



Agenda

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PUBLIC SAFETY COMMITTEE
Tuesday, November 18, 2008 4:00 PM
City Council Chambers
200 Lincoln Avenue, Santa Fe, NM 87501

1. Roll Call
2. Approval of agenda
3. Approval of October 21, 2008 minutes
4. Old business:
 - A. Informational- Revision of January 2009 Public Safety Committee Meeting date
5. New business:
 - A. Proposed resolution urging the New Mexico State Legislature to adopt gang related legislation. (Councilor Carmichael Dominguez, Police Chief Eric Johnson)
 - B. Roundabouts-Information, Questions and Answers. (John Romero, Engineering/Traffic Impacts)
 - C. Santa Fe Police Department Strategic Plan Mid-Year Report. (Police Chief Eric Johnson)
6. Matters from Municipal Court
 - A. Informational- Municipal Court October Report
7. Matters from Police Chief Eric Johnson
8. Matters from Fire Chief Chris Rivera
9. Matters from Committee Members
10. Communications from the Floor
11. Adjournment

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**MINUTES OF THE MEETING
CITY OF SANTA FE
PUBLIC SAFETY COMMITTEE
Tuesday, November 18, 2008**

A meeting of the City of Santa Fe Public Safety Committee was called to order by Chair Ronald S. Trujillo, on Tuesday, November 18, 2008, at 4:00 p.m., in the City Council Chambers, 200 Lincoln Avenue, Santa Fe, New Mexico.

1. ROLL CALL AND INTRODUCTIONS

MEMBERS PRESENT:

Ronald S. Trujillo, Chair
Herbert L. Harris, Jr.
Mike Mier
Peter D. Mizrahi
Henry Valdez
[Vacancy]

MEMBERS ABSENT:

Michael Bowen
Dr. Nancy Owen-Lewis
Frank Stuto

OTHERS PRESENT:

Deputy Chief Benjie Montano, Santa Fe Police Department
Shannon Cantu, Office Manager, Santa Fe Police Department
Melessia Helberg, Stenographer

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

2. APPROVAL OF AGENDA

MOTION: Herb Harris moved, seconded by Peter Mizrahi, that the Agenda be approved as.

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

3. APPROVAL OF OCTOBER 21, 2008 MINUTES

MOTION: Peter Mizrahi moved, seconded by Herb Harris, to approve the minutes of the meeting of October 21, 2008, as submitted.

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

4. OLD BUSINESS

A. INFORMATIONAL – REVISION OF JANUARY 2009 PUBLIC SAFETY COMMITTEE MEETING DATE

Ms. Cantu said the January meeting has been moved from January 20, 2009 to January 22, 2009, because of the Martin Luther King holiday. Responding to the Chair, Ms. Cantu said she polled the Committee and this date is okay.

5. NEW BUSINESS:

A. PROPOSED RESOLUTION URGING THE NEW MEXICO STATE LEGISLATURE TO ADOPT GANG RELATED LEGISLATION (COUNCILOR CARMICHAEL DOMINGUEZ) (POLICE CHIEF ERIC JOHNSON)

Deputy Chief Montano said this Resolution instructs staff to work with Legislators to try to stiffen the penalties against gang activity and gang members. He introduced Tamara Marcantel, New Mexico Gang Task Force and Captain Greg Marcantel from the Bernalillo County Sheriff's Office.

Chair Trujillo said the Resolution urges the Legislature to adopt some of the national gang related standards. He said he attended the Gang Task Force meeting and he learned a lot, and it did open his eyes. He thanked Ms. Marcantel for the work she has done.

Chair Trujillo asked to cosponsor Councilor Dominguez's Resolution.

Mr. Hamis asked for an overview of what kind of legislation is involved here.

Tamara Marcantel, Program Manager, New Mexico Gang Task Force said for the past four years, with the Governor's support, they have tried to pass two pieces of legislation, noting New Mexico is the only state in the southwest region that hasn't enacted some form of gang legislation. One bill was to provide penalties for people who attempt to recruit an individual to join a gang. The second bill was to provide additional enhancements for signature gang type crimes which was committed in benefit or furtherance of the gang,

Ms. Marcantel said some of the resistance at the Legislature is that some legislators believe the legislation is unconstitutional and violates a person's right to freedom of association. There also has been resistance to the definition of a gang, which is, "A group of three or more persons who share common signs or symbols and whose members, individually, or collectively engage in criminal activity." She said the argument against that definition is that you could be talking about the Boy Scouts or a basketball team that goes out in their uniforms and commit a crime which would be considered to be gang related. She said the legislation says it has to be a pattern of criminal activity and it's not one isolated event, and it's not them going in their basketball uniforms and committing a crime. This is not the purpose of the definition.

She said another argument is that it would require a bifurcated trial, one for the sentencing and one to prove that there is an actual affiliation. She asked Henry Valdez to comment about this.

Mr. Valdez said this legislation has been part of the Governor's Crime Package for the past four sessions and it always seem to die in Committee or on the floor. He asked if this will be part of the Governor's package this year.

Ms. Marcantel said they are working on it and doing lots of presentations statewide because of the interest which has developed and the lack of legislation. The New Mexico Municipal League has adopted a resolution supporting gang legislation, and they are working to get the Association of Counties to do the same. She said the NMML trying to find a sponsor for the legislation, but we don't know who that will be at this time.

Mr. Valdez said one bill would make it a crime to recruit gang members. The real issue is that gang members are being recruited as young as 9-11 years old, and there is no crime in that. The other bill does provide for enhancements for committing a crime in furtherance of the gang activity. He said some of the legal issues surrounding it have to do with what the jury needs to find and what the Judge needs to do before an enhancement can be imposed. He has analyzed the bill every time it has come through his office. He believes there are no fatal flaws in the bill, constitutional or otherwise, which would prevent it from being enacted. He said the majority of law enforcement agencies have supported it, as well as the District Attorneys and the Attorney General's Office, and various community groups across the State. He believes it would be good for this committee to go on record in support of this effort.

MOTION: Mike Mier moved, seconded by Herb Hughes, that this Committee support this legislation.

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

B. ROUNDABOUTS – INFORMATION, QUESTIONS AND ANSWERS. (JOHN ROMERO, ENGINEERING/TRAFFIC IMPACTS)

John Romero, Traffic Engineer, Public Works Department, noted at the last Committee meeting there were questions about roundabouts, and he is in attendance to answer questions. Mr. Romero said there are two roundabout-looking things in the City: a neighborhood traffic circle and an actual roundabout.

Mr. Romero said neighborhood traffic circles, such as in Tierra Contenta, Avenida las Campanas and other place, are traffic calming measures and built at intersections of local streets for reasons of traffic calming. The intersection approaches may be uncontrolled or stop controlled, and don't include raised channelization. Mr. Romero said there are roundabouts at Arroyo Chamiso/Botulph, Zafarano/Rufina, Zafarano/San Ignacio, Governor Miles and the County has two at Richards on the way to the Community College.

Mr. Romero said a roundabout is a circulated intersection with specific design features which

control entry speed angles, forcing entering traffic to yield to traffic already in the circle. He said a roundabout is used for capacity purposes in lieu of an all-way stop control and a signal, and its purpose is to move traffic in and out of an intersection in an efficient and safe way.

Mr. Romero said, with regard to controlling speed with channelization, a good roundabout design makes entering, circulating and exiting speeds consistent. In Santa Fe there are only single lane roundabouts, and he knows of no multi lane roundabouts anywhere in the State. He said a double lane roundabout is less safe than a single lane and the driver's decisions are more complex.

Mr. Romero said properly applied roundabouts have been demonstrated to be safer for motor vehicles and pedestrians than other forms of at-grade intersections, because it reduces the number of conflict points and injury crashes are generally less, but the proportion of single vehicle crashes typically are higher. He said there are more rear end or carom types of conflicts because it is consecutive right turns. It also reduces crashes because of the reduced speed of vehicles. He said bicyclists and pedestrians are involved in a relatively higher proportion of injury accidents at roundabouts. Roundabouts can reduce emissions because vehicles don't have to stop, and there is lower maintenance than traffic signals because there is no electrical hardware to maintain and replace.

Mr. Romero spoke about accommodating bicyclists in roundabouts. He said roundabouts can have bicycle lanes where bicyclists merge into traffic like a vehicle, or require bicyclists to get off their bicycles and use pedestrian crosswalks.

Mr. Romero said since all movements at a roundabout have equal priority, there could be excessive delay at a major street if a roundabout is placed where there is a major street and a minor street. Roundabouts are better suited for equal amounts of traffic on all the approaches, noting there could be delay on streets where there are timed traffic signals because they do interrupt progression. He said roundabouts are a good idea, but are not the answer to every intersection safety problem, noting each intersection must be considered individually. Mr. Romero said a roundabout the size of the one at Arroyo Chamiso can accommodate about 20,000 cars a day from all approaches, but multi-lane roundabouts are more complicated.

Mr. Valdez said he drives through roundabouts daily, and he would like accident data concerning roundabouts. He said his observation is that the public is generally unaware of the rules and he sees aggressive driving, noting people going straight don't think they have to yield to somebody already in the roundabout, or think they don't need to use their turn signals. He asked what can be done to educate the public on the rules of using a roundabout.

Mr. Romero said public education is a key point, especially since we've only had roundabouts for about five years, and a public education campaign is a good idea. He said the erratic behavior could be where there is a major street to a minor street and there is undue delay on the major street. He said we are in a mode of blanketing intersections with roundabouts, and believes we need to take a more cautious approach to apply them in the correct location.

Mr. Harris said the traffic circles are a mess where there are four way stop signs with a big circle in the middle, and questioned the purpose.

Mr. Herb Mizrahi said there are traffic circles at Campanas/Princessa Juana and one at Campanas as you pass the park going toward Rodeo Road, but there is no stop for the through traffic.

Mr. Harris reiterated that he doesn't see the purpose which is served where there are three-way or four-way stop signs with a circle in the middle, commenting that the roundabouts are great. He questioned how fire vehicles are able to get around the traffic circle at Campanas next to Rodeo Road.

Mr. Romero said he wasn't involved in the implementation of the existing traffic circles and the justification for those. He said he has noticed these problems, noting new ones haven't been built because of the problems. He said currently they are installing only speed humps because the traffic circles are becoming impediments.

Mr. Mier agreed there has been no education, and indicated he too would like information on traffic incidents. He doesn't recall anything about these in the DMV literature regarding drivers licenses.

Deputy Chief Montano said can get the accident statistical information for the next meeting.

Chair Trujillo asked why there is no tapered curb on the traffic Circle at Campanas, noting it was a problem for fire trucks until they got access to Siringo Road and asked if that could be done. He asked if there is thought of a four-way stop there, or is it too close to Rodeo Road.

Mr. Romero said staff has to follow the manual on uniform traffic control devices and an intersection has to meet warrants of volume, crashes and such. He could look at that criteria, and if it met the warrants, an all-way stop could be placed. He said, with regard to the curb, he understands the reason it isn't a rounded curb was to make it less desirable for the everyday traffic to drive over, but to still make it mountable for a fire truck.

Chair Trujillo said he spoke with Leroy and gave him schematics for speed hump design which would allow fire trucks to get through, and the diameter would be that of a fire truck. He asked if we have looked at those.

Mr. Romero said he is unsure if an official response has been prepared, but Leroy did bring that to their attention, and if an emergency vehicle wants to traverse the humps smoothly, they go to the middle of the road and straddle the middle hump. If they can do that, other cars can do that, and it is expected that cars would go to the middle and straddle the hump to continue at a faster speed. Responding to the Chair, Mr. Romero said it depends on the wheel base of the car as to whether they could do that, but they believe they can.

