

**THIS IS A PROPOSED DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED
ORDINANCE OR RESOLUTION ADOPTED BY THE CITY COUNCIL.**

ORDINANCE

AUTHORIZING ACQUISITION OF A CONSERVATION EASEMENT OF THE EDWARDS AQUIFER RECHARGE AND CONTRIBUTION ZONE AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$26,500.98 FOR DUE DILIGENCE EXPENSES AND CLOSING COSTS FROM THE SAN ANTONIO MUNICIPAL FACILITIES CORPORATION FUND, INCLUDED IN THE FY 2025 - FY 2030 CAPITAL IMPROVEMENT PROGRAM, TO ALAMO TITLE COMPANY AS ESCROW AGENT FOR TITLE ON A CONSERVATION EASEMENT, DUE DILIGENCE AND CLOSING COSTS ON FOUR PARCELS TOTALING 54.692 ACRES KNOWN AS THE SAN ANTONIO MUNICIPAL UTILITY DISTRICT NO. 1 PHASE II PROJECT LOCATED IN BEXAR COUNTY, TEXAS.

* * * * *

WHEREAS, 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 revenue 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, and

WHEREAS, 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. Changer is state legislation allowed watershed protection activities to expanded outside of Bexar County. In 2020, City Council approved a 10-year, \$100 million alternative funding program through the San Antonio Municipal Facilities Corporation which will issue debt for the Edwards Aquifer Protection Program to continue its mission of protecting recharge water quality and quantity over the Edwards Aquifer Recharge and Contributing Zones; and

WHEREAS, the Edwards Aquifer Protection Program acquired a conservation easement on 67.25 acres located nearby from the San Antonio Municipal Utility District No. 1 in 2019; the proposed acceptance of a conservation easement donation on the San Antonio Municipal Utility District No. 1 Phase II properties is located over the Edwards Aquifer Recharge and Contributing Zones and consists of 54.692 acres in Bexar County, Texas; 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 property; the subject properties are located within the Lower Culebra Creek watershed which contributes to the Medina and San Antonio Rivers and provides significant recharge to the Edwards Aquifer; the Edwards Aquifer Authority issued a geological assessment of the property confirming that preservation would provide moderate quantity and moderate water quality benefit for the City of San Antonio; and

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Manager or designee is authorized to acquire title to a conservation easement for the amount of 26,500.98 on 54.692 acres known as the San Antonio Municipal Utility District No. 1 Phase II project located in Bexar County, Texas as depicted on the map in **ATTACHMENT I**, being more particularly described by metes and bounds in **ATTACHMENT II**, and substantially in the form attached as **ATTACHMENT III**.

SECTION 2. The City Manager or designee is authorized to consummate the transaction contemplated in the described easements. The City Manager or designee should take all other actions necessary or convenient to effectuate the transaction, including agreeing to the form of and executing all necessary or convenient instruments and agreements.

SECTION 3. Funds in the amount of \$6,500.00 are available in Fund 40099000, Project 26-00701, WBS Element 26-00701-01-04 and GL Account 5209010.

SECTION 4. Funds in the amount of \$500.00 are available in Fund 40099000, Project 26-00701, WBS Element 26-00701-01-01 and GL Account 5201040.

SECTION 5. Funds in the amount of \$19,500.00 are available in Fund 40099000, Project 26-00701, WBS Element 26-00701-01-03 and GL Account 5201040.

SECTION 6. Payment not to exceed \$26,500.00 is authorized to be encumbered with a purchase order and made payable to Alamo Title Company. Payment is in support of the donation of a conservation easement over the Edwards Aquifer Recharge and Contributing Zones. Funding is provided by the Municipal Facilities Corporation and is included in the FY 2025 - FY 2030 CIP Budget.

SECTION 7. The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Fund Numbers, Project Definitions, WBS Elements, Internal Orders, Fund Centers, Cost Centers, Functional Areas, Funds Reservation Document Numbers, and GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 8. This ordinance becomes effective 10 days after passage, unless it receives the eight votes requisite to immediate effectiveness under San Antonio Municipal Code § 1-15, in which case it becomes effective immediately.

PASSED AND APPROVED this _____ day of _____, 2024.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM: