

AGENDA ITEM NO. 44A

CITY OF SAN ANTONIO
City Manager's Office
Interdepartmental Correspondence Sheet

TO: Mayor and City Council

FROM: Susan Valis Crane, ASLA, Special Project Manager

COPIES: City Manager; Budget, Finance, Parks and Recreation; File

SUBJECT: ACQUISITION OF A 145.50-ACRE TRACT FOR THE PROPOSITION THREE EDWARDS LAND ACQUISITION AND PARK EXPANSION PROJECT AND ACCEPTANCE OF A 14.85-ACRE TRACT FOR THE SALADO CREEK GREENWAY SYSTEM

DATE: October 8, 2002

SUMMARY AND RECOMMENDATION

This proposed ordinance is for a fee simple purchase of a 145.50-acre tract of land known as the Medallion tract as part of the Proposition Three Edwards Land Acquisition Program and acceptance of a 14.85-acre tract known as the Volker Lane tract for the Salado Creek greenway system. The Bexar Land Trust will assign the option contract to the City of San Antonio prior to closing. The 145.50-acre tract is contiguous to a 70-acre karst preserve.

This parcel is presented for consideration to the City Council under the Proposition Three Edwards Land Acquisition and Park Expansion Project approved by the voters on May 6, 2000. The Conservation Advisory Board reviewed and recommended purchase on September 23, 2002 and the Planning Commission approved this purchase on October 23, 2002. The Balanced Growth Committee was briefed on August 22, 2002 on the efforts of the City of San Antonio to purchase the property.

The Medallion tract is located between Kyle Seale Parkway and Babcock Road. It is the closest site to Loop 1604 and the closest site for access if measured by all of the other acquisitions from downtown San Antonio. The location of the Medallion Tract to an existing Karst Preserve and that the Medallion tract provides 70% of the watershed area draining into the Karst Preserve make this an important site for preservation. The 145.83 acres have a high potential for residential development due to the close proximity of new residential units placed next to this site by the owner/developer. The tract also provides recharge to the Edwards and Aquifer. Primary access into the site is from Loop 1604 to High Mountain Road. The property is in a natural state with little disturbance to the native vegetation on site. This site is composed of tier one property in Bexar County as ranked by the Scientific Evaluation Team GIS model. Acquisition of this property will remove it from imminent future development.

The Volker Lane Tract is a donation with the Medallion tract purchase. It is located between Huebner and Blanco Roads and with further the goal of eventual connection to the Walker Ranch Park.

Staff recommends approval of the ordinance.

POLICY ANALYSIS

The property proposed for a fee-simple purchase was identified in a spatial model that was created for this project to identify the most sensitive parcels for acquisition. This model, labeled the Scientific Evaluation Team GIS model, is composed of forty-three (43) different layers that take into consideration the hydrogeology, watersheds, and biology over northern Bexar County. Each of the layers has a weighted value assigned to the layer. As each layer is overlaid over the next, the model begins to darken where the most sensitive areas of concern are located.

The model then superimposes a layer of all undeveloped tracts in the project area and a score is assigned to each tract. The score, based on 100, then ranks these tracts and assigned each tract to a tier. No parcel received a perfect score. The highest level of scores was then assigned to the top tier known as tier one. These tier one parcels have a score between 62 and 76. The tier two ranking parcels have a value between 52 and 60. Identified in the top two tiers are a potential 40,000 acres that could be acquired. The parcel identified for acquisition is comprised of one tier one parcel.

This proposed action is consistent with policy adopted by the City Council for the preservation and conservation of the Edward's Aquifer sensitive areas as presented in Proposition Three of the Better Future Sales Tax Initiative passed and approved by the voters on May 6, 2000.

FINANCIAL DATA

This project is funded by the one-eighth sales and use tax in the special revenue Parks Development and Expansion Fund.

