



# City of San Antonio

## Agenda Memorandum

**File Number:**

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**Agenda Item Number:** 9

**Agenda Date:** November 7, 2024

**In Control:** City Council A Session

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**DEPARTMENT:** Parks & Recreation Department

**DEPARTMENT HEAD:** Homer Garcia III

**COUNCIL DISTRICTS IMPACTED:** District 8

**SUBJECT:**

Acquisition of Property for the Leon Creek Greenway Connection from The Rim to Raymond Russell County Park

**SUMMARY:**

This Ordinance authorizes the acquisition through negotiation or condemnation of approximately 1.321 acres in N.C.B. 34760 located along Leon Creek in Council District 8 for the Leon Creek Greenway connection from The Rim to Raymond Russell County Park, a 2015 Proposition 2 Sales Tax Initiative funded project; property being in the City of San Antonio, Bexar County, Texas; declaring the Leon Creek Greenway Trail project to be a public project for public use; declaring public necessity for the acquisition of privately owned real property; and authorizing the City Attorney and/or designated special counsel to file eminent domain proceedings.

Under the Texas Government Code (Chapter 2206 et seq), pursuant to enacted Texas Senate Bill (SB 18), this item requires City Council to pull the item from the Consent Agenda and initiate a motion authorizing the use of power of eminent domain, should it be needed.

**BACKGROUND INFORMATION:**

The proposed 1.6-mile Leon Creek Greenway project from provides an expansion north of The Rim, connecting to Raymond Russell County Park. The proposed project includes a 12-foot wide, concrete multi-use hike and bike trail approximately 1.6 miles in length, along with signage and associated amenities for use by San Antonio residents and visitors.

The necessary property is located within the 100-year floodplain consisting of approximately 1.321 acres in N.C.B. 34760 along Leon Creek in Council District 8 within the City of San Antonio, Bexar County, Texas. The acquisition of this property is necessary for the completion of the aforementioned project. The property owner of record is MPPI, Inc. which was tendered a fair market value offer of \$43,500.00 for the property. The owner has not responded with an acceptance of the offer or a relevant counteroffer. Condemnation authority is requested at this time in order to proceed to a subsequent special commissioner hearing process, should further good faith attempts to negotiate fail.

The Howard W. Peak Greenway Trails System is a growing network of more than 100 miles of developed multi-use and accessible trails built through the natural landscapes along the San Antonio waterways and tributaries. The program includes the acquisition and preservation of open space along with the development of multi-use hike and bike trails, trailheads, signage, and associated amenities which provide for outdoor recreation and an alternate means of transportation. Upon acquisition, the Leon Creek Greenway connection from The Rim to Raymond Russell County Park will be constructed to include a 12-foot wide, concrete multi-use hike and bike trail approximately 1.6 miles in length, along with signage and associated amenities for use by San Antonio residents and visitors.

#### **ISSUE:**

The proposed acquisition of land is necessary and will be used for the preservation of floodplain property and riparian habitat along Leon Creek and will provide the land through which the Leon Creek Greenway connection from The Rim to Raymond Russell County Park will be built. Multi-use hike and bike trails, being an essential component of the Howard W. Peak Greenway Trail System, provide for outdoor recreation and an alternate means of transportation. The ability for bicyclists and pedestrians to travel between connected destinations is essential to the concept of the greenway trail system. Once the necessary property has been acquired, the Leon Creek Greenway connection from The Rim to Raymond Russell County Park will be constructed to include a 12-foot wide, concrete multi-use hike and bike trail approximately 1.6 miles in length, along with signage and associated amenities for use by San Antonio residents and visitors.

Parks and Recreation staff will continue 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 not successful.

#### **ALTERNATIVES:**

This acquisition provides the land needed for a connection to the larger Howard W. Peak Greenway Trails system through which multi-use trails and related park improvements are constructed. Alternate trail alignments could be revisited which to date have not proven to meet project requirements in the spirit of the Howard W. Peak Greenway Trails System.

**FISCAL IMPACT:**

Ordinance authorizing the acquisition through negotiation or condemnation of approximately 1.321 acres in N.C.B. 34760 located along Leon Creek in Council District 8 for the Leon Creek Greenway connection from The Rim to Raymond Russell County Park. The estimated total fair market value of the land for this acquisition is \$43,500.00. Funds are available and included in the FY 2024 – FY 2029 Capital Improvement Program.

**RECOMMENDATION:**

Staff recommends approval of the necessary acquisition of property for the Leon Creek Greenway connection from The Rim to Raymond Russell County Park.