

**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 50-ACRE TRACT FOR THE PROPOSITION THREE  
EDWARDS LAND ACQUISITION AND PARK EXPANSION PROJECT

**DATE:** October 8, 2002

**SUMMARY AND RECOMMENDATION**

This proposed ordinance is for a fee simple purchase of a 50-acre tract of land known as the Hampton tract as part of the Proposition Three Edward's Land Acquisition Program. The Nature Conservancy will close on the tract first and then resell it to the City of San Antonio for the same purchase price. This tract is contiguous to the previously acquired Mayberry Ranch property to the west and The Windgate Ranch and The Government Canyon State Natural for a total purchase price for of \$284,000.00.

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.

This Hampton tract is along Highway 211 next to the Mayberry tract and across Highway 211 from the Windgate Ranch tract. The 50 acres were subdivided into three residential tracts. Primary access into the site is from Highway 211. The property is in a natural state with very little disturbance to the native plant species. This 50-acre site contains one tier two parcel as ranked by the Scientific Evaluation Team GIS model. The high level of ranking on the model was due to the location over the Edwards Aquifer Recharge zone and endangered species habitat potential. There are no documented caves on the site but the likelihood of caves being found on site is high. Acquisition of this property will remove it from imminent future development.

In keeping with the direction of the Conservation Advisory Board, this helps to further the goal of consolidating acquisitions whenever possible for greater enhancement of water quality and quantity recharging into Edwards Aquifer.

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:**

<b>Fee-Simple Cost (50 acres appraised at \$5,720.00 per acre with a total value of \$286,000.00)</b>		<b>\$284,000.00</b>
<b>1% administrative costs for The Nature Conservancy</b>		<b>\$2,840.00</b>
<b>Due diligence costs:</b>		
1.	<b>Environmental Assessment – Loomis-Austin</b>	<b>\$2,500.00</b>
2.	<b>Survey – Overby-Descamps</b>	<b>2,600.00</b>
3.	<b>Appraisal – Mealer Commercial</b>	<b>\$2,100.00</b>
4.	<b>Closing Costs (recording fees) - Alamo Title</b>	<b>\$450.00</b>
<b>TOTAL COST for the 50 acres:</b>		<b>\$294,490.00</b>

## **SUPPLEMENTARY COMMENTS**

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

**TOTALS:**

Acquired to date:  
**4,661.22 acres**

Expensed to Date:  
**\$25,467,823.57**

This acquisition:  
**50.00 acres**

**\$284,000.00**

**Total acres with this acquisition:**  
**4,711.22 acres**

**Total expensed with this acquisition:**  
**\$25,751,823.57**

**70.84% land acquisition budget expensed**  
**(based on a land budget of**  
**\$36,350,000.00)**

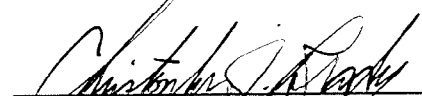
The disclosure forms submitted by Loomis-Austin, Overby-Descamps Engineering, Mealer Commercial, and Alamo Title are attached hereto.

**COORDINATION**

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

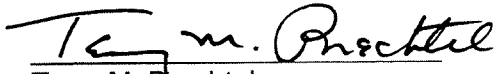


Susan Valis Crane, ASLA  
Special Project Manager



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 Ethics Code, Part D, Section 1&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:

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:

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 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:
JOSE MENENDEZ	\$100	2/02

Sep 27 02 01:32p

Bobby Mealer, MAl, CCIM

210-979-0515

P.3

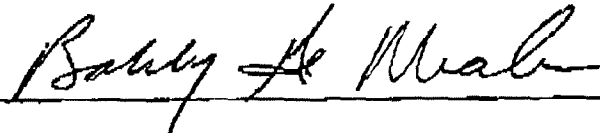
00-27-2002 10:48 From-

T-855 P 002/002 F-432

**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 question<sup>1</sup> as to whether any city official would violate Section 1 of Part B by participating in official action relating to the discretionary contract.

<b>Signature:</b> 	<b>Date:</b> 9-27-02

<sup>1</sup> 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 14.2***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 question<sup>1</sup> 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	
<b>Signature:</b> 	<b>Date:</b> 9-30-02

<sup>1</sup> 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.

## 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 any **individual** who would be a party to the discretionary contract;

N/A

- (2) the identity of any **business entity**<sup>1</sup> that would be a party to the discretionary contract:  
Overby Descamps Engineers, Inc., and the name of:

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

N/A

- (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;

Eduardo J. Descamps  
Gerald J. Overby  
David A. Casanova

- (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.

N/A

<sup>1</sup> A *business entity* means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, unincorporated association, or any other entity recognized by law.



**Political Contributions**

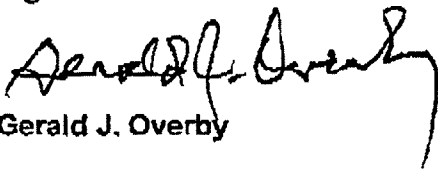
Any individual or business entity seeking a discretionary contract from the city must disclose in connection with a proposal for a discretionary contract all political contributions totaling one hundred dollars (\$100) or more within the past twenty-four (24) months made directly or indirectly to any *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:
Friends to Elect Jim Williams	\$400.00	04/18/01

**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<sup>2</sup> 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.

N/A

Signature:  Gerald J. Overby	Title: Vice-President  Company: Overby Descamps Engineers, Inc.	Date:  09/30/02
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08-30-2002 09:33 From-

T-868 P.002/003 F-460

## Appendix "A"

City of San Antonio  
Discretionary Contracts Disclosure

For use of this form, see City of San Antonio Ethics Code, Part D, Section 1.62

## 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
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- (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;

n/a
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- (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
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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;

n/a
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## 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 1A.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 question<sup>1</sup> 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: <i>Vicki J. Brown</i> <i>Vice President</i> <i>Alamo Title Company</i>	Date: <i>9/30/02</i>

<sup>1</sup> 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.