

AGENDA



Thursday, November 20, 2008

**Contract and Land Management
RECOMMENDATION FOR COUNCIL ACTION**

Item No. 6

Subject: Authorize the negotiation and execution of an agreement with Hill Country Conservancy (HCC) regarding cooperation on land conservation actions, including provisions for reimbursement of costs incurred in connection with the acquisition of real property and conservation easements pursuant to the November 6, 2006 Bond Election, Proposition 2, in an amount not to exceed \$100,000.

Amount and Source of Funding: Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Watershed Protection and Development Review Department.

Fiscal Note: A fiscal note is attached.

For More Information: Junie Plummer 974-7085; April Thedford 974-7141

The proposed agreement between the Hill Country Conservancy (HCC) and the City will formalize and delineate our cooperative efforts to provide for the conservation of water quality and open space in the Barton Springs Zone.

Strategies used by the City and HCC include the fee title acquisition of land and purchase of conservation easements which limits development rights and require land management practices that are protective of water quantity and quality. The agreement will provide for HCC to negotiate and sign contracts with landowners for the acquisition of property rights for assignment to the City. As consideration for receiving such an assignment, the City will reimburse HCC for costs incurred by HCC in connection with the transaction, including but not limited to due diligence services, legal fees, survey fees, appraisal fees and closing costs. HCC and the City will enter into separate agreement(s) in connection with each contract which the City desires to assume setting forth the terms of the reimbursement.

This agreement does not restrict the City's right, on its own behalf, to enter into negotiations and agreements concerning the acquisition of interest in any tracts of real property, including, without limitation, tracts within the Barton Springs Zones, or the City's ability to cooperate with any other person or entity in the acquisition of such property interests. The City entered into a similar agreement with the HCC in September 2001; this new agreement provides the City with additional opportunities for public/private partnerships to achieve regional open space, water quality, and conservation goals.