

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 129.7 ACRE TRACT OF LAND KNOWN AS THE GERMER RANCH LOCATED IN UVALDE COUNTY, TEXAS FROM WILLIAM GERMER, CATHY LEARY, LAWRENCE LOUIS GERMER AND SAMMI JEAN GERMER, AT A COST OF \$275,393.80.

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WHEREAS, the purpose of the Edwards Aquifer Protection Program is to obtain property rights by fee simple purchase, conservation easements or donations of land over the sensitive zones of the Edwards Aquifer; and

WHEREAS, this program was initiated in May 2000 when voters approved Proposition 3, a 1/8-cent sales tax venue up to \$45 million for the acquisition of lands over the Edwards Aquifer for parks and watershed protection; and

WHEREAS, Proposition 3 ran from 2000 through 2005 and was limited to Bexar County; and

WHEREAS, the 2005 Proposition 1 program was an extension of the initial voter-approved Edwards Aquifer protection endeavor and was extended by voters in 2010 and renewed again in 2015; and

WHEREAS, changes in state legislation allowed watershed protection activities to expand outside of Bexar County; and

WHEREAS, the proposed purchases of conservation easements on the Blackwell Ranch and Germer Ranch tracts are located over the Edwards Aquifer Recharge and Contributing Zones in Uvalde County; and

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

WHEREAS, the Blackwell Ranch and Germer Ranch tracts are located within the Sabinal River drainage basin which combined with faults, caves and fractures contribute to significant recharge of the Edwards Aquifer; and

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

WHEREAS, the Blackwell Ranch and Germer Ranch are adjacent to each other and contiguous with other Edwards Aquifer protected properties; and

WHEREAS, if approved, inclusion of these properties will increase the total protected lands under the City's aquifer protection program by approximately 542.13 acres for a total of 148,692 acres; **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 over the Edwards Aquifer Recharge Zone on a 129.7 acre tract of land known as the German Ranch located in Uvalde County, Texas from the following owners: William Germer, Cathy Leary, Lawrence Louis Germer and Sammi Jean Germer, at a cost of \$275,393.80. 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 not to exceed \$275,393.80, 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 Mission Title Company, as escrow agent for title on a conservation easement, due diligence and closing costs on a 129.7 acre tract of land known as the Germer Ranch located in Uvalde 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

DRAFT