



# Agenda

CITY CLERK'S OFFICE

DATE 8/31/14 TIME 1:55pm

SERVED BY Stephanie Lopez

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**PUBLIC UTILITIES COMMITTEE  
MEETING  
CITY COUNCIL CHAMBERS  
200 Lincoln Avenue  
WEDNESDAY, SEPTEMBER 7, 2016  
REGULAR MEETING – 5:00 P.M.**

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF CONSENT AGENDA
5. APPROVAL OF MINUTES FROM THE AUGUST 3, 2016 PUC MEETING

**INFORMATIONAL ITEMS**

6. Monthly Update of Capital Projects. (Nick Schiavo)

**CONSENT – ACTION CALENDAR**

7. Update on Current Water Supply Status. (Alex Puglisi)
8. Wastewater Management Division Monthly Update. (Shannon Jones)
9. Request for approval of procurement of Water Service Connection Equipment, Water Meters and Supplies as follows: (Mike Moya)
  - a. State Price Agreement 60-000-15-000030 – Baker Utility Supply Corp. for the amount of \$216,784.38.
  - b. State Price Agreement 60-000-16-00067 – HD Supply Inc. for the amount of \$421,780.72.
  - c. State Price Agreement 50-000-15-0000-52 – Winnelson for the amount of \$68,610.79.

Public Utilities Committee – 9/7/2016

Finance Committee – 9/19/2016  
City Council – 9/28/2016

10. Request for approval to purchase a replacement Sewer Vactor Truck for FA# 51040 for the amount of \$385,987.00 using Cooperative Educational Services with Pete's Equipment Repair, Inc. for the Wastewater Management Division. (Jerry Tapia)

Public Utilities Committee – 9/7/2016  
Finance Committee – 9/19/2016  
City Council – 9/28/2016

11. Request for approval to purchase a replacement CC/TV Van for FA# 29062 for the amount of \$183,305.00 using Cooperative Educational Services with Pete's Equipment Repair, Inc. for the Wastewater Management Division. (Jerry Tapia)

Public Utilities Committee – 9/7/2016  
Finance Committee – 9/19/2016  
City Council – 9/28/2016

12. Request for approval of Bid # '17/03/B for a one-year contract with three (3) one-year extensions to Purcell Truck Service Center for the purchase of retread tires, tire casing, and tire repairs for the Environmental Services Division for an amount not to exceed \$255,000 for per fiscal year. (Lawrence Garcia)

Public Utilities Committee – 9/7/2016  
Finance Committee – 9/19/2016  
City Council – 9/28/2016

13. Request for approval to purchase two (2) support vehicles for the Environmental Services Division from Cooperative Educational Services (CES) via Don Chalmers Ford for a total amount of \$58,144.00. (Lawrence Garcia)

Public Utilities Committee – 9/7/2016  
Finance Committee – 9/19/2016  
City Council – 9/28/2016

14. Request for approval of Resolution No. 2016-\_\_\_\_\_. A resolution directing the City Manager to have Public Utilities Staff identify and apply for Federal and State funding sources for water, wastewater and other water related projects. (Alan Hook)

Public Utilities Committee – 9/7/2016  
Finance Committee – 9/19/2016  
City Council – 9/28/2016

15. Request for approval of Amendment No. 1 to the agreement with Ameresco for the City of Santa Fe Asset Management Plan – CIP #646 for the amount of \$120,839.38 inclusive of NMGR to provide additional services as described in Exhibit B Scoping

document for Energy Audit and also additional services as described in Exhibit C  
Scoping document for Preventive Maintenance and Service Request Software.  
(Leann Valdez)

Public Utilities Committee – 9/7/2016  
Public Works Committee – 9/12/2016  
Finance Committee – 9/19/2016  
City Council – 9/28/2016

## **DISCUSSION AND ACTION**

16. Update on the Potential Purchase of 140.1831 Acre-Feet/Year Pre-1907 Middle Rio Grande Water Rights known as the McCullough Water Rights. (Andrew Erdmann)

Public Utilities Committee – 9/7/2016  
Finance Committee – 9/19/2016  
City Council – 9/28/2016

17. Request for consideration of approval of a Memorandum of Understanding between the City of Santa Fe and Santa Fe County to provide City of Santa Fe Wastewater Services to the Tessera Subdivision, Phase 2. (Stan Holland)

Public Utilities Committee – 9/7/2016  
Finance Committee – 9/19/2016  
City Council – 9/28/2016

18. Request for approval of Bill No. 2016-\_\_\_\_\_. An ordinance amending Section 7-4.2 SFCC 1987, Residential Green Building Code by repealing Exhibit A to Chapter VII SFCC 1987; adding a requirements section; and amending Section 14-8.2(D) Best Management Practices for Grading Before and During Construction. (Katherine Mortimer) (Councilors Ives, Dominguez and Villareal)

- a. A resolution establishing target goals for the City's Green Building code to meet the goals set forth in the U.S. Mayors Climate Change Protection Agreement, the City's goal of becoming carbon neutral by 2040, and the need to conserve water resources due to the projected effects of climate change. (Katherine Mortimer) (Councilors Ives, Dominguez and Villareal)

Sustainable Santa Fe Commission – 8/17/2016  
Planning Commission – 8/18/2016  
Public Works Committee – 8/29/2016  
Water Conservation Committee – 9/13/2016

City Council – 9/14/2016 (Request to Publish)  
Finance Committee – 9/19/2016  
City Council – 10/13/2016 (Public Hearing)

19. Request for approval of Bill No. 2016-\_\_\_\_\_. An ordinance relating to the City of Santa Fe Telecommunications Facilities In The Public Right-of-Way Ordinance; amending subsection 27-2.1 SFCC 1987 to establish legislative findings; amending subsection 27-2.3 SFCC 1987 to repeal the definition of “gross revenue” and establish a new definition for “gross charge”; amending subsection 27-2.5 to repeal the fee structure and establish an infrastructure maintenance franchise fee; and making such other changes as are necessary to carry out the intent of this ordinance. (Marcos Martinez) (Councilor Ives)

Public Utilities Committee – 9/7/2016  
Public Works Committee – 9/12/2016  
City Council – 9/14/2016 (Request to Publish)  
Finance Committee – 9/19/2016  
City Council – 10/13/2016

**MATTERS FROM THE PUBLIC**

**MATTERS FROM THE CITY ATTORNEY**

**MATTERS FROM STAFF**

**MATTERS FROM THE COMMITTEE**

**NEXT MEETING: Wednesday, October 5, 2016**

**ADJOURN**



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PUBLIC UTILITIES COMMITTEE MEETING  
Wednesday, September 7, 2016**

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REQUEST FOR APPROVAL OF RESOLUTION NO. 2016- ____ A RESOLUTION DIRECTING THE CITY MANAGER TO HAVE PUBLIC UTILITIES STAFF IDENTIFY AND APPLY FOR FEDERAL AND STATE FUNDING SOURCES FOR WATER, WASTEWATER AND OTHER WATER RELATED PROJECTS <u>(ADD COUNCILOR TRUJILLO AS A COSPONSOR)</u>	Approved w/direction to staff	8-10
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REQUEST FOR APPROVAL OF BILL NO. 2016- ____. AN ORDINANCE AMENDING SECTION 7-4.2 SFCC 1987, RESIDENTIAL GREEN BUILDING CODE BY REPEALING EXHIBIT A TO CHAPTER VII SFCC 1987; ADDING A REQUIREMENTS SECTION; AND AMENDING SECTION 14-8.2(D) BEST MANAGEMENT PRACTICES FOR GRADING BEFORE AND DURING CONSTRUCTION	Postponed to 10/05/16	17
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REQUEST FOR APPROVAL OF BILL NO. 2016- ____ AN ORDINANCE RELATING TO THE CITY OF SANTA FE TELECOMMUNICATIONS FACILITIES IN THE PUBLIC RIGHT-OF-WAY ORDINANCE; AMENDING SUBSECTION 27-2.1 SFCC 1987, TO ESTABLISH LEGISLATIVE FINDINGS; AMENDING SUBSECTION 27-2.3 SFCC 1987 TO REPEAL THE DEFINITION OF "GROSS REVENUE," AND ESTABLISH A NEW DEFINITION FOR "GROSS CHARGE;" AMENDING SUBSECTION 27-2.5 TO REPEAL THE FEE STRUCTURE AND ESTABLISH AN INFRASTRUCTURE MAINTENANCE FRANCHISE FEE; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY TO CARRY OUT THE INTENT OF THIS ORDINANCE.	Postponed to 10/05/16	18
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**MINUTES OF THE  
CITY OF SANTA FE  
PUBLIC UTILITIES COMMITTEE  
Wednesday, September 7, 2016**

**1. CALL TO ORDER**

A meeting of the Public Utilities Committee was called to order by Councilor Christopher M. Rivera, Chair, at approximately 5:00 p.m., on Wednesday, September 7, 2016, in the City Council Chambers, 200 Lincoln Avenue, Santa Fe, New Mexico.

**2. ROLL CALL**

**MEMBERS PRESENT:**

Councilor Christopher M. Rivera, Chair  
Councilor Signe I. Lindell  
Councilor Joseph M. Maestas  
Councilor Ronald S. Trujillo  
Councilor Renee Villarreal

**OTHERS PRESENT:**

Nick Schiavo, Public Utilities Director  
Marcos Martinez, Assistant City Attorney  
Melessia Helberg, Stenographer

There was a quorum of the membership present for conducting official business.

**NOTE: All items in the Committee packet for all agenda items are incorporated herewith to these minutes by reference. The original Committee packet is on file in the Public Utilities Department.**

### **3. APPROVAL OF AGENDA**

Nick Schiavo, Director, Public Utilities Department, said because Kathryn Mortimer is out of town, he would like to pull item #18 and postpone it to the PUC meeting of October 5, 2016.

**MOTION:** Councilor Maestas moved, seconded by Councilor Villarreal, to approve the Agenda as amended.

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

### **4. APPROVAL OF CONSENT AGENDA**

**MOTION:** Councilor Trujillo moved, seconded by Councilor Maestas, to approve the following Consent Action Calendar, as amended.

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

### **CONSENT – ACTION CALENDAR**

- 7. UPDATE ON CURRENT WATER SUPPLY STATUS. (ALEX PUGLISI)**
- 8. WASTEWATER MANAGEMENT DIVISION MONTHLY UPDATE. (SHANNON JONES)**
- 9. REQUEST FOR APPROVAL OF PROCUREMENT OF WATER SERVICE CONNECTION EQUIPMENT, WATER METERS AND SUPPLIES AS FOLLOWS: (MIKE MOYA).**
  - a. STATE PRICE AGREEMENT 60-000-15-000030 - BAKER UTILITY SUPPLY CORP., FOR THE AMOUNT OF \$216,784.38.**
  - b. STATE PRICE AGREEMENT 60-000-16-00067 – HD SUPPLY, INC., FOR THE AMOUNT OF \$421,780.72.**
  - c. STATE PRICE AGREEMENT 50-000-15-0000-52 – WINNELSON FOR THE AMOUNT OF \$68,610.79.**

**Committee Review:** Public Utilities Committee 09/07/16; Finance Committee – 09/19/16; and City Council - 09/28/16.



10. REQUEST FOR APPROVAL TO PURCHASE A REPLACEMENT SEWER VACTOR TRUCK FOR FA #51040 FOR THE AMOUNT OF \$385,987, USING COOPERATIVE EDUCATIONAL SERVICES WITH PETE'S EQUIPMENT REPAIR, INC., FOR THE WASTEWATER MANAGEMENT DIVISION. (JERRY TAPIA). Committee Review: Public Utilities Committee 09/07/16; Finance Committee – 09/19/16; and City Council - 09/28/16.
11. REQUEST FOR APPROVAL TO PURCHASE A REPLACEMENT CC/TV VAN FOR FA#29062 FOR THE AMOUNT OF \$183,305, USING COOPERATIVE EDUCATIONAL SERVICES WITH PETE'S EQUIPMENT REPAIR, INC., FOR THE WASTEWATER MANAGEMENT DIVISION. (JERRY TAPIA) Committee Review: Public Utilities Committee 09/07/16; Finance Committee – 09/19/16; and City Council - 09/28/16.
12. REQUEST FOR APPROVAL OF BID #17/03/B FOR A ONE-YEAR CONTRACT WITH THREE (3) ONE-YEAR EXTENSIONS TO PURCELL TRUCK SERVICE CENTER FOR THE PURCHASE OF RETREAD TIRES, TIRE CASING AND TIRE REPAIRS FOR THE ENVIRONMENTAL SERVICES DIVISION FOR AN AMOUNT NOT TO EXCEED \$255,000 PER FISCAL YEAR. (LAWRENCE GARCIA) Committee Review: Public Utilities Committee 09/07/16; Finance Committee – 09/19/16; and City Council - 09/28/16.
13. *[Removed for discussion by Councilors Lindell and Villarreal]*
14. *[Removed for discussion by Councilor Maestas]*
15. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO THE AGREEMENT WITH AMERESCO FOR THE CITY OF SANTA FE ASSET MANAGEMENT PLAN – CIP #646 FOR THE AMOUNT OF \$120,839.38, INCLUSIVE OF NMGR, TO PROVIDE ADDITIONAL SERVICES AS DESCRIBED IN EXHIBIT B, SCOPING DOCUMENT FOR ENERGY AUDIT AND ALSO ADDITIONAL SERVICES AS DESCRIBED IN EXHIBIT C, SCOPING DOCUMENT FOR PREVENTATIVE MAINTENANCE AND SERVICE REQUEST SOFTWARE. (LEANN VALDEZ) Committee Review: Public Utilities Committee 09/07/16; Public Works Committee - 09/12/16; Finance Committee – 09/19/16; and City Council - 09/28/16.

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END OF CONSENT – ACTION CALENDAR  
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**5. APPROVAL OF MINUTES FROM THE AUGUST 3, 2016 PUC MEETING**

**MOTION:** Councilor Maestas moved, seconded by Councilor Lindell, to approve the minutes of the Public Utilities Committee meeting of August 3, 2016, as presented.

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

**INFORMATIONAL ITEMS**

**6. MONTHLY UPDATE OF CAPITAL PROJECTS. (NICK SCHIAVO)**

Nick Schiavo, Director, Public Utilities Department, said this is a new format for this Committee, noting Public Works has been using it for some time. He said it lists the project, status, dollars spent, and any issues or delays for the project. He said these are all the projects for the Water Division, Utility Billing and Wastewater. He said this report will be done monthly going forward, so the Committee can see the progress of the CIP projects.

Mr. Schiavo said he will answer questions, noting staff is here to answer any questions about a particular project.

Chair Rivera said he would like Mr. Schiavo to provide a paper copy at the next meeting for the Committee.

**CONSENT – ACTION CALENDAR DISCUSSION**

- 13. REQUEST FOR APPROVAL TO PURCHASE TWO (2) SUPPORT VEHICLES FOR THE ENVIRONMENTAL SERVICES DIVISION FROM COOPERATIVE EDUCATIONAL SERVICES (CES) VIA DON CHALMERS FORD FOR A TOTAL AMOUNT OF \$58,144. (LAWRENCE GARCIA) Committee Review: Public Utilities Committee 09/07/16; Finance Committee – 09/19/16; and City Council - 09/28/16.**

Councilor Lindell said the budget is available, and she has no problem with a replacement vehicle. However, she continues to be in the mood to not make new purchases and expand the fleet. She said she is unsure of the reason the fleet needs to be made larger. She said we are operating at this point with the number of vehicles we have currently. She said there may be funds in the approved budget, but she is not looking to do expansions, reiterating she has no problem with the replacement truck, but has a problem with purchasing an additional truck.

Councilor Villarreal asked if there is a trade-in, if we actually will get credit back.

Lawrence Garcia, Environmental Services Division, said they do not do trade-ins. He said the truck to be replaced is a 1998 model with more than 100,000 miles, and the value is very little. He said they usually send these trucks to auction either with the State auction or on line auction, reiterating they do not do trade-ins with Don Chalmers. He said the purchase prices for the trucks are very good prices.

Councilor Villarreal asked him to elaborate on the need for the new truck.

Mr. Garcia said the expansion truck is basically for the Graffiti Crew. He said in the summer, Keep Santa Fe Beautiful gets temporary employees to work on the Graffiti Crew through Keep Santa Fe Beautiful grant funding. He said they have to allow the grant workers to go into the field, and this is a support vehicle to put them in the field. He said they have a 1998 truck, which is a duplicate to the one used last year. He said this year, they didn't mark it for a replacement, because they were going to use the older truck for the supervisor, so the supervisor is available in the event of an emergency, noting this truck is to support the crews for the Graffiti Program.

Councilor Villarreal asked the number of vehicles currently in the fleet.

Mr. Garcia said there are 2 vehicles, 1 is a 1998, noting he doesn't have the date of the other vehicle, but understands it is a newer vehicle. These are the 2 vehicles they have currently for the Graffiti Program.

