

City of Santa Fe, New Mexico

LEGISLATIVE SUMMARY

BILL NO. 2014 ___

ENN Parks

SPONSOR(S): Councilors Dominguez and Bushee

SUMMARY: The bill relates to Early Neighborhood Notification (ENN) and amends Subsection 14-3.1(F)(3) SFCC 1987 to require that an ENN be conducted for new parks or reconstruction or expansion of existing parks; and makes such other changes as are necessary to carry out the intent of the ordinance.

The proposed amendment went before the Parks and Open Space Advisory Commission (POSAC) on September 16, 2014. Pursuant to the discussion at POSAC, Councilor Dominguez has proposed an amendment to the bill that would include ENN requirements for new buildings, structures and lighting systems at parks, that exceed \$250,000.

PREPARED BY: Melissa Byers, Legislative Liaison

FISCAL IMPACT: No

DATE: September 24, 2014

ATTACHMENTS: Amendment Sheet – Councilor Dominguez
Bill
FIR

**ACTION SHEET
ITEM FROM THE
PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING
OF
MONDAY, OCTOBER 7, 2014**

ITEM 11

REQUEST FOR APPROVAL OF AN ORDINANCE RELATING TO EARLY NEIGHBORHOOD NOTIFICATION (ENN); AMENDING SUBSECTION 14-3.1(F)(3) SFCC 1987 TO REQUIRE THAT AN ENN BE CONDUCTED FOR NEW PARKS OF RECONSTRUCTION OR EXPANSION OF EXISTING PARKS; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY TO CARRY OUT THE INTENT OF THIS ORDINANCE (COUNCILORS DOMINGUEZ AND BUSHEE) (DAVID PFEIFER)

PUBLIC WORKS COMMITTEE ACTION: Approved with amendments

FUNDING SOURCE:

SPECIAL CONDITIONS / AMENDMENTS / STAFF FOLLOW UP:

VOTE	FOR	AGAINST	ABSTAIN
CHAIRPERSON TRUJILLO			
COUNCILOR BUSHEE	X		
COUNCILOR DIMAS	X		
COUNCILOR DOMINGUEZ	X		
COUNCILOR RIVERA	X		

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO BILL NO. 2014-__
ENN FOR PARKS

Mayor and Members of the City Council:

I propose the following amendment(s) to Bill No. 2014-__:

1. On page 2, *delete* lines 6 through 8 and *insert* the following, in lieu thereof:

(v) any new park or reconstruction or expansion of an existing park that exceeds one acre in size or one hundred and fifty thousand dollars (\$150,000) in cost; construction of a new building or structure at a park or placement of new lighting at a park that exceeds one hundred and fifty thousand dollars (\$150,000) in cost.

Respectfully submitted,

Public Works Committee

ADOPTED: _____
NOT ADOPTED: _____
DATE: _____

Yolanda Y. Vigil, City Clerk

1 CITY OF SANTA FE NEW MEXICO

2 BILL NO. 2014-____

3 INTRODUCED BY:

4
5 Councilor Carmichael Dominguez

6 Councilor Patti Bushee

7
8
9
10 AN ORDINANCE

11 RELATING TO EARLY NEIGHBORHOOD NOTIFICATION (ENN); AMENDING
12 SUBSECTION 14-3.1(F)(3) SFCC 1987 TO REQUIRE THAT AN ENN BE CONDUCTED
13 FOR NEW PARKS OR RECONSTRUCTION OR EXPANSION OF EXISTING PARKS;
14 AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY TO CARRY OUT THE
15 INTENT OF THIS ORDINANCE.

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

18 Section 1. Subsection 14-3.1(F)(3) SFCC 1987 (being Ord. No. 2011-37 § 3) is
19 amended to read:

20 (3) Applicability to City Capital Improvement Projects

21 (a) ENN is required for certain types of *city capital improvement*
22 projects requiring review by the *governing body* as follows:

23 (i) facility plans for municipal facilities or services, including
24 wastewater, solid waste, potable water and airport facilities;

25 (ii) new projects or projects to expand or extend service to new

1 service areas included in the *capital improvement plan* or
2 *general plan*;

3 (iii) any new road construction or reconstruction of an existing
4 road that materially expands capacity; and

5 (iv) projects funded out of capital impact fee funds.

6 (v) any new park or reconstruction or expansion of an existing
7 park that exceeds two acres in size or two hundred and fifty
8 thousand dollars (\$250,000) in cost.

9 (b) The following types of *capital improvement* projects do not require
10 ENN:

11 (i) *replacement*, repair or maintenance of underground facilities
12 where such activity does not represent a material expansion
13 of existing facilities;

14 (ii) road maintenance, repair, surfacing or resurfacing, striping,
15 curb and gutter or sidewalk repair or maintenance, *sign*
16 maintenance, signal repair, shoulder work, bridge or culvert
17 maintenance work; and

18 (iii) special assessment districts covered by *state* law or *city*
19 ordinance.

20 APPROVED AS TO FORM:

21 

22
23 KELLEY A. BRENNAN, CITY ATTORNEY

24
25 M/Melissa/Bills 2014/ENN Parks

City of Santa Fe Fiscal Impact Report (FIR)

This Fiscal Impact Report (FIR) shall be completed for each proposed bill or resolution as to its direct impact upon the City's operating budget and is intended for use by any of the standing committees of and the Governing Body of the City of Santa Fe. Bills or resolutions with no fiscal impact still require a completed FIR. Bills or resolutions with a fiscal impact must be reviewed by the Finance Committee. Bills or resolutions without a fiscal impact generally do not require review by the Finance Committee unless the subject of the bill or resolution is financial in nature.

