

CITY COUNCIL AGENDA
ITEM NO. 11

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

TO: Sheryl Sculley, City Manager

FROM: Shawn P. Eddy, Interim Director, Department of Asset Management

DATE: Thursday, March 30, 2006

SUBJECT: S.P. No. 1224 - Request for a 10-year term License Agreement to construct, operate and maintain a pedestrian skybridge over and across the 5000 Blk. of De Zavala Road, located in Council District No. 8.

PETITIONER: University United Methodist Church
Attn: Jesse Minor / Jim Martin
5084 De Zavala Road
San Antonio, Texas 78249

SUMMARY AND RECOMMENDATIONS

An Ordinance authorizing a license agreement with University United Methodist Church to construct, operate and maintain a pedestrian skybridge over and across De Zavala Road, between NCB's 17142 & 14857, located in Council District No. 8, for a ten-year term and the consideration of \$15,732.00.

Staff recommends approval of this Ordinance.

BACKGROUND INFORMATION

Petitioner is requesting a license to construct, operate and maintain a skybridge over and across the 5000 block of De Zavala Road, between NCB's 17142 & 14857, as shown on attached Exhibits "A", "B" and "C". The University United Methodist Church is undertaking a building program which will involve a new facility located on the north side of De Zavala across from the existing main campus. The skybridge is the preferred method to accomplish a safe pedestrian passage across De Zavala Road. The minimum height of the skybridge from street grade level will be 16 feet.

POLICY ANALYSIS

This action is consistent with the City Code and Ordinances which require City Council approval for any private use of property owned or controlled by the City.

FISCAL IMPACT

The City will collect \$15,732.00 for this license to use Public Right of Way.

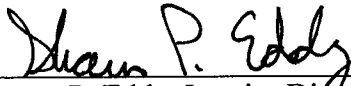
COORDINATION

In compliance with City procedures, this request has been canvassed through interested City departments, public utilities and applicable agencies. A Canvassing Checklist and an executed Letter of Agreement, by which the petitioner agrees with all conditions imposed through this canvassing, are attached for review.

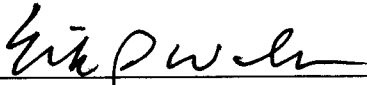
SUPPLEMENTARY COMMENTS

The City of San Antonio's Planning Commission recommended approval of this request at its regular meeting of 3/22/2006.

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

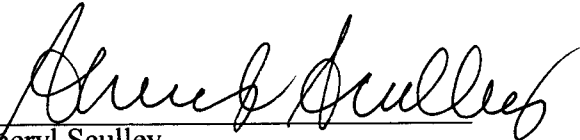


Shawn P. Eddy, Interim Director
Department of Asset Management

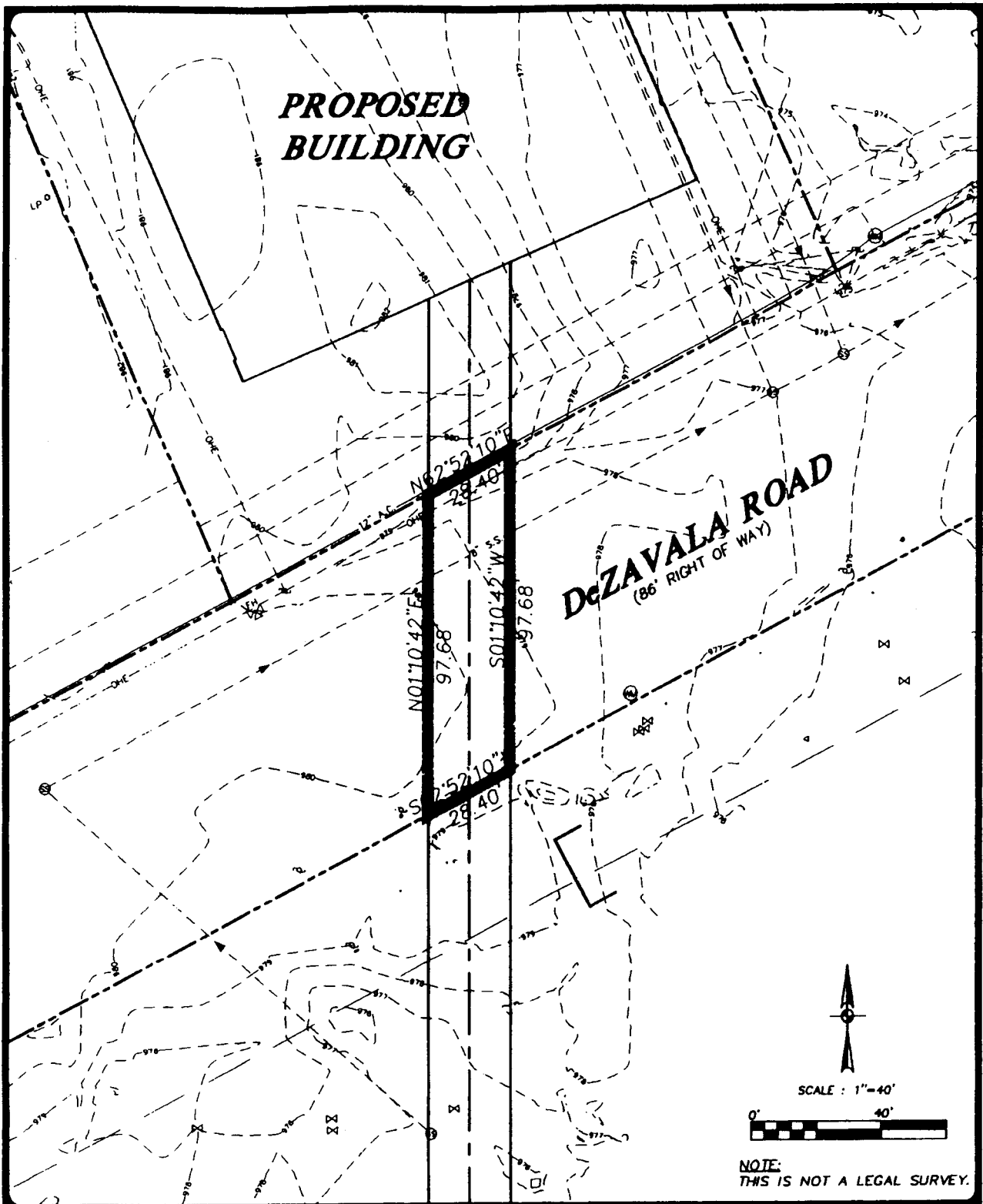


Erik J. Walsh
Assistant City Manager

Approved for Council Consideration:



Sheryl Sculley
City Manager



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JOB NO. 8202-02
 DATE 08/24/05
 DESIGNER SE
 CHECKED QMM/DRM SE
 SHEET 1 OF 4

**UNIVERSITY UNITED
 METHODIST CHURCH**
SKYBRIDGE EXHIBIT "A"

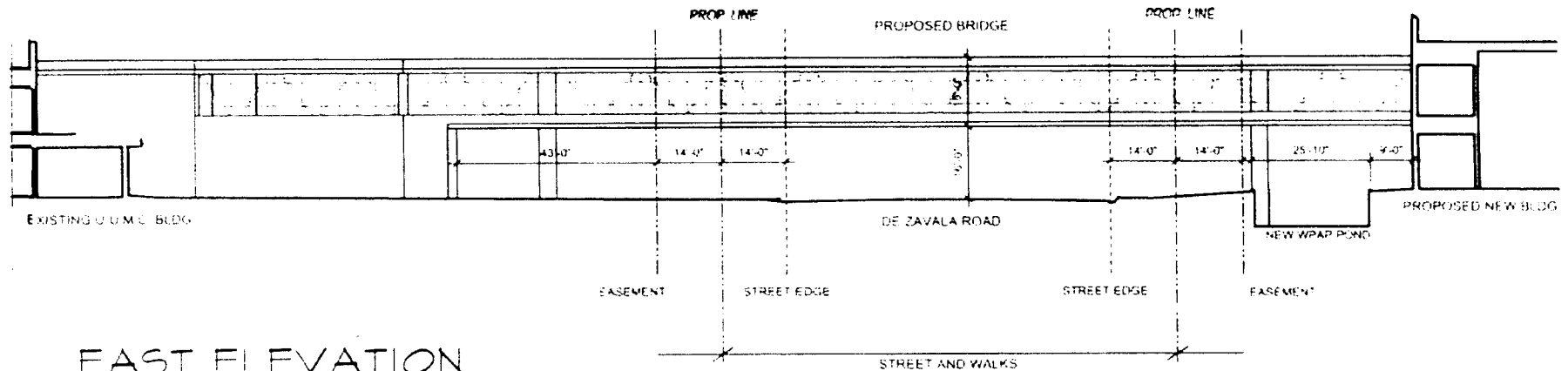
**PAPE-DAWSON
 ENGINEERS**
 1985-2005 = 40 YEARS OF EXCELLENCE