Councilor Villarreal asked what did they do before.

Mr. Garcia said prior to this they used the older truck that the supervisor is using, as well as the 1998 Chevy pickup, and they would team up. He said at times there are crews with more than 2 people, so there were 3 people going out to do graffiti removal. However, with the additional truck, they can expand the amount of graffiti they can do.

Councilor Trujillo asked if the vehicles are gasoline or diesel.

Mr. Garcia said they are unleaded gasoline powered, V-6, ½ ton trucks. He said the 1998 is a V-8, ¾ ton truck, and this truck will be a ½ ton, V-6, which will be more economical.

Councilor Trujillo said when looking at replacements, we need to look at the years and mileage, noting the typical life is 125,000 miles maximum. He said he always looks at how much we are spending on maintenance, and if it is half the price of the vehicle, then you should get rid of it, commenting he doesn't know how much has been spent. He said the Police Department has a

replacement schedule, and we need to the same for Public Works and for the rest of the City. He said he supports this request. He said he is talking about some of the criteria that we need to start looking at.

Councilor Lindell reiterated that she is absolutely fine with the replacement vehicle, but she is not looking to expand the existing fleet.

Councilor Trujillo asked if the 1998 vehicle will be auctioned.

Mr. Garcia said there are two vehicles in question, both 1998's. He said the vehicle that they are asking to keep has a new motor, so they have invested money into this truck, and they are going to try and get some money back from that unit. He said actually, the Graffiti Unit needs more support vehicles so they can expand into the City.

Chair Rivera said then you are replacing one vehicle, and choosing to keep the other one as a support vehicle in the event the other is in the shop, or something comes up and you want to send another crew out.

Mr. Garcia said they are asking to purchase an additional truck, and to keep the current vehicle for the summer when they need the additional support, so they can send out an additional crew.

Councilor Lindell asked Mr. Garcia if he is saying we now have a crew without a vehicle to go out and do their work.

Mr. Garcia said in the winter there is a crew of two individuals that do Graffiti cleanup, and they usually work as a team. He reiterated that in the summer, Keep Santa Fe Beautiful, through its grant funding, gets up to 6 temporary maintenance works. They put 2 in the cleanup crews, and put out 2 crews with 1 additional person. He said with the additional truck, and the supervisor in the third vehicle, we would have 3 crews doing graffiti removal all summer.

Councilor Trujillo said then we are just using the vehicle in summer, and in the winter the vehicle will be parked.

Mr. Garcia said it is the supervisory vehicle, and it is used to go out and check on crews, to grab and deliver materials and such, so it is used as a support vehicle for the supervisor. The one they are replacing will be sent to auction.

Councilor Trujillo asked how many miles are on the vehicle with the new engine.

Mr. Garcia said approximately 28,000 miles.

Councilor Trujillo reiterated he wants a replacement schedule for all City owned vehicles, commenting that is a discussion for another time.

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

**DISCUSSION:** Chair Rivera said Graffiti removal used to be at the Police Department.

Mr. Garcia said Graffiti removal used to be spread out between the Police Department and Parks & Recreation.

Chair Rivera asked who provided vehicles at that time.

Mr. Garcia said Parks provided the support vehicles. He said when Environmental Services took over graffiti, Parks gave them their supervisory vehicle. He gave them the vehicle he was using, so we could do the cleanup, so they received 1 pickup truck from Parks.

Chair Rivera said this is the first time since you inherited the program that he can remember the Division coming with a request for vehicles.

Mr. Garcia said that is correct.

Chair Rivera asked how we can ensure that in two years that you don't come requesting an upgrade to the expansion vehicle.

Mr. Garcia said they won't ask for an expansion unless, for example, there is an expansion of Graffiti crews. He said, "There will be something tied to it if we come back for additional [vehicles]."

Chair Rivera asked if there is a policy or some way to memorialize that.

Mr. Schiavo said Councilor Trujillo made a great recommendation, and we probably need to do a better job of tracking the Department vehicles – a simple assets management list of vehicle, date of purchase, mileage and if there is a replacement, what was replaced.

Councilor Trujillo said if you know what you need for next year, you can start the process rolling now, so the Council will know what you need and if there will be budget for those needs. He said this is what he does for a living, and he always makes sure that the Districts are way ahead in getting equipment, so he knows exactly what they need the following year when he gets the budget.

Charlene Sitton, Director, Environmental Services Division, thanked Councilor Trujillo for bringing up these important points. She said Mr. Garcia is head of the fleet management part of the Division. She said one major assignment she has given him, and the Division, is from now on, through the budget process you will see an aggressive fleet replacement, fleet list and replacement schedule every year. She said even if it's 5 or 10 years down the road, you will know that's coming.

Councilor Trujillo said he would offer his services, saying he is willing to discuss fleet management at any time with Ms. Sitton or Mr. Garcia if she would like.

Ms. Sitton thanked Councilor Trujillo.

**VOTE:** The motion was approved on a voice vote, with Councilors Maestas, Trujillo and Villarreal voting in favor of the motion, and Councilor Lindell voting against.

- 14. REQUEST FOR APPROVAL OF RESOLUTION NO. 2016- \_\_\_\_\_. A RESOLUTION DIRECTING THE CITY MANAGER TO HAVE PUBLIC UTILITIES STAFF IDENTIFY AND APPLY FOR FEDERAL AND STATE FUNDING SOURCES FOR WATER, WASTEWATER AND OTHER WATER RELATED PROJECTS (ADD COUNCILOR TRUJILLO AS A COSPONSOR). (ALAN HOOK) Committee Review: Public Utilities Committee 09/07/16; Finance Committee – 09/19/16; and City Council - 09/28/16.**

Councilor Maestas said he is concerned about the deadline to apply for this funding on October 3, 2016. He realizes this is a catch-all Resolution for projects that could or would be eligible for funding by the Water Trust Board. However, the Resolution provides that there still is another step that has to be taken, which is the identification of specific projects. The Resolution then will be brought back through the committee process for approval by the Governing Body. He asked how we can fit project identification into another cycle of committees before October 3<sup>rd</sup>.

Alan Hook, Water Resources Coordinator Assistant, said this is, as Councilor Maestas said, a catch-all Resolution for all Water, Wastewater and related projects. He said we have given the New Mexico Finance Authority our notice of intent for the project we would like to do, which is a 4 million gallon tank at the Buckman Treatment Facility. He said the cost is roughly \$1.2 million, which is listed on the ICIP list which was approved by the Governing Body for 2018-2022. He said the City has to provide a 20% match. He said this Resolution would cover the City to submit an application, since a Notice of Intent has been submitted for the application on October 3, 2016. The Resolution also provides that we have to come back and ask the full Governing Body to go into the contract for the loan/grant agreement, which would not happen until we are well into Spring 2017. He said there will be no financing of, or agreement on, a contract unless it is approved by the Governing Body.

Councilor Maestas asked the danger of being more explicit in the Resolution, saying this is the project we want to submit for Water Trust Boarding finding. He asked the reason we include all of the general categories in the Resolution.

Mr. Hook said the general categories allow us to apply for anything for the next fiscal year, so it could be, for example, from a Drinking Water Fund, or a federal fund, or any kind of fund for that matter. He said they called out a specific Water Trust Board application cycle, just to say "that's something that's cool that we would like to do."

Councilor Maestas said, as a Committee, we go through a detailed list of projects, and we all are concerned about the types of projects and where they are. He said he feels we should know what the project is at this stage and the rationale behind selecting that project, amid all the potential projects in our ICIP that fall under those general categories in the Resolution. He said he doesn't want to limit the City's future options, but he thinks, in the future, this Resolution should keep the same general categories that say at this point the staff has recommended preliminarily whatever the specific project is, with a reason/justification in the staff memo so we know. He said the Water Trust Board funding is a significant component of our legislative capital outlay, and based on what he is seeing in the newspaper, this is a significant slice of the pie.

Councilor Maestas continued, "I for one, and I'm going to speak for myself, I want to weigh in, in terms of what projects staff is considering before staff makes a decision." He said he doesn't recall having a discussion about a short list staff is considering to apply for Water Trust Board funding.

Councilor Maestas continued, saying, "I feel like I'm being dumbed down, as a Councilor, by passing a resolution that is so vague, when we've already selected a project for funding, and that's kind of my issue. And I think we ought to stop that practice. And I think we ought to provide more information about what staff is recommending, and give us, as elected officials, an opportunity to gain some insight in terms of what the staff rationale was for selecting a project. And maybe even to know what other projects were considered and why they were eliminated from consideration. I know we had a late application in the past, and I certainly don't want to delay the process. I want to make sure this done on time and that we don't repeat that mistake in the past."

Councilor Maestas continued, "I don't know why, but it seems like we're going through this motion of passing this resolution that is so general, knowing that we've already identified a project for application."

Mr. Hook said, "Part of the reason for that is this memo came almost in parallel to the point we put the Notice of Intent into MFA, so I can easily amend this memo to include that Notice of Intent. Because really, what we followed was the ICIP list, so this is 5<sup>th</sup> on the ICIP list that was passed by the Governing Body. So it's really not a new project, and we're following exactly what was recommended by City Council."

Councilor Maestas said that's kind of the cover for selecting that project that, from a policy standpoint, it's in the ICIP. He said, for example, we go round and round when it's time to rank ICIP projects, especially the top 5. He asked if it would be safe to say this is the highest ranked water project in the ICIP, commenting it isn't in the top 5.

Mr. Hook said, "Actually, it is #5, and it is the top Water Supply Project, and it was called out in the project description for a 4 million gallon water tank at the BDD. Again, I can provide that information, both the project description and the ICIP list, and the Notice of Intent we did to the New Mexico Finance Authority."

Councilor Maestas said it would help, saying, "I'm not implying that you guys would select a project that is not supported by some policy decision or some Governing Body action. But it would be good to know what we are going to move forward with. He said when he saw the October 3<sup>rd</sup> deadline, he thought, "Out of these general categories, you've already selected a project, and just have us reaffirm it. It's one thing to have it in the ICIP, it's another to select it for Water Trust Board Funding."

**MOTION:** Councilor Villarreal moved, seconded by Councilor Lindell, to approve this request.

**DISCUSSION:** Councilor Maestas said, "I want to make sure that my comments are shown as direction to the staff that in the future that we have more specific information and background about staff efforts to select the project, including the Notice of Intent. I guess it's already top five in the ICIP. There's no sense in prioritizing it. But, clearly identifying the project, the project amount and the match and staff's reasons for selecting it, if they're not obvious, but in this case it is."

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



## **DISCUSSION AND ACTION**

- 16. UPDATE ON THE POTENTIAL PURCHASE OF 140.1831 AFY PRE-1907 MIDDLE RIO GRANDE WATER RIGHTS KNOWN AS THE McCULLOUGH WATER RIGHTS. (ANDREW ERDMAN) Committee Review: Public Utilities Committee 09/07/16; Finance Committee – 09/19/16; and City Council - 09/28/16.**

Chair Rivera said this an update and not an action item. He said, "Andrew, I think your memo is pretty clear, to the point and succinct. Are there any questions from the Committee. Thanks for doing the work on that. It didn't quite work out the way we thought, but at least we went through the effort, so thank you."

Councilor Villarreal said there are two acronyms on page 2 – ABCWUA and WBAO – and asked what they represent.

Andrew Erdmann, Water Resources Specialist, apologized for not including that information. He said ABCWUA is the Albuquerque Bernalillo County Water Utility Authority. And the WBAO is the Water Budget Accounting Office.

Councilor Villarreal said there is no information as to why we want this water acreage.

Mr. Erdmann said this water is different in the sense that it has already been transferred up here, and they paid more, in part, because they've already been transferred. If you were to buy them and then transfer them there would be an 18 month delay, and a part of the reason it is so much more expensive.

Mr. Schiavo said, "It's pretty clear to staff that we aren't going to go forward to purchase these water rights, but we just wanted to be sure that we brought it to your attention. The last time we talked, there was a price on the table and we had gone back and negotiated and this is the best price, but I wouldn't mind hearing from you all. I think I know what the answer is."

Councilor Maestas said he would reiterate his remarks from the last meeting, which are his concerns about the market implications, in terms of raising the price of water rates and whether it would be worth it. It also would have implications on development costs which would be transferred to the cost of the homes. He said these water rights are highly sought after, but he doesn't get the sense that it really is a compelling purchase. He asked Mr. Schiavo if that is his understanding as well.

Mr. Schiavo said yes, and there are other avenues for doing this.

Councilor Maestas said the NMML and the State Engineers have been working on some of these issues, one of which is a very different interpretation of water rights permitted, but not put to beneficial use or perfected. The interpretation of the SEO of the statute for rights not perfected after 40 years is they are forfeited automatically if you don't put them to beneficial use. He said the City can accumulate water rights for future growth and development. He was concerned that adding more water rights might not be wise because we haven't yet perfected all of our permitted water rights.

**17. REQUEST FOR CONSIDERATION OF APPROVAL OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SANTA FE AND SANTA FE COUNTY TO PROVIDE CITY OF SANTA FE WASTEWATER SERVICES TO THE TESSERA SUBDIVISION, PHASE 2. (STAN HOLLAND) Committee Review: Public Utilities Committee 09/07/16; Finance Committee – 09/19/16; and City Council - 09/28/16.**

Stan Holland, Engineer, Wastewater Management Division, said regarding Tessera 2, it takes time to prepare the documents, and get them into the queue, so, he doesn't have the information requested by the Committee at the last meeting. He said the developer and someone from Santa Fe County are in attendance, and can give you an idea of what's happening at Tessera right now, and what is planned in the future.

Mr. Holland presented information from his Memorandum of August 19, 2016, with attachments, noting this is a request for Wastewater Service to the Tessera Subdivision Phase 2. Please see this Memorandum for specifics of this presentation. He noted the future Tessera Subdivision Phase 3 is entirely within the City limits, which is a 92 acre parcel.

Councilor Lindell asked at what point these requests will become a detriment to our system, noting a new development was just approved near Rabbit Road.

Mr. Holland said there are two aspects, one is our collection system, the pipes that convey to the City plant. Secondly, would be the impacts to the plan. He said, regarding the collection system, we have to look at the master plan 20 years out, and the pipes are in good shape City-wise. He said he doesn't see an impact in the next 20 years from allowing Tessera 2 to tie into the system. He said from a collection system standpoint, the City has reached full development. He said collection-wise, in terms of the pipes, we are okay. He said, however, at the Plant we are under new permits right now, and they are still trying to determine what impacts that will have on us to try to meet our permit limits. He said one thing they pointed out were the new digesters and treatment of sludge under our permit is the bigger concern they have to deal with right now. However, he said he really can't say, or provide an exact timeline as to when that will impact us. He said he really can't say how many more homes can be built at this point.

Councilor Maestas asked if the master plan accounts for these kinds of developments and demands on the system. He said if we work on a straight 1% growth projection, we are only looking at development within the City limits, so there has to be a factor in there in coming up with a 20-year wastewater treatment system based on the additional developments and demands outside the City limits.

Mr. Holland said as far as this development, the Tessera 2, from a collection system standpoint, we're okay with this one. He said there are several outlying hook-ins that are existing communities that were taken into account. He said we don't have any way to track the new developments, such as St. Francis South, that are coming in at different points. He said Tessera 2, from a collection standpoint, is okay, but it is the ones in the future that we will have to take a closer look at, because we're not sure where they are going to connect, and when they will come on line.

Chair Rivera asked Mr. Jones if he would like to address some of the questions we've heard about the plant so far, or if he is satisfied that the answers given by Mr. Holland are fine.

Shannon Jones, Director, Wastewater Division, said he would reinforce Stan's statements with regarding to the known developments which are included in the master plan. However, because there isn't a County Utility Master Plan, only the known developments were included in the calculations.

Responding to the Chair and Mr. Jones, Councilor Lindell said she was asking about the capacity of the plant.

Mr. Jones said it gets more complicated in terms of the plant capacity, because there are several assets that tie into how we determine the capacity. He said we can talk about hydraulic capacity, the design of the facility, which is 13 million gallons per day for hydraulic design of the City. He said it becomes more moving in terms of permits. He said the current NPDES permit went into effect September 1, 2016, and there are two equations calculated in the permit, and he spoke about the calculations and our ability to remove the two constituents. There is also the issue of nutrient limits on the facility, and those are monitored constantly for impact. He said there is an RFP out for a nutrient optimization study. He said the permit is where we are feeling the pressure and the reason they are moving forward with the study.

Councilor Maestas summarized what he thinks Mr. Jones said, which is in terms of the hydraulic or volumetric capacity of the plan, it's high, but the permits and some of the standards placed on the effluent requires us to slow the process down which almost limits the hydraulic capacity of the plant because of the treatment process time it dictates.

Mr. Jones said he did allude to the nutrients because he has been monitoring this for two years, noting we had this discussion at the last PUC meeting when Councilor Maestas asked about the digesters, and we talked about the monthly average. He said with the nutrients, he can see days where we are below that threshold, and other days we approach or exceed the limit. These are the outliers for which he is trying to understand the cause. He said some of the requirements actually come down to the outflow. He said the limits negotiated in the current NPDES permit do give us latitude to look at the treatment. He said as we move forward and the State is implementing CDL's, with these types of limits the flow isn't going to matter. He said he has seen us meet those limits and he is confident we will continue to do so, and as we go forward with the study we will understand those limits.

Councilor Maestas said we discussed factoring-in developments outside the presumptive City limits known to exist, and asked what is known to exist. He asked if these are the same types of developments that were the subject of the Annexation Agreement that we have an obligation to consider in such situations. He wants to know, going forward, if there are additional developments outside the presumptive City limits which were not known and which are subject to the annexation agreement. He asked if there is a way to make sure we understand the terminology and the classification of these developments. He said if this continues he would be less likely to agree to provide utility services to new, unforeseen developments which aren't the subject of the Annexation Agreement. He asked Mr. Jones if he can shed light on the types of development with which he feels comfortable in concurring, that are known to exist at this point and which are in the master plan. He asked for staff to let us know if there are new developments in process of which we should be aware. He is concerned about the 30-40 years of capacity on these big trunk lines, and if the UEC costs pay the costs of consequential expansion of the collection system.

Mr. Jones said to this point he is aware of only two developments which are the *[inaudible]* Campus and the South St. Francis, which are not in the master plan. He said there is the development in Agua Fria and the outliers like Aldea, Tessera, the Pecos Trail Master Association.

Councilor Maestas asked how the master plan is dealing with the situation of the new developments from a design capacity of the collection system.

Mr. Jones said the master plan looks out 10-25 years in the future. He said if a development comes on that stresses the capacity of the collection system, then that development will be required to do and pay for the necessary upgrades. He said every 5 years the collection system will be examined to see the current capacity and how we are approaching it.

Councilor Maestas said the City did a study on how to incorporate using more reclaimed wastewater, and thinks our wastewater effluent will be integral to the next phase of our water portfolio. He asked if we own the effluent if we build a pipeline in the future and pipe the effluent to the main [inaudible] and get return flow credit.

Mr. Jones said yes, the effluent belongs to the City.

*[Councilor Villarreal's question of the developer here is completely inaudible]*

Brian Anderson, Homewise, 1301 [inaudible].

Mr. Holland said in 2009 the development infrastructure was complete, and the economy went south, and through a series of events, the property was turned over to the bank for Homewise.

Councilor Villarreal asked if all 80 homes are built.

Mr. Anderson said there are 20 homes at the site, or about 2-3 per month, commenting it should be built out fully by this time next year.

Councilor Villarreal asked if the homes include all income levels.

Mr. Anderson said yes, there are market rate and affordable. He said there are about 1/3 of the affordable units remaining in phase 1.

Councilor Villarreal asked the number of affordable homes in Phase 2.

Mr. Anderson said there will be 12 affordable out of the 78.

Councilor Villarreal said she understands the infrastructure is already in place for Phase 2 of Tessera.

Mr. Holland said his understanding is that all the backbone for the low pressure system is in place for Phase 2 of Tessera.

Councilor Villarreal said she understands Tessera was approved in 2001, it is now in the second phase, and there is a mix of single-family dwellings. She said she sees this as something we can consider for hook-ups, but it is of concern to her and the others on the Committee. She said all of us are concerned about future development, and she doesn't see us having the infrastructure in place currently to be able to support our newly annexed areas.

Mr. Schiavo said this portion of Agua Fria is not served by City sewer. He said when the Mutt Nelson area was annexed it did not have sewer. He said there are still pieces of town without sewer. He said we need to take a hard look at this, and look for grant opportunities to deal with it.

Councilor Villarreal said we have to think about what the zoning should be in these areas. She said she is okay in extending this service, but we have to be more cautious about those requests that are coming down the pike.

Mr. Holland said he agrees and he will be looking at those properties which currently are not served by sewer to get an idea of what needs to be done, and the costs to do that.

Councilor Villarreal asked if it is an obligation to serve residents outside the City with water and sewer.

Mr. Schiavo said without the Attorney in attendance, he would not want to offer too much information about what we can and cannot do under the Annexation Agreement. He said the County has its own water system and provides water to its customers, but does not have its own Wastewater Treatment Plant. He said as each of these requests for sewer service have been made, the staff has put together an MOU in a packet and come before the City Council for a recommendation.

Councilor Maestas said this may be shedding light on a broader planning issue. He said we aren't high growth, but if we were growing by leaps and bounds, he would be concerned about what this could do in terms of sprawl and lack of contiguity at the periphery of the City limits in creating a ring of gaps in service around the City. He said that's still going to happen eventually. He said Land Use isn't under the purview of this Committee, but in terms of his direction to staff, it would be that Public Works should be planning a broader discussion about what this trend can create, and what it poses to the City. He said if we go through that exercise, maybe we can come up with incentives and disincentives to development to make sure we continue with infill development, have more contiguity in development and more compact development for purposes of infrastructure. He said it doesn't look good when we are servicing new developments without having infrastructure within certain areas of the City limits. However, it will be very apparent if this continues, as to how many developments are going to be attracted to the areas with infrastructure. And there will be concentrated areas of development outside the presumptive City limits without considering annexation. He thinks staff needs to look at the implications of the growth patterns to the City.

Chair Dominguez said he thought Mr. Jones said we're taking in 5.6 million gallons per day, and one of the permits you mentioned allows for 8 million gallons.

Mr. Jones said that is correct. He said with regard to the permit, what he was referring to, is that for each constituent, a contaminant, identified in the permit, there is a calculation that sets the number. He said the discharge is on the State's list for impairment of streams and deposits. "And because that is in place and has been since 2000, at the time, the plant was designed for a capacity of 8.45 MGD." So the limits for total solid and biological oxygen demand have resonated with us through 3 permit cycles. And our investment into our tertiary treatments and the filtration have allowed us to remain in compliance.

Chair Rivera said with the 300 homes we have now on the south side, as well as the new area we approved for construction at the end of St. Francis Drive in the County and now Tessera, it is of concern to him. He agrees with Councilor Maestas that we have to come up with a better plan for how we are working things out. He doesn't think this project is where we have to start, but thinks we need to start thinking about changes and making some tougher decisions.

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

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

18. **REQUEST FOR APPROVAL OF BILL NO. 2016- \_\_\_\_\_. AN ORDINANCE AMENDING SECTION 7-4.2 SFCC 1987, RESIDENTIAL GREEN BUILDING CODE BY REPEALING EXHIBIT A TO CHAPTER VII SFCC 1987; ADDING A REQUIREMENTS SECTION; AND AMENDING SECTION 14-8.2(D) BEST MANAGEMENT PRACTICES FOR GRADING BEFORE AND DURING CONSTRUCTION (COUNCILOR IVES, COUNCILOR DOMINGUEZ AND COUNCILOR VILLARREAL). (KATHERINE MORTIMER).**

- a. **A RESOLUTION ESTABLISHING TARGET GOALS FOR THE CITY'S GREEN BUILDING CODE TO MEET THE GOALS SET FORTH IN THE U.S. MAYORS CLIMATE CHANGE PROTECTION AGREEMENT, THE CITY'S GOAL OF BECOMING CARBON NEUTRAL BY 2040, AND THE NEED TO CONSERVE WATER RESOURCES DUE TO THE PROJECTED EFFECTS OF CLIMATE CHANGE (COUNCILOR IVES, COUNCILOR DOMINGUEZ AND COUNCILOR VILLARREAL). (KATHERINE MORTIMER).**

**Committee Review: Sustainable Santa Fe Commission - 08/17/16; Planning Commission - 08/18/16; Public Works Committee - 08/29/16; Water Conservation Committee - 09/13/16; Public Utilities Committee 09/07/16; City Council (Request to Publish) - 09/14/16; Finance Committee – 09/19/16; and City Council (Public Hearing) - 10/13/16. This item was removed from the Agenda and postponed to the meeting of October 5, 2016**

This item is postponed to the Public Utilities Committee meeting of October 5, 2016.

19. **REQUEST FOR APPROVAL OF BILL NO. 2016- \_\_\_\_ . AN ORDINANCE RELATING TO THE CITY OF SANTA FE TELECOMMUNICATIONS FACILITIES IN THE PUBLIC RIGHT-OF-WAY ORDINANCE; AMENDING SUBSECTION 27-2.1 SFCC 1987, TO ESTABLISH LEGISLATIVE FINDINGS; AMENDING SUBSECTION 27-2.3 SFCC 1987 TO REPEAL THE DEFINITION OF "GROSS REVENUE," AND ESTABLISH A NEW DEFINITION FOR "GROSS CHARGE;" AMENDING SUBSECTION 27-2.5 TO REPEAL THE FEE STRUCTURE AND ESTABLISH AN INFRASTRUCTURE MAINTENANCE FRANCHISE FEE; AND MAKING SUCH OTHER CHANGES AS ARE NECESSARY TO CARRY OUT THE INTENT OF THIS ORDINANCE (COUNCILOR IVES). (MARCOS MARTINEZ) Committee Review: Public Utilities Committee - 09/07/16; Public Works Committee - 09/12/16; City Council (Request to Publish) - 09/14/16; Finance Committee - 09/19/16; and City Council (Public Hearing) - 10/13/16.**

Councilor Maestas said Marcos Martinez, Assistant Attorney, is not in attendance, the bill sponsor is not in attendance, and this is quite a complex piece of Legislation. He said Public Works will consider this, and this Committee might want to consider moving this forward to Public Works without recommendation.

Chair Rivera said we will have the ability to hear this at our October meeting prior to it going to the Governing Body, if we choose to postpone it until the next meeting.

**MOTION:** Councilor Maestas moved, seconded by Councilor Villarreal, to postpone this item to the Public Utilities Committee meeting of October 5, 2016.

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

#### **MATTERS FROM THE PUBLIC**

None

#### **MATTERS FROM THE CITY ATTORNEY**

None

#### **ITEMS FROM STAFF**

None



## **MATTERS FROM THE COMMITTEE**

Councilor Lindell said asked to be excused from the October 5, 2016 meeting.

### **NEXT MEETING: WEDNESDAY, OCTOBER 5, 2016.**

Stephanie Lopez asked if the Committee would like to hold its next meeting at the Wastewater Treatment Plant.

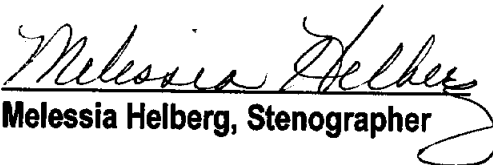
Chair Rivera said the plan is to meet every other month at one of the facilities and the Wastewater Treatment Plant is next. He said if there isn't space to meet there, we can meet at a facility close by.

Ms. Lopez said there is space at the Plant.

Chair Rivera suggested the meeting start at 4:00 p.m., with tour of the facility following the meeting.

## **ADJOURN**

There was no further business to come before the Committee, and the meeting was adjourned at approximately 6:15 p. m.

  
Melessia Helberg, Stenographer

  
Christopher M. Rivera, Chair