

**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 Resource 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

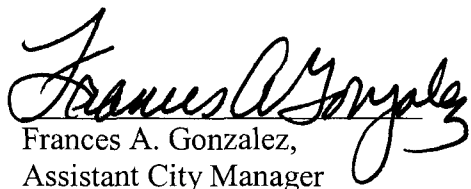
This item has been coordinated with the Finance Department, City Attorney's Office, and Office of Management and Budget. Project acquisitions were reviewed/approved by the Linear Creekway Park Advisory Board and the Planning Commission.

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

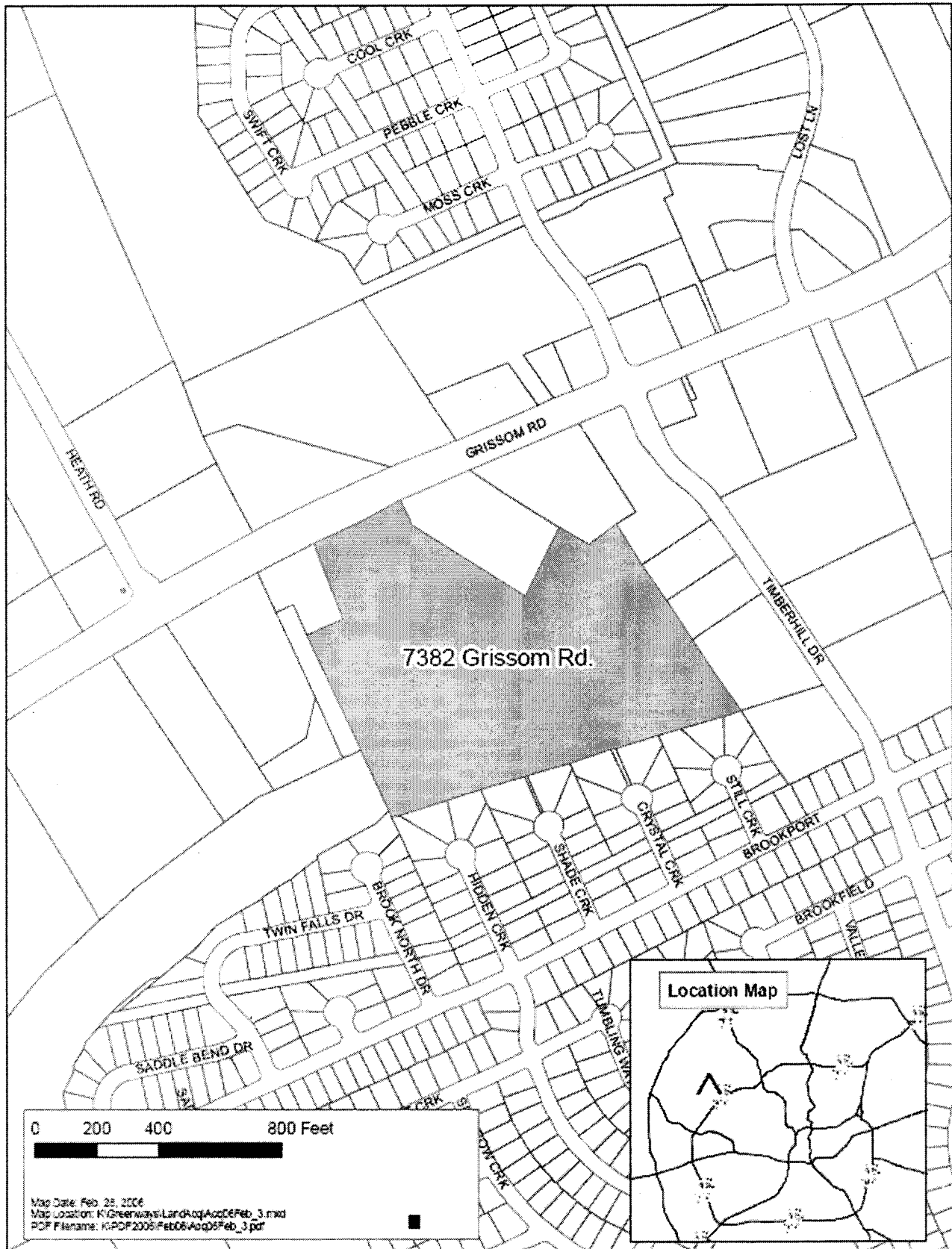
ATTACHMENT I
LIST OF PROPOSED ACQUISITIONS

Council District	Address	Legal Description	Acreage
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



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 entity¹ that is a **party** to the discretionary contract:

David Tholen

(2) Identify any individual or business entity which is a **partner, parent** or **subsidiary** 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 **subcontractor** on the discretionary contract.

☒ No subcontractor(s); or

List subcontractors:

(4) Identify any **lobbyist** or **public relations firm** employed by any party to the discretionary contract for purposes related to seeking the discretionary contract.

☒ No lobbyist or public relations firm employed; or

List lobbyists or public relations firms:

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(5) Political Contributions

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 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 Box (1), (2), (3) or (4) above, or by the officers, owners of any business entity listed in Box (1), (2) or (3):

☒ No contributions made; If contributions made, list below:

By Whom Made:	To Whom Made:	Amount:	Date of Contribution:

(6) Disclosures in Proposals

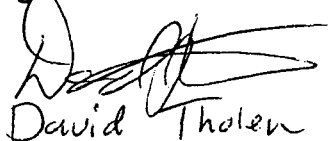
Any individual or business entity seeking a discretionary contract with the city must disclose any known facts which, reasonably understood, raise a question² as to whether any city official or employee would violate Section 2-43 of the City Code (Ethics Code), ("conflicts of interest") by participating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


David Tholen

Title: *owner*

Company or D/B/A:

Date:

Feb, 20, 2006

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.

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Signature:


David Tholen

Title: *owner*
Company or D/B/A:

Date:

Feb, 20, 2006

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SANDRA K. PHILLIPS

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X No partner, parent or subsidiary; or

List partner, parent or subsidiary of each party to the contract and identify the corresponding party:

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List subcontractors:

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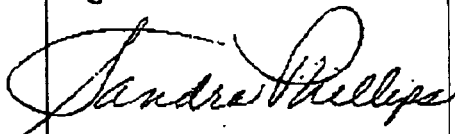
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Signature:

Title:

Date:



Company or D/B/A:

3/14/06

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Signature:

Dandra Phillips

Title:

Company or D/B/A:

Date:

3/14/06

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North Pond / Loop 410 Properties Ltd.

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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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List subcontractors:

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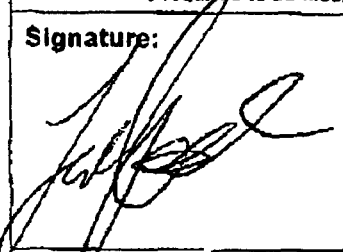
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Signature: 	Title: Vice-President, North Pond Corporation Company or D/B/A: General Partner of North Pond / Loop 410 Properties Ltd.	Date: 3/14/06
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