



AGENDA

BICYCLE AND PEDESTRIAN
ADVISORY COMMITTEE
MARCH 11, 2021
5:30 PM
ATTEND VIRTUALLY

SPECIAL PROCEDURES FOR BICYCLE AND TRAILS ADVISORY COMMITTEE 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 in excess of those permitted in the current Public Health Order, the Bicycle and Trails Advisory Committee meeting will be conducted virtually.

Viewing: Members of the public 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.

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Agenda: The agenda for the meeting will be posted at <https://santafe.primegov.com/public/portal>.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **APPROVAL OF AGENDA**
4. **APPROVAL OF MINUTES**
 - a. February 11, 2021
5. **COMMUNICATIONS FROM THE PUBLIC**
6. **COMMUNICATIONS FROM OTHER AGENCIES**
 - a. Erick Aune, AICP, Santa Fe Metropolitan Planning Organization



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- b. Tim Rogers, Trails Program Manager, Santa Fe Conservation Trust

7. DISCUSSION AND POSSIBLE ACTION ITEMS

- a. Introduction of Javier Rosado, PE, Engineering Division Director, Public Works
- b. 90% Design Plan Review of Sandoval-Montezuma Intersection Improvements Project (Mario Infante-Juarez, Tyler Ashton/ Wilson & Co.; Sky Tallman, Planning & Funding Subcommittee Chair)
- c. Request for a bicycle/pedestrian easement off of East Zia Road (Romella Glorioso-Moss, Staff Liaison)
- d. Law & Policy Subcommittee Discussion of Issues and Actions (Yolanda Eisenstein, Law & Policy Subcommittee Chair)
- e. Sidewalk Maintenance and Funding Policy (Sky Tallman, Planning and Funding Subcommittee Chair)
- f. Staff Liaison Requests and Recommendations (Romella Glorioso-Moss, Staff Liaison)

8. SUBCOMMITTEE COMMUNICATIONS

- a. Law and Policy Subcommittee (Yolanda Eisenstein, Chair)
- b. Planning and Funding Subcommittee (Sky Tallman, Chair)
- c. Promotion, Education and Programming (Khalil Spencer, Chair)

9. MATTERS FROM STAFF

- A. Resolution No.2021-8: A Resolution Re-establishing the Bicycle and Trail Advisory Committee

10. MATTERS FROM THE COMMITTEE



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11. **MATTERS FROM THE CHAIR**
12. **NEXT MEETING: Thursday, April 8, 2021**
13. **ADJOURN**

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



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1. CALL TO ORDER

2. ROLL CALL

Members Present:

Chair Michael Garcia
Member Yolanda Eisenstein
Member Bruce Finger
Member Sid Redner
Member Yvette Serrano
Member Khal Spencer
Member Sky Tallman (arrived at 5:44 pm)
Member Judith Gabriele

Members Excused:

Member Rob Morlino

Others Attending:

Romella Glorioso-Moss, Projects Administrator

3. APPROVAL OF AGENDA

MOTION: Member Eisenstein moved, seconded by Member Spencer, to approve the Agenda as presented.



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

For: Chair Garcia, Member Eisenstein, Member Finger, Member Gabriele, Member Redner, Member Serrano, Member Spencer

Against: None

4. APPROVAL OF MINUTES

a. January 14, 2021

Member Spencer moved, seconded by Member Eisenstein, to approve the minutes of January 14, 2021 as amended.

MOTION: Corrections made by Member Spencer: Page 7, Para 1, Line 3 – strike out 3rd sentence “If you go over to Palace they are worn out and practically invisible”. This sentence is not correct.

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

For: Chair Garcia, Member Eisenstein, Member Finger, Member Gabriele, Member Redner, Member Serrano, Member Spencer

Against: None

5. COMMUNICATIONS FROM THE FLOOR



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6. COMMUNICATIONS FROM OTHER AGENCIES

- a. Santa Fe Metropolitan Planning Organization, Erick Aune, AICP, SFMPO Officer

Mr. Erick Aune, SFMPO Officer reported that the City of Santa Fe has been approached by 3 companies willing to put out a pilot project for electric scooters. He sent a memo to Councilor Garcia on some of the background on the 2019 resolution then worked with their Consultants on basically a white paper about e-scooters. Public Works (PW) is interested on doing a pilot project. So what he did is drafted a Request for Expression of Interest (RFEI). It's a lengthy document which details the City's desire with moving forward with a pilot project. It includes all the criteria, legal stipulations and expectations and shared it with Romella and Regina (PW Department Director). Since this technology is very new, there is really no process to inform the City how to do this. SFMPO would be happy to support the City if the City decides to move forward with a pilot project. City wants to do this in conjunction with the Multi-modal Transportation Transition Study and see the benefit of doing this over an 18-month period. He asked the Committee how would they want to get involved.

QUESTIONS/COMMENTS:

Member Eisenstein: First of all, I would think the Committee would like to be involved. What is an RFEI? Is this what e-scooters companies are completing and we are going to review or is it going to someone else?

Mr. Aune: This is different from an RFP. The City does not put a dime. The services will be provided to the City. The RFEI will be evaluated by a Review Team which may be composed of some members of this Committee or Staff or whoever evaluates the proposal based on detailed criteria stipulated in the RFEI. If a company or multiple companies are chosen then the City would enter into a contract process. And again this is different because this is not a contract where the City is spending money and this may not be a contract but probably an Agreement or an MOU.



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Member Eisenstein: What's your time-frame on doing this?

Mr. Aune: It depends on what the City wants to do. PW wants to do something relatively quickly and it's beyond my jurisdiction so I just want to let you know and probably PW Staff will take the lead.

Member Eisenstein: My thoughts about it is definitely our Committee should review the RFEI. It sort of falls into our bailiwick.

Mr. Aune: Excellent point. I would concur. So I'll keep you updated and Councilor Garcia if you want to give directions great; if not we will figure it out and if the City is not interested it's fine. We just want to know what the next steps are.

Member Gabriele: I'm wondering where the data around the safety of scooters and conversation around that and has it already occurred because it seems that the City is actually interested in hearing these proposals; and what impacts scooters have on the community? When does it happen; has it already happened; where do we fit in? And I agree with Yolanda that it seems we should be part of conversation for sure.

Mr. Aune: Yes Mr. Chair, Members of the Committee. In essence that is what the RFEI is about. The pilot project then becomes the data collection – take your time frame – 6 months, 12 months, 18 months – the pilot project becomes the petri dish of data analysis and the understanding of the relationship between City and companies. It's a great time as pilot projects to make tweaks and adjust; to fit what works well for the City and company as it progresses. So the RFEI requires company a high level of communication and data transfer.

Member Gabriele: It occurs to me that with the pilot project and the data that the data is good that it is specifically for Santa Fe. Is the horse already out of the barn at that point? In other words do people, even though they know it's a pilot project they would say, "Oh, we've got scooters here. This is a done deal." Is it appropriate at all to look at the data from other communities and combine it with our specific community data?

Mr. Aune: Mr Chair, I guess it depends on the level of details. What kind of data will you be interested in? What I do know based on 2 or 3 companies is that they are more than willing to share some of the exclusive programs they



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have in some of the communities. And I think it's already in the RFEI – that they do share information with equivalent programs – that the City has an opportunity to call San Antonio, TX and ask what are the pitfalls we should avoid. I hope I answered your question.

Member Gabriele: Yes, you have. Thank you.

Member Spencer: We are a lay advisory committee to the Governing Body. Who are we going to interact with questions/ goals and who in the City is the Subject Matter Expert on safety and on engineering design how these are operating on the roads and what street laws should apply? What safety regulations are we imposing on these companies on products/e-scooters they are using. Definitely, we should have a role in looking at what the City is asking; what companies are offering, who we work with, so that we get professional advice to the Governing Body.

Mr. Aune: Mr. Chair, Members of the Committee that is an interesting question. As I said before, this is a novel, new approach. The City Code and so forth are silent as it is didn't contemplate this could happen. The technology is so new that towns and municipalities are catching up in that time frame. And again, that it is the heart of the RFEI – analyze and provide data – including tracking. There will be Public Works Staff and SFMPO that will facilitate that communication going forward.

Member Spencer: For e.g. roads maintenance – roads that may be perfectly good for cars but not for bicycles and e-scooters that may result to a crash; so how do we look at new vehicles and physics interact on what we normally consider as infrastructure. So these are questions I worry about that are on top of my head.

