

THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED ORDINANCE OR RESOLUTION ADOPTED BY THE CITY COUNCIL.

AN ORDINANCE

AUTHORIZING THE EXECUTION OF THE SECOND AMENDED INTERLOCAL AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND BEXAR COUNTY TO AMEND THE COUNTY'S TERMS AND CONDITIONS FOR REGIONAL FLOOD CONTROL PROJECTS WITHIN THE CITY LIMITS OF SAN ANTONIO AS PART OF THE BEXAR COUNTY FLOOD CONTROL CAPITAL IMPROVEMENT PROGRAM.

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WHEREAS, due to a severe flood in 1998, the Bexar County Commissioners Court and the San Antonio City Council created a Countywide Citizens Watershed Master Plan Committee to review and prioritize flood control projects in the Cibolo Creek, Leon Creek, Salado Creek, Medina Creek, and San Antonio River watersheds; and

WHEREAS, in 2007, the Bexar County Commissioners Court established the Bexar County Flood Control CIP to manage the design and construction of these regional flood control projects; and

WHEREAS, an Interlocal Agreement with Bexar County was approved by Council through Ordinance No. 2009-01-15-0029 to establish the terms and conditions for the management of the design and construction of 18 Bexar County Flood Control Capital Improvement Projects (CIP) within the San Antonio City limits; and

WHEREAS, the Interlocal Agreement was first amended by Ordinance 2012-06-21-0474 to add 24 new regional flood control projects not included in the original 2009 agreement; and

WHEREAS, this Ordinance authorizes a Second Amended Interlocal Agreement with Bexar County to add 10 new regional flood control projects to be managed and constructed by Bexar County, as well as clarify Bexar County's responsibility of construction site maintenance through the warranty periods for the following projects:

1. Huebner Creek Enhanced Conveyance NWWC LOMR
2. North Verde Road LWC
3. Helotes Creek RSWF
4. Elmedorf Lake Improvements
5. Sixmile Creek CCR2 Channel and Bridge
6. St. Mary's University Drainage Improvements
7. Woodlawn at 36th Street Drainage
8. Upper Woodlawn Drainage Improvements
9. Mid-Beitel Channel Restoration Phase II

10. Salado Creek at Ira Lee; and

WHEREAS, this amendment also includes adding a role of the City for management associated with special permits needed, such as the United States Army Corps of Engineers, Texas Commission on Environmental Quality, or other Federal/State regulatory agencies; and

WHEREAS, approval of this Ordinance will be a continuation of City Council policy to collaborate with other governmental agencies in supporting the City's commitment to maintaining and improving existing infrastructure; **NOW THEREFORE**,

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

SECTION 1. The City Manager or her designee is hereby authorized to execute a Second Amended Interlocal Agreement with Bexar County to amend the County's terms and conditions for Regional Flood Control Projects within the City limits of San Antonio as part of the Bexar County Flood Control Capital Improvement Program. A copy of the Interlocal Agreement is attached and incorporated herein for all purposes as Attachment A. The execution authority granted by this Ordinance expires 90 days from the effective date.

SECTION 2. This Ordinance shall be effective immediately upon passage by eight affirmative votes; otherwise it shall be effective on the tenth day after passage hereof.

PASSED and APPROVED this _____ day of _____, **2014**.

M A Y O R
Julián Castro

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Robert F. Greenblum, City Attorney