period shall be given for effected units to obtain a valid permit. Short-term rental unit owners who possess a valid short-term rental permit at the time this ordinance (Ordinance 2016-20) is adopted shall be considered to possess a valid permit under the new regulations and shall not need to renew their permit until the following year. Short-term rental unit owners who possess a valid short-term permit for a contiguous property issued prior to this ordinance (Ordinance 2016-20) being adopted shall be deemed as a "residential" permit holder upon the adoption of the ordinance and shall renew their permit as a "residential" permit in following years.~~

Section 2. Section 14-12.1 of SFCC 1987 (being Ord. No. 2011-37, § 15 as amended) is amended to add the following definitions:

14-12.1 – DEFINITIONS

DEVELOPMENT CONTAINING RESORT FACILITIES, SHORT-TERM RENTAL

A development in which the *owners* own two (2) or more of the following facilities in common and have obtained a special use *permit* for operation of those facilities: swimming pools, spa facilities, golf courses, restaurants, or tennis facilities.

GUEST, SHORT-TERM RENTAL

Any person who rents a *short-term rental unit* or occupies a *short-term rental unit* during a rental period.

HOST PLATFORM, SHORT-TERM RENTAL

An internet website, a mobile application, or any other forum used to connect a short-term rental owner or operator with guests and to facilitate the booking of a short-term rental unit.

NATURAL PERSON

An individual human being, as opposed to an organization of any form or a business entity.

OPERATOR, SHORT-TERM RENTAL

A person who, with or without a short-term rental *permit* or registration, rents or offers to rent a short-term rental unit to guests.

SHORT-TERM RENTAL UNIT

A *dwelling unit* or *accessory dwelling unit*, or any portion of a *dwelling unit* or *accessory dwelling unit* that is offered for rent or rented for a period of less than thirty (30) days. located on residentially-zoned property

APPROVED AS TO FORM:

ERIN K. McSHERRY, CITY ATTORNEY

For purposes of Section 14.6-2(A)(5), a

Legislation/2020/Bills/Short-Term Rental Changes

Dear Mayor Webber and members of the Santa Fe city council:

As residents of Santa Fe for over 40 years, we have lived in both RC-8 districts on the Eastside and Don Gaspar as well as currently downtown in the BCD.

We are writing to ask you to please exclude the BCD from your current ordinance changes in the hope this was just an error in drafting.

The BCD is representative of downtown living in cities throughout the country. It does not conform to normal residential zoning and should not be grouped with it.

"Neighbors" in the BCD are restaurants, offices, bars, art galleries, museums, hotels, and properties that have short term renters. In the daytime, people walk back and forth asking for directions and the best places to eat. At night, the area is unusually quiet. This is downtown living that we were accustomed to when we lived years ago in New York City. Building on the growing mixture of business and residence is one way to revitalize our downtown. While we don't rent our residence, no short term renters living nearby have negatively affected us.

When we lived in the RC-8 districts, we understood the concern about short term rentals disturbing the fabric of neighborhoods. We are supportive of the changes that might improve the quality of life for full-time residents. Listening to the recent planning commission hearing, we recognized that some people spoke passionately in support of the proposed changes, but may not realize that some of us live among offices in the BCD, or even where the BCD boundaries lie. It is important to point out the difference, for example, between the BCD and the "historical Guadalupe neighborhood."

We felt relieved to hear that the planning commission and staff saw the possibility of excluding the BCD, as well as many in attendance and that over 800 residents wrote letters wishing the BCD ordinance to continue to be unaffected by a new STRO.

As leaders of our community, we know you see the importance of a vital downtown and hope that you will remove the BCD from any further ordinance changes.

Sincerely,

Pat and Michael French
128 Grant Avenue
Santa Fe, New Mexico

GURULE, GERALDINE A.

From: Stephen Harris <stillwater_flyfisher@hotmail.com>
Sent: Monday, June 15, 2020 8:58 AM
To: Mayors Office
Cc: Kathy Komoll; Teya Vitu; Paco Arguello; Donna Reynolds; gholcomb@vrma.org; aduettra@gmail.com; LINDELL, SIGNE I.; VILLARREAL, RENEE D.; GARCIA, MICHAEL J.; ROMERO-WIRTH , CAROL; RIVERA, CHRISTOPHER M.; ABEYTA, ROMAN R.; CASSUTT-SANCHEZ, JAMIE A.; COPPLER, JOANNE V.; Land Use Public Comment
Subject: Short-Term Rental (STR) Ordinance

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To the Honorable Mayor Alan Weber

My wife and I live in Montana and travel south in the winter months. Santa Fe is a destination we enjoy and it continues to be a reoccurring destination.

We use rental systems such as Home Away and Air B&B for much of our travel. These type systems have allowed us to be in walking distance to Santa Fe's downtown/plaza area and the properties provided are a "home away from home atmosphere" that is not provided from other options, such as the Hotel system.

It has come to my attention that changes, from a pending Short-Term Rental (STR) Ordinance, could limit our options and or availability in the future.

Reducing the availability would impair our choices; as even now getting the properties we have used and will continue to use fill up quickly and many times are unavailable.

Potential restrictions will make this more difficult and would limit our returns back to Santa Fe. From a short term rental user point of view, Santa Fe needs to keep what currently exists and even expand the type of rental system we use and not limit it.

Thank you in advance for considering this as you deliberate the pending STR

Steve Harris
Montana Retiree

PAEZ, SALLY A.

From: Melissa Byers <melbye.boss@gmail.com>
Sent: Thursday, June 18, 2020 8:32 PM
To: BERKE, NOAH L.
Cc: ISAACSON, ELIAS S.; PAEZ, SALLY A.
Subject: Re: FW: sorry for the technical glitch

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Got it, thanks!

On Thu, Jun 18, 2020 at 7:50 PM BERKE, NOAH L. <nlberke@santafenm.gov> wrote:

> Noah Berke, CFM
> Planner Manager
> City of Santa Fe Land Use Department
> Office: (505) 955-6647
> Cell or Text: (505) 490-5930
> Email: nlberke@santafenm.gov
>
> Click here for Zoning Code Information
>
> Click here for Property Information
>
> https://www.alltogethersantafe.org/
>
> -----Original Message-----
> From: Karen Heldmeyer <kheld@earthlink.net>
> Sent: Thursday, June 18, 2020 7:38 PM
> To: BERKE, NOAH L. <nlberke@santafenm.gov>
> Subject: sorry for the technical glitch
>
> CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.
>
> I swear. Karen Heldmeyer, 325 E. Berger
>
> I sent in a consensus document w/ suggestions from the Neighborhood Network board.
>
> 3 issues with STRs: affects actual neighborhoods w actual neighborhoods, decreases stock of available housing in many neighborhoods, never really been adequate enforcement especially of fiscal impact
>
> People who actually live here also contribute to the city financially through their ownership and through their living expenses, but also contribute in many other ways to the community. that doesn't occur with transient renters.

GURULE, GERALDINE A.

From: Karen Heldmeyer <kheld@earthlink.net>
Sent: Monday, June 15, 2020 4:01 PM
To: BERKE, NOAH L.; ISAACSON, ELIAS S.
Cc: Mayors Office; ROMERO-WIRTH , CAROL; LINDELL, SIGNE I.; VILLARREAL, RENEE D.
Subject: Neighborhood Network submission on STRs for the 6/18/20 Planning Commission meeting

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The Neighborhood Network appreciates the attempt to amend the Short Term Rental ordinance so that it more carefully reflects the negative effects that the current ordinance and policy have had on existing neighborhoods and on the availability of housing in Santa Fe and tries to correct those problems.

We would also like to thank Pat Lillis for her hard work on researching what other similarly-situated cities have done to deal with STRs.

The NN Board endorses the following amendments to the ordinance:

We endorse the idea that STR permits should only be given to addresses with a local primary resident.

We like the idea of only one permit per "natural person" but think this should be implemented more quickly as some individuals and businesses have amassed large numbers of STRs under the current system and those multiple holdings are particularly deleterious to both neighborhoods and the availability of actual housing.

We agree that there should be no transfers of STR permits when property is transferred or sold unless such a sale or transfer occurs within the immediate family..

All STRs should be permitted, licensed, and in compliance with both GRT and Lodgers' Tax and should feature the permit # in any advertising.

Additionally, all STRs should be in compliance with all other city ordinances and codes.

City staff must monitor all STRs, permitted and otherwise, to insure compliance. If a given unit is not ipermitted, the owner or operator of that unit shall be barred from applying for an STR permit for one year.
For all other violations, the city can assess a $100 fine for each day each violation occurs.

The city should revisit the issue of the proposed proximity of STR's to one another after develpoing a publicly-available map showing how the question of proximity has been handled by the city in the past.

The language on what constitutes a "nonresidential" use should be clarified and tightened to prevent "party houses" and similar uses.

City staff shall also promptly investigate all complaints of violations. Complaints can be made anonymously.

With tighter monitoring of the requirements for STRs, the city needs to revisit the actual cost of permitting and monitoring those units and increase the permit fee accordingly.

Thank you for considering these amendments.

Karen Heldmeyer

Acting President, Neighborhood Network

699-7145

Feature permit # in any advertising

Require business license and tax compliance

Monitor compliance with all codes with strict penalties (1 year?) if not followed

Should we advocate for the primary resident rule?

PAEZ, SALLY A.

From: SALAZAR, ANDREA
Sent: Tuesday, August 25, 2020 9:44 AM
To: PAEZ, SALLY A.
Subject: FW: Short Term Rental Changes

See Mr. Henry's response…

Andréa Salazar
Assistant City Attorney, City of Santa Fe
(505) 955-6303
asalazar@santafenm.gov

WE ARE

#AllTogetherSantaFe
http://www.alltogethersantafe.org
#TodosJuntosSantaFe
http://www.todosjuntossantafe.org

This message may be subject to the attorney client privilege. 11-503 NMRA. If you have received this message in error, please delete it and alert the sender. 16-404(B) NMRA.

From: Mike Henry <henry80108@gmail.com>
Sent: Tuesday, August 25, 2020 9:33 AM
To: WEBBER, ALAN M. <amwebber@santafenm.gov>
Cc: ISAACSON, ELIAS S. <esisaacson@santafenm.gov>; SALAZAR, ANDREA <asalazar@santafenm.gov>; FAUBION, JENNIFER R. <jrfaubion@santafenm.gov>; Signe Lindell <s.lindell@comcast.net>; ROMERO-WIRTH , CAROL <cromero-wirth@santafenm.gov>; VILLARREAL, RENEE D. <rdvillarreal@santafenm.gov>; elicccondos@gmail.com
Subject: Re: Short Term Rental Changes

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Mayor,
Thank you so much for your quick response. I appreciate you sending this to the team responsible for working the draft. As I mentioned in my original e-mail, I would like to invite the team over to Campanilla to see our community and learn more about our business model - particularly the dimensions and quirks of quarter ownership.

Our community is unique, and we believe our maintained homes enhance Otero Street.

I've copied Eli O'Dowd on this message as she is our on site Property Manager. I'm hoping Eli can work with you or your assistants on arranging a tour.

Thank you again for your consideration.

Mike Henry
President of the Board
Campanilla Compound
334 Otero Street
Santa Fe, NM

On Mon, Aug 24, 2020 at 12:17 PM WEBBER, ALAN M. <amwebber@santafenm.gov> wrote:

Thanks for your very thorough and thoughtful letter.
I'm copying this email to the staff team that has been working on the draft revisions and also to the City Councilors who have taken the lead in developing the policy approach. We'll all want to take a careful look at the concerns you have to see what can be done.
Thanks again.
Alan

On Aug 24, 2020, at 11:44 AM, Mike Henry <henry80108@gmail.com> wrote:

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August 23, 2020

Mayor Allen Webber
City of Santa Fe, New Mexico
200 Lincoln Avenue
Santa Fe, NM 87504

Dear Mr. Mayor,

I understand that the city of Santa Fe is reviewing and possibly changing some of the regulations of the City's STR program. While I understand and respect the need for review and updating of the policies, I want to ensure that you are aware that all STR properties are not the same and changing regulations could have a dramatic impact on revenues for the City of Santa Fe and our investment.

I am President of the Board of Directors of Campanilla Compound, a community of 15 residences in the historic Santa Fe style, including both newer construction and renovated historic structures. This high-quality community was approved by the City, and first permitted and developed in 1984. Campanilla is a small neighborhood, with a single access to Otero Street; all management functions, trash removal, outdoor amenities and parking is contained on private property within the community.

From its inception, Campanilla has been occupied by a mix of owners and renters, with on-site management. The Association owns and maintains all common elements and the interiors, exteriors, and furnishings of all residences. Each home is 'quarter owned' and we have several owners that own

multiple quarters. We have approximately fifty (50) owners in total. Campanilla was one of the first communities of this type to be permitted by the City's original Short-Term Rental (STR) program.

We employ two long-standing Santa Fe residents and over 25 local vendors in the running of our business. We do not receive complaints from our neighbors and have been a business in 'Good Standing' and our BBB rating is A+

The regulations as currently drafted, including requirements that permits revert to the City upon a sale, would make it impossible to maintain the current rental business. Moreover, it is not clear how the sale of a single quarter-ownership interest would affect the existing permit and the rights of the remaining majority owners.

Pursuant to the deed restrictions, each quarter owner is entitled to occupy their unit for 13 weeks, spaced throughout the year. Our owners can place some, all, or none of their weeks in the rental pool. We do have carefully thought out use restrictions and active, on-site management, which results in the impact to our community, and by extension the neighboring properties, being the same whether an owner or a tenant occupies any particular week. Our owners demand nothing less.

We request that you address this unique situation in the ordinance, in much the same way as Quail Run was exempted for sound reasons. We request language such as the following:

Revise Section 13-6.2(A)(5)(c)(xiv) to read "upon the transfer of ownership of a short-term rental unit, except the transfer of an interest in a unit that is comprised of multiple, time-divided ownership interests, the short term rental permit shall terminate…" and revise Section 13-6.2(A)(5)(d)(v) to read "the permit is not transferable to another person, except purchasers of partial, time divided interests, or property" so that the permit will not revert if only one quarter interest is sold, but rather the new partial owner would take the place of the old owner.

We have other concerns about additional changes the City is proposing. For example, the loss of a permit for 'technical violations' would mean it is lost forever because the rules would prohibit re-issuing it in these circumstances. This 'one strike and you're out' policy is a bit rigid and unrealistic. What are your and the committee's thoughts on what to suggest as a safe harbor or second chance procedure?

There is also the requirement that the operator live within the city limits which seems arbitrary and possibility unconstitutional. I suggest a dimensional radius (i.e. 25 miles from Santa Fe) or within Santa Fe County as examples.

In addition, the draft does not address how insurance policies work for quarter-owned properties. The COA should be allowed to provide the policies vs. all 50+ of our homeowners.

Finally, the draft suggests capping the number of nights for rental use. Since we are a community of homes and not your typical STR, it would allow more flexibility for guests and hosts if there were an annual cap on rental days, which would serve the same purpose of reducing impacts on the neighborhood.

With that said, I would like to invite you and the other City officials over to Campanilla for a tour of our compound. I want you to meet our employees and see our homes and most importantly learn our business model.

Thank you for your consideration.

Sincerely,

Mike Henry
Campanilla Compound
President, Board of Directors

From: BERKE, NOAH L.
To: ISAACSON, ELIAS S.; PAEZ, SALLY A.
Subject: Fwd: Amendments to STRO ordinance
Date: Thursday, June 18, 2020 2:34:48 PM

Get Outlook for iOS

From: I <rnhilgendorf@aol.com>
Sent: Thursday, June 18, 2020 1:38:48 PM
To: Land Use Public Comment <landusepubliccomment@santafenm.gov>
Subject: Amendments to STRO ordinance

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear All"

I own two short term rentals at 310 McKenzie St. behind my law office in the BCD. The proposed changes in the STRO ordinance do not seem necessary or justified. The problems in residential neighborhoods should not be use to make changes in the status of our rentals in the BCD. If in fact there are more short term rentals in the city than the authorized 1,000 units then enforcement of the existing ordinance would seem the appropriate solution. I am requesting that before this change is made a full study of the number of unlicensed units outside the BCD be made and a strategy be developed for controlling the unlicensed units. I have not had any complaints from any source in the BCD concerning my units and even though I might be grandfathered in, an apt term since I am 78 years old, obviously ownership will change for my units and these onerous requirements would have to be met by my heirs. Thank you for your consideration. Sincerely, Robert Hilgendorf

GURULE, GERALDINE A.

Subject: FW: Planning Commission meeting 6/18 to consider changes to the Short Term Rental regulations

-----Original Message-----
From: Craig Lamb <clambnm@gmail.com>
Sent: Wednesday, June 17, 2020 5:16 PM
To: PAEZ, SALLY A. <sapaez@santafenm.gov>
Subject: Planning Commission meeting 6/18 to consider changes to the Short Term Rental regulations

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I understand you are the person to submit comments to on the proposed changes to the city of Santa Fe's Short Term Rental policy being considered at a Planning Commission meeting on June 18. If you are not the appropriate person, please forward this to the appropriate person(s) or let me know who to contact.

The comment I would like those considering these changes to see is as follows:

I applaud most of the changes being recommended in the granting and the managing of Short Term Rental permits in the city of Santa Fe. Particularly in requiring permit holders to be city residents and to manage their enterprises themselves, report use and pay appropriate taxes, etc.

I have one problem with the newly proposed changes. Your proposed regulation that a resident can hold only one permit (I assume that means for only one rental unit, though this isn't clear) seems arbitrary. It seems you are, in general, trying to prevent people who are buying up multiple units in an area or around town for the express purpose of turning these into Short Term Rental units, and I agree that is a good policy. But, some local homeowners have more than one auxiliary structure on their property that they can offer as Short Term Rentals, in the pursuit of a livelihood here. I suggest this section could be liberalized some, to at least "two" units or "no more than two or three contiguous units". Or, base this on the number of bedrooms on offer or guests who allowed. Otherwise, it is discriminatory. A permit holder could have a three or four (or more) bedroom house they are renting and another two small one or two bedroom units. How is this different in their impact on the neighborhood or surrounding community?

I urge you to rethink this section of the proposed regulation changes and alter it to better address the perceived problem you are trying to address in this section.

Thank you for your consideration.

Craig Lamb
117 1/2 Martinez Street

PAEZ, SALLY A.

From: BERKE, NOAH L.
Sent: Thursday, August 13, 2020 9:30 PM
To: PAEZ, SALLY A.
Subject: FW: Letter

Noah Berke, AICP, CFM
Planner Manager
City of Santa Fe Land Use Department
Office: (505) 955-6647
Cell or Text: (505) 490-5930
Email: nlberke@santafenm.gov

Click here for Zoning Code Information

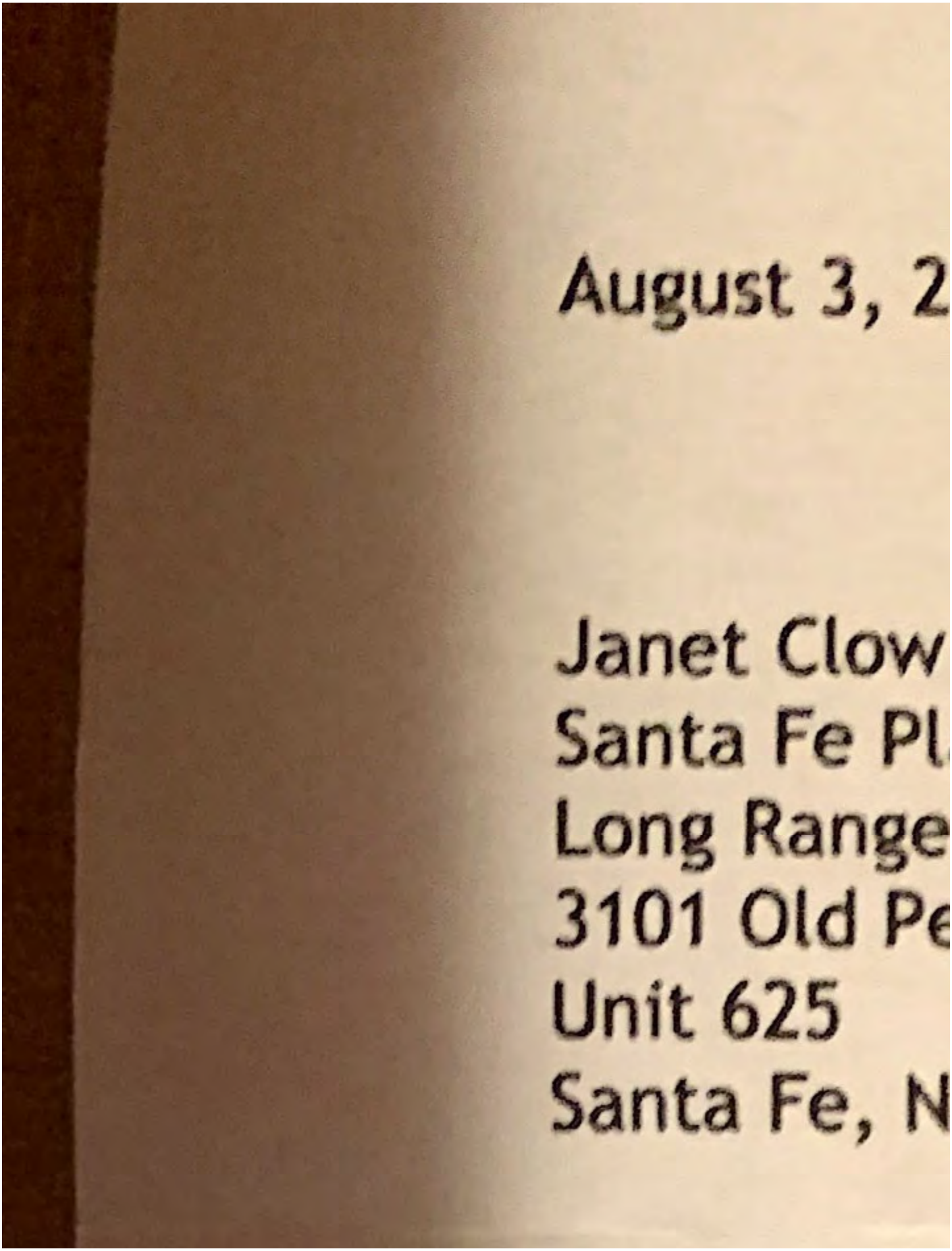
Click here for Property Information

https://www.alltogethersantafe.org/

From: Janet Clow <jclow1949@gmail.com>
Sent: Thursday, August 13, 2020 3:31 PM
To: BERKE, NOAH L. <nlberke@santafenm.gov>
Subject: Letter

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Noah: I received the attached letter last week in the mail. Janet Clow


August 3, 2
Janet Clow
Santa Fe Pl
Long Range
3101 Old Pe
Unit 625
Santa Fe, N

Sent from my iPhone

Dear Planning Commissioners,

My name is Patricia Lillis. I live at 2119 Conejo Drive, Santa Fe, NM 87505.
Attached, and below, are my submitted, written comments on the Short-Term Rental Changes.
Thank you for your consideration.

ATTACHMENTS

Attachment "A" contains my comments and suggestions written directly onto the "Short-Term Rental Changes" pdf file. It is an easy way to get to the highlights of this Ordinance rewrite.

Attachment "B" supports my comments with recommendations, statistics, background and the need of a Primary Resident requirement after more than two years of following what other cities have done to mitigate the negative effects Short-term Rentals have had on communities.

Attachment "C" is a partial list, with summary and links, of what 15 cities have accomplished. They include **Portland, OR, Boulder, Charleston, Santa Monica, Denver, Miami Beach, Miami, Richmond, Boston, Washington, DC, San Francisco, Los Angeles, New York City, New Orleans, Sunnyvale, CA**

Attachment "D" contains the body of this email.

COMMENTS

The two major elements missing in the STR ordinance draft are:

1) **This ordinance needs a Primary Residency requirement of 6 months or more.** (This ordinance says that any "natural person" from anywhere can have one speculative STR that is not a primary resident)**; and**
2) **This ordinance needs to phase out within a year or two current STRs that are not primary residences.**

NOTE: Pretty much all cities with housing challenges have gone with a **Primary Resident Requirement**. There are many levels that include a Primary Resident requirement. For example:
- Primary Residency requirement of 6 months can include renters, with homeowner's approval.
- Primary Residency requirement of 6 months can range from requiring the Host to reside on site during the stay to allowing an "operator" to manage the STR for a maximum of 60, 90 or 120 days a year.

In short, the City's ordinance proposes that:
- All current rentals remain the same with no time limit.
- Primary Residency is not a requirement.
- Any "natural person" person from anywhere can have one STR rental — doesn't prevent speculation.

On page 4 of the ordinance draft, Santa Fe has stated its intent and has acknowledged the STR problem but these amendments do nothing to address that intent and acknowledgment.

I would like the City of Santa Fe to do what most cities with housing challenges have accomplished and submit an ordinance with real reform. This current draft falls well short of that.

With so much talk about Santa Fe's housing shortage and housing challenges, we must take the step in the right direction and do something substantive. This ordinance does not do that. Compared to other cities, we are so far behind in reforming our STR ordinance. **Primary Residency requirement is the key.** Primary Residency can include a variety of options and this one requirement, other cities say, makes enforcement and fee collection easier while removing competition with speculators.

Housing is important. It is a home. Santa Fe should honor that by including a Primary Residency requirement and phasing out all current STRs that do not meet that criteria. STRs take housing off the market and disrupt neighborhoods on so many levels.

Anything other than primary residency encourages speculation, takes away long-term rentals and reduces home ownership opportunities for our residents.

After reading these changes carefully and researching Short-term Rental regulation changes made by other cities due to housing challenges and neighborhood impact, I submit my comments. — Pat Lillis, Santa Fe

NOTE: Pretty much all cities like Santa Fe that have housing challenges have gone with a **Primary Resident Requirement**

There are many levels that include a Primary Resident requirement. For example:

1. Primary Residency requirement of 6 months can include renters, with homeowner's approval
2. Primary Residency requirement of 6 months can range from:
   - requiring the Host to reside on site during the stay
   - allowing an "operator" to manage or host a STR for a maximum of 60, 90 or 120 days a year.

Santa Fe should consider a Primary Residency requirement.

CITY OF SANTA FE, NEW MEXICO

BILL NO. 2020-__

INTRODUCED BY:

Mayor Alan Webber

Councilor Signe I. Lindell

Councilor Carol Romero- Wirth

Councilor Renee Villarreal

AN ORDINANCE

AMENDING SECTION 14-6.2 SFCC 1987 TO ADOPT BY ORDINANCE A MAXIMUM OF ONE THOUSAND (1000) SHORT-TERM RENTAL PERMITS IN THE CITY, TO PROSPECTIVELY LIMIT THE NUMBER OF SHORT-TERM RENTAL PERMITS TO ONE PER NATURAL PERSON, TO PROSPECTIVELY LIMIT THE PROXIMITY OF SHORT-TERM RENTAL UNITS ON RESIDENTIALLY ZONED PROPERTY, TO REQUIRE A LOCAL OPERATOR FOR S HORT-TERM RENTAL UNITS , TO ADOPT RECORD-KEEPING AND REPORTING REQUIREMENTS FOR SHORT-TERM RENTAL UNIT OWNERS AND HOST PLATFORMS, AND TO CLARIFY OTHER PROVISIONS OF THE SHORT-TERM RENTAL ORDINANCE.

BE IT ORDAINED BY THE GOVERNING BODY OF TH E CITY OF SANTA FE:

Section 1. Subsection 14-6.2(A)(5) of SFCC 1987 (being Ord. No. 2011-37 § 8, as amended) is amended to read:

14-6.2 USE-SPECIFIC STANDARDS

(A) Residential Uses

(1) Continuing Care Community

(a) Density

Independent *dwelling units* are subject to the *density* standards of the district in which the *continuing care community* is located.

(b) Compliance with state and federal law

Continuing care communities must comply with all applicable *state* and federal laws and regulations.

(2) Mobile Home, Permanent Installation

In any district in which permanent single-*family* occupancy of a *mobile home* on an individual *lot* is allowed as a special use *permit* by the board of adjustment, the following minimum standards apply:

(a) the *mobile home* shall be anchored to a concrete foundation and skirted as specified by the *land use director*;

(b) the rental or lease of *mobile homes* used as single-*family* residences on individual *lots* is prohibited; and

(c) minimum requirements for *lot* size, *front*, *side* and *rear yards*, and all other standards pertaining to single-*family residential* land use set forth in Chapter 14 apply.

(3) Mobile Home Park

(a) Applicability

New *mobile home parks* are prohibited as of December 10, 2012 (effective date of this Ordinance No. 2012-37). In a district in which *mobile home parks* are allowed, the minimum standards set out in this section apply.

(b) License

Prior to beginning operation, a *mobile home park* owner or operator must obtain a business license from the *city* under the provisions of Article 18 -1 SFCC 1987.

(c) Inspection

The *city* may inspect a *mobile home park* for conformance with the provisions of this section.

(d) Transfer of License

The *city* may issue a transfer of the license only after the following:

(i) *application* in writing for transfer of a license and payment of the transfer;

(ii) an inspection report by the *land use director* has been submitted to the *governing body*, stating conformance or nonconformance with the provisions of this section;

(iii) approval by the *governing body*.

(e) Revocation of License

The *governing body* may revoke a license to maintain and operate a *mobile home park*, as provided in Article 18-1 SFCC 1987 when the *licensee* has violated any provision of this section.

(f) Posting

The license certificate shall be conspicuously posted in the office of or on the *premises* of the *mobile home park* at all times.

(g) Standards

Mobile home parks shall comply with the standards set forth in Subsection 14 -7.2(1).

(4) Manufactured Homes

Manufactured homes:

(a) are permitted in any district in which site-built, *single-family dwellings* are allowed;

(b) shall meet all requirements of other site- built, *single-family dwellings* in the same district and all applicable historic or aesthetic standards set forth in Chapter 14; and

(c) shall be constructed according to the Manufactured Home Construction and Safety Standards, 24 CFR Section 3280.

(5) Short-Term Rental [of Dwelling] Units [- Residentially Zoned Property]

(a) [Dwelling Units] Purpose and Intent

~~[Dwelling units located on residentially zoned property may not be rented for less than thirty days except as set forth in this Subsection 14-6.2(A)(5).]~~ The purposes of this *Short-Term Rental Unit* Ordinance are the following:

(i) to ensure that the operation of *short-term rental units* in residential areas does not disrupt the character of the city's neighborhoods or affect the quality of life of neighboring residents;

(ii) to prevent speculators from purchasing multiple homes for the purpose of operating multiple *short-term rental units*, thereby reducing the amount of long-term housing availability;

(iii) to allow law abiding residents the option of utilizing their homes and *accessory dwelling units* as *short-term rental units* to create wealth and generate supplemental income;

(iv) to minimize public safety risks associated with *short-*

← INTENT listed here. However, Page 17 says all current STRs are forever grand-fathered in. And, Page 6 states that anyone on the planet can have a short term rental in Santa Fe.

← Why say multiple?

← Add "primary" to precede the word resident. to make it a primary resident requirement

term rental units, such as higher traffic levels, parking issues, noise, litter, and other public nuisances; and

(v) to ensure that an *owner* or *operator* of a *short-term rental unit* follows applicable regulations, including the payment of all applicable fees and taxes.

(b) Short-Term Rental [Units] *Permit* Required

[~~Short-term rental units are prohibited on residentially zoned property except as provided in this Subsection 14-6.2(A)(5)(b).~~]

[~~(i) Short-term rental units that are operated in compliance with Subsection 14-6.3(D)(1) (Accessory Dwelling Units) and in compliance with this Subsection 14-~~ 6.2(A)(5) are allowed.]

(i) An *owner* of a *short-term rental unit* must have a *city*-issued business license and a short-term rental *permit*. An *owner* or *operator* shall not operate, rent, offer to rent, or advertise a *short-term rental unit* without a valid *permit* from the *city*.

[~~(ii) Short-term rental units located in a development~~ containing resort facilities approved pursuant to a special use permit which are owned in common ~~by the owners within the development, are allowed~~. ~~As used in this item, "resort facility" means~~ any combination of swimming pools, spa facilities, golf courses, restaurants and tennis facilities.]

[(iii)](ii) The *land use director* may issue a maximum of one thousand (1000) short-term rental *permits*[~~in a quantity approved by the governing body through adoption, after a public hearing, of a resolution for residential units not otherwise qualifying for permits under Items (i) and (ii) above. Dwelling units on non-residentially zoned property pursuant to §14-6.2(A)(6) and §14-6.2(A)(7) are not subject to the permit limit imposed~~ by this subsection].

(iii) The *land use director* shall issue *permits* to *natural*

← See next page

persons only, and each *natural person* may possess a maximum of one (1) *permit*.

(iv) ~~[Whenever the demand for short-term rental units exceeds the number permitted in accordance with Subsection 14-6.2(A)(5)(b)(iii) above, the number of additional permits may be increased by the governing body through adoption of a resolution and issued by the land use director. New permits shall be issued in the order that eligible applications are received.]~~ The land use department shall process *applications* in the order of receipt and shall issue new *permits* in the order that complete *applications* are received. If the number of *permits* reaches the one thousand (1000)- *permit* limit, then the land use department shall stop processing *applications* and shall add *applicants* to a waiting list until a *permit* becomes available. If an *applicant* waits on the list for a year or longer, the land use department may require the *applicant* to indicate a continued interest in remaining on the list.

(v) A *permit* is not transferable to another person or property. Upon the transfer of ownership of a *short-term rental unit*, the short-term rental *permit* shall terminate and revert to the land use department. If the new *owner* wishes to use the property as a *short-term rental unit*, the *owner* shall submit a new *application* to the land use department.

(c) General Provisions

~~[Unless otherwise stated, the following general provisions apply to short-~~ term rental units:]

(i) A *short-term rental unit* must have a local *operator* that is available twenty -four (24) hours per day, seven (7) days per week, to respond to complaints regarding the operation or occupancy of the *short-term rental unit*. For purposes of this subparagraph, "local" means within the municipal boundaries of the city of Santa Fe.

~~[(ii) short-term rental permits will not be issued for more than two short-term rentals units directly adjoining each other on a residentially zoned street. For the purposes of this subsection, "directly adjoining" means sharing a common boundary along a~~

Each natural person listed on the deed should be included in the STR permit to prevent co-owners from obtaining multiple short-term rental permits

Best solution. Add Primary Residency requirement to support intent from page 4.

Most cities with housing challenges include a primary resident requirement.

Why aren't we?

← Complaints or information concerning enforcement of non-compliance shall be treated anonymously.

~~public street frontage, but does not include adjoining *units* in a condominium, townhouse~~ development, apartment complex, or residential compound;]

(ii) An *owner* or *operator* shall not rent a *short-term dwelling unit* more than once [~~no more than one rental is allowed~~] within a seven (7)-[consecutive] day period[;].

(iii) An *owner* of a *permitted short-term rental unit* shall provide *off-street parking* [shall be provided] on site as follows: [~~1)~~]

(A) one bedroom, one parking space; and [2)]

(B) two or more bedrooms[;], two parking spaces[;].

(iv) A *short-term rental unit* must meet all applicable building, [and] fire, [life] and safety codes, [~~shall be met~~] and all toilets, faucets, and shower heads [shall]must meet the water conservation requirements described in Section 25-2.6 SFCC 1987[;].

(v) Prior to issuance of a *permit*, a *short-term rental unit* must have a *certificate of occupancy* to ensure compliance with all applicable codes.

(vi) Prior to issuance of a *permit*, the *owner* of a *short-term rental unit* must obtain a business license under Section 18 -1 SFCC 1987.

(vii) A valid business license number must be included in all advertising of a *short-term rental unit*, including listings on a *host platform*.

[(v)](viii) [occupants]An *owner* or *operator* shall not allow *guests* [shall not]to park recreational vehicles on site or on the street;

[(vi)](ix) [~~short term~~] *Short-term rental units* located on *residentially-zoned property* shall be used exclusively for residential purposes and shall not be used for commercial activities or events, defined as intending to make money, offering goods or services for sale, or conducting any other event or activity that is not residential in nature. An activity "not residential in nature" includes gatherings in excess of [~~three (3)~~] two (2) times the

← How will this 7-day period be enforced? Seems very difficult to track and enforce.

← STR Permit # should be posted. Not Business License. Each STR has a permit # for tracking unit unlike business license used for multiple purposes.

number of legally allowed [occupants] guests in the *short-term rental unit* [(including occupants)], unless the activity or event is otherwise permitted by the *city*[;].

[(vii)](x) [the]The total number of [persons] guests that may occupy [the]a *short-term rental unit* is twice the number of bedrooms[;].

[(viii)](xi) [noise]Noise or other disturbance outside [the]a *short-term rental unit* is prohibited after 10:00 p.m., including decks, portals, porches, balconies, or patios[;].

[(ix)](xii) [~~all occupants shall be informed~~]The *owner* or *operator* of a short-term rental unit shall notify all guests in writing of relevant *city* ordinances, including the *city*'s nuisance and water conservation ordinances[~~, by the owner/operator of the short-term rental unit~~]. All [occupants]guests shall comply with all relevant *city* ordinances, including [~~and~~ comply with all provisions of] the [lodger's] lodgers' tax ordinance[;].

[(x)](xiii) [the]The *owner*[/operator] shall pay all applicable local, state, and federal taxes, including lodgers' tax, gross receipts tax, and income tax[es;].

~~[(xi) should the owner/operator fail to pay all applicable taxes, the owner/operator shall be subject to penalties pursuant to Subsection 14-6.2(A)(5)(f).~~

~~(xii) the *owner*/operator shall make available to the *city* for its inspection all records relating to the operation of the short-term rental unit to determine compliance with this Subsection 14-6.2(A)(5); and~~

~~(xiii) the *owner* shall maintain adequate short-term rental insurance coverage for the *short-term rental unit*. Proof of insurance shall be required at the time the *permit* is issued and such other times as requested by the *land use director*.~~

~~(xiv) upon the transfer of ownership of a *short-term rental unit*, the short-term rental *permit* shall terminate and revert to the land use department. If the new *owner* wishes to use the property as a *short-term rental unit*, new *application* shall be submitted to the~~

land use department.]

(d) *Applications* for Short-Term Rental *Permit*

[Unless otherwise stated, an]An *applicant* shall submit an *application* for a short-term rental *permit* [~~shall be submitted to the city as follows~~] that includes the following information and documentation:

(i) [the application shall include]the name and phone number of the local owner[/operator] or *operator* who is available twenty-four (24) hours per day, seven (7) days per week to respond to complaints regarding the operation or occupancy of the *short-term rental unit* [~~as well as the name and phone number of city staff responsible for enforcing this~~ section];

(ii) [~~the application shall include~~] a statement signed by the [owner/operator] *owner* and *operator*, affirming that they will operate the *short-term rental unit*[~~shall be operated~~] in compliance with this subsection 14-6.2(A)(5) and all other applicable laws, *city* codes, and private covenants; and that no private covenants prohibit the operation of the *short-term rental unit*[~~ is in compliance with any applicable private covenants, including those that prohibit the presence of *short-term rental*~~]; and

(iii) additional information, documentation, and submittals as required by the *land use director*.

[~~(iii) all applicants must submit proof of all required inspections with their initial application. Renewal applications for the same property may submit proof of all required inspections in the form of a statement attesting to compliance with all applicable fire, health, and safety requirements. The city shall perform random inspections to ensure compliance with this Subsection 14-6.2(A)(5).~~

~~(iv) prior to issuance of a permit, a certificate of occupancy is required to~~ ensure compliance with this paragraph and all applicable codes;

~~(v) the permit is not transferable to another person or property;~~

~~(vi) within ten days of the issuance of the permit, the owner/operator shall mail notice by first class mail, with certificate of mailing, to the homeowners association (if~~ applicable), and to the owners of properties within two hundred (200) feet of the subject property, ~~exclusive of rights of way, as shown in the records of the county assessor, and by first class mail~~ to the physical addresses of such properties where such address is different than the address of the ~~owner and to the land use department. Notice shall be on a form approved by the land use director, and shall contain the name and phone number of the owner and operator who will be available twenty-four hours per day, seven days per week to respond to complaints regarding the operation or occupancy of the short term rental as well as the name and phone number of city staff responsible for enforcing this paragraph. Copies of all required mailing lists and mailing certificates shall be provided to the land use director within ten days of the mailing. Failure to provide notification as described in this subsection is subject to penalties and prosecution pursuant to Subsection 14-6.2(A)(5)(f);]~~

[(vii) ~~each application shall be accompanied by a fee of one hundred dollars ($100) to cover *application* processing and inspections. This application fee is non refun dable.]~~

[~~(viii) The annual permit fee schedule is as follows:~~

[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]

~~Table 14-6.1-1~~ Annual Permit and Registration Fees*		
~~Short-term Rental~~ Type	Permit ~~Fee per~~ Unit	Registration Fee per Unit
~~§ 14-6.2A(5)(b)(i)~~ Accessory Dwelling Units	$325.00	

~~(ix) The annual fee includes the city's business registration fee and fees for inspections related to issuance of the short-term rental permit. Revenue from fees imposed pursuant to this paragraph shall be used only to administer, manage, and enforce this~~ section.

~~(x) If payment of a permit fee was in excess of that for which a person was liable, the person may claim a refund by directing to the city finance director a written claim for refund no later than one year from the date payment was made. Every claim for refund shall state the amount and basis for the claim. The city finance director may allow the claim in whole or in part or may deny it. If the claim is not allowed in whole, the person may appeal the decision pursuant to Section 14-3.17.~~

~~(xi) Unless revoked as set forth in Subsection 14-6.2(A)(5)(f), a permit holder may renew the permit annually. If not renewed by March 15 of each year, the owner/operator may pay a late fee of fifty dollars ($50) to extend the time for filing to renew to April 15. An owner of an expired permit may submit a new application for a short-term rental~~

~~permit to the land use director in accordance with Subsection 14-6.2(A)(5)(b)(iv) subject to~~ availability of permits.

~~(xii) A valid permit number shall be included in all advertising of the short-term rental, including listings on web-based rental sites.]~~

(e) Proximity of *Short-Term Rental Units* on *Residentially Zoned Property*

Subject to the exceptions listed below, the *land use director* shall not issue a new *permit* for a *short-term rental unit* if the subject property, as identified in the *application*, is located within a seventy-five (75)-foot radius of a r *esidentially zoned property* that has a permitted *short-term rental unit*. The radius shall be measured from the subject property boundary. This limitation shall not apply to the following:

(i) an *application* for a *short-term rental unit* located on non-*residentially zoned property* or within a *development containing resort facilities*;

(ii) an *application* for a *short-term rental unit* that complies with the requirements set forth in the *accessory dwelling u nit* ordinance, subsection 14-6.3(D)(1); or

(iii) an application for a *short-term rental unit* in a *multiple-family dwelling* development that contains four (4) or more *dwelling units*, provided, however, that the *land use director* shall not issue short-term rental permits for more than twenty-five (25%) of the *dwelling units* in a *multiple-family dwelling* development that contains four (4) or more *dwelling units*.

← Lots of long-term rental housing removed from the market?

Make primary residence requirement.

[(e)](f) Fees for *Short-term Rental Units*

The following fees shall be used only to administer, manage, and enforce this subsection 14-6.2(A)(5) and relevant sections of Chapter 18 SFCC 1987, which address applicable licenses and taxes.

(i) *Application* fee. An *application* for a new short-term rental *permit* shall be accompanied by a one-time non-refundable *application*, processing, and

inspection fee of one hundred dollars ($100).

(ii) Business license fee. A *short-term rental unit* is subject to an annual business license fee of thirty -five dollars ($35).

(iii) *Permit* fee. A *short-term rental unit* is subject to an annual *permit* fee of two hundred and ninety dollars ($290).

(g) Required Notice

(i) Within ten (10) days after the issuance or renewal of a short-term rental *permit*, the *owner* or *operator* shall mail notices by first-class mail to the homeowners association within which the unit is located (if applicable); to the *owners* of *residentially-zoned property* within two hundred (200) feet of the subject property, exclusive of rights of way, as shown in the records of the county assessor; to the physical addresses of such properties where such address is different than the address of the *owner*; and to the land use department.

(ii) The notices shall be on a form approved by the *land use director*.

(iii) The notices shall contain the name and phone number of the local *operator*. Within ten (10) days after any change in the contact information for the local *operator*, the *owner* or *operator* shall mail a new notice, to all parties, in accordance with this subparagraph 14-6.2(A)(5)(e).

(iv) Within ten (10) days of the mailing, the *owner* or *operator* shall provide the *land use director* with copies of all required mailing lists and an affidavit of mailing signed by the person who mailed the notices.

(h) Records

Each *owner* or *operator* shall maintain all records for the *owner's short-term rental unit* for at least the most recent three years for the *owner's short-term rental unit* or units and shall make such records available to the *city* for inspection upon request. If a *host platform* collects rent for a *short-term rental unit*, the *host platform* must also maintain such records. The

records to be maintained for each *short-term rental unit* must include the following:

(i) The number of reservations and number of nights rented each calendar month;

(ii) The amount of rent guests by month; and

(iii) The amount of each type of tax and fee the owner paid to the *city* in connection with rental of the unit by month.

