



Agenda

CITY CLERK'S OFFICE

DATE 3-31-11 TIME 10:00

SERVED BY *[Signature]*

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**PUBLIC UTILITIES COMMITTEE
MEETING
CITY COUNCIL CHAMBERS
WEDNESDAY, APRIL 6, 2011
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 JANUARY 5, 2011 MEETING

INFORMATIONAL ITEMS

6. Public Utilities Department 2010 Accomplishments and 2011 Priorities and Policy Direction. (Brian Snyder)
7. Updated Water Division Missions, Goals and Objectives. (Brian Snyder)

CONSENT – INFORMATIONAL CALENDAR

8. Status Report on the Solid Waste Management Division. (Regina Wheeler)
9. Wastewater Financial Update. (Bryan Romero and Jason Mumm)
10. Preservation of Nature Conservancy's Public Opinion Survey Results Concerning the Santa Fe Municipal Watershed Management Project. (Dale Lyons)
11. Spring Reservoir Management and Estimated Storage Capacities. (Alan Hook)
12. Staff Report on Alternatives for Offsetting Buckman Well Field Pumping Impacts in the La Cienega Area. (Claudia Borchert)

PUC – 4/6/11 (Informational)

PUC – 5/4/11 (Action)

CONSENT – ACTION CALENDAR

13. BDD Project Manager's Monthly Project Exception Report. (Rick Carpenter)
14. Update on Current Water Supply Status. (Victor Archuleta)
15. Request for Approval of Change Order No. 1 for Norvell Construction LLC for Surge Tank Repainting, CIP Project # 3036, Bid No. '11/20/B. (Robert Jorgensen)

PUC – 4/6/11
FC – 4/18/11
CC – 4/27/11
16. Request for Approval of a Professional Services Agreement Between the City of Santa Fe and Tierra Right of Way Services, Ltd. for RFP # '11/5/P for the Amount of \$140,376.00 Exclusive of NMGRS for NEPA Services for the Santa Fe Watershed Management Project. (Dale Lyons)

PUC – 4/6/11
FC – 4/18/11
CC – 4/27/11
17. Request for Approval of Water Rights Purchase Agreement for Vannetta Perry Water Rights. (Dale Lyons)

PUC – 4/6/11
FC – 4/18/11
CC – 4/27/11
18. Request for Approval to Rename the Solid Waste Division to the Environmental Services Division as of the Beginning of FY 2011/2012. (Regina Wheeler)

PUC – 4/6/11
PW/CIP – 4/11/11
FC – 4/18/11
CC – 4/27/11
19. Request for Approval of Resolution No. 2011-_____. A Resolution Authorizing the City of Santa Fe to Support a Living Santa Fe River by Allowing Water to Bypass McClure and Nichols Reservoirs in 2011. (Brian Drypolcher) (Mayor Coss)

SFRC – 3/22/11
City Council – 3/30/11 (Introduce Resolution)
PUC – 4/6/11
PW/CIP – 4/11/11
FC – 4/18/11
CC – 4/27/11

DISCUSSION ITEMS AND ACTION ITEMS

20. Utility Billing Automatic Meter Reading (AMR) and Summary and Request for Direction on Pilot Program. (Peter Ortega)

21. Request for Approval to Proceed With Implementation and Public Outreach of a Comprehensive Green Waste Recycling Program. (Regina Wheeler)

PUC – 4/6/11

FC – 4/18/11

CC – 4/27/11

22. Request for Approval of Amendment No. 1 to the Agreement for the Delivery of Treated Effluent by the City of Santa Fe to the Pueblo of Pojoaque Development Corporation. (Bryan Romero and Marcos D. Martinez)

PUC – 4/6/11

FC – 4/18/11

CC – 4/27/11

23. Request for Approval of Amendment No. 2 to the Recreational Access Agreement Between the City of Santa Fe and the Pueblo of Pojoaque Development Corporation. (Bryan Romero and Marcos Martinez)

PUC – 4/6/11

FC – 4/18/11

CC – 4/27/11

24. Request for Approval of Bill No. 2011-_____. An Ordinance Amending Rule No. 10 of Exhibit A of Chapter 25 SFCC 1987 Regarding Responsibility for Water Service Equipment. (Brian Snyder) (Councilor Bushee and Councilor Calvert)

CC – 2/23/11 (Introduce Resolution)

WCC – 3/8/11 – (No Quorum)

PUC – 4/6/11

WCC – 4/12/11

FC – 4/18/11

CC1 – 4/27/11

CC2 – 5/25/11

MATTERS FROM THE CITY ATTORNEY

ITEMS FROM STAFF

MATTERS FROM THE COMMITTEE

NEXT MEETING: WEDNESDAY, MAY 4, 2011

ADJOURN

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

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PUBLIC UTILITIES COMMITTEE MEETING
Wednesday, April 6, 2011

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**MINUTES OF THE
CITY OF SANTA FE
PUBLIC UTILITIES COMMITTEE
Wednesday, April 6, 2011**

1. CALL TO ORDER

A meeting of the Public Utilities Committee was called to order by Councilor Rebecca Wurzbarger, Chair, at approximately 5:00 p.m., on Wednesday, April 6, 2011, in the City Council Chambers, Santa Fe, New Mexico.

2. ROLL CALL

MEMBERS PRESENT:

Councilor Rebecca Wurzbarger, Chair
Councilor Christopher Calvert
Councilor Patti J. Bushee

MEMBERS EXCUSED:

Councilor Matthew E. Ortiz
Councilor Ronald S. Trujillo

OTHERS PRESENT:

Brian Snyder, 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

Mr. Snyder said staff requests that Item #10 be pulled from the Agenda and postponed to the meeting of May 4, 2011.

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

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

4. APPROVAL OF CONSENT AGENDA

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

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

CONSENT – INFORMATIONAL CALENDAR

8. *[Removed for discussion by Councilor Bushee]*
9. *[Removed for discussion by Councilor Bushee]*
10. **PRESERVATION OF NATURE CONSERVANCY'S PUBLIC OPINION SURVEY RESULTS CONCERNING THE SANTA FE MUNICIPAL WATERSHED MANAGEMENT PROJECT. (DALE LYONS)**
This item was pulled from the Agenda and postponed to the meeting of May 4, 2011.
11. *[Removed for discussion by Councilor Bushee]*
12. *[Removed for discussion by Councilor Bushee]*

CONSENT ACTION CALENDAR

13. **BDD PROJECT MANAGER'S MONTHLY PROJECT EXCEPTION REPORT. (RICK CARPENTER)**
14. **UPDATE ON CURRENT WATER SUPPLY STATUS. (VICTOR ARCHULETA)**
15. **REQUEST FOR APPROVAL OF CHANGE ORDER NO. 1 FOR NORVELL CONSTRUCTION LLC, FOR SURGE TANK REPAINTING. CIP PROJECT #3036, BID NO.'11/20/B. (ROBERT JORGENSEN). Committee Review: PUC 4/6/11; FC 4/18/11; and Council 4/27/11.**
16. **REQUEST FOR APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF SANTA FE AND TIERRA RIGHT OF WAY SERVICES, LTD., FOR RFP #11/5/P FOR THE AMOUNT OF \$140,376.00, EXCLUSIVE OF NMGR, FOR NEPA SERVICES FOR THE SANTA FE WATERSHED MANAGEMENT PROJECT. (DALE LYONS) Committee Review: PUC 4/6/11; FC 4/18/11; and Council 4/27/11.**

17. REQUEST FOR APPROVAL OF WATER RIGHTS PURCHASE AGREEMENT FOR VANETTA PERRY WATER RIGHTS. (DALE LYONS) Committee Review: PUC 4/6/11; FC 4/18/11; and Council 4/27/11.
18. REQUEST FOR APPROVAL TO RENAME THE SOLID WASTE DIVISION TO THE ENVIRONMENTAL SERVICES DIVISION AS OF THE BEGINNING OF FY 2011/2012 (REGINA WHEELER). Committee Review: PUC 4/6/11; PW/CIP 4/11/11; FC 4/18/11; and Council 4/27/11.
19. REQUEST FOR APPROVAL OF RESOLUTION NO. 2011- _____. A RESOLUTION AUTHORIZING THE CITY OF SANTA FE TO SUPPORT A LIVING SANTA FE RIVER BY ALLOWING WATER TO BYPASS McCLURE AND NICHOLS RESERVOIRS IN 2011 (MAYOR COSS). (BRIAN DRYPOLCHER) Committee Review: SFRC 3/22/11; City Council 3/30/11 Introduce Resolution; PUC 4/6/11; FC 4/18/11; and Council 4/27/11.

5. APPROVAL OF MINUTES FOR THE MEETING OF JANUARY 5, 2011.

MOTION: Councilor Calvert moved, seconded by Councilor Wurzbarger, to approve the minutes of the meeting of January 5, 2011, as submitted.

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

INFORMATIONAL ITEMS

6. PUBLIC UTILITIES DEPARTMENT 2010 ACCOMPLISHMENTS, AND 2011 PRIORITIES AND POLICY DIRECTION. (BRIAN SNYDER)

Brian Snyder highlighted the information in his memorandum of January 25, 2011, which is in the Committee packet. Please see this Memorandum for specifics of this presentation. He noted that some of these items are on tonight's agenda, so they are moving forward with some of these.

Chair Wurzbarger said, with regard to the policy direction, she would like to meet with Mr. Snyder before the next meeting and establish a timeline and which issues might happen and when.

Chair Wurzbarger said this is a fantastic report. She wishes we had something like this in every division and Mr. Snyder and staff have done a wonderful job pulling this together. She looks forward to implementing what needs to happen over the next year.

Councilor Bushee said, given the enormity of the task, Mr. Snyder has done a great job, and wants to be sure it does not go unnoticed..

Mr. Snyder thanked the Committee and is glad they mentioned the team, noting Peter, Regina and Bryan are in attendance. He said there are 260 people in the Department, and they have great workers.

Councilor Bushee said Mr. Snyder truly is doing more with less, and is setting an example for the other departments.

7. UPDATED WATER DIVISION MISSIONS, GOALS AND OBJECTIVES. (BRIAN SNYDER)

Mr Snyder presented an overview of the information in his Memorandum of January 25, 2011, which is in the Committee packet. Please see this Memorandum for specifics of this presentation.

Mr. Snyder said these are the updated Missions, Goals and Objectives, and described the process of updating, noting they will be working to implement these in Utilities. He said these items won't be accomplished in a year, but will be started in a year.

Councilor Bushee said she toured the BDD with Rick Carpenter which is an impressive facility. She looks forward to a tour of the Canyon Road facility. She said during the tour, Mr. Carpenter said you might be open to adding a megawatt to the solar system, and asked what it would take to do that.

Mr. Snyder said they are considering that. He said there are different funding mechanisms. He said the City doesn't own the photovoltaic facility, but there are mechanisms to own the second one. He is in the process of applying for a green energy type grant which would allow us to do that. He said other options would be entering into an agreement similar to the BDD and Wastewater facilities which have been beneficial.

Councilor Bushee asked if Nick Schiavo will help him to move forward on applications. She wants an update when he has any information, and is very interested in moving forward on this.

Councilor Calvert said this will depend on PNM and the PRC, noting that regulatory environment will be key.

Mr. Snyder said Nick Schiavo definitely will be involved, noting he has had conversations with him.

Councilor Bushee said it was pointed out that there is an older pipeline you are leaving in the system, and that might need to be upgraded and would be costly.

Mr. Snyder said he presumes Councilor Bushee is referring to the Buckman Well Field pipeline, which is a trunk line with booster stations which brings water from the 13 deep water wells to the one million gallon tank, which was constructed in the 1970s. He said last week they finished a parallel pipeline which was partnered in from Booster Station #4, largely driven by getting water to Las Campanas from the County. The City did partner with them on that and it is a 24 inch pipeline, so there is a new pipeline in that area which provides additional capacity. He said, as part of the master plan, they are doing a line

extension from Booster Station #4 to feed additional water to the million gallon tank to provide additional capacity and allow flexibility in taking an old line off-line to do some maintenance on it.

Councilor Bushee asked if it is a matter of maintenance or if we need to replace the pipe.

Mr. Snyder said their findings indicate that it is in good condition, especially having been installed in the 1970s. However, it does have a number of years on it.

Councilor Bushee asked if it were to fail would it compromise our delivery system in a critical way.

Mr. Snyder said we rely on the Buckman Well Field more at certain times of the year than others, so it would depend on the time of the year. He said when the BDD is working we don't rely on Buckman as heavily, and this line wouldn't be as critical.

Councilor Bushee said we need to anticipate funding of such a proposal.

Mr. Snyder said it is not identified in the 10-year plan for extensive replacement, other than continued pro-active maintenance which they have been doing. He said all the air valves have been replaced, noting the air valves are key to success. He said they ensure that everything is working properly and are upgrading booster stations and various valves along the line, inserting isolation valves, so if there is a problem they can isolate it easily.

Councilor Bushee referred to page 6, Item #6 which says, "Initiate a regional wastewater collection and management plan," and asked if that has been started, or will it begin.

Mr. Snyder reiterated that they have begun discussions on that and it is at the top of the list for the next 6-9 months.

Councilor Bushee said she removed several items relating to how we are going to do our TEMP [Treated Effluent Management Plan]. She said we will need it for several things, and wants to be sure we are moving in that direction.

Mr. Snyder said it definitely is on the top of the to do list, noting staff knows a lot of these do relate to similar items later on the agenda. He said they have made sure, from a legal standpoint, that we are not tying our hands as we move forward, and keeping an open approach in the event something results from the tenth update that is counter to what we're doing now.

Councilor Bushee referred to the Water Resource Planning and Management Goal on Page 8, and said that is just the re-permitting of the Northwest Well and asked if that has been done.

Mr. Snyder said it has not been done, noting he understands a draft has been prepared and submitted to the Office of the State Engineer, and at this time he is waiting for feedback, but we have started the process.

Councilor Bushee asked, regarding #5 on page 9, "Complete a written analysis of the availability of the City's treated effluent for reuse or return flow credit," if this is something we will see in somebody's lifetime.

Mr. Snyder said it is something they're lumping with the TEMP update as well as something that's been identified in the long range water plan as a leading opportunity, so it is still a leading contender.

Councilor Bushee asked, regarding #6, Develop a Return Flow Plan including a communications strategy," if staff has begun that.

Mr. Snyder said they have not, but it will be initiated within the year, but doesn't expect it to be completed.

Councilor Bushee asked, regarding #8, "Secure long-term 40,000 acre feet storage agreement in Elephant Butte by end of 2011, if this has been done.

Mr. Snyder understands we have had a conversation and are moving in that direction, and are in the process of doing a one-year agreement, but there is nothing final on the 40,000 afy, and asked Mr. Martinez to speak to this.

Marcus Martinez said we have begun discussions with the Bureau of Reclamation about obtaining a long term agreement with them, but there are some complications arising out of the Bureau's management of Elephant Butte. He said he is trying to make sure whatever the City does is equitable, and that the City doesn't pay a disproportionate amount for the storage it obtains.

Councilor Bushee said she is anticipating increased drought cycles and wants to know what is in the works.

CONSENT DISCUSSION

8. STATUS REPORT ON THE SOLID WASTE MANAGEMENT DIVISION. (REGINA WHEELER)

Councilor Bushee said things have picked up well in the Solid Waste Department and she would be interested in increased recycling efforts. She has requested some of the "recycling things" in the park which she sees are being amplified. She said these overflow very quickly at the Railyard, and asked if there is a better, more permanent way to do this with the larger parks. She said when there is a big event, the bins become trash receptacles rather than recycling bins.

Ms. Wheeler said new signs have been created for all of the parks to encourage recycling, and they have installed 24 permanent recycling containers which are stationed where there is trash and recycling. She said they are purchasing 40 additional containers, so she will pull two for the Railyard Park.

Responding to Councilor Bushee, Ms. Wheeler said "Save a Ton," is the slogan. She said there is a person at The Santa Fe New Mexican who will be playing Recyclo, and "that's him."

Councilor Bushee asked if the "clear streams" are adequate for the larger facilities, such as the Railyard and restrooms.

Ms. Wheeler said a combination approach as better, noting the Historic Water Plant Park has a lot of those stations, and that is what we're mimicking in the other parks, and will be putting those at the Railyard Park.

Councilor Bushee would like glass recycling in places such as the Convention Center.

Ms. Wheeler said she has worked with the Manager and provided recommendations such as additional signage and container placement, noting she will continue to work with them.

9. WASTEWATER FINANCIAL UPDATE. (BRYAN ROMERO AND JASON MUMM)

Mr. Snyder said this is included as an informational item, and he and Bryan Romero can answer questions, but they didn't ask Mr. Mumm to come to the meeting.

Councilor Bushee said on page 9 of the power point, it indicates that a \$12 million transfer-in was discovered after completion of the 09/10 study. She asked if we will need a rate increase.

Mr. Snyder said he is still investigating the \$12 million transfer in, to be sure it's real, and asking questions as to how to move forward. However, he doesn't have an answer at this time.

Chair Wurzbarger asked if he will have an answer by the next meeting and Mr. Snyder said yes.

11. SPRING RESERVOIR MANAGEMENT AND ESTIMATED STORAGE CAPACITIES. (ALAN HOOK)

A copy of "2011 McClure and Nichols Estimated Total Storage with Spring Bypass Flows to the Santa Fe River beginning May 9th," is incorporated herewith to these minutes as Exhibit "1."

Mr. Hook said he had a handout and he can send it by email, noting it dropped from the 30% indicated in the Memorandum to 24%.

Councilor Bushee asked if this is because of the wind.

Mr. Hooks said March was low on precipitation as well as January-February. He said they look out toward July, and the weather service forecast is for average precipitation with below average temperatures.

12. STAFF REPORT ON ALTERNATIVES FOR OFFSETTING BUCKMAN WELL FIELD PUMPING IMPACTS IN THE LA CIENEGA AREA. (CLAUDIA BORCHERT). Committee Review: PUC (Informational) 4/6/11; and PUC (Action) 5/4/11.

Councilor Bushee said on page 2 of the Memorandum it says we have a "Discharge" Credit Application, and the quantity needed will be evaluated in light of other treated effluent needs. She asked, since this is a strong recommendation, how this fits in the mix and if we can rely on it since we don't have a plan.

Ms. Borchert said this is before the Committee at this time to alert you that the Buckman Well permit requires we offset our impact in the La Cienega area, and staff is working to find a win-win solution for both of us. She said the discharge credit is an obligation of our effluent, but does not actually result in wet water in their ditches. She said the next step is to quantify how much effluent is needed to satisfy the conditions of our permit. She said they will be doing the groundwater modeling, which will answer Councilor Bushee's question, so we can plug that in as one of twelve uses of City effluent moving forward, so when we finish the updated TEMP, you will see all of the things our effluent could be used for, and how you would like to proceed. She said early on they didn't want effluent and wanted potable water, but when they saw the cost to follow all of the regulatory requirements, they are now looking at effluent again. She said another option is the actual delivery of treated effluent to the acequia, which she believes won't be so costly.

Councilor Bushee asked when we received the OSE's decision about needing to offset.

Ms. Borchert said the condition of approval was passed in 2004.

Councilor Calvert asked Ms. Borchert if she still intends to bring this issue for direction at the next meeting.

Chair Wurzbarger said she is going to direct that.

Ms. Borchert said she would prefer not to be on that timeline, noting they need another two months.

Chair Wurzbarger said then it will be heard at the June PUC meeting. She asked direction from the Committee about holding a special session just on this issue.

Councilor Bushee would like a special session on the overall TEMP.

Chair Wurzburger said the TEMP won't be available for a while.

Responding to Councilor Bushee, Ms. Borchert said staff already can identify all potential uses on our "radar map." She noted there will be no analysis, but they could prepare a list of potential needs and uses of effluent.

Councilor Bushee asked if we can assume that the needs are greater than the effluent, and Ms. Borchert said yes, they can see that already.

Chair Wurzburger asked staff to look at holding a special study session on these two once we are further along in the process and keep everyone apprised of the status.

Ms. Borchert asked if the study session would be an hour before the regular PUC meeting.

Chair Wurzburger said she doesn't know at this time, and would first like to meet with staff to see what they are doing and then give an opinion. She will then check with her colleagues to see what they would like to do.

Councilor Bushee said she would also like to discuss Items #18 and 19 from consent.

Councilor Calvert pointed out that Items #18 and #19 were previously approved, and neither were removed for discussion.

DISCUSSION AND ACTION ITEMS

20. UTILITY BILLING AUTOMATIC METER READING (AMR) AND SUMMARY, AND REQUEST FOR DIRECTION ON PILOT PROGRAM. (PETER ORTEGA)

Peter Ortega presented information regarding this matter from his Memorandum of February 17, 2011, noting the replacements arrived to replace the Fireflies which have failed, and they continue to work with Datamatic for the replacements. He said we continue to see failures at about the same rate.

Councilor Calvert asked if legal has been involved in terms of what we got and what we have to pay.

Mr. Ortega said yes, and Datamatic is replacing these under warranty and are helping the City to install them.

Mr. Snyder said they are being replaced under warranty without cost, noting they shipped 1,400 to the City last week. He said they also are providing their staff to install those at no cost.

Responding to Councilor Calvert, Mr. Ortega said these are the newer version of the D3.

Councilor Calvert asked the purpose of the pilot project – what is the goal. He asked, if you like the Badger better, will you replace all Datamatics with Badgers, or replace as needed.

Mr. Ortega said the goal is to start with a small pilot project to see if we like them. He said if we are satisfied with them, his plan is to replace them in phases, so we can use our investment in Datamatic. He said they also can remove the Datamatics and use them on other meters.

Councilor Calvert said Mr. Ortega said the Badger is compatible with what we already have, so we will be replacing them with Badgers “one chunk” at a time, if staff likes the Badger.

Mr. Ortega said this is correct, noting it will be a pro-active approach.

Councilor Calvert said he would ask staff, in evaluating the Badger, to evaluate them in terms of ease of access in the meter can and whether the Badger is more robust, and not as delicate as the Datamatic.

Mr. Ortega said another reason he likes the Badger is that it is a more user friendly device which he has tested, and that it continues to update the technology.

Councilor Calvert said the only drawback is when we replace them, the City will be paying for them as opposed to Datamatic paying for new ones under warranty.

Mr. Snyder said this is true, but you need to bear in mind that staff is taking a pro-active approach. He said the AMR typically has a 10 year life span, and we are halfway through that life span. He said one goal is to test the system so we know we have a system that works, so we can move forward when we are ready to begin replacement once we have a plan.

Mr. Snyder said legal is involved, and looking at the warranties, noting they have had several conversations with Datamatic – verbal and written – and the main reason they are here today is to provide the material and the labor to replace the devices.

Councilor Bushee asked the reason the Datamatic was chosen, saying she doesn't remember the reason we were convinced this was the better device.

Mr. Ortega said this happened before he came on board, so he doesn't know the history. He said he understands it was chosen because it was universal and could go on any meter, it was the only one which offered profiling of consumption, and it was the most cost effective at that time. He said to get a better product, whether we decide to continue with Datamatic or change to Badger, it would still be necessary to change the dials on the meters, and the AMR with the dial alone are about \$58, and AMR itself is \$130.

Councilor Bushee asked if we go with Badger will we still get the profiling and other things we wanted.

Mr. Ortega said yes, Badger offers 2½ year profiling.

Councilor Calvert said one of the selling points for the Datamatic was the KopyKap, which would allow individuals to monitor their own water, but that never worked out very well.

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

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

21. REQUEST FOR APPROVAL TO PROCEED WITH IMPLEMENTATION AND PUBLIC OUTREACH OF A COMPREHENSIVE GREEN WASTE RECYCLING PROGRAM (REGINA WHEELER) Committee Review: PUC 04/06/11; FC 04/18/11; and Council 04/27/11.

Councilor Bushee said this sounds complicated, noting Albuquerque does the simple thing with the large paper bags in the Spring and Fall, and it is free, and would like to know if this can be done more simply.

Ms. Wheeler said they did evaluate the brown paper bag and the clear plastic bag options, and they have real concern about contamination hiding in the bags. She said BuRRT has issues about contamination as well. People tend to treat them like garbage bags and throw garbage into the green waste. She said the 90 gallon container solves that problem because it is emptied with a rear loader and the people can detect contamination at that point.

Responding to Councilor Bushee, Ms. Wheeler said the City would have to buy carts and vehicles to support this program, so people would be required to sign up for 12 months at \$4 per month for one year. They would get a brown 96 gallon container which would be picked up every other week during the entire year. She said she finds herself stuffing her cart full of vines, cholla and stuff about 10 times a year. She believes the proposed model would suit most urban homeowners, and solves the contamination problem about which they were concerned.

Councilor Bushee asked Ms. Wheeler if she thinks a lot of people will sign up for this.

Ms. Wheeler said they will do outreach, noting they need a minimum of 600 homes to sign up. She believes people will sign up.

Councilor Bushee asked about the brown paper bags used by Albuquerque.

Ms. Wheeler said she is unsure what Albuquerque uses, noting the brown paper bags don't compost very fast, and show up in the compost for a long time. She said they grind them into little pieces,

commenting the compostable plastic bags last for a long time as well, and they are concerned about that potential contamination.

Councilor Bushee is concerned the program "may not go over." She asked if this can translate into free compost to people.

Ms. Wheeler said free compost currently is available at BuRRT, which residents must load themselves.

Councilor Bushee asked if we have a model from other communities.

Ms. Wheeler said we would be the first in New Mexico to have a curbside green waste recycling program.

Councilor Bushee asked if the program would cover the cost of the bins.

Ms. Wheeler said yes, as well as the truck and the crew.

Councilor Bushee asked if we looked at doing this twice a year.

Ms. Wheeler said yes. However, it makes a "big gigantic mess that is difficult to pick up.

Responding to Councilor Bushee, Ms. Wheeler said, "Yes, that was converted by Council to the bulk item pickup which now costs \$25 as of January 1, 2010.

Councilor Bushee said she is not going to support this, but "don't take it personally."

Councilor Calvert said his understanding is that this is a concept that first has to be sold before it ever starts.

Ms. Wheeler said this is correct, and they need a minimum of 600 homes to sign up to move forward with the program.

Councilor Bushee said then you would have to get sufficient subscribers for it to move forward, and it will be up to Ms. Wheeler to make this happen.

Ms. Wheeler said this is correct.

Councilor Bushee said she is still looking for a Spring and Fall way of getting people, when they clean up their yard, to not make a mess in the regular bin and have a way to add to our green waste collection, which was what she took to Ms. Wheeler, and commented she believes there is still a way to make that happen.

Councilor Calvert said this month Santa Fe Beautiful is holding its cleanup, and if it's kept separate it could be picked up.

Councilor Wurzbarger asked if there is an opportunity to work with SF Beautiful to try out the proposed program.

Ms. Wheeler yes, and the green waste items will go to BuRRT for recycling.

Councilor Calvert asked, regarding backyard composting, if the City helps people with that if can we calculate that in our recycling figure to get credit.

Ms. Wheeler said it isn't countable as a recycling number. However, as they move forward with the comprehensive solid waste management plan, she is recommending that we calculate two numbers – one is the recycling defined by EPA which does not include diversion, and a diversion number.

Councilor Bushee said skunks don't allow for composting, especially if people have dogs.

Chair Wurzbarger asked if there is a fiscal impact to the program, and can it be done with the existing staff.

Ms. Wheeler said they do outreach daily, so they have an existing budget.

Chair Wurzbarger would like Ms. Wheeler to prepare an FIR on that component before it goes to Finance.

MOTION: Councilor Calvert moved, seconded by Chair Wurzbarger, to approve this request.

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

22. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO THE AGREEMENT FOR THE DELIVERY OF TREATED EFFLUENT BY THE CITY OF SANTA FE TO THE PUEBLO OF POJOAQUE DEVELOPMENT CORPORATION. (BRYAN ROMERO AND MARCOS D. MARTINEZ) Committee Review: PUC 04/06/11; FC 04/18/11; and Council 04/27/11.

Councilor Calvert said this Item relates to #12 on the Consent Agenda. He understands we are trying to limit these things because we don't want to foreclose our options. However, he is concerned about committing to another 4 years, and suggested perhaps we commit year-to-year.

Councilor Bushee asked the reason we are making a four-year commitment.

Mr. Martinez said the original agreement provided for a renewal of the same term. However, the City does have the right to terminate at any time we find we do not have a need to use the recreational facilities at The Downs. He said there is no time on this termination.

Councilor Calvert said it could be terminated for cause, and asked what that cause would be.

Mr. Martinez said that would be if the City would no longer have a use or a need.

Councilor Calvert said it is tied to recreation and not water usage. He said if the City decided it needed the water for another use, we wouldn't be able to terminate for that reason.

Councilor Bushee asked if we can do a shorter term.

Mr. Martinez said we can raise that with the Pojoaque Development Corporation. He had preliminary discussions with them on the term, and they indicated they preferred to have the same term because it was in the original agreement, and this is supposed to be a renewal provision they can invoke. However, he can bring that back to them and discuss it, if that is the Committee direction.

Bryan Romero said he has a concern because this is the beginning of irrigation season and they did put water on those fields. He said the time frame to bring this back would be a month.

Councilor Calvert suggested continuing the agreement on a month-to-month.

Mr. Martinez said we can terminate this. The strongest leverage the City has is the ability to determine in our sole discretion that we no longer need the facility for any reason, such as that we have a greater need for water. That informs us on whether we need this for recreation. He said this is covered under unsuitable access in the existing agreement, and we determine in our sole discretion, as it provides now, that it isn't suitable to the City's recreational facilities.

Chair Wurzbarger said that doesn't deal with the issue of the Council's concern about not having the water. She asked if we could not terminate but counter with an offer for four one year renewals year by year.

Mr. Martinez said he is happy to discuss that with them.

Councilor Calvert said he thought the agreement provides that we can continue on a month-to-month basis at the end of a term.

Mr. Martinez said this is in the proposed amendment, which is after 4 years, if no action is taken explicitly by the party, then it would continue on a month-to-month.

Councilor Calvert asked if, under the current agreement, it is allowable to continue on a month-to-month to address Mr. Romero's concern that they may need to do some watering.

Mr. Martinez said we may be able to negotiate an interim agreement month-to-month while we determine the ultimate agreement. He noted there is someone in attendance from the Pojoaque Development Corporation.

Chair Wurzbarger said we won't negotiate this here, but we welcome their attendance.

Councilor Calvert understands this effluent is strictly for the infield which we use for recreation purposes.

Mr. Romero said it is use for the infield and for other locations, noting there is outside watering on the perimeter.

Councilor Calvert said the tie-in with Item #23 is our recreational use.

Mr. Romero said the Pueblo pays for the additional water outside.

Councilor Calvert said another issue is on price. He said the cost to produce the effluent is more than what we charge. He said we try to keep it under the price of treated water, because we would rather they use effluent. He said at some point, especially in terms of the downstream discussion, he is unsure it makes a lot of difference which is being used, noting it costs a lot to produce the effluent. He said we need to look at raising the price. He said, with regard to Item #12, we need to look into whether people might pay more to let the water go downstream for green credit and such. He said we need to look at these kinds of arrangements.

Chair Wurzbarger agrees these are important points, but believes we should look at this as we go through the plan in the next year, rather than tying it to this contract.

Councilor Calvert said we are talking about the term of this contract, but we also are looking at having a special session on effluent. He wants these factors looked at as we go through the process.

Councilor Calvert said in the event they exceed the allocation on a daily basis, they only have to pay a \$250 fine and the cost of the effluent, which to him isn't much of a penalty or deterrent.

Councilor Bushee said the message has to be that this is a temporary arrangement.

MOTION: Councilor Bushee moved, seconded by Councilor Calvert, to renegotiate a new year-to-year term.

DISCUSSION: Mr. Martinez said they have a fairly immediate need for effluent.

FRIENDLY AMENDMENT: Councilor Bushee said they can operate on a month-to-month basis if there is a concern, until a new contract is in place. **THE AMENDMENT WAS FRIENDLY TO THE SECOND, AND THERE WERE NO OTHER OBJECTIONS FROM THE COMMITTEE.**

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

23. **REQUEST FOR APPROVAL OF AMENDMENT NO. 2 TO THE RECREATIONAL ACCESS AGREEMENT BETWEEN THE CITY OF SANTA FE AND THE PUEBLO OF POJOAQUE DEVELOPMENT CORPORATION. (BRYAN ROMERO AND MARCUS MARTINEZ). Committee Review: 04/06/11; FC 04/18/11; and Council 04/27/11.**

Councilor Bushee asked if this is only for the soccer fields.

Mr. Romero said he asked Fabian Chavez if the City still needs the facilities, and he said they do. He said Parks is still utilizing this facility.

Responding to Councilor Bushee, Mr. Romero said it is minimal outside the field and is mostly infield for the water supply.

Chair Wurzburger asked him to clarify this for the next meeting, that it is used only for City recreation.

Mr. Romero said he is unsure what kinds of recreational events they have, other than the use by Parks and Recreation.

Councilor Bushee would like that in a memo before it goes to Council – how the fields are used, by whom, and that detail.

MOTION: Councilor Bushee moved, seconded by Chair Wurzburger for purposes of discussion, to approve the agreement for a one year term, and if needed, to continue on a month-to-month basis.

DISCUSSION: Councilor Calvert asked about the payment.

Mr. Martinez said the other part was amended subsequently, noting at the end there is a first amendment to the recreational access agreement, which provides the City shall pay the sum of \$1, and it shall be adjusted downward by the amount of charges attributed to treated effluent delivered to The Downs infield as measured by a meter. He said previously there was a limitation of \$65,000, and there is now no limitation. However, they do pay any excess for any effluent not just used on the infields, which are the excess payments alluded to by Mr. Romero. He said they are current on all excess payments.

Councilor Calvert asked what is being adjusted downward.

Mr. Romero said any water on the infield is not charged for if the City uses the infield for recreational purposes. Anything outside the infield is not charged for, and adjusting downward is the *quid pro quo*.

Councilor Calvert said then we are deducting the use of the fields from the amount on their bill for effluent, and Mr. Martinez said this is correct.

Mr. Romero said there are two meter reads, one on site and one from the plant, so we know how much was used.

Councilor Calvert asked if this is year-round or only when we are using the fields.

Mr. Martinez said there is a schedule in the agreement – March to November.

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

Councilor Bushee said we never heard from Fabian Chavez about how long the City will need to use the fields, and wants that included in the Memorandum.

24. REQUEST FOR APPROVAL OF BILL NO. 2011- _____. AN ORDINANCE AMENDING RULE NO. 10 OF EXHIBIT A OF CHAPTER 25 SFCC 1987, REGARDING RESPONSIBILITY FOR WATER SERVICE EQUIPMENT (COUNCILOR BUSHEE AND COUNCILOR CALVERT). (BRIAN SNYDER) Committee Review: Council 02/23/11 Introduce Resolution; CWW 03/08/11 No Quorum; PUC 04/06/11; WCC 04/12/11; FC 04/18/11; Council 04/27/11; and Council 05/25/11

Councilor Calvert said this was discussed at the Water Conservation Committee. He said the WCC is in favor of the idea of access in emergencies, but they had some concerns about access for routine matters. In that situation, they could schedule it like they do right now. He is concerned about allowing too much access too quickly without seeing how it goes. He said everyone understands the need for access in an emergency, but there is concern about frequency. He said they are concerned that everything gets put back properly so meters can be read on an automated basis.

Chair Wurzbarger said her assumption was that this bill was for an emergency situation, and asked if that has changed.

Councilor Bushee said no, it is an enforcement issue. She said people are getting into the meters right now.

Councilor Bushee said where she works, in the Conservation Bureau, they put out flyers about how to read the water meter and how to use it as a tool to conserve water. She said Santa Fe is the only city where that is prohibited.

Mr. Snyder said a lot of cities have nothing in writing. However, Santa Fe has something in writing prohibiting access to the meter can, and if you do so it is considering tampering. He said part of what this does is to separate tampering from access. He said tampering is stealing water.

Chair Wurzbarger said this allows access and sets up a process for the City to check to see if the meter is still working, and not just on an emergency basis.

Councilor Bushee said plumbers have been calling her for years on this. She doesn't think there was an inordinate number of situations where people were stealing water. And, if they were, they weren't worried about a \$100 fine or 200 fine. This is for emergencies and situations where plumbers need to get into the meter. She said this is an honor system.

Councilor Calvert said his only concern is on pag 2, line 8 where it says "... or the customer is doing planned plumbing work."

Councilor Bushee said realistically people aren't calling the City.

PROPOSED AMENDMENT: Councilor Calvert would like to amend line 11, page 2 as follows: "...is not shut off immediately, or to verify a leak."

Councilor Calvert said his concern is about people messing-up the equipment in the meter can, and how to train people. He said if we limit it to emergencies, a lot of people will call a plumber. He would like a way to get plumbers trained and certified.

Councilor Bushee suggested including an insert in the water bill to educate people on how to get into and out of the meter can, shut off/turn on the water. She said most people don't know about this policy, and they regularly open the meter can.

Councilor Calvert said the whole area needs education. He said in 3(b) and 3(c) we discuss shutting off the water and then calling and notifying the City when you turn it back on. He doesn't know why people would subject themselves to that – reporting that they went into the meter can.

Councilor Bushee said personally she thinks this is overly bureaucratic, noting she was going with whatever staff came up with.

Councilor Calvert said if you want something that is enforceable, you need a hook to make that happen.

Councilor Bushee asked Mr. Snyder if this is essential.

Mr. Snyder said it's not essential, but he wants to be notified that someone has been in the meter can, so that there aren't misses later in the month because someone was in the meter can and didn't put things back properly. He said Item 3(c) allows the Water Division staff to inspect these meters with the regular meter reading, rather than make a special trip. He said they would like notification so they can schedule a drive-by.

Councilor Bushee asked if we could put something on the website that people can complete indicating they have been in the meter can, and give the address.

Councilor Wurzbarger said many people would rather make a telephone call than to go on the website. She said they can call after hours and leave a message. She said what she likes about this is that it protects the City, commenting that not all plumbers are the same. She likes that the City has the responsibility to check the meter plan after someone opens and closes it.

Councilor Bushee said there is no penalty if people don't call the City.

Mr. Snyder said there is no penalty.

Chair Wurzbarger said she has more calls from people saying they didn't use the amount of water for which they are charged, and believes this protects the City in a positive way so we can understand exactly what is happening.

Mr. Ortega said the meter can is the property of the City, and the City is responsibility if it is left open or not closed properly and someone gets hurt.

PROPOSED AMENDMENT: Councilor Calvert would like to amend line 19, page one to delete the "1."

MOTION: Councilor Bushee moved, seconded by Councilor Calvert, to approve the proposed ordinance, as amended by Councilor Calvert.

FRIENDLY AMENDMENT: Councilor Calvert said he would like a delayed implementation date to allow staff to the education. **THE AMENDMENT WAS NOT FRIENDLY TO THE MAKER.**

Chair Wurzbarger asked how long it would take to get something in the water bills.

Mr. Snyder said within a month he could produce a flyer and it would take another 6-8 weeks to distribute it in the bills.

Chair Wurzbarger said she believes that will be sufficient.

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

25. MATTERS FROM THE CITY ATTORNEY

There were no matters from the City Attorney.

26. ITEMS FROM STAFF

There were matters from the Staff.

27. MATTERS FROM THE COMMITTEE

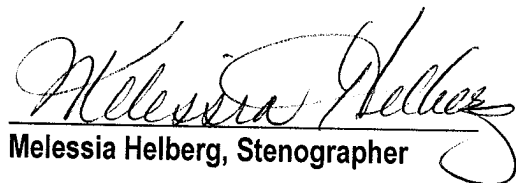
There were no matters from the Committee.

28. NEXT MEETING: WEDNESDAY, MAY 4, 2011

29. ADJOURN

There was no further business to come before the Committee and the meeting was adjourned at 6:45 p.m.

Rebecca Wurzbarger, Chair


Melessia Helberg, Stenographer