

## Legislation Details (With Text)

<b>File #:</b>	22-567	<b>Name:</b>	
<b>Type:</b>	Resolution	<b>Status:</b>	Passed
<b>File created:</b>	5/17/2022	<b>In control:</b>	City Council
<b>On agenda:</b>	6/13/2022	<b>Final action:</b>	6/13/2022

**Title:** Approval of Memorandum of Understanding between the City and New Braunfels Utilities (NBU) for the for the payment of funds to NBU for a temporary, part-time Watershed Educator position at the Headwaters at the Comal and approval of an amendment to an existing Memorandum of Understanding between the City and New Braunfels Utilities (NBU) for the for the payment of funds to NBU for a temporary, part-time Watershed Educator position at the Headwaters at the Comal.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. MOU.pdf, 2. MOU - Second Amended.pdf

Date	Ver.	Action By	Action	Result
6/13/2022	1	City Council	approved	Pass

**PRESENTER:**

Mark Enders, Watershed Program Manager

**SUBJECT:**

Approval of Memorandum of Understanding between the City and New Braunfels Utilities (NBU) for the for the payment of funds to NBU for a temporary, part-time Watershed Educator position at the Headwaters at the Comal and approval of an amendment to an existing Memorandum of Understanding between the City and New Braunfels Utilities (NBU) for the for the payment of funds to NBU for a temporary, part-time Watershed Educator position at the Headwaters at the Comal.

**DEPARTMENT:** Public Works

**COUNCIL DISTRICTS IMPACTED:** All

**BACKGROUND INFORMATION:**

The City and its project partners are currently implementing the Watershed Protection Plan for the Dry Comal Creek and Comal River (WPP) to address bacteria loading to the Dry Comal Creek and Comal River. Education and outreach are a key component of the WPP and the WPP identifies a Watershed Educator at the Headwaters at the Comal as an education and outreach measure. The City has an existing contract with the Texas Commission on Environmental Quality (TCEQ) to receive grant funding from the TCEQ for measures included in the WPP. Specifically, \$25,000 was initially available available through the City’s grant to fund wages for a temporary, part-time Watershed Educator as well as costs for education and outreach materials. Surplus funds remaining in the grant contract with TCEQ have allowed for additional contributions to be made to NBU and the Headwaters at the Comal for additional wages to the Watershed Educator and for educational materials. The amount available for the Watershed Educator through August 31, 2022 is now \$40,000.

The Watershed Educator has been hired by the Headwaters at the Comal. The City wishes to reimburse NBU for wages disbursed to the Watershed Educator and for the cost of educational materials, not to exceed the amount of \$40,000 to be invoiced to the City and paid to NBU. A Memorandum of Understanding (MOU) has been executed to allow for the payment of funds to NBU to cover wages of the Watershed Educator and costs of educational materials. Per the MOU, NBU will submit monthly invoices to the City along with back-up documentation outlining work hours and efforts. The City will submit payment to NBU for these expenses. The City will submit invoices and back-up documentation to the TCEQ on a quarterly basis for reimbursement under the grant.

A MOU between the City and NBU was entered into on August 10, 2020. The MOU was previously amended to extend the terms of the MOU to from August 31, 2021 to August 31, 2022 to coincide with the extension of the City/ TCEQ grant contract through which the funds are available to reimburse NBU for the Watershed Educator. This second amendment will increase the funding amount to be dispersed to NBU to \$40,000 for the wages for the Watershed Educator and cost of educational materials.

The City has entered into an additional contract with TCEQ that is associated with the continued implementation of the WPP. This contract is effective between November 2021 and February 28, 2026 and includes \$25,000 for wages for the Watershed Educator and development of educational materials. A new MOU between the City and NBU has been drafted to allow for the payment of funds to NBU to cover wages of the Watershed Educator and costs of educational materials. Per the MOU, NBU will submit monthly invoices to the City along with back-up documentation outlining work hours and efforts. The City will submit payment to NBU for these expenses. The City will submit invoices and back-up documentation to the TCEQ on a quarterly basis for reimbursement under the grant.

**ISSUE:**

None

**FISCAL IMPACT:**

Funding is available through August 31, 2022 through a TCEQ grant to support all costs associated with the Watershed Educator position. Additional funding is available through February 2026 through a second grant contract with TCEQ for this same purpose. All payments and reimbursements are tracked in the Edwards Aquifer Habitat Conservation Plan/ WPP Fund.

**RECOMMENDATION:**

Staff recommends approval of the new MOU and the amended Memorandum of Understanding between the City and New Braunfels Utilities (NBU) for the for the payment of funds to NBU for a temporary, part-time Watershed Educator position at the Headwaters at the Comal.