



City of Santa Fe

# AGENDA

REGULAR MEETING OF  
THE MAYOR'S COMMITTEE ON  
DISABILITY  
JUNE 05, 2024  
3:00 PM  
ATTEND VIRTUALLY

## PROCEDURES FOR THE MAYOR'S COMMITTEE ON DISABILITY MEETING

**Internet:** To join the Zoom meeting on the online using a computer, laptop, smartphone, or tablet, use the following link: <https://santafenm-gov.zoom.us/j/86262971155?pwd=TTJIM1A3ekJnVDFJbzF1ZjhUeUpxQT09>

Attendees should use the "Raise Hand" function to be recognized by the Chair 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 (719) 359-4580 - Meeting ID: 862 6297 1155 Passcode: 700264**  
Phone attendees should press \*9 to use the "Raise Hand" function to be recognized by the Chair to speak at the appropriate time.

The agenda and packet 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**

5. **PUBLIC COMMENTS (15 MINUTES TOTAL)**

6. **PRESENTATIONS**

7. **DISCUSSION AND POSSIBLE ACTION**

- a. Vote for Approval of Mayor's Committee on Disability of Edits to May 01, 2024 CART Transcript
- b. Discussion for member of the Mayor's Committee on Disability to participate on BPAC (Members of BPAC, Chairperson Kathlyne Gish)
- c. City Website – Discussion and Requests of City Staff to Resolve Issues Outlined in Website Accessibility Report; Updates and Discussion on Follow Ups on Features of Accessibility; Updates on Federal Title II Website Requirements (Eli Fresquez, Daniel Lopez, Equity and ADA Manager)
- d. Follow-up Regarding the Santa Fe City Fair Housing Ordinance Amendments.
- e. Review: 2024-2025 MCD Priorities (Kathlyne Gish)
- f. Vote for Approval: 2024-2025 MCD Priorities.
- g. Disability Pride Month 2024 – Discussion on Events and Event Planning, with Vote on Recommendations and any Subcommittee or Staff Actions (Eli Fresquez, Kathlyne Gish, Angelique Chavez)
- h. Vote for Approval: 2024 Disability Pride Month Proclamation.

- i. Review of Accessibility and Title II ADA Issues of Proposed City of Santa Fe Ordinance re Pedestrian Median Safety (Kathlyne Gish)
- j. Discussion of Mayor’s 2024 State of the City Address and Ongoing Title II ADA Accessibility Issues (MCD).
- k. Planning and Move Forward to Create ‘Nothing About Us Without Us Resolution’ on Effective Inclusive Community Engagement and Communication for All City Communication and Public City Meetings – Accessible Documents, CART, Video Captions, Web Access, Language Access, etc.) (Eli Fresquez)

8. **MATTERS FROM SUBCOMMITTEES**

9. **MATTERS FROM STAFF**

- a. Monthly Follow-up: Transition Plan and Related Items

10. **MATTERS FROM THE COMMITTEE**

11. **NEXT MEETING: Wednesday, July 3, 2024**

12. **ADJOURN**

**This venue is equipped with closed captions. Persons with disabilities in need of accommodations, contact the City Clerk’s office at 955-6521, five (5) working days prior to meeting date.**

# City of Santa Fe Website Accessibility Report

URL <https://santafenm.gov/>

Assessment Date 12/31/2023

Tested for: Screen Reader, Keyboard Access, Color Contrast, Multimedia Standard: WCAG 2.1 AA

Online Evaluator Tool: [WAVE Web Accessibility Evaluation Tool](#)

Evaluator: Eli Fresquez, ESQ., ACTCP, CPACC [Elifresquez@yahoo.com](mailto:Elifresquez@yahoo.com)  
(917)348-1049

## Why make your website or other digital products accessible?

Improving accessibility in digital products, including websites and mobile applications, is crucial not only for compliance with the Americans with Disabilities Act (ADA) Title II but also for ensuring an inclusive user experience. Title II of the ADA prohibits disability discrimination by all public entities at the local and state levels. This includes the requirement for digital services provided by public entities to be accessible to individuals with disabilities.

Ensuring digital accessibility involves adhering to the Web Content Accessibility Guidelines (WCAG) 2.1, AA, which is recognized as the standard for web accessibility. Compliance with these guidelines ensures that websites and digital products are perceivable, operable, understandable, and robust for all users, including those with disabilities.

The economic impact of improving accessibility is significant. Globally, people with disabilities represent a market influence of over 13 trillion dollars. In the United States, there are over 80 million individuals with disabilities, a substantial portion of the consumer base. Surveys indicate that 75% to 80% of these individuals report unsatisfactory experiences with online services, highlighting the importance of accessible digital environments.

Enhancing accessibility not only meets legal obligations under the ADA but also offers numerous benefits:

1. **Enhanced Engagement and Reach:** Boosts engagement and accessibility for all residents, including those with disabilities.
2. **SEO and Visibility:** Improves search engine rankings and online visibility of city services.
3. **Legal Compliance:** Meets ADA requirements, reducing legal risks.
4. **Economic Inclusion:** Ensures access to city services for all residents, enhancing economic participation.
5. **Positive Image:** Positions Santa Fe as an inclusive, forward-thinking community.
6. **Service Efficiency:** Streamlines online service delivery, reducing staff workload.
7. **Social Responsibility:** Demonstrates commitment to ethical governance and community trust.
8. **Futureproofing:** Prepares digital assets for future tech developments and policy changes.
9. **Data-Driven Decisions:** Enables informed decision-making through better user analytics.
10. **Crisis Communication:** Ensures accessible emergency information, enhancing public safety.

Contrary to the belief that making digital products accessible is challenging, many accessibility barriers can be addressed quickly. Simple modifications, such as adding alternative or often called “alt text” to images, ensuring

sufficient color contrast, and providing keyboard navigation options, can significantly enhance accessibility.

Improving the accessibility of digital products is not just a legal compliance issue under ADA Title II but a socially responsible and economically beneficial practice. By following WCAG guidelines and continuously evaluating digital products for accessibility, organizations can ensure an inclusive digital environment for all users.

## Global Feedback

The feedback provided here pertains to the website in its entirety. The issues addressed in this section are relevant to all pages on the site.

Core Issues	Core Users Impacted
▪ Alt text missing	[blind, cognitive disability]
▪ Low color contrast	[low vision, color blind disability]
▪ Missing form label	[blind, cognitive disability]
▪ Linked images missing	[blind, physical/motor disability]
▪ Empty links	[blind]
▪ Inaccessible carousel	[blind, physical/motor disability]
▪ Empty buttons	[blind, physical/motor disability]
▪ Captioned video	[deaf, hearing loss, cognitive disability]
▪ Inaccessible PDFs	[blind, physical/motor disability, cognitive disability]
▪ Social media accessibility	[all]
▪ Overlay	[blind, physical/motor disability, cognitive disability]
▪ Accessibility statement needed	[all]

## Scope of Report and Disclaimer

The City of Santa Fe Website Accessibility Report was created using the WAVE Web Accessibility Evaluation Tool, Adobe Accessibility Tools, and, to a limited extent, NVDA and iOS 17.1.2 Voice Over screen reader software. The primary focus of the evaluation was on the banner/landing page; however, pages that contained other features were also assessed. The Web Content Accessibility Guidelines (WCAG) 2.1 success criteria were utilized to create this report.

This report is meant to be informative and was done voluntarily by Eli Fresquez. By themselves, automated accessibility overlays are not sufficient to make a website accessible. Digital accessibility and evaluations are interactive processes that utilize automated tools as well as manual human testing.

The accuracy of the information contained in this report is not guaranteed; however, the suggested improvements to the website will improve its accessibility not only for people with disabilities but for all users of the website.

Additional audits, evaluations, testing, and remediation are needed to ensure a robust accessibility process is infused into the development and management of the website.

## Banner Page/Landing/Global

WAVE evaluator tool indicated (Banner Page) 22 errors, 11 contrast errors, and 101 alerts on the banner Page/Landing.

### **Linked Images Missing**

If an image contains a link and the image contains no text, a screen reader will have no content to present to the user. Many images on the website contain no alternate text.

Example:

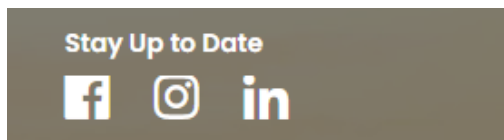
- Image: The City of Santa Fe seal is missing alternative text. Suggest “Official seal of the City of Santa Fe”.



## Empty Links

Hyperlinks must be clear and easy to understand. If a link contains no text, the purpose or function of the link will not be presented to the user. For screen reader users, this can create confusion when navigating the page. Generally, this can be fixed by removing the empty link or providing text with the link that describes the functionality or target of the link. Additional screen reader testing is needed to determine the scope of the issue.

Examples of empty links:



## Missing Form Label

Ensuring that every form control has an associated label is essential when designing web forms. Form controls without proper labels can confuse screen reader users, as the purpose of the function of the control may not be conveyed.

To fix it, each box needs a matching name tag in the code, called a **<label>**. This name tag must be linked to the correct box with a special 'for' code that matches the box's 'id' code. If you can't see the name tags on the screen, the code can still include hidden hints using a 'title' or 'aria-labelledby' to help everyone understand what to put in the boxes. Fixing these issues helps everyone, making the form easier to use and understand.

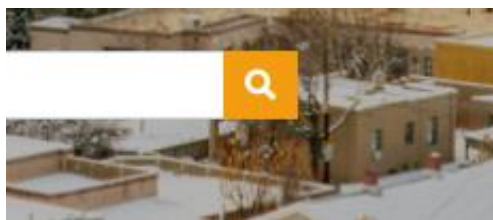
1 I Need To...

2 Apply...

3 Apply for a Building Permit

## Empty Buttons

Buttons are vital for website navigation and functionality, especially for screen reader users who require descriptive text to understand a button's purpose. Some of the buttons on the website lack text or associated value attributes, leading to an inaccessible and confusing user experience. To correct this, it's essential to add descriptive text within `<button>` elements and assign value attributes to `<input>` elements of type "submit," "button," or "reset," ensuring all users can interact with the site effectively. Example of a "Button" missing alternative text.



## Inaccessible Carousel

A carousel is often called a "slide show" or "slider" and is a collection of items shown one at a time. The carousel on the banner page is inaccessible because it cannot be easily operated by a keyboard. Suggest restructuring the source code so that the reading navigation order is correct. Adding focus order will also improve the accessibility of the carousel.

## Alt Text

The alt text for many images on the website is missing/null. Having alt-text helps screen reader users understand the meaning of images or figures. Screen readers are a form of assistive technology that helps mostly blind and low-vision users navigate and use a website. Other people with disabilities are also assisted with screen readers. It may be decided that these publications' covers are decorative and alt text is unnecessary. Decorative images don't add information to the content of the page. However, some images don't need alt text: spacers, icons, purely decorative, and CAPTCHA images.

Example alt text is missing in this image:

- Image 1:



- Suggest alt text: “A portrait of Mayor Alan Webber, standing with his hands clasped in front, wearing a dark suit and tie. He is smiling and posed in front of the U.S. and New Mexico state flags, indicating his official capacity as the Mayor of Santa Fe.”

## Missing Skip Navigation Link

These links allow users to bypass repetitive content, which is especially important for screen readers and keyboard users. The absence of these links can make navigation tedious and inefficient for users with disabilities, as they might have to tab through many links before reaching the primary content.

Add “skip links” at the beginning of the page: Implement visible or hidden skip links at the start of the HTML document before other navigation links.

## Low Color Contrast

There is very low color contrast between the text and background colors. Adequate text contrast is necessary for all users, especially those with low vision.

WAVE evaluator tool indicated 22 contrast errors on the banner page/landing page.

WCAG 2.1 AA requires a contrast ratio of at least 4:5:1 for body text and 3:1 for large text (18 or 14 point bold) like headers and titles.

The website will need to be reviewed and fixed to ensure the contrast ratio between text and background is at least 4:5:1. Do this by:

1. Using a light background and dark text; or
2. Using a dark background and light text; and
3. Using a color contrast checker to verify choices.

Example:

[City of Santa Fe](#)

Screenshot of text on the banner page of the website showing hard-to-read blue text against a white background.

Suggest making the text larger and darker.

## Overlay



The City of Santa Fe's official website utilizes the AccessiBe overlay, which is intended to enhance digital accessibility. However, analysis indicates that this overlay does not effectively meet WCAG 2.1 AA standards. Issues with the AccessiBe overlay include:

1. **Superficial and Inadequate Modifications:** The overlay focuses on easy fixes and superficial changes without addressing deeper structural website issues, covering only a small fraction of necessary accessibility aspects.
2. **Interference with Assistive Technologies and Introduction of New Barriers:** Overlays can override users' assistive technologies and limit their functionality while introducing new barriers due to inaccurate automated adjustments.
3. **Lack of WCAG Compliance:** They fail to ensure adherence to WCAG standards, which are essential for legal compliance.
4. **Poor Mobile Support:** Overlays often neglect mobile web users, a critical issue given the increasing reliance on mobile devices.
5. **Automated Tools' Limitations:** Using automated tools in overlays can lead to inaccurate or incomplete accessibility solutions.

To enhance the accessibility of a website, it's advisable to remove the AccessiBe overlays and instead adopt best practices that ensure comprehensive and genuine accessibility. By removing these overlays and implementing the following best practices, a website can achieve a higher standard of accessibility:

1. **Integrated Testing and Evaluation:** Utilize both automated tools and manual expert evaluations for a thorough accessibility assessment. Also include end-user testing by individuals who use assistive technologies.

2. **Inclusive Design and Continuous Updates:** Start with accessibility-focused design and maintain standards through regular updates guided by WCAG guidelines.
3. **Informed Procurement and Team Training:** Choose tools and services that meet accessibility standards and educate the development team about the importance of accessibility, fostering an inclusive approach to web development.

These practices ensure a more accessible and inclusive web experience for all users.

## Multimedia

### **Captioned Video**

All YouTube videos have automated speech recognition (ARS) subtitles with about 85% accuracy. Consider editing subtitles for accuracy or utilizing a professional captioning service.

### **Inaccessible PDFs**

Linked PDFs are not fully accessible for individuals using assistive technology like screen readers. A sample proclamation, for example, was examined using Adobe Accessibility Checker, which indicated failed accessibility features.

Generally, the PDFs failed because they lacked tags. The document must be tagged to specify the correct reading order for screen reader users. The PDF also failed because of color contrast issues, making the document inaccessible or difficult to read for people with low vision. The PDF also failed because of missing alternate text. Tables and lists were also inaccessible in the document, making it difficult for screen reader users to access and understand its contents. Finally, headings in the PDF failed, which could cause access issues for screen reader users.

The PDFs should be remediated for accessibility issues using the Adobe Accessibility Checker and report tools. Consider utilizing Adobe Action Wizard's "Make Accessible" feature to remediate. Other remediation software and tools are available. Consider including accessibility early in the development phase of the PDF. This will make the remediation of a final document simple or even unnecessary if the document is created initially with accessibility in mind.

## **Social Media Accessibility**

The City of Santa Fe website's social media sections need alternative text for images and links. This is crucial for screen readers and users with visual impairments, as it provides context and description of visual content, making the site more accessible and inclusive.

Recommendation: Add descriptive alt text to all social media visuals for improved user experience and accessibility compliance.

## **Accessibility Statement**

### **Crafting an Accessibility Statement**

It is suggested that the website include an accessibility statement. Accessibility statements are important to provide users with information about the accessibility of the website content and demonstrate an organization's commitment to accessibility and social responsibility. A statement must be crafted for website users and based on the site's unique features. Generally, accessibility statements contain information on the level of accessibility of the current website, a description of accessibility resources and tools, known limitations or barriers of the website, and contact information for reporting access issues or ways for asking for assistance.

The website does have a "Report a Website Issue" page. It is suggested that this page be updated to include specific information about website accessibility. The forms on the page are also missing form labels (see

previous discussion of form labels in this report), limiting the screen reader functionality.



# CITY OF SANTA FE

## OFFICE OF THE EQUITY AND ADA MANAGER

### Website Accessibility Report – Action Updates 5/29/2024

#### Core Issues Core Users Impacted

Issue	Detail	Actions
Auto Screen Voice Reading	When website is opened, it reads itself to the user	
Alt text missing		Image: The City of Santa Fe seal is missing alternative text. Suggest “Official seal of the City of Santa Fe”.
Low color contrast		
Missing form label	Ensuring that every form control has an associated label is essential when designing web forms. Form controls without proper labels can confuse screen reader users, as the purpose of the function of the control may not be conveyed.	Each box needs a matching name tag in the code, called a <label>. This name tag must be linked to the correct box with a special 'for' code that matches the box's 'id' code. If you can't see the name tags on the screen, the code can still include hidden hints using a 'title' or 'arialabelledby' to help everyone understand what to put in the boxes.
Linked images missing	If an image contains a link and the image contains no text, a screen reader will have no	



## OFFICE OF THE EQUITY AND ADA MANAGER

	content to present to the user. Many images on the website contain no alternate text	
Empty links	A hypelink doesn't have text that explains what will happen if the user selects the link.	
Inaccessible carousel	All functionality, including navigating between carousel items, must be operable by keyboards. Users must be able to pause carousel movement.	
Empty buttons	Buttons present on web page is empty or contains no text describing the function of the button. Or an image button contained is missing alternative text.	
Captioned video	Videos must have closed captions for those with hearing impairments.	
Inaccessible PDFs	PDF's must be converted for Optical Character Recognition (OCR).	
Social media accessibility	Content must be made easy to read ad understood by everyone, including people with cognitive disabilities and non-native English speakers	
Overlay		
Accessibility statement needed		

**Date:** April 24, 2024

**To:** Mayor Alan M. Webber, City Manager John Blair, City Attorney Erin McSherry, City Council, Director Alexandra Ladd, Daniel X. Lopez, and To Whom It May Concern.

*KG CF*

**From:** Kathlyne Gish, Eli Fresquez, and Kendra Garcia, Co-chairs for the Mayor's Committee on Disability.

**RE:** Support for Amendment to Santa Fe Fair Housing Ordinance

We, the Mayor's Committee on Disability, strongly support the proposed amendments to the City of Santa Fe Fair Housing Ordinance. The amendments seek to prohibit housing discrimination based on "sources of income" and to expand protections related to sex and gender.

These amendments will not only protect vulnerable populations that are disproportionately affected by income source discrimination when seeking housing, including people with disabilities, seniors, disabled veterans, and families with children with disabilities, but these amendments will also contribute to an overall quality of life and equitable and fair treatment of people living within our community. Many individuals and families in Santa Fe rely on legal sources of income such as federal, state, and local government benefits and programs. These legal sources of income are often provided to individuals and families to assure the ability to stay healthy, live in, and contribute to their communities. By including income source as a protected class, we are taking the essential next steps to ensure that Santa Fe supports equitable opportunities for everyone to live in and contribute to our community.

While not explicitly stated, the proposed amendments align Santa Fe's Fair Housing Ordinance with the landmark Supreme Court decision in *Olmstead v. L.C.* (527 U.S. 581, 1999). The *Olmstead* decision requires states to eliminate unnecessary segregation of individuals with disabilities and ensure they receive services in the most integrated setting appropriate to their needs. To be successful, this means that people with disabilities have the option and opportunity to live in their community. These amendments will reduce the barriers faced when seeking housing, and further the goals of reducing unnecessary institutionalization, promoting independent living, and enhancing the ability of people with disabilities to participate fully in our community.

By amending the Santa Fe Fair Housing Ordinance to add income source as a protected class, the proposed amendments ensure that Santa Fe fosters a more inclusive and accessible community that reflects our commitment to quality of life, equality, integration, and opportunity for all residents.

The proposed amendments to the Santa Fe Fair Housing Ordinance are:

- **Comprehensive:** Covering all government benefits that disabled and elderly individuals rely on.
- **Aligned with the Olmstead Act:** Reducing unjustified segregation and institutionalization of people with disabilities by decreasing the barriers to live in our community.
- **Enhancing Quality of Life:** Improving social connections, economic independence, and community participation for seniors and disabled individuals.
- **Promoting Integrated Housing:** Increasing opportunities for seniors and disabled individuals to secure suitable housing.
- **Demonstrating Value:** Affirming that our community and city policies value seniors, disabled veterans, and people with disabilities

In conclusion, these amendments are an essential component to enhance our community and better ensure that seniors, disabled adults, disabled veterans, and families with children with disabilities are given equal opportunity to secure safe, affordable, and integrated housing in Santa Fe.

## **MCD 2024-2025 Top 5 Priorities:**

- 1. Transition Plan – Daniel Lopez**
- 2. Move MCD/ADA to Office of Equity and Inclusion, as planned.**
- 3. Emergency Management and Planning**
- 4. City Hall – Accessible Civic Engagement.**
- 5. Website Accessibility Requirements in Accordance with Updated WCAG 2.1AA**

## **Next Steps:**

- 1. Develop Strategic Plan with Actionable Steps.**
- 2. Identify subcommittees.**
- 3. Plan Outreach and Advocacy.**
- 4. Updates and Reports.**

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**City of Santa Fe**  
**Mayor's Committee on Disability**  
**2024-2025 Priorities**

**For Use to Create Strategic Plan to Achieve Greater ADA  
Compliance and Disability Inclusion in Santa Fe, NM**

Organized by FY 2023-2024 Report Departments

Copyright 2024-2025 Mayor's Committee on Disability  
No changes shall be made to these items or document without 2/3  
Vote of MCD Members in accordance with Robert's Rules of Order

## List of Contacts within this Report:

Contacts for the Mayor's Committee on Disability 2024-2025 Strategic Plan		
Position/Title and Name	Email	Phone
Affordable Housing Director – Alexandra Ladd	agladd@santafenm.gov	--
City Clerk – Geralyn F. Cardena,	gfcardenas@santafenm.gov	505-955-6521
City Manager – John W. Blair	jwblair@santafenm.gov	505-955-6848
Community Services – Maria E. Tucker	metucker@santafenm.gov	--
Current City Council:		
Councilor Signe Lindell	silindell@santafenm.gov	505-955-6812
Councilor Alma Castro	agcastro@santafenm.gov	505-955-2345
Councilor Michael J. Garcia	mjgarcia@santafenm.gov	505-955-6816
Councilor Carol Romero-Wirth	cromero-wirth@santafenm.gov	505-955-6815
Councilor Pilar Faulkner	pfhfaulkner@santafenm.gov	505-955-6818
Councilor Lee Garcia	lagarcia@santafenm.gov	505-955-6814
Councilor Jamie Cassutt	jcassutt@santafenm.gov	505-955-6817
Councilor Amanda Chavez	acchavez@santafenm.gov	505-955-6811
Emergency Management – Brian G. Williams	bgwilliams@santafenm.gov	505-469-1484
Equity and ADA Manager – Daniel X. Lopez, Jr	dxlopez@santafenm.gov	505-629-3854
Fire Chief – Brian Moya	bjmoya@santafenm.gov	--
Human Resources – Bernadette Salazar	bjsalazar@santafenm.gov	505-955-6591
Mayor - Alan M. Webber	mayor@santafenm.gov	505-955-6590
Parks and MCR Director – Melissa McDonald	mamcdonald@santafenm.gov	--
Planning and Land Use	Unknown	Unknown
Police Chief – Paul Joye	pmjoye@santafenm.gov	505-955-5010
Public Works Director – Regina Wheeler	rawheeler@santafenm.gov	--
Senior Services – Manuel Sanchez	mnsanchez@santafenm.gov	505-955-4710
Transportation Operations and Maintenance Director – Thomas Martinez	tamartinez@santafenm.gov	505-955-2001
Web Designer – Erin Pulsipher	empulsipher@santafenm.gov	--

Category of Priority	Priority Detailed Description
<b>General Government</b>	
<b>Mayor Alan M. Webber</b>	
Disability Inclusion/Culture.	Include disability in State of the City Address and make sure venue is disability accessible.
<b>City Manager - John Blair</b>	
Office of Equity and Inclusion. (OEI)/Civil Rights Office.	Move MCD/ADA Coordinator to more appropriate Dept/Office.
OEI/Civil Rights Dept.	Establish Civil Rights Department/enforcement within the city to address housing, disability, and other forms of discrimination.
<b>City Councilors/Governing Body</b>	
Resolution/Ordinance Proposal. Equitable/Accessible housing.	Income source anti-discrimination laws: Promote updated city ordinance that requires landlords to accept legitimate income sources from potential tenants (but the landlord would still retain discretion with credit, etc.). Landlords currently do not have to accept all legitimate types of income to evaluate potential tenants. This is particularly a problem for people who are disabled, veterans, and seniors. Other cities have fixed this with an ordinance.
Civic Engagement. Education/Advocacy. Effective Communication.	MCD Quarterly or bi-annual report to the governing body.
<b>Community Engagement Department</b>	
<b>City Clerk's Office - GERALYN F. CARDENAS</b>	
Civic Engagement. Language/Communication Access.	Implement practices for inclusive City Meetings (hybrid, Zoom, ASL, CART, Captions in person/online, Loop, Spanish, etc.)
Civic Engagement. (somewhat achieved)	Update online systems to maintain and expand inclusive and accessible hybrid/online Committee, Board, City Council (etc.) meetings.
Accessible Meetings.	City Clerk's office needs <del>training to be educated</del> on disability access for public meetings.
Civic Engagement. City Hall.	City Council Chambers <del>no longer not fully</del> accessible – loop <del>removed-system updated only on perimeter of room</del> , physical access limited, etc.
Civic Engagement. City Hall.	City Hall – accessible podium needed.
Civic Engagement. City Hall. Accessible Meetings/City Clerks.	Establish 72 hour minimum for accessibility for public meetings.

Deaf/HH. Loop System.	Hearing Loops: Availability of hearing loops where the City Council meets and a new city ordinance that requires loop installation AND maintenance in new construction and remodels of public venues. FYI...access by hearing loop or any other hearing system such as FM or IR is only required where a PA sound system is in use.
Constituent Services	Update Constituent Services Process to be accessible, <b>identify disability/ADA Needs</b> , and be useable.
Civic Engagement Public Meetings Access Digital Access Community Resources Access Language/Communication Access	City Clerk's office needs to <del>be educated on</del> <b>increase</b> disability access for public meetings: <ul style="list-style-type: none"> <li>• Accessible format documents</li> <li>• Establish increased communication options</li> <li>• Clarity of who to go to in order to request accommodations</li> <li>• Clarity of process to request and appeal denials</li> <li>• Options available for public meetings</li> </ul> Establish contracts with interpreters, ASL providers, etc.
<b>Constituent Services - Erin Pulsipher, Digital Web Designer</b>	
WCAG 2.1AA Compliance City Website	Update City Website to be ADA accessible/compliant, and assure accurate, up to date, and clearly written/organized information.
Digital Access Community Resources Access Language/Communication Access	Continue fixing new city website – overlay issues, inaccessible attachments and images, lacking ADA info in HR, <b>ADA Title II WCAG 2.1AA Passed 2024, etc.</b>
City Website	<b>City Website:</b> <ul style="list-style-type: none"> <li>• Remove Overlay</li> <li>• Include image descriptions</li> <li>• Assure contact information is up to date and available where necessary</li> <li>• Assure accessible PDF documents</li> <li>• Mayor's Committee on Disability (MCD) Webpages:</li> <li>• Update language and organizing to be clearer and more useable</li> <li>• Add <b>MCD</b> Accomplishments page</li> <li>• Add <b>Subcommittee</b> Current Priorities page</li> <li>• <u>Add an</u> accessibility statement</li> <li>• Make Community Resources clearer</li> <li>• WEB Add button on main page for "ADA Complaints and Disability Accommodations Requests"</li> <li>• WEB Add Daniel Lopez to City Staff area</li> </ul>
AI Captioning on Zoom	How about adding AI captioning to this list? It has gotten so much better and should be way less expensive than CART. Correct? ( <b>Answer yes/No – poss alternative if CART not feasible</b> )

**Community Development  
Director Rich Brown**

**Affordable Housing - Alexandra Ladd, Director**

Affordable Housing	Housing affordability: The affordable housing shortage adversely affects all Santa Feans. May cause disabled and seniors to have SSI reduced by 1/3 – inability to afford required pro-rata rent portion or market rate rent for a room.
Accessible Housing.	Housing accessibility: It's easier to incorporate accessibility features into new construction. Ensuring that new multi-unit housing has accessibility features, and a certain number of wheelchair friendly units would help. Funds are currently available to help retrofit older housing so that people can adapt to health changes and/or age in place.
Public Education/Advocacy. Housing Policy.	Explain process and benefits of accepting housing vouchers on the City website, and include PSA from <u>landlords</u> <del>Kyra Ochoa</del> who had housing-voucher tenants and had a good experience (other cities have examples we can examine).
Income Source Discrimination.	Educate/ <del>outreach</del> to landlords on options and benefits of accepting housing vouchers and seniors and disabled people living on unearned income programs.

**Affordable Housing and/or Community Services - Alexandra Ladd and/or Maria Tucker**

Prevention Services. Housing Loss Prevention.	Policies that Prevent people from losing housing in the first place – grants to cover rent, repair grants for landlords on section 8, support for people struggling to maintain housing, and most important building integrated, Accessible Affordable housing.
Transitional Housing. Behavioral/Mental Health.	Transitional housing for people coming out of jail/institutions.

**Planning and Land Use; Planning; Building; Inspections & Enforcement**

City Code. Enforcement/Permit Enforcement.	Need to define ADA permit process for city spaces.
City Code Enforcement. Permits throughout city.	Amend <del>Code enforcement/permit process</del> – clearer appeal process if a person/business doesn't have funding to complete requirements – i.e. not feasible identified barrier. And provide city funding for low-income disabled and seniors to complete requirements.

**Community Health and Safety**

**Senior Services – Manuel Sanchez**

Senior Services. Public Safety. Transportation.	Senior Van – upgrade all vans to be ADA accessible – still using stepstool for some vans.
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**Community Services – Maria Tucker**

Universal Basic Income. Equity and opportunity.	UBI for disabled, low income, unhoused, etc. so they can have a chance to afford housing and higher costs of living in Santa Fe.
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Affordable Housing.	
Behavioral/Mental Health. Public Safety. Public Education.	Build awareness of Post-Traumatic Stress (PTS) as it is impacted by noise ordinance issues and PTS symptoms/sensory awareness – noise can be very harmful for behavioral health.
Homelessness. Public Safety. Behavioral/Mental Health.	<b>Remove</b> Update city policies that <del>destroy</del> <b>impede</b> safety and trust and replace them with policies that increase and promote safety and trust. (i.e. confiscating belongings changed to check ins and asking what they need).
Homelessness. Community Building. Health and Safety.	To support constituents to do outreach and trust-building activities with unhoused community members, to allow our community to include people who have historically been excluded, ostracized, mistreated, and judged. This means not forcing relocation of unhoused community members unless they are legally required to by being reported for trespassing or similar standard violations.
Noise Ordinance. Behavioral/Mental Health.	Awareness of Post-Traumatic Stress (PTS) as it is impacted by noise ordinance issues and PTS symptoms/sensory awareness--noise can be very harmful for behavioral health, especially weeks-long celebrations with fireworks around July Fourth and New Year's. The random fireworks for weeks stress people on most parts of the PTS spectrum, so some mechanism for limiting fireworks in the city limits to a very narrow window for July Fourth and New Year's would benefit large numbers of city residents.
Homelessness. Behavioral/Mental Health.	Homelessness: Persons with physical and mental health needs are disproportionately represented in the homeless population. Housing First can help put these constituents on the road to getting better health care and an enormously improved quality of life.
Behavioral/Mental Health. Public Safety. Public Education/Advocacy. Community Services.	Services available to those with problematic and disabling PTS: There are a multitude of local services available to those with problematic or disabling PTS; the Subcommittee will bring awareness of gaps in current services and the need for other effective treatment solutions not currently offered that would be of benefit to our community in order to reduce negative individual, social and economic consequences of problematic and disabling PTS in Santa Fe.
Behavioral/Mental Health. Public Safety. Public Education/Advocacy.	Establish awareness of PTS
<b>Community Services, Fire Chief, Chief of Police, – Maria Tucker, Brian Moya, Paul Joye</b>	
Homelessness. Accessible Shelter. Alternative Response Unit.	Build fenced and secured Pallet or tiny home communities, tent communities, safe parking spaces, all fenced off and secured where community members can stay in safe separate spaces, esp. if they have a documented need for such

	accommodations such as referrals by mental health professionals/outreach/Alternative Response Units. This is an ADA accommodation need to give alternate safe options to go that are not communal and enclosed shelters, way to keep ESA/Service animals, to maintain separation of space, and protection of belongings from theft, etc.
Homelessness. Harm Reduction Shelter.	Safe substance use shelters – with safe staff, monitored, social supports, community outreach, etc. So unhoused community members who are self-medicating are not forced to detox in unsafe ways that can cause physical harm in order to get shelter.
<b>Community Services and Fire Chief - Maria Tucker With Brian Moya</b>	
Behavioral/Mental Health. Public Safety. Public Education/Advocacy.	Building community awareness of the PTS Spectrum— to facilitate a more civil, inclusive, and productive discourse around PTS issues. PTS is not considered a disorder in current parlance, and it's counterproductive to refer to it that way. PTS is a condition that exists on a spectrum. On one end of the spectrum exists a state of being that afflicts us all, by virtue of our births— PTS. On the other end of the spectrum exists a disabling state of being that afflicts some, by virtue of the intensity, frequency, and/or duration of exposure to trauma inducing events— disabling PTS. In between these two ends of the spectrum exists another state of being, where functionality may be impaired or limited, and aspects of personal and professional life may be adversely affected— problematic PTS.
Homelessness. Alternative/Accessible Shelter.	Offer motel vouchers on nights where it is expected to get cold for people who have a need and cannot go to shelters.
Alternative Response Unit.	The ARU is doing a fantastic job, but are needed 24/7. Increase the Alternative Response Unit support to be 24/7 – 365 so only EMT or ARU responds to wellness checks of unhoused community members.
Alternative Response Unit. Harm Reduction. Behavioral/Mental Health.	There should be no police presence in Alternative Response Units, as it only exacerbates mental health/disability distress responses.
Behavioral/Mental Health. Public Safety. Public Education/Advocacy. Disability Justice. Homelessness. Disability Intersectionality.	Susceptibility to problematic and disabling PTS: Certain populations in our community are more susceptible to problematic and disabling PTS by virtue of their circumstances. Populations highly susceptible to problematic and disabling PTS include but are not limited to food insecure; homeless; immigrant; incarcerated; LGBTQ+; minority; physically, sexually, and/or psychologically abused; substance abuse; unemployed; and veterans. The subcommittee will increase community awareness to better understand problematic and disabling PTS in these and other highly susceptible populations to the City of Santa Fe.

<b>Fire Chief and Chief of Police - Brian Moya, Paul Joye</b>	
Homelessness. Health and Safety. Behavioral/Mental Health.	A moratorium on discarding the personal belongings of unhoused people during winter/cold months (Approx. October through April) where they aren't a nuisance or hazard. And For any City staff working with parks or public spaces, to not discard personal belongings in hidden places, such as where it has been placed under bushes etc.
Homelessness. Transportation. Alternative Response Unit.	If Park Rangers do displace anyone from their location, they need to give transportation/ARU ride to a shelter location of their choice all year, not just under code blue.
Homelessness. Public Safety. Behavioral/Mental Health.	Create laws allowing legal ability to use tents on nights in non-obstructive public areas when temperatures are below freezing. Shelters are not accessible to disabled people with post-traumatic stress or physical disabilities. Current unhoused disabled people are being exposed to unsafe weather or risk arrest that increases risk of dying.
Public Safety.	Private vehicle 'Emergency Notification System' for people with disabilities, non-verbal people, seniors, and others with health and safety needs.
Alternative Response. Public Safety.	Disability/ADA/ASL/alternative communication training for City Police.
Fireworks Ordinance Enforcement. Behavioral/Mental Health. Public Safety. Public Education/Advocacy.	Establish enforcement of already existing fireworks laws, as fireworks are not just noise issue but are identified as triggers for PTS symptoms.
<b>Fire Chief Brian Moya</b>	
Noise Ordinance. Health and Safety.	Enforce no fireworks in the city limits with the exception of July Fourth and New Year's until midnight.
Fireworks Ordinance Enforcement. Behavioral/Mental Health. Public Safety. Public Education/Advocacy.	<b>Establish</b> enforcement of already existing fireworks laws, as fireworks are not just noise issue but are identified as triggers for PTS symptoms.
<b>Chief of Police – Paul Joye</b>	
Noise Ordinance Enforcement. Public Education. Parks Events Planning.	Revision and enforcement of the ordinance governing noise levels during outside events in the Plaza and public parks.
Noise Ordinance Enforcement. Public Education/Advocacy.	Enforcement of noise ordinance, includes: <ul style="list-style-type: none"> <li>▪ Traffic calming</li> <li>▪ Mufflers required and enforced.</li> </ul> dBA level at concerts/enforcement in public venues/events

<b>Emergency Management - Brian Williams</b>	
Emergency Management.	Purchase and implementation of Access and Functional Needs (AFN) kits.
Emergency Management.	Vendor training to use/Understand use of AFN kits.
Emergency Preparedness. Public Safety.	Emergency Preparedness: Including new alternative responses, and awareness of how they work with people with disabilities.
Emergency Preparedness.	Disability access, functional needs, emergency preparedness, collaboration with city of SF emergency management, and first responders.
Emergency Preparedness.	Increase use of systems (phone apps, city vehicle posters, etc.) to aid in awareness/ communication of emergency notifications and evacuation procedures.
Emergency Preparedness.	Effective emergency communication.
Emergency Preparedness.	Access Mass Care – City of Santa Fe emergency shelter, family assistance centers, etc.
Emergency Preparedness.	Whole community planning
Emergency Preparedness.	Disability integrated recovery, mitigation – <b>Question – clarity on what this means?</b>
Emergency Management.	AFN – Apply for federal funding.
Emergency Notification.	Private vehicle "Emergency Notification System" for people with disabilities, non-verbal people, seniors and others with health and safety needs. What does this mean.
Emergency Preparedness. Public Safety.	Increase safe relationships with authorities for community members with disability needs, awareness of how to work with people with disabilities.
<b>Emergency Management and Public Transportation - Brian Williams, Thomas Martinez and/or Manuel Sanchez</b>	
Emergency Management. Transportation.	Emergency evacuation plan for paratransit/bus users and seniors.
Emergency Preparedness. Transportation.	Implement system for emergency transportation.
<b>Human Resources Director Bernadette Salazar</b>	
Hiring Process.	H.R. hiring process – needs to be accessible (currently no step by step guidance on what is required to apply for a job, no ability to save info entered (it mostly erased), no info re disability accommodations online).
<b>Equity and ADA Manager Daniel X Lopez</b>	
Transition Plan.	Review of city construction and remodeling projects by plan Review Subcommittee for adherence to ADA guidelines INCLUDING ACCESS FOR THE HARD OF HEARING COMMUNITY.
Transition Plan.	Update Transition Plan to be accessible, real time, and useable.

Deaf/HH Inclusion.	Getting Deaf and Hard of Hearing to be specifically included in the Transition Plan.
Plan Review.	Need interior plans for southside bus (MCD Review).
Plan Review.	Review of city construction and remodeling projects by plan Review Subcommittee for adherence to ADA guidelines.
PROW. Public Safety.	<b>NEED UPDATE:</b> (Pending – In Progress) Review the Transition Plan to identify the outstanding upgrades needed to Public Rights of Way (PROW).
Civic Engagement. Communication/Language.	Hearing Loops: Availability of hearing loops in all locations where the City Council meets and a new city ordinance that requires loop installation in new construction and remodels of public venues.
Community Engagement. Effective Communication.	GIS Map of ADA Issues, needs, repairs, completed repairs, accessible locations, etc.
<b>Mayor's Committee on Disability Advocacy, Outreach, and Education</b>	
Community Engagement.	Radio, newspapers, website, online outreach, Alert Santa Fe, informational flyers, community engagement, train/outreach to other committees (Quality of Life, City Council, etc.) etc.
Noise Enforcement. Public Education/Advocacy. Research.	Gathering data to show the need for enforcement of the current noise ordinance with an eye on an update in the future. And educating residents about how loud/sustained noise can cause hearing loss and what the safe and unsafe limits are.
Public Safety. Transportation.	STATE - Explore possible permanent dashboard display of disability parking placard for those with memory issues.
MCD Community Engagement.	Greater community outreach/advocacy with disabled community members.
Memorials.	Dave McQuarie Memorial Plaque in Santa Fe
Disability Justice/inclusion.	Address Attitudinal (and cultural) barriers.
Community Engagement.	Collaborate with city staff, governing body, other committees, departments, and nonprofits in the community to establish partnerships and resolve our priorities.
Community Engagement.	Community partnerships through public events.
Disability Justice. Education/Advocacy. Community Engagement.	Advocate for Disability Justice framework within the City of Santa Fe and Community.
Disability Pride.	Disability Pride Month – July. Establish Disability Pride within Santa Fe.
MCD Bylaws.	Expand MCD – update bylaws to include required one each minimum legally blind and assistive device user member positions. Add 2 more members to the MCD – Quorum of 5, Subcommittees of 4.
Health and Safety. Restroom Access.	Educational campaign to encourage installation of adult changing tables in public and commercial facilities. Ask

	Chamber of Commerce and City to recognize these efforts and produce a map/app of available facilities
Advocate for Financing of ADA Compliance	City Needs to fund ADA upgrades.
<b>Public Works</b> <b>Regina Wheeler Director</b>	
<b>Director of Parks - Melissa McDonald</b>	
Recreation/Play/Exercise.	Upgrade parks: remove wood chips, universal design equipment.
Public Safety. Recreation/Play/Exercise.	<b>NEED UPDATE: (Pending – In Progress)</b> Fort Marcy Park: Bus stop has no map or guidance for bus riders to access park safely/indicate distance, pathways, etc.
Public Safety. Recreation/Play/Exercise.	<b>NEED UPDATE: (Pending – In Progress)</b> Accessible/inclusive parks in Santa Fe.
Public Safety. Recreation/Play/Exercise.	Update play areas in city parks to allow wheelchair access (phase out and replace wood chips and add inclusive play equipment).
Public Safety Recreation/Play/Exercise.	<b>NEED UPDATE: (Pending – In Progress)</b> Fix pedestrian bridge and pathways in Fort Marcy Park to make them accessible to wheelchairs and scooters; install temporary signage with directions to accessible route until repairs done.
<b>Complete Streets Division - Vacant</b>	
Sidewalks lacking, lacking curb cuts, etc. in all four districts (including below): <i>NOTE:</i> Sidewalk repair: The stretch of Pacheco between the Ventana de Vida senior center and St. Michael's Drive has no existing sidewalk, thus impeding access to the local shopping. This is a high priority and expected to be addressed next after some work on Agua Fria, but the city has a huge, prioritized list of sidewalk repairs that could benefit from a share of a gas tax or other funding mechanism.	
PROW. Public Safety.	Canyon Road (and many others) light poles obstructing walkways
PROW. Public Safety.	<b>NEED UPDATE: (Pending – In Progress)</b> Henry Lynch between Agua Fria and Rufina ( <b>Repaved in 2023 - No sidewalks</b> )
PROW. Public Safety.	<b>NEED UPDATE: (Pending – In Progress)</b> Bus stop in front of Indian Hospital – update for accessibility and curb cuts.
PROW. Public Safety.	<b>NEED UPDATE: (Pending – In Progress)</b> Cerrillos Road bus transfer station access – light pole in the way of sidewalk that inhibits accessible wheelchair route between Santa Fe Place Mall and the Southside bus station.
PROW. Public Safety.	East Palace/Washington Ave – Ice builds up in crosswalk if snow is not cleared.
Public Safety. Community Access.	Ongoing sidewalk improvements, barrier removal, and repairs, and update of PROW list as projects are completed (20-year time frame unless more funding obtained)
PROW. Public Safety.	<b>Throughout City -</b> Obstructed, narrow, sidewalks – light poles, fire hydrants, etc.)

Community Access.	
Emergency Preparedness. Public Safety. PROW.	Enforcement of maintenance of city streets, sidewalks, crosswalks, parking lots, pathways, and bike trails in accordance with ADA regulations (ice, snow removal, debris, brush, and weed removal, and development and maintenance to reduce liabilities and increase access for safety and emergency evacuation).
City Planning. Funding Priorities.	Maintenance of City parking lots, streets, sidewalks, crosswalks, pathways, and bike trails in accordance with ADA regulations.
<b>Transportation Division - Thomas Martinez, Director of Operations and Maintenance</b>	
Public Safety. Transportation. Community Access.	Increase transportation access to residents who lack private transportation access.
Public Safety. Transportation. Community Access.	Transportation cost assistance for paratransit users: Economical bus passes are available to all Santa Feans, but for persons who must use paratransit for all transportation, there are no programs that would help income-qualified people with these expenses.
Public Safety. Transportation. Community Access.	Free transportation for youth/low-income adults who use paratransit.
Homelessness. Transportation. Affordable Transportation.	Increase bus service and rides and provide free bus fare tokens/free bus service to all unhoused and low-income community members. There isn't enough consistent bus service to get to shelters, employed unhoused community members who need to get to work locations from shelters, and back to areas for safe shelter.
Public Safety. Transportation. Community Access.	Bus accessibility: older residents and those who can't stand long have difficulty using bus stops without benches. Add benches where possible to bus stops that serve seniors and disabled people, such as outside of medical service providers, stores/shopping areas, residential areas.
Public Safety. Transportation. Community Access.	24/7 public transportation: This is needed for safety and medical reasons. Low-income people and abuse victims are most vulnerable to transportation challenges. A low-income person with a sick child might delay medical care because there is no transportation. City of Santa Fe activities and SFCC classes end at 10:00pm, but Transit has ended operations.

City of Santa Fe  
Disability Pride Month Proclamation  
July 2024

WHEREAS, on July 26, 1990, 34 years ago, The United States Congress enacted the Americans with Disabilities Act (ADA), prohibiting discrimination on the basis of disability and declaring that millions of people with disabilities have a right to equality in our nation; and,

WHEREAS, Disability Pride Month coincides with the anniversary of the ADA, and expands upon the ADA's message of equality, celebrating the history, achievements, experiences, and challenges, and valuing the immense diversity and strength of the disabled community; and,

WHEREAS, Disability Pride empowers people with disabilities to define their own identity and self-worth, breaks down stigmas and stereotypes, recognizes their inherent value, serves as means of reshaping false negative perceptions and dismantling ableism, bias, and discrimination; and,

WHEREAS, recognizing that inclusion and accessibility, in both physical and virtual environments, with affordable and accessible housing, transportation, healthcare, websites, and more is a matter of social justice, and must be inclusive of everyone, regardless of ability, in order for true progress and necessary change to occur; and,

WHEREAS, people with disabilities still face daily barriers in our community to participate equally, and access opportunities and resources, and often experience discrimination based on having a disability that is compounded with discrimination based on race, gender identity, sexual orientation, immigration status, religion, age, among others; and,

WHEREAS, The City of Santa Fe values its diverse community, and recognizes that disability is a natural part of life that intersects with all other identities and experiences within our community, and strives to include disability equity in order to create an inclusive community, through its actions, laws, policies, employees, advisory committees, and Governing Body; and,

WHEREAS, we recognize that much work remains to achieve full inclusion and equity, and that Disability Pride Month encourages us to acknowledge the diversity and complexity of issues within the disabled community in order for us to better understand and address continuing ableism, discrimination, barriers, and inequities; Disability Pride Month reaffirms our commitment to take meaningful action to build a city that is inclusive to all;

Therefore, be it resolved that I, Alan Webber, Mayor of the City of Santa Fe, do hereby proclaim July as Disability Pride Month in the City of Santa Fe!

In witness of, I have hereunto set my hand and caused the Seal of the City of Santa Fe to be affixed.

Alan Webber, Mayor.

1 CITY OF SANTA FE, NEW MEXICO

2 BILL NO. 2024-7

3 INTRODUCED BY:

4  
5 Mayor Alan Webber

6 Amendment A RED- Councilor Carol Romero-Wirth

7 Amendment B BLUE- Councilor Michael Garcia

8  
9  
10 A BILL

11 RELATING TO MEDIAN SAFETY; CREATING A NEW SECTION ~~20-6~~ 12-6-14.9 OF  
12 THE UNIFORM TRAFFIC ORDINANCE, EXHIBIT A TO SECTION 24-10, SFCC 1987,  
13 REGULATING THE USE OF MEDIANS IN THE CITY OF SANTA FE; PROVIDING A  
14 TWENTY-FIVE DOLLAR (\$25) MAXIMUM PENALTY.

15  
16 BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

17 Section 1. [NEW MATERIAL] A new Section ~~20-6~~ 12-6-14.9 of the Uniform  
18 Traffic Ordinance, Exhibit A Section 24-10, SFCC 1987 is hereby ordained to read:

19 ~~20-6- MEDIAN SAFETY 12-6-14~~ PEDESTRIANS' RIGHTS AND DUTIES

20 ~~20-6.1 12-6-14.9~~ Median Safety

21 A. It shall be illegal for any individual to sit, ~~or~~ stand, or lie, in or on any  
22 median of less than 36 inches for more than two opportunities to cross. ~~Any violation of this section~~  
23 ~~is punishable as set forth in Section 1-3 SFCC 1987.~~

24 B. A person who violates the provisions of this section is guilty of a penalty  
25 assessment misdemeanor.

underscored material = new [bracketed material] = delete

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C.. Exceptions: Sections (A) and (B) of this section shall not apply to:

- a) Any person legally crossing the roadway;
- b) Any person engaged in law enforcement or rescue activities, including providing assistance to an injured or disabled vehicle or person;
- c) Any person engaged in emergency repair or maintenance activities of a vehicle.

**Section 2. Amending Schedule A of the Uniform Traffic Ordinance (being Ord. No. 2023-2, as amended) by adding a row for “Unsafe Median Use” to Section D, after the penalty for Jaywalking, as follows:**

Jaywalking	12-6-13.15 through 12-6-14.8	\$25.00
<u>Unsafe Median Use</u>	<u>12-6-14.9</u>	<u>\$25.00</u>

PASSED, APPROVED, and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_

ALAN WEBBER, MAYOR

ATTEST:

\_\_\_\_\_

GERALYN F. CARDENAS, INTERIM CITY CLERK

APPROVED AS TO FORM:

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ERIN K. McSHERRY, CITY ATTORNEY

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*Legislation/2024/Bills/Median Safety REDLINE*



# CITY OF SANTA FE

## Memorandum

**Date:** April 3, 2024

**To:** Governing Body, Quality of Life Committee, Public Works and Utilities Committee

**From:** Marcos Martinez, Senior Assistant City Attorney

**Via:** Erin McSherry, City Attorney EM

**RE:** Median Safety

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### EXECUTIVE SUMMARY:

The proposed bill creates Section 20-6 in SFCC 1987, regulating the use of medians in the city of Santa Fe.

### BACKGROUND

This Bill proposes to prohibit people from sitting or standing in any median that is less than 36 inches in width. The purpose of the bill is to improve safety for the public and for drivers who interact with or may be distracted by people sitting or standing on narrow medians for any length of time.

According to the Governor's Highway Safety Association, drawing on data from the State Highway Safety Offices and U.S. Census Bureau, New Mexico has had the highest pedestrian fatality rate by State Per 100,000 Population, from 2021 through 2023<sup>1</sup>. In 2022 and 2023, New Mexico's pedestrian fatality rate was nearly double the national average.

The 10<sup>th</sup> Circuit Court of Appeals has upheld this type of public safety regulation over a challenge that the regulation impermissibly affected the First Amendment rights of the public who may have used medians to express themselves. The 10<sup>th</sup> Circuit is the Court of Appeals for federal court cases in New Mexico, Colorado, Oklahoma, Wyoming, and Utah.

### ATTACHMENTS:

Bill No. 2024-7  
FIR

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<sup>1</sup> Highway Safety Offices and U.S. Census Bureau, New Mexico has had the highest pedestrian fatality rate by State Per 100,000 Population, from 2021 through 2023<sup>1</sup>. (<https://www.ghsa.org/resources/Pedestrians24>).

1 **CITY OF SANTA FE, NEW MEXICO**

2 **BILL NO. 2024-7**

3 **INTRODUCED BY:**

4  
5 Mayor Alan Webber

6  
7  
8  
9  
10 **A BILL**

11 **RELATING TO MEDIAN SAFETY; CREATING A NEW SECTION 20-6 SFCC 1987**  
12 **REGULATING THE USE OF MEDIANS IN THE CITY OF SANTA FE.**

13  
14 **BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:**

15 **Section 1. [NEW MATERIAL] A new Section 20-6 of SFCC 1987 is hereby**  
16 **ordained to read:**

17 **20-6 MEDIAN SAFETY**

18 **20-6.1 Median Safety**

19 It shall be illegal for any individual to sit or stand, in or on any median of less than 36  
20 inches for any period of time. Any violation of this section is punishable as set forth in Section 1-  
21 3 SFCC 1987.

22 PASSED, APPROVED, and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

23  
24 \_\_\_\_\_  
25 **ALAN WEBBER, MAYOR**

[bracketed material] = delete

underscored material = new

1 ATTEST:

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4 \_\_\_\_\_  
GERALYN F. CARDENAS, INTERIM CITY CLERK

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6

7 APPROVED AS TO FORM:

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*Erin McSherry*  
\_\_\_\_\_  
[Erin McSherry \(Apr 5, 2024 16:37 MDT\)](#)

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10 ERIN K. McSHERRY, CITY ATTORNEY

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25 *Legislation/2024/Bills/Median Safety*

FISCAL IMPACT REPORT

General Information:

(Check) Bill: X Resolution: \_\_\_\_\_

Short Title(s): Median Safety

Sponsor(s): Mayor Alan Webber

Reviewing Department(s): City Attorney's Office

Staff Completing FIR: Marcos Martinez Date: 4/5/2024 Phone: 505.531.7895

Reviewed by City Attorney: *Erin McSherry* Date: Apr 5, 2024  
Erin McSherry (Apr 5, 2024 16:37 MDT)

Reviewed by Finance Director: \_\_\_\_\_ Date: Apr 5, 2024

Summary:

The proposed bill creates a new section in SFCC 1987, Section 20-6, to make it illegal for any individual to sit or stand, in or on any unpaved median, or any median less than 36 inches for any period of time.

Departments Affected:

Community Health and Safety Department (Police Department)

Consequences of Not Enacting Legislation:

If this legislation is not adopted, SFCC 1987 will not have a section regulating median safety. People sitting or standing on narrow or unpaved medians pose a public safety hazard to themselves and the drivers who may interact with or be distracted by people standing or sitting in narrow medians.

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

None.

Performance and Administrative Implications:

This bill may result in additional time of police officers to cite individuals that are sitting or standing, in or on unpaved medians, or medians that are less than 36 inches.

Fiscal Implications:

None.

Fiscal Impact

X Check here if no fiscal impact

**Expenditures**

<b>Expenditure Type</b>	<b>FYE __</b>	<b>FYE __</b>	<b>FYE __</b>	<b>Require BAR (Y/N)</b>	<b>Recurring (R) or Non-recurring (NR)</b>	<b>Fund</b>	<b>3-Year Total Cost</b>
<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:**

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**Revenue**

<b>Revenue Type</b>	<b>FYE __</b>	<b>FYE __</b>	<b>FYE __</b>	<b>Recurring (R) or Non-recurring (NR)</b>	<b>Fund</b>
General Fund	\$ _____	\$ _____	\$ _____	_____	_____
Special Revenue	\$ _____	\$ _____	\$ _____	_____	_____
CIP	\$ _____	\$ _____	\$ _____	_____	_____
Enterprise	\$ _____	\$ _____	\$ _____	_____	_____
Internal Service	\$ _____	\$ _____	\$ _____	_____	_____
Trust and Agency	\$ _____	\$ _____	\$ _____	_____	_____
Federal	\$ _____	\$ _____	\$ _____	_____	_____
Other	\$ _____	\$ _____	\$ _____	_____	_____
Total	\$ _____	\$ _____	\$ _____		

**Revenue Narrative:**

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**Signature:**

**Email:** [mdmartinez@santafenm.gov](mailto:mdmartinez@santafenm.gov)