

Summary Minutes of:

**PUBLIC WORKS COMMITTEE MEETING
Tuesday February 2, 2010, 5:30pm
Public Safety Meeting Room
1316 Calle Adelante, Española, NM**

Committee Members

*Councilor Alfred Herrera, Chair
Mayor Pro Tem Alice Lucero
Councilor Danielle Duran
Councilor Cecilia Lujan*

Call to Order

The meeting was called to order at 5:30pm with the following in attendance:

Committee Members: Councilor Alfred Herrera, Committee Chair
Councilor Danielle Duran
Councilor Cecilia Lujan

City Clerk: Heather Velasquez (left at 7:00pm)

Deputy City Clerk: Sally Baxter

Staff: Ben Ortega, Public Works Director; Sandra Bustos, Utilities
Billing; Anthony "Hawk" Trujillo, Streets

Members of the Public: Randy Maestas, Joe Hernandez, Don Cordova, James Lopez,
Ralph Alarid, Geraldine Lopez, Ron Mosher

Absent: Committee Member Mayor Pro Tem Alice Lucero

Approval of Agenda

Agenda as presented:

---BEGIN---

**CALL TO ORDER
APPROVAL OF AGENDA
MATTERS FROM THE CITY MANAGER**

DISCUSSION ITEMS

1. Approval of Minutes 9-10-09
2. Approval of Minutes 1-5-10
3. Requested Speed Hump at Calle Don Leandro as requested by Danielle Duran
4. Restoration of Speed Humps at Mountain View as requested by Alfred Herrera
5. Update and schedule of Street Cleaning on Apple Valley Street as requested by Danielle Duran
6. Water Department Report, Payment Due Dates, Meter Reading Division
7. City Wide Pothole Repair Update (DOT and City Efforts)

MATTERS FROM PUBLIC WORKS DIRECTOR:

8. Water/Wastewater Line Extension Project Update-design and construction phase services, schedule and field investigation results
9. NM 106 Water Line Project-construction observation and construction phase design services
10. Draft Private street maintenance policy
11. Draft Road dedication policy
12. Burned Out Street Light Survey Update
13. Wells 5 and 6 Uranium Study Design Services

MATTERS OF THE CHAIR

ANNOUNCEMENTS

14. Landscape Median Grant Applications Filed: \$675,000 Requested
15. Highway Safety Improvement Grant Applications Filed: \$1.9 Million Requested

**EXECUTIVE SESSION
ADJOURNMENT**

At any time during the Open Meeting, the Governing Body may close the meeting to the public to discuss matters not subject to the New Mexico Open Meetings Act. The Governing Body may revise the order of the agenda items considered at this Open Meeting. If you are an individual with a disability who is in need of an amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk at 747-6019 at least three days prior to the meeting.

---END---

Councilor Lujan made a motion to approve the agenda as presented, seconded by Councilor Duran. The motion carried 2/0.

Matters from the City Manager

There were no items.

Discussion Items

Items #1 and #2, Approval of Minutes 9-10-09 and 1-5-10

Councilor Duran made a motion to approve both sets of minutes, seconded by Councilor Lujan. The motion carried 2/0.

Item #3, Requested Speed Hump at Calle Don Leandro as requested by Danielle Duran
Councilor Duran yielded floor to Randy Maestas.

Randy Maestas said he was a resident of Calle Don Leandro which was a subdivision of Marty's Meadow, and he gave the committee members an aerial map. He said it looked like the Indy 500 with circular loops, and he had lived there since 2006, and there were no speed humps. He said when his child was born he had a close encounter with his son and a car doing 45-50 mph. He said his neighbors said they had had close encounters also, the road was not a dead end, and now he was a parent and saw the danger of a child possibly getting hit with cars racing down the straight area and with no interference. He said he talked with his neighbors and they agreed they wanted speed humps and didn't want to wait to react to something bad. He said as a parent he wanted one by his house and wanted three speed humps on the road. He said that was his petition.

Councilor Herrera thanked Mr. Maestas for being at the meeting, and asked Public Works Director Ben Ortega to discuss this item. Mr. Ortega said the residents were following the process, had filed a request with the Public Works Department, and were at stage 4 or 5. He said they had signed a petition, he had verified the addresses with the Planning Department, and the applicant needed to change the petition as it was missing 4 or 5 property owners. Mr. Maestas said some of the homes were vacant and he needed to catch the others when they were at home.