TOTAL COSTS FOR ACQUISITION:

Fee-Simple Cost for the 145.5 acre tract (appraised 145.5 acres at \$9,208 per acre Value is \$1,339,764) at \$9000/acre		\$1,309,500.00
Donation tract (Volker Lane tract of 14.85 acres)		\$0.00
1% administrative costs for The Bexar Land Trust		\$13,095.00
Due diligence costs:		
1.	Environmental Assessment – Loomis-Austin	\$2,500.00
2.	Survey – Pape-Dawson	\$5,450.00
3.	Appraisal – Dugger-Canaday	\$3,000.00
4.	Closing Costs (recording fees) – Marathon Title	\$450.00
TOTAL COST for the 160.35 acres:		\$1,333,995.00

The table below outlines the percentage of targeted acreage acquired and total land budget expensed as a result of this acquisition.

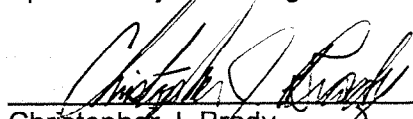
TOTALS:	
Acquired to date: 4,711.22 acres	Expensed to Date: \$25,751,823.57
This acquisition: 145.50 acres	\$1,309,500.00
Total acres with this acquisition: 4,856.72 acres	Total expensed with this acquisition: \$27,061,323.57
	74.44% land acquisition budget expensed (based on a land budget of \$36,350,000.00)

The disclosure forms submitted by Loomis-Austin, Pape-Dawson Engineering, Duggar-Canaday, and Marathon Title are attached hereto.

COORDINATION

This request for ordinance has been coordinated with the Parks and Recreation Department and the Finance Department for availability of funds.


Susan Valis Crane, ASLA
Special Project Manager


Christopher J. Brady
Assistant City Manager

APPROVED:


Terry M. Brechtel
City Manager

Appendix "A"**City of San Antonio
Discretionary Contracts Disclosure***For use of this form, see City of San Antonio Charter Code, Part D, Section 16.2***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:

N/A

- (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:

Loomis Austin, 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:

N/A

- (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:

Mr. Charles Schotz

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 member of 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 entity include, but are not limited to, contributions made through the officers, owners, or registered lobbyists of the entity.

To Whom Made:	Amount:	Date of Contribution:
N/A		

City of San Antonio
Discretionary Contracts Disclosure

For use of this form, see City of San Antonio Ethics Code, Part D, Section 1 & 2

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 question¹ as to whether any city official would violate Section 1 of Part E by participating in official action relating to the discretionary contract.

N/A

Signature:



Date:

9-30-02

¹ 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 refusal or require careful consideration of whether or not refusal is required.

Appendix "A"

City of San Antonio

Discretionary Contracts Disclosure

For use of this form, see City of San Antonio Ethics Code, Part D, Section 1.2.2

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;

A. DON CANADAY

- (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;

DUGGER, CANADAY, GRAFE, 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;

N/A

- (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 that would be a party to the discretionary contract.

N/A

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 member of 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 entity include, but are not limited to, contributions made through the officers, owners, or registered lobbyists of the entity.

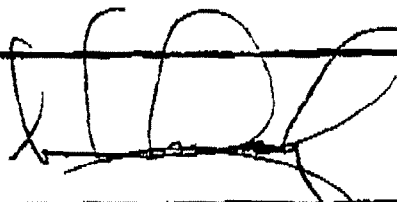
To Whom Made	Amount	Date of Contribution:
N/A	N/A	N/A

City of San Antonio Discretionary Contracts Disclosure

For use of this form, see City of San Antonio Ethics Code, Part D, Section 1 & 2

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 question¹ as to whether any city official would violate Section 1 of Part B by participating in official action relating to the discretionary contract.

N/A	
Signature: 	Date: 4/12/02

¹ 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 removal or require careful consideration of whether or not removal is required.

City of San Antonio Discretionary Contracts Disclosure*

For use of this form, see City of San Antonio Ethics Code, Part D, Sections 1&2

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 an individual who would be a party to the discretionary contract.

Pape-Dawson Consulting Engineers, Inc.
555 East Ramsey
San Antonio, Texas 78216

(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;

None

(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;

None

(3) the identity or a 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

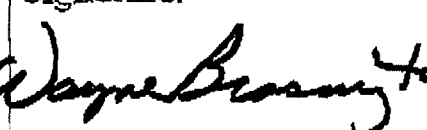
Political Contributions

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:
See Attached Listing		

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: 	Title CFO Company: Pape-Dawson Consulting Engineers, Inc.	Date: September 30, 2002

¹ 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.



October 1, 2002

**DISCRETIONARY CONTRACT ETHICS STATEMENT
PAPE-DAWSON ENGINEERS, INC.**

Political contributions of more than \$100 made during the previous twenty-four months to Council members and political action committees.

Eugene H. Dawson, Jr.

Nov. 2000	David Carpenter	\$500
Dec. 2000	Bonnie Conner	\$500
Dec. 2000	Bobby Perez	\$500
Jan. 2001	Enrique Martin	\$500
Jan. 2001	John Sanders	\$500
Mar. 2001	Carroll Schubert	\$500
Mar. 2001	Enrique Barrera	\$500
July 2001	CEC-PAC	\$580
Dec. 2001	David Garcia	\$500
Jan. 2002	David Garcia	\$500
May 2002	Antionette Moorhouse	\$500
June 2002	Enrique Barrera	\$500
Aug. 2002	Carroll Schubert	\$500

Samuel G. Dawson

Nov. 2000	David Carpenter	\$500
Dec. 2000	Bonnie Conner	\$500
Dec. 2000	Bobby Perez	\$250
Jan. 2001	David Garcia	\$300
Mar 2001	Carroll Schubert	\$500
May 2002	Antionette Moorhouse	\$500
June 2002	Enrique Barrera	\$500
Aug. 2002	Carroll Schubert	\$250

PAPE-DAWSON ENGINEERS, INC.

555 East Ramsey | San Antonio, Texas 78216 | Phone: 210.375.9000 | Fax: 210.375.9010 | info@pape-dawson.com

Discretionary Contract Ethics Statement
 Pape-Dawson Engineers, Inc.
 Page 2 of 2

John Rinehart

Feb. 2001	John Sanders	\$100
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Ruben C. Cervantes

Dec. 2000	Bobby Perez	\$250
May 2001	Antionette Moorhouse	\$250
Sept. 2001	Enrique Martin	\$250
June 2002	Antionette Moorhouse	\$100

Rick Wood

May 2001	Antionette Moorhouse	\$250
June 2002	Antionette Moorhouse	\$150

Officers

Mar. 2001	Consulting Engineers Council of Texas-PAC	\$1,900
July 2002	Consulting Engineers Council of Texas-PAC	\$2,480
Various	Candidates and Previous Council Not Holding Office	\$4,250

Pape-Dawson Engineers, Inc.



Wayne Brasington
 Chief Financial Officer

Appendix "A"

City of San Antonio Discretionary Contracts Disclosure

For use of this form, see City of San Antonio Ethics Code, Part D, Section 1d2

Disclosure of Parties, Owners, and Closely Related Persons

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

None

- (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;

Marathon Title Company, L.C.

- (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;

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- (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 member of 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 entity include, but are not limited to, contributions made through the officers, owners, or registered lobbyists of the entity.

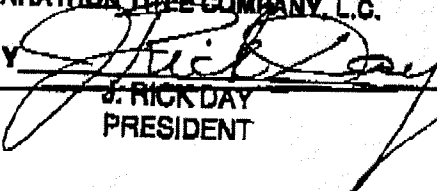
To Whom Made:	Amount:	Date of Contribution:
None		

City of San Antonio
Discretionary Contracts Disclosure

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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 question¹ as to whether any city official would violate Section 1 of Part B by participating in official action relating to the discretionary contract.

MARATHON TITLE COMPANY, L.C.	
BY 	
Signature: J. RICK DAY PRESIDENT	Date: 10/8/02

¹ 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 refusal or require careful consideration of whether or not refusal is required.