

CITY OF SAN ANTONIO

DEPARTMENT OF ASSET MANAGEMENT
INTERDEPARTMENTAL CORRESPONDENCE SHEET

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, September 04, 2003

SUBJECT: S.P. No. 880 - Request for a license agreement to use Public Right of Way adjacent to the San Antonio River for an existing disabled access ramp located behind the AmeriSuites Hotel at 601 S. St. Mary's Street

PETITIONER: Glen Rock Holding Company
Attn: Joe Bernadino
700 Route 46 East
Fairfield, NJ 07004

SUMMARY AND RECOMMENDATIONS

This Ordinance will authorize a ten (10) year term license agreement for a total consideration of \$5,000.00, to use Public Rights of Way adjacent to the San Antonio River for an existing disabled access ramp located behind the AmeriSuites Hotel at 601 S. St. Mary's Street

Staff recommends approval of this Ordinance.

BACKGROUND INFORMATION

Petitioner is requesting a license agreement to use Public Right of Way adjacent to the San Antonio River behind the AmeriSuites Hotel located at 601 S. St. Mary's Street, as shown on attached Exhibit "A". This area is currently in use as a disabled access ramp which provides a link between the San Antonio River and the AmeriSuites Hotel. The ramp was constructed by the previous hotel owner, Sholodge, Inc., for which a license was approved by Ordinance No. 82257 on 5/25/95. The ramp consists of a large landing, landscaping, lighting, a wall sign, landscape wall and seating wall. All operation and maintenance of the licensed premises will continue to be provided at the sole cost and expense of licensee. A new license is necessary as the property was sold and the existing license is personal in nature and not assignable by the previous licensee.

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 8/27/2003.

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

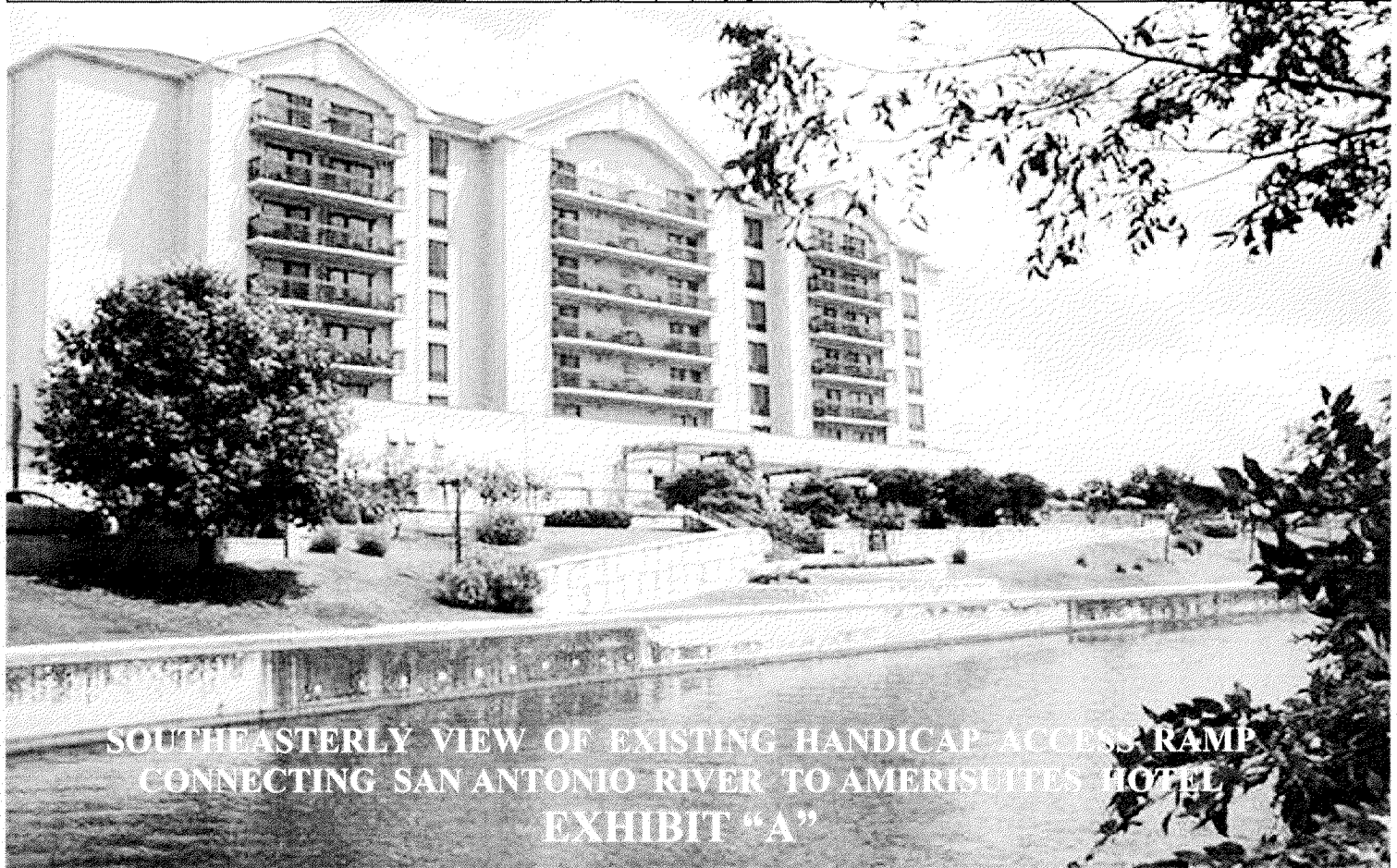
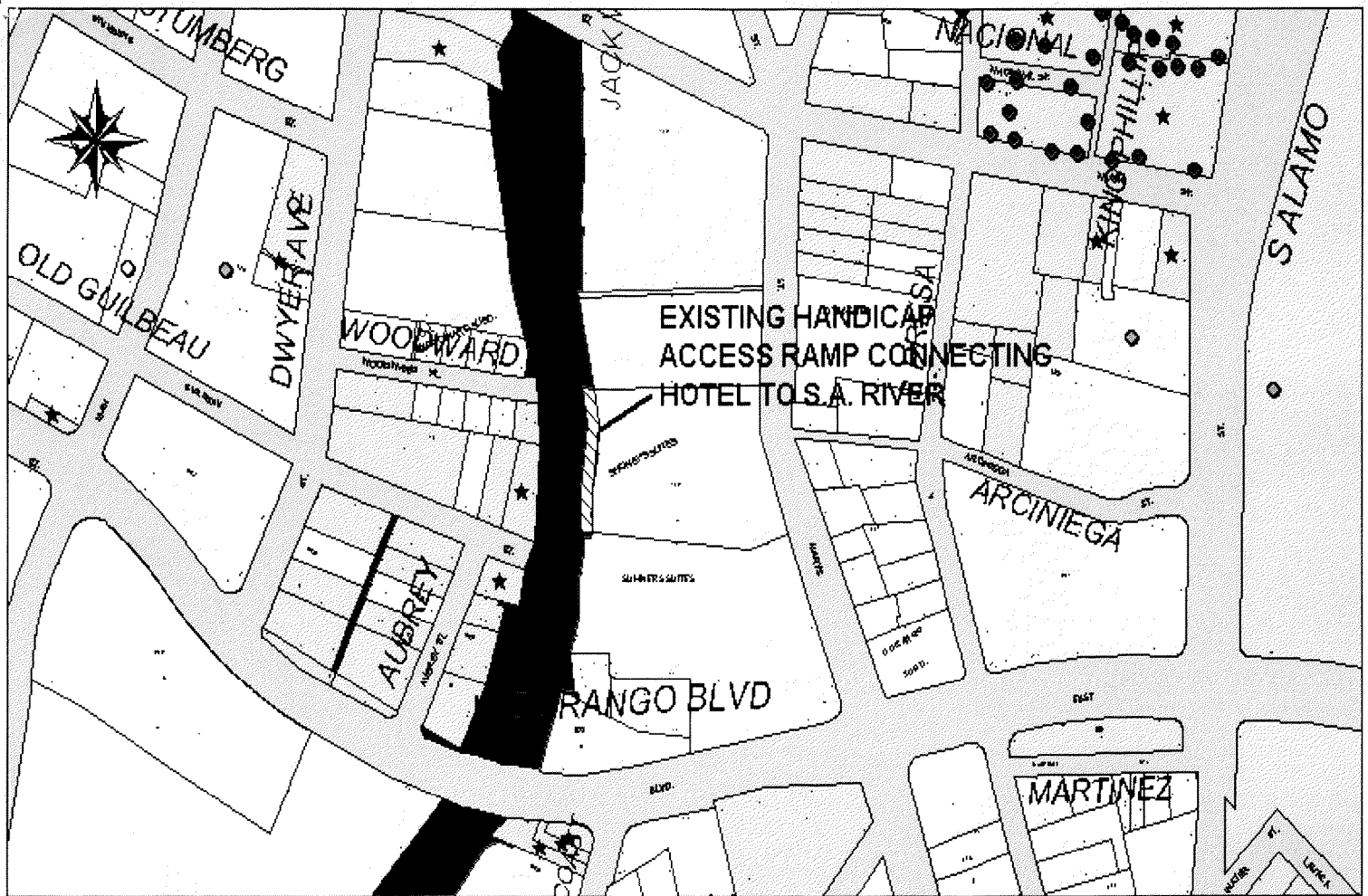


Rebecca Waldman, Director
Department of Asset Management

Approved:



Erik J. Walsh
Assistant to the City Manager





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

July 21, 2003

Glen Rock Holding Corp.
Attn: Richard Szymanski
700 Route 46 East
Fairfield, NJ 007004

Re: S. P. No. 880 – Request for a license of agreement to use Public Right of Way behind 601 South St. Mary's Street and adjacent to the San Antonio River

Dear Mr. Szymanski:

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 condition:

PLANNING DEPARTMENT: "Any potential alteration to the existing structure shall be submitted for approval to the City of San Antonio's Disability Access Office."

Additionally, the fee established for this license agreement is \$5,000.00 for a 10-year term, to be paid prior to City Council consideration. If for some reason the license is not approved by City Council, the license 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.

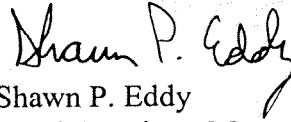
Further, a fully completed and signed Discretionary Contracts Disclosure Statement is required and enclosed for your convenience.

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

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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

AGREED AS TO TERMS AND CONDITIONS:

Petitioner: GLEN ROCK HOLDING CORP.

By: 
Richard Szymanski, President

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:

Glen Rock Holding Corp.

and the name of:

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

None

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;

Prime Hospitality Corp.

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.

- (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

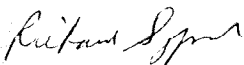
Political Contributions

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:
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:  Richard Szymanski	Title: President Company: Glen Rock Holding Corp.	Date: 7/21/03

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.

Canvassing Checklist

SPNo 880

Request: Petitioner is requesting a license agreement to use Public Right of Way adjacent to the San Antonio River behind the AmeriSuites Hotel located at 601 S. St. Mary's Street, as shown on attached Exhibit "A". This area is currently in use as a disabled access ramp which provides a link between the San Antonio River and the AmeriSuites Hotel. The ramp was constructed hotel by the previous owner, Sholodge, Inc., for which a license was approved by Ordinance No. 82257 on 5/25/95. The ramp consists of a large landing, landscaping, lighting, a wall sign, landscape wall and seating wall. All operation and maintenance of the licensed premises will continue to be provided at the sole cost and expense of licensee. A new license is necessary as the property was sold and the existing license is personal in nature and not assignable by the previous licensee.

	Included in Canvassing	Out Date	In Date	Uncond. Approval	Conditional Approval	Denial
Planning Department	<input checked="" type="checkbox"/>	8/20/2002	10/17/2002	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PublicWorks	<input checked="" type="checkbox"/>	8/20/2002	9/25/2002	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Development Services	<input checked="" type="checkbox"/>	8/20/2002	9/6/2002	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	8/20/2002	11/8/2002	<input checked="" 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 type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
S.A. Water System (SAWS)	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TXDOT	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
S.A. River Authority (SARA)	<input checked="" type="checkbox"/>	8/20/2002	9/17/2002	<input checked="" 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

City of San Antonio

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Prime Hospitality Corp.

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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.

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Signature:  Richard Szymanski	Title: President Company: Glen Rock Holding Corp.	Date: 7/21/03

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