SW/vv
01/29/15
Item #4

A RESOLUTION 2015-01-29-0005R

DESIGNATING THE EDWARDS AQUIFER PROTECTION VENUE PROJECT AND THE PARKS DEVELOPMENT AND EXPANSION VENUE PROJECT UNDER LOCAL GOVERNMENT CODE CHAPTER 334 AND AUTHORIZING THE CONTINUATION OF A 1/8 CENT SALES TAX TO FUND THESE VENUE PROJECTS

* * * * *

WHEREAS, the City Council of the City of San Antonio, Texas ("City Council") desires to provide for the planning, acquisition, establishment, development, construction or renovation of two venue projects ("Venue Projects") as authorized by, and defined in, Chapter 334, Texas Local Government Code, as amended ("Chapter 334"), which is described in Section 2 below; and

WHEREAS, if the Venue Projects described herein are approved by the voters under Chapter 334, the City may use money received from the sales and use tax approved by the voters to reimburse or pay the costs of planning, acquiring, establishing, developing, constructing, monitoring, maintaining or renovating such approved Venue Projects, or pay the principal and interest on, and other costs relating to bonds or other obligations issued by the City to finance these Venue Projects; and

WHEREAS, Chapter 334, Section 334.024, authorizes the City to order an election on the question of approving and implementing this Resolution and approving these Venue Projects and the method of financing; and

WHEREAS, Chapter 334, Section 334.022, requires the City before calling an election, to send a copy of this Resolution to the State Comptroller, who shall before the 15th day after the date he receives a copy of this Resolution, (1) perform an analysis to determine if approval and implementation of this Resolution will have a significant negative fiscal impact on state revenue, and (2) provide the City written notice of the results of the analysis; and

WHEREAS, Chapter 334, Section 334.022, provides that if the Comptroller determines that implementation of this Resolution will have a significant negative fiscal impact on state revenue, the written analysis required thereunder must include information on how to change this Resolution so that implementation will not have a significant negative fiscal impact on state revenue; and

WHEREAS, Chapter 334 further provides that if the Comptroller determines that implementation of this Resolution will not have a significant negative impact on state revenue or if the Comptroller has not provided the analysis by the 30th day, the City Council may order an election on the question of approving and implementing this Resolution; and

WHEREAS, the City Council further desires to authorize and direct the City Manager to forward a copy of this Resolution to the State Comptroller as required by Section 334.022 for his

review and analysis as prescribed therein, prior ro the City Council's consideration of an order calling an election under Chapter 334, and

WHEREAS, it is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code: **NOW THEREFORE:**

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

SECTION 1. INTENTION TO PROVIDE FOR A VENUE PROJECT. The City Council does hereby adopt this Resolution to provide for the planning, acquisition, establishment, development, construction, monitoring, maintenance or renovation of a "Venue Project" as defined by Chapter 334, and as described herein, and to provide for the financing of both Venue Projects by the continued imposition of a sales and use tax at the rate of one-eighth of one percent (1/8 of 1%), upon approval of the Venue Projects designated in Section 2, and the method of financing thereof, by the voters of the City at an election to be called by the City Council.

SECTION 2. DESIGNATION OF THE VENUE PROJECTS. The City Council does hereby designate the following project authorized by Section 334.001(4)(F) of Chapter 334 as a "Venue Project" and hereby declares its intention to finance and to provide for the planning, acquisition, establishment, development, construction, monitoring, maintenance or renovation thereof, all pursuant to authority granted by Chapter 334 (referred to herein as the Edwards Aquifer Protection Venue Project"):

> *The acquisition of property for a conservation easement or open-space preservation program and the development of a recharge, recharge area or recharge feature protection program in the Edwards Aquifer Recharge and Contributing Zones both inside and outside Bexar County intended to protect water in the Edwards Aquifer.*

The City Council does hereby designate the following project authorized by Section 334.001(4)(D) of Chapter 334 as a "Venue Project" and hereby declares its intention to finance and to provide for the planning, acquisition, establishment, development, construction, monitoring, maintenance or renovation thereof, all pursuant to authority granted by Chapter 334 (referred to herein as the "Parks Development and Expansion Venue Project"):

> *The acquisition of open space and development of linear parks along San Antonio's Creekways, specifically including the Leon Creek, Salado Creek, Medina River, San Antonio River, and tributaries, such as the Apache, Alazan, Culebra, Huesta, Huebner, Lorence, Martinez, Olmos, and San Pedro, and for improvements and additions to the Municipal Parks and Recreation System.*

SECTION 3. DESIGNATION OF THE METHOD OF FINANCING FOR THE VENUE PROJECTS. The City Council does hereby designate and determine that the method of financing for the Edwards Aquifer Protection Venue Project and the Parks Development and Expansion Venue Project, if approved by the voters, shall be through the imposition of a sales and use tax at the rate of one-eighth of one percent (1/8 of 1%), a portion of which tax will be shared if both Projects are approved by the voters.

