

City of Santa Fe, New Mexico

LEGISLATIVE SUMMARY

Resolution No. 2015-___

Public Utility Board Charter Amendment

SPONSOR(S): Councilor Maestas

SUMMARY: The proposed resolution authorizes the placement of a question on the ballot of a Special Election, to be held in conjunction with the Regular Election on March 1, 2016, to ask the voters of the city of Santa Fe whether or not the *Santa Fe Municipal Charter* should be amended to include a provision to establish a Santa Fe Public Utility Board.

PREPARED BY: Rebecca Seligman, Legislative Liaison Assistant

FISCAL IMPACT: No

DATE: August 18, 2015

ATTACHMENTS: Resolution
FIR

1 CITY OF SANTA FE, NEW MEXICO

2 RESOLUTION NO. 2015-__

3 INTRODUCED BY:

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5 Councilor Joseph M. Maestas
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10 A RESOLUTION

11 AUTHORIZING THE PLACEMENT OF A QUESTION ON THE BALLOT OF A
12 SPECIAL ELECTION, TO BE HELD IN CONJUNCTION WITH THE REGULAR
13 ELECTION ON MARCH 1, 2016, TO ASK THE VOTERS OF THE CITY OF SANTA FE
14 WHETHER OR NOT THE *SANTA FE MUNICIPAL CHARTER* SHOULD BE AMENDED
15 TO INCLUDE A PROVISION TO ESTABLISH A SANTA FE PUBLIC UTILITY
16 BOARD.
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18 WHEREAS, a Public Utility Board ("Board") would advise the Governing Body,
19 through the Public Utilities Committee, on issues related to city utility capital, water
20 conservation, financial planning, operations, rate setting, projects, and policies; and

21 WHEREAS, the Board would participate in the multi-year financial planning process for
22 City utilities to prioritize programs, and to estimate overall rate impacts; and

23 WHEREAS, the Board would review the proposed financial plans and revisions, and
24 submit the Board's findings and recommendations to the Governing Body as part of the City's
25 annual financial planning process; and

1 **WHEREAS**, the Board would participate in the utility rate design process and make
2 recommendations to the Governing Body on the equitable distribution of rate adjustments among
3 customer classes, as determined in the rate design process; and

4 **WHEREAS**, the Board would report to the Governing Body on proposed rate changes
5 during the annual budget hearings and development processes for water, sanitary sewer, and solid
6 waste rates; and

7 **WHEREAS**, the Board would participate in the periodic review and analysis of
8 alternative rate designs proposed by the Governing Body; and

9 **WHEREAS**, the Board will help identify any general fund cost impacts by utility
10 enterprises and recommend, if any, appropriate transfers from the enterprise fund to the General
11 Fund; and

12 **WHEREAS**, the Board will determine if a payment in lieu of taxes (PILOT) shall be
13 made to the General Fund and if so, the board shall recommend an appropriate amount to be
14 transferred; and

15 **WHEREAS**, the Board would report on other city activities or proposed policies with
16 significant impacts to water, sewer and solid waste rates; and

17 **WHEREAS**, the Governing Body wishes to ask the voters of the City of Santa Fe to
18 amend the *Santa Fe Municipal Charter* to allow for the creation of a Public Utility Board.

19 **NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
20 **CITY OF SANTA FE** that the Governing Body hereby authorizes the placement of a question
21 on the ballot of a special election, to be held in conjunction with the regular municipal election on
22 March 8, 2016, to ask the voters of the City of Santa Fe whether or not the *Santa Fe Municipal*
23 *Charter* should be amended to include a provision to establish a Santa Fe Public Utility Board.

24 PASSED, APPROVED AND ADOPTED this ____ day of _____, 2015.
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JAVIER M. GONZALES, MAYOR

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:



KELLEY A. BRENNAN, CITY ATTORNEY

**City of Santa Fe
Fiscal Impact Report (FIR)**

This Fiscal Impact Report (FIR) shall be completed for each proposed bill or resolution as to its direct impact upon the City's operating budget and is intended for use by any of the standing committees of and the Governing Body of the City of Santa Fe. Bills or resolutions with no fiscal impact still require a completed FIR. Bills or resolutions with a fiscal impact must be reviewed by the Finance Committee. Bills or resolutions without a fiscal impact generally do not require review by the Finance Committee unless the subject of the bill or resolution is financial in nature.

Section A. General Information

(Check) Bill: _____ Resolution: X

(A single FIR may be used for related bills and/or resolutions)

Short Title(s): **A RESOLUTION AUTHORIZING THE PLACEMENT OF A QUESTION ON THE BALLOT OF A SPECIAL ELECTION, TO BE HELD IN CONJUNCTION WITH THE REGULAR ELECTION ON MARCH 1, 2016, TO ASK THE VOTERS OF THE CITY OF SANTA FE WHETHER OR NOT THE SANTA FE MUNICIPAL CHARTER SHOULD BE AMENDED TO INCLUDE A PROVISION TO ESTABLISH A SANTA FE PUBLIC UTILITY BOARD.**

Sponsor(s): Councilor Maestas
Reviewing Department(s): City Attorney's Office / Public Utilities Department
Persons Completing FIR: Rebecca Seligman / Nick Schiavo Date: 8/18/15 Phone: 955-6501 / 955-4267

Reviewed by City Attorney: *Vally A. Brennan* Date: 8/20/15
(Signature)

Reviewed by Finance Director: *[Signature]* Date: 8-20-2015
(Signature)

Section B. Summary

Briefly explain the purpose and major provisions of the bill/resolution:

The proposed resolution authorizes the placement of a question on the ballot of a Special Election, to be held in conjunction with the Regular Election on March 1, 2016, to ask the voters of the city of Santa Fe whether or not the Santa Fe Municipal Charter should be amended to include a provision to establish a Santa Fe Public Utility Board.

Section C. Fiscal Impact

Note: Financial information on this FIR does not directly translate into a City of Santa Fe budget increase. For a budget increase, the following are required:

- a. The item must be on the agenda at the Finance Committee and City Council as a "Request for Approval of a City of Santa Fe Budget Increase" with a definitive funding source (could be same item and same time as bill/resolution)
- b. Detailed budget information must be attached as to fund, business units, and line item, amounts, and explanations (similar to annual requests for budget)
- c. Detailed personnel forms must be attached as to range, salary, and benefit allocation and signed by Human Resource Department for each new position(s) requested (prorated for period to be employed by fiscal year)*

I. Projected Expenditures:

- a. Indicate Fiscal Year(s) affected – usually current fiscal year and following fiscal year (i.e., FY 03/04 and FY 04/05)
- b. Indicate: "A" if current budget and level of staffing will absorb the costs
"N" if new, additional, or increased budget or staffing will be required
- c. Indicate: "R" – if recurring annual costs
"NR" if one-time, non-recurring costs, such as start-up, contract or equipment costs
- d. Attach additional projection schedules if two years does not adequately project revenue and cost patterns
- e. Costs may be netted or shown as an offset if some cost savings are projected (explain in Section 3 Narrative)

Finance Director: _____

X Check here if no fiscal impact

Column #:	1	2	3	4	5	6	7	8
	Expenditure Classification	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs Recurring or "NR" Non-recurring	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs – Recurring or "NR" Non-recurring	Fund Affected

Personnel*	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Fringe**	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Capital Outlay	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Land/ Building	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Professional Services	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
All Other Operating Costs	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Total:	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____

* Any indication that additional staffing would be required must be reviewed and approved in advance by the City Manager by attached memo before release of FIR to committees. **For fringe benefits contact the Finance Dept.

2. Revenue Sources:

- a. To indicate new revenues and/or
- b. Required for costs for which new expenditure budget is proposed above in item 1.

Column #:	1	2	3	4	5	6
	Type of Revenue	FY _____	"R" Costs Recurring or "NR" Non-recurring	FY _____	"R" Costs – Recurring or "NR" Non-recurring	Fund Affected

_____	\$ _____	_____	\$ _____	_____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____	_____
Total:	\$ _____	_____	\$ _____	_____	_____	_____

3. Expenditure/Revenue Narrative:

Explain revenue source(s). Include revenue calculations, grant(s) available, anticipated date of receipt of revenues/grants, etc. Explain expenditures, grant match(s), justify personnel increase(s), detail capital and operating uses, etc. (Attach supplemental page, if necessary.)

N/A

Section D. General Narrative

1. Conflicts: Does this proposed bill/resolution duplicate/conflict with/companion to/relate to any City code, approved ordinance or resolution, other adopted policies or proposed legislation? Include details of city adopted laws/ordinance/resolutions and dates. Summarize the relationships, conflicts or overlaps.

None staff is aware of

2. Consequences of Not Enacting This Bill/Resolution:

Are there consequences of not enacting this bill/resolution? If so, describe.

If this resolution is not enacted, placement of a question on the ballot of a Special Election, to be held in conjunction with the Regular Election on March 1, 2016, to ask the voters of the city of Santa Fe whether or not the *Santa Fe Municipal Charter* should be amended to include a provision to establish a Santa Fe Public Utility Board would not transpire.

3. Technical Issues:

Are there incorrect citations of law, drafting errors or other problems? Are there any amendments that should be considered? Are there any other alternatives which should be considered? If so, describe.

No

4. Community Impact:

Briefly describe the major positive or negative effects the Bill/Resolution might have on the community including, but not limited to, businesses, neighborhoods, families, children and youth, social service providers and other institutions such as schools, churches, etc.

The positive effect of the resolution is that it has the potential to poll the voters of the City of Santa Fe as to whether or not the *Santa Fe Municipal Charter* should be amended to include a provision to establish a Santa Fe Public Utility Board.
