

CITY OF SAN ANTONIO City Manager's Office Interdepartmental Correspondence Sheet

TO:	Mayor and City Council
FROM:	Susan Spegar, ASLA, Special Project Manager
COPIES:	City Manager; Budget, Finance, Parks and Recreation; File
SUBJECT:	ACQUISITION OF A 710.168-ACRE TRACT FOR THE PROPOSITION THREE EDWARDS LAND ACQUISITION AND PARK EXPANSION PROJECT
	DATE : October 23, 2003

SUMMARY AND RECOMMENDATION

An ordinance authorizing payment to Chicago Title Company in the amount of \$3,950,450.00 as escrow agent for fee simple purchase of a 710.168-acre tract of land situated on the west side of Highway 211 across from Government Canyon State Natural Area in northwest Bexar County, Texas, under the auspices of the Proposition Three Edwards Land Acquisition and Park Expansion Project; authorizing payment of \$19,750.00 to The Trust for Public Land and payment of \$19,750.00 to The Nature Conservancy for services in negotiating, investigating and purchasing said property; and authorizing the execution of a real estate purchase contract to accomplish said purchase; and providing an immediate effective date upon eight affirmative votes.

This proposed ordinance is for a fee simple purchase of a 710.168-acre tract of land known as the Chris Hill tract as part of the Proposition Three Edward's Land Acquisition Program. The Chris Hill tract is near to the previously acquired Windgate Ranch property and the Government Canyon State Natural Area to the east of Highway 211 and the Mayberry and Hampton tracts to the south for a total land purchase price of \$3,950,000.00.

This parcel is presented for consideration to the City Council under the Proposition Three Edwards Land Acquisition and Park Expansion Project approved by the voters on May 6, 2000. The Conservation Advisory Board reviewed and recommended purchase on September 29, 2003, and the Planning Commission approved this purchase on October 22, 2003. The City Council was briefed on October 2, 2003 on the efforts of the City of San Antonio to purchase the property. As presented to the City Council on October 9, 2003, a conservation easement will be applied to the property at the time of closing favoring the San Antonio Water System as partial consideration of the acquisition of 1,841 acres of property (637 acres designated for the project Starbright agreement and 1,204 acres will be held by city pending subsequent transfer to the Land Heritage Institute for conservation purposes.

The site has high residential development potential with the location in close proximity to Bandera Road. There is a residential development on the east side of Highway 211 directly across from this tract that was developed by the owner. Access is to the 710.168 acres is along

Highway 211. This site has many recharge features including caves, fractures and fissures although these features have not been mapped. The 710.168-acre parcel contains two tier two and one tier three parcel as identified in the Scientific Evaluation Team GIS model and is located entirely on the Edwards Aquifer Recharge Zone. This level of ranking on the model was due to hydrological and biological features and did not consider adjacency to the other Proposition Three Properties that include the Windgate, Mayberry, Schuchart and Hampton tracts.

In keeping with the direction of the Conservation Advisory Board, this helps to further the goal of consolidating acquisitions whenever possible for greater enhancement of water quality and quantity recharging into Edwards Aquifer.

Staff recommends approval of the ordinance.

POLICY ANALYSIS

The property proposed for purchase was identified in a spatial model that was created for this project to identify the most sensitive parcels for acquisition. This model, labeled the Scientific Evaluation Team GIS model, is composed of forty-three (43) different layers that take into consideration the hydrogeology, watersheds, and biology over northern Bexar County. Each of the layers has a weighted value assigned to the layer. As each layer is overlaid over the next, the model begins to darken where the most sensitive areas of concern are located.

The model then superimposes a layer of all undeveloped tracts in the project area and a score is assigned to each tract. The score, based on 100, then ranks these tracts and assigned each tract to a tier. No parcel received a perfect score. The highest level of scores were then assigned to the top tier known as tier one. These tier one parcels have a score between 62 and 76. The tier two ranking parcels have a value between 52 and 60. Identified in the top three tiers are a potential 84,000 acres that could be acquired. This proposed acquisition contains three parcels ranked in the tier two and tier three categories that total 710.168 acres. This tract is located over the Edwards Aquifer Recharge Zone and has a high potential for recharge features.

This proposed action is consistent with policy adopted by the City Council for the preservation and conservation of the Edward's Aquifer sensitive areas as presented in Proposition Three of the Better Future Sales Tax Initiative passed and approved by the voters on May 6, 2000.

FINANCIAL DATA

This project is funded by the one-eighth sales and use tax in the special revenue Parks Development and Expansion Fund.

TOTAL COSTS FOR ACQUISITION:

Land Cost (appraised value is \$4,083,466 based on \$5,750/acre) \$3,950,000.00

The Trust For Public Land and The Nature Conservancy Admin Fee (1%) \$39,500.00

Due diligence costs:

Environmental Assessment –Loomis-Austin \$3,060.00

Survey- Alamo Consulting Engineers \$4,950.00

First Appraisal-Dugger Canaday \$3,500.00

Closing Costs (tax certificate and recording fees) Chicago Title \$450.00

SUPPLEMENTARY COMMENTS

TOTAL COST for the 710.168 acres:

The table below outlines the acreage acquired and total land budget expensed as a result of this acquisition.

TOTALS:

Acquired to date:

Expensed to Date:

5,025.809 acres

\$27,561,323.57

This acquisition:

710.168 acres

\$ 3,950,000.00

Total acres with this acquisition:

Total expensed with this acquisition:

86.68% land acquisition budget expensed

(based on a land budget of

\$36,350,000.00)

The disclosure forms submitted by Loomis-Austin, Alamo Consulting Engineers, Duggar-Canaday, and Chicago Title are attached hereto.

\$4,001,460.00

COORDINATION

This request for ordinance has been coordinated with the Parks and Recreation Department and the Finance Department for availability of funds.

Susan Spegar, ASLA Special Project Manager

Christopher J Brady Assistant City Manager

APPROVED:

Terry M. Brechtel City Manager

CITY OF SAN ANTONIO City Manager's Office Interdepartmental Correspondence Sheet

TO:	Mayor and City Council	
FROM:	Susan Spegar, ASLA, Acting Special Project N	Manager
COPIES:	City Manager; Budget, Finance, Parks and Re	creation; File
SUBJECT:	ACQUISITION OF PROPERTY FOR THE EDWARDS LAND ACQUISITION AND PARK	E PROPOSITION THREE EXPANSION PROJECT
	DATE: _	October 23, 2003

An ordinance authorizing payment to Chicago Title Company in the amount of \$3,950,450.00 as escrow agent for fee simple purchase of a 710.168-acre tract of land situated on the west side of Highway 211 in northwest Bexar County, Texas, under the auspices of the Proposition Three Edwards Land Acquisition and Park Expansion Project; authorizing payment of \$19,750.00 to The Trust for Public Land and \$19,750.00 to the Nature Conservancy for its services in negotiating, investigating and purchasing said property; authorizing the execution of a real estate purchase contract to accomplish said purchase; and providing an immediate effective date upon eight affirmative votes.

Susan Spegar, ASIA Special Project Manager

TO: 2102077457

P.2/3

10/09/2003 14:16 FAX 210 624 5122 CARL R. OLIVER P.C. OCT 09 2003 09:44 FP CHICAGO TITLE SAN ANT 10/07/2003 15:01 FAI 210 824 5122

CARL R. ULLIER FILE

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OCT-06-2003 13:32 FROM:

TO 98245122 10.210 R24 5122

City of San Antonio

Discretionary Contracts Disclosure*

For use of this form, see City of Sen Antonio Ethics Code, Part D. Sections 1&2 Attach additional streets a purce provided is not sufficient State Not Applicable for questions that on not poply.

This form is required to be supplemented in the event there is any change in the information under (1), (2), or (3) below, before the discretionary contract is the subject of council action, and no later than this (5) business days after any change about which information is required to be filed.

Disclosure of Parties, Owners, and Closely Related Persons

For the purpose of assisting the City in the enforcement of provisions contained in the City Charter and the Code of Ethics, an individual or business entity seeking a discretionary contract

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San Antonio, Texas 7	1205	
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Law Offices of Corl	. Oliver, P.C.	
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Dan Altonio, 12x85 /	463	
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TO:2102077457

157 P.3/3

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TO 98245122

P 3/3/63 P 3/3

DCT-26-2003 13:32 FROM:

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Any individual or business chilly seeking ardiscretionary contract with the city shall disclose any known facts; which teasonedly understood raise a question as to whether any city official or established would would soldie. Section 1 of Part B. Improved Foodball Box B. employed would violate Section for Part B. Improper Economic Berefit, by participating in efficial action estating to the discretionary continue Title: Senior Title Officer Signature: 10/9/03 Chicago Tilla Jumence Co

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City of San Antonio

Discretionary Contracts Disclosure*
For use of this form see City of San Antonio Ethics Code, Part D. Sections 1&Z
Attack additional sheets if space provided is not sufficient
State That Applicable, for questions that do not apply.

"This form is required to be supplemented in the event there is any change in the information under (1), (2), or (3) below, before the discretionary contract is the subject of council action, and no later than five (6) business days after any change about which information is required to be filled.

Disclosure of Parties, Owners, and Closely Related Persons For the purpose of assisting the City in the enforcement of provisions contained in the City Charter and the Code of Ethics, an individual or business entity seeking a discretionary contract from the City is required to disclose in connection with a proposal for a discretionary contract

A business antity means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, unincorporated association, or any other entity recognized by law.

P.03

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² For purposes of this rule, facts are "reasonably understood" to "raise a question" about the appropriateness of official action (I a distributional person would conclude that the facts, if true, require recusal or require careful consideration of whether or not recursal ia required.

City of San Antonio

Discretionary Contracts Disclosure*

For use of this form, see City of Sen Antonio Ethics Code, Part D, Sections 142
Attach additional sheets if space provided is not sufficient.
State "Not Applicable" for questions that do not apply.

"This form is required to be supplemented in the event there is any change in the information under (1), (2), or (3) below, before the discretionary contract is the subject of council action, and no later than five (5) business days after any change about which information is required to be filled.

Disclosure of Parties, Owners, and Closely Related Persons For the purpose of assisting the City in the enforcement of provisions contained in the City Charter and the Code of Ethics, an Individual or business entity seeking a discretionary contract

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N/A
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Loomis Austin, Inc.
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N/A
and the name of: (8) any individual or business entity that is known to be a partner, or a parent or suits diang business entity of any individual or business entity who would be a party to the discretionary contract.
N/A

COSA Form 1960-33-2, DContract.doc, 09/12/02

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Signature: (MM) Muluhr—	Title: Accounting him Company: Loomis Austin, J	Inlilas	

² For purposes of this rule, facts are "reasonably understood" to "raise a question" about the appropriatenase of official action if a disinterested person would conclude that the facts, if true, require recuest or require careful consideration of whether or not recusal is required.

Oct-06-03 02:44pm From-DUGGER CANADAY GRAFE

2102278520

T-786 P 82/03 F-627

City of San Antonio Discretionary Contracts Disclosure*

For use of this form, see City of San Antonio Ethics Code, Part D, Sections 182
Attach additional sheets if space provided is not sufficient.
State Not Applicable' for questions that do not apply.

"This form is required to be supplemented in the event there is any change to the information under (1), (2), or (3) below, before the discretionary contract is the subject of council action, and no later than five (5) business days after any change about which information is required to be flied.

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A business entity means a sale proprietoranip, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, unincorporated association, or any other entity recognized by law.

Oct-98-03 02:44pm From-DUGGER CANADAY GRAFE

2102278520

T-796 P #3/08 F-627

(3) the identity of any loopyist of public relations first employed for purposes lelating to the discretionary contract being sought by any individual or business aprily who would be a party to the discretionary contract.

NA

Political Contributions

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Disclosures in Proposals

Any individual or business entity seeking a discretionary contract with the city shall disclose any known facts which reasonably understood raise a question as to whether any city effortal or employee would violate Section to Park B. Improper Economic Benefit by participating in official action relating to the discretionary contract.

No	· ~			
Signature:		Title: PREZIDENT	Date: 10/4/03	
		Company: BUSSER CANADAY, GRAIE THE		

² For purposes of this rule, facts are "mesonably understood" to "raise a question" about the appropriateness of difficial action it a disinterested person would conclude that the facts, if true, require recusal or require careful consideration of whether or not recusal is required.

CITY OF SAN ANTONIO City Manager's Office Interdepartmental Correspondence Sheet

TO:

Planning Commission

FROM:

Susan Spegar, ASLA, Special Projects Manager

COPIES:

Christopher J. Brady, Assistant City Manager; Parks and Recreation; File

SUBJECT:

ACQUISITION OF PROPERTY FOR THE PROPOSITION THREE

EDWARDS LAND ACQUISITION

DATE:

October 3, 2003

PETITIONER:

Susan Spegar, ASLA

Special Project Manager

City of San Antonio

506 Dolorosa

San Antonio, Texas 78283

Amy W. Morris
Project Manager

The Trust for Public Land

312 El Paso

San Antonio, Texas 78267

Paul Barwick Project Manager

The Nature Conservancy 711 Navarro Suite 410 San Antonio, Texas

SUMMARY AND RECOMMENDATION

This proposed action is for approval for fee simple purchase of one parcel in Bexar County, Texas.

The Hill tract is a total of 710.168 acres located along Highway 211 and is west of Government Canyon State Natural Area and the previously purchased Wingate, Schuchart, and Kallison tracts. It is also on the same side of Highway 211 from the Mayberry and Hampton tracts. Access to the site is from Highway 211 and serves to continue the process of preservation of the aquifer recharge zone. The 710.168 acres is ranked tier two and three on the Scientific Evaluation Team GIS model. The acquisition of this tract will prevent further residential development and protect another 710.168 acres of Edwards Aquifer recharge zone land. Upon approval and acquisition, The City of San Antonio will grant the San Antonio Water System a conservation easement over the property in exchange for property along the Medina River.

This acquisition was previously approved by the Conservation Advisory Board for a fee simple purchase of a 710.168-acre tract of land situated in Bexar County, Texas under the auspices of the Proposition Three Edwards Land Acquisition and Park Expansion Project.

