



Agenda

CITY CLERK'S OFFICE

DATE 3/25/15 TIME 9:35am

SERVED BY *Sharon A. Boyer*

RECEIVED BY *Alia Hartwig*

**PUBLIC UTILITIES COMMITTEE
MEETING
CITY COUNCIL CHAMBERS
200 Lincoln
WEDNESDAY, APRIL 1, 2015
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 MARCH 4, 2015 PUC MEETING

INFORMATIONAL ITEMS

6. Update on Current Water Supply Status and McClure Reservoir Construction. (Victor Archuleta, Alex Puglisi and Robert Jorgensen)
7. Presentation on the City of Santa Fe to become a Charter Member of the Rio Grande Wildfire and Water Source Protection Collaborative Program. (Rick Carpenter) 15 min.
8. Briefing on Baca Street Well Investigation and Remediation. (Alex Puglisi and Bill Schneider)
9. Environmental Services Division recycling strategy update. (Cindy Padilla)

CONSENT – INFORMATION ITEMS

10. Status Report on the Environmental Services Division. (Cindy Padilla)
11. Utility Billing Division Update. (Diana Catanach)
12. Drought, Monsoon and Water Resource Management Update. (Rick Carpenter)

CONSENT – ACTION CALENDAR

13. Request for approval to purchase a double drum roller, 24” saw, blades and water tank kit from Frank’s Supply through GSA# GS-06F-0031L for the total amount of \$42,182.95. (Mike Moya)

Public Utilities Committee – 4/1/15
Finance Committee – 4/13/15
City Council – 4/29/15

14. Request for approval of a Professional Services Agreement with HDR to provide engineering services for RFP #’ 14/40/P “Paseo Real Wastewater Treatment Plant Master Plan” for the total amount of \$345,641.05 inclusive of NMGRT. (Bryan Romero)

- a. Request approval to transfer funds and increase budget in the amount of \$345,642.00.
- b. Request approval for Budget Adjustment Request (BAR).

Public Utilities Committee – 4/1/15
Finance Committee – 4/13/15
City Council – 4/29/15

15. Request for approval of Amendment No. 3 to extend the existing agreement with TLC, Inc. for the FY 2012/3014 Wastewater Division Publicly Owned Treatment Works Repair, Replacement and Extension Contract, CIP # 947 for the amount of \$88,555.00 exclusive of NMGRT. (Stan Holland/Jerry Tapia)

Public Utilities Committee – 4/1/15
Finance Committee – 4/13/15
City Council – 4/29/15

16. Request for approval of procurement for commercial refuse containers from Toter Inc. via National IPA Buy Board for the amount of \$32,087.33 exclusive of NMGRT. (Cindy Padilla/Lawrence Garcia)

Public Utilities Committee – 4/1/15
Finance Committee – 4/13/15
City Council – 4/29/15

17. Request for approval of a Professional Services Agreement with Circle J Tires for tire recapping services including purchase of casings and repairs, for the amount of \$250,000 per year exclusive of NMGRT. (Cindy Padilla/Lawrence Garcia)

Public Utilities Committee – 4/1/15
Finance Committee – 4/13/15
City Council – 4/29/15

18. Request for approval to purchase two automated side loading collection units. Pricing was received via various buy board cooperative marketing agreements for the amount of \$671,410.00. (Cindy Padilla/Lawrence Garcia)

Public Utilities Committee – 4/1/15

Finance Committee – 4/13/15

City Council – 4/29/15

19. Request for approval of Resolution No. 2015-_____. A resolution directing staff to solicit alternative ways to permanently dispose of solid waste generated within the Santa Fe city limits. (Cindy Padilla) (Councilor Ives)

Public Utilities Committee – 4/1/15

Finance Committee – 4/13/15

City Council – 4/29/15

20. Request for approval of Resolution No. 2015-_____. A resolution directing staff to work with the Santa Fe Area Home Builders Association to incorporate the Water Efficiency System (“WERS”) into the Residential Green Building Code and related administrative procedures. (Greg Smith and Rick Carpenter) (Councilors Ives and Bushee)

Public Works Committee – 3/9/15 (approved)

Finance Committee – 3/16/15 (approved)

Public Utilities Committee – 4/1/15

City Council – 4/8/15

21. Request for approval of Resolution No. 2015-_____. A resolution establishing a Green Community Program for the benefit of the residents of Santa Fe; directing the City Renewable Energy Planner to develop and draft a Comprehensive 25-year Sustainability Plan to annually reduce Santa Fe’s carbon emissions and energy consumption, and achieve the City’s goal of becoming a carbon neutral by 2040. (John Alejandro) (Mayor Gonzales)

Finance Committee – 3/30/15

Public Utilities Committee – 4/1/15

City Council – 4/8/15

DISCUSSION AND ACTION ITEMS

22. Request for approval of Bill No. 2015-_____. An Ordinance relating to the Single-Use Bag ordinance, Section 21-8 SFCC 1987; amending subsection 21-8.1 to modify the legislative findings related to paper grocery bags; amending Subsection 21-8.4 to establish the requirement that retail establishments collect a paper grocery bag charge for each paper grocery bag provided to customers; amending Subsection 21-8.6 to establish a 60 day implementation period; and making such other changes as are

necessary to carry out the purpose of this ordinance. (John Alejandro) (Councilors Ives and Lindell)

Finance Committee – 3/16/15 (approved with amendment)

City Council (Request to Publish) – 3/25/15

Public Utilities Committee – 4/1/15

City Business Quality of Life Committee – 4/8/15

City Council (Public Hearing) – 4/29/15

MATTERS FROM THE PUBLIC

MATTERS FROM THE CITY ATTORNEY

MATTERS FROM STAFF

MATTERS FROM THE COMMITTEE

NEXT MEETING: Wednesday, May 6, 2015

ADJOURN

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

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PUBLIC UTILITIES COMMITTEE MEETING
Wednesday, April 1, 2015**

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REQUEST APPROVAL TO TRANSFER FUNDS AND INCREASE BUDGET IN THE AMOUNT OF \$345,642.00	To Council w/o recomm.	16-23
REQUEST APPROVAL FOR BUDGET ADJUSTMENT REQUEST (BAR)	To Council w/o recomm.	16-23
REQUEST FOR APPROVAL OF PROCUREMENT FOR COMMERCIAL REFUSE CONTAINERS FROM TOTER, INC. VIA NATIONAL IPA BUY BOARD FOR THE AMOUNT OF \$32,087.33, EXCLUSIVE OF NMGRT	Approved	23
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REQUEST FOR APPROVAL OF RESOLUTION NO. 2015- _____. A RESOLUTION ESTABLISHING A GREEN COMMUNITY PROGRAM FOR THE BENEFIT OF THE RESIDENTS OF SANTA FE; DIRECTING THE CITY RENEWABLE ENERGY PLANNER TO DEVELOP AND DRAFT A COMPREHENSIVE 25-YEAR SUSTAINABILITY PLAN TO ANNUALLY REDUCE SANTA FE'S CARBON EMISSIONS AND ENERGY CONSUMPTION, AND ACHIEVE THE CITY'S GOAL OF BECOMING CARBON NEUTRAL BY 2020	Approved w/condition	29-30

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DISCUSSION AND ACTION ITEMS

REQUEST FOR APPROVAL OF BILL NO. 2015- ____.
AN ORDINANCE RELATING TO THE SINGLE-USE
BAG ORDINANCE, SECTION 21-8 SFCC 1987;
AMENDING SUBSECTION 21-8.1 TO MODIFY THE
LEGISLATIVE FINDINGS RELATED TO PAPER
GROCERY BAGS; AMENDING SUBSECTION 21-8.4
TO ESTABLISH THE REQUIREMENT THAT RETAIL
ESTABLISHMENTS COLLECT A PAPER GROCERY
BAG CHARGE FOR EACH PAPER GROCERY BAG
PROVIDED TO CUSTOMERS; AMENDING
SUBSECTION 21-8.6 TO ESTABLISH A 60-DAY
IMPLEMENTATION PERIOD; AND MAKING SUCH
OTHER CHANGES AS ARE NECESSARY TO CARRY
OUT THE PURPOSE OF THIS ORDINANCE

Approved w/amendments 30-32

MATTERS FROM THE PUBLIC

Information/discussion 32

MATTERS FROM THE CITY ATTORNEY

None 32

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None 32

MATTERS FROM THE COMMITTEE

Information/discussion 32-33

NEXT MEETING: WEDNESDAY, April 1, 2015

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ADJOURN

**MINUTES OF THE
CITY OF SANTA FE
PUBLIC UTILITIES COMMITTEE
Wednesday, April 1, 2015**

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, April 1, 2015, in the Council Chambers, City Hall, Santa Fe, New Mexico.

2. ROLL CALL

MEMBERS PRESENT:

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

MEMBERS EXCUSED:

Councilor Bill Dimas

OTHERS PRESENT:

Nick Schiavo, Public Utilities Director
Stephanie Lopez, Public Utilities
Marcos Martinez, Assistant City Attorney
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 #20, which is on the agenda in error. He said it already was approved by the Governing Body.

MOTION: Councilor Ives moved, seconded by Councilor Maestas, to approve the Agenda as amended.

VOTE: The motion was approved on a voice vote, with Councilor Ives, Councilor Maestas and Chair Rivera voting in favor of the motion and Councilor Bushee absent for the vote.

Councilor Bushee arrived at the meeting

4. APPROVAL OF CONSENT AGENDA

MOTION: Councilor Ives 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

10. *[Removed for discussion by Councilor Bushee]*
11. UTILITY BILLING DIVISION UPDATE. (DIANA CATANACH)
12. *[Removed for discussion by Councilor Bushee]*

CONSENT – ACTION CALENDAR

13. REQUEST FOR APPROVAL TO PURCHASE A DOUBLE DRUM ROLLER, 24" SAW, BLADES AND WATER TANK KIT FROM FRANK'S SUPPLY THROUGH GSA# GS-06f-0031L, FOR THE TOTAL AMOUNT OF \$42,182.95 (MIKE MOYA) Committee Review: Public Utilities Committee 04/01/15; Finance Committee 04/13/15; and City Council 04/29/15.
14. *[Removed for discussion by Councilor Maestas]*
15. REQUEST FOR APPROVAL OF AMENDMENT NO. 3 TO EXTEND THE EXISTING AGREEMENT WITH TLC, INC., FOR THE FY 2012/2014 WASTEWATER DIVISION PUBLICLY OWNED TREATMENT WORKS REPAIR, REPLACEMENT AND EXTENSION CONTRACT, CIP #947 FOR THE AMOUNT OF \$88,555, EXCLUSIVE OF NMGRT. (STAN HOLLAND/ JERRY TAPIA) Committee Review: Public Utilities Committee 04/01/15; Finance Committee 04/13/15; and City Council 04/29/15.
16. *[Removed for discussion by Councilor Bushee]*
17. *[Removed for discussion by Councilor Ives]*

18. **REQUEST FOR APPROVAL TO PURCHASE TWO AUTOMATED SIDE LOADING COLLECTION UNITS. PRICING WAS RECEIVED VIA VARIOUS BUY BOARD COOPERATIVE MARKETING AGREEMENTS FOR THE AMOUNT OF \$671,410. (CINDY PADILLA/LAWRENCE GARCIA). Committee Review: Public Utilities Committee 04/01/15; Finance Committee 04/13/15; and City Council 04/29/15.**
19. *[Removed for discussion by Councilor Maestas]*
20. **REQUEST FOR APPROVAL OF RESOLUTION NO. 2015- _____. A RESOLUTION DIRECTING STAFF TO WORK WITH THE SANTA FE AREA HOME BUILDERS ASSOCIATION TO INCORPORATE THE WATER EFFICIENCY SYSTEM (“WERS”) INTO THE RESIDENTIAL GREEN BUILDING CODE AND RELATED ADMINISTRATIVE PROCEDURES (COUNCILORS IVES AND BUSHEE). (GREG SMITH AND RICK CARPENTER) Committee Review: Public Works Committee 03/09/15 (approved); Finance Committee 03/16/15 (approved); Public Utilities Committee 04/01/15; and City Council 04/08/15.**
21. *[Removed for discussion by Councilor Bushee]*

5. APPROVAL OF MINUTES FROM THE MARCH 4, 2015 PUC MEETING

MOTION: Councilor Maestas moved, seconded by Councilor Ives, to approve the minutes of the PUC meeting of March 4, 2015, 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 copy of a report from *New Mexico SNOTEL Site*, provided by staff, is incorporated herewith to these minutes as Exhibit “1.”

Mr. Puglisi said they might throw away everything in memo, because there has been a dramatic change since March 20, 2015, in fact that was the day we ended up with 90 inches of snowpack in the watershed. As a result 5 inches of snow melted and changed runoff levels typical of mid to late April, 3 weeks ahead of schedule in terms of runoff volume. There has been an increase in the water stored at Nichols Reservoir. He said McClure Reservoir is down for construction, and they're taking water at Nichols and they're trying to treat water and release it in conjunction with irrigation releases and other releases that won't start for another 2 weeks. He said Nichols currently is at 80%, and went from 38% on March 18th to 80% today. He said they have the highest level of storage at Nichols since the new intake tower was put on line last May. They are ramping up production at Canyon Road and are hoping they can handle inflow

until they start making releases for irrigation and the living river, although they have to start some management releases before then. He said they don't want to get into a situation where there are abnormally high temperatures for a long period of time, noting it appears we're heading on that track right now, and a rain shower which would increase the snow melt more dramatically than it has already. He said we're down to 40-41 inches of snow, noting about 1/3 of the snowpack has melted since March 20th.

7. PRESENTATION ON THE CITY OF SANTA FE TO BECOME A CHARTER MEMBER OF THE RIO GRANDE WILDFIRE AND WATER SOURCE PROTECTION COLLABORATIVE PROGRAM. (RICK CARPENTER)

A copy of a presentation, *Rio Grande Water Fund*, dated April 1, 2015, entered for the record by Dale Lyons, is incorporated herewith to these minutes as Exhibit "2."

A copy of *Rio Grande Water Fund Comprehensive Plan for Wildfire and Water Source Protector* dated July 2014, entered for the record by Dale Lyons, is incorporated herewith to these minutes as Exhibit "3."

A copy of the *Executive Summary of the Rio Grande Water Fund Comprehensive Plan for Wildfire and Water Source Protector* dated July 2014, entered for the record by Dale Lyons, is incorporated herewith to these minutes as Exhibit "4."

A copy of *USDA Forest Service/Santa Fe National Forest and the City of Santa Fe, Santa Fe Watershed: Protection by Collaboration*, entered for the record by Sandy Hurlocker, is incorporated herewith to these minutes as Exhibit "5."

A map of the Santa Fe Watershed, Espanola Ranger District, entered for the record by Sandy Hurlocker, is incorporated herewith to these minutes as Exhibit "6."

Rick Carpenter said this item was at the last PUC for action, and there was a considerable amount of discussion and several questions, and in particular a request to have someone from the Nature Conservancy to make a presentation to the Committee. He introduced Dale Lyons from the Nature Conservancy and Sandy Hurlocker, U.S. Forest Service.

Dale Lyons reviewed information in this matter. Please see Exhibit "2" for specifics of this presentation.

The Committee commented and asked questions as follows:

- Councilor Bushee asked if there is anything in writing regarding the Santa Fe plan or the Sangre de Cristo. She said we approved this conceptually at the last meeting because we needed to know more about the plans for our area. She asked what are we going to get.

Mr. Lyons said there a number of ongoing studies for the water fund area to identify priority risks. The USGS has been involved in wildfire risk and debris risk analysis. They have completed their analysis for the Manzano and Sandia Mountains in the Cibola National Forest, and they're now moving to the Jemez Mountains, and the next step is to look at the Sangre de Cristos. He said the Nature Conservancy has adapted its methodology to do the risk analysis much quicker and he believes they have established priority areas in the Santa Fe National Forest in the Sangre de Cristos. As those projects come forward, they will be taken up as priorities for the National Forest to treat areas in and around the municipal watershed, and he thinks Sandy will mention a project on the boundary of the watershed that's part of that work."

- Councilor Bushee said then there's nothing in writing yet.

Mr. Lyons said, "No. Not yet."

- Councilor Bushee said she is hearing from constituents who read the generic plan and there was quite a bit of acreage, "and so they assumed." She said we can't jump to conclusions, but we're going on blind faith at this point, and we are still looking for information.
- Councilor Maestas thanked Mr. Lyons for the presentation, noting the charter was presented at the last meeting with the total acreages and best practices for watershed protection. He is in favor of the watershed protection and its entire initiative. He said water protection as a tool to mitigate the real impacts from climate change. He has constituents who are very concerned about the practice of controlled burning. He asked if there is a typical scenario where you would use mechanical clearing over controlled burns. We know the difference, but what is predominant.

Mr. Lyons asked Mr. Hurlocker to respond to that question in his presentation.

- Councilor Ives thanked him for the presentation. He said the Large Scale Solution slide which talks about some of the funding, and identifies a funding gap of \$14 million. It mentions \$6 million federal HFR already, so that's \$21 million a year at 600,000. He asked how we will make up that gap.

Mr. Lyons said that would come from State funding saying a House Bill was passed which will allow for funding, and ultimately we would like to see a lot of downstream water users make contributions to a fun to supporting this kind of work in headwaters upstream. The City of Santa Fe already is contributing in its cost share with the Santa Fe National Forest for work on the municipal watershed. There was never a rate associated with that contribution. The last he understood, those funds were coming from water utility operations or capital improvements. He said this is the model across the west and for the other water utilities where there is a nominal rate increase. He said the amount of the money is relatively small. For Albuquerque to generate half of the funds, \$7 million a year, it would about to a 50 cent per month rate increase to each of their water customers. He said, "It's not a huge rate increase, but that is ultimately what we're talking about."

- Councilor Ives said the communities still have the capacity to act outside the collaborative effort, and asked how the collaborative effort contributes to the funding dilemma.

Mr. Lyons said he enumerated the funding sources in the handout, and they anticipate continuing to be able to do that. "So securing private foundation money, money from The Nature Conservancy's Fire Learning Network, and funding from other federal and State programs."

- Chair Rivera asked if the City decided not to participate in this plan, the control burns and the mechanical clearing, if it still will happen.

Mr. Lyons said, "Yes. There are a number of planned forest restoration and fuels reduction projects that were planned and have been in the works for many years and are in the permitting process. Even without this program, those projects would be ongoing. But what we're really trying to do is to create a backlog of more projects that already are permitted, which are shovel ready, so when we do identify funding we can get out there and do this restoration work."

- Councilor Rivera said participating in this collaboration would give us a seat at the table so we're aware of what's happening and be able to participate in the discussions.

Mr. Lyons said that is correct, and there is no financial commitment to be a signatory to the charter.

Sandy Hurlocker presented an update on the Municipal Watershed. Please see Exhibits "5" and "6" for specifics of this presentation.

Mr. Hurlocker noted the map he handed out [Exhibit "6."]. He said the difference between mechanical and burning depends on the conditions they find when they go out to do the treatment, noting mechanical is a chainsaw or a machine that went through and masticated, but a non-fire alternative. He said during the writing of the Environmental Impact Statement, there were strong concerns from Canyon Road about trucks going back and forth, and the area is not roaded[?], and because of those impacts they decided not to do any fuels or timber removal, noting in other places there might be opportunities to team up and do more project removal.

The Committee commented and asked questions as follows:

- Councilor Bushee asked if they would be considering anything in terms of biomass for this area.

Mr. Hurlocker said the decision was made 10-15 years ago, to do either mechanical treatment on-site, or burning, so pretty much they have been working toward that, so there will be no biomass coming out of the Santa Fe watershed.

- Councilor Bushee asked if we can then allay their fears and let them know this is still the plan or the non-plan.

Mr. Hurlocker said they would have to go through another process, an environmental analysis, if they would decide to do that, to start with a different decision/assumption moving forward..

- Councilor Maestas asked if NEPA was required on the entire plan. He said he would think for individual process there would be some form of NEPA action, noting he is trying to get a sense of addressing environmental issues and how the individual projects will fall under that NEPA process.

Mr. Hurlocker said, "If it was National Forest land, we would have to go through every step of the environmental analysis process, and we have to involve the public to make sure we did the right studies, and either an EIS or some environmental document and then make a decision for our land. Different authorities would have different processes."

- Councilor Maestas asked if there would be an opportunity for public involvement on the City's project prior to it being evaluated and selected for funding, as well as starting the project.

Mr. Hurlocker said yes, they are working with the Forest Guild on a proposal for the Water Fund to do a broader look at the entire look at the Santa Fe Watershed and both sides, which would include the Tesuque and Nambe drainages toward the Pecos area. A key part of that proposal is to involve the public in a collaborative process rather than us coming up with "here's what we want to do, what do you think about it." We're much more stepping back, two steps before that which is here's the issue, the problem and the high risks we've identified, and what sorts of things we can do to meet that challenger.

Mr. Hurlocker continued, saying the Forest Service resources are limited right now, with their focus on the Southwest Jemez project, but said, "We're already looking for partners and this is an opportunity to do that closer to Santa Fe."

- Councilor Maestas said he would incorporate as much public involvement as possible at the appropriate times during the project development process. He thinks part of that process should be presenting the mitigation plan once the NEPA process is done, noting there are a number of mitigation processes which are required for the project. He said it sounds as if our project will have some portion of control burning that the mitigation plan be presented during the public involvement so they can be informed on those.

Mr. Hurlocker said the City's proposal for the Water Fund is a monitoring of what they are doing in the Watershed, as the Forest Service burns.

Mr. Hurlocker then reviewed the map, Exhibit "6." Mr. Hurlocker said there are a variety of treatments, but most treatment involves burning.

- Councilor Ives said it appears that 5,400 acres have been treated, which is described as the lower watershed, and Mr. Hurlocker said this is correct.
- Councilor Ives asked if there is a planning document for the upper watershed, and how much acreage is that.

Mr. Hurlocker said the upper is in the wilderness, divided into two parts, one the lower elevation where there is ponderosa pine, and douglas fir, and those kinds of tree species which are adapted to fire in a frequent fire regime. In the higher elevations near the lake, where every 200 years you would have a big fire, which we can mitigate by keeping the fuels at a lower level where fire is actually part of the ecosystem in a way that we want.

- Councilor Ives asked if there is a written plan for the upper Watershed.

Mr. Hurlocker said yes, noting they started working on it 4-5 years ago, with the help of the City's Water Fund, and we followed the NEPA process, and that decision is in front of the Forest Supervisor now for review and should be coming out in the next 2-3 weeks.

- Councilor Ives said he would love to see that plan. He has heard it does significant work to prevent a sweeping, catastrophic fire. He asked Mr. Hurlocker to forward a copy of that plan to him.

Mr. Hurlocker said he will see that is done.

- Councilor Ives asked the acreage in the lower upper and the upper upper watershed.

Mr. Hurlocker said the lower part which is outside the wilderness, we analyzed 7,500 acres total, and they've treated almost all that acreage. He said there are 2,900 to 3,000 acres above that, basically in elevation bands. They didn't say exactly where they were going to burn, it just says within this band. If you go above it we don't want fire, and below it's basically the watershed outside that they've been treating.

- Councilor Ives asked if the Plan considers other mitigation strategies for catastrophic fire in the upper upper watershed, noting the creative things they did in the Pecos after the Viveash and others in terms of dams and such. Are we considering any of those alternatives as a hedge against wildfire until the process is complete.

Mr. Hurlocker said, "In that particular area, no. And a big part of that is because it is wilderness, and options can be limited." He said after the 2011 Fire in Pacheco, once burned and the bottom layer of stability has been removed, the soil and vegetation, there not much you can do for several years, because it's pretty much water hitting rock and coming off at pretty high rates."

Mr. Hurlocker said there is a prescribed burn for an area in the lower upper of about 800 acres, depending on the weather, should start in the next 2-3 weeks, including the wind blowing from the southwest and depending on the wind mileage. He said because it has been treated around the area, the chances of a fire spotting in front of itself, or getting beyond where we want it to go are low and the reason they are considering. It.

- Councilor Maestas said we've seen the benefits of avoiding a catastrophic wildfire, and another advantage is reducing evaporation by thinning the smaller vegetation. He asked if there is any way to measure the benefits in reduction of evaporation. What metrics are they going to use to measure the benefits from this significant undertaking that we can articulate to the public, other than avoiding catastrophic wildfire.

Mr Lyons said another study being done was a Water Yield Analysis, noting with overgrown forests you can have pretty high rates of sublimation because snow is hung up in tree branches and more subject to evaporation than if it's shaded and on the ground. If there is an area that is burned without ground cover and shading, almost all the water evaporates before it flows downstream. He said that is an ongoing study. He said avoided costs are an important components of the value proposition. He said the cost to treat the area to reduce the risk of wildfire you are looking at \$100 million.

- Councilor Ives said Mr. Lyons just mentioned \$100 million, but the proposed distribution is \$60 million over 20 years..

Mr. Lyons said the \$100 million is for treatment of about 300,000 acres over 20 years, and this is just for that northwest corner of the State, so the \$15 million is what is needed to treat 30,000 acres per year over 20 years.

- Councilor Ives said there is a difference between water supply and watershed. He asked if all the plans consider watershed health and water supply increase.

Ms. Lyons clarified that the studies that they are doing to identify high priority areas are being done in collaboration with the National Forest Service with the idea they would incorporate this risk analysis in their planning. It is not a given that they will this information as part of their plan. He said, "We are trying to steer the ship toward projects to reduce wildfire risks."

- Councilor Ives said after the last session, a gentleman spoke and suggested if you are looking strictly at burns and trimming, you're not dealing with watershed conservation. He is hoping it is a component which is "to mind, to heart, and is part and parcel of this in some significant way."

Mr. Lyons said the academic focus share that there is a small increase in yield for a short period after treatments, and as the forest grows back, you lose that benefit, but the reduced wildfire risk continues. Regarding watershed restoration versus fuels reduction and treatments, they recognize the big difference between those two, as well as the watershed partners, National Forest, and

State Forestry as well. Watershed restoration with the intent of protecting water supply and protecting water quality is different from just fuels reduction.

Chair Rivera thanked Mr. Lyons and Mr. Hurlocker for their presentations.

8. BRIEFING ON THE BACA STREET WELL INVESTIGATION AND REMEDIATION (ALEX PUGLISI AND BILL SCHNEIDER).

A Memorial of December 19, 2014 Meeting, prepared by the New Mexico Environment Department, Office of the General Counsel, entered for the record by staff, is incorporated herewith to these minutes as Exhibit "7."

Alex Puglisi said the Memorandum provided is an update of his briefing in October 2014, when we were in a holding pattern with PNM to see if they were going to enter into the New Mexico Corrective Action Fund for petroleum site cleanup under the Hazardous Waste Regulations which covers underground storage tanks under the Groundwater Protection Act of the State and the Groundwater Production Regulation. Please see Mr. Puglisi's Memorandum of March 24, 2015, which is in the packet, and Exhibit "7," for specifics regarding this presentation.

Mr. Puglisi said we need to be sure the Corrective Action Fund [CAF] is adequate to address the petroleum contamination, and we can't let the Groundwater Protection Act [GWPA] related constituent protection slip out of any agreement between PNM and NMED.

Councilor Ives said there are different points in the handout from office of General Counsel at NMED [Exhibit "7"]. He noted the letter on page 2, #9 provides, "Neither this Memorandum, nor the discussions described herein shall be deemed or construed as an admission of liability or admissible in any judicial or administrative proceeding." He said this would appear to be an administrative proceeding, so he has no idea what that means. He presumes since we're not a party, we're not waiving any rights we might have in connection with "continued trespass of these materials on our wells."

Marcos Martinez, Assistant City Attorney, said, "Councilor, you are correct, we are not a party and so this is a clause that relates to the parties."

Councilor Ives said he would like to follow up with Mr. Martinez to better understand if there are limitations, issues, etc..

Councilor Ives said the new effort will be to further characterize the contaminants at the site, but there is a body of knowledge about the constituent elements that PNM used on site, and asked if that has been developed exhaustively at this point.

Mr. Puglisi said there is information on the sampling of all the wells and constituents that were found that date back 20 years. He said under the rules selected under the Settlement Agreement there is

extensive quarterly monitoring of those constituents. He believes that some of the wells were not the appropriate wells to select for compliance purposes. He said the Settlement Agreement would terminate upon 8 quarters of compliance sampling in the chosen wells. USTB-17 was not one of those chosen wells and yet we found 48 inches of LNAP in that well. So obviously, some of the wells chosen for the purposes of closing out that agreement, were not the appropriate wells. So we have less information on all the wells at the site. But there was also some information which was produced during the investigation of the site as the wells that were put in and by various contractors hired by PNM. He said that information was compiled onto a CD because it was provided to NMED, noting several of their files were missing and they asked the City to help supplement the NMED records.

Councilor Ives said Mr. Puglisi mentioned he was aware that PCB's, for example, were used by PNM, and asked what proof we have of that, to some degree. Do we have that knowledge fairly settled.

Mr. Puglisi said it was general practice to use PCB's in transferring oil at that time because it helps to stop the oil from breaking down when subjected to heat. He said he doesn't believe PNM was different from any other electrical generating company. He said so we can suspect they did use it in their oil and we did find PCB contamination in the wells, and it was also found in soils which were contaminated through surface spills of oils and not just leaking underground storage tanks, but above ground tanks.

Mr. Puglisi said Councilor Ives brings up a good point that one of the arguments of PCB is that this is trespassing contamination coming onto their sites. So there will be additional wells noting we asked that that question finally be answered. PNM always resisted the installation of monitoring wells to show this trespassing contamination, so as part of the CAF, we requested that NMED answer that question by putting in some perimeter wells to show if there is an off site contamination that could be migrating toward the site, and if it is crossing into the site and causing the contamination that we see at the wells.

Councilor Ives said in Paragraph #7 there is a reference to the City of Santa Fe as follows, "PNM and the City of Santa Fe will cooperate in drafting an Agreement stating that, 1) actions taken by PNM or its contractors will not impeded the City's use of other City Wells..." He asked if that is because we believe that to be the case, or is that a pre-condition to entering into this agreement in the first instance.

Mr. Puglisi said what we asked for there obviously is the remediation at the Baca Street site, or the Baca Street well also known as Santa Fe Well No. 1, that if we should determine we want to put that well back on line, that without our agreement, we do not want to be constrained by an agreement that says we cannot operate that well. They need to consult with us before they put us in a situation where we cannot turn on the well because it will affect investigation or abatement in some way. He said, "So, for example, if they wanted to drill other wells and pump and treat, what we're saying is we don't believe that their abatement process should infringe upon our rights to use our water rights or a nearby well."

Councilor Ives said he struggling with what we might be *[inaudible because Mr. Puglisi interrupted.]*

Mr. Puglisi said the other thing there was some talk about actually using the City's water rights as they currently are doing. We do get the benefit of the treated water at the Baca Street well and it does go into our distribution lines, but we are in an agreement currently that requires us to operate that well 24/7 for the purposes of abatement and the City agreed to that. We don't want to be put into that situation again.

Mr. Martinez said, "The only thing I would add is that I think the City wanted to have flexibility in using its wells and the ability to perfect its water rights and not have this agreement hamper that flexibility. So I think that's the purpose of point 1. And point 2, I'm not sure is necessary, because in my view, NMED already has the ability to enter property in order to facilitate remediation of sites."

Responding to Councilor Ives, Mr. Puglisi said the first contamination was tracked back to 1958, but the Settlement Agreement has been in place since 1992.

Councilor Ives said we don't seem to have advanced materially on having this issue resolved under the Baca Street property, personally, while he understands PNM's reluctance to suggest any liability, he would love to see what can be done to assure a more aggressive cleanup of this by PNM occurring is the path the City should be trying to promote, especially if we're seeing new materials in test wells, the nitrates, etc., which suggest it's a problem that is continuing to spread which isn't beneficial to the people of Santa Fe.

Mr. Puglisi said the perimeter wells that NMED has said they want to see as part of the CAF agreement will establish whether or not liability lies with another party.

Councilor Bushee said this is in her District. She wants to make sure the public, whether by signage or indication of the ongoing process and the remediation. She said, "More important for me, aside from liability, I just want to know they've agreed to do the cleanup and what timeframe can we expect this to be done." She went on to say she doesn't remember the old history, noting we were congratulating ourselves when Frank Montano was on the Council – that this thing was taken care of. There is lots of concern in the neighborhood, and she wants to make sure they are aware of what is happening. It is important for them to know they're not living in a contaminated neighborhood.

Councilor Bushee asked if she can assume that they are willing to pay for it, get it done and by when will it be done.

Mr. Puglisi said, "I don't think we can give you a strict deadline, but we certainly are pushing both PNM and NMED to finalize this agreement and move forward into the CAF. This is a matter of complying with all the requirements for RFP's, getting a contract on-board. They will be on a schedule once they enter into the CAF. This won't give pre-notification to the public, but once there is investigation and cleanup happening at the site it will be posted."

Councilor Bushee asked if they are going to get in there in the summer and start the cleanup or not, saying "give me some hope."

Mr. Puglisi said, "I can certainly tell you that we're meeting on the MOU, so possibly next week. I've seen a calendar item come out asking for a meeting next week to get that MOU finalized and in place so PNM can start work under the CAF and it was the City that pushed for the early deadline. We asked that it be no longer than 10 days between meetings, as we met 1 week ago, so we want to have the MOU finalized by the end of April I believe is our target."

Councilor Bushee said, "Okay. And this whole trying to determine if there were other factors or other previous users, that's not going to hold anything up in terms of taking this on. They're long gone, whoever they were. So let's just assume it and get it done."

Mr. Puglisi said that's correct.

Councilor Bushee said she appreciates the effort to push harder and to get this done, although she understands we're dealing with 3 entities at a minimum. She would appreciate knowing a time frame, and if there needs to be a neighborhood meeting she wants to be notified and try to gather some of the neighbors.

Mr. Puglisi said once there is a signed MOU in place he will try to get a schedule from PNM and NMED.

9. ENVIRONMENTAL SERVICES DIVISION RECYCLING STRATEGY UPDATE (CINDY PADILLA)

Cindy Padilla presented information from her Memorandum of April 1, 2015, to the Public Utilities Committee, regarding Environmental Services Division – Updated Recycling Strategies. Please see this Memorandum for specifics of this presentation.

The Committee commented and asked questions as follows:

- Councilor Bushee said we need to go to work on the very low diversion rate. She said we have done a lot of surface things – newspaper adds, the super recycle guy, whatever – we really haven't really generated the numbers. She was extremely disappointed to learn at SWMA they had stopped doing composting. She said SWMA is revising it and going to go with a private company and it won't be a cheap product turned back to the customers. Her concern for years has been that we don't increase the services, we just raise the rates. She was disappointed to learn the public was going to have to pay a lot to get the product unless they go to the Wastewater Treatment Plant and get it there. She is looking for ways to reward the public for doing the right thing. She said we subsidize this program, but we haven't moved off our miserable diversion rate for twenty years.
- Councilor Bushee said she will be looking for real numbers at the next meeting – we need to move and move in big ways in her estimation – with dates by which they will deliver those numbers.

- Councilor Ives thanked Ms. Padilla for her presentation. He noted he served on SWMA and he is aware of the education and outreach efforts by SWMA. He shares Councilor Bushee's frustration that we are at a rate of 10% recycling. He would not set aside any efforts at education, but if we're to solve this problem we're looking for something much more fundamental in terms of a shift in how we do this business, or else those efforts which hadn't bear fruit might happen again. He's seen people from the Division at all the home shows and other opportunities handing out bins, which he believes is helpful, but it's getting people to use those bins and expanding our capability to recycle more materials. We need to look to expanding to plastics #1 through #8, and finding ways to expand what we can recycle. He thinks that message would have significant results.

Ms. Padilla said SWMA recently issued an RFP to look at privatizing the BuRRT and MRF, and in the RFP was a whole list of items to increase materials to be recycled. We need to coordinate with SWMA in how to address that curbside. She said having single stream automated will help us because of the size of the operations, so we're definitely moving in that direction..

- Councilor Maestas said there is an element which calls for exploring the pay-as-you-throw billing structure. He said he forwarded the Silver City case study and its experience with pay-as-you-throw, and they have 3 different containers, 3 components to the fee – collection, disposal and container rental fee. He would like to move that to the forefront to see if that is viable to consider. He said he currently is the Chair of SWMA. He said, "There are so many different elements to the Solid Waste Assessment, there is the County portion, the Agency portion and the City portion of the recommendations, and I just hope we can bridge the gap on some of these common recommendations among the 3 separate entities." He said putting resources into marketing and public involvement is an Agency priority, and we need to coordinate with the County and the Agency.

CONSENT CALENDAR DISCUSSION

10. STATUS REPORT ON THE ENVIRONMENTAL SERVICES DIVISION. (CINDY PADILLA)

Cindy Padilla presented information from her Memorandum of April 1, 2015, to the Public Utilities Committee, regarding Environmental Services Division Monthly Report. Please see this Memorandum for specifics

- Councilor Bushee said she wants to make sure we are filling positions, and Ms. Padilla said that is being done.
- Councilor Bushee noted she is on time with the grant under D, which is due on April 15, 2015.

Ms. Padilla said it is almost complete and will be timely filed.

- Councilor Bushee noted the 6 youth employees for the anti-graffiti program, and asked the source of those funds.

Ms. Padilla said funds are from an annual grant from State Tourism Department, noting Keep Santa Fe Beautiful has been receiving that grant for about 25 years.

- Councilor Bushee asked if it has been a successful program.

Lawrence Garcia said they used to use the youth groups as arterial crews for parks on the median programs, but this year they will split the youth, using 3 for the graffiti crews and 3 for the arterial crews, reiterating that the youth are paid from Keep Santa Fe Beautiful.

- Councilor Bushee asked staff to let the Committee know if splitting the youth it is effective.

Mr. Garcia said they used the youth last year, and in doing the evaluations, did see a spike increase in the amount of graffiti cleanups while they had the youth on board, so it definitely is showing improvement.

- Councilor Bushee said she assumes there is nothing new on the landfill at Frank Ortiz Park.

Mr. Garcia said they are looking at doing bore sampling at Ortiz Park, and it is the next step in the stage 1 abatement required by the NMED Groundwater Bureau. He said they plan to issue an RFP shortly.

- Councilor Bushee said the report indicated something you looked at and that you are going to drill more wells. She said if you are going to do more groundwater monitoring wells, you need to put out signage.

Mr. Garcia said they will get with Friends of Dog the Park and put up signs.

- Councilor Bushee asked if they have found anything about which we should be concerned.

Mr. Garcia said no, noting they didn't find a lot of garbage when they did the geophysical, although there was some accumulation of moisture and the reason we're looking to do the bore samples which will tell us if we need to add wells. He said they will be reporting back to NMED on that Stage 1 Abatement Plan.

- Councilor Ives said he questions on the reservoir, but guesses those changes will be reflected in the next report, and Mr. Puglisi said that is correct..

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

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

12. DROUGHT, MONSOON AND WATER RESOURCE MANAGEMENT UPDATE. (RICK CARPENTER)

Councilor Bushee said unless Mr. Carpenter has additional things to report, she is okay with the report.

Mr. Carpenter said a section was added per Councilor Bushee's request at the last meeting on the silvery minnow, noting the numbers are very low and he expects to receive an update tomorrow at a meeting at the Bureau of Reclamation.

Mr. Carpenter said he will be giving an update tomorrow on the expected runoff on the San Juan Chama Project at a Rio Grande collaborative program executive committee noting the numbers are looking better than they were earlier in the year, and he will provide an update following that meeting.

Councilor Ives said we heard earlier there had been 50 inches of snow in the Santa Fe basin and Nichols is at 80% of its storage level. He asked if the storm affected any of the reservoirs across the north.

Mr. Carpenter said the series of storms was what cause the interim update, noting the prediction was somewhere between 45-50% runoff in the San Juan Chama project and that's now around 70%. So we had 3-4 wet storms in a row and the snow water equivalent in those snowstorms was very high. He said we've had some runoff with the wet weather and some sublimation and we are looking at a week of wind, so he thinks the numbers will tick down again, but it is still much better than the initial numbers.

Councilor Ives asked if the levels in the reservoir are as reflected.

Mr. Carpenter said the most current data was March 21st when he drafted the memo, and that will be reflected in the next report.

MOTION: Councilor Bushee moved, seconded by Councilor Ives, to approve this report.

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

14. REQUEST FOR APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH HDR TO PROVIDE ENGINEERING SERVICES FOR RFP #14/40/P, PASEO REAL WASTEWATER TREATMENT PLANT MASTER PLAN, FOR THE TOTAL AMOUNT OF \$345,641.05, INCLUSIVE OF NMGRT. (BRYAN ROMERO)

A. REQUEST APPROVAL TO TRANSFER FUNDS AND INCREASE BUDGET IN THE AMOUNT OF \$345,642.00

B. REQUEST APPROVAL FOR BUDGET ADJUSTMENT REQUEST (BAR)

Committee Review: Public Utilities Committee 04/01/15; Finance Committee 04/13/15; and City Council 04/29/15

Councilor Maestas asked the status of the current Master Plan for Wastewater.

Bryan Romero said there are two Master Plans, one is the Facilities Master Plan and this is the one you're seeing in this RFP. The second is a collection Master Plan, and they have started that part and plan to bring both forward in approximately 9 months, perhaps one a little bit earlier so we don't have too many things at once. He said once the contract is approved, and they start, there is 9 months to completion.

Councilor Maestas asked if there is a required update frequency for these plans.

Mr. Romero said he wanted the 1-5 years to be a lot of effort and then a lot less effort on the 5-25 years. He said with regulatory issues, if you spend a lot of time projecting, because the regulatory requirements can change the whole position. He said they are concentrating more on the 1-5 and then 10-25, they are going to address, but not as much detail.

Councilor Maestas asked how old the current facility Master Plan.

Mr. Romero said a Master Plan was done in 1992 by CDM, and we have been doing improvements, noting it's not as if without that mast plan things weren't getting done. He said there are obvious improvements that need to be done which have been done.

Councilor Maestas said one of the major products of the Master Plan is a Capital Improvement Plan, especially on the facility side, and yet we are initiating a new Master Plan in the first year of a series of 5 consecutive annual wastewater rate increases, and asked why the plan update wasn't done prior to initiating wastewater rate increases.

Mr. Romero said some of the items on the CIP list "are probably going to show up back again on this." He said on the list there is \$1 million for rehabilitation on the sewer lines to keep pace. He said we're in a pretty good position because we've been doing rehabilitation projects on the sewer lines. He said there is a digester on the list for \$7 million, and he can "see that definitely being realized." He said most of those items will be in this Master Plan and there may be additional items. He said, "Without the Master Plan there is still a CIP list."

Councilor Maestas said he was critical over why we were seeking Water Trust Board funds for the water meters, but that was already factored into the Capital Improvement Plan on the water side. He thinks we should be pursuing capital improvements on the Wastewater side to reduce any impacts to the rates prior to implementing the rate structure. He asked if any new capital improvements may impact the rates.

Mr. Romero said he wants to take a new approach, and those items are needed, but some may rise to the level, and there may be new ones. He said there is a 5-year Master Plan list so he can prioritize and things may move up the schedule, and others may be moved further down the schedule. He thinks there is room for adjustment. He said their goal is not to impact anything so the rate increases go up.

Councilor Maestas said the rates were based on a facility plan that goes back to 1992, and we haven't factored in the potential demand of the newly annexed existing properties, and people don't have to connect unless they remodel. He is trying to make sense of "why the Master Plan now, after we've implemented this rate structure and why we base it on a really old Master Plan. I would have preferred to see this done and completed before we decided on a series of rate increases."

Mr. Romero said most of the projects generated were related to permit requirements, but weren't related to the Master Plan. For example, the DO requirements on the River increased, so we had to put a *[inaudible]* in. Chlorination was a requirement that was taken, and we can't use chlorination, so we have a zero residual. Then we had to do tertiary treatment which was another project. He said a lot of these projected projects are mandated more through permit requirements than by the Master Plan.

Councilor Maestas asked if we update the population projections in the 20 year horizon, and how often do we do that.

Mr. Romero said Planning and Land Use creates population projections, but as part of the Master Plan they also want to look at how much infill we're going to have at the treatment plants, and he wants to get those numbers as close as possible. He said they are asking the consultant to do monitoring on the collection for the Master Plan and some of that is included. And they have used census data to predict flows in the GIS modeling within basins, and they are looking at vacant properties versus those that have improvements. They will be using all of the information possible to get the best model possible.

Councilor Maestas said last year the actuarials made a presentation telling us the balance we need to maintain above and beyond the existing debt on the wastewater side, which he thinks is 50% over that debt.

Mr. Romero said it is a 1½ % target ratio over operating revenue.

Councilor Maestas said the buffer we need over the debt is supposed to cover capital improvements.

Mr. Romero said yes.

Councilor Maestas asked if it will accommodate additional capital improvements.

Mr. Romero said if that changes it has an affect on the rate structure.

Councilor Maestas said he would hate to defer a new capital improvement identified in the Master Plan update because we jumped ahead and we implemented a series of rate increases based on a Wastewater Fund that was based on an old Master Plan. He said, "I just hope that doesn't happen."

Mr. Romero said he doesn't expect it to happen.

Councilor Maestas said then the lesson learned is that before we initiate any kind of multi-year rate increase that we look at our current Master Plans that should be no more than 2-3 years old. He said it doesn't look good to him.

Mr. Romero said as part of our CIP listing there is rehabilitation of \$1 million through the collection system. There was \$7 million for a digester which we will need to deal with in the next 5 years and he doesn't see that being removed, so a majority of the projects will be required.

Councilor Maestas asked Mr. Romero to send him the CIP list of capital improvement projects that we expected to be funded through the revenues generated by the rate increases.

Mr. Romero said he will do that, noting the Financial Plan is done every year, so that will be updated with any changes in the Master Plan.

Councilor Ives noted in Exhibit A, there is a good deal of talk about data base development and data sets. He asked what coordination there has been with the IT Department in connection with that.

Mr. Romero said they asked IT to see whether we wanted to host thing in-house on our server at the Treatment Plant. They have several options, one of which would be to pay a company a monthly fee to host the data. There is a server at the facility and they are looking to update it. He said he thinks IT is looking at different options in how the City is going to store its data. He said we will incorporate IT as part of the decision-making, but there are still some unknowns related to how we will save data going forward.

Councilor Ives asked Mr. Romero what discussions and investigations were done with regard to existing software and hardware products on the market that would obviate the need to develop a new Wastewater Facilities Management System from scratch, as appears to be the case here.

Mr. Romero said there was a bunch of data in different formats, noting they usually have everything in Access Data Base format and GIS format. We also have Op10 which is a system for the Wastewater Treatment Plant where they enter flows and other information. They also have a maintenance program called Ontario, an older program. They are looking to migrate a lot of that information to this new software. He said he said a lot of the custom software doesn't meet all of their needs. They want to ensure the software is simple, easy to use and that they can build on it. He said if there is a change in something they want to track, you can't make that change. He said, "We want to get something that isn't so proprietary that we can't make changes."

Councilor Ives said that doesn't quite get to whether there are existing products out there. He said many other cities run wastewater facilities where they might be using commercially available products as opposed to spending \$330,000 having somebody develop something that is custom and new. He said Mr. Romero mentioned 5 different system which are part and parcel of the Wastewater Treatment Plant system, which suggests supporting a number of systems rather than one that might do everything for us. He would like to see evidence coming from the IT Department that it has looked at commercially available products, what sort of assessments have been made of why those won't meet our needs. And if it is a

cost/benefit analysis he would like to understand that as well. He said part of the problem at the City in terms of our IT structure is we don't use common data bases, so we probably have as many systems across the City platform.

Councilor Ives continued saying, "I think our effort should be to recognize and realize the efficiencies of having a more common data base that allows tracking of information by any City department that needs to do that analysis. For example, if it was the Wastewater Treatment Facility, Finance might need access to information on costing, pricing and those sorts of things for their purposes as well, and I'm not seeing anything here that suggests that has happened in any significant way."

Mr. Romero said one of the things is that Task 2 is \$79,000, not \$320,000. It's not \$320,000 to develop the data base, it's Task 2 and \$79,000. And a lot of that information is for condition assessment and data gathering.

Responding to Councilor Ives, Mr. Romero said that is under Exhibit C, noting most of the effort is under information gathering and condition assessment..

Councilor Ives asked if that is the data base development segment.

Mr. Romero said, "Yes, and it says 'and Data Base Development,' so it's a component of that.

Councilor Ives asked who will own the system once it's developed.

Mr. Romero said the City would own it. We would input the data and we would be the owners of that data.

Councilor Ives asked if we will own it or just license it.

Mr. Romero said he is not sure. He said the data base and all the development would be specific to the City of Santa Fe. He said he can look into it more, but he is worried that a lot of the programs we use, we pay a monthly service fee and an annual fees to update if there are changes, and sometimes the changes can't be done. His experience has been that if we are owners of the data and we understand the way the data base is built and the information that is there we can more readily be able to make changes to meet our needs.

Councilor Ives said he will abstain on the vote because he wants more information before acting favorably on this. He would hope that as this comes forward you might have IT join you with one of these presentations to address some of those issues across the City's IT platforms, because he is interested in seeing us integrate these systems and hopefully recognize some efficiencies as a result as we move forward into the future.

Councilor Ives said we have a Reclaimed Water Plan adopted last year, and the City views that a potential source of potable water, "not necessarily at this point given treatment levels." He asked what in this Plan will address what the City would need to do if it wanted to ensure that reclaimed water was potable.

Mr. Romero said, "This is going to be looking at the NPS permits that discharge in the Santa Fe River, it's going to be looking at the water quality to the River. Assessments for potable water is not part of the scope and would be something additional. In the southwest, there's been a lot of talk about doing that. Cloudcroft has tried. It's up to you, and the City may be moving into that position at some point, but we want to make sure that the [inaudible], Department of EPA, NMED, and some of those regulatory agencies would approve this type of use, are more like the Municipal League type forums and have that kind of science and regulatory change to be able to use potable water. I think anytime you treat it better, you are going to get closer to being able to use it for potable water so."

Councilor Ives said there is no argument there, although we're talking about a 25-year plan and it seems to him imprudent not to be bringing those consideration into a plan on that scale.

Nick Schiavo said, "We actually received grant funding as you know. This is the one that Bill Schneider and his group are working on, so we're going to cover a lot of that through that grant. My understanding is that the Wastewater Treatment Plan is treating the wastewater to nearly drinking water standards. Some of the final hurdles have to do with constituents they're not looking for and as a part of the grant, we're actually going to be testing that water to take a look at those constituents. Does that answer your question."

Councilor Ives said it begins to answer the question because it suggests that at some point in the not too distant future, so presumably Spring of next year under the grant. He would love to see some means of incorporating what that may disclose in terms of what additional treatment might be necessary into the Facilities Plan. Because if we say, well this is what's needed but we don't pull it into the Master Plan for the facility itself, we're not saying it's going to occur, we're saying we don't care about it. And what he is trying to suggest is we care deeply about it.

Mr. Romero said, "One of the things on water quality, we're not sure, like nutrients, like what level is going to be required for treatment. We want to take an approach like, if it's this limit, then we can do this. If it's this limit, then these requirements are needed. And I can have the consultant have a person in here to talk about potable water use and the [inaudible] approach and maybe see what other cities have done to be able to make it potable, and incorporate a section in there. And I think that could be done, in the horizon years on the facility within the 1-5 years, so I think it could be incorporated. The question I have, is as part of the IT requirement, could we go forward with this Master Plan and bring that forward before we act on the data base component, because this is going to be going to Finance and Council, I was wondering. It's hard to get everybody grouped up together figure out what platform..."

Councilor Ives said he is just looking for IT input to make sure this is part of their strategy across the City on IT matters, so he is looking for information from them, and that's something he thinks that can come – we should be able to have that input by the time this goes to Council, so he isn't suggesting any delay of it, but a need for him to better understand those issues before he is willing to act favorably on it.

Chair Rivera asked for 3 separate motions.

MOTION: Councilor Bushee moved, seconded by Councilor Maestas, to approve Item #14, the PSA.

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

MOTION: Councilor Bushee moved, seconded by Councilor Maestas, with respect to Item #14(a), the request for transfer of funds and increased budget in the amount of \$345,642, to move it forward to the City Council with no recommendation.

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

MOTION: Councilor Bushee moved, seconded by Councilor Maestas, with respect to Item #14(b), the request for approval for Budget Adjustment Request, to move it forward to the City Council with no recommendation.

DISCUSSION: Councilor Maestas wants some assurance before this goes to the Council, that the wastewater rate increases will not be impacted by this Wastewater Master Plan, and at the end of the series of rate increases we don't have to initiate another one because we have identified additional capital improvement projects. *[Councilor Maestas' remarks here are inaudible because his microphone was turned off]* He said he realizes he won't know that for 6 months or so, but he wants to be sure we have enough headroom in the fund to accommodate additional capital improvements *[inaudible]*.

Mr. Romero said, "Something identified as the dollar amount that's approved that the CIP list has and that that dollar amount would be adjusted as needed based on the new Master Plan, because some things may come off and as long as it doesn't go over that amount."

[Councilor Maestas's remarks here are inaudible because his microphone was turned off] Something to the effect to "show me how much you have set aside in the fund now and into the future to cover those future capital improvements."

Councilor Ives asked, regarding the BAR sheet, what those fund line items are.

Mr. Romero said, "Yes. Fund 5450 is actually the fund that Wastewater uses that most of the revenues come into, all the residential rates and the cash balances reside in that 5450 and that's the main fund that we utilize. The 5470 is a fund that was established for the Master Plan. It has zero dollars right now in it, and so that money would be transferring from 5450 into 5470. When it gets transferred into 5470 it gets into the business unit that would be expending the money and that's that 52478 and that is associated with Fund 5470."

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

16. REQUEST FOR APPROVAL OF PROCUREMENT FOR COMMERCIAL REFUSE CONTAINERS FROM TOTER, INC. VIA NATIONAL IPA BUY BOARD FOR THE AMOUNT OF \$32,087.33, EXCLUSIVE OF NMGRT. (CINDY PADILLA/LAWRENCE GARCIA) Committee Review: Public Utilities Committee 04/01/15; Finance Committee 04/13/15; and City Council 04/29/15

Councilor Bushee said she just needs to know that these new bins are being purchased for commercial collection routes, and if we go to single stream this doesn't impact them in any way.

Mr. Garcia said this is for solid waste. These are for commercial carts for solid waste, and not for recycling.

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

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

17. REQUEST FOR APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH CIRCLE J TIRES FOR TIRE RECAPPING SERVICES INCLUDING PURCHASE OF CASINGS AND REPAIRS, FOR THE AMOUNT OF \$250,000 PER YEAR EXCLUSIVE OF NMGRT. (CINDY PADILLA/LAWRENCE GARCIA) Committee Review: Public Utilities Committee 04/01/15; Finance Committee 04/13/15; and City Council 04/29/15

Councilor Ives said the last sheet is on specifications and it talks about the cost of retread tires and throws out figures per tire of \$159, \$150, \$199, and so forth. However, if you look at the contract itself, we are proposing to allocate \$250,000, followed by a parenthetical that says \$255,000, so there is a \$5,000 error somewhere. He asked the number of tires to be purchased.

Mr. Garcia said they utilize retread tires for all of the drive tires on the garbage trucks, noting they go through more than one set per year. He said the RFP was done so they gave us a price per tire to put retread on the casing. And then below, it talks about the cost for casings, the different size of tires and repairs, and all those pieces. He said basically this is a tire service for retreading for the division. He said when we go from the \$159, noting they use most of the 11/R22.5, to the \$250,000, that is a significant jump, although it is multiple trucks with multiple tires being served multiple times per year. And basically,

the cost for the retread tires is about half the cost of a new tire, and we're just about getting the same amount of wear, so we're really saving money doing this. The \$250,000 is for the end of this fiscal year and a portion of next fiscal year, noting the contract date and terms go into the next fiscal year, and the reason that number is a little large.

Councilor Ives said, as this goes forward, he would staff to add a paragraph in the Memo that says they usually service whatever the number of tires per year is, so that match works. He said for him it's more a leap of faith, just given the small number per tier and the large number being requested.

Mr. Garcia said that will be done.

Chair Rivera said obviously the cost to buy new tires is significantly higher. He asked if we get as much use from a retread as we do a brand new tire.

Mr. Garcia said garbage trucks are hard on tires, and we do get not as much wear off a retread tire because we utilize what's called a waste overhaul and it's a very aggressive tire. He said the reason they do that is because in the winter months they have trouble accessing some of the difficult areas within the City of Santa Fe. They thought about going to a less aggressive tire in the Summer to get equal value, but based on the rains and unforeseeable things, we could basically not be able to service some customers because we have a less aggressive tire. In the long run, the retreads don't last as long as a new tire, but they are approximately half the cost.

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

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

19. **REQUEST FOR APPROVAL OF RESOLUTION NO. 2015- ____ . A RESOLUTION DIRECTING STAFF TO SOLICIT ALTERNATIVE WAYS TO PERMANENTLY DISPOSE OF SOLID WASTE GENERATED WITHIN THE SANTA FE CITY LIMITS (COUNCILOR IVES). (CINDY PADILLA)**
Committee Review: Public Utilities Committee 04/01/15; Finance Committee 04/13/15; and City Council 04/29/15

Councilor Maestas asked if there is budget to set aside for an RFP, noting at Finance Committee the Chair directed the City Manager to reduce the budget for some contracts, but it doesn't impact the current budget. He said this is the direction in which we are going in terms of trying to curtail expenditures in the City.

Mr. Schiavo said, "He said in the Resolution, Paragraph 2 provides, 'All processes considered shall be at a cost that is lower than or equal to the City's current pricing for disposal of solid waste'."

Councilor Maestas said on page 1, line 23, calls for a Request for Proposal, and asked if this is to solicit folks that have proven technologies that would reduce or eliminate a solid waste.

Mr. Schiavo asked if he is speaking of the cost for staff time to develop a proposal.

Councilor Maestas asked if we would need budget set aside if we issue an RFP and award a proposal, or if this is a no cost contract.

Mr. Schiavo said, "To answer the Councilor's question, we're probably talking about a few thousand dollars worth of staff time to put it out. Is that your question."

Councilor Maestas said, "Right, so what are we going to get when we put the RFP out."

Mr. Schiavo said, "We should be getting proposals and a potential to get what the maker of this Resolution is interested in."

Councilor Maestas said, "Okay, so there will be no costs associated with those proposals."

Mr. Schiavo said the cost of the proposals generally are borne by whoever is proposing, and the cost would be on the City side for Environmental Services for staff time associated with rating and reviewing the proposal.

Councilor Maestas said, "So other than staff time, there would be no cost associated with this RFP. This is a unique RFP."

Mr. Schiavo said, "Again, if you refer to the second line it is saying that only technologies which will be equal to or less than our current pricing for solid waste disposal would be considered."

Councilor Maestas said maybe the intent is either to reduce processing costs, and asked if there will be any professional services associated with this RFP for which the City would have to pay.

Mr. Schiavo said, "It depends on what the proposals look like. Some of the individuals and companies that are approaching the City, some of the energy savings companies, are proposing to build facilities that use solid waste to generate electricity and as a part of that proposal they would build, at no cost to the City, infrastructure to generate electricity, and so they would be looking for waste materials from the City at a cost that would be less than what it currently costing the facility for that material."

Councilor Maestas said he is all for technology applications, and asked why we couldn't just go with the proven technology already out there. He said this is like a quasi R & D type proposal, soliciting any interest of people that have proven technologies to help us with our solid waste issues. Why can't we just go with the proven technology instead of engaging this.

Councilor Maestas continued, saying, "And this is where I'm coming from. We just completed a very costly assessment of solid waste by the County, the Agency and the City, and we've made no real commitment to implement the recommendations on the City side of that assessment. And certainly there are costs associated with that. I'm concerned about looking ahead at other proven technologies to help

with our solid waste, well ahead of us really addressing the recommendations from this very very recent Solid Waste Assessment and determining what recommendations we should implement that probably have a far greater chance of being successful than soliciting the market out there for any technology that might help with our solid waste. Why are we doing this. Is this really a priority budget-wise for us, given the fact again, that we have not committed to implementing those assessment recommendations.”

Mr. Schiavo said, “Actually, we are moving on those recommendations. The main recommendation is actually the makings of a third party to handle the recycling material. And so SWMA has already put out that RFP. I’ve worked on that, or was a party to those recommendations. I understand there aren’t any really other larger recommendations to the City except making use of the third party. That’s one of the biggest savers for us. And to answer your question, I don’t see how this Resolution, I don’t want to defend it for the maker, but I don’t see how this Resolution precludes any proven technology.”

Councilor Maestas asked the reason there is no fiscal impact. He said there is a hyper-sensitivity right now of fiscal impacts associated with any actions that we take, especially if there is no budget available. So now, some Council-generated legislation that may represent an unfunded mandate are being approved with the proviso that appropriations be identified in the next budget. He asked if this is something that would occur in this current fiscal year, or if it would be budgeted in the next fiscal year, assuming we do have to pay for any professional services associated with this RFP.”

Councilor Ives said new technologies are being developed and tested continually in different places to handle waste streams. It had that assessment done, but it didn’t necessarily focus on bringing to the City all potential proven technologies that might address waste issues. He said this simply is putting out an RFP to get information from people who believe they have those proven technologies that could provide alternate ways of handling our waste streams, hopefully proven technologies at a lower or equal to the City’s current pricing for disposal of solid waste, priority for technologies which simplify or enhance the City’s recycling program and priority to those technologies that would allow the City to remediate its closed landfills. He said to some degree, it’s going beyond anything that has been done before, because we believe there are technologies out there that probably meet these criteria. He said nothing in putting out an RFP for proposals requires us to contract with folks. So the point the Director of the Utilities Department is making is that there is staff time involved in any RFP.

Councilor Ives continued, “And does this require us to spend any funds currently. No, but the beneficial effect may be that we may discover new ways to increase recycling while reducing costs of handling wastes as well as having a capacity to address our existing landfill. So it really is trying to reach out and find out what’s there in a very positive and affirmative way, and anything that comes back would come back through the various committee structures before any actual funding would be done for that proposal, and clearly I would need to go to SWMA and others if we found something that was laudable in the first instance. This is going out into the world to find out if there are such proven technologies that would serve all these laudable goals without expense to the City other than the normal staff time involved in any of these matters that are brought before us at any point in time.”

Councilor Maestas asked why we would issue a request for information if we're really going to query the open market on technologies that can help in this regard. He said he associates an RFP with a certain scope of work, solicitation of proposals and selection of a contractor based on technical and other criteria and a cost element. He said this obviously isn't the traditional RFP and asked the reason we wouldn't go with an RFI.

Mr. Schiavo said going with an RFI would create at least one additional step if you were interested in contracting with one of the entities that propose. He said, "Through an RFI you can't do any kind of purchasing you just get information."

Councilor Maestas asked if staff can do this, and do we really need an RFP. He asked if this really is out of our hands from a staff standpoint, and staff doesn't know what technologies are out there that can help us improve our solid waste management.

Mr. Schiavo said, "To be clear, what we're looking for, are individuals or companies to propose their technology and if it made sense to staff then we would bring the proposal before different committees and the Council to consider pursuing that proposal."

Councilor Maestas said only public domain type technologies and processes are free, and everything else is proprietary and come at a cost and said, "I don't know how we can get away with any kind of cost, but I don't know. I'm trying to make sense of the assessment and committing to.... we just talked about how dismal our recycling/diversion rate is and we haven't addressed that in very simple fundamental terms. We're talking about public involvement, public awareness and here we are pursuing advanced technology." Councilor Maestas said he sees our solid waste management as lacking some very fundamental fixes and elements to it. He wants to focus on what's in front of us and some of the more basic things, the low hanging fruit, reiterating he is trying to make sense of this. He said he doesn't know what technologies are out there that can respond to this. He reiterated that an RFP to him is an RFP that requires budget, payment for services and there's no fiscal impact in this.

Mr. Schiavo said the concept is that you take 100% of your waste, you don't do any recycling or separation, and all the separation occurs at the facility – any of the inert glass, metal is taken to the site. And all materials, all plastics all papers are used as a part of the process to generate an end product or generate electricity. He said this isn't an intent to skip to the end. He said, "I'm right there with you, as you know as far as trying to make things better, increasing recycling levels. I was there at a meeting with both of you talking about the outcomes from the Solid Waste Plan, and I presented at the SWMA meeting two meetings ago about the value of using the third party and the potential for saving the City money."

Councilor Bushee said she has read the Resolution and she is trying to discern why we would have spent all that money on the study if there was some simple answer to our woes. She said we've had other people come over the years and say they're going to generate electricity from methane gas and so forth. She said, "If you were doing your job, Nick, you would come to me with the answer to this rather than this vague Resolution that says to me, gee we're going to solicit some proposals. Is there is a specific proposal, and I actually don't want you to answer that. I want you to answer what has come before you,

some entity that has all the answers, the panacea that I'm not seeing.... I'm really at a loss."

Mr. Schiavo said, "There is no panacea, there is no silver bullet. There is no one technology that's come before me. There are multiple technologies that have come before Environmental Services and Public Utilities."

Councilor Bushee said, "If you thought there was some veracity to a particular proposal, you would bring it to us."

Mr. Schiavo said, "And I am, through this, I think there is value in several of these."

Councilor Bushee asked what are they.

Mr. Schiavo said, "They are technologies.... one technology takes the waste and actually through a hydrolysis process converts the was to methane, and methane can be used in reciprocating engines or micro-turbines to make electricity, and other technology takes the waste and makes it into an usable end product."

Councilor Bushee said you could pursue those options without putting out an RFP.

Mr. Schiavo said, "Yes, Councilor, I could pursue those options, but the idea of putting out the RFP is I don't know every technology and I would hate to preclude one, and I would like to hear about what those technologies are. And I guess, to Councilor Maestas's point, I could do an RFI and go that way, but it is another step. If I thought there was something viable, I will bring it back. If there's nothing viable then you won't hear back from me on this."

Councilor Bushee asked Mr. Schiavo if he feels this is a waste of staff time, and Mr. Schiavo said, "Councilor, absolutely not."

MOTION: Councilor Bushee moved, seconded by Councilor Maestas, to move this forward without recommendation.

DISCUSSION: Councilor Maestas said one thing missing fundamentally from the Assessment is that it didn't address governance, which has been his pet peeve about solid waste, which is one of the fatal flaws of the Assessment. He thinks governance has a much, much higher priority than something like this. We need to do away with the 3 stove pipes, realizing these are governmental institutions but we're not going to achieve true success unless we solve the governance issue. He said having the City, the County and the Agency having separate solid waste operations, budgets and policies is he thinks is asinine.

Councilor Ives said he would hesitate to confuse simplicity with vagueness, and thinks this is fairly explicit in terms of the attributes being sought. He thinks it's a very direct statement of what those are, and designed to elicit proposals with the potential for radically modifying how we handle waste, and creating the singles dream the Council has talked so much about and which we haven't been able to realize.

Councilor Ives continued, "The study began two years ago, and was completed last year in December and again, I'm not sure when all the information gathering was done. I'm not sure that was even part of the charge that was given by the City to the contractor to explore all new technologies, so I don't think that study was meant to accomplish this particular purpose. This is really an attempt to break us out of, shall we say, the doldrums that everybody was promoting earlier in terms of our recycling rate. And I think education programs are great, but we've frankly been doing them for many many years and we haven't succeeded. So while I think they're important in changing attitudes, to me it's not what is going to make us actually find a watershed of difference in how we do recycling and waste treatment. This is an effort to get beyond that log jam of thinking and find out if there are new means out there to actually accomplish these purposes."

Councilor Ives continued, "I am happy to move it forward. I'm sorry it is without recommendation. Again, if we're going to get to FIRs where we're talking about staff time, the City has a great deal of work. And I'll start pulling things that have FIRs on them to make sure we're allocating staff time appropriately. I would hate to go down that when it's something staff would be doing naturally as part of their processes in the first instance, but if that's the way the Council desires to go on those issues, I suppose we can do that. It will have to be something that is shared across everybody's measures and not just those they don't like."

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

Councilor Bushee departed the meeting

21. **REQUEST FOR APPROVAL OF RESOLUTION NO. 2015- ____ . A RESOLUTION ESTABLISHING A GREEN COMMUNITY PROGRAM FOR THE BENEFIT OF THE RESIDENTS OF SANTA FE; DIRECTING THE CITY RENEWABLE ENERGY PLANNER TO DEVELOP AND DRAFT A COMPREHENSIVE 25-YEAR SUSTAINABILITY PLAN TO ANNUALLY REDUCE SANTA FE'S CARBON EMISSIONS AND ENERGY CONSUMPTION, AND ACHIEVE THE CITY'S GOAL OF BECOMING CARBON NEUTRAL BY 2020 (MAYOR GONZALES). (JOHN ALEJANDRO) Committee Review: Finance Committee – 03/30/15; Public Utilities Committee 04/01/15; and City Council 04/08/15**

Councilor Maestas said he didn't pull this, and he's not going to say everything he said in Finance, and his focus was on fiscal impact. He supports this with the provision that there be budget identified to cover the costs for this, and it has to be considered and deliberated during the budget hearings. He wants to be sure that we hit the reset button in the messaging in terms of our overall vision for sustainability. He said we've been all over the map investigating City, County, public utility, looking at the feasibility, the legal hurdles in establishing a City-only municipal electric utility. He said he is concerned about this taking 70% of Mr. Alejandro's time, and he can use some of the stakeholders and committees already doing this work, so Mr. Alejandro is free to do other things.

MOTION: Councilor Maestas moved, seconded by Chair Rivera, to approve this request, and that the identified budget impact is subject to appropriation and approval by the Finance Committee and the City Council during the FY2016 budget process.

VOTE: The motion was approved on a voice vote, with Councilor Maestas, Councilor Ives, and Chair Rivera voting in favor of the motion, no one voting against, and Councilor Bushee absent for the vote.

DISCUSSION AND ACTION ITEMS

22. **REQUEST FOR APPROVAL OF BILL NO. 2015- _____. AN ORDINANCE RELATING TO THE SINGLE-USE BAG ORDINANCE, SECTION 21-8 SFCC 1987; AMENDING SUBSECTION 21-8.1 TO MODIFY THE LEGISLATIVE FINDINGS RELATED TO PAPER GROCERY BAGS; AMENDING SUBSECTION 21-8.4 TO ESTABLISH THE REQUIREMENT THAT RETAIL ESTABLISHMENTS COLLECT A PAPER GROCERY BAG CHARGE FOR EACH PAPER GROCERY BAG PROVIDED TO CUSTOMERS; AMENDING SUBSECTION 21-8.6 TO ESTABLISH A 60-DAY IMPLEMENTATION PERIOD; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY TO CARRY OUT THE PURPOSE OF THIS ORDINANCE (COUNCILOR IVES AND LINDELL). (JOHN ALEJANDRO) Committee Review: Finance Committee 03/16/15 (approved with amendment); City Council (Request to Publish) 03/26/15; Public Utilities Committee 04/01/15; City Business & Quality of Life Committee 04/08/15; and City Council (Public Hearing) 04/29/15**

Councilor Ives gave an overview and history of this issue, and presented the proposed change to the bill from the Legislative Summary which is in the Committee packet.

Mr. Alejandro said he has no additional remarks and will stand for questions.

The Committee commented and asked questions as follows:

- Councilor Maestas said he supports this bill. He had prior questions on the Ordinance, and he wants to make sure we don't treat this like the living wage in terms of enforcement. He said this is being implemented on the honor system, and asked how we are going to collect the fees. He asked Mr. Martinez we are we going to collect this.

Mr. Martinez said, "Basically, the retailer businesses that are subject to this fee, will be acting almost as the agent of the City in collecting and remitting the fee to the City, less a 1 cent administrative fee. So that's basically how it's going to be collected. The businesses are going to be turning it over to the City."

- Councilor Maestas asked how do we know they are sending us what they should be sending us, and if we will get these monies from the retailers on a monthly basis.

Mr. Martinez said, "Yes. My understanding is we're going to be collecting it on a monthly basis."

Mr. Alejandro said this is correct.

- Councilor Maestas asked if there is some sort of documentation that proves the numbers. He said every time we pass legislation and there is an administrative impact, we follow with an administrative process, but we haven't done that. He wants to be clear on the steps of them sending the funds and the City having some sort of verification. He asked if we need administrative procedures.

Mr. Martinez said, "I think we do care. I think the Council may well want to consider administrative procedures in the future, based on, I believe there is a review period built into the Ordinance. I think at that point in time we may want to talk about enforcement problems."

- Councilor Maestas said we have to account for funds received, and once submitted it becomes public money. His concern is the collection process and understanding the roles and responsibilities in managing those funds. The estimated revenues are \$336,000. He said this is a lot of money. He would like to work in a provision to start working on administrative procedures for managing collection of the funds. He wouldn't insist we have it right now. He thinks we need to register the retailers, and know who should be sending us funds, even though it is on the honor system. We need to know which retailers will be dispensing paper bags with the merchandise.
- Councilor Maestas said the sponsor recommended we do what we did for a living wage is they self certify through the Business License registration process. He is willing to work with the sponsor and staff on this.
- Councilor Maestas said he would like the fee to be exempt from the GRTs. He said he asked Ms. Brennan if it would be subject to the GRTs, and she said the 9 cents wouldn't, but perhaps the 1 cent might be. He would like to have the GRTs tax to be waived on the fee, noting Dallas waived taxes on the fee. He said it doesn't give a lot of relief, but it would make the calculation and accounting for revenues much easier for the retailers. He asked if we can add a waiver of the GRTs in the bill.

Mr. Martinez said, "I've actually been looking a little bit into that question, and I think there might be a way to do that."

MOTION: Councilor Maestas moved, seconded by Councilor Ives, to approve this request with the proposed amendments as proposed above.

DISCUSSION: Councilor Ives said the registration process could be very simple and we should add that in the bill. In terms of enforcement, any funds sent to the City by any establishment will be divisible by 9 and we easily should be able to calculate the number of bags they indicated they have distributed and collected the fee for. They are required to keep sales tapes showing the bag fees, so there is a potential audit trail.

And as he mentioned the last time this was considered, one of the reasons he is highly in favor of adding a forensic auditor to our staff is to do programmatic analysis on things such as this one, which is important in terms of enforcement capacity if we learn people are not complying as required.

Councilor Maestas said, "I didn't add it in my motion, but on the point of enforcement, when I asked the City Attorney about enforcement, she cited the existing enforcement on the plastic bag ban, but I'm talking about enforcing payment of the paper bag fee, so I see them as two separate requirements. My direction to staff is to use the same enforcement for payment of bag fees as used by the plastic bag ban."

VOTE: The motion was approved on a voice vote, with Councilor Maestas, Councilor Ives, and Chair Rivera voting in favor of the motion, no one voting against, and Councilor Bushee absent for the vote.

MATTERS FROM THE PUBLIC

Tony Ortiz said they answered most of his questions. He said he is glad that this is moving forward, and thanked the Committee.. *[Mr. Ortiz's remarks were for the most part inaudible because the microphone was turned off].*

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

A copy of "Bills and Resolutions scheduled for introduction by members of the Governing Body for the Public Utilities Committee meeting of April 1, 2015, is incorporated herewith to these minutes as Exhibit "8."

Responding to the Chair, "Mr. Martinez said a Councilor can informally announce they're going to be sponsoring a Resolution under Matters from the Committee, but I think it will still have to go through the formal process."

Councilor Ives introduced a Resolution on behalf of Mayor Gonzales as follows, indicating he would join as a cosponsor: A Resolution affirming the City of Santa Fe's policy of non-discrimination and joining other elected officials throughout the country who have implemented policies of non-discrimination

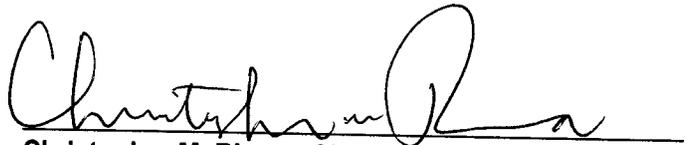
within their communities. He asked to be added as a cosponsor, and Councilor Maestas asked to be added as well. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "9."

Councilor Rivera introduced a Resolution recognizing the City of Santa Fe Water Division's commitment to implement an Asset Management Plan within three years. Councilor Ives asked to be added as a cosponsor. A copy of the Resolution is incorporated herewith to these minutes as Exhibit "10"

NEXT MEETING: WEDNESDAY, April 1, 2015.

ADJOURN

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


Christopher M. Rivera, Chair


Melessia Helberg, Stenographer

Report Generator 1.3

[View Station Information](#)

[Help and Tutorials](#)

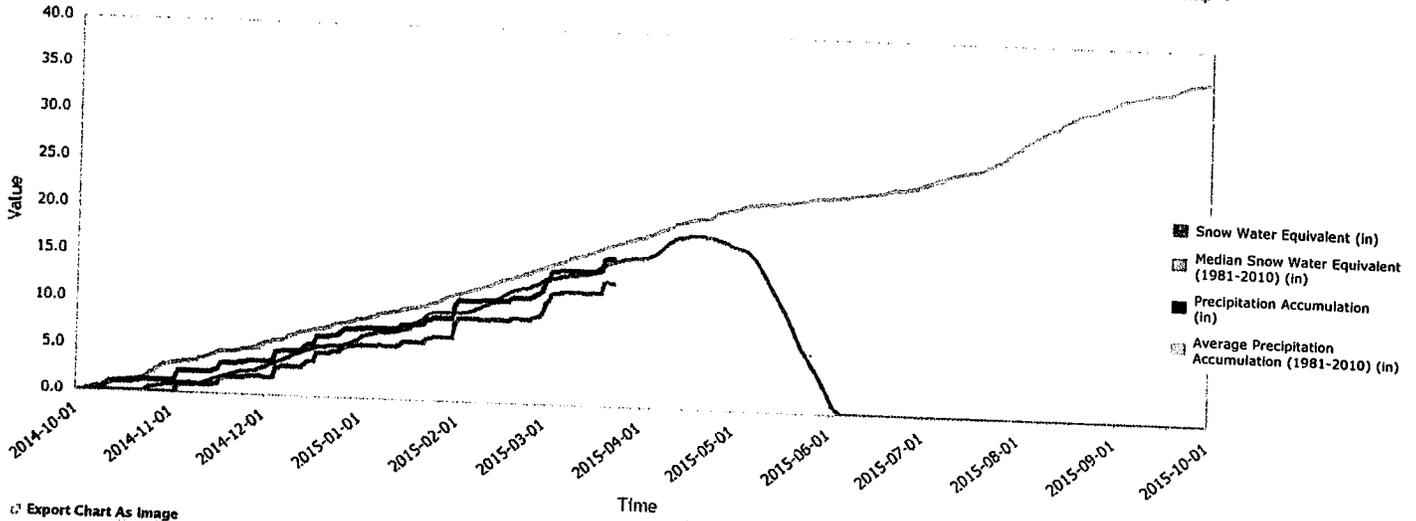
[Give us feedback](#)

Create/Modify Report [View Report](#)

Output Format Layout Units Time Period Fit Chart To Screen

Santa Fe (922) New Mexico SNOTEL Site - 11445 ft

[Chart Help](#)



[Export Chart As Image](#)

Generated on 02/23/15 11:38:56

Exhibit 11

Report Generator 1.3

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View Station Information

[Create/Modify Report](#) [View Report](#)

Output Format - Layout - Units - Time Period - Fill Table To Screen ✓

Santa Fe (922)
New Mexico SNOTEL Site - 11445 ft
Daily Data for 2015-03-17 to 2015-03-23

(As of: Mon Mar 23 10:37:30 PDT 2015)
 Provisional data, subject to revision

Date	Snow Water Equivalent (in)	Median Snow Water Equivalent (1981-2010) (in)	Snow Water Equivalent % of Median (1981-2010)	Snow Depth (in)	Precipitation Accumulation (in)	Average Precipitation Accumulation (1981-2010) (in)	Precipitation Accumulation % of Average (1981-2010)	Air Temperature Maximum (degF)	Air Temperature Minimum (degF)	Air Temperature Average (degF)
2015-03-17	12.2	14.4	85%	42	14.4	16.6	87%	45	31	37
2015-03-18	12.2	14.6	84%	41	14.4	16.7	86%	45	32	36
2015-03-19	12.2	14.8	82%	41	14.5	16.8	86%	39	25	30
2015-03-20	13.3	15.0	89%	50	15.7	17.0	92%	36	23	29
2015-03-21	13.4	15.2	88%	49	15.8	17.1	92%	40	22	30
2015-03-22	13.3	15.3	87%	47	15.8	17.2	92%	45	28	35
2015-03-23	13.3	15.4	86%	45	15.8	17.3	91%			

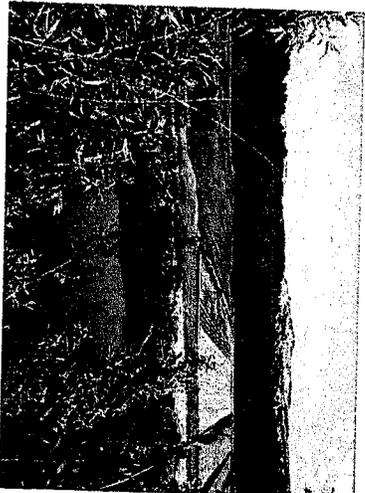
See Back for Graphs



RIO GRANDE WATER FUND

Dale Lyons, Director of Freshwater Programs

April 1, 2015



"2" April 1, 2015

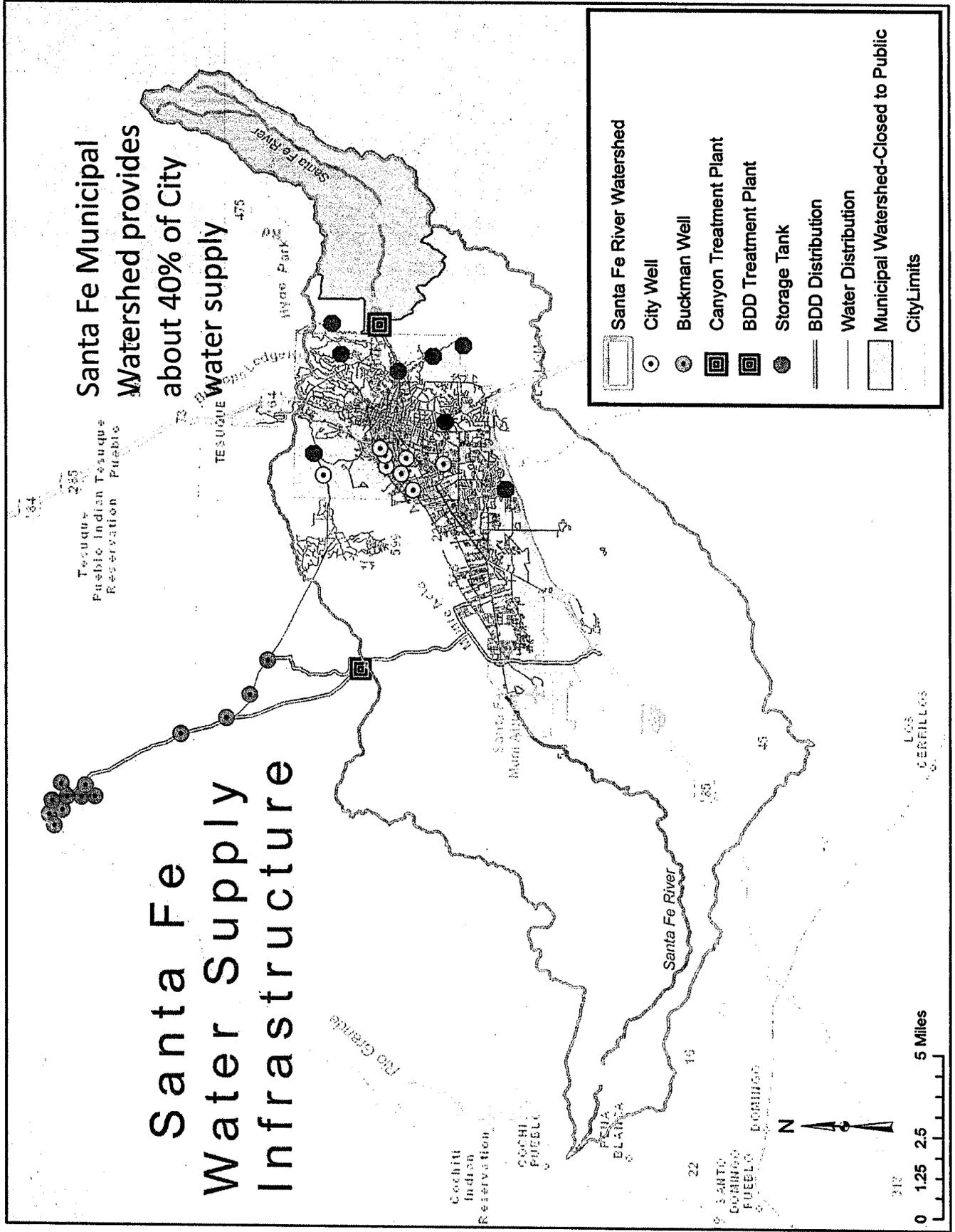
The Nature Conservancy



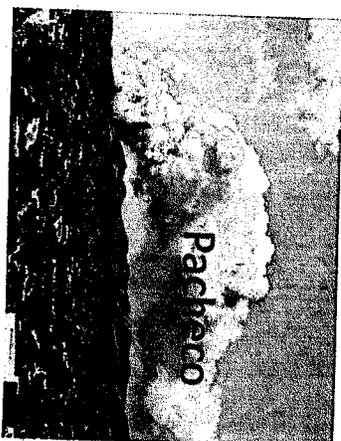
Protecting nature. Preserving life.

Santa Fe Water Supply Infrastructure

Santa Fe Municipal Watershed provides about 40% of City water supply



Wildfires (1970-2012)



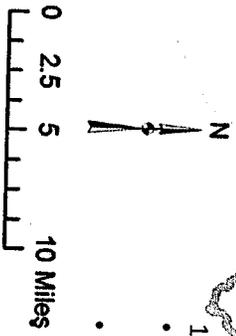
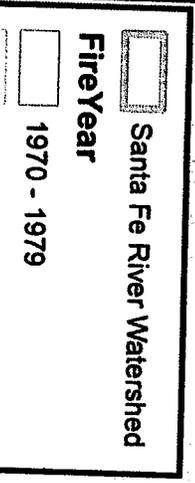
Pacheco

Viveash Fire
July 2000
29,000 acres

Pacheco Fire
June-July 2011
10,000 acres
\$10 Million

Cerro Grande Fire
May-June 2000
48,000 acres
\$1 Billion

Las Conchas Fire
June-August 2011
157,000 acres
\$138-\$240 Million



10,000-40,000 acre wildfire:
 Fire suppression \$6.4M to \$25.7M
 BAER rehabilitation \$5.5 to \$22.3M
 Dredging Mclure (2,000 AF) \$80-\$240M



Las Conchas

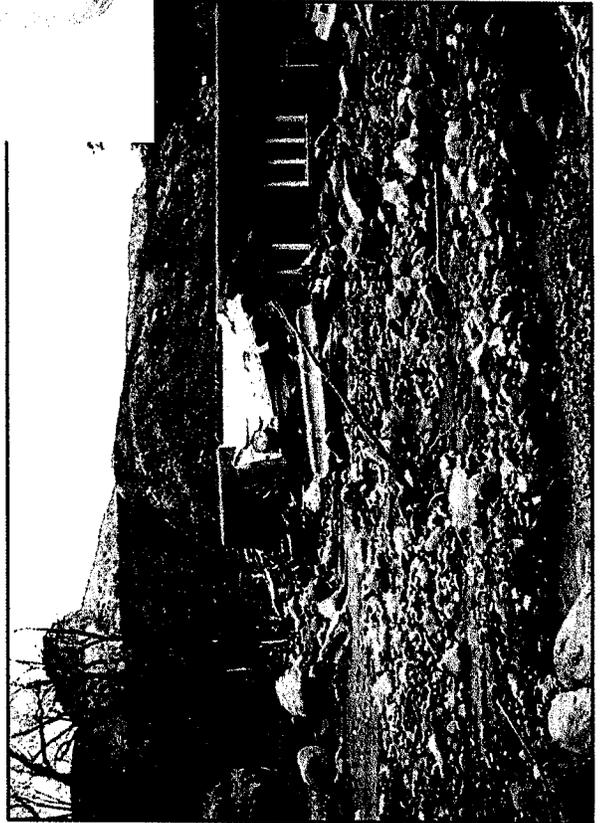
Severe Fires Jeopardize Water Security



**#1
Water
Quality**



#2 Property Damage



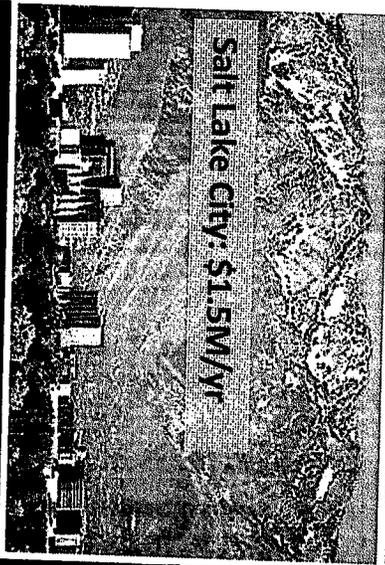
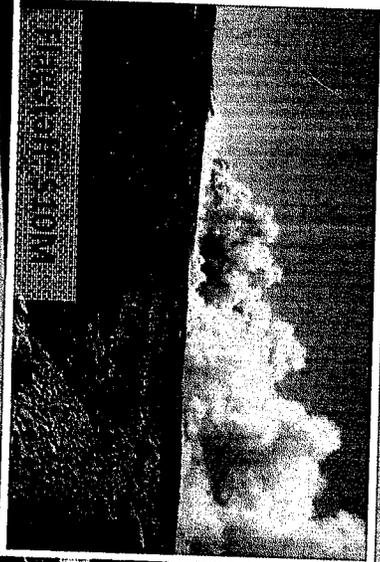
#3 Sediment



**RIO GRANDE
WATER FUND**
A Wildlife and Water Source
Protection Project

Water Funds - Investment in Prevention

Santa Fe: \$8.5M since 2002



**City and USFS cost-shares
Municipal Watershed forest
treatments, protecting water
source for downstream water
users – the beneficiaries of a
healthy watershed.**

Rio Grande & San Juan-Chama Water Supply

Rio Grande

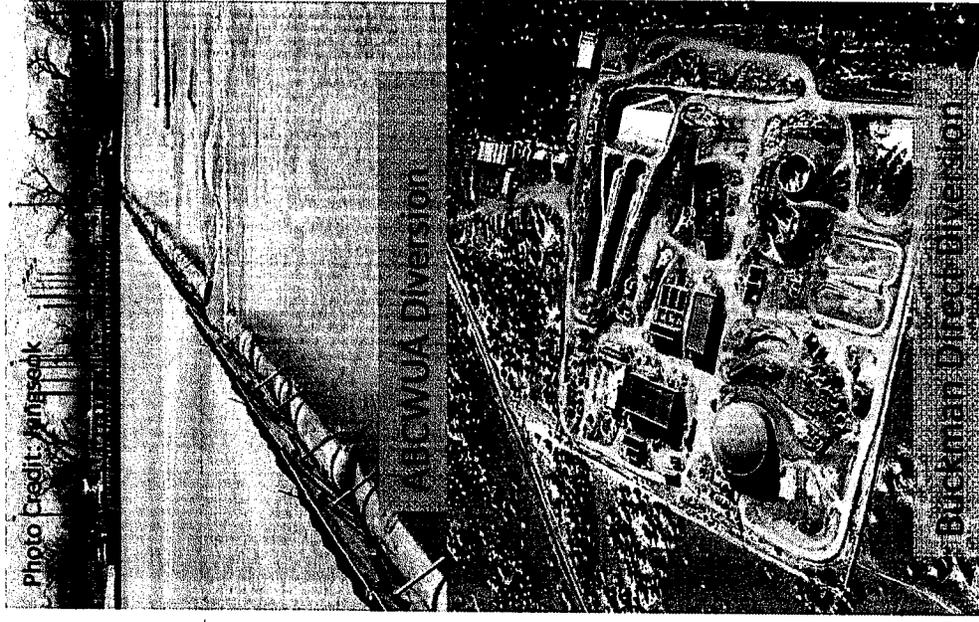
- Agriculture uses over 200,000 AFY, 97% of supply.
- Municipalities use over 60,000 AFY, 25% of supply.
- Industry and Commerce use over 10,000 AFY, 10% of supply.

San Juan-Chama Project

- Normally 100,000 AFY for agricultural and municipal interests.
- Now about 50% of supply for Albuquerque and Santa Fe.

Water Supply Disruptions

- 2011: ABCWUA stopped using San Juan-Chama water for 40 days; BDD stopped diversions for over 20 days.
- 2012: BDD stopped diversion for over 30 days.
- 2013: BDD stopped diversion for over 40 days.
- 2014: BDD stopped diversions for about 30 days.

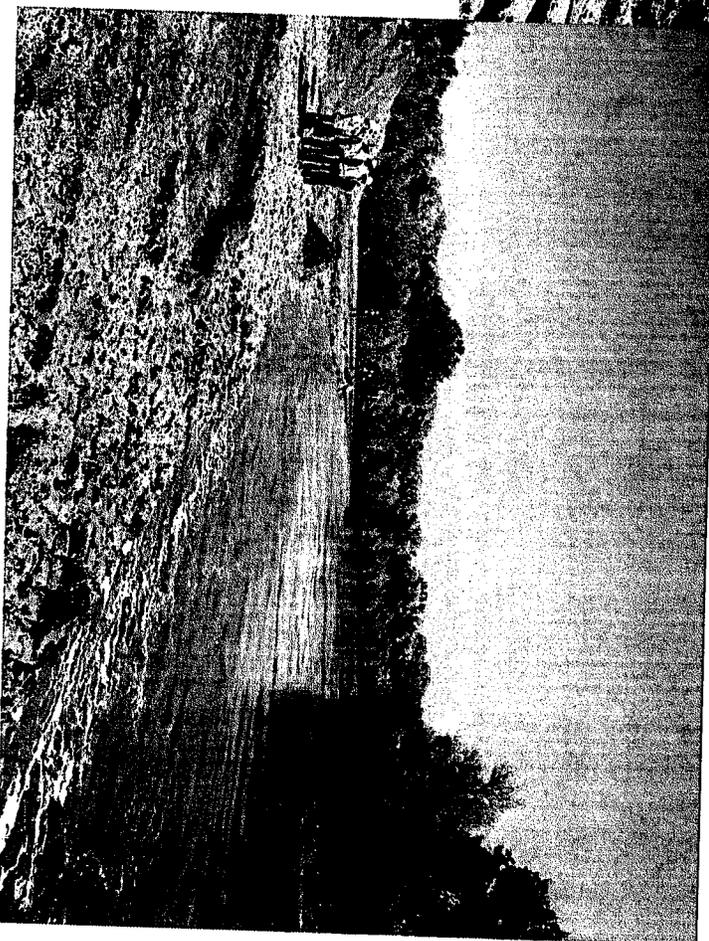




**Confluence with
Rio Grande and
Peralta Canyon**

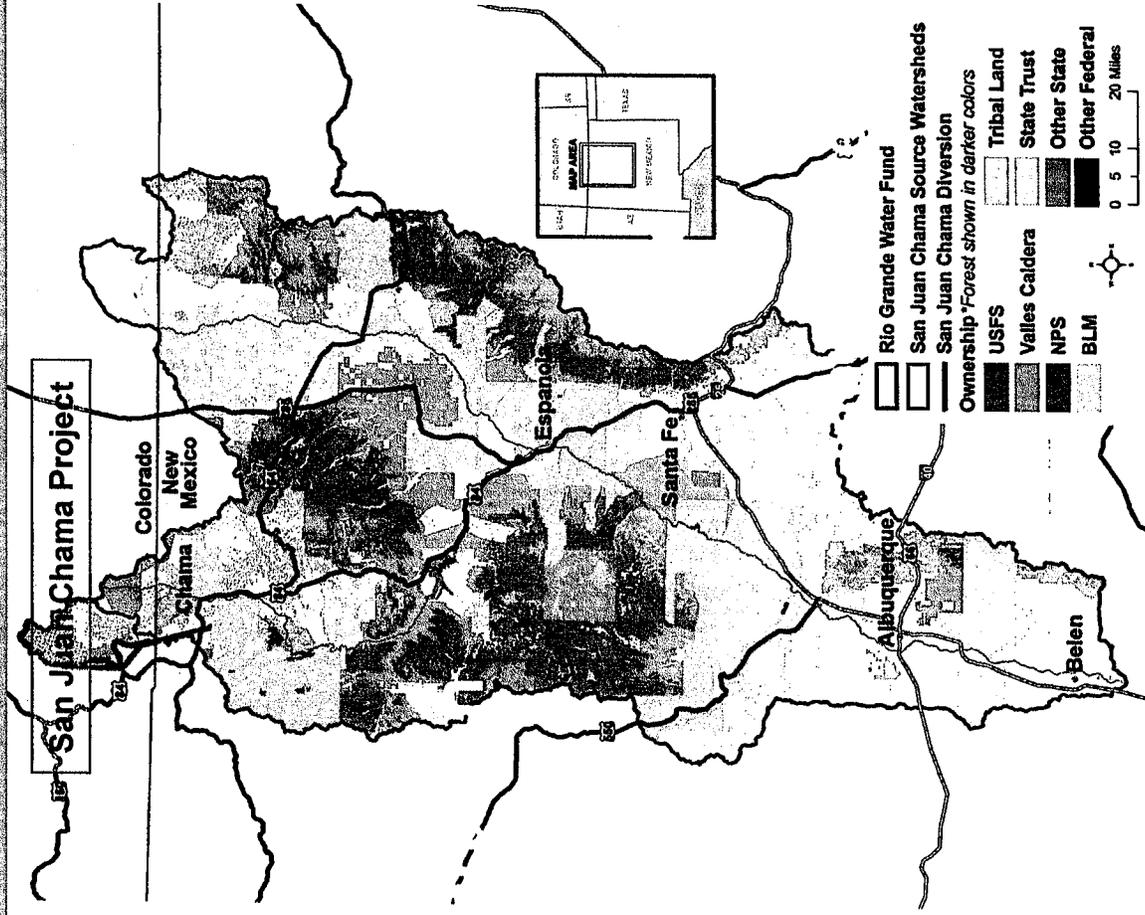
**Approximately
50,000 cubic yards
of material deposited
in Rio Grande mid-
September, 2013.**

- **USACE excavated channel in mid-October, 2013.**
- **USBR finally able to release impounded water from Cochiti Reservoir in late October.**



Large Scale Solution

- Currently estimate treatment 3,000-5,000 acres/year in Rio Grande area
- Need to scale up to 30,000 ac/yr for 20 years in Rio Grande
- Funding gap \$15 million/yr (\$21 million/yr total need /w \$6 million federal HFR already)
- Planned actions in multiple jurisdictions, in compliance with applicable federal and state laws:
 - Mechanical thinning
 - Prescribed burning
 - Post-fire flood mitigation
 - Stream restoration



**RIO GRANDE
WATER FUND**
A Wildlife and Water Source
Protection Project

Many Diverse Stakeholders

Albuquerque
Bernalillo County
Water Utility Authority
& Buckman Direct
Diversion Project

City Councils, County
Commissioners, NIM
Association of Counties

Business:
GAOCC,
ACI,

NMWBTF,
SFCOC,
NAIOP

NIM Acequia Association

UNM, EPSCoR
FR/NIMHU,
NMSU

Sportsmen & Conservation Groups
Recreation Users

Pueblos

State water
agencies ISC,
OSE, NIMED

NIM Dept. of
Insurance

State forest/watershed
agencies, NMDGF, SLO
EMNRD/Forestry, NMAD

NIM:
WNIR
LFC
PRC

Soil & Water Conservation Districts

NMWDCC

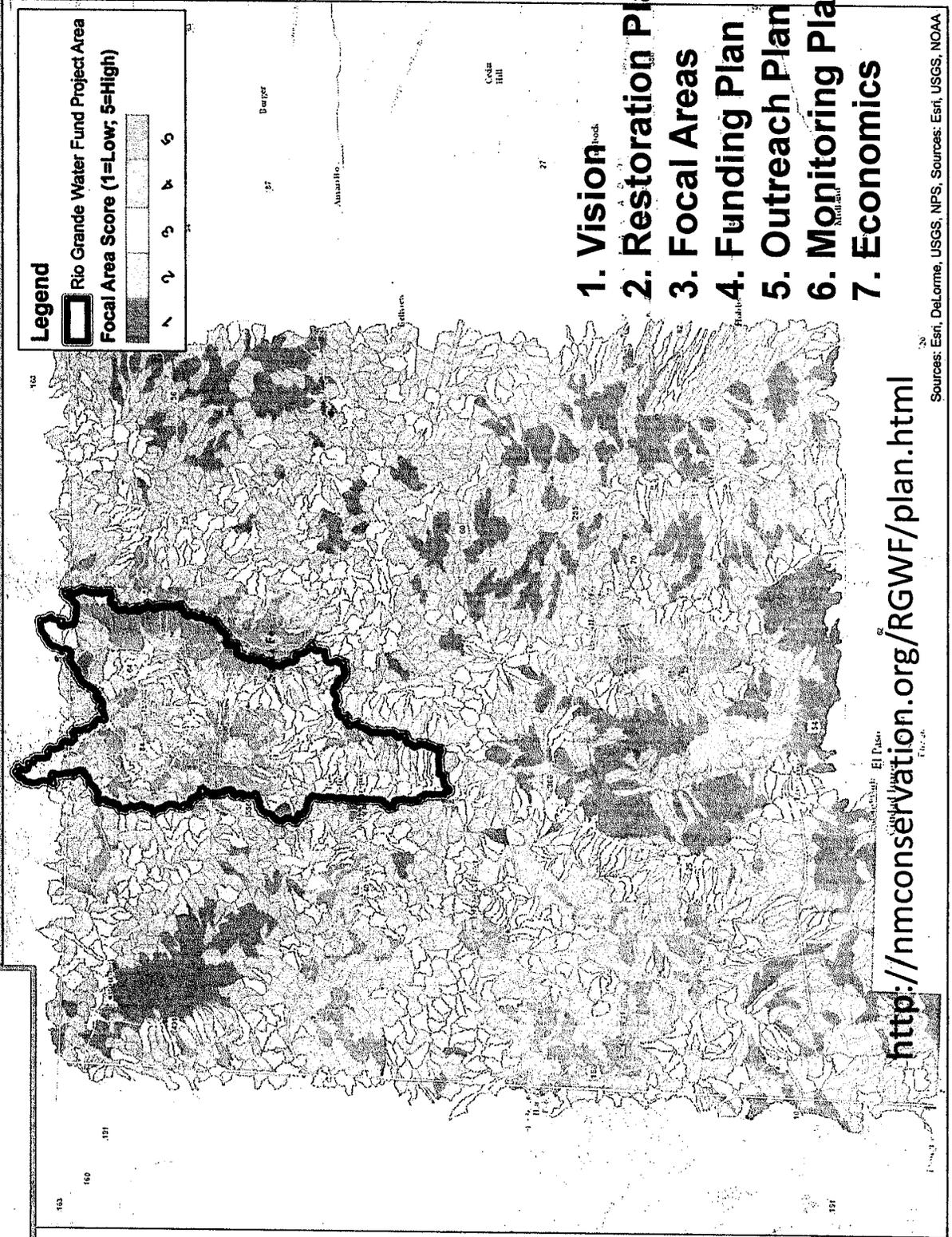
Agricultural users

Private Lands, CPLA

Land
Grant
Council

**RIO GRANDE
WATER FUND**
A Wildfire and Water Source
Protection Project

Comprehensive Plan



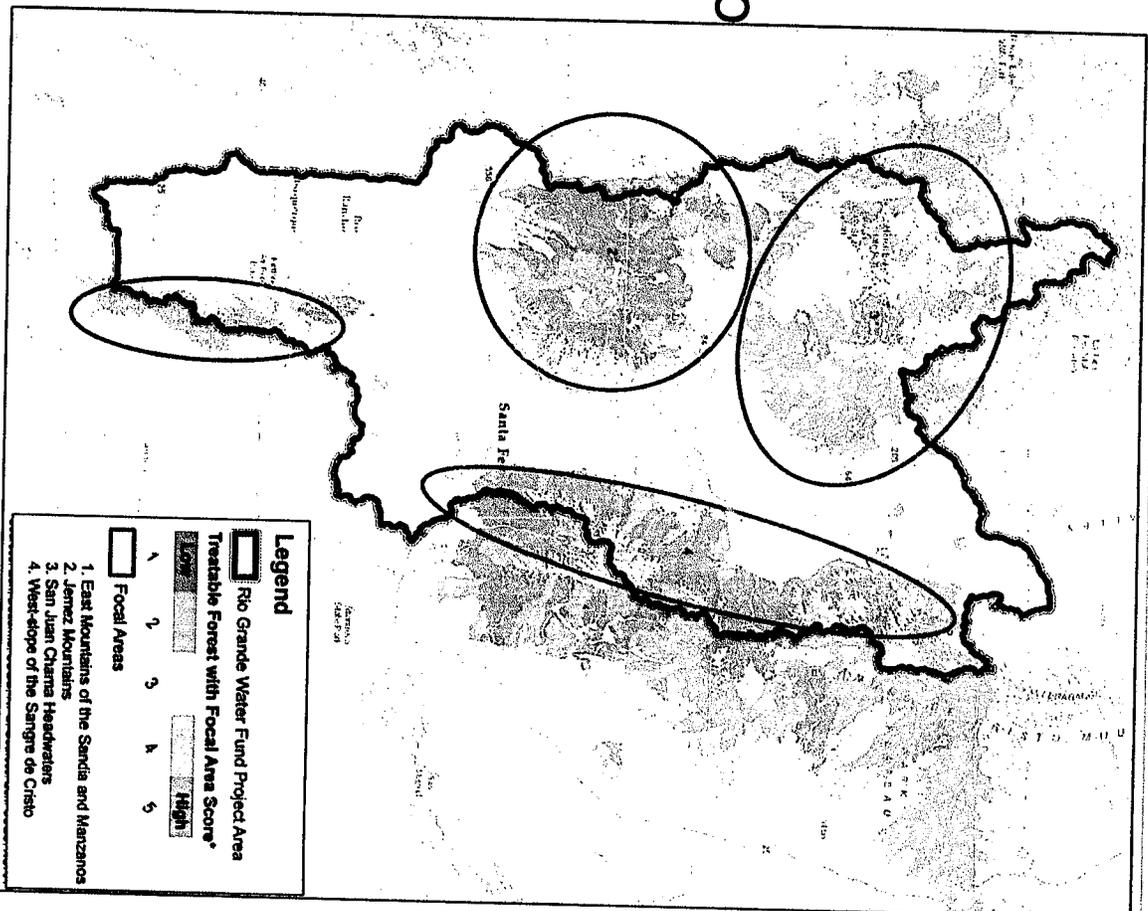
Focal Areas

Focal Areas

1. East Mountains
2. Jemez Mountains
3. West slope Sangre de Cristo
4. San Juan Chama/Carson

Project Criteria

1. Condition or threat
2. Opportunity
3. Urgency
4. Economic development



Governance

- **Advisory Board developed Comprehensive Plan in July 2014.**
- **Non-Binding Charter & By-Laws established in February 2014.**
- **Currently 25 signatories to Charter, as diverse as ABCWUA, Sierra Club, and NM Forest Industry Association .**
- **Charter establishes Executive Committee, nominated by Signatories.**
- **Technical Review Panel administers Requests for Statements of Interest (RSI) process, recommends projects to Executive Committee.**
- **Executive Committee approves funding for recommended projects.**

Funding

- Rio Grande Water Fund has \$650,000 available for projects in any jurisdiction.
- As part of RSI process, 14 proposals received in March 2015, including one from the City of Santa Fe. Top ranked project will submit detailed budgets next.
- Secured \$400,000 from TNC's Fire Learning Network, for treatments on private land in San Juan-Chama Project headwaters.
- \$2M from NRCS & USFS Joint Chief Initiative to Cibola NF and Isleta Pueblo for treatments in Manzano Mountains .
- Pending \$6 Million proposal to DOE to study feasibility of biomass plant in northwest NM.
- Long term state funding - H.B. 38 Forest and Watershed Restoration Act (treatments on private and state lands, \$1.2M nonrecurring funds and \$250,000/yr recurring appropriation).
- As a Rio Grande Water Fund Charter Signatory, the City of Santa Fe will help make decisions about how Water Fund money is spent, and help leverage public and private funds.

**RIO GRANDE
WATER FUND**
A Wildfire and Water Source
Protection Project

Contact

Dale Lyons
Director of Freshwater Programs
The Nature Conservancy
New Mexico Chapter
212 E. Marcy Street
Santa Fe, NM 87501
(505) 946-2027
dlyons@tnc.org
<http://nmconservation.org/RGWF/plan.html>

* Original, in it's entirety, is available in the clerk's office. *



RIO GRANDE WATER FUND
COMPREHENSIVE PLAN FOR WILDFIRE
AND WATER SOURCE PROTECTION
JULY 2014

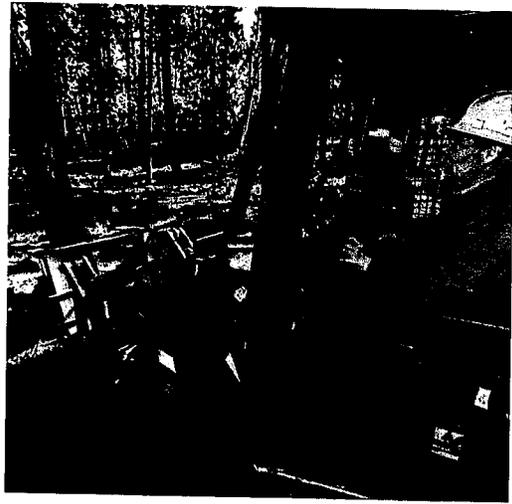


Exhibit '31'

*Original is available in the clerk's office, in its entirety.

EXECUTIVE SUMMARY OF THE RIO GRANDE WATER FUND: COMPREHENSIVE PLAN FOR WILDFIRE AND WATER SOURCE PROTECTION

► JULY 2014 ◀



Water is life and livelihood. Nowhere is that more true than in New Mexico. However, the reality is that each year the size and severity of wildfires in our state increases, along with subsequent post-fire flooding that degrades rivers, streams and other critical water sources. In addition, state and federal agencies spend hundreds of millions of dollars a year reacting to these fires, not including the lost revenue to business. Without action, New Mexico's future water security is at great risk.

The Rio Grande Water Fund is a solution that can bring clean water to New Mexicans for generations to come. This innovative project will invest in the restoration of forested lands upstream so we can secure clean water for communities in these watersheds and downstream. Our goal is to generate sustainable funding over the next 20 years to proactively increase the pace and scale of forest restoration, including the most high-risk areas in the Rio Grande watershed. We are working together so nature can keep working for us.

A PLAN FOR THE FUTURE

The *Rio Grande Water Fund: Comprehensive Plan for Wildfire and Water Source Protection* is the culmination of a collaborative partnership among more than 40 organizations and agencies and more than two years of research and planning guided by a diverse advisory board. The Comprehensive Plan uses the best available data to describe the current wildfire threat to water sources and forested watersheds, setting forth a path for New Mexico's future water security. The focus is on water as the primary resource that people value, and that originates in forested headwaters at high risk of damaging wildfire.

Frequent fire is normal in New Mexico's ponderosa pine and dry mixed conifer forests, but changes in tree density and summer temperatures over the last century are causing wildfires to burn hotter. Watersheds that experience extensive mid- and high-severity fire have greatly diminished water storage functions—soil doesn't absorb and hold water, and runoff during rainstorms can cause flooding and debris flows. In addition, the large amounts of sediment that move into rivers and reservoirs during these floods and flows may disrupt water delivery and storage. Other important values—such as homes, property and community infrastructure, wildlife and fish, acequias and rural economies, tourism and outdoor recreation—are also at risk when forested watersheds are severely damaged by wildfire.

PHOTOS: Healthy forests provide clean drinking water, places for outdoor recreation, fish habitat, jobs in the woods, and water for farms and communities. © istockphoto; © Ron Loehman; © Mark Skalny; © Quita Ortiz, NM Acequia Association

Exhibit 141



**USDA Forest Service/Santa Fe National Forest
and
the City of Santa Fe
Santa Fe Watershed: Protection by Collaboration**



The Santa Fe Municipal Watershed Project represents a long-range collaborative plan to reduce the risk of wildfire to a watershed critical to Santa Fe's water supply. The project has resulted in thinning and burning more than 6,000 acres of a 17,000-acre watershed where thousands of small diameter trees (4" in diameter and below) had replaced the more open and fire-adapted timber stands found historically. Small trees were thinned and piled. Some larger diameter trees were cut, but left sidehill on the slopes as logs to aid in erosion control.

Thinning has occurred by a combination of methods including thinning /piling with chainsaws and mechanical mastication (also called 'chunking'). During the early stages of the work, hand thinning and mechanical mastication were achieved by a contract at a cost of \$945/acre. More recently as follow-up, Forest Service and City work force have burned larger areas at one time using aerial ignition methods that cost much less—usually less than \$100 per acre.

Partners in the implementation and monitoring of this project include the City of Santa Fe (which has also provided financial assistance), the Santa Fe Watershed Association, NM Environment Department, Los Alamos National Laboratory, the College of Santa Fe, and the University of New Mexico. Burning operations are coordinated with the City Fire Department, which provides support personnel, and with NM Air Quality Bureau.

To build on this collaboration, a grant was awarded in 2006 to the Santa Fe Watershed Association and the Nature Conservancy through the Forest Service's Collaborative Forest Restoration Program (CFRP). This funded the development of a vegetation management plan, a water management plan, a public outreach plan, and a financial management plan. Although each of these pieces is important to the collaboration, the financial management plan broke new ground by providing a mechanism for the City to directly support fuels reduction efforts in the watershed.

As a result of this collaborative plan, the Forest has proposed further treatments in the portion of the watershed designated as Wilderness. This planning effort—funded by the City—is almost concluded. Once a decision is made it would result in aerial ignition within the Ponderosa pine forest found at the lower elevations of the Wilderness, which historically were adapted to frequent fire.

Public support for this and other work has been sustained through education and outreach.



Figure 1—Broadcast burning

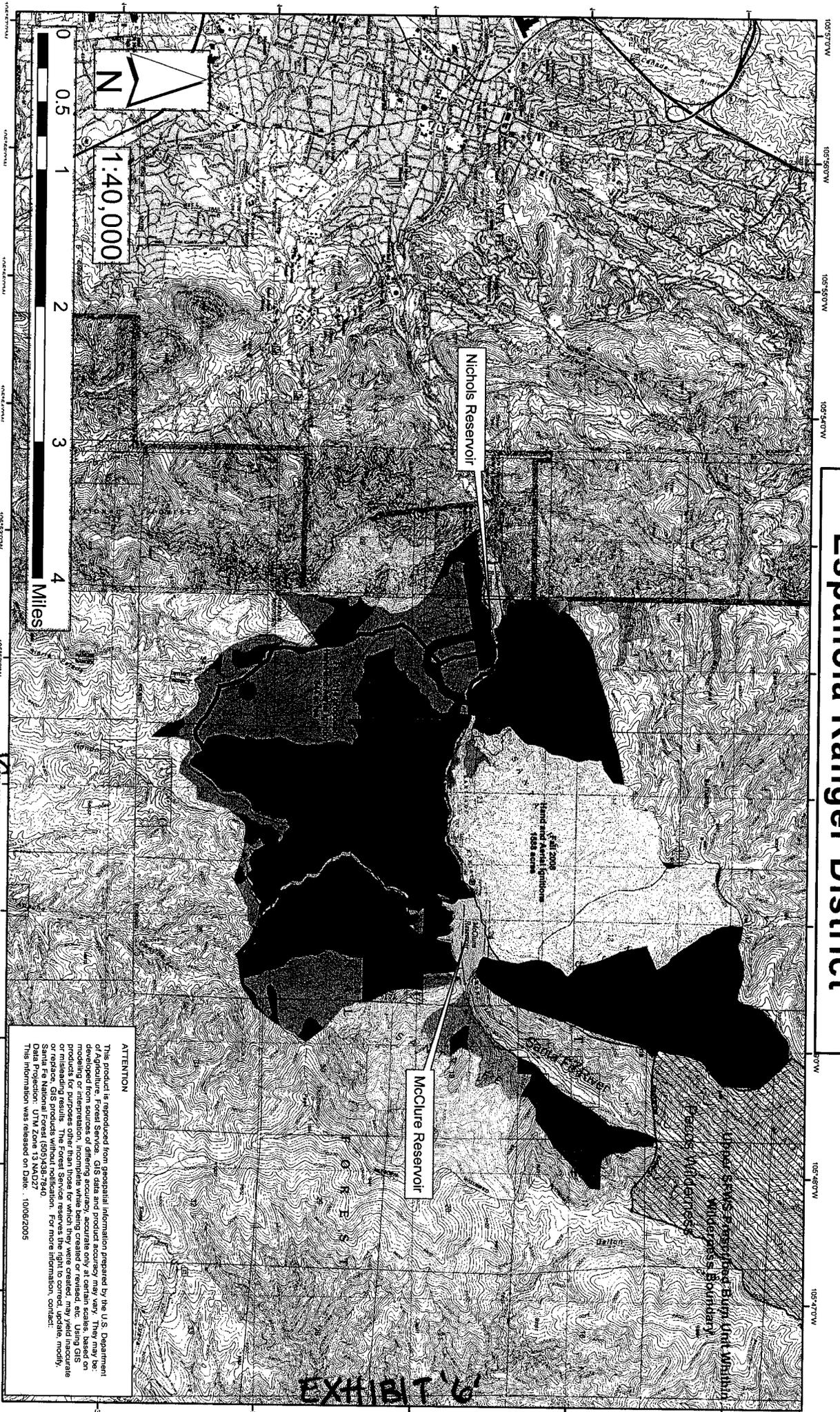


Figure 2—Pile Burning



Figure 3—Broadcast burning from the air

Santa Fe Watershed Española Ranger District



* Original is available in the Clerk's office.

ATTENTION

This product is reproduced from geospatial information prepared by the U.S. Department of Agriculture, Forest Service. GIS data and product accuracy may vary. They may be developed from sources of differing accuracy, accurate only at certain scales, based on products for purposes other than those for which they are created or revised, etc. Using GIS data or products for purposes other than those for which they are created or revised, etc. may result in misleading results. The Forest Service reserves the right to correct, update, modify, or replace GIS products without notification. For more information, contact: Santa Fe National Forest (505) 438-7340

This information was released on Date: 10/06/2005

EXHIBIT '6'



SUSANA MARTINEZ
Governor
JOHN A. SANCHEZ
Lieutenant Governor

NEW MEXICO ENVIRONMENT DEPARTMENT

Harold Runnels Building
1190 Saint Francis Drive (87505)
PO Box 5469, Santa Fe, NM 87502-5469
Phone (505) 827-2990 Fax (505) 827-1628
www.nmenv.state.nm.us



RYAN FLYNN
Cabinet Secretary
BUTCH TONGATE
Deputy Secretary

OFFICE OF GENERAL COUNSEL

PNM Baca Street Property

Memorial of December 19, 2014 Meeting

Attendees: PNM, City of Santa Fe, and NMED

The Parties met and discussed the following:

1. No admission of liability for any aspect of the site is required in order for PNM to qualify for the Corrective Action Fund (CAF). PSTB regulations require only that PNM acknowledge that it was the owner of the tanks in question during the time period in which the discharge(s) may have occurred (PNM is the listed owner of the tanks in NMED databases).
2. Before PNM formally applies for the CAF, NMED will issue a Letter of Initial Compliance Determination stating affirmatively that PNM and this site qualify for the CAF, based on information received from PNM and the payment of the \$200 "GWPA" tank registration fee under the process described below. The GWPA fee is necessary to bring PNM into compliance with regulations for tanks that were removed before the tank regulations went into effect.
3. PNM will initiate the initial compliance determination process by submitting a letter to NMED, requesting an initial determination, and including information concerning the identification of the tanks, and the years that they were in service.
4. In response to the letter, PSTB will invoice PNM for the \$200 GWPA fee.
5. Once the fee is received, PSTB will issue the letter of pre-determination.
6. NMED and PNM will cooperate in drafting a Memorandum of Understanding (MOU) laying out each party's expectations and positions with regard to this site. Neither party has made a prior commitment to sign such a document unless it meets with the approval of all necessary levels of management/governance. The MOU is contemplated to include the following:
 - A. A statement that the goal of all parties to the MOU is the remediation of the groundwater under the Baca Street site.
 - B. An agreement that the CAF funds will be used for the following as necessary and applicable:

Ed Hilbert "17"

- i. The retention of a consultant of PNM's choosing who qualifies under Part 16 of the regulations, "Qualifying Consultants".
 - ii. An investigation that will begin with NMED's approval of a Scope of Work. The Scope of Work shall propose acquisition of more and better geophysical information about the site, through well logging and other methods, before consideration of the locations of new monitoring wells.
 - iii. The installation of a number of new monitoring wells on the site, beginning at the points of known highest concentration.
 - iv. An RFP process that will result in the selection of a remediation contractor, and payment to the selected contractor for work performed on the site.
 - C. An agreement that the City of Santa Fe will be consulted and have input on the investigation and any remediation of the site through an appropriate review/approval mechanism.
 - D. An agreement between PNM and NMED that the prior Settlement Agreement covering this site has become obsolete and unworkable and does not reflect current realities at the site, and that both PNM and NMED agree that it should be dissolved and superseded by the provisions of the MOU.
 - E. An agreement that any remediation will be conducted pursuant to the Petroleum Storage Tank Bureau (PTSB) rules, and the WQCC's Abatement Regulations.
7. PNM and the City of Santa Fe will cooperate in drafting an Agreement stating that 1) actions taken by PNM or its contractors will not impede the City's use of other City wells, and such actions will have no adverse effect on the City's ability to perfect its water rights; and 2) the City will reasonably cooperate to facilitate the investigation and any necessary remediation at the site.
8. Once the MOU and the Agreement are in place, PNM will formally apply and be accepted into the CAF.
9. Neither this Memorandum, nor the discussions described herein shall be deemed or construed as an admission of liability or admissible in any judicial or administrative proceeding.
10. Except for the agreement in paragraph 9, this memorandum is not an agreement and not binding on any party.



Maestas

PUBLIC UTILITIES COMMITTEE MEETING OF
April 1, 2015
BILLS AND RESOLUTIONS SCHEDULED FOR INTRODUCTION
BY MEMBERS OF THE GOVERNING BODY

Mayor Javier Gonzales		
Co-Sponsors	Title	Tentative Committee Schedule
	A RESOLUTION AFFIRMING THE CITY OF SANTA FE'S POLICY OF NON-DISCRIMINATION, AND JOINING OTHER ELECTED OFFICIALS THROUGHOUT THE COUNTRY WHO HAVE IMPLEMENTED POLICIES OF NON-DISCRIMINATION WITHIN THEIR COMMUNITIES.	City Council - 4/8/15
Councilor Patti Bushee		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Bill Dimas		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Carmichael Dominguez		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Peter Ives		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Signe Lindell		
Co-Sponsors	Title	Tentative Committee Schedule
Councilor Joseph Maestas		
Co-Sponsors	Title	Tentative Committee Schedule

Joseph Maestas "JR"

Councilor Chris Rivera		
Co-Sponsors	Title	Tentative Committee Schedule
	A RESOLUTION RECOGNIZING THE CITY OF SANTA FE WATER DIVISION'S COMMITMENT TO IMPLEMENT AN ASSET MANAGEMENT PLAN WITHIN THREE YEARS.	Finance Committee - 4/13/15 City Council - 4/29/15
Councilor Ron Trujillo		
Co-Sponsors	Title	Tentative Committee Schedule

Introduced legislation will be posted on the City Attorney's website, under legislative services. If you would like to review the legislation prior to that time or you would like to be a co-sponsor, please contact Jesse Guillén, (505)955-6518, jbguillen@santafenm.gov or Rebecca Seligman at (505)955-6501, rxseligman@santafenm.gov .

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2015-____

INTRODUCED BY:

Mayor Javier M. Gonzales

A RESOLUTION

AFFIRMING THE CITY OF SANTA FE’S POLICY OF NON-DISCRIMINATION, AND JOINING OTHER ELECTED OFFICIALS THROUGHOUT THE COUNTRY WHO HAVE IMPLEMENTED POLICIES OF NON-DISCRIMINATION WITHIN THEIR COMMUNITIES.

WHEREAS, Santa Fe has always been a proud leader in recognizing basic human rights and in fighting against discrimination; and

WHEREAS, the Charter of the City of Santa Fe recognizes that Santa Fe has “a history of tolerance towards all people, cultures, traditions, and lifestyles”.

WHEREAS, the human and civil rights policy statement in the Municipal Charter states that “no city ordinance, resolution or policy shall be enacted or adopted nor shall any action be condoned which discriminates on the basis of ethnicity, race, age, religion, creed, color, national origin, ancestry, sex, gender, sexual orientation, physical or mental disability, medical condition or citizenship status”; and

WHEREAS, the City of Santa Fe Governing Body passed Resolution No. 1999-6 which

Exhibit "9"

1 declared “a policy of non-discrimination on the basis of a person’s national origin and declared that
2 the City of Santa Fe will be a community where all persons will be treated equally, with respect and
3 dignity, regardless of immigration status”; and

4 **WHEREAS**, the Governing Body passed Resolution 2013-44 which affirmed “the human
5 and civil rights of the residents of the City of Santa Fe are inviolate and shall not be diminished or
6 otherwise infringed”; and

7 **WHEREAS**, the Governing Body passed Resolution 2014-82 which declared “continuous
8 support for immigrant issues in Santa Fe, the state of New Mexico and throughout the United States”;
9 and

10 **WHEREAS**, the Mayor of Indianapolis, Gregory A. Ballard, declared his support for non-
11 discrimination via Executive Order 1, 2015 on March 30, 2015 that affirmed the policy that the City
12 of Indianapolis shall not discriminate “on the basis of race, religion, color, disability, sexual
13 orientation, gender identity, national origin, ancestry, age, or United States military service veteran
14 status”; and

15 **WHEREAS**, Santa Fe enjoys a reputation for welcoming and promoting diversity among its
16 citizens, visitors and businesses; and

17 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
18 **CITY OF SANTA FE** that the Governing Body affirms the City of Santa Fe’s commitment of non-
19 discrimination and joins other elected officials throughout the country who have implemented
20 policies of non-discrimination.

21 **BE IT FURTHER RESOLVED** that the City of Santa Fe supports same-sex marriage in
22 New Mexico and legal efforts to support marriage equality.

23 **BE IT FURTHER RESOLVED** that the Governing Body hereby bans the use of city funds
24 for travel not essential to public health and safety to areas that have implemented policies of
25 discrimination on the basis of ethnicity, race, age, religion, creed, color, national origin, ancestry, sex,

1 gender, sexual orientation, physical or mental disability, medical condition or citizenship status.

2
3 PASSED, APPROVED and ADOPTED this ____ day of _____, 2015

4
5 _____
6 JAVIER M. GONZALES, MAYOR

7 ATTEST:

8
9 _____
10 YOLANDA Y. VIGIL, CITY CLERK

11 APPROVED AS TO FORM:

12
13 _____
14 KELLEY A. BRENNAN, CITY ATTORNEY

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2015-____

INTRODUCED BY:

Councilor Christopher M. Rivera

A RESOLUTION

RECOGNIZING THE CITY OF SANTA FE WATER DIVISION'S COMMITMENT TO IMPLEMENT AN ASSET MANAGEMENT PLAN WITHIN THREE YEARS.

WHEREAS, the City of Santa Fe is a qualified entity under the New Mexico Finance Authority Act ("Act"), Sections 6-21-1 through 6-21-31, NMSA 1978, and the Santa Fe City Council ("Governing Body") is authorized to borrow funds and/or issue bonds for financing of public projects for benefit of the City; and

WHEREAS, the New Mexico Finance Authority ("Authority") is the institution for public utility funds created under the Act, and has developed an application procedure whereby the Governing Body may submit an application for financial assistance from the Authority for public projects; and

WHEREAS, the City of Santa Fe Water Division has not developed an asset management plan; and

WHEREAS, an asset management plan is required for the City to apply for funding through the Authority's Water Trust Board, the New Mexico Environment Department Drinking Water

Exhibit "10"

1 Revolving Loan Fund or Clean Water Revolving Loan Fund.

2 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
3 **CITY OF SANTA FE** that the Governing Body recognizes the Water Division's commitment to
4 implement an asset management plan within three years and hereby directs the Water Division to
5 develop such a plan in accordance to the following principles as identified by the New Mexico
6 Finance Authority:

- 7 • The current state of Water Division assets; and
- 8 • The desired level of customer service; and
- 9 • Water Division assets that are critical to sustained performance; and
- 10 • The best life cycle cost for the identified assets; and
- 11 • The long-term funding strategy for the Water Division

12 **BE IT FURTHER RESOLVED** that the New Mexico Finance Authority and New Mexico
13 Environment Department have identified the A.M. Kan Work manual as a guide to the
14 aforementioned principles, which staff may incorporate into the City of Santa Fe Water Division's
15 asset management plan.

16 PASSED, APPROVED and ADOPTED this ____ day of _____, 2015

17

18

19

JAVIER M. GONZALES, MAYOR

20 ATTEST:

21

22

23 _____
YOLANDA Y. VIGIL, CITY CLERK

24

25

1 APPROVED AS TO FORM:
2
3

4 KELLEY A. BRENNAN, CITY ATTORNEY
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25 *M/Legislation/Resolutions 2015/ Water Division Asset Management Plan*