



City of San Antonio

Agenda Memorandum

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Agenda Item Number: 4.

Agenda Date: 1/14/2020

In Control: Intergovernmental Relations Committee

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon, PE, CBO

COUNCIL DISTRICTS IMPACTED: Citywide

SUBJECT:

Renewal of Interlocal Agreement (ILA) between City of San Antonio and the twelve public education districts within its boundaries

SUMMARY:

The purpose of this ILA is to streamline the development permitting and construction activities related to the various local school districts, and further define procedures, processes, and fee structures in order to improve effectiveness, efficiency and completeness of project review in a cost effective manner. The ILA was approved in 2009 and has expired as of July 31, 2019. The executing districts are:

1. Alamo Colleges District
2. Alamo Heights Independent School District
3. East Central Independent School District
4. Edgewood Independent School District
5. Harlandale Independent School District
6. Judson Independent School District
7. Northeast Independent School District
8. Northside Independent School District
9. San Antonio Independent School District
10. South San Antonio Independent School District
11. Southside Independent School District
12. Southwest Independent School District

BACKGROUND INFORMATION:

The current ILA is similar to the one previously enacted between the City and same school districts that was in effect between May 2004 through May 2009. The current ILA automatically renews every year beginning August 1, 2009 through July 31, 2019. The current ILA has expired as of July 31, 2019, however is still being honored. The items listed below have been developed or refined through eight (8) meetings between the representatives from the school districts and City staff.

1. The ILA outlines the manner by which the school districts and City shall work together during the Master planning, preliminary design and plan review, permitting and construction phases.
2. The City will continue to have a school district plan review team within the Development Services Department whose first priority is to work on the school districts projects with specified plan review turnaround times.
3. The current process for storm water management waives the requirement to perform and submit drainage engineering studies for projects at existing school sites inside Loop 410. The proposed ILA language removes that waiver and adds the following:
 - a. Adds clarification to the level of study required depending on the scope of the project
 - b. Offers early review and coordination for drainage studies prior to platting and permitting
 - c. Allows the FILO to be paid at the rate of the bond project or funding of the project
 - d. Allows for the FILO to be reduced by the amount of the cost of the drainage study
 - e. Increases flexibility in allocating FILO fees generated from one project to an area of need elsewhere in the watershed or district
4. School districts are required to meet the City's Tree Preservation and Landscaping requirements with the additional option of fulfilling replanting and/or financial penalty mitigation requirements by planting or replanting trees and/or other landscaping of equivalent value on sites that such District owns or leases. The ILA permits minor modifications to parking lot shading and other landscaping requirements as it may be reasonable in regards to campus security. The proposed ILA language will allow tree credits owned by the districts to be used to meet up to 50% of the tree canopy requirements at a ratio of 3 tree credits to 1 inch. Tree credits will also be allowed to be utilized for parking lot shading at a 10 tree credit to 1 inch ratio. The proposed language will also allow districts to plant up to 20 trees, instead of the standard 10 trees, before an irrigation system is required and specifies xeriscape as acceptable planting without irrigation. Districts are also permitted to utilize a hose bib that is within 150' of the newly planted trees instead of installing an irrigation system. The standard distance is 100'.
5. The proposed ILA includes language that permits the districts to use the adopted code cycle that was in affect at the time the district bond project was approved with a limitation not to exceed one previously adopted code cycle.
6. The ILA specifies maximum parking spaces per school campus based upon campus type (elementary, middle or high school) which is more specific and appropriate than current Unified Development Code (UDC) requirements.
7. Existing sidewalks at existing schools or other District facilities need to be upgraded to current UDC standards when the addition or renovation project has a value exceeding thirty-five percent (35%) of the fair market value of the entire property being renovated. This thirty-five percent (35%) threshold is higher than the current UDC threshold of twenty-five percent (25%).
8. The process for street cuts has also been outlined, requesting that districts and TCI coordinate to ensure streets aren't rehabilitated and/or constructed adjacent to a proposed school property without coordination. If a street has a pavement index of 86 or higher, the ILA allows the school districts to perform a street cut in accordance with the UECM and are not required to apply for a variance.
9. Expedite procedures are outlined for the review, permitting and inspection of portable classroom building moves and renovations to assist the districts meet the campus demands.
10. The districts agree to provide the City with available facilities for use as polling places during municipal elections and for meetings called by community groups as outlined in the ILA.
11. In a school district which participates in the After School Challenge Program, the district agrees to and

shall provide funding to the After School Challenge Program to operate the program for the same number of days as are funded by the City.

12. The districts agree to participate with the City in providing traffic control devices in certain designated school zones to safeguard the students and other pedestrian traffic as outlined in the ILA.

DSD presented at the Intergovernmental Relations Committee (IGR) meeting on November 13, 2019, and direction was given by IGR to return to IGR to provide an update on specific changes to the drainage and traffic requirements.

ISSUE:

The current ILA expired July 31, 2019, but is still being honored today by all parties as we have been working on an updated ILA to renew. Renewal of the ILA will facilitate streamlined processes related to development permitting and construction activities for the twelve local school districts.

The revised terms and conditions of the ILA ultimately improve the plan review process, permitting, and allows for quantifiable measures to be incorporated into the procedures. These revisions and inclusions are designed to further enhance relations between all parties to this agreement.

ALTERNATIVES:

As an alternative, City Council could choose not to renew the ILA or recommend changes to any section of the proposed ILA to present to full City Council for consideration.

In the event that City Council disapproves the execution of this agreement, then the Development Services Department's processing and handling of construction plans and related activities for these institutions shall be processed and conducted as other customers. The intake of their plans would be handled on a first-come, first-serve basis in the order they are received. This could negatively impact our ability to open new and renovated schools at the beginning of the school year.

FISCAL IMPACT:

This ILA offers a reduction to the fee-in-lieu of detention (FILO) based on the cost of the drainage study conducted for the proposed work. This fee is assessed by Transportation and Capital Improvements (TCI) when construction projects propose impervious cover that exceeds 4,301 sf. and the project does not propose on site detention or other mitigation for the increase in storm water runoff.

RECOMMENDATION:

Staff recommends moving forward for full City Council consideration of the proposed Interlocal Agreement between the City of San Antonio and the twelve public education districts identified here.