

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

AN ORDINANCE

AUTHORIZING THE ACQUISITION OF A CONSERVATION EASEMENT OVER THE EDWARDS AQUIFER RECHARGE ZONE ON A 176.35 ACRE TRACT OF LAND KNOWN AS THE BENDELE RANCH LOCATED IN MEDINA COUNTY, TEXAS FROM MICHAEL BENDELE, AT A COST OF \$242,665.35.

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WHEREAS, the proposed purchase of a conservation easement on the Bendele Ranch tract is located over the Edwards Aquifer Recharge Zone in Medina County; and

WHEREAS, the property was initially identified through use of the Scientific Evaluation Team's GIS Spatial Model and subsequent site visits identified favorable recharge features on the property; and

WHEREAS, the Bendele Ranch tract is located within the Hondo Creek drainage basin which combined with faults and fractures contribute to significant recharge of the Edwards Aquifer; and

WHEREAS, the Edwards Aquifer Authority issued a geological assessment of the property confirming that preservation would provide both high water quantity and high water quality benefits for the City of San Antonio;

WHEREAS, the Bendele Ranch is located adjacent to other Edwards Aquifer protected properties and, if approved, inclusion of this property will increase the total protected lands under the City's aquifer protection; **NOW THEREFORE:**

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

SECTION 1. The City Manager or her designee, or the Director of the Parks and Recreation Department or his designee, is authorized to execute a Conservation Easement with Michael Bendele on a 176.35-acre tract of land known as the Bendele Ranch located in Medina County, Texas. A copy of the Conservation Easement, in substantially final form, is attached hereto and incorporated herein for all purposes as **Attachment I**.

SECTION 2. Payment in the amount of \$242,665.35 in SAP Fund 40099000, Other Capital Projects, SAP Project Definition 26-00638, Edwards Aquifer Protection Program, is authorized to be encumbered and made payable to Texas Heritage Title Company, for title on a conservation easement, due diligence and closing costs, on approximately 176.35-acre tract of land known as the Bendele Ranch located in Medina County, Texas.

SECTION 3. The financial 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 4. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this ___ day of _____.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney