

**CITY OF SAN ANTONIO
INTERDEPARTMENTAL MEMORANDUM
DEPARTMENT OF ASSET MANAGEMENT**

CONSENT AGENDA

ITEM NO.

8

TO: Mayor and City Council

FROM: Rebecca Waldman, Director, Department of Asset Management

THROUGH: Terry M. Brechtel, City Manager

COPIES: Erik J. Walsh, Assistant to the City Manager; File

SUBJECT: Ordinance Authorizing a temporary access agreement and amendment to Medline Industries, Inc. sales contract

DATE: November 7, 2002

SUMMARY AND RECOMMENDATIONS

This ordinance authorizes an amendment to the sales contract approved by Ordinance No. 96355, dated September 13, 2002, with Medline Industries, Inc. to increase the amount available from the sales proceeds by \$20,000.00 for costs associated with oversizing various utility improvements to serve future development on adjacent City owned property by; and authorizes the execution of a Temporary Access Easement with Medline to allow access over City owned property on South Callaghan Road during the construction of improvements on the adjacent property owned by Medline.

Staff recommends the approval of this ordinance.

BACKGROUND

Ordinance No. 96355, dated September 13, 2002, approved the sale of approximately 18.4 acres of City owned property to Medline Industries, Inc. (Medline). The ordinance also authorized payment of up to \$125,000.00 from the sales proceeds for costs associated with oversizing various utility improvements to serve future development on adjacent City owned property.

Since approval of the ordinance, the routing of the oversized sanitary sewer line has been determined and the costs associated with its construction have been re-estimated. The proposed routing of the oversized line, which changed based on the anticipated location and construction of an onsite drainage detention facility that would serve the Southwest Business and Technology Park, has increased in length and consequently in estimated cost. The estimated additional cost of the City's portion of the oversized line is approximately \$20,000.00.

This item also authorizes a Temporary Access Easement that will allow Medline, during construction, to have access to their property through an adjacent piece of property owned by the City (Exhibit "A").

POLICY ANALYSIS

This action will facilitate the long-range development plans of the Southwest Business and Technology Park.

FINANCIAL IMPACT

From the proceeds of the sale, the City will pay an additional amount of \$20,000.00, for a total amended amount not to exceed of \$145,000.00, for costs associated with oversizing various utility improvements to serve future development on adjacent SWBTP property.

COORDINATION

This agenda item has been coordinated with the City Attorney's Office.

SUPPLEMENTARY COMMENTS

The required Ethics Ordinance Disclosure Statement form is attached.



Rebecca Waldman, Director
Asset Management Department



Erik J. Walsh
Assistant to the City Manager

City of San Antonio Discretionary Contracts Disclosure*

For use of this form, see City of San Antonio Ethics Code, Part D, Sections 122
Attach additional sheets if space provided is not sufficient.
State Not Applicable for questions that do not apply.

* This form is required to be supplemented in the event there is any change in the information under (1), (2), or (3) below, before the discretionary contract is the subject of council action, and no later than five (5) business days after any change about which information is required to be filed.

Disclosure of Parties, Owners, and Closely Related Persons

For the purpose of assisting the city in the enforcement of provisions contained in the City Charter and the code of ethics, an individual or business entity seeking a discretionary contract from the city is required to disclose in connection with a proposal for a discretionary contract:

(1) the identity of any individual who would be a party to the discretionary contract:

NA

(2) the identity of any business entity that would be a party to the discretionary contract:

and the name of:

(A) any individual or business entity that would be a subcontractor on the discretionary contract:

Mad line Industries, Inc.

(B) any individual or business entity that is known to be a partner or a parent or subsidiary business entity of any individual or business entity who would be a party to the discretionary contract:

NA

(3) the identity of any lobbyist or public relations firm employed for purposes relating to the discretionary contract being sought by any individual or business entity who would be a party to the discretionary contract:

None

Political Contributions

Any individual or business entity seeking a discretionary contract from the city must disclose in connection with a proposal for a discretionary contract all political contributions totaling one hundred dollars (\$100) or more within the past twenty-four (24) months made directly or indirectly to any current or former member of City Council, any candidate for City Council or to any political action committee that contributes to City Council elections by any individual or business entity whose identity must be disclosed under (1), (2) or (3) above. Indirect contributions by an individual include, but are not limited to, contributions made by the individual's spouse, whether statutory or common law. Indirect contributions by an entity include, but are not limited to, contributions made through the officers, owners, attorneys, or registered lobbyists of the entity.

To Whom Made:	Amount:	Date of Contribution:
None		

Disclosures in Proposals

Any individual or business entity seeking a discretionary contract with the city shall disclose any known facts which, reasonably understood, raise a question as to whether any city official or employee would violate Section 1 of Part B, Improper Economic Benefit, by participating in official action relating to the discretionary contract.

none		
Signature: <i>Alex Liberman</i>	Title: <i>General Counsel</i> Company: <i>Medline</i>	Date: <i>7/30/02</i>

"For purposes of this rule, facts are 'reasonably understood' to 'raise a question' about the appropriateness of official action if a disinterested person would conclude that the facts, if true, require recusal or require careful consideration of whether or not recusal is required."