

**CITY OF TRUTH OR CONSEQUENCES
PUBLIC UTILITY ADVISORY BOARD
MONDAY, OCTOBER 18, 2021**

AGENDA

REGULAR MEETING

Regular meeting of the Public Utility Advisory Board of the City of Truth or Consequences, New Mexico to be held in the City Commission Chambers, 405 W. Third, Truth or Consequences, New Mexico, on Monday, October 18, 2021 at 5:30 pm.

CALL TO ORDER

ROLL CALL:

George Szigeti, Chairman
Jeff Dornbusch, Vice-Chairman
Ron Pacourek, Member
Gil Avelar, Member
Don Armijo, Member

1. APPROVAL OF AGENDA

2. APPROVAL OF MINUTES:

- a. Regular meeting of August 16, 2021.

3. COMMENTS FROM THE PUBLIC: (3 Minute rule applies)

4. OLD BUSINESS:

- a. Discussion/Action: Recommendation of amendments to Ordinance No. 644 – Customer Generated Renewable Energy. George Szigeti, Chairman.
- b. Discussion/Action: Seasonal Trash Pickup. Jeff Dornbusch, Vice-Chairman.
- c. Discussion/Action: Utility Forgiveness Program. Jeff Dornbusch, Vice-Chairman.

5. NEW BUSINESS:

- a. Discussion/Review: Quarterly Utility Reports.

6. REPORTS FROM THE BOARD

7. REPORTS FROM STAFF

8. ADJOURNMENT

2. APPROVAL OF MINUTES:

- a. Regular meeting of August 16, 2021.

**CITY OF TRUTH OR CONSEQUENCES
PUBLIC UTILITY ADVISORY BOARD
MONDAY, AUGUST 16, 2021**

MINUTES

REGULAR MEETING

Regular meeting of the Public Utility Advisory Board of the City of Truth or Consequences, New Mexico to be held in the City Commission Chambers, 405 W. Third, Truth or Consequences, New Mexico, on Monday, August 16, 2021 at 5:30 pm.

CALL TO ORDER

ROLL CALL:

George Szigeti, Chairman
Jeff Dornbusch, Vice-Chairman - Absent
Ron Pacourek, Member
Gil Avelar, Member
Don Armijo, Member

ALSO PRESENT:

Bruce Swingle, City Manager
Traci Alvarez, Assistant City Manager
Angela A. Torres, City Clerk
Dawn C. Barclay, Deputy City Clerk

1. APPROVAL OF AGENDA:

Member Pacourek made a motion to approve the agenda. Member Armijo seconded the motion. Motion carried unanimously.

2. APPROVAL OF MINUTES:

- a. Regular meeting of July 19, 2021.

Chairman Szigeti made a motion to approve the minutes. Member Armijo seconded the motion. Motion carried unanimously.

3. COMMENTS FROM THE PUBLIC:

Ron Fenn – Addressed the board with concerns regarding how the solar billing tax was calculated. He also had some concerns about AMI Metering.

Diana Yandell – Expressed her concern that there is no interaction time with the board. Chairman Szigeti advised Ms. Yandell how she can take the proper steps to interact on a one on one basis with the staff and/or board member. He also explained by submitting an “Agenda Request Action Form” she will be able to interact during a regular scheduled board meeting.

4. NEW BUSINESS:

a. Discussion/Action: Gray Water Systems. George Szigeti, Chairman.

Chairman Szigeti began by explaining there are two kinds of waste water systems, black and gray. Gray water can be captured and reused for several applications. He proposed a collection storage/distribution container with a filtration system for existing and new construction homes. Member Avelar had a concerns that if there were any sanitation issues by using gray water? Member Pacourek had some concerns about the proposed system being cost effective. He also pointed out the gray water for new construction should go through the Impact Fee Advisory Board. Chairman Szigeti agreed with Member Pacourek and further added that there could be a possible reduction on the impact fee. He also proposed an idea that retro fitting existing homes might lead to a possible reduction on their water and wastewater bill.

Board agreed to table Gray Water Systems until next meeting.

b. Discussion/Action: Seasonal Trash Pickup. Jeff Dornbusch, Vice-Chairman.

