



Agenda

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**PUBLIC UTILITIES COMMITTEE
MEETING
CITY COUNCIL CHAMBERS
WEDNESDAY, JUNE 4, 2008
5:15 PM**

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF CONSENT AGENDA
5. APPROVAL OF MINUTES FOR THE MAY 21, 2008 PUBLIC UTILITIES COMMITTEE MEETING
6. MATTERS FROM THE COMMITTEE

Outstanding Matters:

- a. Commercial Accounts (Gary Martinez)
- b. Acronyms – To be presented at June 18, 2008 PUC

INFORMATIONAL ITEMS

7. Update on Current Water Supply Status. (Victor Archuleta)
8. Water Budget Administration Office Report on Option B's. (Edward Montoya)
9. Report on Draft Long Range Water Supply Plan. (Claudia Borchert)
10. Update on Solid Waste Division. (Bill De Grande)
11. Clarification of Wastewater Management Effluent Report. (Costy Kassisieh)
12. Wastewater Management Report on Building Permits/Downtown Capacity-Condition of Sewer System. (Costy)

CONSENT CALENDAR

13. Request for Approval of a Legal Services Agreement with Sheehan, Sheehan & Stelzner, P.A. for \$25,000 Exclusive of NMGR for Construction Law Matters and Legal Issues Regarding Buckman Well # 11. (Marcos Martinez)

DISCUSSION ITEMS

14. Request for Approval of Bill No. 2008-_____. An Ordinance Repealing Sections 14-8.13, 14-8.16 and 14-8.17 SFCC 1987 Regarding Annual Water Budget, Water Rights Transfer Requirements and Water Rights Banking; Creating a New Section 14-8.13 SFCC 1987 Regarding the City's Water Budget, Development Water Budget Requirements, the Water Rights Transfer Program, and the Retrofit Program; Making Such Other Related Changes as are Necessary. (Dale Lyons) (Councilor Wurzbarger and Councilor Ortiz)

MATTER FROM THE PUBLIC

MATTERS FROM THE CITY ATTORNEY

MATTERS FROM STAFF

NEXT MEETING: WEDNESDAY, JUNE 18, 2008

ADJOURN

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June 4, 2008**

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ADJOURN		

**MINUTES OF THE
CITY OF SANTA FE
PUBLIC UTILITIES COMMITTEE
Wednesday, June 4, 2008**

1. CALL TO ORDER

A meeting of the Public Utilities Committee was called to order by Councilor Rebecca Wurzburger, Chair, at approximately 5:15 p.m., on June 4, 2008, in the Council Chambers, City Hall, Santa Fe, New Mexico.

2. ROLL CALL

MEMBERS PRESENT:

Councilor Rebecca Wurzburger, Chair
Councilor Christopher Calvert
Councilor Matthew E. Ortiz
Councilor Rosemary Romero
Councilor Ronald S. Trujillo

OTHERS PRESENT:

Galen Buller, Public Utilities Director
Stephanie Lopez, Public Utilities
Marcus 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

Chair Wurzburger noted that Item 9 needs to be pulled from the agenda.

MOTION: Councilor Calvert moved, seconded by Councilor Trujillo, to approve the Agenda as amended

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

4. APPROVAL OF CONSENT AGENDA

MOTION: Councilor Ortiz moved, seconded by Councilor Calvert, to approve the following consent agenda as presented.

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

CONSENT CALENDAR

- 13. REQUEST FOR APPROVAL OF A LEGAL SERVICES AGREEMENT WITH SHEEHAN, SHEEHAN & STELZNER, P.A. FOR \$25,000, EXCLUSIVE OF NMGR, FOR CONSTRUCTION LAW MATTERS AND LEGAL ISSUES REGARDING BUCKMAN WELL #11. (MARCOS MARTINEZ)**

- 5. APPROVAL OF MINUTES FOR THE MAY 21, 2008, PUBLIC UTILITIES COMMITTEE MEETING.**

MOTION: Councilor Calvert moved, seconded by Councilor Trujillo, to approve the minutes of the meeting of May 21, 2008, as submitted.

