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SENATE MEMORIAL 16

50TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2012

INTRODUCED BY

Cisco McSorley

A MEMORIAL

REQUESTING THE MID-REGION COUNCIL OF GOVERNMENTS TO CONVENE A
TASK FORCE TO STUDY THE ABILITY OF THE ALBUQUERQUE-BERNALILLO
COUNTY WATER UTILITY AUTHORITY TO ACCOMPLISH ITS REQUIRED
DUTIES AND RESPONSIBILITIES AND TO IDENTIFY ALTERNATIVE
APPROACHES TO BOARD COMPOSITION OF THE AUTHORITY.

WHEREAS, the Albuquerque-Bernalillo county water utility
authority is created in statute; and

WHEREAS, the membership of the board of the authority is
composed of the mayor of Albuquerque, three city councilors
appointed by the Albuquerque city council and three county
commissioners appointed by the Bernalillo county board of
county commissioners; and

WHEREAS, a city councilor member may designate another
city councilor to serve in the member's absence, a county

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1 commissioner member may designate another county commissioner
2 to serve in the member's absence and the mayor may designate
3 the chief executive officer of the municipality, a city
4 councilor or a county commissioner to serve in the mayor's
5 absence; and

6 WHEREAS, the authority makes policy decisions about water
7 and sewer usage, sets water and sewer rates and sets drought
8 restrictions and other water regulations and ordinances; and

9 WHEREAS, the authority may acquire, maintain, contract
10 for, condemn or protect water and wastewater facilities; and

11 WHEREAS, the authority is empowered to approve major water
12 utility projects and to issue bonds to finance those projects;
13 and

14 WHEREAS, these duties are complex and time-consuming and
15 may exceed the qualifications and abilities of and the time
16 available to city councilors and county commissioners and may
17 limit their effectiveness in accomplishing the other duties and
18 responsibilities that are required of them; and

19 WHEREAS, city councilors serve one-year terms at the city
20 council president's discretion and county commissioners serve
21 one-year terms at the county commission chair's discretion.
22 The net effect may be a lack of consistency of board members;
23 and

24 WHEREAS, the result has been a board not focused solely on
25 the activities of the authority, which is a political

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1 subdivision of the state; and

2 WHEREAS, the regional water plan for the middle Rio
3 Grande, developed by members of the mid-region council of
4 governments and the middle Rio Grande water assembly, has
5 identified an existing gap between regional water supply and
6 demand, and that gap is anticipated to grow without focused and
7 intensive action to stop it; and

8 WHEREAS, concerns have been raised as to the testing and
9 treating of drinking water; and

10 WHEREAS, meeting the water needs of Albuquerque and
11 Bernalillo county is critically important to the future well-
12 being of all residents of the city and the county; and

13 WHEREAS, due to the importance of conserving and
14 preserving the state's precious water supplies, and with
15 sufficient time having passed to enable a productive review of
16 the Albuquerque-Bernalillo county water utility authority, a
17 review would be in order; and

18 WHEREAS, the mid-region council of governments is a
19 multicounty governmental agency that works to identify and
20 implement regional long-term policy to ensure healthy
21 communities in New Mexico; and

22 WHEREAS, among the efforts in which the mid-region council
23 of governments is involved is water planning to address the
24 fundamental concern of cities and counties about how to meet
25 current and future water needs in the region; and

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1 WHEREAS, the mid-region council of governments was created
2 to conduct and coordinate regional planning and to provide
3 advice and recommendations to member governments to assist
4 local governments to make informed decisions;

5 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE
6 OF NEW MEXICO that the mid-region council of governments be
7 requested to convene a task force to study the ability of the
8 Albuquerque-Bernalillo county water utility authority to
9 accomplish its required duties and responsibilities and to
10 identify alternative approaches to board composition of the
11 authority; and

12 BE IT FURTHER RESOLVED that the task force collect data,
13 foster dialogue and identify and recommend strategies that will
14 strengthen the ability of the Albuquerque-Bernalillo county
15 water utility authority to meet the current and future water
16 utility needs of the city and the county; and

17 BE IT FURTHER RESOLVED that the task force study the
18 structure of the board and an electoral process for the board
19 and recommend any necessary changes in the process to the
20 board; and

21 BE IT FURTHER RESOLVED that the task force be composed of
22 the following six members:

23 A. one county commission member of the board of
24 directors;

25 B. one city councilor member of the board of

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1 directors;

2 C. the executive director of the Albuquerque-
3 Bernalillo county water utility authority or the executive
4 director's designee;

5 D. the chair or vice chair of the water resources
6 board of the mid-region council of governments;

7 E. a representative from the league of women voters
8 of New Mexico; and

9 F. a representative from the board of the middle
10 Rio Grande water assembly; and

11 BE IT FURTHER RESOLVED that the task force elect one of
12 its members as chair, and meet at the call of the chair but no
13 fewer than three times; and

14 BE IT FURTHER RESOLVED that the task force advertise its
15 meetings in a newspaper of general circulation within the
16 district and that its meetings be open to the public; and

17 BE IT FURTHER RESOLVED that meetings be held at times and
18 places that shall encourage public participation; and

19 BE IT FURTHER RESOLVED that the task force report its
20 findings and recommendations to the appropriate interim
21 legislative committee by November 2012; and

22 BE IT FURTHER RESOLVED that copies of this memorial be
23 transmitted to the mid-region council of governments and the
24 Albuquerque-Bernalillo county water utility authority.

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