

**CITY OF SAN ANTONIO
PROPOSITION 3 OFFICE
CITY COUNCIL AGENDA MEMORANDUM**

TO: Mayor and City Council

FROM: Edna R. Ortega, Proposition 3 - Special Projects Coordinator

SUBJECT: ACQUISITION OF EIGHTEEN PROPERTIES ALONG SALADO CREEK FOR THE PROPOSITION 3 CREEKWAYS LINEAR PARKS PROJECT

DATE: November 4, 2004

SUMMARY AND RECOMMENDATION

This is a request for ordinance approving the fee simple purchase of eighteen (18) properties located along the Salado Creek for a total of \$69,750.00. The properties by the Salado Creek are within the Wheatley Heights area and are to be acquired from private sellers. Due diligence fees of \$5,040.00 are needed for Chicago Title. The previously assessed tax value of the 18 properties was \$105,800.00. A total of \$74,790.00 is requested.

The properties are all within flood plains that were severely damaged in 1998. The City has acquired numerous other properties in these flood zones under the FEMA Flood Buyout of 1998 and will be acquiring others as part of the Proposition Three Creekways Linear Parks Land Acquisition and Park Expansion Project approved by voters in May 2000.

These properties are presented for consideration and recommendation to the City Council under the Proposition Three Creekway Linear Parks Acquisition and Park Expansion Project approved by voters on May 6, 2000. Planning Commission reviewed and approved this purchase on October 27, 2004.

Staff recommends approval of the ordinance.

POLICY ANALYSIS

This proposed action is consistent with policy adopted by the City Council for the acquisition of properties along both the Salado and Leon Creeks as presented in Proposition Three of the Better Future Sales Tax Initiative passed and approved by the voters on May 6, 2000.

FISCAL IMPACT

This project is funded by the one-eighth sales and use tax in the special revenue Parks Development and Expansion Fund.

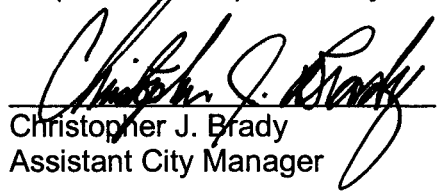
SUMMARY	Acreage	Total Cost
<u>Total Acreage (previous acquisitions)</u>		
Salado Creek	173.5288	\$1,102,449.00
Leon Creek (Park Improvements & Acreage)	<u>.574</u>	<u>87,694.30</u>
	174.1028	\$1,190,143.30
 <u>Total Costs For Acquisition:</u>		
Total Acreage (this acquisition)	3.5229	\$ 69,750.00
Due diligence		<u>5,040.00</u>
Total Requested		\$ 74,790.00
 Total Acreage acquired to date	177.6257	\$1,264,933.30

COORDINATION

This request for ordinance has been coordinated with the Parks and Recreation Department and the Finance Department for availability of funds.




Edna R. Ortega
Proposition 2 - Special Projects Coordinator

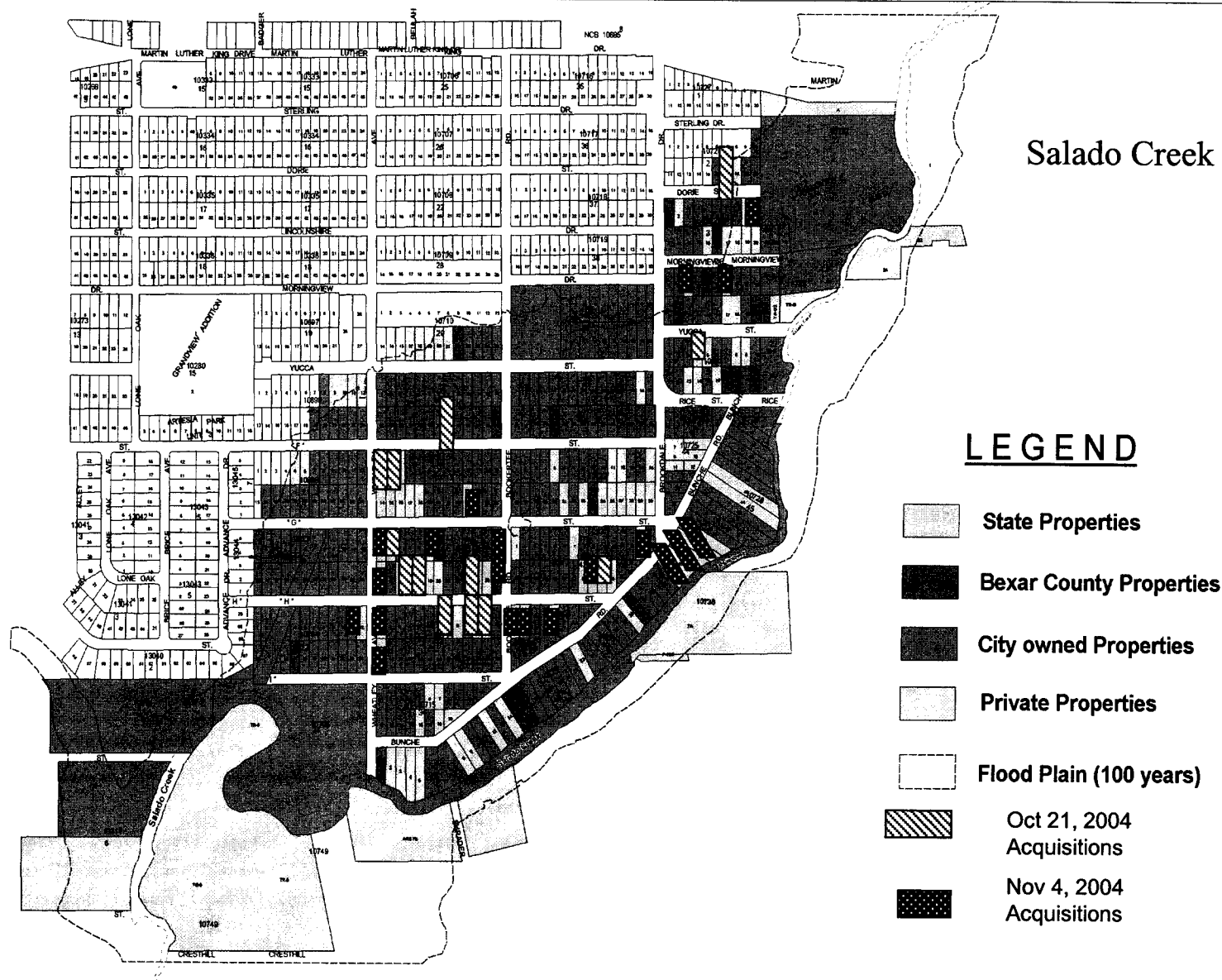


Christopher J. Brady
Assistant City Manager

APPROVED:

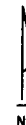


J. Rolando Bono
Interim City Manager



CITY OF SAN ANTONIO
Department of Public Works
Office of the City Engineers
Engineering Division

Wheatley Heights Area



UNDRAWN 9/6/2003 BY ECT

Acquisition of Eighteen Properties Along the Salado Creek for the
 Proposition 3 Creekways Linear Parks Project
 City Council, November 4, 2004

LIST OF PROPERTIES

Owner	Legal Description	Acreage	B.A.D. Value	Sales Price	Closing Fees *
Benskin, Lillian	NCB 10712 Blk 31 Lot 23	0.1779	\$ 7,200.00	\$ 4,000.00	\$ 280.00
Brown, Murhl & Adams, Barbara	NCB 10723 Blk 42 Lot 23	0.1779	\$ 3,600.00	\$ 1,950.00	\$ 280.00
Castilow, LaVaughn McNeil	NCB 10724 Blk 43 Lot 5	0.1779	3600	\$ 1,950.00	\$ 280.00
Dolford, Josephine	NCB 10714 Blk 33 Lot 1	0.1772	7100	\$ 4,000.00	\$ 280.00
Dolford, Josephine	NCB 10714 Blk 33 Lot 14	0.1779	3600	\$ 3,600.00	\$ 280.00
Embrey, Dane	NCB 10713 Blk 32 Lot 26	0.1779	\$ 7,200.00	\$ 4,000.00	\$ 280.00
Harvey, Bernice	NCB 10730 Blk 4 Lot 7	0.1492	6800	\$ 3,500.00	\$ 280.00
Hernandez, Luis Ramon & Laura Jean	NCB 10713 Blk 32 Lot 13	0.1779	7200	\$ 4,000.00	\$ 280.00
Hopson, Robert & Maria Luisa	NCB 10713 Blk 32 Lot 6	0.1779	3600	\$ 4,000.00	\$ 280.00
Kennedy, Larry Phillip	MCB 10704 Blk 23 Lot 12	0.1779	\$ 7,200.00	\$ 4,000.00	\$ 280.00
Mason, Mary Amelia	NCB 10724 Blk 43 Lots 1 & 2	0.3558	\$ 7,200.00	\$ 6,500.00	\$ 280.00
Price, Steven	NCB 10730 Blk 4 Lot 3	0.1492	\$ 6,800.00	\$ 7,000.00	\$ 280.00
Rover, Herman	NCB 10729 Blk 3 Lot 9	0.1492	\$ 6,800.00	\$ 3,500.00	\$ 280.00
Sanchez, Juan & Maria Luisa	NCB 10713 Blk 32 Lot 14	0.1779	\$ 7,200.00	\$ 4,000.00	\$ 280.00
Sanchez, Juan & Maria Luisa	NCB 10713 Blk 32 Lot 1	0.1779	\$ 7,200.00	\$ 4,000.00	\$ 280.00
Stain, Mae Ola	NCB 10726 Blk 45 Lots 35 & 36	0.3673	\$ 9,000.00	\$ 5,000.00	\$ 280.00
Stain, Mae Ola	NCB 10726 Blk 45 Lot 37	0.2181	\$ 3,800.00	\$ 2,400.00	\$ 280.00
Texas Home Improvement Inc.	NCB 10723 Blk 42 Lot 14	0.1779	700	\$ 2,350.00	\$ 280.00
18 Totals		3.5229	\$ 105,800.00	\$ 69,750.00	\$ 5,040.00
				Total Requested	\$74,790.00

* Closing Fees: \$237 title + \$25 escrow + \$18 recording

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;

Vicki Novak

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

CHICAGO TITLE COMPANY

and the name of:

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

n/a

(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

(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

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.

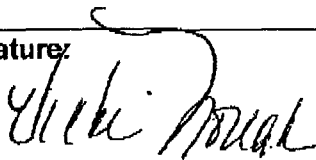
Political Contributions

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 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.

n/a		
Signature:  Vicki Novak	Title: Escrow Officer Company: CHICAGO TITLE CO.	Date: Oct. 22, 2004

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.

SAN ANTONIO PLANNING COMMISSION
RESOLUTION NO. 04-10-05

**A RESOLUTION RECOMMENDING TO THE CITY COUNCIL THE ACQUISITION
OF EIGHTEEN PROPERTIES ALONG THE SALADO CREEK FOR THE
PROPOSITION THREE CREEKWAYS LINEAR PARKS DEVELOPMENT PROJECT**

WHEREAS, the City Planning Commission is tasked with the review and recommendation for purchase of lands for the Proposition Three Project; and

WHEREAS, under Proposition 3 of the election held on May 6, 2000, the voters of San Antonio approved an increase in the sales tax to fund the purchase of new parkland for linear parks along Leon Creek and Salado Creek; and

WHEREAS, these parcels are presented for consideration and recommendation to the Planning Commission under the Proposition Three Creekway Linear Parks Acquisition and Park Expansion Project; and

WHEREAS, these eighteen properties are within the Wheatley Heights area adjacent to the Salado Creek; and are being acquired for a total of \$74,016.

WHEREAS, these properties are within the Project priority segments and staff from various departments have coordinated for the selection and review of these properties;

NOW THEREFORE;

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO:

Recommendation to the City of San Antonio City Council for the acquisition of seven parcels of land within the Wheatley Heights area for the Proposition 3 Creekways Linear Parks Development Project

PASSED AND APPROVED THIS 27TH DAY OF OCTOBER, 2004



Susan M. Wright, Chairperson

ATTEST:



Executive Secretary