



# Agenda

CITY CLERK'S OFFICE

DATE 11/20/15 TIME 1:15pm

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**PUBLIC UTILITIES COMMITTEE  
MEETING  
CITY COUNCIL CHAMBERS  
200 Lincoln  
WEDNESDAY, DECEMBER 2, 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 NOVEMBER 4, 2015 PUC MEETING

**INFORMATIONAL ITEMS**

6. Introduction of the new Environmental Services Director. (Shannon Jones) VERBAL
7. Update on Current Water Supply Status and McClure Reservoir Construction. (Alex Puglisi and Robert Jorgensen)
8. Utility Billing Division Update. (Diana Catanach)

**CONSENT – ACTION CALENDAR**

9. Notification of Emergency Procurement with Rocky Mountain Cummins to rebuild motor on a Collection Unit. (Lawrence Garcia)  
  
Public Utilities Committee – 12/2/15  
Finance Committee – 12/14/15  
City Council – 1/13/16
10. New Mexico State Legislature – 52<sup>nd</sup> Legislature – State of New Mexico – Second Session 2016.
  - a. Request for approval of Resolution No. 2015-\_\_\_\_. A resolution establishing City of Santa Fe legislative priorities for consideration by the New Mexico State Legislature during the 52<sup>nd</sup> Legislature – State

of New Mexico – Second Session, 2016. (Mayor Gonzales) (Oscar Rodriguez)

- b. Request for approval of Resolution No. 2015-\_\_\_\_\_. A resolution establishing City of Santa Fe legislative priorities, by City Council District, for consideration by the New Mexico State Legislature during the 52<sup>nd</sup> Legislature – State of New Mexico – Second Session, 2016. (Councilors Bushee, Lindell, Maestas, Ives, Dominguez, Rivera, Trujillo and Dimas) (Oscar Rodriguez)

Finance Committee – 11/30/15

Public Utilities Committee – 12/2/15

Public Works Committee – 12/7/15

City Council – 12/9/15

- 11. Request for approval of Amendment No. 1 to the Joint Powers Agreement (JPA) between the City of Santa Fe and Santa Fe County for the Buckman Direct Diversion Project dated March 5, 2005 to allow for an alternate citizen member, to remove certain conditions related to the citizen member. (Nancy Long)

Buckman Direct Diversion Board – 11/5/15

Public Utilities Committee – 12/2/15

Board of County Commissioners

City Council – 12/9/15

- 12. Request for approval of Amendment No. 4 to the Project Management and Fiscal Services Agreement for Buckman Direct Diversion Project to extend the term of the agreement from December 1, 2015 to June 30, 2016. (Nancy Long)

Buckman Direct Diversion Board – 11/5/15

Public Utilities Committee – 12/2/15

City Council – 12/9/15

- 13. Request for approval of Resolution No. 2015-\_\_\_\_\_. A resolution directing Public Utilities Department staff to identify and apply for Federal and State funding sources for water, wastewater and other water related projects. (Alan G. Hook) (Councilor Ives)

Public Utilities Committee – 12/2/15

Finance Committee – 12/14/15

City Council – 1/13/16

- 14. Request for approval of Amendment No. 1 to the PSA with Santa Fe Watershed Association to provide education and outreach for the Santa Fe Municipal Watershed in the Spring of 2016 for the amount of \$49,931.45 exclusive of NMGR. (Alan Hook)

Finance Committee – 11/30/15

Public Utilities Committee – 12/2/15

City Council – 12/9/15

15. Request for approval of Award of RFP '16/01/P to HDR to provide consultant services for the Paseo Real Wastewater Treatment Plant Anaerobic Digester for the total amount of \$782,588.29 inclusive of NMGRT. (Bryan Romero)

- a. Request for approval of a Budget Adjustment Request (BAR) to increase budget in the amount of \$782,588.29.

Public Utilities Committee – 12/2/15

Finance Committee – 12/14/15

City Council -1/13/16

16. Request for approval of Award of Bid No. '16/01/B to Quinn Tire, Inc. for tire services and repairs for the Environmental Services Division. (Lawrence Garcia)

Public Utilities Committee – 12/2/15

Finance Committee – 12/14/15

City Council – 1/13/16

17. Request to procure vehicle repair, maintenance and service via Albuquerque Bernalillo Water Authority, Bid No.B201500036. (Lawrence Garcia)

Public Utilities Committee – 12/2/15

Finance Committee – 12/14/15

City Council – 1/13/16

18. Request for approval utilize State Price Agreement # 20-000-00-00043 and State Price Agreement # 41-000-13-00007 to procure Water Service Connection Equipment, Water Meters and Supplies from HD Supply, Inc. (Mike Moya)

Finance Committee – 11/30/15

Public Utilities – 12/2/15

City Council – 12/9/15

19. Request for approval utilize State Price Agreement # 20-000-00-00043 to procure Water Service Connection Equipment, Water Meters and Supplies from Santa Fe Winnelson. (Mike Moya)

Finance Committee – 11/30/15

Public Utilities Committee – 12/2/15

City Council – 12/9/15

20. Request for approval utilize State Price Agreement # 20-000-00-00043 and State Price Agreement # 41-000-13-00007 to procure Water Service Connection Equipment, Water Meters and Supplies from Baker Utility Supply Corp. (Mike Moya)

Finance Committee – 11/30/15

Public Utilities Committee – 12/2/15

City Council – 12/9/15

21. Request for approval of Change Order No. 9 to RMCI, Inc. to the construction contract Item #13-0511 for the Santa Fe Reservoirs Infrastructure Improvements CIP # 3038 for the amount of \$87,920.00 exclusive of NMGR. (Robert Jorgensen)

Public Utilities Committee – 12/2/15

Finance Committee – 12/14/15

City Council – 1/13/15

22. Request acceptance of the Strategic Marketing Plan for Water Conservation Public Outreach and Education. (Rick Carpenter and Lynn Komer)

Public Utilities Committee – 12/2/15

23. The Water Division requests the closure of the Dr. Richard Engle Tennis Courts located on the Hospital Water Tank at 5 Calle Medico 87505. (Eric Ulibarri)

Public Utilities Committee – 12/2/15

Finance Committee – 12/14/15

Parks & Recreation Committee – 12 / ? / 15

City Council – 1/13/16

### **DISCUSSION AND ACTION**

24. Request for approval of a Memorandum of Understanding – City Sewer Service for the Senior Campus Property at Caja Del Rio under the terms of the 2008 Settlement Agreement and SFCC 22-6.2; Santa Fe County. (Stan Holland)

Public Utilities Committee – 12/2/15

Finance Committee – 12/14/15

City Council – 1/13/16

### **MATTERS FROM THE PUBLIC**

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

### **MATTERS FROM STAFF**

### **MATTERS FROM THE COMMITTEE**

**NEXT MEETING: Wednesday, January 6, 2016**

### **ADJOURN**

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

**SUMMARY INDEX  
PUBLIC UTILITIES COMMITTEE MEETING  
Wednesday, December 2, 2015**

<b><u>ITEM</u></b>	<b><u>ACTION</u></b>	<b><u>PAGE</u></b>
APPROVAL OF AGENDA	Approved [amended]	1
APPROVAL OF AGENDA	Approved [amended]	2
APPROVAL OF CONSENT AGENDA	Approved [amended]	
CONSENT – ACTION CALENDAR LISTING		2-3
APPROVAL OF MINUTES FROM THE NOVEMBER 4, 2015 PUC MEETING	Approved	3
<b><u>INFORMATIONAL ITEMS</u></b>		
INTRODUCTION OF THE NEW ENVIRONMENTAL SERVICES DIRECTOR	Information/discussion	4
UPDATE ON CURRENT WATER SUPPLY STATUS AND McCLURE RESERVOIR CONSTRUCTION	Information/discussion	4-6
UTILITY BILLING DIVISION UPDATE	Information/discussion	7-9
<b><u>CONSENT – ACTION CALENDAR DISCUSSION</u></b>		
NEW MEXICO STATE LEGISLATURE – 52 <sup>ND</sup> LEGISLATURE – STATE OF NEW MEXICO – SECOND SESSION 2016:		
REQUEST FOR APPROVAL OF RESOLUTION NO. 2015- ____: A RESOLUTION ESTABLISHING CITY OF SANTA FE LEGISLATIVE PRIORITIES FOR CONSIDERATION BY THE NEW MEXICO STATE LEGISLATURE DURING THE 52 <sup>ND</sup> LEGISLATURE – STATE OF NEW MEXICO – SECOND SESSION 2016	Approved w/amendment	10-15
REQUEST FOR APPROVAL OF RESOLUTION NO. 2015- ____: A RESOLUTION ESTABLISHING CITY OF SANTA FE LEGISLATIVE PRIORITIES, BY CITY COUNCIL DISTRICT, FOR CONSIDERATION BY THE NEW MEXICO STATE LEGISLATURE DURING THE 52 <sup>ND</sup> LEGISLATURE – STATE OF NEW MEXICO – SECOND SESSION 2016	Approved	10-15