Member Tallman: I'm thinking that bringing in a scooter co. it may be an opportunity to offset some of the City's vehicle fleet with an agreement to use scooters for in-town trips. Santa Fe has a commitment to try to become carbon neutral by 2050 and having scooter fleet may be part of the agreement made with the City so that City workers could have some sort of access. It could make City workers and decision makers out on scooters so when they make decisions what the problems are, when does it need to



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happen, what the benefits are, decisions will be made by the users and not only by the people who receive complaints.

Mr. Aune: Duly noted. I don't see why it would be an unreasonable request in the RFEI.

Member Tallman: And it could save City money potentially by maintaining a smaller vehicle fleet.

Member Eisenstein: Who are the three companies? I know Bird is one of them.

Mr. Aune: Blue Duck

Ms. Yngve: White Fox

Staff Liaison: Point of clarification Mr. Chair. Is the request from Member Eisenstein only to review the RFEI and not to be a member of the Evaluation Committee?

Member Eisenstein: May be member or part at every level – review the RFEI and what are we asking because this really falls under our purview so I would like us to be part of every level. I'm happy to take the lead and work with Erick and share it with the Committee. May be the Law and Policy will work on this and report back to the full Committee.

Chair Garcia: I'll jump in on this. With the review panel, we could not assign the entire subcommittee to review whatever proposals for this RFEI. We will have to identify an individual – hypothetically – if we as a Committee identified you as an individual to move forward, then you do it. It just depends on the process; it may be a confidential process; it may need to be confidential while the RFEI is being reviewed. I think that it is where we will need to understand the parameters. I'm 100% in support of your recommendation of BPAC being involved with the process but I think what might be best is since this interests you maybe schedule a time for you and Erick and I would be more than happy to participate in that call to explore the opportunity then we can bring that back to the committee and determine how that role might be and move forward appropriately.



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Member Eisenstein: Okay, that will be good; your suggestion Councilor Garcia how to move forward.

Chair Garcia: Erick, I'll be happy to connect with you. We want to ensure that as we hope for BPAC be involved with this process we want to ensure that if there are any steps to be dig that it is done. Thank you for bringing this up and if there are any immediate issues don't hesitate to reach out to me.

Mr. Aune: I appreciate that.

Member Spencer: I just want to say I concur with this discussion and I am glad that Member Eisenstein would like to be involved in this process because I think we need a member in that Committee.

b. Melissa McDonald, Parks Division Director

Thank you Mr. Chair. Romella mentioned to me that you all had some questions for me so I just want to introduce myself and I'm always available to answer any questions and thank you so much for your interest.

7. DISCUSSION AND POSSIBLE ACTION ITEMS

- a. Request for a bicycle/pedestrian easement off of East Zia Road (Gary Oakley, District 2 Constituent).

Mr. Oakley: I'm a bike rider. I commute on a bike and a big advocate for biking, trails. I approached Erick a year or so ago with an idea I had of preserving a trail that exists already where Zia Road ends. If you are on Zia Rd. at Old Pecos Highway and you drive East on Zia, it goes thru a neighborhood and dead ends at this trail and at the other end of the trail, Zia Rd. continues past the Girl's School, Albertson's and Walgreens. It's a dirt path that has been there for at least 15 or 20 years if not longer that people used regularly for walking and biking and it seems to me that it would be very important corridor to connect neighborhoods. For instance, I ride to Zia and I ride that trail and it connects me to bike paths that connect to the High School and elsewhere. It also allows neighbors to get to Albertsons, Walgreens, Zia Stn. so if that is blocked-off it causes a log jam for a lot of outdoor perspective. A couple of years ago, it always had no signage. You could just ride thru there but a couple of years back, the property was divided



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into 2 properties so currently, there is no sign when you head West but there is a sign on the East side that says, "No Trespassing". I guess my question to you all and my hope would be that somehow a trail can be constructed there since it's been a trail for so long and I just thought I'll bring it up to the Committee.

Chair Garcia: Thank you Mr. Oakley for bringing it up to our attention.

Member Redner: I just want to say that actually I brought up the same issue at BTAC meeting about 3 years ago. I strongly support having a trail at both sides of Zia Rd but I was told at the time that when the lot was divided there was a neighbor who did not want people going thru this property. So apparently, this missing part of the trail is private property and the person who owns it is not very happy for people to use the trail. I personally just don't want to accept it but I'm very grateful that you brought it up again. But I think it's such an obvious thing to connect the bike trails. The Public good is much more than someone having a few bicycles going by an empty lot on someone's private property. I would like to strongly support that we push this. I'm done. Thank you.

Member Tallman: I think Mr. Oakley that's a very important point and I think there's a larger issue than just connecting Zia and Zia because in many places in Santa Fe there are many informal trails that people use that get blocked off when lots are developed. I think the City should look at a sort of City-wide approach to how to address these informal trails and maintain their use going forward. And maybe require to do something British Law when there's an established path, how to protect them as access lanes. There's one where I live; the River Trail goes over the bridge kind of cross Canada neighborhood and there's a new house built there that looks like half of access down to Canada neighborhood lose access to the trail. And just makes less useful for pedestrian because you have to go 1,000 ft or more out of your way in order to access the neighborhood. So it's like a "limited-access" trail which is less useful for the community. I support Mr. Oakley's specific comment and I think we need to address the issue as City-wide approach.

Mr. Oakley: There's a couple of things that I'm familiar with that might apply here. One is the law that Mr. Tallman is talking about. There is a law in NM



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that if the trail is used for 10 years people can claim it as their own or claim the ROW. I don't know if that will apply here. I talked with a lawyer about it and she said there can be rights to that trail if it's been used long enough. Secondly, she also told me you can get people to sign waivers that release themselves to liability if people continue to use the trail. And finally, I used to live in Boulder, CO and the same issue came up. The City bought the property for sale and constructed the trail.

Member Gabriele: I really am supportive of this issue, connectivity, ROW. I feel like what you said Sky could relate to doing an assessment of the trails in town and I personally want to go for the Zia and neighborhood over to part of that town and felt that I didn't have an easy access. So I feel like this is something for us to look at especially the Policy Group and the issue of connecting these neighborhoods is really crucial and I'd love for us to weigh in and figure out how could we support somebody's effort.

Member Spencer: I support the idea and Sky made a good point that we need to look at a city-wide policy perspective in terms of preserving these trails/cut-throughs. John Allen, a long-time bicycle advocate and a member of the League of American Bicyclists in Massachusetts looked at the use of these cut-throughs and trails when areas have gone to arterials and cul-de-sac development because these two things provide very direct routes to people on foot and on bicycles and also help people on foot and on bicycles to avoid arterials that can be very busy and high-speed. I'm just looking on the Google map that I hope everyone can see. I hope it's the right place; it's the W Zia and E Zia with Rio Arroyo Chamiso Road in-between. And that's a no-brainer so if there's a way to get easement there to negotiate with the landowners and to do that directly, there is an arroyo there just located some 100 ft away. I don't know what the status of that is. But, that looks like a really critical example of putting something like this into play. And the City guarantees that those sort of connections for people on foot and on bicycles can move forward. So I don't know if we need a motion or is this just a part of a discussion but perhaps if you want a motion, someone should make it. Thank you.

Staff Liaison: Mr. Chair, if I may speak. A motion could be made to add this in BPAC's Strategic Work Plan 2021-2022 and work with SFMPO in updating



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the Bicycle and Pedestrian Master Plan so this issue doesn't remain an issue for next year or following years.

Mr. Aune: Mr. Chair, Members of the Committee, if I can add some value to that comment. The Bicycle Master Plan 2019 fully contemplates the project. The MPO is fully aware of this for multiple years. I can provide a little more context. A former BTAC member Paul Cooley was the champion of this project as well. Hannah, Leah and myself after speaking with Mr. Oakley last year actually biked it and traversed it to look at the scenario compared as to the value of that connection be of short but substantial. I also did a review of the legal to reference what Sky was speaking to the legal elements, was that unfortunately, during the subdivision process, the way the plat was entitled was an action for the landowner ... first of all it fully recognized the trail easement but unfortunately, there was not an option for the landowner in dispute here to opt out and say, no in the future which is not. So, there's a legal component and I agree with Mr. Oakley that a prescriptive right definitely from an attorney but I think an attorney can argue that for 7 years this is a well-detailed and an even signed way. So the challenge is this. When I first brought this up to the City's attention, Public Works was in transition. Leroy Pacheco was retiring, Sarah Anderson was new. She subsequently left the City and now a lot rest with Romella which I appreciate all the work. So what would it take? It would take for you to negotiate with the landowner, someone need to do due diligence around the legal issue and then consider a project. So there's some simplicity in that it takes a lot of time and effort. That's all.

Chair Garcia: Very helpful. Thank you so much Mr. Aune.

Member Tallman: If the landowner dispute becomes costlier and unsurmountable problem, there's an arroyo right next to it and maybe the City could use an easement along the arroyo to develop a trail. Even if that particular route gets blocked-off we can work on an alternative that is nearby. I think that will be just an equivalent.

Member Spencer: That was the arroyo I mentioned a few minutes ago. It looks like on the East side it's about 300 ft N of the existing trail and the arroyo circuits to the South and it's about 200 ft N of W Zia on the west side. So it's not that far out of the way. It's a matter of land war over nature with the



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landowner or finding out what is the environmental law for putting a bike trail next to an arroyo. In Albuquerque, they use diversion channels for bike trails and we did the same thing in Honolulu and it could be an option that could work in this case if other things are insurmountable. I leave that to land use attorneys. Thank you.

Staff Liaison: Mr. Chair, can we get the opinion of Ms. McDonald who is the Parks Division Director and who worked in Trails Division for a long time.

Chair Garcia: Yes, absolutely. Ms. McDonald, any guidance or advice you might be able to provide to the Committee?

Ms. McDonald: Thank you, Chairman. I'm also the River and Watershed Manager so I'm interested in this conversation. I do want to say that the arroyo is in what we call 2nd phase of development. And typically, when we do improvements in arroyo we can put in trails there so I will go back and look at that area more closely. Right now, the funds are not available to do that so you may want to look at other options first. But, I'll see what options you might have and report back.

Chair Garcia: Thank you, Ms. McDonald. Any clarification we may need from Ms. McDonald? Is there any action we would like to take on this particular agenda item?

Member Tallman: I think we need some more information or answers to questions raised tonight before we should take action.

Chair Garcia: Ok, any other comments? Hearing none, Mr. Oakley, thank you so much for bringing up this issue to our attention. Please do feel free to attend any future meetings. We want to involve you in the process.

Mr. Oakley: Can I just make a final comment then I'll sign off. Thank you. This is an impressive group and I appreciate you inviting me. The last thing I'd like to say is, it has been on the map for a long time and is on Google map so that trail is really substantial so I think we need to keep it in mind. And hopefully, that would help us get some kind of easement. And finally, the property has been divided again. The house on the East side that has a big lot in front of it has been subdivided so it could entail 3 different property



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owners. It might be something we need to act on fairly soon. Thank you everybody.

Chair Garcia: Thank you Mr. Oakley for taking the time for bringing up this issue to our attention and joining us tonight. I would advise, as you heard, we might be bringing this agenda item again to our next meeting in March so please feel free to attend that meeting as well.

b. Discussion on Roads Repavement (Sid Redner, BPAC Member)

Member Redner: I don't want to be a broken record and I also want to be quick. I'm still concerned with the condition of Buckman Road between the City limits and where it to I forgot the name of the street. It is absolutely in horrible condition. One thing I did notice in the past is the far south side of Santa Fe Trail which was in much better condition than Buckman Road got repaved. So I don't want to be talking to just Committee Members or to myself. How do we engage the people who makes decisions in repaving the roads? Who makes this decisions because if a road that are in a better shape get repaved but roads that are much more used and in worse condition does not get repaved; who makes these decisions? How can we make rational decisions so the road in bad condition move to top of the list? So I'm kind of actually angry about it. If we can't repave the whole street there's a section of about 200 yards that is absolutely atrocious. And for a couple of thousand bucks you can save a lot of people's wheels [car/bicycles] and possibly lives. I like to get this on top of the list.

Staff Liaison: I think it was at our September or October meeting that Member Redner brought up this issue. I spoke with our Department Director, Ms. Regina Wheeler, at our Staff meeting and she asked one of the Project Administrators to cost the repavement and I reported back the following month/meeting that we will find the funding to repave Buckman Rd. What happens in June/July; so these repavement projects are not under Roadway and Trails which you are an Advisory Committee. Repavement of roads is under Streets Division. What happens sometime in June or July is that Streets Division prioritizes all repavement projects. However, Streets Division is under Public Works. So we get our funding for repaving roads sometime in June/July so before that time, I will bring up again this issue with the Department Director so she could weigh in which roads we need to prioritize



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for repavement. Also, good news is that our new Division Director for Engineering Division has started this past Monday. So when Streets Division prioritizes repavement projects, usually the Engineering Division Director weighs in. So we have now a voice but I'm just asking a little bit more patience from this Committee. Our Department Director said we will find the funding to repave Buckman Road.

Member Redner: Thank you.

Member Spencer: Also, the other road that is pretty much a basket case is Paseo de las Vistas which is another road in that area. I brought this up with the City about a year ago because it destroyed one of the wheels of my car. I was told that basically, the street is beyond repair ... like a mill and overlay which is much more expensive so we are looking at least in that case digging it up and replave it which is not an easy job. I think Buckman is in a better shape.

c. Proposed Trail Projects for Consideration of City GRT Bond Funding or Other Local Funding Sources (Erick Aune, SFMPO Officer)

Mr. Aune: First of all A) is a commitment of the implementation of 2019 Bicycle Master Plan and the opportunities for the City to just do that. There is an understanding that the Public Works Department in the forthcoming months will be considering projects for a gross receipt tax bond (GRT). Knowing that having a plan in-placed. What Leah, Hannah and myself did a pretty substantive evaluation of Phase A projects of the Bicycle Master Plan for contemplation of implementation and that includes cost estimate as well as details about the project. So we looked at couple of lenses. The first lens is looking at it in equitable manner at City Council District so each project has representation from each District. Another aspect is what would maximize travel connectivity and enhance the entire network and I think that was borne out of the process of creating Phases A, B, C projects. So, we are trying to honor that so in anticipation of future funding obviously not promised and the 3rd part of this is that this Committee in the past has done an exceptional job of reviewing said projects for consideration for previous bond funding. And then submitting your recommendation to the General Council as well as to the City Staff to move forward. So there is a lot of merit to your consideration for said projects. We are not saying that these are the ones. Secondly, as it



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relates Mr. Oakley's presentation tonight especially brings forth that particular projects which may be considered too. What I like with Mr. Oakley's presentation is it comes with a solution. It comes with a pragmatic and practical solution not overly emotional presentation. There's merit to that and I want to champion his cause. Because there's such thought process went to it. So perhaps in your consideration of these projects this maybe the time. This is my recommendation to be not to do a project but may be fund a preliminary engineering report that would detail the logistics of the project. In that would have to be a legal discovery of the rights of the landowners as well as the rights of the City to move forward. And in negotiation and design it may be discovered that the landowner are willing to allow that trail occur with some constraints. That is the ultimate and really cool outcome of such negotiation. But it takes somebody to do that work. So compounding what Romella said to bring this and other projects to your Strategic Plan really brings merit to that plan would be my recommendation for the next step.

Member Tallman: Erick, thank you for putting this together ... also Leah and Hannah. I was really excited to see this in the packet. With Midtown Campus Trail, if it would be possible to add a little tiny bit to the scope which is to knock down a piece of the wall in the NW corner of the campus so that pedestrian can have connectivity parallel to Cerrillos. That will make another huge improvement in the connectivity.

Mr. Aune: Mr. Chair, Member Sky Tallman, Leah & Hannah have sledge hammers and over the weekend they will be doing that. So you can just check-off that to the list. But seriously, duly noted.

Chair Garcia: Are there any actions you may want to take on this item? Do we need to take an action on this item, Romella?

Staff Liaison: I think so, Mr. Chair. A motion like to request the Governing Body through Public Works to float a bond ... Mr. Aune, the bond we floated for \$20M was 10 years ago? Am I correct? So how much bond do you want? \$5M?

Member Tallman: Is this a Transportation Bond or specific to trails?

Staff Liaison: I think specific to trails.



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Mr. Aune: Mr. Chair, Romella. My conversations with Regina, it's \$20M GRT bond that will encompass facilities, roadways, etc. and that Regina is willing to add trails projects to the over-all if you want to call it a portfolio. And quite frankly, that conversation was about \$2-3M and her willingness at the the time. I don't think it would be unreasonable for this Committee to suggest up to \$5M to include some additional funds to the analysis of the Zia project and make that recommendation to the City. Thank you.

Member Tallman: Erick, point of clarification. That is \$5M over 5 years or 2 years. How long does the funding period?

Mr. Aune: Mr. Chair, Member Tallman. My knowledge of the GRT bond is somewhat limited. So, I don't know the answer to that. I know its multiple years because it takes quite some time to actually implement a project. My estimation would be 3-5 years.

Staff Liaison: So this funding will be part of the Legislative funding. We usually have 10 years to finish a project. If we finish the funding for e.g. \$5 M in 5 years then we can float another bond. It depends on the project we want to do and how fast we finish the project.

Member Tallman: Yes, these projects are for \$4M so if we ask \$5M then it would be ... thing is how long until it will be ready?

Chair Garcia: Okay, any other comments/ questions?

Member Tallman: I want to make a motion to request Public Works to issue a bond for \$6M.

Member Spencer: Second

Chair Garcia: Discussion on the motion.

Mr. Aune: Mr. Chair, Members of the Committee: I think it would be advantageous to include in that motion the rationale of the motion. Your Strategic Plan will include this. And the reasoning is this. Public Works Director Wheeler really believes in that Strategic Plan as a tool to move things forward. That is all. Thank you.

Member Tallman: I withdraw my motion.



MINUTES

BICYCLE AND PEDESTRIAN
ADVISORY COMMITTEE
FEBRUARY 11, 2021
5:30 PM
VIRTUAL MEETING

Member Spencer: Second.

MOTION: Member Tallman moved, seconded by Member Spencer, to recommend to put out a bond for \$6M for the implementation of the Strategic Plan including the 4 projects mentioned here.

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

For: Chair Garcia, Member Eisenstein, Member Finger, Member Gabriele, Member Redner, Member Serrano, Member Spencer, Member Tallman,

Against: None

- d. 2021 Strategic Work Plan Implementation (Yolanda Eisenstein, Law & Policy Sub-committee Chair)

Member Eisenstein: Law and Policy Subcommittee will work on Strategic Action #1, #11 and #10.

Member Spencer: Promotion, Education and Programming Subcommittee will work Strategic Action #8.

- e. Crash Maps Demonstration (Hannah Burnham, SFMPO Planning Technician)

8. SUBCOMMITTEE COMMUNICATIONS

- a. Law & Policy (Yolanda Eisenstein, Chair)



City of Santa Fe

MINUTES

**BICYCLE AND PEDESTRIAN
ADVISORY COMMITTEE
FEBRUARY 11, 2021
5:30 PM
VIRTUAL MEETING**

There are 4 bills that her sub-committee is watching: House Bills #58 (tax credit for e-bikes); #270 (self-driving car); #258 (State Parks Division) and State Bill #20 Transportation Fund.

b. Planning & Funding (Sky Tallman, Chair)

c. Promotion, Education & Programming (Khalil Spencer, Chair)

9. MATTERS FROM STAFF

A. Acequia Trail from Rufina to San Felipe Cooperative Project Agreement – Design

B. BPAC Resolution Re-establishing Bicycle and Trail Advisory Committee

C. BPAC Website Development

10. MATTERS FROM THE COMMITTEE

11. MATTERS FROM THE CHAIR

12. **NEXT MEETING: Thursday, March 11, 2021**

13. **ADJOURN**

Romella glorioso-Moss

Liaison

Chair



Santa Fe Metropolitan Planning Organization



March 5th, 2021

MEMO

TO: BPAC Members

Re: MPO Updates for March 11th Meeting

1. MPO Staff in partnership with the National Park Service, Santa Fe Public Schools and Santa Fe County completed a "Community Health Profile" for a section of land near South Meadows and Agua Fria. The profile will assist with leveraging funding for multiple trail projects including the River and Acequia Trails. The next step is to do some visioning via public engagement and detailed GIS mapping.
2. The NMDOT will be announcing "Call for Projects" for Transportation Alternative Program (TAP), Recreational Trails Program (RTP), and Congestion Mitigation Air Quality (CMAQ) funds in May. We will work with each agency to discuss projects from the Bicycle Master Plan and Metro Transportation Plan for consideration.
3. MPO staff met with the City Manager, Regina Wheeler and Councilor Romero-Wirth to discuss a possible E-Scooter Pilot Project. They are favorable with moving forward. The next step is to meet with legal and finance to understand how to develop a request for proposals.
4. The Santa Fe Conservation Trust will be kicking off the Safe Routes to School Program (funding by TAP) in the coming weeks. The Council approved the contract with them in February.
5. The Railyard Park Conservancy was awarded a Safe Routes to Parks technical assistance grant and will be developing a plan over the next year with a focus on parks in the Southside of Santa Fe.
6. The City's "Multi-Modal Transition Plan" is moving forward with data collection and initial baseline analysis of 3 focus areas (Downtown/Mid-Town/Airport Road). The MPO is planning on investing in a subscription to what is called "Streetlight" data. A firm dedicated to providing cell/mobile phone data so we may analyze people movements in these focus areas. This will

include bike/ped/traffic origin and destination data otherwise unavailable until this technology emerged.

7. MPO is assisting the City's Arts and Culture Department's "Call for Artists" to install permanent art project along pedestrian bridges in the vicinity of Zia Road. KRQE did a story on it. You can watch it here. krqe.com/news/new-mexico/santa-fe-seeking-artists-to-help-beautify-trails/
8. MPO reached out to Santa Fe School for the Arts to partner on a grant application to <https://asphaltart.bloomberg.org/> Bloomberg's Asphalt Art program to possibly create a on street art installation near the school.
9. Santa Fe Bike Month Planning is in full form with virtual and COVID safe events in May and possible gathering events in October in coordination with the Santa Fe Century.
10. The MPO has a truck load of Storybooks for 4th – 6th graders at each branch library with a soon to be coming digital copy in full Spanish language. We will be seeking ways to get them in the hands of all students and teachers in these grades. Let us know if you have ideas for sharing.



FOR AGENDA ITEM 7.B

To download the files, please go to:

<http://ftp.wilsonco.com>

or

<ftp://ftp.wilsonco.com>

FTP_Site_Username: City_of_Santa_Fe

FTP_Site_Password: Montezuma-Sandoval

FOR AGENDA ITEM 7.C



Sign type	Purpose	Location
Bikes May Use Full Lane	Lane position	Agua Fria (E of St Francis)
Bikes May Use Full Lane	Lane position	Pacheco St.(Camino Monte Rey to Alta Vista)
Bikes May Use Full Lane	Lane position	Baca St.
Bikes May Use Full Lane	Lane position	Paseo de Peralta
Bikes May Use Full Lane	Lane position	Osage Ave. (Agua Fria to San Ildefonso/Osage Cir.)
Bikes May Use Full Lane	Lane position	Many TBD
Mile X.X	Trail marker	All multi-use trails
Sharrows	Lane position	Alameda and others (TBD)
Wayfinding Phase 1: A&B	Navigation	(Existing Bike Routes, Plaza/Railyard/River Trail
Wayfinding Phase 1: C&D	Navigation	Baca St., Railyard, Street Names & Other Trail
Wayfinding Phase 2	Navigation	Intersection Signage
Wayfinding Phase 3 (Pending Improvements)	Navigation	Rufina to River via Siler, Arroyo Chamiso Trail to Las Soleras, River to La Tierra Trails
		Rufina-South Meadows-River, Acequia & Arroyo Chamiso Trails; River Trail to Canada Rincon Trail; Gail Ryba Trail

Status	Responsibility	Comments
approved/funded, pending traffic engineer hire	Public Works	
approved/funded, pending traffic engineer hire	Public Works	
approved/funded, pending traffic engineer hire	Public Works	
approved/funded, pending traffic engineer hire	Public Works	
approved/funded, pending traffic engineer hire	Public Works	
approved/funded, pending traffic engineer hire	Public Works	Anywhere sharrows are used, t
Proposed	Public Works	
Need repair/maintenance	Public Works	Consider replacing with "Bikes
Planned for Spring 2021	Public Works	Contact: Tim Rogers of Santa F
Planned for Spring 2021	Public Works	Contact: Tim Rogers of Santa F
TBD		
TBD		

these signs may replace them

May Use Full Lane" signs

e Conservation Trust tim@sfct.org

e Conservation Trust tim@sfct.org

City of Santa Fe Bicycle and Pedestrian Advisory Committee

Law & Policy Subcommittee

2021 Strategic Work Plan

(Approved December 10, 2020)

Bicycle Master Plan Vision: Santa Fe is a city where people of all ages and abilities can safely and comfortably have bicycle and pedestrian access.

Goals:

- B1. EDUCATION – Educate motorists and bicyclists about traffic laws and safe operating behavior.
- B2. DESIGN STANDARDS – Adopt design standards or a toolkit that meets current AASHTO (American Assn. of State Highway and Transportation Officials) and NACTO (National Assn. of City Transportation Officials) standards.
- B3. CONNECTIVITY – Provide critical connections for bicyclists and pedestrians.
- B4. ENCOURAGEMENT – Create incentives and remove barriers to travel by bicycle.
- B5. WAYFINDING – Provide bicyclists with easily accessible information (signage, maps).
- B6. DATA – Gather data on the current state of bicycling.
- B7. SAFETY – Create a bicycle network that is safe & comfortable for bicyclists of all ages.

Pedestrian Master Plan Vision: Santa Fe is a community that invites people of all ages and abilities to walk for enjoyment, exercise, and daily transportation through a safe, convenient, and attractive pedestrian environment.

Goals:

- P1. SAFETY – Improve pedestrian safety through well-designed facilities and promoting safe driving, walking, and bicycling behaviors.
- P2. EQUITY – Provide accessible pedestrian facilities for all.
- P3. HEALTH – Develop a pedestrian network that promotes active, healthy lifestyles.
- P4. SOCIAL – Enhance social interactions by creating inviting public places for people.
- P5. MULTI-MODAL – Develop high-quality pedestrian facilities for all modes of transportation.
- P6. ECONOMIC SUSTAINABILITY – Enhance economic vibrancy by creating safe and aesthetically pleasing walking environments.
- P7. CONNECTIVITY – Provide a city-wide network of accessible, efficient, and convenient pedestrian infrastructure.

2021 Strategies

Strategy 1: Update the City of Santa Fe Design Guidelines and Design Criteria for Street Types to include design standards detailed in the BMP (Bicycle Master Plan) include new street “typicals.”

The current Design Criteria (14-9-2 City Code) for streets have little variability as it relates to bicycle, pedestrian, and transit elements. We recommend that the City adopt new criteria in a similar format to Albuquerque’s Development Process Manual. (Art. 7-4 Design Standards and Art. 7-5 Traffic Studies). (Goals B2, B7, P1, P2, P3, P4, P5, P6) (BMP pp. 4, 60; PMP p. 67; MTP pp. 8-20)

- *Determine stakeholders and relevant entities*
- *Form team to develop*
- *Review relevant guidelines, documents, ordinances*
- *Develop recommendations for design guidelines and design criteria. (Also relevant to Strategies 4 and 11.)*
- *Determine whether, and how, ordinances will be impacted*

Strategy 2: Prepare for May 2021 Transportation Alternatives Program (TAP) “Call for Projects” by the NMDOT.

The Acequia Trail between South Meadows Road and San Felipe was awarded TAP funding in 2019 for the design of this .89-mile segment. Recommend an application for construction funds of approximately \$1.25 million. This will require a cash match of \$182,000 to be provided by the City. (Goals B3, B7, P1, P2, P3, P4, P5, P6, P7) (BMP pp. 30, 72)

Strategy 3: Evaluate Green Bicycle Lane Pilot Project (2015).

Work with City staff to evaluate pilot project to stripe green bicycle lane pavement markings on portions of Camino Carlos Rey, Don Gaspar, and Richards Avenue to visually highlight dedicated bicycle lanes. Weigh costs and benefits of expanding the program. (Goal B7) (BMP p. 19)

Strategy 4: Establish annual Santa Fe Custom bike rack acquisition fund and maintenance program.

These elegant yet durable custom racks are approved by Historic Preservation, comply with City Code, and are approved by logo owner Burlington Northern. Each rack costs \$273.00 and is relatively easy to install. Recommend a commitment to buy and install 12 racks a year for five years, or at a time when critical public bike parking gaps are filled. (Goals B7, P4, P5, P6) (BMP pp. 65-66; MTP pp. 4-12, 8-15)

Strategy 5: Evaluate, Design, and Fund Santa Fe’s First Protected Bike Lane.

(Goals B4, B7, P5) (BMP pp. 8, 12, 17, 41, 45)

Strategy 6: Develop reoccurring public sidewalk maintenance fund and maintenance plan.

Current City Code requires landowners to maintain public sidewalks adjacent to their properties. Unless this law is strictly enforced, the unfortunate results can be seen city-wide. For example, Aqua Fria Street has many segments that have very narrow sidewalk that are almost completely blocked by weeds.) (Goals P1, P2, P3, P5, P6, P7) (PMP p. 68)

Strategy 7: Conduct evaluation of downtown traffic light warrants.

For example, evaluate whether the traffic lights at San Francisco and Old Santa Fe Trail, and Grant Ave and Palace are warranted. An evaluation may “warrant” the existence of these lights. However, the removal of each would arguably reduce city maintenance costs, electricity costs, and improve pedestrian safety and movements. Low average daily traffic combined with high pedestrian activity are key indicators that four- or three-way stops may be warranted. (PMP pp. 31, 59, 85)

Strategy 8: Develop and Capitalize on Partnership Opportunities.

Develop partnerships and recruit volunteers to enhance public education and promote the work of BPAC. For example, Bike Santa Fe has a number of cyclists who are certified instructors. They have volunteered to conduct classes. (Goals B1, B3, B7, P1, P7)

- *Assign responsibilities*
- *Develop list of potential partners*
 - *Neighborhood and homeowner associations*
- *Determine scope of partnerships*
- *Assign responsibility for outreach*

Strategy 9: Develop City Employee Active Transportation and Transit Incentive Program.

Employee Trip Reduction (ETR) programs are developed to discourage single passenger vehicle commutes and incentivize walking, biking, and transit use. For example, point programs are incentives that are put in place on a long-term or permanent basis. They allow commuters to earn points every time they log a commute using an alternative to solo driving. These points accumulate over time, and can then be redeemed for paid time off, prizes, benefits, and other perks. Recent technology improvements have created software applications to help implement such programs. (MTP pp. 5-8)

Strategy 10: Utilize BPAC Website.

Develop and maintain a BPAC website to acquaint the public with BPAC and its work; and establish a “go-to” site for bicycle and pedestrian information and updates. (Goals B1, B3, B4, B6, B7, P1, P3, P4, P7)

- *Develop law & policy content for the website – ordinances, rights, etc.*

Strategy 11: Develop Master Signage Plan.

Develop a Master Bicycle and Pedestrian Signage Plan for ongoing BPAC review and recommendations. Consolidate existing signs (for evaluation and maintenance), proposed signs (e.g., way finding and mile markers), and approved signs (stages in the process) into one document with other relevant information. (Goals B1, B2, B3, B5, B7, P1, P7)

- *Develop spreadsheet with signs – existing and planned and proposed*
- *Set priorities and make recommendations*
- *Determine responsible entities – monitoring and implementation*

Strategy 12: Oversee Bicycle and Pedestrian Signage.

Maintain visibility and functioning of signs that ensure the safety of bicyclists and pedestrians, including sharrows, road sensors, and directionals, among others. (Goals B7, P1)

- *Develop list of relevant existing signs (Strategy 11)*
- *Determine responsible entities, processes, and advise*
- *Monitor progress*

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SENATE BILL 369

55TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2021

INTRODUCED BY

Antoinette Sedillo Lopez

AN ACT

RELATING TO TRANSPORTATION; DEFINING "ELECTRIC BICYCLES";
PROVIDING FOR THE REGULATION AND USE OF ELECTRIC BICYCLES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 66-1-4.5 NMSA 1978 (being Laws 1990,
Chapter 120, Section 6, as amended) is amended to read:

"66-1-4.5. DEFINITIONS.--As used in the Motor Vehicle
Code:

A. "electric bicycle" means a bicycle or tricycle
equipped with pedals for human propulsion, a seat or saddle for
use by the rider and an electric motor of less than seven
hundred fifty watts that meets the requirements of one of the
following three classifications:

(1) an electric bicycle equipped with a motor
that provides assistance only when the rider is pedaling and

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1 that ceases to provide assistance when the bicycle reaches the
2 speed of twenty miles per hour, known as a class 1 electric
3 bicycle;

4 (2) an electric bicycle equipped with a motor
5 that may be used exclusively to propel the bicycle and that is
6 not capable of providing assistance when the bicycle reaches
7 the speed of twenty miles per hour, known as a class 2 electric
8 bicycle; or

9 (3) an electric bicycle equipped with a motor
10 that provides assistance only when the rider is pedaling, and
11 that ceases to provide assistance when the bicycle reaches the
12 speed of twenty-eight miles per hour, known as a class 3
13 electric bicycle;

