

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

PUBLIC HEARING  
CONSENT AGENDA  
ITEM NO. 4  
2:30 PM

**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, December 18, 2003

**SUBJECT:** S.P. No. 1087 - Request to close, vacate and abandon an unimproved portion of Robards Row Street Public Right of Way located between Appleman Street and Gilder Boulevard adjacent to NCBs 17624 and 18421

**PETITIONERS:** Iron Horse RV, Inc. and John Deloach  
Attn: Jerry Arredondo  
10406 Lazy F Trail  
Helotes, Texas 78023

**SUMMARY AND RECOMMENDATIONS**

This Ordinance will close, vacate and abandon an unimproved portion of Robards Row Street Public Right of Way located between Appleman Street and Gilder Boulevard adjacent to NCBs 17624 and 18421, as requested by the abutting property owners, Iron Horse RV, Inc. and John Deloach, for the total consideration of \$32,925.00.

Staff recommends approval of this Ordinance.

**BACKGROUND INFORMATION**

Petitioners are requesting to close, vacate and abandon an unimproved portion of Robards Row Street Public Right of Way located between Appleman Street and Gilder Boulevard adjacent to NCBs 17624 and 18421, as shown on attached Exhibit "A". If approved, petitioners intend to erect a security fence at both ends of the street to prevent alleged illegal dumping on their properties. Petitioners own all of the properties abutting the proposed closure. This project is located within City Council District 10.

**POLICY ANALYSIS**

This action is consistent with City Ordinances regulating the closure, vacation and abandonment of Public Right of Way within the Corporate Limits of the City of San Antonio.

**FISCAL IMPACT**

The City will collect \$32,925.00 as consideration for this closure, vacation and abandonment of 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 petitioners agree with all conditions imposed through this canvassing, are attached for review.

## SUPPLEMENTARY COMMENTS

The City of San Antonio's Planning Commission will consider this request at its regular meeting of 12/10/2003 and its finding will be presented to City Council on 12/18/2003.

Executed Discretionary Contracts Disclosure Statements from petitioners are attached.

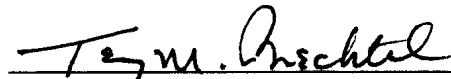


Rebecca Waldman, Director  
Department of Asset Management

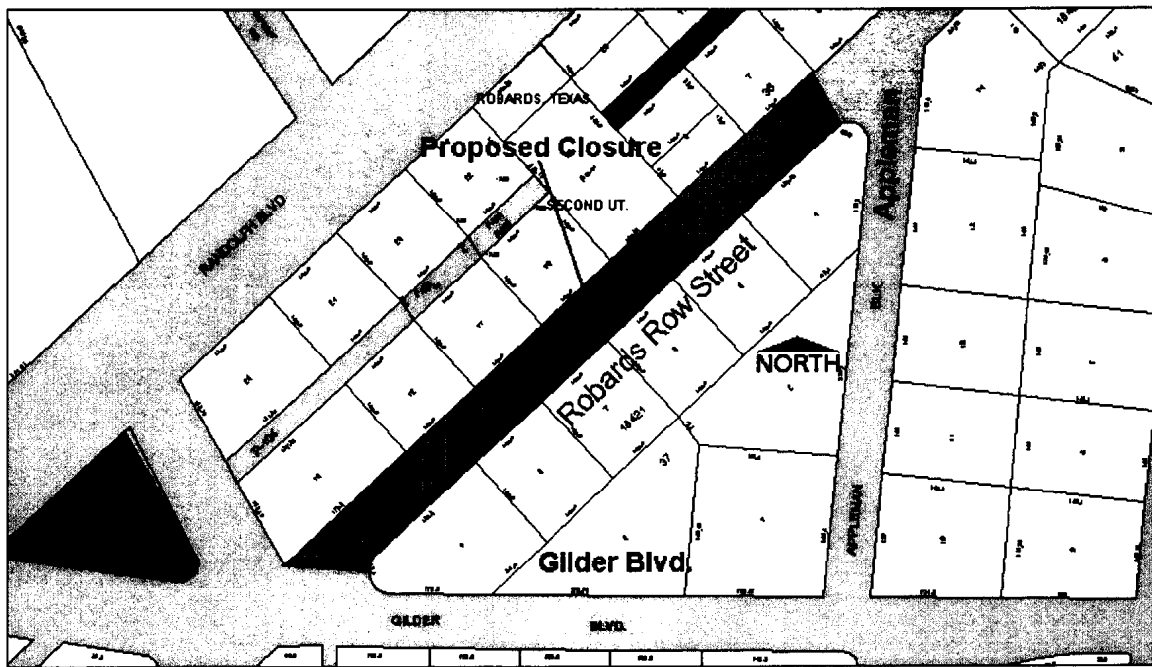


Erik J. Walsh  
Assistant to the City Manager

Approved:



Terry M. Brechtel  
City Manager



Map of Subject Property



Southerly View of Subject Property

## Exhibit "A"

# Canvassing Checklist

SPNo **1087**

**Request:** Petitioners are requesting to close, vacate and abandon an unimproved portion of Robards Row Street Public Right of Way located between Appleman Street and Gilder Boulevard adjacent to NCBs 17624 and 18421, as shown on attached Exhibit "A". If approved, petitioners intend to erect a security fence at both ends of the street to prevent alleged illegal dumping on their properties. Petitioners own all of the properties abutting the proposed closure. For informational purposes, the Zoning Commission denied a zoning change request, requested by the same petitioners for this street closure request, from R-6 to C-3 NA C at its meeting of January 21, 2003. This project is located within City Council District 10.

	Included in Canvassing	Out Date	In Date	Uncond. Approval	Conditional Approval	Denial
Planning Department	<input checked="" type="checkbox"/>	3/3/2003	4/22/2003	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PublicWorks	<input checked="" type="checkbox"/>	3/3/2003	4/3/2003	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Development Services	<input checked="" type="checkbox"/>	3/3/2003	3/13/2003	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police Department	<input checked="" type="checkbox"/>	3/3/2003	3/6/2003	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fire Department	<input checked="" type="checkbox"/>	3/3/2003	3/24/2003	<input checked="" 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"/>	3/3/2003	4/3/2003	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
S.A. Water System (SAWS)	<input checked="" type="checkbox"/>	3/3/2003	3/10/2003	<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 checked="" type="checkbox"/>	3/3/2003	3/10/2003	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Environmental Services	<input checked="" type="checkbox"/>	3/3/2003	3/13/2003	<input checked="" 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 checked="" type="checkbox"/>	4/22/2003	5/13/2003	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Canvassing Comments

Randolph Hills Neighborhood Association, Attn: Harold, 655-5514 (fax)



# 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

October 10, 2003

Iron Horse RV, Inc. and John Deloach  
Attn: Jerry Arredondo  
10406 Lazy F Trail  
Helotes, Texas 78023

Re: S. P. No. 1087 - Request to close, vacate and abandon an unimproved portion of Robards Row Street located between Appleman Street and Gilder Boulevard adjacent to New City Blocks 17624 and 18421

Dear Mr. Arredondo:

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 clients' request subject to the following conditions:

PUBLIC WORKS DEPARTMENT: "Subject property should be retained as a drainage easement until removed or modified through the platting process. Future access to public streets to be per current with UDC requirements."

DEVELOPMENT SERVICES DEPARTMENT: "The request to close and abandon an unimproved portion of Robards Row is recommended for approval provided resulting land locked lots and the subject site are assembled and platted with adjacent owners' properties."

SAN ANTONIO WATER SYSTEM: "Provided that any existing water and/or sewer easements remain accessible for operational and maintenance purposes at all times."

DEPARTMENT OF ASSET MANAGEMENT:

The closure, vacation and abandonment of this Public Right of Way will be authorized by a City Ordinance. Petitioners assert that all evidence of ownership of all proposed to be closed, vacated and abandoned by the City of San Antonio is true and correct. Petitioners acknowledge that this property will be accepted in its "as is" condition. Petitioners acknowledge that the City of San Antonio is not responsible for encroachments that petitioners may have on each other's property. Petitioners agree to reserve a perpetual easement for all existing overhead, surface or subsurface utilities within the Public Right of Way proposed to be closed, including but not limited to: electrical, water, sewer, telephone, cable, fiber optic conduit, etc. Petitioners agree to allow perpetual access to any such utilities or may seek the relocation of a specific utility with express permission and coordination of the respective owner of the utility at the sole expense of the petitioner.

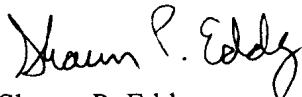
Petitioners agree to pay a total closure fee of \$32,925.00 which includes the assessed value of the Public Right of Way and additional fees of \$144.00 for the posting of two (2) signs notifying the public of the proposed street closure and \$70.00 for the recording fees. The following is a breakdown due for each petitioner: Iron Horse RV, Inc. \$16,795.00 and John Deloach \$16,130.00. This closure fee will be due and payable to the City of San Antonio prior to City Council consideration. If for some reason the closure is not approved by City Council, the closure and recording fees will be refunded to the petitioners, less the fee for the posting of notification signs.

Further, a fully completed and signed Discretionary Contracts Disclosure Statement from each petitioner is required and enclosed for your convenience. A corporate resolution letter will needed from Iron Horse RV, Inc. authorizing a person to execute this Letter of Agreement.

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

If you concur with the above-mentioned conditions please countersign this letter in the space provided below and return to the undersigned. Upon receipt of this executed Letter of Agreement and the completed Discretionary Contracts Disclosure Statements we will continue processing your request.

Sincerely,



Shawn P. Eddy,  
Special Projects Manager

AGREED AS TO TERMS AND CONDITIONS:

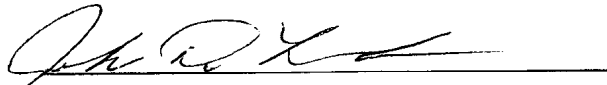
**Iron Horse RV, Inc.**



By: 10-27-03

Date

**John Deloach**



By: 10/27/03

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:**

*John DeLoach*

**(2) the identity of any business entity<sup>1</sup> that would be a party to the discretionary contract:**

*Boxer Towing*

**and the name of:** *Boxer Towing*

**(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;**

*N/A*

<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.

N/A


### 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:
N/A		

### 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.

N/A		
Signature:	Title:	Date:
	Company:	11/5/03

<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.



**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.*

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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:

 IRON HORSE RV Inc 
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(2) the identity of any **business entity**<sup>1</sup> that would be a party to the discretionary contract:

N/A
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and the name of:

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

N/A
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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;

N/A
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<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.

N/A

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To Whom Made:	Amount:	Date of Contribution:
N/A		

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Signature: <i>Daryl Waldrop</i>	Title: <i>V.P.</i> Company: <i>Iron Horse RV, Inc.</i>	Date: <i>10-27-03</i>

<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.