SECTION 4. AUTHORIZING AND DIRECTING CITY MANAGER TO SUBMIT RESOLUTION TO STATE COMPTROLLER. The City Council does hereby authorize and direct the City Manager to submit a copy of this Resolution to the State Comptroller, as required by the provisions of Section 334.022 of the Texas Local Government Code, for his review and analysis as required by the provisions of such Section. Upon receipt of notice from the Comptroller that he has determined that implementation of this Resolution will not have significant negative impact on state revenue, the City Manager is authorized and directed to bring before the City Council for its consideration an ordinance calling an election pursuant to the authority and requirements of Chapter 334.

SECTION 5. INCORPORATION OF RECITALS. The City Council hereby finds that the statements set forth in the recitals of this Resolution are true and correct, and the City Council hereby incorporates such recitals as a part of this Resolution.

SECTION 6. SEVERABILITY. If any provision of this Resolution or the application thereof to any circumstance shall be held to be invalid, the remainder of this Resolution and the application thereof to other circumstances shall nevertheless be valid, and this governing body hereby declares that this Resolution would have been enacted without such invalid provision.

SECTION 7. EFFECTIVE DATE. This ordinance shall take effect immediately, upon passage by eight (8) affirmative votes.

PASSED AND APPROVED this 29th day of January, 2015.

Ivy R. Taylor

M A Y O R
Ivy R. Taylor

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

for Martha G. Sepeda, Acting City Attorney

Agenda Item:	**4**
Date:	01/29/2015
Time:	11:16:26 AM
Vote Type:	Motion to Approve
Description:	A Resolution designating the Edwards Aquifer Protection Venue Project at $100 million and the Parks Development and Expansion Venue Project at $80 million funded by a 1/8th cent sales and use tax under Local Government Code Chapter 334. [Peter Zanoni, Deputy City Manager; Mike Etienne, EastPoint and Real Estate Services; Xavier Urrutia, Director, Parks and Recreation]
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Trevino	District 1		x				
Alan Warrick	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				x
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x			x	
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				

Edwards Aquifer Protection Program & Linear Creekway Parks Development Program

1

CITY OF SAN ANTONIO
CITY COUNCIL MEETING
JANUARY 29, 2015
ITEM #4

Presented by:

Peter Zanoni, Deputy City Manager

Edwards and Park Trails Programs

2

1. A resolution designating two venue projects:
   - Edwards Aquifer Protection Program - $100 million
     - $90 million for conservation easements and land purchases
     - $10 million for Bexar County watershed and recharge protection initiatives
   - Parks Linear Creekway Program - $80 million
2. Policy direction for a Special Election on May 9, 2015 for the venue projects to be considered by the voters

May 9, 2015 Election Timeline

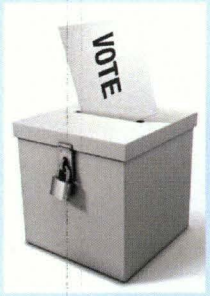
3

Jan. 29, 2015
City Council Resolution

Up to 15 days
State Comptroller Determination

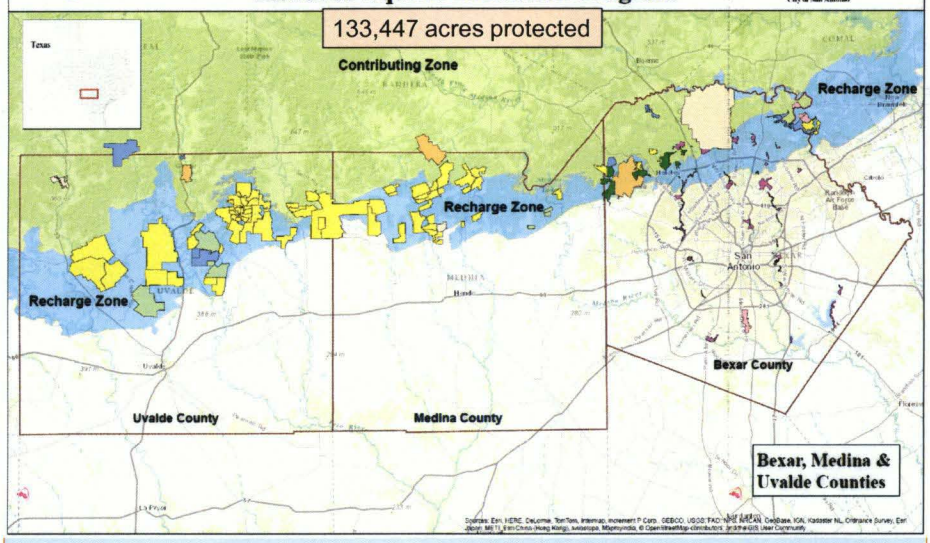
Feb. 26, 2015
Call for Election

May 9, 2015
Election Date



City of San Antonio Edwards Aquifer Protection Program

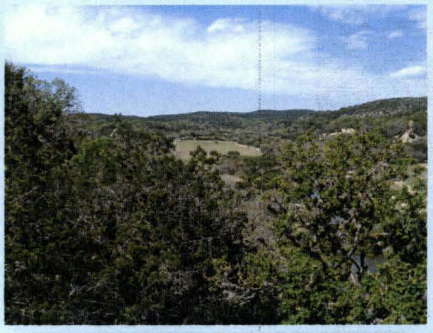
133,447 acres protected



Edwards Program Protected Land

5

McNair Ranch – Blanco Creek



Dehnisch Ranch – Uvalde County

Edwards Program Protected Land

6

Heep Ranch – Verde Creek

KHK Ranch – Frio River

Edwards Program Protected Land

7

McNeel Ranch – San Geronimo Creek

Estrella Ranch – Cave

Edwards Program Protected Land

8

Classen-Ramsay Ranch – Bexar County

Madla Park – Bexar County

Linear Creekway Parks Development Plan

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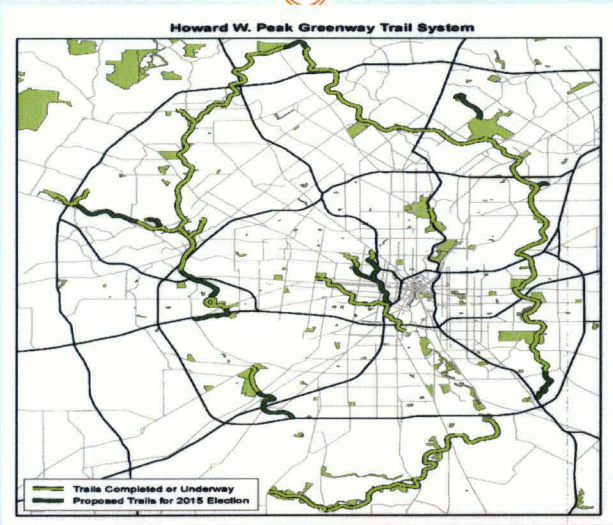
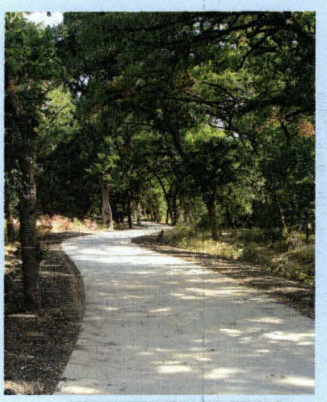


Linear Creekway Parks

10

Leon Creek Greenway



Leon Creek Greenway at Pearsall Park

Linear Creekway Parks

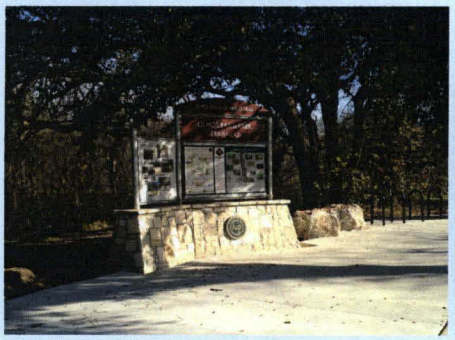
11

Leon Creek Greenway Earl Scott Pond

Salado Creek Greenway – Interpretive Sign at Walker Ranch Park

Linear Creekway Parks

12

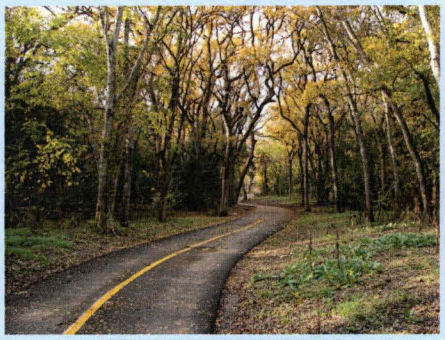


Olmos Basin Tributary Trail

Salado Creek Greenway connection to J-Street Park

Linear Creekway Parks

13



Salado Creek Greenway near MLK Park

Salado Creek Greenway near Tobin Park

Linear Creekway Parks

14

Salado Creek Greenway at Southside Lions Park

Medina River Greenway Old Applewhite Trailhead

Linear Creekway Parks

15

Pearsall Park Master Plan

Linear Creekway Parks

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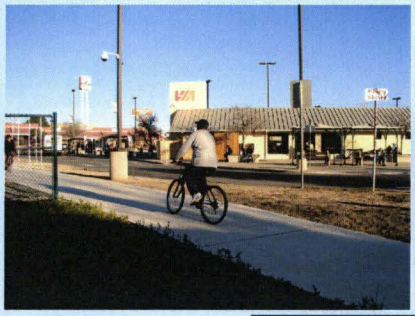


Leon Creek Greenway
VIA Transit Center Trailhead

Linear Creekway Parks

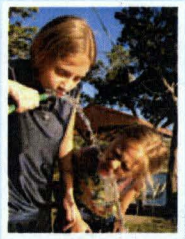
17

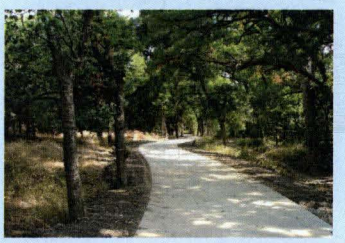
Apache Creek Linear Park

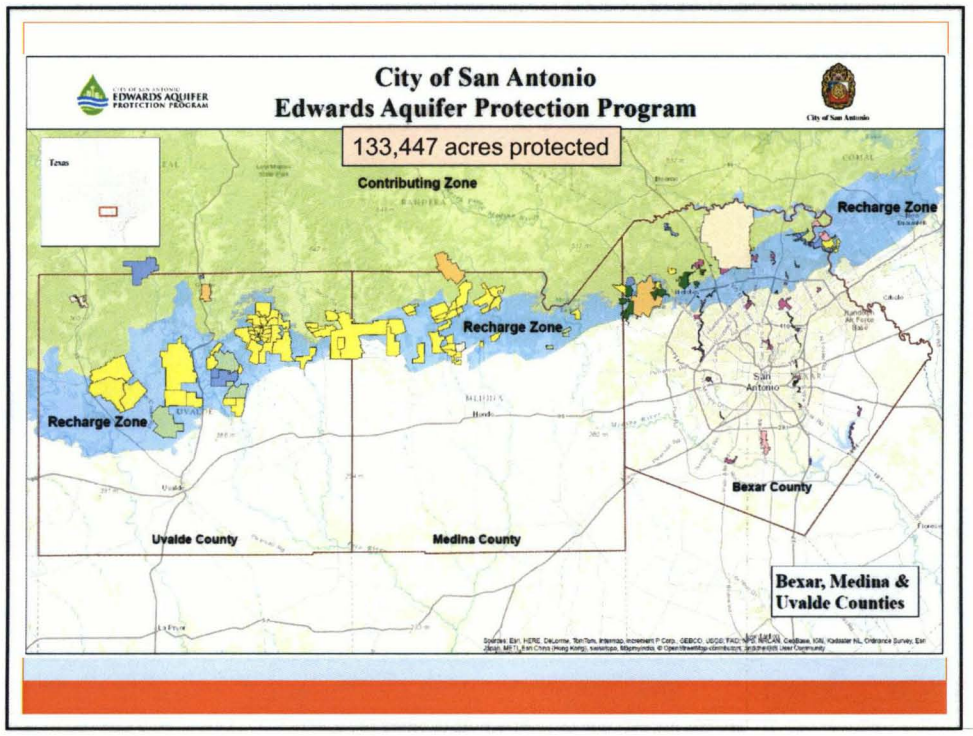
Edwards and Creekways Program History

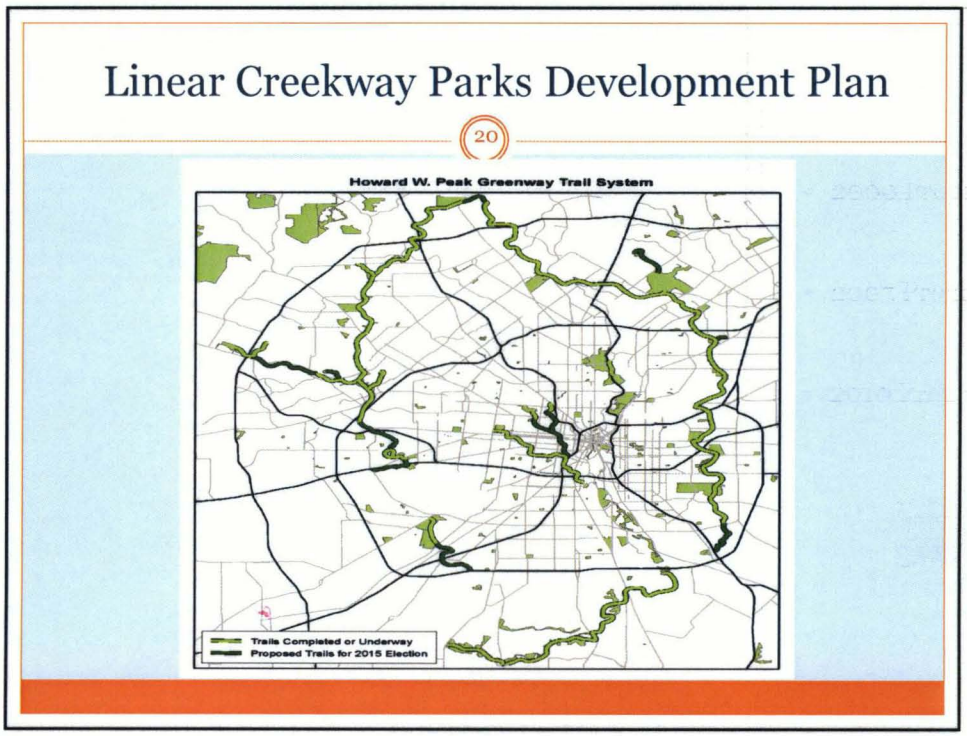
18

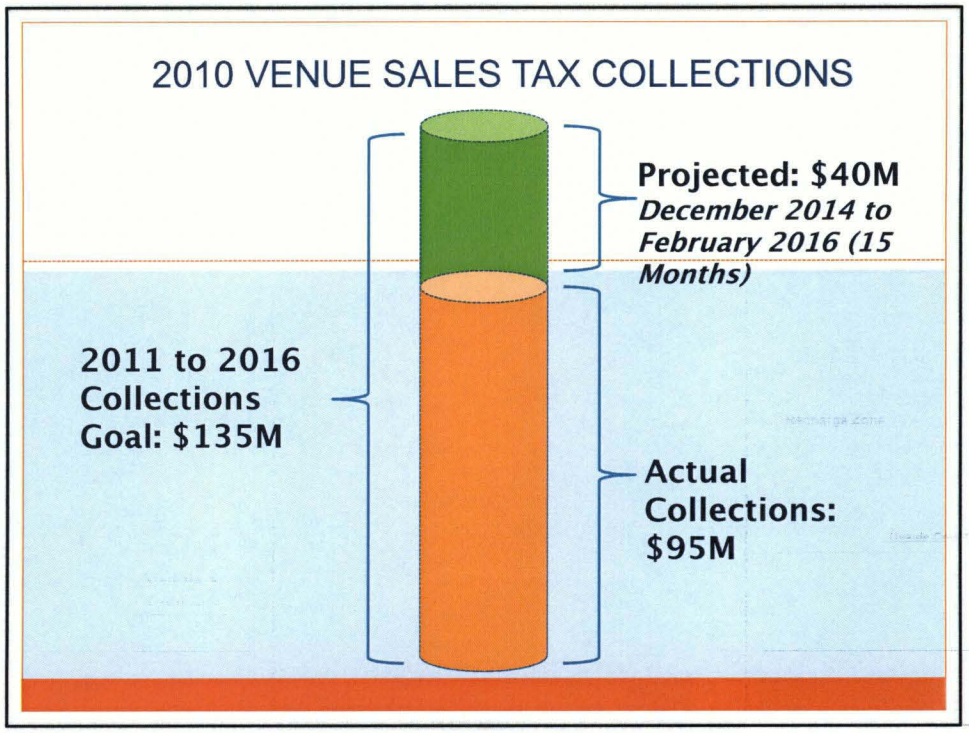
- 2000 Program – $65 million
  - $45m for Edwards Aquifer Program
  - $20m for Linear Creekway Parks Program
- 2005 Program - $135 million
  - Proposition 1 - $90m for Edwards Program
  - Proposition 2 - $45m for Creekways Program
- 2010 Program - $135 million
  - Proposition 1 - $90m for Edwards Program
  - Proposition 2 - $45m for Creekways Program






City of San Antonio
Edwards Aquifer Protection Program
133,447 acres protected
Contributing Zone
Recharge Zone
Recharge Zone
Recharge Zone
Bexar County
Uvalde County
Medina County
Bexar, Medina & Uvalde Counties


Linear Creekway Parks Development Plan
20
Howard W. Peak Greenway Trail System
Trails Completed or Underway
Proposed Trails for 2015 Election


2010 VENUE SALES TAX COLLECTIONS
Projected: $40M
December 2014 to February 2016 (15 Months)
2011 to 2016 Collections Goal: $135M
Actual Collections: $95M

Proposed Funding Levels
2016 - 2021
22
$180 million
Total
$100 million
Edwards Program
$80 million
Linear Creekway Parks Program
$90 million
Conservation Easements & Land Purchases
$10 million
Urban Area Demonstration Projects

Program Recommendations

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Edwards Aquifer Protection Program

- $90 million for conservation easements and open space preservation over the Recharge and Contributing Zones
- $10 million for watershed and recharge protection and recharge projects within Bexar County

Concan Ranch – Uvalde County

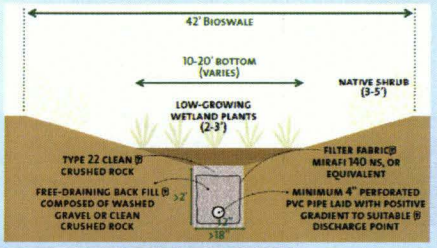
Moore Ranch – Verde Creek

Watershed Protection Projects

24

Examples of Low Impact Development

- Bioretention/Bioswales
- Constructed wetlands
- Dry detention basins
- Green roofs
- Porous pavement & parking lots
- Rain gardens
- Retention-irrigation
- Wet basins



Bioswales

Watershed Protection Projects

25

Pervious Parking Lots

Watershed Protection Projects

26

Rain Gardens

Program Recommendations

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Parks Linear Creekway Program

- $80 million for the acquisition of open space and development of linear parks
- To the extent possible and practical, watershed and water quality protection efforts will be incorporated when developing park improvements within the re-authorized project venue

Salado Creek Greenway

COSA Linear Park System

Board & Committee Recommendations

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1. City Council Governance Committee met on January 28, 2015 and recommended this Resolution to City Council
2. The Conservation Advisory Board (CAB) passed a resolution supporting reauthorization of the Edwards Aquifer Protection Program in September 2014
3. The Linear Creekway Advisory Board passed a resolution supporting reauthorization of the Parks Linear Creekway Program in January 2015

City Staff Recommendation

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City Council approve Resolution for two venue projects:

1. Edwards Aquifer program totalling $100 million
   - $90M for continuation of conservation easement and land purchases
   - $10M dedicated to watershed and recharge protection projects exclusively in Bexar County
2. Linear Creekway Parks program totaling $80 million
   - Continuation of existing program objectives and, when possible and practical, watershed and water quality protection efforts for future parks improvements
3. Special Election on May 9, 2015