



Agenda

**PUBLIC UTILITIES COMMITTEE
MEETING
CITY COUNCIL CHAMBERS
WEDNESDAY, JULY 16, 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 JUNE 18, 2008 PUBLIC UTILITIES COMMITTEE MEETING
6. MATTERS FROM THE COMMITTEE

Outstanding Matters:

- a. Recommended ordinance changes to address a revised policy concerning the use of septic tanks by homes adjacent to sewer lines within the City limits. (Costy Kassisieh, Marcos Martinez, Jeanne Price and Robert Gallegos). **To be presented at the September 3, 2008 PUC meeting.**
- b. Water Rate Increase. (Gary Martinez)
- c. 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 Wurzburger and Councilor Ortiz) **To be presented at 7/8/08 Water Conservation Committee,**

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**7/17/08 Planning Commission, 7/28/08 Public
Work/CIP & Land Use Committee, 8/6/08 Public
Utilities Committee, 8/18/08 Finance Committee,
8/25/08 City Council for Request to Publish and
9/24/08 City Council for Public Hearing and Final
Approval.**

INFORMATIONAL ITEMS

7. Update on Current Water Supply Status. (Victor Archuleta)
8. Update on Solid Waste Division. (Bill De Grande)
9. Status Report on Santa Fe River Fund. (Rachel Friedman)
10. CH2M HILL/Western Summit JV June 2008 Progress Report for the Buckman Direct Diversion Project. (Rick Carpenter)
11. Update on Construction Materials Cost Escalation for Buckman Direct Diversion Project. (Rick Carpenter)
12. Progress Report on Rio Grande Cutthroat Trout Spawning Project in the Upper Santa Fe Watershed. (Alan Hook)
13. Update on Buckman Well 10-13 Monitoring Program. (Claudia Borchert)

CONSENT AGENDA

14. Request for Approval of Award of RFP # 08/31/P to URS for the McClure and Nichols Dam Emergency Action Plan and Operation and Maintenance Manuals Contract for the Total Amount of \$92,685.93 Inclusive of NMGR.T. (Michael Gonzales)
 15. Request for Approval of Award of Bid No. 08/34/B to Trucks West, Inc. for the Purchase of One (1) 31 cubic-yard High Compaction Automated Side Load Refuse Truck for the Total Amount of \$209,080.63. (Bill de Grande)
 16. Request for Approval of Amendment No. 1 to the Project Management and Fiscal Services Agreement (PMFSA) for the Buckman Direct Diversion Project to Increase Project Manager Administrative Approval to \$30,000. (Nancy Long and Marcos Martinez)
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EXECUTIVE SESSION/POSSIBLE OPEN SESSION:

Reclassifications Within the Solid Waste Division

End of Executive Session

DISCUSSION ITEMS

17. Request for Approval of Bill No. 2008-_____. An Ordinance Creating a New Section 14-6.2(F) SFCC 1987 Establishing Requirements Regarding Electric Facilities and Making Such Other Changes as are Necessary. (Nick Schiavo) (Councilor Chavez)
18. Request for Approval of Resolution No. 2008-_____. A Resolution Adopting the Electric Facilities Plan as an Amendment to the City of Santa Fe General Plan. (Nick Schiavo) (Councilor Chavez)
19. Request for Approval of Resolution No. 2008-_____. A Resolution Adopting a Fee Schedule for the Review of Applications for Electric Facilities. (Nick Schiavo) (Councilor Chavez)

MATTER FROM THE PUBLIC

MATTERS FROM THE CITY ATTORNEY

MATTERS FROM STAFF

NEXT MEETING: WEDNESDAY, AUGUST 6, 2008

ADJOURN

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**MINUTES OF THE
CITY OF SANTA FE
PUBLIC UTILITIES COMMITTEE
Wednesday, July 16, 2008**

1. CALL TO ORDER

A meeting of the Public Utilities Committee was called to order by Councilor Matthew Ortiz, Acting Chair, at approximately 5:15 p.m., on July 16, 2008, in the Council Chambers, City Hall, Santa Fe, New Mexico.

Councilor Ortiz said Councilor Wurzbarger is ill and won't be attending this evening, and she has asked him to chair the meeting.

2. ROLL CALL

MEMBERS PRESENT:

Councilor Christopher Calvert
Councilor Matthew E. Ortiz
Councilor Rosemary Romero
Councilor Ronald S. Trujillo

MEMBERS EXCUSED:

Councilor Rebecca Wurzbarger, Chair

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 Ortiz said he spoke with Mr. Schiavo and Items #17, #18 and #19 are being pulled from the agenda to be heard at the next meeting.

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

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

CONSENT CALENDAR

- 14. REQUEST FOR APPROVAL OF AWARD OF RFP #08/31/P TO URS FOR THE McCLURE AND NICHOLS DAM EMERGENCY ACTION PLAN AND OPERATION AND MAINTENANCE MANUALS CONTRACT FOR THE TOTAL AMOUNT OF \$92,685.93 INCLUSIVE OF NMGR. (MICHAEL GONZALES)**
 - 15. REQUEST FOR APPROVAL OF AWARD OF BID NO. #08/34/B TO TRUCKS WEST, INC., FOR THE PURCHASE OF ONE (1) 31 CUBIC YARD HIGH COMPACTION AUTOMATED SIDE LOAD REFUSE TRUCK FOR THE TOTAL AMOUNT OF \$209,080.63 (BILL DeGRANDE)**
 - 16. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO THE PROJECT MANAGEMENT AND FISCAL SERVICES AGREEMENT (PMFSA) FOR THE BUCKMAN DIRECT DIVERSION PROJECT TO INCREASE PROJECT MANAGER ADMINISTRATIVE APPROVAL TO \$30,000. (NANCY LONG AND MARCOS MARTINEZ)**
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- 5. APPROVAL OF MINUTES FOR THE JUNE 18, 2008, PUBLIC UTILITIES COMMITTEE MEETING.**

MOTION: Councilor Calvert moved, seconded by Councilor Romero, to approve the minutes of the meeting of June 18, 2008, as submitted.

VOTE: The motion was approved on a voice vote, with Councilors Romero and Calvert voting for the motion and Councilor Trujillo abstaining because he was absent. Since there was less than the majority of votes needed to approve the minutes, Acting Chair Ortiz voted in favor of the motion and the motion was approved.

6. MATTERS FROM THE COMMITTEE

Councilor Ortiz asked the Committee what it would like to do on Item #6, saying the Committee could take Committee notice of these items, or we could hear discussion.

Councilor Calvert noted Item 6(a) will be presented to the Committee on September 3, 2008.

Responding to Councilor Ortiz, Ms. Lopez said these items were placed on the Agenda so when an item comes up, you know where it is in the process.

Councilor Ortiz asked if there are questions of the Committee on either the process or informational questions on Items 6(a), (b) or (c).

Councilor Romero said it would seem that we would hear them all at the next PUC meeting as a package, so her sense is to save them until that time.

Councilor Calvert said Item 6(c) was heard at the Water Conservation meeting, but they ran out of time before they finished the discussion, so it will be on the agenda at the next Committee meeting for further comment and recommendation.

OUTSTANDING MATTERS:

- a. **RECOMMENDED ORDINANCE CHANGES TO ADDRESS A REVISED POLICY CONCERNING THE USE OF SEPTIC TANKS BY HOMES ADJACENT TO SEWER LINES WITHIN THE CITY LIMITS. (COSTY KASSISIEH, MARCOS MARTINEZ, JEANNE PRICE AND ROBERT GALLEGOS). To be presented at the September 3, 2008 PUC meeting.**
- b. **WATER RATE INCREASE (GARY MARTINEZ)**
- c. **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 (COUNCILOR WURZBURGER AND COUNCILOR ORTIZ). (DALE LYONS) To be presented at 7/08/08 Water Conservation Committee; 7/17/08 Planning Commission; 7/28/08 Public Works/CIP & Land Use Committee; 8/18/08 Finance Committee; 08/25/08 City Council for Request to Publish; and 9/24/08 City Council for Public Hearing and Final Approval.**

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. UPDATE ON SOLID WASTE DIVISION. (BILL DeGRANDE)

Mr. DeGrande presented information from his Memorandum in the Committee packet.

Councilor Romero commented that she had no calls about the City's decision not to provide free garbage bags, although one person did say it really made her grumpy. She asked Mr. DeGrande if he received calls about that.

Mr. DeGrande said they were buried with telephone calls the first week after the decision was announced, but it has now tapered to almost nothing. He said the public has accepted it, commenting that it makes sense to him.

9. STATUS REPORT ON SANTA FE RIVER FUND. (RACHEL FRIEDMAN).

Ms. Friedman presented information from her Memorandum of July 8, 2008, which is in the packet.

Responding to Councilor Ortiz, Ms. Friedman said with the City match of the \$40,000 currently in the fund, they will be able to purchase the 3.9 afy which have been offered for sale. She said the 3.9 afy is being reviewed by the hydrologist to determine if they are transferrable.

Councilor Ortiz asked if this transfer is successful, how much water will 3.9 afy get us for how long.

Ms. Friedman said it will get us about two days of water, but it varies depending on when the two days fall.

Councilor Ortiz said if we get it by Fiestas and we have the same kind of wet weather, where will the water go.

Ms. Friedman said she believes it is getting all the way to the treatment plant by now, but she hasn't confirmed that. She said this is just a start, and the more we get, the wetter the river stays, and the further the water goes.

Councilor Calvert said he saw an email about leasing some water as well.

Ms. Friedman said this is correct, and that is available to the River Fund – we can use the funds to purchase or lease water rights. She has been discussing the option of leasing with the acequia associations, so they haven't made any motions yet. She is working with New Mexico Legal and the Acequia Association, noting she spoke with a few of the acequias, but they haven't moved forward and are still working on some legal issues.

Councilor Ortiz said the only acequia association he knows about in the basin would be the Acequia Madre Association, and asked what are the others.

Ms. Friedman said there are the Llano and the Cerro Gordo Acequia Associations. She said this year they have used 8.6 afy and in 2006, they used 14.2 afy. However, she doesn't know how many are available – how many which are legal water rights which could be leased.

Responding to a question from Councilor Ortiz, Michael Gonzales said the Acequia del Llano is diverted off the Nichols Reservoir outlet works, and is on 24/7, and is adjudicated for about 65 afy.

Councilor Calvert thought Ms. Friedman was working with someone to lease some water rights so that person didn't lose the water rights for non-application of use.

Ms. Friedman said she hasn't had that specific incidence, and that was in the letter as a possibility if a person was going to risk forfeiture. These are some of the legal questions we have.

10. CH2M HILL/WESTERN SUMMIT JV, JUNE 2008 PROGRESS REPORT FOR THE BUCKMAN DIRECT DIVERSION PROJECT. (RICK CARPENTER)

Rick Carpenter said last Thursday the City received notification that the Interior Board of Land Appeals with the Bureau of Land Management has issued a ruling on the appeal, on the record of decision for the EIS. He said they not only denied the request for a stay, but also, surprisingly, issued a ruling to deny the appeal itself, and upheld the record of decision. He said this ruling comes about two years early, and was quite unexpected. He said this is very good news and we will move forward.

11. UPDATE ON CONSTRUCTION MATERIALS COST ESCALATION FOR BUCKMAN DIRECT DIVERSION PROJECT. (RICK CARPENTER)

Mr. Carpenter said the report to the BDD Board is in the packet. He said the report was to give early notification of pending, most likely, materials cost escalation in the project. He said right now, staff is projecting an increase of about \$2 million in all of the indices in total. He said the BDD contractor will be coming in December or February with notification of that. Secondly, he thought it would be good for this Committee to hear this in general, because any of the City's public works or public utilities projects will

suffer the same fate as BDD materials. It is extremely high right now and will stay that way as long as oil and steel are as high as they are, noting that concrete is increasing 18-20% each year.

12. PROGRESS REPORT ON RIO GRANDE CUTTHROAT TROUT SPAWNING PROJECT IN THE UPPER SANTA FE WATERSHED. (ALAN HOOK)

Alan Hook presented information from his Memorandum of July 7, 2008, and presented a two minute video on the cutthroat trout spawning project.

Responding to Councilor Ortiz, Mr. Hook said they artificially fertilize – collect the eggs from the female, put them in a bucket and artificially fertilize them with the meal. They are then taken back to the hatchery, and eventually those will go out to various streams in Northern New Mexico.

