



Agenda

FINANCE COMMITTEE MEETING
CITY COUNCIL CHAMBERS
FEBRUARY 27, 2017 – 5:00 P.M.

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF CONSENT AGENDA
5. APPROVAL OF MINUTES:

CITY CLERK'S OFFICE

DATE 2/24/17 TIME 3:30 PM

SERVED BY [Signature]

RECEIVED BY [Signature]

Regular Finance Committee Meeting – February 13, 2017

DISCUSSION

6. Request for Approval of an Ordinance Creating a Dedicated City of Santa Fe Fund to Support Early Childhood Education by Creating a New Section 18-20 SFCC 1987 to Establish a Sugar-Sweetened Beverage Tax in the Amount of Two Cents (\$.02) Per Fluid Ounce, Pursuant to Article 10, § 6(D) of the New Mexico Constitution, and § 3-18-2(D) NMSA 1978. (Mayor Gonzales and Councilor Ives) (Marcos Martinez)

Committee Review:

City Business Quality of Life Committee (approved)	02/08/17
City Council (request to publish) (approved)	02/08/17
Public Works Committee (approved)	02/20/17
Food Policy Council (approved)	02/23/17
City Council (public hearing)	03/08/17

Fiscal Impact – To be determined. Annual cost of administering and enforcing the tax is targeted to be 3%-5% of the revenue generated.

7. Request for Approval of a Resolution Establishing Guidelines for the Santa Fe Early Childhood Initiative; Establishing Guidelines to Guide Early Childhood Education; Directing the Governing Body to Establish an Early Childhood Development Commission. (Mayor Gonzales and Councilor Ives) (Chris Sanchez)

Committee Review:

City Business Quality of Life Committee (approved)	02/08/17
Public Works Committee (approved)	02/20/17
Food Policy Council (approved)	02/23/17
Children and Youth Commission (scheduled)	02/28/17
City Council (scheduled)	03/08/17

Fiscal Impact – No, unless Sweetened Beverage Tax is approved.



Agenda

**FINANCE COMMITTEE MEETING
CITY COUNCIL CHAMBERS
FEBRUARY 27, 2017 – 5:00 P.M.**

CONSENT AGENDA

8. Request for Approval of Procurement Under State Price Agreement and Agreement Between Owner and Contractor in the Amount of \$98,541.16 – Las Acequias Park Improvements Under 2012 GO Bond; Cooperative Educational Services (CES)/ Mountain West Golfscapes, Inc. (MWGS). (Jason Kluck)
9. Request for Approval of Recommendation of CIP High Speed Internet Project Summary Phase II in the Amount of 363,094; Santa Fe Fiber. (Alexandra Ladd and Larry Worstell)
10. Request for Approval of Memorandum of Agreement in the Amount of \$15,000 – Northern New Mexico Air Alliance (NMMAA) Goals; Santa Fe Chamber of Commerce Opportunity Fund, Inc. (Randy Randall)
11. Request for Approval of an Ordinance Amending Subsection 23-6.2 and 23-6.3 SFCC 1987 to Update and Revise the Permitted Locations and Regulations for the Sale and Consumption of Alcohol on City Property; and Revising the Provisions for Sale and Consumption of Alcohol on City Property. (Councilors Dominguez and Rivera) (Alfred Walker)

Committee Review:

City Business Quality of Life Committee (no quorum)	01/11/17
Public Works Committee (approved w/amendment)	01/23/17
Public Safety Committee (approved)	01/24/17
City Business Quality of Life Committee (approved)	02/08/17
City Council (request to publish) (approved)	02/08/17
City Council (public hearing)	03/08/17

Fiscal Impact – No

12. Request for Approval of a Resolution Establishing a Blue Ribbon Age-Friendly Commission to Evaluate Opportunities to Engage in the World Health Organization Age-Friendly Cities and Communities, and Evaluate Opportunities to Improve Access to and Affordability of the Eight Domains of Community Life. (Mayor Gonzales, Councilors Harris and Ives) (Chris Sanchez)

Committee Review:

City Business Quality of Life Committee (approved)	02/08/17
Human Services Committee (approved w/amendment)	02/14/17
Public Works Committee (approved w/amendment)	02/20/17
City Council (scheduled)	03/08/17



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Fiscal Impact – Yes - \$680 for stenographer services; no funds are designated so it will be absorbed by Community Services.

13. Request Approval of a Resolution Authorizing the Sale and Consumption of Alcohol at Fort Marcy Park for the Santa Fe Wine and Chile Fiesta on an Annual Basis. (Councilors Lindell, Ives and Maestas) (Alfred Walker)

Committee Review:

Public Works Committee (scheduled)	03/06/17
City Business Quality of Life Committee (scheduled)	03/08/17
City Council (scheduled)	03/08/17

Fiscal Impact – No

14. Request Approval of a Resolution Authorizing the Sale and Consumption of Alcohol for the Outside Bike and Brew Event at the Railyard Park on an Annual Basis. (Councilors Lindell, Villarreal, Ives and Maestas) (Alfred Walker)

Committee Review:

Public Works Committee (scheduled)	03/06/17
City Business Quality of Life Committee (scheduled)	03/08/17
City Council (scheduled)	03/08/17

Fiscal Impact – No

15. Request for Approval of an Ordinance Authorizing the Execution and Delivery of a Loan Agreement by and Between the City of Santa Fe, New Mexico (the "Governmental Unit") and the New Mexico Finance Authority, Evidencing a Special, Limited Obligation of the Governmental Unit to Pay a Principal Amount of \$1,300,582 for the Purpose of Acquiring Equipment for its Environmental Services Department and Paying a Loan Processing Fee; Providing for the Pledge and Payment of the Principal and Interest Due Under the Loan Agreement Solely From the Net Revenues of the City's Environmental Services Enterprise Fund; Approving the Form and Terms of, and Other Details Concerning the Loan Agreement; Setting the Interest Rate on the Loan; Ratifying Actions Heretofore taken; Repealing all Action Inconsistent with this Ordinance; Declaring the Official Intent of the Governmental Unit to Reimburse Itself with the Proceeds of the Loan Agreement for Capital Expenditures Paid for the Project Prior to the Closing of the Loan; Identifying the Capital Expenditures and the Funds to be Used for Such Payment; and Authorizing the Taking of other Actions in Connection with the Execution and Delivery of the Loan Agreement. (Councilor Rivera) (Shirlene Sitton)



Agenda

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Committee Review:

City Council (request to publish)
City Council (public hearing)

03/08/17
04/12/17

Fiscal Impact – Expenditure – FY 16/17 = \$62,581; FY17/18 = \$223,061;
Revenue – FY 16/17 = \$62,581; FY17/18 = \$223,061
Revenue source is service fees for Environmental Services Division enterprise fund.

END OF CONSENT AGENDA

DISCUSSION

16. (PUBLIC HEARING)

Request for Approval of a Resolution Adding the Canyon Road Lighting Project, as a Priority, to the Fiscal Year 2017/18 Capital Improvement Plan (CIP) and Budget; and Adding the Project to the Infrastructure Capital Improvement Plan (ICIP) as a Legislative Capital Outlay Priority for the City of Santa Fe to Address both Public and Traffic Safety Issues along Canyon Road. (Councilors Maestas and Ives) (John Romero)

Committee Review:

Public Works Committee (approved)
Public Safety Committee (approved)
City Business Quality of Life Committee (scheduled)
City Council (scheduled)

02/20/17
02/21/17
03/08/17
03/08/17

Fiscal Impact – Yes - Design of the project is estimated to cost \$150k; construction is estimated to cost \$800k. This project is anticipated to increase annual operating costs for street lights by \$10k per year. The design and construction cost revenue could be generated through a CIP bond sale. The increase in annual operating costs would need to come out of the City's general fund.

17. A. Request for Approval of FY 2017/18 Budget Calendar. (Adam Johnson)
B. Continued Budget Topic Discussion. (Adam Johnson)
18. Employee Salary Increases. (Adam Johnson)



Agenda

**FINANCE COMMITTEE MEETING
CITY COUNCIL CHAMBERS
FEBRUARY 27, 2017 – 5:00 P.M.**

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19. MATTERS FROM STAFF
 20. MATTERS FROM THE COMMITTEE
 21. ADJOURN

Persons with disabilities in need of accommodations, contact the City Clerk's office at 955-6521.

**SUMMARY INDEX
FINANCE COMMITTEE MEETING
February 27, 2017**

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE #</u>
<u>AFTERNOON SESSION</u>		
CALL TO ORDER AND ROLL CALL	Quorum	1
APPROVAL OF AGENDA	Approved	2
APPROVAL OF CONSENT AGENDA	Approved	2
CONSENT AGENDA LISTING		2-4
<u>APPROVAL OF MINUTES</u>		
REGULAR FINANCE COMMITTEE MEETING – FEBRUARY 13, 2017	Approved	4
<u>CONSENT CALENDAR DISCUSSION</u>	None	
<u>DISCUSSION</u>		
REQUEST FOR APPROVAL OF AN ORDINANCE CREATING A DEDICATED CITY OF SANTA FE FUND TO SUPPORT EARLY CHILDHOOD EDUCATION BY CREATING A NEW SECTION 18-20 SFCC 1987 TO ESTABLISH A SUGAR-SWEETENED BEVERAGE TAX IN THE AMOUNT OF TWO CENTS (\$.02) PER FLUID OUNCE, PURSUANT TO ARTICLE 10, §6(D) OF THE NEW MEXICO CONSTITUTION, AND §3-18-2(D) NMSA 1978	Approved w/PW amendments	4-15
REQUEST FOR APPROVAL OF A RESOLUTION ESTABLISHING GUIDELINES FOR THE SANTA FE EARLY CHILDHOOD INITIATIVE; ESTABLISHING GUIDELINES TO GUIDE EARLY CHILDHOOD EDUCATION; DIRECTING THE GOVERNING BODY TO ESTABLISH AN EARLY CHILDHOOD DEVELOPMENT COMMISSION	Approved w/PW amendments	15-16

ITEM**ACTION****PAGE #****DISCUSSION****Public Hearing**

REQUEST FOR APPROVAL OF A RESOLUTION
ADDING THE CANYON ROAD LIGHTING PROJECT,
AS A PRIORITY TO THE FISCAL YEAR 2017/18
CAPITAL IMPROVEMENT PLAN (CIP) AND BUDGET
AND ADDING THE PROJECT TO THE
INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN
(ICIP) AS A LEGISLATIVE CAPITAL OUTLAY PRIORITY
FOR THE CITY OF SANTA FE TO ADDRESS BOTH
PUBLIC AND TRAFFIC SAFETY ISSUES ALONG
CANYON ROAD

Approved [amended]

16-30

REQUEST FOR APPROVAL OF FY 2017/18 BUDGET
CALENDAR

Approved

30-31

CONTINUED BUDGET TOPIC DISCUSSION

Information/discussion

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EMPLOYEE SALARY INCREASES

Information/discussion

32-33

MATTERS FROM STAFF

None

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MATTERS FROM THE COMMITTEE

None

33

ADJOURN

33

**MINUTES OF THE
CITY OF SANTA FE
FINANCE COMMITTEE
Monday, February 27, 2017**

1. CALL TO ORDER

A meeting of the City of Santa Fe Finance Committee was called to order by Chair Carmichael A. Dominguez, at approximately 5:00 p.m., on Monday, February 27, 2017, in the Council Chambers, City Hall, 200 Lincoln Avenue, Santa Fe, New Mexico.

2. ROLL CALL

MEMBERS PRESENT:

Carmichael A. Dominguez, Chair
Councilor Peter N. Ives
Councilor Signe I. Lindell
Councilor Renee Villarreal

OTHER GOVERNING BODY MEMBERS ATTENDING:

Councilor Joseph M. Maestas

MEMBERS EXCUSED:

Councilor Mike Harris

OTHERS ATTENDING:

Adam Johnson, Director, Finance Department
Marcos Martinez, Assistant City Attorney
Yolanda Green, Finance Department
Melessia Helberg, Stenographer.

There was a quorum of the membership in attendance for the conducting of official business.

NOTE: All items in the Finance Committee packets for all agenda items are incorporated herewith to these minutes by reference. The original Finance Committee packet is on file in the Finance Department.

3. APPROVAL OF AGENDA

MOTION: Councilor Lindell moved, seconded by Councilor Ives, to approve the agenda, as presented.

VOTE: The motion was approved unanimously on a voice vote.

4. APPROVAL OF CONSENT AGENDA

MOTION: Councilor Ives moved, seconded by Councilor Lindell, to approve the following Consent Agenda as presented.

VOTE: The motion was approved unanimously on a voice vote.

CONSENT AGENDA

A copy of proposed amendments to Item #11 – Bill No. 2017-2 Alcohol Best Practices Substitute, submitted by Councilor Lindell and Councilor Ives, is incorporated herewith to these minutes as Exhibit "1."

A copy of an Issue Brief *Alcohol Sales at Public Events*, regarding Item #11, submitted for the record by the Santa Fe Prevention Alliance, is incorporated

8. **REQUEST FOR APPROVAL OF PROCUREMENT UNDER STATE PRICE AGREEMENT AND AGREEMENT BETWEEN OWNER AND CONTRACTOR IN THE AMOUNT OF \$98,541.16 – LAS ACEQUIAS PARK IMPROVEMENTS UNDER 2012 GO BOND; COOPERATIVE EDUCATIONAL SERVICES (CES)/MOUNTAIN WEST GOLFSAPES, INC. (MWGS). (JASON KLUCK)**
9. **REQUEST FOR APPROVAL OF RECOMMENDATION OF CIP HIGH SPEED INTERNET PROJECT SUMMARY PHASE II IN THE AMOUNT OF \$363,094; SANTA FE FIBER. (ALEXANDRA LADD AND LARRY WORSTELL)**
10. **REQUEST FOR APPROVAL OF MEMORANDUM OF AGREEMENT IN THE AMOUNT OF \$15,000 – NORTHERN NEW MEXICO AIR ALLIANCE (NMMAA) GOALS; SANTA FE CHAMBER OF COMMERCE OPPORTUNITY FUND, INC. (RANDY RANDALL)**

11. REQUEST FOR APPROVAL OF AN ORDINANCE AMENDING SUBSECTION 23-6.2 AND 23-6.3 SFCC 1987, TO UPDATE AND REVISE THE PERMITTED LOCATIONS AND REGULATIONS FOR THE SALE AND CONSUMPTION OF ALCOHOL ON CITY PROPERTY (COUNCILORS DOMINGUEZ AND RIVERA). (ALFRED WALKER) Committee Review: City Business & Quality of Life Committee (no quorum) 01/11/17; Public Works Committee (approved w/amendment) 01/23/17; Public Safety Committee (approved) 01/24/17; City Business & Quality of Life Committee (approved) 02/08/17; City Council (request to publish) (approved) 02/08/17; and City Council (public hearing) 03/08/17. Fiscal Impact – No.
12. REQUEST FOR APPROVAL OF A RESOLUTION ESTABLISHING A BLUE RIBBON AGE-FRIENDLY COMMISSION TO EVALUATE OPPORTUNITIES TO ENGAGE IN THE WORLD HEALTH ORGANIZATION AGE-FRIENDLY CITIES AND COMMUNITIES, AND EVALUATE OPPORTUNITIES TO IMPROVE ACCESS TO AND AFFORDABILITY OF THE EIGHT DOMAINS OF COMMUNITY LIFE (MAYOR GONZALES, COUNCILORS HARRIS AND IVES). (CHRIS SANCHEZ) Committee Review: City Business & Quality of Life Committee (approved) 02/08/17; Human Services Committee (approved w/amendment) 02/14/17; Public Works Committee (approved w/amendment) 02/20/17; and City Council (scheduled) 03/08/17. Fiscal Impact – Yes. \$680 for stenographer services; no funds are designated so it will be absorbed by Community Services.
13. REQUEST APPROVAL OF A RESOLUTION AUTHORIZING THE SALE AND CONSUMPTION OF ALCOHOL AT FORT MARCY PARK FOR THE SANTA FE WINE AND CHILE FIESTA ON AN ANNUAL BASIS (COUNCILORS LINDELL, IVES AND MAESTAS). (ALFRED WALKER) Committee Review: Public Works Committee (scheduled) 03/06/17; City Business and Quality of Life Committee (scheduled) 03/08/17; and City Council (scheduled) 03/08/17. Fiscal Impact – No.
14. REQUEST APPROVAL OF A RESOLUTION AUTHORIZING THE SALE AND CONSUMPTION OF ALCOHOL FOR THE OUTSIDE BIKE AND BREW EVENT AT THE RAILYARD PARK ON AN ANNUAL BASIS (COUNCILOR LINDELL, VILLARREAL, IVES AND MAESTAS). (ALFRED WALKER)) Committee Review: Public Works Committee (scheduled) 03/06/17; City Business and Quality of Life Committee (scheduled) 03/08/17; and City Council (scheduled) 03/08/17. Fiscal Impact – No.
15. REQUEST FOR APPROVAL OF AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BY AND BETWEEN THE CITY OF SANTA FE, NEW MEXICO (THE "GOVERNMENTAL UNIT"), AND THE NEW MEXICO FINANCE AUTHORITY, EVIDENCING A SPECIAL, LIMITED OBLIGATION OF THE GOVERNMENTAL UNIT TO PAY A PRINCIPAL AMOUNT OF \$1,300,582 FOR THE PURPOSE OF ACQUIRING EQUIPMENT OR ITS ENVIRONMENTAL SERVICES DEPARTMENT AND PAYING A LOAN PROCESSING FEE; PROVIDING FOR THE PLEDGE AND PAYMENT OF THE PRINCIPAL AND INTEREST DUE UNDER THE LOAN AGREEMENT SOLELY FROM THE NEW REVENUES OF THE CITY'S ENVIRONMENTAL SERVICES ENTERPRISE FUND; APPROVING THE FORM AND TERMS OF, AND OTHER DETAILS CONCERNING THE LOAN AGREEMENT; SETTING THE

INTEREST RATE ON THE LOAN; RATIFYING ACTIONS HERETOFORE TAKEN; REPEALING ALL ACTION INCONSISTENT WITH THIS ORDINANCE; DECLARING THE OFFICIAL INTENT OF THE GOVERNMENTAL UNIT TO REIMBURSE ITSELF WITH THE PROCEEDS OF THE LOAN AGREEMENT FOR CAPITAL EXPENDITURES PAID FOR THE PROJECT PRIOR TO THE CLOSING OF THE LOAN; IDENTIFYING THE CAPITAL EXPENDITURES AND THE FUNDS TO BE USED FOR SUCH PAYMENT; AND AUTHORIZING THE TAKING OF OTHER ACTIONS IN CONNECTION WITH THE EXECUTION AND DELIVERY OF THE LOAN AGREEMENT (COUNCILOR RIVERA). (SHIRLENE SITTON) Committee Review: City Council (request to publish) 03/08/17; and City Council (public hearing) 04/12/17. Fiscal Impact – Expenditure. FY 16/17 = \$62,581; FY 17/18 = 223,061. Revenue - FY 16/17 = \$62,581; FY 17/18 - \$223,061. Revenue source is service fees for Environmental Services Division enterprise fund.

END OF CONSENT AGENDA

5. APPROVAL OF MINUTES:

REGULAR FINANCE COMMITTEE MEETING – FEBRUARY 13, 2017

MOTION: Councilor Ives moved, seconded by Councilor Lindell, to approve the minutes of Regular Finance Committee meeting of February 13, 2017, as presented.

VOTE: The motion was approved unanimously on a voice vote.

CONSENT CALENDAR DISCUSSION

No items were removed from Consent for discussion.

DISCUSSION

- 6. REQUEST FOR APPROVAL OF AN ORDINANCE CREATING A DEDICATED CITY OF SANTA FE FUND TO SUPPORT EARLY CHILDHOOD EDUCATION BY CREATING A NEW SECTION 18-20 SFCC 1987 TO ESTABLISH A SUGAR-SWEETENED BEVERAGE TAX IN THE AMOUNT OF TWO CENTS (\$.02) PER FLUID OUNCE, PURSUANT TO ARTICLE 10, §6(D) OF THE NEW MEXICO CONSTITUTION, AND §3-18-2(D) NMSA 1978. (MAYOR GONZALES AND COUNCILOR IVES). (MARCOS MARTINEZ) Committee Review: City Business & Quality of Life Committee (approved) 02/08/17; City Council (request to publish) (approved) 02/08/17; Public Works Committee (approved) 02/20/17; Food Policy Council (approved) 02/23/17; Children and Youth Commission (scheduled); and City Council (public hearing) 03/08/17. Fiscal Impact – To be determined. Annual cost of administering and enforcing the tax is targeted to be 3%-5% of the revenue generated.**

Items #6 and #7 were combined for purposes of presentation and discussion, but were voted upon separately.

An Amendment Sheet to this bill submitted by Councilor Maestas, is incorporated herewith to these minutes as Exhibit "3."

An Amendment Sheet to this bill, submitted by Councilor Maestas, adopted by Public Works, is incorporated herewith to these minutes as Exhibit "4."

Mayor Gonzales said the program before you spells out 5 key points, one of which is high quality access for our children to education, making sure families know the importance of early childhood education for their children, developing a hub, making it convenient for families to access the early childhood centers, a work force development program and a partnership with the Community College which would establish critical standards for workforce skills for individuals who want to be certified and work in the program. He said the 5th is to work with CYFD and other programs to create alignment and not working in lieu of. He thinks the 5 policy points have been developed over the past two years in consultation with 40 early childhood centers in our community, and we recognize we can make a difference by getting more children into early childhood centers. We have been endorsed by the Business & Quality of Life Committee, the Public Works Committee, the Sustainable Santa Fe Commission, the Food Policy Commission, the Santa Fe Public School Board, and more than 70 organizations including non-profits and small businesses. They know kicking the can down the road isn't an option for our community.

Mayor Gonzales continued, saying the question has been brought up several times, appropriately, as to how we will pay for this. He said, based on modeling by Kelly O'Donnell, a State economist, we anticipate the costs of this for 1,000 children is in the \$7.2 to \$7.3 million, and propose a tax on the distributor of sugar sweetened beverages. He said implementation plans have been distributed to the Public Works Committee, members of the Governing Body and to the public through the Pre-K for Santa Fe website. He said if approved by this Committee and the City Council, one of the Election Resolutions would set a special election in May 2017. If approved, the tax will go into effect in 6 months, giving plenty of time to begin the work of the Early Childhood Commission to develop standards to be brought back to the Council. It will allow for development of an MOU between the City and the Santa Fe Community College to establish the workforce and program management. It would allow an education and development component for the distributors in our community as well as any of the small businesses which might fear its impact. They could weigh-in and figure out how the tax can be mitigated in a way that doesn't create disruption to business models. He thinks there is ample time to work through things and give the public the opportunity to work with us on the implementation plan so we can mitigate some of the risks.

Mayor Gonzales continued, saying people have brought up whether these funds actually will be used for early childhood. The Ordinance requires the funds can be used only for Early Childhood, and if a future governing Body were to determine they no longer wanted to fund early childhood and to fund something else, the tax would cease to exist. An evaluation would have to be done within 5 years to measure the academic achievement of the children in the program to make sure we are making progress. And at the end of 5 years, we could determine whether or not the program justifies continues the program.

Mayor Gonzales continued, saying there are accountability measures in the legislation. It requires an independent report to the Governing Body and the community on how much was collected, what was disbursed and the number of kids impacted by the program. He believes that we are moving toward a consideration of the bill on March 8, 2017, which is solid and will transform the lives of our children, bring meaning and action to the value of opportunity and prosperity and allow Santa Fe to continue to be a leader in the State and nation in standing by citizens and children in a way that our State and federal governments have not.

Mayor Gonzales continued, saying, he is hopeful this Committee will approve the Ordinance and allow its consideration by the full Governing Body on March 8, 2017. He said several revenue models were considered which were available to us. He said he has been asked by several in the business community to delay this to find a solution other than this revenue source. He said they worked for a year to find a solution that would work: (1) 2 mills of the existing property tax which could be as much as \$700 a year on a family in a home of \$300,000; (2) impose an increment of the GRT, the economic reality we're already high, it is a regressive tax and it would take to one of the highest GRTs in the state, and would generate the needed funds, but unfortunately we have no increments left to impose at this time. He said this component is deemed constitutional and allowable by our City Attorney. He hopes this City will respond affirmatively to it, and we can figure out a mechanism that doesn't hurt small businesses or distributors, but generates sufficient new revenues to pay for early childhood development.

Mayor Gonzales continued, saying in addition to Councilor Maestas' amendments which were approved at Public Works, he has an amendment on 5 grams of sugar or less. He said he anticipates that there will be an exemption for a certain amount of sugar in products deemed to be focused on healthier outcomes. He said we have had a lot of discussion with individuals about the sales of Kombucha, so they are working to establish a threshold where any beverage that is less than a certain number of grams would be exempt. He said any effort to move people from sugary beverage to a lower sugary beverage helps to meet some of the other intended goals of the program.

Mayor Gonzales continued, saying we've heard from a lot of entrepreneurs and small businesses and there is a need to exempt small businesses just getting started or struggling. He is working on those details with the City attorney's office, but will be bringing that forward. Also exempt, are businesses earning less than \$100,000 in gross revenues. This is an effort to minimize the potential bureaucracy for small entrepreneurs trying to succeed. These are amendments coming forward to be considered tonight. He wants to work with Councilor Villarreal to be sure she can address the needs of her constituents and small business advocates.

Chair Dominguez said this is a discussion the Committee will have among itself. He will recognize Councilor Maestas after the Committee has the opportunity to speak.

Councilor Villarreal said she has issues on which she needs clarity. One is in regard to homemade or housemade beverages. She asked if a restaurant had beverages it made with sugar, such as lemonade or smoothies with honey added, would these items be taxed if they are made in-house.

Mayor Gonzales said he doesn't believe so. He envisions coffee with sugar added wouldn't be part of the component. The issue isn't so much about the retail as much as the distribution. He said if we get lost in the ground game of what is happening at the retail level, we're moving into an area this Ordinance doesn't move toward. He said the important thing is to focus on what a distributor is moving in terms of a sugary beverage. He said honey sweetened beverage isn't a sugary sweetened beverage.

Councilor Villarreal said this has been the confusion for some people, and they're not understanding the process of how the tax gets passed on. She said the distributor is obviously the first point of contract, and they would decide what gets passed down or absorbed. She said there are questions by people who make their own beverages that have sugar or honey. She told them they won't get taxed on house-made products, and wants to make sure that is the case. She suggested, as part of the education and outreach, perhaps doing an infographic about how the tax is passed on, and what examples of distributors in our town look like and what are some of the products that could be absorbed or passed down. She said people are thinking that, right off the bat, someone who buys a soda from a restaurant, that 100% of that tax would go to that drink, which isn't necessarily true. She said, "I guess I'm just trying to dispel those myths, misunderstandings of how this works, because we've never done this before."

Mayor Gonzales said that is a great point. He has tried to send the message that it is a tax at the distributor's level, and what we have been told by a majority of the cities where they have this and in visiting with distributors, that it is different for every distributor. He said some distributors may pass a certain percentage to the retailer, others will choose to hold it. He said, "I think it would be very hard for us, and would move us down to somewhat of a dangerous territory if we're trying to build it from the point of sale up, because that's not where this goes."

Councilor Villarreal said there were suggestions that instead of focusing on bottle size, that we look at serving size, and she doesn't know how that would play out, so she still wants to work on that at the next junction. She said at the last Committee meeting we talked about the target population, and the prioritization of that target, and we kept talking about most in need. She asked if we should get a definition about what that looks like – the population most in need, based on income or what.

Mayor Gonzales said the implementation plan addresses the issue of how we would begin to prioritize funds toward school zones and census tracts where there is a high need that exists. He believes in conversations with the School District, we would have a very strong relationship with the schools where they would be the primary benefactors, especially in the Pre-K classrooms on the south side that currently are not able to filled because they don't have sufficient funds from CYFD. He thinks if you look at the literature provided two weeks ago on the location of the early childhood centers, you will see if they are not in public schools, with the exception of the United Way in Agua Fria, a large percentage of the south side early childhood centers at the 3-star or 2-star level. This means that families have had to lower the cost of full-day early childhood education for the families because of the capacity of the family to pay. So they have been unable to get the classroom size right, or the certifications of their teachers, which has kept the centers from achieving the 5-star status. These funds would be prioritized into those school zones and census areas where there is a high proportion of people in poverty whose children currently are locked-out from access.

Mayor Gonzales continued, saying we looked at the implementation plan provided which sets the target. The Early Childhood Commission approved by this Council, would have to come back with the 5-star standard as well as an implementation plan to be adopted by the Council that would prioritize the movement of resources into the community. That's not something we're asking you to do at this point, but the Early Childhood Commission will have to come back to the Council for approval on the actual flow of funds and the Council would be able to make sure they are appropriate.

Councilor Villarreal said that makes sense and this is extremely important to her. She wants to be sure we are targeting the population that is most in need, but thinks it is pretty clear who that ends up being. It usually is children of color in Santa Fe. She said she will be watching closely how we prioritize and what standards we set.

Councilor Villarreal said a lot of people think the election for the public will be next week, which isn't the case. There have been rumors that it is an actual election where people will be voting next week. She said the Council will be voting next week for a special election. She asked, if the tax is approved, what it going to have to pay for right off the bat. She understands that to be the administration of the program, the third party vendor to collect taxes, and asked if there was a decision about reimbursing the City for the cost of the Special Election.

Mayor Gonzales said there is clearly the intention to reimburse the City from the fund.

Marcos Martinez said that could fall under the umbrella of the administrative cost of the tax. He said it is a decision the Council can make later.

Mayor Gonzales said Ms. Vigil has indicated the cost of the election to be \$75,000 to \$80,000, prior to last week's Public Works Committee. He said Councilor Rivera rightfully pointed out, as sponsor, the expectation that there would be an early voting site on the southside, and those numbers currently are being calculated. He said Ms. Vigil will have those numbers by Friday when the Council packets go out, commenting there will be an FIR in the packet.

Councilor Villarreal asked if there other fees we're missing here.

Mayor Gonzales said regarding the 1 FTE, we have seen an enormous amount of effort from the industry, Schools, United Way, Community Foundation and others that served as a cabinet for the development of the policy. He anticipates those people are ready to continue to serve in what would be a staff position. He thinks the FIR represents a cost we may or may not realize.

Councilor Villarreal asked what happens if we don't generate the projected \$7 million, how will we calibrate.

Mayor Gonzales said this is about committing to making sure that the 1,000 children currently locked-out will have access to a high quality early childhood education program. He said, "We believe, based on estimates of a credentialed economist in New Mexico, that we will hit the revenues necessary, that has been validated by the University of Connecticut. But, make no mistake, I have never said from the

beginning, nor will I tonight, or any time going forward that this is universal and that it is a guaranteed source of revenue. And I think two things become critical in this. One, the Council's commitment to the prioritization to make sure that the individuals, the children that receive the first impact and wave of this, are those that are targeted as those that are most disconnected. And that we work diligently to make sure there are sufficient revenues to cover those costs in its entirety. In the event we don't, and as many people have said in the numerous town halls I've had, and I've received many emails of people saying if you're trying to reduce consumption, you're going to reduce your revenues. And if you reduce your revenues, how are you going to pay for it. I believe the analysis Kelly O'Donnell has done, when you look at it and understand she's taken a conservative approach to how much consumption will take place in the community after the tax takes place, that there is a degree of reliability that those revenues happen. Having said that, Councilor Villarreal, if there is a gap, it's our responsibility as community as a City to figure out how to address that gap. We're either committed to delivering high quality, early childhood education fully, especially to the target populations that need it most, or we're not."

Mayor Gonzales continued, "And I think that the plan that's been brought forward, is one that is built on independent verification of a stable revenue that will help pay for it. But I want to be clear to this Council and to members of the public, that because this tax has not been in place before, until we have some years behind us, we won't know with certainty what that means. But what I've brought forward, and I'm asking the Council, to commit to delivering this program using this revenue source. And if we identify a gap, then we'll have to roll up our sleeves and figure out how to pay for it. But I don't believe that we should kick the can down the road until we figure out a fool proof way to pay for this. There is only one way we can do that, and that's if the New Mexico Legislature decides to create a question to go to the public to open the Permanent Fund to pay for it. Minus that, there is no local solution that will ever guaranteed universal early childhood to this community."

Mayor Gonzales continued, "I would rather stand on the side of trying with the revenue source we know can be reliable for a large portion of our kids, than to say, you know what, we just don't think it's going to be enough, therefore we should wait. Because what will happen, Councilor Villarreal, is this, we can kick the can down the road, but those 3 year olds will turn to 4 year olds that will turn to 5 year olds. And when they get in kindergarten and they're not ready to learn, that inequality gap is going to set the deck against them. And for many of them, they will find a way into either being disconnected from school and work, or worse in the criminal justice system. And if they end up in the criminal justice system we do pay for it in the cost of what happens to our neighborhood and in the cost of the criminal justice system that too often has been the landing spot for youth that have not been given that first shot at a high quality early childhood education."

Mayor Gonzales continued, "So I believe, given everything we have in front of us that it's not a valid point at this point to say, just because we don't have the certainty that it's going to cover everybody, we should not enact this. This is about making a commitment by the City to deliver an early childhood program. We've heard it from opponents and proponents of this tax that they think this needs to happen. And so all we can do is bring forward the best available, independent data to say what the revenue source will deliver, and to develop an implementation plan that priorities how those moneys will take place, to know we will have the impact on families when it comes to the delivery of a program that we know that can transform the lives of children."

Councilor Ives said most of his questions were answered at Public Works, so he won't ask questions tonight. He is interested in seeing the additional proposed amendments and understanding the impacts, but that isn't available tonight, and looks forward to seeing that when it is available and reacting appropriately.

Councilor Lindell it's hard to have all the answers to a program that hasn't been implemented. We have a framework and policy that is going forward. However, it is tough to get into the absolutes. She appreciates his insights and opinions on those things. What is the period of time for the program review.

Mayor Gonzales it would be 5 years.

Councilor Lindell said then at 5 years, we will be doing a complete and total review and then do any needed revamping at that time.

Mayor Gonzales said a key indicator of success of early childhood programs are third grade reading levels. He said at that time, it would be appropriate to evaluate their readiness for the third grade in the second grade. The Council could then determine if the children are mapping to the program. He said third grade reading levels are an indicator of success at graduation. He thinks it is an important measurement and can tell the community if we have it right or wrong. He said there are number of early childhood programs throughout the nation that have not delivered on the promise of high quality education. If the children aren't learning at the end of the second grade, something is wrong in the delivery and the mechanism. He believes we will get there, because the players in this, primarily the Community College a 5-star center of excellence and a teaching school, the United Way's major investment and the public schools. He said it doesn't mean we will wait for 5 years to determine whether or not it works. He said the Council will get an independent report each year and will determine if we're on track to deliver.

Councilor Lindell said she very much supports the review, and we have to do this and these annual reviews with great urgency. We don't have 10 years to see if this works.

Councilor Maestas said when this bill was heard at Public Works, we approved amendments as a Committee. He asked if those will be acted on tonight, because only some of the amendments are in the Substitute bill. He asked what will this Committee be acting on.

Chair Dominguez asked Councilor Ives, Public Works Committee Chair, to comment.

Councilor Ives said he did note that some of the proposed amendments have been included, but there are others pending, waiting more information on the impact in terms of the language in the proposal, commenting 3 of the 4 items were approved at Public Works. He said he presumes those are in line to go forward to the City Council.

Councilor Maestas asked if they will go forward as still pending amendments that won't be in the substitute bill and would be acted on separately by the Council. He said he is trying to get a sense of what credence Committee-approved amendments have over an amendment proposed by an individual member of the Governing Body.

Chair Dominguez said we amend bills on the floor all the time in Council, so "that process is what it is." He said what is on the table tonight are the things that have been approved by Public Works. So until we see the details of the amendment or a member articulates it, then what we have is what was approved by Public Works.

Councilor Maestas then it would be the Substitute bill plus the amendments approved by Public Works that would be acted on tonight.

Councilor Lindell said she wouldn't be able to support that, because she isn't on Public Works and she doesn't know what those amendments are.

Councilor Maestas said they were handed out.

Councilor Lindell said she would like to review the amendments.

Chair Dominguez said the amendments we have here were approved by Public Works.

Councilor Ives said with the exception of the first page of amendments on page 4.

Councilor Lindell said then the amendments here are not the ones approved by Public Works.

Councilor Ives said, "For clarification, the first page of amendments, which are the two that reference on page 4, were not approved by Public Works, because we requested additional information on their impact to the proposal. Those on the second sheet, which are on page 8, I believe both were adopted and acceptable to the sponsor of the proposal. And then the two proposed amendments on Item 7 also were adopted at Public Works. And I will say, I think this discussion raises a broader question which if you have proposals that are approved by a particular committee and subsequent committees change that, personally, I think the better measure is to have both proposals come before the Governing Body, because they have been approved by different committees, so there is an opportunity to have a full discussion on amendments that might have been changed between committees, but had met our requirement of being approved by a Committee."

Councilor Lindell asked, on page 9, the deletions of lines 17-23 – what is the purpose of the deletion, and why wouldn't we want to have evidence that a tax had been paid on the sugar sweetened beverage products.

Councilor Maestas said the legal premise of this requires us to be explicit in terms of what the tax is going to be on, and it's an excise tax on the distribution not the retail of sugar sweetened beverages. He said when we had this discussion, the Mayor agreed with this amendment. He said we could open ourselves to litigation by retailers if they are all of a sudden liable for the tax, and that could present legal problems. He asked Mr. Martinez if he has looked at this. He said if we have robust enforcement strictly on the distribution which is what the tax is, and he feels there is no need to shake-down retailers. He said everyone talks about the face of the soda lobby, but there are going to be small businesses and retailers which be impacted. He felt "this was adding insult to injury." He said we are going to hold the first

distributor liable, but if the first distributor in a chain refuses to pay, then we will seek subsequent distributors, but yet ensure no one is going to be double taxed. He has other changes on that, and he feels there should be one, single, accountable distributor. If you provide clarity and legal defensibility to identifying which distributor is subject to and liable for this tax, there is no need to hassle retailers. This is the reason for the amendment.

Councilor Lindell said she would want to have a discussion with Legal about that before she would sign on and vote for it. She asked the Chair about discussing the first page of amendments that weren't approved by Public Works.

Chair Dominguez said yes, everything is on the table. It's just that Public Works had asked for more clarity on that page.

Councilor Lindell said these deal with outside distributors or distribution within the City involving more than one distributor. She said, if it were a distributor outside, if we delete this language, it appears we wouldn't have the ability to collect the tax. This is her concern about this amendment.

Councilor Maestas asked if that would be a departure and considered a tax on the retail sales of sugar sweetened beverages if we can't identify a reliable distributor.

Mr. Martinez said, "I think some of the answers can be addressed by looking at the definition of "Distribution" and "Distribute" on page 6 of the Substitute Bill. I'll just read it to you, *'Distribution or distribute means supply to a retailer, acquisition by a retailer, delivery to a retailer, or transport into the City by a retailer for purpose of holding out for retail sale within the City any sugar sweetened beverage product. Distribution or distribute shall mean the retail sale to a customer.'*"

Councilor Lindell said her concern is where it says, *"If there is a chain of distribution within the City, if the tax is not paid by the first distributor for any reason, it shall be levied upon subsequent distributors."* Her concern is where it talks about the jurisdiction of the City. She said if the City doesn't have jurisdiction over the first distributor, and we take the rest of this out, we are left with no way of collecting.

Councilor Maestas said he thought we were talking about the proposal to delete the discussion on liability of the tax to retailers.

Councilor Lindell said no, they are on Item #6 on in the Substitute Bill, on page 4, there are two requested deletions. She said we enacted both deletions, and the phrase she is concerned about is the jurisdiction of the City and that we wouldn't be able to collect.

Chair Dominguez said the question is, if we go with this amendment sheet, although not approved by Public Works, whether or not the City has the ability to collect.

Mr. Martinez said, "Broadly speaking, the City only has jurisdiction to collect taxes within the corporate limits of the City of Santa Fe. So I think the purpose of this section is that if there is some kind of tax exempt distributor subject to the jurisdiction of the City and they're not liable for the tax, we will then go

to the next distributor if there is one. If there isn't one, the tax might not be imposed at all is the reality of it. So, I think, just by way of background, this section here mirrors the section that appears in the Boulder Ordinance and this is how they constructed basically their mechanism of catching the distributors who would be liable to pay the tax. So whether there would be some consequence of deleting some of this section, I can't say for sure. I think this is my best guess as to what the purpose is as to why Boulder employed that language is. Maybe that partially answers your question."

Mayor Gonzales said he thinks Councilor Maestas is taking this down a path which he could support. He would like to work on language with Mr. Martinez to address these issues. He said what he is trying to get clarification on is key. He said he would suggest in the interest of time, and if it is okay with Councilor Maestas, that we can set some time with Mr. Martinez, go through page one and how it would move into the language. He is happy to support those efforts with Councilor Maestas. He thinks we can make those changes prior to March 8th for that clarification. He said Councilor Maestas is bringing a lot of good experience and expertise to the process, and we want to get this right the first time. He thinks we just need to spend some time with Mr. Martinez.

Councilor Maestas said the intent of that proposed amendment is there are many different types of distribution chains for different products, and he wants to do all he can to ease the City's ability to enforce this. He said he isn't removing the jurisdiction of the City. He said he is trying to streamline the Ordinance, because as written, we are saying if the first distributor chooses not to pay we have to go elsewhere up the chain. That could present a lot of difficulties for the City, and result in leakage in collections. He said the intent is to leave the retailers out.

Councilor Lindell said she has no reason to pursue this if the Mayor is going to work on language with Councilor Maestas.

Councilor Maestas said he will withdraw the proposed amendment, with clarification that the Public Works amendments will continue on, and asked if this body will adopt those as well, and Chair Dominguez said yes, if that is the wish of the Committee.

Councilor Maestas thanked the Chair for allowing him to speak, saying, "I think my presence here is demonstration of my support for this Ordinance. I'm engaged and doing all I can to make it the best possible."

Chair Dominguez asked, regarding the economic analysis, the reason we are using national average instead of state average consumption per capita.

Mayor Gonzales said in Ms. Brennan's explanation to him, and in publicly discussing this, the issue of her modeling the consumption in Santa Fe based on national numbers, but also taking into account what is happening Santa Fe as well as that Santa Fe has a high tourism population and a large number of consumers working outside the City. Her modeling was based on that type of process. He said she has stated in public conversations that she has taken the most conservative approach, allowing for a reduction in consumption based on that tax and believing the revenues will match.

Chair Dominguez said he doesn't know that the discrepancy between the national and state averages make a difference, but he would like to get that information from her if we can.

Chair Dominguez said he thinks Santa Fe is a little different from New Mexico. He said we don't have those numbers, but thinks that information and data will be crucial and critical to the success of this program.

Chair Dominguez detailed the kinds of information he will want as this moves forward. He has two main issues, one of which is governance. He said the Mayor has indicated the Santa Fe Public Schools and the Superintendent are in support of it. However, the success of the program will rely on their ability to provide that space and those seats. He said he wants some sort of an agreement, commitment from the Schools that they are going to provide that over a certain period of time, whatever that time may be. He said the idea is that they say yes today, and then tomorrow they decide they want to use that space for something else. So he will be looking for an ability to memorialize that dedication from the Santa Fe Public Schools and the Santa Fe Community College, noting he thinks that is something that will be making its way through the process.

Chair Dominguez said another concern he has is around how we measure this. He said there is a student rate achievement measurement, and we're not going to wait for the 3-year-olds to graduate from high school to see that graduation rate go up before deciding it's a success. We have to have this student achievement rate measured throughout the life of this program. He said we need to mandate evaluation with these kinds of indicators.

Chair Dominguez said the other thing he wants is a health impact analysis. The other part to this initiative is going to be this benefit to peoples health. We should have done this earlier, but it's not too late. We want to make sure that we are not creating situation where this reduction will cause an increase in something else that will contribute to bad health outcomes. He said need to have an evaluation during the first 1-2 years, with a full-blown health impact analysis to consider all of the factors contributing to healthy outcomes, specifically those areas with high levels of poverty.

Chair Dominguez said lastly, we need an economic impact study. We need to measure the number of jobs, whether the formula needs to be adjusted based on consumption. We need to know the economic impacts of these things. This needs to happen sooner, rather than later. The economic impacts also pertain to number of jobs created and what are we providing to consumers to better their health and what that means. Chair Dominguez said he has another thing to propose, but he isn't quite ready to do that yet.

Mayor Gonzales said those are needed absolutely in the Ordinance. He said nutrition is a key component to early childhood development, and a requirement in some of the accreditation issues. He said part of the Santa Fe standard of early childhood education will include a health impact analysis as well as addressing the issue of learning disabilities and behavior and mental health which are challenges a

young child may have much earlier. He said some of the health impact should be measured on whether the tax result in a healthier outcome for the component, as well as looking at the overall health outcome for the child. He said the Chair is correct that any good policy requires constant evaluation, reflection, modeling to determine need and availability of resources, which will be a key component of the independent report. He said all of these can be required in the independent report coming to the Council, so there is a way to determine whether success is in place. He would focus on the family so the money that stays in their pocket and their children attending a high quality center which means the economic vitality of the family instantly becomes better because there are more resources. He suggested the Chair work with Marcos Martinez for an amendment to get these things in place.

Chair Dominguez asked staff to look at potential language to capture the governance, the 3-prong measurement, and the makeup of Commission should reflect some of these things as well. He said the economic impact is not only to measure the impact on the distributor, but also the consumer and ultimately, the community. He said the one thing we don't want to do is to create a bureaucracy that exists where the money isn't getting to those to whom it needs to get to. He wants to make sure we aren't creating a bunch of jobs for administrators, when we can turn those jobs to people "on the ground and the classroom."

Chair Dominguez said these are things to which we won't have answers for the first round. And a lot of work needs to be done before it comes before this Governing Body for a vote. He is willing to do his share to get this to a place where it will work.

Chair Dominguez congratulated the Mayor and for being bold enough to bring this forward, and recognize that young people are our constituents as well and we need to do what we can for them as well. He said it is obvious the State isn't going to do this. He said, as a former member of the Board of Education, the Schools have challenges and they are a microcosm of this community. It is time this community steps up to fill in that gap. He said having said all of that, the Mayor needs to recognize there is still a lot of work that needs to be done before it gets to a place where he will be comfortable with it. He said leadership isn't about voting your position, but it is being bold enough to put something forward that will make the City think and get them motivated one way or the other.

MOTION: Councilor Ives moved, seconded by Councilor Lindell, to approve this request with the amendments that were approved at the Public Works Committee.

VOTE: The motion was approved unanimously on a voice vote.

7. **REQUEST FOR APPROVAL OF A RESOLUTION ESTABLISHING GUIDELINES FOR THE SANTA FE EARLY CHILDHOOD INITIATIVE; ESTABLISHING GUIDELINES TO GUIDE EARLY CHILDHOOD EDUCATION; DIRECTING THE GOVERNING BODY TO ESTABLISH AN EARLY CHILDHOOD DEVELOPMENT COMMISSION (MAYOR GONZALES AND COUNCILOR IVES). (CHRIS SANCHEZ) Committee Review: City Business & Quality of Life Committee (approved) 02/08/17; Public Works Committee (approved) 02/20/17; Food Policy Council (approved) 02/23/17; Children and Youth Commission (scheduled); and City Council (scheduled) 03/08/17. Fiscal Impact – No, unless Sweetened Beverage Tax is approved.**

MOTION: Councilor Ives moved, seconded by Councilor Lindell to approve this request, with the amendments that were approved at the Public Works Committee.

VOTE: The motion was approved unanimously on a voice vote.

DISCUSSION

Public Hearing

16. **REQUEST FOR APPROVAL OF A RESOLUTION ADDING THE CANYON ROAD LIGHTING PROJECT, AS A PRIORITY TO THE FISCAL YEAR 2017/18 CAPITAL IMPROVEMENT PLAN (CIP) AND BUDGET AND ADDING THE PROJECT TO THE INFRASTRUCTURE CAPITAL IMPROVEMENT PLAN (ICIP)_ AS A LEGISLATIVE CAPITAL OUTLAY PRIORITY FOR THE CITY OF SANTA FE TO ADDRESS BOTH PUBLIC AND TRAFFIC SAFETY ISSUES ALONG CANYON ROAD (COUNCILORS MAESTAS AND IVES). (JOHN ROMERO) Committee Review: Public Works Committee (approved) 02/20/17; Public Safety Committee (approved) 02/21/17; City Business & Quality of Life Committee (scheduled) 03/08/17; and City Council (scheduled) 03/08/17. Fiscal Impact – Yes. Design of the project is estimated to cost \$150,000; construction is estimated to cost \$800,000. This project is anticipated to increase annual operating costs for street lights by \$10,000 per year. The design and construction cost revenue could be generated through a CIP bond sale. The increase in annual operating costs would need to come out of the City's general fund.**

A copy of *Downtown Pedestrian Robberies – Victimology*, is incorporated herewith to these minutes as Exhibit "5."

A Memorandum dated May 11, 2016, to the Mayor and Councilors, from Brian Snyder, City Manager, regarding *Capital Improvement Plan for Fiscal Years 2016/17- 200/21*, is incorporated herewith to these minutes as Exhibit "6."

A packet of material regarding safety and lighting, entered for the record by Randall Bell, is incorporated herewith to these minutes as Exhibit "7."

A copy of *Canyon Road Street Lights Proposal (Verified Facts; Inferences and Conclusions)*, submitted for the record by Stephen Westheimer, is incorporated herewith to these minutes as Exhibit "8."

Councilor Maestas said he will first talk about process. He said now that we have a formal CIP, he doesn't think we've ever had amendments to it, because it's a fiscally constrained, established, approved plan. He believes this is the first proposed amendment and asked Mr. Johnson if this is correct.

Adam Johnson, Director, Finance Department, said this would be the most formal version, noting at the beginning of the year there were no plans for the CNG facility, and subsequently we did make a change to the CIP. He said we are working through the formal process to get things onto the CIP outside of the cycle.

Councilor Maestas said this is the process suggested by staff.

Councilor Maestas said Canyon Road is a substandard road, very narrow in many sections, speaking more to lower Canyon Road there are no sidewalks continuously on both sides of the street, so pedestrians at times walk on the street and mixing with vehicular traffic. So there are challenges on Canyon Road. He said the most recent eye-opener has been a series of brazen robberies of tourists on Canyon Road. He said there is a representative here from the Police Department to speak briefly on those robberies and the nature of those properties.

Chair Dominguez said he doesn't need to speak, but asked that he be prepared to answer questions.

Councilor Maestas said he and Councilor Ives have asked for this to be a capital improvement priority, which was designated as a District #2 priority so we can get supplemental funding from the Legislature. He said there is no harm in seeking supplemental funding, but this project was removed from the ICIP by staff. He doesn't know if that happened when we migrated to a fiscally constrained formal CIP. He said this is a public safety priority. He asked Mr. Johnson if he submitted the Memo on the cover letter to the Committee members, and Mr. Johnson said yes [Exhibit "6"].

Councilor Maestas noted this is the only cover memo on CIP [Exhibit "6"], and if you look on the back side it has the general priority Public Safety-Related, and he believes this project speaks to public safety as well as economic development. He said we have a two-prong economic base – government and tourism. He said if we get a reputation that we're not a safe community to visit in the eyes of tourists and it will hurt Lodgers' Tax, GRTs. He said we need to make sure we do all we can from a public safety and traffic safety standpoint to improve our streets, which in the case of Canyon Road is an international tourist destination. He wants to make sure we make it as safe as possible.

Councilor Maestas said the proposed Resolution was passed unanimously by the Public Safety Committee and was approved on the consent agenda at Public Works. He said to clarify, the lighting is proposed from Paseo de Peralta to Palace Avenue.

Public Hearing

Chair Dominguez gave each person two minutes to speak to the issue

Gary Siebert, owner Sage Creek Gallery, at the corner of Canyon Road/Delgado, and a resident property owner. Mr. Siebert said he has a lot at stake in his businesses, and the reputation of Canyon Road, so he is very concerned about the safety of tourists on Canyon Road. He is concerned

about the press we've been getting regarding the muggings. He drove down Canyon Road just before he came here, and there is lighting, but it doesn't seem to be spaced consistently spaced, and there are wide gaps where there are dark areas. He said it is darker at the beginning of lower Canyon Road than as you go up. He said you go through an area where it is mostly residential in the middle, and it seems very dark there and there aren't as many lights. As you get closer to Geronimo's Restaurant and others up there in that area there is more lighting. He said he puts lights in trees and such, and without those lights and those of other businesses, it would be quite dark. He said it might be good to add more lights in spaces where it is darker.

Marilyn Bane, 622½ B Canyon Road, said she had four speeches, but she's going to toss them and tell the Governing Body something. She said this has been one of the most difficult weeks she's had in some time. She is President of the Historic Neighborhood Association, which includes the area from Paseo de Peralta all the way to Palace Avenue. She said her phone has never rung as much, she has never bumped into as many people, commenting she has talked with dozens of people about this. She said everybody tuned it out before last Tuesday when there was an article in the newspaper about this issue, and about additional lighting on Canyon Road, which was followed quickly by news on Channel 4 on Wednesday. She said there was a newscip on KOB Channel 4, on Wednesday at 6:00 p.m. and 10:00 p.m. She said it was dreadful. She said it was an expose of Canyon Road. They had lights up by Geronimo's and when the camera uses close-up lighting, everything behind it goes black. So it looks like we live in a "hell hole," and it basically said that Santa Fe Canyon Road is a very dangerous area. It talks about the 3 muggings. She said, "It was not a friend of Santa Fe. It certainly was not a friend of mine." She said however that happened, it is a very unfortunate thing.

Chair Dominguez advised her that her time had expired and asked her to wrap up.

Ms. Bane said she is representing 30 people tonight, and asked for another two minutes as the President of the Neighborhood Association.

Chair Dominguez gave her another minute to wrap up. He said she can speak on behalf of the Association.

Ms. Bane said she also is speaking on behalf of the Old Santa Fe Association, and they strongly oppose this, they think we do not need it, and they are outraged. She said they were no involved in one discussion, nor received a phone call from Councilor Maestas, Councilor Ives, and only was contacted by Bonnie French, her neighborhood, who is the head of the Canyon Road Merchants Association who told her about this. She said they have never had a problem before the 3 unfortunate things that happened near Garcia Street, the muggings. She said, "Basically we are insulted. How could we not have an ENN. We had a problem on Canyon Road whether or not we had two-lane traffic down on Canyon Road. There was an ENN, everybody who was affected was there. So for \$1 million you're going to do this that we don't need and I think it's just outrageous. And I don't think we should do it. Please vote against it."

Nancy Ouimet, owner of Canyon Road Contemporary Art, and Member, Canyon Road Merchants Association. Ms. Ouimet said we have a well trafficked internationally recognized Arts District, and many tourists. They also have the neighborhood. There are a lot of people trafficking and it is a very dark and scary place at night. She said her employee lives 2 ½ blocks from Canyon Road and drives to work so she can drive home after night because of the recent muggings and feels vulnerable. She said, "We have had to pay our own money, from my own pocket, for security for Canyon Road during low traffic times *[inaudible]*. I pay out of my own pocket to protect people that are enjoying the event." She said this is a safety issue for vulnerable people, as well as people falling down, people who don't know where to go after business hours to take care of a hurt knee or some such thing. She said we are also an international destination. This is the face of Santa Fe, but it's not lit. Her own residential neighborhood is better lit than this viable business district. "I urge you Councilors, to vote for some reasonable lighting on Canyon Road."

Lisa Rodgers said she is here because of her concern about Canyon Road and the lighting. She is a member of the Canyon Road Association, a owner of property and a business owner. She said although it is quaint and charming as it meanders up the hill, but the footing and road is very uneven, which doesn't bode well for the people visiting us and do fall and come into the galleries seeking medical help. She said we are asking for the lighting for the pedestrians for pedestrian safety in terms of the muggings, as well as the unevenness of the pavement and the road. She said Carmel, California which has different architecture, does have attractive, low-key lighting, but can illuminate the very dark areas. She said Canyon Road has gone for a long time without any major financial incident. She there are opportunists – muggers, etc., or people who would sue the City for problems. She said this is a great opportunity to be pro-active and not reactive to a lawsuit, "because maybe its time is coming." She said if those muggings hadn't gone as well as they did, and killed the pedestrians, wouldn't the City be facing an enormous lawsuit right now.

Randall Bell, lives a few doors off Canyon Road on Garcia Street, noting he has lived in that neighborhood for the majority of the last 43 years. He said he doesn't think the unfortunate events that occurred very recently constitute a crime wave, and it's really a very safe neighborhood. He recognizes that this is well intended, and Councilor Maestas' desire to accommodate some of the members of the Merchants Association. However, he second's Ms. Bane's comments. The residents of the area have been left out of this dialogue completely. He said a few merchants came forward, noting he is representing 2 members of the Association who are very strongly negative about this. He asked for additional time for him to reflect their comments. He said this is counter-intuitive, and we like to think that more light means less crime. In fact, he has read about this over the years, noting he served on the HDRB where they frequently dealt with lighting, as well as his personal interest. He said studies show that increasing lighting does not reduce crime, and there is literature showing increased lighting can increase crime. You can find a study or so that says it will help, but the weight of the evidence in his experience of reading *[inaudible because he moved away from the microphone]*.

Mr. Bell provided some of the studies he found [Exhibit "7"] and quoted from one, "The truth is [inaudible] outdoor lighting can decrease safety by making victims and property easier to see. A Chicago alley lighting project showed a correlation between brightly lit alleyways and increased crime." He said there is science here and his feeling is this whole project is operating on intuition and the requests of a few businesses and galleries, and believes he it would be ill conceived to go forward with something that doesn't relate to what the real public safety studies show. He said two of the people he talked with and couldn't be here tonight and feel very strongly are members of the same Merchants Association, but they very much disagree with the Merchants Association bringing this forward: [inaudible] Galleries on the lower Canyon is very strongly against this. He said it would be much better if the City would have police occasionally patrolling, and a number of people I talk to said the same thing. He would urge you to not go forward with this.

Stephen Westheimer, 1240 Canyon Road, said he has lived there almost 30 years, and driving on Canyon Road for almost 50 years. He is responsible for the handout (Exhibit "8"). He thought this might be helpful those who have to decide, to see what the data actually is. He contacted the Records Division at the Santa Fe Police Department, and was able to obtain a record of all Police activity on that area of Canyon Road for the year 2016. He said most of it concerns what is called close patrol and very little concerns anything that would require an expenditure of \$1 million to light the place up. Mr. Westheimer reviewed the information in Exhibit "8." Please see Exhibit "8," for specifics of this presentation. He said of the 3 muggings, 2 happened on Canyon Road and 1 was in the vicinity. He said this is the first data anyone proposing this has seen. He believes there is no data to support the existence of a problem, and firmly believes there is no data to say that lighting is a solution for the problem. He said recommending a million capital expenditure in the hope of solving a non critical problem he doesn't think is justified.

Former Councilor Karen Heldmeyer, 125 E. Berger, said she was asked to talk about things that have been discussed about Canyon Road in the past. She said every once in a while people say we need to do something about Canyon Road, and they look at what staff recommends, and they, "Oh my God. I didn't mean that." And then the whole thing falls apart. She has two suggestions. One is that there are both merchants and residents on Canyon Road, and both groups need to be considered. Her suggestion would a system like we had when we got money from the State for Old Pecos Trail, where there was a great deal of dissension over what the changed Old Pecos Trail should be. They had several meetings, well attended and debated. By the end of that process, every single person in the room signed off on the design. She said that should be done here. She has been hearing this for 25 years with various suggestions. She said if lights are needed they should be appropriate for Canyon Road. She said lights were done in Burro Alley to accommodate a single merchant, a combination of white, pink and yellow which were designed for New Orleans. They were removed after everyone freaked out, and replaced with new lights. This is the same kind of thing with Canyon Road. It's a very special, unique, historical place which is the reason tourists like to go there. We can't just say it's an emergency we have to do something now. You need to have a conversation with whole community – residents and businesses– and see if there is a consensus on what needs to be done and what that might be.

Scott Tobey, 327 E. DeVargas, said he has lived there for the last 3 years, noting DeVargas is an extension of Canyon Road where it crosses Paseo de Peralta. He and his wife frequently walk the length of Canyon well after dark to go to dinner – Geronimo, El Farol, Compound – and they have never felt it wasn't fully lit. He said other streets that need lighting, but he wouldn't say Canyon Road is. He said the sidewalks are deplorable, you are constantly getting on and off the sidewalk to avoid hazards. He said if you want to spend \$1 million on Canyon Road, start with the sidewalks. He said when he was much younger he was mugged by 3 people just looking for trouble. He said a patrol officer happened to drive by, otherwise he thinks they would have continued to beat him and he would have been injured much worse. He said he never sees a police officer during his walks along Canyon Road. He said they might talk to the Police Department about how to spend the \$1 million.

Deborah Fritz said she owns 2 properties on Canyon Road. She said it is nice they are talking about the safety issues, which brought this to a head. She feels there are other issues. Canyon Road is suffering an economic impact right now. She would ask the Committee to come and walk the road with her at night. The lighting in existence right now is from merchants who have taken it upon themselves to keep Christmas lights and Farolitos year-round, which shouldn't be, because it looks junky. And the road is really falling into ruin. Canyon Road is the flagship of our City. She said the merchants are just hanging on, noting there are 12 spaces for rent. She has been in business on Canyon Road for 17 years, and on a busy day they have about 140 visitors in the summer, now she is lucky to have 40 visitors. She said she likes the idea of sidewalks. She suggested they go after the low hanging fruit of lighting trash cans, some form of improvement that unifies the Road and make it look like a commercial district that the City can be proud of.

Susan Wise, Gallery Owner, 414 Canyon Road, said she is here to express her concern. She said all of this came up because one of her Arts consultants said one of the Concierges downtown was advising people not to go to Canyon Road because it was too dangerous. That set up alarms and red flags which is the last thing we want being said about Canyon Road. We need it to be welcoming and safe. She urged the Committee to approve the lighting which she thinks will make it safer for the tourists, as well as to be able to see your footing.

The Public Hearing was closed

Councilor Ives thanked everyone for coming tonight to speak, saying it is always good to hear all the opinions about the matters on which they make decisions and to make informed decisions. He said he has disappointment in those who exaggerate issues to drive policy decisions. He didn't see the piece on the news, but it sounds like it was "way over the top and over-played," which does no good at any level. He said concierges telling people not to go to Canyon Road because it's dangerous is something we need to rectify and quickly. He said this is an important issue to him because of the changes we made to our CIP projects list, and restructured how we accomplish that. We have tried to ensure the budget for CIP lined up more effectively with our ICIP which we submit to the Legislature each year, identifying 5 top priorities for work in Santa Fe. To make them more impactful, we have tried to bring them into close harmony. He said Canyon Road improvements were on the list several years ago, but for whatever reason

dropped off. He said each year Councilors get to nominate capital improvement projects to the Legislature for funding, and he and Councilor Maestas had tried to do that in looking at issues related to Canyon Road. However, we couldn't do that because it was dropped from the list.

Councilor Ives continued, saying one of the contentions and purposes of this measures is to put issues relating to Canyon Road back on the CIP and ICIP for consideration during the CIP budgeting process. That budget should be approved by Public Works in March and sent to Finance. He wants to see work on Canyon Road included in the CIP, sidewalks need work to prevent tripping or walking into the street. He wants to honor the nature and character of Canyon Road, because it is a fairly unique streetscape within our City, and we don't want to lose that while trying to do what it takes to make it safe. It will be a balancing act with plenty of time for everybody to have input as these things move forward. He likes the idea of Police drive-throughs and happy to ask the Police Chief to send them through more often than is happening currently.

Councilor Ives said he agrees that more input is needed. He is happy to leave the prioritization of these issues to the general discussion at Public Works as part of the CIP process. He is in favor of moving this forward, including Canyon Road an opportunity for capital improvement dollars to make sure that we have the capacity to do the needed work. He said "I hear you saying more input is needed." He said there are differences of opinion and we need to be very sensitive about Canyon Road as a well traveled, internationally known panopoly in Santa Fe as we look at any changes. He said he may propose amendments this evening. He appreciates the statistical information on Canyon Road which tells the story better than he has heard it told in terms of the incidents there.

Councilor Villarreal thanked everyone for attending and to have the opportunity to hear both sides of the story, commenting it is good to get the perspective of the people who live and work in the Canyon Road area. She thanked Councilors Maestas and Ives for making this a priority for safety. She said when this was in Public Works it was on consent, and she assumed that this was going to be added to the CIP list with which she is fine. She said there is a difference between funding priorities and unfunded mandates, noting that a lot of projects have been sitting in the pipeline waiting for funding. There is a funded section and an unfunded section, both of which are on the CIP list. She is struggling with the fact that this action would end up with this project jumping the line of all the other priorities we've been talking about which are waiting for full funding. She said the funded projects do have grants or other funding sources or have been anticipated, or are being funded by a variety of sources, commenting that some have only partial funding. She talked about the projects that have to be done.

Councilor Villarreal continued, saying she has a hard time thinking about this project, which she feels didn't have enough involvement by both residents, merchants and business owners, which needs to happen and can happen. She said she doesn't feel this is something we need to add to our CIP list at the front of the line, when we already have other projects we are trying to fund. She is okay to add this to the unfunded CIP list so we can talk about it when we are discussing budget mandates. She said \$1 million is a large amount of money, and a lot of different projects could be done with that amount of money. She said we also can add it to the ICIP list of priorities. She said at this point the funding source is unclear to her, and it concerns her that this project jumps the line to a priority, because we already have a list of projects. She would prefer to wait to do the lighting because of the other items we have on the priority list.

Councilor Villarreal continued, saying she appreciates that this issue was brought up, and believes it is a concern, commenting that safety is always concern for her and important to her. She said more activity prevents crime, and unfortunately businesses are struggling in Santa Fe and Canyon Road is experiencing the same thing in terms of less business activity.. She said at this point she can't support this particular version of this request, but she is willing to add it to the CIP list as unfunded. She said that doesn't mean we can't find funding sources to support this kind of project in the future.

Chair Dominguez said he has no problem in putting this on a list to be funded at some point. He said as important as this for some folks, there other things just as important and maybe even more important for other folks in the community. There have been pedestrian fatalities on Airport Road, so he is sympathetic to the desire and need to make a part of the community more beautiful. However, there are some real dire, desperate safety improvements that need to be made throughout Santa Fe. These are things that impact economic development as well. He said we don't want to be seen as a City that is divided, or has the haves and have nots. We want to be a much more cohesive City, which is easier said than done. He said as far as he is concerned, this isn't going to be about prioritizing one group of people over another.

Chair Dominguez continued, saying he is somewhat concerned about the process. His thought has been that any and every project is put on the CIP list, no matter how large or small, and through the process they could make a recommendation to the City as to whether lighting on Canyon is more important, or a sidewalk in any part of the community. He is concerned about the process. His hope is that through some action that we recognize it as a project and put on the list. However, where it sits in priority is a whole different discussion. He said we try to be as broad and general as possible with CIP. He said roads are important and road projects are funded out of that – Canyon Road and other roads.

Chair Dominguez continued, saying his hope is that we recognize it as a project, it is put on the list, but its priority is a whole different discussion.

Councilor Lindell said she has heard more about the muggings since this process started than when they happened. The piece on KOB was horrid, and displayed this City in a very very poor light. She heard people talk tonight about Canyon Road being substandard, a series of robberies, but she doesn't know about a series of robberies. She said to talk about \$1 million for lighting when there are 3 incidents that happened after dark seems a lot of hyperbole to her, and it isn't necessary. She wouldn't be willing to put this project on the CIP until there is some agreement between the merchants and the residents on what monies they would like to see spent for the improvement of Canyon Road. She said we heard from people tonight that vast numbers of residents don't want that. She had emails from numerous gallery owners that do want it, and emails from 2 galleries that don't want it. She doesn't think there is any agreement all on this particular project. Councilor Lindell said she has no problem in putting Canyon Road improvements on the CIP list, but it is divisive to put on a \$1 million lighting project in such a small geographic area and it doesn't make sense to her.

Councilor Lindell continued, saying if we're going to put things on a CIP list and make them priorities, it's our obligation to select other items to take off the list, that's how it works and what we agreed to do. She has heard no one come up with anything they're willing to take off the list. She said she would hate to think that the entire reputation of our beloved Canyon Road has been diminished over 2 incidents that happened on Canyon Road, and 1 on Garcia. She said she would want to see some consensus from people of what they would like in this small geographic area, and has no problem in having CIP funds directed to Canyon Road, but if and only if there is some agreement about what those projects should be.

Councilor Maestas said it was good to hear both sides. He said the Merchants Association asked for this in 2014. They conducted a survey, and he recalls the support was about 85%, but that probably was among merchants only and may not have included residents. He agrees there is a disconnect between the merchants and the residents, and he thinks we can bridge that gap. He is willing to work with Councilor Ives. He said perhaps we can change the scope to say safety improvements, which could include lighting. He said we can have a broader discussion about that.

Councilor Maestas continued, saying in terms of the true fiscal constraints of the Capital Improvement Plan, we just used \$4.2 million that was going to CIP to defease bonds, so we obviously didn't need the \$4.2 million to fund those unfunded projects. He said we have been carrying forward millions in CIP funds every year, and all indications are that we will do the same this year. He thinks the broader discussion needs to be about how much money truly dedicated solely for CIP, and how many of those projects we actually build in the year the funds are earmarked. He said we haven't demonstrated an ability to get all those projects out the door. He doesn't think we are at the point where if one project comes in, another must come out. He thinks we have flexibility in terms of additional funding. He said this isn't asking to leap-frog any other priorities. We're just saying we want it on the CIP list as a priority, not a top priority, not a top 5 or 10 priority.

Councilor Maestas continued, saying it's not on the list, so they're saying make it a priority and put it on the list and we'll subject to the criteria at Public Works.

Chair Dominguez asked Councilor Maestas asked what is a priority to him.

Councilor Maestas said it is getting that on the list.

Chair Dominguez said that isn't a priority. He said the way he sees it is to get it on the list is one thing, a priority is something else. There has been a lot of news out there about alternative facts and how we want to define things. He said there are lots of priorities in this community, and perhaps it is a priority, but it needs to go through the process, commenting perhaps the Committee can decide what "priority" is. He said this is his problem.

Councilor Maestas said all he is asking is that it is "a priority enough to get incorporated into the CIP and the ICIP, so it would be eligible for supplemental State legislative capital outlay." He wants to include it in the broader discussion which he is happy to do. He said District #2 doesn't get a lot of capital improvements, but we know where the needs are, and we don't need to go there.

Chair Dominguez asked the cost of the Water Park, History Museum.

Councilor Maestas said that was kicked out.

Chair Dominguez said we spent a lot of money in the past on that, not that it's not worth it. He said, "Be careful please, when we start comparing priorities.

Councilor Maestas said if we're going to amend the CIP this way, we need a financial snapshot and a projection in terms of whether we can incorporate it, and there are funds in the existing budget. The FIR and the Resolution says there no funds, but we keep carrying forward millions and millions of dollars, so we need to reconcile that at some point.

Councilor Ives said his remarks would be to Mr. Johnson, noting the funding issue was one of the reasons for asking for clarity on funding availability for the next 5-10 years at the last meeting. He is hoping at the next Public Works Committee meeting they will continue that discussion and get greater clarity because he doesn't think we have that yet.

Councilor Ives continued, saying we have been told we needed something like this in order to add something to the CIP project budget. He thinks Councilor Maestas is exactly correct, that was the understanding after the adoption of the CIP budget last year. He thinks we need to change that, because it creates a too large hurdle. He thinks it should be a relatively easy process to identify specific projects into the Capital Improvement Project budget, not necessarily as funded items, but as items we will consider in the budgeting process. He thinks the best way to do that is that if two Councilors want to add something, to use that as a measure for adding it to the list, commenting he may propose a Resolution to clarify that as part of the budgeting process.

MOTION: Councilor Ives moved for approval with the following amendments:

"In the caption, after the word 'lighting' I would propose inserting 'and street and sidewalk safety,' so it would read, '*... lighting and street and sidewalk safety project.*' I would eliminate the words, 'as a priority;' and on line 14, I would eliminate the words, 'as a Legislative Capital Outlay Priority.' This then indicates that it is being added to the CIP and added to the ICIP, but not with any predisposition to having it be a priority as other part of those budgets, so it would become part and parcel of the discussion of priorities that are engaged in at Public Works, and then at Finance, and ultimately, by the Council in the adoption of a Capital Improvement Budget. If I could defer to Councilor Lindell who looks like she has a further clarification."

DISCUSSION PRIOR TO SECOND: Councilor Lindell said, "Councilor Ives, I would just direct your attention also to on page 2."

Councilor Ives said, "I have a bunch more."

Councilor Lindell said, "In terms of priority."

Councilor Ives said, "On page 2 in fact, striking lines 4-6, which talks about the brazen robberies weren't the need for adequate lighting. I don't want to say that's not the case, but I think it's an overstatement perhaps based on the information we have received here tonight. I would also strike lines 10, 11 and 12. 10 says, '*Whereas funded needed for this project is not currently available*, we'll make that decision as part of our CIP budgeting. [Lines] 11 and 12 say that it should be a priority, so that would strike that particular language. And on 13, change the word "should" to "may," to allow District 2 Councilors to identify it as a District 2 priority, but not necessarily designate it as a City-wide Capital Improvement ICIP project to the Legislature.

Councilor Ives continued, "On line 17, again the change would be, adding after the word 'lighting,' the words, 'and street safety,' so it would read, '*lighting and street safety project*.' And additionally, striking the words 'as a priority for the Fiscal Year 2017-2018 Budget, so that the line would be, '*...is hereby added to the CIP Budget*.' I believe we can strike lines 19 and 20 because under our current practice if it's on the CIP it is on the ICIP. So, *de facto* by agreeing to add it to the CIP, we would add it to the ICIP. And with those modifications it would not be on the basis of giving it a priority, but to allow it to be discussed as part of the CIP budgeting process."

Councilor Ives continued, "A complicated motion, but I believe a correct one based upon the discussion."

CONTINUATION OF DISCUSSION PRIOR TO SECOND: Councilor Villarreal said, "Point of clarification. Did you want to add anything, well essentially, if you're looking at lighting and street safety projects that it is through a community engagement process."

Councilor Ives said, "If we want to make every CIP project subject to that kind of engagement, we can do that, but I'm not necessarily sure we want to go through that process. I certainly want to hear from folks, and I don't think adding it as an item on the CIP tells you how that project would be accomplished. So I think as projects are specifically adopted and you go into design, there is opportunity to engage the public at that point in time in the process, which is what we do, I believe, now as a matter of course. So I hate to say we're going to do something different totally, solely for this project, as opposed to every other CIP project around the City. Because I think we need to have consistency in our approach."

Councilor Villarreal said, "Point taken. Eventually, I would like to get there with participatory budgeting. This is an example of how we would start. Could you read the title again, how it would be changed."

Councilor Ives said, "Yes, I can. So the title would be changed to read, '*A Resolution adding the Canyon Road Lighting, and Streets and Sidewalks Safety Project to the Capital Improvement Plan, CIP and budget, and adding the project to the Infrastructure Capital Improvement Plan for the City of Santa Fe to address both public and traffic safety issues along Canyon road*'."

Councilor Villarreal said, "Lighting. The first line, adding the Canyon Road Lighting."

Councilor Ives said, "And Street and Sidewalk Safety Project, striking the words, 'as a priority,' and just to the Capital Improvement Plan and Budget and adding the project to the Infrastructure Capital Improvement of Santa Fe to address both public and traffic safety issues along Canyon Road'."

CONTINUATION OF DISCUSSION PRIOR TO SECOND: Chair Dominguez said, "Councilor Ives, just real quick. I think you struck the language pertaining to ICIP, and it's the last item in the bill."

Councilor Lindell said, "Correct."

Councilor Ives said, "I did."

Chair Dominguez said, "But you're keeping it in the title."

Councilor Ives said, "Certainly the title is not the substance of the Resolution. And again, I believe by virtue of adding it to the CIP we add it to the ICIP. The caption simply adds clarity to that point. But if folks want it removed, happy to remove it. Because, again, my understanding is, if we add it to the CIP, we add it to the ICIP."

Chair Dominguez asked, "Is that true Adam."

Mr. Johnson said, "Mr. Chairman, yes, that's true. The current process is that the ICIP is a reflection of the CIP exactly."

Chair Dominguez said, "So we can just take it out of both then."

Mr. Johnson, "Correct."

Councilor Ives said, "Friendly Amendment, accepted."

Mr. Johnson said, "One other thing, for clarification, just to try to help with the process here. Ideally, what would happen here is a project would be recognized as a need, as Councilor Maestas and Councilor Ives have done. And then it would be proposed to put into the plan as unfunded. And from there the discussion about priority would take place, and then from there, we would source the funding, once it reaches some level of priority that everybody has agreed upon and it needs to be funded. In the caption, if you use the terminology budget, that assumes funded. So I would recommend that we acknowledge it as to be put into the Capital Improvement Plan in the unfunded section."

Councilor Ives said, "Again, a Friendly amendment. My presumption is that we have a CIP budget which includes projects both funded and unfunded, but I don't want *[inaudible]*."

Mr. Johnson, "Certainly. Mr. Chairman and Councilor Ives, we should only refer to the budgeted portion.... we should only refer to the capital budget as projects that are currently funded and budgeted. And so the Capital Improvement Plan is not a budget, but it is a plan that lays out financially what is in the pipeline for the next 5 years, as well as projects that currently don't have a source of funding."

Councilor Ives said, "I am happy to move forward in our CIP Plan and budget process based upon that presumption."

CONTINUATION OF DISCUSSION PRIOR TO SECOND: Councilor Lindell said, "So did we say unfunded."

Councilor Ives said, "We were simply going to take out the reference to budget which perforce indicates that it goes on as an unfunded item in our CIP Plan, subject to discussion and budgeting through the CIP budget process."

Chair Dominguez said, "Do you really want to, John."

John Romero, Director, Engineering Division, said, "Mr. Chair, unfortunately, yes. Being that the scope has changed, I think staff needs the opportunity to adjust the FIR, because of the scope of the project, per the proposed changed, have changed to include both sidewalks and safety improvement and lighting. So I need to be able to evaluate that and adjust the FIR."

Councilor Ives said, "I appreciate that, but because we're just adding it to the CIP Plan by virtue of this measure, without allocating funds, I'm not sure we need an FIR on it at this point in time. As we move the CIP budgeting process forward, it should have its own sheet as all other projects do that identifies necessary funding. So I think that would be the appropriate time to add in that consideration."

Chair Dominguez asked, "Does that work with your internal process?"

Mr. Johnson said, "Mr. Chairman, that's in fact correct, because going on the Capital Improvement Plan means there is no fiscal impact at this point in time."

Councilor Lindell said, "I have great concern that we have a sizeable divide on this project in a very small geographic area. We have a neighborhood association that is deeply opposed to lighting, and we have a merchants association that seems to lean toward yes, lighting, but some don't want lighting. I just think that to not have something in the process that allows for these two groups to come together and say that we're going to fund a lighting project, I'm really uncomfortable with it. It doesn't mean, for me, for CIP projects, I don't think anybody needs to have an ENN over changing some \$400,000 bell somewhere. But I'm just uncomfortable because of the way this came to us tonight, and an entire group of people were left out of the process. I just don't quite know how to go over that hurdle in a way that makes sure that people are included in it, because it's where they live. It's their neighborhood and I'm concerned about that."

Councilor Ives said, "A couple of points. We are engaged in the process, folks have been here, and speaking and addressing it. So, while there may not have been a full vetting such that there was confluence of opinion prior to bringing the matter forward, nonetheless, we are getting input as we go through this process. Again, I would stress that if we are to vet all such projects where there might be differences of opinion as to what we should be doing... the opportunity to bring people together before something comes to any of our committees, means that all of those processes will be slowed significantly, and I think it's probably prudent to wait until there is a more concrete proposal that is put before people. I don't think anybody thinks we shouldn't have any lighting on Canyon Road. We obviously want people to be able to pass through Canyon Road safely. We certainly don't want huge halogen lights creating daylight during the nighttime hours on Canyon Road. So, I know people are speaking against this as if that might be the result, but I don't think that ever was the intention. And I think by making these modifications, adding it to the CIP list as any project that might come forward addressing it, that that's really the best time that we have concrete items the public can respond to."

Chair Dominguez said, "We don't have a policy on how to deal with specific projects that are part of our capital budget, but I think it would behoove anyone who brings a project forward, to have the kind of outreach they need to have in order to get some level of consensus to get something done. And if you can't get that then the process we have in place to take that gamble, risk, one way or the other having an item turned down or not."

Councilor Dominguez continued, "So I think Councilor Lindell, what I hear is that we don't really have a policy in place on how to deal with some of these projects, and whether or not it requires an ENN, and what are the criteria that require that. I think without that, I'm not quite sure what we can do, in terms of mandating, other than making sure it's part of the record, and it's clear, and that any Councilor who brings it forward recognizes that and risk having how much debate on lights. There are lots of other things that are important that don't take this kind of debate. So it's 7:30 p.m., Councilor Ives, I am feeling ill and I want to go."

Councilor Ives said, "I can move this on with an example of what I think a good process was, and I consider the improvements to Salvador Perez Park. Once there was a proposal as to what those improvements would be, there was something concrete people could look at and consider, there were no fewer than 2 public meetings to get input from all interested parties on those proposed amendments. So that is, I think, the process that we actually do engage in. And I think it's a good one, because you have something concrete to respond to."

Chair Dominguez said, "But I've seen other projects that have gone through a more strenuous process and much less public process. My point is, and I don't know if we want to get the point where we would have to create a policy. Poor staff over here wants to get jobs done. I don't know. I don't know the answers to that. I'm just saying...."

Councilor Maestas said, "Just one comment. If this is the process for adding projects to an unfunded list, this will be the first and last I'll make."

SECOND TO THE MOTION: Councilor Villarreal seconded Councilor Ives motion as amended as stated above.

DISCUSSION OF THE MOTION, AS AMENDED: Councilor Villarreal asked, "With the changes.... are you satisfied with the changes."

Councilor Maestas said yes, and Councilor Ives hit the nail on the head, this is a plan. And I doubt we can make the same claim for all projects in the plan, that there's absolute consensus in whatever area that project in. There is a process we take, we go to design, we have public involvement. And if we create this bar for all capital planning projects, we're not going to get anywhere. There is a process and we work it out. This is a plan.

FRIENDLY AMENDMENT: John Romero said, "So one quick thing. What Councilor Ives said, I think is correct, about the Fiscal Impact Report, being the budget got taken out of the Resolution, if it could be noted that the FIR is amended to have no fiscal impact moving forward." **THE AMENDMENT WAS FRIENDLY TO THE MAKER AND SECOND, AND THERE WERE NO OBJECTIONS BY THE OTHER MEMBERS OF THE COMMITTEE.**

VOTE: The motion, as amended, was approved unanimously on a voice vote.

Councilor Villarreal said, "In the future, I think we just need clarification about we really do add new projects to the CIP. Because I didn't think a resolution was the process, but maybe it is, and then we would all be submitting resolutions for project, which doesn't sound like a good plan. I would prefer we can clarify that for the budget hearings."

Chair Dominguez departed the meeting and Councilor Lindell assumed the duties of Chair

17. A. REQUEST FOR APPROVAL OF FY 2017/18 BUDGET CALENDAR. (ADAM JOHNSON)

Mr. Johnson said the first calendar didn't acknowledge the conflict with the budget hearings and Spring Break. He has come back with an amended calendar. The only change is that we move the hearings to March 28–31 – Tuesday through Friday. The follow up would be to discuss a Public Works recommended capital budget the following Monday, April 3, during the regular Finance Committee meeting, so as not to add additional meetings. And if necessary, add a Special Finance Committee the following day if we were not able to tackle the capital budget on that one evening, noting it will be vetted by Public Works in advance.

Councilor Villarreal asked if that means it will be an evening meeting.

Mr. Johnson said April 3, 2017, would be a regular meeting and the Special Finance Committee meeting could be called at the convenience of the members, whatever would work best.

Mr. Johnson said because the timeline shifted a little bit in the original timeframe, we had an opportunity for what we call the second reading of the budget and that is not in the Calendar. This would be the earliest adopted budget the City has ever done if we finish by April 12, 2017.

MOTION: Councilor Ives moved, seconded by Councilor Villarreal, to approve this request

VOTE: The motion was approved on a voice vote, with Mayor Pro-Tem Lindell, Councilor Ives and Councilor Villarreal voting in favor of the motion, no one voting against, and Chair Dominguez absent for the vote.

B. CONTINUED BUDGET TOPIC DISCUSSION. (ADAM JOHNSON)

Mr. Johnson asked if we missed anything that the Committee wants to be addressed when we get ready for the hearings. At this point, the plan is to address all the bullet points on packet page 3. It is the same as the last Memorandum. He thinks he may have included State Legislation which could impact our tax revenues if they adopt a measure taxing non-profit hospitals as well as internet commerce. He added his discussion with Councilor Harris regarding transitioning to modern, automated process. He noted my examples were more about facilities so he added the word facilities. We are looking at how automated processes will make our organization more efficient and less costly to run. He also included specific areas of financial policy update. He said staff intends to bring the receivable and collections policy, grants reimbursements to tighten the time between the expenditure and collection from grantors, which would help us to better manage our cash flow. He said he felt it valuable to develop language between interfund loans and get that into the policy. His intent is to have these kinds of conversations during the process so we can be very policy driven in our directions for the next year.

Councilor Ives said he has two additional items to be added. The classification & compensation study, and its potential impact on H.R. and funding of the City's employees; and the issue of the use of vacancy savings in the budgeting process.

Councilor Villarreal asked where the discussion about language and translation will fall.

Mr. Johnson said he thinks we could create a separate bullet for that. He said we have started looking to how we can do translations of our financial documents, it could be in the financial policy updates to develop translated documents. He asked if she is thinking in those terms, or in City wide terms.

Councilor Villarreal said City-wide terms.

Councilor Ives said there are people in the community who are fluent in Spanish who would donate time in performing those services, including legal documents, because they are lawyers.

18. EMPLOYEE SALARY INCREASES. (ADAM JOHNSON)

Mr. Johnson following the State of the City addresses, it was noted there was an error in the calculation for a 5% raise City-wide. Staff worked to establish the cost, and to understand if it still could be met. He noted the Memorandum in the packet discusses how the framework would work, noting the Memo is not intended to address all questions related to this proposal, in particular how it would be allocated to union types, Fair Labor Standards Act (FLSA) classifications or pay scale which are other types that have been discussed both at the staff level and in the media.

Mr. Johnson said staff has put together a source of funds to reach the firmly calculated number of \$4.1 million to do a 5% raise across the City. Mr. Johnson reviewed the proposed source of funding. For specifics of this presentation, please see Mr. Johnson's Memorandum of February 27, 2017, to the Finance Committee, regarding Cost and Distribution of 5% pay increases for all City Employees.

Councilor Ives asked how much overtime has been paid this year and is anticipated to be paid by the end of fiscal year, and in what departments. He is always curious about the value of accrued, but unused leave as an item in the budgetary planning process which might "relate to the item previously as opposed to this one." He wanted to mention this. He would like an update on all kinds of Land Use Fees, to understand those in the City's revenue picture. He said it has been indicated that we have significantly greater activity in that sector than in previous years, and there were anticipated significant additional fees as part of that. He said this is part of the general budget discussion but relates to this is well.

Councilor Villarreal said, "I am not always quite sure if it makes sense to give raises across the board. And the reason I say that is because it doesn't really show me where we've had increases in the past years, and where directors have gotten increases, but not hourly employees. I think Brian referenced some document with increases over the years, and I think we should share this because I don't quite understand what it all means, but where the different departments was union or not, fire police, that they were able to get step increases. But then this is not necessarily a negotiation agreement, so this is just one type of increase. And then there was another type of increase that wasn't shown on this. And I don't know the differentiation between those two. And then it doesn't necessarily show me, over the past years, how many directors got the increase, or not. So I don't know where maybe you could extract that for me."

Councilor Villarreal continued, "And then the other thing I was concerned about are directors or managers that are covering 2 positions. And I can think of a couple right now that do that. And I didn't want to not include them in this pay raise. I guess I'm just trying to figure out, across the board, what that looks like. And doing a certain percentage for everyone doesn't make sense to me, especially after the information that Brian gave me. And we didn't get to talk about it. So I don't know if maybe you could share that with the rest of the Council."

Mr. Johnson said as he mentioned in his Memo, it was not intended to answer those questions. These are important questions, which likely would require our H.R. Department to dive into, to get into those specifics. He said given this conversation, he can go back to Mr. Snyder and start to work on that analysis – who has received what over the past number of years, what is part of the contract versus what is an actual pay increase, because there are distinctions that should be noted. And he agrees that we may

not solve certain issues if we just apply a blanket solution. So he thinks we definitely should look at some sophistication and make the proposal better.

Councilor Lindell asked Mr. Johnson to get information for her on the property tax, the \$1.5 million on defeasance and what that will mean per \$100,000 per homeowner annually.

Mr. Johnson said that would be equivalent to a \$300,000 home, because we tax 1/3 of the assessed value, so \$100,000 would be about \$68 per year.

Councilor Lindell would like to put this in different terms, because people get confused on the mills. She said on a \$300,000 home that would be about \$69, or \$23 per \$100,000 of valuation. She said if you have a \$500,000 home, it will be 5 x \$23 or \$115.

Mr. Johnson said this is correct.

Councilor Lindell said it is important to put to the public in terms they understand, and let them know what that amount of money really means.

19. MATTERS FROM STAFF

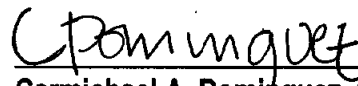
There were no matters from staff.

20. MATTERS FROM THE COMMITTEE

There were no matters from the Committee.

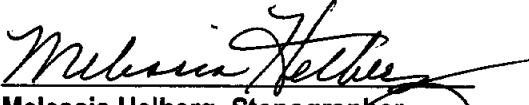
21. ADJOURN

There was no further business to come before the Committee, and the meeting was adjourned at approximately 8:00 p.m.


Carmichael A. Dominguez, Chair

Reviewed by:


Adam Johnson, Finance Director
Department of Finance


Melessia Helberg, Stenographer

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO BILL NO. 2017-2
Alcohol Best Practices (Substitute)

Mayor and Members of the City Council:

I propose the following amendment(s) to Bill No. 2017-2:

1. On page 5, line 2 *delete* "time" and *insert* "hours" in lieu thereof
2. On page 5, line 3 after "served" *insert* "and required permits"
3. On page 6, lines 20-21 *delete* "applicable state and local laws" and *insert* "rules regarding alcohol service established by the director of the alcohol gaming division of the New Mexico regulation and licensing department, and shall be educated on the subjects specified in 60-6E-5(B) NMSA 1978," in lieu thereof
4. On page 8, *delete* lines 1-3 in their entirety.
*Editor's note: reletter the succeeding paragraphs appropriately

5. On page 10, after line 5, *insert* a new subparagraph as follows:

(7) Wine tasting events. Events designated by the governing body as wine tasting events, pursuant to the requirements of Section 23-6.2(H), shall abide by the requirements of subsection (3) and (5), above, as well as the following regulations:

(a) The area of the event used for the service and consumption of alcohol during a wine tasting event shall be illustrated on a diagram that shall be submitted to the city manager or their designee, at least thirty (30) days before the event(s). The diagram shall include the dimensions of the area, the location of entrances/exits, the width of the mandatory buffer, which shall be four feet (4') high, with further requirements to be determined in consultation with the city manager, and the locations for the placement of the advertising described in paragraph (4), above.

(b) Admission shall be a presold/ticketed event at which no alcohol will be offered for sale.

(c) Service of alcoholic beverages shall cease at the stated conclusion of the event, at which point all remaining alcohol shall be removed from view of the public. No open or unopened containers of alcohol may be removed from the event by the general public, and shall remain under the supervision of a licensed individual at all times.

Respectfully submitted,

Signe I. Lindell, Councilor
Peter N. Ives, Councilor

Exhibit #11

ADOPTED: _____

NOT ADOPTED: _____

DATE: _____

Yolanda Y. Vigil, City Clerk

Alcohol Sales at Public Events

Alcohol Sales at Public Events in Santa Fe

Alcohol abuse and dependence and excessive drinking pose significant risks to public health and safety for adults and youth in New Mexico. Since 1997, New Mexico has had the highest death rate due to alcohol in the United States. Amongst working age adults ages 20-64, alcohol is the leading cause of death, with 1 in 6 deaths caused by alcohol.¹ Underage drinking is a serious concern, with 18.3% of high school students reporting they had their first drink of alcohol before the age of 13, the fourth highest rate in the nation.² Excessive drinking also places a huge economic burden on our community. Excessive alcohol use cost New Mexico is \$2.2 billion in 2010.³

Restricting alcohol sales on public property in order to reduce alcohol-related harms has been recommended as an evidence-based strategy to reducing underage drinking and other alcohol-related harms⁴. In 2009, in response to concerns about the impact of alcohol abuse and a desire to support a healthy, vibrant community, the City of Santa Fe adopted restrictions on the sale and consumption of alcohol on city property. These restrictions prohibited the sale of alcohol at most city-owned property.

Since the ordinance was adopted, there have been only a few requests to sell alcohol on city property. In 2012, the City adopted an ordinance that established regulations for events that have received authorization for alcohol sales. These regulations are based on best practices for alcohol sales and service to promote public safety and health.

The Link Between Alcohol Sales at Public Events and Public Health

Research over the past two decades has shown clear linkages between the sale of alcohol at public events and these public health harms⁵:

- Underage drinking and sales to minors
- Binge drinking by adults
- DWI
- Violence, fighting and public disturbances
- Property damage and vandalism
- Liability exposure of host for alcohol-related injuries and property damage
- Reinforces the norm that alcohol is required for a celebration

THE DEFINITION OF BINGE DRINKING:



Recommendations for Restricting Alcohol Sales at Public Events

Alcohol-Free Events

If the event is held on public property and open to all ages, including children and youth, the best practice is to ban the sale and service of alcohol.

Follow Best Practices When Alcohol Sales or Service is Allowed:

1. Follow all laws
2. Limit the number of drinks that can be purchased to reduce risk of binge drinking
3. Designate an area for sales and consumption
4. Provide security to reduce risk of harm
5. Take steps to reduce risk of DWI following the event

When to Keep an Event Alcohol-Free

- When the event is on public property, such as a park or athletic field
- When the event is open to children and youth under the age of 21
- When the event honors or celebrates someone or a group under the age of 21
- When the event has had a history of excessive drinking and alcohol-related harms

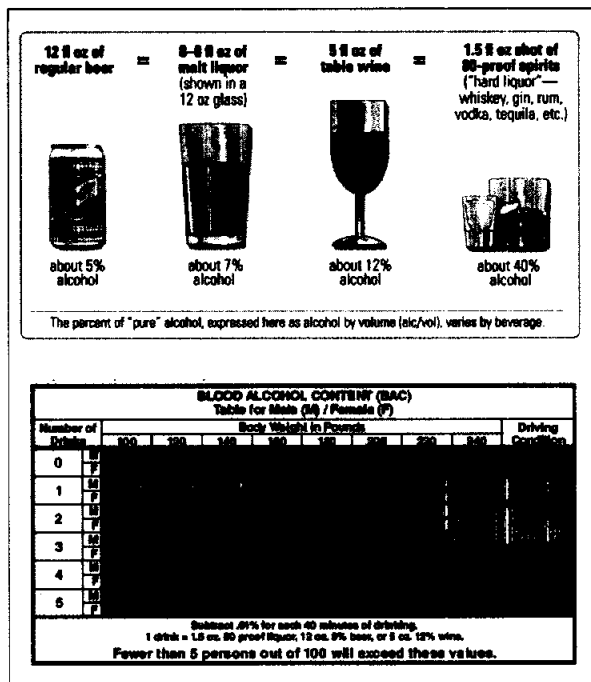
What is Excessive Drinking⁶?

- Any alcohol use by those under the minimum legal drinking age of 21
- Binge drinking (4 or more drinks by women and 5 or more drinks by men on one occasion)
- Heavy drinking (8 or more drinks per week for women; 15 or more for men)
- Any alcohol use by pregnant women

When Alcohol Sales are Permitted, Follow Best Practices

1. Obtain the appropriate license needed to conduct legal alcohol sales and/or service
2. Follow all liquor laws, including no sales to minors and intoxicated persons
3. Limit the number of servings to one at a time and limit the total number of servings per person to no more than 3 "standard drinks," tracking alcohol purchases
4. Serve only beer and wine; no distilled spirits, so the amount of alcohol can be controlled
5. Provide water free of charge and serve food and alcohol-free drinks in addition to alcohol
6. Designate a special area for of-age participants to purchase and consume alcohol, installing fencing to establish a perimeter if needed and ensure that the alcohol remains within the designated area and cannot be consumed or taken outside of that area
7. Require identification to be checked before entering the designated area
8. Identify legal drinkers with a non-transferable wristband
9. Provide appropriate security measures
10. Use aluminum, plastic or paper containers; no glass
11. End sales or service of alcohol at least one hour prior to the end of the event

What is One Standard Drink⁷ and Why Does it Matter?



Examples of One Standard Drink

The following are considered the equivalent of one standard drink:

- 12 oz. of beer (4-5% alcohol)
- 8 oz. of malt liquor or craft beer (7-8%)
- 5 oz. of wine (12%)
- 1.5 oz. of spirits such as whiskey, gin, vodka, etc. (40% or 80 proof)

Blood Alcohol Content (BAC)

New Mexico State Law considers alcohol service to someone with a BAC level greater than .14 to be over-service. Licenses servers are prohibited from over-serving customers.

A BAC of .08 is considered legally intoxicated; someone who is driving with a BAC of .08 or higher is, by definition, impaired.

Standard drink definitions help servers and consumers track of how much alcohol a patron has had to drink. Knowing personal BAC levels can help consumers understand the impact of alcohol consumption on their body. It can also help consumers monitor the amount of alcohol they plan to drink at specific events.

References

1. <http://www.cdc.gov/media/releases/2014/p0626-excessive-drinking.html>
2. <http://nccd.cdc.gov/youthonline> "Initiation of alcohol use" in "All locations" for the year 2015. (For the first time other than a few sips.)
3. Sack, et al, 2010 National and State Costs of Exc
4. <http://www.countyhealthrankings.org/policies/restrict-alcohol-availability-public-events-and-public-property>; http://www.rand.org/content/dam/rand/pubs/research_briefs/2007/RAND_RB9262.pdf
5. Toomey, T., Erickson, D., Patrek, W., Fletcher, L and, Wagenaar, A (2005) Illegal alcohol sales and use of alcohol control policies at community festivals. Public Health Reports, 120(2), 165-173; <http://comm-org.wisc.edu/papers2009/bosma.htm>
6. <http://www.niaaa.nih.gov/alcohol-health/overview-alcohol-consumption/moderate-binge-drinking>
7. <http://rethinkingdrinking.niaaa.nih.gov/tools/calculators/drink-size-calculator.aspx>

Date of Publication: July 20, 2015, Updated by Aurora Trujillo, Coordinator: February 24, 2017



SANTA FE
PREVENTION
ALLIANCE

Developed by the Santa Fe Prevention Alliance, 2017

www.SantaFePreventionAlliance.com | SantaFePreventionAlliance@gmail.com

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO BILL NO. 2017-3
Sugar-Sweetened Beverages Tax (Substitute)

Mayor and Members of the City Council:

I propose the following amendment(s) to Bill No. 2017-3:

1. On page 4, lines 22-23 *delete* "If there is a chain of distribution within the city of Santa Fe involving more than one distributor,"
2. On page 4, lines 24-25 and page 5, line 1 *delete* "If the tax is not paid by the first distributor for any reason, it shall be levied on subsequent distributors, provided that the distribution of sugar-sweetened beverage products may not be taxed more than once in the chain of commerce."

Respectfully submitted,

Joseph M. Maestas, Councilor

ADOPTED: _____
NOT ADOPTED: _____
DATE: _____

Yolanda Y. Vigil, City Clerk

**CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO BILL NO. 2017-3
Sugar-Sweetened Beverages Tax (Substitute)**

Mayor and Members of the City Council:

I propose the following amendment(s) to Bill No. 2017-3:

1. On page 8, line 15 *delete* "may" and *insert* "shall" in lieu thereof
2. On page 9, *delete* lines 17-23 in their entirety

Respectfully submitted,

Joseph M. Maestas, Councilor

ADOPTED: _____
NOT ADOPTED: _____
DATE: _____

Yolanda Y. Vigil, City Clerk

Exhibit "4"

Downtown Pedestrian Robberies

Victimology

Case: 18918 Date: November 11 DOW: Friday TOD: 2215
Name: William B David Gender: Male Race: White Age: 55

Residency:

Visiting from Colorado
Visiting uncle at 655 Garcia Street
Staying with uncle

Arrival:

Arrived November 11 approx 1500
Drove personal vehicle – 2007 RAV 4
Vehicle was parked at 655 Garcia
Did not drive vehicle anywhere

Work:

Victim works in the Gas/Oil industry
Currently working

Physical Limitations:

Victim states no physical limitations that are apparent
November Beard grow

Clothing at time of attack:

Casual dress – Jeans, short sleeve shirt, black down jacket

Activities while visiting Santa Fe:

None – went straight to uncles house and visited with him until going to dinner with cousin
No major purchases

Timeline of victim activities during the day of attack

Arrived at uncles at approximately 1500
Cousin arrived at residence for a visit
Uncle left to go to a dinner engagement at approximately 1850
Victim and cousin left residence at 1850 to go to El Farol for dinner (took cousin's car)
Victim and cousin finished dinner, and left before 2000. He stated his cousin had a meeting at 2000, so they had to leave before that.
Victim walked down Canyon Road to PDP until got to La Posada (E Palace)
Victim took left onto E Palace down to the Plaza
Victim stated he walked around the Plaza – and was on the Plaza at the time of large LE presence from the protests
Victim stated he stopped into the bar at the Inn of the Anasazi and had a couple beers.
Victim stated he noticed he was the only Single Individual in the bar – everyone else was in couples.
Victim stated when he left the Inn between 2130 and 2145.
Victim stated he had lost his bearings and turned right, victim stated he made another right and followed the street until he got to PDP.

Exhibit "5"

Downtown Pedestrian Robberies

Victimology

Victim stated he came out further down than LaPosada, closer to library and cheese shop.

Victim stated he passed the Drury Inn on his walk

Victim stated he followed PDP and then turned onto Canyon Road

Victim stated he was taking photographs on his walk along Canyon Road

Victim stated he then turned right onto Garcia, where the attack occurred

Anyone paying particular interest to victim:

Victim stated when he came out of the Inn at Anasazi, he noticed a male standing in front, talking on a cell phone that seemed to be really paying attention to him. Looked somewhat like attacker in height and build.

Victim stated just before he got onto PDP, near the Drury Hotel, a subject was approaching him, with what seemed like a purpose. The victim stated he said hello and the subject acknowledge him with his eyes only, and walked past him, turning into the parking lot near the Drury and getting into a silver vehicle. Victim stated the man had no reaction to his greeting. The male was latino, again somewhat like attacker in height and build.

Attack:

Victim stated as he turned onto Garcia he noticed a vehicle parked in between 2 street lights and he didn't see anyone in it

Victim stated there was just something about it that caught his attention

Vehicle was approx. 150yds behind him at the time of the attack

Victim stated he heard a car door and that is what made him turn around and look.

Victim stated he saw someone running across the street and his thought was that someone was running for a residence, and he turned back around to continue his walk.

Victim stated at that point he felt a push that threw him off balance, however, did not knock him to the ground.

Victim stated when he turned around he saw an individual wearing a ski mask

The suspect ordered the victim to his knees and to give him his wallet

Suspect description

Male 5'5 - 5'8 Medium build No mobility issues No noticeable accent

Tone: Nervous Age: Young (17-22) Speech: Clear, well formed

Commands: Give me the wallet

Clothing: Jeans, Waist length sweater

Armed: Handgun, semi-automatic, boxy like a Glock, older style,
blued however shine in the light

Interaction:

Suspect seemed extremely nervous, the handgun was shaking

Victim (prior victimization in Colorado) spoke with the Suspect, asking him to calm down, and to leave his personal items, and to just take the money.

Vehicle:

Dark Gold/Brown 2dr Coupe Dodge neon Style vehicle

License Plate: Was not the yellow or turquoise -

Was a lighter color like one of the specialty plates (Balloon Fiesta - UNM, etc)

Downtown Pedestrian Robberies

Victimology

Nothing else distinctive that he noticed

Post attack

Suspect took the wallet and ran off with it.

Suspect dropped the wallet and contents on the street as he was running away

Suspect "scrambled" to pick the money up and left the wallet behind

Victim heard suspect mumbling – not directed at him directly – "sorry, man, sorry"

Suspect ran to the vehicle and got into the passenger side

Vehicle pulled out as Suspect was closing the door

Downtown Pedestrian Robberies
Victimology

Case: 19198 Date: November 16 DOW: Wednesday TOD: 1715
Name: Jaffrey Robins Gender: Male Race: White Age: 50

Residency:

Victim visiting from New York
Victim visiting for a vacation

Arrival:

Victim flew in to Albuquerque and took the shuttle up.
Arrived on Monday November 14th.
Staying at the Inn of the Governors
No vehicle while in town

Work:

Film Industry – special effects
Still working

Physical Limitations:

Victim states no physical limitations that are apparent

Clothing at time of attack:

Casual dress – Jeans, sneakers, gray jacket, cycling cap

Activities while visiting Santa Fe:

Movie Theatre, Galleries, Railyard Park, Plaza, Canyon Road, Coffee Shops, Cross of the Martyrs
Bookstore and Coffee Shop on Garcia Street

Timeline of victim activities during the day of attack

Breakfast at the Inn of the Governors
Walked up to the plaza and stopped at Ecco Coffee Shop for a coffee
Walked to the Cross of the Martyrs and went up the hill, then came back down
Stopped at Op-Cit books
Stopped at Bumble Bee's for lunch and went back to the hotel for a swim
Left the hotel about 1500 hrs and walked towards Canyon Road
Walked past oldest church and oldest house
Walked up Canyon Road all the way to Monsignor Patrick Smith Park and then turned to come back
Stopped at the galleries and photography shops along the way, both directions

Anyone paying particular interest to victim:

Not aware of anyone paying particular attention to him

Downtown Pedestrian Robberies
Victimology

Attack:

Victim stated he had just passed the intersection of Garcia and Canyon and was in front of Cafe Greco
Victim stated he noticed that a couple had gone into the café, he noticed a piece of artwork and had turned back to look at it
Suspect approached him quickly from the front, and pulled the weapon as he approached victim
Suspect demanded wallet and cash
Suspect kept looking at the Café, like he was worried someone would come out and see what was going on.

Suspect description

Male 5'5 – 5'8 Medium build Race: White-dark complexed
No mobility issues No noticeable accent-American
Had facial stubble
Tone: Nervous Age: late 20's-mid 30's Speech: Clear, well formed
Speech: Repeated himself, building confidence with each command
Commands: Give me the wallet, then changes to give me the cash
Clothing:
Armed: Handgun, semi-automatic, blue, matte
Nothing distinguishing about the suspect

Interaction:

Didn't engage the suspect

Vehicle:

Black, 4 door, unknown model, possibly a Toyota
Not conscious of the vehicle prior to attack
"Not new, but not really old"
Parked about 100 feet away from attack point

Post attack:

Suspect ran towards the vehicle and got in the passenger side front
Vehicle pulled away as the door was closing

Anything else could think of:

Suspect reminded victim of "skinny pete" from Breaking Bad – the thinness and facial stubble

Victim 1
Friday November 11th
2215 hours

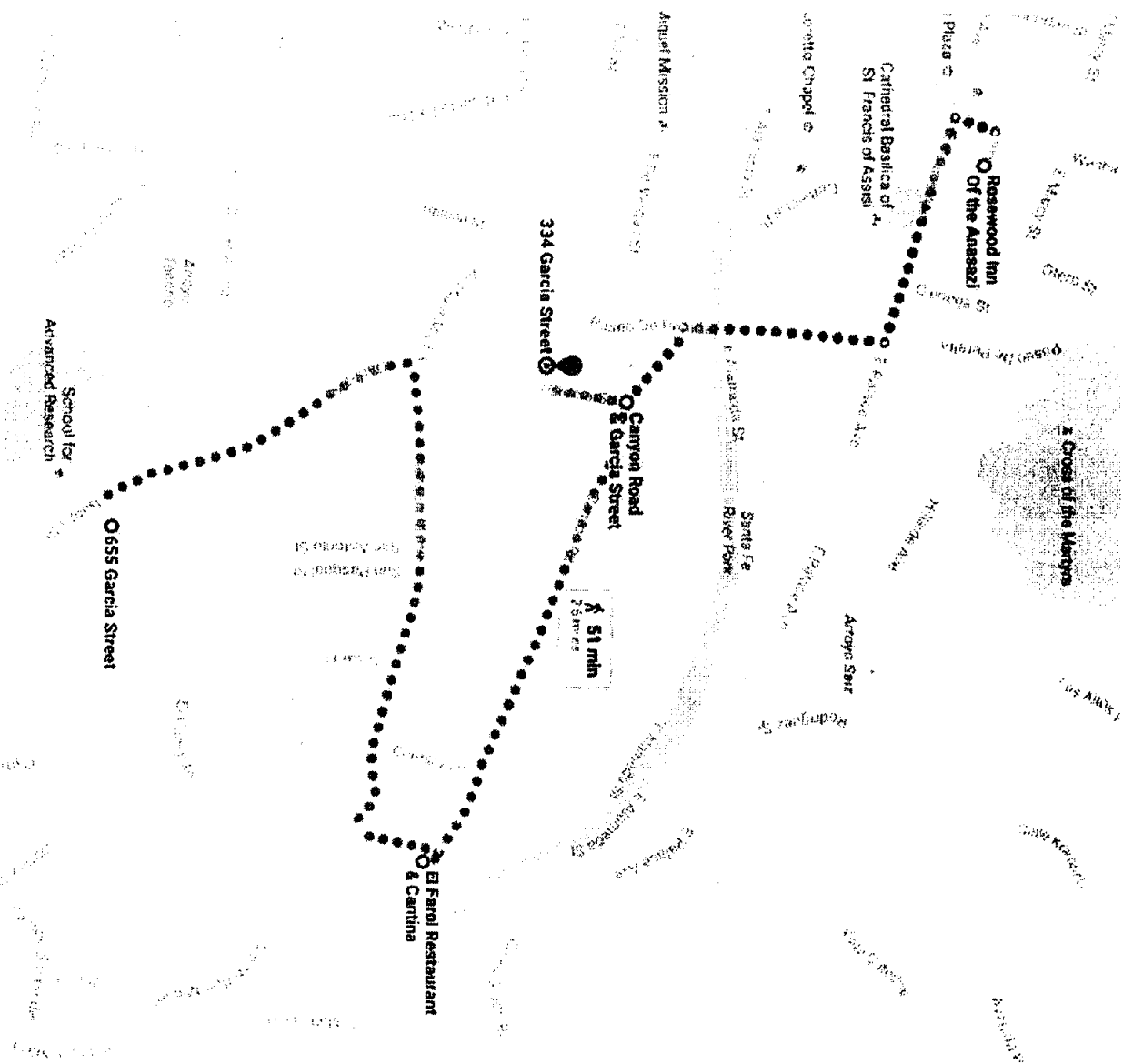
Victim arrived in Santa Fe at
approximately 1500 hrs. same
day.

Did not go anywhere until
going to dinner at El Farol
with cousin. Left restaurant
at ~2000 hrs.

V walked to plaza and looked
around and stopped at the Inn
of the Anasazi for a couple
beers.

Left the Inn walking back past
the Drury Plaza onto PDP to
Canyon Road to Garcia
Street.

Attack occurred closer to the
intersection of Canyon &
Garcia than at location of
interview

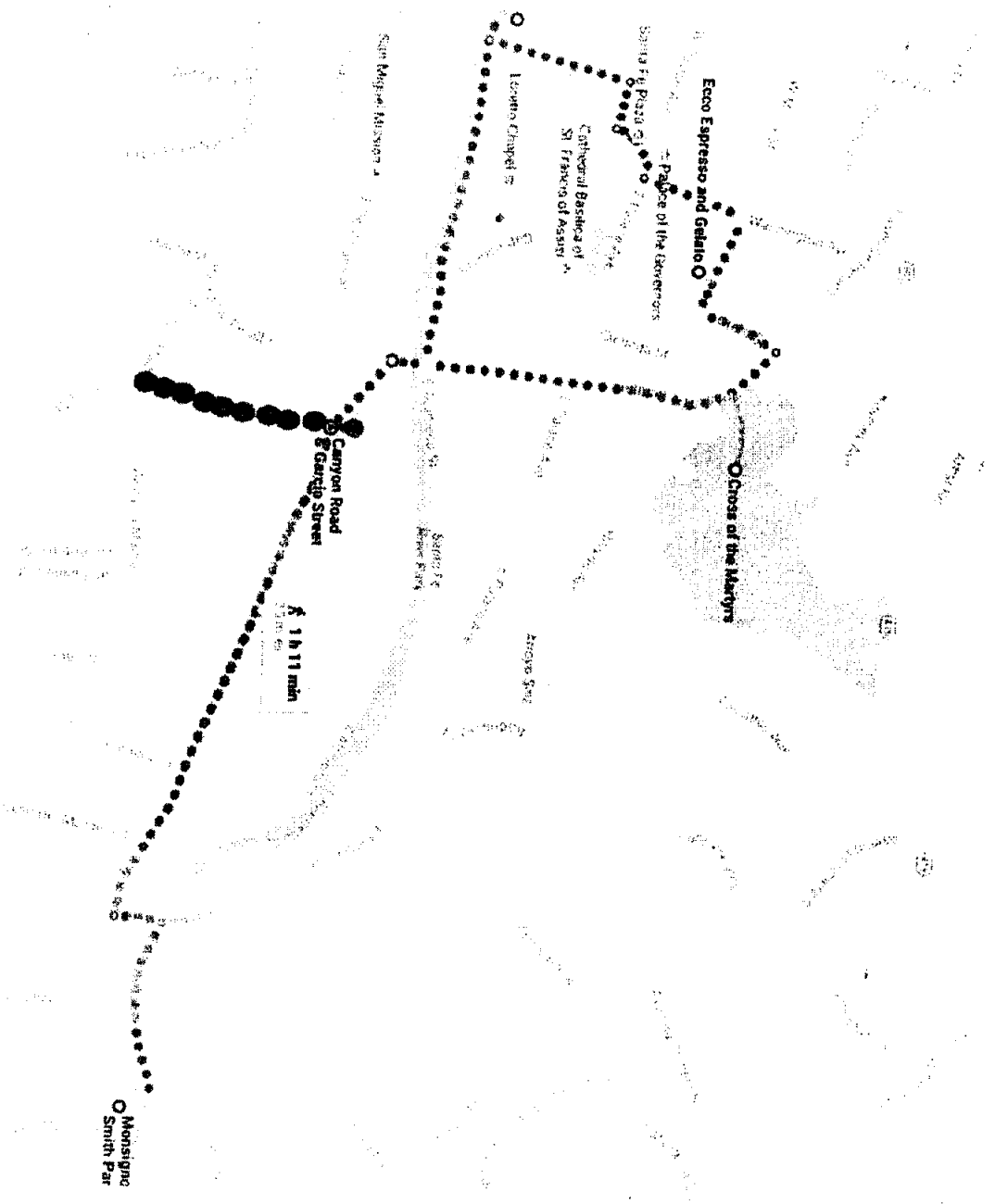


Victim 2

Wednesday
November 16th
~1715 hours

Victim staying at the
Inn of the Governors.
Left hotel and grabbed
a cup of coffee at the
Ecco Espresso, visited
the Cross of the
Martyrs and returned
to the hotel after
having lunch at the
Bumble bee's Grill.

Left hotel and went
straight to the
galleries on Canyon
Road. Walked down
to Monsignor Park
and turned around.
Was passing the Greco



City of Santa Fe, New Mexico

memo

DATE: May 11, 2016
TO: Mayor and Councilors
FROM: Brian Snyder, City Manager *BS*
SUBJECT: Capital Improvement Plan for Fiscal Years 2016/17 – 200/21

BACKGROUND & SUMMARY

This memo transmits the City Manager's Recommended Capital Budget for FY 2016/17 and 5-year Capital Improvement Plan (CIP) the Fiscal Years 2016/17 – 200/21. It complies with one of the major financial management reforms called for in Resolution 2015-106 (Section 5. Capital Improvement Plan), which calls for a separate annual capital budget to be presented alongside the annual operating budget as part of a 5-year capital improvement plan.

The CIP serves as the common City platform for assimilating policy direction and technical input and coordinating the many actions of a wide range of actors and business processes, including project managers, financial analysts, and oversight boards and commissions. It also allows the Governing Body to see in a comprehensive fashion the many ongoing and planned capital projects in the city so it can allocate in a structured and transparent fashion the limited resources that are available for capital investment.

The CIP document being presented is the second such effort in the City's history. The City's first ever CIP was approved by the Governing Body in January as part of a process that started with a unified budget adjustment request (BAR) for all the ongoing capital projects in September. Its adoption, although midway through the fiscal year, halted the long-standing practice of "carrying forward" the approval of a project from one year to the next as if it were an actual appropriation. As only the second effort, the FY 2016/17–2020/21 CIP still has a way to go before it nears the state-of-the art CIP. It is, however, a complete plan that allocates all of the plausible resources available to needed capital improvements for the next five years. It is also a balanced budget for the entire plan period, each of the five years, and each individual project cycle that properly appropriates resources for capital projects as part of the City's FY 2016/17 Budget in compliance with all applicable State of New Mexico laws. This CIP also puts in place a planning process that the City can rely on to improve every year.

The CIP has been developed based on the departments' requests, available funds, and established Governing Body policy direction. Funding requests were distributed over the next five fiscal years according to an order of priority defined by a number of criteria:

Exhibit "b"

- Public safety-related
- Mission critical
- Economic development-related
- Funding availability
- Operations/maintenance savings
- Mandated.

The total funding requests amounted to \$65.6 million, of which \$60.2 million is recommended to be funded in FY 2016/17. The departments are requesting net new appropriations of \$39.1 million, including \$18.3 million by the Utility Fund departments. The difference of \$26.5 million (40%) represents re-appropriation requests for projects incomplete in FY 2015/16.

Closing the recurring deficit in the operating budget now allows a transfer of \$5.7 million to the capital budget. \$4.2 million of this amount is from the General Fund ending balance. \$1.2 million of this transfer is directed to capital repairs to deteriorating buildings and facilities as prioritized in the AMERESCO report on the City's backlog of deferred maintenance. The remaining \$2.6 million is proposed to address technology and parks capital investment needs.

The revenue covering the CIP for this year and, for that matter, the remainder of the 5-year planning cycle comes from many sources. The General Fund-type projects are funded from either or both bond proceeds or transfers from the Operating Budget. The Utility Funds are funded almost entirely from excess operating revenue. Roadways & Streets and Utility projects comprise the majority of the recommended appropriation for FY-2016/17:

<u>Category</u>	<u>\$'s</u>
Airport	2,053,715
Arts in Public Places	307,000
Buildings & Facilities	3,215,251
Parks and Recreation	2,838,591
Roadways and Streets	16,117,126
Transit	1,160,415
Technology	2,447,275
Trails	7,801,114
Water	18,121,422
Waste Water	6,140,000

To ensure the City's debt burden is competitive with cities of the same size and credit rating (Resolution 2016-106: Section 8. Debt Management Policy), the CIP was developed with the key assumptions of no new bonds issuances until FY 2017-18 and a limit of \$34 million over the next five years. This allows for a total budget for the 5-year CIP of \$183 million.

RECOMMENDATION

Approval of the Recommended 5-year CIP, the first year of which is the appropriation for capital projects for FY 2016/17, is recommended after due deliberation in committee and before the full Council and after at least one public hearing is held to gather input from the community. As the operating budget will be presented this winter, it is further recommended that the CIP be approved before that budget is presented so it will be informed by the capital budget planning effort.

I am happy to answer any questions you may have.

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Light Pollution
vs. Astronomy
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vs. Human
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vs. Economics
Prevent Light
Pollution



Light Pollution Endangers Our Security and Our Safety

Topic covered on this page include:

- Light Pollution Is A Safety and A Security Risk
- "Glare-bomb" Lights Do Not Provide Security
- Glare and Light Pollution Can Give Rise to and Increase Crime
- FBI Burglary Crime Statistics for 2004 - 2013
- U.S. Burglary Rate: "1 in 15 homes a day?!!?" -- BOGUS!!
- Sussex CCTV scuppered by street lights
- Dimming the lights - a Greenpoint blog posting
- Burglars afraid of the dark? Crime falls when U.K.'s Bristol street lights are turned off
- U.K.'s Herts Police Support Street Lights Turn-Off
- Disagreement over "Crime spike as lights are switched off in Eastbourne and Hastings"
- "Dark Campuses" - Night Time Black Out Deters Vandalism
- The Chicago Alley Lighting Project: Final Evaluation Report
- Preventing Crime: What Works, What Doesn't What's Promising
- The Story of ATM Robbery Victim, Hudson, Mass.
- Woman attacked, robbed making ATM deposit in Boynton Beach, FL
- What to do Before the Burglar Comes.

Light Pollution Is A Safety and A Security Risk

Light pollution, especially glare lighting is a safety and a security risk. Glare lighting causes two problems with our eyes. First because it is typically a strong contrast to the night, any night vision we have built up ends. Our rod cells become saturated and overwhelmed as the cell's needed rhodopsin (which is the reason we eat high vitamin A foods, like carrots) is broken down in the light. Rod cells are what we use to see in the dark and this light shuts down our night vision capabilities. The rod cells' sensitivity is a thousand times stronger than our color sensing cone cells, but it takes over forty minutes for them to produce enough rhodopsin to achieve this capability, even longer for older eyes. To protect themselves, our eyes constrict or stop down their front apertures, meaning our pupils close. These two results, the constricted pupils causing less light to enter our eyes and the over-saturation of the rods leading to their diminished sensitivity, causes us to be temporarily blind at night in the presence of glary light. The cones still work, of course. And they can see the glare lighting and its color very well. But they cannot see into darker regions that may be beyond the glare lighting or into shadows that is typically caused by the glare lighting. To do that, we would need fully functioning rods, which we do not have them, we are now night blinded. It is that condition that risks our safety. In fact, it can be that because of all of this light that people, thinking that it is so bright due to the glare lighting, may then take risks that they SHOULD NOT do for a given situation.

