

CITY OF SAN ANTONIO
DEPARTMENT OF ASSET MANAGEMENT
CITY COUNCIL AGENDA MEMORANDUM

TO: Mayor and City Council

FROM: Rebecca Waldman, Director, Department of Asset Management

DATE: Thursday, February 10, 2005

SUBJECT: S.P. No. 1189—Request to release a utility easement previously reserved in association with a closure, vacation and abandonment of Pecan Springs Road located between NCBs 14858 and 15825

PETITIONER: Galleria Ventures, Ltd.; c/o Vickrey & Associates, Inc.
Attn: Stephen Horvath, P.E., R.P.L.S., Vice Pres.
12940 Country Parkway
San Antonio, TX 78216

SUMMARY AND RECOMMENDATIONS

This Ordinance will release a retained utility easement within a portion Pecan Springs Road located between NCBs 14858 and 15825 that has been closed, vacated and abandoned by Ordinance No. 83176, passed and approved on November 9, 1995, in Council District No. 8, as requested by Galleria Ventures, Ltd.

Staff recommends approval of this Ordinance.

BACKGROUND INFORMATION

Petitioner is requesting the release of a utility easement previously reserved in association with a closure, vacation and abandonment of Pecan Springs Road located between NCBs 14858 and 15825 as shown on attached Exhibit "A." This Public Right of Way was closed by virtue of Ordinance No. 83176, passed and approved on November 9, 1995, at which time the City of San Antonio retained an easement for any existing utilities. The property owner is in the process of developing the abutting properties and plans to build over the closed portion of Pecan Springs Road and has requested the release of this residual utility easement. Public utilities have been canvassed and have agreed to this proposed release of easement.

POLICY ANALYSIS

This action is consistent with the City Code and Ordinances which require City Council approval for the release of easements by the City.

FISCAL IMPACT

This item will have no fiscal impact as the City previously collected a fee to close, vacate and abandon the Public Right of Way.

COORDINATION

In compliance with City procedures, this request has been coordinated through the City Attorney's Office.

SUPPLEMENTARY COMMENTS

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

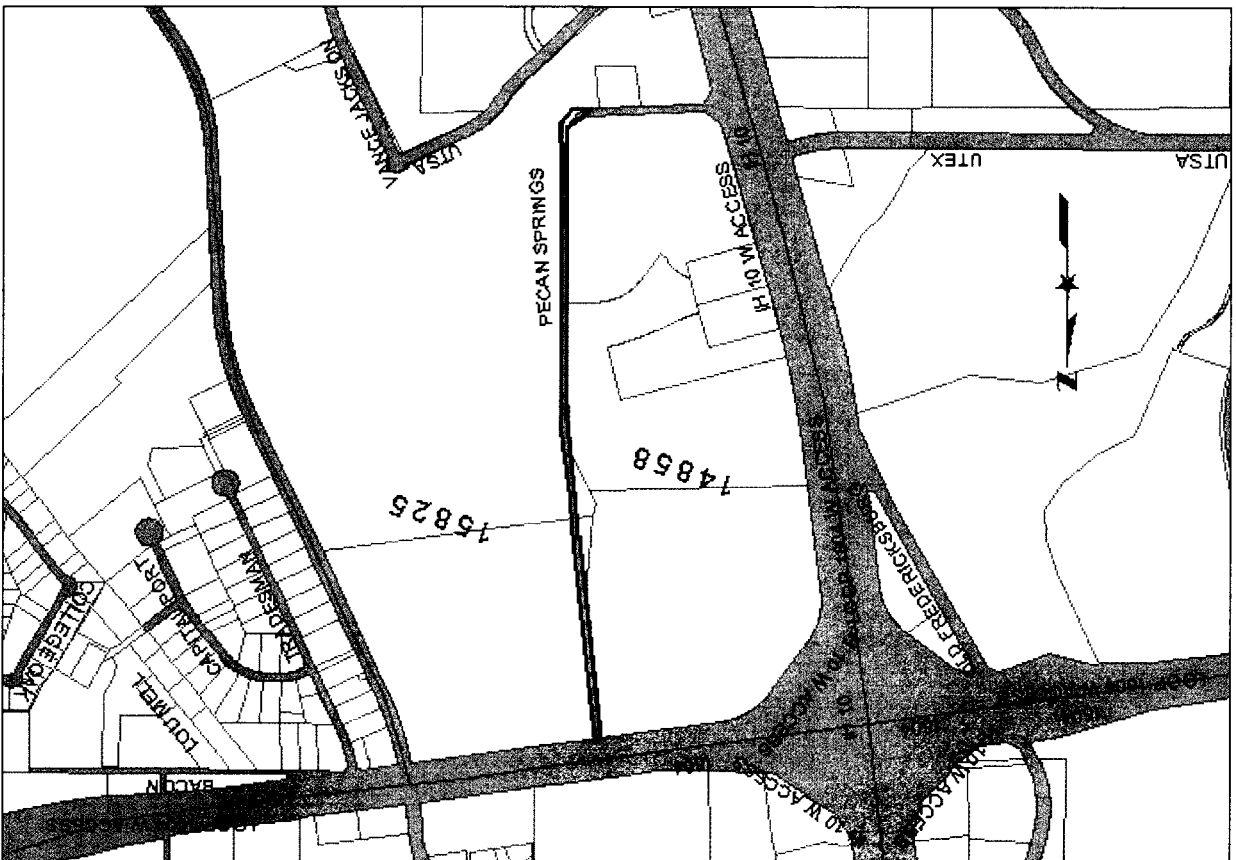


Rebecca Waldman, Director
Department of Asset Management



Erik J. Walsh
Assistant to the City Manager

Exhibit "A"



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:

GALLERIA VENTURES LIMITED

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;

NONE

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

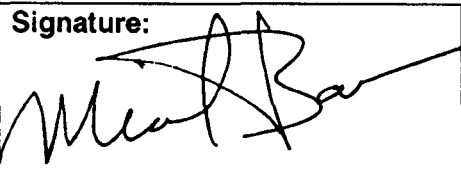
Political Contributions

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	NONE	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.

Signature: 	Title: AUTHORIZED AGENT Company: GALLERIA VENTURES LIMITED	Date: JANUARY 26, 2005
Michael Bauem, Esq. 1100 N.W. Loop 410 # 260 San Antonio, TX 78213		

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.