



# City of San Antonio

## Legislation Details (With Text)

**File #:** 14-1032  
**Type:** Real Property Acquisition  
**In control:** City Council A Session  
**On agenda:** 6/5/2014  
**Title:** An Ordinance authorizing an acquisition of a 1,251-acre tract of land located in Uvalde County, Texas for the Proposition 1 Edwards Aquifer Protection Venue Program in the amount of \$1,154,977.30 made payable to Texas Heritage Title Company, as escrow agent for title on a conservation easement, for land, due diligence and closing costs. [Peter Zaroni, Deputy City Manager; Mike Etienne, Officer, EastPoint & Real Estate Services Office]

**Sponsors:**

**Indexes:** CIMS Real Estate

**Code sections:**

**Attachments:** 1. Barden-Conservation Easement-- FINAL, 2. Barden Ranch Map\_updated, 3. Barden Ranch legal description, 4. Ordinance 2014-06-05-0387

Date	Ver.	Action By	Action	Result
6/5/2014	1	City Council A Session	adopted	Pass

**DEPARTMENT:** Office of EastPoint & Real Estate

**DEPARTMENT HEAD:** Mike Etienne

**COUNCIL DISTRICTS IMPACTED:** City Wide

**SUBJECT:** Edwards Aquifer Protection Program - Conservation Easement Acquisition

**SUMMARY:**

An ordinance authorizing an acquisition of a 1,251-acre tract of land known as the Barden Ranch located in Uvalde County, Texas for the Edwards Aquifer Protection Program in the amount of \$1,154,977.30 made payable to Texas Heritage Title Company, as escrow agent for title on a conservation easement, for land, due diligence and closing costs.

This ordinance, necessary under the Proposition One Edwards Aquifer Protection Venue Project, authorizes the execution of documents to accomplish said acquisition.

**BACKGROUND INFORMATION:**

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. That program, referred to as "Proposition Three," ran from 2000 through 2005, was limited to Bexar County and acquired more than 6,500 acres as Natural Areas for the City of San Antonio.

The current program is an extension of that initial endeavor, although the scope was narrowed to watershed protection and, due to a change in the legislation, funds could be expended outside of Bexar County. 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, referred to as “Proposition One,” also is funded with the 1/8-cent sales tax up to the amount of \$90 million.

This property first was targeted through use of the Scientific Evaluation Team’s GIS-Spatial Model (SET Model). Subsequent site visits identified previously undocumented faults and dry springs on the property. Approximately 1.6 miles of the Little Seco Creek transects the property from north to south. Almost all of the Barden Ranch is located within the Little Seco Creek watershed, with some runoff to the Sabinal River watershed, both of which are important recharge contributors in the area. This ranch is adjacent to other properties protected by the City’s aquifer protection program, and would result in over 22,000 acres of contiguously protected City conservation easements over the Contributing and Recharge Zones of the Edwards Aquifer.

The proposed Barden Ranch tract would constitute the 53<sup>rd</sup> conservation easement acquisition under the current program. Inclusion of the proposed 1,251 acres would bring the total of protected lands under the City’s aquifer protection program to 123,729 acres.

#### **ISSUE:**

An ordinance authorizing an acquisition of a 1,251-acre tract of land known as the Barden Ranch located in Uvalde County, Texas for the Edwards Aquifer Protection Program in the amount of \$1,154,977.30 made payable to Texas Heritage Title Company, as escrow agent for title on a conservation easement, for land, due diligence and closing costs.

The purchase of a conservation easement on the Barden Ranch is presented for consideration to the City Council under the Proposition One Edwards Aquifer Protection Venue Project, which was approved by the voters in November 2010. The City Council-approved Conservation Advisory Board has reviewed and recommended this acquisition. This property is located over the Contributing Zone in Uvalde County. Much of the land is located outside of the flood plain and suitable for residential development. The property contributes to surface water runoff quality, due to the current undeveloped state of the property, and the Edwards Aquifer Authority issued a geological assessment of the property confirming that preservation of the Barden Ranch would provide a high water quality benefit to the City of San Antonio due to its close proximity to the aquifer’s Recharge Zone.

The acquisition of this property is necessary to accomplish the Proposition One Edwards Aquifer Protection Venue Project.

#### **ALTERNATIVES:**

An alternative would be to defer acquisition until a later date. By not acquiring this conservation easement at this time, it may not be available at a later date or for the same purchase price.

Another option would be not to acquire the conservation easement; however, this would be counter to the goals of the Proposition One Edwards Aquifer Protection Venue Project.

#### **FISCAL IMPACT:**

This is a one-time expenditure in the amount of \$1,154,977.30 for this acquisition. It will be funded by the 1/8-

cent sales and use tax in the Edwards Aquifer Protection (Proposition One) Sales Tax funds included in the Fiscal Year 2014-2019 Capital Budget.

**RECOMMENDATION:**

Staff recommends approval authorizing placement of a conservation easement on the 1,251-acre Barden Ranch for a total of \$1,154,977.30, in connection with the Proposition One Edwards Aquifer Protection Venue Project, in order to protect the quality and quantity of water entering the Edwards Aquifer.

The Conservation Advisory Board (CAB) approved this acquisition at their monthly meeting on March 26, 2014