

**CITY OF SAN ANTONIO**  
**DEPARTMENT OF ASSET MANAGEMENT**  
**INTERDEPARTMENTAL CORRESPONDENCE SHEET**

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**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; Shawn P. Eddy, Special Projects Manager, Property Disposition

**DATE:** Thursday, June 05, 2003

**SUBJECT:** S.P. No. 1077 - Request for a License to Use Public Right of Way over an irregular portion of Old Thousand Oaks Drive in NCB 13732

**PETITIONER:** Laredo JM, Ltd.  
c/o ABG Development, Ltd. ; Attn: Michael Gulley  
15102 Jones Maltsberger, Suite 101  
San Antonio, TX 78247

**SUMMARY AND RECOMMENDATIONS**

This Ordinance will grant a license agreement to Laredo JM, Ltd., a Texas Limited Partnership to use and maintain only for the purpose of landscaping an irregular portion of Old Thousand Oaks Drive Public Right of Way located approximately 850 feet southeast of Jones Maltsberger Road, in NCB 13732, for a ten (10) year term and the consideration of \$5,000.00.

Staff recommends approval of this Ordinance.

**BACKGROUND INFORMATION**

Petitioner is requesting a License to Use an irregular portion of Old Thousand Oaks Public Right of Way located in NCB 13732 as shown on attached Exhibit "A." This property consists of 0.23 acres (9,821.03 square feet) of land and petitioner would like to landscape and aesthetically improve the Right of Way. The petitioner plans to plat and develop his abutting property for commercial use.

**POLICY ANALYSIS**

This action is consistent with the City Code and Ordinances which require City Council approval for any private use of property owned or controlled by the City.

**FISCAL IMPACT**

The City will collect \$5,000.00 for this license to use Public Right of Way.

**COORDINATION**

In compliance with City procedures, this request has been canvassed through interested City departments, public utilities and applicable agencies. A Canvassing Checklist and an executed Letter of Agreement, by which the petitioner agrees with all conditions imposed through this canvassing, are attached for review.

**SUPPLEMENTARY COMMENTS**

The City of San Antonio's Planning Commission recommended approval of this request at its regular meeting of 5/28/2003.

Executed Discretionary Contracts Disclosure Statement from petitioner(s) is attached.

