



Agenda

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**PUBLIC UTILITIES COMMITTEE
MEETING
CITY COUNCIL CHAMBERS
WEDNESDAY, APRIL 4, 2007
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 MARCH 7, 2007 PUBLIC UTILITIES COMMITTEE MEETING

INFORMATIONAL ITEMS

6. Update on Current Water Supply Status. (Michael Gonzales)
7. Update on Solid Waste Division. (Bill DeGrande)
8. Update on Water Shut-Off/Health/Safety/Water Quality Concerns. (Edwin Lovato)
9. Update on Utility Billing. (Peter Ortega)
10. Update on Fireflies/Kopy Kaps. (Peter Ortega)
11. Update on Grease Interceptors for Additional Sanitary Sewer Service Customers. (Nick Schiavo)
12. Update on Commercial Rate Structure. (Gary Martinez)
13. Report on Trip to Washington, D.C. (Rick Carpenter)

CONSENT CALENDAR

14. Request for Approval of a Professional Services Agreement for Security Services of the City of Santa Fe Water Facility between the City of Santa Fe and Chavez Security, Inc. for the Amount of \$325,628.16 Exclusive of NMGRT. (Gary Martinez)
15. Request for Approval of Award of RFP No. '07/35/P to Wilson & Company for Engineering Services for the Water Transmission & Distribution System Rehabilitation for the Total Amount of \$ \$220,667.21. (Robert Jorgensen and Brian Snyder)
 - a. Request for Approval of a Budget Adjustment in the Amount of \$20,668.00.
16. Request for Approval to Purchase 4,000 Automated Refuse Carts from Toter, Inc. for \$202,918.80 Inclusive of NMGRT. (Bill de Grande).

DISCUSSION ITEMS

17. Request for Approval of Ordinance No. 2007-_____. An Ordinance Amending Chapter 21, SFCC 1987 Regarding Solid Waste Collection Requirements and Enforcement Penalties. (Councilor Ortiz) (Bill DeGrande)
18. A Request for Approval of Resolution No. 2007-_____. A Resolution Studying the Feasibility of Transferring the Collection of Recycling Materials to the Santa Fe Solid Waste Management Agency (SFSWMA). (Councilor Calvert) (Bill DeGrande)
19. Request for Approval of Ordinance No. 2007-_____. An Ordinance Repealing Section 8 of Exhibit A, Chapter 22 SFCC 1987 and Creating a New Section 8 of Exhibit A, Chapter 22 SFCC 1987 Establishing New Sewer Service Charges; Amending Section 12 of Exhibit A, Chapter 22 SFCC 1987 Establishing New Extra Strength Sewer Surcharge Rates; and Amending Section 13 of Exhibit A, Chapter 22 SFCC 1987 Establishing New Effluent Rates. (Councilor Chavez and Councilor Trujillo) (Costy Kasssieh)
20. Request for Renewal of Agreement between the City of Santa Fe and Santa Fe Horse Park to Supply the Horse Park with Treated Effluent. (Costy Kasssieh)
21. Request for Approval of Water Service Under Provisions of SFCC Section 25-1.11 by Michael Roybal for a Dance Studio in the Amount of .55 AFY for the Property at 3951 Rufina Street in the Traditional Agua Fria Village. (Antonio Trujillo)

22. Request for Approval of Water and Sewer Service Under Provisions of SFCC, Section 22-6.2 and Section 25-1.11 by Dell Weston of 701 Airport Road for the Existing Gallery and for the Proposed Four (4) Artist Live/Work Studios and a New Gallery. (Antonio Trujillo & Stan Holland)
23. Request for Approval of Water and Sewer Service Under Provisions of SFCC, Section 22-6.2 and Section 25-1.11 by Jennifer Jenkins, Agent for Country Club Garden Apartments at 5999 Airport Road for Service to a 200 SQ.FT. Office as Part of a New Storage Facility. (Antonio Trujillo & Stan Holland)
24. A Request for Approval for Fire Protection Services Under Provisions of SFCC, Section 25-1.11 by Karl Sommer for the Lexus of Santa Fe Project Located on Cerrillos Road. (Antonio Trujillo)
25. Request for Approval of Resolution No. 2007-_____. A Resolution Adopting Administrative Procedures for Implementing the Santa Fe River Fund. (Janine V. Johnston)

ITEMS FROM STAFF

MATTERS FROM THE COMMITTEE

NEXT MEETING: MAY 2, 2007

ADJOURN

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PUBLIC UTILITIES COMMITTEE
April 4, 2007**

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UPDATE ON GREASE INTERCEPTORS FOR ADDITIONAL SANITARY SEWER SERVICE CUSTOMERS	Information/Discussion	12-13
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<u>CONSENT AGENDA DISCUSSION</u>		
REQUEST FOR APPROVAL TO PURCHASE 4,000 AUTOMATED REFUSE CARTS FROM TOTER, INC., FOR \$202,918.80, INCLUSIVE OF NMGR	Approved	16-17

<u>ITEM</u>	<u>ACTION</u>	<u>PAGE</u>
REQUEST FOR APPROVAL OF WATER AND SEWER SERVICE UNDER PROVISIONS OF SFCC, SECTION 22-6.2 AND SECTION 25-1.11 BY DELL WESTON OF 701 AIRPORT ROAD FOR THE EXISTING GALLERY AND FOR THE PROPOSED FOUR (4) ARTIST LIVE /WORK STUDIOS AND A NEW GALLERY	Approved [amended]	27-30
REQUEST FOR APPROVAL OF WATER AND SEWER SERVICE UNDER PROVISIONS OF SFCC, SECTION 22-6.2 AND SECTION 25-1-11, BY JENNIFER JENKINS, AGENT FOR COUNTRY CLUB GARDEN APARTMENTS AT 5999 AIRPORT ROAD FOR SERVICE TO A 200 SQ. FT. OFFICE AS PART OF A NEW STORAGE FACILITY	Approved [amended]	31-33
A REQUEST FOR APPROVAL FOR FIRE PROTECTION SERVICES UNDER PROVISIONS OF SFCC, SECTION 25-1.11, BY KARL SOMMER FOR THE LEXUS OF SANTA FE PROJECT, LOCATED ON CERRILLOS ROAD	Postponed to 05/02/07	33
REQUEST FOR APPROVAL OF RESOLUTION NO. 2007-_____. A RESOLUTION ADOPTING ADMINISTRATIVE PROCEDURES FOR IMPLEMENTING THE SANTA FE RIVER FUND	Approved [amended]	33-35
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**MINUTES OF THE
CITY OF SANTA FE
PUBLIC UTILITIES COMMITTEE
April 4, 2007**

1. CALL TO ORDER.

A meeting of the Public Utilities Committee was called to order by Councilor Miguel Chavez, Chair, at approximately 5:15 p.m., on April 4, 2007, in the Council Chambers, City Hall, Santa Fe, New Mexico.

2. ROLL CALL

Roll call indicated the presence of a quorum as follows:

MEMBERS PRESENT

Councilor Miguel Chavez, Chair
Councilor Carmichael Dominguez
Councilor Karen Heldmeyer
Councilor Ronald Trujillo

MEMBERS EXCUSED

Councilor Patti J. Bushee

OTHERS ATTENDING

Galen Buller, City Manager
Kyle Harwood, Assistant City Attorney
Stephanie Trujillo, Public Utilities
Carl Boaz, Stenographer

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

Ms. Trujillo said the sponsors on Item #19 should be Councilors Calvert and Trujillo, and said Item #24 will be postponed to the first meeting in May at the request of the applicant.

MOTION: Councilor Trujillo moved, seconded by Councilor Dominguez, to approve the agenda as amended.

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

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<u>DISCUSSION ITEMS</u>		
REQUEST FOR APPROVAL OF ORDINANCE NO. 2007- _____. AN ORDINANCE AMENDING CHAPTER 21, SFCC 1987, REGARDING SOLID WASTE COLLECTION REQUIREMENTS AND ENFORCEMENT PENALTIES	Moved w/o recommendation	17-19
A REQUEST FOR APPROVAL OF RESOLUTION NO. 2007- _____. A RESOLUTION STUDYING THE FEASIBILITY OF TRANSFERRING THE COLLECTION OF RECYCLING MATERIALS TO THE SANTA FE SOLID WASTE MANAGEMENT AGENCY (SFSWMA)	Postponed	19-21
REQUEST FOR APPROVAL OF ORDINANCE NO. 2007- _____. AN ORDINANCE REPEALING SECTION 8 OF EXHIBIT A, CHAPTER 22, SFCC 1987, AND CREATING A NEW SECTION 8 OF EXHIBIT A, CHAPTER 22, SFCC 1987, ESTABLISHING EXTRA STRENGTH SEWER SURCHARGE RATES; AND AMENDING SECTION 13 OF EXHIBIT A, CHAPTER 22, SFCC 1987, ESTABLISHING NEW EFFLUENT RATES	Approved	21
REQUEST FOR RENEWAL OF AGREEMENT BETWEEN THE CITY OF SANTA FE AND SANTA FE HORSE PARK TO SUPPLY THE HORSE PARK WITH TREATED EFFLUENT	Approved [amended]	21-23
REQUEST FOR APPROVAL OF WATER SERVICE UNDER PROVISIONS OF SFCC SECTION 25-1.11, BY MICHAEL ROYBAL FOR A DANCE STUDIO IN THE AMOUNT OF .55 AFY FOR THE PROPERTY AT 3951 RUFINA STREET IN THE TRADITIONAL AGUA FRIA VILLAGE	Approved [amended]	23-27

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**MINUTES OF THE
CITY OF SANTA FE
PUBLIC UTILITIES COMMITTEE
April 4, 2007**

1. CALL TO ORDER.

A meeting of the Public Utilities Committee was called to order by Councilor Miguel Chavez, Chair, at approximately 5:15 p.m., on April 4, 2007, in the Council Chambers, City Hall, Santa Fe, New Mexico.

