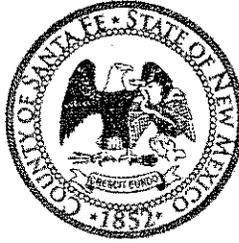


Henry P. Roybal
Commissioner, District 1

Anna Hansen
Commissioner, District 2

Robert A. Anaya
Commissioner, District 3



Anna T. Hamilton
Commissioner, District 4

Ed Moreno
Commissioner, District 5

Katherine Miller
County Manager

MEMORANDUM

DATE: *June 29, 2017*

TO: *Board of County Commissioners*

VIA: *Katherine Miller, County Manager*

FROM: *Michael Kelley, Public Works Department Director MK 6/29/17*

ITEM AND ISSUE: *BCC Meeting July 11, 2017*

Resolution No. 2017-___, A Resolution Scheduling New Water Delivery Pursuant to Resolution No. 2006-57 For The Second Six Months of 2017 and Approving a New Water Allocation Pursuant to Section 5.7.3.3 of the Sustainable Land Development Code (Public Works Department/Jerry Schoeppner)

SUMMARY:

Pursuant to Santa Fe County policy adopted under Resolution No. 2006-57 (County Water Policy), Santa Fe County Utilities (SFCU) requests approval for 53.73 acre-feet of water per year (afy) in new water deliveries to be scheduled for the second half of 2017. This increases the total amount of water obligation to 241.88 afy for specific projects and 12.09 afy (5%) for County purposes. A proposed resolution adopting the delivery schedule is attached to this memorandum and this proposed resolution will reapprove 188.15 afy adopted previously under Resolution 2016-80.

BACKGROUND:

County Water Policy requires developments seeking water from SFCU within one year to apply to SFCU to schedule a new water delivery. The Board of County Commissioners (BCC) adopts a schedule of all new water deliveries every six months by resolution, which remains in effect for one year. In addition, prior to the submitting for development approval, SFCU conditionally issues "ready, willing and able" letters for a project's water demand. Such allocations are subject to various conditions including BCC approval and, in most cases, that the developer provides the County water rights to cover its water demand.

DISCUSSION:

Pursuant to the attached proposed resolution, SFCU requests the BCC to adopt a new water deliveries schedule for twelve projects below, totaling 241.88 afy. Two new projects are included; the Legacy project with a water budget of 8.06 afy and Vegas Verdes (St. Francis South) with a water budget of 45.67 afy.

Project	Project Need (afy)	Total (20% add on)
Legacy	8.06	9.67
Vegas Verdes (St. Francis South)	45.67	54.80
Elevation at Rancho Viejo	32.00	38.40
Senior Campus on Caja del Rio	34.44	41.33
St. Francis South Multi-Family Housing	32.00	38.40
St. Francis South-Rehabilitation Facility	6.96	8.35
Mi Morada	4.00	4.80
NM Game and Fish	0.30	0.36
Saleh – Phase 1	2.47	2.96
Stacy Property – North	0.60	0.72
Tessera 2	15.60	18.72
Turquoise Trail North	59.78	71.74
Subtotal	241.88	290.25
County set-aside (5%)	12.09	14.51
TOTAL	253.97	304.76

If approved, this schedule for new water deliveries meets the project's development requirement to acquire a "water allocation" before executing a Water Delivery Agreement with Santa Fe County Utilities.

ACTION REQUESTED:

Adoption of subject resolution.

Attachments:

Resolution No. 2017-_____ A Resolution Adopting A Schedule of New Water Deliveries For The Second Six Months of 2017 and Setting Aside Additional Water For Certain Planned Subdivisions And Other County Purposes.

**THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY
RESOLUTION NO. 2017- _____**

**A RESOLUTION SCHEDULING A NEW WATER DELIVERY
PURSUANT TO RESOLUTION NO. 2006-57 FOR THE SECOND SIX
MONTHS OF 2017; AND APPROVING A NEW WATER
ALLOCATION PURSUANT TO SECTION 5.7.3.3 OF THE
SUSTAINABLE LAND DEVELOPMENT CODE (SLDC)**

WHEREAS, pursuant to the Santa Fe County (County) Water Department Line Extension and Water Service Policy ("Water Service Policy"), adopted by Resolution No. 2006-57, approved subdivisions and commercial developments that desire new water service from the County Utility must request the County to schedule a new water delivery; and

WHEREAS, under the Water Service Policy, the County schedules new water deliveries in six-month intervals; and

WHEREAS, pursuant to Section 5.7.3.3 of the SLDC, subdivisions that seek water service from the County Utility must obtain a water allocation in the form of a resolution of the Board of County Commissioners (Board) as a condition of preliminary plat approval; and

WHEREAS, PPSL Legacy at Santa Fe, LLC (PPSL) seeks to schedule a new water delivery to an approved subdivision on Lot 237 of Aldea de Santa Fe Subdivision ("Aldea Subdivision" or "Aldea"), Phase 1A, as shown by that certain boundary survey filed on December 23, 2015, as Instrument No. 1782542 in the records of the County Clerk; and

WHEREAS, PPSL is constructing an 84-bed (more or less) senior assisted living facility on Lot 237 (Senior Center), which is projected to open in or around November 2017; and

WHEREAS, the Senior Center will require water service from the County Utility in the total amount of 9.67 acre-feet per year (AFY), inclusive of the additional 20% required under the Water Service Policy; and

WHEREAS, the Senior Center is connected to the County Utility water delivery system and a water service account has been established; and

WHEREAS, PPSL and the County are in the process of finalizing an agreement under which PPSL will pay a fee in lieu of providing 9.67 AFY of water rights to the County, hereinafter referred to as the "In-Lieu Fee Agreement"; and

WHEREAS, a new water delivery in the amount of 9.67 AFY should be scheduled for the Senior Center, subject to execution of the In-Lieu Fee Agreement and continued compliance with all Applicable Requirements; and

WHEREAS, Vegas Verdes, LLC (Vegas Verdes), seeks preliminary plat approval for phases 1 through 4 of the St. Francis South Subdivision described in the Order issued by the Board in Case No. MIS 10-5361; and

WHEREAS, Vegas Verdes has requested water service from the County Utility in the total amount of 54.8 AFY and, as a condition of preliminary plat approval, must obtain a water allocation pursuant to Section 5.7.3.3 of the SLDC.

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

- 1) Subject to execution of the In-Lieu Fee Agreement and continued compliance with all Applicable Requirements, 9.67 AFY is hereby scheduled as a new delivery to the Senior Center. Notwithstanding anything in the Water Service Policy to the contrary, water service to the Senior Center shall not be contingent on execution of a water delivery agreement.
- 2) A total water allocation of 54.8 AFY is approved for St. Francis South. Actual water delivery to St. Francis South shall be contingent upon timely approval and recordation of a final plat for the Development, which may occur in phases; and execution of an agreement between the County and the owners of St. Francis South that will govern the extension of County water lines and the terms of County water service. This water allocation shall expire to the extent the preliminary plat expires prior to final plat approval.

PASSED, APPROVED, AND ADOPTED THIS ___ DAY OF _____
2017.

BOARD OF COUNTY COMMISSIONERS

By: _____
Henry P. Roybal, Chair

ATTEST:

Geraldine Salazar, Santa Fe County Clerk

Date: _____

APPROVED AS TO FORM:



Gregory S. Shaffer, Santa Fe County Attorney

Date: 6/29/2017

