



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-6378

**Type:** Miscellaneous Item

**In control:** City Council A Session

**On agenda:** 12/14/2017

**Title:** An Ordinance authorizing funding agreements with the University of Texas at San Antonio in an amount not to exceed \$1,057,401.00, 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. [María Villagómez, Assistant City Manager; Xavier D. Urrutia, Director, Parks and Recreation]

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Funding Agreement with UTSA for Demonstration Project, 2. Contracts Disclosure Form for Santos Garza with UTSA, 3. Fundng Agreement with Southwest Research Institute for Demonstration Project, 4. Contracts Disclosure Form for Ronald B. Kalmbach with SwRI, 5. Form 1295 Certificate of Interested Parties - R. B. Kalmbach with SwRI, 6. RFCA Powerpoint - Edwards Aquifer Protection Program - Demonstration Projects - UTSA SWRI, 7. Draft Ordinance, 8. Ordinance 2017-12-14-1019

Date	Ver.	Action By	Action	Result
12/14/2017	1	City Council A Session	adopted	Pass

**DEPARTMENT:** Parks and Recreation

**DEPARTMENT HEAD:** Xavier D. Urrutia

**COUNCIL DISTRICTS IMPACTED:** City Wide

### SUBJECT:

Edwards Aquifer Protection Program - Demonstration Projects

### SUMMARY:

This ordinance authorizes funding agreements with the University of Texas at San Antonio (UTSA) in an amount not to exceed \$1,057,401.00, and Southwest Research Institute (SwRI) in an amount not to exceed \$530,398.00, for water quality demonstration projects under the Proposition 1 Edwards Aquifer Protection Program for a period of two years. This ordinance also authorizes the execution of necessary documents by the Director of Parks and Recreation.

### BACKGROUND INFORMATION:

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. Previous elections set the initiative at \$90 million and included Edwards Aquifer protection efforts beyond Bexar County. 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. 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. A solicitation ran from April through September 2017 and yielded ten (10) demonstration project submissions. 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.

The University of Texas at San Antonio (UTSA) demonstration project was selected for the New Construction/Retrofit category. UTSA will retrofit a 14 acre watershed consisting of rooftops, 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. Through the capture of over 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. 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.

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. The Goal Setting Committee set a 26% Minority/Women Business Enterprise (M/WBE) subcontracting goal to the UTSA contract. UTSA has committed a 26% Minority, Women-Owned Business Enterprise (M/WBE) subcontractor participation.

The Southwest Research Institute (SwRI) demonstration project was selected for the New Research/Data category. 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. 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.

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.

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. As project manager, SARA convened stakeholder meetings to assess demonstration project needs and define its scope. 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. Once convened, the TAC created the scoring tool used to assess project submissions. 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. Funding for projects will cover only the cost of implementing BMPs for storm water analysis that exceeds minimum TCEQ permit requirements. Projects must accommodate collection of pre- and post-construction storm water monitoring (SWM) data. 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.

### **ISSUE:**

This ordinance authorizes the execution of these funding agreements in amounts not to exceed \$1,057,401.00 to UTSA and \$530,398.00 to SwRI for water quality demonstration projects for the Edwards Aquifer Protection Program, a Proposition 1 Edwards Aquifer Protection Venue funded Project as approved by voters in May 2015.

### **ALTERNATIVES:**

City Council could choose not to authorize the execution of these agreements in lieu of considering future project submissions through SARA's open solicitation process which allows projects to be submitted year round and reviewed on a quarterly basis. However, this would delay implementation of the initial phase of projects and may result in increased costs for similar projects.

### **FISCAL IMPACT:**

This is a total fiscal impact of \$1,587,799.00 to be used for the implementation of the two aquifer protection projects described herein. Funds for these projects have been appropriated through Proposition 1 of the Edwards Aquifer Protection Sales Tax fund and are included in the FY 2018-2023 Capital Improvement Program Budget.

### **RECOMMENDATION:**

Staff recommends approval of these water quality demonstration projects under the Proposition 1 Edwards Aquifer Protection Venue Project.

The Contracts Disclosure Form required by the Ethics ordinance is attached.