

**CITY OF SAN ANTONIO
CITY MANAGER'S OFFICE
CITY COUNCIL AGENDA MEMORANDUM**

TO: Mayor and City Council

FROM: Christopher J. Brady, Assistant City Manager

SUBJECT: Revision to Conservation Advisory Board

DATE: June 2, 2005

SUMMARY AND RECOMMENDATIONS

The purpose of this item is to revise the charge and composition of the Conservation Advisory Board (CAB).

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

On April 6, 2000, ordinance no. 91566 created the CAB and Scientific Evaluation Team (SET) and specified their membership. On June 29, 2000, ordinance no. 92098 changed the composition of the CAB to provide input and advice regarding the implementation of the May 2000 Park Development and Expansion Venue Project (Proposition 3).

The SET develops a scientific data matrix outlining and prioritizing areas for land acquisition. Consideration is given to recharge and geological land features, which contribute to the Edwards Aquifer. The CAB reviews the SET's scientific data matrix and evaluates all properties identified for acquisition and recommended purchase to the Planning Commission and City Council.

A special election was ordered by City Council on August 19, 2004 on the Edwards Aquifer Protection Venue Project (Proposition 1). Staff received direction through a Council Consideration Request circulated by Councilman Art Hall directing staff to place an action item on an upcoming City Council agenda to revise the charge and composition of the Conservation Advisory Board (CAB). Voters passed Proposition 1 on May 7, 2005.

City staff briefed the City Council Governance Committee on May 19, 2005, regarding the revision of the charge and composition of the CAB. At that time, staff was directed to bring this item forward to full Council.

POLICY ANALYSIS

This action will revise the charge and composition of the CAB. The composition of the CAB will be revised to remove the nominations of members from the Public Works Department and the Open Space Advisory Board. Members from the Natural Resources Conservation Service, the U.S. Geological Survey, and two representatives from affected counties will be added to the CAB. Affected counties are to be determined by City Council through passage of a subsequent ordinance. This ordinance will increase the CAB from a nine (9) member board to an eleven (11) member board.

The CAB purpose will be expanded to include providing input and advice to staff and the City Council regarding:

- (i) the acquisition of sensitive land over the Edwards Aquifer acquired pursuant to the Parks Development and Expansion Venue Project, and pursuant to the Edwards Aquifer Protection Venue Project, proposed for adoption by the voters in May 2005, and the appropriate development and stewardship of such land; and
- (ii) the stewardship and monitoring of conservation easements acquired under the Edwards Aquifer Protection Venue Project.

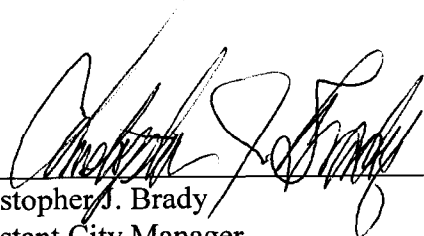
The SET will assist and provide additional guidance to the CAB, utilizing the U.S. Geological Survey's sensitivity map and other scientific data to identify general areas for possible land and conservation easement acquisition and developing a prioritized outline of features to be considered when purchasing sensitive land and conservation easements under the Edwards Aquifer Protection Venue Project.


The CAB shall report to the City Council on its activities during each fiscal year. The report will be due November 30th of each fiscal year. The report shall include a summary of:

- (i) acquisition activities during the year under the Edwards Aquifer Protection Venue Project;
- (ii) any development or stewardship activities that have occurred on lands acquired under either the Parks Development and Expansion Venue Project, adopted by the voters in May, 2000, or the Edwards Aquifer Protection Venue Project, during the year; and
- (iii) the monitoring and stewardship of conservation easements acquired under the Edwards Aquifer Protection Venue Project, during the year.

COORDINATION

This ordinance request has been coordinated with City Attorney's Office.



Christopher J. Brady
Assistant City Manager

J. Rolando Bono
Interim City Manager

**CITY OF SAN ANTONIO
OFFICE OF THE CITY COUNCIL**

COUNCIL CONSIDERATION REQUEST

RECEIVED
CITY OF SAN ANTONIO
COUNCIL CLERK

05 MAY -6 AM 9:20

TO: Mayor and Council Members
FROM: Councilman Art A. Hall, District 8
COPIES: J. Rolando Bono, *Interim City Manager*; Martha Spedea, *Acting City Attorney*; Christopher J. Brady, *Assistant City Manager*; Melissa Byrne Vossmer, *Assistant City Manager*; Malcolm Matthews, *Director, Parks and Recreation*; Leticia Vacek, *City Clerk*; Walter Ague, *Assistant to the Mayor*; Gayle McDaniel, *Assistant to the City Council*

SUBJECT: Revision to Conservation Advisory Board Ordinance

DATE: April 28, 2005

Please join with me in directing staff to place on the agenda for Council consideration an ordinance revising the charge and composition of the Conservation Advisory Board, if voters approve the Edwards Aquifer Protection Venue Project ('Proposition 1') on May 7, 2005.

It will be necessary and prudent to provide for increased inputs and reports to the City Council on the progress of land acquisition and protection for the life of the venue project, should voters approve the extension of the sales tax project. Additionally, a new composition of the board should be put in place to include input and representation from affected counties, should the options of conservation easements be pursued. A draft ordinance for consideration is attached for your review.

Your favorable consideration of this request is most appreciated.

ART A. HALL
DISTRICT 8

EDWARD D. GARZA
MAYOR

ROGER O. FLORES
DISTRICT 1

JOEL WILLIAMS
DISTRICT 2

RON H. SEGOVIA
DISTRICT 3

RICHARD PEREZ
DISTRICT 4

PATTI RADLE
DISTRICT 5

ENRIQUE M. BARRERA
DISTRICT 6

JULIAN CASTRO
DISTRICT 7

CARROLL SCHUBERT
DISTRICT 9

CHIP HAASS
DISTRICT 10

Julian for Discussion Only.
What is the current composition?
How can we still insure
District representation? etc.

