

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

ORDINANCE

**APPROVING THE ACQUISITION OF A CONSERVATION
EASEMENT OVER THE EDWARDS AQUIFER RECHARGE AND
CONTRIBUTING ZONES ON A 2,267.58-ACRE TRACT OF LAND
KNOWN AS THE MOOS RANCH LOCATED IN UVALDE COUNTY,
TEXAS FROM NSHE TX QUINLAN, LLC, AND AUTHORIZING
PAYMENT TO MISSION TITLE COMPANY AS ESCROW AGENT
IN THE AMOUNT OF \$3,143,207.59 FROM PROPOSITION 1 OF THE
EDWARDS AQUIFER PROTECTION SALES TAX FUND INCLUDED
IN THE FY 2023 – FY2028 CAPITAL IMPROVEMENT PROGRAM.**

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WHEREAS, 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; and

WHEREAS, 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; and

WHEREAS, changes in state legislation allowed watershed protection activities to expand outside of Bexar County; and

WHEREAS, the proposed purchase of the conservation easement on the Moos Ranch, which 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, and which is located over the Edwards Aquifer Recharge Zone and consists of 2,267.58 acres in Uvalde County, Texas; and

WHEREAS, 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; and

NOW THEREFORE:

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

SECTION 1. The City Manager or designee or the Director of the Parks and Recreation Department or designee is authorized to approve the acquisition of a conservation easement over the Edwards Aquifer Recharge and Contributing Zones on a 2,267.58-acre tract of land known as the Moos Ranch located in Uvalde County, Texas from NSHE TX Quinlan, LLC, and authorizing payment to Mission Title Company as escrow agent in the amount of \$3,143,207.59 from Proposition 1 of the Edwards Aquifer Protection Sales Tax fund included in the FY 2023 – FY2028 Capital Improvement Program.

SECTION 2. 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 3. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 23rd day of March, 2023.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney