

CONSENT AGENDA
ITEM NO. **25**

**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 TO: Melissa Byrne Vossmer, Lou Lendman, Milo Nitschke, Andrew Martin, Steven F. Hodges, and File

SUBJECT: Settlement Agreement with Maria P. Govea and Maria Govea Aguillon in connection with the Western Avenue Drainage Project #74, Phase III B & C

DATE: August 7, 2003

SUMMARY AND RECOMMENDATIONS

This Ordinance authorizes the amount of \$5,438.00 for the Full and Final Settlement Agreement between the City of San Antonio and Maria P. Govea and Maria Govea Aguillon, in connection with the Western Avenue Drainage Project #74, Phase III B & C project, a 1985 General Obligation Drainage Improvements Bond authorized project, located in Council District 9.

Staff recommends the approval of this ordinance.

BACKGROUND INFORMATION

By Ordinance No.85242, dated December 5, 1996, the City Council authorized the filing of eminent domain action to obtain fee simple title to this property in the Western Avenue Drainage Project #74, Phase III B & C Project. Mr. Don Canaday, the City's Contract Appraiser, presented evidence as to his opinion of the value of the property, which was appraised at \$5,438.00.

Prior to the Special Commissioners Hearing, a final settlement was agreed upon by the two parties involved in this condemnation case. The City of San Antonio has agreed to pay the defendants an amount not to exceed \$5,438.00 for the fee simple title of approximately 0.020 acre-tract of land or 855 square feet; more or less, and a temporary easement of approximately 0.067 acres of land or 2,902 square feet, more or less, out of Lot 69, Block 2, N.C.B. 11966, Rolling Acres Subdivision.

POLICY ANALYSIS

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

FISCAL IMPACT

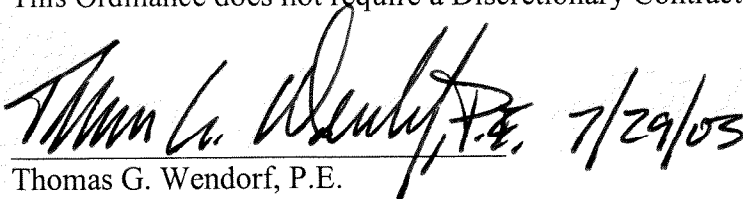
This is a one-time capital improvement expenditure within budget and included in the FY03-FY08 Capital Improvement Program Budget. Funds in the amount of \$5,438.00 are available from 1985 General Obligation Drainage Improvement Bonds and authorized payable to Gerry Rickhoff, County Clerk, Bexar County. This item represents a portion of a total estimated City project cost of \$323,820.00.

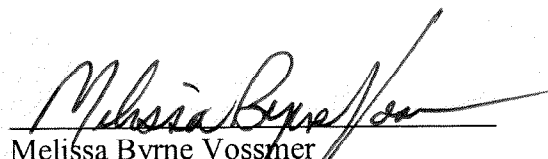
COORDINATION

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


SUPPLEMENTAL COMMENTS

This Ordinance does not require a Discretionary Contracts Disclosure Form.

 7/29/03
Thomas G. Wendorf, P.E.
Director of Public Works


Melissa Byrne Vossmer
Assistant City Manager

Approved:


Terry M. Brechtel
City Manager

ATTACHMENT 1

FISCAL DATA

Project Name: WESTERN AVENUE DRAINAGE PROJECT #74 III A PROJECT
Council District 9

Budget Information:

This is a one-time capital improvement expenditure.

Funds in the amount of \$5,438.00 are included in the FY03-FY08 Capital Improvement Program Budget.

Funds are available from 1985 General Obligation Drainage Improvement Bonds transferred to Fund 45-506454, Index Code 561902.

This item is within budget.

This item represents a portion of a total estimated City project cost of \$323,820.00.