

From: PACHECO, LEROY N.

Sent: Friday, May 13, 2016 5:13 PM

To: MCDONALD, MELISSA A.

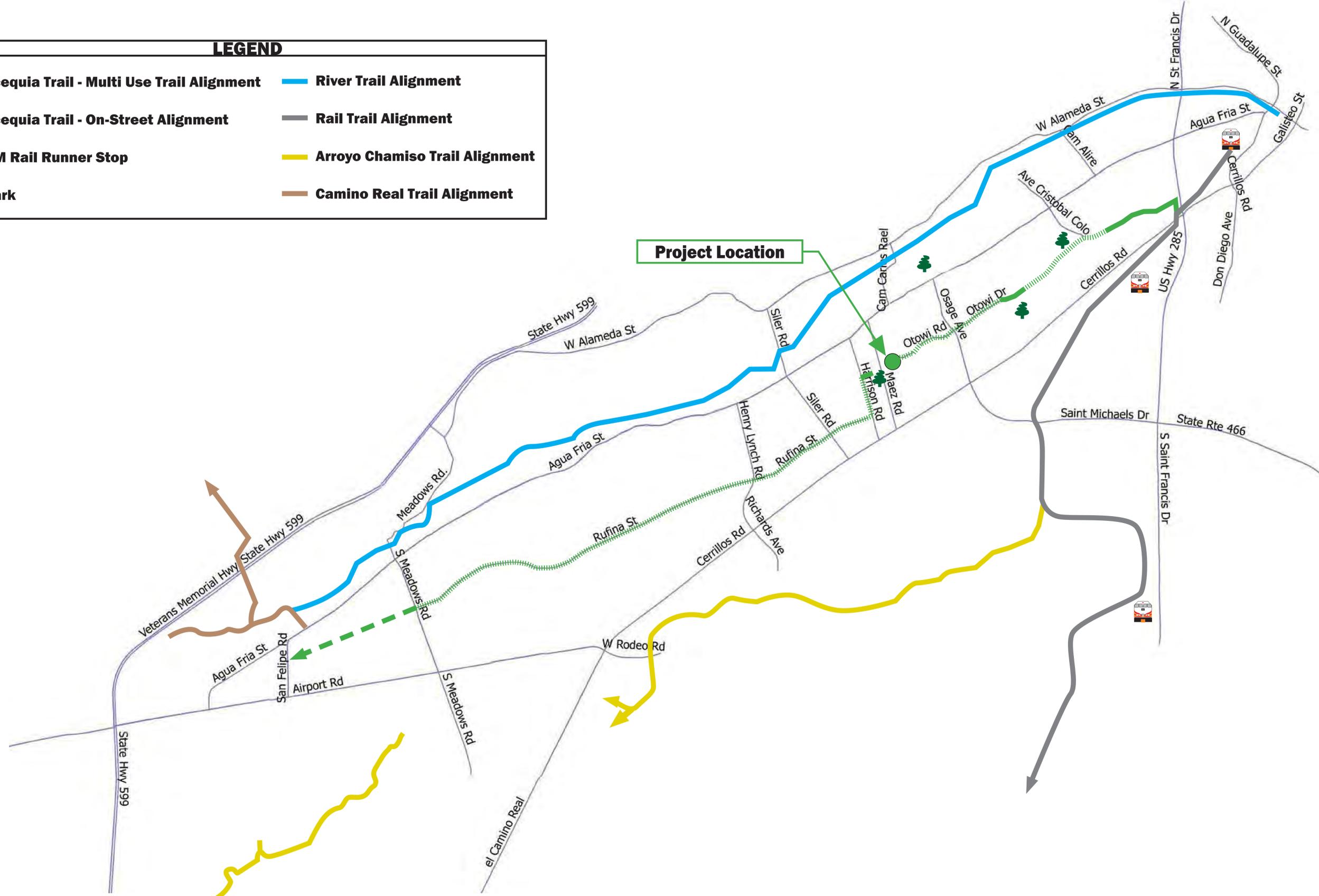
Subject: RE: BTAC Agenda 5_18_16 - ii. CIP 438B - Acequia Trail: Otowi to Maclovia

CIP 438B - Acequia Trail: Otowi to Maclovia

- The project is listed in the 2012 Bikeways Master Plan as a city lead project, priority #15.
- During the reallocation of the 2012 GO Bond which reduced scope of the St. Francis/Alameda Crossing, this project was allocated a budget of \$80,000 for design and construction of a trail connection from Otowi to Maclovia Park with improvement to connections from Otowi to Camino de Chelley.
- Radian Engineering/Design Office conducted a conceptual design phase which concluded with an ENN public meeting held on February 2, 2016 (see attached documentation). It is estimated that over 100 citizens attended and 83 citizen signed in.
- Significant time at ENN was focused on the existing bridge connection between Otowi and Camino de Chelley, which appears to be on private property owned by the Pueblo Alegre Homeowner's Association (HOA).
- Shortly after the ENN, the HOA posted 'Private Property – Keep Out' signs on the bridge.
- Correspondence between the HOA and staff (attached) indicates a willingness on the part of the HOA to work out a win-win solution with the city in order to acquire the easement and improve the existing connection.
- Based upon limited budget remaining (approx. \$66K) it is staff recommendation that the project scope focus upon the acquisition of the easement for the existing connection from Otowi to Camino de Chelley, and designing the necessary improvements to make the proposed public easement ADA compliant for bicyclists and pedestrians.
- This recommendation would defer the design and construction of the trail connection west to Maclovia Park, that is currently in the scope, to a later date and future budget appropriation.

LEGEND

 Acequia Trail - Multi Use Trail Alignment	 River Trail Alignment
 Acequia Trail - On-Street Alignment	 Rail Trail Alignment
 NM Rail Runner Stop	 Arroyo Chamiso Trail Alignment
 Park	 Camino Real Trail Alignment

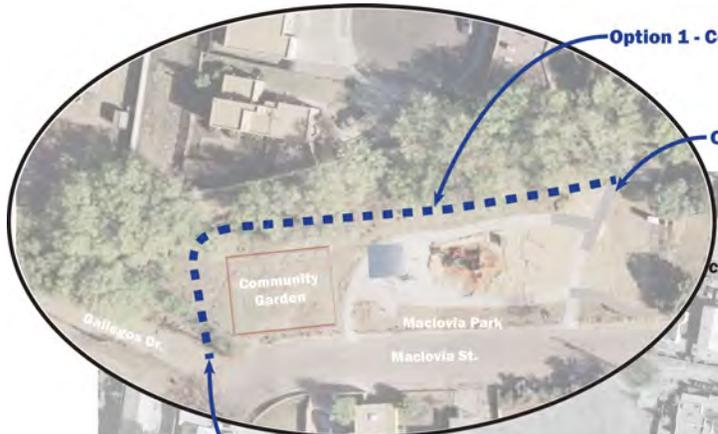


ACEQUIA TRAIL

otowi / lujan to maclovia

City of Santa Fe
February 2016



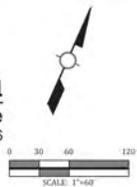


Existing Private Pedestrian Bridge



ACEQUIA TRAIL

otowi / lujan to maclovía
 City of Santa Fe
 February 2016



EXISTING ACEQUIA TRAIL



Community Volunteers Beautify the Acequia Trail



Acequia Trail to On-Street Transition

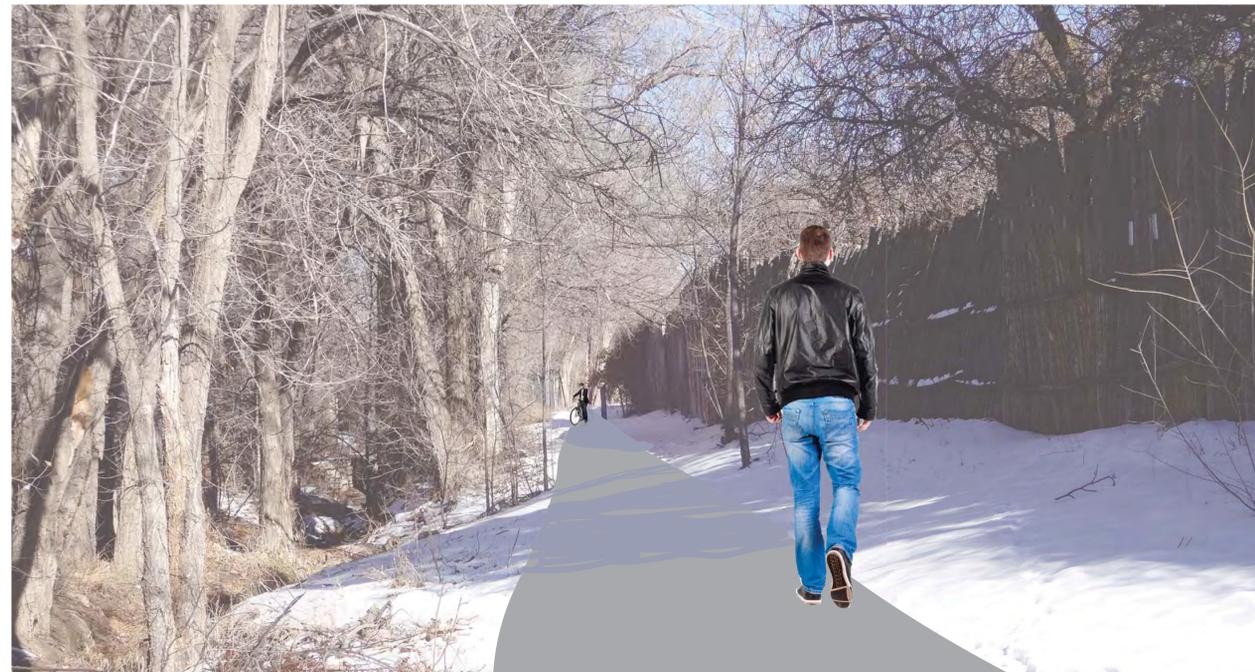


Acequia Trail Entrance to Ashbaugh Park

THE ACEQUIA TRAIL



Acequia Trail Connection to Maclovio Park (Before)



**Acequia Trail Connection to Maclovio Park (After)
8-10' Wide Paved Accessible Trail (Non-Motorized)**

ACEQUIA TRAIL EXTENSION / CONNECTIONS:
OTOWI ROAD / MACLOVIA PARK / GALLEGOS LANE

ENN Meeting Summary

Public Meeting - Tuesday, February 2, 2016

Purpose

A Public Involvement Meeting for the Acequia Trail Extensions / Connections was held on Tuesday, February 2, 2016 and served as an official Early Neighborhood Notification (ENN) meeting for city recreation projects as per Resolution 2014-32. The meeting provided a venue to collect public input on potential trail alignments for a paved non-motorized urban trail connecting Otowi Road to Maclovia Park. The meeting also served as an opportunity to discuss connections to adjacent neighborhoods. A public question and answer session followed a brief project introduction by the City's Project Manager.

Meeting Summary

The ENN meeting for the Acequia Trail Extension / Connections was held at the Barn at Frenchy's Field on Tuesday, February 2, 2016 5:30 - 6:45 pm. There were 83 individuals signed in, with an estimated 100 people attending. Project team members present included: City of Santa Fe (Leroy Pacheco, Project Manager), Radian Engineering (Carmen Silva, Carlos Padilla, Remy McDonald) and Design Office (Claudia Horn, Patrick Sinnott). City Councilor Lindell introduced herself during the meeting and offered to be a leader in the promotion of trails projects.

The meeting began with a team introduction and brief project overview (ca. 15 minutes) followed by a question and answer session (ca. 65 minutes). The trail extension alternatives presented at the meeting included: 1) a new trail section from the intersection of Lujan Street and Otowi Road along the Acequia Madre to Maclovia Park; 2) utilizing the existing sidewalks at Maclovia Park as a bike route or providing a new 8'-10' wide trail along Maclovia Park's north side; 3) designating an on-road bike route along Gallegos Lane. Trail connections to neighborhoods focused on connecting the Acequia Trail across an existing pedestrian bridge to Camino de Chelly (a public street within the Pueblo Alegre neighborhood). Project boards with basic project information (Proposed Alignment Map, Existing Acequia Conditions, and City of Santa Fe Urban Trail Network) were on display during the meeting (see attached). The ENN Information and Procedures handout was available at the meeting.

Leroy Pacheco briefly introduced members of the design team (Radian Engineering, Design Office) and provided an overview of the project's history and background, including the 2012 Bicycle Master Plan, urban trail design parameters, and the overall objective of connectivity with the existing trails system. The project purpose is to complete a missing link of urban trail identified in the 2012 Bicycle Master Plan. The goal is to improve overall urban trail system connectivity and connect neighborhoods to the Acequia Trail. The meeting was a venue to begin a discussion about designating for public use an existing pedestrian bridge (privately owned) connecting the Pueblo Alegre and Casa Alegre neighborhoods. The Santa Fe City Council allocated a project budget of \$80,000 in Fall 2014 and the project is currently contracted through conceptual design phase. Once a trail alignment is identified, a contract for preliminary / final design phases will be executed. There is currently not a timeline for trail construction.

Public Comments Summary

Public comments were collected through written comment forms, emails, and by documenting the question and answer session at the public meeting. While a large number of comments indicated support for extending the urban trail between Otowi Rd. and Maclovia Park, there were mixed opinions about whether and how the privately owned pedestrian bridge should serve as a network connection for public use. Some members of the Pueblo Alegre neighborhood who opposed public access to the pedestrian bridge suggested alternate connections be promoted, indicated that the crossing at Agua Fria / Camino de Chelly is unsafe, advised that adjacent neighbors would be impacted, and pointed out that the bridge is privately owned. Members of the public also voiced preferences about design considerations for the trail extension and identified drainage and safety issues along Otowi Rd.

Some of the primary concerns raised by those who gave comments were:

- comments in support of the City's efforts to expand the urban trail network and the importance of connectivity
- questions / comments about the pedestrian bridge ownership, access and liability.
- potential increase in pedestrian / bicyclists in private neighborhoods and parks.
- concerns / comments about poor roadway drainage along Otowi between Lujan and Apache Street its impact on the Acequia.
- comments / concerns about the lack of a designated public trail in the area and how a trail would positively impact safety and connectivity
- questions / concerns about how the trail would fit in the context of a larger network beyond the immediate project site and how future projects may connect to it.
- concerns about the lack of safety for pedestrians and bicyclists sharing the road with vehicles along Otowi Rd.
- comments / concerns about the condition of Otowi Rd. as an unmarked bike / pedestrian route.

Meeting Advertisement

The meeting was advertised according to City of Santa Fe ENN guidelines as follows:

18 days in advance (15.Jan.2016):

Email: to Santa Fe City Council members, Santa Fe MPO staff, City of Santa Fe Parks and Recreation Department, BTAC members, City of Santa Fe Planning Department, interested individuals, neighborhood associations (city wide)

Postcards: to property owners and physical addresses within 300' of project boundary, and neighborhood associations within 300' of project boundary

15 days in advance (18.Jan.2016):

Posters: (1) 4'x5' City of Santa Fe Notification Board at Maclovía Park
(1) 4'x5' City of Santa Fe Notification Board at the corner of Otowi Rd. and Lujan St.
(1) 4'x5' City of Santa Fe Notification Board between Vitalia St. and Apache St. on Otowi Rd.
(Notification Board was relocated away from pedestrian bridge as requested by a Pueblo Alegre Homeowner)

9 days in advance (25.Jan.2016):

Nextdoor: meeting notice posted online at Nextdoor.com.

One week in advance (27.Jan.2016):

Posters: (1) 4'x5' City of Santa Fe Notification Board at the entrance to Pueblo Alegre along Camino del Chelly off Agua Fria Road, per request by the Pueblo Alegre Homeowner's Association.

5 days in advance (29.Jan.2016):

Email: to Santa Fe City Council members, Santa Fe MPO staff, City of Santa Fe Parks and Recreation Department, BTAC members, City of Santa Fe Planning Department, interested individuals, neighboring condominium or apartment associations and neighborhood associations (city wide)

One day in advance (1.Feb.2016):

Email: to Santa Fe City Council members, Santa Fe MPO staff, City of Santa Fe Parks and Recreation Department, BTAC members, City of Santa Fe Planning Department, interested individuals, neighboring condominium or apartment associations and neighborhood associations (city wide)

Comments + Suggestions – from the Public

Following are comments / suggestions from the public. These comments were collected in the following manner:

- Question & Answer Session (recorded during the public meeting)
- Written comments on Comment Sheets (collected on 2/2/2016)
- Email correspondence (collected until 2/9/2016)

QUESTION + ANSWER SESSION RECORD (FROM PUBLIC MEETING: February 2, 2016)

Questions + Answer / Comment Session

The regular (non-italicized) text is a record of comments and questions from the public.

Italicized text is a record of responses from the design team.

** Please note that the following record is a summary of public comment and responses and is not transcribed verbatim.*

I use the trail everyday. My concern is that it doesn't become sterile. It has a bunch of trees and is wild which is great. My concern is that if you put a trail there I don't want it to get cleared out. Some kind of solar light that is not bright would help safety.

I am concerned about how it would work at Pueblo Alegre, how it would all work. I want to know about the bridge.

- With respect to patterns of effect, we aren't expecting a change of use. The team is looking at the bridge connection as an existing condition and how it fits in to circulation. If the bridge project becomes more specific there would have to be an easement or a purchase by the City to own or operate a bridge. The responsibility would need to change but we are not expecting circulation patterns to change because it is already a used route.

My name is Grace Mayo, I am an 18 year homeowner in Pueblo Alegre. My purpose tonight is to relate an experience on bridge. I was starting to walk across bridge and a bicyclist was approaching from the other direction very fast. When I was on bridge I asked him to dismount and told him this is a pedestrian footbridge. He told me Pattie Bushee designated this as a multi-purpose bridge. I told him I have balance issues. He would not dismount and came quickly across.

Is the ownership of the bridge in limbo?

- As a team we are new to the longer history of the bridge with the City and Pueblo Alegre. There has not been detailed engineering for the bridge and from what I understand the bridge is owned by Pueblo Alegre, as well as the space between Otowi Rd. and the neighborhood. The City would have to negotiate how it is used.

I use the bridge a lot. There is a center post that makes it difficult to bike on. It is definitely a pedestrian bridge.

I m a 30 year resident of Casa Alegre and I use that bridge. I walk my bike over the bridge. Signage would help the conflict with pedestrians and bicyclists. For example you could have a walk your bike sign. I am sorry that happened to you (to previous speaker).

- Ownership notwithstanding, if it was a differently designed bridge it would be designed for bike and pedestrian use.

I want to talk about privacy. Pueblo Alegre owns the span of the bridge. I live on Osage Circle and my property spans the Acequia Madre. I can't have a trail trough my backyard. Can we look at the future and possible infringement? What will the trail do farther up from here? How would it all connect and what does the trail do?

-We are looking at routes that people already do. We are trying to bring infrastructure into current use for safety and convenience.

Is there going to be an extension along the acequia?

- There is a continuation of the paved trail and bike routes toward downtown and now there is a project for completing the underpass. Otowi is the route that people would use along the road and the Acequia Trail is nearly complete to Ashbaugh Park.

This trail isn't going to go through my backyard then?

- This project has a scope and a limit that is the area described on the boards. The Acequia trail is largely along Otowi Rd. in this location and there are potentially more projects in the pipeline.

My name is Lynn. Thanks to the Councilors, city staff, and everyone for making this amazing trail loop that we can all now do. I see this bridge as a path shared by bikes and pedestrians, strollers and dog walkers. It's an amazing community thing and I am grateful for everyone doing this. Sure there are rude bikers but just about everyone is cordial in that area. The natural feel of the pathway is great. Don't do anything too sexy.

There are pedestrian counters along the Acequia Trail, I've seen the grey boxes. Is it public data?

- We have had some issues but they are continuously counted. We can discuss further if you'd like to (Keith Wilson).

I want to know why Osage isn't considered for a connection across Agua Fria. It has a light and a crosswalk. Camino de Chelly isn't a great crossing of Agua Fria. Why isn't Osage being explored?

- Connections are about feasibility and where people are currently using it. When creating a network more connectivity is usually better. More access points and routes defined by what people currently use is better. Connectivity can be improved based on what current pedestrian traffic circulation shows.

If this was a bike path it would cause more privacy invasion than there already is. We are concerned about security and privacy. We bought at the end of a cul-de-sac for this reason. People go across the bridge and they make noise. The trail is 4 feet from one house and it is a disturbance.

I am a new homeowner in Pueblo Alegre. I purchased my home because of the cul-de-sac and low HOA fees. When the City made the bridge public knowledge on maps there became more traffic in parks. People now use the park for picnics. As a resident I love seeing a safe route but as a private community I don't want people accessing our private neighborhood. What is your alternative route to Osage?
- It is more connections that help create safe routes. Further up the Acequia Trail more connections have happened helping link neighborhoods. It has opened up problematic areas and eased pedestrian / bicyclist traffic in many places. It appears that this bridge is an existing connection. We don't want to create a new connection. It is being used and so we want to legitimize the use and make it safer and more formal. We want to make a used connection better.

Tell that to our insurance company.

I am a homeowner of Pueblo Alegre. From your wording the ownership of that bridge is in question. I want to ensure you that Pueblo Alegre owns it. My question is if Pueblo Alegre needs to stop this, is the city going to be forced to use eminent domain?
- I hesitate to conjecture a response. I assume your HOA representation can communicate a stance that would be formalized that could go to the City's legal department. I have negotiated easements along different trails in the area so it can be a conversation. It is not my position to engage the hypothetical. Our \$80,000 budget does not include the bridge currently.

Would the City want to engage Pueblo Alegre with a purchase?
- It could be something that could be negotiated. Liability assumption and details would need to be processed. There are situations that can be remedied through design and collaboration. Other questions could be answered through design solutions (lighting, maintenance etc.) that could be negotiated into a sales agreement. I hope there is a positive agreement between the two entities. The roads are City owned in that area so surely collaboration could happen. These trails are great for neighborhoods. Elsewhere we've seen great changes with a new trail being installed. We can work through the process and hope for a good relationship outcome.

My name is Bridget Wolf. We have not been connected to the trail on the south side of town. This is the beginning of the trail reaching us. I hope everyone can work together so that the trail continues to the south part of town.

The bridge is two ways. Keep in mind that you guys come into our neighborhood. I take offense about the negativity of sharing the bridge. I grew up in Santa Fe crossing neighborhoods and want my kids to have the opportunity to get to parks and places safely. There should be connectivity. I live on Declovia and it is great to be able to get downtown with kids on the Acequia trail. I am for the trail.

If you did condemn the bridge would it be ADA compliant?
- I don't want to use the word condemn. I want to work with the neighbors. If it were a public bridge it would need to be ADA compliant, but the details have not been worked out.

Thanks for everyone coming out. The more connectivity, bicyclists, and trails the better. Keep in mind that when people are looking at a place to live, a town or city, people look at trails for visibility. There is less crime with more trails. It is an appealing attribute for people. Neighbors look out for each other. I am familiar with Pueblo Alegre and it is a very narrow bridge. If the City works with the community, a wider bridge would be great. Really the more connectivity across town the better for residents and tourists and neighborhoods become more attractive to residents.

I am a cyclist. What is the timing of the next step? What is the time frame?
- The conversation with Pueblo Alegre is complex so the bridge portion is unknown. The portion to Maclovia from Otowi is 450 LF plus 300 LF through Maclovia Park. This would be ADA compliant paved trail. You can see a template for what it might look like in areas behind Ashbaugh Park. This part is simple and fast. There is \$80,000 to do this. We would like comments on this alignment the first step with Pueblo Alegre would be to set a tone of win-win. We don't want the bridge conflict to delay the trail to the west.

I lived in this neighborhood for many years. I was on trails and county roads committees. One of the issues we confronted was that people think insular about where they live. There is evidence that with more eyes on the street and neighborhoods cooperating, safety and security concerns are addressed. People right next door have legitimate concerns. As brothers and sisters in the same city it makes sense to discuss a problem. With more connectivity the better our neighborhoods are because there is less burden on specific circulation and relationships are improved. It is always better to understand that we are neighbors. I applaud what you are doing.

I agree with what was just said. I am a long term resident of the area. It would be nice to address the neighbors on each side. The bridge goes over Pueblo Alegre but Pueblo Alegre does not own the acequia. Years ago there was concern that people would use the private park but the trails and parks are a joy and not a problem. The first concern is those on either side of bridge pathway.

The drainage along Otowi is not up to par. Adjustments could impact erosions flowing into the acequia. There is no curb and gutter. The road is not developed and should be looked at in conjunction with this project.

The intersection of Apache and Otowi is a blind and dangerous corner. There is one stop sign and 1 of 3 cars runs that stop sign.
- With respect to trails, we can look for opportunities to harvest water. It can be looked at for mitigation and utilizing stormwater. As we know, the issue of drainage is city-wide.

Where are you on the Gallegos Lane connection for future planning?
- That area has not been funded and neighbors have not been approached yet. I don't have a scope or budget but it is master plan. We are aware of it. I have not been assigned budget for that section.

Is the plan to connect to Tierra Contenta?
- I hope to look at easements but I haven't yet. The La Cienegueta connection design is complete and soon it will be under construction. South Meadows to San Felipe is a section that will soon be in process. There are trail projects that are being worked on to improve connections. There are east-west road connections too.

Where Lujan St. turns into Otowi at the corner, are there no plans to do anything there?
- Currently, there are no plans that exist for these trail improvements. We will consider this corner and its safety.

It isn't a good place to walk or bike. People come around the corner quickly. Please look at that area. Stripe it or look at a solution. All the way to Osage it is not safe.
- There is a signage plan that is part of it. We can look at it.

General security plans: can you explain how at night you can create a secure environment? I am concerned about criminal use at night.

Ashbaugh Park is a lot safer now because disc golf uses it at night and loitering is less likely.
- With more public space and with more eyes on the street there is typically less crime. Behind the School for Deaf it is safer, for example.

I am a resident on Camino de Chelly. I use the trail. At the intersection of de Chelly and Agua Fria it is unsafe. We need something to help us get across the street. I hear reasons why the City can't impede traffic on Agua Fria. I recommend you take a look. You can get stranded in the middle of Agua Fria. There is a funky left turn lane. People get stranded in the road. You have your work cut out for you.
*- I was involved with a project where a median was installed and it was helpful. There is a different project that may be addressing that.
- Connecting to Frenchy's via that crossing is part of a federally funded project. The target is May or June. There will be a formal trail and it will hopefully align with striping. There are not beacon plans in that area (Keith Wilson).*

I've used the Acequia Trail for 20 years. There used to be people living behind Ashbaugh and behind the School for the Deaf. When you bring people in there then there is usually less problems and less homeless people loitering. That signal at Cordova Road is great.

I am the other councilor for bikes and trails. Patti Bushee has taken the lead in this regard and I am grateful for that. I'd like to be a lead for bikes and trails. I am available to take calls. District 1 is great for turning this many people out (Councilor Signe Lindell).

I'd like to echo a previous comment: that stormwater problem at Apache and Otowi. I've seen water up to knees. The city has had to backhoe the area out in the past. There has to be a solution for that. It is negatively impacting the acequia.

I want to show support for trails and connectivity to neighborhoods. We recently moved to the neighborhood. More connectivity increases property value, helps with better safety and provides great connectivity to parks. Please be careful of light pollution. Dark sky ordinance is a concern that must be balanced with safety.

I'd like to echo that. I recently bought on Lujan St. It has been great to be able to get to the Acequia Trail. The more we can expand trails the more millennials are attracted to the neighborhood.

I am a resident of Pueblo Alegre. The number of people using it should be anticipated for future use. When designing, expect and plan for more use and the potential impact.

We've had a lot more use since the map was published years ago.

In the section between Lujan and Maclovía Park: that area gets overgrown. Please reduce invasive species. At that section on Otowi, I see conflicts with pedestrians. People have to walk in street. It would be good to have a sidewalk there. And a connection to river trail, I find that connection doesn't make sense because it is inconvenient to cross Agua Fria. Consider another connection.
- That is similar to a previous discussion point. The more connections the better.

If you created a parallel bike path along Otowi, it shouldn't impact trees.

- *The idea is to go around Maclovía Park. We generally like to avoid trees. There are drainage areas at Maclovía too that will be an issue.*

My name is Brian Sweeney and I live on Lujan St.. The area along Lujan would be great to have sidewalk. Trails are beneficial. They increase security and increase property value. It really isn't a debate if you do your research. There is stuff online. Look it up.

I am looking forward to formalizing trails. Neighborhood connections are essential for a network system to work. If we funnel everyone onto Osage it isn't great because it's not safe. I'd rather go along Otowi. I think the Agua Fria crossing isn't going to be marked. Thanks to Pueblo Alegre for creating that bridge. It's great for people on both sides. Losing access to the pedestrian bridge connection would be sad.

I am the HOA manager there. It must be understood that homeowners pay dues. They pay to clean the acequia. There fees are \$400 per year. Those folks own that land and are liable. These folks have insurance on it. It is not public land. It is private property. They are nice to let people cross land but understanding that it is not a public route makes it a different discussion.

A solution is to let the City take it over. Then upkeep and liability could be eliminated.

I appreciate access via Pueblo Alegre. I gave up recently because of posts and fence. I have been in that neighborhood and called police in that neighborhood even when I wasn't a resident because I saw something suspicious. It's more eyes on the street. I have property elsewhere that I let people drive through and they see things that I can then address. I think the rocks and posts at the end of the bridge are unwelcoming.

I have a comment about lighting. My preference, and I ride on trail year round, is that I prefer no lighting.

- *Generally we don't light our trails. Based on humble budgets.*

SUGGESTIONS FROM COMMENT BOX

Written comments collected at the meeting on comment sheets are as follows:

1. Thank you. I love the bike trails and I can easily get to all three. I am concerned with the trail portion to Maclovía Park. If I must be 10ft. wide I would like to at least see some curves. More Trails! Casa Alegre. Emily Kepner. 1/2 block Maclovía Park.
2. We're very excited about this project, including keeping / formalizing the bridge over the acequia and are looking forward to the day when we can ride the acequia trail all the way down to Rufina. Thanks! Kristin Van Fleet
3. Gallegos Dr. was not brought up in the meeting. It is a dirt street. Then you end up on Gallegos Lane - the west side of which is extremely inhospitable / off limits to outsiders.
4. Connect Camelita Park?
5. Theft and vandalism exists within Pueblo Alegre - Virginia Kastel
6. As a resident of Casa Alegre - living across from Maclovía Park - my strong preference is for no lighting. No desire to make it more attractive for cars to park and people to gather there at night. We've called police on cars parked during the day doing drug deals. -Susan Asher
7. I live directly across from Maclovía Park and am strongly opposed to any lighting on or around the proposed path. Thank you. Tasha Curtis
8. I live in the Tierra Contenta neighborhood and support bringing this trail to the south side. We've been overlooked on many levels. Thank you.
9. I am totally against the use of Pueblo Alegre's bridge. We own it.
10. Thank you for the meeting - good points raised. Otowi floods and stop sign is a mess. Put a garbage can in this area for dog poop, garbage, mini bottles (otherwise dog poop may not get picked up). Current garbage cans are at Maclovía Park / Ashbaugh Park / Hano Park / Parks at Pueblo Alegre.
11. See scanned document below:

Letter from a PUEBLO ALEGRE HOME-OWNER, To the City of Santa Fe:

February 2, 2016

Our small, limited-access neighborhood with several private parks, surrounded by private common areas, governed by an HOA, was meant to be for our residents to enjoy.

Creating a public trail to pass through a narrow space between 2 homes disturbs the residents of those homes, changes the character of the cul-de-sac neighborhood which we bought into, and takes away the privacy and security that makes this neighborhood so appealing. Our parks are no longer private parks, although, unlike city parks, the burden and expense for watering, landscaping, tree trimming, equipment, and waste removal falls upon a small group of home-owners.

Home-owners who have been residents of Pueblo Alegre for decades feel that enjoyment of their home has deteriorated recently because of a constant stream of foot and bicycle traffic through the neighborhood. The city published and distributed a map designating a "pedestrian / bike trail" across the foot bridge located on our private property, without notifying the bridge owners. The city was asked to remove the bridge from the maps, notified that it was private property. The maps were reprinted with the same misleading information a second time. Pueblo Alegre home-owners and residents should have been notified about this plan at its inception, prior to including our private bridge on public bicycle maps. No councilor can designate multi-use of private property without due process.

This plan places a disproportionate liability and maintenance burden on Pueblo Alegre's home-owners. Expenses of additional signs, lighting, increased liability expenses, questions about ADA ordinances, decreased property values, violations of our private parks, and use of our parks as "dog parks" are just a few issues that have been brought to our HOA's attention.

Increased access via footbridges located on our private park bordering the Acequia Madre at Otowi and Camino de Chelly, and the Camino Hualapai extension, seems to have precipitated more burglaries, vandalism, litter, and graffiti. Residents have been knocked down and bitten by unrestrained dogs. Vehicles have damaged park irrigation systems. Temporary shelters have been erected on our common areas. Parking ordinances remain un-enforced.

Camino de Chelly does not meet the criteria for this plan. Pueblo Alegre residents are concerned about the safety of the intersection of Camino de Chelly and Agua Fria, and also the intersection of Osage Road and Agua Fria, where a traffic study was last done in 2008. There is much more traffic since then. We request a traffic study of those intersections, as well as the network of streets in Pueblo Alegre, which has not been done for years. Include: Camino de Chelly, Camino Anasazi, Camino Oraibi, Placita Chaco, Vuelta San Marcos, and Camino Hualapai. A study is also needed for bordering, non-compliant streets such as Otowi.

Traffic studies should be done during summer months, when both foot traffic, bicycle traffic, and automobile traffic are at their peaks.

Five days before the Early Neighborhood Notification meeting scheduled on Tuesday, February 2, 2016, at Frenchy's Field, the city still had not posted notification in our neighborhood, which has everything to lose, and nothing to gain, from the taking over of our private bridge. Signs were posted in other neighborhoods. Pueblo Alegre's HOA, which is managed by HOAMCO, requested a sign in our neighborhood, which finally was posted as a courtesy, 4.5 days before the ENN. This morning, Feb. 2, the city website which has a calendar of ENN meetings, did not have this meeting listed.

Rather than pitting one neighborhood against another, ("divide and conquer") I would like to see solutions that bring neighborhoods together and help us tackle the challenges of diversity and development, and work together to make our city a better place to live.

Here are just a few of the concerns that this raises for Pueblo Alegre and all its owners:

- Camino de Chelly does not meet the criteria for this plan, nor does the trail across the bridge.
- The passage between two private homes is too narrow.
- City has not notified Pueblo Alegre neighborhood about the ENN meeting on Feb. 2, posting signs only in other neighborhoods – (Posting occurred only after request from Pueblo Alegre)
- City has not explained the plan, what is entailed, or how we will be impacted
- Otowi is noncompliant and needs a traffic and safety study
- City has not taken responsibility for publishing misleading information: bicycle maps were reprinted and distributed after being notified of error, lack of permission for using private bridge
- Lack of due process in seizing private property, disrespect for neighborhoods and home-owners
- Loss of quiet enjoyment of home because of a multitude of people walking through our private park, past my home, and down Camino de Chelly to access Frenchy's Park.
- Un-enforced parking ordinances
- Loss of privacy, change of character of a cul-de-sac neighborhood
- Increase in vandalism
- Increase in litter thrown into yards bordering sidewalk on Camino de Chelly
- Decreased safety
- Decreased property values
- Costs to neighborhood in liability, and other damages resulting from non-residents using our private parks
- Costs to neighborhood to improve fencing along Acequia Trail
- Liability concerns from sharing our private property with the public: old bridge is not meant for bicycle traffic and may require permanent closing
- Liability concerns from tall, drought-stressed trees flanking the bridge and trail, which pose a safety hazard, and may require the permanent closing of trail.
- Liability issues from erosion, flooding, fires, wild life, pets encountered where Acequia Madre flanks our private property
- Drainage studies need updating

SUGGESTIONS FROM EMAILS

Written comments collected prior to or after the meeting (until February 9, 2016) by email are as follows:

1. January 22, 2016 at 9:12 AM, Grace Mayo wrote:
Hi All--I am an 18 year homeowner in Pueblo Alegre. I am grateful to all of you for your ongoing work with this large endeavor. I have some safety concerns, mostly prompted by a negative experience I had last year while walking over the Pueblo Alegre "Footbridge". Is the Feb 2nd meeting the right forum for me to attend and be able to relate my experience and concerns, or is there some other venue for me to be heard?
Thank you.....grace mayo
2. January 22, 2016 at 3:50 PM, Patricia Elder wrote:
Dear Ms. Horn,
I see that the yellow City notification of the subject meeting is posted on the private fence designating the Pueblo Alegre boundary. Specifically, are the other proposed Acequia Trail Connections posted and is the "private foot bridge" belonging to Pueblo Alegre going to be discussed at the February 2 meeting?
I request a response before the ENN meeting takes place.
Thank you. Patricia Elder
3. January 25, 2016 at 4:32PM, Brian Sweeney wrote:
Hi, I live near the proposed Acequia trail connection and was told on Nextdoor.com I could request a map of the proposed project from this email address. If that's correct, please send it my way, and I'll be at the meeting probably in support of the project.
Thanks, Brian Sweeney Lujan St.
4. January 25, 2016 at 4:25 PM, Patricia Elder wrote:
Good Afternoon Ms Horn,
Thank you for directing that the ENN Meeting signage be removed from Pueblo Alegre's private property.
Residents within Pueblo Alegre also need to be apprised of the meeting and the potential ramifications of Camino de Chelly being used as a "connector" for the bicycle path. Few residents have seen the sign posted on Otowi.
Another sign needs to be posted at the entrance to Pueblo Alegre so as to assure that all residents are aware of the scheduled meeting and are more likely to attend and participate in the public response and conversation.
Thank you. Patricia Elder Pueblo Alegre Homeowner
5. January 24, 2016 at 12:45 PM, Paul White wrote:
Good Morning Ms. Horn,
The subject meeting is now less than a week away. When do you plan to post city public notification signage at Camino de Chelly for the benefit of those who live in Pueblo Alegre?
Thank you. Patricia Elder Pueblo Alegre homeowner
6. January 28, 2016 at 12:58 PM, Michael Smith wrote:
Hello All, We are officially requesting a postng of this meetng be placed at the entrance to Pueblo Alegre subdivision facing north towards Agua Fria. None of the existing notificatons are posted in locatons that would alert our residents about the meeting. Please post this large yellow notice as soon as possible along Camino de Chelly facing Agua Fria.
7. January 30, 2016 at 3:17 PM, Linda Trageser wrote:
Linda Trageser I am representing several neighbors who can not attend this meeting. Thank you!
8. January 31, 2016 at 10:45 AM, Linda Trafeser wrote:
Please give me more information, thanks! About the project on which Tuesday's ENN is about.
I saw Noah Berke's post on Nextdoor saying that there is an email going around with incorrect information regarding the project and the notification process. Can you please explain? Thanks, Linda
9. February 1, 2016 at 8:41 PM, Jennifer Foote wrote:
I can't make the meeting, and I might have sent this to you before, but making the westbound pedestrian signal island at Cristobal Colon + Agua Fria usable to bikers/strollers/wheelchairs would be an appreciated connection improvement between the Acequia trail/rail trail + the river trail. thanks Jennifer Foote
10. February 2, 2016 at 11:06 PM, Shakura wrote:
Dear Leroy Pacheco, I attended ENN meeting tonight, and based on what I heard and witnessed, it appears that you have created a situation, wittingly or unwittingly, in which one neighborhood is pitted against another, neighbor against neighbor, the very opposite of "Connections" which is what I thought your goal was. This is not the kind of project I would want to see my city supporting.
11. February 3, 2016 at 11:00 PM, Mark Zuliani wrote:
Claudia, Thank you to you and Leroy for facilitating last nights meeting. On thinking about the discussion and all of the points made, I realized one item that I feel is inadequate in the city trail system - signage and road markings. Specific to the project in question, once the acequia trail dumps onto Otowi it is quite unclear of how the trail proceeds without a map. Formal road markings and signage would greatly aid the situation. Mark

12. February 3, 2016 at 3:18 PM, Tim Rogers wrote:

Hello Claudia - Thank you and Leroy for conducting last night's meeting. There were so many points to cover, and sensitivities about connections, that I did not feel the need to bring up the Maclovía Park - Cielo Vista Park connector, which I provided information on earlier (below). Since it relates to a specific City Council resolution, I would hope that this concept rises above basic, random "public input" but rather is simply part of your team's formal background information for planning and design. But per your suggestion, I am writing to ask that you please include the information forwarded below as part of the public input for this project. How might this future need affect current design? If we are planning a trail that stays on the north side of Maclovía Park to link to a section along Gallegos Lane, we should assume that there may very well be future need for a bridge connection across the acequia, linking into the narrow section of Cielo Vista Park that fronts on Maclovía Park, and design accordingly. (Just as tree plantings in Cielo Vista Park also anticipate this future connection) A few more points I would like to make, for the record, based on last night's discussion:

1) Concern about intersection of Apache and Otowi. This is a bizarre intersection because it has just one stop sign, but it is for eastbound Otowi rather than for the intersecting street, Apache. Traffic on Apache does not have to stop, and the implication is that westbound traffic on Otowi would have the right of way over eastbound Otowi when turning left onto Apache. This is worth re-evaluating and if we are to favor Otowi as a through-route for pedestrians and bicyclists, it is northbound Apache that should have a stop sign here. (That could be better for motorist safety too!) This is a parallel situation to Otowi and San Felipe where the Bicycle Master Plan recommends flipping the Stop signs around so that San Felipe traffic stops, and Otowi traffic does not stop. This is a classic "bike boulevard" strategy that works for pedestrians too. (This point is made for both intersections, with a photo of the intersection with San Felipe, under discussion of "Bike Boulevards" in the Bicycle Master Plan Appendices, p 11-8; the San Felipe opportunity is also listed in the BMP implementation plan Table 8, p 92, within the specific description of the project that you are now working on - item #15)

2) Concerns about conflicts between pedestrians and bicyclists on the privately owned bridge at the end of Camino de Chelly (photo in BMP on p. 31). The only reason that this bridge does not serve bicycles well is the inappropriate and excessive use of bollards, which also block strollers, push-joggers, bike trailers, motorized scooters or any wheelchairs that are rugged enough to handle the dirt and gravel surfaces adjoining the bridge. The bollards have no real purpose because motor vehicles cannot fit across this bridge; ATVs would not seem to be an issue here, for what that is worth, and trying to block motorcycles with bollards can be done only at the expense of legitimate users. Instead of banning bikes, or calling this a "pedestrian-only bridge," remove the bollards. The bollards are only inconveniencing or outright blocking legitimate users. Bicycles cannot "fly," as suggested, they cannot really be ridden through the bollards at all, and even without the bollards bicyclists would not be able to go very quickly through this stretch of trail anyway. In any case, as everywhere they MUST yield to pedestrians, and the fact that apparently one did not want to once should not rule out their use here. As motorists, we negotiate who gets to go first through narrow streets with parked cars; this narrow bridge within a wider alignment is no different. I do realize that this is up to the owners, but I do not agree with the suggestion of signage that cyclists should dismount, which is both unnecessary and inappropriate.

3) I do not know that the single resident speaks for the entire HOA about the "problem" of having the privately-owned connection on the map. I highly doubt that the map has done much to change traffic patterns, but from most perspectives this would be a good thing. It is extremely doubtful that vandals and other criminals are using the bike map to figure out how to access their targets. In any case, it is OK to take it off (but leave the public road, Camino de Chelly, highlighted as yellow) but another argument for the city acquiring the easement for the bridge is to be able to publicize this extremely useful connection on maps, through wayfinding signage, and otherwise.

4) "Informal bridge" in northeast corner of Maclovía Park. SFCT has been asked as City Trail Volunteer Coordinator to consider fixing this bridge on behalf of City Parks. We are very happy to do so, with the help of Santa Fe Fat Tire Society, but I would first like to be certain that there will be no plans to change the approach to the bridge, which is part of the Maclovía Park sidewalks. I do not think any of the proposed trail alignments should require changes here; I would appreciate it if the project team can advise us on this matter, and plan and design the trail with this knowledge. Thanks for your work to make the Acequia alignment flow better! Regards, Tim

13. February 7, 2016 at 6:53 PM, Elaine Kidd wrote:

Dear Mr. Pacheco and Ms. Horn,

I am a homeowner in the Pueblo Alegre Community. I support the Acequia Trail connection through the neighborhood with the understanding that the bridge liability and maintenance is transferred to the city. I attended the meeting at Frenchie's Park. I appreciate your hard work on behalf of the citizens of Santa Fe. I am attaching a copy of a letter that I have emailed to our board of directors. Regards, Elaine Kidd

14. February 9, 2016 at 5:30 PM, Joe Abbatacola wrote:

Hi,

I'm passing along this disappointing email from the Association of Pueblo Alegre. Unfortunately, despite what seemed to be a mostly positive ENN meeting at Frenchy's Barn on 2/2, and the many residents who were in favor of the bridge connectivity, their Board is not supporting it.

My sense is that the Board was very irate when their 'private' bridge connection was added to the Bike Map, without consulting with them first. Hopefully, those vocal residents who supported this connectivity will attend the Board meeting on Feb 24th.

As I mentioned at the ENN, I fully support this connectivity. If you have any thoughts as to what might sway the Board, now would be the time to speak up and act.

Thanks for all your hard work on this!

Joe

Forwarded email:

February 8, 2016 at 8:21 PM, Michael Smith wrote:

Dear Pueblo Alegre Owners,

The Pueblo Alegre Board of Directors met today and given the feedback from owners and the association's attorney, it has been decided that "No Trespassing" signs will be installed on or near the Private Pedestrian Bridge over the Acequia Madre as soon as possible. Other actions are being considered by the Board to limit access to Pueblo Alegre's Private Property and the Board welcomes any additional feedback you may have via email. As a reminder, at any regular monthly Board Meeting there is time set aside, at the beginning of the meeting, for an Owners Forum. The next Board Meeting is scheduled for February 24th at 11am at the HOAMCO office (address below).

Thank you,

Michael Smith / Community Association Manager

ELAINE KIDD

February 7, 2016

Dear Pueblo Alegre Board of Directors,

I am writing to voice my support for the Acequia Trail Connection through Pueblo Alegre. I am a Pueblo Alegre homeowner. I attended the meeting with the city at Frenchie's Park. I was convinced that increased bike traffic defers crime rather than increases crime. I believe that access to a bike path increases home value. I was impressed by the dedication and years of effort that Leroy Pacheco and his team have invested in creating a citywide trail I appreciate the time and effort that the board is investing to assure that the liability for the bridge is transferred from the Pueblo Alegre community to the city. I would ask that all communication between the Pueblo Alegre representatives and the City of Santa Fe be done with respect and in the spirit of community.

Regards,
Elaine Kidd

921 CAMINO DE CHELLY • SANTA FE • 87505
PHONE: 505.438.2978 EMAIL: FORLIFESJOURNEY@MSN.COM

END OF NOTES

ACEQUIA TRAIL NEIGHBORHOOD MEETING

February 2, 2016

*please print

Name	Address	Email or Contact Number	Affiliation (Local Resident, Sports Organization, Other)	How did you hear about this project? (Poster, Flyer, Email, Friend, Other)	Would you like to be added to our contact list?
LoPace MARYO	969 Camino Daibi	KATIA APARICIO	Homeowner	email	Y
Gary Schiffmiller	924 Osage Ave.	Schiffmiller@earthlink.net	homeowner Bite Santa Fe	FB/8fe next	Y
Michele Boré		Micheleborofun@msn.com	Acequia Madre	Board	Y
Fred Schreiner	965 Cam. Anazzzi		Pueblo Alegre	Board	No
Rachel Wexler	1302 Logan	Rachel.Wexler@staple.us	Homeowner	5:59 email	Y
Callie Carswell	2 Family Lane	calliecarswell@gmail.com	Homeowner	email	Y
SHEM PITTER	945 CAMINO DE CHEY	PITTERS@msn.com	HOMEOWNER	EMAIL	Y
Barbara Fix	610 Alicia St.	505-989-8654 barfix@aol.com	HOMEOWNER	"	Y
KATH WILSON	SANTA FE NPO	505-955-6706	SANTA FE NPO		
JAN BUTCHOFSEY	8227 Via La Santa Maria	575-937-2316	PUEBLO ALEGRE	Board	Y
Jemie Hargrove	1062 Osage CV	ninhargrove@gmail.com	Homeowner	board	Y
Mark Zulfani	317 Taubene Dr.	505-310-9853	cycling advocate	email	N
DEAN WILSON KASPER/965 CAM. OSAGE		dkasper@gmail.com	PUEBLO ALEGRE	email	Y
Ann Greene	1311 Luana	walkaboutpamela@gmail.com	AS2	Board	Y
Ann KOSTRANSKY	925 Fairwood Drive			email	Y
JACOB WILSON	1211 LUAN ST	jjacobson@gmail.com	RESIDENT	5:15 PM	Y
Bridget Wolf	4417 Contenta Ridge	bdwolf@hotmail.com	RESIDENT	Nextdoor.com	Yes
A. Tausche	913 El Cacao	alex@hmcad.org	5055	Web	"
Alexandra	2129 Camblero St	akusanatafe@gmail.com	Santa Club	Web	11
Chris Schram	2405 Tostol	cschram@gmail.com	Homeowner	Web	Y

*please print

Name	Address	Email or Contact Number	Affiliation <small>(Local Resident, Sports Organization, Other)</small>	How did you hear about this project? <small>(Poster, Flyer, Email, Friend, Other)</small>	Would you like to be added to our contact list?
JORDI WABERSCHNIT	3471 Cerrillos Rd #1		Res	SLIPBY Neighborhood	
Gigi Garlick	1223 De Chavez	drigi@mac.com	Res	"	
NYGMA CROSS	1396 LAMUN N10	WMCROSS505@gmail.com	Res	"	
Ben Murphy	2229 Veltre San Marcos		Res	"	
NED HANNAUS TEUBNER	1219 MACCUMA ST	CLUBWED@NETFLANUS.COM	Res	POSTER	
TOMMY HINTS	1013 Garrine (DREBI	982 1174	Local	Kitty	
Kitty Seabold	1004 Camino San's	473-9095	Local	HOTLINE Behind	
GENE DUKEN	4237 SONDAGE ST.	438-9889	Local Res.	—	
SUSAN ASTER	1201 MACOVIA ST.	473-5197	Local	Sign	
Elaine Kidd	921 C de Chelly	ekidd@78@msn.com	Pueblo	neighbors	
Andrea Poole	941 Plastik Cheeb		Pueblo	Party	
TED RITTE	2211 CONN. HWY 905	TEJ@SONGSONW.COM	Pueblo	Party	
Joe Abertachin	203 N. Goodhope #105	JOESTIVEN@hotmail.com		email	
SUSAN WINNBERG	1228 ARCADE AVE	S+WINNBERG@GMAIL	Res.	Sign.	
Alex McDonough	1320 MACCOVIA ST	AlexMcDonough@gmail	Local Res	Sign	✓
Christina P. Dorlo	2111 Hopi Pl.		Resident	Neighborhood	
Philario Romero	1561 La Cienega Unit A	(505) 474-4533	Resident	"	
Joe Sobrin	2823 Acacia Falls	PJ Sobrin P. O. Com	Res	Internet	

Name	address	Ph.no / Email
TOSHA Curtis	1205 Walden St.	tcurtis@gmail.com
Christy Henspater	928 Cam. Oriahi	stenehall@gmail.com
STEPHEN NEUMAL	601 W SAN MATEO # 92	
Kirstin Van Fleet	1306 Vithalia St.	kbranflect@yahoo.com

*please print

Name	Address	Email or Contact Number	Affiliation <small>(Local Resident, Sports Organization, Other)</small>	How did you hear about this project? <small>(Poster, Flyer, Email, Friend, Other)</small>	Would you like to be added to our contact list?
Abra Seitz	1224 Debraine St.	abra.seitz@gmail.com	Resident	Poster	Yes
Verna Elaine	1008 Cm de Chelly	vernaelaine@yulm.com	Resident	Not Mtg	Yes
Steven Anderson	610 Kofunyn	steven@gmail	Resident	Friend	Yes
John Tankley	1013 Camino Anasazi	john.tankley@sbcsjlobol.net	Resident	Partner	Yes
Jim Frost	937 Camino de Chelly	strott14@a.com	Resident	Friend	Yes
Lynne Shmuvor	2211 Camino Huwala pa	silent.waters1@gmail	Resident	HOA	No
Kangy Takacs	940 Camino Anasazi		Resident	Flyer	No
Shana Trovessa	940 Camino Anasazi	Lshatura@aol.com	Resident	Friend	
Meredith Garcia	P.O. Box 16118 SF, NM 81502	m.d.g.88@hotmail.com	Resident	Friend	
Teresa Aragon	Po Box 6661 SF Nm 87502		Resident	Card	
Mars Delapp	1190 Harrison Rd	jindelapp@delapp.com	Resident	Poster	Yes
Megan Bayer	1316 MacLona	Megan.bayer@hotmail.com	Resident	Poster	Yes
STEPHEN SWEENEY	1209 Lujan St.	stephen.sweeney@gmail.com	Resident	Poster	Yes
Stephen Bohannon	1306 Vitalia St	stephen.bohannon@gmail.com	Resident	Social media	Yes
Michelle Hoffman	6329 Milagro Stella	michelle@yantra.us	Resident	social media	Yes
Danielle Gotrue	1202 Apache Ave	danielle@lawfoundation.org	Resident	sign	yes
Shelley Robinson	122 Barranca Dr	robinsonmade@att.net	BTA	email	yes
Tom Buschner	122 Barranca Dr	505-982-1487	Resident	email	

Mike Tompson

1807 Hano

tompson@comcast.net Res online X

Acequia Trail - Neighborhood Meeting

Micaela Fischer

1209 Lujan St

micaela.fischer@gmail.com Res. Email X

ACEQUIA TRAIL NEIGHBORHOOD MEETING

February 2, 2016

*please print

Name	Address	Email or Contact Number	Affiliation	How did you hear about this project? (Poster, Flyer, Email, Friend, Other)	Would you like to be added to our contact list?
Pat Nickelson	Property owner (partly) 409 plastic chaco	Pat.Nickel@aol.com	(Local Resident, Sports Organization, Other) Landlady	HO Association	
Beth Ares	Puebla Alegre	MSmith@HotAncho.com	Local Resident	Through neighborhood	
Michael Smith			Manager/Host	Richard	
Tommy Lynn Terwis	loc leinas		local	email	
Thomas Leathe Wood	44 Camino La Culebra	Tomstant@comcast.net	local	mail	
Davidela Roka	707 Cortez St.	danielaroka@hotmail.com	Local	email	
Robert Barson	712 Calle Beatrice	rbarson1@me.com	local	nextdoor.com	
Beth McDonald	2451 Calle Linda	bethkeough@comcast.net	Neighborhood	post card	Yes
DAVE CURRAN	6917 Golden Mesa.	DAVE@SANTA.FE.ORG	Nextdoor.com	nextdoor.com	Yes
Emily Koponen	1212 Maclovias	emilykoponen@gmail.com	Local Resident	flyer	
TATIANA ELBER	944 Camino De Chisly		Local Resident	Sign	Yes
BILLY TURNER	936 Camino Delaney	billyturner@yahoo.com	Local Resident	Sign	Yes
BENJIE BORDSTAN	722 GARRETS LN		LAND	Postcard	Yes
Cheryl Odum	1152 Vudtrabesweg	cherylober@comcast.net	LOCAL RES	nextdoor	Yes
JAMES KING	2401 Calle Linda	jamesking@yahoo.com	LOCAL RES	mail	Yes
Renee Villarreal	1037 Calle Carmilita	reneeforsantafe@gmail.com	Resident	Next Door	Yes
Faith Caporante	2405 Isabel St	tillyfaith4050@gmail.com	local Res	Patrice signet	
Lynne Canning	1202 Apache St	lcanning@hotmail.com	local Res	Postcard	
Ben Myhae	2301 W Plameda	benmyhae.com/contact	Resident	email	

Dear Mr. Schreiner,

Thank you for your response. I appreciate the Board of the Pueblo Alegre Homeowners Association's willingness to dialogue with the city regarding the purchase of a trail easement between Otowi and Camino de Chelly. I am confident that we can work together to find a win-win solution for the Pueblo Alegre and Casa Alegre neighborhoods.

I've attached a "draft contract" that is based on a contract that the city executed for the purchase of a trail easement on a nearby segment of the Acequia Trail, and that I believe can serve as a framework to addresses your listed concerns. Please have the board consider the contract as a draft, and let me know if there are any comments at this early stage.

The next step is for the city to contract with its engineering consultant/surveyor, to develop a plat of survey of the proposed easement, and work in good faith with the Board to determine an acceptable area of take for the easement. Once these are in place, the city will perform a title search, and an appraisal of value for the easement, so that we can establish the value of the acquisition and make payment.

I appreciate your email, and look forward to working with you.

Sincerely, Leroy Pacheco

From: Frederick Schreiner [<mailto:fschrein777@gmail.com>]

Sent: Monday, March 28, 2016 10:56 AM

To: PACHECO, LEROY N.

Cc: Michael Smith; John Townley; Verna Elrite; Linda Trageser; Lynne; Michael and Patricia Elder; Jan Butchofsky

Subject: Bridge and Pathway in Pueblo Alegre HOA

Dear Mr. Pacheco,

Thank you for contacting us in an attempt to start a dialogue as to the City's Bike and Pedestrian Trail as it relates to Pueblo Alegre HOA. The Board invites you to send us the way that you intend to address the following issues **in writing by April 15**, so that they may consider them at our next Board Meeting.

1. The bridge and walk way are private property and if the public are given access then the City will need to:
 - a. Pay Pueblo Alegre for "taking" their property
 - b. Insure the new pathway and remove all liability from Pueblo Alegre HOA

- c. Make the new pathway and bridge ADA compliant
- d. Address the noise that plagues the homes that immediately border the pathway

We look forward to reviewing your proposals.

Frederick Schreiner, President
Board of Directors, Pueblo Alegre
Homeowners Association

--

Frederick Schreiner, DM
965 Camino Anasazi
Santa Fe, NM 87505
fschrein777@gmail.com
Land: 505-467-8283
Cell: 505-470-2973

**CITY OF SANTA FE
CONTRACT TO PURCHASE PERPETUAL TRAIL EASEMENT**

City of Santa Fe, Acequia Trail Project – Otowi Avenue to Maclovía , CIP # 438-A

LOCATION: A certain tract or parcel of land situate within the Santa Fe Grant, Projected Section ____, Township __ North, Range ____ East, New Mexico Principal Meridian, City of Santa Fe, County of Santa Fe, State of New Mexico, comprising a portion of the Pueblo Alegre Homeowners Association property as shown and designated on the attached plat entitled “PEDESTRAIN / BIKE TRAIL EASEMENT

THIS AGREEMENT made and entered into this ____ day of ____ by and between

NAME

c/o NAME

ADDRESS

Santa Fe, NM 87505

(Seller), and the City of Santa Fe (Purchaser).

WITNESSETH:

For good and valuable consideration hereafter set forth, the Seller hereby authorizes Purchaser to enter upon the Perpetual Trail Easement for trail improvement purposes, subject to the following terms and conditions:

1. The Purchaser, through its duly authorized Agents and Contractors shall perform all demolition of improvements, if any, within the Perpetual Trail Easement.
2. The Purchaser is responsible, at Purchaser’s sole expense, for maintenance of all trail features. In addition, the Purchaser will perform all typical parks, open space and trail maintenance functions within the Perpetual Trail Easement such as trash pick-up, graffiti elimination, police patrol, etc., all at Purchaser’s sole expense.
3. Taxes and Special Assessments, if any, delinquent from former years, and Taxes and Special Assessments for the current year, if due and/or payable, shall be paid by the Seller.
4. This Contract embodies the whole agreement between Seller and Purchaser, and there are no promises, terms, conditions or obligations referring to the subject matter hereof, other than as contained herein.
5. Seller hereby agrees that the compensation herein provided to be paid, includes full compensation for its interest in the Perpetual Trail Easement.

6. This Contract shall be binding upon the parties hereto and upon their respective heirs, devisees, executors, administrators, legal representatives, successors and assigns.
7. The terms of this Contract are understood and assented to by the parties and payment is to be made in accordance with the terms hereof. It is further understood and agreed that, except as noted or specified herein, IMMEDIATE, NON-EXCLUSIVE POSSESSION of the Perpetual Trail Easement, and the right to enter thereon, is HEREBY GRANTED to the Purchaser, its duly authorized Agents and Contractors, but only upon receipt of all payments due hereunder from Purchaser to the Seller.
8. The terms and conditions of this Contract have been fully explained and are understood by the undersigned, and payment is to be made in accordance with the above conditions.
9. The consideration as set forth in the contract shall constitute full payment for the Perpetual Trail Easement.
10. Seller represents and warrants that it has the authority to carry out the transaction contemplated herein and to transfer Seller's interest in the Perpetual Trail Easement to Purchaser.
11. No provision of this Contract modifies or waives any provision of the Tort Claims Act and the parties agree that as between the parties, Purchaser's liability shall be determined pursuant to the Tort Claims Act. A certificate of insurance evidencing Purchaser's insurance coverage is attached as Exhibit A.
12. Purchaser and its duly authorized agents and contractors shall perform the improvements and work listed in Items 1 and 2 above as well as operate (collectively, the Work) the Perpetual Trail Easement in a good and workmanlike manner and in accordance with all applicable laws, ordinances, codes, rules and regulations.
13. Purchaser hereby agrees that after the completion of any Work, Purchaser shall restore, at Purchaser's sole expense, the Perpetual Trail Easement area and any contiguous property owned by Seller as nearly as practicable to the same condition that existed immediately prior to commencing such Work.
14. Seller wishes to sell for \$ _____, the Perpetual Trail Easement to the City.. The Purchaser's property appraisal dated _____ is attached as Exhibit B.

Perpetual Trail Easement: A _____ square feet portion of vacant land for a non-exclusive permanent bicycle and pedestrian trail easement as described on the attached Exhibit C.

SELLER:

NAME

By: _____
NAME
ADDRESS

Date: _____

[REMAINING SIGNATURES APPEAR ON FOLLOWING PAGE]

PURCHASER:

CITY OF SANTA FE:

By: _____
Isaac J. Pino, PE Director
Public Works Department

Date: _____

APPROVED BY:

Brian K. Snyder
City Manager

Date: _____

Oscar Rodriguez, Director
Finance Department

Date: _____

APPROVED AS TO FORM:

Kelley Brennan
City Attorney

Date: _____

Attest:

Yolanda Y. Vigil
City Clerk