

ORDINANCE

APPROVING THE FEE SIMPLE ACQUISITION OVER THE EDWARDS AQUIFER CONTRIBUTING ZONE ON A 20.03-ACRE TRACT OF LAND KNOWN AS THE HOOVER PROPERTY LOCATED IN BEXAR COUNTY, TEXAS FROM PROVIDENT SCENIC CANYON, LTD. AND AUTHORIZING PAYMENT TO ALAMO TITLE COMPANY AS ESCROW AGENT IN THE AMOUNT OF \$608,007.74 FROM THE SAN ANTONIO MUNICIPAL FACILITIES CORPORATION FUND, WHICH IS INCLUDED IN THE FY 2025 – FY2030 CAPITAL IMPROVEMENT PROGRAM..

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WHEREAS, the purpose of the Edwards Aquifer Protection Program (EAPP) 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; 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. Changes in state legislation allowed watershed protection activities to expand 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 proposed fee simple purchase of the Hoover Property, which is located directly adjacent to the 453-acre Scenic Canyon Natural Area, is located over the Edwards Aquifer Contributing Zone and consists of 20.03 acres in Bexar County, Texas; upon acquisition of the Hoover Property, the Parks and Recreation Department will manage and maintain the property in its natural state as an extension of Scenic Canyon Natural Area; and

WHEREAS, the Hoover 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 property is located within the Helotes Creek watershed which contributes to significant recharge of the Edwards Aquifer; the Edwards Aquifer Authority issued a geological assessment of the property confirming that preservation would provide moderate water quantity and high water quality benefit for the City of San Antonio.

NOW THEREFORE,

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

SECTION 1. The City Manager or designee is authorized to acquire a conservation easement on the 20.03-acre tract of land known as the Hoover Property located in Bexar County in the amount of \$608,007.74 under the San Antonio Municipal Facilities Corporation fund.

SECTION 2. Funds in the amount of \$551,107.74 are available in Fund 40099000, Project 26-00701, WBS Element 26-00701-01-04 and GL Account 5209010.

SECTION 3. Funds in the amount of \$45,500.00 are available in Fund 40099000, Project 26-00701, WBS Element 26-00701-01-01 and GL Account 5201040.

SECTION 4. Funds in the amount of \$11,400.00 are available in Fund 40099000, Project 26-00701, WBS Element 26-00701-01-03 and GL Account 5201040.

SECTION 5. Payment not to exceed \$608,007.74 is authorized to be encumbered with a purchase order and made payable to Alamo Title Company. Payment is in support of the Hoover property acquisition. Funding is provided by the Municipal Facilities Corporation and is included in the FY 2025 - FY 2030 CIP Budget.

SECTION 6. The acquisition of real property must be coordinated through the city's Finance Department to assure the addition of these assets into the City's financial records and to record the proper accounting transactions.

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 SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP 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 October, 2024.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney