



City of San Antonio

Legislation Details (With Text)

File #: 18-6913

Type: Real Property Acquisition

In control: City Council A Session

On agenda: 1/10/2019

Title: Ordinance approving the acquisition of a conservation easement over the Edwards Aquifer Recharge and Contributing Zones on a 1,066.72 acre tract of land known as the Pouncy Ranch located in Uvalde County, Texas from Howard and Beverly Pouncy, as trustees of the Howard and Beverly Pouncy 1997 Trust, at a cost of \$1,501,006.18. Funding for this ordinance is available from the 2015 Sales Tax Venue Fund included in the FY 2019 Capital Budget. [María Villagómez, Assistant City Manager; Xavier D. Urrutia, Director, Parks and Recreation]

Sponsors:

Indexes:

Code sections:

Attachments: 1. Draft Conservation Easement for Pouncy Ranch 1-10-2018, 2. ContractsDisclosureForm - Beverly Pouncy for Pouncy Ranch 1-10-2018, 3. ContractsDisclosureForm - Howard Pouncy for Pouncy Ranch, 4. Powerpoint for Edwards Aquifer Protection Program - Pouncy Ranch Conservation Easement Acquisition 1-10-2019, 5. Concan Survey Final - Attachment I, 6. Metes & Bounds - Attachment II, 7. Conservation Easement - Attachment III, 8. Draft Ordinance, 9. Ordinance 2019-01-10-0007

Date	Ver.	Action By	Action	Result
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DEPARTMENT: Parks and Recreation

DEPARTMENT HEAD: Xavier D. Urrutia, Director

COUNCIL DISTRICTS IMPACTED: City Wide

SUBJECT:

Edwards Aquifer Protection Program - Conservation Easement Acquisition for Pouncy Ranch

SUMMARY:

Consideration of an Ordinance authorizing payment in the amount of \$1,501,006.18 to Mission Title Company as escrow agent for title on a conservation easement, due diligence and closing costs on a 1,066.72 acre tract of land known as the Pouncy Ranch located in Uvalde County, Texas. Funding for this ordinance is available from the 2015 Sales Tax Venue Fund included in the FY 2019 Capital Budget.

This action 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 Pouncy Ranch is located over the Edwards Aquifer Recharge Zone in Uvalde County. The property was 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 Pouncy Ranch is located within the Dry Frio River and Frio River watersheds which combined with caves, sinkholes and fractures contributes to significant recharge of the Edwards Aquifer. The Edwards Aquifer Authority issued a geological assessment of the property confirming that preservation would provide moderate-to-high water quantity and very high water quality benefits for the City of San Antonio.

The Pouncy Ranch is located directly adjacent to other Edwards Aquifer protected properties. If approved, inclusion of these properties will increase the total protected lands under the City's aquifer protection program by approximately 1,066.72 acres for a total of 157,148 acres.

ISSUE:

This Ordinance authorizes payment in the amount of \$1,501,006.18 to Mission Title Company as escrow agent for title on a conservation easement, due diligence and closing costs on a 1,066.72 acre tract of land known as the Pouncy Ranch located in Medina County, Texas.

Acquisition of this property 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 reviewed and recommended the acquisition of this conservation easement at the October 24, 2018 meeting.

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 conservation easement and losing the moderate-to-high water quality and high water quantity benefits and the opportunity to protect acreage within the Dry Frio River and Frio River watersheds.

FISCAL IMPACT:

This conservation easement acquisition in the amount of \$1,501,006.18 has been appropriated through

Proposition 1 of the Edwards Aquifer Protection 2015 Sales Tax Fund included in the FY 2019 Capital Improvement Program Budget.

RECOMMENDATION:

Staff recommends approval of this acquisition of a conservation easement on the 1,066.72-acre tract of land known as the Pouncy Ranch for a total of \$1,501,006.18 under the Proposition 1 Edwards Aquifer Protection Venue Project.

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