



# Agenda

**PUBLIC UTILITIES COMMITTEE  
MEETING  
CITY COUNCIL CHAMBERS  
200 Lincoln  
WEDNESDAY, NOVEMBER 5, 2014  
REGULAR MEETING – 5:00 P.M.**

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF CONSENT AGENDA
5. APPROVAL OF MINUTES FROM THE OCTOBER 1, 2014 PUC MEETING

**INFORMATIONAL ITEMS**

6. Update on Current Water Supply Status and McClure Reservoir Construction. (Victor Archuleta, Alex Puglisi and Robert Jorgensen)

**CONSENT – INFORMATION ITEMS**

7. Status Report on the Environmental Services Division. (Lawrence Garcia)
8. Update on Resolution 2014-26 relating to the feasibility and fiscal impact of converting the current City of Santa Fe recycling program into an automated single-stream recycling program. (Lawrence Garcia)
9. Drought, Monsoon and Water Resource Management Update. (Rick Carpenter)
10. Utility Billing Division Update. (Diana Catanach)

**CONSENT – ACTION CALENDAR**

11. Request for approval of Change Order No. 5 to RMCI, Inc. for the Southwest Effluent Water Line Project – CIP# 934 for a time extension and repainting the water storage tank for the amount of \$32,996.86 inclusive of NMGR. (Bryan Romero)

Public Utilities Committee – 11/5/14  
Finance Committee – 11/17/14  
City Council – 12/10/14

12. Request for approval of Change Order No. 6 to RMCI, Inc. for the Santa Fe Reservoirs Infrastructure Improvements Project CIP #3038 for the total amount of \$285,944.00 exclusive of NMGRT. (Robert Jorgensen)

Finance Committee – 11/3/14  
Public Utilities Committee – 11/5/14  
City Council – 11/12/14

13. Request for approval for the award of bid and contract to Chavez Security Services – RFB # '15/06/B for security services for the total amount of \$216,810.37 exclusive of NMGRT. (Alex Puglisi)

a. Budget Adjustment Request for the amount of \$44,000.00.

Finance Committee – 11/3/14  
Public Utilities Committee – 11/5/14  
Buckman Direct Diversion Board – 11/6/14  
City Council – 11/12/14

14. Request for approval of a Professional Services Agreement with ConserveTrack for the ConserveTrack System for the total amount of \$45,720.00 exclusive of NMGRT. (Laurie Trevizo and Alan Hook)

Public Utilities Committee – 11/5/14  
Finance Committee – 11/17/14  
City Council – 12/10/14

15. Request for approval of procurement of two-thousand (2,000) ninety-six gallon (96) residential lids from Toter, Incorporated. (Lawrence Garcia)

Public Utilities Committee – 11/5/14  
Finance Committee – 11/17/14  
City Council – 12/10/14

16. Request for approval of Resolution No. 2014-\_\_\_\_\_. A resolution establishing City of Santa Fe Legislative priorities for consideration by the New Mexico State Legislature during the 52<sup>nd</sup> Legislature – State of New Mexico – First Session, 2015. (Brian Snyder) (Mayor Gonzales)

Finance Committee – 11/3/14  
Public Utilities Department – 11/5/14  
City Council – 11/12/14

## **DISCUSSION AND ACTION ITEMS**

17. Request for the allocation of water credits within the City of Santa Fe Water Bank.  
(Alan Hook and Andrew Erdmann)

Public Utilities Committee – 11/5/14

Finance Committee – 11/17/14

City Council – 12/10/14

18. Request for approval of award of contract to Badger Meter for the Meter Reading System and Implementation Services – RFP# ‘14/14/P for the amount of \$ 8,310,826.80 exclusive of NMGR. (Diana Catanach)

Public Utilities Committee – 11/5/14

Finance Committee – 11/17/14

City Council – 12/10/14

19. Request for approval of a Memorandum of Understanding (MOU) between the City of Santa Fe and Santa Fe County for a County Wastewater Collection System discharging into the City of Santa Fe Wastewater Collection and Treatment System.  
(Nick Schiavo and Claudia Borchert)

Public Utilities Committee – 11/5/14

Finance Committee – 11/17/14

City Council – 12/10/14

20. Request from Santa Fe County for approval of use of Meter House # 4 as an additional point of delivery per the 2005 Water Resources Agreement between the City of Santa Fe and Santa Fe County. (Nick Schiavo and Claudia Borchert)

Public Utilities Committee – 11/5/14

Finance Committee – 11/17/14

City Council – 12/10/14

### **MATTERS FROM THE PUBLIC**

### **MATTERS FROM THE CITY ATTORNEY**

### **ITEMS FROM STAFF**

### **MATTERS FROM THE COMMITTEE**

**NEXT MEETING: Wednesday, December 10, 2014**

**ADJOURN**

**PERSONS WITH DISABILITIES IN NEED OF ACCOMMODATIONS, CONTACT THE CITY CLERK'S OFFICE AT 505-955-6520, FIVE (5) WORKING DAYS PRIOR TO THE MEETING DATE.**

**MINUTES OF THE  
CITY OF SANTA FE  
PUBLIC UTILITIES COMMITTEE  
Wednesday, November 5, 2014**

**1. CALL TO ORDER**

A meeting of the Public Utilities Committee was called to order by Councilor Christopher M. Rivera, Chair, at approximately 5:00 p.m., on Wednesday, November 5, 2014, in the Council Chambers, City Hall, Santa Fe, New Mexico.

**2. ROLL CALL**

**MEMBERS PRESENT:**

Councilor Christopher M. Rivera, Chair  
Councilor Joseph M. Maestas  
Councilor Patti J. Bushee  
Councilor Peter N. Ives  
Councilor Bill Dimas

**OTHER COUNCILORS IN ATTENDANCE:**

Councilor Carmichael Dominguez

**OTHERS PRESENT:**

Nick Schiavo, Public Utilities Director  
Stephanie Lopez, Public Utilities  
Marcos Martinez, Assistant City Attorney  
Elizabeth Martin for Melessia Helberg, Stenographer

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

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

**3. APPROVAL OF AGENDA**

Mr. Schiavo asked to remove Item 19 from the agenda, and postpone it to the next meeting.

**MOTION:** Councilor Dimas moved, seconded by Councilor Ives , to approve the Agenda, as amended

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

#### **4. APPROVAL OF CONSENT AGENDA**

**MOTION:** Councilor Dimas moved, seconded by Councilor Maestas, to approve the following Consent Informational Calendar and Consent Action Calendar, as amended.

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

#### **CONSENT – INFORMATION ITEMS**

7. STATUS REPORT ON THE ENVIRONMENTAL SERVICES DIVISION. (LAWRENCE GARCIA)
8. UPDATE ON RESOLUTION 2014-26, RELATING TO THE FEASIBILITY AND FISCAL IMPACT OF CONVERTING THE CURRENT CITY OF SANTA FE RECYCLING PROGRAM INTO AN AUTOMATED SINGLE-STREAM RECYCLING PROGRAM. (LAWRENCE GARCIA)
9. DROUGHT, MONSOON AND WATER RESOURCE MANAGEMENT UPDATE. (RICK CARPENTER)
10. UTILITY BILLING DIVISION UPDATE. (DIANA CATANACH)

#### **CONSENT – ACTION CALENDAR**

11. REQUEST FOR APPROVAL OF CHANGE ORDER NO. 5 TO RMCI, INC., FOR THE SOUTHWEST EFFLUENT WATER LINE PROJECT – CIP #934 FOR A TIME EXTENSION AND REPAINTING THE WATER STORAGE TANK FOR THE AMOUNT OF \$32,996.86 INCLUSIVE OF NMGR. (BRYAN ROMERO) Committee Review: Public Utilities Committee 11/05/14; Finance Committee 11/17/14; and City Council 12/10/14.
12. REQUEST FOR APPROVAL OF CHANGE ORDER NO. 6 TO RMCI, INC., FOR THE SANTA FE RESERVOIRS INFRASTRUCTURE IMPROVEMENTS PROJECT CIP #3038 FOR THE TOTAL AMOUNT OF \$285,944.00 EXCLUSIVE OF NMGR. (ROBERT JORGENSEN) Committee Review: Public Utilities Committee 11/05/14; Finance Committee 11/17/14; and City Council 11/12/14.

13. **REQUEST FOR APPROVAL FOR THE AWARD OF BID AND CONTRACT TO CHAVEZ SECURITY SERVICES – RFB #15/06/B FOR SECURITY SERVICES FOR THE TOTAL AMOUNT OF \$216,810.37, EXCLUSIVE OF NMGR. (ALEX PUGLISI)**  
**A. BUDGET ADJUSTMENT REQUEST FOR THE AMOUNT OF \$44,000.00**  
**Committee Review:** Finance Committee 11/03/14; Public Utilities Committee 11/05/15; Buckman Direct Diversion Board 11/06/14; and City Council 11/12/14.
14. *[Removed for discussion by Councilor Bushee]*
15. *[Removed for discussion by Councilor Bushee]*
16. *[Removed for discussion by Councilor Bushee]*

**5. APPROVAL OF MINUTES FROM THE OCTOBER 1, 2014 PUC MEETING**

**MOTION:** Councilor Ives moved, seconded by Councilor Dimas, to approve the minutes of the meeting of October 1, 2014, as presented.

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

**INFORMATIONAL ITEMS**

**6. UPDATE ON CURRENT WATER SUPPLY STATUS AND McCLURE RESERVOIR CONSTRUCTION (VICTOR ARCHULETA, ALEX PUGLISI AND ROBERT JORGENSEN)**

A series of color photographs of the McClure Reservoir Construction, are incorporated collectively herewith to these minutes as Exhibit "1."

Mr. Puglisi said, "What I brought with me tonight is a little bit more comprehensive report covering the entire month of October. I just wanted to relay to you the production in million gallons from the Canyon Road Water Treatment Plant. [For the month of October] at the Canyon Road Water Treatment Plant we had a total production of approximately 50 millions, from the City Wells we had approximate function of 51 million gallons, from the Buckman Regional Water Treatment Plant about 157 million galls and from the Buckman wells about 1 million gallons." He said this is the total production for the month. He said he didn't want to present one week's data, noting in the future he will be trying to get a monthly summary for presentation to the Committee and he will do that on a regular basis.

Mr. Puglisi said, "With regard to the reservoirs. McClure Reservoir is at zero percent. We have no water being stored in McClure Reservoir at the current time. The Santa Fe River is flowing directly through the reservoir with the outlet valve into the River below the dam. Nichols Reservoir has a current capacity of 125 million gallons or approximately 56%, and the inflow through McClure to Nichols is approximately 1.5 million at the current time. It has been ranging between 1.1 and 1.5 million, so we're getting about 1.1

to 1.5 million gallons a day, about 45 million gallons a month. At the same we are going to step up the current production rate of 1.2 million to 3 million in the next few weeks before we actually shut down for some work on Nichols where they are installing vinyl irrigation pipe to some of the acequias, so we have to shut down the pumps during that time. We want to step up production, bring Nichols down a little bit so we have more storage capacity for the winter months. And then we step back up in December, we'll continue to draw down on the order of 3-5 million gallons a day."

Mr. Puglisi said Ms. Lopez just handed out the pictures of McClure Reservoir [Exhibit "2"], to which Mr. Jorgensen will be referring. He said, "The first 3 pictures you will see was when we were trying to open one valve, and we actually had to get a barge out there and pump the lake down. A 24 inch valve outlet was frozen shut as was the 84 foot valve. We got them both open. We emptied the lake within about a week, and so as I said before, it is free flow through the reservoir at the current time."

*The Committee commented and asked questions as follows:*

- Councilor Bushee asked the percentage of Nichols at the current time.

Mr. Puglisi said it is at 56.1% storage.

- Councilor Bushee asked if there will be sufficient capacity for the heavy winter snowpack we're expecting.

Mr. Puglisi said we will be bringing Nichols below 20% to prepare the winter runoff. Meaning we'll step up production at the Canyon Road Treatment Plant for 5-6 million gallons a day in order to break down Nichols. And we'll maintain that production through March.

- Councilor Maestas asked the reason we don't included unaccounted water use in the report.

Mr. Puglisi said he doesn't know who actually is tracking unaccounted-for water use, but he believes it is Customer Service and Conservation.

Mr. Schiavo said that typically is how it is tracked but he can make sure it is included in the utility billing reports if you would like it there. Or it can be included in Rick Carpenter's report under Water Resources.

- Councilor Maestas asked it tracks it by system.

Mr. Schiavo said, "It is tracked through the water system. So annually we have to calculate that balance of water produced versus water has been sold through the years, and account for what has been lost."

- Councilor Maestas asked if the difference between what is metered is less than 10%, and Mr. Schiavo said that is correct.
- Councilor Maestas believes that would be good information to provide to this Committee.

Mr. Schiavo said some of it is lost in the metering system, noting we do have leaks, and he can provide that information along with the report.

Mr. Puglisi said, "It would be against total production because we have so many sources pumping to common storage tanks, that we would never be able to compare it to production at Canyon Road versus the production at the BDD, it would be whatever source is being used at the time the usage occurs."

- Councilor Maestas said he thinks it would be good for us to track generally where the inefficiencies are through unaccounted water use, and Mr. Puglisi said he agrees.
- Chair Rivera said we recently approved funds, and there was some discussion about a bar being manufactured to get the remaining water out, and I assume that was all kind of "out of the box thinking," to deal with the problem we didn't expect.

Mr. Schiavo said that is correct, but it's not that we didn't expect the problem, it's that we couldn't deal with the problem until we actually drew the level of the reservoir down to the non-functioning valve to see what we could do. He said Mr. Jorgensen will be covering that in more detail in his report.

**Robert Jorgensen** said, "Basically we had two methods that we were using to try to drain the reservoir. One was doing a tap through the bottom valve. That was unsuccessful, and then we did the pumping out. It was two separate things, but the pumping out... the contractor purchased a barge and had it retrofitted so we could put submersible pumps in it. I think they did a great job. And just today, they finished hauling out all of the equipment from the reservoir site and it, so we're probably ready to start the actual construction now."

- Chair Rivera asked was it the contractor's idea, or yours, or a combination.

Mr. Jorgensen said it was a team effort.

- Chair Rivera said, "I give you guys credit for coming up with a creative way to get the rest of the water out."

Mr. Jorgensen said he would have to give the credit on that "the barge and everything, RMC went ahead and figured all of that out and did a good job."

Chair Rivera thanked Mr. Jorgensen for the pictures of the site.



**14. REQUEST FOR APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH CONSERVE TRACK FOR THE CONSERVE TRACK SYSTEM FOR THE TOTAL AMOUNT OF \$45,720, EXCLUSIVE OF NMGR. (LAURIE TREVIZO AND ALAN HOOK) Committee Review: Public Utilities Committee 11/05/14; Finance Committee 11/17/14; and City Council 1210/14.**

Councilor Bushee asked how many years we have been paying for the Water Division tracking software for the water bank.

Mr. Hook said he will have to follow up on that, noting the software will basically track the rebates by the Water Conservation Office, noting it is at least two years.

Councilor Bushee said she is surprised that we pay close to \$50,000 for maintenance and hosting. She asked if it is that something we can do in house.

Mr. Hook said, "No. It's something we do in-house that they provide the hosting of the actual software itself, but this going to be an upgrade in some ways. We're trying to upgrade the Water Bank itself. Right now we track our conservation credits, our affordable housing credits, how much we're bringing in from purchased water rights, just on a spreadsheet. So this would integrate that into the Water Bank/ConserveTrack software. It will also will link the conserve water credits we've already started under the Conservation Office with the Water Bank. So instead of every 6 months or every year trying to balance it with a spreadsheet, we're trying to automate this with the already established software that we have through ConserveTrack, LLC."

Councilor Bushee asked the amount paid to date to ConserveTrack, LLC, for either operation.

Mr. Hook said he doesn't "off the top of my head," but he will check and get back to her on the actual dollar amounts for the hosting, noting the hosting is consistent with what we did before on the dollar amount, but he doesn't know totals.

Councilor Bushee said then on the Water Bank you've been doing the reconciliation by hand

Mr. Hook said, "Pretty much. It's not really by hand. We enter it through an Excel Spreadsheet pretty much."

Councilor Bushee said then you haven't been using this Water Bank tracking software.

Mr. Hook said they have been utilizing it on a limited basis, reiterating this more of an upgrade of integrating all portions of what they have tracked through the Excel Spreadsheet and data base, and it putting in an automated system, ConserveTrack. He said ConserveTrack, LLC, would be hosting it, and doing spreadsheet accounting every 6-12 months with the Water Budget Office, the City Attorney's Office. He said this will be more automated.

Councilor Bushee said I would presume if you had not expensive software you weren't doing hand reconciliation. She said, "I want to know what we're getting and what we've already paid. I'm not getting my questions entirely answered."

Mr. Hook said, "I can follow up on more of the details if you like, on these expenditures, and what you asked for previously and I can show you some of the software integration and how it works. If you'd like sort of a tutorial walk-through of what we're looking at on the upgrade and I think that would answer more of your questions."

Mr. Schiavo said, "It may be worthwhile to share some of the information generically with the database, we hope and maybe a brief explanation of how it has been challenging to find some of the information in the current data base."

Councilor Bushee asked if he is speaking of the Water Bank or the Water Conservation Division.

Mr. Schiavo said, "It would be water conservation at this point."

Councilor Bushee said, "That's the least expensive which is the Water Bank which sounds like you are doing on an Excel Spreadsheet and I want to know about the revenue."

Mr. Hook said Andrew Erdman, his coworker, handles a lot of the Water Rights Transfers transfer portion and he's a lot more knowledgeable on what we're trying to upgrade. With the Water Bank and development, a lot of our water rights transfers, how we sort of lagged in processing those, and how this program will integrate and build out. Really, our Water Bank is automated, so I'm going to have Andrew to explain it."

Councilor Bushee asked if Mr. Erdman knows about the data and prices.

Mr. Hook said no, reiterating he will get back with her on the prices.

**Andrew Eardman, Water Resources Coordinator**, said in terms of the water bank software and the way it has been utilized in the past, and that ConserveTrack will let it utilize it better in the future, we've tracked the water rights that are in the data base using the Water Bank software in the past. We are looking to integrate the allocation of that with Land Use and Affordable Housing. So we have an annual reconciliation for the total number of debits that have come out for project and then we've gone to debit them from the correct account.

Councilor Bushee said then you've had the software, you just didn't necessarily have anyone trained to use it for a few years.

Mr. Eardman said, "The software basically had been designed just to track the individual accounts, and it turned to be a fairly complex process, so it hasn't been well integrated with individual developments as they occurred. So we're looking to have a way for Land Use projects, as they happen, to be accounted for coming out of the Water Bank, rather than fast processing them at periodic intervals at different times of the year."

Councilor Bushee what fund would be used to pay for this request.

Mr. Schiavo said some if will from water conversation and the other from the Water Division.

Councilor Bushee said, "Just count me skeptical. In the past we have ordered lots of software, particularly in Legal and Land Use, and hoped that they were interfacing and conversing on a lot of land use issues. Never happened. The training never existed, the software became outmoded. I want to know what exactly we're getting, what we had for the last 2 years that maybe we didn't utilize or have people trained to do. I'm not saying I don't want us to get more modern.... so I see forty-five thousand dollars and change for software. And I see that this is going to be an update and training and all that. But our history is not great, our record's not great. And I can't even get you to tell me off the top what you've been paying so far and what you've gotten. So you're going to see me not support this until I get the information."

Mr. Schiavo said, if this approved, perhaps it would be helpful if we came back in 6-9 months and actually gave a demonstration of that software and show you how we're using it.

Councilor Bushee said, "Okay, but I still want those answers in the packet."

Councilor Ives asked, as issues related to IT arise, if you have coordinated with the IT Department and the Director, on these particular items.

Mr. Hook said, "Yes, we integrated with IT on this and a lot of the data, and we have a lot more streamline process. And again, this is a stand-alone hosted software, so it's going to be independent of having to do queries through the IT Department. So we'll really own this, both the Conservation Office and the Water Division, to integrate with Land Use and ourselves, and keeping it in the loop. We're always keeping it updated and getting a little more efficient and automated.

Councilor Ives said, "And I certainly understand the Land Use, and historically what it was that led to different departments taking their own IT by the reins and doing what they needed to do, but again, having no creative, separate department, it's going to be incumbent on all of us to recognize that the IT Department has the role and function, so again I will ask every time if there has been coordination with the IT Department to make sure that knowledge is in the appropriate places within the City. Just a request."

**MOTION:** Councilor Ives moved, seconded by Councilor Dimas, to approve this request.

**VOTE:** The motion was approved on a voice vote, with Councilors Maestas, Ives and Dimas voting in favor of the motion, no one voting against, and Councilor Bushee abstaining.

15. **REQUEST FOR APPROVAL OF PROCUREMENT OF TWO-THOUSAND (2,000 NINETY-SIX GALLON (96) RESIDENTIAL LIDS FROM TOTER, INCORPORATED. (LAWRENCE GARCIA) Committee Review: Public Utilities Committee 11/05/14; Finance Committee 11/17/14; and City Council 12/10/12/14.**

**MOTION:** Councilor Bushee moved, seconded by Councilor Maestas, to approve this request.

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

16. **REQUEST FOR APPROVAL OF RESOLUTION NO. 2014- \_\_\_\_\_. A RESOLUTION ESTABLISHING CITY OF SANTA FE LEGISLATIVE PRIORITIES FOR CONSIDERATION BY THE NEW MEXICO STATE LEGISLATURE DURING THE 52<sup>ND</sup> LEGISLATURE, STATE OF NEW MEXICO, FIRST SESSION 2015 (MAYOR GONZALES). (BRIAN SNYDER) Committee Review: 11/03/14; Finance Committee; Public Utilities Committee 11/05/14; and City Council 11/12/14.**

*A copy of Legislative ICIP Priorities identified as legislative priorities by the Finance Committee 11/3/14, for a total of \$4,561,000, is incorporated herewith to these minutes as Exhibit "2."*

A Memorandum dated November 5, 2014, with attachments, to the Public Utilities Committee, from Melissa Byers, Legislative Liaison, regarding Legislative Priorities Resolutions, is incorporated herewith to these minutes as Exhibit "3."

Councilor Bushee said she pulled this item, because she and Mr. Schiavo had a sidebar conversation when she was asking about the storage tank and a pump station, #67, and you said it had been partially funded already, we've received \$1.2 million on that. She asked if that dollar figure still remains at \$1.2.

Mr. Schiavo said, "We have 3 items that were taken before the Water Trust Board, and I'm not following what item you are looking in."

Councilor Bushee said, "I'm going by a list that was in my box called Legislative ICIP Priorities, and there was a #57, a storage tank and storage station, which I said was a priority in a Memo I sent to you. You wrote back and said that the Legislative Priorities will not include finish water tank at BDD. I don't know what that all means. And you said, "I was told that Legislative projects will not include BDD projects. If it is allowed, it should be a finished water storage tank for the BDD."

Mr. Schiavo said the 3 that are being proposed for the Water Trust Board, were the additional 4 million gallons of finished water storage at [inaudible] modification for the watershed to make it more resilient, and the last one was a \$ 2 million request that would go toward a new metering system and utility [inaudible].

Councilor Bushee said all 3 of those are on the Water Trust Board list, and asked if there is any chance of them being funded.

Mr. Schiavo said they are very sound projects, but it's hard to say whether or not they will be funded.

Councilor Bushee said, "Okay, but we're not worried this year, and Mr. Duran doesn't want us to recommend any water projects."

Mr. Duran said the idea is that if we were to include a water project as one of our top priorities said the Santa Fe delegation might say that water projects should be funded through the Water Trust Board, hence the idea that we included in the Resolution those projects that will be submitted by application to the Water Trust Board and that those would be our water projects.

Councilor Bushee asked how the City fared last year with the Water Trust Board.

Mr. Schiavo said we weren't eligible for funding last year because we were still using funds which were given to us for the Nichols Reservoir.

Councilor Bushee said she remember at the last legislative meeting when the Airport was exempted and you came up with a list of projects on your laptop, and not one of those projects were eligible.

Mr. Schiavo said none of those projects were funded, and all were submitted to the Water Trust Board.

Councilor Bushee asked, "Are they a big priority for you."

Mr. Schiavo said, "Absolutely, those are our three top priorities."

Councilor Bushee said she does want to see him come back for a rate increase because he has to fund some capital projects, and wants to make sure he has all opportunities to get funding.

Mr. Schiavo said if these are not funded you will see me come in the future with them.

Councilor Bushee said, "I remember very clearly that one of the Legislator, Senator Wirth, said water projects were "what the Governor was letting through," and that's why I still keep asking. But any of those are our City wide projects."

Mr. Schiavo said, "We did submit those last Session, and other municipalities received fund. So I can't speak for our delegation."

Councilor Bushee said our delegation came together for the Airport.

Councilor Bushee said she still would continue to push for a substantial water project as a City-wide project. She said we were suddenly getting our water budget funded for years until last year.

**MOTION:** Councilor Maestas moved, seconded by Councilor Ives, to approve this request.

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

Chair Rivera said Mr. Duran sent an email today regarding some changes to the delegation as the result of the election. He said perhaps Mr. Duran could follow that up with what that means to the City long-time. He asked, "Can you analyze that fairly quickly, or do you have to wait a few sessions to do it. It would be nice, at least for me to try to understand what the changes really mean for us long term."

Mr. Duran said, "I will be happy to do that. Right off the bat, it likely means that any Santa Fe Legislator who was a committee chair in the House, or about to be a Chair, like Representative Varela on House Appropriations, is not going to be a committee chair any longer. But I have been analyzing that and you will get more details in another Memo."

## **DISCUSSION AND ACTION ITEMS**

### **17. REQUEST FOR THE ALLOCATION OF WATER CREDITS WITHIN THE CITY OF SANTA FE WATER BANK. (ALAN HOOK AND ANDREW EARDMAN. Review: Public Utilities Committee 11/05/14; Finance Committee 11/17/14; and City Council 12/10/14.**

A copy of *Water Bank Accounting* for 2009 through 2014, entered for the record by, is incorporated herewith to these minutes as Exhibit "4."

Mr. Hook said normally we request action on this, especially when our Conserve Water Credit, which I spoke to before, drops below, according to our City Code, 2,500 afy. He said staff is providing an update [Exhibit "4."].

Mr. Hook reviewed the information in Exhibit "4." Please see Exhibit "4" for specifics of this presentation.

Mr. Hook said, "The action we as staff are recommending is that, because the Developer Offset balance is below that 25 afy, I think I recommended moving 36.61 afy into the Conserved Water Balance. So that is taking away from what we purchase as water rights, the 53.61 afy and then moving that into the Developer Offsets, so pretty much that leaves us a reserve of 25 afy, which the Code asks, plus another 16.61 afy, which, at the rate Land use has been utilizing it, they're using about 16.5 afy, so that's balancing out for next year usage which probably will be at the end of 2014. So that's the recommended action. We

are suggesting, as I indicate at the end of my Memo, that the Public Utilities Committee make a request to the City Council for final approval to move that 36.61 afy."

