



# City of San Antonio

## Agenda Memorandum

**File Number:**

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**Agenda Item Number:** 15

**Agenda Date:** August 11, 2022

**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 – Fern Springs Ranch Division 3

**SUMMARY:**

An ordinance authorizing payment in the amount of \$233,091.54 from Proposition 1 of the Edwards Aquifer Protection Sales Tax fund included in the FY 2022 - FY 2027 Capital Improvement Program, to Western Title of Bandera, Inc. as escrow agent for title on a conservation easement, due diligence and closing costs on a 191.74-acre tract of land known as the Fern Springs Ranch Division 3 property located in Bandera 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.

The proposed purchase of the conservation easement on the Fern Springs Ranch Division 3 property is located over the Edwards Aquifer Contributing Zone and consists of 191.74 acres in Bandera 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 Fern Springs Ranch Division 3 property, one of seven contiguous properties that are proposed for conservation easement acquisition as part of the larger 1,512-acre Fern Springs Ranch, is located within the Hondo Creek, Seco Creek and Medina River watersheds 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 high water quantity benefit and very high water quality benefit for the City of San Antonio. This property is adjacent to the 816-acre Headwaters Ranch conservation easement, which was acquired in October 2021 under the 2015 Proposition 1 Program.

#### **ISSUE:**

This ordinance authorizes payment in the amount of \$233,091.54 to Western Title of Bandera, Inc. as escrow agent for title on a conservation easement, due diligence and closing costs on a 191.74-acre tract of land known as the Fern Springs Ranch Division 3 property located in Bandera 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 191.74 acres; the current protected acreage is 172,745 acres. The City Council-appointed Conservation Advisory Board has reviewed and recommended this acquisition. Acquisition of this property is a component to acquire the larger 1,512-acre Fern Springs Ranch for broader protection in key watersheds that feed into the Edwards Aquifer.

#### **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. This would forego the acquisition strategy for the larger Fern Springs Ranch and the broader protection approach of key watersheds which feed into the Edwards Aquifer. Other properties could be targeted for acquisition to secure comparable geological benefits and the protection of additional acreage within the Hondo Creek, Seco Creek, and Medina River watersheds in Bandera County.

#### **FISCAL IMPACT:**

This acquisition is a one-time expenditure in the amount of \$233,091.54 for purchase of a 191.74-acre conservation easement located in Bandera County over the Edwards Aquifer Contributing Zone funded through the voter approved 2015 Sales Tax Proposition 1 Edwards Aquifer Protection Program. Funds for the acquisition of this conservation easement have been appropriated through Proposition 1 of the Edwards Aquifer Protection Sales Tax fund included in the FY 2022 - FY 2027 Capital Improvement Program.

**RECOMMENDATION:**

Staff recommends approval of the acquisition of a conservation easement on the 191.74-acre Fern Springs Ranch Division 3 property in the amount of \$233,091.54 under the Proposition 1 Edwards Aquifer Protection Venue Project.

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