

AN ORDINANCE

AUTHORIZING THE NEGOTIATION AND EXECUTION OF CONTRACTS WITH BEXAR LAND TRUST, INC. D/B/A GREEN SPACES ALLIANCE OF SOUTH TEXAS AND THE NATURE CONSERVANCY NOT TO EXCEED AN AGGREGATE OF \$2,500,000.00 FOR REAL ESTATE SERVICES UNDER THE 2015 VENUE SALES TAX - EDWARDS AQUIFER PROTECTION PROGRAM, FOR AN ESTIMATED PERIOD OF FIVE YEARS.

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WHEREAS, the purpose of the Edwards Aquifer Protection Program (EAPP) is to protect the quality and quantity of water recharging into the aquifer; and

WHEREAS, in May 2015 Proposition 1 was placed on the election ballot in which voters approved the 1/8-cent venue sales tax generating \$100 million for continued expansion of the EAPP; and

WHEREAS, through Proposition 1 \$90 million will continue the program's efforts to obtain real estate interests by fee-simple purchase, conservation easements or donations of land over the sensitive zones of the Edwards Aquifer; and

WHEREAS, the balance of \$10 million will incorporate new recharge and water quality protection projects within urbanized areas of Bexar County; and

WHEREAS, the City utilized a discretionary public process to procure eligible real estate services agents to assist with identifying properties appropriate for acquisition and conservation over sensitive areas of the aquifer recharge zones; and

WHEREAS, the City issued a Request for Qualifications titled "Assistance with the Edwards Aquifer Protection Program" on December 14, 2015 with a submission deadline of January 15, 2016; and

WHEREAS, three proposal responses were received, which were scored on January 28, 2016; and

WHEREAS, the evaluation team consisted of representatives from the City Manager's Office, Parks and Recreation Department, Conservation Advisory Board and the Edwards Aquifer Authority; and

WHEREAS, the proposals were evaluated based on the firm's experience, background, qualifications, proposed management plan, and experience with local real estate conditions including conservation and watershed strategies; and

WHEREAS, the evaluation of each proposal was based on a total of 100 points- 40 points allotted for experience, background, qualifications; 40 points for proposed management plan; and 20 points

allotted for respondent's knowledge in local real estate market conditions and local aquifer conservation strategies; and

WHEREAS, the Local Preference and Veteran-Owned Small Business Preference programs were not applicable; and

WHEREAS, additionally, the City's Small Business Economic Development Advocacy Program (SBEDA) does not apply and was not part of the scoring model; and

WHEREAS, after evaluation committee review and discussion, scores were finalized and the aggregate scores were presented to the committee; and Bexar Land Trust, Inc. d/b/a Green Spaces Alliance of South Texas and The Nature Conservancy Division received the highest rankings and was recommended for award by the evaluation committee; and

WHEREAS, the real estate services contracts will span the life of the 2015 venue sales tax election which is estimated at five years; and

WHEREAS, under each agreement the City will receive recommendations for acquisition through fee-simple purchase or conservation easement based on an established scientific ranking system including contract negotiation and property closing services.; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Manager, or her designee, or the Director of the Parks and Recreation Department or his designee is hereby authorized to negotiate and execute contracts with Bexar Land Trust, Inc. d/b/a Green Spaces Alliance of South Texas and The Nature Conservancy not to exceed an aggregate of \$2,500,000.00 for real estate services under the 2015 venue sales tax - Edwards Aquifer Protection Program, for an estimated period of five years. A copy of the proposed professional services contracts are attached hereto and incorporated herein for all purposes as **Attachment I and II.**

SECTION 2. Payment not to exceed the amount of \$2,500,000.00 in SAP Fund 40099000, Other Capital Projects, SAP Project Definition 26-00638, Edwards Aquifer Protection Program, is authorized to be encumbered and made payable to Bexar Land Trust, Inc. d/b/a Green Spaces Alliance of South Texas and The Nature Conservancy, for real estate services.

SECTION 3. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SW/vv
xx/xx/xx
Item #16-2368

SECTION 4. This ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this ____ day of _____.

M A Y O R
Ivy R. Taylor

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Martha G. Sepeda, Acting City Attorney