Mr. Ortega said they were required to have signatures of all the residents, he would take the application, and he would have to wait to get a consensus from the property owners. He asked if the committee wanted to confirm the locations of three humps; he said any party affected within 200 feet of a hump must give favorable support of the speed hump. Mr. Ortega said the next step was for the Public Works Department to verify this request complied with all of the requirements.

Councilor Duran asked, how long it would take to move forward after getting the signatures; Mr. Ortega said probably 60 days and an engineer would need to confirm the drainage.

Mr. Maestas asked if one individual opposed the request if it would have to be 200 feet away; Mr. Ortega said yes, it could shift the [location of the] speed hump. Councilor Herrera said it sounded like it was moving in the right direction.

Item #4, Restoration of Speed Humps at Mountain View as requested by Alfred Herrera

Councilor Herrera said issue here was that because this was an area that had been paved within the past year and there had been speed humps which were lost when Mountain View was paved, he had received a request from an individual who wanted them restored. He said his understanding was that Mayor Pro Tem Lucero had had conversations with residents who did not want the speed humps.

Joe Hernandez, a member of the public, said he had moved into a house on the street approximately 3 years ago, the street had three humps, and almost a year prior the city had repaved and had not reinstalled the humps. He said there were indentations but they were not high enough to do the job, and he had had to abort turning into his driveway many times because of people behind him, people on cell phones coming too fast, and his not wanting to get rear ended. He said he didn't know who was opposed. He said he had worked for a city in past, they had done traffic studies, and since the speed humps had been there before he felt that when the road department had installed them they had concluded they were needed. He said they were still needed.

Anthony "Hawk" Trujillo, Streets Department, said the reason they hadn't been put back was because of the Fire Department. He said they needed to go any place in four minutes and when the La Joya station got manned, that would be when they would be put back. Mr. Trujillo said it was reducing response time, and policy said if the Fire Department couldn't get there in a certain amount of time, the Streets Department couldn't do anything to hinder their speed. Councilor Lujan said at the Public Safety Meeting the previous evening Fire Chief John Kitchen had said it would be one to two months for La Joya station to be up and running. Councilor Duran asked Mr. Ortega to follow up with the Fire Chief.

Councilor Herrera said part of the policy stated this was if the street was commonly used by emergency vehicles as an access corridor; he asked Mr. Ortega to talk with the Fire Chief.

Mr. Ortega said the street had had them in past, Councilor Herrera said La Joya station hadn't been manned in a while. Mr. Ortega said he would talk to the Fire Chief.

Item #5, Update and schedule of Street Cleaning on Apple Valley Street as requested by Danielle Duran

Councilor Duran said some residents in Apple Valley asked when the streets would be cleaned; she said talked to the Street Department and they needed the residents to move their cars on the night when they cleaned, so she wanted to know when they cleaned so she could notify the residents.

Mr. Trujillo, Streets Department, said they had gone out that morning, the ground was frozen, and he had contacted housing to remove the mud [on the streets left] when the walls [in the area] had been built. Councilor Duran said people parked on the street, and needed to move their cars; she said if the people knew they were coming, the people would move their cars. Mr. Trujillo said the mud would tear up the hose [on the sweeper], and he would let people know twenty-four hours ahead of time [when the street would be swept].

Item #6, Water Department Report, Payment Due Dates, Meter Reading Division

Sandra Bustos, Utility Billing, said for the update for the month of December, there had been forty-eight accounts with high usage, five had had leaks, and the others had no signs of leaks.

Councilor Duran asked regarding the 13 day period for paying [utility bills], why the timeframe was so short; she said most places gave two weeks. Ms. Bustos said it was per ordinance, and after the due date they needed time to prepare themselves before they sent the meter readers out again. Councilor Duran asked if it could be moved to a twenty day cycle; Ms. Bustos said it might be possible as meter reading was done remotely.

Councilor Duran said people lived paycheck to paycheck and this could help them. Ms. Bustos said by the first of the month they had the billing in, and people could ask what the bill was without having the bill in hand.

Councilor Lujan said if they were doing the reading much quicker, it made sense to allow people more time. Councilor Herrera asked if Ms. Bustos was sure it was in the ordinance; Ms. Bustos said yes and after the 21st of the month the bill was delinquent.

Mr. Ortega said maybe they could change the ordinance to the 25th; Councilor Duran asked for a copy of that portion of the ordinance to discuss at the next meeting.

Councilor Herrera said he would like to ask utilities for their thoughts on this because they had experience; Ms. Bustos said it took time to run the billing.

Mr. Ortega said they had also talked about having the ability to do auto-debit; Councilor Lujan said she had heard people were interested in that. Mr. Ortega said he would look into that for the next meeting. Councilor Lujan said this had been requested three years prior. Mr. Ortega said it would help with delinquencies.

Councilor Herrera said it sounded like what Ms. Bustos was doing notifying high water users they might have leaks was working. Ms. Bustos said sometimes when they advised people they had leaks, they would say they didn't, and they had a customer who insisted there was no leak. She said they had several who said that when there was a leak.

Councilor Herrera said when they said there was no leak but the meter was running, at least they had it on record that they had notified customers, and he realized this wasn't something the city was obligated to do, but it was good customer service. He thanked Ms. Bustos for her presentation.

Item #7, City Wide Pothole Repair Update (DOT and City Efforts)

Mr. Ortega said he had gotten feedback that they needed to be more aggressive, especially in winter, and they had completed 70 repairs on about 20 streets in January. He said today the Mayor had told him to be more aggressive, and he had gotten a call from Leroy Archuleta and they had repaired six more today. Mr. Ortega said members of public were welcome to call him.

Councilor Lujan said coming from work, at the Park and Ride there were a couple to look at, and Fairview Lane coming west there were a couple across from Angelina's Restaurant.

Councilor Duran asked, looking at the report, if they were permanent repairs or if they needed to consider replacing the road; Mr. Trujillo said there was some repetitive process, and some roads had been repaired 3-4 times which had wasted tons of patching material the last two storms.

Councilor Duran asked if in the spring these needed to be on the list for replacement; Mr. Trujillo said East Pueblo and Hunter needed to be on the list and some roads were major fixes. Mr. Ortega said what he would like to do was identify streets that needed significant repair and do more substantial repairs or efforts using the next year's budget. Councilor Duran said she would yield to Mr. Trujillo as he knew the situation; she said he could get a list of roads and they could prioritize them. Councilor Herrera said with the list the city could get money from DOT (New Mexico Department of Transportation). Mr. Trujillo said they could apply for apply for coops and MAPS (New Mexico Municipal Arterial Program) funds; he said the city could apply for one road then the following year to get all the money. Mr. Trujillo said in the Northern (Northern New Mexico College) area the city could patch potholes for DOT and the DOT would repair city roads. He said the maintenance balanced out and he didn't know how funding would go.

Mr. Ortega said he would get the list. He introduced Don Cordova with the DOT for an update on DOT repairs for the city.

Mr. Cordova said in the winter the city got a lot of moisture requiring a lot of emergency repairs. He said the DOT worked on South McCurdy, throughout the city, and did have a large area to cover. He said he could meet with Mr. Trujillo and was willing to give the city a pallet of material for Mr. Trujillo to use. He said in the spring they would try to cut and repair to a permanent state; he said the material wouldn't get bond when the streets were wet. Mr. Ortega said the city had a good relationship with the DOT.

Councilor Herrera said he applauded the DOT and their working relationship, and he knew the DOT tried to help out the city and he appreciated their efforts. Councilor Herrera said he applauded Mr. Trujillo also and his team, and these streets did need a lot of repair. He said the city set aside money for streets through the 124 fund, had revisited that and identified funding for water and wastewater. He said the city might need to revisit that and forego the idea of paving those and instead repairing what the city had.

Mr. Ortega said he wanted to have a pothole hotline and put the number in the utility bills. Councilor Lujan said that was a great idea.

Matters from the Public Works Director

Item #8, Water/Wastewater Line Extension Project Update-design and construction phase services, schedule and field investigation results

Mr. Ortega said this was an item that had been approved by the Council the previous week, and the Governing Body approved it and had directed staff to enter into a contract with Wilson and Company for oversight. He said at the meeting the Council asked regarding the schedule if the timeline for the design schedule could be compressed and he had revised the project schedules. He said a representative from Wilson and Company was present to answer any questions.

Mr. Ortega said packets included the total cost and schedule; he said he wanted to clarify it was the design schedule. He said the consultant had improved the schedule by one month on each of the three phases including Calle Gallegos and Russell Gallegos was satisfied. He said there would be a meeting February 25th to get confirmation of the residents' support, and to determine future stub-outs and accommodate existing homes and future homes.

Mr. Ortega said they were "off to the races", had started and completed investigations regarding quantities and connection locations. He said they had gone out in the field and completed this work and the city anticipated 227 new connections, and had determined 717 existing and potential connections.

Councilor Lujan said she was glad Mr. Paulette (of Wilson and Company) had been able to modify the schedule. She asked if he was certain there would be no impact on the deliverables; Mr. Paulette said there would be no impact.

Mr. Ortega said on North Prince they could consolidate lines and actually had a cost savings for the construction cost. Councilor Herrera said on North Prince Drive at one time he had seen some preliminary designs like a trunk line next to Angelina's Restaurant going north, and the city needed to keep in mind that if they were able to expand further north in the future, they would need to keep those ideas alive and in mind. He said the city needed to think of regionalization and trunk lines. Mr. Ortega said it sounded like he was saying to upsize the line and he would take it into consideration.

Councilor Herrera said it sounded like the project was moving forward, and it sounded like a year from now for completing phases one, two and three. He said regarding the streets identified, some would need widening and he wanted to know if the engineers would do this or if the city needed attorneys for potential condemnation. Mr. Ortega said he would find out when the survey was complete. He said the city desired a 10 feet easement on either side of the line, it could be a concern, and require possible additional land for maintenance of the lines. He said for the roadways

themselves the city would need more for two lanes of traffic, and for now they needed to ensure there were adequate easements. Councilor Duran said her understanding was that the cost of buying easements was built into the budget; Mr. Ortega said he didn't have all the information yet.

Councilor Herrera said as the project moved along, some roads might not lend themselves to widening. He said that was the kind of thing that would have to be dealt with as they came up. Mr. Ortega said it was a possibility the city would need utility easements on private property if there wasn't room to widen the streets. Councilor Herrera thanked the designer for compressing the timeline; he said the citizens had waited a long time.

Item #9, NM 106 Water Line Project-construction observation and construction phase design services

Mr. Ortega said this had been brought before the Council the previous week, the contract with Advantage Asphalt was now being awarded, and the city would go back to engage the original design consultant for the construction phase services management and observation to ensure it was built to the specs. He said in the prior week a comment was made that because of the low price, the Council members wanted to be sure the city got what was bid. He said in the packet was a description of the contract amount, included as-builts, and he would be updating the plans as the project got underway to make sure it was being done correctly, ensure the project was on schedule and budget. He said the schedule was to start in March with completion in July.

Item #10, Draft Private street maintenance policy

Mr. Ortega said this was a policy he and Mr. Trujillo had worked on and it needed to be put into place. He said the city Street Department received requests to maintain private roads and it was disappointing to owners that the public used the streets. He said he was consulting with the city attorney and the issue was if the city had the right to maintain private roads with respect to the anti gift law.

Mr. Ortega said on the flip side, the city had gone in and made public improvements, for example water and wastewater on Pacheco lane, so it might be a grey area. He said Pacheco Lane was a private road but the city had put in utilities and was obligated to maintain the facilities. He said the road had been disturbed, it was a hard road, compacted, and the city had put in utilities and the dirt settled, and the residents were concerned because over time they had a worse road then they had had before the city put in the utilities. He said it was a private road but the city put in utilities and that made potholes and dips in the road. Mr. Ortega said in the Pacheco lane instance, the city was going in as a courtesy to smooth out the uneven surface.

Mr. Ortega said the residents had asked for this to occur. He said right now the situation was that the city had had heavy rains and the residents were asking for help. He said the road was not in the best shape and city crews had gone out in November and December, and had done this as a as courtesy. He said the last time they went out, while the work was being done, the crews were told get off of private property. He said the crews want to help and the majority of residents love the service, but always one or two objected,. He said the same thing had happened on Dakota with one resident saying no and it put them in an awkward situation.

Mr. Ortega said he wanted to maintain the facilities but this was a grey area. He said he didn't want to go in a direction and the city have lawsuit regarding the anti donation laws so staff had drafted a policy to review and it would be nice to have the Committee's recommendation for this. He said he hoped the Committee would give approval of the policy to go before the Council.

Councilor Lujan said she had driven through Pacheco two weeks prior and it was bad, and the city needed to do something. She said they should at least grade it, as it would get worse.

James Lopez, a member of the public, said he had been told the money was there [to improve the street]. Ralph Alarid, a member of the public, said there was no [base course] on the street. Geraldine Lopez, a member of the public, said they should take a ride to see the street.

Mr. Ortega asked if the Committee would direct staff in this matter.

Councilor Lujan said she would like for the city crews to go out and do what was needed in the interim before the policy was approved. Councilor Duran said she agreed, the problem was the easement, and the problem was caused by the city when the road was dug up so the city had a responsibility to put things right. Councilor Duran said the city had a responsibility to fix it or make the contractor fix it.

Mr. Ortega said he had forwarded this to the city attorney but had not received any comments yet.

Councilor Herrera said there was a bigger policy issue, when the soil had been disturbed at the time the utility work had been done it looked okay, then the first rainstorm changed the road, and they needed to decide how to move forward. He said at the time work is completed it may be okay, the 6 months or years down the road the city ends up with problems. He said they need to think long and hard, and be careful as they move forward regarding how deal with this. Councilor Lujan said there was no drainage and that was part of the problem.

Item #11, Draft Road dedication policy

Mr. Ortega said to determine what qualifies as a street to dedicate to the city, he wanted to make sure there were no encroachments, there was a sequence to play out, and they needed to have street standards.

Mr. Trujillo, Street Department, said standard curb and gutter was 18 inches wide, and without curb and gutter drainage couldn't be controlled. He said curb and gutter couldn't be considered as riding surface.

Mr. Ortega said regarding Pacheco it would require more land and the relocation of utility lines which would drive up the cost. He said he was suggesting standards and asking for a recommendation for the Council. Councilor Herrera said he thought they had adopted road standards and that they were already established.

Mr. Trujillo said that was subdivision standards, and for a road with no curb and gutter drainage couldn't be controlled. He said that was the reason for it, and most of the adaptations were done for subdivisions. Mr. Ortega said this would be a narrative, would have graphics and a cross section, and this was the first step in establishing standards for a road dedication policy. Councilor Duran said regarding 26 feet wide without sidewalks, she wanted to know if they could talk about going back to 22 feet without curb and gutter; she asked if this was pre-existing. Mr. Trujillo said the existing dirt was 22 feet.

Councilor Duran said Councilor Herrera had talked a little about condemnation and she wanted to know under what conditions the city could condemn. Mr. Trujillo said he had looked into it, people thought it was taking land and that was it, but it was getting estimates and paying for it. Mr. Trujillo said they had blueprints in hand, had gone through the records and had tried to negotiate. Mr. Trujillos said eminent domain was for the military for the safety of the country; Councilor Duran said there were three places in the state constitution municipalities could use, not for economic development, but for safety and areas that were run down the city could use [eminent domain]. Mr. Trujillo said the city couldn't find the owner it could use eminent domain to take property. Mr. Ortega said he had given this to the attorney and could add when eminent domain applied.

Councilor Herrera said they needed to be very careful, 26 feet was ideal in a lot of situations and with 22 feet they could barely get through but 26 feet was taking homes and walls, so they needed to be careful and had to look at what the city could

afford. He said if 26 feet wasn't needed, he didn't want to go there. He said he believed they had agreed on 22 feet, in part now because of the work Wilson was doing and they needed to be able to give policy decisions to Wilson now. Mr. Ortega said 22 feet was decided on for Pacheco.

Mr. Ortega said he would bring this back to the Public Works Committee when he had fine tuned it.