Chief Rivera said they have looked at those and a fire truck is larger than a regular vehicle, and the Austin Fire Department is using these with some success. The problem is that the ambulance service

is a regular car chassis, and it really wouldn't do anything to calm traffic. He said another problem is that there is nothing in Code which would allow the City to use something other than the roundabouts and speed humps specified, and it would require an ordinance change just to test those.

Responding to the Chair, Chair Rivera said they haven't looked at these particular humps, because of the ambulances and going over any type of hump is horrible for some patients. Currently they can't be used on priority one or two routes.

Mr. Valdez would like to see a plan for public education.

Mr. Romero said these are two separate issues – the roundabout and the traffic circle, and they both have different merits and problems. He said the roundabout would be easy to do. However, a recommendation could be to remove the traffic circles since we've learned they may not be accomplishing the goal in a safe manner.

C. SANTA FE POLICE DEPARTMENT STRATEGIC PLAN MID-YEAR REPORT. (CHIEF ERIC JOHNSON)

Deputy Chief Montano said the Department was asked to address five areas of crime prevention in Santa Fe: home burglaries, sexual assault and domestic violence, youth and gang crime. The Report before the Committee speaks to their efforts in this regard.

Deputy Chief Wheeler reviewed the "Santa Fe Police Department, Strategic Plan Progress Report," which is in the Committee packet. Please see this document for specifics of this presentation. He noted that the statistical information is included in Exhibits A, B and C to the Report.

Mr. Mier asked if the decrease in DWI and robbery arrests are because of fewer crimes, or because there was sufficient personnel and/or because there wasn't enough personnel and the arrests weren't made.

Deputy Chief Wheeler said, especially in the DWI, they had the personnel who were very proactive as well as he hopes it is the result of public education. He said they hit many different areas during the 100 days and nights, noting they had been somewhat stagnant in areas identified for DWI arrests. He said the new Lieutenant had a lot of creative ideas. He said on the front end of the 100 days and nights, they saw an increased number of arrests, but that decreased significantly toward the end. He believes the public information on the 100 days and nights was effective in prevention.

Deputy Chief Wheeler said we are definitely seeing a higher number of traffic citations being issued as well as parking citations. He said there are more officers and they are being proactive and looking for crime. He said the commanders overseeing the patrols are sending the message that the officers need to be more proactive, more productive and are looking at crimes to identify areas where there can be a higher presence. He said this has helped in all of the property crimes.

Mr. Mier asked if the police are seeing the residential burglaries in certain parts of Santa Fe reflect a decrease as compared to an increase in other sectors.

Deputy Chief Wheeler said Miquela, the Crime Analyst, tracks these. He said they are seeing an increase in residential burglaries in Area 6 in the southern part of the City, and this information is given to the patrol commanders. He said they go by area as well as the time of day and the day of the week. He said they are seeing the largest number of residential burglaries in Area 6 in the daytime on Tuesday

Deputy Chief Wheeler said when there is an increased police presence in one area which results in a deterrence of crime, unfortunately, sometimes they move a criminal element from one area of the City to another.

Chair Trujillo said in Albuquerque on Halloween there are police saturations on those people who prey on children, and asked if Santa Fe does this as well.

Deputy Chief Wheeler said there is no specific plan to look at pedophiles or sex offenders, but this is something they will look into. He said usually they concentrate police at the places where there will be the greatest concentration of children, especially at the malls.

Chair Trujillo said it is good to start with the children and "Casey Says" is a great program for the kids, noting his kids love it. He said education starts first with the children, so they know the police are their friends and not to do anything bad.

Chair Trujillo asked what the vacancy rate is at this time.

Deputy Chief Wheeler said Chief Johnson requested him to advise the Committee that the Department is down to three vacancies, with six good candidates scheduled for interview on December 11, 2008. Responding to Mr. Mier, he said the DPS Academy changed the training date to April. He said there are three people which are training in-house, and the department is hoping for a total of ten people to send to the academy. He said staff is in the process of implementing a pre-academy FTO program to put these individuals with a field training officer prior to the academy to get them ready for the academy, and get them on the street quickly after they attend the academy.

