

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 AQUISITION OF A 41 ACRE TRACT OF LAND LOCATED IN BEXAR COUNTY, TEXAS KNOWN AS THE BLUEHILL PASS PROPERTY, FROM EDWARD SANCHEZ, AND AUTHORIZING THE PAYMENT OF \$563,060.95 TO TRINITY TITLE OF TEXAS, LLC, AS ESCROW AGENT FOR THE PURCHASE PRICE AND ASSOCIATED CLOSING COSTS.

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WHEREAS, in May of 2000, voters approved the first program, 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, that program, referred to as Proposition 3, ran from 2000 through 2005, was limited to Bexar County; and

WHEREAS, the current program, referred to as Proposition 1, is an extension of that initial endeavor, although the scope was narrowed to watershed protection and, due to a change in state legislation, funds could be expended outside of Bexar County; and

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, the purchase of the Bluehill Pass property is presented for consideration to the City Council under the Proposition 1 Edwards Aquifer Protection Venue Project, which was approved by the voters in November 2010; and

WHEREAS, the City Council-approved Conservation Advisory Board has reviewed and recommended the acquisition of this property; and

WHEREAS, this property is located entirely over the Contributing Zone in Bexar County; and

WHEREAS, most all of the land is located outside of the flood plain and suitable for potential residential development; and

WHEREAS, if acquired, the property will become part of Scenic Canyon, a 453-acre City-owned natural area purchased with Edwards Aquifer Protection Program funds in 2007; and

WHEREAS, this property first was targeted through use of the Scientific Evaluation Team's GIS-Spatial Model (SET Model); and

WHEREAS, subsequent site visits identified previously undocumented faults and other recharge features on the property; and

WHEREAS, all of the Bluehill Pass property is located within the Chiminea Creek drainage area, which is an important recharge contributor in the area; and

WHEREAS, water runoff from the property drains into Fox Cave, located in the Scenic Canyon natural area, and the property significantly contributes to surface water runoff quality, due to the current undeveloped state of the property; and

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

WHEREAS, the addition of these proposed 41 acres would bring the total of protected lands under the City's aquifer protection program to 135,995 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 acquire a 41 acre tract of land located in Bexar County, Texas known as the Bluehill Pass property, from Edward Sanchez, and authorizing the payment of \$563,060.95 to Trinity Title of Texas, LLC, as escrow agent for the purchase price and associated closing costs.

SECTION 2. The City Manager or her designee, or the Director of the Parks and Recreation Department or his designee, is further authorized to execute any necessary documents to effectuate said acquisition.

SECTION 3. Payment in the amount of \$563,060.95 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 Trinity Title of Texas, LLC., for title on approximately 41-acre tract of land known as the Bluehill Pass property located in Bexar County, Texas.

SECTION 4. The acquisition of property must be coordinated through the City's Finance Department to assure the addition of these assets into the City's financial records and to record the proper accounting transactions.

SECTION 5. 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 6. 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

Martha G. Sepeda, Acting City Attorney