

**CITY OF SAN ANTONIO
PARKS AND RECREATION DEPARTMENT
CITY COUNCIL AGENDA MEMORANDUM**

TIME CERTAIN
ITEM NO. 4
11:30
AM

TO: Mayor and City Council

FROM: Malcolm Matthews, Director, Parks and Recreation Department

SUBJECT: Ordinance Authorizing the Transfer of Ownership of Park Land within Rosedale Park in Exchange for Adjacent School Property

DATE: August 25, 2005

SUMMARY AND RECOMMENDATIONS

This ordinance makes a finding, pursuant to the requirements of Texas Parks and Wildlife Code Chapter 26, that there is no feasible and prudent alternative to the change in use of approximately 4.7 acres located in the northeast corner of Rosedale Park in City Council District 5 from public park use to public school use and authorizes the transfer of ownership to Edgewood Independent School District, in exchange for approximately 5.9 acres of adjacent school property located on Ruiz Street to be designated as park land.

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

The Edgewood Independent School District (EISD) needs to rebuild the Cenizo Park Elementary School. The current elementary school is on 5.9 acres of school property located on Ruiz Street across from Rosedale Park and the Westside YMCA. EISD is requesting to utilize property located in Rosedale Park to build the new elementary school in order to satisfy elementary school guidelines, such as single story and acreage standards that cannot be met on their existing school property.

Rosedale Park is comprised of 61.8 acres, acquired in 1945. State laws protect parks from being sold without a vote of the public; however, there is an exception pertaining to agencies with eminent domain authority, such as school districts, as long as the city receives fair market value in exchange for the land being transferred. There is a separate state law requirement that anytime a public park is put to a use other than public park use, the governing body must make a finding, after notice and a hearing, that there is no feasible and prudent alternative to the proposed change in use.

The proposed land exchange involves several components. The school district will exchange approximately 5.9 acres of school property (the current Cenizo Park Elementary location) for approximately 4.7 acres of park property (the northeast corner of Rosedale Park) and rebuild two

soccer fields being displaced by the transfer. The City may utilize the existing school facility (consisting of a two story school building, a gymnasium, and a computer/media building) or the EISD will raze and clear the site, or any combination of the two. The City of San Antonio is currently exploring the possibility of utilizing the existing school facility for a variety of services to the public, however no additional funding is currently available to support new programs at this facility. The City will continue to evaluate the option of having EISD demolish this structure for the use of the land as park space.

The Westside YMCA wants to rebuild much of the YMCA facility in Rosedale Park over the next few years, to include multi-purpose rooms, gymnasium, fitness center, and swimming pool. The City has required that EISD and the YMCA jointly plan their improvements to include shared parking lot, facilities and use area.

The project has been discussed with citizens and neighbors of the park and Cenizo Park Elementary School. The public has indicated its extreme support of the project, as has the EISD School Board and City Councilwoman Radle (District 5). The project concept was approved by the Parks and Recreation Board on July 18, 2005 and was approved by the Planning Commission on August 10, 2005.

When the disposition of public park land is proposed, a public hearing is required and notice must be provided to the public for a three week period. Notice was printed in the San Antonio Express News on July 31, 2005, August 7, 2005 and August 14, 2005 on this issue and its proposed consideration by City Council.

POLICY ANALYSIS

State law protects parks from being sold or used for non-park purposes without a vote of the public; however, there are allowances for circumstances pertaining to agencies with condemnation authority, such as school districts. Public Notice requirements for the public hearing were met. There is benefit to the City for the land exchange, due to the advantage of obtaining an existing building to use for public programs, and it is also beneficial for the surrounding community to be able to receive a new school.

FISCAL IMPACT

There is minimal cost associated with the land transfer to complete legal transactions. It is anticipated that this transfer will be finalized within the next several months. The EISD will need to complete and operate the new school for the 2007-2008 school year. If the City decides to move staff and programs to this facility, additional funds will need to be identified. EISD will demolish this school building if the City decides to develop the area into park open space.

COORDINATION

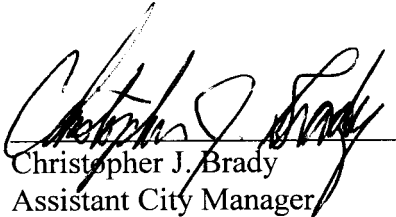
Discussions have occurred with representatives from the Edgewood Independent School District, the Westside YMCA, City Council District 5, and citizens and neighbors of the park and the existing school. There have been numerous meetings and site visits of all parties pertaining to this proposed concept.

SUPPLEMENTARY COMMENTS

A Discretionary Contracts Disclosure Form is not required.



Malcolm Matthews
Director of Parks and Recreation



Christopher J. Brady
Assistant City Manager



J. Rolando Bono
City Manager