



City of San Antonio

Legislation Details (With Text)

File #: 19-7989

Type: Real Property Acquisition

In control: City Council A Session

On agenda: 11/14/2019

Title: Ordinance approving the conveyance of 151.688 acres of land known as Cibolo Vista Tracts 1 and 2 to Edwards Aquifer Conservancy, a non-profit organization supporting Edwards Aquifer Conservancy, and approving the acquisition of a conservation easement on Cibolo Vista Tracts 1 and 2 from Edwards Aquifer Conservancy. [Colleen M. Bridger, MPH, PhD, Assistant City Manager; Homer Garcia III, Interim Director, Parks and Recreation]

Sponsors:

Indexes:

Code sections:

Attachments: 1. Draft Cibolo Vista Tracts 1 and 2 Conservation Easement with Edwards Aquifer Conservancy - Cibolo, 2. Draft Special Warranty Deed with Edwards Aquifer Authority-Conservancy - Cibolo Vista Tract, 3. Contracts Disclosure Form - Michael A. De La Garza for EAA EAC, 4. Draft Ordinance, 5. Ordinance 2019-11-14-0959

| Date | Ver. | Action By | Action | Result |
|------------|------|------------------------|---------|--------|
| 11/14/2019 | 1 | City Council A Session | adopted | Pass |

DEPARTMENT: Parks and Recreation

DEPARTMENT HEAD: Homer Garcia III, Interim Director

COUNCIL DISTRICTS IMPACTED: City Wide

SUBJECT:

Edwards Aquifer Protection Program - Conveyance of Cibolo Vista Tracts 1 and 2 to Edwards Aquifer Conservancy and Conservation Easement Acquisition

SUMMARY:

Consideration of an ordinance authorizing the conveyance of 151.688 acres of land known as Cibolo Vista Tracts 1 and 2 to Edwards Aquifer Conservancy, a non-profit organization supporting the Edwards Aquifer Authority, and authorizing the acquisition of a conservation easement on Cibolo Vista Tracts 1 and 2 from Edwards Aquifer Conservancy.

These actions also authorize the execution of necessary documents.

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.

In May 2019, the Edwards Aquifer Protection Program acquired Cibolo Vista Tracts 1 and 2 in fee simple from Morgan's Wonderland Camp for preservation of Edwards Aquifer water quantity and quality and to complement The Nature Conservancy's 2,765-acre Cibolo Bluffs Preserve located adjacent to the properties. Following the City's acquisition of the properties, the Edwards Aquifer Authority (EAA) submitted a proposal to the Council-appointed Conservation Advisory Board requesting consideration for conveyance to EAA's non-profit, Edwards Aquifer Conservancy (EAC), for the purpose of long-term field research to complement the EAA's Education Outreach Center, a full-time interactive teaching and learning facility which will be located on the adjacent Morgan's Wonderland Camp for the purpose of educating and informing the public on the importance of protecting the Edwards Aquifer. This arrangement will facilitate a sustainable model for research, development, and implementation of best practices that will lead to enhanced aquifer water quality and quantity for the San Antonio area. Specifically, EAA's future initiatives will include: 1) Development and publication of a peer-reviewed long-term research plan focused on aquifer sustainability studies; 2) Research on land management practices designed to enhance soil water retention and carbon sequestration; and 3) Research on aquifer vulnerability and how to better protect water quality. In exchange for conveyance of Cibolo Vista Tracts 1 and 2 to EAC, the City will acquire a perpetual conservation easement limiting EAC's use and development of the properties to aquifer research purposes.

As a result of the proposed transactions, the EAC will assume full responsibility for operation and maintenance of the Cibolo Vista tracts. The City will hold the conservation easement to preserve the EAPP's aquifer protection investment and to ensure the property is used, maintained and developed in accordance with the easement terms, conditions and restrictions. There will be no costs incurred by the City for the proposed conveyance and acquisition.

ISSUE:

This ordinance authorizes conveyance of the 151.688-acre Cibolo Vista Tracts 1 and 2 to Edwards Aquifer Conservancy as well as the acquisition of a perpetual conservation easement to be held and annually monitored by the Edwards Aquifer Protection Program.

The proposed conveyance and acquisition of a conservation easement 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 these conservation easements at the August 28, 2019 meeting.

ALTERNATIVES:

An alternative would be to defer conveyance of the properties and direct staff to negotiate a long-term lease with the Edwards Aquifer Conservancy for the purpose of research, development, and implementation of aquifer management best practices. The City of San Antonio would continue to bear financial responsibility for maintenance of the properties.

FISCAL IMPACT:

This is a one-time conveyance resulting in cost avoidance for the land management of Cibolo Vista Tracts 1 and 2.

RECOMMENDATION:

Staff recommends approval of the conveyance of the 151.688-acre Cibolo Vista Tracts 1 and 2 to Edwards Aquifer Conservancy and acquisition of a conservation easement on Cibolo Vista Tracts 1 and 2 under the Proposition 1 Edwards Aquifer Protection Venue Project.

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