

AN ORDINANCE 2008-08-07-0633

AUTHORIZING THE SUBMISSION OF A U.S. FISH & WILDLIFE SECTION 6 GRANT APPLICATION TO THE TEXAS PARKS & WILDLIFE DEPARTMENT AND ACCEPTANCE, UPON AWARD, OF UP TO \$2.5 MILLION TO UNDERTAKE A REGIONAL HABITAT CONSERVATION PLAN; AND AUTHORIZING THE REQUIRED 25% LOCAL MATCHING CONTRIBUTION UPON AWARD OF GRANT FUNDS.

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WHEREAS, the US Fish & Wildlife Service (FWS) is an agency of the US Department of the Interior and makes funds available to state wildlife agencies through the Cooperative Endangered Species Conservation Fund from Section 6 of the Endangered Species Act to undertake Regional Habitat Conservation Plans (RHCP); and

WHEREAS, RHCPs are undertaken to manage and mitigate all federally listed endangered species within a FWS recovery area; and

WHEREAS, eleven (11) federally listed endangered species can be found within Bexar County and undertaking a RHCP would facilitate local development by not requiring individual Habitat Conservation Plans (HCPs) for each development; and

WHEREAS, upon the completion of a RHCP, the City and/or County shall become the permitting agencies for FWS, thereby facilitating incidental takes and mitigating habitat to ensure the survival of federally listed endangered species; **NOW THEREFORE:**

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

SECTION 1. The City Manager or a designated representative is authorized to submit, in conjunction with Bexar County, a U.S Fish & Wildlife Section 6 grant application to the Texas Parks & Wildlife Department requesting grant funds in an amount not to exceed \$2.5 million and to accept such funds upon award.

SECTION 2. The City Manager or her designee is authorized to execute any and all documents necessary to effectuate the intent and purpose of this ordinance.

SECTION 3. The City's local match contribution is estimated to be between \$250,000.00 and \$312,500.00. Staff will coordinate with Bexar County to be a co-applicant for the RHCP and to develop the grant application, including budget and City portion of the matching contribution.

SECTION 4. Fund No. 26052000, entitled "Texas Parks & Wildlife Department," is hereby designated for use in the accounting for the fiscal transaction in the acceptance of this grant should funding be awarded. Any sum from the disbursement of grant funds from the Texas Parks & Wildlife Department will be appropriated in said fund. A formal final budget which will include Internal Order numbers and General Ledger numbers will be submitted by the department upon award.

SECTION 5. The financial fiscal allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance 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 6. This ordinance shall be effective immediately upon eight (8) affirmative votes and after the tenth (10th) day from passage upon fewer than eight (8) affirmative votes.

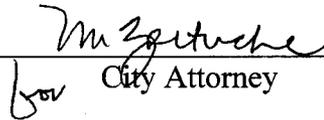
PASSED AND APPROVED this 7th day of AUGUST 2008.


M A Y O R
PHIL HARDBERGER

ATTEST:


City Clerk

APPROVED AS TO FORM: _____


City Attorney

Agenda Item:	4B (in consent vote: 4A, 4B)						
Date:	08/07/2008						
Time:	10:13:34 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance authorizing the submission of a U.S. Fish and Wildlife Section 6 grant application to the Texas Parks & Wildlife Department and acceptance, upon award, of up to \$2,500,000.00 to undertake a Regional Habitat Conservation Plan; authorizing the required 25% local matching contribution upon award of grant funds.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Phil Hardberger	Mayor		x				
Mary Alice P. Cisneros	District 1		x				
Sheila D. McNeil	District 2		x				
Jennifer V. Ramos	District 3		x				
Philip A. Cortez	District 4		x				
Lourdes Galvan	District 5		x				
Delicia Herrera	District 6		x				
Justin Rodriguez	District 7		x				
Diane G. Cibrian	District 8		x			x	
Louis E. Rowe	District 9		x				x
John G. Clamp	District 10		x				



CITY OF SAN ANTONIO
Request for Council Action

Agenda Item # 4
Council Meeting Date: 8/7/2008
RFCAs Tracking No: R-3703

DEPARTMENT: Office of Military Affairs

DEPARTMENT HEAD: Robert Murdock

COUNCIL DISTRICT(S) IMPACTED:
City Wide

SUBJECT:
Camp Bullis Resolution of Support and Grant Application

SUMMARY:

The Office of Military Affairs requests City Council approval of a Resolution of Support to direct staff to undertake initiatives to preserve Camp Bullis.

