



# City of San Antonio

## Legislation Details (With Text)

**File #:** 15-5459  
**Type:** Real Property Acquisition  
**In control:** City Council A Session  
**On agenda:** 11/12/2015  
**Title:** An Ordinance authorizing the payment of \$763,502.10 for real property interests, due diligence and closing costs for the acquisition of a 354-acre conservation easement on the Burell Ranch located in Medina County, Texas as part of the Edwards Aquifer Protection Program. [Maria Villagomez, Assistant City Manager; Xavier D. Urrutia, Director, Parks and Recreation]

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Site Map 2 for Burell Ranch in Medina County, 2. Site Map for Burell Ranch in Medina County, 3. Conservation Easement Agreement with Richard R. Burrell for 11-12-2015, 4. Ordinance 2015-11-12-0942

Date	Ver.	Action By	Action	Result
11/12/2015	1	City Council A Session	adopted	Pass

**DEPARTMENT:** Parks and Recreation

**DEPARTMENT HEAD:** Xavier D. Urrutia

**COUNCIL DISTRICTS IMPACTED:** City Wide

**SUBJECT:**

Edwards Aquifer Protection Program - Conservation Easement Acquisition

**SUMMARY:**

This ordinance authorizes payment for real property interests, due diligence and closing costs on a 354-acre tract of land known as the Burell Ranch located in Medina County, Texas for the Edwards Aquifer Protection Program, a Proposition 1 Edwards Aquifer Protection Venue funded Project, which was approved by the voters in November 2010, in the amount of \$763,502.10 payable to Texas Heritage Title Company, as escrow agent, for title on a conservation easement. This ordinance also authorizes the execution of documents to accomplish said acquisition, necessary under the Proposition 1 Edwards Aquifer Protection Venue Project.

**BACKGROUND INFORMATION:**

In May of 2000, voters approved the first program, 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. That program, referred to as Proposition 3, ran from 2000 through 2005, was limited to Bexar County.

The current program, referred to as Proposition 1, is an extension of that initial endeavor, although the scope was narrowed to watershed protection and, due to a change in state legislation, funds could be expended outside of Bexar County. 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.

The purchase of a conservation easement on the Burell Ranch is presented for consideration to the City Council under the Proposition 1 Edwards Aquifer Protection Venue Project, which was approved by the voters in November 2010. The City Council-approved Conservation Advisory Board has reviewed and recommended the acquisition of this conservation easement. This property is located entirely over the Recharge Zone in Medina County. Most all of the land is located outside of the flood plain and suitable for potential residential development.

This property first was targeted through use of the Scientific Evaluation Team's GIS-Spatial Model (SET Model). Subsequent site visits identified previously undocumented faults and other recharge features on the property. All of the Burell Ranch is located within the Medina River drainage basin, which is an important recharge contributor in the area. The Medina River is less than half a mile north of the Burell Ranch. The property significantly contributes to surface water runoff quality, due to the current undeveloped state of the property, and the Edwards Aquifer Authority issued a geological assessment of the site confirming that preservation of the Burell Ranch would provide both high water quality and quantity benefits for the City of San Antonio. This ranch is adjacent to several other properties protected by conservation easements held by SAWS and would result in the protection of over 950 acres of contiguous land within the Medina River watershed under conservation easements with the City of San Antonio and SAWS. Inclusion of these proposed 354 acres would bring the total of protected lands under the City's aquifer protection program to 135,725 acres.

## **ISSUE:**

An ordinance authorizing payment for real property interests, due diligence and closing costs on a 354-acre tract of land known as the Burell Ranch located in Medina County, Texas, in the amount of \$763,502.10, to Texas Heritage Title Company, as escrow agent for title on a conservation easement.

The Burell Ranch is located less than half a mile south of the Medina River and within the Medina River drainage basin, which is an important recharge contributor in the area. The property significantly contributes to surface water runoff quality, due to the current undeveloped state of the property. The Edwards Aquifer Authority issued a geological assessment of the site confirming that preservation of the Burell Ranch would provide both high water quality and quantity benefits for the City of San Antonio.

The acquisition of this property is necessary to accomplish the Proposition 1 Edwards Aquifer Protection Venue Project.

## **ALTERNATIVES:**

An alternative would be to defer acquisition until a later date. By not acquiring this conservation easement at this time, it may not be available at a later date or for the same purchase price.

Another option would be to not acquire the conservation easement; however, the benefits of protecting this property and adding to the contiguous acreage of protected lands in the watershed would not be realized.

**FISCAL IMPACT:**

This acquisition is a one-time expenditure in the amount of \$763,502.10. 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 2016-2021 Adopted Annual Capital Budget.

**RECOMMENDATION:**

Staff recommends approval of the acquisition of a conservation easement on this 354-acre tract of land, known as the Burell Ranch, for a total of \$763,502.10, in connection with the Proposition 1 Edwards Aquifer Protection Venue Project, in order to protect the quality and quantity of water entering the Edwards Aquifer.