

City of Santa Fe, New Mexico

LEGISLATIVE SUMMARY

Resolution No. 2016-____ Urban Stormwater Policy

SPONSOR(S): Councilor Ives, Mayor Gonzales and Councilor Maestas

SUMMARY: The proposed resolution directs the City Manager to develop a stormwater management program that updates the city's stormwater management policies in furtherance of the City's environmental and sustainability policies and goals.

PREPARED BY: Rebecca Seligman, Legislative Liaison Assistant

FISCAL IMPACT: No

DATE: February 3, 2016

ATTACHMENTS: Resolution
FIR

1 **CITY OF SANTA FE, NEW MEXICO**

2 **RESOLUTION NO. 2016-__**

3 **INTRODUCED BY:**

4
5 Councilor Peter Ives

6 Mayor Javier Gonzales

7 Councilor Joseph Maestas

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10 **A RESOLUTION**

11 **DIRECTING THE CITY MANAGER TO DEVELOP A STORMWATER**
12 **MANAGEMENT PROGRAM THAT UPDATES THE CITY'S STORMWATER**
13 **MANAGEMENT POLICIES IN FURTHERANCE OF THE CITY'S ENVIRONMENTAL**
14 **AND SUSTAINABILITY POLICIES AND GOALS.**

15
16 **WHEREAS,** the City of Santa Fe and the State of New Mexico have in arid climates and
17 have experienced drought conditions for many years, putting strains on available water
18 resources, riparian areas and aquifer recharge;

19 **WHEREAS,** stormwater management by the Public Works Department's Streets and
20 Drainage Division is accomplished through the operation and maintenance of the City's drainage
21 infrastructure (arroyos, streets, curbs, drainage structures, culverts, erosion control structures,
22 acequias, washouts, etc.);

23 **WHEREAS,** minimizing pollutants in stormwater is essential for maintaining compliance
24 with the Environmental Protection Agency's (EPA) Clean Water Act, the EPA's new clean water
25 rule (2015), the National Pollutant Discharge Elimination System (NPDES) and Municipal

1 Separate Storm Sewer System (MS4) permit program;

2 **WHEREAS**, green infrastructure is an approach to stormwater management that
3 protects, restores, or mimics the natural water cycle and reduces the need for conventional
4 infrastructure by reducing stormwater volume, improving water quality by reducing pollutant
5 loads, stream bank erosion, and sedimentation.

6 **WHEREAS**, through the Public Works Department's River, Watershed & Trails
7 Division, the Water Division, and the Santa Fe River Commission the City is currently
8 implementing the Alameda Rain Gardens, a green infrastructure program;

9 **WHEREAS**, the City's Land Use Department has implemented green codes that
10 encourage infiltration and green infrastructure measures;

11 **WHEREAS**, the City's Water Conservation Office has created rebates and incentives for
12 passive and active rainwater systems;

13 **WHEREAS**, green infrastructure must be a part of the Sustainable Santa Fe
14 Commission's 2040 goals;

15 **WHEREAS**, the City should continue to explore all available means to encourage and
16 incentivize private individuals, commercial enterprises and governmental entities to use rainwater
17 resources;

18 **WHEREAS**, the City should work to ensure the availability of all legal supplies of water
19 for the benefit of the City of Santa Fe;

20 **WHEREAS**, the City will ensure its long-term sustainability and build resiliency within
21 the City of Santa Fe by ensuring that it uses all water resources legally available;

22 **WHEREAS**, rain events are increasing in intensity and quantity in Santa Fe, and the City
23 needs to develop and implement its long-term plan to deal with stormwater to ensure that it is not
24 destructive to property and infrastrure and is used in beneficial ways;

25 **WHEREAS**, the City should promote and emphasize utilizing green infrastructure to

1 slow down runoff, increase stormwater infiltration and maximize the benefits derived from
2 precipitation events;

3 **WHEREAS**, the City should explore the expansion of its urban trails system along
4 existing arroyos to promote healthy lifestyles and public safety; and

5 **WHEREAS**, implementing this Resolution, increasing green infrastructure, and
6 managing stormwater as a resource will promote the well-being and health of the people of Santa
7 Fe and will help build community;

8 **WHEREAS**, if the City needs to contract with a third party to explore the matters set
9 forth herein, the City's Water Fund can be used to accomplish the purposes of this Resolution.

10 **NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
11 **CITY OF SANTA FE** that under guidance of the city manager, city staff is directed to research,
12 evaluate and report on current stormwater management policies that:

- 13 1. Employ and promote green infrastructure in all city infrastructure projects and
14 improvements;
- 15 2. Examine and implement ways to slow stormwater down, making it less destructive
16 and allowing it to infiltrate better;
- 17 3. Foster the Santa Fe River Commission's participation in the Santa Fe River Corridor
18 Master Plan;
- 19 4. Promote and further the City's urban watershed policy, employing green
20 infrastructure improvements in all Public Works projects (roads, parks, trails, etc.) to
21 slow down stormwater, and also to be used more productively in parks and public
22 places to decrease irrigation costs;
- 23 5. Examine ways in which stormwater can be used productively in Santa Fe;
- 24 6. Facilitate collaboration among the Public Works Department, Parks and Recreation
25 Department, Water Division, City Land Use Department, and private stakeholders to

1 evaluate the creation of a Santa Fe Arroyo and Flood Control District, in cooperation
2 with the County of Santa Fe;

- 3 7. Evaluate the nature and extent and possible expansion of City jurisdiction over
4 arroyos and other waterways throughout the City of Santa Fe, allowing for improved
5 arroyo management by the city and the extension of trail systems;
- 6 8. Develop a thorough and mapped understanding of the current stormwater system,
7 including existing city drop inlets, storm drains, pipes, and outflow structures that
8 flow directly into the arroyo system and the Santa Fe River;
- 9 9. Consider how Public Works projects and private developments can create
10 opportunities for an integrated approach to stormwater management;
- 11 10. Provide recommendations from staff that would coordinate the efforts of the above
12 mentioned departments, commissions, committees and other entities to maximize
13 opportunities, while eliminating duplicative efforts.

14 **BE IT FURTHER RESOLVED** that the City Manager shall present a preliminary
15 report with recommendations for the development of an updated stormwater policy within 120
16 days of the adoption of this resolution.

17 PASSED, APPROVED AND ADOPTED this _____ day of _____, 2016.

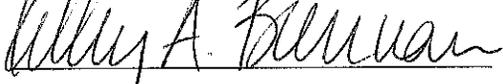
18 _____
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20 JAVIER M. GONZALES, MAYOR

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22 ATTEST:

23 _____
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25 YOLANDA Y. VIGIL, CITY CLERK

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APPROVED AS TO FORM:



KELLEY A. BRENNAN, CITY ATTORNEY

**City of Santa Fe
Fiscal Impact Report (FIR)**

This Fiscal Impact Report (FIR) shall be completed for each proposed bill or resolution as to its direct impact upon the City's operating budget and is intended for use by any of the standing committees of and the Governing Body of the City of Santa Fe. Bills or resolutions with no fiscal impact still require a completed FIR. Bills or resolutions with a fiscal impact must be reviewed by the Finance Committee. Bills or resolutions without a fiscal impact generally do not require review by the Finance Committee unless the subject of the bill or resolution is financial in nature.

Section A. General Information

(Check) Bill: _____ Resolution: X
(A single FIR may be used for related bills and/or resolutions)

Short Title(s): **A RESOLUTION DIRECTING THE CITY MANAGER TO DEVELOP A STORMWATER MANAGEMENT PROGRAM THAT UPDATES THE CITY'S STORMWATER MANAGEMENT POLICIES IN FURTHERANCE OF THE CITY'S ENVIRONMENTAL AND SUSTAINABILITY POLICIES AND GOALS.**

Sponsor(s): Councilors Ives, Mayor Gonzales and Joseph Maestas
 Reviewing Department(s): Public Works; Land Use, Parks & Recreation; Water Division; Finance
 Persons Completing FIR: Melissa A. McDonald Date: 1/28/16 Phone: 955-6840

Reviewed by City Attorney: Kelly A. Bluman Date: 2/3/16
 (Signature)

Reviewed by Finance Director: Jessica Gonzalez Date: 2/3/16
 (Signature) Oscars. Rodriguez

Section B. Summary

Briefly explain the purpose and major provisions of the bill/resolution:
To update, develop and implement the City's stormwater management policies to promote and utilize green infrastructure and to provide recommendations from staff that would coordinate the efforts of the City's departments, commissions, committees and other entities to maximize opportunities while eliminating duplicative efforts.

Section C. Fiscal Impact

Note: Financial information on this FIR does not directly translate into a City of Santa Fe budget increase. For a budget increase, the following are required:

- a. The item must be on the agenda at the Finance Committee and City Council as a "Request for Approval of a City of Santa Fe Budget Increase" with a definitive funding source (could be same item and same time as bill/resolution)
- b. Detailed budget information must be attached as to fund, business units, and line item, amounts, and explanations (similar to annual requests for budget)
- c. Detailed personnel forms must be attached as to range, salary, and benefit allocation and signed by Human Resource Department for each new position(s) requested (prorated for period to be employed by fiscal year)*

1. Projected Expenditures:

- a. Indicate Fiscal Year(s) affected – usually current fiscal year and following fiscal year (i.e., FY 03/04 and FY 04/05)
- b. Indicate: "A" if current budget and level of staffing will absorb the costs
 "N" if new, additional, or increased budget or staffing will be required
- c. Indicate: "R" – if recurring annual costs
 "NR" if one-time, non-recurring costs, such as start-up, contract or equipment costs
- d. Attach additional projection schedules if two years does not adequately project revenue and cost patterns
- e. Costs may be netted or shown as an offset if some cost savings are projected (explain in Section 3 Narrative)

Finance Director: _____

X Check here if no fiscal impact

Column #:	1	2	3	4	5	6	7	8
	Expenditure Classification	FY 15/16	"A" Costs Absorbed or "N" New Budget Required	"R" Costs Recurring or "NR" Non-recurring	FY 16/17	"A" Costs Absorbed or "N" New Budget Required	"R" Costs - Recurring or "NR" Non-recurring	Fund Affected

Personnel*	\$ 0	A .		\$				
Fringe**	\$ 0	A .		\$				
Capital Outlay	\$ 0	A .		\$				
Land/ Building	\$ 0	A .		\$				
Professional Services	\$ 0	A .		\$				
All Other Operating Costs	\$ 0	A .		\$				
Total:	\$ 0			\$				

* Any indication that additional staffing would be required must be reviewed and approved in advance by the City Manager by attached memo before release of FIR to committees. **For fringe benefits contact the Finance Dept.

2. Revenue Sources:

- a. To indicate new revenues and/or
- b. Required for costs for which new expenditure budget is proposed above in item 1.

Column #:	1	2	3	4	5	6
	Type of Revenue	FY	"R" Costs Recurring or "NR" Non-recurring	FY	"R" Costs - Recurring or "NR" Non-recurring	Fund Affected

	\$		\$			
	\$		\$			
	\$		\$			
Total:	\$		\$			

3. Expenditure/Revenue Narrative:

Explain revenue source(s). Include revenue calculations, grant(s) available, anticipated date of receipt of revenues/grants, etc. Explain expenditures, grant match(s), justify personnel increase(s), detail capital and operating uses, etc. (Attach supplemental page, if necessary.)

Initial staff efforts to gather information and report findings can be accomplished without additional expenditures but will require significant hours of work by multiple staff and between several departments.

However, the findings of the preliminary report will develop recommendations that may require additional funds, as noted on page 3 lines 5 -7 of the resolution which recommends funds come from the city's Water Fund. Resource expenditures/savings that may be discovered during the initial staff reporting may include but are not limited to:

- 1) Hiring a consultant to develop and update policies that inform green infrastructure projects across the city;
- 2) Project related land costs for purchasing of arroyo easements as yet to be identified (estimate not available but will be determined by market rates and cost could be covered additionally under CIP or bond funds);
- 3) Mapping of existing stormwater system depending on MS4 EPA requirements;
- 4) It should also be noted that there may be cost savings discovered in eliminating duplicative efforts. Also, once areas of potential needs are identified grants provided by organizations such as FEMA, EPA etc.. Could be applied for to cover some of the cost and will be identified in the report.

Certain parameters of the resolution such as establishing the regional stormwater management authority, the correction of drainage issues on privately owned arroyos, and the Ordinance amendment to Chapter XIII will require deeper analysis by City Attorney.

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Section D. General Narrative

1. **Conflicts:** Does this proposed bill/resolution duplicate/conflict with/companion to/relate to any City code, approved ordinance or resolution, other adopted policies or proposed legislation? Include details of city adopted laws/ordinance/resolutions and dates. Summarize the relationships, conflicts or overlaps.

Potential conflicts with proposed bill by Councilor Maestas amending subsection 13-1.7 SFCC 1987 to limit the allowable use of revenues to included only stormwater system operation and maintenance activities directly associated with stormwater drainage infrastructure, excluding such activities in parks and streets.

2. **Consequences of Not Enacting This Bill/Resolution:**
Are there consequences of not enacting this bill/resolution? If so, describe.

City loses opportunity to maximize benefits of stormwater and fails to promote sensible stormwater management; and possible loss of grant opportunities.

3. Technical Issues:

Are there incorrect citations of law, drafting errors or other problems? Are there any amendments that should be considered? Are there any other alternatives which should be considered? If so, describe:

None at this time.

4. Community Impact:

Briefly describe the major positive or negative effects the Bill/Resolution might have on the community including, but not limited to, businesses, neighborhoods, families, children and youth, social service providers and other institutions such as schools, churches, etc.

- 1) Support necessary updates of the city's MS4 permit with the EPA to improve efficiencies and increase water quality;
- 2) Coordinate MS4 updates with Santa Fe County and related state agencies;
- 3) Reduce the City's potable water usage with stormwater collection and reuse;
- 4) Build upon the City of Santa Fe's notoriety as an ecological community (EPA has already highlighted Santa Fe's stormwater work at the railyard and in a median. Continued recognition will also help our economy by showing Santa Fe as a leader in this type of arid stormwater green infrastructure design and construction.);
- 5) Help achieve Sustainable Santa Fe's goals for 2040.