



# City of San Antonio

## Legislation Details (With Text)

**File #:** 17-5229

**Type:** Real Property Acquisition

**In control:** City Council A Session

**On agenda:** 9/21/2017

**Title:** An Ordinance authorizing the acquisition of a conservation easement over the Edwards Aquifer Recharge Zone on a 191.81 acre tract of land known as the Currier Ranch located in Medina County, Texas from Anthony Currier and Patrice Currier, at a cost of \$267,800.20.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Fiscal Impact Form - Edwards Aquifer Land Acquisitions Conservation Easements (Currier Bendele) 26-00638 for 9-14-2017, 2. DRAFT Conservation Easement Acquisition with Michael J. Bendele - Bendele Ranch 9-14-2017, 3. DRAFT Conservation Easement Acquisition with Anthony W. Currier and Patrice M. Currier formerly Patrice Truitt - Currier Ranch 9-14-2017, 4. Contracts Disclosure Form for Michael J. Bendele 9-14-2017, 5. Contracts Disclosure Form for Anthony W. Currier - Currier Ranch Acquisition, 6. Contracts Disclosure Form for Patrice M. Currier formerly Patrice Truitt - Currier Ranch Acquisition, 7. Form 1295 Certificate of Interested Parties - Michael J. Bendele - Bendele Ranch Acquisition, 8. Form 1295 Certificate of Interested Parties - Anthony W. Currier - Currier Ranch, 9. Form 1295 Certificate of Interested Parties - Patrice Currier formerly known as Patrice Truitt - Currier Ranch, 10. Powerpoint for - Edwards Aquifer Protection Program - Conservation Easement Acquisition - Bendele Currier, 11. Draft Ordinance - A, 12. Draft Ordinance - B, 13. Ordinance 2017-09-21-0689

Date	Ver.	Action By	Action	Result
9/21/2017	1	City Council A Session	adopted	Pass

**DEPARTMENT:** Parks and Recreation

**DEPARTMENT HEAD:** Xavier D. Urrutia

**COUNCIL DISTRICTS IMPACTED:** City Wide

### SUBJECT:

Edwards Aquifer Protection Program - Conservation Easement Acquisitions

### SUMMARY:

Consideration of the following ordinances associated with two conservation easements totaling 368.16 acres over the Edwards Aquifer Recharge Zone.

- A) An ordinance authorizing payment in the amount of \$242,665.35 to Texas Heritage Title Company as escrow agent for title on a conservation easement, due diligence and closing costs on a 176.35 acre tract of land known as the Bendele Ranch located in Medina County, Texas.
- B) An ordinance authorizing payment in the amount of \$267,800.20 to Texas Heritage Title Company as escrow agent for title on a conservation easement, due diligence and closing costs on a 191.81 acre tract of land known as the Currier Ranch located in Medina County, Texas.

These ordinances, necessary under the Proposition 1 Edwards Aquifer Protection Venue funding project, 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 Bendele Ranch and Currier Ranch tracts are located over the Edwards Aquifer Recharge Zone in Medina 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 Bendele Ranch and Currier Ranch tracts are located within the Hondo Creek drainage basin which combined with faults and fractures contribute to significant recharge of the Edwards Aquifer. The Edwards Aquifer Authority issued a geological assessment of the properties confirming that preservation would provide both high water quantity and high water quality benefits for the City of San Antonio.

The Bendele Ranch and Currier Ranch are located adjacent to other Edwards Aquifer protected properties and, if approved, inclusion of these properties will increase the total protected lands under the City's aquifer protection program by approximately 368.16 acres for a total of 148,150 acres.

## **ISSUE:**

- A) This ordinance authorizes payment in the amount of \$242,665.35 to Texas Heritage Title Company as escrow agent for title on a conservation easement, due diligence and closing costs on a 176.35-acre tract of land known as the Bendele Ranch located in Medina County, Texas.
- B) This ordinance authorizes payment in the amount of \$267,800.20 to Texas Heritage Title Company as escrow agent for title on a conservation easement, due diligence and closing costs on a 191.81-acre tract of land known as the Currier Ranch located in 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 has reviewed and recommended the acquisition of these conservation easements.

**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 high water quality and quantity benefits and the opportunity to protect additional acreage within the Hondo Creek watershed.

**FISCAL IMPACT:**

- A) This acquisition is a one-time expenditure in the amount of \$242,665.35. The acquisition of this conservation easement is funded through Proposition 1 of the Edwards Aquifer Protection Sales Tax fund and included in the FY 2017 Adopted Capital Budget.
- B) This acquisition is a one-time expenditure in the amount of \$267,800.20. The acquisition of this conservation easement is funded through Proposition 1 of the Edwards Aquifer Protection Sales Tax fund and included in the FY 2017 Adopted Capital Budget.

**RECOMMENDATION:**

- A) Staff recommends approval of the acquisition of a conservation easement on the 176.35- acre tract of land known as the Bendele Ranch for a total of \$242,665.35 under the Proposition 1 Edwards Aquifer Protection Venue Project.
- B) Staff recommends approval of the acquisition of a conservation easement on the 191.81- acre tract of land known as the Currier Ranch for a total of \$267,800.20 under the Proposition 1 Edwards Aquifer Protection Venue Project.

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