(i) *Permit* Renewals

Unless revoked pursuant to Section 14-11.4, an *owner* may renew a short-ter m rental *permit* annually. If not renewed by the expiration date of the existing *permit*, the owner may pay a late fee of fifty dollars ($50) to extend the time for filing to renew by thirty (30) days. After the thirty (30) days, if the *owner* has not renewed or requested an extension, the *permit* will become available to the next eligible *applicant*, and the *owner* may submit a new *application* for a short-term rental *permit* to the *land use director*, subject to the availability of *permits*.

(j) Inspections

The *city* shall perform random inspections to ensure compliance with subsection 14-6.2(A)(5) and all applicable fire, health, and safety requirements. The *city* may require an *applicant* to submit proof of inspections at the time of initial *application* and at such other times as requested by the *land use director*.

(k) Violations and Penalties

~~[(i) The land use director shall document all alleged violations of this paragraph and shall pursue enforcement through the municipal court as set forth in Article 1-3 SFCC 1987 or in another appropriate court of law. The city shall give the owner a written notice of violation, which shall be mailed either to the owner's local or business address or agent's address, informing the owner of the violation. If corrective action is not completed within fifteen~~ (15) days of the date of the letter, the city may file a criminal complaint in municipal court. Upon

← How will you track the one rental per 7-day period with this information?

What is "rent guests"?

← One time? No time limit to pay?

Add something like "the owner may, within 30 days of expiration, pay a one time late fee" ...

~~conviction of a first violation, the land use director shall revoke the permit and operation of the short-term rental shall cease within thirty days.~~

~~(ii) An owner who offers for rent as a short-term rental a dwelling unit that is not permitted for use as a short-term rental is in violation of this paragraph and is subject to penalties, property liens and/or prosecution pursuant to subsection 14-2(A)(5)(f).(iii)An agent who knowingly assists an owner in advertising or renting a dwelling unit as a short-term rental unit that is not permitted under this subsection 14-6.2(A)(5) is subject to penalties and~~ prosecution, and the agent's business license is subject to revocation.]

If an *owner* or *operator* fails to obtain the necessary *permit* before renting, offering to rent, or advertising a short-term rental unit; fails to pay or report applicable taxes; or otherwise fails to adhere to the provisions of subsection 14-6.2(A)(5), the *owner* or *operator* shall be subject to the enforcement provisions set forth in Sections 1.3 and 14-11 SFCC 1987 and all other legal remedies and enforcement actions available under the law. These may include civil or criminal penalties or revocation of a short-term rental *permit*.

← Shouldn't the penalties be listed within this ordinance so all will know what the fines are?

[~~(f) Penalties~~

~~(i) Any owner who fails to report all applicable taxes, including gross receipts tax and lodger's tax, shall be subject to any and all remedies under the short-term~~ rental ordinance and any other applicable city, county, state, or federal law or statute. Such owner ~~shall also be subject to revocation of their short-term rental permit pursuant to Subsection 14-~~ 6.2(A)(5)(e)(i).

~~(ii) If an owner is found guilty of operating a short-term rental without a valid permit, they shall be fined five hundred dollars ($500). The city may ask the municipal court to treat each day after the initial written notice of violation as a separate violation and assess two hundred fifty dollars ($250) for each day of such daily violations for a total cumulative fine amount. If the city is awarded money as part of a judgment following a court~~

~~hearing and defendant does not make timely payments to the city, the city may bring an action in~~ lien or equity for the collection of any amounts due.]

[(g)] (l) Restrictive Covenants

Private restrictive covenants, enforceable by those governed by the covenants, may prohibit *short-term rental units*.

[(h)](m) Real Estate Agent Disclosure

[Real]A real estate [brokers] agent [listing] who represents a prospective buyer of [residential] *residentially zoned property* in Santa Fe shall provide the prospective [~~buyers~~]buyer with a current copy of this ordinance.

(n) Host Platforms.

(i) A *host platform* shall include a valid business license number in all listing s or advertisements for a *short-term rental unit*.

(ii) A *host platform* shall provide a monthly report to the city that includes the following information about the *short-term rental units* advertised in the city, disaggregated by owner, describing the following information for that month :

(A) The number of *short-term rental unit* listings and owners in the city;

(B) The number of reservations and number of rental nights for each unit;

(C) The amount of revenue owners collected through the *host platform*, including rent and each type of taxes and fees.

[~~(i) The land use director shall establish administrative procedures necessary~~ to implement, manage and enforce this paragraph.]

(6) ~~[Short-term Rental of Dwelling Units Non-residentially Zoned Property]~~

← STR Permit # customarily used in advertising. Not Business License. Each STR has a permit # for tracking each unit unlike one business license could be used for multiple purposes, or multiple units.

Existing Short-Term Rental Permits and Registrations

[~~Short-term rental of dwelling units on non-residentially zoned property is permitted as set forth in Table 14-6.1-1, must be registered; are subject to a one-time one-hundred dollar ($100) application, inspection and processing fee; and must comply with submission~~ requirements and report all applicable taxes.]

(a) Valid short-term rental *permits* held at the time the ordinance amending subsection 14-6.2(A) SFCC 1987 (Ordinance No. 2020-__) is adopted are valid, even if multiple permits are held by one owner. The *owner* does not need to renew those *permits* until they expire. Upon expiration, the *owner* may be eligible to timely renew the *permits* pursuant to subsection 14-6.2(A)(5)(i), subject to payment of the annual business license and permit fees, as long as the *permits* are not revoked under Section 14-11.4.

(b) Valid short-term rental *permits* that do not comply with the proximity limitations set forth in subsection 14-6.2(A)(5)(e) held at the time that the ordinance amending subsection 14-6.2(5) (Ordinance No. 2020-__) is adopted are valid and owners of such permits are eligible to timely renew the *permit* pursuant to subsection 14-6.2(A)(5)(i), subject to payment of the annual business license and permit fees, as long as the land use department does not revoke the *permit* under Section 14-11.4.

(7) Dwelling Units in Specified Commercial Districts

In the C-2 and SC Districts, dwelling units do not include mobile homes or recreational vehicles and shall be [either] one of the following:

(a) accessory dwelling units for occupancy only by owners, employees, or tenants of nonresidential uses that are operated on the same premises;

(b) part of a planned development; [~~or~~]

(c) part of a use for which a development plan or special use *permit* is required; or

←This page says all current Short-term Rentals can continue forever with NO time limit.

Unlike most cities that reform their STR rules, it appears here that ALL current multiple permits held by speculators (as stated on page 4) have a free pass. There should be a time limit of one or two years to phase out STR units that don't meet primary residency into long-term rentals or available residential housing.

Are corporations and other entities that currently have STR permits deemed natural persons for yearly permit renewal — forever?

(d) part of a qualifying residential project within the Midtown LINC Overlay District.

[~~(8) Effective Date~~

~~The provisions of Subsection 14-6.2(A)(5) of the Land Development Code~~ shall go into effect immediately upon approval of the Governing Body. A ninety (90) day grace period shall be given for effected units to obtain a valid permit. Short-term rental unit owners who possess a valid short-term rental permit at the time this ordinance (Ordinance 2016-20) is adopted shall be considered to possess a valid permit under the new regulations and shall not need to renew their permit until the following year. Short- term rental unit owners who possess a valid short- term permit for a ~~contiguous property issued prior to this ordinance (Ordinance 2016-20) being adopted~~ shall be deemed as a "residential" permit holder upon the adoption of the ordinance and shall renew their permit as a "residential" permit in following years.]

Section 2. Section 14-12.1 of SFCC 1987 (being Ord. No. 2011-37, § 15 as amended) is amended to add and amend the following definitions :

14-12.1 DEFINITIONS

DEVELOPMENT CONTAINING RESORT FACILITIES, SHORT -TERM RENTAL

A development in which the *owners* own two (2) or more of the following facilities in common and have obtained a special use *permit* for operation of those facilities: swimming pools, spa facilities, golf courses, restaurants, or tennis facilities.

GUEST, SHORT-TERM RENTAL

Any person who rents a *short-term rental unit* or occupies a *short-term rental unit* during a rental period.

HOST PLATFORM, SHORT-TERM RENTAL

An internet website, a mobile application, or any other forum used to connect a short-term rental

owner or operator with guests and to facilitate the booking of a short-term rental unit.

NATURAL PERSON

An individual human being, as opposed to an organization of any form or a business entity.

OPERATOR, SHORT-TERM RENTAL

A person who, with or without a short-term rental *permit* or registration, rents or offers to rent a short-term rental unit to guests.

SHORT-TERM RENTAL UNIT

A *dwelling unit* or *accessory dwelling unit*, or any portion of a *dwelling unit* or *accessory dwelling unit*, that is offered for rent or rented for a period of less than thirty (30) days.

APPROVED AS TO FORM:

_____

ERIN K. McSHERRY, CITY ATTORNEY

SHORT-TERM RENTAL REFORM NEEDS TO INCLUDE A **PRIMARY RESIDENCE REQUIREMENT** IN ORDER TO MEET HOUSING CHALLENGES

Pretty much any major city that is experiencing affordable housing challenges have a primary residency requirement at this time. Below are 15 (with details attached.)

MIAMI BEACH, FL (pop 87,000)
SANTA MONICA, CA (pop 88,000)
BOULDER, CO (pop 107,000)
SUNNYVALE, CA (pop 153,000)
RICHMOND, VA (pop 229,000)
NEW ORLEANS, LA (pop 391,000)
MIAMI, FL (pop 471,000)
PORTLAND, OR (pop 657,000)
BOSTON, MA (pop 685,000)
WASHINGTON, DC (pop 712,000)
CHARLESTON, SC (pop 788,000)
SAN FRANCISCO (pop 889,000)
DENVER (pop 2,800,000)
LOS ANGELES (pop 4,000,000)
NEW YORK CITY (pop 8,500,000)
(Summaries and links are available for these 15 cities.)

A Primary Residence requirement has been successful in reducing the negative effect Short-term Rentals have on neighborhoods and communities.

>>>

For City Council consideration, below is a list of recommendations.

1. Initiate STR code changes that are simple, clear and easily enforced.
2. Allow one STR permit per primary residence, with proof of ownership or owner approved rental agreement. That resident, commonly called the Host, must occupy the home for at least 6 months. One permit per household can be for a main house or guesthouse. Consider a rental limit of 90 days per year.
3. Owner must annually renew a STR permit and must list the assigned permit number on all advertised listings, Internet and otherwise.
4. Owner must have a business license, required code inspections and a GRT number.
5. At the sale of a residential or commercial property, the seller cannot transfer a STR permit. The new owner must re-apply for approval.
6. Require, monitor and strictly enforce Lodgers' and GRT tax collections.
7. Complaints or information concerning enforcement of non-compliance shall be treated anonymously.
8. Provide tracking of unlicensed STRs and licensed permit compliance with strong and effective enforcement of all STR rules and regulations, including limits of the number of guests per stay.

PUTTING NEIGHBORS BACK INTO NEIGHBORHOODS

When the original Short-Term Rental (STR) ordinance was adopted into the City Code, Santa Fe, like all US cities, had little or no experience with this new concept of renting. Short-Term Rentals (STRs) were originally envisioned as an opportunity for local residents to rent out their homes or portions thereof for either profit or the necessity to cover living expenses. None of the original ordinance framers could have foreseen that these permits would become commercial business enterprises, or that one person would have multiple individual permits, or that STRs would have such a negative impact on neighborhoods, long-term rental housing availability and housing prices.

The suggestions for changes to Santa Fe's STR ordinance are briefly described below and are taken from the many different communities who have successfully modified their STR ordinances. These municipalities include Boulder, Charleston, Richmond, Santa Monica and Portland, OR. Input from various constituent groups were solicited, including neighborhood associations, the hospitality sectors, individual impacted neighborhood residents and affordable housing advocates concerned about both the spiraling price of housing and the community impact of the removal of long-term rentals from the market. Established neighborhoods lose many of their neighbors and therefore their traditional cohesiveness is impacted by STR strangers. These shifting dynamics raise property values driven by valuation based on the capitalization rate of potential STR income cash flow. Instead of purchasing a residential home as your primary residence to live in, prices are driven higher by housing valued as STR income — a capitalization method formerly reserved for traditional commercial property.

The Thornburg Foundation and Homewise recently funded a June 2019 report by Kelly O'Donnell PhD, of O'Donnell Economics and Strategy titled *Short Term Rentals and Access to Housing in Santa Fe*. This detailed work outlines the impact STRs have on housing under Santa Fe's existing ordinance. This study is a must read for anyone interested in understanding the mechanics of how STRs impact housing. The report can be downloaded from the City of Santa Fe AND Homewise websites. Drop these links into your browser:
https://www.santafenm.gov/document_center/document/10452 OR
https://www.homewise.org/reports-audits/ (Under Research Reports)

Key numbers, dollar amounts and percentages

From the June 2019 ***Short Term Rentals and Access to Housing in Santa Fe*** report by Kelly O'Donnell PhD:

- Santa Fe's **646 STR hosts earned $54 million** from their Santa Fe properties in 2018, an **average** of over $80,000 per host per year.
- Although 80 percent of hosts list only one STR property, over 100 Santa Fe hosts list two or more entire homes.
- The City's **top 15 hosts account for 381 active STRs, over one-quarter of the Santa Fe market.**
- The **top 15 hosts earn a total of $12,500,000** per year (25% of $54,000,000). (Divide that total evenly by the top 15 hosts and you get an **average of $833,333 per host a year.**)

Main reasons why our Short-term Rental ordinance needs reform

- Santa Fe "has the 12th-highest number of Airbnb units per capita among U.S. cities" https://www.abqjournal.com/1390750/santa-fe-has-12th-most-airbnb-units-per-capita-among-u-s-cities.html
- Santa Fe housing challenges require Long-term Rentals.
- Simplify code to make changes that will aid in enforcement and collections of fees and taxes.
- Return Neighbors to Neighborhoods by requiring Primary Residency.

Three diverse groups want Short-Term Rental reform

1. **Neighborhoods** — Established neighborhoods are losing neighbors, resulting in unpleasant consequences. STRs have become an industry, profitable for multiple homeowners and non-resident speculation that favors transients over residents — far from couch-surfing beginnings.
2. **Community Advocates interested in the adverse effects of Short-term Rentals on Housing**
   - Short-Term Rentals Exacerbate Santa Fe's Housing Shortage
   - Short-Term Rentals remove Long-term Rentals from the housing market.
   - STRs impact cost of housing and cost of living.
   - Santa Fe has few places for young adults, our workforce and those financially challenged. If Santa Fe wants to keep our young Santa Feans, attract a more diverse age group and provide workforce housing, STR reform is a key player.
3. **Hotel/B&B** — Local Hospitality commercial business

How Charleston is addressing housing challenges and affected neighborhoods

Primary Residence requirement: For example, the STR ordinance in Charleston for a Residential STR requires that only **one permit** is to be issued **per homeowner** and that homeowner must show proof that the home is their **Primary Residence**.

Owner generally needs to be available during the stay: Charleston requires the homeowner to spend the night on the property (house or guesthouse) during the rental.

Addresses Housing and Neighborhood Challenges: Ordinance change opens up long-term rentals so desperately needed among the young, the workforce and everyone.

Easier to Enforce New Regulations: Charleston believes the above requirements provide the best solution for effective enforcement and tax collection. The combination of a clear and simple regulation and Host Compliance STR tracking makes it easy to locate illegal rentals, eliminate the loopholes, and prevent wiggle room for excuses while helping a homeowner earn extra cash instead of encouraging speculation and multiple homeownership. Watch this video of Charleston STR enforcement team:
https://abcnews4.com/news/local/city-cracks-down-on-short-term-rental-with-a-crack-team

Many US cities experiencing affordable housing challenges have a Short-term Rental PRIMARY RESIDENCE requirement.

The following 15 cities (ordered by approximate population) require that a Short-term Rental must be the host's Primary Residence.

MIAMI BEACH, FL (pop 87,000)

Pursuant to the Miami Beach City Code (Sec 142-1111) and City Code (Sec 142-905 (b)), vacation/short-term rentals are prohibited in all single-family homes and in many multi-family housing buildings in certain zoning districts of Miami Beach.

For properties in designated Estate or Low Density Residential areas, the responsible party or host must reside in the short-term rental property for more than six months per calendar year.

https://www.miamibeachfl.gov/business/vacation-short-term-rentals/

https://blog.keycafe.com/understanding-miami-and-miami-beach-short-term-rental-regulations/

SANTA MONICA, CA (pop 88,000)

From ordinance: *f) HOME-SHARE means an activity whereby the resident(s) host visitors in their homes, for compensation, for periods of 30 consecutive days or less, while at least one of the dwelling unit's* ***primary residents*** *lives on-site, in the dwelling unit, throughout the visitors' stay*

https://www.smgov.net/uploadedFiles/Departments/PCD/Permits/Santa%20Monica%20HomeSharing%20Rules%20%20FINAL%20EFFECTIVE%20JUNE%2012%202015.pdf

BOULDER, CO (pop 107,000)

The City of Boulder permits short-term rentals (less than 30 days per stay) of **primary residences** and legal accessory dwelling units (ADUs) only. Short-term renting of a second home or investment property is not permissible. Primary residences are those occupied by the owner for a minimum of 6 months of the year. ADUs can be rented on a short-term basis for a maximum of 120 days per year.

https://sharingmyhome.com/airbnb-investors-colorado-short-term-rental-laws-city/boulder/

SUNNYVALE, CA (pop 153,000)

A short-term rental (or vacation rental) is the renting out of your residence, rooms in your residence or an accessory unit (granny flat). Short-term rentals are for a period of 30 consecutive calendar days or less. You are also legally required to:

- Reside on-site throughout your guests' (lodgers') stay
- Limit guests to a maximum of four adult guests per night
- Register as a host with the City

The host shall reside on-site throughout the lodgers' stay. To reside on-site means that the property being used for short-term rentals is the host's **primary residence** and the host uses the property for purposes of eating, sleeping and other activities of daily living during the time periods that lodgers are present.

https://sunnyvale.ca.gov/business/doingbusiness/shortterm.htm

http://losaltoshills.granicus.com/MetaViewer.php?view_id=2&clip_id=361&meta_id=56230

RICHMOND, VA (pop 229,000)

Who can operate a short-term rental: The short-term rental operator shall be the property owner. The short-term rental shall be on the lot of the operator's **primary residence** with the operator occupying the lot at least 185 days each year.

http://www.richmondgov.com/PlanningAndDevelopmentReview/ShortTermRentals.aspx

NEW ORLEANS, LA (pop 391,000)

The link listed below is from an article. It was easier to understand than reading their ordinance.
The new ordinance requires vacation rental owners in residential neighborhoods to have a "homestead exemption," meaning that they live there and claim the property as their **primary residence.**

https://www.avalara.com/mylodgetax/en/blog/2019/08/new-orleans-finalizes-restrictive-new-short-term-rental-law.html

MIAMI, FL (pop 471,000)

The Responsible Party must reside for more than six months per calendar year in the property being offered as a vacation rental. The rental of the property may occur at the same time that the Responsible Party is residing there. This applies to properties designated as Estate or Low Density Residential on the CDMP Land Use Plan Map only. There are no residency restrictions in the other land use categories.

https://www.miamidade.gov/building/standards/residential-short-term-vacation-rentals.asp#0

http://www.miamidade.gov/cob/library/Registry/Ordinances/Board-of-County-Commissioners/2017/17-78.pdf

https://www.miamidade.gov/building/standards/residential-short-term-vacation-rentals.asp

PORTLAND, OR (pop 657,000)

On July 30, 2014, the Portland City Council passed Ordinance No. 186736. This ordinance permits short-term rentals in residential zones when the rental is also the proprietor's primary residence.
Portland has since 2014 set rules for the short-term rental market, requiring hosts to acquire a permit, be the primary resident of the rental, live there at least nine months a year and keep guest stays to a maximum of 30 days. The regulations are intended to make sure homes are just that – where people live rather than hotel-style businesses within residential neighborhoods.

https://www.portlandoregon.gov/revenue/article/415180

https://www.oregonlive.com/portland/2018/08/80_percent_of_portland_airbnb-.html

BOSTON, MA (pop 685,000)

To be considered a **primary residence**, an owner needs to live in the property for at least nine months out of a 12-month **period**. When requested, you must be able to demonstrate: that you **lived** at the property for nine of the past 12 months, or that you plan to live in the property for nine of the next 12 months. —NOTE: Interesting update on Boston. 08/29/2019: Airbnb also agreed to share data about listings with the city, including the listing's URL, registration number, host ID, information, and zip code.

https://www.boston.gov/departments/inspectional-services/short-term-rentals

WASHINGTON, DC (pop 712,000)

... The Council had considered the potential impact of short-term rentals on housing supply and affordability in settling on a final balance that allowed short-term rentals only in the host's primary residence and not permitting investor-owned short-term rentals.

The Commission credits the Council's assertion that the STR Law limits the impact on the availability and affordability of housing by barring investor-owner short-term rentals, while also allowing property owners to operate short-term rentals in their primary residence, providing income that some property owners need to stay in their homes thereby supporting housing affordability and home ownership.

https://search.usa.gov/search?utf8=%E2%9C%93&affiliate=dc_dcgov&query=short-term+rental+primary+residence

CHARLESTON, SC (pop 788,000)

What do the new regulations say? These regulations legalize short-term renting throughout the City in a very limited form that protects existing neighborhoods. Most importantly, to qualify for legal short term renting, the property must be the owner's full time **primary residence**, as verified by receiving the County's 4% tax exemption for owner-occupied property. This means that investment properties are not eligible for short term renting. However, portions of existing dwellings or accessory dwellings on a property are eligible.

https://www.charleston-sc.gov/DocumentCenter/View/18317/FAQs-for-STR?bidId=
https://abcnews4.com/news/local/city-cracks-down-on-short-term-rental-with-a-crack-team

SAN FRANCISCO (pop 889,000)

Permanent **San Francisco** Residents Only.
Absentee owners who live in **San Francisco** less than 275 days per year are not eligible to engage in **short-term rentals**. Permanent residents are allowed to **rent** out their **primary residences**, but not locations in which they don't live, or second or **vacation** homes.

You must be the permanent resident of the unit you wish to rent.
To be considered the permanent resident, you must spend at least 275 nights a year in the unit where you host short-term rentals. If you own/rent a multi-unit building, you may only register the specific residential unit in which you reside.

https://www.nolo.com/legal-encyclopedia/overview-airbnb-law-san-francisco.html
https://shorttermrentals.sfgov.org/

DENVER (pop 2,800,000)

Primary Residence required for a STR license.
"If the property is not your **primary residence**, it is not eligible to be licensed as a short-term rental."

https://www.denvergov.org/content/denvergov/en/denver-business-licensing-center/business-licenses/short-term-rentals/short-term-rental-faq.html

LOS ANGELES (pop 4,000,000)

WHEREAS, short-term rentals in property other than a primary residence create unfavorable consequences, including negative impacts on the residential character of surrounding neighborhoods and increased nuisance activity;
WHEREAS, this ordinance will protect the City's affordable housing stock by allowing only an authorized host to share his or her registered **primary residence** with transient users;

http://clkrep.lacity.org/onlinedocs/2014/14-1635-S2_ORD_185931_07-01-19.pdf

NEW YORK CITY (pop 8,500,000)

You cannot rent out an entire apartment or home to visitors for less than 30 days, even if you own or live in the building. You must be present during your guests' stay if it is for less than 30 days.

https://www1.nyc.gov/site/specialenforcement/stay-in-the-know/information-for-hosts.page

> > > From Mashvisor: https://www.mashvisor.com/blog/5-cities-where-airbnb-is-illegal-2019/

Examples of Short-term Rental regulations that increase housing availability, affordability and Long-term Rentals.

Los Angeles

- City Council passed a law in December 2018.
- Restricts hosts to 120 days of STR.
- Must register with the city for $89 every year.
- Hosts can also only rent out one home—their primary residence where they spend at least six months a year.
- Nontraditional Airbnbs like RVs, trailers, and tents will no longer be permitted.

New York City

- Ban on short-term rentals on home-sharing sites
- Renting out an entire apartment for a stay of less than 30 days is illegal. Advertising such a rental is illegal, with fines up to $7,500
- Hosts can also only list one home, their home, at a time
- New York City is working to get hosts' data from Airbnb so that they'll know automatically who isn't playing by the rules
- One type of stay that's A-OK is a private room

Las Vegas

- Banned permits for those that are not owner-occupied, only allowed for primary residents.
- Las Vegas real estate investors are not allowed to rent out investment properties for less than 31 days
- Owners of short-term rentals in Las Vegas have to be present during the stay
- Must obtain a business license
- Must have liability insurance of $500,000
- Must renew their rental permit every 6 months to avoid fines.
- Short-term rentals can't have more than three bedrooms (those with more pay a whopping $1,000 registration fee)
- No new STR can be within 660 feet from any other existing listing
- The city limits overnight guests to 12 or fewer per home or apartment
- Hosts must register with tax authorities, collect taxes from guests, and remit them to the city and county

San Francisco, California

- Hosts have to register for both a Business Registration Certificate and a Short-Term Residential Rental Certificate from city government
- A seven-digit registration number that starts with STR must be listed in rental listing.
- You can rent out your entire apartment or home for up to 90 nights a year.
- Unlimited number of days if you're renting a private room but host must be present during the stay.
- Pay 14% tourist tax, equal to the city's hotel tax.

ABOVE CITIES REQUIRE:

A Short-term Rental must be the host's PRIMARY RESIDENCE (house or guesthouse).

GURULE, GERALDINE A.

Subject: FW: Stop the proposed changes to the STRO within the BCD
Attachments: PDF-Petition Results_1.0.pdf

From: David Mansure <dmansure@adobestarproperties.com>
Sent: Wednesday, June 17, 2020 5:13:46 PM
To: Land Use Public Comment <landusepubliccomment@santafenm.gov>
Cc: Mayors Office <mayor@santafenm.gov>; VILLARREAL, RENEE D. <rdvillarreal@santafenm.gov>; LINDELL, SIGNE I. <silindell@santafenm.gov>; migarcia@santafenm.gov <migarcia@santafenm.gov>; ROMERO-WIRTH , CAROL <cromero-wirth@santafenm.gov>; RIVERA, CHRISTOPHER M. <cmrivera@santafenm.gov>; ABEYTA, ROMAN R. <rrabeyta@santafenm.gov>; CASSUTT-SANCHEZ, JAMIE A. <jcsanchez@santafenm.gov>; COPPLER, JOANNE V. <jvcoppler@santafenm.gov>; Marcbert <marcbert@aol.com>; Andy Duettra <aduettra@gmail.com>
Subject: Stop the proposed changes to the STRO within the BCD

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Dear Mr. Mayor, City Council Members, Planning Commission;

We request this message and the names attached to be added to the public record.

As a group of legal property owners, past guests that have stayed in downtown STRs, other BCD business owners and concerned citizens, we are opposed to the initiative being proposed by the City of Santa Fe to again revise the Short-Term Rental Ordinance "STRO" in a way that specifically and very negatively impacts the STRs located in the Business Capitol District "BCD."

Acting in everyone's best interest and as an attempt to make you aware of the far-reaching, negative impact your proposal is creating, we have put together an online petition stating the facts of the proposal. In less than one (1) weeks' time, we have garnered support from both in state and out of state visitors, businesses and property managers, many of which have stated that they would not return to Santa Fe if this proposed ordinance is passed, as-is, and goes into effect.

For your perusal, the online petition is here:

https://mailchi.mp/adobestarproperties/santa-fe-vacation-rental-stro-regulation-changes

Furthermore, attached as a pdf are the electronic signatures, IP addresses, and geographic locations of 704 individuals.

As a long time property manager, we keep statistics on average length of stay, repeat visits, average stay in dollar amounts and more. By our calculations, if these past guests do not return because of the ordinance, as many have stated, the economic impact will be harmful to us all.

Please consider the economic impact of all property managers, staff, owners and the ancillary BCD businesses that would be negatively impacted if this ordinance passes.

Sincerely,

David Mansure

AdobeStar Properties

505-469-9021

dmansure@gmail.com

Email	Name	City	Check box to agree	CONFIRM_IP	LAST_CHANGED	LEID
briggsdr0@yahoo.com	Brenda Riggs	Nacogdoches, Texas	Support Downtown Santa Fe Vacation Rentals	47.222.176.242	6/17/20 11:06	380034598
azizhankaoui@hotmail.com	Aziz Hankaoui	Flower Mound, Texas	Support Downtown Santa Fe Vacation Rentals	76.85.92.109	6/17/20 10:14	380033862
stillwater_flyfisher@hotmail.com	Stephen D Harris	NYE	Support Downtown Santa Fe Vacation Rentals	76.75.25.141	6/17/20 10:09	380033846
Brendan.kelley510@gmail.com	Brendan Kelley	Santa Fe	Support Downtown Santa Fe Vacation Rentals	96.92.72.201	6/17/20 9:51	380033778
Cbsantafe@aol.com	Catherine Bodelson Vargas	Santa Fe	Support Downtown Santa Fe Vacation Rentals	68.84.154.67	6/17/20 8:21	380030282
spenceterrell@hotmail.com	Spencer Terrell	Santa Fe	Support Downtown Santa Fe Vacation Rentals	12.48.83.126	6/16/20 21:59	380025930
storyleonard@gmail.com	Story Reed Leonard	Santa Fe	Support Downtown Santa Fe Vacation Rentals	174.28.12.127	6/16/20 21:12	380025618
little_jackie2012@hotmail.com	David McCoy	El Paso	Support Downtown Santa Fe Vacation Rentals	172.58.59.76	6/16/20 19:07	380025162
ryan.atanasoff@gmail.com	Ryan Richard Atanasoff	Madison	Support Downtown Santa Fe Vacation Rentals	75.9.163.103	6/16/20 19:06	380025154
kirsten.koschnick@gmail.com	Kirsten Koschnick	Oconomowoc, WI	Support Downtown Santa Fe Vacation Rentals	75.9.163.103	6/16/20 19:06	380025150
wwardle1225@gmail.com	William G. Wardle	Charlottesville	Support Downtown Santa Fe Vacation Rentals	73.12.49.157	6/16/20 17:18	380024786
knorskog21@gmail.com	Kate Norskog	Santa Fe	Support Downtown Santa Fe Vacation Rentals	174.195.1.87	6/16/20 16:53	380024646
PGQuinn1072@comcast.net	Patrick Quinn	Santa Fe	Support Downtown Santa Fe Vacation Rentals	174.56.50.84	6/16/20 15:09	380023974
lisasheridan3@aol.com	Lisa Sheridan	Santa Fe	Support Downtown Santa Fe Vacation Rentals	67.0.227.144	6/16/20 15:08	380023962
marcowhitesfnm@gmail.com	Marco J White	SANTA FE	Support Downtown Santa Fe Vacation Rentals	68.84.147.58	6/16/20 13:49	380023494
PBKOMIS@AOL.COM	PETER B KOMIS	Santa Fe	Support Downtown Santa Fe Vacation Rentals	76.18.79.139	6/16/20 13:41	380023434
cyndi@manitougalleries.com	Cyndi Hall	Santa Fe	Support Downtown Santa Fe Vacation Rentals	50.193.238.238	6/16/20 13:26	380023354
jjohnston346@me.com	James Johnston	Santa Fe	Support Downtown Santa Fe Vacation Rentals	75.161.234.64	6/16/20 12:54	380023194
Beau@ccranch.net	Robert theriot	Santa fe	Support Downtown Santa Fe Vacation Rentals	75.161.234.64	6/16/20 12:52	380023182
ansleyangel@gmail.com	Ansley	Santa Fe	Support Downtown Santa Fe Vacation Rentals	67.164.142.241	6/16/20 12:34	380023090
ryanklinkrodt@secunm.org	Ryan Klinkrodt	Santa Fe	Support Downtown Santa Fe Vacation Rentals	67.131.75.29	6/16/20 12:28	380023034
renee.edwards23@gmail.com	Renee Edwards	Santa Fe	Support Downtown Santa Fe Vacation Rentals	104.255.16.252	6/16/20 12:07	380022894
tgardner@tgardner.com	Tommy L Gardner	Santa Fe	Support Downtown Santa Fe Vacation Rentals	73.98.72.179	6/16/20 11:54	380022270
fishmiker@gmail.com	Mike Fisher	Denver	Support Downtown Santa Fe Vacation Rentals	24.9.16.218	6/16/20 11:10	380022030
r@rthicksconsult.com	Randall Hicks	Albuquerque	Support Downtown Santa Fe Vacation Rentals	67.0.216.90	6/16/20 11:04	380022002
stevew_2@hotmail.com	Steve Wulchin	Boulder	Support Downtown Santa Fe Vacation Rentals	24.8.103.198	6/16/20 10:53	380021934
kgs@Kinggalleries.com	Charles King	Santa Fe	Support Downtown Santa Fe Vacation Rentals	69.247.79.232	6/16/20 10:51	380021926
darchorse@msn.com	Ron Simon	Polson, MT. 59i60	Support Downtown Santa Fe Vacation Rentals	174.208.18.237	6/16/20 10:42	380021842
ahasted@rabyco.com	Angela Hasted	Santa fe	Support Downtown Santa Fe Vacation Rentals	50.243.28.1	6/16/20 10:29	380021774
info@virgilortiz.com	Tish Agoyo	Albuquerque	Support Downtown Santa Fe Vacation Rentals	172.251.167.76	6/16/20 10:28	380021770
will@willesq.com	Will Halm	Santa Fe	Support Downtown Santa Fe Vacation Rentals	76.18.79.4	6/16/20 10:28	380021762
aestrada@hotelparqcentral.com	Ann Estrada	Albuquerque	Support Downtown Santa Fe Vacation Rentals	63.230.102.218	6/16/20 10:15	380021698
willg@dpsdesign.org	Will Gleason	Albuquerque	Support Downtown Santa Fe Vacation Rentals	98.249.88.144	6/16/20 9:52	380021546
mroyb57@gmail.com	Michael Anthony Roybal	santa fe	Support Downtown Santa Fe Vacation Rentals	76.127.9.143	6/16/20 9:51	380021542
emily.1850@hotmail.com	Emily Mascarenas	Santa Fe	Support Downtown Santa Fe Vacation Rentals	165.225.57.38	6/16/20 9:25	380021422
Scottsimonmt@outlook.com	Scott Simon	LaurelMT	Support Downtown Santa Fe Vacation Rentals	174.208.24.112	6/16/20 8:58	380021194
cpa@feankwharton.com	Frank Wharton	sANTA fE, NM 87501	Support Downtown Santa Fe Vacation Rentals	174.28.32.111	6/16/20 8:48	380021126
chuckhiggins@live.com	Chuck Higgins	Santa Fe	Support Downtown Santa Fe Vacation Rentals	67.164.151.195	6/16/20 8:46	380021110
guy.mcelvain@mcelvain.com	guy mcelvain	santa fe	Support Downtown Santa Fe Vacation Rentals	204.134.54.52	6/16/20 8:36	380021034
hunter@archallinc.com	Hunter Redman	Santa Fe	Support Downtown Santa Fe Vacation Rentals	97.123.173.196	6/16/20 8:12	380020886
Christopher-wallace@live.com	Christopher Wallace	Albuquerque	Support Downtown Santa Fe Vacation Rentals	172.58.56.13	6/16/20 8:03	380020830
Noelle.wallace@live.com	Noelle Wallace	Albuquerque	Support Downtown Santa Fe Vacation Rentals	172.58.56.13	6/16/20 8:02	380020829
delectric_1@yahoo.com	Delvin Serrano	Santa Fe	Support Downtown Santa Fe Vacation Rentals	67.0.17.142	6/16/20 7:30	380013005
tclarke@nmapartment.com	Todd Clarke	Albuquerque	Support Downtown Santa Fe Vacation Rentals	98.249.79.161	6/16/20 6:48	380012745
Fossil@geologist.com	Scott Taylor	Amarillo, TX	Support Downtown Santa Fe Vacation Rentals	156.146.38.143	6/16/20 6:33	380012669
jhmac59@gmail.com	Jennifer MacDonald	Cape Elizabeth	Support Downtown Santa Fe Vacation Rentals	12.15.146.254	6/16/20 6:30	380012649
lakepeak@gmail.com	Robert Corroon	Taos	Support Downtown Santa Fe Vacation Rentals	174.209.2.250	6/16/20 6:14	380012585
PanamaLynda@outlook.com	Lynda Morrison	The Colony	Support Downtown Santa Fe Vacation Rentals	75.57.31.32	6/15/20 20:57	380008337
betsybaltzer@gmail.com	Betsy Baltzer	Thomasville, GA	Support Downtown Santa Fe Vacation Rentals	216.212.254.114	6/15/20 19:01	380007165
bunnyterry@kw.com	Buneesa Terry	Santa Fe	Support Downtown Santa Fe Vacation Rentals	174.28.130.243	6/15/20 18:41	380007081
sallyannkuhn@gmail.com	Sally Kuhn	Santa Fe	Support Downtown Santa Fe Vacation Rentals	73.98.122.79	6/15/20 18:22	380006981
dstreit@dstreit.com	Darlene Streit	Santa Fe	Support Downtown Santa Fe Vacation Rentals	174.237.135.78	6/15/20 18:16	380006965
patti.webster@sothebyshomes.com	Patti Webster	Santa Fe	Support Downtown Santa Fe Vacation Rentals	24.25.243.201	6/15/20 18:15	380006953
christopher@webster-enterprises.com	Christopher Webster III	Santa Fe	Support Downtown Santa Fe Vacation Rentals	24.25.243.201	6/15/20 18:14	380006945
chris@webster-enterprises.com	Chris Webster	Santa Fe	Support Downtown Santa Fe Vacation Rentals	24.25.243.201	6/15/20 18:13	380006933
pauldedomenico@gmail.com	PAUL P DEDOMENICO	Santa Fe	Support Downtown Santa Fe Vacation Rentals	73.26.162.246	6/15/20 17:43	380006737
paigeb@sftitleco.com	Paige Bradley	Santa Fe	Support Downtown Santa Fe Vacation Rentals	96.88.4.105	6/15/20 17:41	380006717
taibixby@gmail.com	Tai Bixby	Santa Fe	Support Downtown Santa Fe Vacation Rentals	76.127.40.132	6/15/20 17:37	380006689
chris.anderson@dvm.com	Chris Anderson	Santa Fe	Support Downtown Santa Fe Vacation Rentals	76.18.76.110	6/15/20 17:24	380006569
rebeccapanderson@gmail.com	Rebecca Pitts Anderson	SANTA FE	Support Downtown Santa Fe Vacation Rentals	76.18.76.110	6/15/20 17:24	380006561
Shatcher@hatcherlawgroupnm.com	Scott Hatcher	Santa Fe NM	Support Downtown Santa Fe Vacation Rentals	50.202.114.158	6/15/20 17:12	380006481
Nancville@gmail.com	Nancy Wardle	Charlottesville	Support Downtown Santa Fe Vacation Rentals	73.12.49.157	6/15/20 17:11	380006473
jimleonard505@gmail.com	jim leonard	santa fe	Support Downtown Santa Fe Vacation Rentals	40.134.253.170	6/15/20 17:09	380006461
Rich@richduranpluming.com	Richard Duran	Santa Fe	Support Downtown Santa Fe Vacation Rentals	173.18.83.69	6/15/20 17:06	380006453
darren@branchrealty.com	Darren	Santa Fe	Support Downtown Santa Fe Vacation Rentals	76.18.77.85	6/15/20 17:01	380006417
Jodelclarke54@gmail.com	Jody Clarke	Dallas	Support Downtown Santa Fe Vacation Rentals	70.122.172.72	6/15/20 16:16	380006073
hometotexas@att.net	Ruth Adams	Austin	Support Downtown Santa Fe Vacation Rentals	104.7.217.52	6/15/20 15:44	380005753
jnephross@gmail.com	Joel Ephross	Bellaire, texas	Support Downtown Santa Fe Vacation Rentals	12.144.20.254	6/15/20 15:08	380005157
Elmfush@msn.com	Anne fisher	Denver	Support Downtown Santa Fe Vacation Rentals	24.9.16.218	6/15/20 14:25	380004833
yvonne.boyer@vanderbilt.edu	Yvonne Boyer	Nashville	Support Downtown Santa Fe Vacation Rentals	107.133.81.57	6/15/20 14:06	380004717
bburch100@gmail.com	Robert Burchfield	Denver	Support Downtown Santa Fe Vacation Rentals	67.176.107.15	6/15/20 12:57	380004229
Ian.atanasoff@gmail.com	Ian Atanasoff	Philadelphia	Support Downtown Santa Fe Vacation Rentals	100.19.76.232	6/15/20 12:53	380004201
Ann@backattheranch.com	Ann Gremano	Santa Fe	Support Downtown Santa Fe Vacation Rentals	174.28.152.84	6/15/20 12:41	380004113
Wendy@backattheranch.com	Wendy Henry	Santa Fe	Support Downtown Santa Fe Vacation Rentals	174.28.152.84	6/15/20 12:39	380004081
Ladyvolibb@icloud.com	Becky Jackson	Knoxville	Support Downtown Santa Fe Vacation Rentals	73.19.233.232	6/15/20 12:22	380003917
art@rcgdfw.com	Arthur M. Atanasoff	The Colony	Support Downtown Santa Fe Vacation Rentals	97.77.97.106	6/15/20 12:05	380003845
denisepatla@gmail.com	Denise Patla	Austin, TX	Support Downtown Santa Fe Vacation Rentals	72.179.0.3	6/15/20 11:46	380003749
Crgnana@yahoo.com	Carol Grove	Moore	Support Downtown Santa Fe Vacation Rentals	104.63.223.4	6/15/20 11:40	380003689
olapjphnson@aol.com	Paulette Johnson	El Cerrito	Support Downtown Santa Fe Vacation Rentals	99.145.196.184	6/15/20 11:34	380003657
mindyg76@gmail.com	Mindy Geschwind	Moore	Support Downtown Santa Fe Vacation Rentals	172.56.7.54	6/15/20 11:25	380003605
kemlerconnie@yahoo.com	Connie Kemler	Manalapan NJ	Support Downtown Santa Fe Vacation Rentals	74.88.132.151	6/15/20 10:49	380003365
Annapuckett@yahoo.com	Anna puckett	Columbus	Support Downtown Santa Fe Vacation Rentals	50.86.59.2	6/15/20 10:40	380003313
jessicakern78@gmail.com	Jessica Kern	Laramie	Support Downtown Santa Fe Vacation Rentals	47.5.73.104	6/15/20 9:50	380003005
nyrugby@mac.com	Chris	Dallas	Support Downtown Santa Fe Vacation Rentals	23.127.220.219	6/15/20 9:50	380002993