After Planning Commission review, approval for purchase will then be forwarded to the City Council to approve the execution of a real estate contract for this acquisition.

This is the eighth presentation of parcels for consideration by Planning Commission under the auspices of the Proposition Three Edwards Land Acquisition and Park Expansion Project approved by the voters on May 6, 2000. The Conservation Advisory Board reviewed and recommended purchase on September 29, 2003. The City Council review for approval for purchase of this tract is scheduled for October 23, 2003.

Staff recommends approval for purchase of 710.168 acres.

SUMMARY

		Per acre cost	Total Cost
Total Acreage (previous acquisitions)	5,025.809	\$5,483.84 \$27	,561,323.57
Total Acreage (this acquisition)	<u>710.168</u>	\$5,563.00 \$3	•
Total Acreage	5,735.977	\$5,493.63 \$31	,511,323.57

COORDINATION

In compliance with City procedures, the following City departments, utility agencies, and Advisory Boards have reviewed Applicant's request:

- 1. Conservation Advisory Board
- 2. Planning Commission
- 3. Parks and Recreation
- 4. Public Works

CONCLUSION AND RECOMMENDATION

Staff recommends approval of this request and further requests that the Planning Commission notifies City Council of the action taken in this matter.

Susan Spegar, ASLA

Special Projects Manager

CONSIERVATION ADVISORY BOARD

SUBJECT:

ACQUISITION OF PROPERTY FOR THE PROPOSITION THREE EDWARDS LAND ACQUISITION AND PARK EXPANSION PROJECT

STAFF RECOMMENDATION:

The site has high residential development potential with the location in close proximity to Bandera Road. There is a residential development on the east side of Highway 211 directly across from this tract that was developed by the owner. Access is to the 710.168 acres is along Highway 211. This site has many recharge features including caves, fractures and fissures although these features have not been mapped. The 710.168-acre parcel contains two tier two and one tier three parcel as identified in the Scientific Evaluation Team GIS model and is located entirely on the Edwards Aquifer Recharge Zone. This level of ranking on the model was due to hydrological and biological features and did not consider adjacency to the other Proposition Three Properties that include the Windgate, Mayberry, Schuchart and Hampton tracts.

Acquisition of this property will remove it from imminent future residential development. The appraised value is \$5,570 per acre with a discounted purchase price of \$5,562.06 per acre.

Staff recommends approval of this acquisition.

Susan Spegar, ASLA Special Project Manager

Approved:

Christopher J. Brady

Assistant City Manager



SUBJECT: ACQUISITION OF PROPERTY FOR THE PROPOSITION THREE EDWARDS LAND ACQUISITION AND PARK EXPANSION PROJECT

SUMMARY AND RECOMMENDATION BY THE CONSERVATION ADVISORY BOARD

This recommendation by the Conservation Advisory Board is approval for a fee simple purchase of a 710.168-acre tract of land situated in Bexar County, Texas under the auspices of the Proposition Three Edwards Land Acquisition and Park Expansion Project.

This tract of land is located along Highway 211 west of the Government Canyon State Natural Area. This site is ranked as tier two and tier three by the Scientific Evaluation Team GIS model and is located entirely in the Edwards Aquifer Recharge Zone. Access to the site is from Highway 211. This tract is one of the last large tracts in Bexar Country undisturbed and undeveloped. This tract has caves with great recharge potential.

This recommendation for purchase is approved this 29th day of September 2003.

Malcolm Matthews, Chairman Conservation Advisory Board

VOTE ON RECOMMENDATION:		In Favor	Opposed
Texas Parks and Wildlife Department	Deirdre Hisler		
Edwards Aquifer Authority	Geary Schindel		
San Antonio Water System	Scott Halty	absent	
COSA Parks and Recreation Department	Malcolm Matthews	alount	
COSA Public Works Department	Doug Yerkes		
San Antonio River Authority	Jim Blair		
Open Space Advisory Board	Jody Sherrill		
Parks and Recreation Advisory Board	Frederick McGee		
Business Representative			

TOTAL COSTS FOR ACQUISITION:

Lanc	\$3,950,000.00					
The	s) \$39,500.00					
Due diligence costs:						
1.	Environmental Assessment –Loomis Austin	\$3,060.00				
2.	Survey-Alamo Consulting Engineers	\$4,950.00				
3.	First Appraisal-Dugger Canaday	\$3,500.00				
4.	Appraisal-Blair Stouffer (paid by owner)	\$0.00				
5.	Title Policy –Chicago Title (paid by owner)	\$0.00				
6.	Closing Costs (tax certificate and recording fees)	\$450.00				
TOTAL COST:		\$4,001,460.00				

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710.168 acres

10.87% land acquisition budget expensed