2. ROLL CALL

Roll call indicated the presence of a quorum as follows:

MEMBERS PRESENT

Councilor Miguel Chavez, Chair
Councilor Carmichael Dominguez
Councilor Karen Heldmeyer
Councilor Ronald Trujillo

MEMBERS EXCUSED

Councilor Patti J. Trujillo

OTHERS ATTENDING

Qustandi Kassisieh, Public Utilities
Stephanie Trujillo, Public Utilities
Carl Boaz, Stenographer

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

Ms. Trujillo said the sponsors on Item #19 should be Councilors Calvert and Trujillo, and said Item #24 will be postponed to the first meeting in May at the request of the applicant.

MOTION: Councilor Trujillo moved, seconded by Councilor Dominguez, to approve the agenda as amended.

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

4. APPROVAL OF CONSENT AGENDA

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

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

CONSENT CALENDAR

14. REQUEST FOR APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT FOR SECURITY SERVICES OF THE CITY OF SANTA FE WATER FACILITY BETWEEN THE CITY OF SANTA FE AND CHAVEZ SECURITY, INC., FOR THE AMOUNT OF 325,628.16, EXCLUSIVE OF NMGR. (GARY MARTINEZ)

15. REQUEST FOR APPROVAL OF AWARD OF RFP NO. 07/35/P TO WILSON & COMPANY FOR ENGINEERING SERVICES FOR THE WATER TRANSMISSION & DISTRIBUTION SYSTEM REHABILITATION FOR THE TOTAL AMOUNT OF \$220,667.21. (ROBERT JORGENSEN AND BRIAN SNYDER)

A. REQUEST FOR APPROVAL OF A BUDGET ADJUSTMENT IN THE AMOUNT OF \$20,668.00.

16. *[Removed for discussion by Councilor Heldmeyer]*

5. APPROVAL OF MINUTES FOR THE MARCH 7, 2007 PUBLIC UTILITIES COMMITTEE.

MOTION: Councilor Trujillo moved, seconded by Councilor Dominguez, to approve the minutes of the meeting of March 7, 2007, as presented.

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

6. UPDATE ON CURRENT WATER SUPPLY STATUS. (MICHAEL GONZALES)

A copy of the Weekly Water Report for the week ending April 1, 2007, is incorporated herewith to these minutes as Exhibit "1."

Mr. Gonzales reviewed the information in Exhibit "1."

7. UPDATE ON SOLID WASTE DIVISION (BILL DEGRANDE)

A copy of the warning to Owners, Landlords and Tenants, dated April 4, 2007, is incorporated herewith to these minutes as Exhibit "2."

Mr. DeGrande presented the information contained in his Memorandum of April 4, 2007.

Mr. DeGrande said he has been working to reinstitute programs which have "fallen by the wayside," has restructured the division and is trying to hire CDL drivers. He believes the staff is in place to take this division where it needs to go. He introduced the supervisory staff of the division in attendance: John Narvaiz, Operations Manager; Leo C de Baca, Recycling Superintendent, Ron Benavidez, Residential Supervisor; Terry [inaudible] Maintenance Supervisor; Lawrence Garcia, Special Projects Administrator; Vivian Martinez, Administrative Manager; and Jessica Martinez, Administrative Assistant. He noted these employees have come through the Solid Waste ranks and none were hired from outside the Division. He said if they succeed, it will be because of a team effort.

Mr. DeGrande asked the following staff members to introduce themselves to the Committee:

Rolando Salas said there some issues with safety which needs more work than has been said. He said they have issues with dumpsters. He has been with Solid Waste for almost two years.

Mark Liliser, equipment operator for about six years.

Matthew Salazar, Chief Steward, and has been with Solid Waste since 2003.

Edward Moreno said he has worked for the City for four years, and at Solid Waste for 6-8 months. He said they work hard for their incentive hours, and taking away the incentive is a "big deal" for them, because they work hard to get their routes done as cleanly and efficiently as possible.

Matt Lujan has worked with Solid Waste for four years. He said a lot of what they are telling that they haven't done isn't everything which has been done. He said it isn't working as well as they say it is. He said it needs more improvement, and the incentive programs are needed. He said they work hard to try and get everything done and to stay on track. He said it isn't only the staff doing everything, it is all of the employees out there making the automated system work.

Danny Montoya said he has been with solid waste for two years. He said the public is saying there are a lot of things which are left out, but they do go back out on complaints that things are left out. He said the incentives are great and employees shouldn't lose them. He said the employees earn the incentives.

Ralph Lopez said he is an equipment operator who has been with Solid Waste for 15 years, and has been a supervisor for five years. He sees both sides of the stories. He asked why change something that is not broken. He said there will always be complaints. The employees do their jobs. He said the people haven't seen the whole picture, nor the crews that work on weekends. On Fridays when the whole City gets ½ day, they have to work eight hours. He asked what would happen if they only worked four hours, and what happens to the rest of the route. He said the downtown Plaza is another issue, because they have to get in there early before the people get there, and there are other places like that. He asked that the Committee look at the whole picture.

Louie Griego has been an equipment operator for nine years. He said there are complaints, and most of those are from the automated routes because people only get one bin, and they are used to putting out extra bags, and they are calling saying we left garbage behind.

Greg Aragon has been with Solid Waste for three years. He hates to see the incentive program abolished.

Chris Lopez said he is an equipment operator, and has been with Solid Waste for 13 years. He spoke about the incentive program. He said they do their job, and as long as the route is done and there are no complaints, they get it done. He said they want us to stop working holidays and such. He asked what will happen with a Saturday route that runs on a holiday, and said that will have to be picked up on Sunday. He asked why try to fix something that isn't broken and is running smoothly. He asked the Committee to look at this and give them a chance to prove they can do the work under the incentive program, and asked that it not be taken away.

Armando Gabaldon said he has been with Solid Waste for four years. He likes the incentive program and doesn't want it to be taken away, and asked the Committee to look at this. He said the holiday issue is another issue.

Peter Vigil has been with Solid Waste for sixteen years. He is concerned about the incentive program. He works six days, Monday through Saturday. The union contract says employees should have 2 days off. He said for holidays, they will have to work on Sunday as well, which goes against the union contract. They do work Saturdays and get paid for hours worked. He said they have reduced hours from eight to five hours overtime. He said trash will just pile up. He asked the Committee to consider this, noting there are more issues than are being reported.

Robert Varela has been with Solid Waste for eleven years. He said the incentive program has been fine until lately, and believes it should stay in place.

Levi Romero has been with Solid Waste for twelve years. He asked the Committee to consider that they have families and if they make them work weekends, people will start calling in sick, and things won't get done. He has to take care of his family.

Steve Herrera has been with Solid Waste for fifteen years as an equipment operator. He said the Committee has heard most of the arguments, and asked them not to “screw it up” more than it is.

Russell Grant has been an equipment operator for ten years. The incentive works for the employees. He said these guys work hard, and he hopes the incentive program will stay in place.

Robert Armijo has been with Solid Waste for 22 ½ years. He said we need to keep the incentive program. He said the issues need to be looked at closer. It helps a person working in Solid Waste to recuperate after a day picking up trash. There are lots of people who work really hard. He wants the Committee to look at this a little closer.

Mark Denko said he has worked with Solid Waste for five years, and without incentives, the City will pay more overtime. He said they don’t get overtime now because of the incentive program.

Randall Marko said he is Community Relations person for Solid Waste, and cites people for violations of the ordinance.

Nicosio Lovato is with Traffic, and is one of the Chief Stewards who has been working with Solid Waste for three years. The incentives are a plus for the employees because they don’t make as much money as they should, and the incentives give them extra pay for the holidays. He asked the Committee to work with management to save the incentive. He said there is a problem with micromanaging. He said they can’t have micromanaging in Solid Waste because the ones taking the hit will be the ones at the bottom – suspensions and terminations. He said there is a problem because they have to pick up human feces, needles and such. He said the City needs to look at increasing the clothing allowance so they can get better clothing for the job.

Matthew Salazar [introduced previously] said he has been with the City for twenty-four years and with Solid Waste for four years. He believes the incentive program should stay in place, noting it has been around for years. He said there is more to the story. He they have a lot of brand-new drivers who still are learning how to do their job. He asked for a little time to see if we can keep the incentive in place. If the training is not there, how do you expect us to get the job done right. There are a lot of concerns, such as trucks breaking down. He would like the Committee to look at all of the concerns before this decision is done.

Councilor Heldmeyer said Mr. Salas spoke about safety issues, but there were no specifics. She said the union stewards should know that there is a standing invitation to get on the agenda of the Public Safety Committee anytime there are safety issues. She said nobody has ever taken her up on this offer since she has become the Chair of that Committee.

Councilor Heldmeyer said there were comments that most of the complaints came from automated and there needs to be more improvement and more training. She noted that District Two doesn’t have as much automated as other Districts, but after a neighborhood is automated,

she rarely gets a complaint. The complaints she gets are about the routes, and the areas which will never be automated where the pickup is difficult.

Councilor Heldmeyer said there were two sets of questions dealing with working on holidays rather than shifting. First, there is a problem with holidays which are half-days and not whole days, problems with people who have Saturday routes. However, most of the comments were about the incentive program, but we haven't heard the rational for suspending it, and why that will make things work better. She would like Mr. DeGrande to address this issue.

