



## Recommendation for Action

**File #:** 24-3755, **Agenda Item #:** 10.

2/1/2024

### Posting Language

Authorize negotiation and execution of all documents and instruments necessary or desirable to acquire an approximately 490.716 acre tract of conservation easement, generally located in the Onion Creek Watershed, that runs to the west along FM 150 and south of Onion Creek, from Frank W. Zimmerman, Jr., M.D. and Janice Zimmerman, Trustees, under the Lazy Z Ranch Revocable Trust, for a total amount not to exceed \$6,141,000 including closing costs.

### 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 Services Department, 512-974-5639; Brandon Williamson, Financial Services Department, 512-974-5666; Ana Gonzalez, Watershed Protection Department, 512-974-2929.

### Additional Backup Information:

The proposed acquisition represents a significant conservation easement acquisition on approximately 490.716 acres of the Zimmerman tract (Property), known as the Lazy Z Ranch, on Onion Creek in the Barton Springs Edwards Aquifer (BSEA) Contributing Zone for the City of Austin (City) Water Quality Protection Lands (WQPL) Program. The Hays County Commissioners' Court has approved \$1,000,000 toward the purchase of the conservation easement, and Hays County will act as a co-grantee for the conservation easement with the City. A Memorandum of Understanding with Hays County will be executed prior to closing and execution of the conservation easement. Hays County has agreed to oversee the operation and management of the conservation easement.

The Property is located within the BSEA Contributing Zone, borders approximately 1.8 miles of Onion Creek, and contains at least one known spring. The acquisition will prevent non-point source pollution from potential development from entering Onion Creek and, subsequently, the Edwards Aquifer, thus limiting impacts to downstream aquatic resources.

The City would fund the proposed conservation easement acquisition with 2018 Proposition D Bond Funds for Open Space. This bond funding was designated for the purchase of land and conservation easements on properties in Austin's southern watersheds that feed the Edwards Aquifer, Barton Springs, and the Colorado River.

The purchase price of \$7,090,930 (of which \$1,000,000 is being paid by Hays County) is under the current fair market value, as determined by an independent third-party appraiser. The amount of the City's payment to the purchase price plus closing costs is not to exceed \$6,141,000.