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JOINT MEETING OF THE
SANTA FE CITY COUNCIL
and
SANTA FE COUNTY COMMISSION
NORTHWEST SANTA FE RELIEF ROUTE
JUNE 15, 1998

This special joint meeting of the Santa Fe City Council and Santa Fe County Commission to discuss the Northwest Santa Fe Relief Route was called to order by County Commission Chairamn Marcos Trujillo at approximately 5:30 p.m. in Sweeney Convention Center, Santa Fe New Mexico.

Commissioners Present:

Marcos Trujillo, Chairman
Joe Griñé
Paul Duran
Richard Anaya
Javier Gonzales

Commissioners Absent:

None

County Staff:

David Wolfe, County Manger
Denice Kulseth, County Attorney
Tom Dominguez, Traffic Engineer
Larry Velasquez, Public Works

Councilors Present:

Mayor Larry Delgado
Jimmie Martinez
Art Sanchez
Frank Montañño

Councilors Excused:

Peso Chavez
Cris Moore
Patti Bushee
Carol Lopez
Molly Whitted

City Staff:

Mike Mier, City Manager
Mark Basham, City Attorney
Chuck Lange, Public Works
Anne Condon, Planning Director
Cyrus Samii, Traffic Planner
Reed Liming, Planner
Buddy Lucero, Planner

Exhibit 1: Agreement among the NMSHTD, City of Santa Fe and Santa Fe Estates 11/14/97

Exhibit 2: Letter from D. Gold to Max Valerio re: vehicular crossing at the Relief Route

[The first ten minutes of this public hearing experienced audio/technical problems]

CHAIRMAN TRUJILLO: We're ready to get started on the second joint City/County public hearing on the Relief Route. I'd like to welcome the City Councilors and the County Commissioners. Welcome to all of you. The Highway Department, City staff, County staff. The last time we ended the meeting because the Board of County Commissioners had to convene a regularly scheduled meeting at the Courthouse. And we ended with public comment, so we'd like to continue in that regard. Questions and comments. There were a few people that were already standing in line, so those people that were ready to talk, get up first and we'll start with them and anybody else that wants to talk, please stand in line and come forward. Welcome, Mayor.

Beverly Garcia has about a five minute presentation that she wants to make and we'll start with her.

COMMISSIONER GONZALES: Mr. Chairman, just so you know, I have to attend a neighborhood meeting at 7:30 out in the district, so I have to excuse myself at 7:00.

CHAIRMAN TRUJILLO: Thank you, Commissioner. I'd just like to say a few things. Councilor Lopez is out of state, right, Councilor Sanchez? Councilor Patti Bushee will not be here. They're out of state. Councilor Frank Montaño will arrive a little bit late. Thank you very much.

MS. GARCIA: Good evening. My name is Beverly Garcia.

CHAIRMAN TRUJILLO: Let me ask for you, are there any representatives from the Federal Highway Administration? We've got one. Can I recognize you, sir? What is your name? Greg Rawlings.

MS. GARCIA: The other thing is, the neighborhood wanted to clarify our position. The City hand-out, the thing that the City Council received at the previous meeting [inaudible] there have been more public hearings than there actually have been. I don't know if the County Commission also got that hand-out, but the first few pages of it deals with a series of events that took place long before the -- It had to do with site selection and three alternates were proposed.

The public hearings had nothing to do with the Highway Department. We just wanted to clarify that. We'd also like to stress that we do not, we are not protesting the location of the Relief Route. The location of the Relief Route is not an issue. We agree that it is needed [inaudible] to argue where the Relief Route should go is missing the whole point that we have been trying to make her. We are complaining that the manner in which the Relief Route is being built breaks the law, and we're asking you to have the courage to take steps to uphold the law.

We are saying the City's joint powers agreement with the Highway Department is being violated, and we are asking you to enforce the provisions of that contract. We are saying that just nine months ago the City made some very special changes in the design of this highway to assist Santa Fe Estates and the Highway Department. So obviously the City does have the authority to make changes. The agreement that I'm referring to was handed out to people as they came in tonight. The date of that agreement is November 17, 1997, just nine months ago.

That agreement, by the way, was never approved by the City Council, and yet it was

about a \$4 million contract. And in that agreement, the state is giving away its share of 54 acres of land and doing so without being sanctioned by the City Council. Also in that agreement, the City has agreed to take 50% of the income of Santa Fe land which the City is entitled to and is giving it back through the Highway Department to a private developer. We contend that that is a violation of the anti-donation clause.

It's also appropriating money by contract and a public entity has a way to appropriate money and that's through legislation. This agreement needs to be approved by ordinance. You're doing away with City land and you're also appropriating money in that agreement, and that agreement was entered into on November 17, 1997 about nine months ago.

And what we're contending is if the City has the authority to make those kinds of changes for a private developer we also [inaudible] then you have that same authority to make changes for us.

COMMISSIONER GONZALES: Mr. Chairman, Beverly, before you go on, can we just so we keep everything in text, can we defer to the City Attorney or the Manager to respond to the issues that you're requesting as far as the joint services agreement being violated. Because I know what's happening is you're bringing up a lot of issues and then I just want to make sure that we can keep them segregated because there's many issues concerning the Relief Route. I was wondering if Mark or Dr. Mier can provide us a response as to the issue of the joint services agreement being violated with the City and then the other issue that you had brought up, the second one as well.

MARK BASHAM (City Attorney): Chair, Mayor, Commissioners, what Ms. Garcia is referring to is an agreement that was entered into between the Highway Department, Santa Fe Estates, and the City of Santa Fe in November of 1997. Now this agreement itself did not go before the City Council. The agreement in there, however, does have three -- it embodies, basically what it does, it incorporates and embodies three prior Council actions, things that actually went to the Council which they voted on which were inserted into here.

The first was a JPA between the State Highway Department and the City of Santa Fe that was entered into in 1993, which required the City to build certain roads for which the Highway Department would pay. The second one embodied a vote that was taken by the City Council where the Highway Department requested that we donate half the money, that we donate the money we received from the sale of Santa Fe Estates land to the Highway Department to be used for purposes of construction. That was a vote taken by the Council.

And the third Council action that it embodies and incorporates is the City of Santa Fe's governing body's approval of the Santa Fe Estates revised master plan. So those three items did come before the Council in separate instances and they were simply embodied into this agreement, which was eventually signed off by the mayor.

COMMISSIONER GONZALES: Mr. Chairman, Mark, so are there violations as Ms. Garcia is saying to that joint powers agreement? Or do you feel comfortable that there weren't violations of the joint services agreement?

MR. BASHAM: Mr. Chairman, Mayor, Commissioner, at this point I'm unaware of any violation of the joint powers agreement that was entered into by the City of Santa Fe and the State Highway Department.

COMMISSIONER GONZALES: Okay, my next question, I guess for Mr.

Lange, maybe, who is overseeing the issue of the project itself. On the AASHTO standards, at the last meeting I heard Secretary Rahn say that the bypass is different from other roads out there and that the AASHTO standards don't apply. Is that correct, Mr. Secretary? I'm sorry, I don't want to put words in your mouth. I just want to make sure that the -- if the AASHTO standards are required on the bypass or not.

PETE RAHN (Secretary of Transportation): The bypass meets AASHTO standards. The bypass does not meet interstate standards, which are for a different type of road. The Relief Route does meet all the principal AASHTO standards.

COMMISSIONER GONZALES: Okay. And Ms. Garcia, are you contending that it does not meet AASHTO standards?

MS. GARCIA: It says right here the minimum distance for building interchanges and it doesn't meet AASHTO standards.

COMMISSIONER GONZALES: Can I ask Mr. Lange, I believe that the City is overseeing the project. Is that okay?

CHUCK LANGE (City Traffic Engineer): Mr. Chairman, Mr. Mayor, Commissioners, Councilors, this design does meet applicable AASHTO guidelines. I think what is often misstated is the book, there's a document that people abstract things for, either engineers to defend their positions, or people to attack them, are guidelines. They're published as such. They're stated as such. They're qualified as such. The document which I believe she's relating to should be around page 936 or 937 of the current AASHTO book, states that -- it gives a range of values. I think it's about a mile to about two miles. It also further qualifies in that paragraph that in urbanized areas you can certainly justify closer locations.

In the case of this particular design, that statement that's in that particular guideline was further enhanced by doing studies of how traffic weaves in and out of the access ramps. It was found that it meets the AASHTO criteria for interchange spacing. It takes more than just a simple reading of that document. The document is for highway and road designers and often has to be consulted in more than just one location before you can conclude on it. But it is a guideline. It is not necessarily a cast in concrete standards. It gives a range of values for almost every case.

COMMISSIONER GONZALES: So the City's position is that the bypass does meet AASHTO standards.

MR. LANGE: Indeed it does.

COMMISSIONER GONZALES: Thank you. Thank you, Mr. Chairman.

MS. GARCIA: One other contradiction in the joint powers agreement and the Santa Fe Estates agreement is that in the Santa Fe Estates agreement, it doesn't say that they'll use AASHTO standards. So there are major contradictions here.

COMMISSIONER GONZALES: Mr. Chairman, Ms. Garcia, again, please forgive me, the concern of the AASHTO standards, can you go into just brief detail why -- is it an issue of safety that you're concerned that they're not being met because the intersections are too close together? Is that the underlying reason why?

MS. GARCIA: It's an issue of safety. At the major interchange at US 84/285 a huge interchange would be built within 1100 feet. That's much less than a mile. Within a distance of 1100 feet, another interchange is being put forward for construction. Between

those two points, there are 21 different directions of traffic. [inaudible] So we really have [inaudible] and some are going to accelerate and take off -- getting off the interchange at that point and accelerating [speaking away from microphone]

We're raising an issue. We're not contending that we are engineers. What we do believe though is that an agreement was made with the development group -- that they would have this interchange and that -- but we haven't seen any traffic studies, and in fact we've requested the Highway Department, the City, and the Federal Highway Administration to justify the placement of these interchanges in proximity to each other.

COMMISSIONER GONZALES: Ms. Garcia, is it all the interchanges along the bypass or is there a couple of them? How many have you identified that possess these safety problems?

MS. GARCIA: According to the resolutions that were approved by the City Council and the County Commission, there were only two interchanges approved at that time. There were other access points along there [away from microphone] discussion about whether these access points should become an intersection, whether they should be at-grade, whether they should be some kind of -- or whether they should be interchanges. As far as we know, there has been no final decision made on the evidence.

When we first heard about this, all the interchanges on a proposed map were presented to the City Council in Chapter VII of the Transportation Plan of the General Plan in November of 1997, the same month that [away from microphone] Santa Fe Estates. And they were all identified as interchanges there. And we don't know of any studies that supported that, or why or what the basis for it is, and they were never examined or evaluated.

COMMISSIONER GONZALES: Okay, Mr. Chairman, if I could have some latitude because you're bringing up the intersections which I think is, at least what I've heard and being up here and talking to many people in the County is a very strong point of contention and I want to yield to the Highway Department just to see if I understand it correctly and I don't know if the Secretary or Max would like to answer. But if I understood last week, and I may again have misinterpreted it, the intersections were brought about by the Environmental Assessment, is the issue that came forward. Is that correct? Max? Could you come forward real quick?

I do want to make sure that we all fully understand what the Highway is contending and what Ms. Garcia is stating. What I heard was that the intersections were called for in the Environmental Assessment study that the Highway Department had prepared. Is that correct?

MAX VALERIO: Mr. Chairman, Mayor, Commissioner, in fact the access points that were identified.

COMMISSIONER GONZALES: Could you, Max, real quick, before you go on, because again, this is the first I've seen of this. When we talk about access points are we talking about intersections or interchanges as well? Can you explain the difference? Because you're talking about access points and Ms. Garcia is talking about intersections, or interchanges.

MR. VALERIO: An access point could ultimately be developed.

COMMISSIONER GONZALES: So at this point, as the bypass is being

constructed, are there going to be access points that are created, or are there going to be interchanges that are created?

MR. VALERIO: There will be both.

COMMISSIONER GONZALES: Okay, how many of the access points and how many of the interchanges will be created along the bypass?

MR. VALERIO: Currently, there are two interchanges. [Away from microphone] There's the proposed interchange at US 84/285 and Buckman Road --

COMMISSIONER GONZALES: So then the rest of the points, you're contending are access points and not interchanges. Is that right?

SECRETARY RAHN: Could I clarify one thing, Mr. Chairman, Commissioner. An access point could be either an interchange or an intersection. They are both access points.

COMMISSIONER GONZALES: So is that the same configuration then?

SECRETARY RAHN: Well, no. They look differently but the access points that were identified along the Relief Route have remained the same. The question is to whether that access point is an intersection, an at-grade intersection, which is what you and I typically know as a street intersection, or an interchange, which separates the traffic. They are both means of accessing the Relief Route, so that access points include both intersections and interchanges. And so the discussion really is not about how many, or at least from the standpoint of the department, has not been how many access points are there along the Relief Route. That has been consistent from the original design of the Relief Route. Today the discussion seems to be, and there seems to be some confusion about not adding access points.

What we're talking about is whether the access point will be an at-grade intersection, or whether it would be a signalized intersection, or whether it will be an interchange.

COMMISSIONER GONZALES: So what, Mr. Secretary, what will they be along the route?

SECRETARY RAHN: That's what Max was about to describe, but I wanted to make sure that everybody was on the same page as far as understanding that access points are not different from an intersection versus an interchange. Both of those qualify as access points. We're just talking about what form does that access take.

COMMISSIONER GONZALES: So for visual purposes though, are we assuming that access points and interchanges look exactly alike? I apologize for --

SECRETARY RAHN: No, no. They don't look the same. An intersection is at-grade, meaning on the ground. All the traffic meets at the same plane, so that they all come in at the same level of the street and then you compete, so different traffic is competing for the same space.

COMMISSIONER GONZALES: So it'd be like a four-way stop sign?

SECRETARY RAHN: A four-way stop sign would be an example of an intersection. A typical light, a signalized intersection, again, that's at-grade. An interchange is a grade separated, meaning the different flow of traffic has different planes. And therefore traffic, for instance, traveling along the Relief Route is at conceivably a lower level than traffic passing overhead.

COMMISSIONER GONZALES: We're talking about an overpass?

SECRETARY RAHN: So typically, you think of an interchange being an access point along an interstate. That kind of gives you an idea of what an interchange would conceivably look like.

COMMISSIONER GONZALES: So then now, the access points would be one or the other? Is that what you're saying? Or can it be something different?

SECRETARY RAHN: Well, the access points are those points along the fourteen miles, roughly, that were identified from the very beginning. The points along the Relief Route simply say that at this particular spot along the Relief Route, there would be some form of access to other roads, whether that access is at-grade or grade-separated, those are the discussions that are going on now.

COMMISSIONER GONZALES: Thank you, Mr. Secretary and I apologize. That was a good schooling, but I wanted Max to tell us though.

MS. GARCIA: In your map it shows all of the access points.

COMMISSIONER GONZALES: I want to know what's going to be an interchange and what's going to be an intersection I guess, along the route, because it's being defined today as planned. That's what I'd like to know.

MR. VALERIO: Commissioner, the interchange locations will be beginning on the south I-25, which currently is a grade-separated interchange. As you proceed north, the next proposed site is at the Buckman Road. That is being built to serve the frontage road network.

COMMISSIONER GONZALES: What's the Buckman Road going to be? An intersection or an interchange?

MR. VALERIO: It is proposed to be a grade-separated interchange.

COMMISSIONER GONZALES: Can you continue going on the rest of them.

MR. VALERIO: Proceeding further north, the ridgetop location will also be a grade-separated interchange. And then lastly, the interchange at US 84/285.

COMMISSIONER GONZALES: So that's four interchanges, then. Is that correct?

MR. VALERIO: That's correct.

COMMISSIONER GONZALES: So of the nine, which I understand there's nine access points including these different types, the other five are going to intersections or just access points. Is that correct?

MR. VALERIO: There is actually a total of thirteen as documented in the environmental assessment. Of those thirteen, the remaining eight, I believe, will be developed as intersections.

COMMISSIONER GONZALES: Can you tell me what led to this decision in the Environmental Assessment study, to create the interchange at those four locations?

MR. VALERIO: The interchanges, essentially come about having to do with the need that is there as a result of the traffic. An interchange, basically, operates more efficiently, safely, basically where you have two different travel lanes of traffic coming together, you avoid any potential conflict by having traffic able to basically not have to come to a stop. They are separated by grade.

COMMISSIONER GONZALES: So there are traffic studies that you're saying were done for that decision to made.

MR. VALERIO: Yes, the entire Relief Route was a result of traffic studies and design elements that went in to deciding what type of facility would be developed at these areas.

COMMISSIONER GONZALES: Okay, and then I guess moving back to Ms. Garcia, is that a point of contention where you disagree that that was not done?

MS. GARCIA: We do, and in fact in the minutes of the Public Works Committee meeting that was just held three weeks ago, Mr. Charlie Trujillo got up before the Public Works Committee and told them that the reason that they were proposing the Buckman-La Tierra interchange was because they happened to have some extra money at this time, so therefore they thought they would proceed with it. And he was asked that specific question, is your decision based on any traffic study, and he said, No. And the record will reflect that.

COMMISSIONER GONZALES: Okay, Ms. Garcia, have you requested the studies from the Highway Department or the neighborhoods, or of the City or the County if that's an issue. Has that been provided to you?

MS. GARCIA: That request, I believe, was made by David Gold at one of the meetings, but it's been our contention, that's why we asked for the public hearings before this session of the legislature. At that time, they said they were only going to build three interchanges. The one at the beginning, one at the end and they were proposing the ridgetop interchange for Santa Fe Estates.

COMMISSIONER GONZALES: At that point did you support that? Did the neighborhood support that?

MS. GARCIA: We argued at that time about the unsafe condition, the public safety considerations. But we were losing on that because they really weren't believing us because we weren't engineers. And as part of that agreement, we said, okay to the three at that time, provided that they would not propose any more interchanges. Especially the Buckman interchange, without public hearings. But they reneged on that whole agreement, so we don't feel we should be held to it at this time either, because they're not holding public hearings.

They're coming in after the fact, haven't held any public hearings and they're out there building that Buckman La Tierra interchange. And they have conducted no environmental studies to update, to show what the significant impact is or is not.

COMMISSIONER GONZALES: So, at this point then you're saying the neighborhoods don't support any interchanges along the bypass?

MS. GARCIA: We supported the one at 84/285. It's only natural that there would have to be one there. And one at the other end. We said that any other interchanges along the bypass would first need to be justified and be subject to public hearings and that they would have to update their environmental documents to show what the impact or fall-out would be as a result of it.

Our main reason for contending that is, is because anyone who has ever witnessed the development of highways knows, as soon as you put in an interchange, you've got commercial right next to it. And this is what we were concerned about. The entire integrity of the Relief Route being thrown out the window by turning it into Cerrillos Road was enticing traffic to get on and off that Relief Route at all of these interchanges.

COMMISSIONER GONZALES: So are there any contentions on the intersections, the other access points that -- are there concerns with those as well?

MS. GARCIA: There are major concerns about them and they are that they be made safe, because right now the pedestrian, bus crossings, vehicle crossings, the way they're being designed now at least are pretty unsafe, and we don't know how they're going to control traffic at all of these access points. And it seems to me, on this entire eastern portion of the Relief Route there are no frontage roads. Beyond Buckman there are no frontage roads. There are frontage roads on the other side. The just jumped from an intersection all the way to an interchange without considering any kind of intermediate solution to handle the traffic.

COMMISSIONER GONZALES: Can I ask again, Mr. Lange, to make a comment basically from the City perspective who reviewed the design plans and seen the traffic studies if you will, that whether the City's prepared to make a statement as to the safety of the intersections or the interchanges. In your view, do you feel that they will be safe intersections and interchanges as they're currently designed that will be implemented, from the City perspective?

MR. LANGE: Mr. Chairman, Mayor, Commissioners, Councilors, I think those intersections as they're built at grade will be as safe as any at-grade intersection for a number of years. As traffic volumes would build on that route, I think that the Highway Department would need to make the appropriate evaluations to determine if an interchange is required. I think it also is dependent on whether or not the County and the City actually connect local roads to those access points, as to whether or not they actually would need to be upgraded.

Right now they're just locations along the route for which right-of-way was acquired for many of these and there are designs, a standard design that was developed to create an accurate intersection. If the interchange is warranted or is requested by either of the local entities, then I think a specific design would need to be created and viewed at that time.

The at-grade intersection, a lot of the Relief Route traffic was actually dependent upon local traffic, both county and city traffic, being able to use this route from various parts of town. If these roads are not extended to the Relief Route, then there's going to be very little impact from traffic. It will be just whatever chooses to go around Santa Fe.

COMMISSIONER GONZALES: So I guess what I heard you say is that if they're built at grade, there's a lot of things that will depend whether it's a safe intersection or not. We just don't know it yet, or do you know that it will be a safe intersection?

MR. LANGE: There are some intersections that are being constructed to intersect with the frontage road that's being constructed by the State Highway Department now. Those intersections will be as safe as any at-grade intersection on any highway throughout the state. When the four-lane Relief Route is going to be built, those intersections will work for a time until the traffic volumes on the Relief Route warrant a higher grade of intersection, such as an interchange or a highway interchange at a signalized intersection. But for many years, if you recall on south St. Francis Drive, Sawmill Road, Zia Road, they function for many years just as an at-grade intersection with stop signs controlling the minor streets on the side. A

As traffic volume has built and there were more conflicts from the side, then

signalized intersections were warranted. There were improvements that were warranted at those intersections. The same type of analogy would go for this route. It will not be at its full design capacity the year it opens up. Highways are designed to project traffic a number of years off into the future and as that traffic volume comes up, then you need to make further considerations.

COMMISSIONER GONZALES: Thank you, Mr. Chairman, Mr. Lange, I appreciate it.

MAYOR DELGADO: I would just have one question, kind of on the same subject for Mr. Valerio. Mr. Valerio, they talked about the environmental impact statement. This project was originated many, many years ago and an environmental impact statement was put together and public hearings took place. As the years went by, was the environmental impact updated and when was the last time that it was updated?

MR. VALERIO: Mr. Chairman, Mayor, Councilors, Commissioners, there have in fact been reevaluations of the original environmental assessment. Those reevaluations took place as a result of construction letting packages which were essentially developed to build this project in phases. So essentially the phases that were broken down individually, those actually had reevaluations take place.

The latest reevaluation that took place, I believe was in 1997 and that was for the latest construction package which is to be let this summer.

MAYOR DELGADO: That's all I had. Thank you.

CHAIRMAN TRUJILLO: Mr. Valerio, I have a question for you. Do I understand correctly that none of the graded access points have four-way stop signs, or intersections or traffic lights? Is that correct?

MR. VALERIO: Mr. Chairman, Mayor, right now, currently, we do have one intersection that operates as a four-way stop, and that is the intersection at Airport Road with the bypass. The remainder of the intersections as they will be developed will essentially have stop signs on the minor streets. That is based on the fact that the main line, the bypass itself will carry a heavier or larger volume of traffic.

CHAIRMAN TRUJILLO: Have you done any demographics on the initial traffic through the bypass? If there's 28,000 cars going on 285 a day, and we conjecture that maybe 2/3 of those will take the bypass initially, about 15,000 cars. Are my demographics correct or are they wrong, or what do you anticipate the traffic to be initially on the bypass?

MR. VALERIO: Mr. Chairman, the initial projections of traffic are in the range of 10,000 to 15,000 vehicles a day. The basis for which those intersections were designed were based on that traffic, and based on the traffic that would be utilizing the minor intersecting streets. As Mr. Lange mentioned, as traffic grows and as the need evolves, some of these intersections could ultimately evolve to signalized intersections and ultimately grade-separated interchanges.

CHAIRMAN TRUJILLO: Do we understand that the Relief Route is severing communities and in some cases, you're going to have major cross-traffic through the graded intersections, including buses, school buses, kids on bicycles, aged citizens of the communities. To have 15,000 cars coming at you is sort of an aberrated design.

MR. VALERIO: Mr. Chairman, again, I would like to reiterate what Mr. Lange mentioned, that the facility as it's designed initially is designed to accommodate that,

as was St. Francis Drive. As traffic and the need arises, they could evolve to higher grade facilities, being the signalized intersections or grade-separated interchanges. But the initial design was based on just those facts and what the intersection traffic would be at the time it was opened.

MS. GARCIA: I think that something needs to be made clear. There was never an environmental impact study done on this project. An environmental impact study's never been done. It is required by the code of federal regulations that an environmental impact study be done for a highway of this classification and I think we catch it under two segments of it. One that any newly constructed highway that has four lanes or more is required to have an environmental impact statement. It was never done here.

COMMISSIONER GONZALES: Mr. Chairman, Ms. Garcia, I want to make sure I understand this because I'm hearing on one side that it was done. Are we talking about two different types?

MS. GARCIA: An Environmental Assessment was done, which is a much lesser document and the types of updates that they're talking about, they did a survey, an archaeological survey, about a two-page letter. They did another little two-page deal. These are the kind of updates, environmental updates they've done. There are only five of them, and they're also minuscule. And it's just like somebody's saying There's no significant impact. They sign off on it and it's not supported by any study at all.

COMMISSIONER GONZALES: And you're saying that federal standards require an environmental impact statement as opposed to an Environmental Assessment?

MS. GARCIA: Yes. That's what I'm saying. Because the significance of the impacts of this project are so great.

COMMISSIONER GONZALES: Just so we understand the contentions you're making, can I ask someone from the Highway Department to address that. So that we -- I know it feels like a ping-pong issue here, but I just want to make sure we continued to --

GREG RAWLINGS: I'm Greg Rawlings with the Federal Highway Administration. The environmental document that looked at the environmental impact prepared for this project, was an Environmental Assessment. It was done to determine whether or not significant impacts were associated with the undertaking. The conclusion was that there were no significant environmental impacts, therefore a finding of no significant impact was prepared and this was based on public involvement including a public hearing.

For each major authorization, since approval of a finding of no significant impact, a written reevaluation was prepared that included public involvement, agency coordination and environmental investigations as appropriate. The conclusion of each of those reevaluations was that the finding of no significant impact was still valid.

COMMISSIONER GONZALES: Okay, so just so we lay a clean record or understanding, from the Federal Highway Administration's standpoint, do you feel comfortable that the State and the City have followed the proper environmental assessment studies to be able to properly identify whatever issues may come up with this bypass?

MR. RAWLINGS: Yes, Councilor, I do. It's consistent with federal regulations, environmental laws, includes appropriate investigation and mitigation measures.

COMMISSIONER GONZALES: Thank you. And Ms. Garcia, you're contending that you disagree with that assessment.

MS. GARCIA: I have a citation, there's a CFR citation that requires an EIS on this project.

COMMISSIONER GONZALES: Well, we probably do need to move on because they're clearly going to be a difference.

CHAIRMAN TRUJILLO: Councilor Sanchez?

COUNCILOR SANCHEZ: No, I'll wait for mine until after I hear the rest of Beverly's statement.

MS. GARCIA: The point I was trying to make is that the changes that we're asking for are already required by federal law, state law, AASHTO, your contractual agreements, the environmental assessment, albeit an inadequate one, but nonetheless it still support our contention in many areas and the FONSI. I wish I could stand here and read you the entire environmental assessment and the FONSI and you would see that some of the things we're asking for were agreed to in there by the Highway Department. They're just simply not doing it.

The State Highway Department may not have lost a case on environmental deficiency in the past, but I can tell you this, I would be very surprised if a learned judge would overlook the extent of these deficiencies in this case because they are monumental. Not the least of which is that an environmental impact study was required for this classification of highway and it has never been done.

What I would suggest is that the City Council obtain the services of a person with NEPA, National Environmental Protection Act, expertise, so that you will see how far off the mark the Highway Department is, and how liable you are becoming by prolonging the process that will result in an unsafe and ugly highway and will significantly impact us in ways that have not been addressed by anyone.

I think the City should immediately stop asking the Highway Department what it can and cannot do, and seek advice from a knowledgeable and independent source. Our community does not trust the Highway Department to make decisions that are in our best interest. That isn't their job. But it is your job to protect our interest. The several neighborhoods that have joined together are committed to getting the 26 items we submitted to you at last Tuesday's meeting.

We would also suggest that a Relief Route oversight group be created to oversee the remainder of this project. This is the most significant project the City and County have underway at this time and it needs constant, ongoing oversight. I would suggest that you also need a contract administrator on this project because the contract between the City and the Highway Department expired three months ago.

I don't know where we go from here and we're looking to you from some expedited leadership and direction. Time is limited and an agreement needs to be hammered out soon between the neighborhoods and the City. One neighborhood group has already taken the City to court on Relief Route, Santa Fe Estates issues. I sincerely hope that we don't have to travel that road. It's all in your hands.

The Santa Fe Estates agreement that I talked about earlier, makes all kinds of concessions, but I guess the one that I question most is taking City money and giving it back to a private developer. Granted, I'll admit that in the contract it is funnelled through the Highway Department, but it still amounts to a donation. In fact in the contract it uses the

word "donate."

To me that's strong, and somebody ought to be watching that. I have the City citations here that say it's the governing body's authority to manage and control its finances and that only you have the right to give away land like that and appropriate money, not a contract.

There is one other contract -- I didn't xerox it because it's too long. But there was a contract entered into with Las Campanas' predecessor. And I just have one more point to make here and then I'm done, but in that contract, they attach a number of exhibits and one of them is a traffic study that was done by Las Campanas' predecessor, but all the provisions of this contract, they are binding on Las Campanas.

I'd just like to read you one part of it. It says, Paseo de Peralta, Camino de las Crucitas, St. Francis Drive. And this is discussing impacts, traffic impacts, of commercialization at that point where they want this interchange. It says At Paseo de Peralta, Camino de las Crucitas, two additional lanes are needed. This is what Las Campanas traffic study found. It's in their traffic study. Two additional lanes are needed at the south approach and two at the west approach if the Relief Route is not built. If the Relief Route is built, one additional lane on the south approach and two on the west approach are needed.

What this study is saying is that the traffic impact is going to be so great from Las Campanas commercial development that we're going to have to widen Camino de las Crucitas to three lanes where it intersects with Alamo Drive, and tack on two additional lanes where it meets St. Francis Drive.

I don't know how many of you have looked at this future land use map up here by the City, but there's a broken blue line and it identifies Camino de las Crucitas as a high-impact traffic artery. I mean, we know that this is serious and we know that Arroyo de las Mascaras, the Highway Department has been out there for the first time that most people can remember in Casa Solana, now cleaning out that arroyo and putting up State Highway markers, and we just feel that that's being done in anticipation of routing all that construction traffic right straight down through Casa Solana.

We're not imagining these things we know it's happening, no matter what your City engineers tell you and what the State engineers tell you. Just like they agreed with us at the legislature not to construct that La Tierra-Buckman interchange and that's what they're doing, before any hearings. That just shows to me how untrustworthy this group is. Thank you.

CHAIRMAN TRUJILLO: Mr. Secretary, do you have any response or do you have any position that you'd like to articulate or represent?

ANNE CONDON: Mr. Chairman, Anne Condon. I would like the opportunity to respond to just that one last remark on behalf of the General Plan. The Camino de las Crucitas is shown as a high-frequency transit corridor, the idea being that something like bus service could run at frequent intervals and the idea being that we could reduce the need for people to be driving automobiles, and I just wanted to clarify that point.

CHAIRMAN TRUJILLO: Thank you. Councilor Sanchez?

COUNCILOR SANCHEZ: I would like to ask the chairman of the County Commission, as some of these interchanges are outside the city limits, even though we're the

lead agency, the approval of development along the route is very important. I think that Beverly and the citizens have acknowledged that the interchange at 285 and at interstate 25 are absolutely done things and they're absolutely essential to keep traffic flowing. The only one that seems to be questioned is the one at interchange.

Now, let me ask the County Commission chairman, or any of the County Commissioners, have you approved any development there at the intersection point?

CHAIRMAN TRUJILLO: No, we haven't.

COUNCILOR SANCHEZ: What about the development at Las Campanas? There's some commercial development that's been approved in there some place along the line. I don't know the proximity.

CHAIRMAN TRUJILLO: That has not been approved recently.

COUNCILOR SANCHEZ: But it has been approved. Can anybody answer that?

COMMISSIONER DURAN: Mr. Chairman, I might be able to answer it. The Las Campanas intersection is in a commercial node. The Buckman intersection is not a commercial node. And actually, that's why we have formed this Highway Corridor Task Force so that we can listen to the community's desires and incorporate that into the land use policies that we adopt along that corridor. So nothing will take place out there without public input and your participation.

COUNCILOR SANCHEZ: The other thing is that as far as the environmental assessment and the -- the state did do one. There was no need for an environmental impact. The thing I asked the last time and I tried to get an answer is in 1985, by Resolution No. 1985-31, the City Council approved this point. Mr. Rahn just said that it doesn't matter if it's an interchange or an access point. There were eight points, either access points or interchanges that were approved up front and the Council reserved an additional five at a point selected.

Let me read it. That additional future access be indicated at five points as established by existing City, County and State plans to be provided only as development warrants. So that covers the access points and numbers of where they're at today. I can only think of two different ones from the additional of the five that were held in reserve that have been added and that is the ridge access point and then the Caja del Rio point.

So actually, as I read this, you still have three to go if you want it. According to this. Now this is signed and passed upon by the City Council after a lot of public hearings. I was there. And the County Commission also acted upon theirs, and there's is acting on it and it's identical, other than some reservations. But this was done January 13, 1986, which is sometime after the City Council acted on these things.

Now, I don't know what we can do. The state said we met all the terms and conditions. The federal government, the highway -- whatever they're called, and our staff is saying that they're meeting everything. What is it that you want? Tell us. What is it? Safety. All right. Now we're getting somewhere.

MS. GARCIA: Councilor Sanchez, they're interpreting access points as interchanges. That's the problem. You didn't approve interchanges. You only approved, on the very resolution you're reading from, the City Council only approved two. They've already got four. And one of them isn't even at an access point. They're just willy-nilly

doing it and all we're saying is that if the Council doesn't exercise its power, they're going to have eleven interchanges there, not eleven access points. That's what's happening.

COUNCILOR SANCHEZ: Well, I don't think that the state or anybody can afford interchanges. That's an expensive proposition, \$4 to \$5 million each if I'm correct on the figures. They can't possibly afford so that you don't have to stop or anything else.

CHAIRMAN TRUJILLO: Let's continue with the public hearing.

COUNCILOR SANCHEZ: Anyway, I want to hear the rest of the comments. That's all the questions I have.

MAYOR DELGADO: Thank you, Mr. Chairman, what I'm hearing here and what I heard last Monday was the concern of the people here today is what's going to happen after the road is built. Is the City and the County going to allow it to be impacted by commercial growth or any other kind of growth? A corridor committee, according to Anne, we have set up a corridor committee, and I'd like you, Anne, right now, to tell us what are the responsibilities of this corridor committee?

MS. CONDON: Mr. Chairman, Mayor, Councilors, Commissioners, the Highway Corridor Committee, has been set up -- it's a joint City/County committee, first of all, and it's the result of resolutions that were passed by both governing bodies. It's been set up to review the highway corridor protection area that is illustrated in both the County General Plan and the draft City General Plan. The purpose for this corridor protection area is to preserve views, to help delineate the boundary between the city's urban area and more rural development in the county.

It's to help to control the proliferation of highway-related retail uses that is likely to occur out there without land use regulations, and it is to look at things like appropriate building set-backs to try to avoid a substantial construction of noise mitigation measures. So the task force is charged with looking at all these issues and all these planning tools and really dealing with the land uses brought about by the bypass.

MAYOR DELGADO: And while this task force is going about their job, the public will be invited to be part of this.

MS. CONDON: I'm looking for Jack Kolkmeier and I don't know if he's here today. He's taking the lead in scheduling the meetings. And the meetings will be open to the public. I don't have that meeting schedule with me today. But we do have a County person who could possibly announce those meeting dates. But yes, the public would be able to attend those meetings.

MAYOR DELGADO: So the way I understand it, if the part of the bypass that's within the city will be the City's responsibility to see what is allowed in that area. How is that controlled, Anne?

MS. CONDON: This is an interesting issue because it really will take the adoption of zoning regulation by both the City and the County to truly control the bypass, because in some places it is the demarcation between the city and the county. And so some of the tools available are through zoning or through a design overlay zone. Right now we have the EZ master plan which shows conceptually a number of nodes along the bypass that could possibly become commercial under the current EZ master plan and it's important to note that was the joint plan adopted by both governing bodies.

If the City and the County wish to change that plan, we have to go through the

standard process that we go through when we change our ordinances and out zoning regulations. We can also control land use within that bypass by doing innovative site planning, cluster development. One of the things we hope to investigate is also the transfer of development rights so that development rights located within the bypass could be transferred to areas outside of the bypass where we do want commercial to occur.

MAYOR DELGADO: So we do have tools to protect the corridor from being impacted on by commercially or otherwise.

MS. CONDON: Yes, I believe this is the point the Highway Department has been trying to make, that the control over surrounding land use is up to the two governing bodies that abut the bypass.

MAYOR DELGADO: So if the City is really concerned about the Relief Route being impacted by commercial or any other kind of development, it's really in their hands to control this. And that's the same as far as the County is concerned.

MS. CONDON: Yes, Mr. Chairman, Mayor.

MAYOR DELGADO: Thank you, Mr. Chairman. Thank you, Anne.

COUNCILOR MARTINEZ: I have a question for Ms. Condon. Is this corridor committee going to be purely informational to the people that attend, or is it going to give them a chance to have input? Because the Highway Department, they said that they were going to have open meetings before any other than three interchanges are going to be made, but when we came down to it, the meetings were informational by the Highway Department.

MS. CONDON: Mr. Chairman, Mayor, Councilors and Commissioners, the last planning meeting that I attended for the corridor committee, that question did come up. The corridor committee has not had their first meeting yet, so I think that it's somewhat up to the committee how they want to run their meetings. One option for them is that the committee members themselves would have a vote on all decisions that would come out of the committee, but that they would take input from the public and invite the public to be part of the discussion.

I think it's important to remember that the committee reports back to the two governing bodies and that the decisions are ultimately yours. And that those decisions would be made in a public hearing forum.

CHAIRMAN TRUJILLO: I think it's also important to note that the committee, the corridor committee is comprised of residents from the immediate areas that are directly impacted by any development that takes place on the corridor.

COMMISSIONER GONZALES: Just to reiterate again; I think what we're listening, what they mayor's saying is that, I think a lot of the anger and a lot of the attention out there needs to be focused up here. We're your leaders and we need to be held accountable and responsible to what you guys are saying and the big issue is the commercialization and issues that are occurring along the bypass. That's correct. The thing that the Commission did in its efforts to create the Highway Corridor Commission along with the Council was to pull together a group of activists, community activists with property owners to come up with a corridor plan which makes sense for the community and hopefully, and I'm sure there will be, we'll make sure of that, that there are plenty of community meetings so that you can have your input into that.

There's also, I might add, there's fewer elected officials on this committee than there are community activists. There are three City Councilors and two County Commissioners, so this is a committee where the City does have, which we wanted to make sure because of the fact that the City has repeatedly told the County that they want to be involved in what happens outside the city limits. The Commission really went and made a commitment by asking there to be a larger percentage of Councilors on there than there are Commissioners.

So from our standpoint, we want to see this corridor plan that comes forward, hopefully with zoning as Ms. Condon said, as a plan that is reflective upon how the people who live out there feel the corridor should be developed as far as growth goes. From the issue of the safety standpoint, I do think that that is an area that hopefully we can address at these intersections, but I want to still open it up for more input, Mr. Chairman, so we can hear the community's ideas about some of the things that need to be put into place for safety.

But I did want to -- because the corridor committee came up, the people understand that it will be a public process that takes place with the end result being an actual zoning plan ordinance that governs growth and development along the corridor.

MS. CONDON: Mr. Chairman, if I may, I have a note regarding the first meeting. The corridor committee will meet this Friday at 3:00 in the County Courthouse.

CHAIRMAN TRUJILLO: Thank you.

COMMISSIONER GONZALES: So everyone please be there.

cm: One thing that should be cleared right away is we need to know how much involvement this committee is going to have, and that's really going to be crucial to the whole thing, the involvement that the committee has. Is it's going to be empowered by the lead agency, or is going to be empowered for the sake of just letting the people vent or are we going to be able to stop the Highway Department and say Hey, folks --

MAYOR DELGADO: Thank you, Mr. Chairman. In regards to Councilor's Martinez' question, the way I understand it, this committee would be an advisory committee. After receiving all the information that they're able to gather and staff is able to bring them, and also the information and the concerns that the public has. Then they will bring this to the governing bodies and we will make the call.

MS. CONDON: Yes, Mr. Mayor, that is correct.

MAYOR DELGADO: My next question is, right now, we talk about the responsibilities the City and the County have in protecting that corridor. Just last week we had a resolution coming through the City Council right now which reads and at the very end, what it does say, after all the whereases, it does say that this resolution is to ask staff to disconnect Los Montoyas and Camino de las Crucitas. So that resolution is going to come before the Council this coming Wednesday, a week from this Wednesday at City Council for approval and with my discussion with some of the Councilors I feel it will pass.

So what we're saying right there is we have started to move in order to protect the corridor and the impact of the existing residential areas. So I can see that happening. But what I understand also, and I think that Chuck could probably talk to this or somebody from the Highway Department, the four-lane sections of the project are going to be let this coming October. What I think we need to go away with knowing today or this evening, is what are we going to do to address not only the problems of impact into the neighborhoods, which we already have started in one area, but what are we going to do in giving access across the

Relief Route to the north?

So I would like to ask City staff maybe Chuck Lange, or even the Highway Department if they would like to step up, if we're going to let the two projects to build a four-lane section this coming October, what can be done between the two agencies now to look into protecting the existing neighborhoods which was started, as I said, and also allowing access across the alignment to the west.

MS. CONDON: Mr. Chairman, and Mayor, are you referring to the trail crossing or vehicular or both?

MAYOR DELGADO: Access. I think Secretary Rahn is going to speak to that. We're just talking access. Are we going to build underpasses or do we have a window in order to do this? Whether we go over the alignment, whether we go under the alignment, all we're asking for, Mr. Secretary is access.

SECRETARY RAHN: Mr. Chairman, Mayor, if you allow me to enter that question and also a couple of other points. I had mentioned to the chairman that I have a prior appointment that I have to leave here at 7:00. The staff from the department will remain to take input but I wanted to make sure that I was able to pass along some information that we've been able to gather over the past week based on comments we've heard from the first meeting and I apologize that I do have to leave early, but this meeting was an extension of last week's and I just did the best I could accommodate in my schedule.

As far as access points across the Relief Route, it's my understanding that a gentleman from the State Land Office is going to be able to announce that they're going to work with the County and the City to take advantage of state land that's out there and certainly he can give you more details, but it appears that this gives us some opportunities to identify various points across the Relief Route. In addition to that, the City staff has told us that there are some opportunities to find some dedicated points across the Relief Route.

Again, our point throughout this process has been without dedicating easements there was no way for us to invest the significant dollars necessary to provide crossings for trails, or anything else across the Relief Route without the dedicated easements. I believe that our position is flexible as far as trying to identify some of those points. We will have to do that in cooperation with the City and the County, and now fortunately the State Land Office is also there. I believe as far as other points that are still flexible and I guess I'd like to try to point those out so that, at least from our standpoint we can focus and I think these address most of the issues that have been addressed.

The crossing for the trails is still flexible depending upon dedicated easements, and we are committed to work with the City and the County to identify and attempt to design those. Future noise abatement that would be necessary because of traffic on the Relief Route, current design takes into account those measurements that were measured at appropriate times as the project develops and as traffic increases if it does on the Relief Route, noise abatement can be addressed and therefore it's a flexible issue.

Also the intersection signalization is an issue that can be addressed as called for as traffic needs dictate on the Relief Route. Signalization can be added or interchanges in the future. The only thing I would caution is that interchanges are so expensive is that if you can address the safety concerns of the residents and the people who utilize the Relief Route now, with the construction of the interchange it is something that you know you have.

It is always questionable in the future if there will be four to five million dollars for each point that in the future might require an interchange but the resources are not available. So that what I do commit the department to is that we will work with the City and the County as far as locating those points for crossings and also the issue of the Buckman Road interchange, we will hold a specific public information meeting to discuss specifically the Buckman interchange. Thank you, Mr. Chairman.

CYRUS SAMII (Traffic Planner): Mr. Chairman, if I might just add briefly to the comments made by the Secretary, we are at City staff and County staff working with the Highway Department in identifying a number of access points for trails. The City staff and County staff have worked cooperatively. I know you're all familiar with the work we've done together on the rail trail, the work we've done together in establishing the river trail. Unfortunately, we have not actually come forward with the kind of easements that are necessary to be in place for the Highway Department to proceed with this.

However, we have through our efforts in trail planning, established a number of partnerships, one of which is with Conservation Trust. We are trying to find a way of connecting the Santa Fe River Trail with the municipal recreation complex so that children and families can cross the bypass without actually -- with an overgrade or undergrade crossing. So at this point I'd like to introduce Dale Ball from the Conservation Trust and -- excuse me. This is new information that has come forward for a proposed crossing for a trail that has been requested by the public. We'd like to share that with the public, if it's out of order at this point we'd be glad to do it another time.

CHAIRMAN TRUJILLO: We talked before the meeting and we agreed that Dale Ball would get a few minutes before the public to talk and this is new information. It's good information and we'll give the floor to Mr. Ball.

DALE BALL: Mr. Chairman, Mayor, members of the Council, Commissioners, I'm the executive director of the Santa Fe Conservation Trust. All we do is try to find easements. All we do is create trails. When I attended the meeting last week and I heard the status of situation I considered it a crisis and felt that perhaps we could contribute something toward the solution. I think I bring good news tonight and I hope that the resentment that has come to light will be modified by the quality of the information.

Santa Fe Conservation Trust has been very concerned about the new bypass. We were afraid that it could actually build a wall between the city and particularly between the city and this wonderful new multi-million dollar recreational complex that's outside that. To us that simply had to be solved. So after last night's meeting, I felt that perhaps we could bring something to the table.

Our concerns came from these sources. The area between Agua Fria and Airport Road has the heaviest concentration of children of any geographic area within Santa Fe. Most of the parents of those children work. There are very few one-employee parents there. There are very few parents that are free to take children to soccer games at 4:00 in the afternoon or whatever the needs of a car might be. There are five new soccer fields, four softball diamonds, one hardball diamond in this complex, and we're going to have thousands of young people that are going to be less than three miles away. That's going to be a very attractive magnet and if we don't deal with the question of how we move them across that facility we're creating the probability, not the possibility of a future tragedy.

The first thing we thought we might do is respond to what Mr. Rahn said, because we took what he said as being of value. What he said in his remarks and I think he repeated it four times and once more tonight was that the Highway Department was helpless because we didn't have established connections on the north, the west and the south sides, and therefore for them to build some structure for the bicycle, for the equestrian, for the jogger, would be unacceptable and improper because they'd be connecting private land to private land and there was no system involved.

That's what we do is try to create systems. The next morning after our meeting here we began to investigate the ownerships that were involved. We were thrilled to find that there were single owners that owned land that stretched all the way from the Santa Fe River to the recreational complex. In fact one owner, the trust lands, the State Land Office, owns three different locations that make that connection intact. So I immediately went to call on them and found them to be very receptive and they're here tonight. I will introduce their spokesman in just a moment.

But what we're going to present to you are a series of possibilities. They all need further engineering studies, but they're at least possibilities and the ownership question and the easement question will be eliminated because the Land Office will assume those responsibilities. So I think we have a wonderful opportunity to convert what could have been a tragedy and could have reflected on all of us if we had permitted it to happen, into an opportunity to really tie the city and its recreational complex together in a way that our people can use.

I'd like to introduce Tom Leatherwood, who's the director of planning for the State Land Office. He's also the director of all planning and development and we have overhead projection that he's going to make and I just want to apologize in advance that we couldn't get it high enough. It's going to shine right in the eyes of you, so if you turn your heads you'll be fine but if you want to move to the side, I don't think we'll have the lights on very long. But I think in this way, that what we've tried to accomplish is we felt it was always so impolite in these public meetings that the presenter would be up here with a nice map, pointing at it to the elected officials and the public in the room couldn't see what was happening. So we've arranged this presentation so you'll be able to see and the general public will be able to see exactly what you elected officials are looking at, so Tom, the microphone is yours.

TOM LEATHERWOOD: Before I begin, will somebody be in control of lights somewhere so we don't founder on that one. I'm very happy to be here, Mr. Chairman, Mr. Mayor, Councilors, Commissioners, Mr. Secretary. The Commissioner of Public Lands, Ray Powell, has asked me to come tonight. He was unable to come himself and sends his regrets. But Commissioner Powell is someone who has in his work displayed a strong commitment to the creation of open space and the preservation of open space in a number of different ways. He's the president now of the Western States Land Commission is leading the effort throughout the west to work on open space measures.

And a couple of developments we're doing in Albuquerque and the east mountains of Albuquerque we have been recognized for our efforts. It is with some regret that I find coming home, I've neglected an area that some of you know, elected officials and staff, I've been concerned about for a number of years before I went to the Land Office even. It's a

critical area so we all need to work together.

In our conversations earlier, City, County, private sector, non-profits, the Highway Department, we all agree that it was time for us to focus simply on how to create a positive vision for us to work in this area. So we want to show a couple of maps and indicate what those possibilities might be.

It looks like only Commissioner Duran and Councilor Sanchez might get glare. This shows the entire area from the interstate all the way up to 84/285. And you'll notice the state trust land study area that's been designated and I'll give you a smaller map in a moment. We have at least five points where we might build either an underpass or an overpass within that area. But I'd like also to point to an area right next to where I live -- can you do that Dale? -- just above Agua Fria Road at the city limits.

At the river, up in that area, the commons on the Alameda just on the top side of the river, and state trust lands extend, two different parcels with the extension of Paseo de Vista, which you can see. We'll have an opportunity to create sufficient easement for a trail within that new corridor and it will connect to a piece of state land and we can extend up to the Trampas Arroyo, immediately south of the interstate and extending over to the interchange.

I think that's all we need to do now. We can go to the smaller map. I just wanted to show you that there's a possibility of a connection on a strip of state land there that will take us all the way from the river up to the memorial highway, or to the Trampas. We're about to go to the box on the left and show you some of the detail in it, but by focusing on this one alternative and with just a few hours to look at it, we feel confident as well that we can find connections, if you look immediately east of the box between the two designated interchanges you'll see what is the Puesta del Sol underpass.

Everyone agrees that we've got to make some connections from the river to the Puesta del Sol underpass and the Highway Department spokesman explained earlier that they think there's sufficient space within that underpass, perhaps by moving the two lanes of the road itself to one side or the other to have adequate passage for all the non-vehicular forms that we're looking for, and that's parents pushing strollers, kids riding bicycles, pedestrians and horsemen and women.

