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

TO:

Sheryl Sculley, City Manager

FROM:

Malcolm Matthews, Director, Parks and Recreation Department

SUBJECT:

Ordinance Authorizing the Acquisition of four properties totaling approximately 51.11

Acres along Leon and Salado Creeks for the Linear Creekways Development Project

DATE:

March 23, 2006

SUMMARY AND RECOMMENDATIONS

This ordinance authorizes the acquisition of four tracts totaling approximately 51.11 acres of land along Leon and Salado Creeks in City Council Districts 2, 6, and 10 in connection with the Linear Creekways Development Project for a total of \$685,906.00 authorizes \$6,563.00 for closing costs and title insurance, and appropriates \$692,469.00 from Proposition 3 Sales Tax Initiative funds.

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

The passage of the Proposition 3 Sales Tax Initiative by referendum in 2000 authorized the collection of a 1/8 cent sales tax to fund the acquisition of properties along Leon and Salado Creeks and subsequent development of Linear Parks. To date, the City has acquired 659.02 creekway acres. Approval of this action would increase the total number of creekway acres acquired to 710.13.

This ordinance will authorize the acquisition of four tracts totaling approximately 51.11 acres of land along Leon and Salado Creeks in City Council Districts 2, 6, and 10. The properties to be acquired are located within or are adjacent to the 100-year flood plain. These acquisitions will contribute to the assembly of land targeted for multi-use trails under the Linear Creekways Development Project. Upon approval by City Council, closings on the properties are scheduled for the week of April 17, 2006.

The Planning Commission has reviewed and approved this action at its March 8, 2006 meeting.

POLICY ANALYSIS

This acquisition is consistent with the City's Proposition 3 Sales Tax Initiative in acquiring properties along both Leon and Salado Creeks, and is in keeping with Natural Resouce and Urban Design Goals of the San Antonio Master Plan Policies to "Preserve the unique, rare and significant features of San Antonio's natural environment" and to "Develop and maintain a diversified and balanced citywide system of parks and open space".

FISCAL IMPACT

The amount of \$692,469.00 is available from Proposition 3 Sales Tax Initiative funds for land acquisition. The following table summarizes the fiscal impact of the acres acquired to date (including the proposed action) in connection with the Linear Creekways Development Project.

Proposition 3 Sales Tax Initiative Funds (Available for Acquisitions)	\$17,000,000.00
Funds Used to Date	\$6,923,261.75
Remaining Funds Available	\$10,076,738.25
Funds Required for Proposed Action	\$692,469.00
Remaining Funds Available	\$ 9,384,269.25

COORDINATION

This item has been coordinated with the Finance Department, City Attorney's Office, and Office of Management and Budget. Project acquisitions were reviewed/approved by the Linear Creekway Park Advisory Board and the Planning Commission.

SUPPLEMENTARY COMMENTS

The following attachments are included for review: Attachment I - Listing of Proposed Acquisitions; Attachment II - Site Location Maps. Discretionary Contracts Disclosure Forms are also attached.

Malcolm Matthews

Director of Parks and Recreation

Frances A. Gonzalez, Assistant City Manager

Approved for Council Consideration:

