

**CITY OF SAN ANTONIO
CITY MANAGER'S OFFICE
INTERDEPARTMENTAL MEMORANDUM**

TO: Mayor and City Council

FROM: Christopher J. Brady, Assistant City Manager

SUBJECT: Ordinance Acquiring Fee Simple Title By Negotiation And/Or
Condemnation, If Necessary, And Payment Of Miscellaneous Expenses
Associated with Seventy Four Properties for Proposition 3 Creekway Linear
Parks Land Acquisition and Park Expansion Project

DATE: March 31, 2005

SUMMARY AND RECOMMENDATION

This ordinance authorizes the expenditure of funds in the amount of \$1,355,926.00 for fee simple title and/or easement interest to seventy-four (74) properties of privately owned real property and for other expenses associated with acquiring the seventy-four (74) properties as authorized under the Proposition Three Linear Creekway Program approved by voters in May 2000. The properties proposed for acquisition are along the Salado Creek within District 2 and 9 and along the Leon Creek within Districts 4 and 6. The total proposed acquisition is approximately 73.6246 acres. This ordinance authorizes City staff to acquire these properties at fair market value by negotiation or condemnation, if necessary.

Staff recommends the approval of this ordinance.

BACKGROUND INFORMATION

On December 9, 2004, staff briefed City Council during a B Session on this proposed action. As presented to Council, the Proposition 3 Creekways Linear Parks Project has diligently worked to acquire properties throughout the Salado and Leon Creekways by negotiation. However, some properties are not obtainable due to clouded title issues or inability to locate the owners or failed negotiations because COSA and the owners are too far apart on the values of the property and instead must consider condemnation as a tool to acquire them. The properties are all within the 100-year FEMA identified flood plain that has been severely impacted by the flooding in 1998 and 2000. The proposed acquisition is to be included as part of the Proposition 3 Creekway Linear Parks Land Acquisition and Park Expansion Project approved by voters in May 2000. This initiative includes flood management along with recreational opportunities on the Salado and Leon Creeks. The City has previously acquired numerous other properties along the Leon and Salado Creeks as part of the FEMA Flood Buyout of 1998.

These properties are presented to the City Council for consideration for acquisition under the Proposition Three Creekway Linear Parks Acquisition and Park Expansion Project.

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 Parks Development and Expansion Venue Project (Proposition Three Sales Tax fund).

Funds in the amount of \$1,355,926.00 are within the total estimated Parks Development and Expansion Venue Project Proposition Three Sales Tax fund cost of \$20,000,000.00.

Publication fees	\$	151,800.00
Attorney ad litum	\$	69,000.00
Commissioners fees	\$	59,200.00
Administrative fees	\$	1,480.00
Attorney fees	\$	158,000.00
Title Fees	\$	33,300.00
Appraisal Fees	\$	27,125.00
Land Value	\$	856,021.00
Total Requested	\$	1,355,926.00

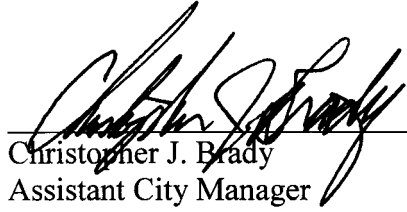
Land Costs	Acreage	Estimated Value
Wheatley Heights	8.2661	\$267,923.51
Salado Creek	31.9726	\$337,900.00
Leon Creek	<u>33.3859</u>	<u>\$250,197.49</u>
Total:	73.6246	\$856,021.00


COORDINATION

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

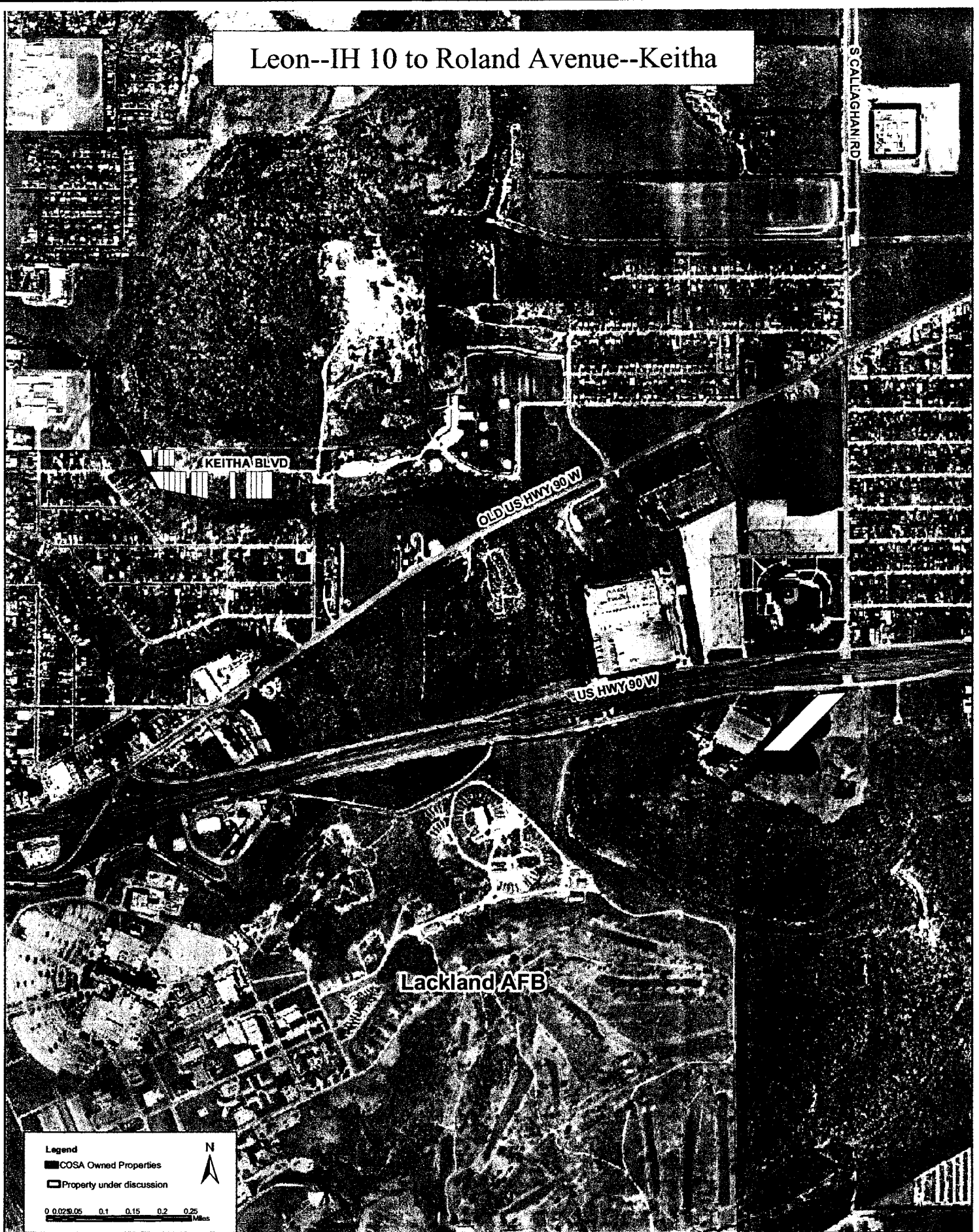
SUPPLEMENTARY COMMENTS

The attached maps reference the property locations. Staff recommends approval of this request.


Christopher J. Brady
Assistant City Manager


J. Rolando Bono
Interim City Manager

Leon--IH 10 to Roland Avenue--Keitha



Salado--IH 10 to Roland Avenue

Martin Luther King
Park

Martin L
King Middle

MARTIN LUTHER KING DR

Gates
Elem

Legend
■ COSA Owned Properties
□ Property under discussion



0 0.01 0.02 0.04 0.06 0.08 0.1
Miles



Salado--IH 10 to Roland Avenue--Pipers Lane



Salado -- Huebner to Blanco

Salado Creek
Greenway North

WURZBACH PKWY

BLANCO RD

Legend

- Proposition 3 Purchases
- Property under discussion



0 0.02 0.04 0.08 0.12 0.16 0.2 Miles

Salado--Ft Sam Houston to IH 10

IH 35 N

CREEKVIEW

Pletz County Park

Cameron
Elem

BELGIUM

GEMBLER RD

Legend

- Properties under discussion
- COSA Owned Properties
- County Property



0 0.015 0.03 0.06 0.09 0.12 0.15 Miles

Salado--Loop 410
to John James Park

LOOP 410

Garner

WIRALEERD

Robert Tobin
Park

AUSTIN HWY

Legend

- COSA Owned Properties
- Properties under consideration



0 0.04 0.08 0.16 0.24 0.32 Miles