



City of San Antonio

Agenda Memorandum

File Number:14-2805

Agenda Item Number: 17.

Agenda Date: 12/4/2014

In Control: City Council A Session

DEPARTMENT: Office of EastPoint & Real Estate

DEPARTMENT HEAD: Mike Etienne

COUNCIL DISTRICTS IMPACTED: City Wide

SUBJECT: Edwards Aquifer Protection Program - Conservation Easement Acquisition

SUMMARY:

An ordinance authorizing the acquisition of a conservation easement on a 1,958-acre tract of land known as the Horton Ranch located in Uvalde County, Texas, in the amount of \$1,892,877.18, to Texas Heritage Title Company, as escrow agent for costs associated with acquisition of real estate interests, due diligence and closing costs.

This ordinance, necessary under the Proposition One Edwards Aquifer Protection Venue Project, authorizes the execution of documents to accomplish said acquisition.

BACKGROUND INFORMATION:

In May of 2000, voters approved the first program, 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. That program, referred to as "Proposition Three," ran from 2000 through 2005, was limited to Bexar County and acquired more than 6,500 acres as Natural Areas for the City of San Antonio.

The current program is an extension of that initial endeavor, although the scope was narrowed to watershed protection and, due to a change in state legislation, funds could be expended outside of Bexar County. 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, referred to as "Proposition One," also is funded with the 1/8-cent sales tax up to the amount of \$90 million.

The purchase of a conservation easement on the Horton Ranch is presented for consideration to the City Council under the Proposition One Edwards Aquifer Protection Venue Project, which was approved by the voters in November 2010. The City Council-approved Conservation Advisory Board has reviewed and recommended this acquisition. This property is located over the Recharge Zone in Uvalde County. Much of

the land is located outside of the flood plain and suitable for residential development.

This property first was targeted through use of the Scientific Evaluation Team's GIS-Spatial Model (SET Model). Subsequent site visits identified previously undocumented faults and other recharge features on the property. All of the Horton Ranch is located within the Sabinal River drainage basin, which is an important recharge contributor in the area. In fact, approximately three miles of the Sabinal River traverses the property. The property significantly contributes to surface water runoff quality, due to the current undeveloped state of the property, and the Edwards Aquifer Authority issued a geological assessment of the site confirming that preservation of the Horton Ranch would provide both high water quality and quantity benefits for the City of San Antonio. This ranch is adjacent to other properties also protected by conservation easements held by the City and would result in the protection of over 25,000 acres of contiguous land within the Sabinal River and Blanco Creek watersheds under conservation easements with the City of San Antonio.

The proposed Horton Ranch would constitute the 58th conservation easement acquisition under the current program. Inclusion of these proposed 1,958 acres would bring the total of protected lands under the City's aquifer protection program to 130,575 acres.

ISSUE:

An ordinance authorizing payment for a conservation easement on a 1,958-acre tract of land known as the Horton Ranch located in Uvalde County, Texas, in the amount of \$1,892,877.18, to Texas Heritage Title Company, as escrow agent for costs associated with acquisition of real estate interests, due diligence and closing.

All of the Horton Ranch is located within the Sabinal River drainage basin, which is an important recharge contributor in the area. Approximately three miles of the Sabinal River run through the property. The property significantly contributes to surface water runoff quality, due to the current undeveloped state of the property, and the Edwards Aquifer Authority issued a geological assessment of the site confirming that preservation of the Horton Ranch would provide high water quality and quantity benefits for the City of San Antonio.

The acquisition of this property is necessary to accomplish the Proposition One Edwards Aquifer Protection Venue Project.

ALTERNATIVES:

An alternative would be to defer acquisition until a later date. By not acquiring this conservation easement at this time, it may not be available at a later date or for the same purchase price.

Another option would be not to acquire the conservation easement; however, this would be counter to the goals of the Proposition One Edwards Aquifer Protection Venue Project.

FISCAL IMPACT:

This is a one-time expenditure in the amount of \$1,892,877.18 for this acquisition. It will be funded by the 1/8-cent sales and use tax in the Edwards Aquifer Protection (Proposition One) Sales Tax funds included in the Fiscal Year 2015-2020 Capital Budget.

RECOMMENDATION:

Staff recommends approval authorizing purchase of a conservation easement on the 1,958-acre Horton Ranch for a total of \$1,892,877.18, in connection with the Proposition One Edwards Aquifer Protection Venue Project, in order to protect the quality and quantity of water entering the Edwards Aquifer.

