

**CITY OF SAN ANTONIO
INTERDEPARTMENTAL MEMORANDUM
SAN ANTONIO WATER SYSTEM**

**CONSENT AGENDA
ITEM NO. 22**

TO: Mayor and City Council

FROM: Eugene E. Habiger, General, USAF (Ret.), President/Chief Executive Officer, San Antonio Water System and Thomas G. Wendorf, P.E., Director of Public Works, City of San Antonio

THROUGH: Terry M. Brechtel, City Manager

COPIES: Melissa Byrne Vossmer, Assistant City Manager, File

SUBJECT: Ordinance Declaring a Public Necessity for the Acquisition of Permanent and Temporary Easement Interests in Certain Privately Owned Real Properties by Negotiation and/or Condemnation If Necessary, For the Castroville Road/ S.W. 38th Street Lift Station Project

DATE: January 8, 2004

SUMMARY AND RECOMMENDATIONS:

This ordinance declares a public necessity for the acquisition of parcels for permanent and temporary easement interests in certain privately owned real properties by negotiation and/or condemnation if necessary, for a San Antonio Water System (SAWS) project. This project will meet the SAWS commitment for providing sewer service for the continued growth of San Antonio.

Staff recommends the approval of this ordinance.

BACKGROUND INFORMATION:

The San Antonio Water System Board of Trustees requires the acquisition of parcels for permanent and temporary easement interests in certain privately owned real properties by negotiation and/or condemnation if necessary, for the Castroville Road/ S.W. 38th Street Lift Station Project

- It is in the best interest of the City of San Antonio and necessary for the efficient operation of the San Antonio Water System to construct, operate, and maintain the Castroville Road/ S.W. 38th Street Lift Station Project upon the privately owned property.
- Acquisition of a permanent and a temporary easement on one tract is required. The first is a 0.115-acre permanent easement and the second is a 0.344 acres temporary easement for construction.

- The tract of land is owned by Reymundo G. and Esperanza C. Reyes.
- The City of San Antonio, acting by and through representatives of the System, has been unable to acquire title to the parcel.

In order to exercise its power of eminent domain, the City of San Antonio City Council must declare a public necessity for the acquisition of property to be utilized by the System. The City exercises this authority on behalf of its departments and agencies when property cannot be acquired for fair market value, or property owners cannot be located.

FISCAL IMPACT:

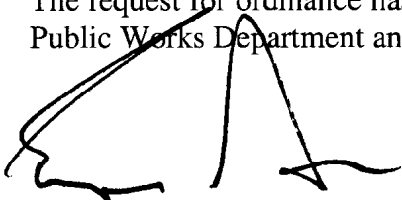
The passage of this ordinance will not have a financial impact on the City of San Antonio. Any condemnation costs including awards will be paid by the San Antonio Water System.

ETHICS DISCLOSURE:

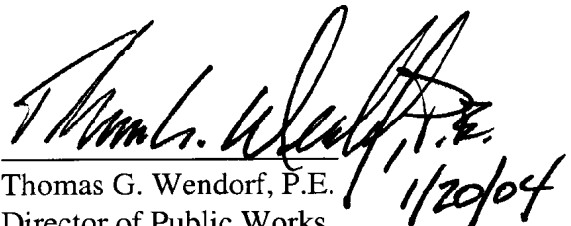
This ordinance does not require an Ethics Disclosure Form.

COORDINATION:

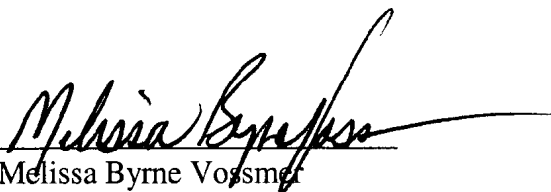
The request for ordinance has been coordinated by the San Antonio Water System and the City's Public Works Department and the City Attorney's Office.



Eugene E. Habiger
General, USAF, (Ret.)
President/Chief Executive Officer
San Antonio Water System

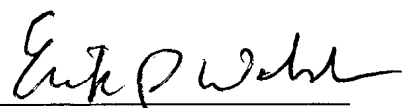


Thomas G. Wendorf, P.E.
Director of Public Works
City of San Antonio



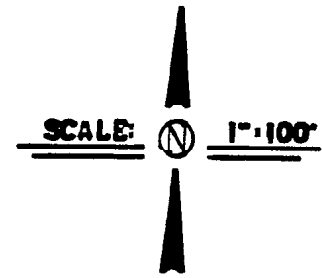
Melissa Byrne Vossmer
Assistant City Manager
City of San Antonio

Approved:



Terry M. Brechtel
City Manager

SAN ANTONIO WATER SYSTEM



SAWS - E - 8313T
TEMPORARY CONSTRUCTION EASEMENT
.459 AC.

SAWS - E- 8312
PERMANENT SANITARY
SEWER LIFT STATION EASEMENT
.115 AC.

ST.

38TH

S. W.

CASTROVILLE RD

CASTROVILLE ROAD/S.W. 38TH STREET
LIFT STATION & FORCE MAIN
PARCEL: SAWS - E - 8312

