



Agenda

CITY CLERK'S OFFICE

DATE 7/27/11 TIME 2:55p
PREPARED BY [Signature]
APPROVED BY [Signature]

**PUBLIC UTILITIES COMMITTEE
MEETING
CITY COUNCIL CHAMBERS
WEDNESDAY, AUGUST 3, 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 JULY 6, 2011 MEETING

INFORMATIONAL ITEMS

6. Status Report on the Environmental Services Division Including the Update on Status of Recycle Program With the New Mexican and Status of the City, County and SFSWMA Launch Website to Reduce Unwanted Junk Mail, Catalogs and Phone Books. (Regina Wheeler)
7. Update to City's Long Range Water Supply Planning Efforts With Respect to Climate Change. (Claudia Borchert)
8. Update on Monsoon Activity and Projections and Related Water Supply Issues. (Rick Carpenter) **MEMO TO FOLLOW**

CONSENT – INFORMATIONAL CALENDAR

9. Update on Current Water Supply Status. (Victor Archuleta)

CONSENT – ACTION CALENDAR

10. Request for Approval of Amendment No. 1 to the Contract Between the City of Santa Fe and Advantage Asphalt, Inc. for the FY 2010/2011 City Wide Sewer Line Spot Repair Contract # 942 for the Total Amount of \$105,000.00 Inclusive of NMGR. (Stan Holland)

PUC – 8/3/11
FC – 8/22/11
CC – 8/30/11

11. Request for Approval of Bid Extension with Polydyne, Inc. for FY 2011/2012 for the Procurement of Polymer for the Wastewater Treatment Plant and Compost Dewatering Facility for the Total Amount of \$152,008.28. (Luis Orozco)

PUC – 8/3/11
FC – 8/22/11
CC – 8/30/11

DISCUSSION ITEMS AND ACTION ITEMS

12. Operational Definition of “Water Emergency”. (Brian Snyder)

PUC – 8/3/11
PW/CIP – 7/11/11
FC – 7/18/11
CC – 7/27/11

MATTERS FROM THE CITY ATTORNEY

ITEMS FROM STAFF

MATTERS FROM THE COMMITTEE

NEXT MEETING: WEDNESDAY, SEPTEMBER 7, 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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**MINUTES OF THE
CITY OF SANTA FE
PUBLIC UTILITIES COMMITTEE
Wednesday, August 3, 2011**

1. CALL TO ORDER

A meeting of the Public Utilities Committee was called to order by Councilor Matthew E. Ortiz, Acting Chair, at approximately 5:00 p.m., on Wednesday, August 3, 2011, 2010, in the Council Chambers, City Hall, Santa Fe, New Mexico.

2. ROLL CALL

MEMBERS PRESENT:

Councilor Patti J. Bushee
Councilor Christopher Calvert
Councilor Matthew E. Ortiz
Councilor Ronald S. Trujillo

MEMBERS EXCUSED:

Councilor Rebecca Wurzbarger, Chair

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

Acting Chair Ortiz said he spoke by phone with Councilor Wurzbarger prior to the meeting and she said she couldn't be here today. He said she said there is an errata in that there should be

an agenda item "Matters from the Public" on the Agenda, and she asked that it be added after "Matters from Staff."

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

VOTE: The motion was approved on a voice vote, with Councilor Calvert, Councilor Trujillo and Councilor Ortiz voting in favor of the motion, none voting against, and Councilor Bushee absent for the vote.

4. APPROVAL OF CONSENT AGENDA

Acting Chair Ortiz said he will recuse himself from Item #10 because he represents Advantage Asphalt.

MOTION: Councilor Calvert moved, seconded by Councilor Trujillo, to approve the following Consent Informational Calendar as presented and the Consent Action Calendar as amended to remove Item #10 and consider it as the last item on the agenda.

VOTE: The motion was approved on a voice vote, with Councilor Calvert, Councilor Trujillo and Councilor Ortiz voting in favor of the motion, none voting against, and Councilor Bushee absent for the vote.

CONSENT – INFORMATIONAL CALENDAR

9. UPDATE ON CURRENT WATER SUPPLY STATUS. (VICTOR ARCHULETA)

CONSENT CALENDAR

10. *[Removed for discussion by Councilor Ortiz]*

11. REQUEST FOR APPROVAL OF BID EXTENSION WITH POLYDYNE, INC., FOR FY 2011/2012 FOR THE PROCUREMENT OF POLYMER FOR THE WASTEWATER TREATMENT PLANT AND COMPOST DEWATERING FACILITY FOR THE TOTAL AMOUNT OF \$152,008.28. (LUIS OROZCO) PUC – 08/03/11; FC – 08/22/11; AND CC 08/30/11.

