



City of San Antonio

Legislation Details (With Text)

File #: 17-2063

Type: Real Property Acquisition

In control: City Council A Session

On agenda: 3/30/2017

Title: An Ordinance authorizing the acquisition of a conservation easement over the Edwards Aquifer Recharge Zone on an approximate 2,830-acre tract of land known as the Middle Verde Ranch located in Medina and Banderita Counties, Texas from the following owners: Middle Verde Ranch Properties, Ltd.; the Lynne Morris Barnett Terminable Residuary Trust; the Jean Morris Stevenson Terminable Residuary Trust; the Lynne Morris Barnett GST Residuary Trust; and the Jean Morris Stevenson GST Residuary Trust, at a cost of \$7,640,084.15. [María Villagómez, Assistant City Manager; Xavier D. Urrutia, Director, Parks and Recreation]

Sponsors:

Indexes:

Code sections:

Attachments: 1. Conservation Easement Acquisition for Middle Verde Ranch 3-30-2017, 2. Middle Verde Ranch - Legal Description 3-30-2017, 3. Site Map of Middle Verde Ranch 3-30-2017, 4. Powerpoint for Edwards Aquifer Protection Program - Conservation Easement Acquisition - Middle Verde Ranch 3-30-2017, 5. Contracts Disclosure Form for Lynne M. Barnett with Middle Verde Ranch Properties, Ltd., 6. Contracts Disclosure Form for Jean M. Stevenson with Middle Verde Ranch Properties, Ltd, 7. Contracts Disclosure Form for Bill H. Conner with Frost Bank, Trustee under the will of Joseph Morris in connection with Middle Verde Ranch, 8. Form 1295 Certificate of Interested Parties - Jean Morris Stevenson owner Middle Verde Ranch 3-30-2017, 9. Form 1295 Certificate of Interested Parties - Jean Morris Stevenson for owner Lynn Morris Barnett with Limited Power of Attorney, Middle Verde Ranch 3-30-2017, 10. Form 1295 Certificate of Interested Parties - Frost Bank, Trustee Bill H. Conner under the will of Joseph Morris 3-30-2017, 11. Draft Ordinance, 12. Ordinance 2017-03-30-0177

Date	Ver.	Action By	Action	Result
3/30/2017	1	City Council A Session		

DEPARTMENT: Parks and Recreation

DEPARTMENT HEAD: Xavier D. Urrutia

COUNCIL DISTRICTS IMPACTED: City Wide

SUBJECT:

Edwards Aquifer Protection Program - Conservation Easement Acquisition for Middle Verde Ranch

SUMMARY:

This ordinance authorizes payment in the amount of \$7,640,084.15 to Western Title Company of

Bandera as escrow agent for title on a conservation easement, due diligence and closing costs on an approximate 2,830-acre tract of land known as the Middle Verde Ranch located in Medina and Bandera Counties, Texas for the Edwards Aquifer Protection Program, a Proposition 1 Edwards Aquifer Protection Venue funded project. This ordinance also authorizes the execution of necessary documents to accomplish said acquisition.

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 purchase of a conservation easement on the Middle Verde Ranch is located over the Contributing Zone in Medina and Bandera Counties. This property initially was identified through use of the Scientific Evaluation Team's GIS Spatial Model and subsequent site visits identified previously unrecorded geological faults and other favorable recharge features on the property. The Middle Verde Ranch largely exists outside of the flood plain and is located entirely within the Middle Verde Creek drainage basin which is an important recharge contributor to the Edwards Aquifer. There are a total of 33 square miles of Middle Verde Creek watershed drainage on the property, and the property contributes heavily to surface water recharge due to the number of caves, faults and associated fractures found on the property. The Edwards Aquifer Authority issued a geological assessment of the site confirming that preservation of the Middle Verde Ranch would provide both high water quantity and high water quality benefits for the City of San Antonio. This ranch is adjacent to other Edwards Aquifer protected properties and would result in the protection of over 13,000 acres of contiguous land within the Hondo, Verde, and Middle Verde Creek watersheds.

ISSUE:

This ordinance authorizes payment in the amount of \$7,640,084.15 to Western Title Company of Bandera as escrow agent for title on a conservation easement, due diligence and closing costs on an approximate 2,830-acre tract of land known as the Middle Verde Ranch located in Medina and Bandera Counties, Texas. Acquisition of this property is consistent with policy for implementation of the Proposition 1 Edwards Aquifer Protection Venue Project as approved by voters. If approved, inclusion of the Middle Verde Ranch would increase the total of protected lands under the City's aquifer protection program by approximately 2,830 acres for a total projected amount of 146,075 acres. The City Council-appointed Conservation Advisory Board has reviewed and recommended the acquisition of this conservation easement.

ALTERNATIVES:

Other properties could be targeted for acquisition foregoing this conservation easement; however the opportunity to obtain properties that provide the high water quality and quantity benefits and the opportunity to add to the contiguous acreage of land already under protection in the Middle Verde Creek watershed may be difficult.

FISCAL IMPACT:

This acquisition is a one-time expenditure in the amount of \$7,640,084.15. Funds for the acquisition of this conservation easement have been appropriated through Proposition 1 of the Edwards Aquifer Protection Sales Tax fund included in the FY 2017-2022 Adopted Annual Capital Budget.

RECOMMENDATION:

Staff recommends approval of the acquisition of a conservation easement on this 2,830-acre tract of land known as the Middle Verde Ranch for a total of \$7,640,084.15 under the Proposition 1 Edwards Aquifer Protection Venue Project.

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