Item #12, Burned Out Street Light Survey Update

Mr. Ortega said regarding the burned out light survey, back in November he had done a survey and could report 100% of those lights were replaced. He said he double checked and identified thirty-one locations, Leroy Archuleta, Public works, had the previous night found seven of thirty-one had since been replaced, and by Friday the rest would be completed.

Councilor Duran asked if they could have a report for the Community Meeting February 4th at the Fiber Arts Center as lack of lighting was a public safety concern.

Item #13, Wells 5 and 6 Uranium Study Design Services

Mr. Ortega said this item predated his joining the city; he said the federal government lowered reporting levels for uranium nationwide and the city was playing catch up. He said this was a naturally occurring contaminant which the state tracked. He said reports were sent to the state and he included in the packets a table showing where levels exceeded the federal standards. He said for water wells 5 and 6, the state had been monitoring the wells for the past three years for a consistent pattern and had notified the city something had to be done about it. He said he and Antonio had gone to the environment department in Santa Fe to see what options were available. He said the city had been complying with the requirements to notify the public every quarter.

Mr. Ortega said he would start investigating what options the city had to reduce the uranium level at the wells. He said he wanted to inform the Committee that staff was entering into a contract with Molzen Corbin and Associates, the cost is was \$13,700 with gross receipts taxes, and the proposal would include five scenarios for how to treat, ranging from blending to alternate uses for the wells. He said the city had some options. He said in the 2000 water master plan, this was identified as an area that needed to be addressed. He said it was only two wells out of eight altogether, so the levels were not there at the tap; he said the levels were at the well source. He said he was confident in Molzen Corbin's abilities to give a study of what had happened since 2000, a draft would be available in eight to ten weeks and it would be used for a priority list to determine how long it would take to implement, and he would bring that information to the Committee, then the city could proceed with designing the preferred solution.

Councilor Duran said she wanted to confirm the eight to ten week timeline; Mr. Ortega confirmed the timeline. Ron Mosher, Molzen Corbin representative, said that was their goal. Mr. Ortega asked if they could say no later than eight weeks; Mr. Mosher said yes.

Councilor Herrera asked Mr. Ortega to remind the Committee if the uranium requirement was similar to the arsenic requirement in that it was new or an alert; Mr. Ortega said it was an old federal requirement but now it was being enforced. He said the city knew about it, but the federal government was saying now to do something about it so the water department was working with the state and now they wanted the city to meet the standard.

Councilor Duran left at 7:07pm and returned at 7:09pm.

Mr. Ortega said looking at wells 1, 2, 3 and 4, they had much lower concentrations and with Molzen Corbin's knowledge of these, they would look at whether the outputs could be blended, and if so that might be a cost effective solution. He said some cities in New Mexico used reverse osmosis, ion exchange, and had disposal

issues with uranium. He said they would look at all the options. Councilor Herrera said he looked forward to the results.

Matters of the Chair

There were no items.

Announcements

Items # 1, Landscape Median Grant Applications Filed: \$675,000 Requested

Mr. Ortega said the city was pursuing additional grants, a median upgrade, three major corridors, and was hoping to get these.

He said for the medians, initially they were cleaned and scraped, then the goal was to make them beautiful and he wanted to try to get money from this source and he hoped to hear within 60 days.

Councilor Herrera asked who he had applied to; Mr. Ortega said NMDOT (New Mexico Department of Transportation).

Item # 15, Highway Safety Improvement Grant Applications Filed: \$1.9 Million Requested

Mr. Ortega said on the previous Friday he had applied for \$1.9 million from NMDOT for a highway improvement plan, and he thought the city had a chance for \$100,000 at least for flashing signs.

Councilor Lujan asked if the areas toured were from the public safety tour; Mr. Ortega said those and more. He said he had requested \$870,000 for Paseo de Oñate and others for bike lanes and sidewalks. He said he hoped to hear by April.

Executive Session

There was no Executive Session.

Adjournment

Councilor Duran made a motion to adjourn seconded by Councilor Lujan. The motion carried 3/0.

The meeting adjourned at 7:13pm.

*Minutes taken and transcribed by Sally Baxter,
Deputy City Clerk/ Public Information Officer*

APPROVED AND ADOPTED THIS 6th DAY OF April, 2010

ELECTRONIC VERSION
SIGNATURES ON FILE