So let's go now to the detailed map on the far left. Once again, if we work together we're going to find those other points of contact, because it's important not simply to find one but to find multiple opportunities. State trust lands are some 800 acres in this area, including further to the west an area that the City and the County are talking about for the development of an industrial park for basic economic development for the region. In this area, we have at County Road 62 and at the Santa Fe Relief Route, the line that goes through the word trust is the Caja del Rio Road.

So you can see from the lower part of the map, that is the blue here all the way up to the Relief Route to the other side of the Relief Route we have state trust land that can make the connection from the river and from the river south to Tierra Contenta and families that will live there over time, all the way up to the municipal recreation complex and as some of you remember from our founding of the trails committee a number of years ago for this whole area, our vision was for the opportunity for folks who were riding horses to travel from the south side of the city using the Arroyo Chamisa trail, the rail trail, to come through the city to find the river trail, to find their way all the way to the Caja del Rio forest. That

strong vision is one that ought to compel us to work together to create this opportunity.

The overlay map will show you the areas that we've found. You can see that we've indicated there the proposed Santa Fe River Trail. We know that we've begun. That process is going to take a great deal of work. One of the additional promising items in the news in the last few days is that Camp Dresser McKee study has addressed the issue of the possibility of bringing treated effluent all the way up to the top of the river so that we can begin the process of recreating a living river for the residents of the Santa Fe region, and at the same time, we need to work with private landowners in a cooperative way and hopefully secure easements and rights-of-way only as a last resort to make it possible for that river trail to bring people from the heart of the city with all of the connections fanning out from there, all the way down to, as you'll see at the bottom, the bridge.

The bridge at the bottom has the possible first alternative for the river trail to carry folks back up to the recreational complex in the north. Immediately to the west of that, we intended to show that entirely on state trust lands. It shows that other private land owner, who happens to be present here tonight, that provides a second alternative. That alternative could take us to the top side of the Relief Route and again up to the recreational complex.

The State Land Office, working with the County did create in the Caja del Rio Road sufficient easements, right-of-way from the beginning so that we could continue that trail from the Relief Route all the way to the complex. So we have two alternatives when we get to the top side of the Relief Route. We showed a third alternative at the eastern-most point of that trust land parcel that you're looking in section two, and that provides yet a third alternative. Fourth alternative, within the white area which is private ownership, we understand, we haven't had a chance to confirm yet, is a very narrow easement which a portion of which may have been purchased as a remainder piece by the Highway Department but together provide a possibility for another crossing.

The fifth crossing in this drawing would take off from either a private landowner right there at the edge, or in conjunction with the construction of the designation of the corridor and the right-of-way of the building of Meadows and its connection there to the County Road 62 interchange. Meadows would take us then to the remainder of that piece of trust land that's south of the Relief Route, and that's another place where we might make a connection to the other side.

Again, we don't know what would be appropriate here, whether an underpass or an overpass would be the most appropriate mechanism, but the advantage of working here in the area immediately adjacent to the river in that mile, mile and a half, is that the drain there permits a drop of -- someone may want to help me on this -- of as little as 25 but as much as 40 feet as you get into the steeper areas.

Certainly an opportunity for engineers to explore the possibility of an underpass. That is better for everyone involved, certainly better for horses, but it's better for children as well.

Let me just indicate as well, immediately in this area we have an application for a gravel mining lease in this area and we've been hesitant to approve it but it seems that, for a number of reasons, it's still under review. But if we do approve it, we have reclamation standards which we'll hold them to, but in this case, we thought if we're going to dig a few holes we might just keep those holes around and use that as an opportunity to go to the other

side with an underpass.

So we're going to explore every possible opportunity in this area to bring the connection to the other side. I also want to indicate Commission Powell's willingness to consider and maybe the State Land Office can take some leadership here, Commissioner Gonzales who moved away in this discussion of this highway corridor and the cooperative mode that the state and County are in in the creation of this Commission. We, that is the State Land Office, have established that both of those areas, that is the Caja del Rio Road and the County Road 62 interchange, those 1500-foot radius nodes, we are letting you know tonight that we will give up the potential entitlements associated with the node and all of the issues associated with visual corridors.

There are three issues that we have to address at least. One, when we start looking at what kind of development occurs along the Relief Route. One is what is referred to as travelers' services which is probably the most important issue to address. The second issue is residents, population serving retail and services that really take care of the population that live out here. And the third are areas within the region that we have to identify for basic economic development, to bring economic development to the region.

We're working cooperatively with the County now on a 60-acre business-economic development industrial park south of town. If we determine that there's an appropriate place here for something similar, we're quite happy to locate that. But there are three different levels. We think we should all agree from the beginning and I think this is a minimum for all of us, no 150-signs towering over the Relief Route announcing the next gas station. We should have appropriate screening for every traveler service that occurs, and we think something like a quarter of a mile or whatever appropriate standard off of the Relief Route is the place for the other forms to develop what we're talking about.

So we'll make a commitment tonight to try to provide some leadership by saying that whatever potential entitlements might be associated with those two interchanges, access points, that we will work cooperatively with the City and the County to move those population-serving functions, again services and retail, and other commercial activities away from the Relief Route and not make it the kind of strip development that has embarrassed communities all over the country and which we should all be committed to avoid. Thank you very much.

CHAIRMAN TRUJILLO: Thank you very much, Tom. And this is really great news. With this scenario I think we address the health and safety issues. The quality of life issues are addressed. What I'd like to know is how we can give impetus to acquiring that land and making the underpasses and trails if you will part of the design as soon as possible.

cm: Mr. Chairman, maybe we could work on them to donate the rest of the land to open space.

CHAIRMAN TRUJILLO: Good idea. Okay, so we'll proceed with the public portion of the meeting.

AL PITTS: My name is Al Pitts. I'm presently the chairperson for the Arterial Roads Task Force. I reside at 118 County Ridge Road just off the Alameda, out near Hanson's Lumber. My purpose tonight is basically to acquaint this panel with the recommendations the task force made regarding the Relief Route and I'll try to keep my

comments there very brief. I will then speak personally to a rather ugly matter that arose as a consequence of the last meeting that was held here.

Much has been made of the fact that that was then and this is now. During the period from 1993 through 1996 over three hundred citizens representing the interests of more than 50 neighborhoods, citizens' groups, business interests met to take a detailed look at every single future road proposed for this region. With regard to the Relief Route, we recommended that that road be given the top priority for future construction in the area. The task force was advised by the staff as apparently the Council was that both the location from the access points and their nature, be it interchanges, at-grade crossings, overpasses, was essentially a done deal and for that reason we chose not to spend our time on that particular matter.

However, we did review all of the connecting roads to the Relief Route and reached the consensus that with one exception and one exception alone, every one of those connection routes are vitally needed by this community. The justification in many cases is much greater than it was back in the '80s. For me to go through those justifications cannot be done in a three-minute sound bite. However, I suspect that if let's say you called a two-hour meeting at which Mr. Sanchez and the Council would share his recollection of what the Council thought they were approving in the '80s, you brought in Mr. Rahn to tell you why he thought the connections were good ideas, and then you were to ask the task force what they thought, we would all three of us be telling you the very same thing.

The task force has made no recommendations regarding the priorities of the various roads to be constructed, however, I did take the liberty to go through the minutes to identify the ones most mentioned by participants as the ones most needed in the near future. Those connecting roads were the Jaguar Road connection the Relief Route, the connection of South Meadows Road from Cerrillos to the Relief Route and beyond, and the Calle Nopal alternate connection together with the Siler crossing.

I recognize that there have been concerns that two of those cases, South Meadows and Nopal, if those would have adverse impacts from the neighbors. However, the task force reviewed the maps of land holdings in that area and we've included that there are any number of places that you could align those roads that would not have those effects.

The task force also strongly recommended the north frontage road with connections from the north that would basically stub out the [inaudible] To mitigate the consequences of future northside traffic pressure in the Solana area the task force mad a recommendation very similar to the one mentioned in the resolution that Mr. Delgado discussed. However, I would caution you in regard to that particular proposal. There are some technical details there that need to be considered in particular that do not break or stub out Los Montoyas at the Relief Route but that the more appropriate thing to do would be to sever the connection of Las Crucitas at Buckman.

That pretty much concludes my review of what the task force did and did not recommend. Making recommendations for future roads is only part of our mission. Another less well known aspect of our mission is to try to serve as a forum and network for resolving road disputes between neighborhoods and neighborhoods, and neighborhoods and developers. And I think over the last five years we've been very good at that because there are many cases I could cite that a dispute was quietly resolved before the blew up into the kind of

bitter confrontations that often bedevil your lives as Commissioners and as Councilors.

As part of that effort I maintain frequent contact with citizens and neighborhoods all across the region. What I heard of last week is very disturbing. I can't begin to tell you how offensive some of the invective directed at the northside neighborhoods as well as the groundless charges that were laid at the feet of Las Campanas were. Many people across the region, including not only the honest people that live up there but also many serious people in places like Agua Fria, Bellamah, the far west end.

It's important to know that when people say things like that it becomes next to impossible to reach any kind of peaceful solutions to the many disputes that divide us. There is a time and place when people have no choice but to speak very directly and aggressively to assert their views, but this is not one of those occasions. For one thing, one should never resort to those tactics until you've made an effort to meet with your adversary, approach them as human being and work out your concerns in a mutually sympathetic way.

I'm almost certain the most of the people who spoke those words have never taken the time or energy to get to know their northern neighbors and that is a pity, because those neighbors include some of the most remarkable people who live in this area who make contributions to the welfare of Santa Fe that I in my lifetime cannot possibly hope to match. And when you make statements like that, those people throw up their hands and say what's the use. This region cannot afford to use the talent.

One thing to know about stereotypes is they're often based on a lie. All you need to do is look at the census statistics about the northside to recognize that in this particular case. Another thing to know about stereotypes is that the purpose of the lie is usually to silence voices that you need to hear, and that appears to have happened in this particular case because I know that there are people up north who have taken views at the task force that differ from the ones that you've heard and yet those people have not been showing up at these meetings and I think I know why.

I know a woman who lives up on Tano Road that's a very close friend of mine. I talk to her frequently, and I asked her, you generally show up at about every public occasion. Why didn't you show up last Monday? And she said, "Al, whenever I've met with Solana, whenever I stand up to speak, my character gets assassinated, and any views that I have are shouted down by the audience. That happened to me at the City Council where the transportation plan was discussed. That happened to me at a meeting recently called by Patti Bushee and judging from what happened at the last meeting, it probably would have happened to me at that meeting as well."

That is something we cannot afford to allow. When we lose our best and brightest minds all of us suffer. In particular, in the Council, when you don't hear things that you need to know you risk making mistakes that can hurt all of us. Innocent mistakes, the ones made out of ignorance.

Another thing to know about stereotypes is that they often backfire with counter-stereotypes. As someone who has heard from many people across the region I know that people have stereotypes about people who live along the Alameda and I resent those because I live there as well. But based on what happened, what has been happening over the last six months, there's now a kernel of truth in those stereotypes. So I would ask the leaders of Solana to recognize we need to deal with that. We need to start making bridges.

MS. GARCIA: Al, I have no idea what you're talking about.

CHAIRMAN TRUJILLO: Let's not get into a debate, please. Go ahead, Al.

MR. PITTS: The task force has learned from long, bitter experience there are certain lines of public discourse that you don't let people cross. When you allow people to cross them, all hope of peace goes out the window and I would hope that when any member of this panel hears that kind of stuff again that you immediately stand up and say no. Thank you.

CHAIRMAN TRUJILLO: Thank you, Al.

CHRIS LIEBMAN: Chairman Trujillo, Mayor Delgado, City Councilors and County Commissioners, thanks for giving me the opportunity to talk tonight. I'll try to be brief. I'll try to limit any comments to simply making suggestions to those areas that you can influence. I should probably preface my remarks by saying I'm the president of the Sierra Azul Homeowners Association. I'm one of those individuals who crosses the Relief Route every day or will cross it every day. My family will cross it every day as will my neighbors and friends. So I have some concerns related to safety along the Relief Route.

My first suggestion -- I also should point out that I'm a member of the City/County Highway Corridor Committee and I look forward to serving in that capacity. My first recommendation is to control commercial development along the Relief Route. It's certainly within your jurisdiction to affect the land use patterns in that area and I look forward as a member of the committee to presenting you with some recommendations.

If you allow excessive or poorly planned development along the Relief Route, you will compromise the safety of the route. I think that's a certainty. You will certainly compromise the ability of the Relief Route to function as it was designed. In fact in a letter by Denise Ford of the Environment Improvement Division, the EID called for severely -- and I emphasize the word severely -- restricting general development. Not just commercial development but general development along the Relief Route. And I would urge you to take those words to heart. This is after the EID reviewed the environmental assessment.

I don't want to suggest that I'm going in to the highway corridor committee with a preconceived notion about how we should develop the corridor, but I do want those words to resonate with the Commissioners and the Councilors. I'm asking for the "m" word, and I'm asking the County Commissioners and the City Councilors to strongly consider a development moratorium along the Relief Route corridor.

Certainly until such time that the corridor has an opportunity to complete its job. I'm asking you to give us the opportunity to roll up our sleeves, get to work, and tackle this issue.

I'm going to digress from my prepared statement a little bit to address one comment. It was suggested that the corridor committee meetings would have a lot of public participation. Certainly I'm for the public involvement, but I would like to temper the enthusiasm for that by mentioning again that we have a very limited time frame under which to get this work done. I believe the proposed time frame is four months. So I just wanted to make that comment. Certainly anybody in the audience is welcome to contact me and express their views and I'll do my best to represent their interests, but hopefully the corridor committee can work to issue how we're going to proceed at the upcoming Friday meeting.

In a nutshell, if you fail to control commercial development along the Relief Route,

the Relief Route won't provide any relief. The second point is that I'm asking that you consider trying to influence the process whereby we can get traffic control devices along the Relief Route. Several of our associations have suggested street lights, or four-way stops at County Road 70, 62, and the I-25 frontage road. This is just a suggestion. I think that there's an opportunity for a study conducted in earnest to identify the best location. This is, however, a very thorny issue, because the State Highway Department won't initiate a design on the work for such lights until traffic warrants it.

There's a problem here. We then have to wait until the Relief Route is open before there's any planning, much less funds pursued for installing those lights. As I understand it, there's some liability issues related to this. And maybe the Highway Department could comment to that if they feel it's necessary. However, there is a light going in now at the La Tierra-Buckman, or La Tierra-Nopal intersection. There are four concrete pedestals placed there. It is my understanding that the Highway Department is planning to put temporary lights in that area until the intersection is complete.

Let me explain what I'm getting at here. They have determined the need for that based on the existing use on Camino La Tierra. We all know how much traffic goes there and it's quite straightforward to understand that that traffic ain't going to go through that intersection. What I would suggest that the Council and the Commissioners investigate along with the respective staffs is, is it possible through modeling to demonstrate the level of service of certain areas along the Relief Route will warrant a traffic light as soon as it opens. And if that can't work, if there are legal issues related to that, I would go so far as to suggest another approach, maybe with a more certain outcome, and that's that the City or the County direct traffic on to the Relief Route to guarantee that level of service. You'll then get the traffic lights in place.

It may be a backdoor approach, but I would like you to consider that. The other point is to strictly enforce the forty mile an hour speed limit on the frontage road. I would hope that you could direct your law enforcement, the County Sheriff's Department and the City Police Force to patrol that road. There's an added advantage here in that you can enhance the security of the entire area served by the Relief Route. So if you could consider that.

And then finally to quickly establish permanent easements, such as the ones offered by the State Land Office. Thank you very much.

RUTH MARIAN NOBLE: Mayor, Mr. Chairman, Councilmen, I'm glad to be able to speak to you. What I'm going to read is a letter to the Highway Department, which is really a distress call. I am writing about our concerns that the Highway Department is not aware of the dangerous situation being created by using what will be the Relief Route frontage road as the de facto Relief Route for the next two to four years.

Our neighborhood lies at the west end of West Alameda, County Road 70 and we are very concerned about the safety issues. We understand that the problem will be somewhat alleviated when the full four-lane Relief Route is finally completed. However, we anticipate major problems beginning this July as traffic floods the two-lane frontage road. I have lived in the Pinon Hills Subdivision for that last 23 years and have been well aware of the Relief Route for most of this time.

I've attended many meetings over the years concerning the Relief Route and although I've stayed abreast of the development, it is only recently that I have become aware of the plan to cut off West Alameda, CR 70, and to divert local residents on to the Relief Route, rather than providing us with an underpass.

The devil, it is said, is in the details, and we certainly feel his hand in the highway's design. Your planning for our neighborhood looks suspiciously like the deadly situation at Tano Road and 285. You are providing us with only a stop sign on our side of the de facto Relief Route, so that we are to be put at risk every time we leave our neighborhood. We are told that you do not have the numbers to justify building underpasses for local traffic, yet the numbers on this de facto Relief Route for the next few years certainly justify traffic lights or even a four way stop sign.

By the way, we understand you to mean the numbers of living drivers, but we fear that you may mean the numbers of deaths. What is your rush to open the frontage road as the Relief Route? If you must open the route to WIPP traffic or lose federal funding, why not install temporary safety measures such as traffic lights for the safety of every single person who will be forced to use the temporary frontage road Relief Route?

County Roads 70 and 62 are our lifelines to our jobs, the hospitals, schools, to anywhere. Please do not cut us off. We are also frightened for the safety of visiting family members and friends of all ages. Believe us, we are as concerned as you about the safety of the WIPP shipments. However, we do not understand the callous attitude toward our small neighborhood that you have shown by creating extremely dangerous traffic situations where our rural access road becomes part of the official Relief Route.

This is a letter from David G. Noble, president of the West Santa Fe Association.

JANE SHEA: Gentlemen, my name is Jane Shea and I live out on West Alameda, out where that lady lives. And for the last couple of months, every time I cross Alameda going to my home I have to go like this, because I can't see anything that's going to come my way, whether it's going to hit me or my husbands who come to see me, or when I'm going to work. And I want to stand here and tell you that if I'm the one of the ones who die before you put up a traffic light there, or help us get across it, I want you to remember exactly what I look like. Thank you.

JIM HURTLE: My name is Jim Hurtle. I'm a member of the board of the Tierra de Oro Homeowners Association. It is just north and west of the proposed Buckman Road interchange, also a representative of the Santa Fe Northwest Advisory Council. While we understand the need for the Relief Route, the Buckman Road interchange is our concern. Not only would we wish for that to be a depressed straight crossing with a permanent traffic light, if it finally had to be an interchange, at least the four-lane portion should be the depressed part and have Buckman Road be the overpass, mainly because that mitigates the sound.

We're also concerned with the commercial development if there's an interchange made there. Being a retired developer and knowing how these things work with City Council, no matter what the current statement is, eventually the developers will win. Thank you.

SAGUNA SEVERSON: Thank you. I'm Saguna Severson. I live in Pinon Hills also, off West Alameda. This is a letter from David Gold who can't be here tonight. I

just want to talk what I think is basic common sense. We're using the frontage road as the Relief Route for the next two to four years. That's a two-lane road. It's built -- I know the Highway Department said this last time -- they built it as a frontage road with frontage road safety because it won't have that many cars on it when the full four-lane Relief Route is built. But in the mean time, it's going to have a lot of traffic and we have no way to get across. We're cut off. The school bus has to come across. I have lots of little kids that are neighbors that ride that school bus and that school bus is going to have to come across every morning during rush hour and there's no traffic lights, and there's not a four-way stop sign.

You guys, you give great numbers and you talk about all this stuff and you say well, the numbers don't justify it yet. If one kid gets killed, what are you guys going to say? One kid! You all have kids. You all have nieces and nephews and grandchildren, if one little kid gets killed crossing the road and you say we don't have the money for a traffic light, but it warrants an interchange at Santa Fe Estates. There's not one house yet at Santa Fe Estates. Little kids!

It just makes me want to cry. That's my little girl over there, sitting there. She's fifteen months old. My father is 71 and he's going to live next door and he's going to drive her in his car, and what's he going to do. Okay, just one scenario, please bear with me. I know you have great numbers and you're all very educated people, but just try and use common sense. It's a two-lane bypass. There's no turning lanes, there's no four-way stop sign. I'm coming from the Airport Road area. I have my little girl in the back.

Okay, it's five o'clock. There's all this rush hour traffic. Everybody's going to use that bypass, that two-lane. Of course they are. It's a great way to get around town. Okay, I have to make a left turn on to West Alameda from the bypass, the two-lane bypass to get to my subdivision. There's no other way to get to my subdivision which has been there since 1962, before the bypass except to use the bypass. Right now, I have to use it. You have come to Caja del Rio or West Alameda.

So just imagine this. It's rush hour. I'm coming from the south. I have to make a left turn. I have no turning lane. I have no stop sign. I have no traffic lights. How am I going to make a left turn? I am going to be standing there in the lane, which is the only lane of traffic northbound, and everybody's going to be backed up behind me to Airport Road because I am not going to turn with this little fifteen-month old girl and try to make it in ten or twenty feet of traffic. I want to be able to make a left turn safely. So I'm going to sit there and a lot of other people are going to sit there at Puerta del Sol and Sierra Azul, every little subdivision on the way. How are they going to make a left turn?

That's all I'm asking. I'm not asking fancy numbers and I know that you're saying, the planners are saying, well the numbers don't warrant it. How can you say that? You're building a two-lane Relief Route right now until the four-lane is built and you're telling us we have to get across. I invite you to come out next month. I invite you to drive to the new municipal golf course. A lot of people are going to take West Alameda. I hope you guys do it and you'll be stuck there too. At the stop sign.

I'm just asking you please, for some common sense, temporary safety measures. Four-way stop signs. They're very cheap. Or traffic lights. You can use them somewhere else later. Thank you.

JOHN FLAX: Ladies and gentleman, private citizen, Lower Agua Fria, and

boy, what a mess! I just want to put in my two cents worth to limit commercial development. This gentleman's idea about a moratorium -- brilliant. What's to prevent someone who owns land next to the Relief Route to build a hotel tomorrow? Nothing, I don't think. Or a gas station. We're looking at a fourteen mile route. There's already a gas station, a Shell station on Airport Road. That's about five-miles in, so there's nine miles.

There's plenty of gas in Pojoaque. There's plenty of hotels in Santa Fe. We don't need to make that a Cerrillos Road. We really don't. And I hope that this committee who's advising will move in that direction and I hope there are people on that committee who own property next to the route and have some grand designs for a big retirement. Thanks.

STOCKTON COLT: Mr. Mayor, Mr. Chairman, Commissioners, Councilors, I'm Stockton Colt. I'm representing the residents, the property owners and the association of Puesta del Sol, west of the City of Santa Fe, directly north of the Relief Route. Now for clarity, the comments I want to make today are about the two-lane frontage road which will be the prime access and will be used extensively over the next two to four years as the main four-lane bypass is developed.

Let me make something crystal clear to you. The comments you've just heard will be repeated several times over because there are at least three subdivisions that have exactly the same situation you just heard. We cannot cross. It is very problematic that we are going to be able to cross that two-lane frontage road in high traffic times. You tell me how we're going to do that when the traffic speed is 45 miles an hour and you have people coming in both directions with absolutely no traffic signals to stop that flow of traffic. How are you going to get the seventy residents who live in Puesta del Sol across that road, not to mention Sierra Azul, not to mention Pinon Hills?

I'd like to see it. What I can't understand, with all due respect to the City, how they can possibly say, that one stop sign will do it for that length of a road. I don't understand that. I actually think that is totally insensitive to the needs of this community, and you ought to do something about it. And gentlemen, you have the ability to do something about it. Let me suggest four steps you should consider.

Number one is you must limit commercial development along this route and you can control that. Despite the fact that there is going to be a corridor committee and wonderful folks like Chris will be representing us on that, you will have the final decision. You can control that development. Let me make that clear. And I can assure you, that if it's not consistent with the needs of the west side, you're going to get hell from us.

Number two: You can immediately install traffic signals or four-way stop signs. That is a cheap investment. Granted signals are expensive. Four-way stop signs are very cheap and not a big deal. I would suggest that we not study that forever or you're going to kill somebody's child.

Number three: You have got to enforce that speed limit. You know as well as I do that 45 means nothing more than 50 miles an hour of real speed. In fact, in this state you can get away with that and not get a ticket legally. So you've got people traveling at 50 miles an hour along that street with absolutely nothing to stop them, thank you very much.

And then finally, there are several intersections that need regrading. You cannot see cars at a 90 degree angle from the bypass on that two-lane. You cannot see cars that are about to enter that road. So what's going to happen is, somebody plowing at 45 miles an

hour is going to collide with a car at a 90 degree angle and you're going to kill somebody. So you're going to have to regrade a couple of those intersections, including the ones at Puesta del Sol.

So let me make this clear. I'm not just speaking for Puesta del Sol. I'm here in that regard. But there are at least three other associations concerned about this on the westside. And gentlemen, the biggest concern I have here is you guys are all going to point at each other and say it's everybody else's problem. That's my biggest concern -- inaction and a lack of taking accountability. And I'm telling you, the residents aren't going to let you get away with it. Thank you.

LAURIE RAY: My name is Laurie Ray. I hope we have some concessions. I've heard some concessions this evening. Please bear in mind that time is of the essence. This road will be paved by the end of July. I hope that engineering reports for these concessions will be in by then, because otherwise don't be surprised if they say it's too late. I heard Pete Rahn say that now he's flexible about giving us some of our wants, when in fact in the last eight years we have been told that these wants would be taken care of. So until something is in writing, I can't really say with somebody saying they're flexible.

I bought a horse for the first time in my life exactly one year ago and board him at Bill and Carol Cantu's B-bar-C stable on West Alameda. At that time you could ride fourteen miles through the open trails Cerrillo Grande if you wanted to. That is up until January of this year. Now you ride one mile out and you hit the wall of China. I realize the bypass is necessary but the way it's designed is unacceptable. I can imagine this problem happening any place in the United States, but not here. This is Santa Fe, New Mexico, the last of the Wild West. Thousands of tourists a year come here from all over the world to experience the Old West. Many of them want to enjoy the full Old West experience and expect to ride horses out in the country if they choose to.

A couple from England came out just a couple of weeks ago and rode every day while they were visiting Santa Fe. Bill and Carol have the closest stable to town that offers trail rides. Their business, as well as others will be in jeopardy without trail access. It's unbelievable our Highway Department cannot justify a need to have access under the road so decent trail rides will still be possible here in the open lands of New Mexico.

In the past four months I've attended several meetings regarding the bypass road. I can't call it a relief road because I still can't figure out whose relief it is. I don't object to the road. I do, however, object to the way the Highway Department is so closed-minded when we have presented our inquiries and our concerns. At one meeting with the Highway Department's Charlie Trujillo in attendance, he was asked, what would it take to get access for an equestrian, pedestrian, box culvert under the bypass?

He said somebody would have to dedicate land on both sides of the road. Bill Cantu replied by saying the College of Santa Fe has agreed to do just that. Then Charlie Trujillo said, and I quote, "That's not good enough" Everyone who attended last Tuesday's meeting might have caught the same arrogance from the Highway Department.

So let me get this straight. The Highway Department wants us to believe the following: One: This 13.8-mile road cost \$93 million, or three times more than the average road in the nation, and the Highway Department can't justify spending any more money for the equestrian, pedestrian accesses, which would have cost \$200,000 to \$300,000 if put into

effect a couple weeks ago when the small tube culverts were put in. Now, of course, it will cost more.

Two: It was originally designed for thirteen interchanges, but now it has a total of 13 "access points." Some of these interchanges are so close together that it poses a real safety hazard. We are asking to eliminate some of these interchanges at a savings of several millions of dollars. But the Highway Department says No. If they're worried about the cost of undoing some of the plans we didn't want in the first place, I would be willing to buy a bottle of White-out for them to eliminate some of the exchanges on those plans. That way it wouldn't cost them anything, and they would have more than enough money for equestrian, pedestrian access.

Three: The road does not have to be built with the same high standards of other highways in the nation. Even though one of the main purposes of the road is to carry nuclear waste through residential property.

Four: The Highway Department insists the City is the lead agency of the road, yet at last Tuesday's meeting, the City Councilors and Commissioners were asking the Highway Department to justify the decisions on this project. A couple of weeks ago it was disclosed that out of nowhere a box culvert large enough for equestrian crossings, will be installed under Cerrillos, somewhere around the outlet mall. It's wonderful that all of this suddenly is going to be possible, but there's one minor glitch. There's no horses down there. Install it where it will have some use, like across from the West Alameda stables.

I realize I'm just a common citizen and I can't benefit from the many studies and engineering reports that the Highway Department has done in the past several years regarding this road, but what the Highway Department wants us to buy, both literally and figuratively, is so unbelievable it's almost laughable. These meetings would be 95% shorter if we discussed what was right about this road.

This whole fiasco would be a perfect story for Tom Brokaw's NBC evening news segment called "Fleecing of America." It would also be very interesting for "60 Minutes" to look into it. I suggest the local media get the story into the national news and show our nation just what we're having to put up with here. Our Highway Department and this road is an embarrassment to the citizens of Santa Fe as well as all the citizens of New Mexico.

Finally, I have never seen bulldozers move so fast as they have in constructing this road. It seems obvious that the Highway Department wanted this completed before anyone knew what was going on. They're the only ones that might be looking forward to relief when the road is paved, and probably consider that they're home free when that is done. I've got news for you. There will never be relief until this road is done right. We will not go away, paved or not. Don't forget, we are aware of the New Mexico Statutes such as 67-3-62 that states that provisions for pedestrians, bicycle and equestrian traffic be required across and along new highways, and Section 67-3-63, referring to the authorization of funding for the construction.

Lastly, I suggest that a complete investigation of the Highway Department be initiated. Thank you.

SANDRA AGUILAR: Good evening. My name is Sandra Aguilar. Mr. Chairman, Mayor, Councilors and Commissioners. I'm here tonight to just sort of reflect on some of the thoughts that I've had. I too have been attending meetings on various venues of

this Relief Route. But to give you a little bit of history, in 1979, Mr. Kolkmeier was one of the first people to do a study for this Relief Route. So there's history here. Along with the history, comes a lot of ambiguity about what the intention of this road was.

Originally, it was a bypass for Santa Fe. It was to get traffic around Santa Fe. And then there was federal funds, and it became a route for WIPP. And in that change, and in the change in the administration, it changed the intention of that road, there was a lot of things promised to a lot of people. And I believe that both you, the chairman and mayor asked, were we getting to the point where were we just here venting.

The point is there's been a lot of confusion, and we don't like it, because it affects us. It affects how we live, the quality of our lives. The hopes of what we want to do as we continue through our lives. Hopefully, we'll all live long lives, and that affects us. That affects us in a very different way. So whether our engineers have done a good job. Whether our Councilors have done a good job, the Commissioners have done a good job, or the State Highway engineers have done a good job, all depends on what your memory brings up.

Right now, the main issue is what happens when we're all gone and we've got the two or three or however many interchanges you're proposing and you'll accept, and you'll direct these engineers and this department to deal with. What happens, years from now when we haven't thought about anything other than this damn corridor that's ripping through this beautiful landscape. Because I've heard several people say you've had time to speak before, we've listened to you, we've listened to you, how many people could actually visualize the St. Francis and St. Michael's Road out on the most beautiful piece of landscape? How many people can translate that imagery out there by looking at these diagrams?

I would say few. So first of all, there is a little bit of educating that didn't happen, and it's not anyone's fault, but it just didn't happen. Now there was some withheld information and that is somebody's fault. What we want, what I want is for you people to take real clear charge of where you're jurisdiction is in not only directing how these access points will be developed or not developed, but think of it not as a highway, think of it as part of our community. That's the error when you follow just engineering. It is just a highway if you think of engineering. But it's more than that. It is part of our community.

People come here and ask you for trails. Because that's part of their life. People come here and ask you for safety because that's part of what we deserve. I'm telling you that we can take this absolutely incredible opportunity now and do some absolutely beautiful things that will make it an asset to this place, not just an engineered corridor, not just part of somebody's land plan, but something that when you come up and you have people come to visit you, you say, it's the third most beautiful exit that you come down and you take it and follow right and then you follow the sunset.

You don't say, well I think it's exit 280 -- no, it's exit 181, and there's a whole lot of crosses there where several people have died. And you'll see that, so slow down. We don't want that. So take advantage of the committees that you have. Take advantage of the staff that you have. You have very talented people in both the County and the City. Use them. Be the initiator. Demand that people follow your direction when you're letting out bids. Be very careful about the kind of money, and for God's sake. Talk to those people that are

going to be impacted by your decision.

Don't make us come to you. You come to us when you want to be elected, come to us when you want to affect our neighborhoods. Thank you.

SUBY BOWDEN: Gentlemen, my name is Suby Bowden. I would like to speak primarily about the very short time frame we have and the incredible tools that are at your hands right now to use. The City Council was very wise to take a very bold move and ask the Highway Department to speed up the Relief Route in an effort to keep WIPP off the St. Francis. So the City has encouraged you to take this very fast pace, and that's why the Highway Department is out there rushing two lanes through. And I think the community is thankful for that.

But now the question is what can we do in the extremely short four months that we're being told -- by October they want to relief RFP. Which means that we really have two months, because they're going to have to redesign and redo drawings if you're encouraging a redesign. So I'm going to take it step-by-step by the tools that I see that we've been given so far. Tonight we were given an incredible gift by the Conservation Trust and the State Land Office pursuing trails.

If you recall the open space plan that we gave you last week. It's a colored map, and it shows the five trails that were encouraged in 1987. The State Land Office is proposing trails in one of those five areas. There are still four other locations that the City and the County, State Land Office, Conservation Trust, citizens need to pull together to meet a plan we proposed ten years ago.

Then next and primary issue I'd like to talk about is interchanges versus intersections. Ten years ago, as you recall Councilor Sanchez, extensive meetings, far more so than this, you established a master plan with two interchanges at St. Francis and I-25, a third proposed interchange at Caja del Rio. All others were proposed to be intersections, not interchanges. There was language that said dependent upon future needs, future developments.

There have not been public hearings discussing this for ten years, so we are here today asking for those public hearings. I was present at the legislature, in the room when the Highway Department stated, as Councilor Martinez said, that there would be three interchanges, and those were stated to be St. Francis and I-25 and the ridgetop interchange. And they did say there would be public hearings prior to other interchanges.

