



STAFF REPORT AND FISCAL IMPACT NOTE

Charter Amendment: CA-6-19

Title: Department of the Environment

Date: April 21, 2019

STAFF REPORT

This charter amendment creates a Department of the Environment led by a Director of the Department of the Environment who would report to the City Manager. As with all director position, the Director would be appointed by the City Manager with the approval of the Mayor and confirmation of the City Council, and the Director may be removed by the City Manager with the approval of the Mayor.

The charter amendment specifies the Director of the Department of the Environment shall be appointed based on the Director's knowledge and experience, of which at least five years shall have been at an executive or supervisory capacity. The Director shall have a degree in planning, earth sciences, natural resources, environmental science/studies, law (accompanied by at least two years practice in environmental law), public administration, or a related field.

As specified on page 3, line 29 – page 4, line 2, the Department of the Environment would have regulatory authority over rules and regulations governing water quality, urban forestry, forest conservation, critical areas, wetlands, floodplains, sediment and erosion control, stormwater management, energy sources and consumption, restoration of natural resources and features, land conservation, animal habitat, sustainability, and litter reduction. The department would also:

- Coordinate NPDES/MS4/TMDL compliance;
- Educate and inform the public about water quality, urban forestry, forest conservation, critical areas, wetlands, floodplains, sediment and erosion control, stormwater management, energy sources and consumption, restoration of natural resources and features, land conservation, animal habitat, sustainability, and litter reduction; and
- Perform other duties as set forth in the City Code.

The charter duties of the Departments of Planning and Zoning and Public Works are amended as follows:

- Removes the responsibility to administer and enforce regulations pertaining to the environment, urban forestry, and environmental protection from the Department of Planning and Zoning. *(Note: This charter amendment does not remove the responsibility to administer and enforce regulations pertaining to critical areas from the Department of Planning and Zoning on page 2, line 15. Without amendment, the Charter would assign regulatory authority over critical areas to both the Department of Planning and Zoning and the Department of the Environment.)*
- Removes the responsibility to enforce rules and regulations pertaining to stormwater from the Department of Planning and Zoning.

This charter amendment is companion legislation to O-18-19, an ordinance that creates Title 19, Environment, and moves the regulations in Title 14, Title 17, and Title 21 related to forest conservation, reforestation and afforestation, critical areas, grading, erosion, sediment control, and floodplain management to Title 19. Under the reorganization proposed in O-18-19, the Department of Planning and Zoning will no longer be responsible for regulations pertaining to forestation conservation, reforestation and afforestation, critical areas, or floodplain management, and the Department of Public Works will no longer be responsible for regulations pertaining to stormwater.

Prepared by Teresa Sutherland, City Manager

FISCAL IMPACT

The fiscal impact of this charter amendment is approximately \$9,000, the difference in salary and benefits for the Director of the Department of the Environment at grade A20 versus the compensation of the Environmental Policy Advisor position, grade A17, proposed by the Mayor in his FY2020 proposed budget.

There are additional General Fund costs that will be incurred if the department is staffed as proposed by Alderman Savidge. These costs are discussed in the fiscal impact note to O-18-19, the companion ordinance to this charter amendment.

Prepared by Jodee Dickinson, Finance Director