

Resolution – Eminent Domain  
Zarzamora Creek  
(Bandera Rd to NW Loop 410 Access Rd)

Melinda Moritz  
Public Works Director  
City Council Meeting  
April 15, 2025

# Summary

- Question
  - City Council is being asked to consider approval of the use of Eminent Domain powers to acquire a portion of Zarzamora Creek (between Bandera Rd and NW Loop 410 access road) to enable proper clearing, mowing, and cleaning by city staff
- Options
  - Recommended:
    1. Approve the Resolution
  - Denial
  - Other
- Declaration
  - This acquisition will enable proper maintenance and compliance with MS4 Stormwater Permit Best Management Practices

# Purpose

- Zarzamora Creek (between Bandera Rd & NW Loop 410 access road) is owned by a defunct corporation & has become overgrown and littered
  - Health and safety risks: fire, vermin, bacteria
  - Gathering area for unhoused persons
  - Negative impact on local businesses
- City has attempted to notify the property owner on numerous occasions to clean creek, but to no avail
- City's annual cleanup efforts are insufficient
- Ownership will allow regular maintenance and alleviate concerns of adjacent business owners

# Fiscal Impact

- Estimated Costs:
  - Appraisal \$3,500 (if needed)
  - Survey \$3,500
  - Court filing fees TBD
  - Property purchase \$300 (if needed)
  - Attorney fees TBD
  - Ongoing maintenance included in Public Works budget (4-6 cycles annually)
  - City owns equipment and will request an additional mower in next fiscal year

# Recommendation

- Staff recommends approval of the Resolution
- City Council motion for approval must be read out loud as follows:
  - “I move approval of the resolution and that the City of Leon Valley authorize the use of the power of eminent domain to acquire property described as: The property described in the Bexar County real property records at Volume 4725, pages 1637-1697 & Bexar County Appraisal District Property Identification No. 217323, said property owned wholly or partially by Deland Two Corp for necessary fee simple acquisition for the purpose of, among other municipal purposes, including but not limited to a water works systems, including drainage and emptying facilities, and other public uses.”
- When a vote occurs, it must be by roll call vote

