

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CITY OF SANTA FE, NEW MEXICO

RESOLUTION NO. 2022-17

INTRODUCED BY:

Councilor Carol Romero-Wirth

Councilor Jamie Cassutt

A RESOLUTION

**ALLOCATING WATER RIGHTS TO THE AFFORDABLE HOUSING ACCOUNT
WITHIN THE CITY WATER BANK FOR AT LEAST THREE CONSECUTIVE FUTURE
YEARS.**

WHEREAS, SFCC 1987, Section 25-9.6(A) provides that “[u]pon review of the annual water budget, the governing body shall determine if water is available for allocation.”; and

WHEREAS, SFCC 1987, Section 25-9.6(C) provides that “[t]he governing body may allocate by resolution some or all of the water available for allocation to both city and other uses and projects that meet the city’s priorities.”; and

WHEREAS, SFCC 1987, Section 25-9.6(D) provides that “[a]nnual allocations of water to affordable housing” is the City of Santa Fe’s (City’s) first priority; and

WHEREAS, the same Section requires that allocations for affordable housing “be made for at least three (3) consecutive future years” and that each year's allocation “be set aside in a separate affordable housing account in the city water bank”; and

WHEREAS, the calendar year 2021 ending balance of the affordable housing account in

1 the City water bank has a deficit of 59.26 acre-feet; and

2 **WHEREAS**, the average designation of water for affordable housing during the previous
3 three consecutive years was 23 acre-feet per year; and

4 **WHEREAS**, there are 265 –acre-feet available for allocation by the City; and

5 **WHEREAS**, pursuant to SFCC 1987, Section 25-7 and Ordinance 2006-28, the Governing
6 Body recognizes the need to aggressively pursue available avenues for increasing the City’s water
7 supply through the Water Rights Acquisition Fund.

8 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
9 **CITY OF SANTA FE** that, pursuant to Section 25-9.6 SFCC 1987, the Governing Body allocates
10 one hundred and twenty-three and point six eight (123.68) acre-feet of available water from the
11 City’s water supply to the affordable housing account in the City’s water bank.

12 **BE IT FURTHER RESOLVED** that the 123.68 acre-feet shall be allocated into
13 separate accounts as follows: 59.26 acre-feet in an account for use in the fiscal year ending in
14 2022; 21.48 acre-feet in the fiscal year ending in 2023; 21.47 acre-feet in the fiscal year ending in
15 2024; and 21.47 acre-feet in the fiscal year ending in 2025.

16 **BE IT FURTHER RESOLVED** that the City shall retain title to the water rights.

17 PASSED, APPROVED, and ADOPTED this 13th day of April, 2022.

18
19
20
21 
ALAN WEBBER, MAYOR

22 ATTEST:

23
24 
25 KRISTINE MIHELIC, CITY CLERK

1 APPROVED AS TO FORM:

2



3

4 ERIN K. McSHERRY, CITY ATTORNEY

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25 *Legislation/2022/Resolutions/2022-17 Water Rights for Affordable Housing*