



# City of San Antonio

## Legislation Details (With Text)

**File #:** 14-1678

**Type:** Capital Improvements

**In control:** City Council A Session

**On agenda:** 8/21/2014

**Title:** An Ordinance for the Olmos Creek Restoration Project authorizing the execution of a Project Participation Agreement with the U.S. Army Corps of Engineers committing a 35% local contribution including an estimated \$152,875 cash match; authorizing the negotiation and execution of Interlocal Cooperative Agreements with the City of Alamo Heights for use of property within its jurisdictions and the San Antonio River Authority for project management in an amount not to exceed \$200,000.00. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Transportation and Capital Improvements; John Dugan, Director, Planning and Community Development]

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Map-OLMOS CREEK ECOSYSTEM RESTORATION PROJECT, 2. PPA - Olmos Creek CAP 206, 3. Ordinance 2014-08-21-0596

Date	Ver.	Action By	Action	Result
8/21/2014	1	City Council A Session	adopted	Pass

**DEPARTMENT:** Transportation and Capital Improvements, Planning and Community Development

**DEPARTMENT HEAD:** Mike Frisbie, P.E.; John Dugan, AICP

**COUNCIL DISTRICTS IMPACTED:** 1 and 2

**SUBJECT:**

An Ordinance for the Olmos Creek Restoration Project authorizing the execution of a Project Participation Agreement with the U.S. Army Corps of Engineers, and Interlocal Cooperative Agreements with San Antonio River Authority and City of Alamo Heights

**SUMMARY:**

An Ordinance for the Olmos Creek Restoration Project authorizing the execution of a Project Participation Agreement with the U.S. Army Corps of Engineers (USACE) committing a 35% local contribution (non-federal share) including an estimated \$152,875 cash match; authorizing the negotiation and execution of an Interlocal Cooperative Agreement with each of the following: 1) the City of Alamo Heights for use of property within its jurisdictions and 2) the San Antonio River Authority in an amount not to exceed \$200,000.

## **BACKGROUND INFORMATION:**

The Aquatic Ecosystem Restoration Program (Section 206 of the Water Resources Development Act of 1996) of the U.S. Army Corps of Engineers (USACE) was established to restore degraded aquatic ecosystem structure, function and dynamic process to a more natural condition, which will involve consideration of the ecosystem's natural integrity, productivity, stability and biological diversity.

On February 14, 2002, City Council in Resolution 2002-6-5 authorized the San Antonio River Authority to submit a letter of request to the USACE to initiate a feasibility study to develop a vision to restore and enhance the three southernmost miles of Olmos Creek. This Council action responded to the San Antonio North Central Community Plan goal and vision for restoring the natural beauty and habitat to the Olmos Basin. The feasibility study was coordinated by COSA's Planning Department.

The feasibility study was completed and approved by the USACE in December 2006. The restoration plan describes the appropriate action to address the ecosystem concerns in the area, and is consistent with the North Central Community Plan's goals. The restoration design combines water quality improvements such as improving flow and temperature of the creek by removing non-native invasive plant and tree species; and restoring the ecosystem to create a more natural habitat through the planting of native plant species and native hard mass trees.

The project area consists of approximately 86.8 acres along Olmos Creek extending from McCullough Avenue to the Olmos Dam (see attached map) and will provide a restored buffer area ranging from 50 to 300 feet from the creek bank. A portion of the project area is in the City of Alamo Heights, therefore, the Interlocal Agreement with City of Alamo Heights is needed to help secure property.

The City of San Antonio was notified of funding availability for the project in April 2014. To implement the project, the City will contract with the San Antonio River Authority for project management to include real estate services. SARA will coordinate with the City of Alamo Heights to secure conservation easements (no money will be paid towards these easements) on private property for the buffer. It is anticipated that real estate values from these conservation easements will provide a majority of the 35% local contribution for the project with the estimated \$152,875 cash match making up the remainder of the non-federal share. The City and SARA will execute an Interlocal Cooperative Agreement to outline project management and real estate services, as well as operations and maintenance of the ecosystem to ensure establishment of the restored area. This Interlocal Cooperative Agreement shall not exceed \$200,000.

## **ISSUE:**

Olmos Creek has been inundated by numerous flooding events and has extensive debris that pose a hazard to public health and safety. Over time the creek banks have been subject to erosion and invasive plants, resulting in the decline of the ecosystem. The project will implement Goal 7 of the North Central Community plan to support the environmental restoration of Olmos Creek to improve storm water management, increase natural habitat, improve water quality, foster a positive community image, and provide a trail system linkage to then north Central Neighborhoods' schools, residential areas, commercial corridors, Olmos Basin Park, and the San Antonio River.

This project was featured in 2014 submission by the Environmental Protection Agency, requesting that San Antonio be designated at one of the nation's Urban Waters communities, giving a high profile status among 13 signatory U.S. Government agencies to San Antonio's proposed surface waterway projects. This program, through federal partnerships, helps communities access and improve their urban waters and surrounding land;

foster their connection, understanding and stewardship of local waterways; and revitalize and reconnect to their urban waterways.

The Olmos Creek Ecosystem Restoration project will improve public health and safety and enhance local environmental conservation initiatives. Among the community driven initiatives addressing the need to restore this sensitive ecosystem are the Olmos Basin Alliance advocacy group, the Audubon Society's Jack Judson Nature Trail, Friends of the Hondo Creek Trails, St. Luke's Episcopal Church nature area, and Incarnate Word University's Headwaters Sanctuary. The Olmos Creek Ecosystem Restoration project builds on the City of San Antonio's improvements to Olmos Basin Park and its trail system, through City of San Antonio Bond program, and its most recent project constructing a three-quarter mile trail between Quarry Market and Olmos Basin Park through the May 2010 voter approved Greenway Trails sales tax initiative. Another public project initiated in March 2014 is the San Antonio River Authority's study of a trash collection system with the City of Alamo Heights and the City of San Antonio to address strategies to eliminate floatables and other debris along Olmos Creek.

**ALTERNATIVES:**

An alternative is that Council could not approve the restoration project. However, the City would lose the opportunity to obtain 65% of the project funds for the removal of debris and ecological restoration of the area and the ecosystem would continue to deteriorate if not addressed.

**FISCAL IMPACT:**

The total estimated project cost is approximately \$2,454,038; of that amount \$1,595,125 (65%) will be paid through Federal funding and the remaining \$858,913 (35%) will be paid through non-federal funding. Of the \$858,913 non-federal funds, \$706,038 will be credited by the U.S. Army Corps of Engineers for land donated by the City of San Antonio and public and private land within the City of Alamo Heights and the remaining \$152,875 will be paid by the City of San Antonio.

Additionally, the City will enter into a local agreement with SARA to manage the project. The interlocal agreement with SARA will be in the amount not to exceed \$200,000, making a total City cost of \$352,875.

The total City cost of \$352,875 is a one-time expense from the Olmos Creek Ecosystem Restoration Project and is funded through the Storm Water Regional Facilities Fund, both of which are in the FY 2015 - FY 2020 Proposed Capital Improvements Program (CIP). Funding for this ordinance is contingent upon City Council approval of the FY 2015-FY 2020 Proposed CIP and will not begin until after approval.

**RECOMMENDATION:**

Staff recommends approval of this ordinance authorizing the execution of a Project Participation Agreement with the U.S. Army Corps of Engineers and authorizing the negotiation and execution of an Interlocal Cooperative Agreement with each of the following: 1) the City of Alamo Heights for use of property within its jurisdiction and 2) the San Antonio River Authority in an amount not to exceed \$200,000.