

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

AN ORDINANCE

AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE EDWARDS AQUIFER AUTHORITY FOR A FIVE (5) YEAR TERM ENDING DECEMBER 2021 IN AN AMOUNT NOT TO EXCEED \$175,000.00 ANNUALLY, FOR A TOTAL AMOUNT OF \$875,000.00 FROM THE 2015 PROPOSITION 1 PARKS DEVELOPMENT & EXPANSION FUND AVAILABLE IN THE EDWARDS AQUIFER PROTECTION PROGRAM PROJECT.

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WHEREAS, the purpose of the Proposition 1 Edwards Aquifer Protection Program (EAPP) is to protect the quality and quantity of water recharging into the aquifer; and

WHEREAS, since 2000, the City has worked to secure property development rights over the sensitive recharge and contributing zones of the Edwards Aquifer; and

WHEREAS, in 2008, the City entered into an Interlocal Agreement (ILA) with the Edwards Aquifer Authority (EAA) to provide geologic assessments and monitoring assistance for all properties considered for and accepted into the EAPP; and

WHEREAS, historically, EAA provided these services free of charge to the City in the interest of protecting the Edwards Aquifer system for which it was created; and

WHEREAS, however, the size and scope of the program has grown from 6,500 acres of protected land in 2005 to over 142,000 protected acres today; and

WHEREAS, as acreage under EAPP has increased through four consecutive sales tax elections, so have the responsibilities of the City and the work load to the EAA to continue identifying and monitoring these lands, which currently sixty-eight (68) conservation easements exist under the program; and

WHEREAS, the proposed ILA will provide for approximately 48% of the cost for evaluation and monitoring services for all current and future aquifer protected properties, and allows for annual payments of \$175,000.00 over the next five (5) years for a total amount not to exceed \$875,000.00; and

WHEREAS, the services provided by EAA equate to over 7,000 staff hours for geologic evaluations and monitoring assistance under the City's aquifer program; and

WHEREAS, these services require the use of technical scientific software and equipment and general subject matter expertise to augment resources otherwise not present in EAPP; and

WHEREAS, the proposed agreement reflects just a portion of the total costs incurred by EAA for their assistance with the program, which they will also contribute \$186,503.00 annually over the next five years as part of their share for the geological assessments and monitoring assistance under the Edwards Aquifer Protection Program; **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 execute an Interlocal Agreement with the Edwards Aquifer Authority for a five (5) year term ending December 2021 in an amount not to exceed \$175,000.00 annually, for a total amount of \$875,000.00 from the 2015 Proposition 1 Parks Development & Expansion Fund available in the Edwards Aquifer Protection Program Project. A copy of the interlocal agreement in substantially final form is attached hereto and incorporated herein for all purposes as **Attachment I**.

SECTION 2. Payment in an amount not to exceed \$175,000.00 annually for the next five consecutive years ending in December 2021, in SAP Fund 40099000, Other Capital Projects, SAP Project Definition 26-00638, Edwards Aquifer Protection Program, is authorized to be encumbered and made payable Edwards Aquifer Authority, in execution of an Interlocal Agreement with the Edwards Aquifer Authority. Payment is limited to the amounts budgeted in the Operating and/or Capital Budget funding sources identified. All expenditures will comply with approved operating and/or capital budgets for current and future fiscal years.

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 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

City Attorney