

City of Santa Fe, New Mexico

LEGISLATIVE SUMMARY

Bill No. 2015-18 Speed Limit Policy

SPONSOR(S): Councilor Trujillo

SUMMARY: The proposed bill amends Section 12-6-1.3 of the City of Santa Fe Uniform Traffic Ordinance to authorize the Governing Body to make speed limit alterations in the city of Santa Fe through the adoption of a resolution.

PREPARED BY: Rebecca Seligman, Legislative Liaison Assistant

FISCAL IMPACT: No

DATE: May 6, 2015

ATTACHMENTS: Bill
FIR

1 CITY OF SANTA FE, NEW MEXICO

2 BILL NO. 2015-18

3 INTRODUCED BY:

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5 Councilor Ronald Trujillo

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10 AN ORDINANCE

11 AMENDING SECTION 12-6-1.3 OF THE CITY OF SANTA FE UNIFORM TRAFFIC
12 ORDINANCE TO AUTHORIZE THE GOVERNING BODY TO MAKE SPEED LIMIT
13 ALTERATIONS IN THE CITY OF SANTA FE THROUGH THE ADOPTION OF A
14 RESOLUTION.

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

17 Section 1. Section 12-6-1.3 of the City of Santa Fe Uniform Traffic Ordinance
18 (being Ord. #2011-4) is amended to read:

19 12-6-1.3 ESTABLISHMENT OF SPEED ZONES.

20 A. Whenever the [administrator] governing body determines, upon the basis of an
21 engineering survey and traffic investigation, that any speed limit permitted under state law or local
22 ordinance is greater or less than is reasonable or safe under the conditions found to exist upon any
23 part of a street within [his] their jurisdiction, [he] the governing body may declare a speed limit
24 alteration for that part which is effective at times determined, through the adoption of a resolution.
25 The public safety committee and public works committee shall review and make a recommendation

1 to the governing body on whether or not to alter the speed limit through the adoption of the
2 resolution. The governing body has the final authority to alter the speed limit. After the adoption of
3 the resolution, [when] appropriate signs giving notice thereof [are] shall be erected at the particular
4 part of the street.

5 B. Alteration of speed limits on state highways by the [administrator] governing body are
6 not effective until approved by the state highway commission. (66-7-303 NMSA 1978)

7 C. The [administrator] governing body shall adhere to and abide by all applicable state
8 statutes in making his determination of speed limits in the municipality.

9 D. Whenever the [administrator] governing body declares a speed limit, [he] the
10 administrator shall submit a schedule of the speed limit to the police department, the municipal judge,
11 the municipal clerk and the municipal attorney. (*)

12 E. Speed zones may be marked by a sign containing a flashing yellow light and, when
13 the light is in operation, the speed limit, instructions or regulations on the sign are in effect.

14 F. The provisions of Subsection A of this section shall not apply to changes of speed
15 limit in construction zones authorized pursuant to 12-6-1.3 G through K of this section.

16 G. When construction, repair or reconstruction of any street or highway is being done,
17 the administrator or other governmental authority with jurisdiction over that street or highway is
18 authorized to designate as a construction zone that portion of the street or highway where
19 construction, reconstruction or repair is being done and to close the construction zone to traffic or to
20 provide for a single lane of traffic on any two-lane or four-lane highway in the construction zone.
21 (66-7-303.1 NMSA 1978)

22 H. The administrator or other governmental authority closing all or a portion of a street or
23 highway or providing for a single lane of traffic on any two-lane or four-lane street or highway
24 pursuant to Subsection G of this section shall erect or cause to be erected traffic-control devices or
25 barricades to warn and notify the public of any change in speed limit and that such street or highway

1 is closed or limited to a single lane of traffic. (66-7-303.1 NMSA 1978)

2 I. Every pedestrian or person who operates a vehicle on any street or highway shall
3 obey all signs, signals, markings, flagmen or other traffic-control devices which are placed to
4 regulate, control and guide traffic through a construction zone.

5 J. No person shall remove, change, modify, deface or alter any traffic-control device or
6 barricade which has been erected on any street or highway pursuant to this section.

7 K. Any person who violates any provision of Subsection I or J of this section is guilty of
8 a petty misdemeanor and upon conviction shall be sentenced in accordance with this code.

9 (66-7-303.1NMSA 1978)

10 APPROVED AS TO FORM:

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13 KELLEY A. BRENNAN, CITY ATTORNEY

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25 M/Legislation/Bills 2015/Speed Limit Policy

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 AMENDING SECTION 12-6-1.3 OF THE CITY OF SANTA FE UNIFORM TRAFFIC ORDINANCE TO AUTHORIZE THE GOVERNING BODY TO MAKE SPEED LIMIT ALTERATIONS IN THE CITY OF SANTA FE THROUGH THE ADOPTION OF A RESOLUTION.

Sponsor(s): Councilor Trujillo
Reviewing Department(s): City Attorney's Office / Public Works
Persons Completing FIR: Rebecca Seligman / John Romero Date: 4/10/15 Phone: 955-6501 / 955-6638

Reviewed by City Attorney: Kelly A. Bauman Date: 4/13/15
(Signature)

Reviewed by Finance Director: Joseta Garcia Date: 4/16/15
(Signature)

Section B. Summary

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

The proposed ordinance amends Section 12-6-1.3 of the City Of Santa Fe Uniform Traffic Ordinance to authorize the governing body to make speed limit alterations in the City of Santa Fe through the adoption of a resolution.

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)

Finance Director: _____

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.)

N/A

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.

If this resolution is not enacted, the City Manager (or designee) would continue to have the authority to change speed limits without City Council review and approval.

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.

No

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.

Being able to make speed limit alterations in the City of Santa Fe through the adoption of a resolution will give City Council the authority to change speed limits.

**ACTION SHEET
ITEM FROM PUBLIC SAFETY COMMITTEE MEETING OF 04/21/15**

ISSUE: Ordinance amending Section 12-6-1.3 of the City of Santa Uniform Traffic Ordinance to authorize the Governing Body to make speed limit alterations in the City of Santa Fe through adoption of a resolution

PUBLIC SAFETY COMMITTEE ACTION: Recommended approval

SPECIAL CONDITIONS OR AMENDMENTS:

STAFF FOLLOW UP:

VOTE	FOR	AGAINST	ABSTAIN
CHAIRPERSON DIMAS	X		
VICE-CHAIRPERSON HARRIS		X	
MEMBER MIKE MIER	X		
MEMBER NANCY OWEN-LEWIS	ABSENT		
MEMBER PETER MIZRAHI	ABSENT		
MEMBER MIKE BOWEN	X		
MEMBER ERIC JOHNSON	ABSENT		
MEMBER DAVID TRUJILLO	X		
MEMBER JOE ARELLANO	X		

DISK fc1/fcmissue

- D. Proposed Ordinance amending Section 12-6-1.3 of the City of Santa Uniform Traffic Ordinance to authorize the Governing Body to make speed limit alterations in the City of Santa Fe through adoption of a resolution. (Councilor Trujillo) (Traffic Engineer John Romero)

Mr. Romero referred to 12-6-1.3 of the ordinance. The proposed change asks that the Public Safety Committee review any speed limit requests and that governing body be the final approval.

Dr. Mier asked why this request was necessary.

Mr. Romero said that the change is to give the authority to the governing body to approve and change the speed limit vs. a staff approval. The other positive attribute is that the governing body can call for a public hearing if the request for a speed limit change was controversial. Mr. Romero said that Traffic Engineer will continue to do the due diligence to assure that a safe speed limit is set and recommended.

Mr. Trujillo asked if there is a national standard that we need to meet.

Mr. Romero said that they follow all of the Department of Transportation and national standards set on speed limits. Mr. Romero also explained that there are concerns that surface in different parts of the city where a request comes from either a neighborhood association or constituent asking the traffic engineers department to consider a change. These change requests will come to the Public Safety Committee and to the Mayor and Council for final approval and discussion.

The Chair asked if there are areas where requests have been presented?

Mr. Romero said yes and provided information as an example on Zia Rd.

The Chair asked if the resolutions are going to come from the Traffic Engineer to the Mayor and Council.

Mr. Romero said that an engineering study would still need to be done, technical recommendations would be provided to the Mayor and Council before approval is finalized. The Traffic Engineer continues to do percentile studies on lowering speeds but never to increase a speed limit.

Mr. Harris moved to approve the proposed Ordinance amending Section 12-6-1.3 of the City of Santa Uniform Traffic Ordinance to authorize the Governing Body to make speed limit alterations in the City of Santa Fe through adoption of a resolution , second by Mr. Bowen, motion carried by unanimous voice vote.

- ~~E. Proposed resolution accepting the "Mayor's Challenge for Safer People, Safer Streets" and directing staff to explore the resources and programs to promote safer streets for pedestrian and bicyclists. (Councilor Bushee) (Melissa McDonald)~~

**ACTION SHEET
ITEM FROM THE
PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING
OF
MONDAY, APRIL 27, 2015**

ITEM 14

REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SECTION 12-6-1.3 OF THE CITY OF SANTA FE UNIFORM TRAFFIC ORDINANCE TO AUTHORIZE THE GOVERNING BODY TO MAKE SPEED LIMIT ALTERATIONS IN THE CITY OF SANTA FE THROUGH THE ADOPTION OF A RESOLUTION (COUNCILOR TRUJILLO) (JOHN ROMERO)

PUBLIC WORKS COMMITTEE ACTION: Approved on Consent

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		

ACTION SHEET
CITY COUNCIL COMMITTEE MEETING OF 05/27/15
ITEM FROM FINANCE COMMITTEE MEETING OF 05/18/15

ISSUE:

16. Request for Approval of an Ordinance Amending Section 12-6-1.3 of the City of Santa Fe Uniform Traffic Ordinance to Authorize the Governing Body to Make Speed Limit Alterations in the City of Santa Fe Through the Adoption of a Resolution. (Councilor Trujillo) (John Romero)

Committee Review:

Public Safety Committee (approved)	04/21/15
Public Works Committee (approved)	04/27/15
City Council (request to publish)	05/13/15
City Council (public hearing)	06/10/15

Fiscal Impact – No

FINANCE COMMITTEE ACTION: APPROVED AS CONSENT ITEM

FUNDING SOURCE:

SPECIAL CONDITIONS OR AMENDMENTS

STAFF FOLLOW-UP:

VOTE	FOR	AGAINST	ABSTAIN
COUNCILOR TRUJILLO	X		
COUNCILOR RIVERA	X		
COUNCILOR LINDELL	X		
COUNCILOR MAESTAS	X		
CHAIRPERSON DOMINGUEZ			

4-13-15