



## Recommendation for Action

**File #:** 22-3567, **Agenda Item #:** 21.

12/1/2022

### **Posting Language**

Authorize negotiation and execution of all documents and instruments necessary or desirable for the acquisition in fee simple of a tract of land totaling approximately 7.62 acres of land, more or less, out of the John G. McGehee Survey No. 6, Abstract No. 17, Travis County, Texas, and being the same tract of land described in Deed dated October 4, 1984 from J. B. Roberts to L.R. Briggs, et ux, and recorded in Volume 8856, Page 887, of the Travis County Deed Records, together with an easement for ingress and egress to such property recorded in Volume 12059, Page 2572, Real Property Records of Travis County, Texas from Schoch-Worley Family Partnership, Ltd., a Texas limited partnership for a total amount not to exceed \$1,250,000, including closing costs. This project is located within the City's extra-territorial jurisdiction.

### **Lead Department**

Financial Services Department.

### **Fiscal Note**

Funding is available in the Capital Budget of the Watershed Protection Department.

### **For More Information:**

Michael Gates, Financial Service Department, 512-974-5639; Cathy Curtis, Financial Services Department, 512-974-5649; Katie Coyne, Watershed Protection Department, 512-974-6591.

### **Additional Backup Information:**

The proposed acquisition of this tract represents a significant acquisition in the Barton Springs Recharge Zone for the City of Austin Water Quality Protection Lands (WQPL) Program. The property is in the Bear Creek watershed, and the tract is adjacent to three existing WQPL properties. The property is entirely over the Barton Springs Edwards Aquifer Recharge Zone, containing one side of Bear Creek. Recharge from just downstream of this section of the creek reaches Barton Springs in under three days. The site was previously developed with a single-family house, which has since burnt down, and was used for the storage of equipment, vehicles, boats, storage containers, and miscellaneous wood and metal debris. The previous owner is now deceased. The current owner has removed these items from the site, but additional cleanup is needed. The acquisition is a public benefit by allowing for the cleanup of contaminated soil on site and preventing non-point source pollution from potential development entering the aquifer or impacting downstream aquatic resources.

The City would fund this proposed acquisition through the 2018 Proposition D Bond Funds for Open Space.

An independent, third-party appraisal was procured to establish the fair-market value of the proposed acquisition. The appraisal supports the purchase price of \$1,100,000. The amount of the purchase price plus closing costs is not to exceed \$ 1,250,000. The owner and the City will each escrow \$100,000 in an account for site cleanup and obtain a "No Further Action Letter" from the Texas Commission of Environmental Quality as part of the Corrective Action Plan for the site. Any unused funds will be refunded to the respective parties.

### **Strategic Outcome(s):**

Health and Environment, Government that Works for All.