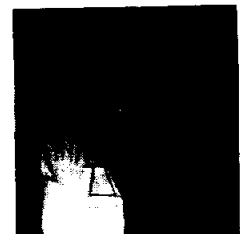
Excessive lighting creates safety concerns for home or business owners, in addition to the health problems for us and problems for the environment. Using lighting for safety's sake is only beneficial if you have someone to constantly watch whatever is being lit. Bad lighting enables an intruder who, as a mere street pedestrian, to come by and case out your property. Your own light clearly gives him information about your house. If you had no lights on, an intruder would need to use a flashlight, an action that immediately points him out. If you set your lights to be triggered by motion sensors, he will now be easily detected the moment he tries to do something against you and your home. This is even more effective if the sensors and the light are coordinated so as not to be tripped off at any mere motion, such as a tree blowing in the wind or by an real pedestrian walking by who is not interested in your property. For a motion sensor that repeatedly goes off, just like any poorly designed or ill-used alarm, is treated by others as someone who repeatedly and bogusly cries "wolf" and is ignored, so the sensitivity setting is VERY important. Consider the last time you heard a neighbor's car alarm once again blare off at night. Did you actually called the police to investigate? A *even better method is to setup an OUTDOOR motion sensor that turns on an INDOOR light*. That WILL make a burglar think twice about entering such a property. In addition, if you leave an outdoor light on at your home as you sleep, you could be creating a perfect location for vandals and graffiti artists to showcase their "work".

Bad lighting at night can even make you LESS SAFE and be beneficial to criminals by creating deep shadows that offers concealment to them. Being temporarily blinded by a glaring light source makes you an easier target for criminals to attack as they hide dark recesses. In this situation, YOU ARE AT A DISADVANTAGE, see the IDA's FAQ page. Glare light is light that travels directly from its source to a person's eye, such as a car's high beams or a poorly aimed porch light. Glare light is counter-productive, for you need ten minutes for your night vision's sensitivity to increase a hundred-fold, but a full forty minutes for it to reach a thousand-fold sensitivity, compared with your daytime vision. Only then can you really see at night.

When outdoor lighting is usefully directed to the ground, you can often use a lower wattage bulb and save money as less of your light is thrown away.

"Glare-bomb" Lights Do Not Provide Security

No Globe Lights -- those pole lights that are all glass, are bad "security" lights that prevents you from seeing in the shadows. These lights are nicknamed "glare bombs" for the almost all directional light they irradiate and are inherently less than 50% efficient. Their lack of shielding creates bright glare lighting that causes your pupils to constrict. Pupils in our eyes are miniature apertures or openings in front of lenses. The more open they are, the more light they let in. Our eyes also have a natural defensive reaction to strong lights. They constrict the pupils in the presence of strong light. This reduces the amount of the light that enters your eye, including that light comes to us from inside shadows. Hence an attacker can become better hidden because of a nearby, exposed, glare-bomb, light. However, when lights are shielded, less offensively directed light enters our eyes, so our pupils open up more, which allows us to see into darker areas.





As a demonstration, use your mouse cursor to block the light in the picture on the left and find the intruder in the picture. Shielding lights makes an enormous difference between only "feeling" safe and actually "being" safe. Glare bomb lights make you only feel safe, because after all you may think that "with all this light around here, nothing is going to happen to me", yet it is what is lurking in the shadows that you are now blinded to that can cause you problems. Shield the lights and now you have a much better chance to see what is in the shadows and hence *actually become safer*. These two images are distributed by the International Dark Sky Association and are gratefully displayed with permission from the photographer, George Fleenor.

On the above right is a decorative, unshielded light that illuminates the exterior of a house, the house's driveway and car, the eaves of the house, the next house over, the houses across the street, and space beyond. Coming home to such a blinding light compromises your night vision. In such a blinded state, with your pupils constricted, are you ready to see if there is an intruder lurking around the corner as you head to the front door?



Now you see them and then, **CAN you see them?** -- Here, too, you can move your mouse cursor over this image and observe as this person, initially standing on the path, moves to a new location in front of you. Here again, unshielded globe lights, or "glare bombs", compromise your safety. Shielding lights makes an enormous difference between a "false perception of safety" and "actually being safe". The glare that globe lights create blinds you to what is hidden in shadows, often directly under them, which is where the person moved to in the second picture. The person is directly below the light. These images are even more startling when one realizes that the person is wearing a white shirt and so, with the exception of the new location, is not really trying to hide. When you find the person you may note that, in fact, you can see that their white sneakers are in front of the light's pole. So the person isn't even hiding behind the pole and yet is still very difficult to see! The only thing that the globe lights seem to do well here is to illuminate the tree branches. Makes one wonder if they were worth the money spent to buy, install and run them. Shielded lights give you a much better chance to see what is in the shadows and hence *actually help you become safer*. These two images were distributed by the International Dark Sky Association.

The G-to-g contrast -- To express what these images show so that people can understand them better or maybe even take measurements so they can avoid creating a similarly unfortunate lighting situation, what is needed is to measure the source's glare intensity and compare it to the light reflected up from the ground. This gives us a "**glare-to-ground contrast ratio**". If this ratio is high, then the lighting situation creates too much glare to see what is needed to be seen on the ground. Once again from the basic definitions of good lighting, we need to see what is being lit, not the light itself. Too high and the glare can become literally oppressive, very much like what is used in intense interrogation techniques. When the glare-to-ground contrast ratio is low, then we've achieved a comfortably lit and very useful lighting situation that does not cause problems elsewhere.

In general, the guiding principle to good lighting can be summed up in this concept:

"No light should ever be emitted above the light source's horizontal plane."

Once this simple guideline is followed, a great deal of the problems regarding light pollution are immediately dealt with and solved.

Glare and Light Pollution Can Give Rise to and Increase Crime

What follows are some quick stories about how light pollution, or at least glaring lights, can give a rise to local crime levels, and how its absence can help drive the levels down. Remember: **criminals need light too!** Just because the lights are on, does not ensure that crime goes away. After all, what is the point of lighting an area, if there is no one around to stand guard watching the area concerned?

There are those that continue to believe that more lighting leads to more security and less crime. It is so often repeated in that it has almost become a mindless mantra of the lighting industry and cliché with their TV commercials. If one extremizes this view, then one comes to the conclusion that times with the greatest amount of lighting must then have the least amount of crime. However, the following data from the FBI may then be seen as a strong piece of consistent evidence against that thinking.

FBI Residential Burglary Crime Statistics for 2004 - 2013

Source: http://www2.fbi.gov/ucr/cius2009/data/table_07.html and at <http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2010/crime-in-the-u.s.-2010/download-printable-files>

The Federal Bureau of Investigations, U.S. Department of Justice. Washington D.C.

Question: does light inhibit crime? Well, one way to answer that is to look at data from the FBI of when acts of crime had occurred. An obvious trend in these FBI statistics seems to indicate is that police are figuring out more and more of when residential burglaries occur. TV shows and commercials present scary scenarios of a burglar coming in the middle of the night over and over again, that it makes for great drama that so plays to our primal fears. The FBI's data reports, however, that now over half of residential burglary crime actually occurs during the bright daytime, when most people are away from their homes at work and when criminals are up. Here are the percentages based on the stats that the FBI reports for the years 2004 to 2013.

My own read on this data is that deadbolt locks are a better investment for your home security than any light on at night. Light does not prevent burglaries. Criminals need to see what they are doing. If light was a true preventative, then no crime should occur at all during the bright day time. However, that is not what the data shows. So, don't help criminals out with lights on at night. Make criminals point themselves out by forcing them to carry a flashlight!

Classification Residence Burglaries:	2004 ¹	2005 ³	2006 ^{2,3}	2007 ⁵	2008 ⁵	2009 ⁵	2010 ⁵	2011 ⁶	2012 ⁷	2013
Total:	1,409,253	1,417,440	1,453,870	1,486,405	1,567,682	1,599,047	1,602,056	1,628,656	1,571,635	1,425,732
Night	28.78%	28.42%	28.47%	28.52%	27.96%	27.89%	27.81%	27.16%	27.34%	27.69%
Day	47.28%	47.24%	48.78%	49.95%	51.52%	51.26%	51.51%	52.76%	53.00%	52.97%
Unknown	23.94%	24.34%	22.75%	21.53%	20.52%	20.85%	20.69%	20.08%	19.66%	19.34%

¹ 2004's numbers came from the 2008 UCR report, which was at: http://www.fbi.gov/ucr/cius2008/data/table_07.html

² The FBI reports that these years the numbers have been adjusted. From the prior's years UCR report, the numbers have gone up by 0.58%, 0.37%, and 0.28%, respectively.

³ The revised 2005 - 2009 numbers can be accessed at http://www2.fbi.gov/ucr/cius2009/data/table_07.html.

⁴ The 2010 numbers can be accessed in Table 23 at <http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2010/crime-in-the-u.s.-2010/download-printable-files>.

⁵ The 2011 numbers can be accessed in Table 7 at <http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2011/crime-in-the-u.s.-2011/tables/table-7>.

⁶ The 2011 numbers have been updated and can be accessed in Table 7 of the Property Crime Offences of the FBI's Uniform Crime Reports for Crime in the U.S. 2012.

⁷ The 2012 numbers have been updated and can be accessed in Table 7 of the Property Crime Offences of the FBI's Uniform Crime Reports for Crime in the U.S. 2013.

U.S. Home Burglary Rate: "1 in 15 homes a day"?!?!? -- BOGUS!!

So I recently got a phone call from a telemarketer that wanted to sell me a home security system. She started off the call with the statement of "Did you know that 1 in 15 homes in the U.S. are broken into a day?" Which seemed to me to be very absurd. Their computer phone connection was poor, so it did not continue. Afterwards, I thought about what was said and realized that statement implied that, on average, every home in the U.S. would be burglarized:

$$\frac{365.25 \text{ days}}{\text{year}} \times \frac{1 \text{ burglary}}{15 \text{ homes} \times \text{day}} = \frac{24.35 \text{ burglaries}}{\text{home} \times \text{year}}$$

I doubt anyone in the U.S. has to continually deal with two home break-ins a month! I then wondered what the actual rate would be and realized that with the research that I have been doing regarding issues about light pollution, I already had the numbers, all I had to do was to do the very simple math!

So the numbers come from the above FBI statistics for 2012 and those reported on the Light Pollution vs. Economics page, specifically the article about the Total Electricity Cost of Wasted Outdoor Lighting, United States - 2012. In it is the reported "Number of U.S. Residential Consumers" is the first number in the chart. This number is not actual total number of homes in the U.S. It is just the number of U.S. residential customers of electrical companies, but I figured that it was quite close enough to get an idea of the reality of the burglary rate in the U.S. So for your curiosity, here is the math:

$$\frac{1,571,635 \text{ residential burglaries in 2012}}{126,832,343 \text{ residential consumers} \times 365.25 \text{ days/year}} = \frac{1 \text{ burglary}}{29,476 \text{ consumers} \times \text{day}}$$

So, on average, 1 home out of 29,476 will get burglarized a day. That also comes out to be 1 home out of 80.7 will get burglarized a year. While, it certainly says that you should do things like put in good locks on your home's doors AND use them, it is a far, FAR cry from the bogusly declared "1 out of 15 homes a day" that the telemarketer claimed! (Additional tips are found down below in the What to do Before the Burglar Comes article.

So next time you get that telemarketer phone call, you'll be prepared with some numbers for your rebuttal.

Sussex CCTV scuppered by street lights

Source: http://www.theargus.co.uk/news/5019988.Sussex_CCTV_scuppered_by_street_lights/, United Kingdom, Feb, 2010.

Chie Elliott and Rebecca Evans

The Argus

One example of glare lights interfering with security comes from Britain. According to "The Argus" in the city of Brighton in Sussex county, three "yobs" vandalized a bookstore, causing 1000 pounds damage. The police there cannot identify them, even though the security cameras clearly show the vandals and their actions, because of the glare coming from nearby streetlights prevents them from being clearly identified. Not only did the "yobs" get away with the crime, but someone spent quite a bit of money on a CCTV system for no benefit at all.

Dimming the lights - a Greenpoint blog posting

from Margaret Hartley

Published Monday, November 14, 2011 In Greenpoint - a community blog In The Daily Gazette of Central New York State.

Source: <http://www.dailygazette.com/weblogs/hartley/2011/nov/14/dimming-lights/>

Margaret Hartley of The Daily Gazette of Central New York State has reported that towns across the country have been either removing or just cutting back on their street lighting, saving their budgets hundreds of thousands of dollars!

And yet their police departments have not reported any increase in crime.

"I had the police chief work up the crime stats, and found that most of our burglaries are taking place during the daylight hours."

- Detroit Mayor Hubert Yopp as reported in the Detroit News newspaper.

Rockford, IL removed 2,400 of their streetlights, for a savings of about \$500,000 from the city's street lighting bill of \$2.7 million. Their police chief said he's seen no evidence that crime increased since the streetlights were removed.

Burglars afraid of the dark? Crime falls when U.K.'s Bristol street lights are turned off

Published Friday, November 25, 2011 In The Bristol Post.

Sources: <http://www.thisisbristol.co.uk/Burglars-afraid-dark-Crime-falls-Bristol-street/story-13952633-detail/story.html#bzz2bn2NowHL>

POLICE in the Bristol area have made a startling discovery - burglars are scared of the dark.

Various locations have switched off their street lights automatically from about midnight to 5am. Of course, the towns have found that they are saving money in taxes. But in anticipation of public reactions to the street lighting switch offs, their police departments have been monitoring the crime rates in those areas. Their results have been coming in.

"The police have told us they have not seen any notable increase in crime. In fact, in some areas, there has been a reduction of 20 per cent. I understand from the police that burglars don't like it when it's dark. They like to be able to see their escape route and they like to 'case' a premises before they strike. They would attract too much attention if they were using torches."

- Cadbury Heath Councilor Ron Hardie

Police figures show that in Bradley Stoke, the crime rate fell by 17%, in Thornbury by 28% and in Frampton Cotterell, the crime rate has gone down by 50%, compared with a year prior to the reports.

U.K.'s Herts Police Support Street Lights Turn-Off

Published: Saturday, April 14, 2012 In The Herts and Essex Observer.

Source: <http://www.hertsandsexobserver.co.uk/News/Bishops-Stortford/Police-support-street-lights-turn-off-13042012.htm>

The towns of Broxbourne, Watford, Three Rivers and Welham Green have switched off their street lights automatically from about midnight to 6am. After looking at the evidence, the area's authority's scrutiny committee concluded there was nothing to suggest crime levels have been affected.

"I'm pleased that the analysis has shown that there is no correlation between crime levels and changes to street lighting and trust that this finding provides reassurance to the public. In fact, Herts has seen an overall reduction in crime levels of over 6%, compared to the same period last year. However, we are never complacent and will continue to monitor trends to ensure that crime continues to reduce and that communities feel safe."

- Committee chairman Sue Warman

This scheme's benefits have not only achieved a reduction in crime, but by also switching off up to 80% of their lights, they will save an estimated £1.3m a year and reduce carbon emissions as well.

Disagreement over "Crime spike as lights are switched off in Eastbourne and Hastings"

Published: Sunday 23rd June 2013 In The Argus.

from Finn Scott-Delany, Senior Reporter

Source: http://www.theargus.co.uk/news/10502916.Crime_spike_as_lights_are_switched_off/

While Resident Association members blame that their street lighting switch off has caused a spike in crime, the local police have a different viewpoint. The police blamed unsecure homes and cars for recent crime in Peacehaven and Telscombe, not due to changes to street lighting.

"A number of cars and houses which have been broken into were insecure so we are asking people to double-check their security. We have recently arrested a number of people for various offences. One recent success was charging a 46-year-old man with two counts of burglary. The number of reported crimes in the district has reduced by 8 per cent in the last year."

- Sergeant Jenny Abura

In enacting this street lighting switch off plan, the East Sussex County Council hope to save £885,000 over three years by reducing energy, maintenance costs and light pollution.

"Dark Campuses" - Night Time Black Out Deters Vandalism

Source: <http://www.peninsula.wednet.edu/conservation/Energy/dark%20campus.htm>

Peninsula School District, Gig Harbor, Washington.

It turns out that vandals need lights, too, especially to display their "work"! While this reprinted site from the California Energy Extension Service has no date on it, it does mention some reports of different school districts REDUCING vandalism by turning the lights off! Battle Ground School District in Clark County has reduced vandalism to almost zero with a policy to darken their campus after 10:30 p.m. as had other districts.

"We are not aware of any school districts where blacking-out campus coincided with an increase in vandalism, burglary, or arson. There has not been an increase of such incidents in our district during the hours of total darkness. It seems logical that a blackout discourages youth from entering campuses — they have as much fear of the unknown as anyone else. In case of burglars, any light shown on a campus is cause for suspicion on the part of neighbors and police."

— Bill Bakera, retired Associate Superintendent for the East Side Union High School District in San Jose, who pioneered an energy savings program that has saved over a million dollars per year.
(Source: California Energy Extension Service, no date mentioned)

In early August, 2011, I had asked a veteran police officer from the city of Milwaukee, Wisconsin, about the topic regarding locations of vandalism and nearby lights. He told me that from his experience, the situation in a general and broad context is not as simplistic as the above report makes it seem, but considering the particulars of the above situation, it does not really contradict it either.

I had asked whether he had observed if vandals worked their art on surfaces that was only illuminated by a nearby light. The thinking is that if it is too dark, then the vandals should not be able to see well enough to bother working. He reported that this was not so for more experienced vandals. They seem to be able to make their work in lit or dark conditions. But, he did think that it was rather true for younger and more inexperienced vandals. This makes sense for the Gig Harbor story, as those that may try to vandalize a school would probably be those that attend it.

As a counterpoint, consider this report from CNN.

In the report, it shows gangs vandalizing buildings, particularly lit up buildings that the gangs perceive belong to upper classes, because they are frustrated with their own economic situations.

But from a different point of view, not only do streetlights obviously allow the gangs to congregate like the report shows, but the lights on the buildings provide a huge canvas for them to highlight their work. They are even apparently willing to risk their lives to do so. Lights on the buildings creates quite a vain statement that, in a way, is almost begging to get vandalized, especially as some of these members live in bad conditions right across the street from the buildings.

While I can understand and sympathize with the gangs' frustrations, vandalizing buildings is not going to change their own economic situations. And as for the building owners, you may want to consider that a better security plan might just be to simply remove the lights, "un-lighting" the way for these gangs to climb up the buildings and save the expense of the electricity bills.

C

The Chicago Alley Lighting Project: Final Evaluation Report

Source: <http://www.lcjia.state.il.us/public/pdf/ResearchReports/Chicago%20Alley%20Lighting%20Project.pdf> April 2000.

Erica N. Morrow and Shawn A. Hutton

Research and Analysis Unit, Illinois Criminal Justice Information Authority, Chicago, Illinois.

The following review is of a very interesting report by the City of Chicago in their attempt to reduce crime by increasing the lighting levels on the streets and alleys. What is specifically interesting about this report is that it is more scientific in its data collection than others I have read about. In which, they compared two different city areas that had very similar characteristics with respect to demographics, socio-economic status and crime, and measured the results of both areas as they increased the lighting in just one area. In doing so, they actually provided an experimental area and a control area to their investigation.

What their results showed was actually the reverse of what they expected. Here are some details:

The Goals - In October of 1996, the City of Chicago's Mayor's Office and the Dept. of Streets and Sanitation began a multi-stage plan to reduce crime through improved street and alley lighting. The first part of the plan sought to upgrade and improve the city's 175,000 streetlights, which illuminate the arterial and residential streets. The second part of the plan involves repairing and upgrading the lighting in and around viaducts and Chicago Transit Authority stations. The final part of the plan has been to boost lighting levels in alleys across the city as a tool for public safety and fighting crime.

The Changes Made - In the past, 90 Watt lights illuminated most city alleys. The Dept. of Streets and Sanitation increased the alley lighting levels by installing new fixtures to accommodate 250 Watt bulbs. The intent of the program was to increase feelings of safety and decrease crime in the alleys surrounding Chicago's residential and arterial streets by increasing the wattage and number of alley lamps.

The Evaluation - The Illinois Criminal Justice Information Authority was directed by the General Assembly to undertake an evaluation to assess the impact of increased alley lighting on crime. Specifically, this evaluation attempted to measure the effect of increased alley lighting on crime rates in two eight square block areas, with particular emphasis on crimes that were most likely to have occurred in alleys. The 28th political ward (Police District 11), the area of West Garfield Park, served as the experimental area and received increased alley lighting beginning in August 1998. The 16th political ward (Police District 7), the area of Englewood, served as the control area and did not receive increased alley lighting during the study period, but did receive some improvements afterwards in May 1999. Both the experimental area and the control area were very similar with respect to demographics, socio-economic status and crime. The evaluation did not examine public fears or perceptions.

The Hypothesis - While it was not anticipated that alley lighting would deter all types of crimes, some crimes may be more susceptible to the unique characteristics of an alley. Therefore, violent crimes (homicide, criminal sexual assault, robbery, assault) and property crimes (burglary, theft, motor vehicle theft, arson) were examined initially. Researchers also focused attention on a third crime category called "non-index crimes," such as prostitution, damage and trespass to property and vehicles, gambling, and drug/liquor/weapons violations. Previous research suggested that these forms of non-index crimes are the offenses that may show the majority of change when additional lighting is installed, due to their nature. Additionally, alley lighting can only plausibly affect crimes that occur after dark,

and only where the lighting was installed. Based on these factors, the basic research question was whether or not the increased alley lighting resulted in fewer alley crimes after dark in the experimental area overall. These results were also compared to a control area. A comparison between incidents reported during the daytime and those reported at night was also made.

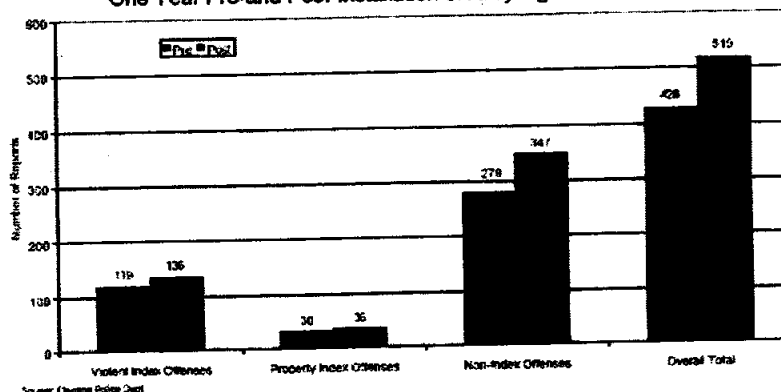
What Was Tested - The researchers first examined the change in the experimental area that received increased alley lighting over a one-year period prior to increased alley lighting and a one-year period after the change. Then they also examined the change for over a six-month period before and after the experimental area's increased alley lighting and in the control area that did not receive the increased lighting to determine differences between the two areas. Only six comparable months of data of the control area were used as the alley lights were already improved in it by the time analysis began. Regardless of whether the one year analysis revealed a localized impact on crime in the experimental area or not, it is possible that improved alley lighting had an effect on the experimental area when compared to another area of the city that did not receive the lighting. Finally, variations in offenses that occurred during the day versus those that occurred at night were examined, based on the reported time that the incident occurred.

Remember, this change caused a nearly continual threefold increase in the electricity consumption and expense for the city and its tax payers. However, this probably would not achieve what the city leaders expected or planned as the result, for people's vision does not appreciate light at the same rate as electrical costs go up. This point is covered in our light pollution vs. astronomy web page. This change also had the hidden expenses of increase of sky glow, which accompanies a decrease in the quality of life for residents and sleeplessness in city residents, probable increases of breast and prostate cancer risks in city residents, along with possible increases in obesity of city residents. I do not know how much of the environment is left in Chicago, however, outside it, plants and animals even further away than before the change would also be affected.

So, was all of their effort worth it? Well ...

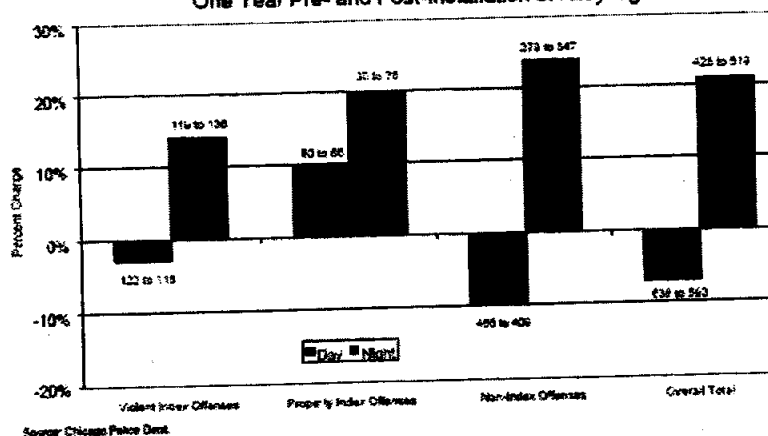
Before and After Experimental Results - The figure shows the total number of incidents, as well as the specific violent, property and non-Index crimes in the experimental area of West Garfield Park for one year before and after alley lighting installation. The numbers and percentage increases for this area are based on data that only represented those reported incidents that took place at night and in alleys. When the number of reported incidents for this one year analysis was examined, the data indicated that there were 428 total incidents reported in the pre-installation period and 519 total incidents in the post-installation period - an increase of 21% in reported incidents occurring the night between the pre- and post-period test. Each of the three crime categories experienced an increase in the number of reported incidents between the pre- and post-installation period. Violent Index offenses increased 14% (119 to 136), property Index offenses increased 20% (30 to 36) and non-Index offenses increased 24% (279 to 347). Of the non-Index offenses, it was the Substance Abuse Violations that contributed the most to the increase (161 to 243), a 51% increase.

Change in Reported Incidents in Experimental Area:
One Year Pre-and Post-Installation of Alley Lights All Offenses



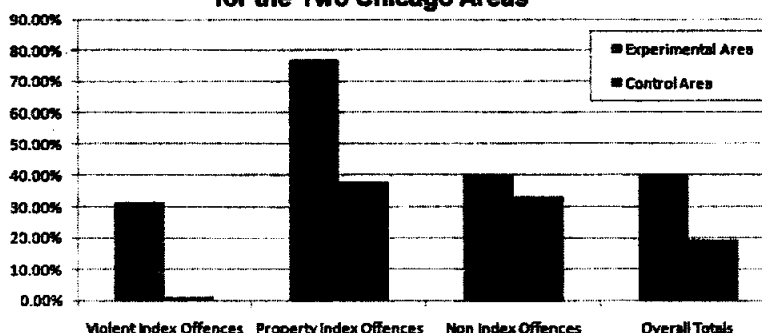
Comparing Day and Night Experimental Results - A comparison was also made of the number of reported incidents during the day to the number of reported incidents at night in the experimental area. Again, there was the 21% increase in reported evening incidents that occurred in alleys (428 to 519), but when daytime offenses were analyzed, there was a 7% observed decrease (638 to 593). The net total of offenses comes to 1066 for pre installation to 1112 for post installation, a 4% increase in all reported incidents. Non-Index offenses, which account for the majority of both day and evening reported incidents, showed a similar trend. Reported non-Index offenses that took place during the evening increased 24% (279 to 347), while daytime incidents decreased 10% (456 to 409). Net totals: 735 pre to 756 post, a 3% increase in non-Index crime. Again, the number of substance abuse violations influenced the increase of overall non-Index offenses. The number of evening reported incidents involving substance abuse violations increased from 162 to 243, a 50% increase. However, the reported substance abuse violations that occurred during the day did not change. These findings may suggest an increase in the reporting of offenses created by better alley lighting or it may suggest that the better lighting conditions provides an attraction for criminals to act at night. This especially seems apparent due to the decrease in their daytime activities.

Day/Night Comparison of All Reported Incidents in Experimental Area:
One Year Pre- and Post-Installation of Alley Lights



Day and Night for Experimental and Control Comparisons - A comparison was also made in the number of reported incidents during the day to the number of reported incidents at night in both the experimental and control areas for six months prior to improved alley lighting installation in the experimental area and six months after. Both the experimental and control areas saw increases in reported incidents at night and decreases in reported incidents during the day. The following chart compares the percentage changes for reported incidents of crime between the experimental and the control areas. A breakdown of non-Index offenses showed that reported substance abuse violations during the evening increased from 77 to 123 (60%) in the experimental area, but daytime violations decreased from 187 to 152 (19%). Net totals: 264 to 275, a 4% increase in substance abuse violations. Reported substance abuse violations in the control area increased from 30 to 52 (73%) during the evening, but also decreased from 69 to 33 (52%) during the day. Net totals: 99 to 85, a 14% decrease in substance abuse violations in the control area.

**Percentage Increases of Crimes
from Before Lighting Installation to After
for the Two Chicago Areas**



Summary - they found that:

- The experimental area had an increase of 21% in reported offenses between the year before and the year after the test, with substance abuse showing the greatest increase.
- Increasing the alley lighting, contrary to expectations, effected crimes during the day by decreasing them. As it was now easier for criminals to see at night, why commit crimes when everybody is up and about during the daytime?
- Substance abuse violations underwent the greatest changes in activity, predominately by increasing activities at night due to the increased lights.

Conclusion - Whether or not the increased lighting levels *showed more crime occurring* so that it could be reported to police, or the increased lighting *attracted criminals so that they could see what they were doing and what was going on around them*, the clearest statement that one could make on this is these findings is that **the increased lighting did not deter crime**. In fact, not only was there no suppression on criminal activity, but the activity level seemed to increase as a result of increased alley lighting, as reported by the Chicago Police Department.

Once again, criminals need light too. They prefer to act at night because the rest of the populace, being at home asleep, is not looking. Substance abusers, however, especially need to be able to see their veins in order to "shoot up". How long will it take for people to accept the idea that we light up the night, only because of primal fear of it, not because of the fact it does anything?

Postscript - Remember that the "achievements" of this effort do not just affect the citizens of Chicago security. It also affects their wallets, health and environment. But I do not have to show that here. Folks closer to the city in question are probably better able to explain what is happening to them. The Illinois Coalition for Responsible Outdoor Lighting covered the expense of the city's lighting on their page.

Post Postscript - Lighting Progress in Illinois, USA -- Illinois resolution HR #0884 passed the full State House of Representatives unanimously on March 17th, 2010. Read the full resolution [here](#).

Illinois, you are taking a step in the right direction!

Preventing Crime: What Works, What Doesn't, What's Promising

Source: A Report to the United States Congress

Prepared for the National Institute of Justice

Lawrence W. Sherman, Denise Gottfredson, Doris MacKenzie, John Eck, Peter Reuter, and Shawn Bushway

in collaboration with members of the Graduate Program

Department of Criminology and Criminal Justice, University of Maryland

The myth is that "Security Lighting will reduce crime in urban outdoor areas." The report to Congress said,

"- the effectiveness of lighting [as a crime deterrent] is unknown. Results are mixed. We can have very little confidence that improved lighting prevents crime, particularly since we do not know if offenders use lighting to their advantage."

The authors examined different studies of the effects of adding lighting to particular areas that were considered to be highly prone to crime. The studies covered a nearly twenty year span of time and found that very little could actually be said about the data. One big problem is that most of the studies did not look at or even have "control areas", an area that was similarly highly prone to crime and yet did not have any change in its lighting. As such, each study could only tell of before and after lighting changes. Wouldn't that tell if a new lighting plan worked? Well no. For there could have been other simultaneous factors that also contributed to the change in crime. Maybe a crime prone area was caused by a small number of very active criminal actors. A change in just one of those could easily account for some of the slight changes seen.

Indeed, some of the studies reported that the residents did not feel any safer, even with the new lighting. And that fact tends to be one of the biggest problems with lighting. Often the only result of more lighting is that people **FEEL** safer, but how does one measure if people actually **ARE** safer? A direct quote from the study contains the following:

"We may speculate that lighting is effective in some places, ineffective in others, and counterproductive in still other circumstances. The problematic relationship between lighting and crime increases when one considers that offenders

need lighting to detect potential targets and low-risk situations (Fleming and Burrows 1986). Consider lighting at outside ATM machines, for example. An ATM user might feel safer when the ATM and its immediate surrounding area are well lit. However, this same lighting makes the patron more visible to passing offenders. *Who the lighting serves is unclear.*"

One of the sources of the problem with people's *feelings of safety* and the effectiveness of lighting efforts is the fact that people's perceptions of lighting levels is logarithmically based meaning it grows slower than the actual amount of light that is given off. This fact is explained in the section on Astronomy, Our Perceptions of Light, and the Impact of Light Pollution.

In comparison to our perceptions, the expense of electricity is directly linear. Thus the electrical costs go up much faster than what people can or will appreciate of the lighting.

As if just to prove the example of the above theory, the following are two stories of actual robberies that did take place at ATMs.

The Story of ATM Robbery Victim, Hudson, Mass.

Source: WCVB TV 5 The BostonChannel, an ABC affiliate., Jan 2004.

A woman in Hudson, Mass., was robbed at knifepoint at an ATM machine alone late at night. "I decided to stop at the ATM because it is in a well-lit area and it looks very safe and the police drive by and there were plenty of people around," the Hudson woman said. The woman said she stopped at a freestanding ATM located at the Hudson Shopping Center at Washington Street and Technology Drive. As she was preparing her deposit, she said a man wearing a mask approached the kiosk.

"Somebody was coming in with a Halloween mask on, and I just froze and processed it for a second and then this person entered and had a knife," she said. She said the ATM was like a closet with no way out.

"I just closed my eyes and blocked my ears and kept my face to the wall and kept saying, 'Just take my money. There is a lot there for you, don't take my life.' Afraid can't even describe it. I felt like I was seeing myself on a video camera in a horror movie," she said. The alleged victim said she hopes her experience can help prevent others from becoming victims, too. "I saw a well-lit area and I thought, no problem, what would happen here? And I want people to just not look at this and change the channel. I want people to stop and think for a second that this happens, and there is no place that this can't happen," she said.

Woman attacked, robbed making ATM deposit in Boynton Beach, FL

Source: WPEC CBS 12, West Palm Beach, FL, Oct. 8th, 2010.

A 26 year old woman was robbed at gunpoint at an ATM outside the Bank of America at 105 N. Congress Ave. on around 2:50 a.m. on Oct. 4th. She had just made her deposit when two men approached her demanding money. She argued with them, arguing that there were cameras there. She was ordered to "take the money out and show us what you got." She begged not to be robbed and tried to walk away when they attacked her. They hit her in the head and tried to shove her in her car. They shot a round into the ground, before hitting her in the stomach, which made her drop her wallet. They searched it, but did not take anything and fled.

While the victim may be right that there were cameras about, their use is horrible. Look at the picture and note what you can see there. You can see her face and the lights in the ceiling behind the men. But you can NOT see the attackers' faces! *And someone designed the layout this way?* Was it never tested for the safety of its users, at night!? This is yet another example how glaring lights create shadows that criminals, without even trying, can use to their advantage.



If anyone knows any information about this incident, please submit it via www.bbpd.org or call Crime Stoppers of Palm Beach County at 800-458-TIPS.

What to do Before the Burglar Comes

Source: The Washington State Crime Prevention Association

Walla Walla, Washington

It is not if the burglar comes, but *when*. Because, say the statistics, the burglar is coming. Down your street and looking for easy targets. This page has a number of tips in it that helps you to prevent criminals from coming to your home.

Nowhere, however, does it say on their pages that one should bath their yards in bright, glaring light!

The tips that they do provide are:

- Make Your Home Look and Sound Occupied
- Be Pro-active in Watching Out for Your Neighbors
- Install Good Locks and USE Them
- Change Locks at the Drop of a Threat
- Don't Welcome Burglars by Telephone
- Don't Open Your Door to Anyone Who Has No Business Inside
- Don't Reward the Burglar Who Does Get In
- Use Alarms

The page provides basic security precautions will make your home less inviting as a target. And that's the whole idea! So share them with friends and neighbors. And leave the lights off!

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Lighting, Crime and Safety

There is no clear scientific evidence that increased outdoor lighting deters crimes. It may make us feel safer, but has not been shown to make us safer.

A 2015 study published in the Journal of Epidemiology and Community Health found that streetlights don't prevent accidents or crime, but do cost a lot of money. The researchers looked at data on road traffic collisions and crime in 62 local authorities in England and Wales and found that lighting had no effect, whether authorities had turned them off

completely, dimmed them, turned them off at certain hours, or substituted low-powered lamps.

According to the study, "[W]hen risks are carefully considered, local authorities can safely reduce street lighting saving both costs and energy ... without necessarily impacting negatively upon road traffic collisions and crime."

According to a 2011 study of London street lighting and crime, there is no good evidence that increased lighting reduces total crime." A 1997 National Institute of Justice study concluded, "We can have very little confidence that improved lighting prevents crime."

The truth is bad outdoor lighting can decrease safety by making victims and property easier to see. A Chicago Alley Lighting Project showed a correlation between brightly lit alleyways and increased crime.

In fact, most property crime occurs in the light of the day. And some crimes like vandalism and graffiti actually thrive on night lighting.

A dark sky does not necessarily mean a dark ground. Smart lighting that directs light where it is needed creates a balance between safety and starlight.

Brighter Does Not Mean Safer:

According to a 2012 report of the American Medical Association, "Glare from nighttime lighting can create hazards ranging from discomfort to frank visual disability."

Outdoor lighting is intended to enhance safety and security at night, but too much lighting can actually have the opposite effect. Visibility should always be the goal. Glare from bright, unshielded lights actually decreases safety because it shines into our eyes and constricts our pupils. This can not only be blinding, it also makes it more difficult for our eyes to adjust to low-light conditions.



Glare from bright, unshielded lights actually decreases safety. Photo by Jim Richardson.

2016 CANYON ROAD MOTOR VEHICLE INCIDENTS

05-20	MV Collision (one injury)	Canyon & Paseo de Peralta intersection	11:51 AM
08-27	MV Collision (no injury)	Canyon & Paseo de Peralta intersection [sunset at 7:37 PM]	6:03 PM
12-15	MV Collision (no injury)	Canyon & Paseo de Peralta intersection	12:32 PM
07-22	MV Collision (priv prop)	225 Canyon	7:56 AM
08-01	MV Collision (priv prop)	225 Canyon	9:36 AM
09-09	DUI	600 Canyon at Cam Escondido	1:05 PM
02-19	MC Hit & Run	613 Canyon	11:09 AM
02-26	MV Collision (priv prop)	653 Canyon	8:06 AM
08-13	MV Collision (no injury)	716 Canyon	12:19 PM
05-20	MV Collision (priv prop)	729 Canyon	11:42 AM
04-18	MV Collision (priv prop)	821 Canyon	12:33 PM
05-21	MV Collision (no injury)	822 Canyon	8:26 AM
12-21	MV Collision (no injury)	900 Canyon at E. Palace intersection [sunset at 4:54 PM]	6:59 PM

2016 CONSOLIDATED SUMMARY:

Total incidents: 13
 on city street 8
 on priv prop 5

Incident after sunset: 1
 Incidents before sunset: 12

Incident involving injury to person: 1

Pedestrian incidents: 0

CANYON ROAD STREET LIGHTS PROPOSAL

(Verified Facts; Inferences and Conclusions)

I. Verified facts (Source: Santa Fe Police Department Records Division)

A. In 2016, there were 8 traffic safety incidents on Canyon Road public access areas.

1. One incident, a non-injury motor vehicle collision, took place at night.

2. Seven incidents occurred during daylight hours.

a. One daytime incident, a motor vehicle collision at the intersection of Paseo de Peralta and Canyon Road, involved an injury.

3. Five additional incidents were reported on private property. All were motor vehicle collisions during daylight hours not involving an injury.

4. There were no reported pedestrian incidents.

B. In 2016, on the area of Canyon Road under consideration, there were two nighttime robberies of a pedestrian. No injuries were reported.

1. 233 Canyon [Caffe Greco]

2. 644 Canyon [Christopher Martin Gallery]

C. Three additional crimes, possibly involving violence, were reported. All three occurred during daylight hours.

1. 233 Canyon [El Greco] – Aggravated Assault

2. 233 Canyon [El Greco] – Aggravated Assault

3. 663 Canyon

II. Inferences and Conclusions

A. There are no data to support the existence of a safety problem on Canyon Road due to criminal or traffic (including pedestrian) activity.

B. There are no data or studies indicating that installation of additional street lights would reduce the possibility of such unsafe activity occurring.

C. Recommending a \$1 million capital expenditures initiative to the Governing Body in the hope of solving a non-critical problem with a speculative remedy is not justifiable at this time.

2016 CANYON ROAD CRIME INCIDENTS

05-26	Suspicious Person (no contact, no incident report)	225 Canyon	1:45 PM
03-24	Aggravated Assault	233 Canyon (Caffe Greco)	12:13 PM
05-11	Aggravated Assault	233 Canyon (Caffe Greco) [sunset at 7:59 PM]	7:05 PM
11-16	Robbery	233 Canyon (Caffe Greco) [sunset at 4:56 PM]	5:19 PM
09-26	Larceny	403 Canyon	11:17 AM
04-09	Burglary	600 Canyon	10:46 AM
05-26	Criminal Damage to Property	610 Canyon	4:03 PM
09-06	Larceny	622 Canyon	7:37 AM
12-06	Robbery	644 Canyon [sunset at 4:50PM]	7:13 PM
06-08	Larceny	662 Canyon	3:50 PM
09-06	Larceny	662 Canyon	9:36 AM
07-01	Assault	663 Canyon [sunset 8:23 PM]	7:16 PM

2016 CONSOLIDATED SUMMARY:

Total Incidents: 12
 Daylight hours 10
 After sunset 2 (both robberies, no injuries reported)

Total crimes of violence or potential violence reported: 5
 Daylight hours: 3 Assault – 1; Aggravated Assault – 2
 After sunset 2 Robbery – 2