



City of San Antonio

Legislation Details (With Text)

File #: 16-4644
Type: Real Property Acquisition
In control: City Council A Session
On agenda: 12/8/2016
Title: An Ordinance authorizing the acquisition through condemnation of up to 7.939 acres in NCB 15010 located along Salado Creek in Council District 9 for the Linear Creekway Development Project, a 2010 Proposition 2 Sales Tax Initiative funded project; property being in the City of San Antonio, Bexar County, Texas; declaring the Linear Creekway Development Project on aforementioned waterway 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. [María Villagómez, Assistant City Manager; Xavier D. Urrutia, Director, Parks and Recreation]

Sponsors:

Indexes:

Code sections:

Attachments: 1. PowerPoint for Acquisition of Property for Linear Creekways Development Project 12-8-2016, 2. Memo to be Read for Acquisition of Property for Linear Creekways Development Project 12-8-2016, 3. Draft Ordinance, 4. Exhibit A to Memo to be Read for Acquisition of Property for Linear Creekways Development Project, 5. Ordinance 2016-12-08-0963

Date	Ver.	Action By	Action	Result
12/8/2016	1	City Council A Session	Motion to Approve	Pass

DEPARTMENT: Parks and Recreation

DEPARTMENT HEAD: Xavier D. Urrutia

COUNCIL DISTRICTS IMPACTED: 9

SUBJECT:

Acquisition of Property for Linear Creekways Development Project

SUMMARY:

This ordinance authorizes the acquisition through condemnation of up to 7.939 acres in NCB 15010 located along Salado Creek in Council District 9 for the Linear Creekway Development Project, a 2010 Proposition 2 Sales Tax Initiative funded project approved by voters in November of 2010. The property is located within the City of San Antonio, Bexar County, Texas. This ordinance also declares this acquisition to be pursuant to a public project for public use and declares a public necessity for the acquisition of privately owned real property and authorizes the City Attorney and/or designated special counsel to file eminent domain proceedings. The

property is located primarily within the 100 year floodplain.

BACKGROUND INFORMATION:

This property to be conveyed consists of up to 7.939 acres in NCB 15010 located along Salado Creek in Council District 9 and is located within the City of San Antonio, Bexar County, Texas. Ordinance number 2012-09-20-0731, approved by Council on September 20, 2012, authorized the acquisition of this property through donation or good faith negotiations. The Inwood Homeowners Association Board has expressed their interest in the City acquiring the property for the Salado Creek Greenway Trail and their membership has shown support. However, due to the insurmountable Association bylaw requirements for release of commonly held property, it has been determined that the property cannot be acquired through a standard closing process. Condemnation authority is requested at this time in order to acquire the property through a public notice and subsequent special commissioners hearing process. The HOA supports this friendly condemnation action. The estimated fair market value for this land acquisition is approximately \$79,390.00. This property is located primarily within the 100 year floodplain.

The proposed land acquisition will become part of a growing network of interconnected hike and bike trails, known as the Howard W. Peak Greenway Trails system, which is funded through sales tax initiatives approved by voters in 2000, 2005, 2010, and 2015. The objectives of the program are to acquire and preserve open space along San Antonio creekways and to develop multi-use hike and bike trails, trailheads, signage and associated amenities for use by San Antonio residents and visitors. The proposed acquisition is part of the Proposition 2 Parks Development and Expansion Venue Project approved by voters in November of 2010.

This acquisition is consistent with policy adopted by the City Council for the acquisition of properties along San Antonio creekways funded by sales tax initiatives and the adopted Parks and Recreation Strategic System Plan. The acquisition is also consistent with Natural Resource and Urban Design Goals of the San Antonio Master Plan Policies.

Pursuant to enacted Texas Senate Bill 18 (SB “18”), this item requires that City Council initiate a motion authorizing the use of eminent domain.

ISSUE:

The proposed property acquisition will be used for the preservation of floodplain property and riparian habitat along San Antonio’s creekways and will provide the land through which the Salado Creek Greenway trail project will be constructed. Multi-use hike and bike trails, such as the Salado Creek Greenway, 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 Salado Creek Greenway trail project will be constructed to include a multi-use hike and bike trail, a trailhead at Loop 1604, signage and associated amenities for use by San Antonio residents and visitors.

ALTERNATIVES:

This acquisition is a necessary connection in a larger system along San Antonio creekways through which multi-use trails and related park improvements will be/have been constructed and is essential to the implementation

of this voter-approved project. Should this acquisition not proceed, it would create a gap within the system, causing the project to be incomplete.

FISCAL IMPACT:

The estimated fair market value of this land acquisition is \$79,390.00 and will be funded from the Proposition 2 Parks Development and Expansion Venue Project approved by voters in November of 2010. There will be minimal annual operating, security and maintenance expenses for this undeveloped property. Associated expenses for operations, maintenance and security will be addressed upon project development, implementation and completion. This segment of the Salado Creek Greenway trail is scheduled to be constructed between 2017 and 2018.

RECOMMENDATION:

Staff recommends approval of this acquisition of property for the Linear Creekway Development Project.