



# City of San Antonio

## Legislation Details (With Text)

**File #:** 16-2731

**Type:** Real Property Acquisition

**In control:** City Council A Session

**On agenda:** 5/5/2016

**Title:** An Ordinance authorizing the acquisition 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. [María Villagómez, Assistant City Manager; Janet A. Martin, Interim Director, Parks and Recreation]

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Bluehill Pass - Legal Description 1, 2. Bluehill Property Map, 3. Contracts Disclosure Form - Stella Suprenant - Bluehill Pass Property, 4. Certificate of Interested Parties Form - The Real Estate Team Inc. - Bluehill Pass property, 5. Ordinance 2016-05-05-0318

Date	Ver.	Action By	Action	Result
5/5/2016	1	City Council A Session	adopted	Pass

**DEPARTMENT:** Parks and Recreation

**DEPARTMENT HEAD:** Janet A. Martin, Interim Director

**COUNCIL DISTRICTS IMPACTED:** City Wide

### SUBJECT:

Edwards Aquifer Protection Program - Land Acquisition

### SUMMARY:

This ordinance authorizes payment for real property acquisition and closing costs on an approximately 41 acre tract of land known as the Bluehill Pass property located in Bexar County, Texas for the Edwards Aquifer Protection Program, a Proposition 1 Edwards Aquifer Protection Venue funded Project, which was approved by the voters in November 2010, in the amount of \$563,060.95 payable to Trinity Title of Texas, LLC, as escrow agent, for title. This ordinance also authorizes the execution of documents to accomplish said acquisition, necessary under the Proposition 1 Edwards Aquifer Protection Venue Project.

### 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 3, ran from 2000 through 2005, was limited to Bexar County.

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. 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.

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. The City Council-approved Conservation Advisory Board has reviewed and recommended the acquisition of this property. This property is located entirely over the Contributing Zone in Bexar County. Most all of the land is located outside of the flood plain and suitable for potential residential development. 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.

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 other recharge features on the property. All of the Bluehill Pass property is located within the Chiminea Creek drainage area, which is an important recharge contributor in the area. Water runoff from the property drains into Fox Cave, located on Scenic Canyon natural area, and the property significantly contributes to surface water runoff quality, due to the current undeveloped state of the property. 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. Addition of these proposed 41 acres would bring the total of protected lands under the City's aquifer protection program to 135,995 acres.

## **ISSUE:**

An ordinance authorizing payment for real property interests, due diligence and closing costs on an approximately 41 acre tract of land known as the Bluehill Pass property located in Bexar County, Texas in the amount of \$563,060.95 to Trinity Title of Texas, LLC, as escrow agent.

The Bluehill Pass property is located north of Scenic Canyon natural area and contributes to the Chiminea Creek drainage area, which is an important recharge contributor in the area. Water runoff from the property drains directly into Fox Cave, located on Scenic Canyon natural area, and the property significantly contributes to surface water runoff quality, due to the current undeveloped state of the property. 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.

The acquisition of this property is necessary to accomplish the Proposition 1 Edwards Aquifer Protection Venue Project.

## **ALTERNATIVES:**

An alternative would be to defer acquisition until a later date. By not acquiring this property at this time, it may

not be available at a later date or for the same purchase price.

Another option would be to not acquire the land; however, the benefits of protecting this property and adding to the contiguous acreage of protected lands in the watershed would not be realized.

### **FISCAL IMPACT:**

This acquisition is a one-time expenditure in the amount of \$563,060.95. Funds for the acquisition of this property have been appropriated through Proposition 1 of the Edwards Aquifer Protection Sales Tax fund included in the FY 2016-2021 Adopted Annual Capital Budget.

### **RECOMMENDATION:**

Staff recommends approval of the acquisition of this approximately 41 acre tract of land, known as the Bluehill Pass property, for a total of \$563,060.95, in connection with the Proposition 1 Edwards Aquifer Protection Venue Project, in order to protect the quality and quantity of water entering the Edwards Aquifer.

The Contracts Disclosure Form required by the Ethics ordinance is attached.