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

6. MATTERS FROM THE COMMITTEE

A. OUTSTANDING MATTERS

- a. COMMERCIAL ACCOUNTS (GARY MARTINEZ)**

Gary Martinez said this item is outstanding, and a follow-up meeting is needed prior to making this presentation.

- b. ACRONYMS – TO BE PRESENTED AT JUNE 18, 2008 PUC**

INFORMATIONAL ITEMS

- 7. UPDATE ON CURRENT WATER SUPPLY STATUS. (VICTOR ARCHULETA)**

A copy of the Weekly Water Report for the week ending June 1, 2008, is incorporated herewith to these minutes as Exhibit "1."

Victor Archuleta presented the information contained in Exhibit "1." Please see Exhibit "1" for specifics of this presentation.

8. WATER BUDGET ADMINISTRATION OFFICE REPORT ON OPTION B'S. (EDWARD MONTOYA)

Edward Montoya presented information from his Memorandum of May 27, 2008, which is in the Committee packet.

Councilor Ortiz asked how we track the noncompliance, and coming back into compliance, and does someone go out to see that they are in compliance.

Mr. Montoya said we look at their annual water consumption through Sangre de Cristo, and review the use annually. If they are close to their budget, we let them know that they need to either retrofit or replace a toilet to increase their allowable amount of water, or resubmit a new water budget, stating that they either are increasing the amount originally submitted, or promise to decrease consumption.

Councilor Ortiz asked if there have been problems getting the information needed from the utility company.

Mr. Montoya said no, they have access to the water records.

Responding to Councilor Romero, Mr. Montoya said the water user sometimes makes their own suggestions, but it varies by individual. He said they meet with the individual and explain what they need to do to reduce the consumption or increase their budget.

Councilor Calvert asked, since the monitoring for compliance is done annually, if they are not in compliance, do we start monitoring monthly, and how long they are given to come into compliance.

Mr. Montoya said they don't monitor monthly, noting Amanda Martinez is the person who tracks all of the Option B's. He said she told him she reviews all of the Option Bs annually.

Chair Wurzbarger asked Mr. Montoya to get the answer to this question for the next meeting.

Councilor Calvert said his concern is waiting another year to learn whether they are compliant. He believes some sort of monthly monitoring is necessary to be sure they come into compliance right away.

9. REPORT ON DRAFT LONG RANGE WATER SUPPLY PLAN. (CLAUDIA BORCHERT)

This item was removed from the agenda.

10. UPDATE ON SOLID WASTE DIVISION. (BILL DeGRANDE)

Bill DeGrande, Director, reviewed information in his Memorandum of May 21, 2008, which is in the Committee packet, noting the automated expansion is now 97% complete and he expects to complete that on time by the end of this month.

Councilor Calvert said he understood this was designated as the last special hazardous waste event.

Mr. DeGrande said that is still up in the air, and it may require a partial event. He said BRT currently is setting up to receive motor oil, latex paint, antifreeze, car batteries and currently are accepting compact fluorescent bulbs and the regular long fluorescents, but we need to look at an outlet for chemicals perhaps one more time. However, that might be a very confined event. They haven't worked out the details.

Councilor Calvert asked what are the rates for the competition, and asked if Waste Management operates in the City.

Mr. DeGrande said we have the franchise for residential collection in the City. He said the commercial recycling accounts are cheaper, but he can't give the figure right now, but he will present that. He said they are cheaper than what we charge now, but not what we are proposing.

Councilor Calvert said, with regard to the plastic bags, if the trash isn't in a bag before it is put in the container, there can be some sanitation and health issues. He said he spoke with Mr. DeGrande about passing out liners which would be half the cost of the bags and could help the City to avoid health and sanitation issues.

Chair Wurzbarger asked to what degree has our experience shown that there is a sanitation issue, and what is the scope of that in terms of health and safety. She asked about the liners as a solution to this issue.

Mr. DeGrande said in terms of the health and safety issues, the State requires refuse collection to be provided for municipalities of 3,000 and more. He said, personally, he never puts anything in a container in his house unless it has some sort of liner, such as a plastic grocery bag, and believes most people do the same thing. He said this is what they expect to see in the container if we discontinue the trash bags. He said if it is not bagged, and it is loose, it is not an issue unless it is a very windy day. He said the paper will blow out, not the heavy items, so it is a litter issue more than refuse.

Councilor Calvert said over time, if lids aren't kept closed, insects can breed.

Mr. DeGrande said it costs a lot of money to clean those. He believes it is the responsibility for the homeowner to care for their refuse container, and doesn't believe the City should be involved in cleaning individual containers. He said liners are available, but if we get into that program, we will have the same

problem down the line getting rid of it, and he doesn't want to go there, but that isn't his decision.

Councilor Calvert said, with regard to using plastic bags from the grocery stores, we may be trying to reduce the use of those. If we are going to do that, then the City shouldn't be handing them out. However, whether we hand them out or they get them from the grocery store free or purchase them from the grocery store, we really aren't going to be reducing the plastic which is used for containers.

Mr. DeGrande said we will be reducing the City's footprint.

Councilor Calvert said we will be reducing City Government's bill, but we aren't necessarily reducing the footprint of the City.

Mr. DeGrande said we are reducing City government's footprint.

Responding to Councilor Romero, Councilor Calvert said the bags are designed for the containers the City provides. He suggested perhaps using the liners in the house, and then put that one bag in the container to prevent multiple bag use while reducing cost.

Mr. DeGrande said the liners are made to be sealed, which we don't think will happen. So, all you will be protecting is the inside of the container, noting most people won't seal the liners.

Mr. DeGrande said this liner will be open inside the container for one week, and people will be putting bags in the liner.

Councilor Calvert reiterated his suggestion is to take the liner in the house for use, and then put it in the container.

Chair Wurzbarger said however, small people can't lift the 96-gallon liner.

Councilor Calvert doesn't believe it would be filled to the max in the house.

Chair Wurzbarger suggested that we move forward and see what happens, and asked Mr. DeGrande to please keep the Committee informed of any surprises regarding the issue raised by Councilor Calvert.

Councilor Calvert said there also will be a number of phone calls, and complaints.

Mr. DeGrande said he expects complaints and problems, because it is a work in progress and we'll learn from it. He will keep the Committee informed.

Chair Wurzbarger asked Mr. DeGrande if he has had a chance to do further work in looking "down the road" for the next two years with regard to new developments and policy issues he would be bringing to this Committee.

Mr. DeGrande said he has been moving in that direction and they have had some meetings about future planning. He said Councilor Ortiz has requested an organizational chart and percentage of absenteeism now compared to the force before fully staffed. He has that information and will put that in the next packet. He said they have a lot of things which are new, service oriented programs which they will be presenting, but they haven't worked out all of the details.

Chair Wurzburger said she would like to look at the issue of how we handle construction waste, noting that Massachusetts bans construction waste from the landfill.

Mr. DeGrande said he has a meeting on June 14, 2008, with SWMA. He said the Homebuilders Association raised that with Sustainable Santa Fe and he met with them. It is on the table and he will report back to the Committee.

Councilor Romero said SWMA meetings last 1 to 1½ hours, but she believes this conversation should be brought to SWMA, because a lot of construction is occurring in the County and we need to work together. She suggested perhaps a joint meeting of SWMA and Public Utilities to look at this issue.

Councilor Ortiz said, with regard to budget efficiencies, one of the positions he found curious in the Division is the position of Assistant or Deputy Director, and this is one of the positions he has identified as a possible efficiency that could be eliminated.

11. CLARIFICATION OF WASTEWATER MANAGEMENT EFFLUENT REPORT. (COSTY KASSISIEH)

Mr. Kasssieh said in the attachments to his Memorandum, there are two pages of abbreviations for the Committee.

There were no questions from the Committee for Mr. Kasssieh.

12. WASTEWATER MANAGEMENT REPORT ON BUILDING PERMITS/DOWN CAPACITY- CONDITION OF SEWER SYSTEM. (COSTY KASSISIEH)

Stan Holland, Wastewater Division, presented information from his Memorandum of May 12, 2008. Mr. Holland said the City will be spending \$2 million this year on pipe projects. He said the Cathedral project, Palace and Alameda are on the list for a CIPP Project which is less invasive and the work is done at night. The project will involve lining those pipes which should extend the life about 50 years.

Chair Wurzburger asked if this would have had to be done if we didn't have the Cathedral project.

Mr. Holland said yes. He said the bigger pipes don't require as much maintenance, and the smaller lines tend to back up when the grease builds up.

Responding to Councilor Romero, Mr. Holland said the City has an Industrial Pretreatment Program and they do regular monitoring, and they go and check restaurants. He said if they pull a lot of grease out of the line, someone upstream is putting it in, and they send the "IP Police" to go upstream and look at that. There is a program for monitoring the grease discharge.

Mr. Kassisieh said the IP Program has two technicians who make calls on all of the restaurants and explain what we expect. City ordinance requires every restaurant to have a grease trap, and these are sampled every two years for COD and they then calculate the dirt they are sending through the pipes to us, and charge them 59 cents a pound.

DISCUSSION ITEMS

- 14. REQUEST FOR APPROVAL OF BILL NO. 2008- _____. AN ORDINANCE REPEALING SECTIONS 14-8.13, 14-8.16 AND 14-8.17 SFCC 1987, REGARDING ANNUAL WATER BUDGET, WATER RIGHTS TRANSFER REQUIREMENTS AND WATER RIGHTS BANKING; CREATING A NEW SECTION 14-8.13 SFCC 1987, REGARDING THE CITY'S WATER BUDGET, DEVELOPMENT OF WATER BUDGET REQUIREMENTS, THE WATER RIGHTS TRANSFER PROGRAM, AND THE RETROFIT PROGRAM; MAKING SUCH OTHER RELATED CHANGES AS ARE NECESSARY (COUNCILOR WURZBURGER AND COUNCILOR ORTIZ). (DALE LYONS)**

A copy of "Overview of the New Water Requirements Ordinance," is incorporated herewith to these minutes as Exhibit "2."

Chair Wurzburger said this combines a whole collection of ordinances which deal with water.

Councilor Ortiz said the water budget and the work done in 2003 caused this Committee to begin meeting twice a month to look at different issues. He said, in 2005 when we did the Water Rights Transfer Program, this Committee took the leadership in developing the ordinance. Now, we are here without fanfare and no one from the public seems to be interested in this, as opposed to previously when there were "wall to wall" people, and contentious hearings on this. He believes it is due mostly to the very hard work done by staff to make these ordinances work, as well as in some part to the new faces on the Council since that time.

Chair Wurzburger said the programs have worked, and hopes these proposed changes can help them to work even better and more consistently.

Dale Lyons presented information regarding this matter to the Committee. See Exhibit "2" for specifics of this presentation.

Changes to City Water Budget

Councilor Calvert asked how this all coordinates or works with the Green Building Code, for

requirements of builders in terms of water conservation, the point system, incentives, and such.

Mr. Lyons said he participated in developing the Green Building Code [the "GBC"]. He said the Green Building Code is a lot like the City's conservation program. While the City will pursue a new and expanded course for the Retrofit Program and Water Rights Transfer, the City always will have a conservation program to provide rebates for resident-generated conservation if it chooses to do so. He said he understands the City's Green Building Code will provide an incentive to build in a more green fashion. However, these are requirements for development, and since 2002, people who want to Build in Santa Fe have been required by the City to offset the demand. This program governs the offset of that new demand.

