



# City of San Antonio

## Agenda Memorandum

**File Number:**

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**Agenda Item Number:** 24

**Agenda Date:** December 5, 2024

**In Control:** City Council A Session

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**DEPARTMENT:** Parks & Recreation Department

**DEPARTMENT HEAD:** Homer Garcia III

**COUNCIL DISTRICTS IMPACTED:** Citywide

**SUBJECT:**

Edwards Aquifer Protection Program Acquisition – San Antonio Municipal Utility District No. 1 Phase II Project

**SUMMARY:**

An ordinance approving the 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.

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. 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.

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.

#### **ISSUE:**

This ordinance authorizes payment in the amount of \$26,500.98 to Alamo Title Company as escrow agent for title on a conservation easement, due diligence and closing costs on 54.692 acres known as the San Antonio Municipal Utility District No. 1 Phase II project located in Bexar County, Texas. The appraised value of this donated conservation easement is \$750,000.000, resulting in significant savings to the City of San Antonio.

Acceptance of a donated conservation easement on these four parcels of land is consistent with the policy for the Edwards Aquifer Protection Program and will increase the total protected lands under the City's aquifer protection program by 54.692 acres; the current City Council-approved acreage for aquifer protection is 186,866 acres. The Conservation Advisory Board has reviewed and recommended this acquisition.

#### **ALTERNATIVES:**

An alternative would be to defer this acquisition until a later date subject to the property owner's willingness to sell or donate real estate interests and future market conditions. Additionally, other properties could be targeted for acquisition foregoing this conservation easement and losing the

geological benefits and the protection of additional acreage within the Lower Culebra Creek watershed in Bexar County.

**FISCAL IMPACT:**

This acquisition is a one-time expenditure in the amount of \$26,500.98 for due diligence expenses and closing costs associated with the acceptance of a donated conservation easement on 54.692-acres of land located in Bexar County over the Edwards Aquifer Recharge and Contributing Zones funded through the San Antonio Municipal Facilities Corporation included in the FY 2025 - FY 2030 Capital Improvement Program.

**RECOMMENDATION:**

Staff recommends approval for acceptance of a donation of a conservation easement on the 54.692-acre San Antonio Municipal Utility District No. 1 Phase II properties and payment in the amount of \$26,500.98 under the San Antonio Municipal Facilities Corporation fund for associated due diligence expenses and closing costs.

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