*The Committee commented and asked questions as follows:*

- Councilor Ives said we have impacts from the climate that ultimately will impact our water supply and how much is available annually. He asked if the Climate input to the STELLA system has been fully uploaded at this point time.

Mr. Hook said he doesn't believe those have been integrated into this Water Bank Program.

- Councilor Ives said, "Not into the Water Bank, but into the STELLA system. My intention with water conservation is to run some scenarios of a reduced supply on an annual basis to figure out impacts, and that is my way of trying to get to what we describe as the determination of what an appropriate level of resiliency within our water system is. I don't have a problem with what you are proposing here, I think it makes sense. But know that before doing this process, again, I want to have answers to questions and have a sense of how resilient a system do we need. And obviously the Water Bank credits will be part of that discussion. So, in terms of what is being done at the Water Utility and as we've run the STELLA projections with reduced supply, and understanding the impact of the reduction of our supply across the City to do that planning, but also to figure proper levels of resiliency for those various levels. When this comes back next time, I hope we have answered those questions so that we really are measuring against a greater depth of information and greater depth of policy analysis, rather than what did we do last year and how much do we need to allocate over. Just a heads up on that."
- Councilor Ives asked the Chair if he is looking for a motion on this, and Chair Rivera said Councilor Bushee has a question.
- Councilor Bushee asked if we always have been missing the reserve mark in the Developer Offset.

Mr. Hook no we haven't always, but as you can see we have for the past two years. He said we are trying to upgrade, noting the small development has picked up the last 1-2 years. He said, under City Code, the 25 afy is our reserve requirement.

- Councilor Bushee asked, since we're out of compliance, can you say which specific line item this coming from..

Mr. Hook said this is the end of the year City Owned Water rights, which is the third section.

- Councilor Bushee said it's not one particular section you're taking it from, you're just taking it overall.

Mr. Hook said, "That particular section which is ours, are owned water rights. We're trying to move that into the Developer Office, so that's the balance of 6.15 which is the next section below, so you would be adding 36.61 to 6.15, which would give you about 42 afy."

- Responding to Councilor Bushee, Mr Hook said, "That again would be subtracted from the 53.61 afy."

- Councilor Bushee said, "You're not going to take it from Affordable Housing."

Mr. Hook said, "No. The Affordable Housing since that's already been transferred by the Governing Body into that section to reserve it for affordable housing."

- Councilor Bushee asked if we are actually using that water for anything, commenting it has been sitting there for a while.

Mr. Hook said that is correct, and Affordable Housing has been using it, but only at about an average of 4 afy per year.

- Councilor Bushee asked if you want to amend any ordinances or requirements so we can reexamine this

Mr. Hook said this is one of the subjects we were going to bring up at the next PUC meeting, and discussing this transfer of water rights/water credits, in recognition that small developments are outpacing our Conserved Water Credits. He said the Water Conservation office has been doing a good job in bringing in conserved water for our whole system, but we picked a lot of the low hanging fruit. And as you can see the small developments under 10 afy for residents, under 5 afy for commercial, it's ramping up.

- Councilor Bushee said, "But they not required to dedicate anything."

Mr. Hook said, "No, it's just income that goes into the General Fund. He said we'll look at all the different options and then bring it forward for discussion and a possible look at the Ordinance and the outcomes and possibilities the Governing Body might want to choose for looking into the future."

- Councilor Bushee said, "On the privately owned water credits, that bank just stays and continues in that range.

Mr. Hook said, "Yes. Those are not ones we own. There is the possibility that a large developer could go to those private entities and then utilize that for the water budget."



Marcos Martinez, Assistant City Attorney, said, "The City does receive a benefit from those privately held water rights, in that they already are moved into permit, so we are receiving offset credits for those."

– *[Councilor Bushee's remarks here are inaudible]*

Mr. Hook said that is definitely a secondary benefit.

**MOTION:** Councilor Ives moved, seconded by Councilor Dimas, to approve this request with the recommendations proposed by staff.

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

**18. REQUEST FOR APPROVAL OF AWARD OF CONTRACT TO BADGER METER FOR THE METER READING SYSTEM AND IMPLEMENTATION SERVICES – RFP #14/14/P FOR THE AMOUNT OF \$8,310,826.80, EXCLUSIVE OF NMGR. (DIANA CATANACH) Review: Public Utilities Committee 11/05/14; Finance Committee 11/17/14; and City Council 12/10/14.**

Diana Catanach said, as you are aware, we have been going through selection process and as found a state of the art meter reading system, and we are asking for approval to award the contract to Badger Meter Reading Company. She said her Memo in the packet outlines the benefits to the City of Santa Fe. Ms. Catanach reviewed the information in her Memorandum of October 22, 2014, with attachments, which is in the Committee packet. Please see this Memorandum for specifics of this presentation.

Ms. Catanach said Glen Lohman with Badger is here, and can give a demonstration on the Badger if you are interested. She said Richard Chavez, Meter Reading Supervisor, also is in attendance.

*The Committee commented and asked questions as follows:*

– Councilor Bushee said Ms. Catanach was not here for our previous meter system and the ensuing debacles, commenting she doesn't remember the cost.

Richard Chavez said the cost was \$3.5 million.

– Councilor Bushee said you've tested these for a while now, and asked if it now interfaces with iPad.

Ms. Catanach said yes, and they've added the capability of communication by phone as well.

- Councilor Bushee said you explored all kinds of companies, and asked what kinds of warranties and committees does this company make, commenting she is sorry there is not one company in New Mexico, noting this is from Wisconsin where they have plenty of water.

Mr. Chavez said the one standing point he wants to make, is that we do have a direct read system now which we didn't had before. What we had previously is a meter with a Firefly which is the apparatus which is mounted on top on the meter. It had an infrared light and a sweep hand and we would have to program the Firefly device to the meter. What we're going to get now is an actual direct read meter, and whatever it says is what it is going to transmit and there are no discrepancies on it.

- Councilor Bushee asked if it is still a wireless system.

Mr. Chavez yes. He said, "On our warranty we have a 10-year full warranty, and in year 10, we will have the option to upgrade to the latest and greatest technology that Badger can come up with within the next 10 years. Also with that, if we do upgrade, there is another 10-year warranty as well, so we're looking at a full 20-year warranty." He said Glen Lohman from Badger can better explain that to the Committee..

- Councilor Bushee asked, if this is at no cost to the customer.

Mr. Chavez said, "Yes, there is no cost to the customer right now."

- Councilor Bushee if the first phase of installation will be before the winter, and will we have any complaints about frozen water meters.

Mr. Chavez said the implementation will begin in March, after winter.

- Councilor Bushee asked her to tell her about the winter problem we had, and the reason we have it.

Mr. Schiavo said, "As a part of the installation of these meters we have the opportunity to change the height of the existing meter. We are going to find quite a few that aren't to our standard and are too high, too low, issues with the lids. The idea is to make those changes as we go along. Typically the frozen meters are occurring because we're sending water from Canyon Road and the Buckman Direct Diversion, cold water, that's what's causing the freeze. Obvious cold temperatures to go with that."

- Councilor Bushee said, "No. There was specific reference to the Firefly that changed something. Richard knows."

Mr. Chavez said, "What happened is we went to a plastic meter lid and that what was the difference and what caused some of those problems, when we changed from metal to a plastic meter. We still will have a plastic meter lid."

- Councilor Bushee asked if we are worried about that.
- Mr. Chavez said, "I think it's inevitable for any frozen meters at a certain temperature. I don't have the specifics, but I think over the years we have worked along and come through with some different ideas as far as insulating the cans with different foam and stuff."
- Councilor Bushee asked if that will bother the wireless nature of the device.

Mr. Chavez said, "No, it won't"

- Councilor Bushee said she is just trying to anticipate issues, and asked if we can install some of these this see how they work – do the free deep freeze test.

Mr. Chavez said, "We have 500 meters out already. The new system we're asking for is an upgrade from the older system, and so far, I think we've had 25 that have frozen, and it's not because of the meter. It's just the location of those which are on Canyon Road and stuff. And again, if you're on the north and it snows and there is ice, there is just nothing we can stop."

- Councilor Bushee said, "Do your due diligence please." She said there are still plenty of people who don't want any wireless device attached to their house, commenting she is sure they would make an exception for those that don't want wireless."

Mr. Schiavo said, "One of the things I would like for the Badger representative to talk about is the number that will go out under the current system, and I think we're down to about 8,000 Fireflies at this point, is it is continuously pulsing out data. The new system would only pulse out in the evening, somewhere between 3:00 a.m. and 5:00 a.m., with a single pulse. So people who are concerned about wireless, any kind of EMF.... The amount will be greatly reduced under this system."

- Councilor Bushee asked, "Back to just making sure they work and the meters don't freeze and if there is something people who aren't computer savvy, older folks do they have something they can affix to their refrigerator or somewhere they can read or some other way to...."

Mr. Chavez said he would like to refer this to Glen. He said, "Right now it is going to be mostly computer whether you have an iPhone, droid and access to the web portal"

- Councilor Bushee said not every does computers and asked what is the plan for those people.

Ms. Schiavo said, just a thought, perhaps when this is on line, we can do something at the libraries, so if someone is interested they can see what's going on.

- Chair Rivera said he would like to allow Mr. Lohman to answer the questions that have arisen, and then we will hear from Councilor Maestas. Chair Rivera said, “Glen go ahead and answer those questions.”

**Glen Lohman, Badger**, said, “As far as the displays on the refrigerators, it has moved into either internet access or to an Apple phone. So we’ve kind of gone away from what you would call a monitor or a device that is there. Most people do have access to Internet Explorer which is all they need to view their data. You can also set up leak detection and other things where it will actually push notification to you through the app, so if you do have a leak, it will then notify you through your app or email. You may also want to set something up, the utility itself will have access to that same information and you may want to pro active if somebody doesn’t have access to the data or internet, that you can pro-active and call or put a door tag or put it in their bill that they may have a potential leak. As far as Badger Meter goes, they’re about 110 years old, a publicly traded company that is on the New York Stock Exchange under BMI. So if you want to do financial research on the company, you are certainly welcome to look at the financials of the company.”

- Councilor Bushee said she assumes that staff checked that out and asked, “What about frozen water meters.”

Mr. Lohman said, “What happens when a water meter freezes, to keep it from freezing, you have to get the bottom of the pit below the freeze line. So depending on the year, you’ll have varying freeze lines. So you can get to where you have all your water meters below the freeze line. And to be able to that warm air in the box itself without having other things come off, then you can keep that meter from freezing. The real objective is to get below the freeze line so the warm air stays in the box and keeps the meter from freezing itself. If somebody gets in there and opens it or there is a leak somehow where the warm air leaks out, then you’re going to have a frozen water meter. He said during the current project, there will be somebody in each water meter box all across the City that will be able to look or verify to see if there are potential problems and report that back so you can address the issues they find when they are in the box itself.”

- Councilor Bushee asked if the City was liable the last time for the frozen meters

Ms. Catanach indicated that is correct.

- Councilor Maestas said his questions are about the existing Firefly meters, noting Ms. Catanach said there are 10,000 active Fireflies. He asked how those will be phased out with the Badgers. Will we leave them in the field to get as much design life from them as possible before we swap them out, or are they first on the list gets swapped out. Can you address that. There are quite a few Fireflies in the City.

Ms. Catanach said, for the implementation phase they have looked at different routes all over the City for a pilot program. She said the 10,000 Fireflies are all over the City and not in one specific area, and the resources to do that would take quite a while. She said they have a team which will come together to develop the process of implementation, and the reason it was pushed out to March because the staff will be busy during the winter.

- Councilor Maestas asked Ms. Catanach to describe the inventory of the fireflies and firefly equipment.

Mr. Chavez said, "We don't have any more fireflies, we just have what is out there, and we are losing Fireflies every day. So, our thinking is we just want to get rid of them. When we go to this new system, we're getting rid of them, and remove them. They have a 10-year life, and right now we're under 10 years. I don't know how much longer they will last. Hopefully they will hold up for the winter, we don't know. Every month it changes."

- Councilor Maestas said there is so no interface of the Firefly with the Badger system.

Mr. Chavez said, no, not at all, commenting we want to stay as far away from Datamatic as we can.

- Councilor Maestas said, he thinks for purposes of transparency, we need to acknowledge the costs in the company that "went belly up." He thinks we should pursue trying to recover those costs through future efficiencies with the Badger systems and other efficiencies we can realize in Water, and avoid any impact on water rates because we took a hit. He said nobody knows if the City will ever get any money back through the bankruptcy. He wants to close the chapter on the Firefly, but do it in a transparent way, because we're using public dollars for an \$8 million plus expenditure. He said it probably doesn't impact water rates, but the public had to pay for those meters and technology and he just wants to close that chapter, reiterating he wants to do in a transparent way.

- Councilor Maestas asked if we can we get an economic analysis showing the financial impact of the fireflies on our Water Management budget, and we have absorbed it

Mr. Schiavo said we should look at the initial number purchased, the number of years we got out of each firefly and what we paid on a monthly basis. He said it was actually quicker and we could do the reads when they were working. He said staff can put together something of this nature.

- Councilor Maestas said he would like to see that, and he would like that to be discussed in an open forum, such at this Committee.

Councilor Ives asked Ms. Catanach if this has been coordinated with IT.

Ms. Catanach said yes, absolutely, and she met at least 15 times with Renee Martinez the new Director, and “we are excited to have their involvement.”

- Councilor Ives asked if IT has had the opportunity to review the “attached form contract with all of the exhibits.”