Councilor Calvert said the GBC will set requirements, and hopefully there will be incentives to achieve the additional levels of achievement. He said it will be interesting to see how the water budget for a project is calculated based on those levels.

Mr. Lyons said he doesn't see this Program competing with anything in the Green Building Code. He said developers or even individual homeowners have the option of generating an alternative water budget. He the GBC will enable them to develop an alternative water budget more easily.

Councilor Calvert wants to ensure that these are coordinated and don't ultimately contradict one another, or confusing people.

Mr. Lyons said this is correct, and it is important to ensure that whatever is written in the GBC jives with what is here.

Changes to Development Water Budgets.

Responding to Councilor Calvert, Mr. Lyons said the water budget can be assessed only at the end of the year, because the water budget is based on the entire year, and the usage will fluctuate, depending on the time of the year.

Councilor Calvert asked if we want to wait a year to find out if a customer comes into compliance, especially if we are in a critical water year.

Mr. Lyons said it totally depends on the number of people who have elected to go this route, saying Mr. Montoya said currently there are eight water customers.

Councilor Calvert said it also depends on how much they are out of compliance and how much water they use. He said these people chose to do this.

Mr. Lyons said there are different approaches which can be used. One is to monitor people on a monthly basis, but we will need to determine if they are out of compliance in relative terms to people in their same neighborhood, in the same month.

Responding to Councilor Calvert, Mr. Lyons said it might be a new project and there would be no history of water usage over the past year.

Councilor Calvert said then you will need a year's data before you know whether they are out of compliance.

Chair Wurzburger said she recalls on that point that it wasn't just a matter of time.

Councilor Romero said the issue is that another year could go by before we would know whether a person who was found to be noncompliant under Plan B had come into compliance. She said this has the potential for a lot of water usage, especially if it is a large development, for another year.

Responding to Councilor Calvert, Mr. Lyons said the disparity in the future between a water budget based on the City's standard formula and the alternative water budgets will be smaller because we need to redo the analysis.

Councilor Calvert said the standard allotment might depend on how they are required to perform under the Code.

Chair Wurzburger said more work needs to be done on this.

Mr. Katz introduced Bill Cassel, the new water attorney, who has come to the City from the State Engineer's Office. He said Mr. Cassel said they faced the same issue at the State with agricultural use in a limited amount. He said Mr. Cassel may have some additional ideas on how to monitor this more closely sooner.

Responding to the Chair, with regard to the second bullet, Mr. Lyons said the Ordinance doesn't specify whether it is home or commercial, and that is just an illustration.

Changes to Retrofit Program

Councilor Ortiz gave a brief overview and history of the Retrofit Program in Santa Fe, noting the City gave away 10,000 toilets and in the end 10,000 toilets were replaced. He said if the Ordinance is passed, the proposed water use efficiency surveys would function in a similar way – if they want the fixtures, the City will certify they are on a list and tell them where they could go – and we wouldn't have "phantom lists," or people hoarding these for their own development.

Councilor Ortiz said historically, faucets and showerheads were part of the original program, but

that was declined because people said this was an imaginary program and wouldn't save water. He said the price the plumbers could charge was in the original bill, but that was removed. As a result the black market has persisted and a \$150 job currently is charged at \$750 currently. This legislation will allow us to be the gatekeepers for the program, as well as to tell suppliers the maximum that can be charged.

Mr. Lyons said the plumbers may not be happy about this going forward, but they still can sell the retrofits they have amassed until those are gone.

Chair Wurzbarger said this will not be a business opportunity to create new millionaires in Santa Fe, as it was historically, and this is being removed as an economic development initiative.

Councilor Calvert said currently we don't know, by address, who has and hasn't been retrofitted.

Mr. Lyons said we do "sorta," but the records are incomplete, and it takes an "unreasonable effort" to find out whether a house has been retrofitted. He understands WBAO is very far behind in calling to confirm the retrofits were done.

Chair Wurzbarger said she excited about these changes, and believes they will meet our objectives with respect to saving water, and it will be much more fair to the citizens who are participating.

Councilor Romero said her neighborhood is going through a neighborhood planning effort, and the opportunity to participate in the survey could be included in their survey, or questions could be included in their survey. She believes this would be a "golden opportunity" to survey 125 homes and get some information which could give some direction on this.

Mr. Lyons clarified that only the homeowners or businesses who elect to participate in the program will be surveyed, so there will be only one auditor coming to the house, taking stock of the fixtures and appliances.

Chair Wurzbarger agreed with Councilor Romero that this is a great opportunity to test what we are thinking we could do just in that neighborhood with a question, "Do you want to participate in a survey."

Mr. Lyons agreed that is a good opportunity.

Councilor Romero said she will follow up on how that would work.

Chair Wurzbarger said there is an issue with regard to what happens to the money which goes into WBAO, because we always said that wasn't designed to be a "money maker," and those funds weren't supposed to go into the General Fund.

Councilor Ortiz said it was supposed to pay for staffing.

Chair Wurzbarger would like this to be an item on the next agenda. She said the ordinance

doesn't address what happens to the fees, and she believes this should be included in the ordinance, noting it was included in the previous ordinance.

Changes to the Water Rights Transfer Ordinance

Councilor Calvert asked, on page 35, lines 4-5, where it says "Fixture " and under it has Luminare, what this means.

Mr. Lyons said Jeanne Price could answer that question, and he is unsure what that means, and that could have been her note to herself to do something.

Chair Wurzbarger said we will get that clarified.

Councilor Calvert said on page 4, under (1)(b), it discusses the total water demand, and asked why affordable housing isn't mentioned specifically.

Mr. Lyons said if, for example, the City has approved a building project with all houses as affordable, that would be covered under Section 3, Anticipated Future Demands.

Councilor Calvert said this the City is paying and accounting for resources for that purpose.

Mr. Lyons said that is covered under Section G, Quantification of all water held in the City's water bank, including those held in the City's available water pool.

Councilor Calvert said he is speaking about debits.

Mr. Lyons said that value in the bank will reflect the remaining balance of what is held in the City's available pool, minus the amount which already has been allocated.

Chair Wurzbarger said this may be something we haven't thought about. She said, "It probably would behoove us, as part of our total demand for any project that we have identified already as a priority, that even as we went through the process of anticipated demands from developers, we ought to have anticipated demands from projects like the Northwest Quadrant to which we are committed."

Councilor Ortiz said there was a pending resolution to allocate available water resources toward the Northwest Quadrant, but because of this revision, we have to pull that resolution.

Councilor Calvert said his only problem with that Resolution is that the Northwest Quadrant was X years in the future, and anything needed in the interim for affordable housing was "aced out."

Councilor Ortiz said that's correct, assuming that we didn't have anything else. He said this is a prioritization issue that we have at any time. He said, taking that as an example, if we don't allocate it and

wait until it is coming on line, we will be accused of not planning for that particular water demand. This is a matter of us deciding which is the higher priority.

Councilor Calvert asked if there is a way to say we need a certain amount for the Northwest Quadrant, and we are going to allocate so much annually toward that, and we will still have some for existing projects.

Councilor Ortiz said that discussion has no impact with this framework, which is the ordinance on how we have to require for development. That is an issue of prioritization, and not a function of deciding how the legal framework will be for any commercial or residential development.

Chair Wurzbarger said Councilor Calvert has brought this up in the context of the annual water report and budget, and that an element of the budget should be anticipated demands based upon City priorities, such as affordable housing.

Councilor Ortiz said that is a function of the water budget itself, and not a function of how that water budget will work. He said if we pass this, and it requires us to do this budget, then how we make a priority for that budget depending on existing projects that are in existence, projects that are coming before us, and then projects projected into the future.

Responding to Councilor Calvert, Councilor Ortiz said we do have to allocate the water now, because we require developers to allocate water when they come forward for annexation or rezoning, even though their project is 2-3 years down the road. He said this was Galen's risk aversion, noting we all decided we wanted to be risk averse, and the water budget will be approved at the front end, not when the water demand happens at the back end. He said the Northwest Quadrant is no different, and we have to allocate water when we come forward for that approval.

Councilor Calvert said in doing that we create a smaller, available pool for other affordable housing projects, and that could mean there are fewer units available sooner. He said the City hasn't allocated or budgeted for some of our own projects, such as the Civic Center.

Councilor Ortiz said we did allocate a water budget for the Convention Center. He said we are replacing an old use with an old one, and the new use can base its new water budget on the old consumptive levels. He said in the planning we said the use would fit within the old consumption of Sweeney. He said the Railyard is a development which has to account for its use.

Chair Wurzbarger said, "My concern, that I would like to have addressed by staff, is in the body of this document, the assumptions that we make with respect to development, upon my rereading it, perhaps incorrectly, appears to be tied... anticipated development appears to be tied only to developers and that is not correct. Because there is the possibility for the Northwest Quadrant for X amount of affordable housing if we get the water, so I just need to work with you on that a little bit to make sure there is not some generic phrase that ought to be in here, is what is bothering me. And, just for history's purpose, for bringing our Committee all up to the same level, with respect to what we think happened. I felt that the water for the

Northwest Quadrant was allocated from the original water savings from the retrofits, and I want to go on record saying that, because that's what I remember. And somehow it got used up. That's an issue that we need to deal with as a Committee, as to where that water's coming from. But, I recalled that in the original water budget, that's what we were talking about."

Councilor Ortiz said we did do that and staff didn't track it, and the current staff said we may have a problem and we need this Resolution in light of concerns raised, bona fide or not, by some of the people in the [inaudible] group.

Chair Wurzburger said she believes the Resolution and that issue needs to come back to this Committee.

Councilor Ortiz said, Jeanne Price said in her email that because of these changes, she believes we don't need these two Resolutions and we should pull those.

Chair Wurzburger said she is unsure about that and wants to discuss it, and she will follow up.

Councilor Romero said the Northwest Quadrant is holding a public meeting in the next two weeks, and it seems the topic will come up with regard to what we're doing about the water. She believes we need to be absolutely clear at that meeting with regard to any water budget specific to the Northwest Quadrant.

Chair Wurzburger said we need to have a meeting prior to that meeting so we will know exactly what we're doing.

Councilor Calvert said on page 8 at the top it discusses the City Water Bank, and asked if we can dedicate conservation for uses such as the River.

Councilor Ortiz said something which will be introduced separately, is the idea that we could have a City program for someone to dedicate their water savings to a purpose, a park or parks, the River. He said that needs to come forward for discussion, and could move forward on a parallel track. He assumes we could make it compulsive, by imposing, for example, a conservation improvement district on the BCD and all of the water which people are compelled to save will be dedicated, for example, to the River.

Councilor Calvert said, Development Water Budget (1)(a) on page 9, (a) provides "...not including water to be used during and for construction." He said he would ask why not, and if you don't account for the water, people don't use it wisely.

Mr. Lyon said the issue is that a lot of construction doesn't get a water meter until it reaches a certain phase in development.

Chair Wurzburger said she never had a project where she was using water that it wasn't metered.

Mr. Lyons said grading activities in a development project, in advance of doing lot development, may be using water in a water truck.

Chair Wurzburger wants to think about this.

Councilor Ortiz asked if it would be helpful, in order to see what is new and old, to have a "strike through/ underlined draft."

Councilor Calvert, quoting from 19(d) on page 19, "...If an owner wishes to have a more expensive replacement fixture or appliance..." would like to add "but as efficient."