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO THE JOINT POWERS AGREEMENT (JPA) BETWEEN THE CITY OF SANTA FE AND SANTA FE COUNTY FOR THE BUCKMAN DIRECT DIVERSION PROJECT DATED MARCH 5, 2005, TO ALLOW FOR AN ALTERNATE CITIZEN MEMBER, TO REMOVE CERTAIN CONDITIONS RELATED TO THE CITIZEN MEMBER	Approved	15-16
REQUEST FOR APPROVAL OF AWARD TO HDR TO PROVIDE CONSULTANT SERVICES FOR THE PASEO REAL WASTEWATER TREATMENT PLANT ANAEROBIC DIGESTER FOR THE TOTAL AMOUNT OF \$782,588.29, INCLUSIVE OF NMGR	Approved	16-18
REQUEST FOR APPROVAL OF A BUDGET ADJUSTMENT REQUEST (BAR) TO INCREASE BUDGET IN THE AMOUNT OF \$782,588.29	Approved	16-18
THE WATER DIVISION REQUESTS THE CLOSURE OF THE DR. RICHARD ENGLE TENNIS COURTS LOCATED ON THE HOSPITAL WATER TANK AT 5 CALLE MEDICO 87505	Approved	18-20
<u>DISCUSSION AND ACTION</u>		
REQUEST FOR APPROVAL OF A MEMORANDUM OF UNDERSTANDING – CITY SEWER SERVICE FOR THE SENIOR CAMPUS PROPERTY AT CAJA DEL RIO UNDER THE TERMS OF THE 2008 SETTLEMENT AGREEMENT AND AFCC 22.6.2; SANTA FE COUNTY	Approved [amended] w/direction	21-26
MATTERS FROM THE PUBLIC	None	27
MATTERS FROM THE CITY ATTORNEY	None	27
ITEMS FROM STAFF	None	27
MATTERS FROM THE COMMITTEE	None	27
NEXT MEETING: WEDNESDAY, JANUARY 6, 2016		27
ADJOURN		27

**MINUTES OF THE  
CITY OF SANTA FE  
PUBLIC UTILITIES COMMITTEE  
Wednesday, December 2, 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, December 2, 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:**

Shannon Jones, Director, Wastewater Management Division  
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**

Shannon Jones, Director Wastewater Management Division said staff would like to remove Item #22 from the Agenda because it isn't complete and bring it back in early 2016.

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

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

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

**MOTION:** Councilor Ives moved, seconded by Councilor Bushee, to approve the following Consent Action Agenda, as amended.

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

#### **CONSENT – ACTION CALENDAR**

9. NOTIFICATION OF EMERGENCY PROCUREMENT WITH ROCKY MOUNTAIN CUMMINS TO REBUILD MOTOR ON A COLLECTION UNIT. (LAWRENCE GARCIA) Committee Review: Public Utilities Committee 12/02/15; Finance Committee – 12/14/15; and City Council - 01/13/16.
10. *[Removed for discussion by Councilor Bushee]*
11. *[Removed for discussion by Councilor Bushee]*
12. REQUEST FOR APPROVAL OF AMENDMENT NO. 4 TO THE PROJECT MANAGEMENT AND FISCAL SERVICES AGREEMENT FOR BUCKMAN DIRECT DIVERSION PROJECT TO EXTEND THE TERM OF THE AGREEMENT FROM DECEMBER 1, 2015 TO JUNE 30, 2016. (NANCY LONG) Committee Review: Public Utilities Committee 12/02/15; Finance Committee – 12/14/15; Board of County Commissioners; and City Council -01/13/16.
13. REQUEST FOR APPROVAL OF RESOLUTION NO. 2015- \_\_\_\_\_. A RESOLUTION DIRECTING PUBLIC UTILITIES DEPARTMENT STAFF TO IDENTIFY AND APPLY FOR FEDERAL AND STATE FUNDING SOURCES FOR WATER, WASTEWATER AND OTHER WATER RELATED PROJECTS (COUNCILOR IVES AND COUNCILOR BUSHEE) (ALAN G. HOOK) Committee Review: Public Utilities Committee 12/02/15; Finance Committee – 12/14/15; and City Council -01/13/16.
14. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO THE PSA WITH SANTA FE WATERSHED ASSOCIATION TO PROVIDE EDUCATION AND OUTREACH FOR THE SANTA FE MUNICIPAL WATERSHED IN THE SPRING OF 2016 FOR THE AMOUNT OF \$49,931.45, EXCLUSIVE OF NMGR. (ALAN HOOK) Committee Review: Finance Committee – 11/30/15; Public Utilities Committee 12/02/15; City Council - 12/009/15.
15. *[Removed for discussion by Councilor Ives]*
16. REQUEST FOR APPROVAL OF AWARD OF BID NO. 16/01/B TO QUINN TIRE, INC., FOR TIRE SERVICES AND REPAIRS FOR THE ENVIRONMENTAL SERVICES DIVISION. (LAWRENCE GARCIA) Committee Review: Public Utilities Committee 12/02/15; Finance Committee – 12/14/15; and City Council -01/13/16.



17. REQUEST TO PROCURE VEHICLE REPAIR, MAINTENANCE AND SERVICE VIA ALBUQUERQUE BERNALILLO WATER AUTHORITY, BID NO. B302600046. (LAWRENCE GARCIA. Committee Review: Public Utilities Committee 12/02/15; Finance Committee – 12/14/15; and City Council -01/13/16.
18. REQUEST FOR APPROVAL TO UTILIZE STATE PRICE AGREEMENT #20-000-00-00043 AND STATE PRICE AGREEMENT #41-000-13-00007 TO PROCURE WATER SERVICE CONNECTION EQUIPMENT, WATER METERS AND SUPPLIES FROM HD SUPPLY, INC. (MIKE MOYA) Committee Review: Finance Committee – 11/30/15; Public Utilities Committee 12/02/15; and City Council - 12/09/15.
19. REQUEST FOR APPROVAL TO UTILIZE STATE PRICE AGREEMENT #20-000-00-00043 TO PROCURE WATER SERVICE CONNECTION EQUIPMENT, WATER METERS AND SUPPLIES FROM SANTA FE WINNELSON. (MIKE MOYA). Finance Committee – 11/30/15; Public Utilities Committee – 12/02/15; and City Council - 12/09/15.
20. REQUEST FOR APPROVAL TO UTILIZE STATE PRICE AGREEMENT #20-000-00-00043 AND STATE PRICE AGREEMENT #41-000-13-00007 TO PROCURE WATER SERVICE CONNECTION EQUIPMENT, WATER METERS AND SUPPLIES FROM BAKER UTILITY SUPPLY CORP. (MIKE MOYA). Finance Committee – 11/30/15; Public Utilities Committee – 12/02/15; and City Council - 12/09/15.
21. REQUEST FOR APPROVAL OF CHANGE ORDER NO. 9 TO RMCI, INC., TO THE CONSTRUCTION CONTRACT ITEM #13-0511 FOR THE SANTA FE RESERVOIRS INFRASTRUCTURE IMPROVEMENTS CIP #3038 FOR THE AMOUNT OF \$87,920, EXCLUSIVE OF NMGR. (ROBERT JORGENSEN) Committee Review: Public Utilities Committee 12/02/15; Finance Committee – 12/14/15; and City Council - 01/13/16.
22. REQUEST ACCEPTANCE OF THE STRATEGIC MARKETING PLACE FOR WATER CONSERVATION PUBLIC OUTREACH AND EDUCATION. (RICK CARPENTER AND LYNN KOMER). Committee Review: Public Utilities Committee 12/02/15.
23. *[Removed for discussion by Councilor Bushee]*

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

**MOTION:** Councilor Maestas moved, seconded by Councilor Ives, to approve the minutes of the PUC meeting of November 4, 2015, as presented.

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

Chair Rivera wished everyone Happy Holidays on behalf of the Committee, and thanks to the staff for the work they have done all year “to make our jobs easier.”

## **INFORMATIONAL ITEMS**

### **6. INTRODUCTION OF THE NEW ENVIRONMENTAL SERVICES DIRECTOR. (SHANNON JONES)**

Shannon Jones introduced Shirlene Sitton, the Environmental Services Division, who comes from Denton, Texas, with more than 16 years experience.

Shirlene Sitton, Environmental Services Division, said she looks forward to her new job with the City.

Councilor Ives said he is sure she has been briefed on the efforts by the Governing Body to increase recycling, and other things we're trying to tackle, and he looks forward to hearing from her soon on her plans in that regard.

*[Ms. Sitton's response here was inaudible because her microphone was not turned on]*

Councilor Bushee asked if they had single-stream in Denton and Ms. Sitton said yes.

Councilor Bushee asked if glass was part of that, and Ms. Sitton said yes. *[Ms. Sitton's further response here was inaudible because her microphone was not turned on]*

Councilor Maestas welcomed Ms. Sitton to the City, commenting the City is just beginning to implement the results of the Solid Waste Study. He said there is a rate increase moving through the City, and feels she has the experience to work through these issues.

### **7. UPDATE ON CURRENT WATER SUPPLY STATUS AND McCLURE RESERVOIR CONSTRUCTION. (ALEX PUGLISI AND ROBERT JORGENSEN)**

A copy of a Press Release dated December 2, 2015, regarding *McClure Reservoir filled as Intake Tower Project Completed*, is incorporated herewith to these minutes as Exhibit "1."

A Color photographs of *McClure Dam Plugging and Filling*, is incorporated herewith as Exhibit "2."

Mr. Puglisi said his report is before the Committee in the packet, noting that not much has changed except the level of Nichols Reservoir which is at 87%, and we should be at 90% flow by the time Nichols stops receiving flow. He said there has been a lot of snow, as can be seen in the photo in the packet [Exhibit "2"], with great runoff.

Mr. Jorgensen presented information from the Press Release and color photographs which are in the packet. Please see Exhibits "1" and "2" for specifics of this presentation. Mr. Jorgensen recognized the work of the project team, Paul Saavedra and Mike Gomez of Santa Fe Engineering, and Weaver Construction Management, and thanked them for their work on this project. He recognized the Source of Supply Staff for its superb job in keeping the water treated in adverse conditions.

Councilor Bushee asked if it was one event that caused the flooding.

Mr. Jorgensen said he is speaking that the site would be flooded by the River when the pumps went down or build-up after the plugging operation. He said during plugging it is necessary to stop the pumps and start pulling out the equipment.

Councilor Bushee asked if the Two-Mile Dam that was breached will ever be useful again.

Mr. Jorgensen said he doesn't believe it will.

Councilor Bushee said there is no need for overflow "and that's not serviceable."

Mr. Jorgensen said he believes that is so.

Councilor Ives said thanks for delivering this project on time and to be able to capture the water from a banner El Nino water year, which is the best news he's heard about our water system for a while.

Councilor Maestas said the days of having to row out in a boat to access some of the civil works are now behind us, and we now have a modern facility, which is completely automated.

Councilor Bushee asked who was McClure and who was Nichol.

Mr. Puglisi thinks it was McClure who approved the dam, noting there is a monument to him to the side of the dam.

Marcos Martinez, Assistant City Attorney, said, McClure was the State Engineer in the 1920's.

Responding to Councilor Bushee, Mr. Puglisi said there is a news release in the packet, and we are under certain restraints in filling the reservoir, and we are not allowed to fill the Reservoir at more than 1 afy per day. He said while doing that, we have to monitor the dam weekly to be sure no unusual saturation problems, commenting they will stay with that fill plan to finish in 90 days. He said anything over the 1 afy level has to be released.

Mr. Puglisi said it is an earthen dam, and in the embankments around the lake and in the dam itself, we allowed the soils to dry and we are now going to saturate them again, so it is a expansion and contraction problem. He said the State Engineer fears by emptying and refilling we may create conduits for flow. We also are concerned and one of the reasons we will be inspecting outlet tower for a few days.

Councilor Bushee said then, if there is a big rain event, there is nothing that you can do.

Mr. Puglisi said that is correct. He said in periods like that, we'll just have to consult with the State Engineer and tell him there's nothing we can do, but we're monitoring it on a regular basis. He said during those periods, the State Engineer probably will want us to step up monitoring, noting he already asked us to go from monthly to weekly monitoring for the first few months.

Mr. Puglisi noted that the "monstrosity" actually won a concrete award for hydraulic use of concrete in the structure from the New Mexico Chapter of the American Concrete Institute.

Councilor Ives asked if the City is still under Article 7 of the Compact.

Mr. Martinez said no, and but they let us know quickly when we get into Article 7.

Councilor Maestas noted the 4,600 afy in El Vado is to be moved to Abiquiu, where we already have 7,000 afy of San Juan Chama water, and asked if this will exceed our storage agreement with the Albuquerque Water Authority.

Mr. Martinez said our agreement with Albuquerque is now at 15,000 afy.

Councilor Maestas noted we haven't secured the waiver for the Heron San Juan/Chama water, and asked if we could lose that.

Mr. Martinez said he has no further information, but he will contact him off-line to give him the latest information, and will provide the information to the other members of the Committee.

Chair Martinez thanked staff for a great job.

Mr. Puglisi thanked Mr. Jorgenson and team for getting the project done on time.

Councilor Maestas asked the status of the overall design of the project at the Canyon Road facility, noting we were to make improvements to the parking lot, and infrastructure that needs to be secured to prevent pedestrian access involving the old filter building.

Mr. Puglisi said a lot of those issues are to be resolved in the future, noting we are handling the demolition of the building, the renovation of the site, recontouring and revegetation of the site. He said there is a draft trail alignment which has been agreed upon by those who want to see the Dale Ball trail extension, and talked about the issues involved, noting the alignment chosen is where the Dal Ball Trail comes down onto Cerro Gordo and passes by the City's land.

## 8. UTILITY BILLING DIVISION UPDATE. (DIANA CATANACH)

Diana Catanach, Director, Utility Billing Division, noting her Memo in the packet, said she has a small update to the Badger Meter project. She said they are a little over 20,000 meters exchanged at this point and there have been no incidents. She recognized the Badger team – Project Manager Wade Glanek, and Glen Lohman from [inaudible] utilities, T&D from the Water Division and our own Project Manager Kyle Sager. She said it has been a great team, commenting Mr. Glanek is phenomenal and is going above and beyond, and is on the ground to make sure everything is working properly.

Councilor Bushee said she has heard from some people, has read the article in *The New Mexican* and is a little mystified.... She asked how many are being translated as bad reads before and accurate reads now, saying people are concerned about their water bills.

Ms. Catanach said what happened is those readings are not from the new meters. The new meters are reading accurately and they have had no issues with those. This is the catch-up reads from the old meters if there was a stopped meter, or a Firefly and such. Once there are low reads or zero consumption and we exchange and get the final number, that's when it catches up. She said they are trying to catch those at the time of billing to make sure they do the adjustments or spreading it out. She said Mr. Schiavo has directed them to go back to a year at the same time and adjust the bills to that time frame.

Councilor Bushee asked if there is there a huge discrepancy between the former and current readings.

Ms. Catanach said there is for the out-read. The new meters come in at zero, so that's reading perfectly, and then they've got every month coming in well within normal ranges. The out-read for the old meter is when PMI pulls the meter, they take a picture of the dial so they have the last read. She said water is going through the meter, it's just that the Firefly wasn't sending the read, so it was an under-reading or no reading at all.

Councilor Bushee asked how many of those they have like that.

Ms. Catanach said over the last 2-3 months there have been maybe 1,000 calls and adjustments.

Councilor Bushee asked if people are happily accepting the higher reads.

Ms. Catanach said she believes 99% of the customers, once they've talked to them, have been satisfied, because they are going back to last year's consumption where it was reading normally, noting some of these go back as far as 18 months to get a correct reading.

Councilor Maestas said he has the same comments as Councilor Bushee. He is unsure of the extent of the problem. He said Ms. Catanach says in her memo that the meter replacement is getting ahead of the data entry of the exchange information into the Legacy system. He asked if it a matter of

additional resources, or should we pace the meter replacement to allow entry of information manually. He asked what happens to the bills that need to go out, and asked the status of that effort. He asked if we are about at 65% replacement.

Ms. Catanach said that is correct.

Councilor Maestas wants assurance things are stabilizing and we are on top of things.

Ms. Catanach said they are seeing the maximum amount of customers ever and the phone calls coming in. There is a delay in billing because of not being able to keep up the pace. They haven't added additional staff because the learning curve will be 2-3 months – by the time we got someone new trained, they would be at the end of the process. However, they have shifted staff and people have been moved from collections to billing to help who already know the system, so "we've got all hands on deck." She said people are working endless hours to get these completed. They have focused on making sure that accurate bills are going out. She said there are 500 to 1,000 that will be incorrect, which has nothing to do with the meter, but there is a read that didn't get in for whatever reason. She said they were hoping to have the new system in which would be compatible with this. She said they are working account by account to get this resolved. She said they are putting messages at the website and on the bills themselves. They have a message system for people calling in. She said for the most part, people are being patient.

Councilor Maestas said we are populating the Legacy system with information on the new meters. He asked, once all the meters are installed and we go live with the Advance Billing System – if the new billing system will be compatible with Legacy in terms of all the information from the new meters.

Ms. Catanach said when they go live, they will bring all current account information into the system, so anything in the old Legacy system will be moved over and it is compatible with the new billing system.

Councilor Ives asked the capacity to go on line live in December.

Ms. Catanach said it is not a functional system at this time, and there are still issues with the Solid Waste piece. She said they did parallel testing, and should have run 1,000 bills and only 600 came up. She said there are issues that aren't acceptable, so she isn't willing to sign off to go-live, until Advance can come back. She said they are in negotiations. She has no timeframe.

Councilor Ives said he would hope there is a timeframe by the next meeting. He said many folks are anxious to be able to go on line, and the sooner we can do that, the better. He is sure there will be an uptick in questions once people can go on line and look at their account and look at their usage.

Councilor Bushee said we had about 1,000 frozen meters during the great freeze, and asked for assurance we aren't headed into that when we get into the really cold winter, because the badgers are above ground. She said she had asked this question previously and didn't get a solid answer, so she wants that question answered.

Ms. Catanach said they have the foam wedges being installed under the lids to protect them from freezing. She said we have a Frozen Meter Plan, which is updated every year, so they are preparing for that.

Councilor Bushee said she would like to hear from the Badger representative. She said previously with the Firefly, whatever lid we had was not protecting everything from freezing, so we had backed-up frozen pipes and such.

Wade Glanek, Project Manager, Badger Meters, said most of the pits are 3-4 feet deep, and as long as they are that deep it is below the frost line and they won't freeze. He said when they are shallower and above the frost line, there can be freezing.

Councilor Bushee said it was after the Fireflies were installed, and there were a lot of frozen meters and it had nothing to do with the depth of the pit, everybody had the same pits, with new lids and meters.

Mr. Glanek said there are different frost lines at different elevations. He said there are freeze alarms with the product they are installing, so once the beacon system is up and running it will send an alert out saying these potentially will freeze and people can go out and take care of the situation. However, it requires that the beacon be installed.

Responding to Councilor Bushee, Mr. Glanek said he lives in Wisconsin and the Badgers work in Wisconsin. He said most of the meters there are inside the homes. However, in Chicago 60% of the meters are inside, 40% outside, but they have 4 feet pits and get the geothermal heat. They also put in foam mats, similar to what we're going here. So as long as you have deep pits and you put some sort of insulation above them it will be fine.

Councilor Bushee said we didn't expect the problems we've had and she doesn't want to see them anymore.

Mr. Glanek said they definitely can keep an eye on this, but there will be an advance freezing notice this time, and there won't be a mass failure and we find out all of a sudden that all these meters froze and pipes are bursting. It is something the City can monitor with the beacon.

## **CONSENT – ACTION CALENDAR DISCUSSION**

10. **NEW MEXICO STATE LEGISLATURE – 52<sup>ND</sup> LEGISLATURE – STATE OF NEW MEXICO – SECOND SESSION 2016.**
- a. **REQUEST FOR APPROVAL OF RESOLUTION NO. 2015- \_\_\_\_: A RESOLUTION ESTABLISHING CITY OF SANTA FE LEGISLATIVE PRIORITIES FOR CONSIDERATION BY THE NEW MEXICO STATE LEGISLATURE DURING THE 52<sup>ND</sup> LEGISLATURE – STATE OF NEW MEXICO – SECOND SESSION 2016 (MAYOR GONZALES). (OSCAR RODRIGUEZ)**
  - b. **REQUEST FOR APPROVAL OF RESOLUTION NO. 2015- \_\_\_\_: A RESOLUTION ESTABLISHING CITY OF SANTA FE LEGISLATIVE PRIORITIES, BY CITY COUNCIL DISTRICT, FOR CONSIDERATION BY THE NEW MEXICO STATE LEGISLATURE DURING THE 52<sup>ND</sup> LEGISLATURE – STATE OF NEW MEXICO – SECOND SESSION 2016 (COUNCILOR BUSHEE, COUNCILOR LINDELL, COUNCILOR MAESTAS, COUNCILOR IVES, DOMINGUEZ, RIVERA, TRUJILLO AND DIMAS). (OSCAR RODRIGUEZ)**

*Items 10(a) and 10(c) were combined for purposes of presentation, discussion, and were voted upon together.*

A proposed amendment to Item 10(a), submitted by the Finance Committee, is incorporated herewith to these minutes as Exhibit "3."

A sheet entitled ICIP with Lobbyist Input, updated December 2, 2015, with information from Finance Committee, submitted for the record by Mark Duran, City Lobbyist, is incorporated herewith to these minutes as Exhibit "4."

Councilor Bushee suggested we combine these items and deal with them together.

Chair Rivera noted there is a handout on the desks.

Councilor Bushee asked if they have had the Legislative breakfast and Chair Rivera said no.

Chair Rivera said the Lobbyist asked for 1 item, and the Finance Committee settled on the Airport Terminal Building Expansion Phase II as that one item.

Councilor Bushee asked Mr. Duran to speak to this.

Mark Duran, City Lobbyist, described the process that brought the Public Works Committee and then the Finance Committee, to choose that one item as its number one priority. He said he and Mr. Pino will continue to work with the Councilors to get them to choose their District priorities.



Councilor Bushee said in the Amended Finance Committee list that there is a total of \$3.5 million and \$1.5 of that is for the Airport Building Expansion.

Mr. Pino said the City is going for the Airport Building Expansion Phase II-A for \$1.5 million as the City-wide priority, but we still need District priorities from the Councilors.

Councilor Bushee said on the sheet on the desk [Exhibit "3"] it says funding is requested in the amount of \$3.5 million and asked where that goes.

Mr. Pino said he and Mr. Duran aren't familiar with the language she is speaking about, reiterating that the \$1.5 million for the Airport Expansion is the City-wide priority.

Councilor Bushee said she would like to squeeze-in Fiberoptics, commenting she thinks it is on equal footing with the Airport in terms of economic development, and asked if that can be 1-A.

Mr. Pino said, "If you go back and read the whole thing you were just asking about, it says to delete these lines, and substitute it with the other..."

Councilor Bushee asked how we can squeeze-in Fiberoptics.

Mr. Duran said the Airport Extension is the number one priority, the project we would ask all the Legislators to participate in. He said at Finance there was discussion about a second and third project if other money was available.

Councilor Bushee said everyone agreed that Fiberoptics is a good second choice.

Mr. Duran said if you do that, after we ask the Legislator for our number one priority for \$1.5 million, we then play a smaller ask game, and that's where he's looking at requests of \$75,000 and \$150,000.

Councilor Bushee said she presumes there is "plenty of money there for infrastructure needs." She asked if there is an effort to get New Mexico Water Authority loans, grants and such, commenting over the years, water was always our number one priority and "then all of a sudden it was like, oh, there's so much money."

Mr. Jones said the Water Division continues to move forward with efforts seeking various forms of funding from grants, loans and such, and staff is diligent in finding funding resources and how to best serve the customers of the City.

**MOTION:** Councilor Bushee moved, seconded by Councilor Ives, to approve Item 10(a) and 10(b), with the proposed amendment to 10(a).

**DISCUSSION:** Councilor Bushee said we asked staff to come up with the most important District needs, noting we have facility needs that are way beyond the ask.

Mr. Pino said Councilor Bushee's colleague has come up with her projects already which are the Ft. Marcy, Bicentennial Pool Improvements and the Carlos Ortega Teen Center improvements.

Councilor Bushee asked if staff has a sense that one is a priority over the other, and have we moved forward with Ft. Marcy.

Mr. Pino said we continue to move forward with Ft. Marcy, and there will be recommendations about teen resource centers, programming and such. That is when the need to do something with the Carlos Ortega Teen Center will rise to the top. He said, looking forward, making Carlos Ortega Teen Center a priority would be important, because it's going to be more than a teen center. If the proposal gets "any legs," it will be a resource center for teens.

Councilor Bushee said then you're saying that Ft. Marcy has sufficient funds to finish up.

Mr. Pino said all of the recreational facilities continually need help. He said there is still roof work to do at Ft. Marcy, as well as HVAC work.

Councilor Bushee said her hesitation in looking at shutting facilities, is if they become a priority and we get funding, she wants to know, although she won't be here for it, she wants to aim for the thing that is really needed and will be used.

Mr. Pino said then he would say the Carlos Ortega Teen Center improvements.

Councilor Bushee asked what the pool needs, noting when it was shut down, people complained.

Mr. Pino said it needs a lot of equipment and refurbishing and replacing top notch things.

Councilor Bushee said he can get back to her.

Councilor Ives said he is confused, like Councilor Bushee, because the amendment says, "*Funding is requested in the total amount of \$3,500,000*, and then we list one project for \$1.5 million.

Councilor Bushee said the amendment is to delete that language, and insert the language for \$1.5 million, commenting that the bolding of the language is confusing.

Councilor Ives asked Mr. Pino to say how the paragraph will read.

Mr. Pino said we're using last year's Resolution as a template, and what happened here is they didn't go far enough with deleting, because what will go in there now will be the language starting with "Project Airport Terminal Building..."

Mr. Pino said if you read through the Resolutions in the packet there is a lot of stuff from last year that is still in there.

Councilor Ives said when he sees "insert in lieu thereof," the language after that in quotations seems to include all of that and includes the \$3.5 million which was blank in the Resolution in the packet.

Mr. Pino said, "I assure you, it is one project for \$1.5 million."

Councilor Ives said we may want to amend that language.

Mr. Pino said we can just delete that language.

Councilor Maestas said Water and Wastewater are enterprises, are self-sufficient, with dedicated revenues to cover capital improvements, but the Stormwater system doesn't have a sufficient revenue stream to pay for capital improvements. He said he believes Stormwater projects are eligible for Water Trust Board funding, and he would urge the team and appropriate staff to give equal consideration to applying with the Water Trust Board for funding for underfunded systems such as Stormwater, to pay for capital improvements instead of Water project. He said, "I know with the surplus we're trying to ramp up our Capital Improvement Plan to help spend down the surplus."

Chair Rivera said initially, Mr. Duran asked for an additional two priorities, and asked it would be feasible to give him the leeway to say if you notice funding sources are available for projects Legislators want to fund within the City, that you just run with whatever is offered and take that funding. He said in the past we've approved projects and then we end up with funding that has nothing to do with anything we talked about and it was always something different. He thinks it makes sense to give Mr. Duran the authority to handle those situations as he sees fit, but doesn't want to put him in a situation where we will be questioning him as to the reason money was appropriated which we didn't request. He asked Mr. Duran what he thinks of that idea.

Mr. Duran said we've never had an instance where we had a number one priority and a project was funded in lieu of that number one priority. He said we have worked well with the Legislators, and they understand our number one priority. He said in some of the District priorities or individual wants of the Legislator that happened whether or not it matched a District priority. That's how we ended up with funds that didn't fall within our ICIP. He said the Governor has addressed that situation by saying she will veto anything that isn't included in the ICIP.

Mr. Duran said if the City were to provide projects, and the associated leeway with regard to those projects outside the number one priority, it allows him along the way to work with Legislators who don't like a priority or if they have other funding, as long as it is clear that the number one priority is the number one priority. It could get confusing if others lobby on top of what he is trying to do.

Chair Rivera said, then as long as it is on the ICIP list is okay.

Mr. Duran said we are still requesting they work with us on our number one priority, otherwise the whole ICIP is open to them also. He said we will then say we went through a long process to determine the City's number one priority and to please work with us on that number one priority.

Chair Rivera said our number one priority definitely is set in stone, but if a Legislator wanted to champion some fiberoptic funding, would Mr. Duran have the authority to say yes, we definitely will jump on board with that. He said, "That's what I'm trying to give you the authority to do and it sounds like it already happens. I was just trying to help you with that."

Mr. Pino said on page 2 of the Resolution, lines 5 through 9 is what this amendment sought to delete. He said what isn't in the Resolution is the language on the \$3.5 million and what this amendment intended to delete. He said the motion was to adopt the Resolution with this amendment. He said staff suggested a friendly amendment to delete that language.

**FRIENDLY AMENDMENT:** Councilor Ives would propose an amendment to delete the language in the amendment that doesn't belong as follows: ~~"Funding is requested in the total amount of \$3,500,000 for the following Citywide Streets, Parks, Public Safety and Facility Improvements as identified in the City's 2016-2020 ICIP."~~ **THE AMENDMENT WAS FRIENDLY TO THE MAKER AND SECOND, AND THERE WERE OBJECTIONS BY THE OTHER MEMBERS OF THE COMMITTEE.**

Councilor Maestas said a year ago there was a unilateral policy on the ICIP submittals for us to pick our top 5 and no other projects in the ICIP would be considered for funding if a request was made by a Legislator, and asked if that is still a policy. He has a possible project for his District which isn't on the ICIP list, and asked if it would be fruitless to pursue an amendment to the ICIP.

Mr. Pino said it is too late to amend the ICIP for this year, so that won't be allowed. He said the clerk who accepted our package insisted on the top 5, but the top 5 last year or any year is inconsequential because some of the projects funded came from way down the list. He said he doesn't think the fact we had to give them our top 5 priorities will hinder our ability to get funding no matter what number it is on the list.

Councilor Ives asked what is the process to add items to the CIP list.

Mr. Pino said Councilors can provide additional priorities, and staff can start adding them for next year.

Councilor Ives asked if we need to identify back-up priority, such as fiber optics. He is unclear on Mr. Duran's response to the Chair's question.

Mr. Duran said everything on the ICIP list is available for the Legislators. He will be encouraging the number one priority. He said if, outside the number one priority, you choose to say "all things being equal and no one pushing one way or another, and suddenly there's an amendment and an additional \$150,000, you decide not to push it for district priorities, here are 2-3 other priorities which are second, third and fourth, just for your information, I don't see how that can hurt."

Councilor Ives said he would like it noted that he just registered Fiberoptics.

Chair Rivera said Mr. Pino has requested the Councilors to submit our District priorities by Friday, so Councilor Bushee still has time to speak with Councilor Lindell about those priorities.

**VOTE:** The motion, with the proposed amendment as amended, was approved unanimously on a voice vote.

11. **REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO THE JOINT POWERS AGREEMENT (JPA) BETWEEN THE CITY OF SANTA FE AND SANTA FE COUNTY FOR THE BUCKMAN DIRECT DIVERSION PROJECT DATED MARCH 5, 2005, TO ALLOW FOR AN ALTERNATE CITIZEN MEMBER, TO REMOVE CERTAIN CONDITIONS RELATED TO THE CITIZEN MEMBER. (NANCY LONG). Committee Review: Buckman Direct Diversion Board – 11/05/15; Public Utilities Committee 12/02/15; Board of County Commissioners; and City Council -12/09/15.**

Councilor Bushee asked the reason for the proposed amendment, and what changed.

Marcus Martinez, Assistant City Attorney, said he believes Nancy Long can help to answer this questions. He said the proposal here is to have an alternate citizen member, because that member currently has no alternate.

Councilor Bushee asked the reason we would set up something with alternates for every member but the citizen member.

Nancy Long, Attorney, BDD Board, said, "The way the JPA is set up is that alternates are allowed for both City and County elected official members. There is a citizen member elected by the Board, as you know, but there was never an alternate citizen member. The Board has had only one citizen member since its inception, Consuelo "Consie" Bokum. And there has never been a problem with attendance, but in planning for the future, it has been an initiative that the Buckman Direct Diversion Board wanted to see implemented. Consie's term is up...."

Councilor Bushee asking if there is also a change to the term.

Ms. Long said, "No. The term will be the same. There was an additional provision that we deleted, and that was if the citizen member's term expired, after 60 days from the two-year term, and the Board had not reappointed a citizen member, then we had to go to the Chief Judge of the First Judicial District and have the Chief Judge appoint a member. That's how the JPA was written, and we actually had to use that process because the Board had not appointed a citizen member many years ago. So we got rid of that, and we just provide that the citizen member will continue to serve until the replacement is appointed."

Councilor Bushee said that answers her question and she will move for approval.

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

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

Councilor Bushee asked to be added as a cosponsor of Item #13, noting she didn't remove it for that purpose.

15. **REQUEST FOR APPROVAL OF AWARD TO HDR TO PROVIDE CONSULTANT SERVICES FOR THE PASEO REAL WASTEWATER TREATMENT PLANT ANAEROBIC DIGESTER FOR THE TOTAL AMOUNT OF \$782,588.29, INCLUSIVE OF NMGR. (BRYAN ROMERO)**  
a. **REQUEST FOR APPROVAL OF A BUDGET ADJUSTMENT REQUEST (BAR) TO INCREASE BUDGET IN THE AMOUNT OF \$782,588.29.**

**Committee Review: Public Utilities Committee 12/02/15; Finance Committee – 12/14/15; and City Council -01/13/16.**

Councilor Ives asked who is the project manager.

Bryan Romero, Engineering Supervisor, Wastewater Division, said it is Kathleen Garcia of the City. He said he would have been him, but he is retiring in January, commenting he has mentored her well and she will do a good job for the City.

Councilor Ives asked if this is for a second digester, or if this is for fixes to the existing digester.

Mr. Romero said this will be an additional digester which will be a mirror image of the existing digester so there will be two, with an equipment room and all the equipment needed to run a digester. He said they would look at the existing digesters for rehab and once on line they would go out to bid related to the other two digesters. So we would have the ability to treat the sludge.

Councilor Ives asked the anticipated cost of this project.

Mr. Romero said it will be a \$4 to \$4.5 million project, noting this request is just for the professional services to do the design at this point.

Councilor Ives said then design is about \$350,000 to \$400,000 which is about 10% of the total project cost and asked if that is a typical percentage for design work.

Mr. Romero said yes, noting as part of the RFP process, the City requires us to provide a cost. He said the competitor was \$800,000 and this was \$722,000 plus tax, and incorporates construction services oversight inspection which will be over 9 months. He said 10% is a pretty good estimate.

Councilor Ives noted the short timeframe, and asked if we can keep to the timeframe on page 21.

Mr. Romero said he thinks so, and HDR has done these kinds of projects previously. He said, regarding unforeseen conditions in the field, he tries to write the scope to incorporate that so you don't have as much chance for those issues, but there always are unforeseen things, although you hope there isn't. There is always a contingency plan for those unforeseen things.

Councilor Ives said as he recalls approximately 5 million gallons per day comes into the wastewater treatment plant.

Mr. Romero said it is 5.5 to 6 million. He said the sludge load has increased over time. He said as part of this project, he has requested an increase of 10% additional capacity of the digesters. He said the reason for the redundancy is that the sludge has to be treated to a certain standard all the time, so it's difficult to take any digester off line. This would give the City the ability in the future to be able to take a digester off line, clean, make sure everything is operationally correct. He said they want to make sure we do things and this redundancy does provide for that and allows for future growth.

Councilor Ives asked what will be the total capacity once the new unit is on line.

Mr. Romero said this digester will treat 65,000 gallons a day, and right now we're at 45,000, so that gives 10% plus when we redo the other two digesters.

Councilor Maestas congratulated Mr. Romero on his retirement.

Councilor Maestas said he has issues with the NPDES permit and meeting some of these standards. He asked if the construction of this digester is a compliance condition to meet the Class B sludge requirements.

Mr. Romero said the new digesters won't treat the sludge any better than the old ones, and there will still be a Class B sludge requirements per the CSF503. He said it isn't due to increased standards but to be able to treat the existing sludge while rehabilitating the existing digester.

Councilor Maestas asked if the final product is Class B sludge. He understands Class A is the best and if we produce Class A sludge we can give it away to farmers for fertilizer.

Mr. Romero said we do that already, noting there is a whole compost facility. He said the sludge goes to the compost facility from the watering facility and it is then composted. He said they currently are producing compost in Class A sludge which can be purchased by the public at the treatment plant in bulk sales, noting we have been very successful at that.

Councilor Maestas asked if this project will be consistent with any changes to our current Master Plan.

Mr. Romero said yes, and he has always foreseen this project as being part of that Master Plan, and has always been as part of the Financial Plan as part of the CIP projects, so this is nothing new. He thinks we need to this now, and the reason for the short time frame.