This ordinance authorizes the submission of a U.S. Fish & Wildlife (FWS) Section 6 Competitive Grant application to the Texas Parks & Wildlife Department, in conjunction with Bexar County, Texas, and acceptance upon award of a grant in an amount up to \$2,500,000.00 to be used to undertake a Regional Habitat Conservation Plan to ensure the survival of federally listed endangered species.

BACKGROUND INFORMATION:

City Council on February 21, 2008, approved Ordinance 2008-02-21-0128 to authorize the Office of Military Affairs (OMA) to undertake a Joint Land Use Study of Camp Bullis to ensure the viability of its mission. That study is now underway but in need of urgent action to address short-term concerns that may potentially degrade the mission at the installation. The Office of Military Affairs requests City Council approval of a Resolution of Support to direct staff to undertake initiatives to preserve the mission at Camp Bullis including an Ordinance authorizing the submission of a FWS grant application in partnership with Bexar County, Texas to commence a Regional Habitat Conservation Plan.

A major component of the Base Realignment and Closure (BRAC) 2005 actions is the Medical Education and Training Command (METC). This mission will be charged with training combat medics for all the military services. Currently, Fort Sam Houston trains the Army's combat medics. After BRAC is implemented, daily student load at the METC campus will increase from 4,500 to 9,000 and over 27,000 students will train at Fort Sam Houston on a yearly basis. Vital to the METC mission is field training at Camp Bullis. Camp Bullis allows our service men and women to receive the best training possible in order to carry out their mission in defense of our country.

ISSUE:

Seven initiatives have been identified to preserve the mission at Camp Bullis.

- Camp Bullis Notification Process within 5 miles - The Development Services Department received a Council Consideration Request from Councilwoman Cibrian asking for notification to the City's Office of Military Affairs when a proposed development is located within five (5) miles of Camp Bullis. Defining this awareness zone will ensure future developments are coordinated with the appropriate military staff.

Staff will change the rezoning notification policy from three (3) miles to five (5) miles and include proposed development applications for Preliminary Development Meetings, Master Development Plans, Plats and Rights Determinations. This notification will alert all applicable parties of the development and will ensure that the applicant for the proposed development is notified that they are within five (5) miles of Camp Bullis.

- Downward Lighting—Pursuant to Texas House Bill 1852, Bexar County has adopted regulations for the installation and use of outdoor lighting for properties within their jurisdiction and within three (3) miles of the Camp Bullis boundaries. The City of San Antonio should complement the County's efforts by exploring the implementation of similar regulations

Staff will explore an overlay zoning district, at the Council Consideration Request of Councilwoman Cibrian, that would require downward directional lighting for all developments within a designated area.

- Regional Habitat Conservation Plan—US Fish and Wildlife Service (FWS) is an agency of the US Department of the Interior and makes funds available to state wildlife agencies through the Cooperative Endangered Species Conservation Fund from Section 6 of the Endangered Species Act to undertake Regional Habitat Conservation Plans (RHCP). RHCPs are undertaken to manage/mitigate all federally listed endangered species within a FWS recovery area. There are eleven (11) federally listed endangered species within Bexar County which would be addressed by the RHCP. The RHCP facilitates local development by not requiring individual Habitat Conservation Plans (HCPs) for each development. Upon completion of a RHCP, local jurisdictions, City and/or County, become the permitting agencies for FWS, thereby facilitating incidental takes and mitigating habitat to ensure the survival of federally listed endangered species. City staff seeks City Council approval to submit an application for the the FWS Section 6 Competitive Grant Program to commence the Regional Habitat Conservation Plan, in partnership with Bexar County, at the Council Consideration Request of Councilwoman Cibrian.