5. APPROVAL OF MINUTES FOR THE JULY 6, 2011 MEETING.

MOTION: Councilor Calvert moved, seconded by Councilor Trujillo, to approve the minutes of the meeting of July 6, 2011, as submitted.

VOTE: The motion was approved on a voice vote, with Councilor Calvert, Councilor Trujillo and Councilor Ortiz voting in favor of the motion, none voting against, and Councilor Bushee absent for the vote.

INFORMATIONAL ITEMS

6. STATUS REPORT ON THE ENVIRONMENTAL SERVICES DIVISION, INCLUDING THE UPDATE ON STATUS OF RECYCLE PROGRAM WITH THE NEW MEXICAN AND STATUS OF THE CITY, COUNTY AND SFSWMA LAUNCH WEBSITE TO REDUCE UNWANTED JUNK MAIL, CATALOGS AND PHONE BOOKS. (REGINA WHEELER)

Regina Wheeler reviewed her Memorandum of July 26, 2011, which is in the Committee packet. Please see this Memorandum for specifics of this presentation.

Councilor Calvert asked if the trash bags are being sold at a bargain price.

Ms. Wheeler said it is a bit of a bargain. She said Enchantment sells the same bags the City used to give away at \$28 a box delivered, and the City is selling them for \$20 per box on Siler Road while supplies last. She said this is an opportunity to liquidate the left-over stock from the free bag program, which will generate about \$40,000 for the City and the Solid Waste Division.

Councilor Calvert asked if she is publicizing the sale.

Ms. Wheeler said they thought about it, but it was recommended not to do that, because there are only 4,000 boxes available.

7. UPDATE TO CITY'S LONG RANGE WATER SUPPLY PLANNING EFFORTS WITH RESPECT TO CLIMATE CHANGE. (CLAUDIA BORCHERT)

Claudia Borchert reviewed her Memorandum of July 26, 2011, which is in the Committee packet. Please see this Memorandum for specifics of this presentation.

Acting Chair Ortiz asked when we will get the money.

Mr. Borchert said, "It's a match. And I believe we can start in October."

Acting Chair Ortiz said then it's in the new Federal Budget year, and Ms. Borchert said this is correct.

Ms. Borchert said there is some work that needs to be done by the Bureau of Reclamation ["BOR"] this fiscal year before we can start the next step. She said the BOR is "down-scaling the global model data to our local basins which will be input for what we do."

Councilor Calvert said we were awarded \$198,000, but the total is \$421,000. He said there is a breakdown in her Memorandum, but he doesn't know how the \$198,000 fits in that breakdown, and asked if that is the match.

Ms. Borchert said, "Right. The money, the \$197,990, the \$198,000, is money that goes entirely to Reclamation. Reclamation can spend money on people we would have to spend money on. For example, in that table there is \$80,000 going to Sandia or CDM depending on who we decide would be best suited to do the work, and that would have been money that we otherwise would have to have spent on CDM. So, in that sense, we are getting benefit. We're also getting the benefit of Reclamation's experts turning their attention on our situation. When we adopted the Resolution on studying the climate change impacts, we already had earmarked some money for CDM and the water model, and so that we restricted the amount of our money that we're spending to that same amount that we had identified previously, but now we're taking our staff time, \$120,000, and we're getting, let's say a \$400,000 benefit out of it all by garnering these other resources."

Councilor Calvert said then you're saying the \$198,000 is BOR money, but what is the \$421,000, and who has the say in that if it's not the BOR.

Ms. Borchert said the BOR is sending only \$198,000. The in-kind, plus consultant money that will come from both the City and the County totals \$223,000, so that's our contribution to the cooperative program.

Councilor Bushee arrived at the meeting

Councilor Calvert congratulated staff on getting these funds. He said one of the other benefits would be strengthening our partnership with them in terms of dams and storage and all that we want to have happen as part of this.

8. UPDATE ON MONSOON ACTIVITY AND PROJECTIONS AND RELATED WATER SUPPLY ISSUES. (RICK CARPENTER) MEMO TO FOLLOW.

A Memorandum dated August 2, 2011, to the Public Utilities Committee, from Rich Carpenter, Water Resources and Conservation Manager, regarding update on drought, monsoon and water resource management, is incorporated herewith to these minutes as Exhibit "1."

Acting Chair Ortiz said Mr. Carpenter sent the Committee an email of the Memorandum distributed this evening [Exhibit "1"].

Mr. Carpenter said the purpose of the Memo was to summarize the power point which is in the Committee packet. Mr. Carpenter reviewed the Memorandum. Please see Exhibit "1" for the complete text of this presentation. Mr. Carpenter noted that data indicates this is the worst drought year on record.

Acting Chair Ortiz said he assumes, because it's in the Memo, that one of the reasons that we shut down the BDD facility was because of the fire and potential consequences. He asked if the BDD is in the queue for federal assistance as the result of that fire.

Mr. Carpenter said yes, a letter has been submitted to the federal government to preserve our place in line for federal funds if they become available.

Councilor Calvert said he thought the main reason for the shut-down was due to the ash, mostly from the Pueblo area burn to the north, and not from the Los Alamos area burn.

Mr. Carpenter said that is correct, noting when the BDD was shut down on July 15, 2011, there was a lot of ash flowing down Santa Clara canyon into the Rio Grande and it dramatically impacted water quality. He said since that time, there have been storms, and we've seen flow in a number of the canyons. He said they took samples, and the results are beginning to come back. He said so far the samples have caused us no concern, and the reason he believes we will be back on line in two days.

Councilor Calvert asked if the Santa Clara ash situation has resolved itself, or does remediation need to be done to keep that from happening again, and has it flushed itself out.

Mr. Carpenter said the team is looking at ways to mitigate those effects, noting it's pretty dramatic and depending on whether there are thunderstorms in that particular area and how dramatic those thunderstorms might be. He said if it's anything like the Cerro Grande fire, it could be a few years before we see significant mitigation of those effects.

Councilor Bushee asked if there were “any issues around Los Alamos and what you call radiologicals to start with.”

Mr. Carpenter reiterated that none of the samples they have received to this point would indicate that's an issue.

Councilor Bushee said, “And so the funding that's going to be available, how can we access it, and what can it be used for.”

Mr. Carpenter said he doesn't know the specifics of that, noting Judith Amer in the City Attorney's Office prepared the letter, but he will find out the specifics and report back to this Committee.

Councilor Bushee said she would like that information. Councilor Bushee said, “So far, our systems in place, with regard to any radiologicals, have been effective.”

Mr. Carpenter said that's correct. He said, “The early notification system, the sampling regime, that's all been going according to plan. “

DISCUSSION AND ACTION ITEMS

12. OPERATIONAL DEFINITION OF “WATER EMERGENCY.” (BRIAN SNYDER) PUC – 08/03/11; PW/CIP – 07/11/11; FC – 07/18/11; AND CC – 07/27/22.

Brian Snyder presented information regarding this matter from his Memorandum of July 26, 2011, with attachments, which is in the Committee packet. Please see this document for specifics of this presentation.

Councilor Calvert said the issue comes down to how much groundwater pumping we want to do, and believes that will be the limiting issue. He said if something happened to Buckman and the reservoir was very low, we could be totally on Buckman wells. He said we have to make that decision, and perhaps that will come from Ms. Borchert's study. However, we have to look at how much is sustainable, or how much we are willing to pump, and try to put a limit on that on an annual basis.

Councilor Bushee said, “For the minimal amount of water we've let down the River, how much groundwater pumping is required, I mean percentage wise, if you can give me...”

Mr. Snyder said he is unsure he can put a percentage to it. He said the challenge is during normal operations, noting we have 4 sources of water, 2 of which are groundwater wells. He said whether there is flow in the River or not, we are going to be pumping groundwater – most likely every year we will be pumping some amount of groundwater. He said it is hard to distinguish how much more we'd be pumping because of water in the River, and to put a percentage to that.

Councilor Bushee said this year is one of the worst years for trying to justify any of it. She said, "We'll just tackle it I think season by season."

MOTION: Councilor Bushee moved, seconded by Councilor Calvert, to approve staff's recommendation.

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

CONSENT DISCUSSION

Acting Chair Ortiz said he recused himself on this item at the beginning of the meeting, and asked Councilor Bushee to call the item and to preside during the discussion and action.

10. **REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO THE CONTRACT BETWEEN THE CITY OF SANTA FE AND ADVANTAGE ASPHALT, INC., FOR THE FY 2010/2011 CITY WIDE SEWER LINE SPOT REPAIR CONTRACT #942 FOR THE TOTAL AMOUNT OF \$105,000,000 INCLUSIVE OF NMGR. (STAN HOLLAND) PUC – 08/03/11; FC – 08/22/11; AND CC – 08/30/11**

Councilor Bushee presided during the discussion and action on this item.

Brian Snyder said, "This is an amendment to an existing contract. I can let Stan speak to the specifics. However, it was bid back in fiscal year 2010-2011, and awarded to the low bidder, which happened to be Advantage Asphalt, in the amount of \$59,000... or \$62,000. \$59,000 of that has been used year to date, so at this point we'd like to amend that contract. The original contract was entered into with 3 one-year renewal periods and this is an emergency on-call contract for sewer line spot repair."

Councilor Bushee said, "And so I assume this was taken off consent, Councilor Calvert, are you the..."

Councilor Ortiz said he removed the item from Consent so he could recuse himself on this item.

Councilor Bushee said, "You are... so you could recuse yourself. Okay then, I actually just have a question or concern, in that I'm glad it was taken off so it could be discussed. My only concern... I understand that you guys do three-year kind of contracts, but this is more than the original contract, this additional amount, this amendment, and I know, I think Finance and the Legal Department has said that's copacetic for them, but it concerns me that.... it is a procurement concern that I have, that it's more than the original contract, so I understand... I didn't understand it to be an emergency, but I guess maybe Marcos could answer that question, as far as, you know, you don't find that sets us up in any kind of bad procurement scenario."

Marcos Martinez, Assistant City Attorney, said, "I think as far as the City's Procurement Code is concerned, that this comports with it. I think the concerns you have go beyond procurement, and they're understandable, but all I can say is that it is in accordance with the City's Procurement Code. It doesn't violate any provision of it."

Councilor Bushee asked where it says in the Memorandum on this item that it is an emergency.

Mr. Snyder said it is in the Memorandum on line 3, "The contract is needed for emergency and non-emergency work...." He said it basically is a contract for stand-by and on-call work, as needed, whether or not it is during regular service house or not. He said it is not an emergency amendment.

Councilor Bushee asked if others usually bid for this work.

Mr. Snyder said they typically receive bids from several contractors, 3-4.

Mr. Holland said, "I would have to go back and check, but I believe when this bid was put out there were 3-4 bids from contractors.

Councilor Bushee asked if the City didn't have time to put this out to bid again, given that it was for an amendment of \$105,000, and the original contract was for \$62,000.

Mr. Holland said that was not a factor at all. He said they could have gone back out to bid, however, "the fact is the term before, with Advantage Asphalt, we had a contract. We did decide to put it back out at that time. They won it a second time. That's what this contract is. And, knowing what was in the contract, that we could amend it... they've done good work for us and so forth... the \$105,000 is what our budget is this year for this. So, the decision was made to.. everything looked good... to go ahead and use them again."

Councilor Calvert said he thought usually on multi-term contracts, there was an overall amount, and annual amounts that we approved – amendments or reauthorization of annual amounts from the original contract.

Mr. Snyder said he has seen it done both ways. He said, "The benefit of doing it this way, and the reason for the increase, is that the Wastewater Division can anticipate how much work it anticipates doing in non-emergency type settings as a capital improvement to the existing infrastructure, and that changes with their CIP year to year. So, that's one of the benefits of having it be flexible. And in this contract, it's not tied to a specific dollar amount for each year, and in order to amend it, we bring it back to the Council for approval."

Councilor Calvert said, then this amount is budgeted for this year, and Mr. Snyder said this is correct.

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

VOTE: The motion was approved on a voice vote, with Councilor Trujillo and Calvert voting in favor of the motion, Councilor Bushee voting against, and Councilor Ortiz recused on this item.

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 PUBLIC

Joe Moody said, "I'm an organic farmer from La Bajada. Some of you may have been paying attention, some of you may not have been, about our particular situation. It's bad. The lower Santa Fe River is in very poor shape because of lack of water. We've noticed a drying all the way from La Cienega all the way down. We've only recently gotten stormwater, which is good, which saves me, kind of. I lost half my income for the year which is alfalfa and the other half is vegetables."

Mr. Moody continued, "It's very funny there's not a whole bunch of 'rabble' here. But, I have to disagree with the City Attorney. There are legal issues involved, not necessarily from me because I'm not a water rights holder, I'm actually a tenant farmer. We would like to see our water rights respected. Mr. Carpenter's presentation was pretty depressing, I've got to say, but we do have water rights, and they are senior water rights, and we need some sort of agreement with the City that our water will come down the River, that the Watershed Plan, as it is written now, will continue on for the rest of the River, instead of ending at the City limits. Certainly any excess water from the reservoir should be released downstream. Obviously, there probably is not any this year, but we need minimum levels sent from the Waste Treatment Plant and we need them yesterday."

Mr. Moody continued, "You know, and if I can add something right here. The first water emergency that we had dates to 2004, when there was transfer of water to Las Campanas Golf Course, and they have a direct pipeline out of the waste treatment plant. And, I'm hoping that people here will kind of take into account other things, especially your little tiny neighbors way down at the end of the Santa Fe River."

MATTERS FROM THE COMMITTEE

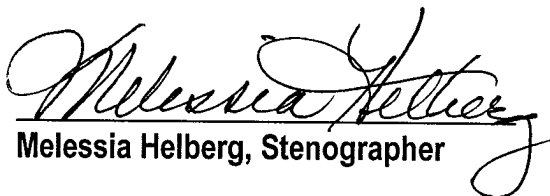
There were no matters from the Committee.

NEXT MEETING: WEDNESDAY, SEPTEMBER 7, 2011.

ADJOURN

There was no further business to come before the Committee, and the meeting was adjourned at approximately 5:40 p.m.

Rebecca Wurzbarger, Chair


Melessia Helberg, Stenographer