**MOTION:** Councilor Ives moved, seconded by Councilor Bushee to approve Item 15 and Item 15(a).

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

23. **THE WATER DIVISION REQUESTS THE CLOSURE OF THE DR. RICHARD ENGLE TENNIS COURTS LOCATED ON THE HOSPITAL WATER TANK AT 5 CALLE MEDICO 87505. (ERIC ULIBARRI). Committee Review: Public Utilities Committee 12/02/15; Finance Committee – 12/14/15; and City Council -01/13/16.**

Councilor Bushee said this has co-existed, even through Homeland Security, for the last 10 years, and asked why these courts have to go now. She said although they are Councilor Ives' constituents, they are calling her to make sure the Courts will be repaired. She said the individuals who use the courts are retirees in his District and love those tennis courts.

Eric Ulibarri said the Memo indicates a lot has changed since the courts were put there. He said we are required by the EPA and the Safe Drinking Water Act to get rid of the possible contaminants that could occur by having public access on our water sources.

Councilor Bushee asked if it ever has occurred.

Mr. Ulibarri said it could occur and if so it would be catastrophic.

Councilor Bushee said there needs to be a public announcement, and asked if there is a place nearby to move the tennis courts.

Mr. Ulibarri said they met with Parks.

Councilor Bushee said, "Hardly anybody uses them except for these individuals."

Mr. Ulibarri said he and Nick Schiavo have met with parks, noting we've been maintaining that area, so we will use some of those funds to update some of the other tennis courts in the general vicinity to mitigate this loss.

Councilor Bushee asked if they can put new tennis courts nearby. She said all of our tennis courts are occupied at certain times of the year, and these are special tennis courts.

Mr. Ulibarri said he will meet with the Parks Commission and this can be discussed further with the Commission and with Mr. Schiavo when he returns.



Councilor Bushee would like him to follow up and Mr. Ulibarri said he will do so.

Councilor Ives these are some of his concerns as well. He said there is a chart in the packet of City Parks, and removing those courts indicates a big gap in access to any sort of tennis courts. He would love to hear the plan to make amends as part of this.

Mr. Ulibarri asked, beyond funds used on nearby courts, if he is talking about adding new courts.

Councilor Ives said someone wouldn't complain too loudly if you are replacing existing courts with other courts, noting having more expanded park space would be an even better alternative. He noted there is a statement in the Memorandum that *'Past problems caused by the presence of tennis courts on the existing hospital tank in its design and says this problems included leakage from the tennis courts into the tank.'* He is struggling with how that is possible.

Mr. Ulibarri said there is access above the tanks via hatches for employees, and the water collects on the top of the court and can make its way into those hatches and into the tank. There also are hidden, but doesn't think contaminants could get into, so he is guessing the contamination is through the hatches.

Councilor Ives said he is having a hard time envisioning that type of leakage.

Mr. Ulibarri said it would have been off the surface, noting the hatches are at same level as the concrete slab, so it could happen.

Councilor Maestas said there is a blanket statement on page 3 of the Memorandum, that the threat of unauthorized entry to water storage facilities is a risk across the City. He said our response is to hire a Security Service and do more active security in patrolling. He asked if we have a plan to further secure our water and wastewater infrastructure with both active and passive security measures, and asked why we wouldn't do that here such as fencing to augment patrolling.

Mr. Ulibarri said he met with the public on numerous occasions regarding this tank, and the local residents want the fence gone, and want it landscaped. He said they will be covering the top of the tank and possibly have native grasses and such, and it will be scenic and more pleasing esthetically to the neighborhoods. He said they are installing the fence at the Filter Plant, which is one way they we will be augment security patrols.

Councilor Maestas asked if there are other water structures that are vulnerable.

Mr. Ulibarri said he will check but he doesn't believe so. He said most are above ground and a lot are large steel tanks and not accessible to people and they are fenced in, as well as patrolled.

Mr. Puglisi said they are putting in cameras at all facilities. *[His remarks are inaudible because he was speaking away from the microphone]*. He said they will be actively monitoring all sites with cameras, and one of the CIP projects on the list for 2016 is to increase security at all water facilities. We are

required to security for all sources and facilities. He said the thing about the hospital tank is we were inviting people in, while all our other tanks are fenced off. He said huge fences, double fences and security, but people had access to the hospital tank and the tennis courts on a daily basis. And the old fence out there was small enough that, even at night, people could easily get over. He said he has been in the hospital visiting people, and he's seen graffiti written daily on the tank. He said no matter how many times we increase patrols, the only way to never have vandalism or graffiti was to put somebody out there 24 hours a day. He said they have curbed some of it by putting a different paint on the tank that can be washed and increasing the size of the fence which helped a lot. He said they want to put security cameras at all facilities including the dams, the new towers and the Canyon Road Treatment Plant, City wells and any other facilities, which is a huge and expensive project they propose through CIP to implement over the next 3 years.

Shannon Jones said more vulnerability assessments are being done, and the Water Division constantly is looking at ways to improve security. It's not something that we implement, it's done, we put it on the shelf. He said it's on-going. He said staff is very passionate about the location of the tennis court and they are working with Parks and are open to suggestions. However, from the water aspect, staff sees this as the correct move and the reason they're requesting this approval.

Councilor Bushee said she doesn't think grass is the best idea. She said when we first redid what is now the dog park and put sod on top of an old landfill, methane gas came bubbling up, commenting that isn't the same situation. She asked, "Why would you do anything you have to water."

Mr. Ulibarri said they are looking at a temporary watering system just to get the native grasses started, and at that point they would take over on their own and they would decommission the watering system. He said covering the tank with soil will create a more durable surface for the concrete and protects the concrete from shrinking and cracking, and we will get more life from the tank by covering it partially with soil. The hatches will be two feet above the level of soil surface, so it's not an issue of contamination.

Councilor Bushee said she would reinforce the concerns of her colleague from District 2, commenting she wondered how long it could fly under the radar – having a tennis court on top of the water tank. She used to get calls about keeping the tennis courts there. She said it seems hardly anyone knows there is a water tank over there.

**MOTION:** Councilor Ives moved, seconded by Councilor Maestas, to approve this request, with direction to staff to explore alternate placement or replacement of the existing amenities in some proximate location.

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

## **DISCUSSION AND ACTION**

24. **REQUEST FOR APPROVAL OF A MEMORANDUM OF UNDERSTANDING – CITY SEWER SERVICE FOR THE SENIOR CAMPUS PROPERTY AT CAJA DEL RIO UNDER THE TERMS OF THE 2008 SETTLEMENT AGREEMENT AND AFCC 22.6.2; SANTA FE COUNTY. (STAN HOLLAND) Committee Review: Public Utilities Committee 12/02/15; Finance Committee 12/14/15; and City Council 01/13/16.**

Mr. Holland presented information from his Memorandum of November 16, 2015, with attachments, to the Public Utilities Committee/Finance Committee/City Council, in this matter. Please see this Memorandum for specifics of this presentation.

*The Committee commented and asked questions as follows:*

- Councilor Bushee said she thinks it's a good project, and asked if there is any potential in terms of commercial rooftop/parking lot water harvesting, commenting it's out of our purview and it is just a friendly question.

Jennifer Jenkins, JenkinsGavin, said the County requires them to have water collection cisterns for all water coming off the roofs of these facilities, noting it will be connected with the irrigation system.

- Councilor Ives noted language on page 2 of the MOU, paragraph 6, says, *"The WWRT met to review the application. The members determined the application was complete and the application met the requirements of SFCC Section 22-6.2."* He is not totally clear on what those are, noting Paragraph 4 on the prior page refers to Recital #1 above, which talks about the City shall provide water, etc., and shall not provide water and wastewater service outside the presumptive City limits unless required by a current contract with a customer, which he presumes is not the case here.

Mr. Holland said that is correct, it is not the case here.

- Councilor Ives continued, *Or applicable rulings of decrees of the Court*, which he presumes had nothing to do with this particular case, and continues *Or applicable rulings of the PRC*, which he presumes had no application here. So the only one left is *Otherwise agreed upon between the City and the County in a separate written agreement*. He wonders how those conditions were met before an agreement was even executed. He said, "I'm nit-picking some of the language here, I suppose."

Mr. Holland said he doesn't understand Councilor Ives' question.

- Councilor Ives said for it to meet those requirements, there has to be a signed agreement, but in Recital 6 it says that the application has met the requirements of Section 22-6.2.

Mr. Holland said that is City Code. He said there is the Settlement Agreement which basically states the City shall provide water and sewer service inside the City limits and the County shall do the same thing inside the County. And the only way anything can be done to make something different than that happen, requires an agreement between the City and the County. He said as a response to that, after the Settlement Agreement, the City Water and Wastewater Divisions had to adopt the new City Code to deal with the requirements to deal with providing water or sewer service outside of the City limits. "So that's where we're saying, under our Code, we set up the process and part of that was what was called the Water Wastewater Review Team. We're set up to look at the project, determine its feasibility, get all the information about we need, and then if we determine it has basically met the conditions to go forward, we'll bring it forward for a recommendation for approval of an MOU as required under the Settlement Agreement."

- Councilor Ives would add language at the end of Section 6 that says, "*subject to the approval of this agreement,*" which he thinks would solve the problem. He said the recitals had created a circular argument.
- Councilor Ives said it provides that the *County shall pay the Utility Expansion Charge*, and in Section 6, it says, *The County agrees to pay to the City the sum of the City's monthly service fees under SFCC Section 22-7 as amended from time to time, etc., etc.* He said we are all aware we've had challenges with water being provided by the City to the County and questions about payment. He asked if we are clear under this language what amounts we are able to charge and if the County is clear on what amounts it will be required to pay. He doesn't want to get into another 2-3 year discussion about whether or not a water bill is *bona fide* or should be paid. Some of that begs the question is it is worthwhile to indicate those current rates in here so there is no possible confusion.

Shannon Jones said in Chapter 22, those rates are laid out and it is very specific on the monthly service charge is and what the usage charge is. He said, "So as it refers back to that, as the Governing Body amends that from time to time, this MOU will always point back to that Chapter."

- Councilor Ives would like to ask the County Water Director if all that is clear, because he wants to save the City and County another 3 years of back and forth on what amounts of water might be due under a particular agreement between the parties. He asked if Sections 5 and 6 on page 2 of the MOU, dealing with utility expansion charge and service fees, sufficiently refer to other portions of the City Code such that the rates the County will be required to pay for water are express and clear.

Claudia Borchert, Director, County Water Division, said, "Yes. I believe they are clear," noting she and working on a bill.

- Councilor Ives asked when they having these questions settled, commenting he would like to approve this knowing there is fundamental agreement that "you have corresponded about so we don't get into discussions about moneys owed or not."

Mr. Jones said he thinks these are two different issues. He thinks the MOU is clear on the rate structure and points back to the chapter, and he hears Ms. Borchert saying she is clear and we understand that rate structures. He there are other problems and challenges that are due to the transition into new systems. He said this calls out identifying that Santa Fe County is the City customer and not the senior campus. At that point the Santa Fe County is the City's customer, and he also believes that is the intent of what that is outlining.

- Councilor Ives said that certainly was clear to him in the agreement.

Ms. Borchert said the point she and Mr. Jones have been discussing is when you have zero reads or real reads. This is really the issue being discussed, noting it is just a small detail they're working on.

- Councilor Maestas understands the main action is connecting to our wastewater system. He said in the letter on page 17 of the packet in paragraph 2, there is a statement regarding adequate water pressure for fire suppression. He is a little concerned that there are multiple fire hydrants planned for the stubbed-out proposed 8 inch water line, but thinks we're implying that if you want water pressure for fire suppression, you can use only one fire hydrant. He is concerned about the purview of the Water/Wastewater Team. He realizes the focus is the connection to the wastewater system. However, it seems we do have a fire flow analysis. He asked if consideration has been given to addressing the issue, and perhaps looping the 8 inch line to ensure there is adequate water pressure for fire suppression.

Mr. Holland said he can't speak for the Water Division, but at the time the letter was submitted, the Applicant had to prepare documents for the Water Division to do an analysis, so he knows a letter was issued based on that. He said he has to go by what was said in the letter at the time, commenting they restricted the fire flow, but under those conditions it sounded like there were no further improvements required to the City's system to supply the County's system out there.

- Councilor Maestas asked the reason we would do an analysis on fire flow to ensure there is adequate water pressure for fire suppression, if we have no leverage. He read the second paragraph of the letter into the record [packet page 17] as follows: *There are several fire hydrants shown on a dead end 8 inch line in the proposed development. These hydrants would not provide more than 1,500 gpm combined flow as reviewed by the City of Santa Fe Water Division criteria.* He asked what to make of this. Are we to disregard it. He said it says it's acceptable, and asked what action is required.

Mr. Jones said the intent of the letter was a professional courtesy. He said the letter says the City finds no issue with their system, and even though they did the review, they point it out as a professional courtesy. As the development goes through, it will have to meet all Codes. And if it was inside the limits, the Water Division would be making recommendations, such as looping, and

the Fire Department would be involved in testing the fire flows. He said, "We are making the assumption that the Santa Fe County Fire Department will be involved through that development, but I think the statements that the professionals made was just a courtesy to mention that."

- Councilor Maestas asked if this would meet the County's minimum water pressure for fire suppression, because the joint team is comprised of City and County Staff.

Mr. Jones said we're not approving the actual design, it is conceptual approval saying this is feasible and can the development stay there, are there utilities that can allow this to exist. Once the developer gets that approval saying it is feasible, then they will take that forward and continue the design, which may include recommendations from the Santa Fe County infrastructure managers to loop lines, maybe install additional fire hydrants.

- Councilor Maestas said then this is an advisory that will be addressed when development comes forward.

Mr. Jones said, "Because Santa Fe County is also a professional utility operator, they would have those recommendations. Santa Fe County Fire Department has the same industry standards, and we would expect they would have that in place."

- Councilor Ives, referring to page 30, asked if the City own the lots adjoining this property.

Mr. Holland said not that he's aware of, and asked Ms. Jenkins if she knows.

Jennifer Jenkins said the MRC is just a little further north up the road, but the City does not own any properties that are directly adjacent. The MRC is the closest City property.

- Councilor Ives said only the independent senior housing is categorized as residential and the other 3 properties are commercial because those will be operated facilities.

Ms. Jenkins said yes, commenting they are considered institutional style facilities, commercial facilities, and the independent living is more of a traditional residential program.

- Chair Rivera asked if the master meter is installed, and how will this work.

Ms. Jenkins said the facility will be a County water customer, and there is an existing County water line in Caja del Rio, so they will be metering the project traditionally and will be County water customers, so there will not be a need for a master meter. She said, "We are very traditional in the way the water service is being handled."

- Chair Rivera said he assumes the County gets most of its water from the BDD, or all of its water.

Ms. Borchert the County gets much of the water from the BDD, except when the BDD is down, at which point they will rely on backup water and water from the Water Resources Agreement, the wholesale water.

- Chair Rivera asked if that would be metered as well.

Ms. Borchert said all of the water is metered.

- Chair Rivera asked if the City reviews the plans and approves them with regard to infrastructure as it's going to Wastewater.

Mr. Holland said, "Yes, we would take a look at the plan sets. It's been our policy, depending on what is built within the County territory, our review on that is we still take a look, want to know what's there, but we're not officially approving their design, but we do take a look at what is constructed in the County. Some of the lines out there can be private, some County-owned, and they have their own standards too. But we do pay more attention to anything once it crosses the City/County line and comes into the City limits, that is where more attention is paid. In fact, in this particular application we had said we wanted it clearly understood that any portion of the line within the City limits, if we feel like it would be a benefit to the City as something we wanted to take over that we have that option to take a look at that. We do an overview, for sure, of anything they build out there. Because, again they are our customer and if something goes wrong, we have to respond if they're not able to respond."

- Chair Rivera asked how we deal with that situation, and what authority do we have to do so.

Mr. Holland said we still have the authority, before they are authorized to discharge to us, and actually make that connection to our system. He said if it was of that much concern, he would certainly pass it to his director and go to others and say we have a problem here. He said, "So I think we have the means in place to stop something like that."

- Councilor Ives noted on that point, Section 8 of the Agreement talks about pre-treatment requirements, suggesting that the City will issue a permit, an Industrial Wastewater Discharge Permit, although it does indicate that the conditions and requirements must be met by the Senior Campus, presumably somebody with which we will not have privity.

Mr. Martinez said, "I think the Councilor raises a good point. I think the question is basically is how are we going to know if all conditions and requirements have been met by the Senior Campus, or any other occupant of this property, if we don't have a contract or a similar agreement with the Senior Campus. They basically are customers, as everyone has said many times, of the County, and the County is our customer. I guess I would look to these gentlemen as to how we make sure that such permit conditions are being met currently. I don't know that process."

- Councilor Ives said you may or may not have an answer, but "I would certainly be happy giving direction to answer that question as it comes forward for final review, unless you know the answer now."

Mr. Jones said, "The Industrial Pre-Treatment Program actually falls under another jurisdiction through the EPA, and our employees are licensed to oversee that, so it would not be Santa Fe County that would be issued an NPDES permit. It would be issued a permit which also would require monitoring, sampling and associated fees if it were to come into that. So in the event... the language and intent in the MOU... the language is saying that the City does reserve the right, if we deem necessary to implement a permit onto the Senior Campus Center that we're able to do that. And it's under the jurisdiction of the EPA and our Pre-Treatment Ordinance on how we deal with those customers."

- Councilor Ives said he would ask City Legal to review that language to make sure it's sufficient so it can be enforced.

Mr. Martinez said, "I will do that, but it sounds like the relationship we would have with the Senior Campus Center would be one of a permitting agency and a permittee."

- Responding to Councilor Bushee, Ms. Jenkins said, "Under the County, the County is looking to develop their new Land Development Code actually next week, and they do have more of a formal ENN style process that is laid out in the Code that doesn't exist now, and under certain conditions for certain types of projects, neighborhood notification can be required. Caja del Rio is kind of interesting. There's the MRC, there's Marty Sanchez, the State Archaeology Building and the Animal Shelter...."

- Councilor Bushee said people are concerned about our landfill because of the growing development in the area.

Ms. Jenkins said so there is that process and we will be moving forward with our development under the new County Code, and so we will have to comply with those requirements.

