



# City of San Antonio

## Agenda Memorandum

### File Number:

---

**Agenda Item Number:** 11

**Agenda Date:** August 31, 2023

**In Control:** City Council A Session

---

**DEPARTMENT:** Parks & Recreation Department

**DEPARTMENT HEAD:** Homer Garcia III

**COUNCIL DISTRICTS IMPACTED:** Citywide

**SUBJECT:**

Edwards Aquifer Protection Program Acquisition – D&M Bendele Ranch

**SUMMARY:**

An ordinance authorizing payment in the amount of \$888,388.45 to Alamo Title Company as escrow agent for title on a conservation easement, due diligence and closing costs on a 650.03-acre tract of land known as the D&M Bendele Ranch located in Medina County, Texas. Funding in the amount of \$90,000 is available from the voter approved 2015 Sales Tax Proposition 1 Edwards Aquifer Protection Program funds and \$798,388.45 is available from the San Antonio Municipal Facilities Corporation and included in the FY 2023 - FY 2028 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. 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 proposed purchase of the conservation easement on the D&M Bendele Ranch is located over the Edwards Aquifer Recharge Zone and consists of 650.03 acres in Medina 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 D&M Bendele Ranch is located within the Rocky Creek-Seco Creek watershed which contributes to the Frio River and contributes to significant recharge of the Edwards Aquifer. The Edwards Aquifer Authority issued a geological assessment of the property confirming that preservation would provide high water quantity benefit and high water quality benefit for the City of San Antonio. Approval of this acquisition will mark the transition from the program's sales tax funding by utilizing the remaining balance of acquisition funding from the 2015 Proposition 1 program to the alternative funding plan through the San Antonio Municipal Facilities Corporation.

#### **ISSUE:**

This ordinance authorizes payment in the amount of \$888,388.45 to Alamo Title Company as escrow agent for title on a conservation easement, due diligence and closing costs on a 650.03-acre tract of land known as the D&M Bendele Ranch located in Medina County, Texas. Acquisition cost for this easement is consistent with the appraised value of the property.

Acquisition of this property is consistent with the policy for implementation of the Proposition 1 Edwards Aquifer Protection Venue Project as approved by voters and will increase the total protected lands under the City's aquifer protection program by 650.03 acres; the current protected acreage is 178,034 acres. The City Council-appointed 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 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 Rocky Creek-Seco Creek watershed in Medina County.

**FISCAL IMPACT:**

This acquisition is a one-time expenditure in the amount of \$888,388.45 for purchase of a 650.03-acre conservation easement located in Medina County over the Edwards Aquifer Recharge Zone. Funding in the amount of \$90,000 is available from the voter approved 2015 Sales Tax Proposition 1 Edwards Aquifer Protection Program funds and \$798,388.45 is available from the San Antonio Municipal Facilities Corporation and included in the FY 2023 - FY 2028 Capital Improvement Program.

**RECOMMENDATION:**

Staff recommends approval of the acquisition of a conservation easement on the 650.03-acre D&M Bendele Ranch in the amount of \$888,388.45 funded under the Proposition 1 Edwards Aquifer Protection Venue Project and under the San Antonio Municipal Facilities Corporation.