



Agenda

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**PUBLIC UTILITIES COMMITTEE
MEETING
CITY COUNCIL CHAMBERS
WEDNESDAY, AUGUST 1, 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 JULY 3, 2007 AND JULY 18, 2007
PUBLIC UTILITIES COMMITTEE MEETINGS

INFORMATIONAL ITEMS

6. Update on Current Water Supply Status. (Michael Gonzales)
7. Update on Solid Waste Division (Bill DeGrande)
8. Update on Firefly Utility Billing. (Peter Ortega)
9. Water Budget Update. (Claudia Borchert)
10. Update on New Mexico Municipal League Resolutions Committee. (Robert Gallegos)

CONSENT CALENDAR

11. Request for Approval of Sole Source Professional Services Agreement for \$102,337 Plus NMGRS with the University of Arizona for a Tree Ring Study to Understand Fire History in the Upper Watershed and to Reconstruct a Longer Stream Flow Record. (Claudia Borchert)

12. Request for Approval of Amendment No. 1 to the Professional Services Agreement between the City of Santa Fe and Alpha Southwest, Inc. for \$329,500 Exclusive of NMGRT for Bid No.06/52/B. (Michael Gonzales)

DISCUSSION ITEMS

13. Request for Approval of Bill No. 2007-_____. Consideration of an Ordinance Authorizing the Execution and Delivery of a Water Project Fund Loan/Grant Agreement and Consideration of a Water Project Fund Loan for \$200,000 and Grant Agreement for \$1.8 Million by and Among the New Mexico Water Trust Board, the New Mexico Finance Authority, as Lender/Grantors, The City of Santa Fe, New Mexico, as Borrower/Grantee, and the Buckman Direct Diversion Board, as Operator of the Project. (Rick Carpenter)
14. Request for Approval for Water and Sewer Service Under Provisions of SFCC, Section 22-6.2 and Section 25-1.11 by Ida Vorum on Behalf of Southwestern College Located North of Airport Road at 3960 ABC San Felipe Road. (Antonio Trujillo)
15. Request for Approval of Bill No. 2007-_____. An Ordinance Amending Section 25-1.11 SFCC 1987 regarding Water Service for Properties Outside City Limits. (Councilor Chavez)

MATTERS FROM THE CITY ATTORNEY

ITEMS FROM STAFF

MATTERS FROM THE COMMITTEE

NEXT MEETING: August 15, 2007

ADJOURN

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PUBLIC UTILITIES COMMITTEE
August 1, 2007**

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**MINUTES OF THE
CITY OF SANTA FE
PUBLIC UTILITIES COMMITTEE
August 1, 2007**

1. CALL TO ORDER.

A meeting of the Public Utilities Committee was called to order by Councilor Karen Heldmeyer, Acting Chair, at approximately 5:15 p.m., on August 1, 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 Carmichael A. Dominguez
Councilor Karen Heldmeyer
Councilor Ronald S. Trujillo

MEMBERS EXCUSED

Councilor Miguel Chavez, Chair
Councilor Patti J. Bushee

OTHERS ATTENDING

Galen Buller, City Manager
Stephanie Trujillo, Public Utilities
Melessia Helberg, Stenographer

NOTE: At the time the meeting was called to order, there was not a quorum in attendance. Councilor Heldmeyer moved forward with information items only until Councilor Trujillo arrived and a quorum was in attendance 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

Councilor Dominguez would like to move Discussion Item #13 ahead of the Informational Items.

Councilor Heldmeyer said Mayor Coss has asked to postpone Item #15 to the next meeting.

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 CALENDAR

MOTION: Councilor Trujillo moved, seconded by Councilor Dominguez, to approve the Consent Calendar as presented.

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

CONSENT CALENDAR

- 11. REQUEST FOR APPROVAL OF SOLE SOURCE PROFESSIONAL SERVICES AGREEMENT FOR \$102,337 PLUS NMGR, WITH THE UNIVERSITY OF ARIZONA FOR A TREE RING STUDY TO UNDERSTAND FIRE HISTORY IN THE UPPER WATERSHED AND TO RECONSTRUCT A LONGER STREAM FLOW RECORD. (CLAUDIA BORCHERT)**
- 12. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF SANTA FE AND ALPHA SOUTHWEST, INC., FOR \$329,500, EXCLUSIVE OF NMGR, FOR BID NO. 06/52/B. (MICHAEL GONZALES)**

5. APPROVAL OF MINUTES:

JULY 2, 2007

MOTION: Councilor Dominguez moved, seconded by Councilor Trujillo, to approve the minutes of the meeting of July 2, 2007, as presented.

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

JULY 18, 2007

The following correction was made to the minutes of July 18, 2007:

Page 1, under Others Present: "~~Vivian Martinez~~ Stephanie Trujillo, Public Utilities"

MOTION: Councilor Dominguez moved, seconded by Councilor Trujillo, to approve the minutes of the meeting of July 18, 2007, as amended.

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

INFORMATIONAL ITEMS

6. UPDATE ON CURRENT WATER SUPPLY STATUS (Michael Gonzales)

A copy of the Weekly Water Report for the week ending July 29, 2007, is incorporated herewith to these minutes as Exhibit "1."

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

DISCUSSION AGENDA

13. REQUEST FOR APPROVAL OF BILL NO. 2007- ____, CONSIDERATION OF AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A WATER PROJECT FUND LOAN/GRANT AGREEMENT AND CONSIDERATION OF A WATER PROJECT FUND LOAN FOR \$200,000 AND GRANT AGREEMENT FOR \$1.8 MILLION BY AND AMONG THE NEW MEXICO WATER TRUST BOARD, THE NEW MEXICO FINANCE AUTHORITY, AS LENDER/GRANTORS, THE CITY OF SANTA FE, NEW MEXICO AS BORROWER/GRANTEE, AND THE BUCKMAN DIRECT DIVERSION BOARD, AS OPERATOR OF THE PROJECT. (RICK CARPENTER)

Councilor Heldmeyer said this item was placed for discussion because Councilor Chavez said there was some confusion as to whether this ordinance could be in both the City's format and the format recommended by the New Mexico Finance Authority.

Mr. Martinez said he couldn't contact Mr. Carpenter in this regard, and is here on behalf of Mr. Carpenter. He said this item is time constrained and needs to be approved and submitted by August 2007. The documentation still has to go for City Council Approval. He requested that this Committee forward it to the Council where Mr. Carpenter can answer questions.

Councilor Heldmeyer said then Mr. Martinez has no information with regard to whether the consolidation of formats was done.

Mr. Martinez said he does not, but he assumes this is the format the Finance Authority wants and Rick is working on that. He said Mr. Carpenter wanted to include this item because of time constraints and the goal is to have this on the Council agenda at the next meeting.

MOTION: Councilor Dominguez moved, seconded by Councilor Trujillo, to move this item forward to the Council without recommendation, with the understanding that Mr. Carpenter will provide the requested information by Council.

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

INFORMATION AGENDA

7. UPDATE ON SOLID WASTE DIVISION (BILL DeGRANDE)

A Memorandum dated August 1, 2007, to the Public Utilities Committee from William DeGrande, Solid Waste Management Division Director, is incorporated herewith to these minutes as Exhibit "2."

Mr. DeGrande presented information from his Memorandum of August 1st [Exhibit "2"].

Councilor Dominguez said he is getting questions about additional containers, and asked how that works.

Mr. DeGrande said the plan is to tie additional containers to a volume-based billing system, so there will be a monthly charge for the additional container, but it will not be the amount paid for the container, and will be a reduced fee. It will be a monthly service charge. At this point he doesn't know what the fee will be.

Responding to Councilor Dominguez, Mr. DeGrande said there is an RFP for a new contractor to do the rate analysis, and it is hoped to have that by the end of the month.

Responding to Councilor Dominguez, he said no new positions were added, and he didn't know they had the vacant positions because they never appeared on Personnel's POL list which from which they operate. The positions discovered don't increasing staffing.

Mr. Buller understands the POLs aren't up-to-date in every department, and the new automation this Fall should fix this issue.

Responding to Councilor Trujillo, Mr. DeGrande said the amount of money generated by the City from the State auction was \$81,000, before the 8% commission for sales.

Councilor Heldmeyer wants to know what was sold by various departments.

Councilor Trujillo also would like to know where those revenues will go.

Mr. Buller said to the General Fund, unless it was an Enterprise Fund, such as streets.

Councilor Heldmeyer said she presumes the “discovered” positions would be people who could have distributed carts and such, and asked Mr. DeGrande if he still can hire those temporary people, and if so, what will be their work.

Mr. DeGrande said he asked to remove those positions from the POL, but the money is still in the budget. The three positions were for 200 hours each, and he will be using that money to do some special projects, and may hire temporary people to put together carts if we fall behind. He said he will be keeping the two women who are doing bag distribution for another two weeks, and put them in the office to catch up some of the filing. He will be looking at how to use the funds for the 600 hours and how to best use those persons for the Division.

Councilor Heldmeyer received an email today from the County PIO that BRT is up and running, but she thought it already was, and asked if something new and exciting has happened.

Mr. DeGrande said no, it has been on line for almost a year.

Responding to Councilor Trujillo, Mr. DeGrande said before everything was sent to the State auction, he picked those which couldn’t be fixed. He is waiting for two employees who are being sent for paint certifications. He said all the other materials have been ordered, and we have the paint. He has spoken with other employees about getting certified. He said the focus now is to get the carts done.

Councilor Heldmeyer asked the ETA to complete the carts.

Mr. DeGrande said it is the same timeline – 95% by the end of this month although he may be a little bit short of that date, but will be well within the range to finish by December 1 for 100%.

Councilor Heldmeyer asked how much time will be needed at that point to reevaluate the routes.

Mr. DeGrande said staff is already looking at this, noting the new retrofitted truck will service streets in different parts of the City and he wants a full day route, so staff is already looking at new routes.

8. UPDATE ON FIREFLY UTILITY BILLING. (PETER ORTEGA)

Peter Ortega presented information regarding this matter from his memorandum of July 25, 2007.

Responding to Councilor Trujillo, Mr. Ortega said he just received five Kopy Kaps, but he hasn’t had the chance to test them fully. He noted this is the third time Kopy Kaps have been modified, and this version seems to be working quite well in his home. He will be speaking with

staff and water conservation. He commented that the contractors are still working hard to get an acceptable product.

Councilor Heldmeyer would like a follow up report at the next meeting.

9. WATER BUDGET UPDATE. (CLAUDIA BORCHERT)

Claudia Borchert presented information regarding this matter from her Memorandum of July 25, 2007, which is in the Committee packet.

Councilor Heldmeyer said she spoke with Chair Chavez who asked that Ms. Borchert present the information, and the item would then be placed on the Discussion Agenda at the next Committee meeting and the Committee could ask questions.

10. UPDATE ON NEW MEXICO MUNICIPAL LEAGUE RESOLUTIONS COMMITTEE. (ROBERT GALLEGOS)

Robert Gallegos said Chair Chavez asked him to prepare a summary of the Resolutions, and place it on the agenda for this meeting, noting some are set for deletion. He said the City will have comment on the proposed extension of the 40-year planning for the use of water rights.

Ms. Borchert said at the last Legislature, several bills were addressed regarding the idea of extending the 40-year planning period for holding water rights which aren't being used for municipalities, counties, universities, small mutual domestics, etc. There are two lines of discussion about the proposed change. One, is who should be included in the group for whom the statutes apply, and the other is the length of the planning horizon. The NMML represents some large cities which want this timeline extended. The State Engineer had a meeting last week to discuss the different options for changing the law. She said staff hasn't yet formulated its opinion. However, in her opinion, the problem is they're trying to fix it by extending the 40-year planning horizon, when there are a number of other solutions which may exist to resolve the problems some municipalities are having. She said staff will be bringing something for review to the Committee, and working with the League and other municipalities on other ways to address their concerns which they are trying to address in this way.

Councilor Dominguez asked if the Committee will be taking action on these resolutions, saying it seems to him that we might want to endorse some of these resolutions.

Councilor Heldmeyer said Chair Chavez, the Mayor and other Councilors will be attending the League Conference, and the question is if we want to give direction.

Councilor Heldmeyer said this item may be on the next Agenda for discussion, depending on what the Chair decides.

14. REQUEST FOR APPROVAL FOR WATER AND SEWER SERVICE UNDER PROVISIONS OF SFCC, SECTION 22-6-2 AND SECTION 25-1.11 BY IDA VORUM ON BEHALF OF SOUTHWESTERN COLLEGE LOCATED NORTH OF AIRPORT ROAD AT 3960 ABC SAN FELIPE ROAD. (ANTONIO TRUJILLO)

Antonio Trujillo presented information regarding this matter to the Committee from his Memorandum of July 25, 2007, which is in the Committee packets.

Councilor Heldmeyer asked why the County is sending this project before the Committee, noting that when the applicant was here before, it had a well which was sufficient for the water for this project.

Wayne Lloyd, Lloyd & Associates, said they appeared at the EZA meeting the first meeting the Mayor attended as a member of the Board. At that meeting, Commissioner Sullivan very much wanted the sewer hookup if it is possible. He noted that, while they are more than 200 ft. away, if it is possible, the College would like to hook up to sewer. He said the EZA's position was that they are aware the College has water, that the City rejected that request, and it will bounce both back to the Council again, but even if the Council was to approve the water connection, the College still would have the choice of using its well or hookup to the City.

Councilor Dominguez said currently, the applicant has approval to drill a well.

Mr. Trujillo said currently the applicant has a well.

Councilor Dominguez asked if the applicant has a permit for septic.

Stan Holland, Wastewater Management, said the applicant currently is not on the City sewer system, but understands they have plans for improved, on-site septic system. There is no public sewer within 200 feet, noting if it was, it had to connect.

Mr. Kasssieh said that doesn't apply in the County.

Mr. Holland said the nearest sewer line is 600-700 feet away.

Councilor Heldmeyer asked if the applicant were to hookup to City sewer who would pay for the main line extension.

Mr. Lloyd said the College would pay. Mr. Lloyd, demonstrating the subject site on an enlarged drawing, said the nearest sewer line is about 240 feet away, and the adjacent property owner, Mr. Montaña is willing to grant an easement across his property to the adjoining property for the College to hookup to sewer. He said the easement requirements are 20 ft., but Mr. Montaña can grant only a 19 ft. easement because of the size of his property. He said if the City would like the College to hook up to the sewer line, the College is willing to do so.

Councilor Heldmeyer asked if the College wants to do this.

Alex Ross, Southwestern College, said the College was happy to have its own advanced septic system, but there is a benefit to the College in the long term to hookup to the City sewer system. He said if the easement offered by Mr. Montañó is legal and acceptable by Wastewater, the College is willing to connect..

Responding to Councilor Heldmeyer, Mr. Kassesieh said, with regard to the 1 ft., easements for sewer lines around 20 ft. are okay, but if water is to be included, the easement has to be 25 ft.

Mr. Ross said the College never wanted water, and is here this evening because the EZA sent them back to ask for City service again.

Councilor Heldmeyer asked if the EZA ever indicated the reason this was done.

Mr. Ross said Commissioner Sullivan was very clear that he felt any property which could be hooked up to the sewer line would be a benefit in the big scheme of things. He said Commissioner Sullivan indicated that he thought running the water line would be a very large expense for the College, which has its own well it has been using for 25 years, and it would be an undue hardship to request such a long extension, but told us to come and ask anyway. Mr. Ross said the Mayor said routinely colleges are allowed to hook up to City lines.

Councilor Heldmeyer said what used to be routine is no longer routine, and is becoming less routine.

Ida Vorum, Project Manager, Lloyd & Associates, demonstrated the current situation at the subject site using the enlarged drawing, noting that the property to the west has an improved sewer extension. She said the plan is to hook up "here" rather than going to the apartment complex. She said the property to the west has an extension to a public line. She noted the applicant already has permission to connect to the water line on San Felipe for fire protection only.

Councilor Dominguez asked, regarding the EZA, if this Committee approves sewer service, but denies water service, does it go back to the EZA for development plan approval.

Ms. Vorum said no, not to the EZA. The EZA approval was conditional on the applicant coming back to the City "and ask the questions." If the sewer is approved, then the College is obliged to connect, which the College is happy to do.

MOTION: Commissioner Dominguez moved, seconded by Councilor Trujillo, to approve the request for sewer service, but deny the request for water service, clarifying that the City will continue to provide the previously approved fire service.

DISCUSSION: Mr. Lloyd said this, of course, is contingent on the granting of the easement, and that the 19 ft. easement is acceptable to Wastewater.

Councilor Heldmeyer said this is correct..

Councilor Dominguez is concerned as to why the County would require an applicant to go through this process "just to go through the process."

Councilor Heldmeyer commented that it is most curious and unusual.

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

15. REQUEST FOR APPROVAL OF BILL NO. 2007- ____ . AN ORDINANCE AMENDING SECTION 25-1.11 SFCC 1987, REGARDING WATER SERVICE FOR PROPERTIES OUTSIDE CITY LIMITS. (COUNCILOR CHAVEZ)

This item was postponed to the next meeting of the Committee.

MATTERS FROM THE CITY ATTORNEY

There were no matters from the City Attorney.

ITEMS FROM STAFF

There were no items from staff.

MATTERS FROM THE COMMITTEE

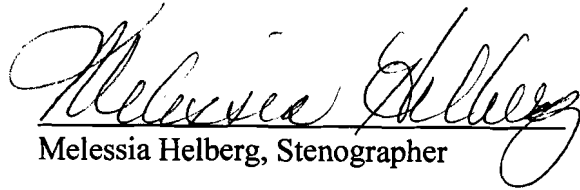
There were no matters from the Committee.

NEXT MEETING: Wednesday, August 15, 2007.

ADJOURN

There being no further business to come before the Committee, and the Committee having completed its agenda, the meeting was adjourned at 6:15 p.m.


Miguel Chavez, Chair


Melessia Helberg, Stenographer