



City of San Antonio

Legislation Details (With Text)

File #: 20-7411

Type: Procedural

In control: City Council A Session

On agenda: 1/21/2021

Title: Ordinances approving the acquisition of two conservation easements over the Edwards Aquifer Contributing Zone for a total of 622.726 acres located outside of the San Antonio city limits in Bexar, Medina and Uvalde Counties at a cost of \$3,140,296.70 as follows: [David W. McCary, CPM, Assistant City Manager; Homer Garcia III, Director, Parks and Recreation]

Sponsors:

Indexes:

Code sections:

Attachments: 1. Draft Conservation Easement for Hilton Ranch, 2. Hilton Ranch - Contracts Disclosure Form, 3. Map, 4. Draft Conservation Easement for Shut-In Creek Ranch, 5. Shut-In Creek Ranch LLC - Contracts Disclosure Form, 6. Shut-In Creek Ranch Map, 7. Draft Ordinance - A, 8. Draft Ordinance - B

| Date | Ver. | Action By | Action | Result |
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DEPARTMENT: Parks and Recreation

DEPARTMENT HEAD: Homer Garcia III, Director

COUNCIL DISTRICTS IMPACTED: City Wide

SUBJECT:

Edwards Aquifer Protection Program Acquisitions

SUMMARY:

Consideration of the following ordinances associated with the acquisition of two conservation easements totaling 622.726 acres over the Edwards Aquifer Contributing Zone.

A) An ordinance authorizing payment in the amount of \$1,911,758.40, from Proposition 1 of the Edwards Aquifer Protection Sales Tax fund included in the FY 2021 - FY 2026 Capital Improvement Program, to Mission Title as escrow agent for title on a conservation easement, due diligence and closing costs on a 431.73 acre tract of land known as the Shut-In Creek Ranch located in Uvalde County, Texas.

B) An ordinance authorizing payment in the amount of \$1,228,538.30, from Proposition 1 of the Edwards

Aquifer Protection Sales Tax fund included in the FY 2021 - FY 2026 Capital Improvement Program, to Texas Heritage Title as escrow agent for title on a conservation easement, due diligence and closing costs on a 190.996 acre tract of land known as the Hilton Ranch located in Bexar County and Medina County, Texas.

These actions also authorize the execution of necessary documents to accomplish said acquisitions.

BACKGROUND INFORMATION:

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. 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. Proposition 3 ran from 2000 through 2005 and was limited to Bexar County.

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. Changes in state legislation allowed watershed protection activities to expand outside of Bexar County.

The proposed purchases of conservation easements on the Shut-In Creek Ranch and Hilton Ranch, are located over the Edwards Aquifer Contributing Zone and consist of 431.73 acres in Uvalde County, 135.815 acres in Medina County, and 55.181 acres in Bexar County. 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. The Shut-In Creek Ranch is located within the Frio watershed; the Hilton Ranch is located in the San Geronimo Creek watershed, both of which contribute to significant recharge of the Edwards Aquifer. The Edwards Aquifer Authority issued geological assessments of the properties confirming that preservation would provide a range of moderate-to-very high water quantity and very high water quality benefits for the City of San Antonio.

The Hilton Ranch is located adjacent to two conservation easement properties totaling 1,564 acres which are protected through the Edwards Aquifer Protection Program; the Shut-In Creek Ranch is also located near other protected properties in Uvalde County. If approved, inclusion of these properties will increase the total protected lands under the City's aquifer protection program by 622.726 acres for a total of 163,736 acres.

ISSUE:

A) This ordinance authorizes payment in the amount of \$1,911,758.40 to Mission Title as escrow agent for title on a conservation easement, due diligence and closing costs on a 431.73 acre tract of land known as the Shut-In Creek Ranch located in Uvalde County, Texas.

B) This ordinance authorizes payment in the amount of \$1,228,538.30 to Texas Heritage Title as escrow agent for title on a conservation easement, due diligence and closing costs on a 190.996 acre tract of land known as the Hilton Ranch located in Bexar County and Medina County, Texas.

Acquisition of these properties is consistent with policy for implementation of the Proposition 1 Edwards Aquifer Protection Venue Project as approved by voters. The City Council-appointed Conservation Advisory Board reviewed and recommended these acquisitions at the October 28, 2020 meeting.

ALTERNATIVES:

An alternative would be to defer acquisition until a later date subject to the property owners' willingness to sell real estate interests and future market conditions. Additionally, other properties could be targeted for acquisition foregoing this conservation easement and losing the moderate-to-high water quality and quantity benefits and the opportunity to protect additional acreage within the San Geronimo Creek and Frio River watersheds in Bexar and Medina Counties and Uvalde County, respectively.

FISCAL IMPACT:

These are one-time conservation easement acquisitions in the cumulative amount of \$3,140,296.70 for 622.726 acres located in Bexar, Medina and Uvalde Counties over the Edwards Aquifer Contributing Zone funded through the voter approved 2015 Sales Tax Proposition 1 Edwards Aquifer Protection Program.

A) This acquisition is a one-time expenditure in the amount of \$1,911,758.40 for purchase of a 431.73 acre tract of land known as the Shut-In Creek Ranch located in Uvalde County, Texas. Funds for the acquisition of this conservation easement are available in the Edwards Aquifer Land Acquisition - 2015 Venue Projects Fund included in the FY 2021 - FY 2026 Capital Improvement Program.

B) This acquisition is a one-time expenditure in the amount of \$1,228,538.30 for 190.996 acre tract of land known as the Hilton Ranch located in Bexar County and Medina County, Texas. Funds for the acquisition of this conservation easement are available in the Edwards Aquifer Land Acquisition - 2015 Venue Projects Fund included in the FY 2021 - FY 2026 Capital Improvement Program.

RECOMMENDATION:

Staff recommends approval of Items A and B for acquisition of conservation easements in the cumulative amount of \$3,140,296.70 for 622.726 acres under the Proposition 1 Edwards Aquifer Protection Venue Project.

The Contracts Disclosure Forms required by the Ethics ordinance are attached.