14 ~~[A.]~~ B. "electric personal assistive mobility
15 device" means a self-balancing device having two nontandem
16 wheels designed to transport a single person by means of an
17 electric propulsion system with an average power of one
18 horsepower and with a maximum speed on a paved level surface of
19 less than twenty miles per hour when powered solely by its
20 propulsion system and while being ridden by an operator who
21 weighs one hundred seventy pounds;

22 ~~[B.]~~ C. "essential parts" means all integral and
23 body parts of a vehicle of a type required to be registered by
24 the provisions of the Motor Vehicle Code, the removal,
25 alteration or substitution of which would tend to conceal the

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1 identity of the vehicle or substantially alter its appearance,
2 model, type or mode of operation;

3 ~~[G.]~~ D. "established place of business", for a
4 dealer or auto recycler, means a place:

5 (1) devoted exclusively to the business for
6 which the dealer or auto recycler is licensed and related
7 business;

8 (2) identified by a prominently displayed sign
9 giving the dealer's or auto recycler's trade name used by the
10 business;

11 (3) of sufficient size or space to permit the
12 display of one or more vehicles or to permit the parking or
13 storing of vehicles to be dismantled or wrecked for recycling;

14 (4) on which there is located an enclosed
15 building on a permanent foundation, which building meets the
16 building requirements of the community and is large enough to
17 accommodate the office or offices of the dealer or auto
18 recycler and large enough to provide a safe place to keep the
19 books and records of the dealer or auto recycler;

20 (5) where the principal portion of the
21 business of the dealer or auto recycler is conducted and where
22 the books and records of the business are kept and maintained;
23 and

24 (6) where vehicle sales are of new vehicles
25 only, such as a department store or a franchisee of a

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1 department store, as long as the department store or franchisee
2 keeps the books and records of its vehicle business in a
3 general office location at its place of business; as used in
4 this paragraph, "department store" means a business that offers
5 a variety of merchandise other than vehicles, and sales of the
6 merchandise other than vehicles constitute at least eighty
7 percent of the gross sales of the business; and

8 ~~[D.]~~ E. "explosives" means any chemical compound or
9 mechanical mixture that is commonly used or intended for the
10 purpose of producing an explosion and that contains any
11 oxidizing and combustive units or other ingredients in such
12 proportions, quantities or packing that an ignition by fire,
13 friction, concussion, percussion or detonator of any part of
14 the compound or mixture may cause such a sudden generation of
15 highly heated gases that the resultant gaseous pressures are
16 capable of producing destructive effects on contiguous objects
17 or of destroying life or limb."

18 SECTION 2. Section 66-1-4.11 NMSA 1978 (being Laws 1990,
19 Chapter 120, Section 12, as amended) is amended to read:

20 "66-1-4.11. DEFINITIONS.--As used in the Motor Vehicle
21 Code:

22 A. "mail" means any item properly addressed with
23 postage prepaid delivered by the United States postal service
24 or any other public or private enterprise primarily engaged in
25 the transport and delivery of letters, packages and other

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1 parcels;

2 B. "manufactured home" means a movable or portable
3 housing structure that exceeds either a width of eight feet or
4 a length of forty feet, constructed to be towed on its own
5 chassis and designed to be installed with or without a
6 permanent foundation for human occupancy;

7 C. "manufacturer" means every person engaged in the
8 business of constructing or assembling vehicles of a type
9 required to be registered under the Motor Vehicle Code;

10 D. "manufacturer's certificate of origin" means a
11 certification, on a form supplied by or approved by the
12 department, signed by the manufacturer that the new vehicle or
13 boat described in the certificate has been transferred to the
14 New Mexico dealer or distributor named in the certificate or to
15 a dealer duly licensed or recognized as such in another state,
16 territory or possession of the United States and that such
17 transfer is the first transfer of the vehicle or boat in
18 ordinary trade and commerce;

19 E. "moped" means a two-wheeled or three-wheeled
20 vehicle with an automatic transmission and a motor having a
21 piston displacement of less than fifty cubic centimeters, that
22 is capable of propelling the vehicle at a maximum speed of not
23 more than thirty miles an hour on level ground, at sea level,
24 but does not include an electric bicycle;

25 F. "motorcycle" means every motor vehicle having a

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1 seat or saddle for the use of the rider and designed to travel
2 on not more than three wheels in contact with the ground,
3 including autocycles and excluding an electric bicycle and a
4 tractor;

5 G. "motor home" means a camping body built on a
6 self-propelled motor vehicle chassis so designed that seating
7 for driver and passengers is within the body itself;

8 H. "motor vehicle" means every vehicle that is
9 self-propelled and every vehicle that is propelled by electric
10 power obtained from batteries or from overhead trolley wires,
11 but not operated upon rails, but does not include an electric
12 bicycle; but for the purposes of the Mandatory Financial
13 Responsibility Act, "motor vehicle" does not include "special
14 mobile equipment"; and

15 I. "motor vehicle insurance policy" means a policy
16 of vehicle insurance that covers self-propelled vehicles of a
17 kind required to be registered pursuant to New Mexico law for
18 use on the public streets and highways. A "motor vehicle
19 insurance policy":

20 (1) shall include:

21 (a) motor vehicle bodily injury and
22 property damage liability coverages in compliance with the
23 Mandatory Financial Responsibility Act; and

24 (b) uninsured motorist coverage, subject
25 to the provisions of Section 66-5-301 NMSA 1978 permitting the

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1 insured to reject such coverage; and

2 (2) may include:

3 (a) physical damage coverage;

4 (b) medical payments coverage; and

5 (c) other coverages that the insured and

6 the insurer agree to include within the policy."

7 SECTION 3. Section 66-1-4.13 NMSA 1978 (being Laws 1990,
8 Chapter 120, Section 14) is amended to read:

9 "66-1-4.13. DEFINITIONS.--As used in the Motor Vehicle
10 Code:

11 A. "odometer" means a device for recording the
12 total mileage traveled by a vehicle from the vehicle's
13 manufacture and for so long as the vehicle is operable on the
14 highways;

15 B. "off-highway motor vehicle" means any motor
16 vehicle operated or used exclusively off the highways of this
17 state and that is not legally equipped for operation on the
18 highways of this state, but does not include an electric
19 bicycle;

20 C. "official printout" means any record supplied by
21 the division or a similar agency or government entity that
22 indicates the lienholders of record or owners of record of a
23 vehicle or motor vehicle registered within that government's
24 jurisdiction or indicates information about a driver's license
25 or identification card, including traffic violation history or

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1 status;

2 D. "official traffic-control devices" means all
3 signs, signals, markings and devices [~~not inconsistent~~]
4 consistent with the Motor Vehicle Code placed or erected, by
5 authority of a public body or official having jurisdiction, for
6 the purpose of regulating, warning or guiding traffic;

7 E. "operator" means driver, as defined in Section
8 66-1-4.4 NMSA 1978; and

9 F. "owner" means a person who holds the legal title
10 of a vehicle and may include a conservator, guardian, personal
11 representative, executor or similar fiduciary, or, in the event
12 that a vehicle is the subject of an agreement for conditional
13 sale or lease with the right of purchase upon performance of
14 the conditions stated in the agreement and with an immediate
15 right of possession vested in the conditional vendee or lessee,
16 or, in the event that a mortgagor of a vehicle is entitled to
17 possession, then such conditional vendee or lessee or
18 mortgagor."

19 SECTION 4. Section 66-3-1 NMSA 1978 (being Laws 1978,
20 Chapter 35, Section 21, as amended) is amended to read:

21 "66-3-1. VEHICLES SUBJECT TO REGISTRATION--
22 EXCEPTIONS.--

23 A. With the exception of vehicles identified in
24 Subsection B of this section, every motor vehicle, manufactured
25 home, trailer, semitrailer and pole trailer when driven or
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1 moved upon a highway and every off-highway motor vehicle is
2 subject to the registration and certificate of title provisions
3 of the Motor Vehicle Code except:

4 (1) any such vehicle driven or moved upon a
5 highway in conformance with the provisions of the Motor Vehicle
6 Code relating to manufacturers, dealers, lien-holders or
7 nonresidents;

8 (2) any such vehicle that is driven or moved
9 upon a highway only for the purpose of crossing the highway
10 from one property to another;

11 (3) an implement of husbandry that is only
12 incidentally operated or moved upon a highway;

13 (4) special mobile equipment;

14 (5) a vehicle that is propelled exclusively by
15 electric power obtained from overhead trolley wires though not
16 operated upon rails;

17 (6) a freight trailer if it is:

18 (a) properly registered in another
19 state;

20 (b) identified by a proper base
21 registration plate that is properly displayed; and

22 (c) identified by other registration
23 documents that are in the possession of the operator and
24 exhibited at the request of a police officer;

25 (7) a freight trailer or utility trailer owned

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1 and used by:

2 (a) a nonresident solely for the
3 transportation of farm products purchased by the nonresident
4 from growers or producers of the farm products and transported
5 in the trailer out of the state;

6 (b) a farmer or a rancher who transports
7 to market only the produce, animals or fowl produced by that
8 farmer or rancher or who transports back to the farm or ranch
9 supplies for use thereon; or

10 (c) a person who transports animals to
11 and from fairs, rodeos or other places, except racetracks,
12 where the animals are exhibited or otherwise take part in
13 performances, in trailers drawn by a motor vehicle or truck of
14 less than ten thousand pounds gross vehicle weight rating
15 bearing a proper registration plate, but in no case shall the
16 owner of an unregistered trailer described in this paragraph
17 perform such uses for hire;

18 (8) a moped;

19 (9) an electric personal assistive mobility
20 device;

21 (10) a vehicle moved on a highway by a towing
22 service as defined in Section 59A-50-2 NMSA 1978; [~~and~~]

23 (11) an off-highway motor vehicle exempted
24 pursuant to Section 66-3-1005 NMSA 1978; and

25 (12) an electric bicycle.

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1 B. A certificate of title required pursuant to
2 Subsection A of this section is not required for a vehicle of a
3 type subject to registration owned by:

4 (1) the government of the United States; or

5 (2) a carrier that is from a jurisdiction that
6 is not a participant in the International Fuel Tax Agreement,
7 that is authorized by the United States government or an agency
8 of the United States government to conduct cross-border
9 operations beyond the commercial border zone pursuant to the
10 provisions of the North American Free Trade Agreement and that
11 identifies New Mexico as the carrier's base jurisdiction.

12 C. A person who violates the provisions of this
13 section is guilty of a penalty assessment misdemeanor. A
14 person charged with violating this section shall not be
15 convicted if the person produces, in court, evidence of
16 compliance valid at the time of issuance of the citation."

17 SECTION 5. A new section of the Motor Vehicle Code,
18 Section 66-3-708 NMSA 1978, is enacted to read:

19 "66-3-708. [NEW MATERIAL] ELECTRIC BICYCLES--OPERATION--
20 LABELING--PERMITTED USE.--

21 A. Except as specifically provided in this section,
22 an electric bicycle or an operator of an electric bicycle shall
23 be afforded all of the rights and privileges of a bicycle or
24 the operator of a bicycle and shall be subject to all of the
25 duties and provisions of the Motor Vehicle Code.

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1 B. An electric bicycle or a person operating an
2 electric bicycle is not subject to provisions of the Motor
3 Vehicle Code pertaining to registration, certificates of title,
4 operator's licenses, financial responsibility, off-highway
5 motor vehicles or off-highway motorcycles.

6 C. After December 31, 2021, manufacturers,
7 distributors and retail sellers of electric bicycles shall
8 apply a label permanently affixed in a prominent location on
9 each electric bicycle manufactured or distributed in New
10 Mexico. The label shall contain the classification number, top
11 assisted speed and motor wattage of the electric bicycle, and
12 shall be printed in Arial font in at least nine-point type.

13 D. A person shall not modify an electric bicycle so
14 as to change the motor-powered speed capability or engagement
15 of an electric bicycle, unless the person appropriately
16 replaces the label required pursuant to Subsection C of this
17 section with a new label showing the classification number, top
18 assisted speed and motor wattage of the electric bicycle after
19 such modification.

20 E. An electric bicycle shall comply with the
21 equipment and manufacturing requirements for bicycles adopted
22 by the United States consumer product safety commission as set
23 forth in 16 C.F.R. Part 1512.

24 F. An electric bicycle shall operate in a manner so
25 that the electric motor is disengaged when either the brakes

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~~[bracketed material] = delete~~

1 are applied or the rider stops pedaling or disengages the
2 throttle.

3 G. Except as provided in Subsection H of this
4 section, an electric bicycle may be ridden where bicycles are
5 permitted to travel, including streets, highways, roads,
6 bicycle lanes and public bicycle paths where bicycles are
7 permitted.

8 H. Following notice and a public hearing, a
9 municipality, county or state agency having jurisdiction over a
10 public bicycle path may prohibit the operation of an electric
11 bicycle on a public bicycle path if the municipality, county or
12 state agency finds such a restriction is needed for safety
13 reasons or compliance with other laws or legal obligations. As
14 used in this subsection, "public bicycle path" means a right of
15 way under the jurisdiction and control of the state or a local
16 political subdivision for use primarily by bicyclists and
17 pedestrians.

18 I. A municipality, county or state agency having
19 jurisdiction over a trail that is specifically designated as
20 non-motorized and that has a natural surface tread made by
21 clearing and grading the native soil with no added surfacing
22 materials may regulate the use of an electric bicycle on that
23 trail.

24 J. Operators of electric bicycles who are sixteen
25 or seventeen years of age shall comply with the requirements

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1 for the use of helmets pursuant to the Child Helmet Safety Act.

2 K. A person under sixteen years of age shall not
3 operate a class 3 electric bicycle but may ride as a passenger
4 on a class 3 electric bicycle that is designed to accommodate
5 passengers.

6 L. All class 3 electric bicycles shall be equipped
7 with a speedometer that is capable of displaying the speed in
8 miles per hour that the electric bicycle is traveling."

9 SECTION 6. Section 66-3-1101 NMSA 1978 (being Laws 1978,
10 Chapter 35, Section 213, as amended) is amended to read:

11 "66-3-1101. MOPEDS--STANDARDS--OPERATOR REQUIREMENTS--
12 APPLICATION OF MOTOR VEHICLE CODE.--

13 A. Mopeds shall comply with those motor vehicle
14 safety standards deemed necessary and prescribed by the
15 director [~~of motor vehicles~~].

16 B. Operators of mopeds shall have in their
17 possession while operating a moped a valid driver's license of
18 any class or permit issued to them.

19 C. Except as provided in Subsections A and B of
20 this section, none of the provisions of the Motor Vehicle Code
21 relating to motor vehicles or motorcycles as defined in that
22 code [~~shall~~] apply to a moped.

23 D. As used in this section, "moped" means a two-
24 wheeled or three-wheeled vehicle with an automatic transmission
25 and a motor having a piston displacement of less than fifty

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~~[bracketed material] = delete~~

1 cubic centimeters [~~which~~] that is capable of propelling the
2 vehicle at a maximum speed of not more than thirty miles per
3 hour on level ground at sea level, but does not include an
4 electric bicycle."

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1 **WHEREAS**, the City’s Land Use Development Code requires the accommodation of
2 bicycle and pedestrian traffic along City streets as well as through off-road trails and requires all
3 new public streets to provide adequate pedestrian and bicycle facilities; and

4 **WHEREAS**, a bicycle-friendly Santa Fe can help promote improved public health through
5 active living, stimulate local and regional economic development, and achieve carbon neutrality by
6 2040 as adopted by the Governing Body in 2017; and

7 **WHEREAS**, the SFMPO’s 2019 Bicycle Master Plan, which is updated every 5 years, has
8 recognized the Committee’s critical role in identifying, prioritizing, and requesting implementation
9 by the City of 26 on-road bicycle facilities projects including designated bike lanes, striped
10 shoulders, lanes shared with motor vehicle traffic, and 80 off-road or trails improvement projects
11 including paved multi-use trails and formal or informal soft-surface paths, for all of which the City
12 serves as the lead agency; and

13 **WHEREAS**, the New Mexico Department of Transportation has defined “bicycle and
14 pedestrian infrastructure” to include bicycle lanes including protected and buffered lanes, bicycle
15 parking and storage facilities, curb extensions, intersection treatments such as bicycle boxes, stop
16 bars, lead signal indicators, landscaping, paved shoulders, pedestrian- and bicyclist-scale lighting,
17 pedestrian overpasses or underpasses, separation/buffers, shared-lane markings or sharrows,
18 sidewalks, signage especially high-visibility signage, signalized pedestrian crossings and mid-
19 block crossings, and trails or shared-use paths.

20 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
21 **CITY OF SANTA FE, NEW MEXICO** that this Resolution re-names and re-establishes the
22 Bicycle and Trails Advisory Committee as the Bicycling and Pedestrian Advisory Committee.

23 **Section 1. NAME:** The advisory committee shall be called the Bicycling and
24 Pedestrian Advisory Committee ("Committee").

25 **Section 2. PURPOSE:** The purpose of the Bicycling and Pedestrian Advisory

1 Committee is to provide input and advice that supports the ongoing development and maintenance
2 of a transportation infrastructure that makes bicycling and walking in the City of Santa Fe safe,
3 equitable, viable, and comfortable modes of transportation, commuting, and recreation. This
4 includes the responsibility to deliberate on City projects, plans, and policies that impact both on-
5 road and off-road bicycle and pedestrian infrastructure, and to advise the Governing Body on such
6 matters.

7 **Section 3. DUTIES AND RESPONSIBILITIES:** The Committee shall:

8 (a) Assist in the prioritization of bicycle and pedestrian infrastructure projects to be
9 completed using city, state, and federal funds, through the development of the Santa Fe
10 Metropolitan Planning Organization (“SFMPPO”) Bicycle Master Plan and the SFMPPO Pedestrian
11 Master plan;

12 (b) Review preliminary designs for new Public Works projects involving public
13 roadways and trails funded out of city, state, or federal sources to ensure designs comply with the
14 City's commitment to make bicycling and walking safe, equitable, viable, and comfortable modes
15 of transportation. Design plan reviews shall take place at 30% design and before plans are presented
16 to the public for comments or submitted for review to New Mexico Department of Transportation
17 (“NMDOT”);

18 (c) Advise on policies, programs, and ordinances as they relate to bicycle and
19 pedestrian infrastructure safety, design, construction, and operation and maintenance;

20 (d) Develop, review, and advise on media and educational campaigns providing
21 information and promoting bicycle- and pedestrian- related activities and education;

22 (e) Work with other agencies for the enhancement of city and county trail systems;

23 (f) Review and recommend updates to Bicycle Master Plan, Pedestrian Master Plan,
24 Metropolitan Transportation Plan, Parks Master Plan related to trails, and the City’s Land Use
25 Development Code as they pertain to bicycle and pedestrian infrastructure and associated

1 regulations;

2 (g) Seek funding from city, state, and federal sources to implement the City-led
3 projects identified in the SFMPO's 2019 Bicycle Master Plan and 2020 Metropolitan
4 Transportation Plan and consider reoccurring funding sources from the City to be applied to the
5 implementation of policies, programs, and other projects that are supported by the plans;

6 (h) Pursue the League of American Bicyclists Diamond-level Bicycle Friendly
7 Community designation for the City of Santa Fe, as well as any other local, state, or national awards
8 or designations that the City deems worthy of pursuit;

9 (i) Advise on polices, projects, ordinances, and funding as they relate to bicycling and
10 walking as safe, equitable, viable, and comfortable modes of transportation; and

11 (j) Educate the public on the work of the Committee.

12 **Section 4. MEMBERSHIP:** The Committee shall consist of a member of the City
13 Council who shall also serve as its chair, along with nine members of the public, of whom eight
14 shall be residents of the city and one who may be a resident of Santa Fe County. Recommendations
15 for members shall be made by the City Council to the Mayor, who shall appoint the committee
16 members, balancing interests among recreationists, youth and neighborhood group users,
17 commuters, and bicyclists, with Council approval. The chair may appoint subcommittees, as
18 needed, to study, in-depth, certain responsibilities assigned to the Committee and to present such
19 information to the Committee. The subcommittees shall be made up of no more than four members
20 of the Committee and three interested members of the public.

21 **Section 5. TERMS:** the public members shall be appointed for two-year staggered
22 terms. Subsequent terms shall be for two years to maintain staggering of terms. Members shall
23 serve for no longer than six (6) consecutive years. The members shall serve at the pleasure of the
24 Mayor and may be removed at any time with or without cause.

25 **Section 6. VACANCIES:** Vacancies shall be filled in the same manner as initial

1 appointments and shall be for the remainder of the term. Vacancies shall be filled as to maintain
2 the balance of interest group representation.

3 **Section 7. MEETINGS:** A quorum shall be at least six members. The Committee
4 shall also conduct all meetings in accordance with adopted City policies and procedures and shall
5 use *Robert's Rules of Order* in conducting its meetings. The committee shall meet monthly.

6 **BE IT FURTHERE RESOLVED** that this Resolution supersedes, rescinds, and replaces
7 any other resolution that created or amended the Bicycle and Trails Advisory Committee, including,
8 but not limited to, Resolution Nos. 2003-87, 2010-33, 2010-64, and 2017-46.

9 PASSED, APPROVED, and ADOPTED this 27th day of January, 2021.

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12 _____

13 ALAN WEBBER, MAYOR

14 ATTEST:

15 
16 Kristine Mihelcic (Feb 1, 2021 13:26 MST)

17 KRISTINE MIHELICIC, CITY CLERK

18 APPROVED AS TO FORM:

19 
20 _____

21 ERIN K. McSHERRY, CITY ATTORNEY

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23
24
25 *Legislation/2021/Resolutions/2021-8 BTAC Amendments*

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO RESOLUTION NO. 2021-8
BTAC Amendments

Mayor and Members of the City Council:

I propose the following amendment(s) to Resolution No. 2020-__:

1. On page 3, line 2 after “safe,” *insert* “equitable,”
2. On page 3, line 13 after “safe,” *insert* “equitable,”
3. On page 4, line 9 after “safe,” *insert* “equitable,”

Respectfully submitted,

Renee Villarreal

[Renee Villarreal \(Jan 29, 2021 15:59 MST\)](#)

Renee Villarreal, Councilor

Approved as to Form:



Erin K. McSherry, City Attorney

ADOPTED: _____

NOT ADOPTED: _____

DATE: _____



[Kristine Mihelcic \(Feb 1, 2021 13:26 MST\)](#)

Kristine Mihelcic, City Clerk

FISCAL IMPACT REPORT**General Information:**(Check) Bill: _____ Resolution: X Short Title(s): BTAC AmendmentsSponsor(s): Councilors Garcia and Vigil CopplerReviewing Department(s): Public WorksStaff Completing FIR: Romella Glorioso-Moss Date: 10/7/20 Phone: (505) 955-6623Reviewed by City Attorney:  Date: Jan 11, 2021Reviewed by Finance Director:  Date: Jan 11, 2021**Summary:**

Proposed amendments to Resolution No. 2017-46 regarding the Bicycle and Trails Advisory Committee update its name and clarify the Committee's purpose, duties, and responsibilities in order to enhance the Committee's ability to support the City of Santa Fe in its efforts to make bicycling and walking safe, viable, and comfortable modes of transportation.

Departments Affected:

Public Works & Parks, Community Development, Community Health & Safety.

Consequences of Not Enacting Legislation:

If this Resolution is not enacted, work of the BTAC will be less effective in supporting successful implementation of the Bicycle and Trails Master Plan and improving multimodal infrastructure.

Conflict, Duplication, Companionship, or Relationship to Other Legislation:

None identified.

Performance and Administrative Implications:

Current and ongoing administrative work includes drafting the Agenda, compiling the packet, recording minutes, responding to Members' emails and performing requested tasks, attending monthly meetings, and coordinating with other departments. This work averages 10-20 hours each month. The PW Engineering Division performance is pushed to prioritize bicycle and pedestrian infrastructure by this Committee. The Committee also provides review of engineering design plans for on-road & off-road bicycle infrastructure and raises issues from constituents.

Fiscal Implications:

These amendments do not change the significant work to support this Committee by Public Works, MPO, police, and Parks staff. Each meeting costs the City approximately \$2000 depending on the tasks directed by the Committee. The amendments to the BTAC resolution do not create any additional fiscal impact.

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
<u>Personnel and Benefits*</u>	\$ _____	\$ _____	\$ _____				
<u>Capital Outlay</u>	\$ _____	\$ _____	\$ _____	_____	_____	_____	
<u>Contractual/</u>	\$ _____	\$ _____	\$ _____		_____	_____	
<u>Professional Services</u>							
<u>Operating</u>	\$ _____	\$ _____	\$ _____		_____	_____	\$ _____
<u>Total:</u>	\$ _____	\$ _____	\$ _____				\$ _____

* 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:












2021-8 BTAC Amendments (For Signature)


Final Audit Report

2021-02-01

Created:	2021-01-29
By:	Jeff Norris (jtnorris@ci.santa-fe.nm.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAtGjDxynFWpdWKhCh0OYoL5E2sN3ioYfk

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