

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

ORDINANCE

AUTHORIZING THE ACQUISITION OF A CONSERVATION EASEMENT OVER THE EDWARDS AQUIFER RECHARGE AND CONTRIBUTING ZONES ON A 1,175.144 ACRE TRACT OF LAND KNOWN AS THE BRISENO RANCH LOCATED IN MEDINA COUNTY, TEXAS FROM ELIDA G. BRISENO, AT A COST OF \$1,530,156.03.

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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 purchase of a conservation easement on the Briseno Ranch is located over the Edwards Aquifer Recharge and Contributing Zones 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 properties; and

WHEREAS, the Briseno Ranch is located within the Medina River watershed which combined with faults and fractures contributes 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 moderate- to-high water quantity and high water quality benefits for the City of San Antonio; and

WHEREAS, the Briseno Ranch is located directly adjacent to another Edwards Aquifer protected property; and

WHEREAS, if approved, inclusion of these properties will increase the total protected lands under the City's aquifer protection program by approximately 1,175.144 acres for a total of 157,256 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 with Elida G. Briseno on a 1,175.144-acre tract of land known as the Briseno 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. NO FISCAL LANGUAGE AVAILABLE

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