



City of San Antonio

Legislation Details (With Text)

File #: 16-3425
Type: Real Property Acquisition
In control: City Council A Session
On agenda: 6/9/2016
Title: An Ordinance authorizing the real property acquisition from Boulders Mosaic, LLC on an approximate 9.727 acre tract of land known as the Boulders at Canyon Springs located in Bexar County, Texas at a cost of \$1,014,458.00 funded from the Proposition 1 Edwards Aquifer Protection Sales Tax Fund. [María Villagómez, Assistant City Manager; Janet A. Martin, Acting Director, Parks and Recreation]

Sponsors:

Indexes:

Code sections:

Attachments: 1. Boulders at Canyon Springs - Legal Description 6-16-2016, 2. Contracts Disclosure Form - Thomas B. Yantis with Boulders at Canyon Creek, 3. HB 1295 Form - Fair Oaks Mosaic TBY, LLC, 4. Affidavit of Facts - Boulders Mosaic, LLC, 5. Draft Ordinance, 6. Ordinance 2016-06-09-0439

Date	Ver.	Action By	Action	Result
6/9/2016	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 in the amount of \$1,014,458.00 to First American Title Company, LLC as escrow agent for title of real property acquisition and closing costs on an approximate 9.727 acre tract of land known as the Boulders at Canyon Springs, commonly known as Canyon Creek, located in Bexar County, Texas for the Edwards Aquifer Protection Program, a Proposition 1 Edwards Aquifer Protection Venue funded Project. This ordinance also authorizes the execution of documents to accomplish said acquisition, necessary under the Proposition 1 Edwards Aquifer Protection Venue Project.

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 Proposition 1 program is an extension of the initial voter-approved Edwards Aquifer protection endeavor and was extended by voters in 2010 and renewed again in 2015. Due to a change in the state legislation the scope was narrowed to watershed protection and activities expanded outside of Bexar County.

The proposed purchase of the Boulders at Canyon Springs property under the November 2010 Proposition 1 Edwards Aquifer Protection Venue Project would bring the total of protected lands under the City's aquifer protection program to 140,172 acres. This property is located entirely over the Recharge Zone in Bexar County and is surrounded entirely by residential subdivisions. This property first was targeted through use of the Scientific Evaluation Team's GIS-Spatial Model. Subsequent site visits identified significant cave features, sinkholes, and other recharge features on the property. Water drainage from the property contributes to the Upper Salado Creek, which provides additional recharge to the aquifer. The Edwards Aquifer Authority issued a geological assessment of the site confirming that preservation of the Boulders property would provide high water quality and moderate water quantity benefits for the City of San Antonio.

ISSUE:

This ordinance authorizes payment in the amount of \$1,014,458.00 to First American Title Company, LLC as escrow agent for real property interests, due diligence and closing costs on an approximate 9.727 acre tract of land known as the Boulders at Canyon Springs located in Bexar County, Texas. Inclusion of this property would increase the number of areas protected under the City's aquifer protection program while providing high water quality and moderate water quantity to the aquifer.

The Conservation Advisory Board has reviewed and recommended the acquisition of this property as it is consistent with policy for implementation of the Proposition 1 Edwards Aquifer Protection Venue Project. Acquisition of this property is consistent with policy for implementation of the Proposition 1 Edwards Aquifer Protection Venue Project.

ALTERNATIVES:

An alternative would be to defer acquisition until a later date subject to the property owner's willingness to sell real estate interests and future market conditions. Additionally, other properties could be targeted for acquisition foregoing this opportunity to add the Boulders at Canyon Springs to land already under protection in the watershed and subjecting it to future development over the Recharge Zone.

FISCAL IMPACT:

This acquisition is a one-time expenditure in the amount of \$1,014,458.00. 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 9.727 acre tract of land, known as the Boulders at Canyon Springs property, for a total of \$1,014,458.00, 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.