

**CITY OF SANTA FE, NEW MEXICO**

**BILL NO. 2010-25**

**INTRODUCED BY:**

Councilor Wurzbarger

**AN ORDINANCE**

**AMENDING SECTION 25-5.6 SFCC 1987 REGARDING TEMPORARY WATER RATE INCREASES IN TIMES OF WATER EMERGENCIES; REPEALING AND READOPTING RATE SCHEDULES 1C, 1D AND 1E OF EXHIBIT B, CHAPTER 25 SFCC 1987 TO INCREASE WATER RATES TO SUPPLEMENT LOST REVENUE FROM LOW INCOME CREDIT CUSTOMERS; CREATING A WATER RATE CHARGE THAT WOULD BE IMPLEMENTED IN TIMES OF WATER EMERGENCIES; AND AMENDING RATE SCHEDULE 11 OF EXHIBIT B, CHAPTER 25 SFCC 1987 REGARDING RATES AND CONDITIONS FOR THE CITY'S POTABLE WATER FILL STATION.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:**

**Section 1. Section 25-5.6 SFCC 1987 (being Ord. #2006-53, §28) is amended to read:**

**25-5.6 Implementation of Water Emergency Management Plan.**

A. Upon the city manager's determination and declaration that a water emergency exists as set forth in subsection 25-5.4 SFCC 1987, the city manager, in consultation with the water division

1 director, shall determine which provisions of the water emergency management plan are necessary to  
2 implement in order to protect the public health, safety and welfare and to prudently plan and supply  
3 water to the city water system's customers.

4 B. Upon the city manager's determination that implementation of the water emergency  
5 plan is necessary, the city manager, in consultation with the water division director, is authorized and  
6 directed to implement the provisions of the water emergency management plan, as follows:

7 (1) The city manager may implement the promulgation of rules, regulations and  
8 other conditions relative to the time of using water, the purpose or purposes for which it may  
9 be used, and such other necessary limitations as will, in the city manager's opinion, relieve  
10 the water shortage in any such section or sections of the water service area; and

11 (2) The city manager is authorized to implement the "Water Warning-Orange"  
12 water emergency implementation stage as shown on Exhibit "C" or the "Water Crisis - Red"  
13 water emergency implementation stage as shown on Exhibit "D" at the end of this chapter[~~§~~].

14 C. If the severity of a water emergency lessens, the city manager may, [~~upon~~  
15 ~~recommendation of the water division director,~~] in consultation with the water division director,  
16 rescind or lower the water emergency implementation stage.

17 [~~D. — Depending upon the nature of the water emergency in order to protect the health,~~  
18 ~~safety and welfare of the citizens of Santa Fe and to protect public and private property, the governing~~  
19 ~~body may, upon a majority vote of those present, adopt temporary water rate surcharges above those~~  
20 ~~rates set forth in Exhibit B of this chapter.]~~

21 D. If water emergency implementation stage "Water Warning – Orange" or water  
22 emergency implementation stage "Water Crisis – Red", as defined in Section 25.5.7, has been  
23 declared, the water emergency charge rate set forth in Exhibit B of this Chapter shall be in effect.

24 **[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]**

1           **Section 2.       The Table of Contents of Exhibit B of Chapter 25 SFCC 1987 is**  
2 **amended to read:**

3   CITY OF SANTA FE  
4   PUBLIC UTILITIES DEPARTMENT  
5   WATER SERVICES DIVISION  
6   EXHIBIT B  
7   (Subsection 25-4.2)  
8   WATER SERVICE RATE SCHEDULES  
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10 Title	Rate Schedule Number
11 Monthly Service Charges and Monthly Volume Rates	
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23 Potable Water Fill Station	11
24 EFFECTIVE: JULY 1, 1995	
25 AMENDED: JANUARY 12, 2000	

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APRIL 11, 2001  
MAY 9, 2001  
SEPTEMBER 24, 2001  
JANUARY 16, 2002  
MAY 8, 2002  
AUGUST 11, 2004  
FEBRUARY 9, 2005  
AUGUST 28, 2006 (EFFECTIVE JANUARY 1, 2007)  
OCTOBER 29, 2007  
JANUARY 9, 2008  
JANUARY 28, 2009 (EFFECTIVE March 1, 2009)  
\_\_\_\_\_, 2010 (EFFECTIVE January 1, 2011)

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Section 3. Rate Schedule 1C of Exhibit B, Chapter 25 SFCC 1987 is repealed and a new Rate Schedule 1C is ordained to read:

**RATE SCHEDULE 1C**

Effective January 1, 2011 through December 31, 2011

<b>RESIDENTIAL, MULTI-FAMILY, COMMERCIAL</b>				
<b>Meter Size</b>		<b>Monthly Service Charge</b>		
5/8" or 3/4"		\$15.73		
1"		\$31.46		
1 1/2"		\$62.93		
2"		\$125.87		
3"		\$251.73		
4"		\$456.25		
6"		\$1,006.89		
8"		\$1,793.52		
<b>MONTHLY VOLUME CHARGE</b>				
<b>RESIDENTIAL</b>				
<b>Meter Size</b>			<b>Normal Charge Per 1,000 Gallons</b>	<b>Water Emergency Charge Per 1,000 Gallons</b>
All meter sizes	Sept. - April*	First 7,000 gallons	\$5.18	\$6.48
		Greater than 7,000 gallons	\$18.55	\$19.85
	May - Aug.*	First 10,000 gallons	\$5.18	\$6.48
		Greater than 10,000 gallons	\$18.55	\$19.85
<b>MULTI-FAMILY</b>				
All meter sizes	Sept. - April*	First 7,000 gallons per dwelling unit	\$5.18	\$6.78
		Greater than 7,000 gallons per dwelling unit	\$18.55	\$20.15
	May - Aug.*	First 10,000 gallons per dwelling unit	\$5.18	\$6.78
		Greater than 10,000 gallons per dwelling unit	\$18.55	\$20.15
<b>COMMERCIAL</b>				
5/8" or 3/4"	Sept. - April*	First 7,000 gallons	\$5.18	\$8.58
		Greater than 7,000 gallons	\$18.55	\$21.95
	May - Aug.*	First 10,000 gallons	\$5.18	\$8.58
		Greater than 10,000 gallons	\$18.55	\$21.95

1"	Sept. - April*	First 14,000 gallons	\$5.18	\$8.58
		Greater than 14,000 gallons	\$18.55	\$21.95
	May - Aug.*	First 20,000 gallons	\$5.18	\$8.58
		Greater than 20,000 gallons	\$18.55	\$21.95
1 1/2"	Sept. - April*	First 28,000 gallons	\$5.18	\$8.58
		Greater than 28,000 gallons	\$18.55	\$21.95
	May - Aug.*	First 40,000 gallons	\$5.18	\$8.58
		Greater than 40,000 gallons	\$18.55	\$21.95
2"	Sept. - April*	First 56,000 gallons	\$5.18	\$8.58
		Greater than 56,000 gallons	\$18.55	\$21.95
	May - Aug.*	First 80,000 gallons	\$5.18	\$8.58
		Greater than 80,000 gallons	\$18.55	\$21.95
3"	Sept. - April*	First 112,000 gallons	\$5.18	\$8.58
		Greater than 112,000 gallons	\$18.55	\$21.95
	May - Aug.*	First 160,000 gallons	\$5.18	\$8.58
		Greater than 160,000 gallons	\$18.55	\$21.95
4"	Sept. - April*	First 203,000 gallons	\$5.18	\$8.58
		Greater than 203,000 gallons	\$18.55	\$21.95
	May - Aug.*	First 290,000 gallons	\$5.18	\$8.58
		Greater than 290,000 gallons	\$18.55	\$21.95
6"	Sept. - April*	First 448,000 gallons	\$5.18	\$8.58
		Greater than 448,000 gallons	\$18.55	\$21.95
	May - Aug.*	First 640,000 gallons	\$5.18	\$8.58
		Greater than 640,000 gallons	\$18.55	\$21.95
8"	Sept. - April*	First 798,000 gallons	\$5.18	\$8.58
		Greater than 798,000 gallons	\$18.55	\$21.95
	May - Aug.*	First 1,140,000 gallons	\$5.18	\$8.58
		Greater than 1,140,000 gallons	\$18.55	\$21.95

1 \*(utility billing date)

2 **Low Income Credit:** A surcharge of \$0.22 per thousand gallons shall be added to all volume  
3 charges identified in Schedule 1C of Exhibit B, Chapter 25 SFCC 1987. However, if water  
4 emergency implementation stage "Water Warning – Orange" or water emergency implementation  
5 stage "Water Crisis – Red" has been declared pursuant to Section 25-5.6 SFCC 1987, then the  
6 surcharge shall be increased to \$0.24 per thousand gallons.

7 **[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]**

Section 4. Rate Schedule 1D of Exhibit B, Chapter 25 SFCC 1987 is repealed and a new Rate Schedule 1D is ordained to read:

**RATE SCHEDULE 1D**

Effective January 1, 2012 through December 31, 2012

<b>RESIDENTIAL, MULTI-FAMILY, COMMERCIAL</b>				
<b>Meter Size</b>		<b>Monthly Service Charge</b>		
5/8" or 3/4"		\$17.02		
1"		\$34.04		
1 1/2"		\$68.09		
2"		\$136.19		
3"		\$272.37		
4"		\$493.66		
6"		\$1,089.45		
8"		\$1,940.59		
<b>MONTHLY VOLUME CHARGE</b>				
<b>RESIDENTIAL</b>				
<b>Meter Size</b>			<b>Normal Charge Per 1,000 Gallons</b>	<b>Water Emergency Charge Per 1,000 Gallons</b>
All meter sizes	Sept. - April*	First 7,000 gallons	\$5.60	\$7.01
		Greater than 7,000 gallons	\$20.07	\$21.48
	May - Aug.*	First 10,000 gallons	\$5.60	\$7.01
		Greater than 10,000 gallons	\$20.07	\$21.48
<b>MULTI-FAMILY</b>				
All meter sizes	Sept. - April*	First 7,000 gallons per dwelling unit	\$5.60	\$7.33
		Greater than 7,000 gallons per dwelling unit	\$20.07	\$21.80
	May - Aug.*	First 10,000 gallons per dwelling unit	\$5.60	\$7.33
		Greater than 10,000 gallons per dwelling unit	\$20.07	\$21.80
<b>COMMERCIAL</b>				
5/8" or 3/4"	Sept. - April*	First 7,000 gallons	\$5.60	\$9.28
		Greater than 7,000 gallons	\$20.07	\$23.75
	May - Aug.*	First 10,000 gallons	\$5.60	\$9.28
		Greater than 10,000 gallons	\$20.07	\$23.75
1"	Sept. -	First 14,000 gallons	\$5.60	\$9.28

	April*	Greater than 14,000 gallons	\$20.07	\$23.75
	May - Aug.*	First 20,000 gallons	\$5.60	\$9.28
		Greater than 20,000 gallons	\$20.07	\$23.75
1 ½"	Sept. - April*	First 28,000 gallons	\$5.60	\$9.28
		Greater than 28,000 gallons	\$20.07	\$23.75
	May - Aug.*	First 40,000 gallons	\$5.60	\$9.28
		Greater than 40,000 gallons	\$20.07	\$23.75
2"	Sept. - April*	First 56,000 gallons	\$5.60	\$9.28
		Greater than 56,000 gallons	\$20.07	\$23.75
	May - Aug.*	First 80,000 gallons	\$5.60	\$9.28
		Greater than 80,000 gallons	\$20.07	\$23.75
3"	Sept. - April*	First 112,000 gallons	\$5.60	\$9.28
		Greater than 112,000 gallons	\$20.07	\$23.75
	May - Aug.*	First 160,000 gallons	\$5.60	\$9.28
		Greater than 160,000 gallons	\$20.07	\$23.75
4"	Sept. - April*	First 203,000 gallons	\$5.60	\$9.28
		Greater than 203,000 gallons	\$20.07	\$23.75
	May - Aug.*	First 290,000 gallons	\$5.60	\$9.28
		Greater than 290,000 gallons	\$20.07	\$23.75
6"	Sept. - April*	First 448,000 gallons	\$5.60	\$9.28
		Greater than 448,000 gallons	\$20.07	\$23.75
	May - Aug.*	First 640,000 gallons	\$5.60	\$9.28
		Greater than 640,000 gallons	\$20.07	\$23.75
8"	Sept. - April*	First 798,000 gallons	\$5.60	\$9.28
		Greater than 798,000 gallons	\$20.07	\$23.75
	May - Aug.*	First 1,140,000 gallons	\$5.60	\$9.28
		Greater than 1,140,000 gallons	\$20.07	\$23.75

1 \*(utility billing date)

2 **Low Income Credit:** A surcharge of \$0.24 per thousand gallons shall be added to all volume  
 3 charges identified in Schedule 1C of Exhibit B, Chapter 25 SFCC 1987. However, if water  
 4 emergency implementation stage “Water Warning – Orange” or water emergency implementation  
 5 stage “Water Crisis – Red” has been declared pursuant to Section 25-5.6 SFCC 1987, then the  
 6 surcharge shall be increased to \$0.26 per thousand gallons.

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 8 [REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]



Section 5. Rate Schedule 1E of Exhibit B, Chapter 25 SFCC 1987 is repealed and a new Rate Schedule 1E is ordained to read:

**RATE SCHEDULE 1E**

Effective January 1, 2013

<b>RESIDENTIAL, MULTI-FAMILY, COMMERCIAL</b>				
<b>Meter Size</b>		<b>Monthly Service Charge</b>		
5/8" or 3/4"		\$18.12		
1"		\$36.25		
1 1/2"		\$72.51		
2"		\$145.03		
3"		\$290.04		
4"		\$525.69		
6"		\$1,160.15		
8"		\$2,066.52		
<b>MONTHLY VOLUME CHARGE</b>				
<b>RESIDENTIAL</b>				
<b>Meter Size</b>			<b>Normal Charge Per 1,000 Gallons</b>	<b>Water Emergency Charge Per 1,000 Gallons</b>
All meter sizes	Sept. - April*	First 7,000 gallons	\$5.97	\$7.47
		Greater than 7,000 gallons	\$21.37	\$22.87
	May - Aug.*	First 10,000 gallons	\$5.97	\$7.47
		Greater than 10,000 gallons	\$21.37	\$22.87
<b>MULTI-FAMILY</b>				
All meter sizes	Sept. - April*	First 7,000 gallons per dwelling unit	\$5.97	\$7.81
		Greater than 7,000 gallons per dwelling unit	\$21.37	\$23.22
	May - Aug.*	First 10,000 gallons per dwelling unit	\$5.97	\$7.81
		Greater than 10,000 gallons per dwelling unit	\$21.37	\$23.22
<b>COMMERCIAL</b>				
5/8" or 3/4"	Sept. - April*	First 7,000 gallons	\$5.97	\$9.89
		Greater than 7,000 gallons	\$21.37	\$25.91
	May - Aug.*	First 10,000 gallons	\$5.97	\$9.89
		Greater than 10,000 gallons	\$21.37	\$25.91
1"	Sept. -	First 14,000 gallons	\$5.97	\$9.89

	April*	Greater than 14,000 gallons	\$21.37	\$25.91
	May - Aug.*	First 20,000 gallons	\$5.97	\$9.89
		Greater than 20,000 gallons	\$21.37	\$25.91
1 1/2"	Sept. - April*	First 28,000 gallons	\$5.97	\$9.89
		Greater than 28,000 gallons	\$21.37	\$25.91
	May - Aug.*	First 40,000 gallons	\$5.97	\$9.89
		Greater than 40,000 gallons	\$21.37	\$25.91
2"	Sept. - April*	First 56,000 gallons	\$5.97	\$9.89
		Greater than 56,000 gallons	\$21.37	\$25.91
	May - Aug.*	First 80,000 gallons	\$5.97	\$9.89
		Greater than 80,000 gallons	\$21.37	\$25.91
3"	Sept. - April*	First 112,000 gallons	\$5.97	\$9.89
		Greater than 112,000 gallons	\$21.37	\$25.91
	May - Aug.*	First 160,000 gallons	\$5.97	\$9.89
		Greater than 160,000 gallons	\$21.37	\$25.91
4"	Sept. - April*	First 203,000 gallons	\$5.97	\$9.89
		Greater than 203,000 gallons	\$21.37	\$25.91
	May - Aug.*	First 290,000 gallons	\$5.97	\$9.89
		Greater than 290,000 gallons	\$21.37	\$25.91
6"	Sept. - April*	First 448,000 gallons	\$5.97	\$9.89
		Greater than 448,000 gallons	\$21.37	\$25.91
	May - Aug.*	First 640,000 gallons	\$5.97	\$9.89
		Greater than 640,000 gallons	\$21.37	\$25.91
8"	Sept. - April*	First 798,000 gallons	\$5.97	\$9.89
		Greater than 798,000 gallons	\$21.37	\$25.91
	May - Aug.*	First 1,140,000 gallons	\$5.96	\$9.89
		Greater than 1,140,000 gallons	\$21.37	\$25.91

1 \*(utility billing date)

2 **Low Income Credit:** A surcharge of \$0.26 per thousand gallons shall be added to all volume  
3 charges identified in Schedule 1C of Exhibit B, Chapter 25 SFCC 1987. However, if water  
4 emergency implementation stage "Water Warning – Orange" or water emergency implementation  
5 stage "Water Crisis – Red" has been declared pursuant to Section 25-5.6 SFCC 1987, then the  
6 surcharge shall be increased to \$0.28 per thousand gallons.

7 **Section 6. That portion of text in Exhibit B, immediately following Rate Schedule**  
8 **1E is amended to read:**

1 APPLICABILITY: The water rate schedules reflect an increase of 8.20% per year. Any federal or  
2 state funds that are received for water projects covered in the water division's 10 year plan adopted by  
3 Resolution No. 2009-17 shall be used solely for reducing the rate increases that are planned for the  
4 four years subsequent to adoption of Ordinance No. 2009-2. None of these funds shall be used for  
5 plan expansion. The applicable rate shall be based upon the character of service as set forth in Rule 3  
6 of Exhibit A, Chapter 25 SFCC 1987. Service will be furnished in accordance with the City's Rules  
7 and Regulations covering water service, available at the City's offices and on file with the office of  
8 the City Clerk of the city of Santa Fe, which Rules and Regulations or subsequent revisions thereof  
9 are a part of this Schedule as if fully written herein.

10 ~~REVIEW: Upon adoption of Ordinance No. 2009-2, the water division shall immediately begin a~~  
11 ~~rate structure review. As part of this review, a recommendation shall be produced regarding a third~~  
12 ~~tier for excessive use of water for Rate Schedule 1, an expansion of the poverty exemption set forth in~~  
13 ~~15-1.3 SFCC 1987 for low/fixed income customers, and an increase in the utility expansion charge set~~  
14 ~~forth in Rate Schedule 8. The review and recommendation shall be completed as soon as possible in~~  
15 ~~order to be in place for the May 2009 billing date.] REVIEW: The rates set forth in Schedules 1C, 1D~~  
16 ~~and 1E above shall be reviewed on an annual basis. The Low Income Credit surcharge shall be~~  
17 ~~reviewed by July 1, 2012.~~

18 SERVICE AREA: Within the corporate limits of the city of Santa Fe, New Mexico and those areas  
19 outside the corporate limits to which service has been authorized by action of the governing body of  
20 the city of Santa Fe.

21 FIRE PROTECTION CHARGE: If the customer has a fire service line or lines for standby fire  
22 protection, the appropriate rate as provided in Rate Schedule 6, Fire Service Line, shall also be  
23 charged.

24 IRRIGATION METER: If the customer has an additional meter installed primarily for irrigation or  
25 other outdoor uses such as, but not limited to, pool or spa filling or vehicle washing, the same

1 commodity and system charge as set forth above shall apply.

2 SPECIAL TAX AND ASSESSMENT CLAUSE: Billings under this Schedule may be increased by  
3 an amount equal to the sum of taxes payable under the Gross Receipts and Compensating Tax Act  
4 and of all other taxes, fees, or charges payable by the City and levied or assessed by any  
5 governmental authority on the public utility service rendered, or on the right or privilege of rendering  
6 the service, or on any object or event incidental to the rendition of the service.

7 MINIMUM CHARGE: The minimum charge under this Schedule shall be the monthly service  
8 charge.

9 USE OF SERVICE: Service shall not be resold or shared with others.

10 ADDITIONS AND EXTENSIONS: Additions or extensions under this Schedule shall be subject to  
11 the availability of existing water lines of adequate capacity to provide the service requested. The City  
12 shall not be required for purposes of supplying service hereunder to increase the capacity of its mains  
13 or to make any extensions thereto. Subject to the foregoing provisions, additional points of delivery  
14 may be requested, and the City, upon receipt of such requisition, shall furnish the water service in  
15 accordance with the rates contained in this Schedule.

16 OTHER CONDITIONS: Other conditions pertaining to application of service, water taps,  
17 disconnection and reconnection of service, responsibility for payment of bills, and other conditions  
18 are provided for in the City's Rules and Regulations, available at its Water Services Division's office.

19 SERVICE APPLICATION: All applications for services for one inch (1") and larger meters shall be  
20 covered by written agreement on the City's standard application form.

21 **Section 7. Rate Schedule 11 of Exhibit B, Chapter 25 SFCC (being Ord. #2004-29)**  
22 **is amended to read:**

23 CITY OF SANTA FE - PUBLIC UTILITIES DEPARTMENT

24 WATER SERVICES DIVISION

25 RATE SCHEDULE 11

POTABLE WATER FILL STATION

Effective: January 1, 2011

APPLICABILITY: Water dispensed from the city’s potable water fill station.

POTABLE WATER FILL STATION RATE:

A. CHARGES

- 1. Base Rate
  - 2011    ~~[\$2.05]~~ 2.59 per 500 gallons or portion thereof
  - 2012    \$2.80 per 500 gallons or portion thereof
  - 2013    \$2.99 per 500 gallons or portion thereof

2. Surcharges

a. Low income credit surcharge (as an overlay to the base rate)  
\$0.11 per 500 gallons or portion thereof

~~a.~~ b. Water conservation surcharge (as an overlay onto the base rate) shall apply to water dispensed May 1 through ~~October~~ August 31  
\$0.50 per 500 gallons or portion thereof

~~b.~~ c. During Water Emergency [~~Management Stages 2 or 3, surcharges~~]  
Implementation Stage “Water Warning – Orange” (as an overlay onto the base rate)  
[\$1.00] 0.65 per 500 gallons or portion thereof

B. SPECIAL TAX AND ASSESSMENT CLAUSE: The above charges shall be increased by an amount equal to the sum of taxes payable under the Gross Receipts and Compensating Tax Act and of all other taxes, fees, or charges payable by the City and levied or assessed by any governmental authority on the public utility service rendered, or on the right or privilege of rendering the service, or on any object or event incidental to the rendition of the service.

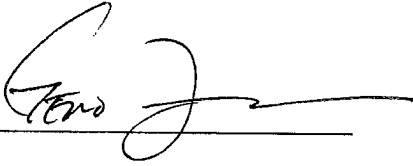
OTHER CONDITIONS:

- 1 A. Upon the water division's approval of an application, the following may purchase  
2 water from the city's potable water fill station:
- 3 1. A customer of the city's water, sewer or refuse utilities; or  
4 2. A person living within the city limits.
- 5 B. Payment is due at the time the application for water is approved by the water  
6 division, prior to dispensing.
- 7 C. The amount shall not exceed 5,000 gallons per purchase, not to exceed 20,000  
8 gallons per month per purchaser.
- 9 D. There is no restriction on where the water may be used; however, the water shall be  
10 subject to the same use restrictions as all other city water set forth in this Chapter  
11 including, but not limited to, conservation, water waste and emergency water  
12 regulations. Violations shall be subject to the same enforcement as other violations of  
13 this chapter.
- 14 E. The purchaser or their representative shall have, in their possession at the time and  
15 place of use of the water, the receipt from the city for the water.
- 16 F. During Water Emergency [~~Management Stage 4,~~ Implementation stage "Water  
17 Crisis - Red"], water shall not be dispensed at the potable water fill station.
- 18 G. The above conditions may be waived by the water division director, or his or her  
19 designee, if it is determined that an emergency exists and that the water is necessary  
20 for the public's health, safety and welfare.
- 21 H. The city reserves the right to prohibit or limit the sale of water at the potable water  
22 fill station as it may deem necessary to protect the city's water supply and comply  
23 with the intent of the provisions of this chapter.

24 **Section 8. EFFECTIVE DATE.** This Ordinance shall become effective January 1,

25 2011.

1 APPROVED AS TO FORM:

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3  A handwritten signature in black ink, appearing to read 'Geno J.', is written over a horizontal line.

4 GENO ZAMORA, CITY ATTORNEY

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