

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 1,706.567 ACRE TRACT OF LAND KNOWN AS THE SCHUEHLE RANCH LOCATED IN MEDINA COUNTY, TEXAS FROM THE FOLLOWING OWNERS: LEE ANN AUGER; SUSAN JO HAY; HENRY WALTER SCHUEHLE, JR.; AND LAURA LEE SCHUEHLE, AT A COST OF \$2,607,421.39.

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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 Schuehle Ranch is located over the Recharge and Contributing Zones in Medina County; and

WHEREAS, this 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 Schuehle Ranch is located entirely within the Medina River drainage basin which is an important recharge contributor to the Edwards Aquifer; and

WHEREAS, the property contributes heavily to surface water recharge due to the number of springs as well as extensive fracturing and dissolution of limestone documented on the property; and

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

WHEREAS, this ranch is located near other Edwards Aquifer protected properties and would result in the protection of over 50,000 acres of land located within Medina County; and

WHEREAS, if approved, inclusion of the Schuehle Ranch would increase the total of protected lands under the City's aquifer protection program by approximately 1,707 acres for a total of 147,782 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 1,706.567 acre tract of land known as the Schuehle Ranch located in Medina County, Texas from the following owners: Lee Ann Auger; Susan Jo Hay; Henry Walter Schuehle, Jr.; and Laura Lee Schuehle, at a cost of \$2,607,421.39. A copy of the conservation easement, in substantially final form, is attached hereto and incorporated herein for all purposes as **Attachment I**.

SECTION 2. The amount of \$25,891.73 is appropriated in SAP Fund 29082000, Edwards Aquifer Protect Project, SAP Internal Order # 390000002043, SAP GL account 6102100 - Interfund Transfer out entitled From 29084000 to 40-00271-90-14-07-01. The amount of \$25,891.73 is authorized to be transferred to SAP Fund 40099000.

SECTION 2. The budget in SAP Fund 40005000, Park Improvements, SAP Project Definition 40-00271, Edward's Aquifer Land Acquisitions, shall be revised by increasing SAP WBS Element 40-00271-90-14-07-01 entitled Transfer from I/O# 390000002043, SAP GL Account 6101100 - Interfund Transfer In, by the amount of \$25,891.73.

SECTION 3. The amount up to \$25,891.73 is appropriated in SAP Fund 40005000, Park Improvements, SAP Project Definition 40-00271, Edward's Aquifer Land Acquisitions, SAP WBS Element 40-00271-01-11, entitled Land Acquisition Costs, SAP GL Account 5209010.

SECTION 4. Payment in the amount of \$2,173,554.77 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 Texas Heritage Title Company, for title on a conservation easement, due diligence and closing costs, on approximately 1,706,567-acre tract of land known as the Schuehle Ranch located in Medina Counties, Texas.

SECTION 5. Payment in the amount of \$433,866.62 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 1,706,567-acre tract of land known as the Schuehle Ranch located in Medina Counties, Texas.

SECTION 6. 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 7. 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
Ivy R. Taylor

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney