

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 AN APPROXIMATE 650-ACRE TRACT OF LAND KNOWN AS THE MARY LOUISE DEPUY RANCH LOCATED IN MEDINA COUNTY, TEXAS FROM MARY LOUISE DEPUY, JR. DONOHOE AT A COST OF \$794,608.40.

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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; an

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

WHEREAS, the Proposition 1 program is 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, due to a change in the state legislation the scope was narrowed to watershed protection and activities expanded outside of Bexar County; and

WHEREAS, the proposed purchase of a conservation easement on the Depuy Ranch is located over the Recharge and Artesian Zones in Medina County; and

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

WHEREAS, the Depuy Ranch largely exists outside of the flood plain and is located entirely within the Hondo Creek drainage basin which is an important recharge contributor to the Edwards Aquifer; and

WHEREAS, the Hondo Creek runs directly north and east of the ranch, and the property contributes to surface water recharge due to the number of faults and associated fractures found on the property; and

WHEREAS, the Edwards Aquifer Authority issued a geological assessment of the site confirming that preservation of the Depuy Ranch would provide medium-low water quantity and high water quality benefits for the City of San Antonio; and

WHEREAS, This ranch is adjacent to other Edwards Aquifer protected properties and would result in the protection of over 10,000 acres of contiguous land within the Hondo and Verde Creek watersheds; **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 hereby authorized to execute a conservation easement over the Edwards Aquifer Recharge Zone on an approximate 650-acre tract of land known as the Mary Louise Depuy 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 \$794,608.40 in SAP Fund 40005000, Park Improvements, SAP Project Definition 40-00271, Edward's Aquifer Land Acquisitions, is authorized to be encumbered and made payable to Mission Title Company, for title on a conservation easement, due diligence and closing costs, on approximately 650-acre tract of land known as the Mary Louise Depuy Ranch (Depuy 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 shall become effective immediately upon passage by eight (8) or more affirmative votes of the entire City Council; otherwise, said effective date shall be ten (10) days from the date of passage hereof.

PASSED AND APPROVED this ____ day of _____.

M A Y O R
Ivy R. Taylor

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

City Attorney