

**CITY OF SAN ANTONIO
SAN ANTONIO METROPOLITAN HEALTH DISTRICT
CITY COUNCIL AGENDA MEMORANDUM**

TO: Mayor and City Council

FROM: Fernando A. Guerra, MD, MPH, Director of Health

SUBJECT: JOINT FUNDING AGREEMENT WITH THE UNITED STATES
DEPARTMENT OF THE INTERIOR, U.S. GEOLOGICAL SURVEY

DATE: March 31, 2005

SUMMARY AND RECOMMENDATIONS

This ordinance authorizes the Interim City Manager, or his designee, to execute an agreement in the amount of \$55,000.00 between the United States Department of the Interior's U.S. Geological Survey (USGS) and the San Antonio Metropolitan Health District's Public Center for Environmental Health whereby the USGS will provide surface water data collection and monitoring activities of Leon Creek, upstream and downstream from the former Kelly Air Force Base (KAFB), during the period October 1, 2004 through September 30, 2005. In addition, this ordinance authorizes payment for contractual services.

Staff recommends approval.

BACKGROUND INFORMATION

In Ordinance No. 94645, passed and approved September 27, 2001, the City entered into a ten (10) year cooperative agreement with the Secretary of the Air Force for the San Antonio Metropolitan Health District to establish and operate a Public Center for Environmental Health (PCEH).

The mission of PCEH is to conduct scientific evaluations directed toward health impacts from potential exposure to environmental contamination related to releases of hazardous substances from the former Kelly Air Force Base. During fiscal year 2004 the Air Force Real Property Agency began installing remediation technology within the residential community near the former Kelly Air Force Base (KAFB). Residents have expressed health concerns from potential exposure related to the release of hazardous substances at the former KAFB. Fish living in Leon Creek were found to contain Polychlorinated Biphenyls (PCBs), and a subsequent fish advisory was issued through the Texas Department of State Health Services for Leon Creek. Due to concerns, the water quality of Leon Creek will be monitored upstream and downstream from the former KAFB through water-quality data collection activities.

Authorization of this agreement will provide installation, operation and maintenance of two continuous water quality monitors in said locations during the period of October 1, 2004 through September 30, 2005. This Leon Creek project is a part of a larger collaborative effort between

San Antonio River Authority (SARA), Texas Commission on Environmental Quality (TCEQ), Bexar Met Water District, San Antonio Water System (SAWS) and United States Geological Service (USGS) to provide the public with continuous water quality monitoring for the entire San Antonio River Basin. In addition, this data would determine baseline conditions and monitor long-term changes in water quality for Leon Creek.

Real-time surface water quality monitoring data is currently unavailable to the residents of the area. This project will build upon foundations established with other agencies to intensify data collection and analysis of weather conditions, water quality, and stream flows in the San Antonio River Basin. Leon Creek flows through the former Kelly Air Force Base. A database of retrieved continuous stream flow and water quality data from the monitoring sites will be maintained. The resulting records will be available on the TCEQ web page for public review. Basic continuous automated monitoring will initially include the assessments of temperature, dissolved oxygen, pH, and specific conductance in Leon Creek.

Water quality parameters will be measured and updated once per hour, while flow and precipitation data will be transmitted every three to five minutes. This approach allows for the identification of changes in water quality, the discovery of emerging water quality problems, the assessment of pollution control measures, the effectiveness of compliance, and the impact of emergency response efforts.

POLICY ANALYSIS

Approval of this ordinance will provide the residents living near the former Kelly Air Force Base with current real-time data on Leon Creek water quality and thereby address pollution concerns brought forth by the community. The project will also determine baseline conditions and monitor long-term changes in water quality for Leon Creek, which flows through the former KAFB, as well as identify emergencies, such as spills and floods. The project will link real-time surface water quality monitoring between several government agencies for the San Antonio River Basin.

FISCAL IMPACT

The \$55,000.00 cost of this agreement will be paid from SAMHD's Public Center for Environmental Health (PCEH), a program funded through a grant from the U.S. Department of Defense.

Acceptance of this agreement will place no demand on the City General Fund.

COORDINATION

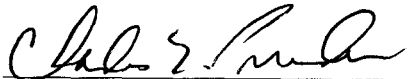
The City Attorney's Office and the Human Resources Department, Risk Management Division, have reviewed the joint funding agreement.

