

AN ORDINANCE

AUTHORIZING FUNDING FOR SAWS IMPACT FEE WAIVERS FOR A FIVE-YEAR PERIOD FROM FISCAL YEAR 2021 TO FISCAL YEAR 2025.

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WHEREAS, on February 11, 2010, the City Council approved City Ordinance 2010-02-11-0116, which adopted the San Antonio Water System (“SAWS”) Fee Waiver Guidelines (the “Guidelines”); and

WHEREAS, the Guidelines provide the criteria for the administration of sewer and impact fee waivers for defined developments; and

WHEREAS, on February 21, 2013, the City Council amended the guidelines by: (1) adjusting the annual allocation of SAWS funding for fee waivers; (2) authorizing waivers at 1% of the total project investment; (3) adding an exception to the market-rate housing exclusion for homes enrolled in the Housing Rehabilitation Loan Program; and making other ancillary administrative revisions; and

WHEREAS, on May 29, 2014, the City Council authorized funding for fee waivers in the amount of \$20 million to be allocated over a six-year period from fiscal year 2015 to fiscal year 2020; and

WHEREAS, on December 13, 2018, through Ordinance 2018-12-13-0996, the City Council adopted the City of San Antonio Fee Waiver Program, thereby replacing the Inner City Reinvestment/Infill Policy (ICRIP) as the primary mechanism for awarding SAWS impact fee waivers; and

WHEREAS, currently there are unclaimed SAWS funds allocated for fee waivers through the end of fiscal year 2020; and

WHEREAS, the City seeks to authorize funding for fee waivers in the amount of \$15 million to be allocated over a five-year period from fiscal year 2021 to fiscal year 2025;

WHEREAS, SAWS’s fiscal year commences on January 1 annually and the City fiscal year commences on October 1 annually; **NOW THEREFORE:**

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

SECTION 1. The City Council hereby approves funds for SAWS Fee Waivers in accordance with Attachment I and as follows:

FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	TOTAL
\$3.0M	\$3.0M	\$3.0M	\$3.0M	\$3.0M	\$15.0M

SECTION 2. The City Council hereby acknowledges SAWS intention to allow unclaimed fee waivers from fiscal year 2020 to carry forward into future fiscal years.

SECTION 3. The City Council hereby authorizes a maximum of \$5 million in unclaimed impact fee waivers to carry forward into future fiscal years, as calculated annually based on the SAWS fiscal year. Adjustments to the carry forward amount and schedule require mutual agreement between the City and SAWS.

SECTION 4. Except as to the carry-forward unclaimed fee waiver funding, the allocation of SAWS fee waivers shall not commence until January 1, 2021 in order to align with SAWS's fiscal year.

SECTION 5. This Ordinance shall become effective immediately upon its passage by eight (8) affirmative votes or ten (10) days after its passage on fewer than eight (8) affirmative votes.

PASSED AND APPROVED this ____ day of _____, 2020.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Tina J. Flores, City Clerk

Andrew Segovia, City Attorney