



City of San Antonio

Agenda Memorandum

File Number:

Agenda Item Number: 25

Agenda Date: June 20, 2024

In Control: City Council A Session

DEPARTMENT: Public Works Department

DEPARTMENT HEAD: Razi Hosseini

COUNCIL DISTRICTS IMPACTED: District 1, District 8, District 10

SUBJECT:

Real Estate Acquisition: Declaration of public necessity for acquiring real properties to complete 2022 Bond Projects.

SUMMARY:

An ordinance approving the acquisition, through negotiation or condemnation, of interests in permanent and temporary parcels of land sufficient for project purposes of privately-owned real property and declaring the following two 2022 Bond Program funded projects to be public use projects and a public necessity for the acquisitions of: (a) three (3) permanent parcels totaling 1.775-acre (77,314 square feet); and five (5) temporary construction easements totaling 0.584-acre (25,436 square feet), located on Bulverde Road from Green Spring to Redland in NCB 17194 and NCB 17365 in Council District 10, for the Bulverde Road (Green Spring to Redland) project; and, four (4) permanent parcels totaling 0.197-acre (8,630 square feet), located on Wurzbach Road at Vance Jackson Road in NCB 14002, NCB 14257, and NCB 16726 in Council Districts 1 and 8, for the Wurzbach Road at Vance Jackson (Intersection Improvements) project.

Pursuant to Texas Government Code Section 2206 et seq and Texas Property Code Chapter 21, this item requires the City Council to initiate a motion authorizing the use of the power of eminent domain, should it be needed.

BACKGROUND INFORMATION:

On May 7, 2022, voters approved the City's 2022-2027 General Obligation Bond Program, which authorized \$13 million allocated for the Bulverde Road from Green Spring to Redland Project and \$6.3 million allocated for the Wurzbach Road at Vance Jackson (Intersection Improvements) project.

The Bulverde Road from Green Spring to Redland Road, a multi-phased project, will construct roadway improvements, including sidewalks, drainage, bicycle facilities, and other improvements as applicable and within available funding.

The Wurzbach Road at Vance Jackson project will construct intersection improvements at Wurzbach Road and Vance Jackson Road, including roadway widening and traffic signal upgrades, as applicable and within available funding.

Acquisition of property is required to complete the Bulverde Road from Green Spring to Redland Project and The Wurzbach Road at Vance Jackson (Intersection Improvements). The City intends to use every effort available to obtain the required land rights through good faith negotiations but may require eminent domain if the negotiations are not successful.

ISSUE:

This ordinance authorizes the acquisition, through negotiation or condemnation, of interests in permanent and temporary parcels of land sufficient for project purposes of privately-owned real property and declaring the projects to be public use projects and a public necessity for the acquisitions.

The City intends to use every effort available to obtain the required land rights through good faith negotiations but may require eminent domain if the negotiations are not successful. In order for the city to exercise its power of eminent domain, the City of San Antonio City Council must declare the project as a public project. The City of San Antonio has the authority and power to exercise eminent domain (condemning property) under Article I, Section 17 of the Texas Constitution and Texas Local Government Code.

These public use projects are necessary to complete the Bulverde Road from Green Spring to Redland and the Wurzbach Road at Vance Jackson (Intersection Improvements) 2022-2027 General Obligation Bond Projects.

ALTERNATIVES:

The City Council could choose not to approve this request; however, without the acquisition of property, the City will not have sufficient land to complete the improvements for the Bulverde Road from Green Spring to Redland and the Wurzbach Road at Vance Jackson (Intersection Improvements).

FISCAL IMPACT:

Funds are available from the 2022 General Obligation Bond Program and are included in the FY 2024 – FY 2029 Capital Improvement Program.

RECOMMENDATION:

Staff recommends approval of this ordinance authorizing the acquisition, through negotiation or condemnation, of interests in land sufficient for project purposes of privately-owned real property and declaring the projects to be for public use and a public necessity for the acquisitions related to the 2022-2027 General Obligation Bond Projects: Bulverde Road from Green Spring to Redland and the Wurzbach Road at Vance Jackson (Intersection Improvements).