

**CITY OF SAN ANTONIO  
INTERDEPARTMENTAL MEMORANDUM  
PUBLIC WORKS DEPARTMENT**

**TO:** Mayor and City Council

**FROM:** Thomas G. Wendorf, P.E., Director of Public Works

**THROUGH:** Terry M. Brechtel, City Manager

**COPIES:** Melissa Byrne Vossmer, Lou Lendman, Milo Nitschke, Andrew Martin, Steve Hodges, and File

**SUBJECT:** Ordinance authorizing procurement of right-of-way and payment of court costs in the total sum of \$4,169.00 in the Fay Phase I Community Development Block Grant (CDBG) Project

**DATE:** June 19, 2003

**SUMMARY AND RECOMMENDATIONS**

This ordinance authorizes funds in the amount of \$4,169.00 payable to Gerry Rickhoff, County Clerk, for acquisition of one parcel (\$3,118.00) and court costs (\$1,051.00) in connection with the Fay Phase I Community Development Block Grant (CDBG) project, for the defendants in Condemnation Cause No. 2003-ED-0003, City of San Antonio vs. Rita Sanchez. This project is located in Council District 5.

Staff recommends approval of this ordinance.

**BACKGROUND INFORMATION**

City Ordinance No. 96581, dated October 24, 2002, authorized the filing of eminent domain action to obtain fee simple title to this property in the Fay Phase I Community Development Block Grant (CDBG) project. At a Special Commissioners Hearing held on April 22, 2003, Mr. Don Canaday, the City's Contract Appraiser, presented evidence as to his opinion of the value of the property, which was initially appraised at \$3,118.00. After hearing testimony from both parties, Special Commissioners then established the compensation of \$3,118.00 for the acquisition cost of this parcel.

There are six signed instruments and one condemned parcel in the 10-parcel project. The remaining three parcels are in negotiations. This project is currently under construction and scheduled for completion by September 2003. The scope of this project consists of providing a 27-foot wide, two-lane typical roadway with underground storm water drainage. This project will reconstruct Fay from Quintana to the midpoint between Crittendon and Creighton, and Crittendon from Fay to Southcross, and includes four-foot sidewalks, curbs, and driveway approaches.

## **POLICY ANALYSIS**

The acquisition of this property is necessary to complete the real estate transaction of this project.

## **FISCAL IMPACT**

This is a one-time capital improvement expenditure within budget and included in the FY03-Y08 Capital Improvement Program Budget. Funds in the amount of \$4,169.00 are available from 27<sup>th</sup> Year Community Development Block Grant funds. This item represents a portion of a total estimated City project cost of \$534,462.00.

## **COORDINATION**

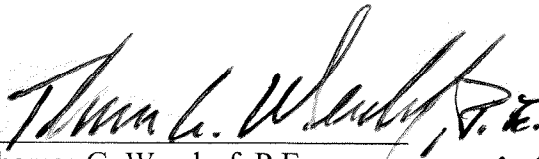
This ordinance was coordinated with the City Attorney's Office, the Finance Department, the Office of Management and Budget, and the Housing and Community Development Office.

## **SUPPLEMENTARY COMMENTS**

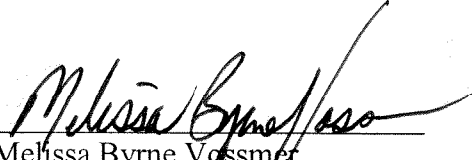
This Ordinance does not require a Discretionary Contracts Disclosure Form.

## **ATTACHMENTS**

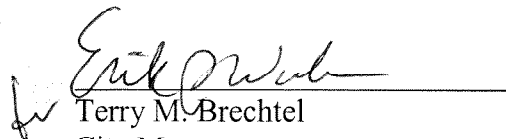
1. Project Map

  
Thomas G. Wendorf, P.E.  
Director of Public Works

6/5/03

  
Melissa Byrne Vossmer  
Assistant City Manager

Approved:

  
Terry M. Brechtel  
City Manager

# Fay - Phase I Community Development Block Grant (CDBG) Project

## Parcel 16816

