



# City of San Antonio

## Legislation Details (With Text)

**File #:** 19-1721

**Type:** Real Property Acquisition

**In control:** City Council A Session

**On agenda:** 3/7/2019

**Title:** Ordinance approving the fee simple acquisition of a 80.071 acre tract of land known as the Treehouse Ranch property located over the Edwards Aquifer Recharge and Contributing Zones in Bexar County, Texas from Treehouse Ranch Holdings, LP, at a cost of \$1,054,079.14. Funding for this ordinance is available from the 2015 Sales Tax Venue Fund (Edwards Aquifer Protection Program) included in the FY 2019 Adopted Capital Budget. [María Villagómez, Assistant City Manager; Xavier D. Urrutia, Director, Parks and Recreation]

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Draft Warranty Deed with Treehouse Ranch Holdings, LP 2-21-2019, 2. Contracts Disclosure Form - Treehouse Ranch Holdings, LP 2-21-2019, 3. Powerpoint for Edwards Aquifer Protection Program - Treehouse Ranch Fee Acquisition 2-21-2019, 4. Draft Ordinance, 5. Ordinance 2019-03-07-0180

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 - Fee Simple Acquisition of Treehouse Ranch

### SUMMARY:

Consideration of an Ordinance authorizing payment in the amount of \$1,054,079.14 to Independence Title Company as escrow agent for fee simple acquisition, due diligence and closing costs on a 80.071 acre tract of land known as the Treehouse Ranch property located in Bexar County, Texas. Funding for this ordinance is available from the 2015 Sales Tax Venue Fund included in the FY 2019 Adopted 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 fee simple purchase of the Treehouse Ranch property is located over the Edwards Aquifer Recharge and Contributing Zones in Bexar County. The property was initially identified through use of the Scientific Evaluation Team's GIS Spatial Model and subsequent site visits identified favorable recharge potential on the property. The Treehouse Ranch property drains to Los Reyes Creek which is a tributary to Helotes Creek and contributes to recharge of the Edwards Aquifer. The Edwards Aquifer Authority issued a geological assessment of the property confirming that preservation would provide low to moderate water quantity and moderate water quality benefits for the City of San Antonio.

The Treehouse Ranch property is located directly adjacent to the San Antonio Municipal District #1 property which is under consideration for purchase of a conservation easement through separate Council action. If approved, inclusion of this property will increase the total protected lands under the City's aquifer protection program by approximately 80.071 acres for a total of 157,295 acres.

## **ISSUE:**

This Ordinance authorizes payment in the amount of \$1,054,079.14 to Independence Title Company as escrow agent for fee simple acquisition, due diligence and closing costs on a 80.071 acre tract of land known as the Treehouse Ranch property located in Bexar 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 December 5, 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 fee simple acquisition and losing the low to moderate water quantity and moderate water quality benefits and the opportunity to protect acreage within the Helotes Creek watershed.

**FISCAL IMPACT:**

This Ordinance authorizes payment in the amount of \$1,054,079.14 for the fee simple acquisition of Treehouse Ranch property which is available from the 2015 Sales Tax Venue Fund included in the FY 2019 Adopted Capital Budget.

**RECOMMENDATION:**

Staff recommends approval of this fee simple acquisition of a 80.071-acre tract of land known as the Treehouse Ranch property for a total of \$1,054,079.14 under the Proposition 1 Edwards Aquifer Protection Venue Project.

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