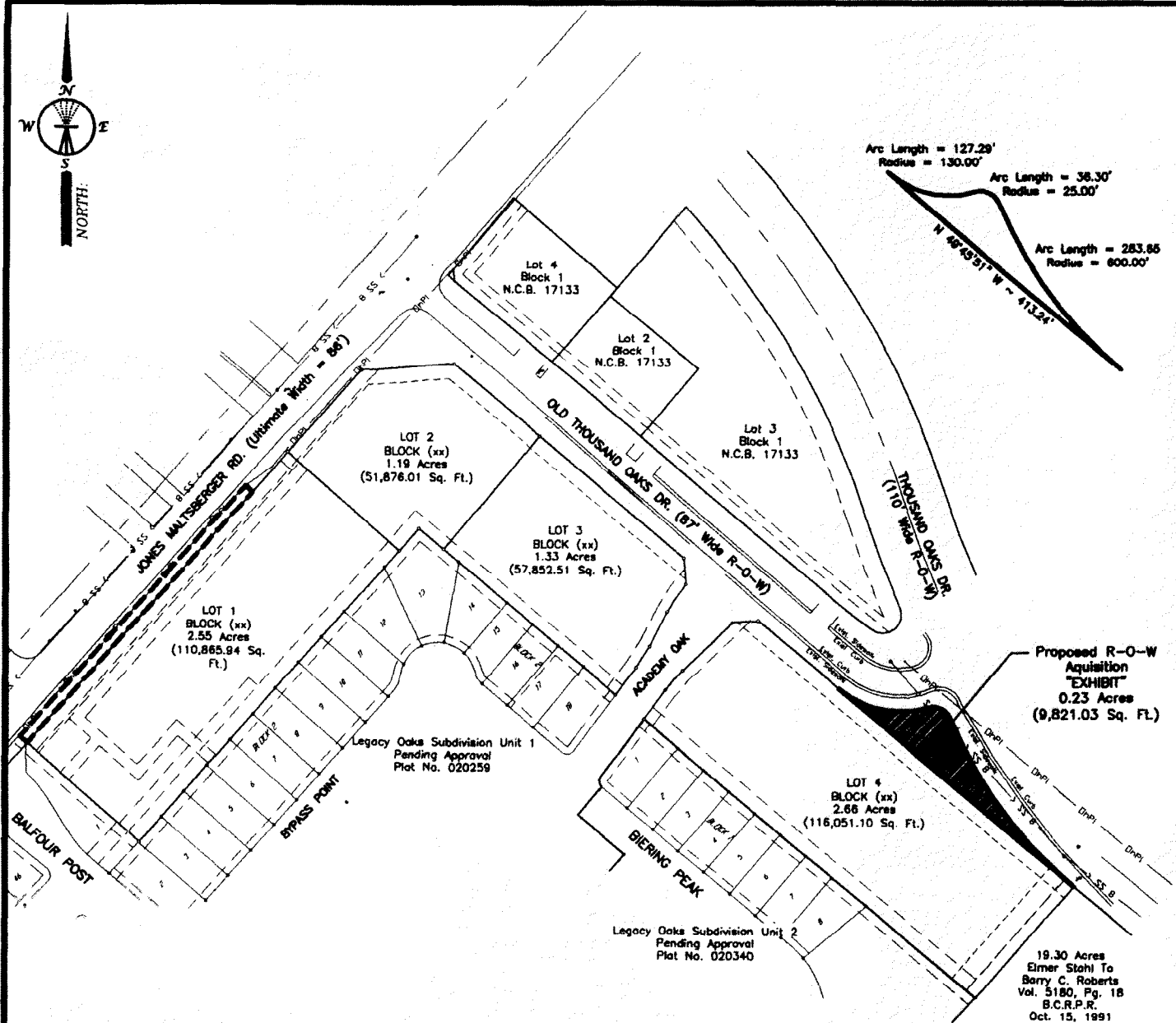
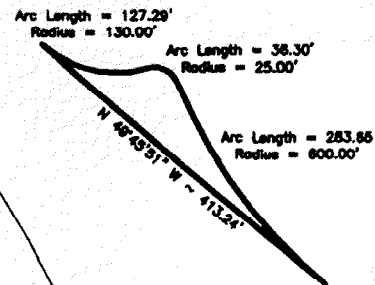
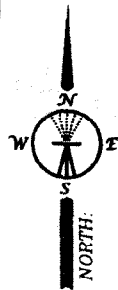


Rebecca Waldman, Director  
Department of Asset Management

Approved:



Erik J. Walsh  
Assistant to the City Manager



## Exhibit "A"

Page 1 of 2

SCALE BAR

DRAWN BY:	A.X.C.
CHECKED BY:	C.G.
H.S.C. JOB No.	9002-02
FILENAME:	exhibit.dwg
DATE:	SEPTEMBER 11, 2002
REVISED DATE:	
8.5x11 SCALE:	HOR: 1"=200'
VER:	

SHEET:

1 OF 1

## EXHIBIT OF:

### PROPOSED R-O-W ACQUISITION FOR LEGACY OAKS BUSINESS PARK (PLAT NO.: 020447)

HOWLAND  
ENGINEERING & SURVEYING COMPANY, INC.

NORTHBROOK BUSINESS CENTER, 140 HEIMER, SUITE 695

SAN ANTONIO, TEXAS 78232

OFFICE: (210) 495-4430

FAX: (210) 495-4485

E-Mail: howlandinc@encglobal.net





Southeasterly view of the irregular portion to be used on  
Old Thousand Oaks Public Right of Way

**Exhibit "A"**

Page 2 of 2

# Canvassing Checklist

SPNo **1077**

Request: Petitioner is requesting a License to Use an irregular portion of Old Thousand Oaks Public Right of Way located in NCB 13732 as shown on attached Exhibit "A." This property consists of 0.23 acres (9,821.03 square feet) of land and petitioner would like to landscape and aesthetically improve the Right of Way. The petitioner plans to plat and develop his abutting property for commercial use.

	Included in Canvassing	Out Date	In Date	Uncond. Approval	Conditional Approval	Denial
Planning Department	<input checked="" type="checkbox"/>	9/24/2002	10/17/2002	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PublicWorks	<input checked="" type="checkbox"/>	9/24/2002	11/1/2002	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Development Services	<input checked="" type="checkbox"/>	9/24/2002	10/10/2002	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police Department	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fire Department	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Neighborhood Action (NAD)	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
City Public Service	<input checked="" type="checkbox"/>	9/24/2002	11/7/2002	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
S.A. Water System (SAWS)	<input checked="" type="checkbox"/>	9/24/2002	10/29/2002	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
TXDOT	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
S.A. River Authority (SARA)	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VIA Metropolitan	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Environmental Services	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other Agency	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Neighborhood Association	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Canvassing Comments

No Neighborhood Association applicable.



# CITY OF SAN ANTONIO

DEPARTMENT OF ASSET MANAGEMENT  
P.O. BOX 839966 SAN ANTONIO, TEXAS 78283-3966  
TEL. 210-207-4032 FAX 210-207-7888

April 2, 2003

Laredo JM, Ltd.  
Attn: A. Bradford Galo  
15102 Jones Maltsberger Rd. Suite 101  
San Antonio, Texas 78247

Re: S. P. No. 1077—Request for a License to Use Public Right of Way over an irregular portion of Old Thousand Oaks Drive in NCB 13732

Dear Mr. Galo:

With reference to the captioned project, please be advised that the City of San Antonio has now completed the canvassing process and will recommend approval of your request subject to the following conditions:

DEPARTMENT OF ASSET MANAGEMENT:

Approved provided that use of the subject irregular portion of Old Thousand Oaks Drive Public Right of Way is limited to landscaping only.

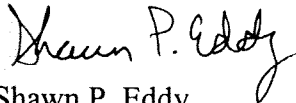
The fee established for this license agreement is \$5,000.00 for a 10-year term. The license fee will be due and payable to the City of San Antonio prior to City Council consideration. If for some reason the license is not approved by City Council, the fee will be returned to the petitioner. Also, a Certificate of Insurance must be provided and the City of San Antonio must be formally released from any and all liabilities, which may be incurred in connection with this request.

Further, a fully completed and signed Discretionary Contracts Disclosure Statement is required and enclosed for your convenience.

If you concur with the above mentioned conditions, including the payment of the fee established for this encroachment, please countersign this letter in the space provided below and return to the undersigned. *Upon receipt of this signed Letter of Agreement, License Agreement, Discretionary Contracts Disclosure Statement, Certificate of Insurance and the payment, we will continue processing your request.*

This Letter of Agreement is being offered by the City of San Antonio only to the above named petitioner and will expire thirty (30) days after the date of issuance unless a specific extension is requested by the petitioner and granted by the City.

Sincerely,

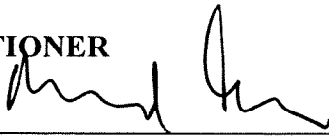


Shawn P. Eddy  
Special Projects Manager  
Property Disposition Division

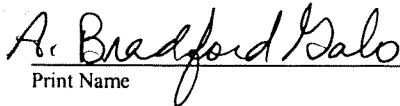
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AGREED AS TO TERMS AND CONDITIONS:

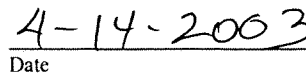
**PETITIONER**



By

  
Print Name

  
Title

  
Date

# 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:

Laredo JM, LTD.

and the name of:

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

N/A

and the name of:

(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;

See Attached List

<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.



- (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

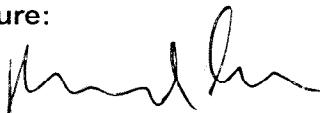
### Political Contributions

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:
Carroll Schubert (Made By A. Bradford Galo)	\$500	2001

### 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.

<b>Signature:</b>  A. Bradford Galo	<b>Title:</b> President  <b>Company:</b> Galo, Inc. General Partner of ABG Enterprises Ltd., G. P. of Laredo JM, LTD.	<b>Date:</b>

<sup>2</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.

**ATTACHED LIST**

**Item 2(B)**

**City of San Antonio**

**Discretionary Contracts Disclosure**

**Partners/ Laredo JM, Ltd :**

General Partner:

ABG Enterprises, Ltd.

Limited Partners:

Librado Pena, Inc.

Jones Gonzalez P.C.

ABG Development, Ltd.

Ramona M. Hachar

George H. Hachar, Jr.

Edward H. Hachar