



# City of San Antonio

## Agenda Memorandum

**File Number:**

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**Agenda Item Number:** 13

**Agenda Date:** April 3, 2025

**In Control:** City Council A Session

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**DEPARTMENT:** Public Works Department

**DEPARTMENT HEAD:** Razi Hosseini

**COUNCIL DISTRICTS IMPACTED:** District 4

**SUBJECT:**

Real Estate Acquisition: Declaration of public necessity for acquisition of 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 funded projects to be public use projects and a public necessity for the acquisitions of: (a) portions of sixteen (16) private property right of way easement interests located along Watson Road located within County Block 4298 for the Watson Road Phase 1 (Verano Pkwy to West of Palo Alto Rd) project and (b) one (1) variable width right of way easement out of New City Block 13975 totaling approximately 2.878 acres (125,366.54 square feet) for the Linear Greenway Trails, specifically the Leon Greenway Connection via Port San Antonio in Council District 4.

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

## **BACKGROUND INFORMATION:**

On May 7, 2022, voters approved the City's 2022 General Obligation Bond Program which authorized \$12,000,000 allocated for the Watson Road Phase 1 (Verano Pkwy to West of Palo Alto Rd) and \$103,530,000 for the Linear Greenway Trails project.

The Watson Road Phase 1 project will construct roadway improvements, including sidewalks, curbs, driveway approaches, drainage and other improvements. A total of twenty-four (24) portions of private properties will be acquired for this project as right of way easements to widen the existing road, eight (8) have been acquired to date. There is a variable width average of thirty (30) feet along both sides of the road for widening.

The current Linear Greenway Trails, specifically the Leon Greenway Connection via Port San Antonio project is design only and to be complete by Fall 2026. The design consists of a trail connection with trailheads, signage, landscaping, and other amenities. The limits span from Pearsall Park east through Port San Antonio to Camargo Park. Construction will be considered to be a part of the 2027 Bond Program.

Acquisition of property is required to complete the Watson Road Phase 1 (Verano Pkwy to West of Palo Alto Rd) and the Linear Greenway Trails, specifically the Leon Greenway Connection via Port San Antonio projects. The City intends to use every effort available to obtain the required land rights through good faith negotiations but may require eminent domain for title issues or if 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 project 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 or to resolve title issues. 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 Watson Road Phase 1 (Verano Pkwy to West of Palo Alto Rd) and the Linear Greenway Trails, specifically the Leon Greenway Connection via Port San Antonio, 2022 General Obligation Bond Projects.

## **ALTERNATIVES:**

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 Watson Road Phase 1 (Verano Pkwy to West of Palo Alto Rd) and the Linear Greenway Trails, specifically the Leon Greenway Connection via Port San Antonio, projects.

**FISCAL IMPACT:**

Funds are available from the 2022 General Obligation Bond Program and are included in the FY 2025 Capital Budget.

**RECOMMENDATION:**

Staff recommends approval.