



City of San Antonio

Agenda Memorandum

File Number:

Agenda Item Number: 15

Agenda Date: November 3, 2022

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 – Hampton Property

SUMMARY:

An Ordinance authorizing payment in the amount of \$2,524,966.20 from Proposition 1 of the Edwards Aquifer Protection Sales Tax fund included in the FY 2023 – FY 2028 Capital Improvement Program, to Alamo Title Company as escrow agent for fee simple acquisition, due diligence, closing costs and execution of a conservation easement on a 116.5-acre tract of land known as the Hampton Property 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 (EAPP) 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 fee simple purchase of the Hampton Property, which is located directly adjacent to Government Canyon State Natural Area (GCSNA), is located over the Edwards Aquifer Recharge Zone in Bexar County. The EAPP, which is seeking to protect the Edwards Aquifer water recharge quality and quantity benefits for the City of San Antonio, will leverage \$1,000,000.00 in funding for this acquisition through a partnership with the Texas Parks & Wildlife Department (TPWD) which owns and manages GCSNA. Acquisition of this property and execution of a conservation easement for aquifer protection will guarantee a perpetual protective buffer for GCSNA. Upon acquisition of the Hampton Property, TPWD will hold title to the property and will operate and manage it in its natural state as an extension of GCSNA. At closing, the City will receive from TPWD a conservation easement to be held by the EAPP and inspected on an annual basis.

The Hampton Property was initially identified through use of the EAPP Scientific Evaluation Team's GIS Spatial Model and subsequent site visits identified favorable recharge potential on the property. The Hampton Property drains to the San Geronimo Creek watershed which contributes to recharge of the Edwards Aquifer. The Edwards Aquifer Authority issued a geological assessment of the property confirming that preservation would provide high water quality and high water quantity benefits for the City of San Antonio. If approved, inclusion of this property will increase the total protected lands under the City's aquifer protection program by approximately 116.5 acres in Bexar County.

ISSUE:

This ordinance authorizes payment in the amount of \$2,524,966.20 to Alamo Title Company as escrow agent for fee simple acquisition, conservation easement acceptance, due diligence and closing costs on a 116.5-acre tract of land known as the Hampton Property located in Bexar County, Texas. The acquisition cost for this property is less than the appraised value of \$4,673,000.00, resulting in a significant bargain sale to the City and TPWD.

Acquisition of this property and acceptance of a conservation easement 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 116.5 acres; the current protected acreage is 173,592 acres. The Texas Parks & Wildlife Department Commission and City Council-appointed Conservation Advisory Board has reviewed and recommended this acquisition.

ALTERNATIVES:

An alternative would be to defer 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 the Hampton Property and losing its high water quality and high water quantity benefits and the opportunity to protect acreage within the San Geronimo

Creek watershed. This would also forego the leverage funding opportunity with TPWD in pursuit of securing a buffer for and expansion of GCSNA.

FISCAL IMPACT:

This fee simple acquisition is a one-time expenditure in the amount of \$2,524,966.20 for the fee simple purchase and acceptance of a conservation easement on the 116.5-acre Hampton Property located in Bexar County over the Edwards Aquifer Recharge 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 2023 - FY 2028 Capital Improvement Program.

RECOMMENDATION:

Staff recommends approval of this fee simple acquisition and acceptance of a conservation easement acquisition on a 116.5-acre tract of land known as the Hampton Property for a total of \$2,524,966.20 under the Proposition 1 Edwards Aquifer Protection Venue Project.

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