

ORDINANCE 2021 - 01 - 21 - 0035

APPROVING AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE NATURAL RESOURCES DEFENSE COUNCIL, INC., AND THE CITY OF SAN ANTONIO IN SUPPORT OF THE AMERICAN CITIES CLIMATE CHALLENGE

* * * * *

WHEREAS, the City of San Antonio has committed to addressing the effects of global warming through Resolution 2017-06-22-0031R, by adopting and supporting the goals of the Paris Agreement; on January 11, 2019, the City was one of 25 cities chosen to participate in the Bloomberg Philanthropies' American Cities Climate Challenge (ACCC) and to receive technical assistance and support packages over a two-year period valued at up to \$2.5 million to work on buildings and transportation-related initiatives aimed at reducing greenhouse gas emissions; and

WHEREAS, Ordinance 2019-06-20-0561 authorized a Memorandum of Understanding (MOU) with the Natural Resources Defense Council, Inc. (NRDC), in support of the Bloomberg Philanthropies' American Cities Climate Challenge (ACCC) through December 31, 2020. The term started after the City executed the MOU on July 17, 2019; and

WHEREAS, the ACCC cities do not receive direct financial support as a participant, but San Antonio was assigned two City Advisor Contract Employees, who are housed within the Office of Sustainability, to facilitate the development and implementation of high-impact actions; and

WHEREAS, the NRDC has proposed to the Office of Sustainability a six-month extension of the MOU to June 30, 2021, in order to fully utilize the two-year support initially awarded to complete the development and implementation of the actions in progress for the ACCC; and

WHEREAS, this Ordinance approves an Amendment to extend for six months, through June 30, 2021, the Memorandum of Understanding with the NRDC to provide support to meet the City's participation in the American Cities Climate Challenge; **NOW THEREFORE**,

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

SECTION 1. The City Manager, or designee, or the Director, Office of Sustainability, or designee, is hereby authorized to take all actions necessary to negotiate and execute an Amendment to extend for six months the Memorandum of Understanding (MOU) with the Natural Resources Defense Council, Inc. (NRDC), through June 30, 2021. A copy of the Amendment to the MOU, in substantially final form, is attached and incorporated herein for all purposes as **Attachment I**. The execution authority granted by this ordinance shall expire 60 days from the effective date.


SECTION 2. There is no fiscal impact to the General Fund for this initiative.

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.

SECTION 4. 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 21st day of January, 2021.




M A Y O R
Ron Nirenberg

ATTEST:


APPROVED AS TO FORM:



Tina J. Flores, City Clerk



Andrew Segovia, City Attorney





City of San Antonio

City Council

January 21, 2021

Item: 22

File Number: 21-1097

Enactment Number:

2021-01-21-0035

Ordinance approving an amendment to the Memorandum of Understanding between the Natural Resources Defense Council, Inc. and the City of San Antonio in support of the American Cities Climate Challenge, to extend the support from December 31, 2020 to June 30, 2021. [David McCary, Assistant City Manager; Douglas Melnick, Chief Sustainability Officer]

Councilmember Roberto C. Treviño made a motion to approve. Councilmember Melissa Cabello Havrda seconded the motion. The motion passed by the following vote:

Aye: 11 Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Pelaez, Courage and Perry

CH
01/21/2021
Item No. 22

ATTACHMENT I

**AMENDMENT ONE TO
MEMORANDUM OF UNDERSTANDING BETWEEN THE
NATURAL RESOURCES DEFENSE COUNCIL, INC.
AND THE
CITY OF SAN ANTONIO**

Ordinance 2019-06-20-0561, approved by the San Antonio City Council on June 20, 2019, authorized the Office of Sustainability (OS) to negotiate and execute a Memorandum of Understanding (MOU) with the Natural Resources Defense Council, Inc. (NRDC), in support of the Bloomberg Philanthropies' American Cities Climate Challenge (ACCC). The MOU was executed by the City's Chief Sustainability Officer on July 17, 2019.

Although the support provided by the NRDC for the ACCC was initially for a period of two years, as provided in the Ordinance, the term of the MOU was through December 31, 2020, with no options for renewal. In order to complete the tasks under the MOU, the Parties have mutually agreed to amend the MOU to extend the term for a period of six months, until June 30, 2021, and to restate the tasks remaining. The San Antonio City Council has approved this Amendment as signified by the passage of Ordinance 2021-01-___ - _____ on January ___, 2021.

This **Amendment One** to the MOU amends section V. "Commitments by the City" and section X. "Term" to extend the dates to June 30, 2021; and adds a new "Exhibit E: San Antonio Requested Assistance and ACCC Support Package" which will replace the current "Exhibit C" and "Exhibit D" for all work and activities occurring on or after January 1, 2021, and is entered into by and between OS and NRDC, acting by and through their designated representatives. The undersigned hereby agree to amend said Agreement as follows:

1. Section V. "Commitments by the City", is amended by deleting the ~~striketrough~~ and adding the underline language to read:

V. COMMITMENTS BY THE CITY

Consistent with and in support of the SA Tomorrow Sustainability Plan adopted by the San Antonio City Council on August 11, 2016, the City commits to pursue to the best of its ability, implementation of initiatives to reduce net emissions by June 30, 2021 ~~December 31, 2020~~. Such pursuit must comply with applicable laws, ordinances, rules and policies and maintain collaboration among the City and its major stakeholders, and such initiatives shall include the following:

2. Section X. "Term", is amended by deleting the ~~striketrough~~ and adding the underline language to read:

X. TERM

This MOU shall be for a term commencing on the first date on which both of the parties shall have affixed their signatures to this MOU and shall expire on June 30, 2021 ~~December 31, 2020~~, unless earlier terminated in accordance with the provisions herein.

3. The attached new “Exhibit E: San Antonio Requested Assistance and ACCC Support Package” will replace the current “Exhibit C” and “Exhibit D” for all work and activities occurring on or after January 1, 2021, and all references in the MOU to “Exhibit C” and “Exhibit D” shall be replaced with references to “Exhibit E.”

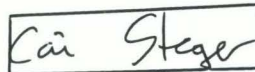
4. This Amendment One to the Agreement shall not prejudice any present or future rights, remedies, benefits, or powers belonging to or accruing to the Parties under the terms of the Agreement herein amended.

5. Except as provided otherwise herein, the Agreement shall remain unaffected, unchanged, and unimpaired by reason of the foregoing Amendment One.

AMENDMENT ONE AGREED to this ____ day of January, 2021.

**CITY OF SAN
ANTONIO**

Natural Resources Defense Council, Inc. (NRDC)



(Signature)

(Signature)

Douglas Melnick

Cai Steger

**Chief Sustainability
Officer**

**Senior Director, Resilient
Communities**

**Approved as to Form:
Andrew Segovia
City Attorney**

By: Assistant City Attorney

Exhibit E:

San Antonio Requested Assistance and ACCC Support Package

The American Cities Climate Challenge (ACCC) is a Bloomberg Philanthropies initiative that aims to accelerate and deepen U.S. cities' efforts to create the greatest climate impact through June 2021 and showcase the benefits – good jobs, cleaner air, and cost savings – that climate solutions bring.

To support the city in meeting its Paris Climate commitments and the specific actions outlined in the MOU, the ACCC team will be providing a multi-faceted support package. *The ACCC is founded on the premise that the most valuable resource to cities is more capacity to reach their climate goals.* The resources of the Challenge are designed to address that need by bringing increased city and partner support to drive ambitious actions in the next two and a half years.

All told, the ACCC is mobilizing a team of over 100 staff across all project partners and the 25 participating cities to provide deep technical expertise on policy, advocacy campaigns, stakeholder engagement, delivery planning, implementation, behavior change, communications, and other key areas necessary to accelerate climate actions. The project will also be strategically deploying other discretionary resources to support consultants, analysis, events, and other activities to benefit cohorts of cities and individual leading cities on specific actions.

To further the priority actions described in this Exhibit (“Priority Actions”), the City requests, and NRDC agrees to provide, the support outlined below (“ACCC Support”) for the period of January 1, 2021 through June 30, 2021. The ACCC also reserves the right to provide additional resources to the City during 2021 as they become available, and will actively work with the City to continually identify additional opportunities to support the City’s prioritized actions.

Priority Actions

- Improve Transit Speed and Reliability
- Scale up Bike Network
- Renewable Energy Procurement
- Buildings Legislation

ACCC Support

The City requests NRDC’s assistance in accomplishing the Priority Actions described above. The City specifically requests NRDC provide the below forms of assistance as City staff deem

appropriate:

1. Preparing policy recommendations and supporting materials for city staff and legislators;
2. Educating legislators about Priority Actions and supporting policy, including researching, preparing materials and reports, and briefing city staff and legislators on city staff's priorities and recommendations;
3. Drafting legislation in support of the Priority Actions; and
4. Conducting community research and outreach regarding the Priority Actions and related policies, including consulting with and educating stakeholders and community members and leaders regarding proposed policies, soliciting feedback, and reporting the results to city staff and legislators.

In order to provide the assistance described above, NRDC agrees to provide or facilitate the following support to the City:

- Dedicated Delivery Team composed of:
 - A full-time Climate Advisor (1.0 FTE) to be stationed locally in the city to work exclusively on ACCC initiatives;
 - A City Strategist at NRDC (0.15 FTE) to deeply and regularly advise on stakeholder engagement, outreach, and advocacy, and coordinate deployment of additional ACCC partner resources; and
 - An Implementation Coach (0.2 FTE) at Delivery Associates to support city leaders in planning for success, driving implementation and delivering impact, including developing and executing project plans, setting targets and tracking success, and managing internal stakeholders.
- A digital library of resources covering policies and programs included in the ACCC;
- Access to cohorts of peer cities working toward similar climate action; and
- Equity support in the form of workshops and learning cohorts, including, but not limited to, the topic of workforce development and economic inclusion. Ability to apply for limited additional funding to support local training, facilitation, and engagement. If selected, this city specific support will be available in 2021.

Technical Support

- An additional full-time Climate Advisor (1.0 FTE) to be stationed locally in the city to work exclusively on ACCC initiatives;

- Regular engagement from NRDC Technical Strategists to advise on program and policy development, provide technical assistance and strategic thought partnership, provide direct advocacy including written and verbal testimony on policies at hearings/proceedings, and coordinate technical assistance from national partners. Including, but not limited to, the following subject areas: renewable energy, energy efficiency and decarbonization, mobility, and transit.
- Tailored technical support from the National Association of City Transportation Officials to Improve Transit Speed and Reliability;
- Tailored technical support from NRDC on Bike Network;
- Tailored technical support from Rocky Mountain Institute and World Resources Institute on Renewable Energy Procurement;
- Tailored technical support from the Institute for Market Transformation on Buildings Legislation.

Peer to Peer Learning Support

- Regular peer-to-peer learning through phone and video calls of small cohorts of ACCC cities working to accelerate and deepen efforts on buildings, energy and transportation climate actions, such as vehicle electrification, fleet electrification, mobility, building energy efficiency, and renewable energy strategies; and
- Access to monthly calls and webinars of the Urban Sustainability Directors Network (USDN) working groups;

Communications and Campaign Support

- In coordination with the city, when applicable, social media amplification of key wins from ACCC Communications Team; and
- Access to ACCC Communications and Campaign trainings.

ATTACHMENT I