

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

ORDINANCE

**AUTHORIZING A FUNDING AGREEMENT FOR A WATER
QUALITY DEMONSTRATION PROJECT UNDER THE
PROPOSITION 1 EDWARDS AQUIFER PROTECTION
PROGRAM WITH UNIVERSITY OF TEXAS AT SAN ANTONIO
IN AN AMOUNT NOT TO EXCEED \$619,656.00 FOR A THREE (3)
YEAR TERM. FUNDING FOR THIS PROJECT IS AVAILABLE
FROM THE 2015 SALES TAX VENUE FUND INCLUDED IN THE
ADOPTED FY 2021 – 2026 CAPITAL IMPROVEMENT
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 San Antonio River Authority (SARA) serves as project manager; and

WHEREAS, SARA created a Technical Advisory Committee (TAC), comprised of key industry experts, City staff, and representatives from both the development and conservation communities, for the purpose of evaluating and scoring project submittals; 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, to date, ten (10) projects have been approved by City Council and funded. A solicitation ran from September through December 2020 and yielded six (6) demonstration project submissions; and

WHEREAS, one project submitted by University of Texas at San Antonio (UTSA) is recommended for consideration under the Research/Data category and received endorsement for recommendation to City Council by the Conservation Advisory Board in February 2021; and

WHEREAS, the UTSA demonstration project which was selected for the Research/Data category will execute a comprehensive water quality monitoring plan that assesses impacts of Best Management Practices (BMP) maintenance on sand filters, cartridge filters, and hydrodynamic separators; and

WHEREAS, the primary goals of the project are: 1) to identify and assess the differences between the three BMPs in treating pollutants; 2) to identify and assess the performance differences for each BMP before and after maintenance; and 3) to perform a life cycle analysis to interpret the significance of the results of each BMP; and

WHEREAS, this project will also consider how BMP functions differ in the contributing zone as compared to other zones that offer possibilities for direct recharge; and

WHEREAS, UTSA's main campus will also grant access to its BMPs for this project; and

WHEREAS, if approved, the proposed three-year, \$619,656.00 Funding Agreement with UTSA will commence on September 1, 2021 and terminate on August 30, 2024; and

WHEREAS, the Small Business Economic Development Advocacy (SBEDA) Ordinance requirements for UTSA's proposal were waived due to the lack of small, minority, and/or women businesses available to provide these goods and services; **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 of Parks and Recreation Department or designee, is authorized to execute a funding agreement University of Texas at San Antonio in an amount not to exceed \$619,656.00 for water quality demonstration project under Proposition 1 Edwards Aquifer Protection Program. A copy of the funding agreement in substantially final form is attached hereto and incorporated herein for all purposes as **Attachment I**.

SECTION 2. NO FISCAL LANGUAGE AVAILABLE.

SECTION 3. The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Fund Numbers, Project Definitions, WBS Elements, Internal Orders, Fund Centers, Cost Centers, Functional Areas, Funds Reservation Document Numbers, and 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 _____, 2021.

VS
06/17/2021
Item No. XX

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Tina J. Flores, City Clerk

Andrew Segovia, City Attorney

DRAFT