Chairman Szigeti presented a hand for discussion on behalf of Vice-Chairman Dornbusch who was absent. It was noted the Vice-Chairman Dornbusch had spoken to Andy Alvarez, Department Head of Sanitation & Recycling regarding trash service suspension regarding homeowner’s that are temporarily not occupying the property. There are seasonal residents that do not reside in their home for periods up to 6 months. Under the current ordinance, if the customer continues with electric and water service they must continue trash service pickup. This proposal will allow the customer to suspend trash pickup for up to a six month period. Some concerns the board presented were; written requests, homes that were for sale, homes that are sitting empty. City Manager Swingle had some concerns with; the verification process of home owner if out of state and local, the cost involved in the transportation of the poly cart to and from property, bookkeeping time to process requests, facility cost in the cleaning and storage of the poly cart, and possible revenue impact on current grant funding and just how many people will utilize this program, additional work on employee’s, and the over-all practicality of the program. The board agreed Mr. Swingle had may valid points that still needed to be addressed. The board agreed to do some more research starting with Sonya William, Utility Manager to see how many (-0-) balance account exist and their circumstance’s.

Board agreed to table Seasonal Trash Pickup until next meeting.

c. Discussion/Action: Utility Forgiveness Program. Jeff Dornbusch, Vice-Chairman.

Chairman Szigeti presented the discussion on behalf of Vice-Chairman Dornbusch who was absent. He began opening discussions by explaining this program was discussed approximately two years ago. This program would be designed to come up with guidelines to help limit the charge back to the customer when there is a water leak on the customer's side of the meter. Angela A. Torres, City Clerk advised the board to put their recommendation into a Resolution before going they present to it to the City Commission. Bruce Swingle, City Manager reminded the board the Anti-Donation clause may need to be addressed.

Board agreed to table Utility Forgiveness Program until next meeting.

5. REPORTS FROM THE BOARD:

No reports from the board.

6. REPORTS FROM STAFF:

City Manager Swingle asked Chairman Szigeti for a copy of his last month's department head report request. Chairman Szigeti confirmed he will provide a new copy and then gave a brief description of the request. It was a trimmed down version of prior years' Monthly reports now converted to Quarterly reporting. City Manager Swingle went on to discuss the multiplier on AMI meters may need to be audited or evaluated. The board suggested asking Bo Easley, Electric Department Head for his advice but was open to the fact it could be software issue.

7. ADJOURNMENT:

There being no further business to come before the Public Utility Advisory Board, Member Armijo made a motion to adjourn the meeting. Chairman Szigeti seconded the motion. Motion carried unanimously. Meeting was adjourned.

PASSED AND APPROVED ON THIS 18th DAY OF OCTOBER 2021.

George Szigeti, Chairman
Public Utility Advisory Board

Application for suspension of trash service program

- 1). Open to home owners.
- 2) for a time period of no less than three(3) months.
And no longer than six (6) months.
- 3) applicant must agree that no one shall reside at the
Resident during the application time period (ATP).
- 4). Any waste generated during the ATP must be removed and properly disposed of by the
person (s)/ contractor (s) generating the waste.
- 5) any violation of the agreement will result in removal from the program and applicant will
pay for normal trash service during the ATP at the current rate plus fees.
- 6) applicant will pay a fee for for the removal and return of the roll out. \$15?

4. OLD BUSINESS:

- a. Discussion/Action: Recommendation of amendments to Ordinance No. 644 – Customer Generated Renewable Energy. George Szigeti, Chairman.
- b. Discussion/Action: Seasonal Trash Pickup. Jeff Dornbusch, Vice-Chairman.
- c. Discussion/Action: Utility Forgiveness Program. Jeff Dornbusch, Vice-Chairman.

ORDINANCE NO. 644

AN ORDINANCE OF THE CITY OF TRUTH OR CONSEQUENCES, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF TRUTH OR CONSEQUENCES, BE AMENDED BY ~~ADDING THE FOLLOWING~~ **AMENDING** SECTION 14-48 PERTAINING TO **THE CUSTOMER GENERATED RENEWABLE ENERGY PROGRAM**:

Sec. 14-48. Customer generated renewable energy program shall be amended in its entirety to read as follows:

