



City of San Antonio

Agenda Memorandum

File Number:

Agenda Item Number: 11

Agenda Date: August 15, 2024

In Control: City Council A Session

DEPARTMENT: Public Works Department

DEPARTMENT HEAD: Razi Hosseini

COUNCIL DISTRICTS IMPACTED: ETJ

SUBJECT:

Real Estate Acquisition on behalf of SAWS: Declaration of public necessity for acquiring real property for the Stevens Ranch 24-Inch Water Main Project.

SUMMARY:

An ordinance authorizing the acquisition, on behalf of the San Antonio Water System (SAWS), through negotiation or condemnation of interests in land sufficient for project purposes, involving the acquisition of three (3) Permanent Water Easements and three (3) Temporary Construction Easements on privately-owned real property located in the northwest quadrant of Bexar County, related to the Stevens Ranch 24-Inch Water Main Project, declaring the project to be for public use and a public necessity for the acquisition.

This public use project is required for a new water line on the northwest side of Bexar County, in the City's ETJ. Pursuant to the enacted Texas Senate Bill (SB 18), these items require the City Council to initiate a motion authorizing the use of the power of eminent domain, should it be needed.

BACKGROUND INFORMATION:

The Stevens Ranch 24-Inch Water Main Project is a crucial infrastructure development aimed at improving the water supply in the northwest side of Bexar County. It involves the construction of a new water line, which will require the acquisition of three (3) Permanent Water Easements and three (3) Temporary Construction Easements. The design phase is expected to be completed in October 2024, with construction scheduled to begin in January 2025 and be completed in June 2027. The estimated construction cost for this project is approximately \$12,000,000.

SAWS intends to use every effort available to obtain the required land rights for the project through good faith negotiations but may require eminent domain if the negotiations are unsuccessful or if the owner lacks the legal capacity to grant the necessary land rights. In order for SAWS to exercise its power of eminent domain, the City of San Antonio City Council must declare the project as a necessary public project for public use. 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.

The public use project is necessary to integrate Pressure Zone 1170-District Special Project with Pressure Zone 1170, which will provide a more reliable water supply that will also benefit future residential customers in future developments in the Stevens Ranch area. The Project requires the construction of approximately 16,000 feet of 24-inch water main. The property acquisition will be completed by SAWS. Approval of this ordinance is a continuation of City Council policy to determine and declare specific projects necessary for public purpose and public use and authorize the acquisition of private property by and through the SAWS Board of Trustees for the public project by negotiation or condemnation.

ISSUE:

This ordinance will authorize the acquisition, on behalf of the San Antonio Water System (SAWS), through negotiation or condemnation of interests in land sufficient for project purposes involving three (3) Permanent Water Easements and three (3) Temporary Construction Easements located outside of current Council district boundaries, related to the Stevens Ranch 24-Inch Water Main Project, and declaring the project to be for public use and a public necessity for the acquisition.

ALTERNATIVES:

If City Council chooses not to approve this request, it would require SAWS to redesign the project, leading to increased costs and project delays. This project is essential for properly integrating pressure zone (PZ) 1170-DSP with PZ 1170. PZ 1170- DSP is supplied with water produced at the Texas Research Park Pump Station and Stevens Pump Station and operates independently of PZ 1170. Texas Research Park PS is experiencing operational issues that may compromise its ability to provide needed capacity. To simplify operations and to provide PZ 1170-DSP with a more reliable supply, it is recommended that the two pressure zones be connected.

FISCAL IMPACT:

The passage of this ordinance will not have a financial impact on the City of San Antonio. Any condemnation costs, including awards, will be paid by or through SAWS.

The project fund will finance the expenditures included in the Water Delivery Core Business, Mains New—Water Category, and Stevens Ranch 24-inch Water Main budget line item in the SAWS 2024 Capital Improvement Program.

RECOMMENDATION:

On behalf of SAWS, staff recommends approval of this request to authorize acquisition by negotiation or condemnation for the needed land interests for the project.

The San Antonio Water System Board of Trustees reviewed and approved the project on May 7, 2024.