

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

AN ORDINANCE

AUTHORIZING TWO (2) FUNDING AGREEMENTS: ONE WITH THE UNIVERSITY OF TEXAS SAN ANTONIO (UTSA) IN AN AMOUNT NOT TO EXCEED \$1,069,113.00, AND ONE WITH THE UNITED STATES GEOLOGICAL SURVEY (USGS) IN AN AMOUNT NOT TO EXCEED \$432,500.00, FOR WATER QUALITY DEMONSTRATION PROJECTS UNDER THE PROPOSITION 1 EDWARDS AQUIFER PROTECTION PROGRAM FOR A PERIOD OF THREE (3) YEARS.

* * * * *

WHEREAS, in May 2015, voters renewed for the third time the Proposition 1 Edwards Aquifer Protection Program, funded through a portion of a 1/8-cent sales tax in the amount of \$100 million; and

WHEREAS, previous elections set the initiative at \$90 million and included Edwards Aquifer protection efforts beyond Bexar County; and

WHEREAS, the current voter-approved Proposition 1 tax includes \$10 million dedicated for aquifer protection projects within urbanized areas of Bexar County's recharge and contributing zones to help improve aquifer water quality; and

WHEREAS, this was designed to serve as a targeted new water quality initiative and no similar water protection effort exists across the state; and

WHEREAS, these projects have come to be known as "demonstration projects" for which the City is establishing the market; and

WHEREAS, in April 2016, the City entered into an interlocal agreement (ILA) with the San Antonio River Authority (SARA) to serve as project manager for the \$10 million "demonstration project" component of the Edwards Aquifer Protection Program; and

WHEREAS, as project manager SARA convened stakeholder meetings to assess demonstration project needs and define its scope; and

WHEREAS, through this process SARA created a Technical Advisory Committee (TAC), comprised of key industry experts, City staff, and representatives from both the development and conservation communities; and

WHEREAS, once convened, the TAC created the scoring tool used to assess project submissions. Eligible projects include previously developed areas not meeting current Texas Commission on Environmental Quality (TCEQ) standards; and

WHEREAS, funding for new development or redevelopment projects will cover only the cost of the Best Management Practices (BMPs) that exceed minimum TCEQ permit requirements; and

WHEREAS, construction projects must accommodate collection of pre- and post-construction storm water monitoring (SWM) data; and

WHEREAS, projects may also be research based and should assess major threats to groundwater quality; develop specific BMP long-term performance and life cycle costs; forecast regional impacts of urban development on groundwater quality; and/or evaluate the effectiveness of BMP innovations in preventing pollution of groundwater; and

WHEREAS, SARA's initial solicitation ran from May through June 2016 and yielded 12 demonstration project submissions; and

WHEREAS, from those 12 submissions, two project proposals scored the highest in the two identified project categories: New Construction/Retrofit for the University of Texas at San Antonio (UTSA) and Research / Data for the United States Geological Survey (USGS); and

WHEREAS, these two projects were endorsed for recommendation to City Council by the Conservation Advisory Board on October 26, 2016; and

WHEREAS, UTSA's demonstration project consists of a low-impact development (LID) test bed implementation plan to monitor the pre- and post-LID BMP's for storm water runoff on the UTSA main campus; and

WHEREAS, this project will report out on the effectiveness of existing BMPs as well as develop a water sustainability and LID module to be used as an education resource; and

WHEREAS, UTSA faculty and students will also provide tours of the LID projects to low-income K-12 students to help increase awareness of LID; and

WHEREAS, the USGS' demonstration project will assess and characterize the connection between storm water runoff to groundwater quality through the use of two surfaces and groundwater monitoring systems; and

WHEREAS, USGS will report out on its scientific investigations and produce a public fact sheet; and

WHEREAS, this ordinance authorizes the execution of two funding agreements in amounts not to exceed; **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 authorized to execute two funding agreements: one with the University of Texas San Antonio in an amount not to exceed \$1,069,113.00, and one with the United States Geological Survey in an amount not to exceed \$432,500.00, for water quality demonstration projects under the Proposition 1 Edwards Aquifer Protection Program for a period of three (3) years. A copy of each funding agreement in substantially final form are attached hereto and incorporated herein for all purposes as **Attachment I** and **II**.

SECTION 2. Funding in the amount of \$1,501,613.00 is available in SAP Fund 40099000, Other Capital Projects and SAP Project 26-00638, Edwards Aquifer Protection Program.

SECTION 3. Payment in the amount of \$1,069,113.00 is authorized and should be encumbered with a purchase order and made payable to the University of Texas at San Antonio.

SECTION 4. Payment in the amount of \$432,500.00 is authorized and should be encumbered with a purchase order and made payable to the United States Geological Survey.

SECTION 5. 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 6. 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

Andrew Segovia, City Attorney