AN ORDINANCE

EXPANDING THE COMPOSITION AND REVISING THE PURPOSE OF THE CONSERVATION ADVISORY BOARD ("CAB") TO PROVIDE INPUT AND ADVICE TO CITY COUNCIL ON THE ACQUISITION AND DEVELOPMENT OF VENUE PROJECTS FUNDED WITH SALES TAX REVENUES; AND AMENDING ORDINANCE NO. 91566, APPROVED APRIL 6, 2000, AND ORDINANCE NO. 92098, APPROVED JUNE 29, 2000, IN ACCORDANCE HERewith.

WHEREAS, on August 19, 2004, City Council ordered a special election to be held May 7, 2005 on the Edwards Aquifer Protection Venue Project ("Edwards Venue Project"); and

WHEREAS, the Edwards Venue Project provides for the protection and preservation of the Edwards Aquifer; and

WHEREAS, Ordinance No. 91566, approved April 6, 2000, created the Conservation Advisory Board and Professional Evaluation Team and specified their membership; and

WHEREAS, Ordinance No. 92098, approved June 29, 2000, changed the composition of the Conservation Advisory Board to provide input and advice regarding the implementation of the May, 2000 Park Development and Expansion Venue Project ("Proposition 3"); and

WHEREAS, City Council desires to revise the purpose and composition of the CAB to provide input and advice related to the Edwards Venue Project, and revise the above-listed Ordinances to reflect the changes adopted through this Ordinance; NOW THEREFORE:

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

SECTION 1. **Creation.** Ordinance No. 100199, approved December 17, 2004, set forth guidelines for the creation and operation of boards and commissions created by City Council, to be codified in the City of San

Antonio City Code, Chapter 2, Article VIII. The provisions of Chapter 2, Article VIII, shall apply to the Conservation Advisory Board, with the exception of the following: Sections 2-400 through 2-403; Section 2-405 subsection (d); Section 2-408;

SECTION 2. Appointments and Categories. The Conservation Advisory Board ("CAB") shall be comprised of eleven (11) members to be nominated from the following organizations:

Texas Parks and Wildlife Department
Edwards Aquifer Authority
San Antonio Water System
The Parks and Recreation Advisory Board (Neighborhood Representative)
The Economic Development Foundation (Business Representative)
City of San Antonio Parks and Recreation Department
San Antonio River Authority
Natural Resources Conservation Service
U.S. Geological Survey
Two representatives from affected counties. Said counties to be determined by City Council through passage of a subsequent ordinance

Nominations for the CAB will be provided by the respective organizations. The nominations shall be provided, in writing, to the Office of the City Clerk by _____ (time deadline). City Council shall confirm the nominations by appointing said nominees to the CAB, through passage of an ordinance.

SECTION 3. Purpose. Ordinance 91566, approved by the City Council on April 6, 2000, is hereby amended to revise the purpose of the CAB, as set out in Exhibit III of said ordinance, to read as follows:

The purpose of the CAB shall be to provide input and advice to staff and the City Council regarding (i) the acquisition of sensitive land over the Recharge and Contributing Zones of the Edwards Aquifer acquired pursuant to the Parks Development and Expansion Venue Project, adopted by the voters in May, 2000, and pursuant to the Edwards Aquifer Protection Venue Project, proposed for adoption by the voters in May, 2005, and the appropriate development and stewardship of such land, and (ii) the stewardship and monitoring of conservation easements acquired under the Edwards Aquifer Protection Venue Project. The Scientific Evaluation Team, established in

Ordinance 91566 will assist and provide additional guidance to the CAB, utilizing the U.S. Geological Survey's sensitivity map and other scientific data to identify general areas for possible land and conservation easement acquisition and developing a prioritized outline of features to be considered when purchasing sensitive land and conservation easements under the Edwards Aquifer Protection Venue Project.

The CAB shall report to the City Council on its activities during each fiscal year of the City. Such report shall include a summary of the (i) acquisition activities during the year under the Edwards Aquifer Protection Venue Project; (ii) any development or stewardship activities that have occurred on lands acquired under either the Parks Development and Expansion Venue Project, adopted by the voters in May, 2000, or the Edwards Aquifer Protection Venue Project, during the year; and (iii) the monitoring and stewardship of conservation easements acquired under the Edwards Aquifer Protection Venue Project, during the year. Such report shall be due sixty (60) days after the end of each fiscal year of the City.

SECTION 5. Term. Chapter 2, Article VIII, Section 2-404, entitled "Terms of Office" shall apply to the CAB.

SECTION 6. Chairperson and Vice Chair. The Chairperson and Vice Chair person of the CAB will be selected by a majority vote of the members. Said persons shall be selected at the first meeting, and on an annual basis thereafter, providing no person has served more than two consecutive years as chair person of this board.

SECTION 7. Subcommittees. Chapter 2, Article VIII, Section 2-406, entitled "Subcommittees" shall apply to the CAB

SECTION 8. Compensation. Members of the CAB and any subcommittee created by the CAB will serve without compensation as provided in Section 154 of the City Charter of the City of San Antonio.

SECTION 9. Ordinance No. 991566, approved April 6, 2000, which approved the creation of the CAB to provide input and advice regarding the implementation of the May, 2000 Park Development and Expansion Venue Project and Ordinance No. 92098, approved June 29, 2000, which modified the composition of the CAB are hereby revised in accordance herewith.

SECTION 10. This ordinance shall take effect ten (10) days after passage.

PASSED and APPROVED this the _____ day of _____, 2005