



# City of San Antonio

## Legislation Details (With Text)

**File #:** 15-3967

**Type:** Real Property Acquisition

**In control:** City Council A Session

**On agenda:** 8/20/2015

**Title:** An Ordinance, on behalf of SAWS, authorizing the acquisition, through negotiation or condemnation of interests in 1.71 acres of privately-owned real property, generally located at the northeast corner of Somerset Road and Loop 1604 for a water storage tank and pipeline; declaring it a public project, located in the City of Somerset, Texas [Peter Zaroni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. SV-02927.000 (0.458 Ac) Cat1A Survey1 Exhibit A-2, 2. SV-02927.010 (Perm Water Line Esmt)1 Exhibit A-3, 3. SV-02927.010 (Temp Const Esmt)1 Exhibit A-4, 4. Board Res 15-129, 5. Clayton Tank Aerial map, 6. Draft Ordinance, 7. Ordinance 2015-08-20-0706

Date	Ver.	Action By	Action	Result
8/20/2015	1	City Council A Session	Motion to Approve	Pass

**DEPARTMENT:** Transportation & Capital Improvements

**DEPARTMENT HEAD:** Mike Frisbie, P.E.

**COUNCIL DISTRICTS IMPACTED:** Citywide

**SUBJECT:**

Acquisition: Real Property for a SAWS water tank and pipeline in Somerset

**SUMMARY:**

An ordinance, on behalf of SAWS, authorizing the acquisition, through negotiation or condemnation of interests in 1.71 acres of privately-owned real property, generally located at the northeast corner of Somerset Road and Loop 1604 for a water storage tank and pipeline; declaring it a public project, located in the City of Somerset, Texas.

**BACKGROUND INFORMATION:**

The San Antonio Water System (SAWS) currently owns 1.15 acres at 19260 Somerset Road in Somerset, Texas commonly referred to as the Somerset Pump Station. The Somerset property is currently being used by SAWS

as a Booster and Pump Station. As part of SAWS' master planning process, the acquisition of land is needed to move forward with building a replacement for the ground storage tank located on Clayton Street in Somerset. The existing ground storage tank on Clayton Street in Somerset will be demolished upon completion of this new ground storage tank which will be located at the Somerset Pump Station. This project will require the acquisition of real property being 0.458 acre tract adjacent to the Somerset Pump Station.

The Water Resources Integration Program (WRIP) also will require a 0.624 acre permanent water easement and a 0.628 acre temporary construction easement from the same private real property located adjacent to the Somerset Pump Station in order to connect the WRIP pipeline to the Somerset Pump Station. The WRIP pipeline generally follows a north-northwest alignment from south Bexar County and through the far west portions of Bexar County to SAWS Anderson Pump Station near the intersection of Loop 1604 and Highway 151.

The design phase of this project began September 9, 2014. Project construction expected to begin in late 2015 and be completed in 2017.

SAWS intends to use every effort available to obtain the required permanent and temporary land rights for the new facilities through good faith negotiations, but may require eminent domain if the negotiations for the required privately owned real property are not successful. 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.

In order for SAWS to exercise its power of eminent domain, the City of San Antonio City Council must declare the project a public project.

SAWS has coordinated with the City of Somerset and now requests City Council authorization of eminent domain for this property pursuant to Resolution No. 15-129 approved on June 2, 2015.

The legal description of the property is property CB 4014 PT P-114 (41.114 ac) ABS 617 CB 4230 PT P-12 (28.92 ac) ABS 154 CB 5610 PT P-5(2.071 ac) ABS 154H/S Refer to: 04014-002-1140, (Bexar County Appraisal District 163330),

#### **ISSUE:**

An ordinance, on behalf of SAWS, authorizing the acquisition, through negotiation or condemnation of interests in 1.71 acres of privately-owned real property, generally located at the northeast corner of Somerset Road and Loop 1604 for a water storage tank and pipeline; declaring it a public project, located in the City of Somerset, Texas.

Approval of this ordinance is a continuation of City Council policy to determine and declare certain project 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.

#### **ALTERNATIVES:**

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

#### **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 SAWS through its board approved DSP Clayton Tank Replacement Project.

**RECOMMENDATION:**

Staff and SAWS recommend approval of the ordinance authorizing acquisition by negotiation or condemnation for the needed land interests for a water storage tank and pipeline in Somerset, Texas.