Mr. Lyons said it needs to meet or exceed the City's new standards.

Chair Wurzburger said this will go next to Public Works for input, and then it will come back to this Committee with any concerns. It would then go to the Finance Committee.

Councilor Ortiz said then there will be Notice of Title and General Summary at the last Council meeting in June, with a public hearing at the last meeting in July.

Ms. Lopez said the next PUC is on June 18th, and deadline for captions is tomorrow and the deadline for packet submittal is next Tuesday, and she is unsure it can get to everyone by the end of the month.

Councilor Ortiz said it is just to establish a time frame for discussion. He said he doesn't want it to come to Finance until it has been fully vetted here and there is a fiscal impact. He asked if we need to hear this again before it is published for title and general summary.

Chair Wurzburger said she believes it could go forward to Council for that now.

MOTION: Councilor Ortiz moved, seconded by Councilor Trujillo, that this Committee place this item on the agenda for hearing at the next available PUC meeting for staff comment and additional questions from the Committee; and to move this item forward only for the intent of publishing a Notice of Title and General Summary.

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

Chair Wurzburger thanked Mr. Lyons for the hard work he, Frank Katz, Jeanne Price and Claudia Borchert have done on this ordinance.

Chair Wurzburger left the meeting at this time, and Councilor Ortiz assumed the duties of the Chair.

MATTERS FROM THE PUBLIC

Dave Groenfeld, Santa Fe Watershed Association, 1413 Second Street, Suite 3, Santa Fe 87505. Mr. Groenfeld said he is gratified that the Committee talked about the River. He said the shadow side of conservation is that conservation tightens the belt and gets rid of the water that could go into the River, which is what happened with the toilet retrofit program. He is glad this Committee is looking at ways to use the Retrofit Program which also would add to the water available for flow in the River. He suggested, on behalf of the Santa Fe Watershed Association, that the City consider, as policy for the Retrofit Program, to split 50-50 between new development and the River. The purpose, in addition to providing water for the River, is to get away from the antagonism between development and conservation. If the City is going to be responsive to what they perceive as the will of the citizens and put water in the River, we're going to have to find little pieces where the water will come from.

MATTERS FROM THE CITY ATTORNEY

There were no matters from the City Attorney.

Responding to the Chair, Mr. Cassel said both he and Mr. Martinez will be attending the PUC meetings in the future.

ITEMS FROM STAFF

None.

MATTERS FROM THE COMMITTEE

Councilor Ortiz asked staff to provide a status report on the River Fund at the next meeting. He said if there are sufficient funds, perhaps we could start purchasing water rights. Councilor Calvert would like some sort of chart as to how the fund is increasing.

Councilor Romero thanked Mr. Cassel for attending, noting she worked with Mr. Cassel on "the Pecos" for several years, and welcomed him to the City.

Councilor Romero gave a request from John Bemis to Mr. Buller, and asked him to advise her on the resolution of the issue.

Councilor Trujillo gave kudos to Gary Martinez and staff for the great job on the water flow and said the Fishing Derby was a great success.

Councilor Calvert reminded the Committee there are several things which are moving forward,

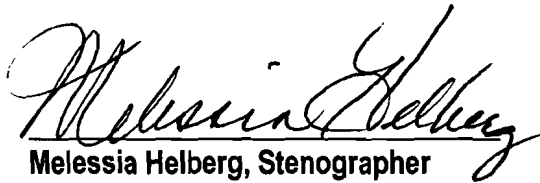
others which are ongoing, and he hopes we continue to communicate and coordinate with each other regarding the Revised Water Ordinance, the Green Building Code, the efforts of the Water Conservation Committee, so we don't wind up in conflict.

NEXT MEETING: WEDNESDAY, JUNE 18, 2008.

ADJOURN

There being no further business to come before the Committee, and the Committee having completed its agenda, the meeting was adjourned at 6:50 p.m.

Rebecca Wurzburger, Chair



Melessia Helberg, Stenographer