SUPPLEMENTARY COMMENTS

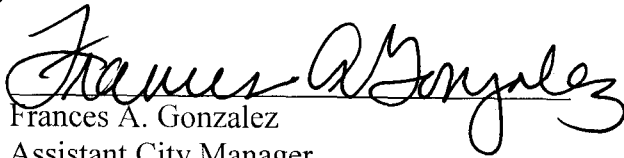
Provisions of the Ethics Ordinance do not apply.

Attachments:

Attachment I: U.S. Department of the Interior, U.S. Geological Survey Joint
Funding Agreement



Fernando A. Guerra, MD, MPH
Director of Health



Frances A. Gonzalez
Assistant City Manager



J. Rolando Bono
Interim City Manager

AN ORDINANCE

AUTHORIZING THE EXECUTION OF AN AGREEMENT IN THE AMOUNT OF \$55,000.00 BETWEEN THE UNITED STATES DEPARTMENT OF THE INTERIOR'S U.S. GEOLOGICAL SURVEY (USGS) AND THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT'S PUBLIC CENTER FOR ENVIRONMENTAL HEALTH WHEREBY THE USGS WILL PROVIDE SURFACE WATER DATA COLLECTION AND MONITORING ACTIVITIES OF LEON CREEK, UPSTREAM AND DOWNSTREAM FROM THE FORMER KELLY AIR FORCE BASE (KAFB) DURING THE PERIOD OCTOBER 1, 2004 THROUGH SEPTEMBER 30, 2005; AND AUTHORIZING PAYMENT FOR CONTRACTUAL SERVICES.

* * * * *

WHEREAS, the San Antonio Metropolitan Health District (SAMHD) provides comprehensive public health services to protect the health of all residents within the jurisdiction of the District; and

WHEREAS, residents of communities surrounding the former Kelly Air Force Base (KAFB) have expressed health concerns from potential exposure related to the release of hazardous substances at the former base; and

WHEREAS, the U. S. Air Force (DoD) and the SAMHD have entered into a cooperative agreement with a mutual interest in protecting the health, safety and welfare of those living in the surrounding communities; and

WHEREAS, the Public Center for Environmental Health (PCEH), which is operated by the SAMHD and funded by the DoD for the purpose of investigating, assessing and addressing environmental health concerns related to potential environmental exposures to former KAFB employees and the community, desires to initiate and monitor surface water data collection and monitoring activities of Leon Creek, upstream and downstream from the former KAFB; and

WHEREAS, United States Department of the Interior's U.S. Geological Survey (USGS) has offered a funding agreement whereby the USGS will provide water-quality data collection activities during the period October 1, 2004 through September 30, 2005; and

WHEREAS, it is now necessary to execute an agreement with USGS to monitor water-quality data collection activities of Leon Creek, and authorize payment for contractual services; **NOW THEREFORE:**

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

SECTION 1. The Interim City Manager, or his designee, is hereby authorized to execute a Joint Funding Agreement with the United States Department of the Interior, U.S. Geological Survey, Water Resources Division for services in connection with the water-quality data collection activities and continuous water quality monitoring of Leon Creek, upstream and downstream from the former Kelly Air Force Base, for the period October 1, 2004 through September 30, 2005. A copy of the Agreement is attached hereto and incorporated herein as Attachment I.

SECTION 2. Funds in the amount of \$55,000.00 are authorized to be appropriated and encumbered in SAP Fund No. 26032000, Funds Center 3611130000, Cost Center 3611130001, Internal Order 136000000245, SAP GL Number 5201040 "Fees to Professional Contractors - PROJECTS" and paid when a purchase order is issued made payable to the United States Department of the Interior, U.S. Geological Survey.

SECTION 3. The Director of Finance may, subject to concurrence by the Interim City Manager or the Interim City Manager's designee, correct allocation to specific fund numbers, account numbers, and internal order numbers as necessary to carry out the purpose of this ordinance.

SECTION 4. This ordinance shall be effective on and after the tenth day of passage hereof.

PASSED AND APPROVED this _____ day of March, 2005.

M A Y O R

ATTEST:

City Clerk

APPROVED AS TO FORM: _____

City Attorney

U.S. Department of the Interior
U.S. Geological Survey
Joint Funding Agreement
FOR
Water Resources Investigations

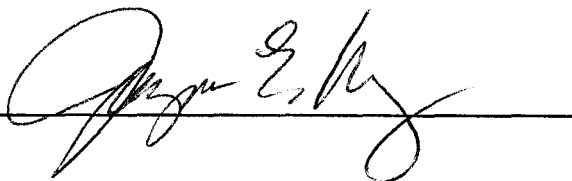
ATTACHMENT I
Agreement #: 05C4TX142000000
Customer #: TX142
Project #: 00370
TIN #: 74-60029708

THIS AGREEMENT is entered into as of the 1st day of **October, 2004**, by the U.S. GEOLOGICAL SURVEY, UNITED STATES DEPARTMENT OF THE INTERIOR, party of the first part, and the **CITY OF SAN ANTONIO, on behalf of the San Antonio Metropolitan Health District Public Center for Environmental Health** party of the second part.

1. The parties hereto agree that subject to the availability of appropriations and in accordance with their respective authorities there shall be maintained in cooperation **water-quality data collection activities**, hereinafter called the program.
2. The following amounts shall be contributed to cover all of the cost of the necessary field and analytical work directly related to this program.
 - (a) **\$0.00** by the party of the first part during the period
October 1, 2004 to September 30, 2005
 - (b) **\$55,000** by the party of the second part during the period
October 1, 2004 to September 30, 2005
 - (c) Additional or reduced amounts by each party during the above period or succeeding periods as may be determined by mutual agreement and set forth in an exchange of letters between the parties.
3. The costs of this program may be paid by either party in conformity with the laws and regulations respectively governing each party.
4. The field and analytical work pertaining to this program shall be under the direction of or subject to periodic review by an authorized representative of the party of the first part.
5. The areas to be included in the program shall be determined by mutual agreement between the parties hereto or their authorized representatives. The methods employed in the field and office shall be those adopted by the party of the first part to insure the required standards of accuracy subject to modification by mutual agreement.
6. During the course of this program, all field and analytical work of either party pertaining to this program shall be open to the inspection of the other party, and if the work is not being carried on in a mutually satisfactory manner, either party may terminate this agreement upon 60 days written notice to the other party.
7. The original records resulting from this program will be deposited in the office of origin of those records. Upon request, copies of the original records will be provided to the office of the other party.
8. The maps, records or reports resulting from this program shall be made available to the public as promptly as possible. The maps, records or reports normally will be published by the party of the first part. However, the party of the second part reserves the right to publish the results of this program and, if already published by the party of the first part shall, upon request; be furnished by the party of the first part; at cost, impressions suitable for purposes of reproduction similar to that for which the original copy was prepared. The maps, records or reports published by either party shall contain a statement of the cooperative relations between the parties.
9. Billing for this agreement will be rendered **quarterly**. Payments of bills are due within 60 days after the billing date. If not paid by the due date, interest will be charged at the current Treasury rate for each 30 day period, or portion thereof, that the payment is delayed beyond the due date. (31 USC 3717; Comptroller General File B-212222, August 23, 1983.).

U.S. GEOLOGICAL SURVEY
UNITED STATES
DEPARTMENT OF THE INTERIOR

By: _____



CITY OF SAN ANTONIO

By: _____
Frances A. Gonzalez Date
Assistant City Manager

By: _____

By: Attest: _____
Leticia M. Vacek
City Clerk

Approved As to Form: _____
Andrew Martin, City Attorney

ATTACHMENT FOR TX060

STATION NUMBER	DESCRIPTION	NO. UNITS	USGS FUNDS	COOP FUNDS	TOTAL FUNDS
003: WATER QUALITY					
08181470	Leon Creek at Hwy 90 at San Antonio, TX Installation of Water Quality Monitor	1	\$0	\$26,000	\$26,000
08181480	Leon Creek at IH 35 at San Antonio, TX Temperature, Conductance, pH, Diss. Oxygen Monitor (4 Parm.)	1	\$0	\$29,000	\$29,000
WATER-QUALITY TOTAL:			\$0	\$55,000	\$55,000

PROJECT	USGS FUNDS	COOP FUNDS	TOTAL FUNDS
SURFACE WATER: 003	\$0	\$55,000	\$55,000
TOTAL	\$0	\$55,000	\$55,000