Mr. DeGrande said he is pleased that the drivers came to the meeting and presented their side of the issues. He said it is believed that most of the safety issues in the Division are because our guys are in a hurry, and most of the equipment issues are because there are no post and pre-trips, as well as because of speeding and they drive dangerously when they are in a hurry. He said he isn't suggesting that this program be "killed," but rather suspended for a period of time so he can implement the things he feels are needed to get this Division on the right track.

Councilor Dominguez said he believes that everyone on the Committee and the public know that the Solid Waste crews work hard. He gets comments from the public about how hard they work, and commented he's seen them working hard and believes they are doing the best they can. However, he sees systemic issues which go from the top down. He said when you do things in a hurry, accidents will happen, no matter what department or division – this is a given.

Councilor Dominguez asked the history of the incentive program, and what has changed that would lead to the belief it needs to go away. He said it was pointed out that we have a relatively young crew in Solid Waste. However, there are also people who have been here a long time.

Mr. DeGrande asked John Narvaiz, who has been with Solid Waste Division longer than anybody else, to answer this question.

John Narvaiz said he has been with the Division for twenty-four years. The incentive program was in place when he started to work. He understands it was established for the employees as the result of the difficulty of picking up refuse/trash. It had been in place for five years before he came to the City. He said they don't have regular breaks and lunch hours, and it is all done during their route, and they stop and get food and continue on their route. He said at the time he went to work for the City, there were four routes for each District, and they picked up at 1,000 to 1,200 homes, with 20-25 tons of refuse on each unit. The incentive was established because of this laborious work, and because they didn't get regular breaks and a lunch hour. He said at the time there were two commercial routes which took eight hours to pick up.

Councilor Dominguez asked if the incentive program has changed as the City has grown.

Mr. Narvaiz said the program has stayed the same, but more routes have been added.

Councilor Dominguez said there were comments from several staff that there are issues which aren't being discussed, noting he heard only two – micromanaging and clothing allowance. He would like that a process be established through the appropriate Committee to discuss these issues. He doesn't want to hear in 4-5 years that there are the same issues, and no one has tried to address those issues. He wants to hear from all sides, because that is part of being a transparent government.

Mr. DeGrande agreed. He pointed out that the clothing allowance is negotiated between the union and the Labor Management Committee, and he can't do anything about that. He would like the employees to have whatever they need.

Chair Chavez believes we may need to separate the issues because the Committee may not be able to influence some of the issues. We won't solve those problems tonight, because this is an informational item. He said it is good to hear both sides, but that story can't change from week-to-week. He said to say we shouldn't fix it because it isn't broken is not completely accurate. He said we have to make adjustments, because we can't continue to operate in the same way we have for the past twenty years. He said if there isn't support for the automated system, it won't work. If the employees support it and make it work, it is a different story.

Chair Chavez suggested perhaps looking at doing the incentives in a different way, and he would be open to suggestions. He suggested that everyone work together in a team effort.

Councilor Trujillo said he spoke with Mr. Salazar in his office. As a Councilor, he has received complaints from constituents, which he passes to staff. He said the system may not be broken, but perhaps we need to tweak it a little bit.

Councilor Trujillo said there may be a tendency to hurry on some of the routes. He said most of the complaints he has received are regarding the automated system, and spoke about his experience where he tried to put something in the truck but they just kept driving, even though they saw him in the rear view mirror. He reported this incident to Mr. DeGrande. He said they leave trash on the ground after pickup. He understands employees want the incentives, but he wants to see things done correctly so there aren't any complaints. He said the employees work hard, and he's seen them work. He said the employees need to work on the clothing allowance through the union.

Councilor Trujillo said he has received complaints about employees driving the trucks fast and then slamming on the brakes. He said we need to take good care of the vehicles so they will last. He is willing to work on the incentive, reiterating that program needs tweaking.

Mr. Salazar said concerns have been brought to the health and safety committee, and he can provide information in writing.

Councilor Heldmeyer reiterated they can come before the Public Safety Committee with any concerns.

Councilor Heldmeyer said there are a lot of issues floating around, and because of time constraints, the presentation was necessarily brief on some. She said if we meet again on this issue, perhaps the Committee members could send concerns that they would like to have addressed in more detail in advance to Mr. DeGrande and Mr. Salazar, and do this within a brief period of time. They can then gather the specific answers to these questions.

Chair Chavez said we also need to put a timeline on this. He said we can't continue on this for too much longer. We need to let either the crew run Solid Waste by themselves, or it will need to be a team effort between the crew and management. It has to be one or the other.

Chair Chavez asked Mr. DeGrande when he wants to bring it back to this Committee, saying Mr. DeGrande needs direction from the Committee with regard to policy so he can move forward.

Mr. DeGrande said once he gets the questions, he can respond within two weeks.

Chair Chavez said then this will be placed on the agenda as an action item at the next PUC meeting.

Chair Chavez observed that not everything will be perfect, nor liked by everyone, but we need to take steps to move forward. If the automated routes are a problem, then we need to work on that as well.

Responding to the Chairman, Mr. DeGrande said the target is to have 95% automated by September 1st, with the other 5% being semi-automated.

Chair Chavez said this is a policy decision which has been made, and he doesn't know that this can be reversed and go back to manual.

Mr. Salazar said they need to get the new employees trained. He said they can work with the management on the incentives.

Chair Chavez said he understands that the incentives are important, but he doesn't believe this is the only thing which should be "driving this bus." There are other issues which need to be addressed as well, and he doesn't believe this can be done within two weeks.

Mr. Salazar said if we address the incentives, a lot of the problems will go away, reiterating that they have to work with management on this.

Councilor Heldmeyer said her understanding from the memo is that Mr. DeGrande's idea is to suspend the incentive program for some finite period of time and see what the differences are, and that will be in place in May. She pointed out that this isn't an action item, and she assumes that we will go forward with that unless something spectacular comes up in the interim. She said the Committee isn't being asked to approve this. Mr. DeGrande can advise the

Committee at the first meeting in May whether or not he is still proceeding in this manner.

Councilor Trujillo said then Mr. DeGrande is asking for two weeks, and asked would he consider waiting until May 2nd, which would be the first PUC meeting in May.

Mr. DeGrande said that would be fine.

Ms. Trujillo said then, since this isn't an action item, it appears that the suspension is going forward. She suggested suspending the program for 60-90 days to see how it works during that time. This will give staff time to put something else together if it isn't working.

Councilor Dominguez said that decision can be made at the meeting on May 2nd.

Chair Chavez asked Mr. DeGrande if he has already communicated with staff that he is going to suspend the incentive program as it currently exists.

Mr. DeGrande said he has communicated with management, but waited to tell the staff until the Committee was advised. Responding to the Chair, Mr. DeGrande said he is willing to put more thought into this.

Responding to Ms. Trujillo, Chair Chavez said this will be an action item at the May 2nd meeting.

Chair Chavez said if the employees are concerned about their jobs, their families and the future, this isn't helping. He said Councilor Trujillo is correct. He said we can't ignore the complaints we are receiving. He said we all need to work on the details in the interim, pointing out that this will be an action item when it comes back to this Committee at its next meeting.

Mr. DeGrande said Randall Marco, the Community Relations enforcement person, has been doing a terrific job for the Division.

8. UPDATE ON WATER SHUT-OFF/HEALTH/SAFETY/WATER QUALITY CONCERNS. (EDWIN LOVATO)

Mr. Lovato presented information regarding this matter to the Committee from his Memorandum which is in the Committee packets.

Chair Chavez asked if the 7,000 water valves are to regulate pressure in the lines.

Mr. Lovato said no. The sole purpose of the valves is to restrict water flow to different sections so we can do repairs. He said there is also a shut-off valve on the meter or in the meter pit to restrict the flow into the area which is being served.

Councilor Heldmeyer asked when the City Code began to require people to have these shut off valves.

Mr. Lovato said he doesn't know, but he can get the answer.

Councilor Heldmeyer suggested perhaps Ms. Price or other staff can research that in the Code. She said generally, if a house is up to Code at the time it was built, there are some situations in which it is not necessary to improve it later to bring it to Code, because the Code is changing constantly. She said the question becomes what would be the trigger mechanism, from staff perspective, which would require someone to install a shut-off-valve. Is he saying that he wants to send out the word to everyone in the City that they need to install one tomorrow, or will they be given a certain amount of time to fix it, or what. She understands the reason it is desired from staff perspective. She said her shut-off valve probably isn't legal because it is underneath the house, rather than in the yard, observing that her house is 80 years old.

Responding to the Chair, Councilor Heldmeyer said her shut-off valve is accessible and is underneath the floor of the closet in the front bedroom.

Mr. Lovato said this is part of the problem. He believes it is in the best interest of the owner to install some sort of valve where it is easily accessible. He said staff does its best to respond to all complaints.

Councilor Heldmeyer said there are two levels, one of which is an educational level. She asked if staff is requesting changes in the Code or in enforcement of the Code so that all people would be required to do this within a certain time period.

Mr. Lovato said staff could go back and restudy this among the Water Division staff. He would recommend they do outreach, noting they don't have the manpower to enforce such a policy. Staff's concern is when people try to turn the water off on City's property – water meter, fire hydrant, etc. – which creates a health issue on the City's end when they break something.

Councilor Heldmeyer said the Committee was told at the last meeting that even though it is a hardship on staff, staff would rather have staff do it than to have the people do it themselves.

Mr. Lovato said, as indicated in the Memorandum, any public water supply is regulated by the New Mexico Advisory Board and the New Mexico Environment Department, and all facilities are required to meet the requirements established.

Councilor Heldmeyer suggested that Mr. Lovato should meet with Joe Abeyta and the PIO people to educate people not to turn off the water department's valve and also to encourage people to put these valves in over time.

Chair Chavez said this is a good place to start, and to make that clear in the PR campaign.

He would like a progress report from staff to this Committee.

9. UPDATE ON UTILITY BILLING (PETER ORTEGA)

Councilor Heldmeyer noted this item was specifically for Councilor Bushee, and she is still ill, and asked if we should we postpone it until she is in attendance.

Chair Chavez asked Mr. Ortega what he has to report.

Mr. Ortega said Councilor Bushee's question was why we changed the hours. He said they have experienced a high staff turnover in customer service, and trying to get them trained during regular office hours is difficult because they are constantly waiting on customers. Also, there have been complaints that customer service representatives are rude. He said a training program was implemented with the Santa Fe Community College on customer service, noting a schedule of that training is in the packet. There has also been in-housing training. He said hours have been changed on Mondays and Fridays to 8:00 to 3:30 p.m. and Wednesdays to 9:00 to 5:00 p.m., for purposes of training.

Responding to the Chair, Mr. Ortega said he would like to change these hours back at some point, but there is still a turnover rate issue.

Councilor Heldmeyer said Councilor Bushee's concerns were about people who come in during the training, and wanted to know the backup plan for service during the training hours.

Mr. Ortega said there is a telephone message indicating hours, and what button to press in an emergency so staff can answer the phone. He said if people come in during this time, there are people available to serve them.

Responding to Councilor Heldmeyer, Mr. Ortega said cashiers are being trained, but noted he doesn't supervise the cashiers.

Chair Chavez asked staff to meet with Councilor Bushee to get all of her questions answered if possible. He asked that this be placed on the next agenda as an action item. He asked Mr. Ortega to prepare a memorandum regarding his fallback position to deal with customer service during training, and other issues discussed.

10. UPDATE ON FIREFLIES/KOPY KAPS (PETER ORTEGA)

Mr. Ortega presented information regarding from his March 28th Memorandum which is in the Committee packets.

Councilor Heldmeyer said when these were discussed previously, the major issue was that of people having access to their rate of water consumption. The company told us at the time that they would be available in four months or less, but we are now being told that nobody else is interested, and we will get beta versions. She doesn't want these just to be sold to the public. She doesn't want them to be available only to people with money who can afford to participate in water conservation. She said we might want to use the water conservation money to offset costs for certain income levels. She is a little distressed it has taken so long, and just hopes these work.

Mr. Ortega said although Santa Fe is the first municipality to make a commitment to purchase these, Ruidoso and Ruidoso Downs have also committed to purchase Kopy Kaps, and there are others which are interested. The contract gives them five months to produce these. However, their RF engineer had a heart attack which delayed the project, and they have kept him informed, so the delivery date is just postponed for 4-6 weeks at this time.

Responding to Councilor Trujillo, Mr. Ortega said these devices could be placed on a refrigerator or a window inside the home. The device uses a battery, but he doesn't know how long it will last. The device picks up a frequency from the Firefly. He said Mr. Kersher told him it will display the meter number and the user can check that against the water bill. The customer can then accept it if it is correct, if not, the customer can ask for another frequency. Mr. Kersher told him the battery should last for a long period of time, but that will depend on the frequency of use by the customer.

Responding to the Chair, Mr. Ortega said he lives in an adobe house and it does affect cell phone and radio reception, and he asked Mr. Kersher about this, and he didn't have an answer for him at that point. Mr. Ortega said the company is in Plano, Texas where there aren't many, if any at all, adobe homes.

Councilor Heldmeyer wants to be advised when the devices are received.

11. UPDATE ON GREASE INTERCEPTORS FOR ADDITIONAL SANITARY SEWER SERVICE CUSTOMERS (NICK SCHIAVO)

Nick Schiavo presented information via power point. The text of this presentation is contained in the Committee packets.

Responding to Councilor Chavez, Mr. Schiavo said it is a prefab unit which can be purchased, and usually is located outside the building. A smaller business could still use a grease trap of 5-50 gallons located below its three compartment sink and could be emptied from that area. Once installed, there is access for the outside units through manholes to do regular pumping.

Councilor Heldmeyer thanked staff for doing the research. She said under the Green

Building Code, there are people who will be installing dual plumbing systems. She asked if there should be a grease trap in a dual plumb system.

Mr. Schiavo said when you split it out this way, you avoid any of the kitchen sink waste, and it goes for shower water and other hand sinks, and they try to avoid washer waste.

Chair Chavez said there still needs to be an effort to educate the public, especially restaurants, on how to dispose of that grease.

Mr. Schiavo said definitely, and there are two staffers who work full time with industrial pretreatment, one of which spends most of his time educating the restaurants. The program is designed to limit the amount of grease entering the system, and the restaurants are dual based on the level of COD. It benefits them to have a good working grease trap or intercept it and have it pumped regularly.

12. UPDATE ON COMMERCIAL RATE STRUCTURE (GARY MARTINEZ)

Mr. Martinez said staff recognizes and understands the issues which have been brought forth by some commercial customers. The Council adopted the rate structure with the understanding there would be impacts to commercial customers. The impacts are largely desired to enforce water conservation objectives. However, the impacts to a subset of commercial customers is of particular concern to staff. These customers either have small meters less than one inch, and historically use and continue to use, more water than the rate schedule provides as part of their normal operations. Their particular use of water is appropriate and typical for these types of businesses. He said the adopted rate schedule depends on the correlation of water use to water meter capacity with the implicit understanding that the meter size is fitted for the capacity the customer requires. In some cases, that correlation doesn't necessarily exist, and in some cases, the customers may be operating with undersized meters. However, in most cases, staff believes that the use characteristics for the business activity in question don't match well with the parameters of the adopted rate schedule.

Mr. Martinez said staff recommends an administrative remedy. Staff doesn't recommend calculating new rates for these customers. Based on the criteria, staff proposes to require customers to apply either for a change of use and install a larger meter based on capacity requirements, paying the additional UC consistent with City ordinance or in cases where a larger meter is not necessary, to make an administrative adjustment for billing purposes which, essentially, would place the customers on a rate schedule for a larger meter.

Mr. Martinez said part of the work currently being done to bring a recommendation forward, involves pulling billing records on the commercial accounts which are 1 inch and smaller for the past twelve months, as well as examining the billing records of the specific customers who have had complaints and came before the Committee for the past twelve months. If the Governing Body approves this approach, the next steps would be to determine the impact

on Water Division revenues resulting from this change, and then return to the Governing Body with the information and staff's recommendation as to how to implement these policies. He expects staff can present these recommendations within one month. This information is being presented as an update of what staff is doing in this regard.

Chair Chavez understands it is not an easy task. He said, with regard to the rate structure itself, even after staff has a possible solution, the Committee needs to determine the impact on revenue to the Water Division. If the revenue is negatively impacted, the decision would also involve the City's bond counsel.

Mr. Martinez said this is correct, and we would need to determine a method to recover that revenue if there was a negative impact.

Chair Chavez asked if he is focusing only on the commercial side.

Mr. Martinez said the focus is on all one inch and smaller meters, although the main focus is on commercial.

Chair Chavez asked if the bond counsel will draw a distinction between commercial and residential. Mr. Martinez said no, it would be just on the revenue.

Responding to the Chairman, Mr. Martinez said staff is pulling records on all commercial accounts.

Responding to Councilor Dominguez, Mr. Martinez said the goal is to provide the information and recommendation to this body within one month.

Councilor Heldmeyer said in talking about administrative approval, she presumes Mr. Martinez is talking about a very clear set of guidelines under which this would be allowed, or is he just talking about people just walking in the door who are unhappy and doing what PNM calls a PR adjustment.

Mr. Martinez said so far the discussions are that it would be a one-time adjustment. Staff wants to see how many accounts would be affected, so we can analyze the revenue impact. Staff isn't looking at making administrative changes from that point forward, because if something changes, the Governing Body will need to look at a new rate structure or something else. This is a one-time shot because of this unique situation.

Chair Chavez noted that the rates are established by ordinance.

Councilor Heldmeyer said this is correct, but the people who came before this Committee and asked that we look at this, were not talking about a one-time adjustment, but whether or not there should be another rate class. She said we really need to think about this, because there are some businesses on which the new rates were intended to focus because they needed to reduce

their water usage. There were other business which weren't the focus, but just got caught in the "crossfire." She doesn't want staff to do all of this work just for a one-time adjustment. The question is whether, for a particular commercial subset(s), this set of rates is fair and equitable. A one time adjustment just won't answer that question.

Councilor Trujillo asked why we are going after all commercial, and why not just hit those that use the most water.

Mr. Martinez said staff is just doing an evaluation to ensure we don't leave anybody out. If we do make a policy decision, we don't want people coming back in the future saying we forgot about them.

Chair Chavez said this is a tough situation. He said he asked staff to paint the picture of what the City is going to be required to do in the future to be able to continue to provide water. He said the City is faced with the daunting task of acquiring water rights, and the unit cost is increasing all the time. He said the City is in the same situation as many of the businesses in providing service to our customers.

Chair Chavez noted there is an article in the most recent Santa Fe Reporter, dealing with New Mexico's water future.

Chair Chavez said then Mr. Martinez is requesting to come back in one month with some recommendations in this regard. Mr. Martinez said this is correct.

Responding to the Chair, Mr. Martinez said he was thinking of presenting this as an information item, and perhaps the Committee could give staff direction at that time.

Chair Chavez said he is trying to move some of the informational items for action at the next meeting. He asked Mr. Martinez if he will be ready in a month to do the work, and if he could share that information with some of the concerned businesses.

Mr. Martinez said a month might not be enough time, especially when sharing information with some of the commercial customers because there are approximately eight on his list right now.

Chair Chavez directed staff to bring this back in one month as an informational item, and then on the following agenda as an action item.

13. REPORT ON TRIP TO WASHINGTON, D.D. (RICK CARPENTER)

Mr. Carpenter reported on the trip to Washington, D.C., March 20-23, with the Mayor and Councilors Wurzbarger and Calvert, County Commissioner Montoya and City and County staff.

The group met with Congressman Udall's staff, and Senators Domenici and Bingaman, as well as the Assistant Secretary for the Department of Interior, Mark Limbaugh. They discussed the Buckman Direct Diversion, as well as other issues such as the Aamodt case and other funding requests.

Chair Chavez asked if our funding request was looked upon favorably?

Mr. Carpenter said there are a number of programs which are available, and he believes we will have a lot of success.

Chair Chavez asked if we are closer to obtaining the discharge permit for the Buckman Diversion.

Mr. Carpenter said they had hoped to meet with EPA but they were out of town. He said he is working through Secretary Ron Curry, NMED and the Dallas Region VI. He said the last few months have been relatively successful.

CONSENT AGENDA DISCUSSION

16. REQUEST FOR APPROVAL TO PURCHASE 4,000 AUTOMATED REFUSE CARTS FROM TOTER, INC., FOR \$202,918.80, INCLUSIVE OF NMGR. (BILL DEGRANDE)

Councilor Heldmeyer asked if we are only getting one size in this purchase, because we previously had discussed buying two sizes.

Mr. DeGrande said this purchase is only for the 96 gallon carts, noting we still have about sixty 60-gallon carts in stock. The issue right now is storage space and the reason we purchase in these quantities. He said it is planned to order 60-gallon carts again soon.

Councilor Heldmeyer noted the seniors in her District seem to be more comfortable with the smaller carts, because it is easier to move them and they don't generate a lot of trash.

MOTION: Councilor Heldmeyer moved, seconded by Councilor Dominguez, to approve this request.

DISCUSSION: Chair Chavez asked if there is a savings in ordering larger quantities. Mr. DeGrande said no, this part of an original purchase and he is doing purchase orders one at a time.

Responding to the Chair, Mr. DeGrande said other sizes are available, but at this point, these are the only two sizes the City provides. He said once fully automated, and we look at volume-based billing, we may also come out with a 35-gallon cart.

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

DISCUSSION ITEMS

17. REQUEST FOR APPROVAL OF ORDINANCE NO. 2007- ____ . AN ORDINANCE AMENDING CHAPTER 21, SFCC 1987, REGARDING SOLID WASTE COLLECTION REQUIREMENTS AND ENFORCEMENT PENALTIES (COUNCILOR ORTIZ). (BILL DEGRANDE)

Mr. DeGrande said staff supports this ordinance as written, with the exception of Section 21-8.1, page 15, line 4, dealing with credits, and staff proposes deletion of this language.

Chair Chavez said this makes sense to him.

Councilor Dominguez said he remembers and understands the reason Councilor Ortiz wanted the credits included, and asked why staff wants it deleted.

Mr. DeGrande said because it is unenforceable, and gave an example of the reason.

Councilor Dominguez asked how he proposes to deal with complaints where the garbage isn't getting picked up, yet customers are paying the full price for the service.

Mr. DeGrande said staff does go back and pick up refuse where there are complaints, either on the same day or the next day. This language opens up refuse collection on demand. If somebody puts it out at noon, and we've already picked up, we then have to back and pick it up.

Councilor Dominguez said this has always been his concern. He said some people don't get their garbage out on time, and it sits out all day long. He asked if staff is documenting this.

Mr. DeGrande said staff does a work order on every call where trash collection is missed.

Councilor Heldmeyer said she is sorry to see the recycling for family and commercial is being put aside for the moment, because this is one of the big issues, especially as the material recovery facility comes on board.

Councilor Heldmeyer said the whole question of bags keeps coming up. She understood that if someone has an automated cart, the garbage should be bagged, but the bag you put it in is not as important as just setting out the bag itself, and she is unsure whether this ordinance clearly makes this distinction. We had discussed the possibility of providing bags only for those who do not have automated service. She said this is one of Jeanne's questions.

Chair Chavez noted that there is also a proposed amendment in the packet. He asked if the amendments are only for clean-up or clarification, and asked Ms. Price to review the amendments.

Ms. Price reviewed the amendments.

Councilor Heldmeyer said the confusing part is that refuse bags are still defined in terms of a specific size and thickness, but the term “refuse bag” tracks differently through the ordinance. It sometimes means a bag you put on the curb and sometimes it means the bag you put garbage in which may or may not go into the cart.

Ms. Price said staff can review that language and clarify it.

Councilor Heldmeyer said she doesn’t believe having sworn affidavits really adds anything, and it adds a lot of work administratively and to the customer. She said we are hearing that with or without it, it may be difficult to prove what is going on.

Mr. DeGrande said the credit issue goes to service. It is about service and picking up everything on the route, and not having complaints to respond to every day. He doesn’t think the credit serves that. The credit is a way of getting around paying the refuse bill.

Chair Chavez said it is poking us in the eye for not doing a better job, and he doesn’t believe this is the best approach. He said this isn’t a systemic solution to the problem, and won’t help. He said if the crew is willing to meet management half way, we can provide the service in a reasonable time frame, and provide a safe place for the employees. However, this will just take staff away from doing their important work. He sees this as a “band aid” approach.

Councilor Heldmeyer commented on the three-foot rule, noting she is already receiving complaints from people who live in small congested neighborhoods. On some streets, it doesn’t exist.

Mr. DeGrande said, for example, West Houghton is awful, and we know a small truck is required and two people are needed.

Chair Chavez said then for routes which won’t be completely automated, that means the bags are not going to go away.

Mr. DeGrande said no. We are going to automate everything. However, those neighborhoods which are problematic will be semi-automated. There will be a two-man crew to move the carts so we can pick them up.

Responding to Chair Chavez, Mr. DeGrande said this eventually will make the bags obsolete.

Councilor Heldmeyer noted the three-foot rule also applies to recycling, and there are places in her District where this isn't possible.

Mr. DeGrande said it only applies to recycling if the recycling bin is three-feet away from the refuse bin.

Councilor Heldmeyer thanked Councilor Ortiz for including the idea of snow days. In some cases, we may suspend pick ups for two days. Hopefully the new snow removal plan will mean there will be fewer of those specific streets.

Councilor Dominguez said he doesn't disagree with much of what has been said, clarifying that he doesn't want to speak for Councilor Ortiz, but he believes the rebate was about accountability and to hold the Division responsible for ensuring that the employees are accountable.

MOTION: Councilor Dominguez moved, seconded by Councilor Trujillo, to move this item forward to the Council without recommendation.

CLARIFICATION OF MOTION: Chair Chavez asked if the motion includes the staff amendments. Councilor Dominguez said it includes the amendments, and the five points brought up by staff are points of discussion the Governing body needs to have.

Councilor Heldmeyer asked, given this is a request to publish, if we want these points to come back to this Committee before the Council votes on this, and ask Councilor Ortiz to attend and discuss those.

Councilor Dominguez said that would be fine, and asked if there is time to do this.

Councilor Heldmeyer said there is, pointing out that this is a request to publish.

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

18. A REQUEST FOR APPROVAL OF RESOLUTION NO. 2007- _____. A RESOLUTION STUDYING THE FEASIBILITY OF TRANSFERRING THE COLLECTION OF RECYCLING MATERIALS TO THE SANTA FE SOLID WASTE MANAGEMENT AGENCY (SFSWMA) (COUNCILOR CALVERT). (BILL DEGRANDE)

Mr. DeGrande said he had a conversation with Councilor Calvert this afternoon, asking for a six-month extension rather than the 90-day extension which he included in the Resolution. Councilor Calvert has agreed to the six-month extension to rewrite the ordinance.

MOTION: Councilor Heldmeyer moved, seconded by Councilor Trujillo, to postpone this item until such time as the SWAMA Board has approved an amended version of the ordinance.

DISCUSSION: Councilor Heldmeyer said the last time she served on SWAMA, there were questions with regard to how long it would take to get the facility operational, and to work out those issues before they took over the collection.

Chair Chavez asked Randall Kimbrough if he has anything to add, asking when he believes the agency will be ready.

Randall Kimbrough, Executive Director of SWAMA, said he appreciates what Councilor Calvert is trying to do. On the other hand, he sees what Mr. DeGrande is doing to try to improve the recycling within the City, and agrees with giving him the six-month period.

Mr. Kimbrough asked the Committee to bear in mind that if SWAMA does the collection, and there are still other issues, such as customer service, who to call and such. He said it makes more sense to continue to collect both the solid waste and recycling for the time being. He favors a study and development of a twenty-year plan for both the City and County.

Mr. DeGrande said when you look at this study as proposed, you need to consider what questions to ask in the study. For example: Is it feasible for SWAMA to collect recycling in the City, of course it is. Is it cost effective, probably not. However, we should do the study to prove his point. He thinks the most important point to be considered is whether you want services such as recycling, and in 20 years refuse, with three County Commissioners having 50% say on how it is conducted in the City. We really need to look at this. SWAMA is run by a joint powers board, with each person being equal. The County has three votes, and the City has three votes.

Chair Chavez said there is no FIR attached, and asked who will do the study and what will it cost. Mr. DeGrande said Councilor Calvert proposed that the City Solid Waste Division pay for it, with which he has an issue.

Chair Chavez said this is a policy decision that no one Councilor should be making.

Ms. Price said Councilor Calvert talked to her after he spoke with Mr. DeGrande, and he said he didn't know how the study would be financed, but said perhaps it should be a three-way thing between the City, the County and SWAMA.

