

RESOLUTION NO. 2020-135

OF THE SAN ANTONIO WATER SYSTEM (THE “SYSTEM”) BOARD OF TRUSTEES DECLARING AN APPROXIMATELY 123.133 ACRE TRACT OF LAND LOCATED IN THE SOUTHEAST AND SOUTHWEST QUADRANTS OF BEXAR COUNTY, TEXAS NEAR MITCHELL LAKE (THE “PROPERTY”), AS SURPLUS TO THE NEEDS OF THE SYSTEM AS REQUIRED BY CITY ORDINANCE NO. 75686; RECOMMENDING THAT THE SAN ANTONIO PLANNING COMMISSION AND CITY COUNCIL CONSENT TO SUCH DECLARATION AS REQUIRED BY CITY ORDINANCE NO. 75686; AUTHORIZING THE PRESIDENT/CHIEF EXECUTIVE OFFICER OR HIS DULY APPOINTED DESIGNEE TO DISPOSE OF SAID PROPERTY PURSUANT TO SECTION 272.001 OR SECTION 253.014 OF THE TEXAS LOCAL GOVERNMENT CODE AND APPLICABLE CITY OF SAN ANTONIO AND SYSTEM POLICIES AND PROCEDURES; FINDING THIS RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, City Ordinance No. 75686 requires all System assets be declared as surplus to the needs of the System prior to their disposition; and

WHEREAS, staff has determined the Property is no longer necessary for the efficient operation of the System; and

WHEREAS, any easements, rights of way or other reservations needed for the efficient operation of the System will be identified by staff and retained at the time of sale; and

WHEREAS, upon the sale of said Property, the proceeds from said sale shall be deposited in the Gain/Loss Account for the Sewer Delivery System; and

WHEREAS, the San Antonio Water System Board of Trustees desires to (i) declare the Property as herein described surplus to the needs of the System as required by City Ordinance No. 75686, (ii) recommend that the Planning Commission and City Council consent to the declaration as required by City Ordinance No. 75686, and (iii) authorize the President/Chief Executive Officer or his duly appointed designee to dispose of the Property pursuant to Section 272.001 or Section 253.014 of the Local Texas Government Code and all applicable System and City of San Antonio policies and procedures; now therefore:

BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:


1. That the Property is hereby declared surplus to the needs of the System. Such real property is more particularly described in Attachment I and generally depicted on Attachment II, both of which are attached hereto and incorporated herein for all purposes.
2. That a recommendation is hereby made to the Planning Commission and City Council to consent to the declaration as required by City Ordinance No. 75686.
3. That the President/Chief Executive Officer or his duly appointed designee is hereby authorized to dispose of said Property pursuant to Section 272.001 or Section 253.014 of the Texas Local Government Code and all applicable System and City of San Antonio policies and procedures, reserving any easements, rights of way or other reservations identified by staff as needed for the efficient operation of the System.
4. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.
5. If any part, section, paragraph, sentence, phrase or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.
6. This resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this 9th day of June, 2020.



Berto Guerra, Jr., Chairman

ATTEST:



Amy Hardberger, Secretary

Attachments:

- I Legal Description
- II Property Depiction