



# City of San Antonio

## Agenda Memorandum

**File Number:**20-6300

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**Agenda Item Number:** 10.

**Agenda Date:** 11/12/2020

**In Control:** City Council A Session

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**DEPARTMENT:** Parks and Recreation

**DEPARTMENT HEAD:** Homer Garcia III, Director

**COUNCIL DISTRICTS IMPACTED:** City Wide

### **SUBJECT:**

Edwards Aquifer Protection Program Acquisitions

### **SUMMARY:**

Consideration of an ordinance authorizing payment in the amount of \$5,141,740.57 to Corridor Title as escrow agent for title on a conservation easement, due diligence and closing costs on a 1,603.19 acre tract of land known as the Brown Ranch located in Kendall County, to be funded from the Edwards Aquifer Land Acquisition - 2015 Venue Projects Fund included in the FY 2021 - FY 2026 Capital Improvement Program.

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 1,603.19 acre Brown Ranch is located over the Edwards Aquifer Contributing Zone in Kendall 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 including the headwaters of Cibolo Creek. The Brown Ranch is located within the Cibolo Creek watershed which contributes to significant recharge of the Edwards Aquifer. The Edwards Aquifer Authority issued geological assessments of the properties confirming that preservation would provide very high water quantity and very high water quality benefits for the City of San Antonio.

If approved, inclusion of this property will increase the total protected lands under the City's aquifer protection program by 1,603.19 acres for a total of 163,114 acres.

#### **ISSUE:**

This ordinance authorizes payment in the amount of \$5,141,740.57 to Corridor Title as escrow agent for title on a conservation easement, due diligence and closing costs on a 1,603.19 acre tract of land known as the Brown Ranch located in Kendall County.

Acquisition of this property is consistent with policy for implementation of the Proposition 1 Edwards Aquifer Protection Venue Project as approved by voters. Acquisition of this property would be the third tract of land protected within the Cibolo Creek watershed and is consistent with policy to protect key watersheds within the Edwards Aquifer Contributing Zone. The City Council-appointed Conservation Advisory Board reviewed and recommended this acquisition at the August 26, 2020 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 very high water quantity and very high water quality benefits and the opportunity to protect acreage over the Contributing Zone within the Cibolo Creek watershed.

#### **FISCAL IMPACT:**

This acquisition is a one-time expenditure in the amount of \$5,141,740.57 for purchase of a 1,603.19 acre conservation easement located in Kendall County over the Edwards Aquifer Contributing Zone. Funds for the acquisition of this conservation easement are available in the Edwards Aquifer Land Acquisition - 2015 Venue Projects Fund included in the FY 2021 - FY 2026 Capital Improvement Program.

#### **RECOMMENDATION:**

Staff recommends approval of the acquisition of a conservation easement on the 1,603.19 acre Brown Ranch in the amount of \$5,141,740.57.

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