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Item No.

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

AN ORDINANCE

AUTHORIZING FUNDING AGREEMENTS WITH THE UNIVERSITY OF TEXAS AT SAN ANTONIO IN AN AMOUNT NOT TO EXCEED \$757,401.00, AND SOUTHWEST RESEARCH INSTITUTE IN AN AMOUNT NOT TO EXCEED \$530,398.00 FOR WATER QUALITY DEMONSTRATION PROJECTS UNDER THE PROPOSITION 1 EDWARDS AQUIFER PROTECTION PROGRAM.

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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 program includes \$10 million dedicated for aquifer water quality projects within urbanized areas of Bexar County over the Recharge and Contributing Zones of the Edwards Aquifer; and

WHEREAS, these projects have come to be known as “demonstration projects” which the City is pioneering in coordination with San Antonio River Authority, Edwards Aquifer Authority and San Antonio Water System

WHEREAS, a solicitation ran from April through September 2017 and yielded ten (10) demonstration project submissions; and

WHEREAS, two projects are recommended for consideration under two categories: New Construction/Retrofit (University of Texas at San Antonio) and Research/Data (Southwest Research Institute) and were endorsed for recommendation to City Council by the Conservation Advisory Board on November 29, 2017; and

WHEREAS, the University of Texas at San Antonio (UTSA) demonstration project was selected for the New Construction/Retrofit category; and

WHEREAS, UTSA will retrofit 2.73 acres of rooftops and 7.97 acres of parking, roadway, and sidewalks at the UTSA Main Campus through diversion of stormwater runoff into a newly constructed suite of connected projects including cisterns, pervious pavement, a vegetated bioswale and forebay, a rain garden, and a bioretention and sand filtration area;

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WHEREAS, through the capture of an estimated two million gallons of rooftop runoff on an annual basis, this project will monitor the efficacy of Low Impact Development (LID) features and their ability to remove solids and pollutants, reduce heat, and provide aesthetic alternative stormwater treatments; and

WHEREAS, additionally, the project will develop a cost analysis of Best Management Practices (BMPs) and offer educational opportunities in an outdoor LID classroom setting that will last many years beyond the term of the funding agreement; and

WHEREAS, the UTSA agreement will be executed in compliance with the Small Business Economic Advocacy (SBEDA) Program, which requires contracts be reviewed by a Goal Setting Committee to establish a requirement and/or incentive unique to the particular contract in an effort to maximize the amount of small minority, and women-owned business participation on the contract; and

WHEREAS, the Goal Setting Committee set a 26% Minority/Women Business Enterprise (M/WBE) subcontracting goal to the UTSA contract; and

WHEREAS, UTSA has committed a 26% Minority, Women-Owned Business Enterprise (M/WBE) subcontractor participation; and

WHEREAS, the Southwest Research Institute (SwRI) demonstration project was selected for the New Research/Data category; and

WHEREAS, this project will develop a coupled surface water/groundwater model which will accurately simulate solute transport from on-site sewage facilities (OSSF) or Texas Land Application Permit (TLAP) wastewater disposal facilities in the Edwards Aquifer Recharge and Contributing Zones and that quantifies the impact of solute transport on recharge to the aquifer; and

WHEREAS, this study will also: A) more accurately quantify the impact of development on the Recharge and Contributing Zones; B) address specific threats including the impact of development occurring too close to rivers in the Recharge and Contributing Zones; and C) allow for accurate assessment of minimum distances from rivers and from the Recharge Zone that OSSF or TLAP facilities would be deemed to not pose a threat to the quality and quantity of water recharging into the aquifer; and

WHEREAS, the Small Business Economic Development Advocacy (SBEDA) Ordinance requirements for SwRI were waived due to the lack of small, minority, and/or women businesses available to provide these goods and services; 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

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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; and **WHEREAS**, an eligible project includes those projects that address and improve water quality in developed areas that do not meet current Texas Commission on Environmental Quality (TCEQ) standards; and

WHEREAS, funding for projects will cover only the cost of implementing BMPs for storm water analysis that exceeds minimum TCEQ permit requirements; and

WHEREAS, 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; **NOW THEREFORE:**

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

SECTION 1. Payment in the amount not to exceed \$1,057,401.00 in SAP Fund 40099000, Other Capital Projects, SAP Project Definition 26-00638, Edwards Aquifer Protection Program, is authorized to be encumbered and made payable to University of Texas at San Antonio (UTSA), for water quality demonstration projects.

SECTION 2. Payment in the amount not to exceed \$530,398.00 in SAP Fund 40099000, Other Capital Projects, SAP Project Definition 26-00638, Edwards Aquifer Protection Program, is authorized to be encumbered and made payable to Southwest Research Institute (SwRI), for water quality demonstration projects.

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.

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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 _____th day of _____, 2017.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney

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ATTACHMENT I

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ATTACHMENT III