13. UPDATE ON BUCKMAN WELL 10-13 MONITORING PROGRAM. (CLAUDIA BORCHERT)

Claudia Borchert presented information regarding this matter from her Memorandum of July 7, 2008, which is in the packet. She said in the near term, she is trying actively trying to get people who live in La Tierra Nueva, La Tierra or the Tano Road area to contact us with their well information, so it can be included in the well survey. She said this information will help to project the impact of the drawdown that we see in the measured wells to this other set of mostly domestic wells, and anticipate whether/if we will contribute to the impairment of their wells. If that does happen 40 years in the future, we will have to determine how to mitigate those effects. She said this is the beginning of a very long term monitoring program to understand the impact of the Buckman wells on the local aquifer in the region.

Ms. Borchert asked the Committee to encourage any people they know who live in the area to go through this process so we have the best available data.

Councilor Calvert said he can email her a copy of an email from the Tano Road Association and they can get plenty of names for her.

Councilor Ortiz commented that people on private wells have largely escaped the water conservation, and he doesn't know if they have registered their wells with the County.

Ms. Borchert said she has been working with the Tano Road Association. The problem is even if they send an email to their list of emails, we only get a very small group of people who respond.

Councilor Romero asked if Ms. Borchert is asking her to contact people they know, such as Mary Helen Follingstad who lives in the Tano Road area, and encouraging them to share information.

Ms. Borchert said this would be very helpful, and she also would be willing to call anyone the Committee would like her to call as well.

EXECUTIVE SESSION/POSSIBLE OPEN SESSION:

RECLASSIFICATIONS WITHIN THE SOLID WASTE DIVISION

Councilor Ortiz said there is an Executive Session on the agenda, and asked Mr. DeGrande if this is in response to his request, reminding that he sent Mr. DeGrande a letter. He asked Mr. DeGrande if he would feel more comfortable talking about that in Executive Session, or would he just as soon send a Memorandum and make it confidential under the attorney's signature.

Mr. DeGrande said he can send him a Memorandum.

Councilor Ortiz directed him to send it through the City Attorney's Office because it relates to personnel and to mark it "Confidential," and then it won't be shared with anyone. He said if this is done, there is no need to have the Executive Session.

Mr. DeGrande said he has a Memorandum prepared and he can do that tomorrow.

It was the consensus among the Committee members in attendance to proceed as recommended by Councilor Ortiz.

DISCUSSION ITEMS

17. **REQUEST FOR APPROVAL OF BILL NO. 2008- _____. AN ORDINANCE CREATING A NEW SECTION 14-6.2(F) SFCC 1987, ESTABLISHING REQUIREMENTS REGARDING ELECTRIC FACILITIES AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY (COUNCILOR CHAVEZ). (NICK SCHIAVO)**
18. **REQUEST FOR APPROVAL OF RESOLUTION NO. 2008- _____. A RESOLUTION ADOPTING THE ELECTRIC FACILITIES PLAN AS AN AMENDMENT TO THE CITY OF SANTA FE GENERAL PLAN (COUNCILOR CHAVEZ). (NICK SCHIAVO)**
19. **REQUEST FOR APPROVAL OF RESOLUTION NO. 2008- _____. A RESOLUTION ADOPTING A FEE SCHEDULE FOR THE REVIEW OF APPLICATIONS FOR ELECTRIC FACILITIES (COUNCILOR CHAVEZ). (NICK SCHIAVO)**

Items #17, #18 and #19 were postponed to the PUC meeting of August 6, 2008.

MATTERS FROM THE PUBLIC

There were no matters from the public.

MATTERS FROM THE CITY ATTORNEY

Mr. Martinez said he has no matters, noting he was going to advise the Committee about the IBLA decision, but Mr. Carpenter has already done that.

MATTERS FROM STAFF

There were no items from staff.

MATTERS FROM THE COMMITTEE

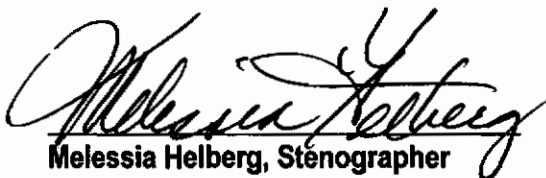
There were no items from the Committee.

NEXT MEETING: WEDNESDAY, AUGUST 6, 2008.

ADJOURN

There being no further business to come before the Committee, and the Committee having completed its agenda, the meeting was adjourned at 5:40 p.m.

Rebecca Wurzbarger, Chair



Melessia Helberg, Stenographer