Ms. Catanach said yes.

- Councilor Ives asked Ms. Catanach if she has spoken with Source Code Escrows.

Ms. Catanach said no.

- Councilor Ives said it would seem to be wise to do that in view of the system we are proposing to put in place, because it is appropriate in this situation. He said bad things happen to good companies and this is a way to cover all of the bases. He will follow-up with Ms. Martinez to ask her some questions.
- Councilor Ives said one recommendation he has is to contact Source Code Escrow with regard to the coverage it can provide.
- Councilor Ives asked if City Legal has reviewed this agreement.

Mr. Martinez said he has reviewed this agreement a number of times.

- Councilor Ives said he has other specific questions on different provisions in the contract, and there is no need to go into the minutiae tonight, so he will meet with Mr. Martinez about those questions. He said it is great we're moving in this direction, and he is incredibly excited about the possibility of having this capacity and capability in place across the City. He strongly favors moving this forward. However, he wants to make sure the City's interests are protected fully and well.

**MOTION:** Councilor Ives moved, seconded by Councilor Dimas, to approve this request, subject to potentially tweaking the contract

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

19. **REQUEST FOR APPROVAL OF A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF SANTA FE AND SANTA FE COUNTY FOR A COUNTY WASTEWATER COLLECTION SYSTEM DISCHARGING INTO THE CITY OF SANTA FE WASTEWATER COLLECTION AND TREATMENT SYSTEM. (NICK SCHIAVO AND CLAUDIA BORCHERT)** Review: Public Utilities Committee 11/05/14; Finance Committee 11/17/14; and City Council 12/10/14.

This item was removed from the agenda and postponed to the meeting of December 10, 2014.

20. **REQUEST FROM SANTA FE COUNTY FOR APPROVAL OF USE OF METER HOUSE #4 AS AN ADDITIONAL POINT OF DELIVERY PER THE 2005 WATER RESOURCES AGREEMENT BETWEEN THE CITY OF SANTA FE AND SANTA FE COUNTY. (NICK SCHIAVO AND CLAUDIA BORCHERT).** Review: Public Utilities Committee 11/05/14; Finance Committee 11/17/14; and City Council 12/10/14.

Mr. Schiavo presented information from his Memorandum of October 29, 2014, with attachments, to the Public Utilities Committee, regarding this request. Please see this document for specifics of this presentation. He noted he has been working with Claudia Borchert at Santa Fe County, and hopefully construction can begin in the early fall on the master meters.

*The Committee commented and asked questions as follows:*

- Councilor Bushee said she has met with some of the people, and asked how we got around the concerns we had in the private meeting.

Mr. Schiavo said he believes one of her concerns was using water from Master Meter House #4 was being used on the golf course. He said he doesn't believe we've gotten around that concern. He said he believes Las Campanas intends to use water from the Buckman Direct Diversion when it can and has signed an agreement with Santa Fe County and the County intends to let them use water from Meter House #4 on an emergency basis to water its golf course.

- Councilor Bushee asked if that is still raw water.

Mr. Schiavo said, "No. Water from Master Meter #4 is actually potable water."

- Responding to Councilor Bushee, Mr. Schiavo said he has linked the other master meters required under the Annexation Agreement to this time. At this time, Santa Fe County is requesting access with this mater meter. What I have said is that he thinks we are making progress on the other master meters required under the Annexation Agreement. And his recommendation is to hold off providing access to #4 until the others are in place

- Councilor Bushee asked to ask a question of Ms. Borchert, and Chair Rivera said yes.

Councilor Bushee said then are your policymakers updated on this and are they willing to provide potable water in cases of emergency to back up on the golf course.

Ms. Borchert said, that was in the 2011 raw water agreement with the County and Las Campanas.

- Councilor Bushee said but they won't be using raw water they would be using..... She said it is the County policy, but she reticent to allow any use of potable water for golf courses, given that we had an effluent line with Las Campanas, commenting she is philosophically opposed those, but guesses the County Commissioners are not opposed.

Ms. Borchert said, "My interpretation of the agreement is that it says the County will provide best efforts to provide back up water. And my interpretation is that we need to sign a separate back up water agreement with Ls Campanas. There is no point in doing that until we have a meter location from which to provide it. So there may be another opportunity for the Commissioners to decide how they want to interpret that, and take appropriate action.

- Councilor Bushee asked who determines emergency.

Ms. Borchert said she is unsure there is an emergency need.

Mr. Schiavo said, "It was my understanding that Meter House #4 would be used only when they couldn't get raw water from the Buckman Direct Diversion."

Ms. Borchert said, "Backup water is the term we're looking at. I believe maybe my memo explains that. I do want to emphasize that three things have to happen before this water is used. The three things are that you are not diverting water for potable use and for *[inaudible]*, and as long as the window which treats water has been decreased so they are treating more and more turbid water, because its recognized that the treatment facility is capable of doing that. The if the regional water treatment plant does not want the water there are some engineering and operational decisions that allow Las Campanas to take well water, even if the treatment plant does not. And then conditionally Las Campanas offered to build up their reserves in their golf course ponds, and I believe they have about a 30 day supply to use that. So, really the use of the water through Meter House #4 really is the 4<sup>th</sup> source of supply if #3 is not available."

- Councilor Bushee asked if effluent will be pursued by the County as the backup water.

Ms. Borchert said, "The effluent is yours, and if you would like to pursue something with Las Campanas, I don't believe the County has to role to play in that."

- Councilor Bushee said her understanding, and she doesn't have that on record, is that Las Campanas is not interested in using effluent as backup.



Ms. Borchert said you can ask that question of Las Campanas if she would like.

- Chair Rivera said there is a representative from Las Campanas, and asked him to state his name and address for the record.

**Charlie Nylander, 7 Rio Lobo, Santa Fe**, said he is on the Club of Las Campanas Board of Director, and is the Chairman of its Water Committee. He said they met previously this summer with Councilor Bushee and others here tonight, to describe the history of our use of water on the golf course. He said, "Historically, in the early nineties, we were using Buckman Well Water 100%.. After the Settlement Agreement in 2003, Las Campanas started treated effluent from the City, and that was available to us up to the year 2012. At that time, this Council chose basically to not encourage us to use treated water anymore because there was such a demand for it, and other people wanted to purchase that water. So we had no sort of alternative on it but to build a \$3.5 million pumping station and pipeline to be able to get raw water from the Buckman Direct Diversion pipeline at Booster Station #2A, taken from there 7 miles to the golf course. And so we did construct that and that system went into operation at the end of 2012."

Mr. Nylander continued, "So we have been using raw water from the Rio Grande since that time. And during 2012, we had an emergency situation where we did use a fair amount for a 5-6 week period *[inaudible]* for water and it came through the PUC and the Council to get that permission. But since then, in 2013 and 2014, we have not had a need for any emergency back up. As Ms. Borchert said, basically the BDD is operated *[inaudible]* in 2013 and 2014. So, we've been very successful in pretty much getting the raw water from the River that we have been using for irrigation."

Mr. Nylander continued, "Again, we have 100 afy in stored water in our lakes, which could take us from 4 to 6 weeks of back up if the BDD went down. So we do have that redundant backup system on the property. This Meter House #4 backup is a 3<sup>rd</sup> level of back up in case the BDD is down and the storage ponds have all been exhausted, and then we have to use Meter House #4. We have over \$20 million invested in those golf courses. And I'm sure you can appreciate the fact that you wouldn't want to let them die for lack of water."

- Chair Rivera asked Councilor Bushee to reiterate her question.
- Councilor Bushee asked Mr. Martinez to please clarify, because her historic record is different, and the reason they no longer take effluent and the other is how much potable water they used in the year.... I voted against that.

Mr. Martinez said, "To your first question. There was a water supply agreement between Las Campanas and the City. And that agreement allowed Las Campanas to take a certain amount of water from the Buckman Well Field, but also it included a certain amount of water available from effluent. And that provision also included an extension that would terminate in December 2012.

My recollection is that agreement gave Las Campanas the ability to extend that effluent supply until 2015, if I remember correctly. Las Campanas, at the time, and I won't say why they declined to do this request from the City for an extension of time on the effluent agreement. Subsequently, Las Campanas LC, my understanding is, dismantled part of the effluent line itself, so right now it is not operationally feasible to receive effluent, and they have no contractual right."

Mr. Martinez continued, "But at the time, prior to December 2012, they did have the ability to extend their contractual rights to receive effluent from the City and purchase that effluent from the City, and they did not do that."

- Councilor Bushee asked Mr. Schiavo if he knows how much potable water they used during that period for the golf course..

Mr. Schiavo said he doesn't but he would imagine Mr. Nylander would know that.

Mr. Nylander said, "I believe it was something around 100,000, something of that order. It was 120 afy over that 6 week period. 300,000 gallons is an acre foot."

- Councilor Bushee said then a little more than 100,000 afy.

Mr. Nylander said right. He was speaking gallons, but he meant acre feet. He said, "And I will add to Marcos's comments about the Settlement Agreement. During 2012, one of the nuances of the Agreement is that it gave us the ability to purchase effluent up to 450 afy, and have access to over 300 afy of Buckman Well water. And the Club needed approximately only 700 afy for its irrigation, so we had to have a combination. But, again, in 2012, at the end of the year, the Buckman Well Field water was terminated by that Agreement and it was either/or. Whenever the BDD came into operation, or December 31, 2012, that Buckman well water would no longer be available. So that gave the Club the rationale to approach the City with a request to purchase additional effluent that was available with the Horse Park when they went into bankruptcy. Basically, we spent a year requesting that additional increment to make us 100% effluent irrigated. The City declined to sell us the extra increment of water from the wastewater plant. Thus, we had no choice but to find an alternative water source and that was the BDD diversion of raw water."

- Councilor Bushee said, "And I want to correct the record, in it was the City that took Las Campanas to court to make sure that you were considering the effluent. So there was no philosophical change of heart on the part of the Council to not extend effluent to Las Campanas. My point really is that it is the 3<sup>rd</sup> or 4<sup>th</sup> backup plan, and in that case, if it really is an emergency, I would go back to consider.... of course there are other TEMP plans since then, but I would still prefer that you rely on treated affluent and not potable ever to water a golf course. We do it at our City golf course, and would really like to see that happen on a County policymaker level. But were I to choose, I would not allow a golf course to use potable water."

- Councilor Maestas said he is trying to understand the sense of urgency here. He said in the memo, the County clearly states that you all have used raw water exclusively over the past two years or so. And this proposed supplemental source or backup would be 4<sup>th</sup> on the list or 3<sup>rd</sup>. If you don't count raw water it's your primary. "So, what is the urgency. What is the timeline for constructing the master meters in the Annexation Agreement." He is trying to get a sense of the urgency number one, and number two if the sense of urgency be decided if we build these master meters.

Mr. Nylander said, "I can answer several of those questions, and then let Adam talk about the master meters in the Annexation Agreement, Basically in 2012, when we had a true emergency the Council reluctantly allowed us to use Meter House #4 that year, we admonished and told never to come back here during an emergency. That if we wanted to access water from Meter House #4 to come back and approach the Council when it was a non-emergency, so that is why we are before you tonight. We feel that our agreement between the Club and the County does have that provision for the provision of a back-up system.. Meter House #4 is the most convenient and applicable backup. It's an existing meter. All the infrastructure is there. It's just a matter of turning the switch. And for our peace of mind, it's looked at as an insurance policy. A backup to a backup if you will, it's just safer. Without that, it's just a little more tenuous, especially this last year during the summer."

Mr. Nylander continued, "I think you realize the BDD had suffered a lot of mechanical problems and they're down to one pump on the River. So that system in which we've all invested several hundred million dollars into is a little bit worrisome if it's going to be that reliable. And whether it's going to go off next summer, or the summer after that. So, that's why we're requesting this during this month. It's a non-emergency, but having it ready to go next Spring is our design. And I'll let Adam talk about the schedule for the annexation."

**Adam Leighland, Santa Fe Public Works Director**, said "I just wanted to correct one thing that was mentioned earlier. If the City provides information as they promised, we should have designs done by the end of calendar year, and we fully expect to have construction start by February or March 2015, so in 2-3 months, we'll have the master meters done by the Spring. So we are marching expeditiously down that, and I wanted to mention that time frame."

- Councilor Ives said he knows that in a prior meeting, we were talking about the various County meters that were going to be put in, and asked the number finally decided upon.

Mr. Schiavo said, "if the County installs three master meters, two on the left and one for Campo Conejos, we're getting about 90 to 95% of the water that is headed out into the County accounted for. There are still questions around Agua Fria."

- Councilor Ives in the last conversation to which he was privy, there was discussion of 3 possible on the northwest side between the City and Las Campanas, in addition to #4.

Mr. Schiavo said, "It would be one at Richards Avenue, one at Campo Conejos and then a West Sector master meter. So the County and City would work together and we believe we can isolate the whole area west of #599 in one meter, with Richards Avenue, Campo Conejos master meter. It really would be the Agua Fria that would be accounting for 95% of the water."

- Councilor Ives said, "I believe the obligations under the WRA don't want to be an impediment to the County in how it wants to use the water to which they appropriately are entitled to, in delivery to Las Campanas. I share Councilor Bushee's concern that we would use potable water for watering golf course, especially when we're in circumstances. I am inclined to see if it would be prudent or possible to add some kind of potential language to the approval that would say something along the lines of, 'Unless or until there is reasonably available non-potable resources which could satisfy the City's obligation to the County for purposes of providing water to Las Campanas for watering their golf course.' So that's just trying to encourage us to look for alternatives going forward. The issue obviously was a controversial one at Council. In looking at and dealing with the effects of climate change, potable water is going to be one of our most significant resources. And certainly in any circumstance where have the Orwellian choice of watering the golf course, versus providing water to peoples homes. We want to be in the position of opting for the latter.

**MOTION:** Councilor Ives moved to approve this request with the proposed amendment that unless or until there are reasonable non-potable water resources by which the City can meet its obligations to the County under the WRA for water being delivered to Las Campanas for their golf courses. **THE MOTION FAILED FOR LACK OF A SECOND.**

- Chair Rivera said, "Marcos I have a question. I'm kind of in the same boat as Councilor Bushee, but these are two separate issue. What we're really talking about is our agreement with the County on Master Meter #4, which is part of the Agreement we have with the county as far as annexation."

Mr. Martinez said, "It actually was an earlier Water Resources Agreement that preceded annexation. And that Agreement allows the county to request additional points of delivery, additional master meters. And it basically states that the additional points of delivery made by the County, with the consensus of the City, and that request shall not be unreasonably withheld. So, I think that's really the issue here. Do we want to consent to that additional point of delivery. It's really a question of what is reasonable to withhold an additional point of delivery."

- Chair Rivera said really at that point our Agreement with the County would just between us, them, and their agreement with Las Campanas should be a separate agreement in dealing with that water."

**MOTION:** Councilor Maestas moved to accept the staff recommendation to delay granting Santa Fe County access to Meter House #4 until the construction of the master meters referenced in the Annexation Agreement.

**CLARIFICATION OF MOTION PRIOR TO SECOND.** Councilor Ives said he wants to make sure he understands the motion.

Councilor Maestas said it was to accept the staff recommendation to delay granting Santa Fe County access to Meter House #4 until the construction of the master meters referenced in the Annexation Agreement.

**SECOND:** Councilor Ives seconded the motion.

**DISCUSSION:** Councilor Bushee asked when the other master meters will be ready.

Mr. Leighland said, "It's in the design phase now, and we're still waiting for some information from the City [inaudible]. Construction starts in February and March and construction should be completed in April or May. It's not that complicated a project once we get it started. So we should have construction completed by April or May."

Councilor Bushee asked what this really changes in terms of Master Meter #4.

Mr. Schiavo said, "These additional master meters will help the city get a handle on volumes of water being sold to Santa Fe County. It does not change the opportunity of how the water would be used."

Councilor Bushee asked, "Will we have an opportunity here at the City to review any of the master meters, if this motion were to be approved."

Mr. Schiavo said no.

**VOTE:** The motion was approved on a voice vote, with Councilor Maestas, Councilor Ives and Councilor Dimas voting in favor of the motion and Councilor Bushee voting against.

## **MATTERS FROM THE PUBLIC**

A copy of a handout on *The Glass Issue*, entered for the record by Joe Eigner, Eldorado Recycles, is incorporated herewith to these minutes as Exhibit "5."

**Mr. Joe Eigner, Eldorado 285 Recycle**, said he came to support Lawrence Garcia's recommendations on the future of the solid waste and recycling system in the City. Everything the City does affects them, usually positively, and they think this recommendation will lead to a much improved system..

Mr. Eigner presented information from Exhibit "5." Please see Exhibit "5 for specifics of this presentation.

Mr. Eigner said on Monday, The *Albuquerque Journal*, printed an update on the blue cart system in Albuquerque

## **MATTERS FROM THE CITY ATTORNEY**

There were no matters from the City Attorney.

## **ITEMS FROM STAFF**

There were no items from staff.

## **MATTERS FROM THE COMMITTEE**

Councilor Bushee said she meant to remove Item #8 from the Consent – Informational Items. She said, "But really, I'm back to community solar, and a press release or article that says we are going to hire someone now, and how is that going to get us community solar, because I've been trying to get community solar for many years, so can you tell me more about that. Is that in the open nowadays."

Mr. Schiavo said, "I would be happy to meet with you off line to discuss what we're thinking in terms of an RFP to make sure that we need to bring in outside help to make sure the ideas are sound and we're not missing other creative ideas for community solar.

Councilor Bushee said, "So all that avoids PNM somehow, because literally we have tried everything, including going to the Legislature."

Mr. Schiavo said, "Chair, Councilor Bushee said it would be great to meet with you off line."

Councilor Bushee said, "When I meet with you off line I get something different than when I get here, so that's why I'm asking."

Mr. Schiavo said, "Councilor Bushee, I think I don't know all the details at this point. And we're hoping through the RFP that we will be able to get more information more *[inaudible]*."

Councilor Bushee said, "Give that, okay, my next question is, since we did not hear Item #8 what is the trajectory, and I don't know, are we going to have answers with regards to questions that still remain at issue. Is this going to go to Council and have an accessory report. There are several things that I assumed would be low hanging fruit. I still have yet to see a green waste pick happen either Spring or Fall for the constituents. And so I see reports. I see it's going to take months in your draft form and then we get here, and then I'm still looking for the action timeline."

Mr. Schiavo said, "The item that wasn't pulled, outlines the cost for single stream. And I can meet with you and Matt to answer question you may have about that. I think what it shows is that is for about \$200,000 to \$250,000 more a year we can have single stream which means a great increase in the number of items that can be recycled, which we move through through an automated system as this gentlemen who came for the public stated, a way that a 64 gallon container will provide the opportunity for homeowners for materials and not have to worry about them getting wet. It gives you the ability to put it out every other week, every third week, if that is what you feel appropriate."

Councilor Bushee said, "What about the sticky wicket issues, the glass and..."

Mr. Schiavo said, "Absolutely. As the gentleman from the public was pointing out, currently the convenience centers are collecting on a per pound basis, more than what the City of Santa Fe is collecting for curbside or outside or inside. I wrote down his recommendation which is I think is a great one, that the convenience centers we're considered should be put a locations should be put at locations that make sense, grocery stores, City-owned facilities. To make it work there will need to be facilities available, and to make it work you need to have full time staff person to go to each facilities on a daily basis to make sure that they are maintained properly."

*Councilor Ives departed the meeting*

Councilor Bushee said she started talking about this several years ago, and asked if we can find out how well the blue carts have been going for them.

Mr. Schiavo said, "Absolutely, as the gentleman said, the tonnages have doubled. It is key for the City of Santa Fe to do marketing as the City of Albuquerque has done – it is critical to making it work. He said putting out bigger containers doesn't mean they will recycle."

Councilor Bushee asked, regarding the \$1 million in operating costs, what that means to the public

Mr. Schiavo said it is in the packet.

Chair Rivera said it looks like it is \$2 to \$4 dollars per citizen per year.

Mr. Schiavo said that is the recommended cost for the marketing, and it would mean dividing \$260,000 by the 33,000 customers to see what that number would be.

Councilor Maestas said he too campaigned on community solar. He said had very early meetings with the City Manager, and met with PNM representatives, and was told it was not feasible because PNM insisted on full ownership of the community solar installation. He said, "I think you and I talked and all of a sudden a bunch of folks get together and it's viable for PNM. And the Mayor and the Council has the prerogative to take on policy issues. But I had already invested some time in pursuing this. I would think we would coalesce around those Councilors that show an interest in it. And if something changes, I think we

should be brought into the discussion. And I think the same thing with public power, the public power company you've been talking about, the model of the recommendations of the City done by this Special Task Force under the Regional Planning Authority and all of a sudden moving forward in looking at the feasibility of it."

Councilor Maestas continued, "And so, I think we're on different planes here. And so, it's kind of disconcerting. Because, I too, have been campaigning and aligning myself with folks that really want to urgently pursue the viability of a public power company. So, I don't know what's going on, but I think we're going to need to get together and have a discussion in the same room. So, I'm just voicing my initial concern about this, and I really think we should be working together. I think we should show the public we're working together on these issues. I don't think we should discourage or blunt any initiative or energy on the part of any Councilors that could help solve some of these problems."

Mr. Schiavo said, "I am sure you know I did not come up with the resolution. It actually was developed by another Councilor and the Mayor. And so, it's not an easy position for me to be in. Unless they are instructing me to inform the other Councilors, I cannot go behind their back

Councilor Bushee said, "But the whole idea of hiring a contractor, and now somehow... how did that happen. Did that come from you. Do you have a suggested contractor, or what's the magical."


Mr. Schiavo said, "No. Those were the instructions given to me."


*Councilor Dimas departed the meeting*

**NEXT MEETING: WEDNESDAY, DECEMBER 10, 2014**

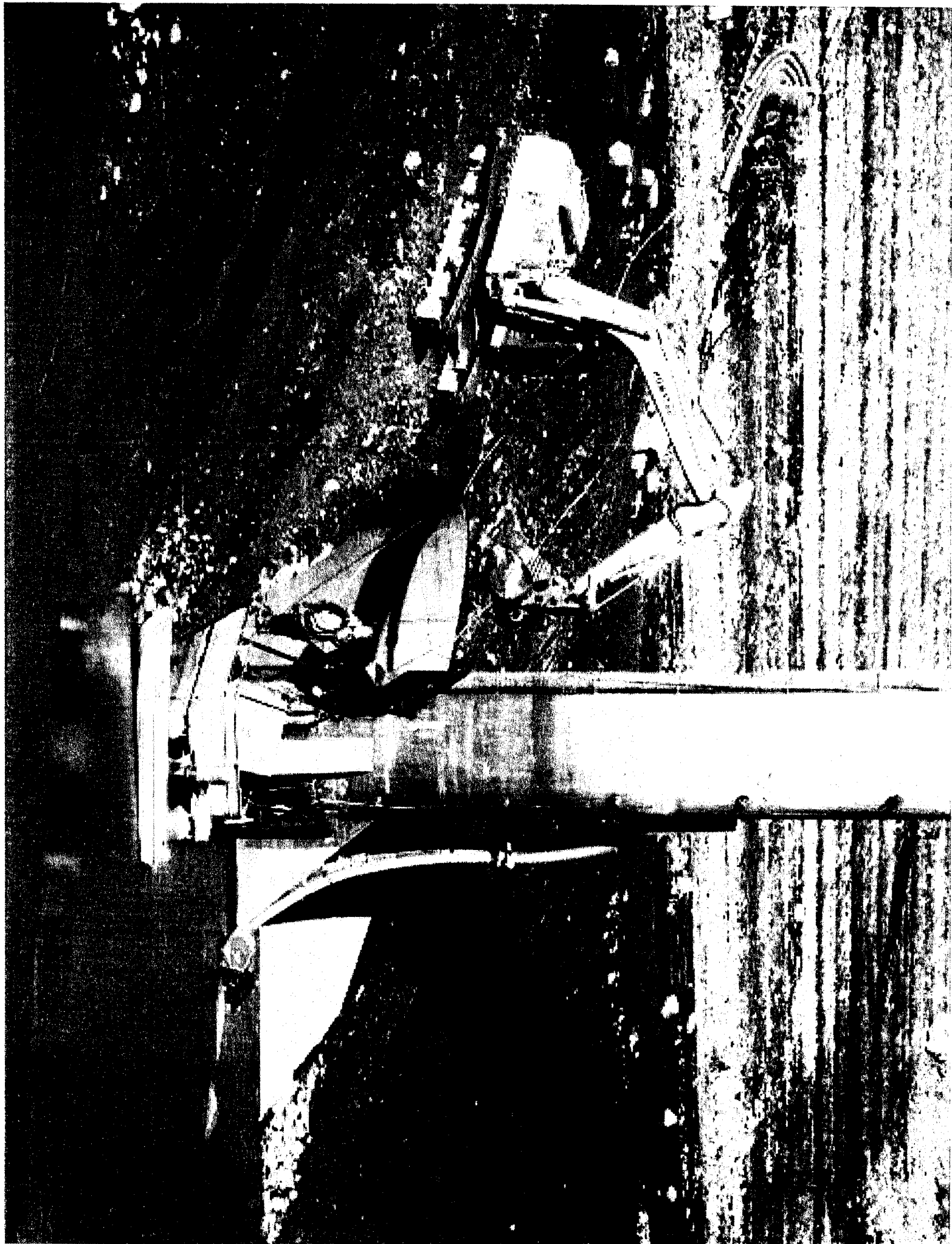
## **ADJOURN**

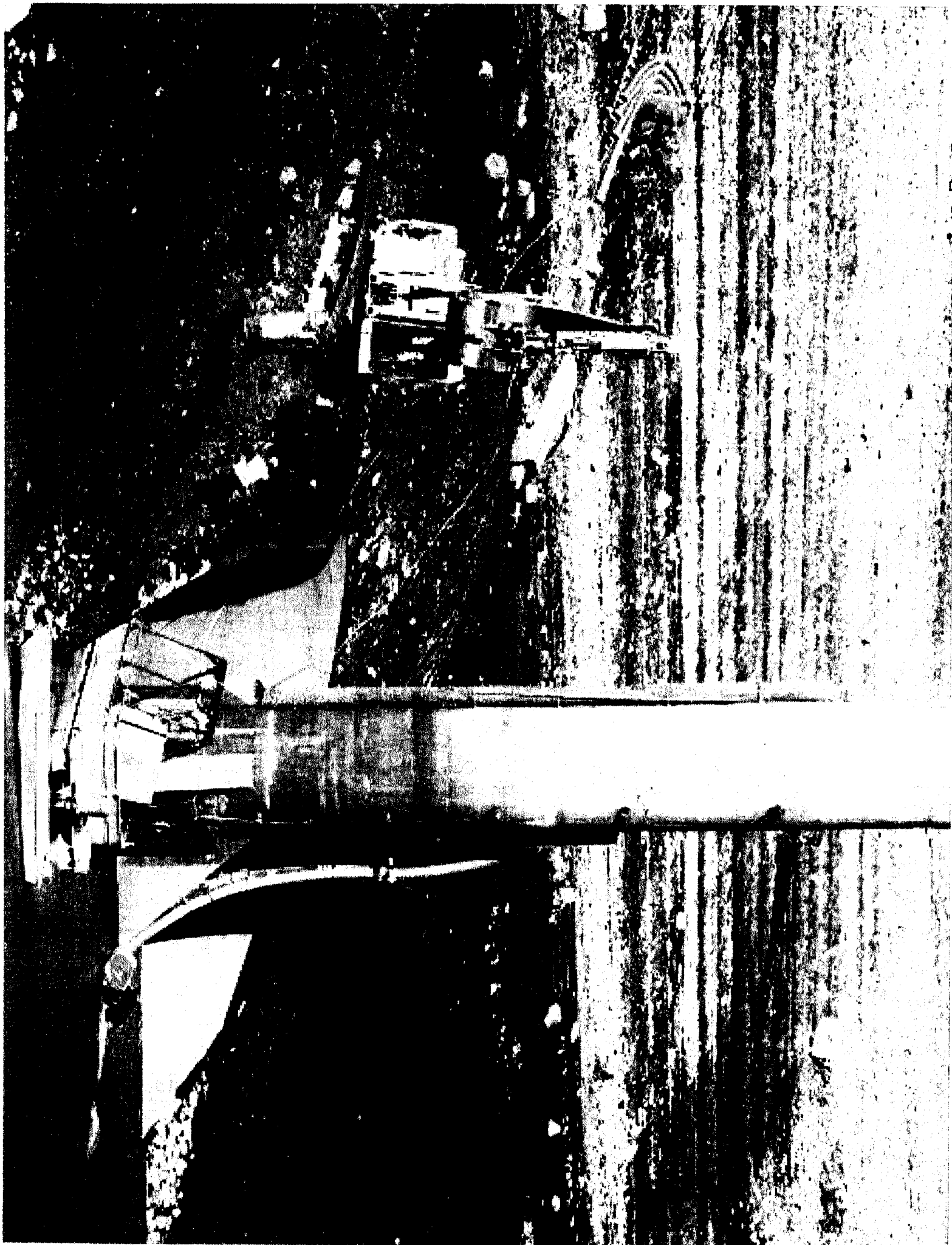
There was no further business to come before the Committee, and the meeting was adjourned at approximately 7:00 p.m.

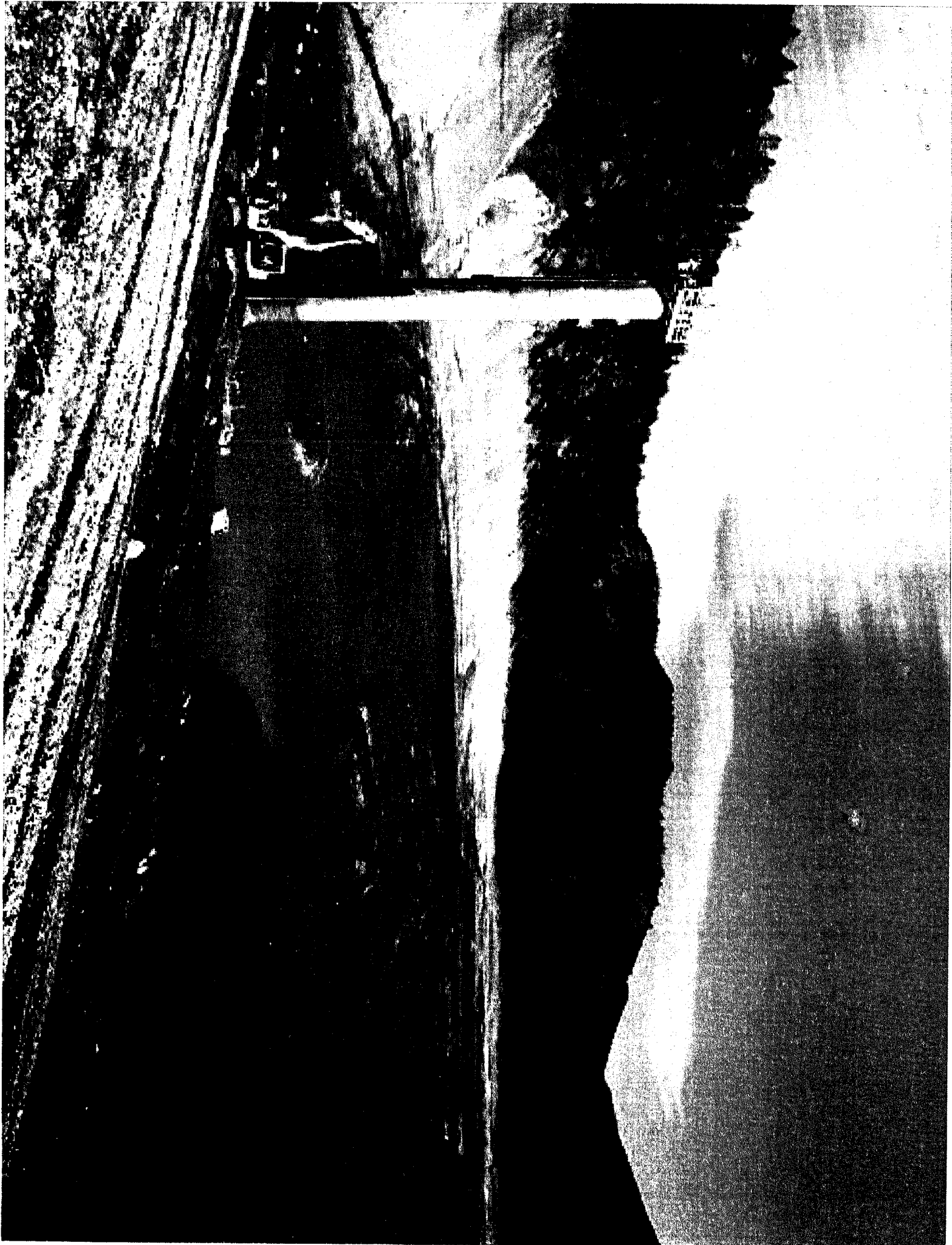
  
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**Christopher M. Rivera, Chair**

  
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**Melessia Helberg, Stenographer**























**Legislative ICIP Priorities**  
Identified as legislative priorities by Finance Committee 11/3/14

	Funded to date	2016	2017	2018	2019	2020	Total Project Cost	Amount Not Yet Funded	Phases
1 Citywide Streets and Bridges									
22 Traffic Signing and Pavement Marking Mntc.	0	150,000	150,000	0	0	0	300,000	300,000	Yes
26 Traffic Signals Comm Design & Install	0	370,000	300,000	300,000	300,000	300,000	1,570,000	1,570,000	Yes
56 Traffic Calming Improvements	0	100,000	1,100,000	1,000,000	1,000,000	1,000,000	4,200,000	4,200,000	Yes
45 City of Santa Fe Gateways	0	100,000	0	0	0	0	100,000	100,000	No
720,000									
2 Citywide Library Improvements									
16 Main Library Rewire	0	250,000	0	0	0	0	250,000	250,000	No
58 Main Library	0	33,000	0	0	0	0	33,000	33,000	No
7 Southside Library Lightning Protection	0	50,000	0	0	0	0	50,000	50,000	No
333,000									
3 Parks									
Parks Trails									
5 Southwest Activity Node Park (SWAN)	35,000	200,000	5,000,000	0	0	0	5,235,000	5,200,000	Yes
28 Acequia Trail Crossing at St. Francis/Cerrillos	0	500,000	0	0	0	0	4,000,000	4,000,000	No
69 Old Santa Fe Trail Bikeway Improvements	0	250,000	0	0	0	0	1,500,000	1,500,000	Yes
4 Ft. Marcy Complex	0	378,000	0	0	0	0	378,000	378,000	No
1,328,000									
4 Fire, Police, Public Safety									
Fire									
12 Fire Station 1 (200 Murales)	0	300,000	1,200,000	0	0	0	1,500,000	1,500,000	Yes
18 Fire Training Facility (1130 Siler Road)	0	50,000	1,450,000	0	0	0	1,500,000	1,500,000	Yes
50 Fire Station (SW sector/Agua Fria)	0	200,000	3,200,000	0	0	0	3,400,000	3,400,000	Yes
21 Police Substations Improvements	0	250,000	1,100,000	0	0	0	1,350,000	1,350,000	Yes
57 Police Seizure Lot	0	180,000	0	0	0	0	180,000	180,000	No
980,000									
6 Facilities									
32 Southside Transit Center	0	200,000	0	0	0	0	1,200,000	1,200,000	No
70 City Hall Improvements	0	800,000	874,914	0	0	0	1,674,914	1,674,914	Yes
46 Downtown Transit Center	0	200,000	0	0	0	0	3,000,000	3,000,000	No
1,200,000									

**Grand Total \$ 4,561,000**

*Exhibit "2"*

# Legislative ICIP Priorities

Not Recommended

## 1 Citywide Streets and Bridges

1	Downtown Bridge Improvements	0	1,500,000	2,200,000	2,200,000	1,100,000	2,200,000	9,200,000	9,200,000	Yes
10	Calle Po Ae Pl Extension	0	250,000	600,000	0	0	0	850,000	850,000	Yes
23	Agua Fria/ South Meadows Intersection Impr.	0	100,000	1,300,000	0	0	0	1,400,000	1,400,000	No
24	Sandoval/Montezuma Intersection Imp.	0	50,000	500,000	0	0	0	550,000	550,000	No
25	Cerrillos Rd./ Sandoval Intersection Imp.	0	150,000	1,100,000	0	0	0	1,250,000	1,250,000	No
27	Traffic Signal Cabinet Project	0	414,000	0	0	0	0	414,000	414,000	Yes
30	Old Taos Hwy Pedestrian Improvements	0	220,000	0	0	0	0	220,000	220,000	No
31	Canyon Road Street Lighting	0	350,000	0	0	0	0	350,000	350,000	No

## 2 Citywide Library Improvements

20	La Farge Library Renovations	0	350,000	1,000,000	0	0	0	1,350,000	1,350,000	Yes
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## 3 Parks

15	Salvador Perez Park	0	250,000	0	0	0	0	250,000	250,000	No
33	Municipal Recreation Soccer Complex	225,000	500,000	6,500,000	0	0	0	7,225,000	7,000,000	Yes
3	Genoveva Chavez Community Center	25,000	800,000	2,400,000	0	0	0	3,225,000	3,200,000	Yes
6	Salvador Perez Pool	20,000	70,000	0	0	0	0	90,000	70,000	No
11	Bicentennial Pool Improvements	0	170,000	0	0	0	0	170,000	170,000	No
53	Senior Center Outdoor Recreation	0	100,000	0	0	0	0	100,000	100,000	Yes
49	Water History Park & Museum	150,000	1,000,000	0	0	0	0	1,150,000	1,000,000.00	No
52	Ft. Marcy Ball Park	0	6,600,000	0	0	0	0	6,600,000	6,600,000.00	Yes

Individual Project

## 4 Fire, Police, Public Safety

19	Public Safety Improvements	0	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	5,000,000	5,000,000	Yes
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Public Safety

## 5 Seniors

9	Senior Services	154,000	475,000	0	0	0	0	629,000	475,000	Yes
17	Senior Center Improvements	164,000	98,000	0	0	0	0	262,000	98,000	No

## 6 Facilities

13	Municipal Court- Office Expansion	0	125,000	0	0	0	0	125,000	125,000	Yes
14	Municipal Court- Building Renovations	0	30,000	330,000	0	0	0	360,000	360,000	Yes
37	Bus Stop Amenities	0	500,000	500,000	500,000	500,000	500,000	2,500,000	2,500,000	Yes
38	Environmental Svcs Equipment Maint. Shop	0	250,000	2,250,000	0	0	0	2,500,000	2,500,000	Yes
40	Environmental Svcs. Res./Commercial/Office	0	90,000	0	0	0	0	90,000	90,000	No
47	Transit Yard Roof Structure	0	275,000	0	0	0	0	275,000	275,000	No
54	ITT Back up Simulcast Radio Central Site	0	100,000	900,000	0	0	0	1,000,000	1,000,000	Yes
8	Carlos Ortega Teen Center Improvements	0	200,000	500,000	0	0	0	700,000	700,000	Yes
2	Airport Terminal Building Expansion	890,000	460,000	0	0	0	0	1,350,000	460,000	Yes
55	Zona Teen Center	0	2,150,000	1,100,000	1,100,000	1,200,000	0	5,550,000	5,550,000	Yes

Individual Project

## Legislative ICIP Priorities

### 7 Nonprofit

59	Southside Boys and Girls Club	0	200,000	7,000,000	300,000	0	0	0	7,500,000	7,500,000	Yes
60	Rodeo Arena	430,000	200,000	30,000,000	0	0	0	0	30,630,000	30,200,000	Yes
61	La Familia Center Expansion	50,000	150,000	1,000,000	0	0	0	1,200,000	1,150,000	Yes	
62	Community Center for Addictions Program	0	200,000	0	0	0	0	200,000	200,000	No	
63	Warehouse 21 Teen Center	0	100,000	0	0	0	0	100,000	10,000	No	
64	The Lensic Performing Arts Center	0	100,000	0	0	0	0	100,000	100,000	No	
65	Heros Housing	50,000	100,000	150,000	0	0	0	300,000	250,000	Yes	
66	Tierra Contenta Phase Project	200,000	2,500,000	4,390,000	0	0	0	7,090,000	6,890,000	Yes	

### 8 Utilities

35	Hospital Tank	0	600,000	7,400,000	7,590,000	0	0	15,590,000	15,590,000	Yes
36	Buckman Water Transmission Improvements	8,000,000	1,000,000	4,500,000	0	0	0	13,500,000	5,500,000	Yes
39	Canada Well	0	11,000,000	0	0	0	0	11,000,000	11,000,000	No
67	Storage Tank and Pump Stations	1,200,000	1,800,000	4,000,000	0	0	0	7,000,000	5,800,000	Yes
34	Rufina St. Sewer Line Rehabilitation	0	750,000	750,000	0	0	0	1,500,000	1,500,000	Yes
41	Waste Water Belt Press for Solids Handling	0	700,000	0	0	0	0	700,000	700,000	No
48	Waste Water Sludge Digester	0	500,000	3,500,000	0	0	0	4,000,000	4,000,000	Yes

Sewer

### 9 All Other

42	Bus Replacement Purchase	0	1,250,000	1,250,000	1,250,000	1,250,000	1,250,000	6,250,000	6,250,000	Yes
43	Parking Garage Riding Sweeper	0	53,700	0	0	0	0	53,700	53,700	No
44	Parking Access Revenue Control System	0	690,328	0	0	0	0	690,328	690,328	No
51	ITT Financial System Hardware Platform	0	1,000,000	0	0	0	0	1,000,000	1,000,000	Yes
68	West Alameda St. Drainage	0	500,000	3,000,000	0	0	0	3,500,000	3,500,000	Yes
	Market Station Work Space Remodel	0	0	1,700,000	0	0	0	1,700,000	1,700,000	Yes

# City of Santa Fe, New Mexico

## memo

ITEM #16

Date: November 5, 2014

To: Public Utilities Committee

From: Melissa Byers, Legislative Liaison *mb*

Re: Legislative Priorities Resolution

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At the Finance Committee meeting on Monday, November 3, 2014, the Committee picked five categories of city-wide ICIP projects for inclusion in the Legislative Priorities resolution and within each category selected certain city-wide projects. The attached tables identify the Finance Committee's recommendations and those not recommended by the Finance Committee.

Additionally, the Finance Committee reviewed the New Mexico Municipal League (NMML) resolutions related to proposed legislative requests and recommended that the following NMML resolutions be included in the City's legislative priorities resolution:

- Resolution No. 2014-32 – Concerning EMS Funding
- Resolution No. 2014-34 – Concerning the Endorsement of Efforts to Maintain the Amtrak Southwest Chief Passenger Service Between Lamy/Santa Fe, New Mexico and Newton, Kansas
- Resolution No. 2014-35 – Concerning the Establishment of a State Transit Fund to Support Municipal and Regional Transit Capital and Operational Needs
- Resolution No. 2014-40 – Concerning Lodgers Tax Audits Compliance

**Requested Action:**

Please review the priority list of ICIP projects and recommend which projects that PUC would want to include in the Legislative priorities resolution. Additionally, please review the list of NMML resolutions and recommend any others you may want included in the City's Legislative priorities resolution.

Attachments: Table of ICIP projects Recommended by the Finance Committee  
Table of ICIP projects Not Recommended by the Finance Committee  
NMML Resolution Summary

*Exhibit "3"*

# Legislative ICIP Priorities

Identified as legislative priorities by Finance Committee 11/3/14

		Funded to date	2016	2017	2018	2019	2020	Total Project Cost	Amount Not Yet Funded	Phases
1 Citywide Streets and Bridges										
	22 Traffic Signing and Pavement Marking Mntc.	0	150,000	150,000	0	0	0	300,000	300,000	Yes
	26 Traffic Signals Comm Design & Install	0	370,000	300,000	300,000	300,000	300,000	1,570,000	1,570,000	Yes
	56 Traffic Calming Improvements	0	100,000	1,100,000	1,000,000	1,000,000	1,000,000	4,200,000	4,200,000	Yes
	45 City of Santa Fe Gateways	0	100,000	0	0	0	0	100,000	100,000	No
			720,000							
2 Citywide Library Improvements										
	16 Main Library Rewire	0	250,000	0	0	0	0	250,000	250,000	No
	58 Main Library	0	33,000	0	0	0	0	33,000	33,000	No
	7 Southside Library Lightning Protection	0	50,000	0	0	0	0	50,000	50,000	No
			333,000							
3 Parks										
	5 Southwest Activity Node Park (SWAN)	35,000	200,000	5,000,000	0	0	0	5,235,000	5,200,000	Yes
	28 Acequia Trail Crossing at St. Francis/Cerrillos	0	500,000	0	0	0	0	4,000,000	4,000,000	No
	69 Old Santa Fe Trail Bikeway Improvements	0	250,000	0	0	0	0	1,500,000	1,500,000	Yes
	4 Ft. Marcy Complex	0	378,000	0	0	0	0	378,000	378,000	No
			1,328,000							
4 Fire, Police, Public Safety										
Fire	12 Fire Station 1 (200 Murales)	0	300,000	1,200,000	0	0	0	1,500,000	1,500,000	Yes
	18 Fire Training Facility (1130 Siler Road)	0	50,000	1,450,000	0	0	0	1,500,000	1,500,000	Yes
	50 Fire Station (SW sector/Agua Fria)	0	200,000	3,200,000	0	0	0	3,400,000	3,400,000	Yes
Police	21 Police Substations Improvements	0	250,000	1,100,000	0	0	0	1,350,000	1,350,000	Yes
	57 Police Seizure Lot	0	180,000	0	0	0	0	180,000	180,000	No
			980,000							
6 Facilities										
	32 Southside Transit Center	0	200,000	0	0	0	0	1,200,000	1,200,000	No
	70 City Hall Improvements	0	800,000	874,914	0	0	0	1,674,914	1,674,914	Yes
	46 Downtown Transit Center	0	200,000	0	0	0	0	3,000,000	3,000,000	No
			1,200,000							

Grand Total \$ 4,561,000

ITEM #16

## Legislative ICIP Priorities

Not Recommended

### 1 Citywide Streets and Bridges

1	Downtown Bridge Improvements	0	1,500,000	2,200,000	2,200,000	2,200,000	1,100,000	2,200,000	9,200,000	9,200,000	Yes
10	Calle Po Ae PI Extension	0	250,000	600,000	0	0	0	0	850,000	850,000	Yes
23	Agua Fria/ South Meadows Intersection Impr.	0	100,000	1,300,000	0	0	0	0	1,400,000	1,400,000	No
24	Sandoval/Montezuma Intersection Imp.	0	50,000	500,000	0	0	0	0	550,000	550,000	No
25	Cerrillos Rd./ Sandoval Intersection Imp.	0	150,000	1,100,000	0	0	0	0	1,250,000	1,250,000	No
27	Traffic Signal Cabinet Project	0	414,000	0	0	0	0	0	414,000	414,000	Yes
30	Old Taos Hwy Pedestrian Improvements	0	220,000	0	0	0	0	0	220,000	220,000	No
31	Canyon Road Street Lighting	0	350,000	0	0	0	0	0	350,000	350,000	No

### 2 Citywide Library Improvements

20	La Farge Library Renovations	0	350,000	1,000,000	0	0	0	0	1,350,000	1,350,000	Yes
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### 3 Parks

15	Salvador Perez Park	0	250,000	0	0	0	0	0	250,000	250,000	No
33	Municipal Recreation Soccer Complex	225,000	500,000	6,500,000	0	0	0	0	7,225,000	7,000,000	Yes
3	Genoveva Chavez Community Center	25,000	800,000	2,400,000	0	0	0	0	3,225,000	3,200,000	Yes
6	Salvador Perez Pool	20,000	70,000	0	0	0	0	0	90,000	70,000	No
11	Bicentennial Pool Improvements	0	170,000	0	0	0	0	0	170,000	170,000	No
53	Senior Center Outdoor Recreation	0	100,000	0	0	0	0	0	100,000	100,000	Yes
49	Water History Park & Museum	150,000	1,000,000	0	0	0	0	0	1,150,000	1,000,000.00	No
52	Ft. Marcy Ball Park	0	6,600,000	0	0	0	0	0	6,600,000	6,600,000.00	Yes

Recreation

Individual Project

### 4 Fire, Police, Public Safety

19	Public Safety Improvements	0	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	5,000,000	5,000,000	Yes
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Public Safety

### 5 Seniors

9	Senior Services	154,000	475,000	0	0	0	0	0	629,000	475,000	Yes
17	Senior Center Improvements	164,000	98,000	0	0	0	0	0	262,000	98,000	No

### 6 Facilities

13	Municipal Court- Office Expansion	0	125,000	0	0	0	0	0	125,000	125,000	Yes
14	Municipal Court- Building Renovations	0	30,000	330,000	0	0	0	0	360,000	360,000	Yes
37	Bus Stop Amenities	0	500,000	500,000	500,000	500,000	500,000	500,000	2,500,000	2,500,000	Yes
38	Environmental Svcs Equipment Maint. Shop	0	250,000	2,250,000	0	0	0	0	2,500,000	2,500,000	Yes
40	Environmental Svcs. Res./Commercial/Office	0	90,000	0	0	0	0	0	90,000	90,000	No
47	Transit Yard Roof Structure	0	275,000	0	0	0	0	0	275,000	275,000	No
54	JTT Back up Simulcast Radio Central Site	0	100,000	900,000	0	0	0	0	1,000,000	1,000,000	Yes
8	Carlos Ortega Teen Center Improvements	0	200,000	500,000	0	0	0	0	700,000	700,000	Yes
2	Airport Terminal Building Expansion	890,000	460,000	0	0	0	0	0	1,350,000	460,000	Yes
55	Zona Teen Center	0	2,150,000	1,100,000	1,100,000	1,200,000	0	0	5,550,000	5,550,000	Yes

Individual Project

**7 Nonprofit****Legislative ICIP Priorities**

59	Southside Boys and Girls Club	0	200,000	7,000,000	300,000	0	0	0	7,500,000	7,500,000	Yes
60	Rodeo Arena	430,000	200,000	30,000,000	0	0	0	0	30,630,000	30,200,000	Yes
61	La Familia Center Expansion	50,000	150,000	1,000,000	0	0	0	0	1,200,000	1,150,000	Yes
62	Community Center for Addictions Program	0	200,000	0	0	0	0	0	200,000	200,000	No
63	Warehouse 21 Teen Center	0	100,000	0	0	0	0	0	100,000	10,000	No
64	The Lencic Performing Arts Center	0	100,000	0	0	0	0	0	100,000	100,000	No
65	Heros Housing	50,000	100,000	150,000	0	0	0	0	300,000	250,000	Yes
66	Tierra Contenta Phase Project	200,000	2,500,000	4,390,000	0	0	0	0	7,090,000	6,890,000	Yes

**8 Utilities****Water**

35	Hospital Tank	0	600,000	7,400,000	7,590,000	0	0	0	15,590,000	15,590,000	Yes
36	Buckman Water Transmission Improvements	8,000,000	1,000,000	4,500,000	0	0	0	0	13,500,000	5,500,000	Yes
39	Canada Well	0	11,000,000	0	0	0	0	0	11,000,000	11,000,000	No
67	Storage Tank and Pump Stations	1,200,000	1,800,000	4,000,000	0	0	0	0	7,000,000	5,800,000	Yes
34	Rufina St. Sewer Line Rehabilitation	0	750,000	750,000	0	0	0	0	1,500,000	1,500,000	Yes
41	Waste Water Belt Press for Solids Handling	0	700,000	0	0	0	0	0	700,000	700,000	No
48	Waste Water Sludge Digester	0	500,000	3,500,000	0	0	0	0	4,000,000	4,000,000	Yes

**Sewer****9 All Other**

42	Bus Replacement Purchase	0	1,250,000	1,250,000	1,250,000	1,250,000	1,250,000	1,250,000	6,250,000	6,250,000	Yes
43	Parking Garage Riding Sweeper	0	53,700	0	0	0	0	0	53,700	53,700	No
44	Parking Access Revenue Control System	0	690,328	0	0	0	0	0	690,328	690,328	No
51	ITT Financial System Hardware Platform	0	1,000,000	0	0	0	0	0	1,000,000	1,000,000	Yes
68	West Alameda St. Drainage	0	500,000	3,000,000	0	0	0	0	3,500,000	3,500,000	Yes
	Market Station Work Space Remodel	0	0	1,700,000	0	0	0	0	1,700,000	1,700,000	Yes

# City of Santa Fe, New Mexico

## memo

Date: November 3, 2014

To: Mayor and Councilors

From: Melissa Byers, Legislative Liaison

*mb*

Re: New Mexico Municipal League (NMML) Resolutions (14/15)

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During the discussion of the ICIP priority projects for the City's legislative priorities resolution, at the October 29, 2014 Council meeting, the Mayor referred to the legislative priorities that have been established by the NMML. I went through and reviewed the NMML resolutions adopted and came up with the following list of resolutions adopted by the NMML that relate to legislative requests (my notations are in parentheses).

Please review and let me know if you want to consider referencing any of the resolutions in the City's legislative priorities resolution. I have noted the ones that are currently in the City's resolution. If you would like to review actual resolutions, please let me know and I can forward to you.

**Res# Title/Summary**

- 1 **Concerning Increasing the Jurisdictional Amount of Petty Misdemeanor Offenses**  
**Summary:** The New Mexico Municipal League supports legislation to increase the dollar value of the crime of issuing worthless checks to \$100.00.
- 2 **Concerning Confirmation of Appointive Officials at the Organizational Meetings**  
**Summary:** Section 3-11-5, NMSA 1978, requires a municipality to in essence re-hire its employees after every election; the New Mexico Municipal League supports legislation to repeal Section 3-11-5, NMSA 1978
- 4 **Concerning Personnel Records and the Inspection of Public Records Act**  
**Summary:** The New Mexico Municipal League should seek the introduction of legislation that would exempt from disclosure, the names of individuals applying for high-ranking appointive positions with municipal governments until those individuals become finalists in the recruitment process; and the legislation should also address what personal information of employees and customers of municipalities should be confidential and not subject to disclosure under the Act and which information should be released.
- 5 **Concerning the Return to Work Provisions of the Public Employers Retirement Act**  
**Summary:** The New Mexico Municipal League urges the State of New Mexico to enact legislation that exempts law enforcement, fire service, EMS first responders, water and waste water operators, certified electric utility employees and correctional retirees from the new return to work law.



- 6      **Concerning the Sale, Transfer and Issuance of Liquor Licenses in New Mexico**  
**Summary:** the New Mexico Municipal League urges the New Mexico Legislature to study, review and make changes to the Liquor Control Act to provide a more fair, affordable, equitable and competitive environment in dealing with the sale, transfer and ownership of Retailer and Dispenser licenses in the state.
- 7      **Concerning the Time Limit for Municipalities in a Class A County to Act on Annexation Petitions**  
**Summary:** The New Mexico Municipal League seeks legislation amending Section 3-7-17.1 NMSA 1978 to extend the time for a municipality in a Class A county to approve or disapprove an annexation petition from sixty (60) to one hundred eighty (180) days after receiving the petition.
- 8      **Concerning Amending the Municipal Election Code to Authorize Voting Convenience Centers (*One of the City Clerk's goals*)**  
**Summary:** The New Mexico Municipal League seeks legislation to amend the Municipal Election Code to authorize the use of voting convenience centers.
- 9      **Concerning Granting Local Governments the Option of Decriminalizing their Zoning Laws**  
**Summary:** The New Mexico Municipal League supports legislation to grant local governments the option of decriminalizing their zoning laws.
- 10     **Concerning the Election Process where All Candidates are Unopposed**  
**Summary:** The New Mexico Municipal League supports a change in the Constitutional and statutory requirements of holding municipal elections when all the candidates for municipal office are running without opposition and there are no questions on the ballot.
- 15     **Concerning Alternative Sources of Water Supply**  
**Summary:** The New Mexico Municipal League requests the New Mexico State Legislature to consider, under the guidance of the State Engineer and the Interstate Stream Commission Director, an appropriate funding mechanism that results in developing statewide and other viable alternatives that provide for the sustainability of water supplies
- 16     **Concerning the Development of Numeric Nutrient Water Quality Criteria**  
**Summary:** the New Mexico Municipal League urges the Governor of New Mexico and the New Mexico Legislature to support municipalities in meeting nutrient target values in their point source discharges by identifying and planning for funding such necessary projects.
- 17     **Concerning the Support of Municipalities in Meeting Nutrient Water Quality Permit Limitations**  
**Summary:** The NM Municipal League requests that the water conservation fee remain unchanged from the original 1993 implementing legislation creating the fee; and should NMED intend to further increase the fee, NMED should first evaluate the impacts of decreased monitoring, lack of full implementation of the current statute and increases in federal funding; and share the enabling legislation with the affected regulated community to reach a consensus prior to the legislation being introduced.
- 18     **Concerning the Water Conservation Fee**  
**Summary:** The NM Municipal League requests that the water conservation fee remain unchanged from the original 1993 implementing legislation creating the fee

- 19     **Concerning State Tax Policy and Its Effect on Local Governments** (*Already in our resolution – City’s Resolution #2014-45*)  
Summary: the New Mexico Municipal League calls on the New Mexico State Legislature to enact legislation, consistent with the *NMML Policy Statement*, during the 2015 Legislative Session to bring balance, equity and financial stability to local municipal governments and the residents they serve.
- 20     **Concerning Telecommunications Franchise Ordinances**  
Summary: the New Mexico Municipal League supports legislation to allow imposition of a statewide “Telecommunications Fee” not to exceed 5% on all telecommunication providers operating within a municipality.
- 21     **Concerning Use of State Grant Monies to Defray the Cost of Administration**  
Summary: The New Mexico Municipal League seek clarification through legislation that would allow state grant monies to help defray the cost of administration of grants; and the New Mexico Municipal League seek legislation that would clarify the propriety of utilizing bond proceeds to defray the cost of grant administration for projects that are funded through the issuance of debt.
- 22     **Concerning the Local Gross Receipts Taxes on Food**  
Summary: The New Mexico Municipal League support legislation to return food to the gross receipts tax base for only local gross receipts tax rates, including the 1.225 of the state rate, by shifting the 1.225 to the local GRT system; and the legislation include a significant increase in the Low Income Tax Credit; and that such legislation would also repeal the Hold Harmless distribution whereby increasing the state general fund in one fiscal year rather than 17 years; and that the legislation would also repeal the new gross receipts authority of 3/8 percent for cities and counties.
- 23     **Concerning Home Rule Municipality Taxing Authority** (*Already in our resolution – City’s Resolution #2014-55*)  
Summary: The New Mexico Municipal League calls on the New Mexico State Legislature to take immediate action during the 2015 session to enact legislation that would remove the taxing limitations currently imposed on home rule municipalities in order to permit home rule municipalities to have increased taxing authority.
- 24     **Concerning the Enactment of a Municipal Telecommunications Tax Act by the New Mexico State Legislature** (*Already in our resolution – City’s Resolution #2014-56*)  
Summary: the New Mexico Municipal League calls on the New Mexico State Legislature to enact a Municipal Telecommunications Tax Act using the Utah Act as a model.
- 25     **Concerning Irrevocable Trusts Set Up by Municipalities and Counties**  
Summary: the New Mexico Municipal League urges the legislature and governor to allow municipal and county trusts to be governed under NMSA 1978 Fiduciaries and Trusts Section 46-9A-3.
- 26     **Concerning Revisions to the Sale or Lease of Public Property Section for Monetary Thresholds**  
Summary: The New Mexico Municipal League supports legislation to increase the monetary thresholds in the Municipal Sale or Lease of Property Section above the current rate of \$25,000.

- 27     **Concerning Funding for Municipal Streets, Roads, Bridges, Airports, Rail and Transit**  
**Summary:** The New Mexico Municipal League supports continued funding for critical local projects where applicable, to follow, be guided by and adhere to current state transportation improvement plans established by Metropolitan Planning Organizations, DOT Aviation Division and Regional Planning Organizations; and that a comprehensive plan of investment for critical transportation projects be developed with municipal input and that such plan identify alternative funding resources necessary to finance such plan including matching funds and in-kind services in rural areas; and that municipalities, the Governor and the Legislature collaborate on the development of critical local transportation projects and a comprehensive investment plan.
- 29     **Concerning the Law Enforcement Protection Fund**  
**Summary:** The New Mexico Municipal League seeks legislation to increase the distributions from the Law Enforcement Protection Fund to a level that is sufficient for law enforcement needs.
- 30     **Concerning Amending the Sex Offender Registration and Notification Act**  
**Summary:** The New Mexico Municipal League supports amendment of the Sex Offender Registration and Notification Act to bring New Mexico into full compliance with federal law; and that the amendments to SORNA also address the subject of registered offenders living or meeting in close proximity to schools, parks or other government owned facilities frequented by children.
- 31     **Concerning Municipal Authority to Regulate Fireworks**  
**Summary:** The New Mexico Municipal League seeks legislation to grant municipalities the authority to enact ordinances at any time regulating the sale and use of any firework, up to and including a complete ban
- 32     **Concerning EMS Funding** (*Finance Committee recommended insertion into City resolution*)  
**Summary:** The New Mexico Municipal League supports an increase to the EMS Fund Act for use by local EMS providers in the state of New Mexico
- 33     **Concerning DWI and Traffic Enforcement on Publicly Accessible Private Property**  
**Summary:** the New Mexico Municipal League seek legislation to amend NMSA section 3-49-1(o) to remove the requirement that local law enforcement officials first secure the written permission of a landowner prior to enforcing DWI and traffic regulations on private property that is open to the public.
- 34     **Concerning the Endorsement of Efforts to Maintain the Amtrak Southwest Chief Passenger Service Between Lamy/Santa Fe, New Mexico and Newton, Kansas** (*Finance Committee recommended insertion into City resolution*)  
**Summary:** The New Mexico Municipal League calls upon the members of the legislature of the State of New Mexico to support continuation of Amtrak Southwest Chief route.
- 35     **Concerning the Establishment of a State Transit Fund to Support Municipal and Regional Transit Capital and Operational Needs** (*Finance Committee recommended insertion into City resolution*)  
**Summary:** the New Mexico Municipal League supports the efforts of the New Mexico legislature to enhance revenue for investment in transportation infrastructure across the state to include investment in public transportation fleets and associated public transportation infrastructure.
- 36     **Concerning Merging the NM Municipal Election Code with the State Election Code**

**Summary:** the New Mexico Municipal League urge the New Mexico Legislature to merge the Municipal Election Code into the state Election Code

37 **Concerning the Support of Interest and Fee Caps on Non-Bank Lending Institutions in New Mexico (*Already in our resolution – City's Resolution #2014-68*)**

**Summary:** The New Mexico Municipal League urges the New Mexico Legislature and the Governor to enact inflation indexed interest and fee caps of 36% or less across all loan products offered by small loan companies and non-chartered lenders.

39 **Concerning Law Enforcement and Mental Health Professionals Crisis Intervention for the Mentally Ill**

**Summary:** the New Mexico Municipal League seek legislation to provide funding and legislative statutory support to mandate Regional Crisis Intervention Teams that would be established and utilized to further support the Law Enforcement and First Responder mission of protecting and assisting a person or persons in crisis, protecting the remainder of the New Mexico Community from the potential negative effects of contacts with those in crisis, and furthering collaborative efforts that would mitigate the amount and severity of negative contacts with those in crisis, thus avoiding further tragic loss of life.

40 **Concerning Lodgers Tax Audits Compliance (*Finance Committee recommended insertion into City resolution*)**

**Summary:** the New Mexico Municipal League requests that the NM Legislature in its next session to find a means for Counties and Municipalities to penalize nonconformance with the required audit.

## Water Bank Accounting

<b>Affordable Housing Offsets</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>
Initial balance	-5.20	51.67	45.46	40.96	36.91	33.16
Governing body allocations to affordable housing	59.32	0.00	0.00	0.00	0.00	N/A*
Annual dedications to affordable housing	-2.45	-6.21	-4.50	-4.05	-3.75	N/A*
End-of-year affordable housing water credit pool balance, comprised of water rights and conserved water	51.67	45.46	40.96	36.91	33.16	N/A*
<b>Developer Offsets</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>
Initial balance	0.00	0.00	26.28	25.45	16.05	6.15
Conservation credits generated	0.00	32.46	9.04	7.15	6.61	N/A*
Annual dedications to private projects	0.00	-6.19	-9.87	-16.54	-16.51	N/A*
City revenue from sales		\$100,000	\$160,000	\$270,000	\$158,514	N/A*
End-of-year conserved water credit reserve balance for sale to developers	0.00	26.28	25.45	16.05	6.15	N/A*
<b>City Water Rights Credits</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014**</b>
Initial balance	0.00	0.00	39.64	39.64	40.73	40.73
Deposits into water bank	9.62	39.64	0.00	1.09	0.00	12.88
Withdrawals (allocations by governing body)	-9.62	0.00	0.00	0.00	0.00	0.00
End-of-year balance of city owned water rights not yet allocated by governing body	0.00	39.64	39.64	40.73	40.73	53.61
<b>Privately Owned Water Credits</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>
Initial balance	403.28	455.89	483.50	518.21	498.90	489.95
Deposits into water bank	62.74	33.32	41.75	0.00	31.05	N/A*
Withdrawals (dedications by developers to their projects)	-10.13	-5.71	-7.04	-19.31	-40.00	N/A*
End-of-year balance of privately owned water rights	455.89	483.50	518.21	498.90	489.95	N/A*
<b>Privately Owned Water Credits from old toilet retrofit program</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2013</b>
Initial balance	150.00	111.00	93.00	80.00	62.00	50.00
Withdrawals (dedications by developers to their projects)	-39.00	-18.00	-13.00	-18.00	-12.00	N/A*
End-of-year balance of privately owned water rights	111.00	93.00	80.00	62.00	50.00	N/A*

Water Bank Accounting table is in acre-feet except as noted

\*N/A = Not Available at this time

\*\*2014 "End-of-year" balance for City Owned Water Rights is only current as of October 1, 2014

Exhibit "4"

## The Glass Issue:

In Eldorado, at the County Convenience Center the glass dumpsters do just fine. The average household using the convenience center deposits 230 pounds of glass a year versus 110 pounds per city household per year. But if a correction is made for the half of city households not recycling, the "true" city rate is 220 pounds of glass per recycling HH per year.

So the bottom line is that our County Convenience Center's glass dumpster system and the city's current curbside system are pretty much equivalent. Once people get used to the change from curbside glass pickup to conveniently-located glass dumpsters they will use them (that is, if they recycle!).

Another point: while blue recycling carts won't be able to accept glass, they are large enough to receive all but the largest cardboard boxes. So bundling up and tying cardboard, and protecting it from rain and snow, will no longer be required. The blue carts have a weather-proof lid so can be left outside if indoor or garage space is an issue.

Albuquerque's successful conversion to the blue cart system was featured in Monday's Albuquerque Journal. Recycling tonnages have doubled and recycling is now in the black, with further improvement expected as the program matures.

*Exhibit "5"*