- Chair Rivera said it is important for residents to know, as it goes forward, that we have a softball tournament during Fiestas that goes for 24 hours and probably will be 48 hours at some point. He said we already received complaints from the neighbors out there about lights, noise and other things.
- Councilor Bushee said just so they don't set off fireworks near the dogs again.

**MOTION:** Councilor Ives moved, seconded by Councilor Maestas, to approve this request, with an amendment to Section 6, at the end of the second sentence to add, *subject to approval of this Agreement*, and to ask staff to review of Paragraph 8 by staff to be sure it can be enforced.



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

**MATTERS FROM THE PUBLIC**

There were no matters from the public.

**MATTERS FROM THE CITY ATTORNEY**

There were no matters from the City Attorney.

**ITEMS FROM STAFF**

There were no items from staff.

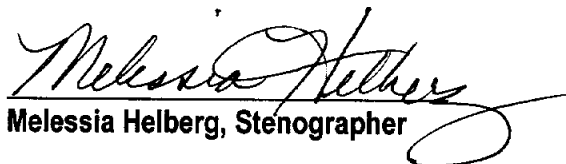
**MATTERS FROM THE COMMITTEE**

There were no matters from the Committee.

**NEXT MEETING: WEDNESDAY, JANUARY 6, 2016.**

**ADJOURN**

There was no further business to come before the Committee, and the meeting was adjourned at approximately 7:20 p.m.

  
Melessia Helberg, Stenographer

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Christopher M. Rivera, Chair

## **McClure Reservoir Filled as Intake Tower Project Completed**

### **For Immediate Release**

December 2, 2015

Contacts: Alex Puglisi, Source of Supply Manager, (505) 955-4232, [aapuglisi@santafenm.gov](mailto:aapuglisi@santafenm.gov)  
Robert Jorgenson; Project Engineer, (505) 955-4265, [rnjorgensen@santafenm.gov](mailto:rnjorgensen@santafenm.gov)

**Santa Fe, NM**

### **Completion of Intake Tower Project Allows City to Fill McClure Reservoir**

The City of Santa Fe Water Division (Water Division) has announced that construction of the new intake tower at McClure is substantially complete and it has officially begun to store water in the reservoir. The McClure Dam outlet conduit was plugged on November 21, 2015 and the City closed the emergency drain valve, which was releasing water to the McClure Dam outlet, on December 1, 2015, after receiving Office of State Engineer approval to store water. Closure of the lowermost "emergency" valve on the tower was performed on December 01, 2015. Division officials expect the filling of the reservoir to get off to a great start due to sustained watershed runoff resulting from recent Fall rains and early significant accumulations of snow in the watershed. Santa Fe River flows are still around 2.6 million gallons per day (MGD), despite recent reductions in watershed yield due to lower daytime and nighttime temperatures over the past few days, according to Alex Puglisi, Source of Supply Manager for the City. While reconstruction work was being finalized at McClure, Nichols Reservoir levels have been brought to 87% since October utilizing increased runoff from the late summer rains and early snowmelt. Additionally, there are still accumulations of snow up to 25.0 inches in the uppermost reaches of the watershed with a snow-water equivalency of 6.4 inches.

The Water Division's - Source of Supply Section will manage reservoir levels and releases of surface water out of McClure Reservoir in the future in order to meet Office of State Engineer (OSE), Dam Safety Bureau requirements governing the refilling of reservoirs. These requirements mandate the refilling of reservoirs at acceptable rates in consideration of possible detrimental impacts on dam integrity and safety if reservoir levels are raised too quickly. The Division will be expected to keep reservoir level increases to approximately one foot per day throughout the filling process. One foot in the reservoir level increase at McClure does not equate to huge quantities of water during the early stages of the refilling process when the increases in depth occurs over a small surface area of the reservoir. However, future one foot increases in the reservoir's depth across its entire surface area may require up to 38 MGD. Accordingly, the Water Division has prepared a "fill plan" in accordance with these considerations, which has been accepted by the Dam Safety Bureau. The OSE has granted all necessary permissions for the refilling of the reservoir under the plan and all applicable conditions for the monitoring of dam integrity during the refilling process. It has advised the City that compliance with these conditions will be enforced by the OSE.

McClure Dam was drained in November 2014 in order to replace the intake tower as part of the City of Santa Fe Water Division Capital Improvements Program (Project # 3038). A new inclined intake structure replaced the existing vertical intake tower which was originally constructed in the 1920's, and raised in the 1940's. Construction on the intake structure was done by RMCI, Inc. who also replaced the Nichols Dam intake tower in 2014. The construction cost to replace intake structures was \$6.1 million for both McClure and Nichols dams.

*Exhibit "1"*



More information can be found at

[:http://www.santafenm.gov/daily\\_water\\_production\\_reports](http://www.santafenm.gov/daily_water_production_reports)

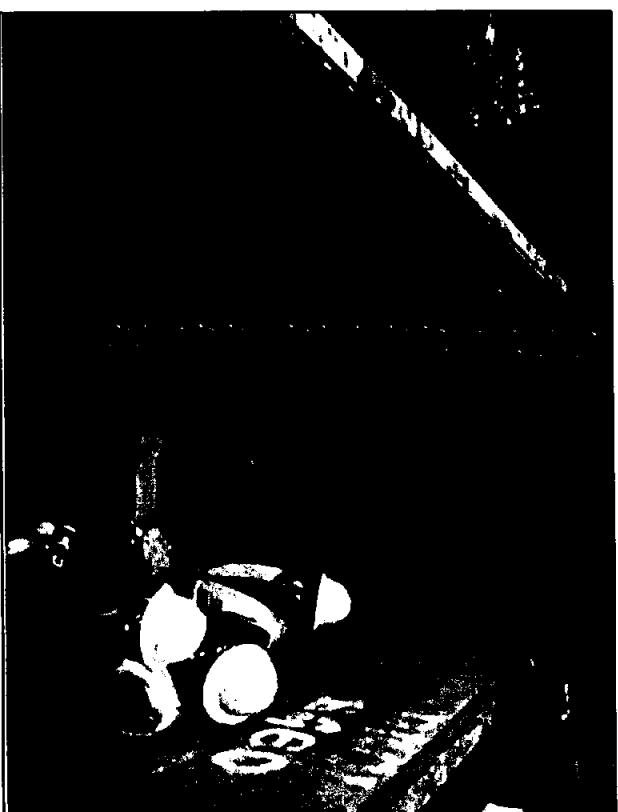
## McClure Dam Plugging and Filling



Pump set up to divert Santa Fe River 11/20/2015



Equipment removal work as dam begins to fill 11/21/2015



Plug set 011/21/2015



Filling of McClure above dead pool begins 12/01/2105

exhibit "2"

# McClure Dam Plugging and Filling



**CITY OF SANTA FE, NEW MEXICO**  
**PROPOSED AMENDMENT(S) TO RESOLUTION NO. 2015-\_\_**  
**Legislative Priorities (2016)**

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**Mayor and Members of the City Council:**

**We propose the following amendment(s) to Resolution No. 2015-\_\_:**

1. On page 2, *delete* lines 5-25 and on page 3, *delete* lines 1-9 and *insert* in lieu thereof:  
"NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SANTA FE that the Governing Body hereby establishes the following legislative funding priorities for consideration by the New Mexico Legislature, during the 2016 Legislative Session. Funding is requested, in the total amount of \$3,500,000 for the following Citywide Streets, Parks, Public Safety and Facility Improvements, as identified in the City's 2016-2020 ICIP:

1. Project: Airport Terminal Building Expansion Phase IIA  
Amount Requested: \$1,500,000  
Project Description: Continued expansion and improvement of the airport terminal building at the Santa Fe Municipal Airport.

Respectfully submitted,

\_\_\_\_\_  
Finance Committee

ADOPTED: \_\_\_\_\_

NOT ADOPTED: \_\_\_\_\_

DATE: \_\_\_\_\_

\_\_\_\_\_  
Yolanda Y. Vigil, City Clerk

*Exhibit "3"*

## ICIP with Lobbyist Input

Updated - December 2, 2015, with information from Finance Committee

ICIP		Description	Lobbyist Comments	Current Funded	2016 Requested
Project Ranking					
2	Fiber Optics	Fiber optics and connectivity - a good sell		\$1,400,000	\$500,000
3	Facilities Citywide	"Citywide" connotation is positive		\$0	\$1,000,000
19	Public Safety Improvements	"Public Safety" connotation is positive		\$0	\$1,000,000
20	La Farge Library New Building	"La Farge Library" - already funded in GO Bond		\$0	\$1,250,000
30	Airport Terminal Building Expansion Phase II	Need to phase but very good economic development connotation		\$890,000	\$3,000,000
31	Downtown Bridge Improvements	Decent "infrastructure" connotation		\$0	\$1,500,000
35	Bus Replacement Purchase			\$3,500,000	\$1,250,000
44	Main Library	Same as comment for La Farge - already funded in GO Bond		\$0	\$980,000
55	Public Safety Radio System Upgrade	Positive "public safety" connotation		\$0	\$1,250,000
65	Airport Parking Lot Expansion	Need to phase but "good economic development" sell		\$0	\$2,000,000
66	ARFF Truck - Airport	"Good economic development" sell		\$0	\$1,000,000

### Finance Committee Recommended Priority

1	Airport Terminal Building Expansion Phase II
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Exhibit "4"