



City of San Antonio

Agenda Memorandum

File Number:

Agenda Item Number: 14

Agenda Date: March 21, 2024

In Control: City Council A Session

DEPARTMENT: Public Works Department

DEPARTMENT HEAD: Razi Hosseini

COUNCIL DISTRICTS IMPACTED: District 8

SUBJECT:

Real Estate Acquisition on behalf of SAWS: Declaration of public necessity for acquiring real property for two Permanent Water Easements for the Blanco Road to Orsinger Lane Pressure Zone 1111 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 two Permanent Water Easement (being a total of 0.35 acres (15,426.89 square feet)) on privately-owned real property located in Summerfield Subdivision, in the northern quadrant of Bexar County in New City Block 17180 located in Council District 8, related to the Blanco Road to Orsinger Lane Pressure Zone 1111 24-inch Water Main Project, declares the project to be for public use and a public necessity for the acquisition.

This public use project is required for a new transmission water line in the northern side of San Antonio. Pursuant to enacted Texas Senate Bill (SB 18), these items require City Council to initiate a motion authorizing the use of power of eminent domain, should it be needed.

BACKGROUND INFORMATION:

The Blanco Road to Orsinger Lane Pressure Zone 1111 24-inch Water Main Project is located within Council District 8. The project will consist of the construction of a transmission water line. The project will require the acquisition of two Permanent Water Easements. The design phase was completed on September 9, 2023, and construction is expected to begin on May 1, 2024, with completion on April 26, 2026. The estimated construction cost for this project is approximately \$12,957,030.00. 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 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.

The public use project is necessary to improve transmission efficiency between the Bitters booster station and the DeZavala elevated tank and within pressure zone 1111. SAWS will complete the property acquisition. Approval of this ordinance is a continuation of City Council policy to determine and declare certain 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 two Permanent Water Easements on privately owned real property located on Summerfield Subdivision in the northern quadrant of Bexar County in New City Block 17180 located in Council District 8. The project is related to the Blanco Road to Orsinger Lane Pressure Zone 1111 24-inch Water Main Project declares the project to be for public use and a public necessity for the acquisition.

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ALTERNATIVES:

City Council could choose not to approve this request and require SAWS to redesign the project, increasing costs, resulting in a project delay, and potentially subjecting SAWS to a TCEQ violation.

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 this expenditure, which is included in the Blanco Road to Orsinger Lane Pressure Zone 1111 24-inch Water Main Project is funded by SAWS FY 2023 Capital Improvement Program, Water Delivery Core Business line item.

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 outlined projects. The project was reviewed and approved by the San Antonio Water System Board of Trustees on December 5, 2023.