bbyrne@wsipbg.com	Bernie Byrne	Aurora	Support Downtown Santa Fe Vacation Rentals	174.250.241.28	6/15/20 9:42	380002953
danlipford@gmail.com	Dan Lipford	Coconut Creek	Support Downtown Santa Fe Vacation Rentals	73.244.203.115	6/15/20 9:35	380002913
Ashermar@aol.com	Asher Richelli	Brooklyn	Support Downtown Santa Fe Vacation Rentals	24.193.116.57	6/15/20 9:18	380001225
lawrencembaldwin@outlook.com	Lawrence M Baldwin	Sherborn, MA	Support Downtown Santa Fe Vacation Rentals	173.48.208.133	6/15/20 9:11	380001169
ngrschwind@cox.net	Nina Grschwind	Oklahoma City	Support Downtown Santa Fe Vacation Rentals	174.66.235.149	6/15/20 9:11	380001157
scott.schafer@comcast.net	Scott Schafer	El Dorado Hills	Support Downtown Santa Fe Vacation Rentals	73.48.242.250	6/15/20 9:11	380001153
blackledgesd@hotmail.com	Steve Blackledge	Sarasota, FL	Support Downtown Santa Fe Vacation Rentals	73.91.49.138	6/15/20 9:09	380001141
lynnlbk@hotmail.com	Lynn Blackledge	Sarasota, FL	Support Downtown Santa Fe Vacation Rentals	73.91.49.138	6/15/20 9:09	380001137
steve@hireses.com	Steve Freeman	Albuquerque	Support Downtown Santa Fe Vacation Rentals	73.26.254.177	6/15/20 9:07	380001125
Priddynancy@gmail.com	Nancy Priddy	Alto, NM	Support Downtown Santa Fe Vacation Rentals	67.141.74.31	6/15/20 9:04	380001105
danielecrowe@hotmail.com	Daniel Crowe	Santa Fe	Support Downtown Santa Fe Vacation Rentals	162.129.250.15	6/15/20 9:04	380001089
Kkolbert5@hotmail.com	Karen Kolbert.	Santa Fe	Support Downtown Santa Fe Vacation Rentals	97.123.6.149	6/15/20 9:03	380001085
annadamson@sabinepipe.com	Ann	Longview	Support Downtown Santa Fe Vacation Rentals	107.77.198.111	6/15/20 8:56	380000637
andiesimmons77@gmail.com	Andie Simmons	Santa Fe	Support Downtown Santa Fe Vacation Rentals	73.229.86.195	6/15/20 8:54	380000597
Maryking50@gmail.com	Mary Kling	Skokie	Support Downtown Santa Fe Vacation Rentals	98.193.56.23	6/15/20 8:52	380000593
rs171@icloud.com	Robert	Shrum	Support Downtown Santa Fe Vacation Rentals	74.213.224.26	6/15/20 8:48	380000577
beverlywhite505@gmail.com	Beverly White	Alexandria	Support Downtown Santa Fe Vacation Rentals	69.250.9.222	6/15/20 8:47	380000569
jillklynn@gmail.com	Jill Snelson	Midland	Support Downtown Santa Fe Vacation Rentals	24.155.173.193	6/15/20 8:27	380000425
scarletblossom268@gmail.com	Scarlet	Santa Fe	Support Downtown Santa Fe Vacation Rentals	76.18.77.7	6/15/20 8:22	380000393
Mikecrivello@gmail.com	Michael Crivello	Ramona, CA	Support Downtown Santa Fe Vacation Rentals	72.199.242.137	6/14/20 22:57	379738733
lisella@hotmail.com	Guy Lisella	Santa Fe	Support Downtown Santa Fe Vacation Rentals	136.22.79.29	6/14/20 17:45	379737225
S.macleod@att.net	Susan MacLeod	Santa Fe	Support Downtown Santa Fe Vacation Rentals	67.143.161.56	6/14/20 17:23	379737109
moezamora@gmail.com	Moe Zamora	Santa Fe	Support Downtown Santa Fe Vacation Rentals	63.231.113.101	6/14/20 17:23	379737105
John@1tennessee.net	John warmath	Santa Fe	Support Downtown Santa Fe Vacation Rentals	68.52.53.25	6/14/20 17:02	379736957
Bighands59@aol.com	Mitchell Matsey	Los Angeles	Support Downtown Santa Fe Vacation Rentals	23.243.216.124	6/14/20 16:09	379736665
Robertwalden@mac.com	Robert Walden	Austin, TX	Support Downtown Santa Fe Vacation Rentals	72.177.94.22	6/14/20 14:23	379735801
Lenorealarid@gmail.com	Lenore alarid	Santa Fe	Support Downtown Santa Fe Vacation Rentals	73.26.159.93	6/14/20 13:32	379735421
cmwolfus@aol.com	Chris Wolfus	Oxnard	Support Downtown Santa Fe Vacation Rentals	104.33.232.197	6/14/20 13:05	379735257
GJKilpatrick@Comcast.net	Lynne Kilpatrick	Waco	Support Downtown Santa Fe Vacation Rentals	67.143.192.162	6/14/20 11:24	379734549
mduettra@me.com	Michael Duettra	Bend, OR	Support Downtown Santa Fe Vacation Rentals	174.209.21.34	6/14/20 11:05	379734433
flexa_fifield@yahoo.com	Alexa Fifield	West Memphis	Support Downtown Santa Fe Vacation Rentals	98.239.61.73	6/14/20 9:25	379733269
betafish60@hotmail.com	Jody Dulberg	Frisco	Support Downtown Santa Fe Vacation Rentals	76.187.67.150	6/14/20 8:34	379732957
marcia.lenihan@comcast.net	Marcia	Santa Fe	Support Downtown Santa Fe Vacation Rentals	107.77.198.84	6/14/20 8:29	379732929
teciasouthwood@gmail.com	TECIA G SOUTHWOOD	CRYSTAL LAKE	Support Downtown Santa Fe Vacation Rentals	73.111.129.27	6/14/20 7:35	379732497
msouthwood147@gmail.com	Michael Southwood	Crystal Lake	Support Downtown Santa Fe Vacation Rentals	73.111.129.27	6/14/20 7:34	379732493
becomelightnow@gmail.com	david wiles	Santa fe	Support Downtown Santa Fe Vacation Rentals	208.85.32.249	6/14/20 7:17	379732177
Jdsnelson@sbcglobal.net	James D Snelson	Midland, Tx	Support Downtown Santa Fe Vacation Rentals	216.82.205.49	6/14/20 7:01	379731989
cwhobrock@gmail.com	Chance Hobrock	Santa Fe	Support Downtown Santa Fe Vacation Rentals	209.42.67.244	6/14/20 4:26	379730885
Gbduettra@gmail.com	Bonnie Duettra	Santa Fe	Support Downtown Santa Fe Vacation Rentals	71.11.217.249	6/13/20 22:54	379726809
cviscione@gmail.com	Claire Viscione	Burlington MA	Support Downtown Santa Fe Vacation Rentals	72.66.7.246	6/13/20 22:05	379726641
j.faubion@tcu.edu	Jason faubion	Fort Worth	Support Downtown Santa Fe Vacation Rentals	107.77.196.130	6/13/20 21:30	379726537
kevin.c.porter@tcu.edu	Kevin Porter	Seymour	Support Downtown Santa Fe Vacation Rentals	174.244.16.27	6/13/20 21:12	379726449
Kend.hill@yahoo.com	Kendra	Austin	Support Downtown Santa Fe Vacation Rentals	68.203.96.110	6/13/20 21:09	379726437
Christarimmer@msn.com	Mary Christa Rimmer	Mesa	Support Downtown Santa Fe Vacation Rentals	70.174.211.183	6/13/20 20:21	379726197
russgib09@hotmail.com	Russ Gibson	Waycross, Ga	Support Downtown Santa Fe Vacation Rentals	174.227.142.137	6/13/20 20:05	379726049
Alvinlutz@yahoo.com	Alvin Lutz	Pittsburgh PA	Support Downtown Santa Fe Vacation Rentals	71.60.215.66	6/13/20 19:23	379725733
stamperrhonda2@gmail.com	Rhonda Merritt	Aurora	Support Downtown Santa Fe Vacation Rentals	184.96.165.122	6/13/20 16:33	379724925
sassycatll@gmail.com	Aly Jay	Dallas	Support Downtown Santa Fe Vacation Rentals	76.85.82.9	6/13/20 15:21	379723137
J.gelder@tcu.edu	Jeff Gelder	Ft. Worth	Support Downtown Santa Fe Vacation Rentals	76.85.28.167	6/13/20 14:55	379722973
michele1196@yahoo.com	michele barrow brookover	fort worth tx	Support Downtown Santa Fe Vacation Rentals	174.82.81.235	6/13/20 14:48	379722941
maryjdavila@gmail.com	Mary Janelle Davila	Fort Worth	Support Downtown Santa Fe Vacation Rentals	172.5.170.198	6/13/20 14:47	379722929
jennifferthomas0196@gmail.com	Gary W. or Jennifer K. Thomas	Pryor	Support Downtown Santa Fe Vacation Rentals	107.77.199.224	6/13/20 14:36	379722865
wohlerguy@gmail.com	Tom Jones	Santa Fe	Support Downtown Santa Fe Vacation Rentals	73.98.123.118	6/13/20 14:13	379722729
laurencfox15@gmail.com	Lauren	Santa Fe	Support Downtown Santa Fe Vacation Rentals	72.206.45.239	6/13/20 14:12	379722725
Lizzy63.smead@gmail.com	Lizz Moore	Texas	Support Downtown Santa Fe Vacation Rentals	174.197.5.9	6/13/20 13:51	379722545
kristy7345@att.net	Mark Shaw	Dallas	Support Downtown Santa Fe Vacation Rentals	71.128.240.197	6/13/20 13:23	379722281
Andrew.W.Stahl@Gmail.com	Andrew	Santa Fe	Support Downtown Santa Fe Vacation Rentals	97.122.180.25	6/13/20 13:15	379722241
laurabburandt@gmail.com	Laura Burandt	Perryton	Support Downtown Santa Fe Vacation Rentals	107.77.198.153	6/13/20 13:11	379722205
doug493@gmail.com	Douglas Anderson	Ann Arbor	Support Downtown Santa Fe Vacation Rentals	68.48.244.116	6/13/20 13:08	379722185
Sagfwag86@gmail.com	Sally Gavras	Fort Worth	Support Downtown Santa Fe Vacation Rentals	74.113.245.100	6/13/20 13:07	379722173
sagfwag@gmail.com	Sally Gavras	Fort Worth	Support Downtown Santa Fe Vacation Rentals	74.113.245.100	6/13/20 13:05	379722161
therooster44@live.com	Jon Cluck	Ozona, TX	Support Downtown Santa Fe Vacation Rentals	174.197.10.5	6/13/20 12:35	379721933
garrettmartinez94@yahoo.com	Garrett Martinez	Chilton	Support Downtown Santa Fe Vacation Rentals	107.77.199.136	6/13/20 12:31	379721901
Kailamenard@gmail.com	Kaila Menard	Mary Esther	Support Downtown Santa Fe Vacation Rentals	98.170.207.245	6/13/20 12:30	379721893
careywindler@sbcglobal.net	Carey Windler	Austin, Texas	Support Downtown Santa Fe Vacation Rentals	208.191.157.151	6/13/20 12:30	379721885
Boc1927@yahoo.com	Jennifer Boc	Santa Fe	Support Downtown Santa Fe Vacation Rentals	76.127.8.131	6/13/20 12:29	379721881
jwindler@sbcglobal.net	Joan Windler	Austin, Texas	Support Downtown Santa Fe Vacation Rentals	208.191.157.151	6/13/20 12:27	379721861
Ferrellmiriam@gmail.com	Miriam ferrell	Pittsburgh	Support Downtown Santa Fe Vacation Rentals	100.6.167.187	6/13/20 12:25	379721833
frburchett5@gmail.com	Foster Burchett	Refugio	Support Downtown Santa Fe Vacation Rentals	107.77.219.172	6/13/20 12:15	379721769
Pamjs@rtconnect.net	Pam Shults	Pine Bluffs	Support Downtown Santa Fe Vacation Rentals	67.218.64.141	6/13/20 12:13	379721761
Hilde.wiebe@gmail.com	Hilde Wiebe	Fort Worth	Support Downtown Santa Fe Vacation Rentals	209.115.233.37	6/13/20 12:08	379721741
Jm_blev@yahoo.com	Juliane Blevins	Dallas, TX	Support Downtown Santa Fe Vacation Rentals	67.164.87.186	6/13/20 12:05	379721721
amp_1999@yahoo.com	Anna	The Woodlands TX	Support Downtown Santa Fe Vacation Rentals	76.219.144.229	6/13/20 12:05	379721717
Sage1858@gmail.com	JD Shults	Pine Bluffs, WY	Support Downtown Santa Fe Vacation Rentals	67.218.64.141	6/13/20 12:03	379721701
andrewpolk93@gmail.com	Andrew C. Polk	Fort Worth	Support Downtown Santa Fe Vacation Rentals	107.77.220.19	6/13/20 12:02	379721693
smithmcl@poka.com	Smith	Austin	Support Downtown Santa Fe Vacation Rentals	174.197.8.113	6/13/20 12:01	379721689
Christian@lorettochapel.com	Christian Andersson	Santa Fe	Support Downtown Santa Fe Vacation Rentals	97.123.9.182	6/13/20 11:57	379721649
Maggie@lorettochapel.com	Maggie Andersson	Santa Fe	Support Downtown Santa Fe Vacation Rentals	97.123.9.182	6/13/20 11:56	379721645
custombychristy1@gmail.com	Christy	Dallas	Support Downtown Santa Fe Vacation Rentals	69.225.56.139	6/13/20 11:53	379721621
landersson@unm.edu	Ian Andersson	Santa Fe	Support Downtown Santa Fe Vacation Rentals	97.123.9.182	6/13/20 11:51	379721613
Maggiecorrigan22@yahoo.com	Maggie Corrigan	Dallas Texas	Support Downtown Santa Fe Vacation Rentals	166.230.101.34	6/13/20 11:51	379721609
Kristentiniel@gmail.com	Kristen	Santa Fe	Support Downtown Santa Fe Vacation Rentals	75.161.234.64	6/13/20 11:48	379721597
giobenitez@hotmail.com	Giovana Benitez	Edinburg	Support Downtown Santa Fe Vacation Rentals	174.197.10.143	6/13/20 11:48	379721593
Jackson.wesley1996@gmail.com	Wesley jackson	Channing Texas	Support Downtown Santa Fe Vacation Rentals	107.77.197.149	6/13/20 11:44	379721569
cbrice5@gmail.com	Carrie Sethi	Dallas	Support Downtown Santa Fe Vacation Rentals	107.77.200.212	6/13/20 11:40	379721557

michelecouch@hotmail.com	Michele Couch	Santa Fe	Support Downtown Santa Fe Vacation Rentals	174.237.136.34	6/13/20 11:39	379721549
Beccawolcott.ralphlauren@yahoo.com	Rebecca Alvarez	Dallas	Support Downtown Santa Fe Vacation Rentals	107.77.196.141	6/13/20 11:39	379721545
Cobleighp@msn.com	Patricia Cobleigh	Santa Fe,NM	Support Downtown Santa Fe Vacation Rentals	75.83.53.170	6/13/20 11:38	379721529
alanjamesmorse@gmail.com	Alan	Santa Fe	Support Downtown Santa Fe Vacation Rentals	107.77.197.125	6/13/20 11:38	379721521
Marthaesantos@outlook.com	Martha Santos	Laredo, TX	Support Downtown Santa Fe Vacation Rentals	72.179.115.40	6/13/20 11:35	379721509
rvzancan@gmail.com	Vicki Zancanella	Santa Fe	Support Downtown Santa Fe Vacation Rentals	96.92.67.102	6/13/20 11:34	379721501
Danielle.deffebach@gmail.com	Danielle	Dallas TX	Support Downtown Santa Fe Vacation Rentals	107.77.197.145	6/13/20 11:34	379721497
Nomad.lisa4148@gmail.com	Lisa Kohl	Santa Fe	Support Downtown Santa Fe Vacation Rentals	96.92.67.102	6/13/20 11:29	379721445
Pdduettra@gmail.com	Patrucia Duettra	Chandler	Support Downtown Santa Fe Vacation Rentals	174.74.147.61	6/13/20 11:27	379721429
tferris420@gmail.com	Tonya	Baytown	Support Downtown Santa Fe Vacation Rentals	174.235.132.202	6/13/20 11:27	379721425
Dickcrane@sbcglobal.net	Richard Crane	San Diego	Support Downtown Santa Fe Vacation Rentals	104.188.18.127	6/13/20 11:21	379721393
onefiftyfour@hotmail.com	Eric Lancaster	Santa Fe	Support Downtown Santa Fe Vacation Rentals	72.194.13.154	6/13/20 11:10	379721321
katerwit@gmail.com	Katie	Austin, TX	Support Downtown Santa Fe Vacation Rentals	99.129.128.137	6/13/20 11:05	379721285
Ljgbax@nitmail.com	Linda Bax	Libertyville	Support Downtown Santa Fe Vacation Rentals	76.16.66.45	6/13/20 11:03	379721265
lopezsanchezjl@gmail.com	Jose Luis Lopez	MESQUITE	Support Downtown Santa Fe Vacation Rentals	76.187.114.82	6/13/20 11:01	379721237
benjaminx21@comcast.net	Benjamin Adair	Albany, New York	Support Downtown Santa Fe Vacation Rentals	68.62.216.201	6/13/20 10:53	379721185
Hay_ronald@hotmail.com	Ron Hay	Colorado Springs	Support Downtown Santa Fe Vacation Rentals	73.181.126.107	6/13/20 10:52	379721181
hikeandboat@gmail.com	John G Slater	Little Rock	Support Downtown Santa Fe Vacation Rentals	71.238.195.212	6/13/20 10:44	379721129
mayarealty7@gmail.com	Janet Urian	Santa Fe	Support Downtown Santa Fe Vacation Rentals	65.100.26.242	6/13/20 10:15	379720929
kristin@drblakeburn.com	Kristin Blakeburn	Clinton, Oklahoma	Support Downtown Santa Fe Vacation Rentals	67.61.16.55	6/13/20 10:11	379720889
Saladonana@aol.com	Linda	Belton	Support Downtown Santa Fe Vacation Rentals	76.237.180.126	6/13/20 10:08	379720869
rreid.consult@gmail.com	Robert Reid	Palm Springs, CA	Support Downtown Santa Fe Vacation Rentals	72.132.28.138	6/13/20 10:05	379720837
Tfratt32@aol.com	Tracey Frattaroli	Dallas, TX	Support Downtown Santa Fe Vacation Rentals	45.29.43.62	6/13/20 10:03	379720821
Sbctxnfencer@yahoo.com	Amber Finnegan	Pearland, Texas	Support Downtown Santa Fe Vacation Rentals	70.138.67.160	6/13/20 9:33	379720609
gwyneth.oikawa@gmail.com	Gwyneth Oikawa	Washington, DC	Support Downtown Santa Fe Vacation Rentals	141.156.148.30	6/13/20 9:27	379720565
kbiolo11@gmail.com	Katie	DC	Support Downtown Santa Fe Vacation Rentals	174.192.197.227	6/13/20 9:27	379720561
tfess24@gmail.com	Tori	Washington DC	Support Downtown Santa Fe Vacation Rentals	141.156.148.30	6/13/20 9:26	379720557
Mackenzie.duffner@gmail.com	Mackenzie Duffner	Redwood City, CA	Support Downtown Santa Fe Vacation Rentals	107.77.202.72	6/13/20 9:26	379720549
apnthebit@gmail.com	Alyson Powers	Dallas	Support Downtown Santa Fe Vacation Rentals	107.77.196.183	6/13/20 9:24	379720537
manette.barlow@comcast.net	Manette Barlow	Pleasanton	Support Downtown Santa Fe Vacation Rentals	67.174.219.102	6/13/20 9:18	379720477
Santonson@charter.net	Sara Antonson	Chippewa Falls	Support Downtown Santa Fe Vacation Rentals	174.192.78.14	6/13/20 9:12	379720441
Suzi.ramsey@gmail.com	Suzanne Ramsey	Aliso Viejo	Support Downtown Santa Fe Vacation Rentals	68.109.77.123	6/13/20 9:04	379720397
Jaycocksatx@gmail.com	James	Aycock	Support Downtown Santa Fe Vacation Rentals	173.173.99.220	6/13/20 9:00	379720373
cabloule@hotmail.com	Ray	Kansas City	Support Downtown Santa Fe Vacation Rentals	65.26.53.93	6/13/20 8:56	379720317
emoryuniv@aol.com	Cynthia Oâ€™Neal	Woodstock, GA	Support Downtown Santa Fe Vacation Rentals	108.83.209.255	6/13/20 8:43	379720229
d2anderson@att.net	Dana Anderson	Dallas	Support Downtown Santa Fe Vacation Rentals	75.17.240.53	6/13/20 8:33	379720165
bprewitt@mac.com	Bruckner Prewitt	Dallas, TX	Support Downtown Santa Fe Vacation Rentals	172.58.111.212	6/13/20 8:29	379720129
devonmacleod16@gmail.com	Devon MacLeod	Denver	Support Downtown Santa Fe Vacation Rentals	73.243.210.71	6/13/20 8:22	379720073
cheryl.benard@gmail.com	Dr. Cheryl Benard	Santa Fe	Support Downtown Santa Fe Vacation Rentals	108.28.125.88	6/13/20 8:17	379720045
rankinhobbs1@gmail.com	Rankin Hobbs	Dallas TX	Support Downtown Santa Fe Vacation Rentals	107.128.225.98	6/13/20 8:04	379719961
c_angell58@yahoo.com	Carolyn Angell	St Petersburg	Support Downtown Santa Fe Vacation Rentals	35.139.93.35	6/13/20 8:02	379719941
Konradkikuchi@yahoo.com	Konrad Kikuchi	Dallas, TC	Support Downtown Santa Fe Vacation Rentals	76.187.138.238	6/13/20 7:59	379719909
peggymccracken@gmail.com	Peggy McCracken	Ann Arbor, MI	Support Downtown Santa Fe Vacation Rentals	68.48.244.116	6/13/20 7:58	379719893
dpayne@dpaynelaw.com	Dustin L. Payne	Fort Worth	Support Downtown Santa Fe Vacation Rentals	162.202.111.24	6/13/20 7:29	379719685
kwcoaches@hotmail.com	Deborah Lippi	Santa Fe	Support Downtown Santa Fe Vacation Rentals	67.143.161.119	6/13/20 7:26	379719657
canosabecker@gmail.com	Theresa Becker	Denver	Support Downtown Santa Fe Vacation Rentals	75.70.138.140	6/13/20 7:25	379719641
Kimberlympayne56@gmail.com	Kimberly Payne	Fort Worth	Support Downtown Santa Fe Vacation Rentals	162.202.111.24	6/13/20 7:25	379719637
Salliepg@gmail.com	Sallie page-goertz	Overland park	Support Downtown Santa Fe Vacation Rentals	174.234.15.144	6/13/20 7:13	379719593
ausconeva@gmail.com	Austin Evans	Santa Fe	Support Downtown Santa Fe Vacation Rentals	76.26.100.196	6/13/20 7:05	379719537
linseybthomas@yahoo.com	Linsey Thomas	TULSA	Support Downtown Santa Fe Vacation Rentals	166.137.115.56	6/13/20 6:46	379719377
Lindas@drumcpa.com	Linda duggs	Blanco	Support Downtown Santa Fe Vacation Rentals	174.246.192.69	6/13/20 6:44	379719373
echart_9@msn.com	John Echart	San Marcos, Texas	Support Downtown Santa Fe Vacation Rentals	71.221.189.93	6/13/20 6:22	379719253
r_robbie@sbcglobal.net	ROBBIE ROBISON	Oklahoma City	Support Downtown Santa Fe Vacation Rentals	107.202.171.17	6/13/20 5:57	379719121
ejoazle@msn.com	Evelynn	Azle	Support Downtown Santa Fe Vacation Rentals	74.113.245.133	6/13/20 5:32	379718997
sskalovsky@gmail.com	Stephen Skalovsky	Oklahoma City, OK	Support Downtown Santa Fe Vacation Rentals	104.177.195.14	6/13/20 5:06	379718845
HOKIEHAMM@GMAIL.COM	Jennie Hamm	BLACKSBURG	Support Downtown Santa Fe Vacation Rentals	73.152.126.220	6/13/20 4:59	379718797
cindy@pcinapa.com	Cynthia Anderson	Artesia, NM	Support Downtown Santa Fe Vacation Rentals	216.255.214.101	6/13/20 3:40	379718541
dulynn17@gmail.com	Diane Duran	Santa Fe	Support Downtown Santa Fe Vacation Rentals	75.161.101.83	6/13/20 1:06	379709837
claudinerehn@gmail.com	Claudine Rehn	Nehalem	Support Downtown Santa Fe Vacation Rentals	137.118.192.114	6/12/20 23:36	379709481
Georgeinsilver@yahoo.com	George	Silver City	Support Downtown Santa Fe Vacation Rentals	75.166.66.32	6/12/20 22:30	379709029
Karhy@donzis.com	Kathy Donzis	San Antonio	Support Downtown Santa Fe Vacation Rentals	70.120.21.102	6/12/20 22:11	379708881
sarasing@charter.net	Sara Singleton	Hollister, CA	Support Downtown Santa Fe Vacation Rentals	76.113.79.56	6/12/20 22:04	379708841
josh@justsqueezedjuice.com	Josh Lange	Los Ranchos	Support Downtown Santa Fe Vacation Rentals	73.228.4.25	6/12/20 22:04	379708837
Bethberg05@gmail.com	Elizabeth Bergandine	Pena Blanca	Support Downtown Santa Fe Vacation Rentals	97.73.244.58	6/12/20 21:58	379708805
Epreston@advmediation.com	Sissy Preston	New Braunfels	Support Downtown Santa Fe Vacation Rentals	75.1.39.218	6/13/20 11:41	379708577
Tom@intuitivewebsites.com	Tom Young	Colorado Springs	Support Downtown Santa Fe Vacation Rentals	107.2.230.66	6/12/20 21:22	379708557
wpmartin60@comcast.net	Bill Martin	Tigard	Support Downtown Santa Fe Vacation Rentals	73.164.244.75	6/12/20 21:16	379708521
Angelaeiva@aol.com	Angela hasted	Santa fe	Support Downtown Santa Fe Vacation Rentals	67.0.75.37	6/12/20 21:07	379708481
russ.schrader1@gmail.com	Russell Schrader	San Francisco	Support Downtown Santa Fe Vacation Rentals	76.103.178.54	6/12/20 21:04	379708461
stacie.hornell@xonix.us	Stacie Hornell	Pittsburgh	Support Downtown Santa Fe Vacation Rentals	71.199.105.66	6/12/20 21:00	379708433
Petesfnm@aol.com	Peter White	Santa Fe	Support Downtown Santa Fe Vacation Rentals	68.84.147.58	6/12/20 20:53	379707833
jbtuckermd@comcast.net	Jon B Tucker MD	Santa Fe	Support Downtown Santa Fe Vacation Rentals	71.199.123.184	6/12/20 20:53	379707829
analiarenner@gmail.com	Analia	Renner	Support Downtown Santa Fe Vacation Rentals	107.72.178.203	6/12/20 20:51	379707821
Santosa_m@yahoo.com	Margo	LOUISVILLE	Support Downtown Santa Fe Vacation Rentals	76.25.180.47	6/12/20 20:47	379707801
amberyoshida@me.com	Amber Yoshida	Basehor, KS	Support Downtown Santa Fe Vacation Rentals	24.111.226.237	6/12/20 20:42	379707753
schrager.marvin@gmail.com	marvin schrager	Santa Fe	Support Downtown Santa Fe Vacation Rentals	75.13.93.233	6/12/20 20:41	379707741
Maryhopeburns@gmail.com	Mary Hope Burns	Dallas	Support Downtown Santa Fe Vacation Rentals	107.77.196.113	6/12/20 20:39	379707733
Pattyndeasy@gmail.com	Patty Deasy	Napa	Support Downtown Santa Fe Vacation Rentals	76.231.28.56	6/12/20 20:31	379707701
derryburns03@gmail.com	Derry Burns	Dallas	Support Downtown Santa Fe Vacation Rentals	107.77.196.113	6/12/20 20:30	379707693
marinafratt@aol.com	Marina	Dallas	Support Downtown Santa Fe Vacation Rentals	172.58.109.88	6/12/20 20:28	379707649
nakedornithologist@yahoo.com	Kurt Miller	Santa Fe	Support Downtown Santa Fe Vacation Rentals	98.19.20.209	6/12/20 20:27	379707641
featheredfriends@cnsp.com	Darlene	Santa Fe	Support Downtown Santa Fe Vacation Rentals	98.19.20.209	6/12/20 20:26	379707629
susiegoins@gmail.com	Susan Goins	Carrollton, TX	Support Downtown Santa Fe Vacation Rentals	70.119.163.183	6/12/20 20:26	379707625
Tinaasfnm@aol.com	Tina Alarid	Santa Fe	Support Downtown Santa Fe Vacation Rentals	73.98.21.44	6/12/20 20:25	379707609
chrahrig@gmail.com	Carson Rahrig	Plano	Support Downtown Santa Fe Vacation Rentals	107.77.200.142	6/12/20 20:21	379707565

Samantha4642@gmail.com	Samantha	Santa Fe	Support Downtown Santa Fe Vacation Rentals	76.127.48.242	6/12/20 20:17	379707537
rhunt@barran.com	richard hunt	portland oregon	Support Downtown Santa Fe Vacation Rentals	72.35.146.32	6/12/20 20:17	379707533
Leighannburdett@gmail.com	Leigh Ann Burdett	Arlington, VA	Support Downtown Santa Fe Vacation Rentals	71.191.184.159	6/12/20 20:13	379707493
wnorskog@gmail.com	William Norskog	Santa Fe	Support Downtown Santa Fe Vacation Rentals	76.113.117.96	6/12/20 20:10	379707473
Sullivtl@hotmail.com	Terry Sullivan	Eau Claire, WI	Support Downtown Santa Fe Vacation Rentals	71.82.154.245	6/12/20 20:08	379707457
darrell_ley@yahoo.com	Darrell Ley	Decatur, TX	Support Downtown Santa Fe Vacation Rentals	71.221.127.125	6/12/20 20:07	379707453
twa511@yahoo.com	Tiffany Ley	Decatur, TX	Support Downtown Santa Fe Vacation Rentals	71.221.127.125	6/12/20 20:07	379707437
Elenafratt@gmail.com	Elena Frattaroli	Dallas	Support Downtown Santa Fe Vacation Rentals	172.58.107.238	6/12/20 20:03	379707417
Cfratt2@gmail.com	Christopher Frattaroli	Dallas	Support Downtown Santa Fe Vacation Rentals	172.58.107.211	6/12/20 20:02	379707409
Rchappel@nimcapital.com	Randy Chappel	Southlake, TX	Support Downtown Santa Fe Vacation Rentals	47.184.203.83	6/12/20 19:56	379707361
kwcoyote@gmail.com	Keith D. Wiley	Fort Dodge	Support Downtown Santa Fe Vacation Rentals	173.23.129.83	6/12/20 19:53	379707329
Nolefan77@comcast.net	Eric Faulkner	The Villages	Support Downtown Santa Fe Vacation Rentals	73.67.65.144	6/12/20 19:44	379707249
Joe@joemikos.com	Joe Mikos	Oak Bluffs	Support Downtown Santa Fe Vacation Rentals	76.24.199.114	6/12/20 19:44	379707245
cebodelson@gmail.com	Caitlin	Santa Fe	Support Downtown Santa Fe Vacation Rentals	67.0.67.59	6/12/20 19:39	379707197
lynn@phasepharma.com	Lynn Howard	Dallas	Support Downtown Santa Fe Vacation Rentals	107.77.199.64	6/12/20 19:37	379707173
btiffany@avixaero.com	Bill Tiffany	Dallas	Support Downtown Santa Fe Vacation Rentals	107.77.197.200	6/12/20 19:30	379707113
mmosty@me.com	Mark Mosty	Kerrville	Support Downtown Santa Fe Vacation Rentals	70.122.50.230	6/12/20 19:27	379707093
Baxtersmith1975@gmail.com	Baxter Smith	Los Angeles	Support Downtown Santa Fe Vacation Rentals	76.90.227.46	6/12/20 19:20	379707029
Hilarymosty@me.com	Hilary Mosty	Kerrville	Support Downtown Santa Fe Vacation Rentals	70.122.50.230	6/12/20 19:20	379707009
carolinefratt@aol.com	Caroline	Washington	Support Downtown Santa Fe Vacation Rentals	172.58.188.72	6/12/20 19:18	379706989
mikelandolt@aol.com	Michael Landolt	Kemah, Texas	Support Downtown Santa Fe Vacation Rentals	98.195.159.32	6/12/20 19:13	379706941
Brogan505@gmail.com	Brogan Andersson	Santa Fe	Support Downtown Santa Fe Vacation Rentals	97.123.9.182	6/12/20 19:13	379706937
abodel1426@gmail.com	Ansel Bodelson	Santa Fe	Support Downtown Santa Fe Vacation Rentals	68.84.152.220	6/12/20 19:06	379706873
rdean@ucsd.edu	Melanie Dean	Eau Claire	Support Downtown Santa Fe Vacation Rentals	24.183.143.145	6/12/20 19:06	379706869
Lynitab@gmail.com	Lynita Brown	Groom, Texas	Support Downtown Santa Fe Vacation Rentals	72.172.34.14	6/12/20 19:00	379706837
Leeshepka@yahoo.com	Lee Shepka	Windham, New Hampshire	Support Downtown Santa Fe Vacation Rentals	71.234.76.156	6/12/20 18:56	379706797
librettist@aol.com	Sally M Gall	La Jolla, CA	Support Downtown Santa Fe Vacation Rentals	66.75.59.21	6/12/20 18:54	379706777
Susan.spencer2305@yahoo.com	Susan Spencer	Plano	Support Downtown Santa Fe Vacation Rentals	72.180.85.92	6/12/20 18:54	379706773
lesliedrobbin@gmail.com	Leslie Drobbin	Santa Fe NM	Support Downtown Santa Fe Vacation Rentals	174.56.48.251	6/12/20 18:52	379706765
rsg34@austin.rr.com	Richard Golombeck	Austin, Texas and Cuchara, Colorado	Support Downtown Santa Fe Vacation Rentals	98.197.173.236	6/12/20 18:47	379706725
Ttripodo@gmail.com	Tony Tripodo	Houston	Support Downtown Santa Fe Vacation Rentals	73.232.92.248	6/12/20 18:44	379706693
babster1950@icloud.com	Barbara	Whitney	Support Downtown Santa Fe Vacation Rentals	72.172.61.110	6/12/20 18:44	379706689
polixenep@hotmail.com	Polixene Petrakopoulos	Fairfield	Support Downtown Santa Fe Vacation Rentals	68.192.81.185	6/12/20 18:43	379706681
charling1974@yahoo.com	Charlene Stehling	Santa Fe, NM	Support Downtown Santa Fe Vacation Rentals	172.58.63.188	6/12/20 18:40	379706649
Margaret.c.stone@gmail.com	Margaret Stone	Seattle	Support Downtown Santa Fe Vacation Rentals	97.126.70.96	6/12/20 18:40	379706645
Alillmackk@gmail.com	Ali Mackenzie	Santa Fe	Support Downtown Santa Fe Vacation Rentals	99.203.92.198	6/12/20 18:36	379706581
corrieten@gmail.com	Corrie	Shapiro	Support Downtown Santa Fe Vacation Rentals	67.164.154.89	6/12/20 18:34	379706549
Dvalentine99@hotmail.com	David Valentine	Huntington Beach	Support Downtown Santa Fe Vacation Rentals	107.77.228.22	6/12/20 18:31	379706533
adobecasitas@gmail.com	Richard Woodruff	Santa Fe	Support Downtown Santa Fe Vacation Rentals	23.81.234.21	6/12/20 18:31	379706529
Er1@atlanticbb.net	Ernesto Roederer	Lamy, NM	Support Downtown Santa Fe Vacation Rentals	73.175.148.220	6/12/20 18:29	379706493
nannotor@yahoo.com	Nan Notor	San Jose, CA	Support Downtown Santa Fe Vacation Rentals	24.130.193.196	6/12/20 18:27	379706481
nrhughes55@gmail.com	Neil Hughes	Athens, GA	Support Downtown Santa Fe Vacation Rentals	108.204.242.54	6/12/20 18:26	379706473
Juliabertram3@gmail.com	Julia Bertram	Santa Fe	Support Downtown Santa Fe Vacation Rentals	97.122.180.25	6/12/20 18:25	379706457
lwgnbush@msn.com	Gail Bush	Santa Fe	Support Downtown Santa Fe Vacation Rentals	98.249.97.156	6/12/20 18:21	379706429
chris.quinn.sa@gmail.com	Chris Quinn	San Antonio, TX	Support Downtown Santa Fe Vacation Rentals	23.127.174.30	6/12/20 18:15	379706389
dc_davidson@msn.com	Douglas Davidson	Woodside	Support Downtown Santa Fe Vacation Rentals	174.194.129.36	6/12/20 18:14	379706369
julwhite@q.com	Julia White-Hester	Santa Fe	Support Downtown Santa Fe Vacation Rentals	67.1.30.168	6/12/20 18:10	379706321
Amallab23@gmail.com	Amalia Bertram	Santa Fe	Support Downtown Santa Fe Vacation Rentals	76.113.71.37	6/12/20 17:46	379706041
Catmbert@aol.com	Cathryn Bertram	Santa Fe	Support Downtown Santa Fe Vacation Rentals	73.26.159.93	6/12/20 17:45	379706033
bertram664@gmail.com	Alicia	Santa Fe	Support Downtown Santa Fe Vacation Rentals	76.113.71.37	6/12/20 17:44	379706025
Torty13@gmail.com	Victoria Duran	Santa Fe	Support Downtown Santa Fe Vacation Rentals	99.36.110.71	6/12/20 17:43	379706013
hduettra@gmail.com	Hannah Duettra	Santa Fe	Support Downtown Santa Fe Vacation Rentals	76.18.69.28	6/12/20 17:42	379705989
Ugigolf@aol.com	Andrew Ugor	Dallas	Support Downtown Santa Fe Vacation Rentals	75.20.165.35	6/12/20 17:27	379705841
Lindaugor@aol.com	Linda Ugor	Dallas	Support Downtown Santa Fe Vacation Rentals	75.20.165.35	6/12/20 17:25	379705825
word3.dean@gmail.com	Dean Word	New Braunfels	Support Downtown Santa Fe Vacation Rentals	71.41.140.162	6/12/20 17:12	379704609
susan3835@icloud.com	Susan D Arnold	Wichita, KS	Support Downtown Santa Fe Vacation Rentals		6/15/20 10:21	4675807
lori@intuitivewebsites.com	Lori Mohr	Colorado Springs	Support Downtown Santa Fe Vacation Rentals		6/12/20 21:21	354446733
irtheory@aol.com	Crista Wood	Elgin Illinois	Support Downtown Santa Fe Vacation Rentals		6/13/20 9:08	354446697
awismer2337@aol.com	Ann Wismer	Kemah, Texas	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:58	354446677
WILLIS@INJURYOFFICES.COM	David Willis	Houston, Texas	Support Downtown Santa Fe Vacation Rentals		6/15/20 9:33	354446661
ceweberjr@gmail.com	charles e weber jr	Branford Ct 06405	Support Downtown Santa Fe Vacation Rentals		6/14/20 7:09	354446569
ksweeneyhammond@maret.org	Kathleen Hammond	Silver Spring,MD	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:59	354446401
reuben@caboclan.com	Reuben Sutter	Corrales	Support Downtown Santa Fe Vacation Rentals		6/13/20 7:44	354446393
timjstark@yahoo.com	Timothy Stark	Milwaukee	Support Downtown Santa Fe Vacation Rentals		6/13/20 6:52	354446341
beckystahl@cox.net	Becky	Scottsdale	Support Downtown Santa Fe Vacation Rentals		6/12/20 19:58	354446337
alibcsmith@gmail.com	Ali Smith	Dallas, TX	Support Downtown Santa Fe Vacation Rentals		6/15/20 21:27	354446301
smith0930@gmail.com	Monta Smith	Winston-Salem	Support Downtown Santa Fe Vacation Rentals		6/15/20 8:39	354446293
suzannecoughlinsmith@gmail.com	Suzanne CoughlinSmith	Fort Collins	Support Downtown Santa Fe Vacation Rentals		6/12/20 21:34	354446289
lesliesmith014@gmail.com	Leslie	Houston	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:30	354446281
2skattums@gmail.com	Mark & Laura Skattum	Colorado Springs	Support Downtown Santa Fe Vacation Rentals		6/12/20 19:40	354446269
don.slerakowski@gmail.com	Don slerakowski	Vernonâ€™s	Support Downtown Santa Fe Vacation Rentals		6/12/20 19:10	354446225
jschultz@humnet.ucla.edu	James A. Schultz	West Hollywood CA	Support Downtown Santa Fe Vacation Rentals		6/12/20 21:16	354446157
jschneiderdc@yahoo.com	Johanna Schneider	Washington D.C.	Support Downtown Santa Fe Vacation Rentals		6/13/20 12:30	354446145
caronscanlan12@gmail.com	Caron Scanlan	Englewood	Support Downtown Santa Fe Vacation Rentals		6/12/20 20:17	354446129
dinamryan@gmail.com	Dina Ryan	Salida	Support Downtown Santa Fe Vacation Rentals		6/13/20 15:19	354446069
chrissillandcharlierogers@gmail.com	Christine Sill-Rogers	Kansas City, Missouri	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:15	354446049
roesch.rebecca@gmail.com	Becky Roesch	Dallas Texas	Support Downtown Santa Fe Vacation Rentals		6/12/20 19:42	354446045
lesrobison9@gmail.com	Leslie Robison	Stillwater	Support Downtown Santa Fe Vacation Rentals		6/13/20 5:56	354446033
pdrisu@cox.net	Pat Roberts	Baton Rouge	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:26	354446021
catherineukestadriddle@gmail.com	Catherine Riddle	Richardson	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:10	354445997
mfraffer@gmail.com	Megan	Chicago	Support Downtown Santa Fe Vacation Rentals		6/12/20 19:33	354445877
sheridpruitt@yahoo.com	Sheri Pruitt	Ada, OK	Support Downtown Santa Fe Vacation Rentals		6/13/20 11:23	354445849
nbpland@gmail.com	Nancy Pohl	Midland texas	Support Downtown Santa Fe Vacation Rentals		6/12/20 19:09	354445821
desertsun105@gmail.com	Brian Pace	Surprise, Arizona	Support Downtown Santa Fe Vacation Rentals		6/13/20 8:31	354445757
mao101mao@gmail.com	MARK A OLGUIN	Burbank	Support Downtown Santa Fe Vacation Rentals		6/12/20 20:01	354445721

david.olesky@yahoo.com	David Olesky	Dallas	Support Downtown Santa Fe Vacation Rentals		6/17/20 9:50	354445717
maoneal1@msn.com	Michael Arthur O'Neal	Azle, TX	Support Downtown Santa Fe Vacation Rentals		6/12/20 20:14	354445693
dustylnel@gmail.com	Dusty Nelson	Denver	Support Downtown Santa Fe Vacation Rentals		6/12/20 20:25	354445661
wcnanney@att.net	Edward W Nanney	San Antonio, Tx	Support Downtown Santa Fe Vacation Rentals		6/12/20 20:04	354445645
myersr@austin.rr.com	Ronnie T Myers	Austin	Support Downtown Santa Fe Vacation Rentals		6/12/20 21:29	354445629
drsmurphy@yahoo.com	Dr. Sharon Murphy	Hinsdale IIL and Santa Fe NM	Support Downtown Santa Fe Vacation Rentals		6/12/20 23:45	354445609
mesl3105@gmail.com	Jay Mesl	Springfield	Support Downtown Santa Fe Vacation Rentals		6/15/20 12:55	354445493
bemex2050@gmail.com	Bruce Merritt	AURORA	Support Downtown Santa Fe Vacation Rentals		6/13/20 15:35	354445489
tcmeador@gvec.net	Tanya Meador	Cost, Texas	Support Downtown Santa Fe Vacation Rentals		6/15/20 8:36	354445477
jjmmcm@aol.com	Mary McKoskey	Woodbury, MN	Support Downtown Santa Fe Vacation Rentals		6/13/20 16:24	354445449
marciaborchersmc@hotmail.com	Marcia McGlothlin	New Braunfels, Texas	Support Downtown Santa Fe Vacation Rentals		6/12/20 17:21	354445445
szlip@sbcglobal.net	Sheila Lipkin	Houston	Support Downtown Santa Fe Vacation Rentals		6/15/20 9:53	354445301
Megeleoni@gmail.com	Megan	Austin	Support Downtown Santa Fe Vacation Rentals		6/12/20 20:12	354445269
sleedds@gmail.com	Charles Lee	Savannah, TN	Support Downtown Santa Fe Vacation Rentals		6/15/20 9:11	354445257
marckaiser@cox.net	Marc Kaiser	Rancho Palos Verdes, CA	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:12	354445117
jimenez.ildefonso@gmail.com	Ildefonso Jimenez	Dallas	Support Downtown Santa Fe Vacation Rentals		6/13/20 6:49	354445053
gailjp@att.net	Gail Jennings-Peterson	Moab, Utah	Support Downtown Santa Fe Vacation Rentals		6/15/20 11:59	354445049
fahunold@gmail.com	Frank Hunold	Odessa, Texas	Support Downtown Santa Fe Vacation Rentals		6/12/20 19:41	354444989
bahull@earthlink.net	Bill & Amy Hull	Blanchard, OK	Support Downtown Santa Fe Vacation Rentals		6/13/20 21:34	354444985
kkhfarms@gmail.com	Kendall	Scottsdale	Support Downtown Santa Fe Vacation Rentals		6/16/20 18:05	354444965
ahoard88@msn.com	Anna Hoard	Corrales	Support Downtown Santa Fe Vacation Rentals		6/12/20 19:10	354444925
jhills1969@gmail.com	Jennifer	Seattle	Support Downtown Santa Fe Vacation Rentals		6/15/20 21:42	354444913
marshallhickey11@gmail.com	Marshall Hickey	Fort Worth	Support Downtown Santa Fe Vacation Rentals		6/12/20 19:28	354444889
kherrera25@comcast.net	Pamela Kim Herrera	Albuquerque	Support Downtown Santa Fe Vacation Rentals		6/13/20 9:19	354444881
deborahheaton@icloud.com	Deborah Heaton	Parkville	Support Downtown Santa Fe Vacation Rentals		6/13/20 15:49	354444841
brynn.gutknecht@gmail.com	Brynn Gutknecht	Denver	Support Downtown Santa Fe Vacation Rentals		6/13/20 10:21	354444765
opgreen@att.net	Paula	San Antonio, TX	Support Downtown Santa Fe Vacation Rentals		6/15/20 9:17	354444721
susangoodman2000@yahoo.com	Susan Goodman	Dallas	Support Downtown Santa Fe Vacation Rentals		6/16/20 6:42	354444701
jgoad2@icloud.com	John Goad	Fairview, Texas	Support Downtown Santa Fe Vacation Rentals		6/12/20 21:06	354444677
lisageorn@gmail.com	Lisa George	Overland Park, Kansas	Support Downtown Santa Fe Vacation Rentals		6/13/20 13:56	354444657
tgiawtia@aol.com	amanda george	amarillo tx	Support Downtown Santa Fe Vacation Rentals		6/15/20 13:10	354444653
kfowler291@gmail.com	Katrina	Dallas	Support Downtown Santa Fe Vacation Rentals		6/13/20 13:56	354444581
jama1@kw.com	Jama Fontaine	Albuquerque	Support Downtown Santa Fe Vacation Rentals		6/13/20 8:36	354444577
kathy_flammer@yahoo.com	Kathy J Flammer	Southlake,Texas	Support Downtown Santa Fe Vacation Rentals		6/12/20 21:05	354444573
susanfillmore@me.com	Susa Fillmore	Ft Worth	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:36	354444553
marionlfalk@gmail.com	Marion Falk	Oakland	Support Downtown Santa Fe Vacation Rentals		6/15/20 9:38	354444505
repstein@plsmaterials.com	Richard Epstein	Solon, OH	Support Downtown Santa Fe Vacation Rentals		6/15/20 7:53	354444485
nmelam@gmail.com	Nicole Elam	Texarkana, TX	Support Downtown Santa Fe Vacation Rentals		6/14/20 6:23	354444449
vegbert@aol.com	Vivian Egbert	Tucson Arizona	Support Downtown Santa Fe Vacation Rentals		6/15/20 9:44	354444441
patrick@edingerarchitects.com	Patrick Edinger	Solana Beach	Support Downtown Santa Fe Vacation Rentals		6/13/20 9:24	354444429
pamela.echart@gmail.com	Pamela Echart	San Marcos, Texas	Support Downtown Santa Fe Vacation Rentals		6/13/20 6:21	354444421
MDEMING1@AOL.COM	Marilyn Deming	Escondido	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:31	354444353
djjdean@charter.net	DavidvDean	Chesterfield, MO	Support Downtown Santa Fe Vacation Rentals		6/12/20 21:10	354444341
ldansbury@gmail.com	Laura Dansbury	SAN MATEO	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:20	354444325
cullifercarol@gmail.com	Carol Cullifer	Wiley	Support Downtown Santa Fe Vacation Rentals		6/13/20 6:41	354444309
kelly.a.cromwell@gmail.com	Kelly Cromwell	Hoboken	Support Downtown Santa Fe Vacation Rentals		6/15/20 11:27	354444289
dcraig1025@gmail.com	Dana Craig	Lubbock TX	Support Downtown Santa Fe Vacation Rentals		6/13/20 9:37	354444277
craigconstruction@live.com	stanley D. Craig	Mena	Support Downtown Santa Fe Vacation Rentals		6/12/20 21:37	354444273
mscolvin@gmail.com	Steve Colvin	Houston	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:36	354444233
jjcollins44@yahoo.com	Julie Collins	Cedaredge CO	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:38	354444229
heatherclement21@gmail.com	Heather	Lawton	Support Downtown Santa Fe Vacation Rentals		6/15/20 9:37	354444205
carterclawson@gmail.com	Carter	Charleston	Support Downtown Santa Fe Vacation Rentals		6/13/20 7:37	354444201
jchappellreid@hopewestco.org	Jacquie Chappell-Reid	Grand Junction	Support Downtown Santa Fe Vacation Rentals		6/15/20 10:26	354444169
mg3687@aol.com	Mary Cardenas	Dallas	Support Downtown Santa Fe Vacation Rentals		6/13/20 5:49	354444113
marinc@aol.com	Marilyn	Austin, Texas	Support Downtown Santa Fe Vacation Rentals		6/13/20 6:49	354444093
scoslicer@gmail.com	Cheryl Bunnell	The Woodlands, TX	Support Downtown Santa Fe Vacation Rentals		6/13/20 6:29	354444061
golf308@aol.com	Scott Bristol	Denver, Colorado	Support Downtown Santa Fe Vacation Rentals		6/13/20 3:56	354444021
cyndeblock@gmail.com	C Block	Sarasota, FL	Support Downtown Santa Fe Vacation Rentals		6/13/20 13:34	354443953
LeRoy.Blanks@TexasBingo.com	Charles LeRoy Blanks	Coppell	Support Downtown Santa Fe Vacation Rentals		6/13/20 7:45	354443949
donnablakemore@sbcglobal.net	Donna Blakemore	San Francisco	Support Downtown Santa Fe Vacation Rentals		6/15/20 10:22	354443941
bertram@santafe.edu	Bruce Bertram	Santa Fe	Support Downtown Santa Fe Vacation Rentals		6/16/20 9:07	354443909
almabernal310@gmail.com	ALMA BERNAL	EL PASO	Support Downtown Santa Fe Vacation Rentals		6/15/20 9:27	354443905
hebecker433@gmail.com	Helen E. Becker	Moab, Ut	Support Downtown Santa Fe Vacation Rentals		6/12/20 21:02	354443869
jalex1821@msn.com	Candy	Farmington NM 87401	Support Downtown Santa Fe Vacation Rentals		6/15/20 21:36	354443733
samantha4642@aol.com	Samantha Drysdale	Santa Fe	Support Downtown Santa Fe Vacation Rentals	67.164.145.65	6/12/20 16:58	156288419
sduettra@gmail.com	Sydney Duettra	Santa Fe	Support Downtown Santa Fe Vacation Rentals	67.164.145.65	6/12/20 17:02	156287631
ruby.l.chaney@gmail.com	Ruby L Chaney	Edmond	Support Downtown Santa Fe Vacation Rentals	172.14.136.221	6/15/20 9:02	151581203
jameswcaudle@yahoo.com	James W. Caudle	Plano, Texas 75093	Support Downtown Santa Fe Vacation Rentals		6/15/20 9:04	354444145
robert@drblakeburn.com	Robert Blakeburn	Clinton, OKLAHOMA	Support Downtown Santa Fe Vacation Rentals		6/12/20 20:43	354443933
monihamer@sbcglobal.net	Monica Hamer	Dallas	Support Downtown Santa Fe Vacation Rentals	76.237.214.74	6/14/20 3:13	379728033
andreajones99@gmail.com	Andrea Jones	Davis	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:43	354445045
dsscott4@msn.com	Diana Scott	Pueblo	Support Downtown Santa Fe Vacation Rentals	174.209.9.50	6/12/20 19:10	132872191
wongadilla@gmail.com	Amy Doyle	Austin, Texas	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:36	4699143
plasticpromd@yahoo.com	Gary Horndeski	League city	Support Downtown Santa Fe Vacation Rentals		6/12/20 20:14	4699135
brh2907@iinet.net.au	Reg Holloway	Potts Point, NSW Australia	Support Downtown Santa Fe Vacation Rentals		6/12/20 22:05	4699091
perry@junetaylorjams.com	Perry Small	Oakland, CA	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:39	4698963
sjk49@comcast.net	Peggy Kelly	Denver, CO	Support Downtown Santa Fe Vacation Rentals		6/12/20 21:36	4698775
davef509@aol.com	David	Spokane	Support Downtown Santa Fe Vacation Rentals		6/12/20 20:39	4698751
willadamson@sabinepipe.com	Will Adamson	Longview	Support Downtown Santa Fe Vacation Rentals		6/15/20 8:54	4698723
waltparke@gmail.com	Walt P Jones	Fort Worth	Support Downtown Santa Fe Vacation Rentals		6/15/20 9:28	4698711
tgeorge@westtexasinsuranceagency.com	tommy george	amarillo tx	Support Downtown Santa Fe Vacation Rentals		6/15/20 13:09	4698623
judburch60@gmail.com	Judi Burchfield	Denver	Support Downtown Santa Fe Vacation Rentals		6/15/20 12:52	4698615
rustyhinds@aol.com	Hinds Rusty	Houston	Support Downtown Santa Fe Vacation Rentals		6/12/20 21:20	4698411
rarephotoltd@gmail.com	ND MacDonald	Toronto, Canada	Support Downtown Santa Fe Vacation Rentals		6/15/20 9:03	4698319
becky@travelnpair.com	Rebecca Blase	Lamy	Support Downtown Santa Fe Vacation Rentals		6/13/20 9:50	4698095

maestrasoy@yahoo.com	Rose	Austin	Support Downtown Santa Fe Vacation Rentals		6/15/20 11:16	4697975
lynn.blakeley@gmail.com	Lynn Blakeley	San Antonio	Support Downtown Santa Fe Vacation Rentals		6/12/20 21:07	4697947
ljkuenning@aol.com	Lynne Curtis	Owasso	Support Downtown Santa Fe Vacation Rentals		6/15/20 14:47	4697879
aloha.duffs@me.com	Lynn and Ron	Paradise Valley	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:44	4697823
dalockwood1@comcast.net	Don	Seattle	Support Downtown Santa Fe Vacation Rentals		6/12/20 19:00	4697819
pattimorrison@hotmail.com	Patricia A Morrison	St Clair Shores	Support Downtown Santa Fe Vacation Rentals		6/12/20 19:09	4697751
mjb10001@aol.com	Monica Robinson	Albuquerque	Support Downtown Santa Fe Vacation Rentals		6/12/20 21:24	4697587
jrae.je@gmail.com	Janet Edwards	Amarillo	Support Downtown Santa Fe Vacation Rentals		6/15/20 9:22	4697579
shepp04@msn.com	Cynthia Sheppard	Cuero tax	Support Downtown Santa Fe Vacation Rentals		6/15/20 9:18	4697539
jdbrazzeal9@gmail.com	Jeff Brazzeal	Bentonville	Support Downtown Santa Fe Vacation Rentals		6/15/20 11:54	4697527
ponetale@yahoo.com	Farley kemler	Manalapan NJ	Support Downtown Santa Fe Vacation Rentals		6/16/20 3:02	4697515
hilharms@hotmail.com	Hilary	Prairie Village	Support Downtown Santa Fe Vacation Rentals		6/15/20 10:52	4697447
htripodo@hotmail.com	H. Tripodo	Houston	Support Downtown Santa Fe Vacation Rentals		6/13/20 7:21	4697443
hillcountryhousegirl@gmail.com	Ann Williams	Fort Worth	Support Downtown Santa Fe Vacation Rentals		6/15/20 8:50	4697427
greygoose222@hotmail.com	Lisa	Kansas City	Support Downtown Santa Fe Vacation Rentals		6/13/20 8:43	4697411
poboy_51@yahoo.com	Gary Thomas	Pryor	Support Downtown Santa Fe Vacation Rentals		6/13/20 5:53	4697339
dillydallydibbles@yahoo.com	Amanda Winstead	Austin	Support Downtown Santa Fe Vacation Rentals		6/12/20 20:29	4697231
mbgramtxga@yahoo.com	Mary Beth Gramlich	Little Rock	Support Downtown Santa Fe Vacation Rentals		6/12/20 22:05	4697187
tesshb@gmail.com	Tess Hand-Bender	Denver, Co	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:21	4696995
sah4sah@aol.com	Shirley Heiman	St Louis	Support Downtown Santa Fe Vacation Rentals		6/14/20 11:15	4696895
bobbymacek@gmail.com	Bobby	Houston	Support Downtown Santa Fe Vacation Rentals		6/12/20 20:11	4696839
gymom10@aol.com	LaNae Taylor	Dallas, TX	Support Downtown Santa Fe Vacation Rentals		6/13/20 6:49	4696471
riekerpie@gmail.com	Sunny and Tom Rieker	Arcadia, CA	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:14	4696379
marynewman2@btinternet.com	Mary Newman	London	Support Downtown Santa Fe Vacation Rentals		6/15/20 10:17	4696315
genecohen@cox.net	Eugene D Cohen	Phoenix	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:47	4696279
darschilling@yahoo.com	Darlene Schilling	Corrales	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:38	4696247
kmg0228@gmail.com	Kevin Goins	Carrollton, TX	Support Downtown Santa Fe Vacation Rentals		6/12/20 20:25	4696191
tracyiherson@yahoo.com	Tracy Herson	Dallas, Texas	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:30	4696179
rec3@mac.com	Rob Clements	Dallas	Support Downtown Santa Fe Vacation Rentals		6/15/20 12:45	4695691
michaelhester@q.com	Michael Hester	Santa Fe	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:10	4695659
dlamson24@yahoo.com	Dawna Lamson	Gorham	Support Downtown Santa Fe Vacation Rentals		6/12/20 22:52	4695643
dladely@neb.rr.com	Danny Ladely	Lincoln	Support Downtown Santa Fe Vacation Rentals		6/13/20 10:01	4695535
tfebus2000@yahoo.com	Tricia Lorie	Honolulu	Support Downtown Santa Fe Vacation Rentals		6/16/20 17:58	4695491
suzanneclements@usa.net	Suzanne Clements	St. Petersburg	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:37	4695471
sandyclark01@hotmail.com	Sandy Clark	Spicewood	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:56	4695459
michael.mrochek@att.net	Michael Mrochek	El Paso, TX	Support Downtown Santa Fe Vacation Rentals		6/15/20 18:32	4695451
caccaloeb@gmail.com	SuAnne	Pittsburgh	Support Downtown Santa Fe Vacation Rentals		6/13/20 12:08	4695195
gailcolwick@gmail.com	Gail Colwick	Richardson (Dallas) TX. 75082	Support Downtown Santa Fe Vacation Rentals		6/13/20 16:00	4695151
freyalutz@yahoo.com	Leslie Lutz	Pittsburgh	Support Downtown Santa Fe Vacation Rentals		6/13/20 8:48	4694987
sandjar3@sbcglobal.net	Sandy	Carmel, IN	Support Downtown Santa Fe Vacation Rentals		6/15/20 20:57	4694983
doug.kopp@att.net	Douglas Kopp MD	Lubbock, TX	Support Downtown Santa Fe Vacation Rentals		6/15/20 13:14	4694835
meconrad@mac.com	Mary Conrad	Albuquerque NM	Support Downtown Santa Fe Vacation Rentals		6/13/20 7:24	4694671
khutch43@gmail.com	Kay Hutchison	Madison WI	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:43	4694555
mark.swearingen55@gmail.com	Mark Swearingen	Concord, CA	Support Downtown Santa Fe Vacation Rentals		6/13/20 11:52	4694411
jwc51@aol.com	James Carroll	Belton, Texas	Support Downtown Santa Fe Vacation Rentals		6/12/20 21:33	4694375
dmann8006@yahoo.com	Dave Mann	Tucson	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:27	4694275
ghnospam@comcast.net	Glenn Horton	Seattle, WA	Support Downtown Santa Fe Vacation Rentals		6/15/20 9:19	4694127
bmaples@consolidated.net	Carol Maples	Lufkin	Support Downtown Santa Fe Vacation Rentals		6/12/20 19:21	4694051
melissalarry@cox.net	Melissa Larry	Tulsa	Support Downtown Santa Fe Vacation Rentals		6/12/20 21:12	4694015
suzannewalsh@hotmail.com	Suzanne Walsh	Allen, TX	Support Downtown Santa Fe Vacation Rentals		6/15/20 11:37	4693939
robitut@yahoo.com	Robin Tuttle	Hillsboro, NMFS	Support Downtown Santa Fe Vacation Rentals		6/12/20 19:56	4693735
sagraug@gmail.com	S G	New Orleans	Support Downtown Santa Fe Vacation Rentals		6/13/20 11:01	4693671
js2saints@sbcglobal.net	Sharlene St.Clair	Sacramento	Support Downtown Santa Fe Vacation Rentals		6/15/20 17:24	4693487
gailstitt@ymail.com	Gail K Stitt	Salida, Colorado	Support Downtown Santa Fe Vacation Rentals		6/12/20 19:51	4693355
mdeynoodt@gmail.com	Mary Deynoodt	New Orleans	Support Downtown Santa Fe Vacation Rentals		6/15/20 9:36	4693203
gregory.a.kelinske@rrd.com	Gregory	Texas	Support Downtown Santa Fe Vacation Rentals		6/15/20 9:33	4693167
marandolphlaw@aol.com	Mary Ann Randolph	Mariemont	Support Downtown Santa Fe Vacation Rentals		6/12/20 19:07	4692795
surobert@nmsu.edu	Susan K Roberts	Las Cruces	Support Downtown Santa Fe Vacation Rentals		6/15/20 14:16	4692739
joyblum1@aol.com	Joy Blum	Tabernash, CO	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:34	4692731
jdubowe@aol.com	Jeff	Las Vegas	Support Downtown Santa Fe Vacation Rentals		6/13/20 10:19	4692671
peter.roessler@gmail.com	Peter Roessler	San Francisco, CA	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:41	4692619
maduettra@gmail.com	Amity Duettra	Bend, Oregon	Support Downtown Santa Fe Vacation Rentals	174.245.194.46	6/14/20 11:14	4692307
lkg1105@verizon.net	Lori Goldberg	Plano	Support Downtown Santa Fe Vacation Rentals		6/12/20 19:51	4692207
bgardner@planetcrossing.com	Barbara Gardner	Atascadero	Support Downtown Santa Fe Vacation Rentals		6/13/20 15:37	4692123
wilhardwick@verizon.net	WILLIS C HARDWICK	ALEXANDRIA	Support Downtown Santa Fe Vacation Rentals		6/13/20 10:17	4692111
becky@rebeccarice.net	Rebecca Rice	Little Rock	Support Downtown Santa Fe Vacation Rentals		6/12/20 23:33	4692099
bfarrell.faps@yahoo.com	Barbara	Arlington	Support Downtown Santa Fe Vacation Rentals		6/14/20 11:17	4692015
pduettra@yahoo.com	Peter Duettra	Chandler Arizona	Support Downtown Santa Fe Vacation Rentals		6/12/20 17:41	4691971
ljmarbella@aol.com	Joyce Malone	Denver	Support Downtown Santa Fe Vacation Rentals		6/14/20 15:04	4691903
amyret@comcast.net	Amy Retherford	Commerce City	Support Downtown Santa Fe Vacation Rentals		6/14/20 16:54	4691895
fair.april2@gmail.com	April	Santa Fe	Support Downtown Santa Fe Vacation Rentals		6/13/20 21:32	4691887
fowler1219@gmail.com	Alee	Oklahoma City	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:27	4691483
ejparsons@sbcglobal.net	Eric Parsons	Appleton, WI	Support Downtown Santa Fe Vacation Rentals		6/15/20 9:39	4691479
kathydevor@gmail.com	Kathleen Devor	Montrose	Support Downtown Santa Fe Vacation Rentals		6/13/20 6:02	4691387
jtphoenix@jtphoenix.com	Tim Phoenix	TULSA	Support Downtown Santa Fe Vacation Rentals		6/13/20 9:06	4691195
b_murphy@comcast.net	Bob Murphy	Louisville	Support Downtown Santa Fe Vacation Rentals		6/15/20 19:36	4691183
ehelmholz@comcast.net	Edith Helmholz	Tiburon	Support Downtown Santa Fe Vacation Rentals		6/12/20 22:19	4691171
b737drvr@gmail.com	Judy Holly	Houston	Support Downtown Santa Fe Vacation Rentals		6/15/20 13:37	4691079
pmccabe@sflaw.com	Patrick McCabe	San Francisco, CA	Support Downtown Santa Fe Vacation Rentals		6/14/20 17:00	4690843
cnease1493@cox.net	Carole Nease	mulvane ks	Support Downtown Santa Fe Vacation Rentals		6/12/20 19:18	4690743
dennis.sass@cox.net	V Dennis Sass	San Diego	Support Downtown Santa Fe Vacation Rentals		6/16/20 11:45	4690699
garyhornsby@msn.com	Gary Hornsby	Denver	Support Downtown Santa Fe Vacation Rentals		6/13/20 7:11	4690503
econlan@msn.com	Erica Conlan	Seattle	Support Downtown Santa Fe Vacation Rentals		6/15/20 0:13	4690303
mina1339@hotmail.com	Wilhemina DeShazo	Washington DC	Support Downtown Santa Fe Vacation Rentals		6/15/20 10:35	4690203
nancy2544@cox.net	Nancy Moore	Tulsa, Ok	Support Downtown Santa Fe Vacation Rentals		6/12/20 21:20	4690195

wkschmuck@gmail.com	Wallace Schmuck	Benbrook	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:08	4690171
lemrts@gmail.com	Robert Skinnet	San Francisco	Support Downtown Santa Fe Vacation Rentals	6/12/20 21:39	4690139
david.martinez1966@gmail.com	David R Martinez	Dracut, MA 01826	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:15	4690035
kbs.owen@gmail.com	Katie Owen	Austin, TX	Support Downtown Santa Fe Vacation Rentals	6/15/20 16:05	4689995
scottcarson1@me.com	Scott	Frisco	Support Downtown Santa Fe Vacation Rentals	6/12/20 20:06	4689851
bgshanker@msn.com	Beth Shanker	Denver	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:13	4689747
debwax@aol.com	Deborah Wax	Houston, Texas	Support Downtown Santa Fe Vacation Rentals	6/16/20 17:01	4689503
schoeppel@hotmail.com	Pamela Schoeppel	Jacksonville FL	Support Downtown Santa Fe Vacation Rentals	6/13/20 8:52	4689475
baxsmith@aol.com	Ken Smith	Fort Collins	Support Downtown Santa Fe Vacation Rentals	6/12/20 21:31	4689431
sramsey14@cox.net	Suzanne Ramsey	Aliso Viejo	Support Downtown Santa Fe Vacation Rentals	6/13/20 9:06	4689423
horseflyaa@yahoo.com	Temple	Illinois	Support Downtown Santa Fe Vacation Rentals	6/13/20 6:35	4689371
claybeveridge@verizon.net	Clay Beveridge	Richmond	Support Downtown Santa Fe Vacation Rentals	6/15/20 9:16	4689227
jenmanley@verizon.net	Jennifer manley	Baytown TX	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:16	4689083
deb@citadeltech.com	Deb Mich	Santa Cruz	Support Downtown Santa Fe Vacation Rentals	6/15/20 14:26	4689003
sandi.brakebush@gmail.com	Sandra Brakebush	Mission Viejo CA 92691	Support Downtown Santa Fe Vacation Rentals	6/12/20 20:01	4688959
lyndalawrence56@yahoo.com	Lynda Lawrence	Forney TX. 75126	Support Downtown Santa Fe Vacation Rentals	6/13/20 13:13	4688835
rbecht1@gmail.com	Robert Becht, Jr	Summerset	Support Downtown Santa Fe Vacation Rentals	6/12/20 20:29	4688751
amwarnke@suddenlink.net	Andrea Margaret Warnke	Andrews	Support Downtown Santa Fe Vacation Rentals	6/13/20 9:19	4688691
barbarastrand5@btinternet.com	Barbara	Galisteo	Support Downtown Santa Fe Vacation Rentals	6/13/20 1:33	4688555
emg2288@icloud.com	Edward m. Green	Monticello, florida	Support Downtown Santa Fe Vacation Rentals	6/13/20 5:55	4688511
june@northofpalms.com	June Ailin Sewell	Marina del Rey, CA	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:08	4688467
christycarpenter@me.com	Christy Carpenter	Austin	Support Downtown Santa Fe Vacation Rentals	6/12/20 21:30	4688327
bander4125@aol.com	Beth Anderson	Longmont	Support Downtown Santa Fe Vacation Rentals	6/14/20 19:23	4688239
jdworak@gmail.com	John L Dworak	Monument	Support Downtown Santa Fe Vacation Rentals	6/13/20 9:49	4688171
bbannatyne@aol.com	Elaine Veyna Bannatyne	Fillmore CA	Support Downtown Santa Fe Vacation Rentals	6/13/20 9:05	4688115
jslilly@me.com	Joyce Lilly	Washington, TX	Support Downtown Santa Fe Vacation Rentals	6/15/20 8:54	4687935
alliebeern@yahoo.com	Allison Northern	Amarillo	Support Downtown Santa Fe Vacation Rentals	6/13/20 10:14	4687883
bacbc@aol.com	Barton Alexander	Denver	Support Downtown Santa Fe Vacation Rentals	6/13/20 5:50	4687751
krenfro2000@gmail.com	Kathy Renfro	Albuquerque	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:43	4687743
cshain@heschandshain.com	Constance Shain	Kirkland	Support Downtown Santa Fe Vacation Rentals	6/14/20 13:00	4687691
nancyjleonard@mac.com	Nancy J. Leonard	Dana Point	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:22	4687651
raj.stma@gmail.com	Theresa Rajendran	Colorado Springs	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:28	4687327
edgardm1@msn.com	Marie Edgar	Denver	Support Downtown Santa Fe Vacation Rentals	6/12/20 21:00	4687203
raindancedesign@comcast.net	jann	Littleton	Support Downtown Santa Fe Vacation Rentals	6/15/20 10:01	4687155
dwbyrne@outlook.com	David	Byrne	Support Downtown Santa Fe Vacation Rentals	6/13/20 4:42	4687115
ladym_56@hotmail.com	Marylin	Marietta	Support Downtown Santa Fe Vacation Rentals	6/15/20 15:37	4687111
kannsage@gmail.com	Kathleen Sayers	Durango, CO	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:06	4687027
reiter@wtrt.net	ANNE REITER	Hereford	Support Downtown Santa Fe Vacation Rentals	6/13/20 10:26	4686847
mstreifer@sbcglobal.net	Maria Streifer	Benicia, CA	Support Downtown Santa Fe Vacation Rentals	6/13/20 0:10	4686767
qwqwqw@mail.com	Michael Diamond	Mullica Hill, NJ	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:14	4686671
ae04mtnear@optonline.net	Elyse Bauer	Bethpage, NY	Support Downtown Santa Fe Vacation Rentals	6/13/20 7:19	4686491
query10@juno.com	S. Yee	Gilbert	Support Downtown Santa Fe Vacation Rentals	6/12/20 23:14	4686439
bridgetecondon@gmail.com	Bridget Condon	Santa Fe	Support Downtown Santa Fe Vacation Rentals	6/14/20 17:13	4686399
droeca@droecalaw.com	Douglas Roeca	Placerville	Support Downtown Santa Fe Vacation Rentals	6/15/20 8:51	4686347
pope@sandiego.edu	Jack Pope	San Diego	Support Downtown Santa Fe Vacation Rentals	6/12/20 23:20	4686339
mcs@first-interstate.com	Mitchell Schneider	Cleveland ohio	Support Downtown Santa Fe Vacation Rentals	6/15/20 12:12	4686083
pammcafee@gmail.com	Pam McAfee	Driftwood	Support Downtown Santa Fe Vacation Rentals	6/13/20 5:10	4686003
lilly@curiouslybright.com	Lilly Bright	Los Angeles	Support Downtown Santa Fe Vacation Rentals	6/13/20 21:29	4685983
paint4real@comcast.net	Steven J Sweeney	STILLWATER, MN	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:41	4685547
tpjs1@verizon.net	Thomas Stoner	Catonsville MD 21228	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:57	4685535
rkixonia@gmail.com	Randy Koschnick	Oconomowoc	Support Downtown Santa Fe Vacation Rentals	6/15/20 13:51	4685311
kprado@aol.com	Kathleen Prado	La Quinta	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:04	4685199
apriestman@comcast.net	Ann priestman	Littleton	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:48	4685183
parrott.d@gmail.com	Dan Parrott	Saint Augustine	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:23	4684995
vickirye@yahoo.com	Vicki Rye	Houston TX	Support Downtown Santa Fe Vacation Rentals	6/12/20 22:47	4684903
maxvillejan@yahoo.com	Jan Thomas	Rathdrum, ID	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:36	4684863
diannekalb@gmail.com	Dianne Kalb	Santa Fe	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:58	4684803
rufus@flywild.net	Sherry Kandle	Boise	Support Downtown Santa Fe Vacation Rentals	6/14/20 22:38	4684751
mc@richduranplumbing.com	mark Couch	Santa Fe	Support Downtown Santa Fe Vacation Rentals	6/12/20 20:15	4684687
andi_mcdowell@yahoo.com	Andi	Ellicott City	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:19	4684647
mchavatel@aol.com	Marta Chavatel	Fenwick island de	Support Downtown Santa Fe Vacation Rentals	6/13/20 4:06	4684367
annalabenz@mac.com	Anna LaBenz	Flagstaff	Support Downtown Santa Fe Vacation Rentals	6/12/20 22:36	4684343
klmitch2004@yahoo.com	Kyle Mitchell	Centerville, Ohio	Support Downtown Santa Fe Vacation Rentals	6/12/20 21:04	4684299
amylevin01@gmail.com	Amy Levin	Tucson	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:26	4684287
maryvm96@aol.com	Mary Vandermast	Surprise, AZ	Support Downtown Santa Fe Vacation Rentals	6/13/20 5:13	4684139
clakin@infowest.com	Carol Lakin	St. George, UT	Support Downtown Santa Fe Vacation Rentals	6/12/20 21:51	4684123
nwd47@aol.com	Neil Dorsman	Green Valley, AZ	Support Downtown Santa Fe Vacation Rentals	6/12/20 20:28	4683983
billramsey53@gmail.com	William Ramsey, AICP	Aliso Viejo	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:07	4683571
terrymcm@comcast.net	Terrence McMahon	Monte Sereno	Support Downtown Santa Fe Vacation Rentals	6/12/20 23:21	4683411
triod@hotmail.com	Tri Vuong	Dallas	Support Downtown Santa Fe Vacation Rentals	6/12/20 21:33	4683407
hdilly@yahoo.com	Hal Dillemback	Corrales	Support Downtown Santa Fe Vacation Rentals	6/15/20 10:05	4683267
noble@usa.com	Judy Noble	Dallas	Support Downtown Santa Fe Vacation Rentals	6/12/20 21:15	4683259
denise@jecmiller.com	Denise Miller	Minneapolis	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:56	4683159
kimcallait@gmail.com	Kim	Frisco	Support Downtown Santa Fe Vacation Rentals	6/14/20 13:38	4683135
joannegustafson@msn.com	Joanne Gustafson	Wheat Ridge, CO	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:15	4683087
yj@taosnet.com	Wendy E Young	El Prado	Support Downtown Santa Fe Vacation Rentals	6/15/20 10:22	4683083
amyrschofield@hotmail.com	Amy Lemyre	Santa Rosa	Support Downtown Santa Fe Vacation Rentals	6/14/20 14:16	4682943
salinas.anna.c@gmail.com	Anna	Kerrville	Support Downtown Santa Fe Vacation Rentals	6/13/20 10:10	4682907
pdlainson@charter.net	Pamela Lainson	Hastings	Support Downtown Santa Fe Vacation Rentals	6/12/20 20:43	4682779
amy@dynamicpotential.com	Amy	Santa Fe	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:27	4682767
nriordon@cox.net	Nancy F Riordon	Green Valley, AZ	Support Downtown Santa Fe Vacation Rentals	6/13/20 18:18	4682671
adoris@sbcglobal.net	AL K. DORIS	Santa Fe	Support Downtown Santa Fe Vacation Rentals	6/15/20 9:47	4682539
joelynhiggins@cox.net	JOELYN DINNELLA HIGGINS	Sun City	Support Downtown Santa Fe Vacation Rentals	6/13/20 7:36	4682523
cwilson@zianet.com	Cheryl Wilson	Las Cruces NM	Support Downtown Santa Fe Vacation Rentals	6/15/20 9:48	4682511
mdague1@gmail.com	michael dague	MARANA	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:17	4682263

kferguson@austin.rr.com	Elaine	Austin	Support Downtown Santa Fe Vacation Rentals	6/13/20 9:21	4682199
s.lindsey85@gmail.com	Sara Knudson	Tampa, FL	Support Downtown Santa Fe Vacation Rentals	6/15/20 8:59	4682183
deb_kahrs@msn.com	Deborah Kahrs	OTIS	Support Downtown Santa Fe Vacation Rentals	6/16/20 4:33	4682155
betbooks@aol.com	Britton E Trice	New Orleans	Support Downtown Santa Fe Vacation Rentals	6/12/20 22:14	4682123
marshawilliams@islandnet.com	Marsha Williams	Victoria British Columbia	Support Downtown Santa Fe Vacation Rentals	6/15/20 9:32	4682103
rjjones4314@gmail.com	Roger Jones	Lakewood, CO	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:16	4681807
mchslater@gmail.com	Cathryn	Little Rock	Support Downtown Santa Fe Vacation Rentals	6/13/20 8:51	4681799
marshallgile@mac.com	Marshall Gile	Denver	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:05	4681763
jburndred@btinternet.com	John BURNDRED	Lincoln, UK	Support Downtown Santa Fe Vacation Rentals	6/13/20 1:13	4681747
mchatelle@gvtc.com	Mike Chatelle	Fair Oaks Ranch	Support Downtown Santa Fe Vacation Rentals	6/13/20 8:57	4681595
allinante@gmail.com	Allison Emge	Littleton	Support Downtown Santa Fe Vacation Rentals	6/13/20 5:45	4681547
btbagshaw@hotmail.com	Mary Teresa Bagshaw	FORT COLLINS, CO	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:27	4681483
cneastwood1@gmail.com	Clair Eastwood	Santa Fe	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:14	4681311
marisadiazarenas@gmail.com	Marisa Diaz	Bogota	Support Downtown Santa Fe Vacation Rentals	6/13/20 15:04	4681047
ruth@ruthmikos.com	Ruth Mikos	Rochester	Support Downtown Santa Fe Vacation Rentals	6/13/20 6:21	4681043
elisagnzlz@hotmail.com	Elisa Gonzalez	League city	Support Downtown Santa Fe Vacation Rentals	6/12/20 20:06	4680971
bonjifiber@gmail.com	Bonnie Black	Camdenton, Missouri	Support Downtown Santa Fe Vacation Rentals	6/15/20 9:06	4680827
stellarafalo@gmail.com	Anne Rafalo	Durango	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:10	4680727
maggieparr1@hotmail.com	Maggie Parr	SHEFFIELD	Support Downtown Santa Fe Vacation Rentals	6/12/20 23:27	4680339
efremjr@yahoo.com	Efrem Chavez	Albuquerque	Support Downtown Santa Fe Vacation Rentals	6/15/20 9:55	4680315
mauraselk@yahoo.com	Lisa Deeds	Sedalia, CO	Support Downtown Santa Fe Vacation Rentals	6/15/20 16:23	4680283
catanasoff@yahoo.com	Cynthia Atanasoff	The Colony	Support Downtown Santa Fe Vacation Rentals	6/15/20 11:46	4680099
jankennaugh@gmail.com	Jan Kennaugh	Denver	Support Downtown Santa Fe Vacation Rentals	6/13/20 7:38	4680095
kmigl82@gmail.com	Karen Migl	San Antonio	Support Downtown Santa Fe Vacation Rentals	6/13/20 14:44	4679959
srajmd@gmail.com	Sundar Rajendran	Colorado Springs	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:28	4679939
djohnson6531@yahoo.com	Donna Johnson	Gallup	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:52	4679843
knj44ws@gmail.com	Kate Johnston	Stuart, FL	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:40	4679763
mydogutah@aol.com	Lance Feray	Spring Texas	Support Downtown Santa Fe Vacation Rentals	6/13/20 4:53	4679459
robertcavin1@att.net	Dr. Robert Cavin	Rockwall, Texas	Support Downtown Santa Fe Vacation Rentals	6/12/20 22:18	4679327
kevinthomasflutes@hotmail.com	kevin thomas	bacchus marsh australia	Support Downtown Santa Fe Vacation Rentals	6/15/20 16:44	4679159
kerrymartin123@yahoo.com	Kerry Martin	Sahaurita	Support Downtown Santa Fe Vacation Rentals	6/15/20 8:58	4679051
ray@freemaninc.com	Raymond C. Freeman, Jr.	Santa Barbara, CA	Support Downtown Santa Fe Vacation Rentals	6/12/20 23:32	4678727
nisterling@aol.com	Nancy	Houston	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:41	4678199
chaille.hawkins@yahoo.com	Chaille Hawkins	Ingram	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:37	4678159
dovfd569@hotmail.com	David	Flower Mound	Support Downtown Santa Fe Vacation Rentals	6/13/20 5:48	4678127
mteske@som.umaryland.edu	Mark Teske	Baltimore	Support Downtown Santa Fe Vacation Rentals	6/15/20 9:15	4678075
dreehln@aol.com	D Reehling	Indianapolis	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:25	4678055
richardwoodruff@yahoo.com	Richard Woodruff	Santa Fe	Support Downtown Santa Fe Vacation Rentals	6/16/20 9:10	4677971
rleecock@gmail.com	Ryan Daniel Leecock	Dallas	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:50	4677943
rivese@castleman.net	Rives Castleman	Dallas	Support Downtown Santa Fe Vacation Rentals	6/15/20 12:27	4677915
jay.levinsohn@gmail.com	Jay Levinsohn	Chapel Hill	Support Downtown Santa Fe Vacation Rentals	6/15/20 11:41	4677791
annalamis@gmail.com	Anna Amis	Overland Park	Support Downtown Santa Fe Vacation Rentals	6/13/20 8:40	4677727
gschappell4@me.com	George Chappell	Santa fe	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:26	4677703
erickja@sonic.net	Judy Erickson	Santa rosa	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:27	4677615
rkiker@hotmail.com	Reita Kiker	Hondo NM	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:52	4677583
loudena@aol.com	Andrew F Louden	Indianapolis	Support Downtown Santa Fe Vacation Rentals	6/13/20 4:10	4677527
rich@richduranplumbing.com	Richard Duran	Santa Fe	Support Downtown Santa Fe Vacation Rentals	6/17/20 8:35	4677479
dougbtx@gmail.com	Doug Beck	Bedford, Tx	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:21	4677275
mleeser@gmail.com	Michael J. Leeser	Tallahassee, FL	Support Downtown Santa Fe Vacation Rentals	6/15/20 14:47	4676643
vnarnold@att.net	Vicki Arnold	Tucson, AZ	Support Downtown Santa Fe Vacation Rentals	6/15/20 10:08	4676631
suzdrum@cox.net	Suzanne Tractenberg	San Diego, CA 92103	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:54	4676595
jtuma@charter.net	John Tuma	Northfield, MN	Support Downtown Santa Fe Vacation Rentals	6/13/20 21:59	4676563
rhondajohns@pldi.net	Rhonda Johns	Tuttle	Support Downtown Santa Fe Vacation Rentals	6/15/20 13:11	4676543
bjdnwillis@gmail.com	Betsy J Willis	Dallas	Support Downtown Santa Fe Vacation Rentals	6/12/20 21:21	4676203
lillich.dallas@gmail.com	Dallas Lillich	Oshkosh	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:14	4676195
hughesbuilding1@gmail.com	Charles Hughes	Westland	Support Downtown Santa Fe Vacation Rentals	6/15/20 4:54	4676147
dmiller.invest@att.net	Darrell Miller	St Simons Island, GA	Support Downtown Santa Fe Vacation Rentals	6/15/20 10:31	4676051
susan@sckart.com	Susan crouse	Longmont	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:04	4675979
andrewdshapiro@gmail.com	Andrew Shapiro	Santa Fe	Support Downtown Santa Fe Vacation Rentals	6/15/20 11:49	4675927
kashep1@comcast.net	Karen	Castle Rock	Support Downtown Santa Fe Vacation Rentals	6/12/20 23:37	4675887
kawen407@gmail.com	Katie Wendel	Kansas City, MO	Support Downtown Santa Fe Vacation Rentals	6/13/20 5:47	4675855
bakeel7521@gmail.com	Beth Keel	Knoxville	Support Downtown Santa Fe Vacation Rentals	6/13/20 7:54	4675763
billh2121@att.net	Bill Humes	Edmond, OK	Support Downtown Santa Fe Vacation Rentals	6/16/20 5:50	4675727
reganlenehan@hotmail.com	Regan Lenehan	Austin	Support Downtown Santa Fe Vacation Rentals	6/15/20 9:08	4675699
karnish@ymail.com	Janice Karnish	Ponca City	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:47	4675651
dianneh46@att.net	Dianne Hughes	San Antonio, Texas	Support Downtown Santa Fe Vacation Rentals	6/13/20 7:42	4675503
redcloud1@tampabay.rr.com	Steve Rambeaux	St Petersburg	Support Downtown Santa Fe Vacation Rentals	6/13/20 6:34	4675403
cardenas711@aol.com	David Cardenas	Dallas Texas	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:31	4675315
srsavage@gmail.com	seneca savage	albuquerque	Support Downtown Santa Fe Vacation Rentals	6/15/20 9:26	4675311
lj1966lj@yahoo.com	Chris Davies	Lake Jackson	Support Downtown Santa Fe Vacation Rentals	6/12/20 21:32	4675307
jameshardin13@sbcglobal.net	James Hardin	Lubbock	Support Downtown Santa Fe Vacation Rentals	6/12/20 20:11	4675171
eric@wolffam.com	ERIC WOLF	Austin	Support Downtown Santa Fe Vacation Rentals	6/13/20 7:03	4675147
alice.lusk@tx.rr.com	Alice Lusk	Frisco, Texas	Support Downtown Santa Fe Vacation Rentals	6/13/20 8:10	4675131
andehargrove@gmail.com	Ann Hargrove	Evergreen, CO	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:09	4675095
carsonwomack9@gmail.com	Carson	San Angelo	Support Downtown Santa Fe Vacation Rentals	6/13/20 21:09	4675071
mkmkmeier@gmail.com	Mary Ann Kinsella Meier	Highland	Support Downtown Santa Fe Vacation Rentals	6/15/20 11:26	4674939
jeanfletcher@live.com	Jean Fletcher	Omaha	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:05	4674787
spheniscus@aol.com	Einar Gall	San Diego, CA	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:33	4674775
snagit@hughes.net	Sherrie Davis	Georgetown	Support Downtown Santa Fe Vacation Rentals	6/15/20 17:14	4674759
dfyoun@frontier.com	Don Young	Sammamish, WA	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:02	4674675
lindsay.speyrer777@gmail.com	Lindsay Speyrer	Tomball, TX	Support Downtown Santa Fe Vacation Rentals	6/12/20 19:46	4674667
ray@thelupos.com	Raphael Lupo	McLean VA	Support Downtown Santa Fe Vacation Rentals	6/13/20 9:21	4674579
lindaugor@gmail.com	Linda Gray	Dallas	Support Downtown Santa Fe Vacation Rentals	6/12/20 17:26	4674507
tvsportsman@gmail.com	Mike Garner	Tulsa	Support Downtown Santa Fe Vacation Rentals	6/12/20 18:54	4674411
j.psychandrus@gmail.com	John Andrus	Oklahoma City	Support Downtown Santa Fe Vacation Rentals	6/12/20 20:19	4674399

tongmilma@yahoo.com	Tony	St Charles	Support Downtown Santa Fe Vacation Rentals		6/15/20 19:28	4674367
bheimann13@gmail.com	Brenda Heimann	Kerrville	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:37	4674335
emfort@gmail.com	Emily Fort	Reston	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:09	4674299
dwzuehlke@sbcglobal.net	Debby & Dennis Zuehlke	Lubbock	Support Downtown Santa Fe Vacation Rentals		6/15/20 10:25	4674143
raquell.f7@icloud.com	Raquel Fernandez	Santa Fe	Support Downtown Santa Fe Vacation Rentals		6/14/20 18:17	4673955
adugas@lpc.com	Abbey Dugas	Frisco, TX	Support Downtown Santa Fe Vacation Rentals		6/12/20 19:30	4673935
rabaker1946@att.net	Robert Baker	Austin Tx	Support Downtown Santa Fe Vacation Rentals		6/13/20 7:55	4673575
jaym_scott@yahoo.com	Jay Scott	Santa Fe, NM	Support Downtown Santa Fe Vacation Rentals		6/14/20 17:50	4673467
bumpas@tarleton.edu	Jerilyn White Bumpas	Glen Rose	Support Downtown Santa Fe Vacation Rentals		6/15/20 8:48	4673415
michelleincolorado@gmail.com	Michelle Suckling	Colorado Sorings	Support Downtown Santa Fe Vacation Rentals		6/12/20 20:18	4673175
simonhin@comcast.net	Roberta Hindert	Parker, CO	Support Downtown Santa Fe Vacation Rentals		6/13/20 10:14	4673163
johnyochem@aol.com	John Yochem	Goliad	Support Downtown Santa Fe Vacation Rentals		6/15/20 10:45	4673075
gregduncan1961@yahoo.com	Gregory Duncan	Greenville	Support Downtown Santa Fe Vacation Rentals		6/12/20 22:36	4672979
alantucker290@hotmail.com	Alan	Havana il	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:58	4672883
snussdesigns@yahoo.com	Steve Nuss	Prairie Village Ks	Support Downtown Santa Fe Vacation Rentals		6/15/20 20:33	4672619
bryant@bcoffmancpa.com	Bryant J. Coffman, CPA	Tulsa, OK	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:44	4672611
sigsaz@msn.com	Frank Sigmund	Scottsdale	Support Downtown Santa Fe Vacation Rentals		6/13/20 21:16	4672555
vlonghi@hotmail.com	Vince Longhi	Laguna Niguel, CA	Support Downtown Santa Fe Vacation Rentals		6/12/20 20:30	4672539
hollycoats@kwcommercial.com	Holly Coats	Santa Fe	Support Downtown Santa Fe Vacation Rentals		6/13/20 8:05	4672499
travel@graham-graphics.com	Sarah Graham	Santa Fe	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:44	4672495
mgsnelson@aol.com	Monalee Snelson	Midland	Support Downtown Santa Fe Vacation Rentals		6/14/20 6:56	4672351
dmansure@gmail.com	Santa Fe	NM	Support Downtown Santa Fe Vacation Rentals	73.98.15.131	6/12/20 15:50	17040271
marcbert@aol.com	Marc Bertram	Santa Fe	Support Downtown Santa Fe Vacation Rentals	50.201.167.243	6/12/20 17:37	5024463
aduettra@gmail.com	ANDREW	Santa Fe	Support Downtown Santa Fe Vacation Rentals		6/12/20 20:47	4679315
dmansure@adobestarproperties.com	Dave Mansure	Santa Fe	Support Downtown Santa Fe Vacation Rentals		6/12/20 18:12	4675423

Stanford University

PAULA M. L. MOYA
Danily C. and Laura Louise Bell
Professor in the Humanities
Department of English

June 18, 2020

Dear Mayor Alan Webber, Councilor Signe I. Lindell, Councilor Carol Romero- Wirth, Councilor Renee Villarreal, and other Members of the City Council, Planning Commission Chair Jack Hiatt, Planning Manager Noah Berke, Land Use Department Director Isaacson, Vice Manager Mark Hogan, Secretary Pilar Faulkner, Commissioner Jesse Lawrence, Commissioner Dominic Sategna, Assistant City Attorney Paez,

I am a law-abiding, tax-paying property owner of a single family residential home located at 625 Garcia St. in Santa Fe, New Mexico. Part of my family has been in New Mexico since time immemorial, another part arrived over 500 years ago with the Spanish colonizers. I grew up in Santa Fe—attending elementary school, junior high and high school there. University and work took me away from the city after my high school graduation, but I plan to retire in Santa Fe with my husband Ramon Saldivar when we finish our careers as professors at Stanford University.

To facilitate our return, we purchased an older but refurbished home in the Garcia-Alire complex just off Garcia Street. We purchased at that location to be close to my high school friend who owns a couple of homes in that complex. Like me, she plans to retire in Santa Fe, and is keeping both homes to facilitate her children's ability to live nearby.

To make our home purchase financially feasible, my husband and I rent it as a short-term rental when we are not occupying it ourselves. My parents both live in Albuquerque, and before the COVID shut-down, we visited the state of New Mexico and the cities of Albuquerque and Santa Fe as often as every couple of months. We meet and socialize with our permanent-resident neighbors and we purchase goods and services from local Santa Fe businesses. Our short-term rental guests are good visitors to Santa Fe and help support the local economy. We keep our home in top condition both for ourselves and for the people who come in to rent from us; the revenue from the rentals allow us to do this.

Some of the changes you are considering with the proposed revisions could seriously negatively impact our ability to retain ownership of our home and might damage the short-term rental business generally. We take exception, in particular, to the requirement that all short-term rentals are required to have a local operator/manager who resides within the city limits. My husband and I work closely with many local Santa Fe residents to manage the house, including a local housecleaner, a local gardener, several local handypersons, and a local attorney. We have complied with all licensing requirements and are careful to pay all relevant property and short-term rental taxes. We are meticulous about informing our guests

Department of English
450 Serra Mall, Building 460, Stanford, CA 94305-2087 650-723-0034 pmoya@stanford.edu

about Santa Fe ordinances, and we have had no complaints or problems. We are able to do this without any difficulties even though we live in the San Francisco Bay Area.

Other proposed changes are unnecessarily punitive and seem designed to hurt the short-term rental business generally—in particular the requirement that short-term rental permits will be limited to "one per natural person." For financial reasons, my husband and I have our home in an LLC. I truly do understand the desire to keep out operators who own many units. But 1 per natural person is excessively limiting and would unnecessarily punish my friend who owns just two homes.

Killing the short-term rental business would not be good for the City of Santa Fe and would be punitive to current and compliant short-term rental operators. Much more important would adequately enforcing the rules in the current ordinance. Short-term rentals are an important part of the tourist ecology of Santa Fe. Visitors enjoy being able to stay in a home and walk out to the plaza where they can shop and dine in local restaurants. I realize that these enjoyable activities are on hiatus right now, but they will eventually return. Making large-scale changes to the short-term rental ordinance during the COVID pandemic is a terrible idea.

We ask you to be thoughtful about any changes you make so that you do not adversely affect owners like us who have a long and deep commitment to the City of Santa Fe. We are not a large business operation whose interest is purely profit. Instead, we work actively to help develop the vibrant community and economy of our beautiful City.

Thank you very much for your consideration.

Sincerely,

Paula M. L. Moya

PAEZ, SALLY A.

From: BERKE, NOAH L.
Sent: Thursday, June 18, 2020 11:47 AM
To: PAEZ, SALLY A.; ISAACSON, ELIAS S.
Subject: FW: Short Term Rental

Noah Berke, CFM
Planner Manager
City of Santa Fe Land Use Department
Office: (505) 955-6647
Cell or Text: (505) 490-5930
Email: nlberke@santafenm.gov

Click here for Zoning Code Information

Click here for Property Information

https://www.alltogethersantafe.org/

From: John M Nye <johnmnye@yahoo.com.au>
Sent: Thursday, June 18, 2020 11:43 AM
To: BERKE, NOAH L. <nlberke@santafenm.gov>; Land Use Public Comment <landusepubliccomment@santafenm.gov>
Cc: CASSUTT-SANCHEZ, JAMIE A. <jcsanchez@santafenm.gov>; Alan Webber <alanwebber@me.com>; Elias Isaacson <esiasaacson@santafenm.gov>
Subject: Short Term Rental

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RE: 14-6.2 SFCC 1987 & 14-11.4

I realize this is late but am traveling and just received notification and if not acceptable will understand.

Comments & questions; 1) Are short term rentals considered a commercial business in a residential zone ?

2) Do they have a City Business License ?

3) Do they pay a lodgers tax ?

4) Do they pay GRT ?

5) Do they have a Federal Tax ID # ?

6) Limit one per family not per person.

7) Insurance - if claim I just take tort action against City ?

8) Costs of STR administration are a profit source or deficit ?

Thank you.

John M. Nye

P O Box 446
Tesuque, N M 87574

Cell (505) 699-3492
johnmnye@yahoo.com.au

July 17, 2020

Dear City of Santa Fe Planning Commissioners:

The Santa Fe Association of REALTORS® appreciates the City of Santa Fe Planning Commission's work to thoughtfully debate and improve the proposed Short Term Rental ordinance. The association is in alliance with many of the recommendations recorded by City Assistant Attorney, Sally A. Paez, at the commission's meeting in June. It is our understanding that the city is working on another iteration of the ordinance that will incorporate these recommendations. In light of this work, the association has taken a position on various changes in the proposal, most of which, align closely with the commission.

Please find attached a copy of the association's position on the Short Term Rental proposal. In reviewing the position, please note that commissioners did not make any recommendations regarding proposed changes to multi-family units in the proposal and; therefore, encourage commissioners to consider adopting the association's recommendation.

Additionally, the commission's discussion regarding the added 75-foot radius requirement for new permits was important and valuable as the association believes this further restriction on density is unworkable. For many homeowners, it would be difficult to make a such determination without significant support from the land use department. The association suggests the commission consider retaining the existing density requirement *"short-term rental permits will not be issued for more than two short-term rentals directly adjoining each other on a residentially zoned street. For the purposes of this subsection, "directly adjoining" means sharing a common boundary along a public street frontage, but does not include adjoining units in a condominium, townhouse development, in an apartment complex, or residential compound"*. Furthermore, a companion ordinance requiring new oversight by the city's land use director along with civil fees and penalties is advancing through city committees; and if adopted, will give significant discretion to the city's land use director to make such determinations along with a hearing appeal process to address any property owner's challenge to a decision.

The Santa Fe Association of REALTORS® appreciates efforts by city leaders to ensure this valuable, local green industry generating wealth for its citizens is supported and encouraged while significantly enhancing the city's tourism and coffers, through needed tax collections.

Sincerely yours,

Susan Orth
President 2020
510 N Guadalupe, Santa Fe, NM 87501

CC: Mayor Alan Webber, Councilor Signe Lindell, Councilor Renee Villarreal, Councilor Carol Romero-Wirth, Councilor Michael Garcia, Councilor Roman Abeyta, Councilor Chris Rivera, Councilor JoAnne Vigil Coppler, Councilor Jamie Cassutt-Sanchez, Eli Isaacson – City Land Use Director, and Sally A. Paez – City Assistant Attorney

Santa Fe
Association of REALTORS®

July 2020

The Santa Fe Association of REALTORS® respectfully requests the following amendments to the City of Santa Fe's proposed Short Term Rental ordinance:

- Eliminate the real estate notice requirement Chapter 14-6.2A(6)(g)(m) or retain the existing Short Term Rental ordinance language which uses the correct real estate industry terminology; and
- Eliminate the 25% limit on multi-family units and/or retain the ability to acquire a permit for Short Term Rentals in multi-family units where HOA and/or Condominium rules permit such rentals.

In alliance with the City of Santa Fe's Planning Commission members, the association concurs with the following recommended changes:

- Retain the Business Commercial District (BCD) and Resort Community exemptions and registration as provided in existing law;
- Clarify that a permit must be held in the name of a natural person; however, the subject property can be owned by a legal or business entity (i.e., revocable trust, LLC, or a corporation);
- Expand the non-transferability of a permit by adding "A transfer that does not result in new ownership of the property such as a transfer to owner's revocable trust for estate planning purposes or a transfer to an LLC or other transfer where there is *no change in the ownership interest in the property*, is not considered a transfer for the purposes of this subparagraph."
- Clarify that the 7-day rental period restriction does not apply in non-residential districts or areas;
- Eliminate the new 75-foot radius density restriction from the property line as unworkable and consider retaining the existing density requirements to advance the proposal; and
- Ensure that the grandfather provision removes existing language that allows the land use director to revoke the permit upon expiration.

July 10, 2020

Honorable Mayor and Members of the City Council
Santa Fe City Hall
200 Lincoln Avenue
Santa Fe, New Mexico 87504

Dear Mayor Webber and Honorable Councilmembers,

On behalf of Airbnb, thank you for allowing us to provide feedback on the draft short-term rental (STR) ordinance. We appreciate your willingness to hear our perspective and inputs, and look forward to supporting the City of Santa Fe's efforts to regulate STRs.

Airbnb is proud to partner with local governments across the world in support of fair and reasonable short-term rental regulations. Founded in 2008, our people-to-people platform benefits the communities in which we operate -- from generating additional tax revenue for cities and supporting local businesses, to helping families gain supplemental income. Since August 2016, we have collected and remitted approximately $3.2M of Lodgers' taxes to Santa Fe on behalf of our host community. In the past 12 months, Airbnb hosts in Santa Fe earned approximately $20.6 million and welcomed 115,000 visitors to support the local economy.

Enacting balanced regulations that protect neighborhoods while preserving the key benefits that STRs provide to the community is crucial. That is why we are writing to express concerns about the City of Santa Fe's proposed STR ordinance and to suggest revisions that we believe would improve the City's ability to implement fair and reasonable regulations.

***

STR Restrictions in Commercially Zoned Areas

The draft ordinance would remove the current code's distinction between STR units on residentially zoned property (which are subject to the permit limits) and those on non-residentially zoned property (which must be registered but are not subject to the permit limits). The operation of STRs is a legitimate business activity in commercially zoned districts, and should not be subject to either the proposed citywide permit caps or the one permit per person limit. Moreover, it makes sense to encourage visitors to stay in a city's commercial district, and setting caps on the amount of visitors runs counter to that goal. We urge you to maintain the current distinction between zones, and focus regulations on addressing impacts of STRs to residential neighborhoods.

Citywide Permit Cap

We understand the city wishes to protect neighborhood character and affordable housing supply, but are concerned that a citywide cap on STR permits would not achieve these policy goals and may have unintended consequences. First, limiting the number of permits creates a dynamic where one person who may only rent out their home for a couple weeks during the summer gets a permit, while someone who rents a portion of their house more frequently and is more dependent on the income may be locked out. Second, STRs provide flexible supply that is essential for accommodating demand during the city's seasonal peak periods and special events. Third, capping permits would decrease the potential for revenues from the city's Lodgers tax, a funding source that is essential to the City's plan to monitor and enforce regulatory code compliance. Finally, as the city's Affordable Housing Director noted at the June 18th Planning Commission hearing, STRs do not directly impact the long-term housing availability in Santa Fe. Our data reinforces this analysis: an overwhelming majority, or 88%, of entire home listings in the city were rented for fewer than 180 days through our platform.

In addition to the 825 operators currently registered with the city, we know that there are many more in operation -- whether they are occasional, part-time or full-time short-term rentals. We ask that you give these operators an opportunity to come into compliance, and then set the permit cap accordingly at the number of all existing rentals. This would be consistent with the intent of the ordinance's grandfathering provision, make the supply more sustainable over time, and ensure the ability of Santa Fe residents to maintain an important economic lifeline.

Permit Requirements

The draft ordinance states that permits can only be issued to natural persons. We echo the many concerns voiced at the June 18th Planning Commission meeting, and ask that this language be clarified to ensure that property that is held by a legal or business entity (i.e., revocable trusts and LLCs) can be used as STRs, as long as the STR permit is held by a natural person.

In addition, the draft ordinance states that new permits shall not be issued for an STR unit within a 75-foot radius of any existing permitted STR unit in residential areas. Given the significant differences in form and density across Santa Fe neighborhoods, we are concerned that the proposed proximity limit would unfairly disadvantage residents of multifamily buildings in denser neighborhoods, limiting income generating opportunities to single family neighborhoods. We ask that the city conduct further economic and social impact analysis of the proposed regulations in order to ensure equal opportunities for its residents. If that is not possible, we ask that the city lift this restriction in commercially zoned districts.

Hosting Platform Responsibilities

The City's proposed regulatory scheme for hosting platforms raises serious legal concerns with respect to the federal Communications Decency Act (CDA) by requiring that a hosting platform "include a valid business license number in all listings or advertisements for a short-term rental unit." The CDA provides broad publisher immunity for online hosting platforms based on the activities of third parties on its platform and federal courts have routinely invalidated laws that directly regulate a website's protected publisher function by forcing it to "alter," "edit," or "withdraw" third-party content.

As a result, hosting platforms cannot be held responsible for including a valid business license in third party short-term rental listings but we can provide a field for STR operators to input their City-issued permit number in a format designated by the City prior to publication of their short-term rental listing advertisement and deactivate noncompliant listings for short-term rental use upon City notice.

Data Sharing Requirements

We are also concerned that the draft ordinance's hosting platform data sharing provisions conflict with federal laws, impose significant administrative burdens, and require disclosure of information already subject to our Voluntary Collection Agreement with the City.

Federal courts have consistently opposed data sharing provisions that compromise business records and personal information by disregarding appropriate legal processes. In 2019, two different federal courts stopped enforcement of home sharing laws in Boston and New York City, with similar data sharing provisions to Santa Fe, finding that the Fourth Amendment of the U.S. Constitution, which protects against unreasonable searches and seizures by government officials, shields online platforms from disclosing business records, which includes listing specific transactional information, without a legal process. The Stored Communications Act, 18 U.S.C. §§ 2702, 2703, in addition, requires governments to follow a specified legal process, like a subpoena or court order, before requesting the disclosure of personal information from internet providers.

To resolve these concerns, Airbnb is open to providing anonymized and aggregated listing data in the form of total guest arrivals, average trip length, average nightly price and typical host income to help facilitate Santa Fe's understanding of Airbnb activity within its jurisdiction in a manner that is consistent with applicable privacy and data sharing laws. We propose that this data be provided on a quarterly basis in order to reduce the administrative burden on our platform. Finally, our Voluntary Collection Agreement with the City of Santa Fe, signed 2016, also includes audit provisions for handling any tax-related concerns.

***

Thank you for the opportunity to submit comments on the proposed STR ordinance. We look forward to continuing to work with the City of Santa Fe to foster economic opportunity for your residents through healthy and sustainable tourism.

Sincerely,

Matt Middlebrook
Head of Policy, US West

Cc: Sally Paez, Assistant City Attorney
Eli Isaacson, Land Use Director

888 Brannan Street
San Francisco, California 94103

GURULE, GERALDINE A.

Subject: FW: Short Term Rental Ordinance Amendments
Attachments: Proposed Amendment A-6_16_2020.pdf

From: Paul Plunket <pwplunket@gmail.com>
Sent: Monday, June 15, 2020 2:09 PM
To: esiasaacson@santafenm.gov; PAEZ, SALLY A. <sapaez@santafenm.gov>
Subject: Short Term Rental Ordinance Amendments

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon.

My wife and I have owned a second home in Santa Fe since 2008. On advice of our estate planners and tax preparers, we own a New Mexico LLC that has title to the property. We live there 60 to 90 days a year and rent it 60 to 90 days a year. We have always had a short-term rental permit and believe that we have complied with the spirit and letter of the short-term rental ordinance. We have paid all necessary fees and taxes.

I have reviewed the draft ordinance to be considered at the planning session tomorrow.

I am attaching to this email a couple of proposed amendments along with a brief explanation of the reasons for the amendments. We have some other concerns about the ordinance but want to see what the public meeting shows.

I hope I will be able to participate in the zoom portion of the meeting tomorrow.

We value our time in Santa Fe and want to make sure that the ordinance helps and does no harm to the City.

Warm regards,

Paul Plunket
214.796.1733

Proposed Amendment A—6_16_2020

Page 2--Amend the last sentence of (5)(b)(iii) to read as follows:

The land use director shall issue ~~permits to natural persons only, and each natural person may possess a maximum of one (1) permit~~ a maximum of two (2) permits per owner. An owner shall provide the land use director with a sworn affidavit that such person or entity holds or will hold a maximum of two (2) permits. The sworn affidavit shall be executed by an authorized representative of such legal entity.

So that it reads as follows:

The land use director shall issue a maximum of two (2) permits per owner. An owner shall provide the land use director with a sworn affidavit that such person or entity will hold a maximum of two (2) permits. The sworn affidavit shall be executed by an authorized representative of such legal entity.

Page 9—Amend Section 2 at 14-12.1 by adding a definition of owner, as follows:

OWNER
Either (A) a natural person, or (B) a legal entity, such as a partnership, corporation, or limited liability corporation, who owns a short-term rental unit or units.

Explanation of the Amendments.

These amendments do a couple of things.

First, they strike a balance between limiting permit holders to only one property and the concerns about speculators with multiple short term-rental units as expressed in (A)(5)(a)(ii) of the proposed Ordinance. In addition, the amendments would permit a property owner to add an accessory dwelling unit and be able to lawfully rent both units. Finally, it is likely currently that very few owners of short-term rental units own more than two properties, so this limits the adverse effects on most current owners, while generally protecting the other residents in the neighborhoods.

Second, the definition recognizes that property owners may want to structure their ownership to accommodate estate planning and tax planning requirements rather than owning the property directly. At the same time, if the land use director determines that the sworn affidavit is incorrect, the director can take that into account in connection with continuation of the short-term rental permit.

PAEZ, SALLY A.

From: GURULE, GERALDINE A.
Sent: Thursday, June 18, 2020 9:17 AM
To: ISAACSON, ELIAS S.; PAEZ, SALLY A.
Subject: Fw: Comment on Short Term Rental Ordinance Proposed Changes

Should I include this one in my email to the Commissioners as well?

From: Denise Ramonas <deniseramonas@comcast.net>
Sent: Thursday, June 18, 2020 7:11 AM
To: GURULE, GERALDINE A. <gagurule@santafenm.gov>
Subject: Comment on Short Term Rental Ordinance Proposed Changes

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I am President of the Griffin Park Condominium Association and short-term rentals have changed our little 27 unit compound community and the change has not been for the better.
>
>
> Since 2018, we have written the City's short-term rental office asking the city not to issue short-term rental licenses for Griffin Park units. We have had numerous meetings with the staff. We do not have the parking as required by the existing ordinance.
>
> In addition, our Declaration of Condominium prohibits short-term rentals. We would like to recommend that the new ordinance provide that no licenses will be issued or renewed in any condominium compound where the governing documents prohibit short-term rentals, hotel or transient uses.
>
> Your proposed changes are a step in the right direction.
>
> Thank you for your service to our city and your work on this issue.

Regards,
Denise Greenlaw Ramonas, President
Griffin Park Condominium Association

Sent from my iPad

GURULE, GERALDINE A.

Subject: FW: Proposed New Short Term Rental Guidelines

From: Karen Kolbert <Kkolbert5@hotmail.com>
Sent: Tuesday, June 16, 2020 12:42 PM
To: LINDELL, SIGNE I. <silindell@santafenm.gov>
Subject: Proposed New Short Term Rental Guidelines

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Signe

I am an owner of a property that is zoned BCD downtown opposite the new Santa Fe County Administrative Complex, i.e. Griffin Street. On my street there are only myself and another person who rents her home; otherwise all other downtown properties on Griffin and Staab are businesses. On Staab there are rental properties but it is not a residential area per se like South Capitol.
I am also a realtor and find that including changes to the short term rental Downtown quite absurd and economically unsound for the city.
Thank you so much for your time.

Sincerely,
Karen Kolbert Richelli

Karen Kolbert
KKolbert Jewelry Designs.com

Karen Richelli-Kolbert
Qualifying Broker,
Santa Fe Seaside Realty
505-577-8392

June 15, 2020

To Those Concerned with the Proposed Amendment to the Short-Term Rental Ordinance:

I have read the proposed new Short-Term Rental Ordinance and am submitting detailed and much-considered suggestions. I appreciate your time reading input from a knowledgable, professional citizen well-versed and actively involved in the initial drafting of the City of Santa Fe's Short-Term Rental Ordinance(s) and the vacation rental business for more than a decade.

As the proposed STRO draft reads, there is a critical lack of distinction between regulations appropriate to a short-term rental business in a Residentially zoned area and a rental business in a Commercially-zoned district.

"Non-Residential" *is* and is best identified in the Ordinance as "Commercial" to be clear. City of Santa Fe Zoning of Permitted Uses (published Table 14-6.1 - attached) clearly distinguishes that Commercial zoning (such as C1, C2, C4 and BCD) PERMITS (allows) short-term rental usage.. That has been the guidance historically and was built into the initial and less-so into the currently operative STRO.

While changes are being proposed to improve regulations for Residentially-zoned short-term, please maintain and address more specifically and appropriately the current distinction separating regulations governing Residential and Commercial short-term rentals.

For RESIDENTIAL short-term rentals:

These rentals impact neighbors/neighborhoods and the quality/lifestyle/values of Residential areas. The new STRO reflects that understanding. Points:

- In strictly Residential zoning, what number of properties (ratio to non-short-term rental usage) is desirable?
- Is the fulfillment of 1,000 Permits workable for the goals (including effective oversight by the City), or is that too many (or too few) when spread out within the City Limits by the density required by the Ordinance?
- Also, since for legal purposes some properties are deeded to a Trust or Partnership or choose the protection of an LLC, a requirement could be made and satisfied with one individual Owner identified as the contact person and name in which the Permit is held.
- An Owner or reliable local contact or manager must be available 24-7 since this is a 24-7 business. Notification at the time of permit/renewal (if changed) to neighbors would provide that contact information.
- Application paperwork/online forms for Residential Short-Term Rentals should reflect the special requirements that pertain to Residential.

For COMMERCIAL short-term rentals:

Short-term rentals in business districts (C1,C2,C4,BCD, etc.) should enjoy the same privileges that other businesses and lodging accommodations purchased/operated/sold in this zoning receive, contributing to their success, in the following ways:

- Numbers of Commercial STR Permits issued should not be included in any total cap (only Residential Permits are counted) as limits are not placed on other businesses in business districts, generating healthy competition and offering a generous variety to consumers. (What would be the reason to limit a business in a business district that contributes numerous benefits to the Santa Fe economy in a basically "green" way?)
- A Commercial property Owner could own more than one property used as a vacation rental business. Density is determined by bedroom/off-street parking space availability, not by number of adjacent buildings - that should not apply to commercial property where the overriding concept is to promote free commerce.
- Commercial short-term rentals may operate without regard to number of stays/per time period the same as for other lodging in business districts (B&Bs, Inns, Hotels, Motels, Boarding facilities, etc.). As with any business, documentation can be made available to governing bodies when needed, but monthly reports other than for Lodger's and Gross Receipts Tax purposes would not apply.
- While Permits are non-transferable, new Owners of Commercial property used (or not previously used) as short-term rentals are guaranteed to be able to register in compliance with application requirements as regulated in the current STRO and allowable by zoning. Again, the same rules as any established business that is sold or purchased by zoning for optional commercial usage.
- Application paperwork/online forms for Commercial Short-Term Rentals should reflect the special requirements that pertain to Commercial.
- The name of one person from an Ownership entity, partnership, LLC, will be provided on the application as the Owner/Contact for the Commercial Short-Term Rental Permit (Registration and Permit).

(continued ... p2/3)

Some Important BENEFITS of short-term rentals:

- Commercially-zoned (as well as complying Residential) properties operating as vacation rentals generate a significant and presently much-needed contribution to the tax base through Lodger's and Gross Receipts taxes to the City and State.
- Variety of lodging options attracts a variety of clientele - not everyone wants to stay in a hotel or B&B or vacation rental. Each provides something special and enriches ways people can visit and experience Santa Fe and enjoy themselves. As a result, some then choose to relocate here and become valuable members of the community.
- Santa Fe is a city of hospitality, tourism is our life-blood to appreciate our many cultural offerings, contributing to and cultivating the local economy by bringing in tourist dollars that support restaurants, retail, State Parks, cultural events, and so on - all of which our community depends upon to grow and thrive.

Now is an ideal time to set a standard that is fair and create a sustainable, sound, manageable Short-Term Rental Ordinance that works for everyone - the City, State, locals and investors alike - in Santa Fe. A Short-Term Rental Ordinance that serves us long-term!

We need to think carefully about moderations to short-term rental policies in residential neighborhoods that are enforceable and protect quality-of-life for Santa Feans, while continuing to facilitate the availability of short-term rentals in the Commercial districts for those visitors who seek home-like accommodations for their stay in the midst of our dynamic city.

Thank you for the opportunity to participate in the conversation. I am available by phone for more dialogue anytime at your convenience, and anticipate a public community forum will provide valuable constructive input in creating, when timely and approved, the next version of the Short-Term Rental Ordinance.

Victoria Rogers, MA, retired RN, LMT and NM Real Estate Broker
Owner/Manager - Casita Ristra Vacation Rental, Santa Fe, NM
505.989.1088 cell/text

Table 14-6.1-1

CATEGORY Specific Use	RR	R-1 – R-6	R-7 – R-9	R-7-I	RC-5, RC-8	R-10 - R-29	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	I-1	I-2	BIP	SC-1	SC-2	SC-3	MU ***	Use-Specific Regs 14-6.2
RESIDENTIAL																						
Group Living																						
Continuing care community	S	S	S	S	S	S		S		P	S	P	P	P			S				P	(A)(1)
Group Residential Care Facility	S	S	S	S	S	S		S		P	S	P	P	P			S				P	
Group Residential Care Facility, Limited	P	P	P	P	P	P		P		P	S	P	P	P			S				P	
Group Residential Care Facility, Correctional			S		S	S		S		P*	P*	P*	P*	S			S				S	
Boarding, dormitory, monastery	S	S	S	S	S	P		P		P	S	P	S	P			S				S	
Household Living																						
Dwelling, multiple-family	P[1]	P	P		P	P	P	P		P	P[6]	P	P	P				P[6]	P[6]	P[6]	P	(A)(5), (A)(6)
Dwelling, single-family	P	P	P	P	P	P	P	P		P	P[6]	P	P	P							P	(A)(5)
Manufactured homes	P	P	P	P	P	P	P	P		P	P[6]	P	P	P							P	(A)(4)
Mobile home, permanent installation	S	S	S	S	S	S		S		S		S	S									(A)(2)
Mobile home park							P[9]															(A)(3); See 14-6.4(B)

CATEGORY Specific Use	RR	R-1 – R-6	R-7 – R-9	R-7-I	RC-5, RC-8	R-10 - R-29	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	I-1	I-2	BIP	SC-1	SC-2	SC-3	MU ***	Use-Specific Regs 14-6.2
Short Term Rental Unit	Prohibited except as set forth in Section 14-6.2(A)(5)(a)									P	P	P	P	P						P	P	(A)(5), (A)(6)
PUBLIC, INSTITUTIONAL AND CIVIC (Ord. No. 2014-31 § 11)																						
Emergency Services																						
Police and fire stations	S	S	S	S	S	S	S	S		P	P	P	P	P	P	P	P	P	P	P	P	
Police substations (6 or fewer staff)	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	
Preschool, Daycare for Infants or Children																						
Small (6 or fewer)	P	P	P	P	P	P	P	P		P	P	P	P	P	P		P	P	P	P	P	
Large (More than 6)	S	S	S	S	S	S	S	S		P	P	P	P	P	S		P	P	P	P	S	
Electrical Facilities (See 14-6.2(F) for Planning Commission Review Requirements)																						
Distribution facilities	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	(F), (G)
Substation	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	(F)
Switching station	P	P								P	P	P		P	P	P	P	P	P	P	P	(F)
Transmission lines	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	(F)
Educational																						
Elementary and secondary schools, public and private	S	S	S		S	S		S		P*	P*	P*	S	P*	S		P*	S	S	S	P*	
Colleges and universities, residential	S	S	S		S	S		S		S	S	S	S	P			S				S	(B)(2)
Colleges and universities, nonresidential										P	P	P	P	P	P		P	P	P	P	P	
Museums		S	S		S	S		P[10]		P	P	P		P	P		P	P	P	P	P	
Vocational or trade schools, nonindustrial								P[10]		P	P	P		P	P		P	P	P	P	P	
Vocational or trade schools, light industrial														P*	P	P	P*					

CATEGORY Specific Use	RR	R-1 – R-6	R-7 – R-9	R-7-I	RC-5, RC-8	R-10 - R-29	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	I-1	I-2	BIP	SC-1	SC-2	SC-3	MU ***	Use-Specific Regs 14-6.2
Community Centers and Institutions																						
Neighborhood and community centers,	S	S	S		S	S		S		P	P	P	P	P			P	P	P	P	P	

CATEGORY Specific Use	RR	R-1 – R-6	R-7 – R-9	R-7-I	RC-5, RC-8	R-10 - R-29	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	I-1	I-2	BIP	SC-1	SC-2	SC-3	MU ***	Use-Specific Regs 14-6.2
including youth and senior centers																						
Religious, educational and charitable institutions (does not include schools or assembly uses)						S		S	S	P*	P*	P*	P*	P*	P*		P*	P*	P*	P*	P*	
Hospitals and Extended Care Facilities																						
Extended care, convalescent, nursing, recovery care facilities	S	S	S	S	S	S		S		P	P	P	P	P			P				P	
Hospitals										S	S		P/S[6]	P			P					(B)(3)
Hospital heliport													P									(B)(3)(b)
Human Services																						
Adult day care	S	S	S	S	S	S		S		P	P	P	P	P			P	P	P	P	P	
Foster homes licensed by the appropriate state agencies	P	P	P			P		P		P		P	P	P							P	
Human service establishments											P*			P*	P*			P*	P*	P*	P*	(B)(4)
Sheltered care facilities	S	S	S		S	S		S		S	S	S	S	P							S	(B)(5)

CATEGORY Specific Use	RR	R-1 – R-6	R-7 – R-9	R-7-I	RC-5, RC-8	R-10 - R-29	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	I-1	I-2	BIP	SC-1	SC-2	SC-3	MU ***	Use-Specific Regs 14-6.2
Parks and Open Space																						
Cemeteries, mausoleums and columbariums	S	S	S							S	S		S	P								(B)(1)
Public parks, playgrounds, playfields	P	P	P		P	P		P		P	P	P	P	P	P	P	P	P	P	P	P	
Religious Assembly																						
All	S	S	S		S	S		S		P	P	P	P	P	P		P	P	P	P	P	
Utilities																						
All (includes natural gas regulator station, telephone exchange, water or sewage pumping station or water storage facility)	S	S	S		S	S		S		S	P	S	S	P	P	P					S	(B)(6)
COMMERCIAL (Ord. No. 2014-31 § 11)																						
Animal Sales and Service																						
Veterinary establishments, pet grooming	S									P*	P*	P*		P	P	P	P*		P*	P*	P*[2]	
Kennel	S									P*	P*	P*		P	P	P	P*					
Arts Activities																						
Arts and crafts studios, galleries and shops; gift shops for the sale of arts and crafts								P[10]	P	P	P	P		P	P			P	P	P	P[2]	

CATEGORY Specific Use	RR	R-1 – R-6	R-7 – R-9	R-7-I	RC-5, RC-8	R-10 - R-29	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	I-1	I-2	BIP	SC-1	SC-2	SC-3	MU ***	Use-Specific Regs 14-6.2
Arts and crafts schools								P[10]	P	P	P	P		P	P		P	P	P	P	P[2]	
Dance studios								P[10]	P	P	P			P	P		P	P	P	P	P[2]	
Photographers' studios								P[10]	P	P	P			P	P		P	P	P	P	P[2]	
Assembly																						
Private clubs and lodges	S	S	S		S	S		S	S	P*	P*	P*	P*	P*	P*		P*	P*	P*	P*	P*[2]	
Financial Services																						
Banks, credit unions (without drive-through)										P	P			P	P		P	P	P	P	P[2]	
Banks, credit unions (with drive-through)										P*	P*			P	P*		P*	P*	P*	P*	P[2]	

CATEGORY Specific Use	RR	R-1 – R-6	R-7 – R-9	R-7-I	RC-5, RC-8	R-10 - R-29	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	I-1	I-2	BIP	SC-1	SC-2	SC-3	MU ***	Use-Specific Regs 14-6.2
Food and Beverages																						
Bar, cocktail lounge, nightclub, no outdoor entertainment								S[3,10]	S[3]		P*			P	P	P		P*	P*	P*	P[2]	
Bar, cocktail lounge, nightclub, with outdoor entertainment								S[3,10]	S[3]		P*			P*	P*	P*		P*	P*	P*	P*[2]	
Restaurant - full service, with or without incidental alcohol service								S[3,10]	S[3]		P			P	P	P	S	P	P	P	P	
Restaurant with bar, cocktail lounge or nightclub comprising more than 25% of total serving area.								S[3,10]	S*[3]		P*			P*	P	P		P*	P*	P*	P*[2]	
Restaurant - Fast service/take-out, no drive-through/drive-up								S[3,10]		P[4]	P	P[4]		P	P	P	S	P	P	P	P	
Restaurant - with drive-through/drive-up											P*			P*	P*	P*	S	P*	P*	P*	P*[2]	
Medical																						
Apothecary shops or pharmacies										P	P		P	P	P			P	P	P	P[2]	
Medical and dental offices or clinics								S[10]	S	P	P	P	P	P	P		P	P	P	P	P[2]	
Offices, Business and Professional																						
Business and professional offices excluding medical and dental and financial services								S[10]	S	P	P	P	P	P	P	P	P	P	P	P	P[2]	
Public Accommodation																						
Bed and breakfast houses and inns											P			P	P		P			P		
Conference and extended stay lodging facilities											P			P	P		P					
Hotels, motels, residential suite hotels											P			P	P					P		
Vacation time share projects											P			P	P							(C)(7)
Public Transportation																						
Transit transfer facilities											S		S	P	P	P	S	S	P	P	S	
Recreation and Entertainment																						
Commercial recreational uses and structures; theaters, bowling alleys, pool-rooms, driving ranges, etc.											P			P	P	P		P	P	P	S[2]	
Exercise, spas or gym facilities											P			P	P	P		P	P	P	P[2]	
Nonprofit theaters for production of live shows								P*[10]	S		P			P	P	P	P	P	P	P	P[2]	
Retail Sales and Services																						
Antique stores								P[10]	P		P			P	P			P	P	P	P[2]	
Art supply stores								P[10]	P		P			P	P			P	P	P	P[2]	
Bookshops								P[10]	P		P			P	P			P	P	P	P[2]	
Cabinet shops, custom								P[10]	P		P	P		P	P	P	P					
Department and discount stores											P			P	P				P	P	P[2]	
Flea markets											P			P	P							(C)(3)

CATEGORY Specific Use	RR	R-1 – R-6	R-7 – R-9	R-7-I	RC-5, RC-8	R-10 - R-29	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	I-1	I-2	BIP	SC-1	SC-2	SC-3	MU ***	Use-Specific Regs 14-6.2

CATEGORY Specific Use	RR	R-1 – R-6	R-7 – R-9	R-7-I	RC-5, RC-8	R-10 - R-29	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	I-1	I-2	BIP	SC-1	SC-2	SC-3	MU ***	Use-Specific Regs 14-6.2
Florist shops								P[10]	P		P		P	P	P			P	P	P	P[2]	
Funeral homes or mortuaries										P	P			P	P							
Furniture stores											P			P	P	P			P	P	P[2]	
Neighborhood grocery stores and laundromats	S	S	S		S	S		S		S	P	S	S								P[2]	(C)(4)
Office equipment sales and service; retail sale of office supplies											P			P	P	P			P	P	P[2]	
Retail establishments not listed elsewhere											P			P	P	P		P	P	P	P[2]	
Retail and service uses that are intended to serve the primary uses and that do not exceed 5,000 square feet														P	P	P	P				P[2]	

CATEGORY Specific Use	RR	R-1 – R-6	R-7 – R-9	R-7-I	RC-5, RC-8	R-10 - R-29	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	I-1	I-2	BIP	SC-1	SC-2	SC-3	MU ***	Use-Specific Regs 14-6.2
Retail sales accessory to any permitted use, provided that such commercial uses shall not occupy more than ten percent of the total floor area of all buildings occupied by the principal use																	A				S[2]	
Sign shops											P	P		P	P	P					P[2]	
Service Establishments																						
Barber shops and beauty salons										P	P	P		P	P			P	P	P	P[2]	
Personal care facilities for the elderly						S		S		P	P	P	P	P	P		P	P	P	P	P[2]	(C)(7)
Personal service establishments including cleaning and laundry, appliance repair and similar services											P			P	P			P	P		P[2]	
Tailoring and dressmaking shops								P	P	P	P	P		P	P		P	P	P	P	P[2]	
Sexually Oriented Businesses																						
All															P	P						(C)(1)

CATEGORY Specific Use	RR	R-1 – R-6	R-7 – R-9	R-7 -I	RC-5, RC-8	R-10 - R-29	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	I-1	I-2	BIP	SC-1	SC-2	SC-3	MU ***	Use-Specific Regs 14-6.2
Storage																						
Individual storage areas within a completely enclosed building											S			P	P	P	P	P	P	P		(D)(2)
Mini-storage units											S			P	P	P		P	P	P		(D)(3)
Telecommunication																						
Telecommunications Facilities	Permitted as set forth in Section 14-6.2(E) (for facilities in public rights of way see Article 27-2 SFCC 1987)																					
Vehicles and equipment																						
Commercial parking lots and garages											P		P	P	P	P	A	P	P	P		See 14-8.6(B)(6)

CATEGORY Specific Use	RR	R-1 – R-6	R-7 – R-9	R-7 -I	RC-5, RC-8	R-10 - R-29	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	I -1	I -2	BIP	SC-1	SC-2	SC-3	MU ***	Use-Specific Regs 14-6.2
Service and repair establishments including filling stations and repair garages											P			P	P	P			S	S		
Tire recapping and retreading											P			P	P	P						

CATEGORY Specific Use	RR	R-1 – R-6	R-7 – R-9	R-7 -I	RC-5, RC-8	R-10 - R-29	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	I -1	I -2	BIP	SC-1	SC-2	SC-3
Industrial																				
Automobile salvage and wrecking yards, junkyards or yards used in whole or in part for scrap or salvage operations or for processing, storage, display or sales of any scrap, salvage or secondhand building materials, junk automobiles or second hand automobile parts																P				
Research, experimental and testing laboratories											P			P	P	P	P			
Manufacturing and Production																				
Light assembly and manufacturing											P			P	P	P	P			

CATEGORY Specific Use	RR	R-1 – R-6	R-7 – R-9	R-7 -I	RC-5, RC-8	R-10 - R-29	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	I -1	I -2	BIP	SC-1	SC-2	SC-3	MI **
Outdoor Storage																					
Outdoor storage lots and yards, except wrecking yards, junkyards or yards used in whole or in part for scrap or salvage operations or for processing, storage, display, or sales of any scrap, salvage or second-hand building materials, junk automobiles or second-hand automobile parts															P	P	A				
Warehouse and Freight Movement																					
Wholesaling and distribution operations - 3,000 square feet or less of storage											P			P	P	P					
Wholesaling and distribution operations - over 3,000 square feet of storage															P	P					

CATEGORY Specific Use	RR	R-1 – R-6	R-7 – R-9	R-7 - I	RC-5, RC-8	R-10 - R-29	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	I -1	I -2	BIP	SC-1	SC-2	SC-3	MU ***	Use-Specific Regs 14-6.2
AGRICULTURAL USES (Ord. No. 2016-41 § 3)																						
Animal production																						(H)
Commercial stable	S																					(H)
Urban Farm Ground Level, less than 10,000 sq ft.	A	A	A	A	A	A				P	P	P			P	P		P	P	P		(I)
Urban Farm Ground Level, 10,000 sq ft. - 1 acre	S	S	S	S	S	S				P	P	P			P	P		P	P	P		(I)

Urban Farm Ground Level, greater than 1 acre	S	S	S	S	S	S				S	S	S			P	P		S	S	S		(I)
Urban Farm Roof Level, Open Air, 1000 sq ft. or less	S	S	S	S	S	S				S	S	S			S	S		S	S	S		(I)
Urban Farm Roof Level, Open Air, greater than 1000 sq ft., less than 5000 sq ft.										S	S	S			S	S		S	S	S		(I)
Aquaculture, less than 750 sq ft.										S	S	S			S	S		S	S	S		(I)
Aquaponics, less than 750 sq ft.										S	S	S			S	S		S	S	S		(I)
Aquaponics, greater than 750 sq. ft										S	S	S			S	S		S	S	S		(I)
Hydroponics, any size										S	S	S			S	S		S	S	S		(I)
Composting															S	S						

CATEGORY Specific Use	RR	R-1 – R-6	R-7 – R-9	R-7-I	RC-5, RC-8	R-10 - R-29	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	I-1	I-2	BIP	SC-1	SC-2	SC-3	MU ***	Use-Specific Regs 14-6.2
ACCESSORY USES																						
Accessory structures of a permanent, temporary or portable nature such as coverings not constructed of solid building materials, including inflatable covers over swimming pools and tennis courts and such other accessory structures which exceed 30 inches in height from the average ground elevation.	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Children's play areas and play equipment	A	A	A	A	A	A	A	A		A	A	A	A	A	A	A	A	A	A	A	A	
Accessory dwelling units	A	A	A	A	A	A	A	A		A	A	A	A	A	A	A	A				A	14-6.3 (C)(1)
Greenhouses, noncommercial	A	A	A	A	A	A	A	A		A	A	A	A	A	A	A	A				A	
Home occupations	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	14-6.3 (C)(2)
Hospital heliport													A8									

CATEGORY Specific Use	RR	R-1 – R-6	R-7 – R-9	R-7-I	RC-5, RC-8	R-10 - R-29	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	I-1	I-2	BIP	SC-1	SC-2	SC-3	MU ***	Use-Specific Regs 14-6.2
Other uses and structures customarily accessory and clearly incidental and subordinate to permitted permissible uses and structures	A	A	A	A	A	A	A	A		A	A	A	A	A	A	A	A				A	
Private barbecue pits, private swimming pools	A	A	A	A	A	A	A	A		A	A	A	A	A	A		A				A	
Private daycare for infants and children	A	A	A	A	A	A	A	A		A	A	A	A	A	A		A	A	A	A	A	
Private garages	A	A	A	A	A	A	A	A		A	A	A	A	A	A	A	A	A	A	A	A	
Residential use ancillary to an approved use		A	A	A	A	A	A	A		A	A	A	A	A	A		A	A	A	A	A	14-6.3(B)(5), (B)(6) and (B)(7)
Utility sheds, located within the rear yard only	A	A	A	A	A	A		A		A		A	A								A	

CATEGORY Specific Use	RR	R-1 – R-6	R-7 – R-9	R-7-1	RC-5, RC-8	R-10 - R-29	MHP	RAC	AC**	C-1	C-2	C-4	HZ	BCD	I-1	I-2	BIP	SC-1	SC-2	SC-3	MU ***	Use-Specific Regs 14-6.2
* Special use permit required if located within 200 feet of *residentially-zoned property* unless a *qualifying project* located within the Midtown LINC Overlay District; otherwise permitted. (Ord. No. 2013-16 § 29; Ord. No. 2016-39 § 3)																						
**Uses listed are in addition to those permitted in the underlying district. No more than 3,000 square feet of *gross floor area* may be devoted to *nonresidential* uses.																						
***See Section 14-7.3(B)(1) for additional MU district regulations including minimum percentage of residential use. (Ord. No. 2013-16 § 22)																						
1. In the RR district, multiple-*family* dwellings are limited to four per *lot*.																						
2. Hours of operation limited to 7 a.m. to 10 p.m.																						
3. Amplified live entertainment or amplified music for dancing prohibited after 10 p.m.																						
4. Not to exceed 1,000 square feet *gross floor area*; sales of alcohol prohibited.																						
5. Hospital is a permitted use in the Las Soleras Hospital District; requires special use *permit* in the Christus St. Vincent Hospital District.																						
6. See Section 14-6.2(A)(7) for additional regulations for *principal dwelling units* in the C-2, BIP and SC districts.																						
7. See Section 14-6.3 for additional *accessory* use regulations; see Section 14-6.4 (Temporary Uses or Structures).																						
8. In the Las Soleras Hospital District a heliport serving a hospital is a permitted use.																						
9. See Section 14-7.2(I) for standards for pre-existing mobile home parks and Section 14-6.2(A)(3)(a) for prohibition of new mobile home parks in MHP districts.																						
10. See Section 14-7.2(H) 3,000 square foot limit applies to specified uses in RAC district. (Ord. No. 2014-31 § 11)																						

GURULE, GERALDINE A.

From: ISAACSON, ELIAS S.
Sent: Tuesday, June 16, 2020 8:23 AM
To: GURULE, GERALDINE A.
Subject: FW: Proposed Amendment to Short-Term Rental Ordinance
Attachments: Table 14-6.1-1 Zoning Permitted Uses Santa Fe NM.htm

From: LINDELL, SIGNE I. <silindell@santafenm.gov>
Sent: Tuesday, June 16, 2020 7:38 AM
To: ISAACSON, ELIAS S. <esisaacson@santafenm.gov>; PAEZ, SALLY A. <sapaez@santafenm.gov>; ROMERO-WIRTH , CAROL <cromero-wirth@santafenm.gov>; VILLARREAL, RENEE D. <rdvillarreal@santafenm.gov>
Subject: Fwd: Proposed Amendment to Short-Term Rental Ordinance

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From: Victoria Rogers <victoria.rogers8@comcast.net>
Sent: Tuesday, June 16, 2020 7:22:10 AM
To: LINDELL, SIGNE I. <silindell@santafenm.gov>
Subject: Proposed Amendment to Short-Term Rental Ordinance

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Signe,

You and I have communicated in the past on this subject. I have read the proposed new Short-Term Rental Ordinance and am submitting detailed and much-considered suggestions. I appreciate your time reading input from a knowledgable, professional citizen well-versed and actively involved in the initial drafting of the City of Santa Fe's Short-Term Rental Ordinance(s) and the vacation rental business for more than a decade.

As the proposed STRO draft reads, there is a critical lack of distinction between regulations appropriate to a short-term rental business in a Residentially zoned area and a rental business in a Commercially-zoned district.

"Non-Residential" *is* and is best identified in the Ordinance as "Commercial" to be clear. City of Santa Fe Zoning of Permitted Uses (published Table 14-6.1 - attached) clearly distinguishes that Commercial zoning (such as C1, C2, C4 and BCD) PERMITS (allows) short-term rental usage.. That has been the guidance historically and was built into the initial and less-so into the currently operative STRO.

While changes are being proposed to improve regulations for Residentially-zoned short-term rentals, please maintain and address more specifically and appropriately the current distinction separating regulations governing Residential and Commercial short-term rentals.

For RESIDENTIAL short-term rentals:

These rentals impact neighbors/neighborhoods and the quality/lifestyle/values of Residential areas. The new STRO reflects that understanding. Points:

- In strictly Residential zoning, what number of properties (ratio to non-short-term rental usage) is desirable?
- Is the fulfillment of 1,000 Permits workable for the goals (including effective oversight by the City), or is that too many (or too few) when spread out within the City Limits by the density required by the Ordinance?
- Also, since for legal purposes some properties are deeded to a Trust or Partnership or choose the protection of an LLC, a requirement could be made and satisfied with one individual Owner identified as the contact person and name in which the Permit is held.
- An Owner or reliable local contact or manager must be available 24-7.
- Application paperwork/online forms for Residential Short-Term Rentals should reflect the special requirements that pertain to Residential.

For COMMERCIAL short-term rentals:

Short-term rentals in business districts (C1,C2,C4,BCD, etc.) should enjoy the same privileges that other businesses and lodging accommodation purchased/operated/sold in this zoning receive, contributing to their success, in the following ways:

- Numbers of Commercial STR Permits issued should not be included in any total cap (only Residential Permits are counted) as limits are not placed on other businesses in business districts, generating healthy competition and offering a generous variety to consumers. (What would be the reason to limit a business in a business district that contributes numerous benefits to the Santa Fe economy in a basically "green" way?)
- A Commercial property Owner could own more than one property used as a vacation rental business. Density is determined by bedroom/off-street parking space availability, not by number of adjacent buildings - that should not apply to commercial property where the overriding concept is to promote free commerce.
- Commercial short-term rentals may operate without regard to number of stays/per time period the same as for other lodging in business districts (B&Bs, Inns, Hotels, Motels, Boarding facilities, etc.). As with any business, documentation can be made available to governing bodies when needed, but monthly reports other than for Lodger's and Gross Receipts Tax purposes would not apply.
- While Permits are non-transferable, new Owners of Commercial property used (or not previously used) as short-term rentals are guaranteed to be able to register in compliance with application requirements as regulated in the current STRO and allowable by zoning. Again, the same rules as any established business that is sold or purchased by zoning for optional commercial usage.
- Application paperwork/online forms for Commercial Short-Term Rentals should reflect the special requirements that pertain to Commercial.
- An Owner or reliable local contact or manager must be available 24-7, since this is a 24-7 business. Notification at the time of permit/renewal (if changed) to neighbors would provide that contact information.
- The name of one person from an Ownership entity, partnership, LLC, will be provided on the application as the Owner/Contact for the Commercial Short-Term Rental Permit (Registration and Permit).

Some Important BENEFITS of short-term rentals:

- Commercially-zoned (as well as complying Residential) properties operating as vacation rentals generate a significant and presently much-needed contribution to the tax base through Lodger's and Gross Receipts taxes to the City and State.
- Variety of lodging options attracts a variety of clientele - not everyone wants to stay in a hotel or B&B or vacation rental. Each provides something special and enriches ways people can visit and experience Santa Fe and enjoy themselves. As a result, some then choose to relocate here and become valuable members of the community.
- Santa Fe is a city of hospitality, tourism is our life-blood to appreciate our many cultural offerings, contributing to and cultivating the local economy by bringing in tourist dollars that support restaurants, retail, State Parks, cultural events, and so on - all of which our community depends upon to grow and thrive.

Now is an ideal time to set a standard that is fair and create a sustainable, sound, manageable Short-Term Rental Ordinance that works for everyone - the City, State, locals and investors alike - in Santa Fe. A Short-Term Rental Ordinance that serves us long-term!

We need to think carefully about moderations to short-term rental policies in residential neighborhoods that are enforceable and protect quality-of-life for Santa Feans, while continuing to facilitate the availability of short-term rentals in the Commercial districts for those visitors who seek home-like accommodations for their stay in the midst of our dynamic city.

Thank you for the opportunity to participate in the conversation. I am available by phone for more dialogue anytime at your convenience, and anticipate a public community forum will provide valuable constructive input in creating, when timely and approved, the next version of the Short-Term Rental Ordinance.

Victoria Rogers, MA, retired RN, LMT and NM Real Estate Broker

Owner/Manager - Casita Ristra Vacation Rental, Santa Fe, NM

505.989.1088 cell/text

A printable Word document copy of this emailed letter is attached.

PAEZ, SALLY A.

From: BERKE, NOAH L.
Sent: Wednesday, August 19, 2020 12:20 PM
To: PAEZ, SALLY A.
Subject: Fwd: Important Detail for New STR Ordinance - Local Laws
Attachments: Vrbo Local Laws 1.jpg; Vrbo Local Laws 2.jpg

Thanks!

Noah Berke
Planner Manager
Land Use Department
(505) 955-6647
(505) 490-5930

From: Victoria Rogers <victoria.rogers8@comcast.net>
Sent: Wednesday, August 19, 2020 11:02:37 AM
To: Mayors Office <mayor@santafenm.gov>; BERKE, NOAH L. <nlberke@santafenm.gov>
Subject: Important Detail for New STR Ordinance - Local Laws

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mayor Webber,

As we refine the STR Ordinance and the City of Santa Fe works closely with such marketing engines as Vrbo, I wanted to call your attention to an important detail.

All are aware that a distinction in Ordinance requirements between Residential and Commercial zoned STRs should be addressed effectively, however, another detail exists that is critical for successful translation of new laws into the marketing arena.

Please create a separate numbering or lettering system that will indicate whether a registered STR property is licensed as Residential or Commercial. (Example: R367890 vs C367890)

The reason this is critical is because on the Owner Vrbo site Dashboard (you need to be an Owner to sign in, so you would not see this - see attached screen shots), there is an index called "Local Laws".

In this section, Vrbo has blanks that are designed to uphold those laws.

One blank is: minimum night stay

In the Residential areas, the new Ordinance is possibly going to pass with a 7-night minimum.

The Commercial areas would not have that minimum, same as other lodging in Commercial areas, all of which have non-restricted minimum night for rental.

If a distinction can not be easily identified and communicated with the Vrbo system, then the limitation of 7 nights indicated for Residential STRs would be placed on Commercial STRs, too.

That would defeat one of the important distinctions between the two zoning areas, which reflect very different needs and neighborhoods, as well as income potential (certainly from the Commercial STRs not just for the Owner who is running a legitimate and zoning-approved business, but for City Lodger's Tax and State GRTs).

Commercial STRs are in areas meant for flourishing business and tourist traffic and turn-over, per zoning. It is right that there is no minimum night stay and the Vrbo site, and others coordinating with local and state laws, must be able to identify that, both for those wishing to visit and stay in a vacation rental and for the owners in this hospitality industry.

Thank you for acknowledging and addressing this issue along with new STR Ordinance legislation that is passed.

Feel free to contact me with any questions. I am copying Noah Berke; please circulate to other concerned decision-makers.

Victoria Rogers
STR Owner

2 attachments

PAEZ, SALLY A.

From: BERKE, NOAH L.
Sent: Thursday, June 18, 2020 2:36 PM
To: PAEZ, SALLY A.; ISAACSON, ELIAS S.
Subject: Fwd: Please vote NO on the proposed changes to the short term rental ordinance

Get Outlook for iOS

From: Tim Ryan <timaryan7@gmail.com>
Sent: Thursday, June 18, 2020 1:24:24 PM
To: Land Use Public Comment <landusepubliccomment@santafenm.gov>
Subject: Please vote NO on the proposed changes to the short term rental ordinance

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

As a tax paying, licensed homeowner/operator of a short term rental (STR) in the BCD, I am writing to express my absolute and complete opposition to the new regulations being considered regarding STR's in BCD districts in Santa Fe. The following are the reasons that the city of Santa Fe should NOT adopt these new regulations.

1. The clear distinction, in Section 14-6.2 (A) 6 of the STRO between BCD-zoned STRs and residentially zoned STRs must be preserved, or the city's zoning structure becomes non-sensical by essentially treating STRs as fundamentally different from other lodging options, such as inns and hotels.
2. The new STRO restrictions upon BCD-zoned properties include a limit of one reservation per seven-day period, which would lead to a significant reduction in revenue. Logically, hotels, inns and B&Bs should face the same requirement, as all are simply varying, legitimate lodging options in a business district. This action is potentially a taking of property without compensation.
3. The new STRO allows STR permits only for natural persons, not to legal entities, like LLCs, partnerships, trusts, etc. Property ownership by a legally formed entity has been a staple of our legal system.
4. Other revisions would make it impossible to start any new STR in the BCD, which is odd, since we could easily open a new gallery, restaurant or hotel (e. new 70 room Lensic development) tomorrow with no limitation on how many of these types of businesses can operate in the BCD.
5. The regulations would create new, onerous paperwork requirements that are arbitrary and unfair when compared to other lodging businesses in the same BCD commercial zone.
6. It is unwise to assume that STR guests will choose a hotel if no STRs are available. It is not the same experience and many visitors will simply go elsewhere and Santa Fe will lose revenue at a time when the City can scarcely afford to.

We purchased our home specifically in the BCD. Within a block of our home are three restaurants, a UPS store, a doggy day care, a strip mall, a gas station, a hat shop and numerous other commercial

businesses. We are NOT in a purely residential neighborhood and should not be treated as such. Short term rentals in commercial zoning should have the same privileges as other commercial businesses and lodging establishments. The bottom line is that no significant changes should be made at this time and the city should retain the BCD/residential distinction and enforce the existing STRO regulations instead of creating new ones and punishing those of us that follow the rules.

I respectfully ask you to vote NO on the proposed changes.

Thank you for your consideration,

Tim Ryan
303 Staab Street
Santa Fe, NM
87501

PAEZ, SALLY A.

From: LAPAN HILL, JAREL
Sent: Wednesday, January 29, 2020 7:42 PM
To: MCSHERRY, ERIN K.; ISAACSON, ELIAS S.; PAEZ, SALLY A.
Cc: Mayors Office
Subject: FW: Santa Fe Lodgers Association Follow Up on Short Term Rentals
Attachments: addendum STRs.pdf

Sharing this correspondence for awareness

From: dph.sfe.162.gm.Keith.Kirk <Keith.Kirk@druryhotels.com>
Sent: Wednesday, January 29, 2020 10:46 AM
To: Mayors Office <mayor@santafenm.gov>
Subject: Santa Fe Lodgers Association Follow Up on Short Term Rentals

Dear Mayor Webber,

I wanted to reach out on behalf of the Santa Fe Lodgers Association and see if we can help in any way to move the Short-Term Rental ordinances and regulations forward? As you know we submitted a letter to you and all the Council Members back on October 17th with the hopes that action might be taken by January 1st. I know that you and the Councilors are working on many items which include the fine and penalty steps which is important to avoid actually court cases. In addition, Carol Johnson left her position creating a vacancy that oversaw this area. However, we want this issue to remain a focus and we are willing to help and support in any way we can to move this process along. It is vital to the lodging industry in Santa Fe as well as the impact it has on affordable housing to have the regulations that are in place enforced. From our conversations, I know you are in agreement with most all the items listed below and we are more than willing to help and support this process.

Can you give any kind of update I can share at my next Lodgers Meeting which is February 12th?

Thank you for your time and consideration and look forward to a response.

Sincerely,

Keith Kirk
President of the Santa Fe Lodgers Association

Below is our original letter and attached information:

Santa Fe Lodgers Association
PO Box
Santa Fe, NM 87501

October 17, 2019

Dear Mayor Webber, and Councilors:

Santa Fe Lodgers Association (SFLA) requests that the city council work to develop enforceable policy and regulation to ensure that Short Term Rentals (STRS) do not erode the intent of residential zoning and do not disrupt the equity of fair competition in the lodging industry.

The SFLA is not opposed to STRS. We are concerned regarding the lack of enforcement and lack of progressive changes to policy and regulation that protect housing for workers, the integrity of community, and fair competition in the marketplace.

As council works towards this end, we ask that the following be considered.

- Establish a firm date for the enforcement of the current STR Ordinances and enforce current laws. We suggest January 1, 2020 as the start date.
- Increase current fee structure to provide the dollars for the needed enforcement arm and allocate those funds directly to the Land Use department for this purpose.
- Retain current cap of 1000 STR permits in residential areas with a commitment to not increase this amount without the implementation of enforcement and further study of the issues related to the growth of STRS.
- Establish guidelines for STR in the Business Districts treating them the same as existing hotels, inns and bed and breakfast operations.
- One permit – one resident or homeowner – multiple permits now allowed.
- A lottery system could be used when all 1000 permits are taken. There is no guarantee you will get a permit each year.
- Permit preference given to local Santa Fe residents and owner occupied STR units over out of state owners.
- Take immediate action to bring the over 800 illegal STR that the Host Compliance software has already identified.
- Enact regulation to prevent STR's in multifamily units, unless occupied by a host resident.
- Immediately enforce the current regulation that no permits be issued to more than 2 contiguous units.
- Form a task force to provide advisory assistance to Land Use in its efforts to implement the desired level of enforcement.
- Require that STR permits be used as demonstrated by the collection and remittance of Lodger's Tax. Any permit not used for a period of 12 months would not be renewed and would be made available to others.

We support the original intent of STRS, as an opportunity for homeowners to augment their income, and the intent of one home one permit. We are opposed to investors creating non-conforming hotels in multi-family units as well as eroding the residential quality of neighborhoods, and the disregard of hotel licensing in commercial zoning. We wish to be of assistance in developing policy that is consistent with those values and request that the following be considered as you re-write policy.

Addendum attached: Q&A between us and Carol Johnson, Land Use director, from meeting with the board of the SF Lodgers Association, on September 11, 2019.

Respectfully,

Keith Kirk- President
Drury Plaza Hotel

Tom McCann – Vice President
Heritage Hotels

Christina Genuario-Gill – Secretary/Treasurer
Inn on the Alameda

Rik Blyth – Board Member
La Fonda on the Plaza

Sam Gerberding – Board Member
Inn of the Governors

John Rickey – Board Member
Historic Hilton

Corey Fidler – Board Member
Hotel Santa Fe

Rob Ettenson – Board Member
Inside Santa Fe Magazine

Bruce Adams – Board Member
Santa Fean, Now and Su Casa Magazine

Jeff Mahan – Board Member
Truhostpiltality

Charlie Gray – Executive Director

Keith Kirk
General Manager
Drury Plaza Hotel *in* Santa Fe
828 Paseo de Peralta
Santa Fe, NM 87501

P 505.424.2175 (ext: 7070)
F 573.651.9487
www.druryplazasantafe.com

PAEZ, SALLY A.

From: LAPAN HILL, JAREL
Sent: Wednesday, January 29, 2020 8:23 PM
To: ISAACSON, ELIAS S.; PAEZ, SALLY A.; MCSHERRY, ERIN K.
Cc: Mayors Office
Subject: FW: THIS ONE!!!
Attachments: Short Term Rental Recommendations.docx

More resident input on short term rentals

From: Joe Schepps <yoder560@gmail.com>
Sent: Wednesday, January 29, 2020 1:05 PM
To: Mayors Office <mayor@santafenm.gov>; FREITAS, MARY M. <mmfreitas@santafenm.gov>
Subject: THIS ONE!!!

PUTTING NEIGHBORS BACK INTO NEIGHBORHOODS

Overview:

When the original Short-Term Rental (STR) ordinance was adopted into the City Code, Santa Fe, like all US cities, had little or no experience with this new concept of renting. Short-Term Rentals (STRs) were originally envisioned as an opportunity for local residents to rent out their homes or portions thereof for either profit or the necessity to cover living expenses. None of the original ordinance framers could have foreseen that these permits would become commercial business enterprises, or that one person would have multiple individual permits, or that STRs would have such a negative impact on neighborhoods, long-term rental housing availability and housing prices.

The suggestions for changes to Santa Fe's STR ordinance are briefly described below and are taken from the many different communities who have successfully modified their STR ordinances. These municipalities include Charleston, SC, Santa Monica, CA and Pacific Grove, CA. Input from various constituent groups were solicited, including the hospitality sectors, neighborhood associations, individual impacted neighborhood residents and affordable housing advocates concerned about both the spiraling price of housing and the community impact of the removal of long-term rentals from the market. Established neighborhoods lose many of their neighbors and therefore their traditional cohesiveness is impacted by STR strangers. These shifting dynamics raise property values driven by valuation based on the capitalization rate of potential STR income cash flow. Instead of purchasing a residential home as your primary residence to live in, prices are driven higher by housing valued as STR income — a capitalization method formerly reserved for traditional commercial property.

The Thornburg Foundation and Homewise recently funded a June 2019 report by Kelly O'Donnell PhD, of O'Donnell Economics and Strategy titled *Short Term Rentals and Access to Housing in Santa Fe*. This detailed work outlines the impact STRs have on housing under Santa Fe's existing ordinance. This study is a must read for anyone interested in understanding the mechanics of how STRs impact housing. The report can be downloaded from the City of Santa Fe AND Homewise websites. Drop these links into your browser: https://www.santafenm.gov/document_center/document/10452 OR https://www.homewise.org/reports-audits/

For City Council consideration, below is a list of recommended actions to take and amendments to be included in an amended Short-Term Rental ordinance.

1. Initiate an immediate Moratorium on STR permit applicants from investors or homeowners, commercial and residential, unless the property is the primary residence of that applicant.
2. Initiate STR code changes that are simple, clear and easily enforced.
3. Allow one STR permit per primary resident, with proof of ownership. That resident, or host, must occupy the home for at least 6 months a year and must reside on property during STR stays.
4. Owner must annually renew a STR permit and must list the assigned permit number on all advertised listings, Internet and otherwise.
5. Owner must have a business license, required code inspections and a GRT number.
6. At the sale of a residential or commercial property, the seller cannot transfer a STR permit. The new owner must re-apply for approval.
7. Require, monitor and strictly enforce Lodgers and GRT tax collections.
8. Complaints or information concerning enforcement of non-compliance are treated anonymously.
9. Provide tracking of unlicensed STRs and licensed permit compliance with strong and effective enforcement of all STR rules and regulations, including limits of the number of guests per stay.

Subject: STR
Date: Saturday, June 13, 2020 at 13:34:08 Mountain Daylight Time
From: marvin schrager
To: mayor@santafenm.gov
CC: Richard Woodruff
Category: Adobe Casitas

Dear Mr. Mayor: I have received your response to which I vigorously disagree.

People like myself have made significant investments in your community. We spend considerable
amounts of time visiting and supporting SF industry. We also provide opportunity for others to visit
SF and support SF industry. If you read all of the reviews for mine and other's properties, you will
find the preponderance of extremely favorable reviews. The fact is, STr are a favored way to travel, especially
for families.

If there is a problem, consider not issuing any new permits and capping it at the present limit.

However, to arbitrarily cut the number of permits is to severely damage the investment of many people.

Such action will most likely cause at least a 25% drop in the value of STR properties. I have 2 for sale due to health reasons
and most of the potential buyers are "investors" What am I to do if you won't give them my permit? I invested in SF with the understanding
I could rent my property. Now you want to change the agreement. Where is the "fairness" in that?

We bought a 2nd home w/in the last 1.5 years. There was no mention of your intent and we received a permit. Why were we not warned of your thoughts to change?
Seems to me a bit of deception on the part of the city.

To take away my permits if I sell seems to me to be a form of eminent domain without paying fair market value.

I hope you will reconsider your position.

Thank you
Marvin Schrager 512 944 7059

GURULE, GERALDINE A.

From: Ron and Myrna Simon <darchorse@msn.com>
Sent: Sunday, June 14, 2020 11:42 PM
To: COPPLER, JOANNE V.; Land Use Public Comment
Cc: kkomoll@newmexicohospitality.org;; gholcomb@vrma.org; aduettra@gmail.com
Subject: Short Term Rental Ordinance

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Having just learned of Santa Fe City Council's impending action regarding Short Term Rentals, we feel you are unfairly penalizing the owners of these STRs, are seriously impacting the investment they have made in their properties and limiting their future revenues. And to what avail?

What precipitated this action? You are only jeopardizing the visitors and tourists who would be coming to your beautiful community. We love the STRs! We can do our own cooking or walk to a number of restaurants, stay together as a family (instead of in separate rooms), have no need for a car since we are walking distance to The Plaza and found a whole new world of pleasure in Santa Fe, like being in our own home.
Your Council should be encouraging the use of such favorable accommodations, not discouraging them.

And what is the purpose of the 75' restriction between properties? That only adds to the expense and cost that the property owner has to assume. These STR's are tributes to the history and economy of Santa Fe. The owners have worked hard and gone to a good deal of expense to preserve their charm and quaintness.

Please reconsider such a severe change in policy of these very desirable STRs. For our sake and for Santa Fe's tourism.

Thank you,
Ron and Myrna Simon
Advocates for STRs in Santa Fe

Sent from my iPad

To the Honorable Mayor Alan Weber:

I appreciate your concern to make sure all parties are heard on this very important Short-Term Rental (STR) Ordinance. I am a property owner in the City of Santa Fe, and I have worked in public administration for over 20 years. I have the following observations and suggestions:

1. **The stakeholder outreach on this issue has been insufficient to date.** Better solutions come when all the stakeholders have input into the process. A draft ordinance is premature before having a public workshop where all of the problems and objectives can be identified. What are the problems we are trying to solve? What problems has the City of Santa Fe experienced under the current ordinance? What are all the possible solutions? The City of Santa Fe has the name and address of every STR property owner and local property manager through the licensing process, and yet they were not notified of this meeting, or any prior meeting in which their input might help form revisions to the ordinance that might best serves all the stakeholders. Before you proceed further with your process, please back up a step and make sure your stakeholder outreach is comprehensive. **Hold a public workshop where all stakeholders have been notified and had an opportunity to review the material.** This makes for good governance and greater acceptance of the final outcome.
2. The revenues for cities and counties nationwide are hard hit by COVID-19. The City of Santa Fe will be no exception. **Is it responsible to be considering these changes without a thorough review of the economic impact?** It will be very difficult for the City Council to make informed decisions if all the potential financial impacts and ripple effects have not been considered.
3. Currently it is very difficult for a robust public process to take place. Many of your constituents are not able to participate in virtual meetings. Is this ordinance such an urgent item that it cannot wait until some face-to-face public workshops and hearings can take place? Please use the time for more outreach to understand the issues for all parties and to understand the economic impact of any proposed solutions.

Santa Fe is a beautiful city and all who live or visit here want to maintain its specialness. I think a more robust public process will produce an outcome that better serves the community.

Sara and Dave Singleton

Michael W. Tankersley
1130 Camino Delora
Santa Fe NM 87505

June 17, 2020

Mr. Elias Isaacson
Planning and Land Use Director
City of Santa Fe
200 Lincoln Ave.
Santa Fe NM 87504

Re: Proposed Amendments to Sections 14-6.2(A)(5)-(8) SFCC 1987 and 14-11.4 SFCC 1987 of the Land Use Code intended to improve administration and enforcement of the Santa Fe Short-Term Rental (STR) program (the "STR Amendments")

Dear Mr. Isaacson,

I am writing to communicate my general support for the proposed STR Amendments, but also to point out several provisions that will, if included in the finally adopted version, create adverse consequences that appear to be unintended and unnecessary to the policy objectives and practical application of the STR Amendments.

My wife and I own a two bedroom residential property located at 1130 Camino Delora that we have used as our second home since 2010. In 2013 we purchased the attached two bedroom guest house at 1130A Camino Delora. 1130A is located on the street; 1130 is located up a private driveway just south of 1130A. The two houses are attached and are part of a two unit condominium arrangement created by a prior owner in 1986 in which the land and structures are owned by R&J Condominium Owners Association, Inc., a New Mexico not-for-profit corporation. The condominium units are owned by New Mexico limited liability companies that are owned jointly (50/50) by my wife and I.

1130 Camino Delora has been operated as an appropriately registered and permitted short-term rental managed by Two Casitas Santa Fe Vacations since 2011 and 1130A Camino Delora has been similarly operated since 2013. We, our family and friends stay in the houses 50-60 nights per year. We have adequate off-street parking and are not aware of any other aspects of the property and its STR activity that will conflict with the STR Amendments except as noted below. Without the financial support from STR activity we could not have afforded to purchase, make improvements to and keep up this property.

As I understand the policy objectives of the STR Amendments, the ownership and usage arrangements for 1130 and 1130A Camino Delora described above do not present any of the problems that the STR Amendments are seeking to address. At the same time, I am concerned that the portions of the STR Amendments discussed below could result in the potential loss of our STR permits if enacted as written.

A. <u>The STR Amendments Requirement That STR Permits Must Be Issued Only to "Natural Persons" Needs to be Revised to Allow Use of Legal Entities by Owners Who Are Natural Persons</u>

The relevant portions of the STR Amendments include the following provisions [page numbers in brackets refer to the pages of the marked-up draft ordinance]:

> [P.5.] (b) Short-Term Rental ~~[Units]~~ Permit Required
> . . . .
> (iii) The land use director shall issue permits to natural [P.6.] persons only, and each natural person may possess a maximum of one (1) permit.
> . . . .
> [p.18.] 14-12.1 DEFINITIONS
>
> [P.19] NATURAL PERSON - An individual human being, as opposed to an organization of any form or a business entity.

The STR Amendments are seeking to limit the possibility that larger scale, professional property investors and management companies, referred to as "speculators," will end up owning a significant number of Santa Fe residential properties. This policy objective is to be accomplished by limiting STR permit issuance to (a) only natural persons and (b) one permit per natural person.

My wife and I own two Santa Fe properties, with two STR permits. So the basic facts of our situation do not conflict with the policy objectives of the STR Amendments. However, I am concerned that applying the language of the STR Amendments set forth above to our legal ownership arrangement as described above could result in the land use director declining to reissue our STR permits in the future because our properties are owned by legal entities that we own, not by us directly. The STR Amendments grandfather some aspects of current STR permit holders not allowed after adoption of the STR Amendments, such as owning multiple permits or violations of the proximity limitations (see provisions quoted below). The STR Amendments do not grandfather STR permits held by legal entities that are not "natural persons." Section D of this letter proposes that the STR Amendments include a provision providing such grandfathering rights to current holders of STR permits that are not natural persons.

The problem presented by the STR Amendment language above is that natural persons frequently have good reasons to use legal entities to own real estate, without any connection to speculators or the desire to own a lot of residential properties operating as STRs. A quick informal online survey of the owners of homes near our properties on Camino Delora showed a number of trusts and limited liability companies, most of whom I do not believe are currently operating STR units. A broader look would likely turn up some partnerships and corporations as well. More broadly, anyone owning a condominium or a unit in another form of multi-family property who seeks a STR permit will inevitably include a legal entity as part of the "ownership" of the property and, to that extent, risks running afoul of the natural person requirement.

The STR Amendment language copied above may also produce unintended consequences to the extent that it does not consider the possibility that a residential property may be owned jointly by two or more otherwise qualifying natural persons. My informal online survey of the owners of residential properties near Camino Delora mentioned above indicated that a majority of them were held in the name of two natural persons, many appearing to be husband and wife. The policy objective of the STR Amendments would appear to be consistent with allowing a husband and wife (or really any two people) to jointly own two properties subject to STR permits, but the language used in the STR Amendments quoted above is not clear on that point and could be read to produce a contrary result.

I ask that the STR Amendments be revised to address the issues outlined above. One approach to consider is to base the operation of the ordinance on the identities of the natural persons who are the ultimate beneficial owner(s) of a property, not on the legal entity that they may use, and to recognize

joint ownership of a STR unit as effectively resulting in possession of a fraction of an STR permit, as follows:

> [P.5.] (b) Short-Term Rental Permit Required
> . . . .
> (iii) The land use director shall issue permits to or for the benefit of natural [P.6.] persons only, and each such natural person may possess, directly or indirectly, in the aggregate, a maximum of one (1) permit. A permit is issued "for the benefit" of a natural person if that natural person is the direct or indirect owner of at least 50 percent of the ultimate beneficial economic interest in an organization or a legal or business entity that owns a short-term rental unit subject to the permit and the existence and nature of the relevant legal and beneficial ownership is disclosed to the land use director. For the avoidance of doubt, the determination of whether a natural person possesses a maximum of one (1) permit will include fractional ownership of permits issued for the benefit of that natural person as provided herein.
> . . . .
> [p.18.] 14-12.1 DEFINITIONS
>
> [P.19] NATURAL PERSON - An individual human being, as opposed to an organization of any form or a legal or business entity.

The suggested language looks through the use of a legal entity to the underlying economic ownership by specific natural persons, recognizing the high frequency with which married couples and domestic partners purchase residential real estate, in their own names or using a trust or limited liability company. The revised language allows individuals in those circumstances, who in the vast majority of cases will own real property on a 50/50 basis, to own two properties that will qualify for STR permits, directly or through a legal entity. The large-scale professional property investment or management operations disfavored by the policy of the STR Amendments would not be able to qualify for a STR permit under the suggested wording.

B. Changes in the Form of Ownership of a Property Benefiting From a STR Permit That Do Not Impact Ultimate Beneficial Ownership Should Not Terminate the STR Permit.

The STR Amendments seek to limit the transferability of a STR Permit:

> [P.5.] (b) Short-Term Rental ~~[Units]~~ Permit Required
> . . . .
> (v) A permit is not transferable to another person or property. Upon the transfer of ownership of a short-term rental unit, the short-term rental permit shall terminate and revert to the land use department. If the new owner wishes to use the property as a short-term rental unit, the owner shall submit a new application to the land use department.

Under this rule, if my wife and I decided to get rid of our very complex two unit condominium structure at 1130 Camino Delora by transferring title from the three New Mexico legal entities that own the properties to our names directly, we would lose our STR permits. There is nothing in the policy objectives of the STR Amendments that requires this result, suggesting that this is another unintended consequence. That result is also inconsistent with the change to the STR Amendments proposed above at A., which reflects a policy perspective that the use of legal entities by individuals to manage their

ownership of an otherwise qualifying STR unit should not trigger unintended negative results, such as loss of their STR permit. To address this issue, it is suggested that the above provision be modified to read as follows:

> (v) A permit is not transferable to another person or property. Upon the transfer of ownership of a short-term rental unit, the short-term rental permit shall terminate and revert to the land use department. If the new owner wishes to use the property as a short-term rental unit, the owner shall submit a new application to the land use department. A transfer of ownership of a property subject to a short-term rental permit to an organization or a legal or business entity having the same ultimate beneficial ownership as disclosed to the land use director pursuant to Section 14-6.2(A)(5)(b)(iii), or which results in one or more of such disclosed beneficial owners owning, directly or indirectly, 100 percent of the ultimate beneficial economic interest in the property, will not be effective to terminate the short-term rental permit, which shall be transferred to the successor owner or owners upon application to the land use director.

Transfers of title to a STR unit by gift or inheritance from one generation to the next should also be considered for exclusion from the "no transfers" rule.

C. The Language Used to Grandfather Holders of Multiple STR Permits Should Be Revised To Be Consistent With Other Grandfathering Language

Subparagraphs (a) and (b) of Section 6 the STR Amendments address the impact of the prohibition of multiple STR permits and the STR proximity limitations on holders of existing STR permits with the apparent intention of grandfathering STR permits in place at the time of adoption of the STR Amendments:

> [P.16] (6) [Short-term Rental of Dwelling Units – Non-residentially Zoned Property] Existing Short-Term Rental Permits and Registrations
>
> . . . .
>
> [P.17] (a) Short-term rental permits held at the time the ordinance amending subsection 14-6.2(A) SFCC 1987 (Ordinance No. 2020-) is adopted are valid, even if multiple permits are held by one owner. The owner does not need to renew those permits until they expire. Upon expiration, the owner may be eligible to timely renew the permits pursuant to subsection 14-6.2(A)(5)(i), subject to payment of the annual business license and permit fees, as long as the land use department does not revoke the permit pursuant to Section 14-11.4.
>
> (b) Short-term rental permits that do not comply with the proximity limitations set forth in subsection 14-6.2(A)(5)(e) held at the time that the ordinance amending subsection 14-6.2(5) (Ordinance No. 2020-) is adopted are valid and owners of such permits are eligible to timely renew the permits pursuant to subsection 14-6.2(A)(5)(i), subject to payment of the annual business license and permit fees, as long as the land use department does not revoke the permit pursuant to Section 14-11.4.

Despite the apparent intention to provide similar grandfathering rights in each provision, subparagraphs (a) and (b) use differing language to achieve that effect, which raises a question as to whether they are in fact intended to have the same effect. Subparagraph (a) states as to a holder of multiple STR permits, "Upon expiration, the owner may be eligible to timely renew the permits pursuant to subsection 14-

6.2(A)(5)(i) . . .." Subparagraph (b) states as to a holder of a STR permit that might violate the proximity limitations in the STR Amendments "owners of such permits are eligible to timely renew the permits pursuant to subsection 14-6.2(A)(5)(i), ..."

It is not clear why in the first instance, the owner "may" be eligible to timely renew (suggesting that it is possible that, for instance, by action of the land use director, the owner may not be eligible to renew), and in the second instance, the owners of such permits "are" eligible to timely renew, indicating no possibility that they are not eligible to renew except for the existence of an issue under Section 14-11.4. The language of subparagraph (a) also raises a question as to whether the right of a grandfathered holder of multiple permits is entitled to renew only one time, in the first year after the STR Amendments are adopted, or the right is perpetual.

It is suggested that subparagraph (a) be revised to address these issues as follows:

> (a) Multiple short-term rental permits held by one owner at the time the ordinance amending subsection 14-6.2{A) SFCC 1987 (Ordinance No. 2020-) is adopted are valid~~, even if multiple permits are held by one owner~~. The owner does not need to renew those permits until they expire. Upon expiration, and in subsequent years, the owner [~~may be~~] is eligible to timely renew the permits pursuant to subsection 14-6.2(A)(5)(i), subject to payment of the annual business license and permit fees, as long as the land use department does not revoke the permit pursuant to Section 14-11.4.

D. To The Extent That the STR Amendments Are Not Revised To Allow STR Permits To Be Issued To Legal Entities As Recommended At A. Above, Permits Currently Issued To Legal Entities Should Be Grandfathered

Section A of this letter points out that the STR Amendments as drafted effectively prohibit the issuance of a STR permit to a legal entity that currently holds a STR permit. Even if the STR Amendments are revised as suggested in Section A, it is possible that some currently compliant STR permits issued to legal entities will be denied renewal, and if something like the proposed revisions are not made, all existing STR permits issued to legal entities are likely to be denied renewal. The STR Amendments in Section 6 (a) and (b) discussed in Section C above recognize the unfairness of a sudden, across the board denial of STR permits to currently compliant Santa Fe property owners by providing that current STR permit holders will be grandfathered if they currently hold multiple permits or if their properties otherwise violate new proximity limitations.

The STR Amendments should be revised to grandfather STR permits held by legal entities at this time and their renewal in future periods. To accomplish this it is requested that the STR Amendments be revised to include the following new Section 6 subparagraph (c):

> (c) Short-term rental permits held by a property owner that is not a natural person at the time the ordinance amending subsection 14-6.2{A) SFCC 1987 (Ordinance No. 2020-) is adopted are valid. The owner does not need to renew those permits until they expire. Upon expiration, and in subsequent years, the owner is eligible to timely renew the permits pursuant to subsection 14-6.2(A)(5)(i), subject to payment of the annual business license and permit fees, as long as the land use department does not revoke the permit pursuant to Section 14-11.4.

One last minor point to note is that Section 5(c)(i) requires that a qualifying local operator of a STR unit must have offices within the Santa Fe city limits. It is not clear why a property manager in one of the cities or unincorporated areas surrounding Santa Fe, who might be closer to a STR unit than a property manager within the city limits at the other end of town, is disqualified under the STR Amendments. It is suggested that the STR Amendments require that qualifying property managers be located within something like a 10 or 20 mile radius of the city limits.

Thank you for your consideration of these points. Communications regarding the above matters are best directed to me as follows:

By email: mtankersley1614@gmail.com
By mail: 6246 Northwood Rd, Dallas TX 75225
By telephone: 214-679-2369

Very truly yours,

Mike Tankersley

Two Casitas, Santa Fe Vacation Rentals has been operating vacation homes in Santa Fe since 1998 and has grown to manage sixty-seven independently owned properties, employ eight people, and provide consistent work for many local contractors. Before the Pandemic, we were actively expanding our inventory and our workforce, and we intend to continue that expansion as our business recovers. Two Casitas contributed over $300,000 in Lodger's Tax to the City of Santa Fe in 2019. The thousands of guests that we host provide an incalculable economic and fiscal benefit to our city and its government. As a locally owned and operated small business, we have strong personal and financial interests in maintaining the character and charm of our city, and the neighborhoods in which our homes are located. The proposed legislation will not immediately threaten our business, but it is designed to slowly decrease the profitability, and thus the significant economic benefit, that Two Casitas and companies like it bring to our city. While that is our primary concern with this legislation, we would also like to address some of the topics that came up in the City Council meeting, and the general spirit behind all short-term rental legislation adopted by the City. We believe that the negative externalities associated with our industry are largely exaggerated by its detractors, and that many of them can be solved with the tax revenue that the City brings in from permitted rentals.

It appears that the ultimate goal of the legislation is to gradually reduce the number of permittable rentals in the city. Short-term rental management companies operate with significant turnover in our inventory. Many of our homeowners end up selling their homes, and a significant portion of them end up retiring in them. The rental income that we provide to them before this occurs makes this financially feasible, and ultimately provides further economic benefit to the neighborhoods in which these homes are located. The long-term reduction of permittable rentals could result in us not being able to replace homes that we no longer manage, as management companies depend on a consistent flow of new inventory for their growth and profitability.

We would like to stress that while many, but not all, of our owners currently reside out-of-state, their investments in short-term rentals bring significant benefit to our city. The homes that they purchase are often renovated, restored, and improved in order to become rentals. This raises property values in the neighborhood and employs local contractors. This benefit is sustained while the homes exist as short-term rentals, as property managers take extra care to maintain and improve their inventory on the owners' behalves. As we mentioned earlier, many of our owners eventually move into their rental homes and become members of our local community. They have no interest in destroying the fabric of our neighborhoods or reducing the quality of life for their future neighbors. They invest in Santa Fe in the first place because they love and respect our city's culture and unique heritage. Their investments are meant to improve and preserve that—not destroy it.

During the city council meeting, residents expressed concern regarding some of the externalities associated with our industry. Several people expressed their

belief that vacation rentals create additional traffic in Downtown Santa Fe compared to long-term renters or permanent residents. In fact, short-term renters make fewer and shorter trips per day, and have fewer vehicles per person than residents. They also do not contribute to traffic while the homes are not being rented.

Concerns regarding affordable housing in Santa Fe are often unfairly blamed upon the short-term rental industry. Housing affordability has been an issue in Santa Fe for much longer than the short-term rental industry has existed, and the neighborhoods in which our rentals exist have little chance of becoming affordable even if all short-term rentals are eliminated. However, we do believe that the income that the city makes from rental activity could be allocated towards building affordable housing in other parts of the city.

Several residents mentioned that noise complaints were a concern. Complaints of this kind are exceedingly rare and are not eliminated by replacing short-term renters with permanent residents. Permanent residents can result in chronic disturbances that require the involvement of law enforcement. The occasional guests who do cause a disturbance are swiftly dealt with by management companies without the need to involve law enforcement. Furthermore, troublesome guests are inevitably followed by benign guests or the home being silently unoccupied.

Two Casitas is concerned about the prevalence of unpermitted rentals as well, as it creates an uneven playing field that disadvantages the business that provide the city with tax revenue, abide by local regulations, and care about the integrity of our communities. The proposed legislation is solely focused upon further restricting the good actors in our industry, while diverting enforcement resources away from people who have no regard for working within the system. We strongly recommend that the city focus its limited resources on getting permits for unpermitted rentals rather than making permitted rentals more difficult to operate.

We appreciate your time, and hope that you will consider our perspective in your legislative agenda.

Sincerely,

Wendy Kapp, Will Risbourg, Rachel Zell, and Brittany Bruaw

Two Casitas, Santa Fe Vacation Rentals

GURULE, GERALDINE A.

From: Jon Tucker <jtucker@tuckerime.com>
Sent: Sunday, June 14, 2020 1:37 PM
To: Richard A Woodruff; LINDELL, SIGNE I.; Mayors Office; VILLARREAL, RENEE D.; GARCIA, MICHAEL J.; ROMERO-WIRTH , CAROL; RIVERA, CHRISTOPHER M.; ABEYTA, ROMAN R.; CASSUTT-SANCHEZ, JAMIE A.; COPPLER, JOANNE V.; Land Use Public Comment
Cc: Kathy Komoll; Teya Vitu; Paco Arguello; Donna Reynolds; gholcomb@vrma.org; aduettra@gmail.com
Subject: Re: Proposed Changes to STR Ordinance - Impact of 75' Radius on Future STR Permits

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The proposed ordinance is simply a pretext to kill the STR business as it exists in Santa Fe without regard to any rational analysis of its fallout or long term repercussions. A 2018 study done with poor design is simply stale and as Richard mentions, fails to factor important future looking elements.

Variations of draconian limits on STR's have been tried in other locations with legal challenges brought in most cases resulting in rollbacks. However, the negative impact upon the real estate markets and property values remained.

The rental market will migrate outside the city limits and irreparable damage will have been done if this measure is enacted.

Especially now, when people are searching for some economic security both at the personal and governmental levels, I'm flabbergasted that such an economically injurious measure finds traction.

Every one of the property owners who factor their ability to get some rental income will appeal their property tax valuation if this passes, as they should. And a decline of at least 25% in value would be expected! Not to mention the loss of tax revenue and economic activity from renters.

Just some additional thoughts on the matter. Thanks for reading!

Jon B. Tucker, MD

Chief Medical Officer
Interim CEO
MedicoLegal, Inc.

5990 University Blvd.
Suite #12, Box 248
Moon Township, PA 15108
Phone: 412-276-6241
Cell: 412-310-6177
Fax: 412-265-6530
www.medicolegalgroup.com
jtucker@medicolegalgroup.com

www.medicolegalgroup.com

Subject: Re: Santa Fe, NM - Short Term Rental Ordinance Changes: Due Process & Business Impact

Date: Saturday, June 13, 2020 at 10:57:04 Mountain Daylight Time

From: Jon Tucker

To: Richard A Woodruff, LINDELL, SIGNE I., aduettra@gmail.com, Mayors Office, VILLARREAL, RENEE D., GARCIA, MICHAEL J., ROMERO-WIRTH , CAROL, RIVERA, CHRISTOPHER M., ABEYTA, ROMAN R., CASSUTT-SANCHEZ, JAMIE A., COPPLER, JOANNE V.

CC: Kathy Komoll, Teya Vitu, Paco Arguello, Donna Reynolds, gholcomb@vrma.org

Category: Adobe Casitas

All,

A couple weeks ago I received a solicitation from Marriott to convert my home on Palace Ave into a weekly timeshare unit managed by them as a subsidiary of their vacation club.

Oddly and maybe not coincidentally, that corporate structure would comply with the new ordinance.

One should ask and share for all to know if that is the kind of manager and the kind of place we want Santa Fe to become. Hotel operators would invade this space and subsequently mold the ordinances to their liking, while distressed hotel properties, freed of competition from better and less expensive short term rental homes, and managed by these same entities, would convert debt laden distressed properties into timeshares. And trust me just about all the hotels are laden with non recourse CMBS paper that is being taken over by the vultures who will liquidate the assets any way they can.

In my humble opinion, that is where the focus of City Council ought to be!!!

How about the spectre of timeshare salespeople hawking interval ownership on the Plaza? That's what's coming if competition is not preserved. Guaranteed.

This proposed ordinance will ruin Santa Fe.

In order to preserve the unique nature of Santa Fe the government needs to embrace and nurture the small businesses that constitute the short term rental market. We are the people who have personally invested in and care about preserving Santa Fe. Don't wreck it by regulating us out of business and opening the door for the timeshare creatures.

Jon B. Tucker, MD

Chief Medical Officer
Interim CEO
MedicoLegal, Inc.

5990 University Blvd.
Suite #12, Box 248
Moon Township, PA 15108
Phone: 412-276-6241
Cell: 412-310-6177
Fax: 412-265-6530

GURULE, GERALDINE A.

From:	Elizabeth West <ewest@cybermesa.com>
Sent:	Sunday, June 14, 2020 11:21 PM
To:	esiasaacson@santafenm.gov; Land Use Public Comment
Cc:	WEBBER, ALAN M.; Signe Lindell; VILLARREAL, RENEE D.; ROMERO-WIRTH , CAROL
Subject:	attention Planning Commission, regular Committee Thursday, June 18, 2020: Amending Section 14.6.3 SFCC 1987 / Short Term Rental Ordinance / amending the Amendment
Attachments:	Short_Term_Rentals_fillable3_14.pdf

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Please forward or deliver this email to the entire Planning Commission for me — thank you! (The deadline is tomorrow (Monday), June 15 at noon. This is being emailed Sunday evening at about 11:30 p.m.)

From the Agenda for the Planning Commission, Thursday, June 18, 2020:

7.B. An Ordinance Amending Section 14-6.2 SFCC 1987 to Adopt by Ordinance a Maximum of one thousand (1000) Short-Term Rental Permits in the City; to Prospectively Limit the Number of Short-Term Rental Permits to One Per Natural Person; to Prospectively Limit the Proximity of Short-Term Rental Units on Residentially Zoned Property; to Require a Local Operator for Short-Term Rental Units; to Adopt Record-Keeping and Reporting Requirements for Short-Term Rental Unit Owners and Host Platforms; and to Clarify Other Provisions of the Short-Term Rental Ordinance. (Mayor Webber and Councilors Lindell, Romero-Wirth, and Villarreal) (Elias Isaacson, Land Use Director, esiasaacson@santafenm.gov, 955-6730) (Sally Paez, Assistant City Attorney, sapaez@santafenm.gov, 955-6501)

I think there are two most important items that need to be addressed before moving forward with this: a Primary Residence requirement, and understandable regulations which better facilitate enforcement.

1) Primary Residency requirement needs to be part of this amendment. This requirement would help solve a lot of problems. (The Charleston, SC model is probably the most congruent with Santa Fe's needs.) Compliance from the existing businesses should be required, but perhaps generously give the businesses a year to adjust?

2) It is important to keep the regulations, guidelines and requirements as clear and simple as possible in order to facilitate reasonably easy accountability and enforcement. This will help the City as well as help the STR businesses. The enforcement penalties and policies need to be easily understood and readily available. The City of Santa Fe should be able to receive the money that is owed to it, as part of the arrangement for what the City provides the people who are in the business of short term rentals. Santa Fe is not primarily aiming to provide a place for the STR industry — that is not our job.

Note:

Section (5) (ii) page 4 — this seems a bit pie in the sky (which is not a good place for any kind of pie), and if one of the aims of this ordinance is to try to control speculation that ultimately gets in the way of long-term housing, the Primary Residency requirement would be a better deterrent. If you add the Primary Residency requirement, then delete this (5) (ii).

Curious about the Charleston, SC, short term rental application? They had to act decisively in order to help support long-term housing. Here is a link: <https://www.charleston-sc.gov/DocumentCenter/View/18611/Residential-STR-Application?bidId=>

Compare with Santa Fe:

I hope my comments help, and thank you for your attention — and for helping me to get my comments to the entire Planning Commission on time — *¡muchas gracias!*

Elizabeth West
318 Sena Street
Santa Fe, NM 87505
984-1047

***

GURULE, GERALDINE A.

From: Janet Williams <janetwilliamspottery@gmail.com>
Sent: Friday, June 12, 2020 1:23 PM
To: BERKE, NOAH L.
Subject: STRs

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To Whom It May Concern

I believe all short term rentals should be owned by locals. This would prevent speculation which drives up the market for locals.
We also need to limit the number of STRs, as they are destroying neighborhoods, limiting the number of long term rentals and driving up the prices for first time home buyers.
STRs are out of control and must be limited.

Sincerely,
Janet Williams
1200 Don Gaspar Ave
Santa Fe, NM 87505

Sent from my iPhone

GURULE, GERALDINE A.

From: Richard A Woodruff <richardwoodruff@yahoo.com>
Sent: Sunday, June 14, 2020 1:19 PM
To: LINDELL, SIGNE I.; Mayors Office; VILLARREAL, RENEE D.; GARCIA, MICHAEL J.; ROMERO-WIRTH , CAROL; RIVERA, CHRISTOPHER M.; ABEYTA, ROMAN R.; CASSUTT-SANCHEZ, JAMIE A.; COPPLER, JOANNE V.; Land Use Public Comment
Cc: Kathy Komoll; Teya Vitu; Paco Arguello; Donna Reynolds; gholcomb@vrma.org; aduettra@gmail.com
Subject: Proposed Changes to STR Ordinance - Impact of 75' Radius on Future STR Permits
Attachments: Impact of 75' Radius on Future STR Permits.pdf; Impact of 75' Radius on Future STRs.pdf; STRO Changes - Cheryl Bernard Letter to Mayor.pdf; STRO Changes - Jon Tucker Response to Mayor and Council.pdf; STRO Changes - Marvin Schrager Letter to Mayor.pdf; STRO Changes - Singleton Letter to Mayor.pdf; STRO Changes - Woodruff Response to Councilwoman Lindell.pdf; STRO Changes - Woodruff Response to Councilwoman Villarreal.pdf

Importance: High

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi All,
As you have seen from my initial writings on STRs, I have been calling for a **forward-looking economic study** regarding the impact of the 75' Radius on Future STRs **as well as** the other changes being proposed. I am attaching just one example. As requested, the Land Use office is also in copy to log these opinions.

In this example (Guadalupe District), there are currently four STRs located at:

- 114 Quintana Street
- 117 Quintana Street
- 124 Elena Street
- 126 Candelario Street

The slide below delineates the 75' radius impact on the future potential of a **new** buyer obtaining an STR permit. As can be seen, if **any** of the homes above were to sell, the new buyer would NOT be able to obtain a STR permit under the new ordinance. This will have a dramatic impact on the **selling price** for any of the homes above as the new buyer will **not** have the flexibility in the rental use of the home. Actually, in this particular case, all of the homes would not be eligible for a permit. **Therefore, an existing owner, whether grandfathered or not, will lose future value in their home.**

Also, having a **cap** on STR permits really is **immaterial**. Over time, the number of potential **STR permits will decrease** as homes sold with existing STR permits are no longer eligible for a permit. The new owner **cannot** obtain one due to the new restrictions. In my rough analysis, derived from my knowledge and management of short-term rentals in the City of Santa Fe, it is likely that STR permits will fall by a minimum of 50% over a ten-year period as homes change ownership. To validate this, one must examine the average turnover of homes in the City of Santa Fe. This analysis should be paramount in the economic impact study. Another fact, the number of STR permits has not risen since 2018 remaining quite consistent at approximately 850 permits under the current ordinance.

The City of Santa Fe will experience an ever-decreasing source of revenue from Lodger's Tax, due to less STRs, and from property taxes due to the decrease in real home market values. Real home values will decrease as the homes will no longer retain the option to be rented short term for any new buyer. Thus, depriving the new buyer of a significant revenue source which will be taken into account when assessing the purchase value of a home. This is further highlighted in the attached documents from a few concerned owners. I am always asked the question, 'Can I obtain a short-term rental permit if I'd like one?' How will this question be answered by any Realtor going forward?

As a point of fact, Lodger's Tax and GRT are both collected and directly remitted (bypassing property managers and owners) to the City and State by Airbnb, HomeAway, VRBO and Expedia. The delinquency rate on tax collection has dropped significantly (in 2020) as these listing engines represent approximately 90% of all bookings. This can be confirmed by AirDNA. The O'Donnell study was based on 2018 data which is not longer germane.

In the slide below, I have assumed the center of each property as the radius start point. Should the radius start point be at the property boundaries, the impact would even be more onerous basically removing the ability for most of the homes in the neighborhood to obtain a permit.

Impact of 75' Restriction on Future STR Permit

75 Feet

I look forward to hearing the rationale for such an ordinance in addition to the rationales for all the other recommended changes. I have also attached the current writing of a few constituents.

All the best,
Richard

Adobe Casitas Vacation Rentals, Inc.
Real Estate Qualifying Broker

License #19824
+1 848 466 9586
www.adobecasitas.com

From: Richard A Woodruff <adobecasitas@gmail.com>
Date: Saturday, June 13, 2020 at 10:32

Subject: Re: Santa Fe, NM - Short Term Rental Ordinance Changes: Due Process & Business Impact

Dear Signe and all,

Thanks, so much for your response but I'm sorry to say your stipulations are not true. The regulations will affect guest occupancy for all rentals. Also, should an existing permit holder want to sell their property, it cannot be stated, by the realtor or seller, that the same home will be granted a permit for the new owner. Thus, reducing property values and potential buyers. Not finally, but one more point, there has been no economic impact study reflecting the results of the changes over the years forward. I suggest you take a look. The changes are dramatic and far reaching that will ultimately cut the number of vacation rentals in half due to the 75' radius requirements and decrease tourism for Santa Fe. Just take a stab at modelling what a 75' radius does to existing short term rentals. On East Palace Avenue alone, it will have the effect of eliminating more than half of the vacation rentals over time. Given the proximity of the houses to one another and the 5' setbacks of property lines. This is also true in the Guadalupe District. With change of ownership, the number of vacation rentals will dwindle, the choices of rentals for consumers will be less, rental rates may increase due to more demand for a shrinking supply and the whole business for property managers will become unprofitable or marginally profitable. Also, requiring an owner of a property to use a property manager, is inappropriate as it changes the profit dynamics for the owner – forcing them to pay a commission. Is that fair?

The proposed changes create an uneven playing field that will be even more difficult to regulate, and I am certain that the reporting requirements will apply to all properties. They are onerous at best. Regarding the O'Donnell study, it was based on old data and the situation has actually improved. Airbnb, HomeAway, VRBO and Expedia (the vast majority of bookings are through these engines) all pay the GRT and Santa Fe Lodger's Tax directly to the appropriate government bodies. So, the regulation and enforcement of tax collection has been largely automated.

I am at a loss to understand why a proper impact study would not be commissioned evaluating all the effects of the changes going into the future (10 years out). I have been at executive level in major corporations for 40 years, we would not be so cavalier with our P & L as to make significant decisions in a vacuum. I can only surmise that we don't want to expose the results. It is so much easier to say, all is fine, and nothing will change for the existing permit holders. We should at the very least consider getting advice from VRMA.

It is remarkable that we promote Santa Fe as 'the' place to visit, along with significant marketing efforts, while at the same time we attempt to restrict choice that ultimately hurts consumers by limiting choice in lodging and thus raising pricing. Less people will come to Santa Fe and there will be less business for our auxiliary businesses. Tourism is the largest industry we have in Santa Fe, let's not go backward!

Ask yourself, why are we doing this?

All the best,
Richard

From: "LINDELL, SIGNE I." <silindell@santafenm.gov>
Date: Saturday, June 13, 2020 at 09:50
Subject: Re: Santa Fe, NM - Short Term Rental Ordinance Changes: Due Process & Business Impact

Thank you. Current license holders are grandfathered and if they renew properly and stay in compliance. Nothing changes.
We have worked hard on this to strike a balance for all.
Signe

Get Outlook for iOS

Richard,

It appears that I'd be grandfathered even though Hagajo is the owner.

After reading the proposed ordinance I totally agree that it should be opposed with regard to the economic limitations. There are some givebacks that would hopefully satisfy the proponents most notably the noise, occupancy, parking, record-keeping, and auditing.

Jon

Jon B. Tucker, MD

Chief Medical Officer
Interim CEO
MedicoLegal, Inc.

From: Richard A Woodruff <adobecasitas@gmail.com>
Sent: Friday, June 12, 2020 2:01 PM
Subject: Santa Fe, NM - Short Term Rental Ordinance Changes: Due Process & Business Impact

Dear All,

It has only recently come to my attention (actually June 10th) that there is a proposal being considered to change/amend the current short-term rental ordinance for the City of Santa Fe. Are you all aware of the ramifications of the proposed changes for the short-term rental industry of our City; including the impact on our tourist industry, the impact on existing and future City of Santa Fe property owners and the impact to the revenue to our City and the businesses that operate in our City?

To my knowledge, there has not been an Economic Impact Study performed to understand the financial impacts to the City of Santa Fe regarding the proposed changes to the Short-Term Rental Ordinance encompassing the points I mentioned above. Also, I did not see, nor am I aware, of any budget allocated for such a study in the 2020 Santa Fe City budget. An Economic Impact Study will have an important relevance to any changes proposed. When the current ordinance was adopted, there was an independent economic impact study performed, and it is only prudent to require another study to understand the financial impacts of any decision. I remain surprised that the mayor is not taking ownership of such an important change to the tourist industry for the City of Santa Fe. **I am also seeking clarification as to why this significant change is proceeding under the radar of concerned parties.**

Secondly, I do not believe that due process has not been followed as all constituents, including current short-term rental permit holders, have not been properly notified regarding the changes under consideration to provide them with ample time to respond to the proposal. Actually, the City of Santa Fe has not even notified existing rental permit holders. That being said, I have been directly in touch with a few of my owners and I am waiting their response with suggestions on actions to take as a collective. There are clearly going to be legal remedies sought should the current proposal proceed in its current form and process. I am also attaching a short, non-exhaustive, list of concerns.

Finally, holding a meeting via Zoom is not inclusive enough to gather a quorum of concern. Some constituents to this ordinance, may not even be technically inclined to use Zoom.

These suggested short-term rental ordinance changes will impact the entire nature of our tourist industry in the City of Santa Fe, as well as dramatically and negatively impact businesses and property owners. Unjustified over-regulation will have a detrimental impact on consumers and local and state economies.

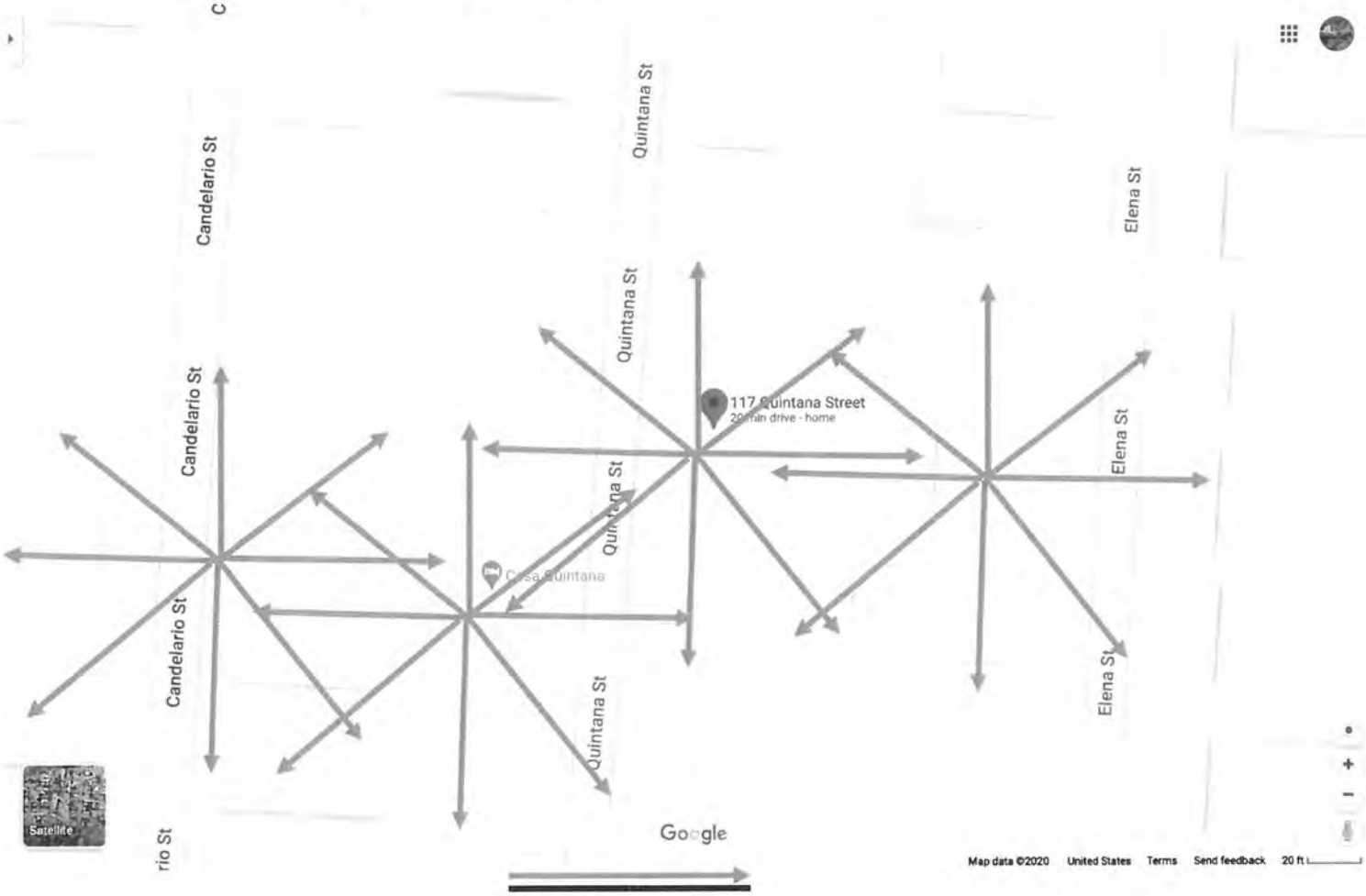
It is my suggestion that the City of Santa Fe should also consider consulting with the Vacation Rental Management Association (VRMA), in copy. VRMA assists communities in developing professional and traditional vacation rentals as a safe and reliable option for consumers. They are committed to working with policymakers to develop fair and balanced regulations that benefit both communities and the vacation rental market. https://www.vrmaadvocacy.org

I look forward to hearing from you soonest!
All the best and stay well,
Richard

Impact of 75' Restriction on Future STR Permits

75 Feet

Impact of 75' Restriction on Future STR Permits



75 Feet

Dear Signe and all,

Thanks, so much for your response but I'm sorry to say your stipulations are not true. The regulations will affect guest occupancy for all rentals. Also, should an existing permit holder want to sell their property, it cannot be stated, by the realtor or seller, that the same home will be granted a permit for the new owner. Thus, reducing property values and potential buyers. Not finally, but one more point, there has been no economic impact study reflecting the results of the changes over the years forward. I suggest you take a look. The changes are dramatic and far reaching that will ultimately cut the number of vacation rentals in half due to the 75' radius requirements and decrease tourism for Santa Fe. Just take a stab at modelling what a 75' radius does to existing short term rentals. On East Palace Avenue alone, it will have the effect of eliminating more than half of the vacation rentals over time. Given the proximity of the houses to one another and the 5' setbacks of property lines. This is also true in the Guadalupe District. With change of ownership, the number of vacation rentals will dwindle, the choices of rentals for consumers will be less, rental rates may increase due to more demand for a shrinking supply and the whole business for property managers will become unprofitable or marginally profitable. Also, requiring an owner of a property to use a property manager, is inappropriate as it changes the profit dynamics for the owner – forcing them to pay a commission. Is that fair?

The proposed changes create an uneven playing field that will be even more difficult to regulate, and I am certain that the reporting requirements will apply to all properties. They are onerous at best. Regarding the O'Donnell study, it was based on old data and the situation has actually improved. Airbnb, HomeAway, VRBO and Expedia (the vast majority of bookings are through these engines) all pay the GRT and Santa Fe Lodger's Tax directly to the appropriate government bodies. So, the regulation and enforcement of tax collection has been largely automated.

I am at a loss to understand why a proper impact study would not be commissioned evaluating all the effects of the changes going into the future (10 years out). I have been at executive level in major corporations for 40 years, we would not be so cavalier with our P & L as to make significant decisions in a vacuum. I can only surmise that we don't want to expose the results. It is so much easier to say, all is fine, and nothing will change for the existing permit holders. We should at the very least consider getting advice from VRMA.

It is remarkable that we promote Santa Fe as 'the' place to visit, along with significant marketing efforts, while at the same time we attempt to restrict choice that ultimately hurts consumers by limiting choice in lodging and thus raising pricing. Less people will come to Santa Fe and there will be less business for our auxiliary businesses. Tourism is the largest industry we have in Santa Fe, let's not go backward!

Ask yourself, why are we doing this?

All the best,
Richard

I have also attached another letter for an existing property owner. Perhaps take the time to read it!

From: "LINDELL, SIGNE I." <silindell@santafenm.gov>
Date: Saturday, June 13, 2020 at 09:50
To: Jon Tucker <jtucker@tuckerime.com>, Richard A Woodruff <adobecasitas@gmail.com>, Andy Duettra <aduettra@gmail.com>, Mayors Office <mayor@santafenm.gov>, "VILLARREAL, RENEE D." <rdvillarreal@santafenm.gov>, "GARCIA, MICHAEL J." <mjgarcia@santafenm.gov>, "ROMERO-WIRTH , CAROL" <cromero-wirth@santafenm.gov>, "RIVERA, CHRISTOPHER M." <cmrivera@santafenm.gov>, "ABEYTA, ROMAN R." <rrabeyta@santafenm.gov>, "CASSUTT-SANCHEZ, JAMIE A." <jcsanchez@santafenm.gov>, "COPPLER, JOANNE V." <jvcoppler@santafenm.gov>
Cc: Kathy Komoll <kkomoll@newmexicohospitality.org>, Teya Vitu <tvitu@sfnewmexican.com>, Governor Lujan Grisham <nmiggovima@state.nm.us>, Paco Arguello <paco@sfar.com>, Donna Reynolds <donna@sfar.com>, "gholcomb@vrma.org" <gholcomb@vrma.org>
Subject: Re: Santa Fe, NM - Short Term Rental Ordinance Changes: Due Process & Business Impact

Thank you. Current license holders are grandfathered and if they renew properly and stay in compliance. Nothing changes.
We have worked hard on this to strike a balance for all.
Signe

Hi Renee,
Thanks so much for your response but I'm sorry to say your stipulations are not true. The regulations will affect guest occupancy for all rentals. Also, should an existing permit holder want to sell their property, it cannot be stated that the same home will be granted a permit for the new owner. Thus, reducing property values and potential buyers. Not finally, but one more point, there has been no economic impact study reflecting the results of the changes over the years forward. I suggest you take a look. The changes are dramatic and far reaching that will ultimately cut the number of vacation rentals in half due to the 75' radius requirements and decrease tourism for Santa Fe.
All the best,
Richard

PS: I read the proposed changes completely as well as Karen's study. Perhaps you should take another look with the future impact delineated in an impact study.

On Fri, Jun 12, 2020 at 20:04 VILLARREAL, RENEE D. <rdvillarreal@santafenm.gov> wrote:

Hold your horses folks!

Before you get ahead of yourself, you must know that all the existing short term rental properties that are currently in compliance, have their permits, and are following the rules, will not be affected by these proposed new rules and regs. The proposed ordinance will only apply to future applicants for short term rentals.

I hope that clears up the misconceptions. And there will be plenty of time to have community members weigh in as we have many future committee meetings and opportunities to take the time and read and learn about the proposed changes.

Be well,

Renee

Renee Villarreal

Councilwoman, District 1

City of Santa Fe

(505) 629-2388

rdvillarreal@santafenm.gov

Planning Commission Meeting

October 15, 2020

Short-Term Rental Bill

Written Comments

The following written comments were submitted on time and were considered by the Planning Commission on October 15, 2020:

- Susan Orth, Santa Fe Association of REALTORS

The following written comments were submitted late and were **not** a part of the record considered by the Planning Commission on October 15, 2020 (but are provided for consideration at subsequent committee meetings):

- Natalie Bovis
- Marc Choyt
- Teri Hackler
- Kitty Moss
- Elise Noble
- Sandra Noe
- Leroy Pacheco
- Toral Patel, Airbnb
- Amy Rose
- Kim Schilling
- Bonnie Smith
- Richard Woodruff

October 12, 2020

Dear City of Santa Fe Planning Commissioners:

The Santa Fe Association of REALTORS® appreciates the City of Santa Fe Planning Commission and city leaders ongoing work to improve the proposed short-term rental ordinance. In response to public input and commissioners' concerns, a revision has been introduced for the planning commission's consideration at its upcoming October 15, 2020 meeting.

The association is pleased with a number of key changes proposed by the planning commission that have been adopted in the revision. Specifically, the association supports the changes related to retaining exemptions and registrations for non-residential properties; clarifying the role of a natural person in the permitting process; expand the non-transferability of a permit in certain circumstances; and clarifying the "grandfather" clauses that would have allowed the land use director to revoke a permit upon expiration.

There remain several issues that the association would encourage planning commission members to review and consider taking action.

The revision has amended the originally proposed 75-foot radius density requirement for new permits to a 50-foot radius from the boundary of the property. The planning commission had a thoughtful discussion regarding any new density requirement which our members believed was important and valuable given the highly dense nature of the downtown area. The new density requirement will likely result in preventing any new short-term rental permits to be issued in these areas while grandfathering in existing operators-some with several units. Due to this concern, the association believes this restriction on density remains unworkable, may invite litigation, and will negatively impact property rights. For many homeowners, it would be difficult to make such a determination without significant support from the land use department as property owners will not know the proximity of permitted units. The association strongly suggests the commission consider retaining the existing density requirement *"short-term rental permits will not be issued for more than two short-term rentals directly adjoining each other on a residentially zoned street. For the purposes of this subsection, "directly adjoining" means sharing a common boundary along a public street frontage, but does not include adjoining units in a condominium, townhouse development, in an apartment complex, or residential compound"*.

The revision continues to place a permit limit of 25% of units on a multi-family complex even when the owners, home owner association or condominium rules permit short-term rentals. The association would encourage the planning commission to consider eliminating this restriction, if short-term rentals are permitted by multi-family complexes.

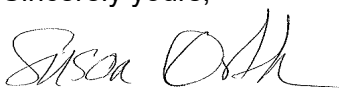
The revision adds two new requirements to non-residential properties:

- A permit limit of 25% of units on a multi-family complex located within 200-feet of a residential district, and
- A limit of 12 permits per building in a multi-family development.

The association looks forward to the discussions regarding these new restrictions on non-residential properties and is encouraging its members along with commercial property owners to provide their keen insights as the public legislative process moves forward.

The Santa Fe Association of REALTORS® appreciates efforts by city leaders to ensure this valuable, local green industry generating wealth for its citizens continues to be supported and encouraged while significantly enhancing the city's tourism and coffers, through much-needed tax collections.

Sincerely yours,



Susan Orth
President 2020
510 N Guadalupe, Santa Fe, NM 87501

CC: Mayor Alan Webber, Councilor Signe Lindell, Councilor Renee Villarreal, Councilor Carol Romero-Wirth, Councilor Michael Garcia, Councilor Roman Abeyta, Councilor Chris Rivera, Councilor JoAnne Vigil Coppler, Councilor Jamie Cassutt-Sanchez, Eli Isaacson – City Land Use Director, and Sally A. Paez – City Assistant Attorney

From: BERKE, NOAH L.
To: ISAACSON, ELIAS S.; PAEZ, SALLY A.
Subject: Fwd: Air BnB
Date: Wednesday, October 14, 2020 3:38:28 PM

Thanks!

Noah Berke, AICP, CFM
Planner Manager
Land Use Department
(505) 955-6647
(505) 490-5930

From: Natalie Bovis <natalie@theliquidmuse.com>
Sent: Wednesday, October 14, 2020 3:03:39 PM
To: Land Use Public Comment <landusepubliccomment@santafenm.gov>
Cc: getinvolved@airbnb.com <getinvolved@airbnb.com>
Subject: Air BnB

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Santa Fe governance,

I grew up in this town, and I'm a local business owner. I also make extra money (pre pandemic) renting out my guest room to tourists via Air bnB.

I have a SuperHost rating, which means that visitors to Santa Fe have a wonderful experience "living like a local" in my home. I am a great ambassador for Santa Fe because I have lots of recommendations for activities, restaurants, etc. I help to build Santa Fe's tourism economy by providing an affordable option for people who otherwise might not be able to afford a hotel, and would take their tourism dollars elsewhere.

I am sharing my desire to maintain the ability to host people in my own home, as should be my right. I do not think there should be limits as to how many times per 7 days it is rented. Some people only stay a day or two, and during the summerI have multiple visitors who are passing through town.

Santa Fe already is not terribly business-friendly… to the point that I have considered moving my small business to Albuquerque. It is really important that Santa Fe considers small business owners - including side cash from Air BnB - in its planning… or you will lose more homegrown locals, like myself, to more progressive cities which flow with the times… and having the option of home stays through Air BnB, or similar platforms, is the way of the future.

Respectfully,

Natalie Bovis
Founder, The Liquid Muse LLC
Co-Founder, OM Liqueurs
Founder, TACO WARS / NM Cocktail & Culinary Festival

Sent from my device, please excuse random typos and bizarre autocorrect

October 14, 2020

Dear Planning Commission:

Let me outline my concerns globally and then in detail, about this whole process.

1. Stakeholder engagement: There has been extremely poor citizen engagement related to this initiative. I am a stakeholder as a 34 year resident deeply committed to our neighborhoods and culture. I am also a small business owner and an owner of 3 Airbnb's in a commercial building which I put in in order to pay off my debt and hopefully have a retirement one day. I was NEVER notified by the City that the code that affects me and the long term value of my Airbnb business was being changed. Why?

2. Enforcement and revenue: Instead of focusing on a new regulation, why hasn't the City focused on enforcement and closing the loop on the illegal short term rentals? Allowing illegal Airbnbs has cost the City over ten millions dollars, as well as leaving potential safety and neighborhood equity issues. I believe that the City had engaged a contractor to assess this problem and then did nothing to address it. Why is that?

THIS ISSUE IS FAR MORE IMMEDIATE AND URGENT then all the man hours spent on a new code, especially given the fact the Airbnb has been greatly depressed during this pandemic. This is a major betrayal of public trust and fiduciary responsibility. Why is there such a profound disconnection between economy and policy priorities? How could the governing body have let the above happened? Why take all the effort to create new regulations that the huge number of illegal short-term rentals will just ignore? Literally millions of dollars have been lost and continue to be lost because of a lack of follow up.

3. What is the goal of the changes to the short-term rental code and <u>where is the data</u> to show that these changes could result in the desired outcomes? Can anyone assure the public that, given that the code has no economic analysis based upon actual Airbnbs, that illegal short-term rentals have skewed the formation of the current code?

In order to ensure that policy results in desired outcomes, we need to state the goals, understand the data and assumptions and have clear forecasts. It seems that there are incorrect assumptions being made and then policy developed around these incorrect assumptions. This is a waste of valuable City resources and poor governing. For example, at a previous planning meeting**, the Land Use Director, in addition to admitting that there has been no economic analysis, said at a previous planning meeting that Airbnb's were impacting affordable long-term rentals**. **At that meeting, the Director of Affordable Housing, Alexandra Ladd said that the impact of Airbnbs on affordable rentals is negligible.** So, Land Use is driving policy based upon no false assumptions and no economic data.

Shouldn't City staff have clear understanding of our current zeitgeist and on that basis make presentations of goals, assumptions and presentation of data to support changes to the City code?

Data that seems critical to appropriately design and support code changes include: How many Airbnb's are owned by property management companies? How many are individual citizens are using Airbnb to pay for their homes vs or possibly save for retirement? What is the economic impact of Airbnb small businesses on the grassroots of our local economy, verses downtown hotels which exports all their profits outside of our community? Where are Airbnb's located in the city? Wouldn't a visual map of illegal and legal Airbnb's be helpful to the Counsel when considering policy?

Given that Airbnb numbers have not climbed much in the last two years, it's valid to ask that, if there were no short-term illegal rentals, would the current code even need to be modified?

I think we need to have a map to understand where Airbnbs are impacting neighborhoods and then we should show the map with an estimate of the impact of the new regulations. We should drill down and see where in these neighborhoods the complaints have been. Are there just a few people making a lot of noise or is there a systemic problem. We don't know. No. Economic. Data. We must understand the goals and have data to evaluate the likely outcomes.

4. Other questions: The new plan calls for a 75-foot space between locations. Commissioner Faulkner raised this issue particularly and it was skirted by the Land Use Director. He said it would be too difficult. Why should down town, where the vast majority of Airbnb's are rented, be treated the same as Tierra Contenta where someone is obviously trying to make a bit more money to survive our high housing market? Why can't land use have different rules for different zones that might help a few people make a bit of extra money and have the tax advantages of running a small business?

Also, the 7-day rule is completely anti-small business. It seems to be written by our hotel lobby, which has tens of thousands of rooms, vs Airbnb which currently has about 800 permits. Why does the permit favor these hotels and large corps instead of the small grass roots businesses?

It is poor governance for the City to add regulations when they are not enforcing existing regulations, to change City code without engaging stakeholders and without clearly stated goals and data to support the projection that the code changes will meet code. I implore the City to first tackle the problem of illegal short term rentals, gather and publish data and make sound decisions about policy that would meet City goals.

Sincerely,

Marc Choyt

From: BERKE, NOAH L.
To: Teri Hackler; PAEZ, SALLY A.
Subject: RE: Vacation Rentals
Date: Thursday, October 15, 2020 12:25:58 PM

The public comment had closed on Monday. You can speak at tonights Zoom meeting by looking at the City of Santa Fe's website and clicking on the link to Weekly Meetings then Planning Commission.

Noah Berke, AICP, CFM
Planner Manager
City of Santa Fe Land Use Department
Office: (505) 955-6647
Cell or Text: (505) 490-5930
Email: nlberke@santafenm.gov

Click here for Zoning Code Information

Click here for Property Information

https://www.alltogethersantafe.org/

From: Teri Hackler <terihackler@gmail.com>
Sent: Thursday, October 15, 2020 10:30 AM
To: Land Use Public Comment <landusepubliccomment@santafenm.gov>
Subject: Vacation Rentals

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am writing to say that if you limit vacation rentals to 1 per week that would greatly affect my income. Most of the people who stay with me stay 3 days, so I often have more than 1 in a week.

I appreciate your considering this.
Thank you very much,
Teri Hackler

From: BERKE, NOAH L.
To: PAEZ, SALLY A.; ISAACSON, ELIAS S.
Subject: FW: Short term rentals
Date: Wednesday, October 14, 2020 11:01:26 AM

Noah Berke, AICP, CFM
Planner Manager
City of Santa Fe Land Use Department
Office: (505) 955-6647
Cell or Text: (505) 490-5930
Email: nlberke@santafenm.gov

Click here for Zoning Code Information

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https://www.alltogethersantafe.org/

From: kitty moss <moss.kitty@gmail.com>
Sent: Wednesday, October 14, 2020 10:59 AM
To: Land Use Public Comment <landusepubliccomment@santafenm.gov>
Subject: Short term rentals

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am writing to you as an Airbnb host who rents 8 miles from the Plaza in a rural area. If Hosts are limited to one rental in a seven day period it will effectively destroy the market for short term rentals. This is because short term renters rely on seasonal rentals which are typically 1-3 days at a time. Airbnb has gone to great lengths to assure that properties are sanitized properly between rentals. This is not a time to discourage what are essentially small business owners in favor of large institutional hotel owners. Thank you for your consideration. Katherine Moss

From: BERKE, NOAH L.
To: PAEZ, SALLY A.; ISAACSON, ELIAS S.
Subject: FW: October 15 Planning Commission Meeting
Date: Tuesday, October 13, 2020 2:38:07 PM

Noah Berke, AICP, CFM
Planner Manager
City of Santa Fe Land Use Department
Office: (505) 955-6647
Cell or Text: (505) 490-5930
Email: nlberke@santafenm.gov

Click here for Zoning Code Information

Click here for Property Information

https://www.alltogethersantafe.org/

From: elisenoble@post.harvard.edu <elisenoble@post.harvard.edu>
Sent: Tuesday, October 13, 2020 2:35 PM
To: Mayors Office <mayor@santafenm.gov>; VILLARREAL, RENEE D. <rdvillarreal@santafenm.gov>; LINDELL, SIGNE I. <silindell@santafenm.gov>; ROMERO-WIRTH , CAROL <cromero-wirth@santafenm.gov>; Land Use Public Comment <landusepubliccomment@santafenm.gov>
Cc: GARCIA, MICHAEL J. <mjgarcia@santafenm.gov>; RIVERA, CHRISTOPHER M. <cmrivera@santafenm.gov>; ABEYTA, ROMAN R. <rrabeyta@santafenm.gov>; CASSUTT-SANCHEZ, JAMIE A. <jcsanchez@santafenm.gov>; COPPLER, JOANNE V. <jvcoppler@santafenm.gov>
Subject: October 15 Planning Commission Meeting

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mayor Webber and City Councilors:

Below are my comments for the upcoming meeting about short-term rentals. I wanted you to have a chance to consider them before the meeting and unfortunately missed the deadline for submission via Noah Berke. Please let me know if you have any questions.

Thank you.

Sincerely,
Elise Noble
2255 Old Arroyo Chamisa Road
505-699-7801
~~~~~~
~~~~~~

The draft **Short-term Rental Ordinance** raises some concerns.

In our 42 plus years in our home, we have experienced a marked decrease in the water we can draw from our well. Despite taking great care not to use too much at any one time, we have often run out of water. (We are not connected to City or to any other water supply source, and have added water storage tanks to help our supply problems.)

The Ordinance's **Purpose and Intent** makes clear that it intends (page 5)

> **to ensure that the operation of *short-term rental units* does not disrupt the character of the *city*'s residential neighborhoods or affect the quality of life of neighboring residents**.

However, nothing in the Ordinance addresses the issue of water quantity or water quality.

1. Water Quantity: Short term rentals add to use of water from our common water table, not only increasing showers and toilet flushes, but also adding loads of laundry for guests' sheets and towels. A neighbor's short-term rental significantly adversely affects our quality of life by decreasing our already diminished water supply.

2. Water Quality: A rise in water use increases the volume of toilet, shower, and laundry water that goes into a septic field. A septic installer next door to us began installing a leach field too close to our well. The installer grudgingly moved the leach field a few feet, barely outside the 100 foot legally required setback from our well.

The Ordinance needs to address issues of water quantity and water quality in areas served by wells and septics, issues that greatly affect quality of life.

3. Occupancy: Another matter of concern is on page 10 of the proposed Ordinance:

> **The total number of [persons]*guests* that may occupy [the]a *short-term rental unit* is twice the number of bedrooms[;].**

If an owner with four bedrooms lives in the house with a significant other, eight guests are allowed, bringing the occupancy to ten. With three children also at home, the permitted occupancy rises to thirteen.

Restoring the word <u>persons</u> where *<u>guests</u>* is now proposed would correct this problem.

4. Notice. Last, the **Required Notice for Short-term**

Rental *Permits* *(*page 15) includes no provision for those who receive Notice to raise concerns or objections.

I hope this omission will be corrected.

From: BERKE, NOAH L.
To: ISAACSON, ELIAS S.; PAEZ, SALLY A.
Subject: FW: Short-Term Rental Restrictions
Date: Wednesday, October 14, 2020 11:06:57 AM

Noah Berke, AICP, CFM
Planner Manager
City of Santa Fe Land Use Department
Office: (505) 955-6647
Cell or Text: (505) 490-5930
Email: nlberke@santafenm.gov

Click here for Zoning Code Information

Click here for Property Information

https://www.alltogethersantafe.org/

From: Sandra Noe <sandmnoe@gmail.com>
Sent: Wednesday, October 14, 2020 10:42 AM
To: Land Use Public Comment <landusepubliccomment@santafenm.gov>
Subject: Short-Term Rental Restrictions

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Submitted for consideration at the Thursday, October 15, 2020 Santa Fe Planning Commission meeting regarding regulations on short-term rentals.

Dear Commissioners,

Though I understand the desire to reduce traffic and unforeseen problems by limiting short-term rentals to one rental per 7-day period, I think it would behoove the Commission to consider that stipulation dependent on the location of the short-term rental.

My husband and I own a condominium at Fort Marcy condominiums, otherwise known as Fort Marcy Hotel Suites. The property is run as a hotel, renting individual condominiums short-term. There are a number of large parking lots on the property which reduce street parking.

We could have Fort Marcy Hotel Suites manage our property and have it booked as much as possible; however, it is not cost-effective for us to do so—Fort Marcy takes a 50% cut of proceeds. We pay our State taxes and Lodgers' Tax, contributing to a healthy local economy as do hotels and motels, so why restrict our ability to have a viable business?

Related to the desire to have a viable business, why can hotels have multiple properties but not

individual short-term owners? The guests hosted in short-term rentals just as readily spend money locally, visiting restaurants, shops, museums, etc., and contribute to the welfare of our economy. Restricting short-term rental ownership shows a limited understanding of the benefits of these properties in Santa Fe.

From our experience and communication with our guests, we know that our short-term rental will not reduce hotel and motel business. We have had guests who travel with family or friends. Many of their travel companions prefer hotels to short-term rentals, so I believe the thought that hotels will suffer is not accurate.

To summarize, please reconsider rental restrictions in a 7-day period based on location. And, please do not limit the number of short-term rentals an individual can operate.

Sincerely,
Sandra Noe
24 Timberwick Rd
Santa Fe, NM 87508
505-920-3055

From: Leroy Pacheco
To: PAEZ, SALLY A.
Subject: Fwd: Consideration of Bill No. 2020-__: An Ordinance Amending Section 14-6.2 SFCC 1987
Date: Thursday, October 15, 2020 9:39:46 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Sally,

I meant to copy you on this email.

Thank you,

Leroy N. Pacheco

Sent from my iPad

Begin forwarded message:

> **From:** Leroy Pacheco <leroypacheco@me.com>
> **Date:** October 15, 2020 at 9:36:48 AM MDT
> **To:** "BERKE, NOAH L." <nlberke@santafenm.gov>
> **Subject: Re: Consideration of Bill No. 2020-__: An Ordinance Amending Section 14-6.2 SFCC 1987**
>
> Hi Noah,
>
> Thanks for your email. Unfortunately I am unable to attend tonight's meeting. Will there be a public hearing component at tonight's meeting? If so, I noticed that on page 8 of the June 18, 2020 Planning Commission meeting, the city attorney (copied here) submitted written comments she had received after that meeting's deadline, into the public record. Is that a possibility with respect to my email below?
>
> Thank you,
> Leroy
>
> Sent from my iPad
>
> > On Oct 15, 2020, at 6:55 AM, BERKE, NOAH L. <nlberke@santafenm.gov> wrote:
> >
> > Hi Leroy,

Public comment closed on Monday so we cannot forward this to commissioners. I would encourage you to attend the public meeting tonight (the link is on the City's website) and speak. Thanks

Noah Berke, AICP, CFM
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https://www.alltogethersantafe.org/

From: Leroy Pacheco <leroypacheco@me.com>
Sent: Wednesday, October 14, 2020 10:20 PM
To: Land Use Public Comment <landusepubliccomment@santafenm.gov>
Subject: Consideration of Bill No. 2020-__: An Ordinance Amending Section 14-6.2 SFCC 1987

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Dear Commissioners:

I recently became aware of the city's consideration of this proposed ordinance amendment regarding short term rentals. I understand and support the city's desire to protect the quality of its residential neighborhoods, which I believe is a shared value by those who visit our beautiful city and choose to stay in a private residence rather than a hotel. I am rather new to hosting visitors and do enjoy providing a more unique experience to those who prefer to visit Santa Fe in this way. As a licensed host, I have had about 6 months experience as a host pre-pandemic, and about as much time acting as a host through the current pandemic.

In this short time, the natural market forces have dramatically changed the character of who currently visits Santa Fe. It is unclear what a post pandemic world will look like with respect to tourism. The rich touristic opportunities (Folk Art, Spanish and Indian Markets, Santa Fe Opera, Balloon Fiesta) of the past, were dramatically halted in 2020 by the pandemic and disrupted the state and city's tourist economies. The current political division and

recent vandalism of the historic Civil War Monument on the plaza have added to a climate of angst in the city and further raised uncertainty for the future.