6. MATTERS FROM MUNICIPAL COURT.
A. INFORMATIONAL - MUNICIPAL COURT OCTOBER REPORT

Chair Trujillo noted the report is in the packet.

7. MATTERS FROM POLICE CHIEF ERIC JOHNSON

Deputy Chief Montano said he has no matters, other than the report on the vacancies. He said there are six people who can retire this year and six in 2008.

8. MATTERS FROM FIRE CHIEF CHRIS RIVERA

Chief Rivera reported as follows:

- ◆ The department is in the hiring process. Currently there are 12 vacancies, and the department usually waits until there are double digit vacancies to put on an academy. He is trying to hire 20 people, noting there are eight people who can retire at any time, and another two who can retire in early 2009. He estimated there will be about 300 applicants for the 20 positions.
- ◆ There were two significant fires, one on Lujan Street which burned a mobile home, and the other was the Queen Flea and the Highwayman, a gallery and furniture shop on Cerrillos, noting this fire is still under investigation.
- ◆ Fire Station #3 at Ashbaugh Park is ahead of schedule.
- ◆ There were patrols on Halloween with the fire engines and ambulances to be a presence and to be a safe haven for children. There were no major incidents.
- ◆ Training has been scheduled this week with the Rail Runner, and they will be looking at the safety items in the Rail Runner. It will be done behind the State Highway Department, and he invited the Committee to attend.
- ◆ There were Complaints about the gates being left open at the emergency crossing on Richards, noting the gates have been problematic since installed. He said they had to "play hardball" with the company, and since the company rewired the gates and got those working properly, there have been no complaints.
- ◆ They spoke with the crews about using sirens in neighborhoods at odd hours, and told them to use them only when appropriate in the neighborhoods. He asked Chair Trujillo to let him know of any complaints in his neighborhood. Responding to the Chair he said the crossing at Richards has been a great time saver and well worth it, and thanked the Chair for his support.
- ◆ The City has asked the department to look at budget cuts, and initially talked about not impacting public safety. He suggested, if appropriate, that this Committee request that public safety be considered at the end with regard to budget cuts. He doesn't want to regress and be in the same situation as they were three years ago.

Chair Trujillo said the Finance Committee did discuss this, and they are putting public safety cuts at the back of the process. He said there will be another meeting on December 1, 2008. He said he also does not want public safety to regress.

Chief Rivera noted that almost 85% of the Fire budget is personnel cost, so any cuts would impact the operation of the Fire Department.

Responding to Mr. Mier, Chair Trujillo said the Finance Committee is looking at a 10% reduction in each department.

Mr. Mier asked if departments are mandated to submit a budget for the proposed costs.

Chief Rivera said yes, and it will be tough to cut 10% without looking at positions.

Chair Trujillo noted that the proposal for the short term rental FTE is on the back burner for now, but it is not forgotten.

9. MATTERS FROM COMMITTEE MEMBERS

MOTION: Henry Valdez moved, seconded by Mike Mier, that this Committee recommend to the Finance Committee and the City Council that the public safety functions of the City be the last agencies to experience any budget cuts, if necessary.

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

Chair Trujillo said he would like this action to be included in the Finance Committee packet for the December 1, 2008 meeting.

Mr. Mier expressed concern with the dangerous situation where motorists are trying to enter St. Francis Drive from the on ramp from St. Michaels, noting there really is no way to merge, and someone is going to get killed there.

Chair Trujillo said this was designed by the DOT, and he will talk with Robert Romero about contacting the DOT in this regard, agreeing that it is a very dangerous situation.

10. COMMUNICATIONS FROM THE FLOOR

There were no communications from the floor.

11. ADJOURNMENT

There was no further business to come before the Committee, and the Committee having completed its agenda, Henry Valdez moved, seconded by Herb Harris, to adjourn the meeting. The motion was approved unanimously on a voice vote, and the meeting was adjourned at approximately 5:15 p.m.

Ronald S. Trujillo, Chair

Melessia Helberg
Melessia Helberg, Stenographer