Section A. General Information

(Check) Bill: X Resolution: _____
(A single FIR may be used for related bills and/or resolutions)

Short Title(s): AN ORDINANCE RELATING TO EARLY NEIGHBORHOOD NOTIFICATION (ENN); AMENDING SUBSECTION 14-3.1(F)(3) SFCC 1987 TO REQUIRE THAT AN ENN BE CONDUCTED FOR NEW PARKS OR RECONSTRUCTION OR EXPANSION OF EXISTING PARKS; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY TO CARRY OUT THE INTENT OF THIS ORDINANCE.

Sponsor(s): Councilors, Dominguez and Bushee
Reviewing Department(s): City Attorney's Office
Person Completing FIR: Rebecca Seligman Date: August 15, 2014 Phone: 955-6501

Reviewed by City Attorney: *Valley A. Brennan* Date: 8/19/14
(Signature)

Reviewed by Finance Director: *[Signature]* Date: 09/22/2014
(Signature) FOR TERESITA GARCIA

Section B. Summary

Briefly explain the purpose and major provisions of the bill/resolution.

The purpose of the ordinance is to include in the existing ENN requirements that an ENN be conducted for any new park or reconstruction or expansion of an existing park that exceeds two acres in size or two hundred and fifty thousand dollars (\$250,000) in cost.

Section C. Fiscal Impact

Note: Financial information on this FIR does not directly translate into a City of Santa Fe budget increase. For a budget increase, the following are required:

- a. The item must be on the agenda at the Finance Committee and City Council as a "Request for Approval of a City of Santa Fe Budget Increase" with a definitive funding source (could be same item and same time as bill/resolution)
- b. Detailed budget information must be attached as to fund, business units, and line item, amounts, and explanations (similar to annual requests for budget)
- c. Detailed personnel forms must be attached as to range, salary, and benefit allocation and signed by Human Resource Department for each new position(s) requested (prorated for period to be employed by fiscal year)*

1. Projected Expenditures:

- a. Indicate Fiscal Year(s) affected – usually current fiscal year and following fiscal year (i.e., FY 03/04 and FY 04/05)
- b. Indicate: "A" if current budget and level of staffing will absorb the costs
"N" if new, additional, or increased budget or staffing will be required
- c. Indicate: "R" – if recurring annual costs
"NR" if one-time, non-recurring costs, such as start-up, contract or equipment costs
- d. Attach additional projection schedules if two years does not adequately project revenue and cost patterns
- e. Costs may be netted or shown as an offset if some cost savings are projected (explain in Section 3 Narrative)

X Check here if no fiscal impact

Column #:	1	2	3	4	5	6	7	8
	Expenditure Classification	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs Recurring or "NR" Non-recurring	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs – Recurring or "NR" Non-recurring	Fund Affected

Personnel*	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Fringe**	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Capital Outlay	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Land/ Building	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Professional Services	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
All Other Operating Costs	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Total:	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____

* Any indication that additional staffing would be required must be reviewed and approved in advance by the City Manager by attached memo before release of FIR to committees. **For fringe benefits contact the Finance Dept.

2. Revenue Sources:

- a. To indicate new revenues and/or
- b. Required for costs for which new expenditure budget is proposed above in item 1.

Column #:	1	2	3	4	5	6
	Type of Revenue	FY _____	"R" Costs Recurring or "NR" Non-recurring	FY _____	"R" Costs – Recurring or "NR" Non-recurring	Fund Affected

_____	\$ _____	_____	\$ _____	_____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____	_____
Total:	\$ _____	_____	\$ _____	_____	_____	_____

3. Expenditure/Revenue Narrative:

Explain revenue source(s). Include revenue calculations, grant(s) available, anticipated date of receipt of revenues/grants, etc. Explain expenditures, grant match(s), justify personnel increase(s), detail capital and operating uses, etc. (Attach supplemental page, if necessary.)

Not applicable

Section D. General Narrative

1. Conflicts: Does this proposed bill/resolution duplicate/conflict with/companion to/relate to any City code, approved ordinance or resolution, other adopted policies or proposed legislation? Include details of city adopted laws/ordinance/resolutions and dates. Summarize the relationships, conflicts or overlaps.

None staff is aware of.

2. Consequences of Not Enacting This Bill/Resolution:

Are there consequences of not enacting this bill/resolution? If so, describe.

Without ENN participation, neighborhoods would not have input on any new park or reconstruction or expansion of an existing parks.

3. Technical Issues:

Are there incorrect citations of law, drafting errors or other problems? Are there any amendments that should be considered? Are there any other alternatives which should be considered? If so, describe.

None that staff is aware of.

4. Community Impact:

Briefly describe the major positive or negative effects the Bill/Resolution might have on the community including, but not limited to, businesses, neighborhoods, families, children and youth, social service providers and other institutions such as schools, churches, etc.

The major positive effect this ordinance would have is that through ENN, neighborhoods would be able to have input on any new park or reconstruction or expansion of an existing park which could potentially benefit their neighborhood park and the community at large.

Form adopted: 01/12/05; revised 8/24/05; 4/17/08