

**CITY OF SAN ANTONIO
INTERDEPARTMENTAL MEMORANDUM
PARKS AND RECREATION DEPARTMENT**

TO: Mayor and City Council

FROM: Malcolm Matthews, Director, Parks and Recreation Department

THROUGH: Terry M. Brechtel, City Manager

COPIES: Melissa B. Vossmer; Finance; Management and Budget; Legal; File

SUBJECT: Lease Agreement in Olmos Park with San Antonio Gun Club

DATE: May 29, 2003

SUMMARY AND RECOMMENDATIONS

This ordinance approves a lease agreement renewal with operation changes with the San Antonio Gun Club for use of property in Olmos Basin Park in City Council District 9 for a 25 year term.

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

The San Antonio Gun Club, a non-profit corporation, has operated a recreational gun club on 76 acres of City property located in Olmos Basin Park in City Council District 9 since the 1920's. The Club is located off of Contour Drive west of U.S. 281. The most recent lease agreement expired last year and the City, the San Antonio Gun Club and local property owners have been negotiating the contract over the past several months to resolve various issues associated with the operation of the Gun Club.

The **previous leases** for the operation have been in 25 year increments, with many of the terms and conditions repeated from lease to lease. The most recent lease, approved in 1977, did not restrict, limit or control major aspects of the Gun Club, to include hours of operation, well defined use of leased property, noise control, overnight camping, alcohol consumption, etc. In addition, the City was identified as the responsible party for utility payments, building repairs and grounds maintenance.

The **proposed lease** renewal, also for 25 years, is based upon several operational changes and restrictions to help address concerns expressed by the adjacent Olmos Park neighborhood and the City of San Antonio. The new lease includes restricted hours of operation:

- Mondays, closed
- Tuesday – Saturday, 11:00 a.m. – 7:30 p.m.*
- Sunday, 11:00 a.m. – 6:00 p.m.*

* or official sunset, whichever is earlier

- Closed all Fridays from Thanksgiving to December 23rd
- Closed from December 23 – January 1
- Closed Mother's Day, Easter, Thanksgiving

It also includes a restricted number of registered shoots/tournaments to 14 weekends per year, limits the number of participants to maximum of 90, restricts use of certain shooting fields, restricts alcohol consumption, requires environmental cleanup, and eliminates overnight camping. The lease also transfers all building repair, grounds maintenance and monthly utility costs from the City to the Gun Club.

POLICY ANALYSIS

This ordinance is consistent with the City's customary approval of leasing public property to entities that provide recreational opportunities to the citizens of San Antonio.

FISCAL IMPACT

The City is currently responsible for annual expenditure commitments for the Gun Club, to include building repair, grounds maintenance and utilities, at an estimated annual cost of \$15,000.00. Under the new lease, the City will no longer be responsible for any obligation or costs.

COORDINATION

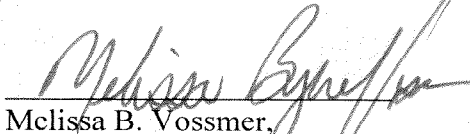
This item was coordinated with the City Attorney's Office, Asset Management, Environmental Services, City Council District 9 office, neighborhood representatives and the City of Olmos Park. It was presented to the Quality of Life Committee on May 22, 2003 and it received favorable review.

SUPPLEMENTARY COMMENTS

A Discretionary Contracts Disclosure Form is attached.



Malcolm Matthews
Director of Parks and Recreation



Melissa B. Vossmer,
Assistant City Manager

Approved:



Terry M. Brechtel
City Manager

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;

NONE

(2) the identity of any **business entity**¹ that would be a party to the discretionary contract:
San Antonio Gun Club, Inc. a non profit Texas Corporation
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

¹ 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:
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 question² 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:  Randy Schmidt	Title: President Company: San Antonio Gun Club, Inc. A Non Profit Texas Corp.	Date: 5/22/03

² 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.

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