(a) ~~Renewable Energy Generation Customer Program~~

CUSTOMER GENERATED RENEWABLE ENERGY PROGRAM

(1) **Overview**

- a. The City of Truth or Consequences (City) ~~Renewable Energy~~ **Customer Generated Renewable Energy** Program is available to any City electric customer, residential or commercial, that installs a qualified renewable energy system and has it interconnected to the City's power grid. **A Qualifying Facility means a cogeneration or a small power production facility which meets the criteria for qualification contained in 18 C.F.R. Section 292.203, or such other criteria as may be reasonably prescribed by rule by the City. Application is to be made to the Electrical Department Manager. Blank application copies can be obtained from the electrical department or on the City website. All supporting technical, design and support documentation for the interconnection application must be submitted in writing via hard copy or electronic format. Review and approval of system design and size will be per the T or C Electrical Department and permitted through the Planning & Zoning Department and must conform to:**
 - i. ~~The standards and procedures described in rule 17.9.568 NMAC and the New Mexico Interconnection Manual 2008, to the interconnection of generating facilities with a rated capacity up to and including 10 MW. The standards and procedures as described in Rule 17.9.568 NMAC and the most recent version of the New Mexico Interconnection Manual as approved by the Public Regulatory Commission.~~
 - ii. ~~The standards and procedures described in 17.9.569 NMAC and the New Mexico Interconnection Manual 2008, apply to the interconnection of generating facilities with a rated capacity greater than 10 MW. Provisions of Sec. 14-33, tampering with meters, of the City of Truth or Consequences, existing municipal code.~~
 - iii. ~~Provisions of Sec. 14-33, tampering with meters, of the City of Truth or Consequences, existing municipal code.~~
- b. ~~The City reserves the right to deny interconnection for non-compliant systems. Denial of a customer's interconnection application may be appealed in writing once and must be done within 30 days from the notice of denial. The appeal is to be sent to City of T or C City Commission. The City reserves the right, but not the duty, to inspect any system to ensure the system complies with all~~

existing regulations.

- c. The City reserves the right to deny interconnection for non-compliant systems. Denial of a customer's interconnection application can be appealed to the City's Electric Department Manager. The appeal must specifically explain the basis of the appeal. If the City's Electric Department Manager denies the appeal, the customer may appeal to the City Manager. If the City Manager denies the appeal, the customer may appeal to the City Commission. In such event, the procedure shall be in accordance with the rules applicable to 14-30 (e) appeals.

(2) Metering

- a. ~~Systems~~ Customers participating in the customer generated renewable energy program will be billed monthly from a bi-directional or net main meter at the specific facility or residence. The monthly bill will reflect a net reading which will show customer usage in excess of customer generation as positive kWh, or customer generation in excess of customer usage as negative kWh. The customer will be billed per existing City of Truth or Consequences municipal code Sec. 14-43 for installation of the net meter by the City and those costs will be billed to the customer on the first billing cycle post net meter installation.

(3) Rates

- a. Customers will be billed for service in accordance with the rate structure and monthly service charges that the customer would be assigned if the customer had not interconnected a qualifying facility.
- b. Customer kilowatt hour generation will be used to displace a customer's own kilowatt hour consumption.
- c. If electricity supplied by the City exceeds the electricity generated by the customer during a billing period, the customer will be billed for the net energy supplied by the City under the applicable rate.
- d. If electricity generated by the customer exceeds the electricity supplied by the City during a billing period, ~~the City will credit the customer on the next billing cycle for the excess kWh generated at the rate of \$0.05 per kWh with a maximum credit of \$20.00 per month.~~ the customer will not be entitled to a credit. This Ordinance does not affect the base rate.
- e. ~~Each year, at the January billing, any credit in excess of \$20.00 on the customer's account after current charges are paid shall be refunded to the customer. If the credit amount is less than \$20.00, the credit will be carried over to the next billing cycle.~~
- f. ~~In the event a customer disconnects from the City's system with a credit for excess production, the City will pay the customer for all credits. This amount will be first deducted from the customer's final utility bill and then from any additional fees or fines that the customer owes to the City. Any remaining balance will be reimbursed to the customer by check.~~

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS. CITY COMMISSIONERS OF THE CITY OF TRUTH OR CONSEQUENCES:

Section 1. All Ordinances or Resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This Repealer shall not be construed to revive any Ordinance or Resolution or part thereof, heretofore repealed.

Section 2. This Ordinance shall take effect on the _____ day of 2021.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2021.

CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO

**BY: _____
Sandra Whitehead- Mayor**

**ATTEST: _____
Angela A. Torres- City Clerk**

4. OLD BUSINESS:

- a. Discussion/Action: Recommendation of amendments to Ordinance No. 644 – Customer Generated Renewable Energy. George Szigeti, Chairman.
- b. Discussion/Action: Seasonal Trash Pickup. Jeff Dornbusch, Vice-Chairman.
- c. Discussion/Action: Utility Forgiveness Program. Jeff Dornbusch, Vice-Chairman.

CITY OF TRUTH OR CONSEQUENCES

RESOLUTION NO.....

A RESOLUTION SETTING PROCEDURES AND CONDITIONS FOR A CATASTROPHIC UTILITY FAILURE RELIEF PROGRAM

WHEREAS, the City of Truth or Consequences owns and operates the Water, Wastewater, Electric and Solid Waste Utilities and is responsible for setting their rates and charges; and

WHEREAS, there occasionally occur catastrophic failures of a utility customers systems, particularly the water system, in which large volumes of water are lost, causing the customer to be charged a utility bill far in excess of their normal bill; and

WHEREAS, this large utility bill can place a financial hardship on the utility customer.

NOW THEREFORE, BE IT RESOLVED by the governing body of the City of Truth or Consequences:

1. A portion of this greater-than-normal utility bill can be forgiven by the Utility Office if the following conditions are met:
 - A. The utility failure was not the result of an action or activity of the utility customer, nor by their failure to properly maintain the system.
 - B. The utility customer promptly took action to shut off the utility and repair the break.
 - C. The utility fault is documented.
 - D. Repairs are made by a licensed contractor, normally a plumber, or if the repair is made by the homeowner, the repair must be inspected and approved by the appropriate utility department.
 - E. The resulting total utility charge is more than 200% of the customer's average monthly bill.
 - F. The utility customer asks the utility office, in writing, for the utility relief within 30 calendar days of receipt of the utility bill showing the overage, and the person making the request is the same as the name on the utility bill.
 - G. The utility customer cannot request such utility relief more than once in a calendar year or more than twice in 5 years.
2. The amount of the bill to be forgiven is 75% of the difference between the charge for that utility and the average monthly charge.
3. If the failure is in the water system and occurs during the months when the water usage is used to calculate the sewer bill, the monthly bills showing the excessive water usage will not be used in that calculation.

PASSED, ADOPTED AND APPROVED this __ day of...

5. NEW BUSINESS:

- a. Discussion/Review: Quarterly Utility Reports.

City of Truth or Consequences Utility Office
July, August, September 2021

Number of Active Accounts- 3765

Total Utilities paid- \$2,907,205.55

Current Electric Cost Adjustment- .0414 per KWH

Number of delinquent Accounts- 460

Total amount in Arrears- \$70,754.94

All receipts from 2019-2020- \$9,694,654.15

All receipts from 2020-2021- \$10,145,521.44

Total increase- \$450,867.29

Billing issues- Still working on having bill format updated with current service dates (meter read dates preferably).



City of Truth or Consequences
ELECTRIC DEPARTMENT
 505 Sims Street
 Truth or Consequences, New Mexico 87901
 (575) 894-6673

ELECTRIC QUARTERLY REPORTS

JULY 2021		
SOURCE	TOTAL PURCHASED	COST
SSA Solar of NM 4	320,660 kWh	\$27,993.62
Tri-State- Wheeling Sales	5,6031 kW	\$38,519.86
Western Area Power Administration	5,603 kW & 1,903,309 kWh	\$49,929.37
Sierra Electric Cooperative Inc.	3,403,729 kWh	\$273,812.99
		Total: \$390,255.84

AUGUST 2021		
SOURCE	TOTAL PURCHASED	COST
SSA Solar of NM 4	251,870 kWh	\$21,988.25
Tri-State- Wheeling Sales	5,6031 kW	\$39,401.37
Western Area Power Administration	5,603 kW & 1,901,011 kWh	\$48,903.11
Sierra Electric Cooperative Inc.	3,314,327 kWh	\$266,621.04
		Total: \$376,913.77

SEPTEMBER 2021		
SOURCE	TOTAL PURCHASED	COST
SSA Solar of NM 4	285,250 kWh	\$24,902.33
Tri-State- Wheeling Sales	5,6031 kW	\$38,033.25
Western Area Power Administration	5,603 kW & 1,590,970 kWh	\$45,359.34
Sierra Electric Cooperative Inc.	2,818,712 kWh	\$199,452.62
		Total: \$307,747.54

JULY 2021 - SEPTEMBER 2021	
TOTAL DELIVERED	
Service Consumption	12,644,567 kW
Demand Consumption	13,847
Revenue	\$1,861,000.95

# SOLAR CUSTOMERS	TOTAL CAPACITY
63 Completed	1,751 kW PV
18 Pending Completion	-

PROJECTS	STATUS
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City of Truth or Consequences
ELECTRIC DEPARTMENT
505 Sims Street
Truth or Consequences, New Mexico 87901
(575) 894-6673

Aerial Med. Voltage Distribution	RFP currently being advertised
Substation Transformer	RFP completed, waiting on funding.
Car Charging Station	On hold
Roundabouts	Waiting for permission from DOT to begin work
White Sands Building	Waiting on transformer
NM State Veteran Center Service Upgrade	Waiting on engineer plans
Sacred Winds	Scheduled to begin soon
Williamsburg Interstate Interchange Plans	Received 60% drawings