

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

ORDINANCE

APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE SAN ANTONIO WATER SYSTEM (SAWS) FOR RECYCLED WATER SERVICE.

* * * * *

WHEREAS, San Antonio Water System (SAWS) is a wholly-owned municipal utility and agency of the City of San Antonio (City); and

WHEREAS, on January 14, 1999, City Council passed ordinance 89069 (Original Ordinance) adopting general conditions for the City to receive recycled water service in exchange for Edwards Aquifer Water Rights transferred by the City to SAWS; and

WHEREAS, on December 27, 2001, a twenty-year Interjurisdictional Agreement (IJA) was executed pursuant to the Original Ordinance; and

WHEREAS, for the last twenty years, SAWS has provided Recycled Water to supplement flows in the San Antonio River and Salado Creek under the IJA and other beneficial uses; and

WHEREAS, the IJA expired on December 27, 2021; and

WHEREAS, the City and SAWS wish to continue to exchange the use of properties and rights for their mutual benefits including the discharge of Recycled Water to maintain flows into the San Antonio River and Salado Creek; and

WHEREAS, the City and SAWS have negotiated a Memorandum of Understanding (MOU) for the continued provision of Recycled Water; and

WHEREAS, City staff recommends approval of the MOU. **NOW THEREFORE:**

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

SECTION 1. The Recycled Water Service Memorandum of Understanding (MOU) between the City of San Antonio and San Antonio Water System (SAWS) is approved in substantially the same form as it appears in Exhibit A attached hereto.

SECTION 2. The City Manager or designee is hereby authorized to execute the MOU and all documents necessary to fulfill the purpose and intent of this Ordinance.

SECTION 3. Funding in the amount of \$215,749.55 for this Ordinance is available in Fund 11001000, Cost Center 2615020001 and General Ledger 5404540 as part of the Fiscal Year 2022 Adopted Budget approved by City Council.

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SECTION 4. Additional funding in the amount of \$862,998.00 is contingent upon City Council approval of the Fiscal Year 2023 and subsequent budgets that fall within the contract terms of this Ordinance.

SECTION 5. 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 Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 6. This Ordinance is effective immediately upon the receipt of eight affirmative votes, or in the event eight affirmative votes are not received, on the tenth day after passage.

PASSED AND APPROVED this 23rd day of June, 2022.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney