

1 A MEMORIAL

2 REQUESTING THE APPROPRIATE INTERIM COMMITTEE TO RECEIVE
3 TESTIMONY ON THE EFFECTIVENESS OF THE ALBUQUERQUE-BERNALILLO
4 COUNTY WATER UTILITY AUTHORITY IN ACCOMPLISHING ITS DUTIES.
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6 WHEREAS, the Albuquerque-Bernalillo county water utility
7 authority was created in 2003 pursuant to Section 72-1-10
8 NMSA 1978 as a political subdivision of the state; and

9 WHEREAS, the authority's board of directors is composed
10 of the mayor of Albuquerque or a designee, three city
11 councilors appointed by the Albuquerque city council and
12 three county commissioners appointed by the Bernalillo county
13 board of county commissioners; and

14 WHEREAS, the membership of the authority's board of
15 directors may change on an annual basis at the pleasure of
16 the Albuquerque city council and the Bernalillo county board
17 of county commissioners, as well as on a monthly basis,
18 depending on who is available to attend meetings, which
19 creates a lack of consistency of board members; and

20 WHEREAS, the authority makes policy decisions about
21 water and sewer usage, sets water and sewer rates and
22 establishes drought restrictions and other water regulations
23 and ordinances; and

24 WHEREAS, the authority may acquire, maintain, contract
25 for, condemn or protect water and wastewater facilities and

1 is empowered to approve major water utility projects and to
2 issue bonds without voter approval to finance those projects;
3 and

4 WHEREAS, the duties of the authority are complex and
5 time-consuming and take more time than may be available to
6 the mayor and members of the Albuquerque city council and the
7 Bernalillo county board of county commissioners, potentially
8 limiting the members' effectiveness in accomplishing the
9 other duties that are required of them; and

10 WHEREAS, given the complexity of the authority's duties
11 and the time constraints of the board members, the board of
12 directors has not been focused solely on the activities of
13 the authority; and

14 WHEREAS, meeting the water needs of the city of
15 Albuquerque and Bernalillo county is critically important to
16 the future well-being of all residents of the city and the
17 county, and to the state as a whole; and

18 WHEREAS, the 2004 regional water plan for the middle Rio
19 Grande, developed by members of the mid-region council of
20 governments and the middle Rio Grande water assembly,
21 identified an existing substantial gap between regional water
22 supply and demand; and

23 WHEREAS, the state is currently facing litigation from
24 Texas on the Rio Grande, in which permitted ground water
25 pumping is a significant issue, and the results of the

1 litigation could impact all New Mexicans, particularly those
2 upstream, should additional surface water deliveries be
3 required; and

4 WHEREAS, the authority is the largest single permitted
5 ground water user in New Mexico and its use impacts Rio
6 Grande flows and, thus, required deliveries; and

7 WHEREAS, the authority is tasked with providing water
8 for new users and uses, the effects of which are felt both
9 inside and outside of the authority's service area, and
10 sometimes not until years later; and

11 WHEREAS, despite the Albuquerque international sunport
12 having reported only seven-hundredths of an inch of
13 precipitation since October 1, 2017 and the snowpack to date
14 being dismal, no mention of this situation has been publicly
15 made by the authority's staff to the board of directors,
16 diminishing the opportunity for discussion and action; and

17 WHEREAS, the Rio Grande is the life blood for everyone
18 and everything in its basin; and

19 WHEREAS, a review of the governance structure of the
20 Albuquerque-Bernalillo county water utility authority is
21 warranted;

22 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
23 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the New
24 Mexico legislative council be requested to task the
25 appropriate interim committee that addresses water and

1 natural resources issues to receive, by October 1, 2018,
2 testimony on its governance and on the effectiveness of the
3 Albuquerque-Bernalillo county water utility authority and its
4 board of directors in accomplishing the authority's duties;
5 and

6 BE IT FURTHER RESOLVED that copies of this memorial be
7 transmitted to the Albuquerque city council, the mayor of
8 Albuquerque, the Bernalillo county board of county
9 commissioners, the Albuquerque-Bernalillo county water utility
10 authority board of directors and the co-chairs of the New
11 Mexico legislative council. _____

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