Chair Chavez said the bottom line is that there is no FIR in the packet.

Ms. Price said that would be done before this goes to Finance.

Chair Chavez said we need to know the fiscal impact and who will provide the funds for the study, and we need that information when this comes back to this Committee.

Mr. DeGrande agreed. He said what isn't very clear in the Resolution is that this isn't just proposing to collect recycling in the City limits but he is also proposing to pick the "low hanging fruit" in those density areas of the County. This also raises the question as to whether the City, through rates, winds up subsidizing recycling in the County.

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

19. REQUEST FOR APPROVAL OF ORDINANCE NO. 2007- _____. AN ORDINANCE REPEALING SECTION 8 OF EXHIBIT A, CHAPTER 22, SFCC 1987, AND CREATING A NEW SECTION 8 OF EXHIBIT A, CHAPTER 22, SFCC 1987, ESTABLISHING EXTRA STRENGTH SEWER SURCHARGE RATES; AND AMENDING SECTION 13 OF EXHIBIT A, CHAPTER 22, SFCC 1987, ESTABLISHING NEW EFFLUENT RATES (COUNCILOR CHAVEZ CALVERT AND COUNCILOR TRUJILLO). (COSTY KASSISIEH)

Mr. Kassisieh reviewed the information in his Memorandum of March 16, 2007, which is contained in the Committee packets. He said he is trying to break even in the Division so he doesn't have to take from "Paul" and give to "Peter," which he has been doing for the past three years.

Chair Chavez asked who is "Peter" and who is "Paul" in this scenario.

Mr. Kassisieh said the plant is "Paul" and collection is "Peter." He said when one runs short of funds, the other assists.

Councilor Heldmeyer asked if this will affect the price which Las Campanas pays for effluent, or is that set by contract.

Mr. Kassisieh said Las Campanas' price is set by contract. He said this will increase the price for treated effluent to match the Las Campanas price, noting the value is increasing.

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

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

20. REQUEST FOR RENEWAL OF AGREEMENT BETWEEN THE CITY OF SANTA FE AND SANTA FE HORSE PARK TO SUPPLY THE HORSE PARK WITH TREATED EFFLUENT. (COSTY KASSISIEH).

Mr. Kassisieh reviewed the information in his Memorandum of February 26, 2007, which is contained in the Committee packet.

Councilor Heldmeyer said this facility uses a large amount of water, and the rationale has always been that the City gets an additional benefit, and asked why we aren't tying them together. If we are negotiating contracts for recreational use, those ought to be well under way by now.

Mr. Kasssieh agreed, but said Parks & Recreation will be negotiating the contract for the use of its facilities.

Councilor Heldmeyer said it would be done by Recreation out of Community Services.

Chair Chavez said one of the reasons we are doing this is that we made a mistake a few years ago to stop watering the parks, so people had to go somewhere. This place is pretty lush with or without our effluent. However, the contract allowed us to use their fields. We are spending millions of dollars to bring our parks back on line, and he doesn't see the benefit in continuing this arrangement to send people out there when they could be using City parks instead.

Responding to the Chair, Mr. Kasssieh said they asked for a 99-year contract, but we told them to forget that.

Chair Chavez asked when we will be able to wean this facility off effluent, or do we encourage it because we need the revenue.

Mr. Kasssieh said for every gallon of treated effluent they use, we are saving one gallon of potable water. If we don't allow anyone to use that effluent, it will just go down the river and nobody will benefit from it.

Chair Chavez said in this case, while they have luxury of using effluent, they still are using potable water at that facility for other purposes. He doesn't think we have canceled that use out completely, but he would need to look at the data. He said the revenue generated is something to consider as well as replacing potable water use to some extent with effluent.

Responding to the Chair, Mr. Kasssieh said this contract generates about \$60,000 annually.

MOTION: Councilor Heldmeyer moved, seconded by Councilor Trujillo, to send this request to the Council, with approval, with the proviso that when it comes to the Council that it is tied to some kind of recreation agreement.

DISCUSSION: Chair Chavez asked what happens if Recreation doesn't want it as part of its facilities. He doesn't think they need this anymore.

Ms. Kasssieh said they didn't seem interested because they are using the race track for their soccer and ball fields, which costs \$65,000 annually.

Councilor Trujillo said last year he introduced a Resolution dealing with effluent throughout the City, and he has heard nothing more about it. He was looking at the possibility of installing effluent lines whenever there is new construction throughout the City in an effort to serve the City's parks.

Mr. Kasssieh said he believes that went to CIP because they handle streets, so Public Works has it. Responding to Councilor Trujillo, Mr. Kasssieh said we are trying to run the effluent line all the way to Tierra Contenta, and after that it could be stretched further up Rodeo Road wherever needed.

Chair Chavez said he's been working to get this effluent line for 2-3 years, and this is the first Legislative Session we haven't received funding for the effluent line.

Mr. Kasssieh said the first appropriation from the Legislature was for \$25,000, and we have received subsequent appropriations for \$79,000, and the third year \$50,000, although he has been requesting \$1.2 million each year. The design is complete, and yesterday we got easement for the tank from the Santa Fe Public Schools.

Mr. Kasssieh said this goes next to Finance, and asked if he should ask someone from Parks or Recreation to talk to Councilor Heldmeyer about this. He hates to tie his hands with their MOUs.

Councilor Heldmeyer said yes.

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

21. REQUEST FOR APPROVAL OF WATER SERVICE UNDER PROVISIONS OF SFCC SECTION 25-1.11, BY MICHAEL ROYBAL FOR A DANCE STUDIO IN THE AMOUNT OF .55 AFY FOR THE PROPERTY AT 3951 RUFINA STREET IN THE TRADITIONAL AGUA FRIA VILLAGE. (ANTONIO TRUJILLO)

Antonio Trujillo said this has been before this Committee previously and was to go before the City Council. However, Mr. Roybal decided to amend his request, and this should say for a dance studio and a residence. The .55 afy request is for both a dance studio and a residence. He noted the County has approved these structures for this particular site.

Councilor Dominguez said one of the issues previously, was a letter from the Agua Fria community. He said the letter in the Committee packet is dated December 28, 2006. He asked if there has been subsequent correspondence with Agua Fria.

Mr. Trujillo said no, the packet was complete when it originally came through the Committee, including the letter from the County and the Agua Fria Village.

Councilor Dominguez said it has changed since the initial letter from Agua Fria.

Mr. Trujillo said the amount of water which is being requested from the City has changed, but we didn't ask him to go back and get a letter from the Village for service.

Councilor Heldmeyer said we wanted to see what it was that the Development Committee had approved. She said we received a letter from the Agua Fria Water Association, but we have been asking repeatedly to see what was approved by the Development Committee.

Mr. Trujillo said the applicant is in attendance to answer this question, noting the Applicant told him that what had been approved was a dance studio and a residence.

Councilor Heldmeyer said we have repeatedly asked for a copy of the approval from the Development Committee, because we were interested in any restrictions which were imposed, the expected usage, the expected attendance and such.

Michael Roybal said the County has approved only a studio residence, but has not approved a commercial usage there. The County has said he could have his dance studio and a residence there for personal use, and that is all he really wants – personal use only.

Councilor Heldmeyer said when he was here previously, Mr. Roybal discussed the possibility of using the studio for social events, dances and such.

Mr. Roybal said that would be a dream of his in the future, and he would need County approval for commercial use. However, he just wants it for the residence. The design of the residence is a residence/dance studio, and the reason it was approved that way. It is just a big, open living space, for his own personal use for dancing. At this point, he said he isn't interested in a commercial usage of the property.

Councilor Heldmeyer asked if he is thinking of that in the future.

Mr. Roybal said, "Possibly. Yeah."

Councilor Heldmeyer said this is the reason the document would be so helpful, so we can see exactly what was approved. She would like that document to be included it when it goes to the Council.

Mr. Roybal said he doesn't have a piece of paper, but he has a set of plans which was approved by the County. It is for a residence. He said he misworded his application by saying "dance studio," although his first ambition was to have a dance studio when he came to the City, and the reason it has been amended. He said, "I just want to go back to my original approval of my plans from the County which were on the set of plans, it was called a residence dance studio, but it's not a commercial business per se. It's just an open space designed home, with a big living room."

Councilor Heldmeyer said this is a whole different story than what we heard the last time you were here.

Mr. Roybal said, "Yes, you're right, and that's why I amended it."

Responding to Councilor Heldmeyer, Mr. Roybal said, "I did. I drastically changed my mind. I just wanted to amend this to have what the County has approved and that's just a live-in studio. And it's like calling it a loft. I'm not planning on having a business there."

Responding to the Chair, Mr. Roybal said it is a single story building.

Councilor Chavez read from the Description of the Project: "Remodel existing structure approx. 2500 sq. ft. into a ballroom dance studio, 2 small restrooms, and a small kitchen area." He asked if this is the plan approved by the County. Mr. Roybal said it is.

Councilor Chavez asked if he is going to build this plan. Mr. Roybal said, "I am going to build that plan. It's just for...it's a living space of the main area, is living room, just a big open living room, bedroom."

Responding to the Chair, Mr. Roybal said, "It's just a 2,500 sq. ft. structure. It's already up. It's been there...I think it was built in 1930."

Chair Chavez said the type of project indicates dance studio and residence.

Mr. Roybal said that is his old ambition. However, when he went to the County, the County didn't give him approval for a commercial business there. He said, "I don't want that. I just want to be able to build my house. I like the idea of having the open concept. Big living room, bedroom."

Responding to the Chair, Mr. Roybal said the lot is 1.67 acres, with easements on two sides of the property – one adjacent to Rufina and the other perpendicular to that. There is a 20 ft. utility easement for City utilities. He said his property is surrounded by City utility easements. It has a City water main on it, and currently he has City sewer. He said he has water on the property as an easement, but no right to use it.

Chair Chavez asked why the City built a water main on this property, noting it is four feet within the property.

Mr. Trujillo said it is within an easement across the property, and was part of the Rufina main extension. The water main is within the easement, commenting that this is typical.

Councilor Dominguez asked Mr. Roybal how to differentiate between the dance space for personal use and dance space which can be used for commercial use. He asked what is to keep Mr. Roybal from beginning to give dance lessons once this is approved.

Mr. Roybal said for one thing, the County hasn't given him approval for commercial use of that property.

Chair Chavez said then the County is limiting the use to residential use.

Mr. Roybal said this is correct. He said, "What I could do is make the property a viable piece of property.. part of the community and I could sell it. But at least at that point, it would be a viable piece of property, a saleable piece of property, with utilities on it."

Councilor Dominguez said then you promise not to run a business out of there while there is a restriction.

Mr. Roybal said, "Of course I can't do that. I wouldn't do that unless I got permission to do that, but I'm not planning on running a dance studio business... that was a past dream of mine. You know, if at some point that was to happen, I would have to go and ask permission for commercial use, but, no, I'm not planning on doing that. I promise, Councilor Dominguez, that I will not make it a dance studio."

Councilor Dominguez said he hopes staff is prepared to keep Mr. Roybal to his promise.

Mr. Harwood said if the Committee wants to ensure that the water is used only for non-commercial purposes, it can be added to the contract and then staff would have something to enforce, if you'd like to ask staff to add that as a special condition. The agreement is for Committee consideration, but after consideration if it is approved, it results in an agreement which the applicant must sign. If the conditions of water use are for residential only, and not for commercial purposes, this provides something for Sangre staff in the future to review and enforce. He would recommend this be included if this is the reason for approval. Otherwise, it is only sitting in the minutes, there is no encumbrance on the land during a sale, but it would exist in the Sangre records that the contract is contingent on this use. Then, if he gets commercial purposes, he can come back and ask for that.

Chair Chavez asked if the volume of water requested correlates with the proposed use.

Mr. Trujillo said it exceeds the requested use, and if it is for a residence only it would be quite a bit less, noting this is the first he's heard this. He said for a residence it would be .32 afy.

Chair Chavez asked Mr. Roybal if he would agree to this condition, and if he changed his mind, he could come back and request more.

Mr. Roybal said, "That makes total sense."

Chair Chavez asked Mr. Roybal if he is willing to agree to the cap for a residential application.

Mr. Roybal said, "Yes."

MOTION: Councilor Dominguez moved, seconded by Councilor Trujillo, to approve this application for water service with the condition that the revised site water budget will be consistent with residential use only, and will be used only for non-commercial purposes, and encourage the applicant to come back if he succeeds with his dream and request additional water.

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

Mr. Harwood asked that this item be placed on consent at the Council meeting.

Chair Chavez agreed.

22. REQUEST FOR APPROVAL OF WATER AND SEWER SERVICE UNDER PROVISIONS OF SFCC, SECTION 22-6.2 AND SECTION 25-1.11 BY DELL WESTON OF 701 AIRPORT ROAD FOR THE EXISTING GALLERY AND FOR THE PROPOSED FOUR (4) ARTIST LIVE/WORK STUDIOS AND A NEW GALLERY. (ANTONIO TRUJILLO & STAN HOLLAND)

Mr. Trujillo presented information regarding this matter from his Memorandum dated March 22, 2007, which is in the Council packet.

Chair Chavez asked why the memorandum indicates it is contiguous.

Mr. Trujillo said the Memorandum was prepared by Stan Holland, and not by him. He said the evaluation which was done by the Planning & Land Use Department states that the property is not contiguous.

Chair Chavez asked if these are adjoining properties. Mr. Trujillo said they are adjoining properties, but Mr. Weston's property is not contiguous to the City.

Responding to the Chair, Councilor Heldmeyer said we annexed part of Airport Road, but is unsure if that portion in front of Mr. Weston's property has been annexed.

Mr. Trujillo said the analysis done by the Planning & Land Use Department states that the City has not annexed that portion of Airport Road, noting a Memorandum from Katherine Mortimer to this effect is included in the Council packet.

Councilor Heldmeyer said the sewer in this area isn't a problem because of the City policy. She asked the rationale for giving water to this lot, when it is not within the City limits, nor contiguous to the City limits.

Mr. Trujillo said it is within the annexable area for the City.

Councilor Heldmeyer said the County will not let us annex anything, so what is the advantage to the City of providing water to this land.

Mr. Trujillo said the ordinance provides for the applicant to submit a request and for the Governing Body to either approve or deny the request, so he is bringing this request forward as the contact for the staff. He said she would have to ask the sponsors of the ordinance the rationale.

Mr. Harwood asked the plans for the on-site well, saying he presumes the applicant can't do this level of the land use development intensity without off-site water and sewer.

Mr. Weston said the County told him that he cannot develop without having City water and at that time, he would have to shut down the well.

Mr. Harwood said he thinks, technically, the County is talking about off-site water without distinguishing between City and County utilities.

Mr. Weston said there is a letter in the application that the County cannot service water in this area.

Mr. Harwood asked Mr. Weston if he will be capping and abandoning the well in accordance with State Engineer regulations and such.

Mr. Weston said yes. The County agreed at that time to go forward with annexation of this property when the City decides to annex this property, but this hasn't happened.

Mr. Harwood asked if is this a domestic well which is allowed to pump maximum.

Mr. Weston said he doesn't know, but he was required to put a meter on it.

Chair Chavez said the letter from the County says, "This letter is to certify that the Santa Fe County Water Resource Department will not be providing water service to 3842 Buffalo Grass Road AKA 701 Airport Road. This address and location is not in our service area." He asked in whose service area the property is located.

Mr. Harwood said he wanted to point out that the County Planning & Land Use rules only allow this density if it is supplied by off site water. He said then you have to go to the utilities and ask for off site water. He said it isn't that the County regulations provide that you have to get City water. He said the Zoning Code is written around off-site. Mr. Harwood said the original resolution was written around the interest of the community as a whole, and said Ms. Borchert could speak to regional groundwater pumping and unregulated wells being conduits of contamination. He said the community as a whole has never been defined.

Councilor Heldmeyer said there are no allegations that the well is running dry, or for the

amount of use it has. She said she admires Mr. Weston and his company. However, this is the problem we always get into.

MOTION: Councilor Heldmeyer moved, seconded by Councilor Dominguez for purposes of discussion, that this Committee recommend approval of the sewer and not of the water.

DISCUSSION: Councilor Dominguez said in the past we have approved these which are contiguous to the City with condition that they would not oppose annexation. In this case, this property isn't contiguous, and there is a letter from Jackhammer that it doesn't have plans to request annexation, so we can't place this condition.

Councilor Heldmeyer said we didn't do that with the Castro property, and we gave him water.

Chair Chavez said even though there is a letter from Jackhammer Associates that it has no immediate plans to request annexation, he believes we could ask the applicant to agree not to oppose annexation if we got to that point.

Councilor Dominguez said he just sees this as an opportunity to have a lesser battle if we ever get to the point of annexation.

WITHDRAWAL OF SECOND: Councilor Dominguez withdrew his second to the motion.

Councilor Heldmeyer noted that Katherine Mortimer's memo says this property has contiguity with Airport Road but it is to a part that is not annexed. She said the City was willing to join an application for annexation to extend along Airport Road to the closest point of contiguity. She asked Mr. Weston, if the City would join with him in an application for annexation to annex Airport Road in front of his property and he would annex behind, if he would be willing to do this.

Mr. Weston said yes. In 2001, when he started this process, he signed an agreement at that time, that if the City wanted to annex his area he would not oppose annexation. He said two months ago there was a meeting at a school off Airport Road regarding annexation in that area.

Councilor Heldmeyer said currently, the County won't let the City annex anything which is not developer driven.

MOTION: Councilor Heldmeyer moved, seconded by Councilor Dominguez, that the Committee recommended approval of the sewer service and recommend approval of water service if the applicant goes jointly with the City through the developer initiated annexation process to annex Airport Road which the City owns and the piece of land Mr. Weston owns.

DISCUSSION: Mr. Weston understands Jackhammer and Associates is owned by a developer and they are trying to get a lot of land on Airport Road annexed.

Councilor Heldmeyer said that wouldn't affect him, and explained the process of joint annexation.

Mr. Weston asked how long this would take.

Councilor Heldmeyer said it would take about four months.

Mr. Weston said then she wants him to go to the City and request that the City annex Airport Road so he is contiguous to the City.

Councilor Heldmeyer said this is correct, and it would be done jointly at the same time with the City.

Mr. Weston said he was going to pursue annexation, but he found out it would take a year or more, so he decided he would rather go through the County to get the building built.

Councilor Heldmeyer said that wasn't the experience with Frank Coppler's project which took about four months. She said her motion is based on that previous experience.

Mr. Harwood said then the recommendation is to approve connection to water and sewer and that he apply for annexation jointly with the City.

Councilor Heldmeyer said he can get sewer immediately, and he can get water as soon as he is fully, successfully annexed.

Mr. Harwood pointed out that once annexed, Mr. Weston will be entitled to water service.

Councilor Heldmeyer said she is doing it this way, because when it gets to Council, other people may make the kind of motion Kyle was talking about, but that isn't her motion.

Mr. Weston said his confusion is whether his development goes through the City or the County.

Councilor Heldmeyer said it would go through the City.

Chair Chavez said Mr. Weston will get assistance from staff to eliminate some of the confusion. He said we have already done a very similar case, and that can be used as a model.

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

23. REQUEST FOR APPROVAL OF WATER AND SEWER SERVICE UNDER PROVISIONS OF SFCC, SECTION 22-6.2 AND SECTION 25-1-11, BY JENNIFER JENKINS, AGENT FOR COUNTRY CLUB GARDEN APARTMENTS AT 5999 AIRPORT ROAD FOR SERVICE TO A 200 SQ. FT. OFFICE AS PART OF A NEW STORAGE FACILITY (ANTONIO TRUJILLO & STAN HOLLAND)

Mr. Trujillo presented information regarding this matter from his Memorandum dated March 22, 2007, which is in the Council packet.

Councilor Heldmeyer asked if the storage units are for the apartments, or a separate stand-alone facility.

Jerry Parks said the facility will be built on the same property and because it is a HUD project, it must be done as a stand alone. They will be putting an office in there and have it separately metered. He said they currently have City water and sewer service to the apartment property. He said there already is landscaping on site, and they will be improving that some.

Councilor Heldmeyer said then they are only asking for water for office, and asked what they will do for the 17,500 sq. ft. self-storage facility.

Mr. Parks said no water is needed for the storage facility, and water is needed only for the office and some minor landscaping. He said they have fire protection on site for the apartments, but there will be no additional requirements for fire protection other than what is already there.

Councilor Heldmeyer asked if the storage units will be for the apartment dwellers, or will these be rented to the public.

Mr. Parks said it will be both. He said the primary problem is that there is no storage for the apartments which were originally built in 1962. He said the apartments were renovated with HUD funding in 2003, and there are only 30 locker-type storage units, which basically are closets. The new storage units will be primarily for the residents, but in order to make the economics work they need to be able to rent out other units to the public.

Councilor Heldmeyer said storage units are being built all over the place.

Councilor Dominguez asked if this is a permitted use at this site.

Mr. Parks said they have master plan approval from the County for that use.

Chair Chavez said then this is HUD certified, and asked if the new units would be in compliance with HUD.

Mr. Parks said HUD has to approve the use as well and it has to be a compatible use with the apartments. He has discussed this with HUD and HUD's response was that they wanted him to get the rest of the zoning approvals, which he just did.

Chair Chavez asked if HUD made any distinction between providing access to others which don't dwell in the apartments.

Mr. Parks said no. There usually is some commercial component in most of their funded programs which they like as long as it is a compatible use, and provides a service for the tenants as an amenity.

Chair Chavez said then the primary users would be the apartment residents.

Mr. Parks said yes, and the residents have signed a petition in support of it.

Chair Chavez asked if they knew in signing that petition that it may generate traffic from outside the complex.

Mr. Parks said yes, they made sure they understood that and they were okay with that. He said access hours will be restricted so it is compatible, and there is a 20-foot buffer between the apartments and the storage units. He said there will be gated access for people after the normal business hours of 8:00 to 5:00 p.m., and restricted access to 6:30 or 7:00 p.m.

Councilor Dominguez said he's having a hard time with this thing, because that area needs a lot of work. He understands there is approval from the County. He asked how consistent this is with the Southwest Area Master Plan.

Chair Chavez said he doesn't know, and he sees that as another layer. If the County has already approved the master plan for that site, he would think that is an existing condition which has been there for a while.

Councilor Dominguez said his problem is not being able to look at the development plan.

Mr. Parks said he brought a copy and asked if he would like to see it.

Councilor Heldmeyer said it sounds good that you will be restricting the times for access, but the reality is those aren't the times which most storage units keep, and to be competitive he won't be able to do that.

MOTION: Councilor Dominguez moved, seconded by Councilor Heldmeyer, to postpone this agenda item to the next meeting so the Committee members have the opportunity to look at the development plan and how it relates to the Southwest Area Master Plan.

DISCUSSION: Chair Chavez asked Mr. Parks if he is clear about what the Committee is requesting.

Mr. Parks said they are asking for a copy of the development plan for the project.

Responding to the Chair, Councilor Dominguez said he just wants to know if it makes sense to have this use in the area, relative to all the potential land uses.

Mr. Harwood asked if the Committee wants a copy of the development plan, or a statement from City staff on what the development plan shows or demonstrates.

The Committee consensus was that they want a copy of the development plan for the project, a statement from staff regarding this development, as well as a statement from staff as to what the Southwest Sector Plan says.

Responding to the Chair, Mr. Parks said his master plan approval was granted by the EZC.

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

24. A REQUEST FOR APPROVAL FOR FIRE PROTECTION SERVICES UNDER PROVISIONS OF SFCC, SECTION 25-1.11, BY KARL SOMMER FOR THE LEXUS OF SANTA FE PROJECT, LOCATED ON CERRILLOS ROAD. (ANTONIO TRUJILLO)

This item was postponed to the next meeting of the Committee on May 2, 2007.

25. REQUEST FOR APPROVAL OF RESOLUTION NO. 2007-____. A RESOLUTION ADOPTING ADMINISTRATIVE PROCEDURES FOR IMPLEMENTING THE SANTA FE RIVER FUND. (JANINE V. JOHNSTON)

Councilor Heldmeyer said in looking at the FIR, we are not going to get very much money, and it is costing more money than we are going to have. She asked why not just take the money out of General Fund and use it to buy water rights.

Ms. Johnston said she doesn't know if this is a question for her, or for the Councilors who sponsored it, saying she is implementing what was "put on her plate."

Councilor Heldmeyer said she doesn't think this was the expectation of the Councilors.

Ms. Johnson said if the City implements this, the bulk of the costs at the outset are for public awareness.

Councilor Heldmeyer said these costs are ongoing.

Ms. Johnson said no. The projected future cost is \$5,000 to \$7,000. Ms. Borchert said it is \$10,000.

Ms. Johnson said the thought was that at the outset if we don't do anything to publicize this program, it will be completely ignored, it is a waste of everybody's time to implement it.

Ms. Borchert said she thinks there is value in implementing a program like this to see where public sentiment is in terms of interested people. It is a good way to see where the Santa Fe River lies in people's hearts, and whether they are willing to donate funds. It is an indication that maybe more money in other avenues should follow because there is interest in it.

Councilor Heldmeyer said if you ask people if they would like to see water in the Santa Fe River and everybody says yes.

Ms. Johnston said she doesn't know that everybody says yes.

Councilor Heldmeyer said she was just "blown away" by these numbers. She asked if there is anything in the administrative procedures or in the resolution which says we will reevaluate this after one year.

Ms. Johnston said an annual report will be given to the River Commission, the Council and other interested Committees, which will indicate how much has been collected. That would be good time to decide whether this is viable.

MOTION: Councilor Heldmeyer moved, seconded by Councilor Dominguez, to approve this request with the proviso that in Administrative Procedure #12 Reporting, to add language, "After receiving the annual report, the Governing Body will reevaluate the efficacy of this program."

DISCUSSION: Chair Chavez suggested there should be language in the resolution to dovetail with the administrative procedures.

Ms. Johnston said this is adopted by an ordinance.

Chair Chavez said there is a resolution in the packet.

Councilor Heldmeyer said the resolution just says there should be administrative procedures, and she is okay with just amending the administrative procedures.

Chair Chavez asked if there will be an ordinance to follow which formally adopts the administrative procedures.

Ms. Johnston said no, it is just the resolution.

Ms. Borchert said the check off program was adopted by ordinance last summer, so any changes to the program would be directed to staff to change the ordinance. She said the changes in reporting would require an ordinance amendment.

Councilor Heldmeyer said no. All she is saying is that the Council will re-evaluate. If the reevaluation leads the Council to think something needs to be done, then an ordinance change will come out of the reevaluation. At this level, its just saying if it is costing more money than it is bringing in, then that is the time to reevaluate it.

Ms. Borchert asked if this would be reported as an information item once a year, rather than an action item.

Councilor Heldmeyer said it would be an action item once a year, where the Governing Body would say we're unhappy, change the ordinance, or we're happy, keep the ordinance the way it, and so forth.

FRIENDLY AMENDMENT: Mr. Harwood suggested that the requirement for an annual review would be contained in the administrative regulations as well as in the Be It Resolved section of the Resolution. **The amendment was friendly to the maker and second.**

Ms. Johnston said staff would like to recommend that in Section #7 of the administrative procedures to add language that receipts for contributions will be provided if they are requested.

Councilor Heldmeyer noted the tax law was changed on January 1st and a written receipt is required for any amount of money in order to be tax deductible.

FRIENDLY AMENDMENT: Mr. Harwood suggested adding language to the administrative procedures in Section #7 as follows: "A receipt may be provided annually upon request." **The amendment was friendly to the maker and second.**

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

This item will go next to the Finance Committee.

ITEMS FROM STAFF

There were no items from staff.

MATTERS FROM THE COMMITTEE

Ms. Johnston asked if the Committee has looked at the utility bill format related to the River Checkoff program, and if they have comments on that.

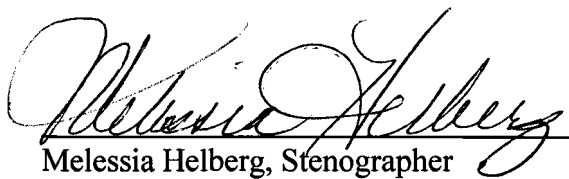
Councilor Chavez said he has reviewed it and everything is in it which has been discussed.

NEXT MEETING: May 2, 2007

ADJOURN

There being no further business to come before the Committee, and the Committee having completed its agenda, the meeting was adjourned at 9:12


Miguel Chavez, Chair


Melessia Helberg, Stenographer