I question whether some elements of this proposed ordinance will further impinge on our city and state's ability to economically recover. Specifically the intrusion of the ordinance on the length of stay per 7 day period, and the proximity rule of no new permits within 50-feet of existing permits should be more fully and perhaps separately vetted with a thorough analysis of its compliance with federal private property law. I suggest these articles be excised from the current language in the interest of prudence as that analysis is done and the other more perfunctory articles move forward.

I also call into question the number of new permits being limited to 1,000. I have not seen the market data that would support this number, which in my uninformed opinion seems high and something that would better be left to market forces. The same goes for length of stay limitations previously cited, and which the current market forces are moving toward anyway, with rentals now going in the direction of longer stays for remote workers.

I also highlight that the Financial Impact Report (FIR) indicates negligible economic impact to the city, which suggests to me that observation for compliance and enforcement by city forces will not exceed the city's current efforts. It would be interesting to understand this proposed law in light of the most recently available short term tax collections, so that the council and others may better understand what market forces have done to the STR market in the short term and comparing results for both pre-pandemic, and in the current situation.

Thank you for consideration of these thoughts.

Leroy N. Pacheco

Sent from my iPad

October 14, 2020

Santa Fe Planning Commission
200 Lincoln Avenue
Santa Fe, New Mexico 87504

Dear Members of the Planning Commission,

On behalf of Airbnb, thank you for the opportunity to provide input on the City of Santa Fe's draft amendments to its Short-Term Rental (STR) Ordinance. We know that enacting balanced regulations that protect neighborhoods while preserving the benefits that STRs provide to the city and community is crucial.

We appreciate the city's recent changes to its draft amendments which clarify permit eligibility and host platform requirements. However, we remain concerned by a few provisions that would introduce new obstacles to hosting, with adverse impacts on the local tourism economy. We write to suggest revisions that we believe would improve the City's ability to implement balanced and effective STR regulations.

One Rental Per Seven-Day Period

We appreciate that the City allows STRs in a range of building types across residential and non-residential zones to help maximize their economic benefits. However, we are concerned that the intention of the "one rental per seven-day period" limitation is unclear, and may have negative consequences. Not only would this limit the overall amount of Lodgers' tax revenues generated for the city, but it would also harm local residents. The COVID-19 pandemic has had a disproportionate impact on the travel industry, including STR hosts and small businesses who rely on economic activity generated by tourism in their communities. Restricting rentals to one-per-week would reduce their flexibility to host during peak seasons. It particularly hurts more intermittent hosts who travel for one month, for example; this restriction will severely limit their ability to have multiple guests while they are out of town, limiting their ability to generate extra revenue for themselves. Moreover, the one day rental per seven day period is also incredibly complex to enforce given the likelihood that hosts may just jump back and forth between platforms and creates a system inherently designed to fail. We urge the City to remove this provision from the draft amendments, thereby allowing significant more flexibility to operators and creating less administrative burden for compliance staff.

One Permit Per Person

We encourage the City against limiting the number of permits per person. Taken alongside other provisions in the draft amendments - including the 1000 citywide permit cap, 50-foot separation requirement, and one rental per seven day period - this cap is overly restrictive and redundant. Santa Fe's economy relies on tourism, and vacation rentals have long been part of the lodging landscape. We ask the City to consider removing this provision, which could have negative future impacts on the hospitality industry, particularly as permits expire and operators retire. This would be consistent with the intent of the ordinance's grandfathering provision, make the supply more sustainable over time, and ensure the ability of Santa Fe residents to maintain an important economic lifeline.

* * *

Thank you for the consideration of all of the issues that we have raised regarding the proposed amendments. We would like to reiterate our willingness to collaborate with the City in developing a fair, balanced STR regulatory framework, and our comments here are offered in that spirit. We are happy to address any questions you may have.

Sincerely,

Toral Patel
Public Policy, Airbnb

From: BERKE, NOAH L.
To: PAEZ, SALLY A.; ISAACSON, ELIAS S.
Subject: Fwd:
Date: Tuesday, October 13, 2020 8:43:47 PM

Thanks!

Noah Berke, AICP, CFM
Planner Manager
Land Use Department
(505) 955-6647
(505) 490-5930

From: Amy Rose <amybeerose@gmail.com>
Sent: Tuesday, October 13, 2020 8:26:09 PM
To: Land Use Public Comment <landusepubliccomment@santafenm.gov>
Subject:

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Limiting one rental per 7 day period, is basically cutting my business income by 2 thirds.
What is the logic of this proposed ordinance?

Limiting 1 permit per person, destroys the basic business of vacation rentals.
Are these ordinances aimed at Gutting individuals/property owners using short term rental platforms?

I am totally bewildered.

From: BERKE, NOAH L.
To: ISAACSON, ELIAS S.; PAEZ, SALLY A.
Subject: Fwd: short term rental permit
Date: Tuesday, October 13, 2020 5:44:57 PM

Thanks!

Noah Berke, AICP, CFM
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Land Use Department
(505) 955-6647
(505) 490-5930

From: kim schilling <tthferry@yahoo.com>
Sent: Tuesday, October 13, 2020 5:12:39 PM
To: Land Use Public Comment <landusepubliccomment@santafenm.gov>
Subject: short term rental permit

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A couple of pointers:
Many of us do this in order to maintain, improve and afford our house.
I assume the reason you are doing this is because you have accepted too many permits.
One a week? What would the purpose of that be. Many people prefer shorter rentals... Airbnb is good for Santa Fe... most of the people that I get are looking for a place that they are able to be out in the garden, perhaps make their own breakfast in a quiet area cleaned by conscientious cleaners. If they could not stay in an affordable house they would not come, they would chose another area. Not everyone wants to stay in a hotel especially during covid times.

From: BERKE, NOAH L.
To: PAEZ, SALLY A.; ISAACSON, ELIAS S.
Subject: FW: Changes to City Short Term Rental Ordinance
Date: Thursday, October 15, 2020 8:09:30 AM

Noah Berke, AICP, CFM
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https://www.alltogethersantafe.org/

From: BONNIE SMITH <bonnie.b.smith@comcast.net>
Sent: Wednesday, October 14, 2020 7:19 PM
To: Land Use Public Comment <landusepubliccomment@santafenm.gov>
Subject: Changes to City Short Term Rental Ordinance

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To: Santa Fe City Planning Commission Date:10/14/20

Subject: City Short Term Rental Ordinance

We are concerned that proposed changes to short term rental ordinances seek to eliminate or severely cripple short term rentals.

My wife and I own one house in the city currently licensed by the city as a short term rental under my wife's name. We bought the house 28 years ago anticipated occupying it as our retirement home. We rented it as a long term rental (greater than one year lease) for 26 years. We changed our retirement plans and eventually retired in Colorado and retained the house as an investment (under an LLC) and occasionally as a second home.

At the outset, we wish to inform you that our families have been legal New Mexico residents for three and four generations. In one case, prior to New Mexico becoming a state.

Our experience has been that our property has occasionally been significantly damaged by long term renters. Our short term renters have been much more considerate of us and our neighbors. We think this is generally the case.

We have the following comments regarding your current considerations:

A seven day minimum rental will significantly eliminate a segment of our market when normal travel resumes. Perhaps as much as 30% to 60% less.

The current pandemic has significantly distorted the market toward longer term rentals as some people escape high density cities. When travel increases the market will naturally move to shorter term.

We wish to operate with 3 day minimum (we like longer rentals but believe a significant part of the market is 3 day). From a practical standpoint, a motel or hotel can operate with a 2 to 4 hour room turn around. A short term house rental can operate with a 4 to 8 hour turn around due to its complexity and size.

Two short rentals on one property (house and casita) is practical and workable in our opinion. Although not our situation, we can foresee problems with restrictions on developments with condos where owners wish to occasionally use the property and short term rent otherwise.

We think the current city ordinances regarding short term rentals are appropriate. Few if any changes are needed.

HOA and neighborhood associations will take care of regulations beyond city ordinance for short term rentals.

We have found that Airbnb management strategy is very effective at helping to manage use of short term rentals.

Thank you for your attention.

Another Issue: Repair of damage done by violence, intimidation and lawless actions by recent violent groups in plaza area.

How is the Planning Commission going to address the damage done to the plaza and Indian restaurant by the violence in the recent weeks? We demand **restoration**, not replacement of historical monuments and structures.

What legislation did not accomplish, violence and lawlessness accomplished while city government, city management and law enforcement willfully looked away!

Bonieta Smith and Marvin Smith

From: BERKE, NOAH L.
To: PAEZ, SALLY A.; ISAACSON, ELIAS S.
Subject: FW: Comment on Consideration of Bill No. 2020-__ re: Short-Term Rental Permits
Date: Thursday, October 15, 2020 5:34:12 PM

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Click here for Property Information

https://www.alltogethersantafe.org/

From: Israel Sushman <isushman@isushman.com>
Sent: Thursday, October 15, 2020 3:21 PM
To: Land Use Public Comment <landusepubliccomment@santafenm.gov>
Subject: Comment on Consideration of Bill No. 2020-__ re: Short-Term Rental Permits

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Using city ordinances to throttle a powerful and natural market shift to integrating short term stays into the travel industry and offered by individual families is akin to supporting the horse-shoeing industry by banning auto repair shops! The market has already moved on and organizations such as Booking.com offer a blended approach, offering a choice of kinds of experience: individual homes, hotels, or other experiences. What should and could happen is that the housing markets should be protected by not allowing wholesale conversion of real estate to Airbnb and VRBO properties. In Los Angeles, Airbnb has been limited to units that are the primary residence of the owners. This reflects the true original vision of Airbnb. Limiting the number of stays a week a host can offer seems unenforceable to me.

Additionally, in an era in which retired people no longer benefit from pensions, AirBnB is a solution for seniors who have never been able to save enough for retirement due to market crashes, the volatility of the job market, real estate losses, and the COVID-19 pandemic. In my case, I was diagnosed with Parkinsons ten years ago and had to leave a lucrative corporate job early. Income from Airbnb for us is under $2,000, and is essential income for my husband and me, without which we would need to turn to state resources to help us survive. Since we live on the property and monitor all activity of our guests, we don't believe having people stay in our home is a detriment

to our Santa Fe community. It is also something we really enjoy, meeting all sorts of interesting people. We believe what we offer is a service that is valuable to the community.

Israel Sushman
Nancy J. Murray
Santa Fe, NM
505.780.8839
isushman@gmail.com
nancyjanemurray@gmail.com

From: BERKE, NOAH L.
To: ISAACSON, ELIAS S.; PAEZ, SALLY A.
Subject: Fwd: Proposed Changes to STR Ordinance - Public Comment for Meeting of October 15th
Date: Wednesday, October 14, 2020 8:37:21 AM

Thanks!

Noah Berke, AICP, CFM
Planner Manager
Land Use Department
(505) 955-6647
(505) 490-5930

From: Richard A Woodruff <richardwoodruff@yahoo.com>
Sent: Wednesday, October 14, 2020 8:31:09 AM
To: LINDELL, SIGNE I. <silindell@santafenm.gov>; VILLARREAL, RENEE D. <rdvillarreal@santafenm.gov>; GARCIA, MICHAEL J. <mjgarcia@santafenm.gov>; ROMERO-WIRTH , CAROL <cromero-wirth@santafenm.gov>; RIVERA, CHRISTOPHER M. <cmrivera@santafenm.gov>; ABEYTA, ROMAN R. <rrabeyta@santafenm.gov>; CASSUTT-SANCHEZ, JAMIE A. <jcsanchez@santafenm.gov>; COPPLER, JOANNE V. <jvcoppler@santafenm.gov>; Land Use Public Comment <landusepubliccomment@santafenm.gov>
Cc: Kathy Komoll <kkomoll@newmexicohospitality.org>; Paco Arguello <paco@sfar.com>; Fran Maier <franvacationrental@gmail.com>; Dana Lubner <dana@rentresponsibly.org>; David Krauss <david@rentresponsibly.org>; Alexa Nota <alexa@rentresponsibly.org>
Subject: Proposed Changes to STR Ordinance - Public Comment for Meeting of October 15th

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Good morning All,

I am taking this opportunity to provide further comment to the Land Use Office regarding the proposed changes to the STR Ordinance to be discussed at the meeting of October 15th.

To Follow:
It is assumed by the council (reference article below) that the 1600 (a few less as I believe it is around 1450) rentals listed on Airbnb and VRBO demonstrate that there are scofflaws to the existing ordinance. Although that is likely true to a limited extent, the council fails to take the following into consideration:

1. Not all rentals listed on Airbnb and VRBO require a permit; for two reasons:
    a. Some are longer term rentals exclusively (more than 30 days), and therefore do not require permits
    b. Some of the listing are not within the City limits, rather in Santa Fe County, and therefore do not require a City permit
2. Taxes, for all listings, are automatically collected and remitted to the State and

the City directly by VRBO. Taxes do not pass through the listing. This has been the case since mid-2019. Also, taxes are withheld for the longer-term rentals although taxes should not be applied. VRBO and Airbnb does not give a listing permission to exclude the taxes.

3. Some listings are duplicates both on the various listing engines as well as on each listing engine. Some have listed homes twice for marketing purposes.

Our conclusion should be: An impact study should be performed of the listings on VRBO/Airbnb to determine the actual compliance taking into account the points above. I am certain they will determine that the size of the problem is rather small. Once the problem is isolated, the City can pursue the violators.

All the best,
Richard

Santa Fe city councilor says many short-term rentals operating illegally

by: Stephanie Chavez

Posted: Oct 12, 2020 / 05:41 AM MDT / Updated: Oct 12, 2020 / 05:43 AM MDT

SANTA FE, N.M. (KRQE) – The City of Santa Fe is cracking down on short-term rentals, saying hundreds of them are not permitted and could face fines. There are also still a couple hundred permits up for grabs.

Santa Fe is losing $3.8 million annually to short term rentals, according to a survey done in 2019. "They're just not paying it when people come and rent, they're just not paying it," says City Councilor Carol Romero-Wirth.

Romero-Wirth says that's why the city recently capped the number of short-term rental permits at 1,000. Still, she says, there are about 1,600 of these rentals, through websites like Airbnb, operating across the city.

She says about half of them are not following the city's ordinance, requiring them to register the rental and get a permit. "There's something like 800 that are permitted," she says.

Romero-Wirth is supportive of these rentals but wants them to come into compliance, saying the lost revenue isn't the only problem they're causing. "That's had a negative impact on the neighborhoods, the neighbors are feeling like the character of the neighborhood doesn't feel the same," Romero-Wirth says.

The city planning commission this week will hear a proposed amendment to the current ordinance that would have code enforcement officers cracking down on people who aren't permitted and inform them about the remaining 200 permits that are available.

"And then once we hit that 1,000 level cap, those houses that can't get

permits maybe will become longterm rentals [that] help with our housing shortage," Romero-Wirth says. According to the councilor, because of the budget deficit, they will not be hiring any more enforcement officers for this extra enforcement, if this amendment passes.

City of Santa Fe, New Mexico

memo

Date: October 22, 2020

To: Members of the Quality of Life Committee, Public Works and Utilities Committee, Finance Committee, and Governing Body

From: Members of the Planning Commission

Via: Sally A. Paez, Assistant City Attorney

Subject: Commission's Comments on 2nd Draft of Proposed Amendments to Short-term Rental Ordinance

---

On Thursday, October 15, 2020, the Planning Commission held a public hearing to consider the second draft of proposed amendments to the Short-term Rental (STR) Ordinance, Santa Fe City Code (SFCC) Section 14-6.2(A)(5)-(6), (8). The Commission voted unanimously to recommend that the Governing Body adopt the proposed legislation. In this memorandum, the Commission provides additional comments for consideration by the Governing Body and other committees prior to adoption.

Under the SFCC, proposed amendments to the text of Chapter 14 must be submitted to the Commission for review and recommendation at a public hearing, and the Governing Body must review the Commission's recommendations and any public comments received prior to taking final action on the legislation. SFCC § 14-3.3(A)(4).

Twenty-one people provided live public comment at the October 15, 2020 hearing. The Commission also received timely written comments from the Santa Fe Association of Realtors. We understand that City staff received additional written comments after the comment deadline. Although late comments were not submitted to the Commission for consideration on October 15, staff volunteered to compile late written comments and submit them for consideration at subsequent committee meetings and hearings.

The Commission offers the following comments for consideration by the members of the Governing Body.

1. **Permit Not Transferrable [page 7, lines 9-16]:**

Subparagraph 14-6.2(A)(5)(c)(iv) of the draft legislation would retain the existing limitation on permit transfers and states that "a permit is not transferrable to another person or property." This limitation would apply only to short-term rental units located on residentially zoned property. The second draft of the legislation clarifies that a transfer that does not result in new ownership of the property, such as the transfer to a trust or LLC, does not constitute a transfer for purposes of this subparagraph.

The Commission suggests consideration of further amendments to this provision, based on the following concerns: (1) this provision could have a negative impact on families and communities because it would prevent transfers to spouses and immediate family members, including in situations where there is a death in the family; and (2) if a property owner invests in restoring and maintaining a house or historic property, a subsequent buyer should be able to realize the benefit of the rental income.

2. Frequency of Rental [page 7, lines 17-18]:

Subparagraph 14-6.2(A)(5)(c)(v) of the draft legislation would retain the following limitation, which currently exists in the ordinance: "A permitted short-term rental unit shall not be rented more than once within a seven (7)-day period." The limitation would apply only to short-term rental units located on residentially zoned property.

The Commission notes that more than half of the public commenters objected to the inclusion of this provision within the ordinance. Commenters noted that this limitation is difficult to understand, enforce, and apply; that this limitation poses an unnecessary restriction on short-term rental owners and operators who are trying to generate income; and that this limitation reduces employment opportunities, economic activity, and tax revenue in the City.

A majority of the Commissioners concluded that the one rental within a seven day period provision is more restrictive than necessary and warrants further consideration, based on the following concerns: (1) allowing owners and operators to manage rentals in a more flexible manner permits them to maintain and improve their properties and to stimulate the economy; and (2) this provision has not been enforced in the past, and given enforcement capabilities, this provision will be difficult to enforce in the future.

3. <u>Proximity to Residentially Zoned Property [page 8, lines 12-15]:</u>

Subparagraph 14-6.2(A)(5)(d)(2)(A) would limit the density of short-term rental units on non-residentially zoned properties that are within close proximity to residentially zoned property as follows: “If a multiple-family dwelling development located within two-hundred (200) feet of residentially zoned property contains four (4) or more dwelling units, the land use director shall not issue short-term rental registrations for more than twenty-five (25%) of such dwelling units, rounded down to the nearest whole number.”

Several commenters objected to this provision at the October 15, 2020 hearing. The Commission recommends further consideration of this provision because it would treat short-term rental, which is a permitted use in the Business Capitol District, differently than other commercial uses, including hotels and motels, which may have greater negative impacts on neighboring residential areas. If this provision is retained, the Commission suggests revising it, because the way it is currently drafted, a three-plex located within the 200’ buffer zone could have three registered short-term rental units, whereas a four-plex located within the 200’ buffer zone could have only one registered short-term rental unit (25%).

Short Term Rentals and Access to Housing in Santa Fe

Kelly O'Donnell PhD
O'Donnell Economics & Strategy

June 2019

homewise®

Thornburg Foundation

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505.955.7039 or laltomare@homewise.org

Funding for this report provided by the Thornburg Foundation
505.467.7853 | 2300 N. Ridgetop Rd., Santa Fe, NM 87506
www.thornburgfoundation.org

FINDINGS:

The number of STRs in Santa Fe has increased markedly since 2014.

STR growth is slowing, suggesting that Santa Fe's STR market is nearing saturation.

About 60 percent of Santa Fe's 1,444 active whole-unit STRs are registered with the City.

Santa Fe's 646 STR hosts earned $54 million from their Santa Fe properties in 2018, an average of over $80,000 per host per year.

Although 80 percent of hosts list only one STR property, over 100 Santa Fe hosts list two or more entire homes. The city's top 15 hosts account for 381 active STRs, over one-quarter of the Santa Fe market.

Non-compliance with the Lodgers and Gross Receipts taxes by STR hosts is costing the City of Santa Fe $3.8 million annually.

Non-compliance with the gross receipts tax, which appears to be almost universal among STR hosts, is costing the City $1.6 million each year.

Fifteen percent of single family homes listed on Santa Fe County's tax rolls have owners who reside outside New Mexico. In central Santa Fe the percentage of absentee owners exceeds 20 percent. The city's current STR registry does not include registrants' primary address, thus it is difficult to determine how many STRs are 'hosted' by out-of-state entities.

Incentives to construct new Accessory Dwelling Units (ADUs) or use ADUs as long term rentals can help to increase Santa Fe's housing supply, but such policies, even if very successful, can make only a small dent in Santa Fe's profound shortage of affordable housing and must therefore be part of a larger package of housing reforms and investments.

RECOMMENDATIONS:

Enforce registration requirements. Ensure that all active STRs are registered with the City by actively seeking out unregistered properties and punishing non-compliance.

Educate STR hosts about their obligation to pay both the Lodgers Tax and the Gross Receipts Tax, even if the platform(s) on which they list their properties cannot, or will not, automatically collect and remit one or both taxes. The City can improve GRT compliance by requiring STR hosts to supply a CRS number at registration and advising hosts of the correct NAICS code under which to report their STR gross receipts. At the state level, rescinding property tax breaks for second homes can make taxes more equitable and generate additional revenue for affordable housing.

Invest in affordable housing. All additional revenue attributable to enforcement of the GRT and Lodgers tax should be dedicated to the City's Affordable Housing Trust Fund. The City can take advantage of recent legislation de-earmarking certain local option gross receipts taxes to direct more gross receipts tax revenue to housing.

Reduce barriers to construction of affordable housing by:

- Reducing costs associated with permitting, impact fees and water rights for affordable housing developers.
- Revising zoning standards to eliminate conflicting requirements and encourage development of mixed-used affordable housing projects.
- Streamlining the development approval process to expedite affordable housing approvals while ensuring adequate community input.
- Reducing regulatory barriers to ADU construction.

Support state legislative proposals that fund affordable housing and promote tax fairness:

- Limit the 3 percent cap on annual valuation increases to owner-occupied homes so that the property tax on vacation homes and STRs is based upon true market value and tax burden is distributed more equitably.
- Authorize local governments to impose an occupancy surtax on STRs to fund affordable housing.

Lack of affordable housing is one of the greatest challenges facing Santa Fe in 2019. Recent proliferation of short term rentals (STRs) marketed on platforms like Airbnb has contributed to the rapid escalation of home prices and rents. Although additional regulation of STRs may be called for at some point, enforcement of existing regulations and taxes is a critical first step toward minimizing the impact of STRs on access to affordable housing. More vigorous enforcement of STR registration requirements and increased Gross Receipts and Lodger's Tax compliance by STR hosts could generate as much as $3.8 million in annual revenue that the City could *and should* put toward affordable housing.

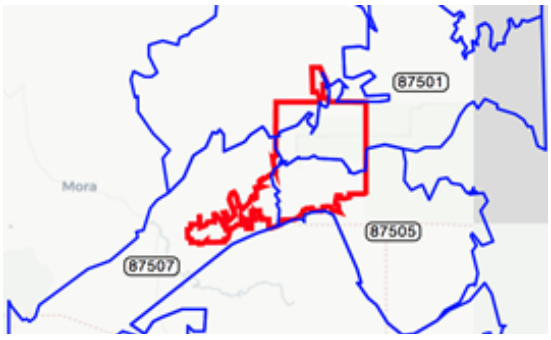
Short Term Rentals in Santa Fe

There are over 1,600 active short term rentals (STRs) in the City of Santa Fe. Ninety percent of the city's STRs (1,444 units) are entire houses or apartments. Over half of Santa Fe's whole-unit STRs are available all year, indicating that they serve solely as short-term rentals.

Table 1: 2018 revenue whole-unit STRs by zip code

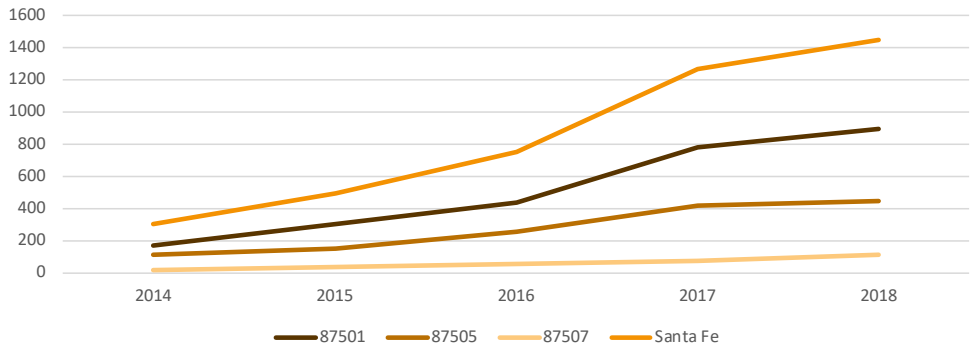
Zip Code	2018 Revenue
87501	$33.8 MM
87505	$17.3 MM
87507	$2.9 MM
Grand Total	$54.0 MM

Figure 1: Santa Fe city limits and zip code boundaries



Between December 2014 and December 2018 the number of whole-unit STRs increased 380 percent, climbing from roughly 300 to 1,444 (Figure 2).

Figure 2: Whole house/apartment STRs, Santa Fe 2014-18



Source: AirDNA (See: "Data Used in this Analysis" at the end of this report)

As of March 2019, the STR registry maintained by the City of Santa Fe listed 871 STRs, or about 60 percent of active whole-unit properties.

STR Hosts and Market Concentration

The 1,444 whole-unit STRs currently active in Santa Fe are operated by approximately 646 individual hosts. Although 80 percent of hosts list only one STR property, over 100 Santa Fe hosts list two or more entire homes. The city's top 15 hosts account for 381 active STRs, over one-quarter of the Santa Fe market.

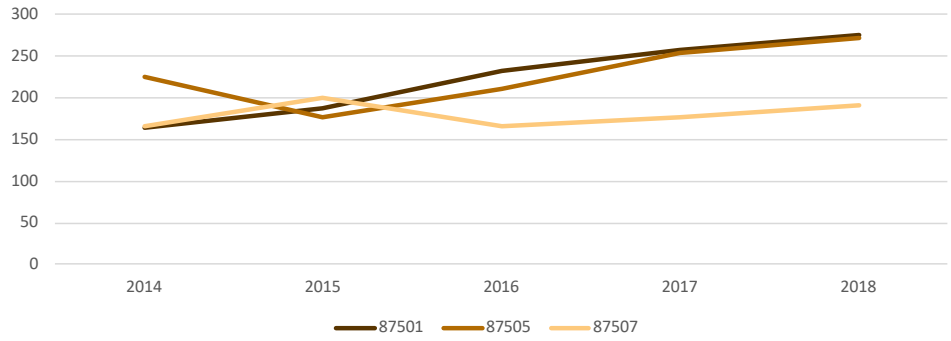
STR Revenue and Market Saturation

Santa Fe's STR market generated over $54 million in revenue in 2018, an average of $83,591 per host.

STR rates are determined by supply and demand. When demand for a particular type of property exceeds supply, hosts can charge more. As the supply of STRs increases, competition among hosts drives prices down. Average daily revenue is thus one indicator of STR market saturation.

Despite recent dramatic increases in the number of STRs active in Santa Fe, average daily revenue continues to increase faster than inflation, indicating that Santa Fe's STR market is maturing but has yet to reach saturation (Figure 3).

Figure 3: STR average daily revenue by zip code



Source: AirDNA

Tax Collections

Non-compliance with the Lodgers and Gross Receipts taxes by STR hosts is costing the City of Santa Fe $3.8 million annually. Although Lodgers tax compliance has improved recently, the City is still collecting less than half of the revenue it appears to be entitled to. Non-compliance with the gross receipts tax, which appears to be almost universal among STR hosts, is costing the City $1.6 million annually.

Short term rentals are subject to Santa Fe's 7 percent Lodgers Tax and the New Mexico Gross Receipts Tax, which currently totals 8.44 percent within the city limits.

Lodger's tax is voluntarily collected and remitted to the city by some, but not all, short term rental platforms. In 2018 the City collected $1.6 million in lodgers tax from STRs, or about 42 percent of the tax due on $54 million in receipts.

Revenue from the gross receipts tax is shared by city, county and state governments. City local option tax increments account for 1.81 percentage points of the GRT and the state returns an additional 1.225 percentage points of GRT collections to the City in the form of a municipal credit, bringing the City's share of the GRT collected within city limits to 3.04 percentage points, or 36 percent of total collections.

Although Airbnb voluntarily collects and remits Santa Fe's Lodger's Tax, none of the STR platforms currently collect New Mexico's GRT. ***The lack of automated collections does not exempt STR hosts from GRT, but very few Santa Fe hosts appear to be paying the tax.*** In fact, review of data from the New Mexico Taxation and Revenue Department (TRD) indicates that Santa Fe STRs paid $95,225 in GRT in fiscal year 2018, about 2 percent of the $4.6 million in GRT due on $54 million in receipts.

Figure 4 shows the gross receipts tax due on $54 million in STR receipts by taxing jurisdiction. Full compliance with the GRT by STR hosts would generate $1.6 million for the City, over $800,000 for Santa Fe County and over $2 million for the State of New Mexico.

Figure 4: Gross receipts taxes due on 2018 Santa Fe STR revenue

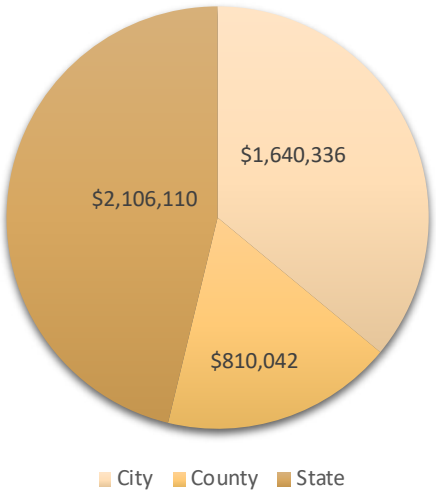


Table 2 shows the full fiscal impact on the City of Santa Fe of non-compliance with existing taxes by STR hosts.[1]

Table 2: Fiscal impact of STR tax non-compliance

	GRT	Lodgers	Total
Total Due	$1,640,336	$3,780,197	$5,420,533
Collections	-$34,281*	-$1,600,000	-$1,634,281
Net Fiscal Impact	$1,606,055	$2,180,197	$3,786,252

*Source: New Mexico Taxation and Revenue rp80 FY 2018
City of Santa Fe NAICS code 72119 and 721199

The estimate of foregone GRT is based on analysis of TRD's Quarterly RP-80 reports, which provide data on taxable gross receipts by local government jurisdiction and industrial sector. TRD classifies businesses using six-digit North American Industry Classification System (NAICS) codes. Short term rentals fall under NAICS code 721199 which comprises "establishments primarily engaged in providing short-term lodging (except hotels, motels, casino hotels, and bed-and-breakfast inns)."

Sometimes taxpayers inadvertently report gross receipts under the wrong NAICS code. This is particularly true for taxpayers who engage in multiple types of taxable business activity. It is possible that some of the GRT revenue not showing up under 721199 is being reported under a different NAICS code.

Lodgers Surtax

State law earmarks all Lodgers Tax revenue for promotion of tourism.[2] Legislation considered by the 2019 New Mexico State Legislature[3] would have authorized the imposition of an occupancy surtax of up to 2 1⁄2 percent of the gross taxable rent on STRs. The new surtax would be added onto the lodgers taxes STR hosts are already required to pay, but the additional revenue would be dedicated to affordable housing.

Impact on Affordable Housing

The conversion of houses and apartments into short-term rentals reduces the supply of housing, putting upward pressure on rents and home prices citywide. Since December 2014, the number of STRs in Santa Fe has increased by an average of 50 percent per year. During that same period, rents increased by an annual average of 4.9 percent and median home prices rose by an annual average of 10 percent.

The extent to which STRs have contributed to the rapid escalation of Santa Fe's housing costs is not known with certainty; but, based on results of a national study, it appears that about 20 percent of the city's housing cost growth since 2014 can be attributed to the proliferation of STRs.

[1] Note that collections of GRT in Table 3 reflect only the City's 36 percent share of GRT revenue generated within city limits.

[2] 3-28-21 NMSA 1978

[3] S.B. 7, 54th Legislature, 2019 Reg. Sess. (NM)
Bill text and analysis available at: https://www.nmlegis.gov/Legislation/Legislation?Chamber=S&LegType=B&LegNo=7&year=19

Table 3: Santa Fe housing stock by zip code

	87501	87505	87507
Total Housing Units	10,374	17,382	20,019
Owner Occupied	5,125	8,830	12,697
Renter Occupied	2,878	6,171	5,914
Vacant homes	2,371	2,381	1,408
Entire house/apt STRs (12/18)	889	447	108
STRs as a percent of housing stock	8.6%	2.6%	0.5%

*Includes vacation homes

The immediate impact of STRs is concentrated in the areas of town most popular with tourists. Table 3 shows the supply of housing and the number of whole house/apartment STRs by zip code. Not surprisingly, Santa Fe's STRs are clustered in the downtown area. Over 60 percent of STRs are located in zip code 87501. STRs also consume a far larger share of the total housing stock in 87501 than they do in either 87505 or 87507.

Also noteworthy are the large number of homes in 87501 and 87505 classified as 'vacant.' These houses are primarily second homes.[4] According to the Santa Fe County Assessor's Office, 15 percent of single family homes listed on the County's tax rolls have owners who reside outside New Mexico. In central Santa Fe the percentage of absentee owners exceeds 20 percent. The city's current STR registry does not include registrants' primary address, thus it is difficult to determine how many STRs are 'hosted' by out-of-state entities.

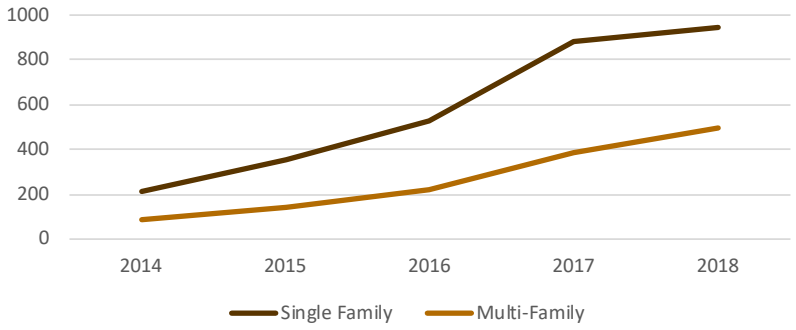
Property Tax Subsidies for Vacation Homes & STRs

Provisions of New Mexico's property tax code originally intended to help low and moderate income homeowners stay in their homes now subsidize the purchase of second homes and STRs by out-of-state residents. In 2001, the State enacted a law prohibiting assessors from raising the valuation of residential property by more than 3 percent annually, provided that the property did not change owners. The law was intended to prevent long-time resident homeowners from being forced from their homes by high property taxes, however its provisions also apply to residential property that is not the owner's principal place of residence (e.g. vacation homes and STRs.) Limiting the 3 percent cap to primary residences has been suggested as a way to both decrease the property tax burden on state residents and raise additional funds that could be put toward affordable housing.

[4] The Census Bureau classifies homes that are not a primary residence as vacant.

Figure 5 shows the growth in number of whole-unit STRs by housing type. Growth in the number of single family homes being used as STRs appears to be leveling off while the number of STRs in multi-family developments continues to increase rapidly.

Figure 5: *Santa Fe whole-unit STRs by type*



Source: AirDNA

The City of Santa Fe permitted the construction of 587 new residential units in between March 2018 and 2019 (Table 5). During the same period, about 170 whole houses/apartments were added to the city's inventory of STRs, diminishing net growth in the housing stock by about 29 percent.

Table 5: Residential Building Permits, City of Santa Fe
3/2018 – 3/2019

Type	Units
Guesthouse (Accessory Dwelling Unit)	19
New Single Family housing	248
Units in Multifamily developments	320
Total housing stock additions	587

Source: City of Santa Fe

Downtown and eastside property values and rents are already quite high and thus few low- or moderate-income Santa Fe residents are directly displaced by STR conversions. However, the loss of long term housing in affluent neighborhoods increases the demand for housing in other parts of the city, creating a domino effect that ultimately results in higher housing costs citywide.

The size of this impact is hard to pinpoint and likely varies by location. A recent national study found that every 1 percent increase in the number of STRs produces a .024 percent increase in rents and a .037 percent increase in housing prices.[5] Since December 2014, the number of STRs in Santa Fe has increased by an average of 50 percent per year. During that same period, rent for a single family home increased by an annual average of 4.9 percent and median home prices rose by an annual average of 10 percent. If Santa Fe follows the trend observed nationally, this level of STR growth would translate into a 1.2 percent annual increase in rents and a 1.8 percent annual increase in home prices over the four-year period.

Home prices and long-term rents both rose substantially between December 2014 and December 2018. Table 6 shows the percent growth in purchase price and monthly rents for single family homes in Santa Fe.

Table 6: Santa Fe Single Family Homes, Percent Change in Housing Costs by Zip Code 12/2014 - 12/2018

Zip code	Purchase Price	Median Rent
87501	28%	19%
87505	48%	22%
87507	41%	15%

Data acquired from Zillow.com/data on April 1, 2019.

[5] Barron, K., Kung, E. and Proserpio, D., The Sharing Economy and Housing Affordability: Evidence from Airbnb (March 29, 2018). Available at SSRN: http://dx.doi.org/10.2139/ssrn.3006832

Accessory Dwelling Units

An accessory dwelling unit (ADU) is a second dwelling unit on the same property as the main house. The ADU is owned by the owner of the main house and the two houses cannot be bought or sold separately. When ADUs are used as long-term rentals (LTRs) they are additions to the housing stock that provide low density housing and alternatives to large scale apartment complexes.

ADUs constituted about 3 percent of new residential units permitted by the City of Santa Fe between March 2018 and March 2019 (Table 5). Increasing the number of ADUs used as long-term housing could help to increase the supply of housing available to Santa Fe residents. In a 2018 report, the Santa Fe Housing Action Coalition, a group of business interests and non-profits that includes many Santa Fe affordable housing providers, recommended that the City remove regulatory barriers to ADU construction by minimizing parking requirements when adequate on-street parking is available, allowing second story ADUs where permitted by zoning, permitting flexible setbacks and reducing lot coverage requirements, and eliminating owner-occupancy requirements for long-term rental units.[6]

While incentives to construct new ADUs or/and utilize ADUs as long-term rentals can help to increase Santa Fe's housing supply, such policies, even if very successful, can make only a small dent in Santa Fe's profound shortage of affordable housing and must therefore be part of a larger, more ambitious package of affordable housing reforms and investments.

RECOMMENDATIONS:

The results of this analysis have important policy implications for the City of Santa Fe. Although more stringent regulation of STRs may be called for at some point, rigorous enforcement of current law is an essential first step toward minimizing the negative impact of STRs and generating revenue with which to offset those effects.

Enforce registration requirements. Ensure that all active STRs are registered with the City by actively seeking out unregistered properties and levying fines for non-compliance.

Educate STR hosts about their obligation to pay both the Lodgers Tax and the Gross Receipts Tax, even if the platform(s) on which they list their properties cannot, or will not, automatically collect and remit one or both taxes. The City can improve GRT compliance by requiring STR hosts to supply a CRS number at registration and advising hosts of the correct NAICS code under which to report their STR gross receipts.

Invest in affordable housing. Additional revenue attributable to enforcement of the GRT and Lodgers tax should be dedicated to the City's Affordable Housing Trust Fund. State law enacted in 2019 de-earmarked a number of municipal and county local option taxes, allowing local governments greater discretion in allocating GRT revenue. The City of Santa Fe can take advantage of this new flexibility to

[6] Santa Fe Housing Action Coalition (2018) Casitas Build Community Accessory Dwelling Unit Regulatory Recommendations. Retrieved from: https://santafehousingaction.org

direct additional GRT revenue from STRs to affordable housing.[7] At the state level, rescinding property tax breaks for second homes can make taxes more equitable and generate additional revenue for affordable housing.

Reduce barriers to construction of affordable housing by:

- Reducing compliance costs associated with permitting, impact fees and water rights.
- Revising zoning standards to eliminate conflicting requirements and encourage development of mixed-used affordable housing projects.
- Streamlining the development approval process to expedite affordable housing approvals while ensuring adequate community input.
- Reducing barriers to ADU construction by amending the City's ADU ordinance to:
  - Allow parking requirements to be met with on-street parking, when available.
  - Replace the current requirement that ADUs be "of the same architectural style as the main house" with the requirement that ADUs follow existing neighborhood design guidelines.
  - Allow for two-story casitas if already permissible in the neighborhood.
  - Discourage the use of ADUs for STRs by requiring that the homeowner live on the property.
  - Encourage the use of ADUs for long term rentals by eliminating owner-occupancy requirements for long-term rental units.

Support state legislative proposals that fund affordable housing and promote tax fairness:

- Limit the 3 percent cap on annual valuation increases to owner-occupied homes so that the property tax on vacation homes and STRs is based upon true market value and tax burden is distributed more equitably.
- Authorize local governments to impose an occupancy surtax on STRs to fund affordable housing.

Data Used in This Analysis

This analysis utilizes a property performance dataset purchased from AirDNA in March 2019.[8] AirDNA is a data analytics company that aggregates data from STR platforms using a process known as web scraping and uses algorithms to sort through the data and identify unique properties and STR hosts. The resulting data present a generally accurate picture of the STR market but can be somewhat imprecise at the individual property level. To enhance accuracy, estimates derived from the AirDNA data were cross-checked against aggregate results for the City of Santa Fe produced by Host Compliance, another major purveyor of STR data.

Additional data sources utilized in this report include the US Census American Community Survey (ACS), Zillow, New Mexico Taxation and Revenue Department, the Santa Fe County Assessor's Office, and the

[7] 2019 N.M. Laws, ch. 274.

[8] https://www.airdna.co/custom-vacation-rental-reports

City of Santa Fe Land Use Department. ACS data were used to estimate baseline housing supply. Data acquired from Zillow.com were used to track property values and rents over time. The Assessor's Office provided data on all properties listed on the Santa Fe County tax rolls from 2015 through 2019. The City's Land Use Department provided access to the STR registry and provided a listing of residential building permits issued since 2014.

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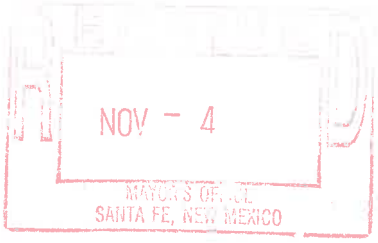

Changes to Short Term Rentals

Mayor and City Council-
I'd like to address some issues regarding the proposed changes to short term rentals (STR's). This is absolutely the worst time for the city to bring this measure to the table - during a pandemic when revenue for the city has precipitously dropped and citizens are struggling to make ends meet. You are acquiescing to a small but very vocal group of residents while shooting yourselves in the foot.

Limiting the number of permits to 1000 while removing 500 units from the market will result in an enormous loss of revenue. Under this plan, the remaining 125 permits will generate $40,000 in permit fees, BUT the city/state will lose tax revenue on 375 "illegal" units that are currently paying GRT and lodging taxes (15.44%) – nearly all rentals use Airbnb services and these taxes are collected and submitted by Airbnb. Back of the envelope calculation: at 80% occupancy, $125/night, the city and state will lose a whopping $2,100,000 in revenue! Is the city prepared for this? You're cutting off your nose to spite your face.

All rental property is not owned by speculators. I live in a neighborhood (South Capitol) with several STR's on my street. They're nearly all mom and pop operations. I've never had issues with them or their visitors. In fact, it's nice seeing people out walking and enjoying our neighborhood. These owners tend to keep their property in great condition unlike a lot of neighbors. I don't know if they're operating with permits but I wonder what would happen if these folks lose what little income they make on renting, especially with Covid. I fear they'll lose their homes. Speculators/investment companies often have multiple owners, therefore, under the current proposal they could still operate with multiple units. An easy work-around.

Local families will not return to town. Do you really believe that families will come back to these neighborhoods? Those that have moved away? Have you checked housing prices? If that's what you think will happen, think again. What's more likely is these homes will be sold to the highest bidder; someone from out of town or state, as we're currently seeing.

There's a smart way to address STR concerns. Regarding speculators, require the owner to occupy the property. Period. Are there people on the council with STR's where the owner doesn't live onsite? Is that why this isn't imposed? Limit the number of properties - one to three per owner. Don't hire a large team of inspectors. That's a ridiculous waste of money. If you're concerned about illegal units, why not connect property owners to their lodger's tax payment? The city and state already have this information.

Please don't indulge a group of whiners at the expense of the city. This will be a costly mistake. We don't need regressive changes and you certainly can't turn back the wheels of time. Clearly, if there are 1500 STR's, they're needed. Where else will we house the visitors that our city thrives on? Many people don't want to stay in a hotel because they're expensive, they want more space, are staying for a longer period of time (which we want to encourage), etc.

A (Very) Concerned Neighbor