

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

ORDINANCE

AUTHORIZING THE TRANSFER OF OPERATIONS AND MANAGEMENT OF THE CRANE BAT CAVE PRESERVE FROM THE EDWARDS AQUIFER PROTECTION PROGRAM (EAPP) TO THE SOUTHERN EDWARDS PLATEAU HABITAT CONSERVATION PLAN (SEP-HCP) AND CONVEYANCE OF A CONSERVATION EASEMENT TO THE EDWARDS AQUIFER CONSERVANCY.

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WHEREAS, the purpose of the EAPP is to obtain property rights by fee simple purchase, conservation easements or donations of land over the sensitive zones of the Edwards Aquifer; and

WHEREAS, the EAPP, administered by the Parks and Recreation Department, purchased the Crane Bat Cave preserve for protection of Edwards Aquifer recharge quality and quantity through the 2015 Proposition 1 program in 2020; and

WHEREAS, Development Services Department, who administer the SEP-HCP, are proposing to reimburse the EAPP the full investment of Prop 1 funding for the transfer of operations and management of the Crane Bat Cave preserve, with an aquifer protection layer via the conservation easement to the Edwards Aquifer Conservancy which will remain on the land in perpetuity even with the transfer of management; and

WHEREAS, approximately 75 acres of the Crane Bat Cave preserve are eligible for Karst Fauna Area (KFA) establishment, and if approved, 40 acres of this preserve would be allocated to TxDOT for the Loop 1604 project to mitigate Karst impact with TxDOT already having transferred the necessary funds to the SEP-HCP; and

WHEREAS, the current ordinance (2017-01-19-0032) requires the SEP-HCP to share 50 percent of its revenues generated from enrollments on Prop 1 property with the EAPP, however, alternatively reimbursing the Prop 1 program the full initial investment at once results in substantially greater funding for the Prop 1 program and provides the Prop 1 program the ability to preserve more land by future purchases; and

WHEREAS, U.S. Fish and Wildlife expressed support for the proposal in March 2022, with the Southern Edwards Plateau Habitat Conservation Plan Coordinating Committee and Conservation Advisory Board recommending approval on May 24th and 25th, 2022 respectively, and with the Community, Health, Equity, and Culture Committee recommending approval on December 13, 2022; and

WHEREAS, this Ordinance authorizes the transfer of operations and management of the Crane Bat Cave preserve from the EAPP to the SEP-HCP with the conservation easement, and authorizes the alternative funding method to reimburse the EAPP for its investment; **NOW THEREFORE**;

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

SECTION 1. The operations and management of the Crane Bat Cave Preserve, depicted in Attachment I, is hereby transferred from the Edwards Aquifer Protection Program to the Southern Edwards Plateau Habitat Conservation Plan, and the City Manager or the City Manager’s Designee is authorized to execute a conservation easement with the Edwards Aquifer Conservancy, and other necessary documents to accomplish the transfer and acquisition.

SECTION 2. The funding mechanism outlined in Ordinance 2017-01-19-0032 between the EAPP and the SEP-HCP is hereby waived in favor of the alternative funding method to reimburse the EAPP its full investment amount of \$2,059,144.18, which is hereby authorized.

SECTION 3. Funds in the amount of \$2,059,144.18 for this ordinance are authorized to be appropriated in Fund 29105001, Cost Center 2912010005, and General Ledger 5201040 and amends the Fiscal Year 2023 Adopted Budget.

SECTION 4. Funds in the amount of \$2,059,144.18 for this ordinance are authorized to be transferred and appropriated in Fund 40099000 and Project 26-00638 and amends the Fiscal Year 2023 – Fiscal Year 2028 CIP Budget.

SECTION 5. 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 Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 6. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this day of , 2023.

JH
0/0/2023
Item No.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney