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

ORDINANCE

NEGOTIATION AND APPROVING THE **EXECUTION** OF PROFESSIONAL SERVICES AGREEMENTS WITH BEXAR LAND TRUST D/B/A GREEN SPACES ALLIANCE OF SOUTH TEXAS AND CONSERVANCY **EXCEED NATURE** NOT TO AGGREGATE OF \$1,750,000.00 FOR REAL ESTATE SERVICES UNDER THE EDWARDS AQUIFER PROTECTION PROGRAM. FUNDING FOR THESE PROFESSIONAL SERVICES AGREEMENTS IN THE AGGREGATE AMOUNT OF \$1,750,000.00 FOR THE LAND ACQUISITION SERVICES WILL BE SUPPORTED THROUGH THE SAN **ANTONIO** MUNICIPAL FACILITIES CORPORATION FUNDING AND IS INCLUDED IN THE FY 2023-2028 CAPITAL IMPROVEMENT PROGRAM FOR AN INITIAL THREE-YEAR TERM WITH TWO, ONE-YEAR ADMINISTRATIVE RENEWALS.

* * * * *

WHEREAS, the purpose of the Edwards Aquifer Protection Program (EAPP) is to protect the quality and quantity of water recharging into the aquifer. Since 2000, a 1/8-cent venue sales tax collection (Propositions 3 and 1) has generated \$325 million for protection of 172,688 acres to date; and

WHEREAS, in September 2020, City Council authorized a 10-year, \$100 million program through the San Antonio Municipal Facilities Corporation for continued expansion of the EAPP; and

WHEREAS, the City has previously issued Requests for Qualifications in 2011 and 2016 for land acquisition assistance for the EAPP and has held Professional Services Agreements with The Nature Conservancy and Bexar Land Trust d/b/a Green Spaces Alliance of South Texas for over a decade; and

WHEREAS, the current Professional Services Agreements will expire upon the EAPP's expenditure of the remaining balance of the 2015 Proposition 1 funding program which is projected to occur in Fiscal Year 2023; and

WHEREAS, the City issued a Request for Qualifications titled "Assistance with the Edwards Aquifer Protection Program" on January 21, 2022 with a submission deadline of March 7, 2022 with two proposal responses received, which were scored on March 29, 2022; and

CEH 03/15/2023 Item No.

WHEREAS, the evaluation team consisted of representatives from the Parks and Recreation Department, Conservation Advisory Board, Edwards Aquifer Authority, San Antonio River Authority and the Finance team who assisted with evaluations based on the firm's experience, background, qualifications, proposed management plan, and experience with local real estate conditions including conservation and watershed strategies; and

WHEREAS, the Professional Services Agreements will have a term of three years to commence immediately upon the expenditure of the remaining balance of the 2015 Proposition 1 funding which is anticipated to occur in the current fiscal year; and

WHEREAS, under each agreement the City will receive recommendations for acquisition through fee-simple purchase or conservation easement based on an established scientific ranking system including contract negotiation and property closing 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 the Parks and Recreation Department or designee is authorized to approve the negotiation and execution of Professional Services Agreements with Bexar Land Trust d/b/a Green Spaces Alliance of South Texas and The Nature Conservancy not to exceed an aggregate of \$1,750,000.00 for real estate services under the Edwards Aquifer Protection Program. Funding for these Professional Services Agreements in the aggregate amount of \$1,750,000.00 for the land acquisition services will be supported through the San Antonio Municipal Facilities Corporation funding and is included in the FY 2023-2028 Capital Improvement Program for an initial three-year term with two, one-year administrative renewals.

SECTION 2. 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 SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 3. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 23rd day of March, 2023.

M A Y O R
Ron Nirenberg

ATTEST:	APPROVED AS TO FORM:
Debbie Racca-Sittre, City Clerk	Andrew Segovia, City Attorney