Sheryl Sculley

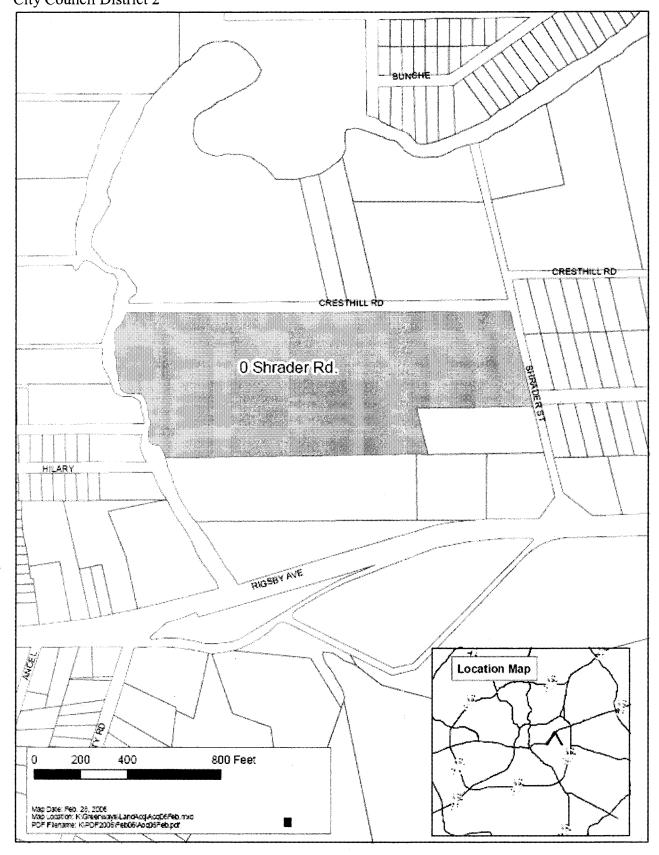
City Manager

ATTACHMENT I

LIST OF PROPOSED ACQUISITIONS

Council District	Address	Legal Description	Acreage
		1	
2	0 Shrader Road	NCB 10749 Lot – Tracts 3 & 4	22.576
6	7382 Grissom Rd.	NCB 18049 save and except 0.0459 acres	21.91
10	2126 NE Loop 410	NCB 12161 Blk Lot NW Irr 444.47 of 4 and Lot P- 133	3.514
10	0 NE Loop 410	NCB 12161 BLK LOT N PT OF D OR P-133	3.112

Address: 0 Shrader Rd. City Council District 2



Address: 7382 Grissom Rd. City Council District 6 GRISSON RD 7382 Grissom Rd. **Location Map**

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800 Feet

Address: 2126 NE Loop 410, 0 NE Loop 410 City Council District 10



City of San Antonio

Discretionary Contracts Disclosure

For use of this form, see Section 2-59 through 2-61 of the City Code (Ethics Code)

Attach additional sheets if space provided is not sufficient.

(1) Identify any individual or business entity ¹ that is a party to the discretionary contract:
David Tholen
(2) Identify any individual or business entity which is a <i>partner</i> , <i>parent</i> or <i>subsidiary</i> business entity, of any individual or business entity identified above in Box (1):
No partner, parent or subsidiary; or
List partner, parent or subsidiary of each party to the contract and identify the corresponding party:
(3) Identify any individual or business entity that would be a <i>subcontractor</i> on the discretionary contract.
No subcontractor(s); or
List subcontractors:
(4) Identify any <i>lobbyist</i> or <i>public relations firm</i> employed by any party to the discretionary contract for purposes related to seeking the discretionary contract.
igwedge No lobbyist or public relations firm employed; or
List lobbyists or public relations firms:

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. A sole proprietor should list the name of the individual and the d/b/a, if any.

individual or business entity	etion committee that contributes to whose identity must be disclosed ers of any business entity listed in	under Box (1), (2), (3) or (4)
No contributions made;	f contributions made, list below:		
By Whom Made:	To Whom Made:	Amount:	Date of Contribution:
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	nented in the event there is any change in action, and no later than five (5) busin hichever occurs first.		
Signature:	Title: Owner	Date:	
David Tholen	Company or D/B/A:	Feb,	20, 2006

List all political contributions totaling one hundred dollars (\$100) or more within the past twenty-four (24) months made to any *current* or *former member* of City Council, any *candidate* for City

(5) Political Contributions

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.

City of San Antonio Discretionary Contracts Disclosure

Discretionary Contracts Disclosure

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David	Tholen
	ual or business entity which is a <i>partner</i> , <i>parent</i> or <i>subsidiary</i> business or business entity identified above in Box (1):
No partner, parent o	or subsidiary; <i>or</i>
List partner, parent or s party:	ubsidiary of each party to the contract and identify the corresponding
(3) Identify any individu contract.	ual or business entity that would be a subcontractor on the discretionary
No subcontractor(s	s); or
List subcontractors:	
	rist or public relations firm employed by any party to the discretionary related to seeking the discretionary contract.
No lobbyist or put	olic relations firm employed; <i>or</i>
List lobbyists or public	relations firms:

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four (24) months made to a Council, or to any <i>political</i> individual or business entity	totaling one hundred dollars (\$ ny current or former member of action committee that contribute whose identity must be disclements of any business entity lister.	City Council, any es to City Council osed under Box (1	candidate for City elections, by any l), (2), (3) or (4)
No contributions made;	If contributions made, list below	v:	
By Whom Made:	To Whom Made:	Amount:	Date of Contribution:
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	plemented in the event there is any chancil action, and no later than five (5) I, whichever occurs first.		
Signature: David Tholen	Title: Owner Company or D/B/A:	Date: Feb,	20, 2006

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City of San Antonio Discretionary Contracts Disclosure For use of this form, see Section 2-59 through 2-61 of the City Code (Ethics Code)

Attach additional sheets if space provided is not sufficient.

(1) Identify any individual or business entity' that is a party to the discretionary contract:
SANDRA K. PHILLIPS
SANDRA R. FILLEIFS
(2) Identify any individual or business entity which is a <i>partner</i> , <i>parent</i> or <i>subsidiary</i> business entity, of any individual or business entity identified above in Box (1):
X No partner, parent or subsidiary; or
List partner, parent or subsidiary of each party to the contract and identify the corresponding party:
(3) Identify any individual or business entity that would be a <i>subcontractor</i> on the discretionary contract.
X No subcontractor(s); or
List subcontractors:
(4) Identify any <i>lobbyist</i> or <i>public relations firm</i> employed by any party to the discretionary contract for purposes related to seeking the discretionary contract.
X No lobbyist or public relations firm employed; or
List lobbyists or public relations firms:

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Arthur D. Galvan

(5) Political Contributions

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No contributions mad	e; If contributions made, list belo	ow:	
By Whom Made:	To Whom Made:	Amount:	Date of Contribution:
none			

List all political contributions totaling one hundred dollars (\$100) or more within the past twentyfour (24) months made to any current or former member of City Council, any candidate for City

(6) Disclosures in Proposals

Any individual or business entity seeking a discretionary contract with the city must disclose any known facts which, reasonably understood, raise a question2 as to whether any city official or employee would violate Section 2-43 of the City Code (Ethics Code), ("conflicts of interest") by participating in official action relating to the discretionary contract.

Party not aware of facts which would raise a "conflicts-of-interest" issue under Section 2-43 of the City Code; or

Party aware of the following facts:

This form is required to be supplemented in the event there is any change in the Information 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, whichever occurs first.

Signature:

Title:

Company or D/B/A:

Date:

3/14/06

For purposes of this rule, facts are "reasonably understood" to "raise a question" about the appropriateness of official action if a disinferested 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 Section 2-59 through 2-61 of the City Code (Ethics Code)

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List subcontractors:
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Arthur D. Galvan

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Company or D/B/A:

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City of San Antonio

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Attach additional sheets if space provided is not sufficient.

(1) identify any individual or pushess early mails a party to the discretionary confract.
North Pond / Loop 410 Properties Ltd.
(2) Identity any individual of business entity which is a partner, parent or substallary business solity of any individual of business entity identified and we in Box (1).
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No partner, parent or subsidiary; or
List partner, parent or subsidiary of each party to the contract and identify the corresponding party:
Rainbow Trust, Partner
North Pond Corporation, Partner David Zweig, Partner
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(3) Hospitty any and reductions of business entity that would be a subcontractor on the discretionary:
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COSA Form 1050-33-2, 09/12/02, revised 04/02/05

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By Whom Made:	To Whom Made:	Amount:	Date of Contribution
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General Partner of North Pond / Loop 410 Properties

Company or D/B/A:

Ltd.

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