They are currently grading a large enough area of land at Richards Avenue and at Buckman Road for an interchange. Which is why everybody that drives by every day is panicking that those interchanges will be built. There are maps here before us showing interchanges designed. Your City staff said they're designed. There's nothing we can do. But the Highway Department who have said to us that the City's the lead agency, but the Highway Department has the final say, said to us a week ago, and said to us again tonight, that those don't have to be interchanges unless you choose for them to be interchanges.

Now, what I keep hearing is that they're either at-grade intersections or they're interchanges. Now there's a very strong middle ground, which is where an interchange costs \$4 to \$7 million, and you can drive a car under and over an overpass for dramatically less than that. So we don't necessarily have to have nine interchanges as is currently being shown on the City's General Plan but has never been discussed in public, has never been approved by the County Commission or the City Council unanimously. It is only a proposal.

People are sitting here tonight saying to you we want overpasses and underpasses for cars, not just for horses but for cars, and deletion or postponement of the two interchanges -- maybe you say that La Tierra is desperately needed because there is such an amount of traffic there, but Richards Avenue isn't needed.

That neighborhood [inaudible] for a long time. Why couldn't it be an overpass/underpass for cars to drive through? These are the kind of decisions that you and this committee will need to make in two months, not four months, but in two months. We have an extremely fast schedule because we've asked for an extremely fast schedule to get WIPP through.

The next point I would like to make is environmental impact. We have been told that by law we have met the environmental impact, and yet there are social impacts. You have communities standing here before you today. Casa Solana has been the boldest and the strongest. They called for these public meetings. The Highway Department did not. The Highway Department is attending them, but they're not calling for them.

Therefore you, as City Councilors and County Commissioners must call for them. You must continue to ask for them during this two-month period. Casa Solana has put maps before you. Unfortunately, they're facing the opposite direction, that show there are four major roads that will go through the Casa Solana neighborhood off the Relief Route, and they've asked that those be cut off. You've put forth an ordinance that cuts off two of those. I request that you analyze the other two as well.

The other environmental impacts are Cottonwood Mobile Homes. You saw on the State Land Office overhead tonight that there's State Land Office land on either side of Cottonwood Mobile Homes and you've been told by the Highway Department and by the neighborhoods that the bypass will be three feet away. Now this overhead projector is probably seven or eight feet away from you. Imagine having a Relief Route three feet away from your home. I think the very least the City and County can do is request for a density transfer to give those mobile homes an alternate place to live.

Simply because they're poor and can only afford mobile homes there's no reason to say there's no environmental impact when you put a road that far away. We've also heard about the crossings. This will be similar to St. Francis. How many of us -- I would not cross St. Francis on foot or on bicycle and the Relief Route will be the same way. Obviously by getting our trails, getting overpasses and underpasses we can address that.

My next item is commercial development. You have a wonderful tool. You have an open space plan from 1987 that show a 100-foot open space corridor. You have General Plans proposed by the City of Santa Fe that until a few months ago showed a 1000-foot corridor and did not show commercial development and I think that those are tools you have in place. There is no ordinance since that says you have to have commercial development, so to have a commercial development would in a sense be a sort of conceptual variance on a plan that's been in place for ten years and has been supported in a General Plan process by the City of Santa Fe.

And the last item, I request that you recognize, because you have great tools in this two-month period if you can only do it quickly enough, is that you're sitting at the table together. This is very unusual and we really, really thank you for this. And so we encourage you to continue to do this because you've recognized and we've all recognized

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how important this is. And even though this is currently predominantly County land, the City of Santa Fe has proposed a General Plan that's asking that this land be annexed by the City of Santa Fe.

So it's very essential that we not encourage or allow conflicts between the City and the County because if we support the City's annexation of this area, then the City has equally as much impact by this decision as the County does, even if it's currently owned by the County.

I did recognize one last thing I missed and I apologize, and that is that there is an agreement currently between the City and Las Campanas, but if you decide that Las Campanas should have an interchange, then Las Campanas will participate in payment for that interchange according to the agreement I read and that they also would recognize that impact on the surrounding neighborhood roads. Thank you very much.

HELGA ANCONA: My name is Helga Ancona. I live in Pinon Hills. I'm a member of the West Santa Fe Association. I have lived in Pinon Hills for almost nine years and the reason I moved there, we moved there, our family moved there is because it was a rural area. I now see this whole area being completely torn apart. I see now with the relief road cars actually driving by the backyards of houses mostly in Puesta del Sol. We are just a mile away from all of that.

I attended a few bypass meetings years ago and there was never really much indication of how the bypass was going to go, what exactly was going to happen. At that time, I asked many times what was going to be done about noise and light pollution. I asked, "Are you going to plant trees?" They said, "Absolutely not." "What are you going to about making the bypass lower?" "No, we're not going to do that."

So I felt at that time already that there was not that much consideration done to the people who lived in that area. I now am frightened every single day when I drive into town because I have no other alternative but to cross the bypass. And it comes at a diagonal and you really, like other people mentioned, you can't see. So every day I drive by there I wonder if this time I'm going to make it fast enough so that I'm not going to get killed. I don't want to get killed. I don't want my family to get killed. I don't want any of my neighbors to get killed.

And I feel, having watched what happened on Tano Road where everybody sat on their hands and did nothing until a big number of people died, I don't want to provide bodies for the Highway Department or for anybody else. We want to live and we like to live where we live. And we don't want to face dangers every day. I couldn't believe the comments of the Highway Department about how much traffic because obviously there's going to be a lot of traffic since it's a bypass road.

How we're going to get across, nobody can figure that out. And why we can't have a four-way stop sign, I can't figure that out. Why? Is that so expensive to do? It's incredible. And here we're just totally dispensable. We're not being looked upon as people who live in the neighborhood. I was also very upset also a while ago, some weeks ago, I read about everybody's so happy because the WIPP wasn't going to go through St. Francis anymore. So the northern part of town was being saved. But nobody talked about the impact this was giving to the southern part of town.

We're majorly suffering. Many neighborhoods are suffering. and I called the New

Mexican and even complained and I said, you guys, you're not even talking about what's happening to us. You know that the bypass is coming. We knew the bypass was coming but when and how? How was it going to happen? So please, I plead with you, please think of us and get signs in there as quickly as possible. Not in two months but now, because every day when we drive through there it's a danger.

And I wanted to second it, I really appreciate seeing the City and County together because I know that there has been very often a lot of friction and I hope that from now on this will not happen and we can work together.

ERNESTINE HAGMAN: My name is Ernestine Hagman. I live at Alameda Ranchettes, which is right near Pinon Hills and before you get to Puesta del Sol on the west. So there are more than Puesta del Sol and Pinon Hills. There are several other small developments west and northwest of that bypass. I am very concerned about safety.

I will have to cross that bypass or that frontage road every day, particularly during the school year. So will school buses. I'm concerned about safety because you're not going to have stop signs there and fifty mile an hour traffic when I have to turn almost three-quarters of the way around in order to see what's coming. It's a big problem. I'm concerned about safety right now. Thursday morning I happened to have stalled out right near the bypass and I was there for about three hours.

Trucks were going back and forth, great big pieces of equipment going back and forth on that Relief Route. There was not one single flag person there. That has been true several times in the last few weeks when we do not have flag people there to help people that are trying to cross County Road 70 across the frontage road to get into town. And that's probably true down at 62 too.

If you're not concerned about our safety now during construction, how can I be sure that you're going to be concerned about our safety once you've paved that Relief Route, frontage road. We are dispensable? Are the children that need to go to school, there are three bus routes, to Capitol High School, to Alameda Junior High, to Ortiz Junior High and of course to Agua Fria. What's going to happen with all this? It is a serious safety issue that needs to be addressed. Four-way stop signs might be helpful. Certainly signalization would be important. Thank you.

KAREN HELDMEYER: I'm Karen Heldmeyer and last week someone said that this whole process reminded them of Orwell and it reminded me a lot more of Lewis Carroll, because Lewis Carroll said that we all are going to have to swallow six impossible things before breakfast. These hearings or meetings have been full of impossible things that we've been asked to swallow, like we don't get a public hearing on this very important project. All we get is a public meeting on decisions that have already been made.

There's a proposed interchange on which construction is already being done. Pedestrian access can include running as fast as you can across the highway. And probably most important of all, this huge enterprise will have no significant environmental impact on any part of Santa Fe or Santa Fe County. Those are all impossible things that we've been asked to accept and I think what you're hearing from the group here today and last week is they're not going to accept this.

And there's another impossible thing we've been asked to accept, and that's we can't make a difference. It's too late. The decisions have been made. We looked at this fifteen

years ago and I think the other thing that you're hearing from the people in this audience is we don't agree with that. We don't think it's too late. We think that there are a lot of important decisions that can still be made, a lot of changes that can still be made, but that's in your hands.

Those decisions are going to have to be made by you and hopefully, what you will do is to say that the interest of this community in terms of safety, in terms of access, in terms of the environment, in terms of the overall good of Santa Fe City and County, are not impossible but there's things that can be embraced and included in the process and it's up to you to do it.

MAURICE BONAL: Good evening, Chairman, members of the county Commission, Mayor, members of the City Council and staff, my name is Maurice Bonal and I'm the chairman of that recreation complex that was on the overhead just a little while ago. I'm here to not only plead but to actually give my time and I will assist the City and the County and the Department of Transportation, the Land Office and the City of Santa Fe and the County of Santa Fe in finding a way for pedestrians, children on bicycles, people walking, to be able to get from one side of the bypass to the other to get to this great complex that's going to be open in about a month.

The City needs to be commended on this complex. But I share with the members out there who have horses. We've had many, many, many public hearings, approvals, the approval process. Also consider the fact that access would be made from one side of the bypass to the other, to the complex and I am here to -- I will dedicate my time and work with the State and the three different state agencies, the County and the City.

I understand the Department of Transportation. It takes cooperation and you have to know that. It takes a lot of time and it does take cooperation. These members up here, the City, both pro and con, they listen to both sides, but they also need your help and you have to help them to help us. If you're willing to help, things get done. And I'm willing to help. We've spent a lot of time on this complex and we're just at the tail end of this thing and I'm willing to spend that extra time and help you all to make it right.

The mayor, members of the Council, members of the Commission, I will do my best to make sure that the last leg of this complex is done. And it's only partially done, because there are another 600 acres for recreation still available for development for our future, our youth and our seniors. And I'm here to give my time.

MICHAEL DUBONNIET: Hi. You all know me, I'm sure. I keep bugging you every chance I get. Again, I want to say thank you for meeting with us tonight, Chairman, Mayor and Commissioners. My name is Michael Dubonniet again from La Nueva Casa Solana Neighborhood Association.

I do want to thank you for being here but I also ask not just that you listen to us but that you act on our behalf. You are the only ones that can do this and we ask for this. I would like to mention that Mr. Lange suggested that basically, first of all he said that these interchanges are as safe as any in New Mexico and I would challenge him, is it as safe as Tano Road and 285, where several people have died as has been stated before.

It seems to be the case that this kind of attitude suggests that we wait until the intersections become of lethal magnitude before anything else is done, before they're upgraded or something else. I tell you, if we don't act on this, the blood's going to be on

your hands. I don't care if it's legal. You may not face legal prosecution, any of you, but I tell you when blood starts getting shed, it's going to be on your hands if something isn't done.

As was also mentioned, I can't remember by whom, someone from the Highway Department I believe this evening, that the bypass was designed as St. Francis has been. And as I mentioned the other day, St. Francis and St. Michael's Drive, that overpass, there's no way to get across there without walking in the road. That's not a good design. Furthermore, I also hope that you don't just take their word for it that things are being complied with. That's like asking a murderer if he did it. Of course he's going to say no. If we just turn to those who are in charge to tell you whether they're meeting all the criteria, then we're fools.

Of course they're going to say that they're right. Of course they insist that they're meeting all the criteria. What do you think, Councilor Sanchez, that they're going to say, "Actually no. We're just ram-rodging this thing through with no forethought or responsibility." Of course they're going to say that. It's ludicrous to just take their side. So don't believe them. Don't even believe us. I really suggest that you get independent counsel. I want the truth. I don't want just one side.

Finally, Mr. Mayor, you suggested, you asked what kind of tools we have and I say it doesn't matter how many tools we have, if we don't use them, it doesn't matter whether we have them or not. Anyway, that's all I had to say. Thank you for listening.

PAT SIMONS: My name's Pat Simons. I'd like to apologize for my yelling last week, but what needs to be addressed here is that people's lives evoke their passions and slide rules don't. I've been in building trades for thirty years and that's hands-on experience. I've been involved in probably 25 or 30 houses being built in that time. It takes a long time to build a house. There is not a single solitary house in those 30 years where the plans put forward by the engineers and the architects worked to the degree that they did not have to be changed at great cost to the people having the house built.

Part of being an engineer, an architect, involves a certain kind of education, many years in school, but what it does not involve is experience on the job. In all those years I met two architects who bothered to spend time in their youth as carpenters to learn what it is to build a house. You cannot do it from a desk. As you people know, you cannot govern from behind a table, you have to get out into the community. Engineers don't know this.

It's part of the limitations of my abilities, unless they care enough to do this. I would just ask you to view these kinds of statements -- we can't go back to the drawing board -- as nothing more than inertia and vanity. Everybody wants to have their name on a road. The Douglas McArthur Highway. My mother used to live in Pennsylvania and there's a representative from out there had an interchange built with his name on it that goes nowhere. It's a fact, I'm not making it up. It's a fact. There's vanity involved in this.

I'd just like to drive a wedge, frankly, an intellectual wedge, between the assumptions that these people are trying to drive through this process. Yes, we can go back and we can redesign. And what amazes me about this project, frankly, and it had to happen. There needs to be a Relief Route, nobody here is disputing that, is the lack of human concern for the people in these neighborhoods. I didn't know about these people that can't out. Intellectually, it's astounding. It's like not putting all the nails in the 2 x 4 wall. We can't

afford the time.

And there are construction projects, large ones, which collapsed, killing people in construction and afterward and it's on record because of the decisions of engineers. So I'd like to remind you that the o-rings in the Challenger were designed by engineers, not just the parts that worked. I could go on. But there has to be some clarity here and not just accepting -- and you're smiling sir, but you were involved in the West Alameda project, and thank God that got stopped. You have to perhaps have a little intellectual humility to take into account what people are saying to you. And as far as --I'm not going to say it.

SUBY BOWDEN: I apologize for coming forward again, but I've been asked to present a map to you that was made by a citizen here in Santa Fe. And what I'd like to do, there's only an original, is if I could, I'd give it to Councilor Sanchez and pass it down to Councilor Martinez and I'll pick it up at the end of the meeting and get copies to you.

This map was drawn of the -- showing the automobile traffic between the St. Francis interchange and the ridgetop interchange. And to help the neighbors in the audience, when you come off of St. Francis on to La Tierra, and you drop down that very steep valley and then you start to come up, that point where you come up is where the ridgetop interchange is proposed. And what you'll see by this interesting diagram that a local neighbor made, is that there's a tremendous amount of crossing in that low valley, and it's human nature as you go down to pick up speed and people are coming down from both directions while they're simultaneously merging and crossing.

This diagram is the specific interchange that's currently being questioned as to AASHTO standards. I don't know enough about that, but you can see by the diagram there's a tremendous amount of traffic congestion at that point and that it should be studied very carefully for that reason.

This also is the point of the Santa Fe Estates that the neighbor earlier said there's no housing currently at that point but it is also the point that Tano Road is proposed to connect on to the Relief Route so it has multiple impacts on it. And I think that the man who drew this map said there are over twenty different merges going on in that interchange in 1100 feet, where the AASHTO standards some people say are met and other people say are requiring 1.2 miles instead of 1100 feet. Thank you.

BILL CANTU: I want to thank you, gentlemen for listening again to us tonight and I want to thank the people who showed up and I'm sorry that so many people have left. I'm really sorry that so many of our City Councilors and County Commissioners decided not to come to this meeting or couldn't make it or as Mr. Grifé just walked down for one reason or another.

I want to start out by reading the Relief Route trails petition that we had going around and it says, "We, the undersigned feel that it is critical to leave non-vehicular passages for bicycles, equestrians and pedestrians under the Relief Route while it is being built. It will be considerably more expensive or impossible to add these later, which will hinder trail systems near the Relief Route. The current City and County General Plans wisely call for widespread, non-vehicular trail systems. We urge the City, County and State Highway and Transportation Department to plan for future, non-vehicular transportation needs by acting now and leaving non-vehicular passages in the Relief Route."

I've only got a few of the petitions and there's a thousand signatures here that I would

like them to become public record. I can make these available if so requested. The gentleman over to my left that made a statement about a gentleman who said that the Relief Route was designed like St. Francis Drive, well that gentleman was Greg Rawlings, who was an ex-State employee with the Highway Department. He's now with the Federal Highway standards, I believe.

I think that tells us that not only the federal government or Federal Highway Standards Committee doesn't care about the safety of the citizens of Santa Fe as the New Mexico State Highway Department does, so I think it is up to you gentlemen to take this and run with it and run with it to do something to help the people of Santa Fe, not only the people from the northeast sector or the northwest sector, but the entire city of Santa Fe. This affects all of us.

I'm really surprised and grateful to hear from Tom Leatherwood here from State Lands, that was quite a surprise tonight and I applaud him and Commissioner Ray Powell. It shows that we do have some people that are concerned about this situation. Mayor Delgado, last week after our meeting you approached me and you said that you thought that this was something that was doable and you were referring to getting access underneath the Relief Route, and I hope that you meant what you said. I hope that you will work hard along with the rest of the Commissioners and Councilors in accomplishing this feat, because it's going to be a big one and there's just a little bit of time left to do it.

In closing I would like to say there are some of our public officials who like to become public in a negative way and have made the newspapers and the different TV stations in a negative way and now it's time that if you want to do it in a positive way, this is the way to do it. Represent the people who elected you to do so. Thank you.

MS. GARCIA: Mr. Chairman, I hate to end on this note, but I just want to tell you something. A number of years ago, New Mexico I think, the federal government withheld federal funds from this highway fund. For about five years we were penalized. That was in the Blackner investigation took place out of DC and there was a lot of illegal stuff that was done in New Mexico in building our highways. And they weren't built to specs and they weren't built according to federal standards.

New Mexico didn't get any federal dollars for its highways for five years. About ten or thirteen years after that, the State Highway Engineer was indicted, everyone of the Highway Commissioners was indicted, and most of the top echelon at the Highway Department were indicted. And I think some of you here remember that. What I'm trying to say is, that the Code of Federal Regulations means something when it says an environmental impact statement, that means something.

And if we don't address it here and make it happen then somebody else could make it happen and New Mexico could really suffer long term. Thank you.

CHAIRMAN TRUJILLO: Thank you very much. That concludes the public portion of the public hearing. I'd like to open it up now for comments and/or questions from the Councilors and the Commissioners, if there's any.

COMMISSIONER DURAN: Mr. Chairman, thank you. I would just like to thank you all for coming tonight and the other night, last Monday. I just want you to know, and I think I speak for all of the County Commissioners, that all your concerns, your desires, your fears, did not fall on deaf ears. And I would like to ask the County Manager

to put on our next County Commission meeting, put this on the agenda, that we can discuss the concerns of the community and see what we can do to work with them and the Highway Department as soon as possible so we can actually do something about this.

COUNCILOR SANCHEZ: Yes, I want to add to Commissioner Duran's concerns and your concerns are certainly our concerns. I think that by these meetings we've established the fact that we've got some fantastic safety problems. The resolutions in the past picking the alignment and saying we're going to have so many interchanges, so many access points, it's silent on the safety of the public.

So I think it's appropriate that the City Council take some steps to correct that and I think we can do it now by drafting a resolution, because of safety concerns requiring underpasses permitting vehicle passage, equestrian, pedestrian passage. That's for all these interchanges. Maybe the three don't require because they're free flowing, but at some of the other points. There's no doubt about it. There's tremendous safety problems. I can recall one of them. As you go up Airport Road and go beyond the Relief Route, you try to get across that thing. It's a hazard. There's no doubt it.

I've toured, several times the Relief Route and I see some of these access points and I get all disorientated. You come up and there's the Relief Route. And if we don't have some method of getting across it, we're taking a life in our own hands. In my lifetime here in the region, about two or three years, I've had two serious things that really affected me personally. One was --I'm going to relate to this because some of you might be aware of where it's at. San Antonio. It's got an outer loop and an inner loop. The outer loop, half of it is four lanes and the other was two lanes.

Traffic started building up development. And I thought that getting to my daughter's place was pretty hazardous because I was on the two-lane section of it. Some of you have been up there. It's behind Seaworld. There's a road behind the back of it. And development is occurring on each side. Well, when I first got there, there was no stop sign. Public pressure forced a stop sign. And they had an accident, because people got used to it. And there was some truck that had been using this road for a long time that barrelled into and killed a young lady.

The next time I was there, there was flowers, a marker, and a man weeping out there. And that was very, very touching to me. That's what happens with stop signs. I think stop signs for a Relief Route like that is not going to do it. Underground or over.

The other thing that's occurring right now, I've heard it here recently. I've heard it from Chuck. I've heard it from other people that the federal government and the transportation department is going to have an awful lot of money for road building in New Mexico. Why not petition and push these things now? And I am prepared for a draft resolution that can be acted on by the Council to do these things. And I will introduce it at the next meeting.

COMMISSIONER ANAYA: Thank you, Mr. Chairman. I just want to state, I hope many of you out there do remember my history as far as the CDRC back to the days to when Beverly Garcia and I were on the CDRC and the positions that we took against mining, one of the biggest issues. I want everybody here to remember, Irene will remember this, she's out in the audience. She's always attending both City and County meetings with the Mountain Ordinance. The ski parking lot expansion. Things of this nature. I just want

to inform the public that the two appointees to the corridor committee are Commissioner Duran and myself.

So I want to echo what Councilor Sanchez has said. I want to echo what Commissioner Duran has said, and I think there's some very valid concerns along this corridor that need to be address and here's what we can do, with your people's support, I think we can do it.

MAYOR DELGADO: Thank you, Mr. Chairman. There's no doubt about it that the safety concerns that the people have here this evening have been noted and I feel comfortable in the fact that not only the County and the City will address them. I think we had an opportunity and some information was brought forward in regard to what Mr. Ball and the Land Trust talked about in acquiring the easements that we need. The Land Office came forward and said, We're ready to work with you. We're ready to go.

So this all happened from the last meeting, last Monday, to the meeting today. This happened in seven days. So it can tell you, we still have the opportunity to address these areas. But it's all going to boil down to, when we talk about safety on that alignment, it's going to boil down to the will of the City and the County to protect that corridor from being impacted by growth. If growth does take place in this area, along that line, in fifteen years or so we're going to look back and say we have another Cerrillos Road on our hands.

So it's going to take the will of both governing body to say, No, we're not going to let that happen to that alignment. Whether we handle it through zoning, whether we handle it through other tools that we do have to use. That's where it's going to lie and ladies and gentlemen, again, I want to thank you for taking the time and showing us the concern that you have. You tell us that you have a concern not only about the City of Santa Fe, but also about the County. And I feel comfortable in the fact that we can address these concerns. Thank you.

COUNCILOR MARTINEZ: Mr. Chairman, all I can say is if we don't put a stop to the Highway Department, all the meetings, everything we say is not going to do any good. And it's got to be done immediately and brought to the negotiating table as to what the people want in their neighborhoods and what the Highway Department is going to have to give up. If this doesn't happen, then all the meetings aren't any good.

If we don't get the City, the City hasn't done nothing for the last ten years. All the activity that has happened has come from the election actually to this point and it's picking up more steam as we go. We need to get the City to turn about the 1000-foot corridor, the walking paths, the bypass and the equestrian passes also. But if we don't stop the Highway Department in its tracks then any and all meetings that we have don't do us any good.

CHAIRMAN TRUJILLO: Ladies and gentlemen, I'd just like to say that I'm ecstatic about being up here and representing the congruence that this body has with the health and safety concerns, and the quality of life concerns of this community. I feel that, like Mayor Delgado said, that from last week to this week new opportunities surfaced. There are ways to go under the bypass. There are ways to give impetus to trails to protect the quality of life, to protect the health and safety. I'm sure that the Highway Department, the County and the City staff are on board. There are ways to do it. We can't let it die. We need to address it and we need to work together as elected officials and community to do it. Thank you very much for your input.

ADJOURNMENT

Chairman Trujillo declared this meeting adjourned at approximately 8:45 p.m.

Approved by:

Approved by:

City of Santa Fe
Larry A. Delgado, Mayor

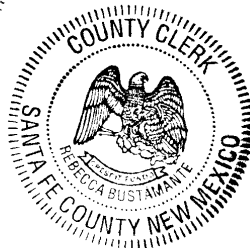
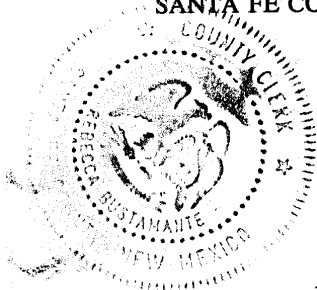
Marcos P. Trujillo
Board of County Commissioners
Marcos Trujillo, Chairman

Respectfully submitted:

Karen Farrell
Karen Farrell

ATTEST TO:

Rebecca Bustamante
REBECCA BUSTAMANTE
SANTA FE COUNTY CLERK



1033.022
COUNTY OF SANTA FE)SS
STATE OF NEW MEXICO)
I hereby certify that this instrument was filed
for record on the 16 day of July A.D.
19 98, at 1:32 o'clock P.m
and was duly recorded in book 1516,
page 841 of the records of
Santa Fe County.

Witness my Hand and Seal of Office
Rebecca Bustamante
County Clerk, Santa Fe County, N.M.

Marcella Salazar
Deputy

AGREEMENT



THIS AGREEMENT (the "Agreement") is made and entered into by and among the New Mexico State Highway and Transportation Department (the "Department"), the City of Santa Fe, New Mexico, a New Mexico municipal corporation (the "City"), and Santa Fe Estates, a New Mexico corporation ("Estates"), as of the 14th day of November, 1997.

Recitals

1516841

A. In 1993, the Department informed Estates that the Department would develop and construct the Northwest Santa Fe Relief Route, Project No. DE-0107(807), CN 3208, (the "Relief Route"). Pursuant to that threat of condemnation the parties hereto have negotiated this agreement wherein the Department will acquire lands of Santa Fe Estates for the Relief Route, will pay to Santa Fe Estates compensation for the taking, will cause to be built by the City, at the Department's expense, certain "City Roads" (hereinafter described) to re-establish access to property retained by Estates, and will cause to be built the Relief Route as hereinafter described.

B. The Department and the City entered into a Joint Powers Agreement dated May 3, 1993, as subsequently amended, (the "JPA"), with respect to the development and construction of the Relief Route.

C. The alignment of the Relief Route follows Camino La Tierra in the City and County of Santa Fe, New Mexico ("Camino La Tierra").

D. Camino La Tierra and the Relief Route traverse the real property owned by Estates, which comprises approximately five hundred and eighty-four (584) acres (the "Estates Land").

E. Pursuant to § 42-2-1 *et seq.* NMSA (1978), the special alternative condemnation procedure, the Department on January 17, 1997 made a formal offer to Estates to acquire 54.53 acres pursuant to Department Project No. ST-7649(203)-3, Control No. 9428. As part of that offer, Department sought to obtain a temporary construction permit relating to 0.0287 acres of the Estates Land. The parcels to be acquired by the Department pursuant to the formal offer were Parcels 10-1 and 10-1-A, and the temporary construction permit related to Parcel 16-TCP-1.

F. The parties, by this Agreement, have resolved their differences and the Department, by entering into this Agreement, will acquire the 54.53 acres of the Estates Land ("Relief Route Land") for the purposes of developing and constructing the Relief Route.

G. In 1979, the City approved Estates' master plan as a planned residential community, then consisting of seven hundred ninety-two and three-tenths (792.3) acres with a density of one thousand, four hundred two (1,402) residential units and four acres of commercial property (the "Master Plan"). The property remaining of Estates that has not been sold or subdivided is approximately five hundred eighty-four (584) acres, which under the 1979 Plan

had an approved density of nine hundred eighty-three (983) residential units and four acres of commercial property. The 1979 Master Plan had seven access points onto Camino La Tierra.

H. Because the Relief Route is an access-controlled facility, the number of access points for the Estates Land shall be reduced from seven to two.

I. Because of the taking of 54.53 acres of Estates Land and the reduction of access points, all the parties hereto agreed that the Master Plan would have to be amended and resubmitted to the City for approval (the "1996 Master Plan"). Estates, in reliance upon the planned construction of the Relief Route, in an effort to minimize its damages, submitted the 1996 Master Plan to the City and received final approval from the City on the 1996 Master Plan on September 25, 1996. The 1996 Master Plan was formally filed of record in the Santa Fe County Clerk's office on December 20, 1996, and is incorporated into this Agreement by this reference.

J. The City and John J. Dempsey, predecessor in interest to Estates, entered into an agreement dated January 20, 1930, relating to the development of certain property which is now Estates Land. The City, under the agreement dated January 20, 1930, has a contractual right to a 50% share of the net proceeds of the sales of Estates Land. The City and Estates amended their agreement on August 30, 1978. The City, as lead agency for the Relief Route, desires to donate or contribute its proceeds from this transaction to the Department for the sole purposes of constructing the City Roads defined below.

K. All parties desire to set forth their agreement as to the Department's acquisition of the Relief Route Land, the Master Plan amendment process, Estates' waiver of access damages claims, certain procedures relating directly or indirectly to the construction of the Relief Route and the City Roads (as defined below) and the City's waiver of its contractual right to proceeds and its voluntary contribution to the Relief Route project.

Agreements

NOW, THEREFORE, the parties agree:

1. 1996 Master Plan. Estates has prepared the 1996 Master Plan and has received approval by the City. The approved 1996 Master Plan shows two access points onto the Relief Route and the reduction in acreage of the Estates Land to reflect the Department's acquisition of the Relief Route Land. The 1996 Master Plan includes a realignment of the internal roads in the Estates Land to reflect the reduction of access points from seven to two.

2. Construction of City Roads. The parties hereto agree that the construction of the City Roads is essential in order to re-establish access to the remaining Estates Lands. Accordingly, to cure the access problems created by the taking of the previous means of access, the Department and the City, pursuant to the JPA 1993, referred to above, have agreed at their expense to design and construct certain roads within the Estates Lands; these roads will become the dedicated "City Roads" and will be built by the City and paid for by the Department. Attached hereto, marked Exhibit A, are approved complete designs (CIP Number 828A) for the roads to be constructed by the City in accordance with this paragraph. The City will commence to advertise on or before November 25, 1997 for bids to construct the City Roads, and will

award the contract to one of the bidders within 60 days after the conclusion of the required advertising and bid submission periods; provided, however, that the City may determine, in accordance with its invitation for bids, that none of the bids received are satisfactory, in which event the City shall readvertise for bids as soon as practicable until a bid is accepted. Upon award of a contract, the City will proceed with diligence to finalize and execute the contract for construction of the City Roads with the successful bidder and will issue to the bidder a notice to proceed with construction approximately ten days thereafter. Specifications furnished to prospective bidders will require the successful bidder to accommodate the installation of utilities by Estates in the City Roads. Estates and the City will coordinate utilities installation with the City's contractors. The City will complete construction of the City Roads on or before December 31, 1999; provided, however, that the time for the City's performance under this sentence shall be extended by and to the extent of any agreement among the parties or any delay caused by (i) labor strike or similar work stoppage, (ii) unusual adverse weather condition, or natural disaster or fire or similar act of God, (iii) unreasonable delay of Estates in having utilities installed in the City Roads, (iv) civil disturbance or vandalism, or (v) unreasonable delay of the Department in conducting its construction activities.

3. Dedication of City Roads. The City has prepared a plat showing the location of the City Roads, which conforms to the road design shown in Exhibit A, and which is attached hereto as Exhibit B. The City will revise this plat as necessary to create a dedication plat by (i) adding a statement that Estates dedicates the portions of the City Roads shown within its property as public streets of the City, (ii) adding a statement that the City accepts the roads described thereon and the attendant drainage structures, sidewalks, landscaping and all appurtenances thereto for maintenance, and (iii) adding and describing standard easements for customary utility services, including water, sewer, gas, electricity, telephone and cable. The City will deliver the dedication plat at the closing specified in paragraph 18, revised and completed in accordance with this paragraph. Estates will execute the dedication plat, and the City will accept and file the dedication plat in the Office of the Santa Fe County Clerk on the closing date.

4. Payment for Construction of City Roads. The construction of the City Roads is a cost of cure of the access problems or damages to Estates lands arising from the construction of the Relief Route. The Department shall pay the sum of \$2,410,000 to the City at closing for the sole purpose of the design and construction of the City Roads. It is intended that the Department pay for the actual costs of the design and construction of the City Roads not to exceed the sum of \$2,410,000. In the event that the actual cost of design and construction of the City Roads is less than \$2,410,000, then the City shall refund to the Department such difference. In the event that the actual cost of design and construction of the City Roads exceeds \$2,410,000, then the Department shall be obligated to pay such difference so long as the City obtains prior approval from the Department of the changes in construction that cause the difference or overrun. The Department's approval shall not be unreasonably withheld. The City and Department agree that the costs of curing the access problems or damages is a right-of-way acquisition cost.

5. Expenses and Revisions of Master Plan. The parties acknowledge and agree that Estates has incurred certain expenses relating to the preparation of the amended Master Plan and configuration of the City Roads to re-establish access to the property, all related to obtaining the City's approval of the 1996 Master Plan. As part of the compensation for the taking, the

Department shall pay to Santa Fe Estates, at the closing specified in Paragraph 18, the sum of \$302,737 as reimbursement for those expenses.

6. Location of Access Points. Once the Relief Route, which is an access-controlled facility, is completed, there shall be no more than two access points onto the Relief Route from the Estates Land, which access points shall be located at the ridge-top interchange near the western boundary of the Estates Land, as more fully shown in the 1996 Master Plan and Exhibit A attached hereto.

7. Construction of Relief Route. The Department will construct the Relief Route in accordance with (i) the Relief Route highway construction plans and associated contract documents identified as New Mexico Highway and Transportation Department Construction Plans for Project DE-0107(807), CN 3208, subject to such revisions as the State and City shall approve, and (ii) associated landscaping plans identified as New Mexico Highway and Transportation Department, Santa Fe Relief Route Landscape and Irrigation Plans (May 1995). The parties acknowledge that the Department may elect to have the landscaping performed pursuant to a separate contract.

8. Utility Sleeves. As part of the design and construction of the Relief Route on the Relief Route Land, the Department shall provide for the installation of, and shall install, under the paved portions of the Relief Route, sleeves to accommodate the installation of water, gas, electric, telephone, television cable, and sewer utilities by Estates at those locations shown on the 1996 Master Plan as utility corridors. The Department shall prepare and furnish to Estates specific engineering drawings showing the sleeves. Estates shall have twenty (20) days within which to review the drawings and resubmit them to the Department with any required changes. Failure to resubmit within the twenty (20) days shall be deemed acceptance by Estates. Estates shall be responsible for obtaining the necessary permits from the Department for installation of the utilities.

9. No Interference with Access. During the construction of the Relief Route and the City Roads, the Department and the City shall maintain appropriate access to the developed portions of the Estates Lands.

10. Construction Compliance. The New Mexico State Highway and Transportation Department Standards for Highway and Bridge Construction shall be used for the design and construction of the Relief Route. As to the City Roads, the City agrees that the City Roads design reflected in Exhibit A complies with all City Code standards applicable to such roads and to the requirements of the 1996 Master Plan. The design and construction of the City Roads shall provide two temporary access points to Camino La Tierra at the future underpass under the Relief Route. These temporary access points shall be constructed as shown on Exhibit A. The design of the City Roads includes a landscaping plan that may not be constructed contemporaneously with the building of the roads and other appurtenances, due to the lack of sufficient water to irrigate the landscaping properly. The City may elect to provide class C seeding at the same time that the City Roads are constructed. All other landscaping referred to in Exhibit A, which is an obligation of the City to Estates, shall be deferred if necessary water improvements are not in place for the irrigation of the remaining landscaping. In that event, Estates will construct and pay for the remaining landscaping as funds are available from the sale of tracts, in accordance with the landscaping plans that are part of the City Roads design. The

actual costs incurred by Estates to construct the landscaping shall be deducted from the City's share of proceeds from the tract sales that would otherwise be distributed to the City in accordance with the 1930 agreement between the City and John J. Dempsey.

11. Acquisition of Relief Route Lands. Estates agrees to sell to the Department, and the Department agrees to purchase from Estates, merchantable title to the land sought to be acquired by the formal offer of January 17, 1997, further identified by legal description as Parcels 10-1 and 10-1-A, together with a temporary construction permit for parcel 16-TCP-1 in the form attached hereto as Exhibit C. This sale shall occur upon the terms, conditions, and price as set forth in this Agreement.

12. Total Cash Compensation for the Taking. The parties agree that the total cash compensation for the described lands and for the Master Plan revision expenses is shown on Exhibit D, attached hereto. The total amount due Estates is One Million, Six Hundred Thirty-Three Thousand Eight Hundred Sixty-Seven Dollars (\$1,633,867).

13. Loss of Access. In consideration of the development and construction of the City Roads by the City and the Department and the other covenants of the City and the Department provided for in this Agreement, Estates waives all claims to damages resulting from loss of access, change of access, circuity of access or other elements of damage pertaining to access arising from the completion of the Relief Route as an access-controlled facility, including, without limitation, the reduction of access points from seven to two.

14. Delay Damages. In further consideration of the development and construction of the City Roads by the City and the Department and the other covenants of the City and the Department provided for in this Agreement, Estates hereby waives any and all claims for damages for delay of its subdivision project allegedly associated with the City approval process before the date of this Agreement.

15. City's Contractual Right. The City has a contractual right to a portion of the net proceeds from this sale of Estates Land in the amount of Nine Hundred Eighty-Six Thousand, Three Hundred Ninety-Five Dollars (\$986,395). The City hereby waives its rights to direct payment by the Department and Estates to the City of these proceeds and specifically authorizes the Department to retain the \$986,395 to be used for the construction of the City Roads and for reimbursement of the cost of the City for design of those roads. The City, as the lead agency on the Relief Route, makes this waiver, donation, or contribution for the purpose of promoting and advancing the Relief Route in the public interest and with the full expectation that the Relief Route will be properly completed by the Department once funding is available. The parties further agree that this transaction shall not be considered as a precedent for other private sales of Estates Lands or for disbursement of proceeds to the City by Estates under its contracts with the City.

16. Disclaimer of Interest. The compensation and other consideration provided by this Agreement shall constitute full and complete compensation for the taking of the Relief Route Land and any and all damages of any kind or nature to Estates remaining lands or interests arising from this acquisition. The City disclaims any and all interest which it may have had to the Relief Route Land and the proceeds to be paid under this Agreement. The City authorizes

the Department to use its public right-of-way for Camino La Tierra, a City street, for any and all purposes necessary for the Relief Route.

17. Gas Transmission Line Easement. A gas transmission line currently exists under a portion of Camino La Tierra, and crosses a portion of the Estates property in accordance with an easement granted to Gas Company of New Mexico. Construction of the Relief Route requires that a portion of the line, including a part of the line running under the Estates property, be moved or replaced by a line in another location. To the extent that the Gas Company of New Mexico incurs any costs in moving or replacing the line, the Department will reimburse those costs to Gas Company of New Mexico, together with the costs of preparing a survey to identify the location of a new easement (described below), in accordance with applicable statutes and regulations. The Department will cause the Gas Company of New Mexico to remove all natural gas from the portion of the line to be abandoned, and to restore to its previous grade and condition any part of the Estates Land disturbed by the movement or replacement of the line. Estates will grant to Gas Company of New Mexico an easement across the Estates lands generally as shown in the drawing attached hereto as Exhibit E, to install and maintain the portion of the replacement line shown in Exhibit E as crossing those lands, upon a reconveyance to Estates of the portion of the old easement across its lands which will no longer be used. Estates shall not be obligated to pay any cost of moving or replacing the gas transmission line or of creating any portion of the easement.

18. Closing. The closing of specified transactions under this Agreement will occur at the office of the General Counsel, State Highway Department, Santa Fe, at 10:00 a.m. on November 24, 1997, or at such other time and place as the parties may agree. At the closing, the respective parties will deliver the documents, instruments and money, and do such other acts, as are described below in this paragraph 18; and each such delivery and act will be a condition precedent to each other delivery and act, and all deliveries and acts will be considered to take place simultaneously.

(a) Estates will execute, acknowledge and deliver to the Department a general warranty deed in statutory form conveying, by metes and bounds descriptions based upon survey made by the Department, merchantable title to Parcels 10-1 and 10-1-A, subject to matters of record and taxes and assessments for the year of conveyance, and Estates agrees that it will, at the earliest possible time and in all events before the construction of the Relief Route, cause an extinguishment of that portion of the easement created by that certain Extinguishment of Existing Easements and Grant of Replacement Easements filed for record on May 28, 1997 in Book 1377, pages 116-129 of the records of Santa Fe County which crosses the Relief Route. The Department agrees to provide all reasonable assistance to Estates in accordance with its applicable regulations to provide the grantee of the easements (or its successor) created under that instrument with permits necessary to install the contemplated utility lines under the Relief Route. The City understands that the grantor and grantee of the easement referred to in the two preceding sentences contemplate a dedication of the easement to the City, and the City agrees that the described extinguishment of the easement and replacement with a permit from the Department is acceptable to the City and will not prevent acceptance of the proposed dedication.

(b) Estates will execute, acknowledge and deliver to the Department a temporary construction permit respecting Parcel 16-TCP-1 in substantially the same form attached hereto as Exhibit C.

(c) Estates will execute and acknowledge the dedication plat in the form attached hereto as Exhibit B, as completed in accordance with paragraph 3.

(d) The Department will deliver to Estates in immediately available funds the sum of \$1,633,807, in accordance with paragraph 12.

(e) The Department will deliver to the City in immediately available funds the sum of \$2,410,000, in accordance with paragraph 4.

(f) The City will deliver, execute, accept and file in the appropriate index of the Office of the Santa Fe County Clerk, upon its execution by Estates in accordance with subparagraph (c), above, the dedication plat in the form attached hereto as Exhibit B, as completed in accordance with paragraph 3.

19. Possession. Upon the completion of the closing, the Department shall have immediate possession of the Relief Route Land, and the City shall have immediate possession of the City Roads land.

20. Proration. *Ad valorem* taxes on the Relief Route Land shall be prorated as of the date of the Closing and, unless the actual amounts for the year in which Closing occurs are known, shall be based upon the latest known rate applied to the latest known valuation of said property. The prorations so determined will be final and not subject to recomputation after the Closing.

21. Other Interests. Estates hereby agrees that the cash price and other considerations provided in this Agreement is full compensation for its interests.

22. Miscellaneous Provisions.

(a) Effect. This Agreement binds each party and the heirs, successors and assigns of each party. In addition, this Agreement runs with the land with respect to the Estates Lands. The representations and warranties of each party, and the continuing obligations of Estates, the City and the Department, as provided for in paragraphs 2, 4, 7, 8, 9, 10, 15, 17 and 18(a), shall survive closing.

(b) Notices. Any notice required by this Agreement shall be given in writing to the parties designated below. Notice shall be deemed received by the designated recipient on the date the notice is delivered personally to the recipient, or three (3) business days after addressed to the recipient and deposited, postage fully prepaid, registered or certified, in an official receptacle of the U.S. Postal Service.

City: City Manager
200 Lincoln Avenue
P.O. Box 909
Santa Fe, New Mexico 87504-0909

With Copy to:

City Attorney's Office
200 Lincoln Avenue
P.O. Box 909
Santa Fe, NM 87504-0909

Department: Secretary
New Mexico Highway and
Transportation Department
P.O. Box 1149
Santa Fe, New Mexico 87504

Office of General Counsel
New Mexico Highway and
Transportation Department
P.O. Box 1149
Santa Fe, NM 87504-1149

Estates: Santa Fe Estates, Inc.
Phase One Realty
Post Office Box 2832
Santa Fe, New Mexico 87504-2832

W. Booker Kelly /
Charles W. N. Thompson, Jr.
White, Koch, Kelly & McCarthy
Post Office Box 787
Santa Fe, NM 87504-0787

(c) Further Assurances. Each of the parties shall take all such actions and shall execute and deliver all such documents as may be necessary or appropriate to give effect to the terms of this Agreement.

(d) Amendments. This Agreement may be modified, amended or rescinded only by a writing executed by the parties.

(e) Governing Law. This Agreement shall be governed by and construed in accordance with, the laws of New Mexico.

(f) Merger of Prior Agreements. This Agreement constitutes the entire agreement between the parties with respect to the subject matter of this Agreement, and supersedes all prior agreements and understandings between the parties relating to the subject matter of this Agreement.

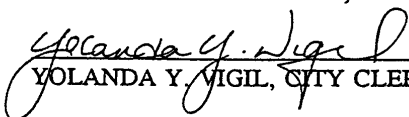
1516841

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

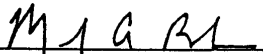
CITY OF SANTA FE, NEW MEXICO

By: 

ATTEST:


YOLANDA Y. VIGIL, CITY CLERK

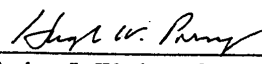
APPROVED AS TO FORM:


MARK A. BASHAM, CITY ATTORNEY

NEW MEXICO STATE HIGHWAY AND
TRANSPORTATION DEPARTMENT

By: 
FOR SECRETARY

Approved as to Form and Legal Sufficiency
by the Office of General Counsel on 6th
day of November, 1997.


for Arthur J. Waskey, General Counsel

SANTA FE ESTATES, INC.,
a New Mexico Corporation

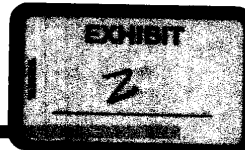
By: 

INDEX OF EXHIBITS

1516841

- A. City Roads Design
- B. Dedication Plat
- C. Form of Temporary Construction Permit
- D. Schedule of Cash Compensation
- E. Gas Transmission Line Drawing

David R. Gold



Max Valerio
1120 Cerrillos Road
Santa Fe, NM 87501

June 10, 1998

1516841

Re: Relief Route Crossings

Dear Mr. Valerio,

I am writing concerning vehicular Relief Route crossings, during and after construction. I live in community of Pinon Hills. We are forced to cross the Relief Route any time we enter or leave on either CR62 or West Alameda. There are no alternative accesses. The communities of Puesta del Sol and Sierra Azul are in similar situations.

An opening number

Apparently neither the Highway Department or the City has any estimates of expected traffic when the Relief Route opens. I will take the liberty of providing an educated guess. The City prepared baseline traffic projections for the year 2015 for the Arterial Roads Task Force. At that time they assumed 400,000 total trips in the area. Three years ago there were 300,000 trips per day. I will give you a very simplistic estimate. Even if I am off the conclusions will be similar. So far that's better than anyone else is offering.

I propose multiplying the ARTF Relief Route values by 3/4 (300,000/400,000), and the cross numbers by the same. This is for CR62 but the results are similar for CR70. I don't have numbers for I-25 Frontage Road, but the same situation exists at a lower level. This results in the following. I computed the per hour value by dividing by 24 and multiplying by 20% to arrive at an 8 hour peak. This is probably a conservative estimate as the number of trips has increased in the last three years and 20% is probably low:

	<u>Per Day</u>	<u>Per Hour (8 Hr Peak)</u>
• Highway: 21080 * .75	= 15810	791
• Crossing: 2850 * .75	= 2137	107
• Highway + Crossing	= 17947	897
• Frontage: 2840 * .75	= 2130	106
• Highway + Frontage	= 17940	897

Full Build Out

The full build out of the Relief Route offers one safe crossing at the Puesta del Sol interchange. Unless 4-way stop signs or signals are installed at CR70, CR62 and I-25 Frontage Road, it will present a hazard to the public, both for people on the Relief Route, and for those attempting to cross, once the Relief Route is in full operation.

RT 10 BOX 94 DG

SANTA FE, NM 87501

505-471-3974

According to the Uniform Manual of Traffic Control a 4-way stop is warranted as a temporary measure when the volume of vehicles averages 500 cars/hour. The Highway + Crossing number of 897 is far in excess.

Warrant 2 defines minimum values for crossing where a major and minor street intersect. The intersection of CR 62 exceeds the minimum values. In this case the major street is the Relief Route and the minor is CR 62 traffic. The Warrant specifies for speeds in excess of 40 MPH, the minimum warranted values are 85% of those in Warrant 2 table. The following compares the expected values from the ARTF projections with the adjusted Warrant 2 table values.

Major Crossing		Minor Crossing	
Expected	Warrants a Light	Expected	Warrants a traffic Light
791	765	107	64

Remember the expected numbers are conservative. A crossing underpass may not be warranted for a very long time, but 4-way stop or a traffic light is warranted immediately.

During Construction

During construction all of the expected frontage road and highway traffic will be funneled down to the two lane frontage road system. This creates an even worse situation.

The frontage system was never designed to accommodate either the high level of traffic or the high speeds. There are several intersections which will definitely surpass the 500 cars/hour and warrant a four-way stop sign. Several, (CR62 especially) will exceed the need for a control signal. I found 3 places with questionable line of sight braking distances at 45 mph. I did not check all sites and I suspect there are others. Speeding will undoubtedly occur which increases the danger considerably.

- Sierra Azul looking north
- CR70 Access north and south

Using AASHTO decision sight distance for Avoidance Maneuver B several more sites are added to the list. These include:

- West Alameda west access looking north
- Puesta del Sol looking north
- Driveway access between Puesta del Sol and West Alameda

Another dangerous aspect is the lack of turning lanes. There will be big pileups of traffic as people attempt to make turns, on and off of the two-lane frontage road which has become the de facto "temporary" Relief Route. Remember the four-lane limited access highway may not be completed for three to four years.

Solutions include extremely low speed limits and stop signs. This is true even after the full build-out is complete. The frontage roads were never meant to function as a Relief Route. We are treating them as the Relief Route and this will be deadly.

Non-vehicular Access

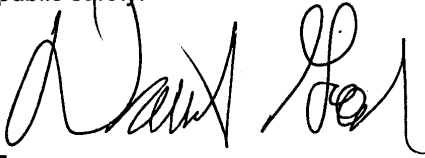
The situation for trail users is completely inadequate, during and after construction. The CR62 and CR70 crossings offer nothing better than walking across the highway itself. This will be true even with the two suggested underpasses. If trail crossings are farther apart than 1 mile, people will tend to jump fences. This will be an attractive nuisance.

During the construction phase, the problem is much worse, for the reasons sited above, relating to vehicles.

Conclusion

I urge you to remember this involves deaths and injuries to real people. There are not statistics. They are our children, spouses, mothers, fathers, sisters and brothers. Please consider the public safety.

Thank you,



- David Gold -