A response to the RHCP grant proposal is due September 1, 2008 to the Texas Parks & Wildlife Department and September 22, 2008 to US Fish & Wildlife Service.

- Camp Bullis Transportation Plan—Combat medic training is a critical mission at Fort Sam Houston and Camp Bullis. Identifying and ensuring safe transportation routes between Fort Sam Houston and Camp Bullis is vital to mission preservation.

Staff will formulate a transportation plan between Camp Bullis and Fort Sam Houston. In consultation with Fort Sam Houston and Camp Bullis, staff will identify and estimate the number of shuttles and heavy vehicles per day that can be expected to commute between Fort Sam Houston and Camp Bullis, identify preferred and alternate routes, military gates, and existing rules and regulations on the strategic military highway networks and produce a map with potential routes to include Texas Department of Transportation (TxDOT) roadways.

- Community Outreach – As the process of balancing growth and development with the needs of Camp Bullis continues, it is important that all stakeholders be made aware of the importance of habitat protection in the surrounding areas. Stakeholders include, but are not limited to, real estate professional, property developers and community members. By providing accurate information on the need to preserve ecologically sensitive habitat areas, the City can involve the entire community in the process and potentially avoid conflicts later.

Staff will schedule an informational meeting with real estate professionals, property developers and community members to raise awareness about the importance of habitat protection.

- Endangered Species Assessment – Current federal law requires property developers to assess the presence and condition of endangered species before or during the development of said property if evidence of such a species is found. In most cases, the City may be unaware of either the assessment or the results. In order for City staff to be aware of potential issues raised by the presence of an endangered species, the assessment(s) should be made available. In cases where no assessment has been conducted, the City ought to be able to request that one be done.

Staff will explore the possibility of requiring property developers to provide the City with a copy of the endangered species assessment documents on developments within five miles of Camp Bullis.

- Legislative Priorities – Because any initiatives regarding Camp Bullis will require the collaborative efforts on many governmental levels, it is important that regional partners approach the matter as a unified group. On matters requiring state legislative action, such collaboration will raise the likelihood of passage during the 2009 Texas Legislative Session.

Staff will incorporate the various initiatives regarding Camp Bullis in the City's state legislative agenda. Issues could include requesting greater authority for counties regarding land use and planning in limited areas around military installations, such as Camp Bullis, creating a multi-jurisdictional oversight board that will collectively implement comprehensive land use and planning controls and pursuing tax increment financing authority for the purpose of acquiring land and/or easements within defined buffer zones.

ALTERNATIVES:

The only alternative that exists is to wait for the completion of the Camp Bullis Joint Land Use, expected by the end of April 2009, and then consider its proposed recommendations and

initiatives. A response to this proposal is due September 1, 2008, to the Texas Parks and Wildlife Department and September 22nd to US Fish and Wildlife Service. FWS grants are awarded on a competitive basis; if the City chooses not to apply, then the City lessens its chances at securing grant dollars.

FISCAL IMPACT:

The Section 6 Fish & Wildlife Grant Program requires a 25% local matching contribution. The City's local match contribution is estimated to be between \$250,000.00 and \$312,500.00. Staff will coordinate with Bexar County to be a co-applicant for the RHCP and to develop the grant application, including budget and City portion of the matching contribution.

RECOMMENDATION:

Staff recommends approval of the Resolution of Support for Camp Bullis, and an Ordinance authorizing the submission of the U.S. Fish & Wildlife Section 6 Grant Program application and acceptance upon award. Future items regarding the preservation of Camp Bullis will be presented before the pertinent boards/commissions/committees, including consideration by the Infrastructure and Growth Council Committee, before final consideration by City Council.

ATTACHMENT(S):

File Description	File Name
Camp Bullis Resolution of Support	Camp Bullis Resolution of Support--8.7.08.doc
Voting Results	
Voting Results	
Ordinance/Supplemental Documents	200808070633.pdf
Resolution/Supplemental Documents	200808070034R.pdf

DEPARTMENT HEAD AUTHORIZATIONS:

Robert Murdock Director Office of Military Affairs

APPROVED FOR COUNCIL CONSIDERATION:

Pat DiGiovanni Deputy City Manager