554 EAST RAMSEY | SAN ANTONIO TEXAS 78210 | PHONE: 210.375.3005
 FAX: 210.375.0010

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2445-UNIVERSITY U.M.C. STUDENT MINISTRIES BUILDING

09-16-2005



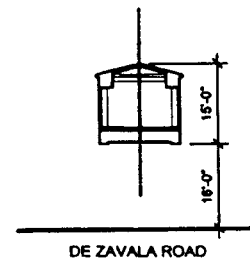
EAST ELEVATION

SCALE: $\frac{1}{32}" = 1'-0"$

PROPOSED PEDESTRIAN BRIDGE
OVER DE ZAVALA ROAD

ALAMO ARCHITECTS
108 KING WILLIAM ROAD,
SAN ANTONIO TEXAS, 78204

T: 210-227-2612 F: 210-215-8609
www.alamoarchitects.com

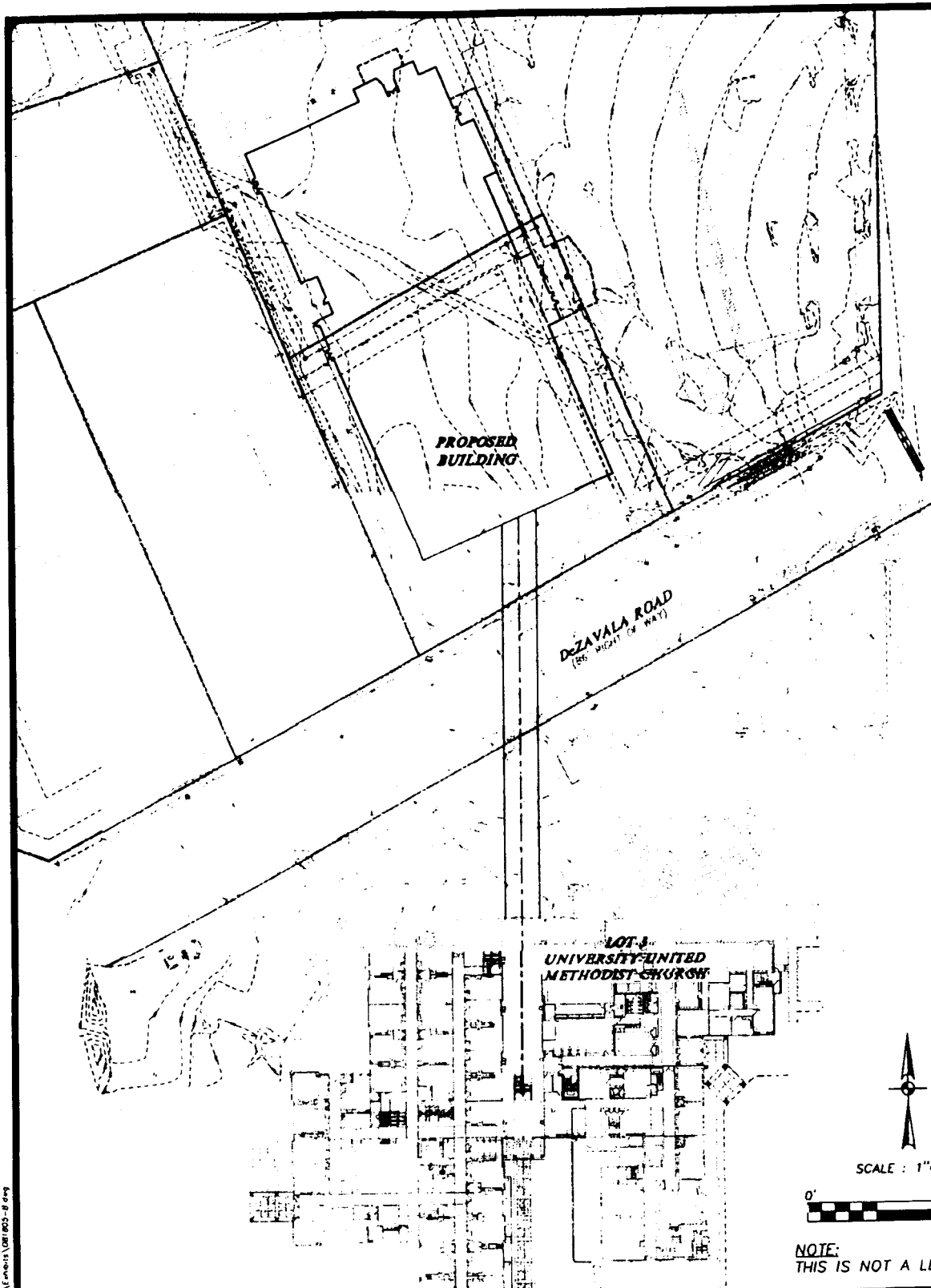


CROSS SECTION

SCALE: $\frac{1}{32}" = 1'-0"$

PROPOSED PEDESTRIAN BRIDGE
OVER DE ZAVALA ROAD

EXHIBIT "B"



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JOB NO. 6300-02
 CITY SAINT ANTONIO
 CLIENT UE
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 SHEET 3 OF 4

**UNIVERSITY UNITED
METHODIST CHURCH**
SKYBRIDGE EXHIBIT "C"

**PAPE-DAWSON
ENGINEERS**
 1985-2005 = 40 YEARS OF EXCELLENCE

366 EAST RAMSEY

SAN ANTONIO TEXAS 78216

PHONE: 210.375.8000
FAX: 210.375.8010

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Canvassing Checklist

SPNo 1224

Request: Petitioner is requesting a license to construct, operate and maintain a skybridge over and across the 5000 block of De Zavala Road, as shown attached Exhibits "A", "B" and "C". The church is undertaking a building program which will involve a new facility located on the north side of De Zavala across from the existing main campus. The skybridge is the preferred method to accomplish a safe pedestrian passage across De Zavala Road. The minimum height of the skybridge from street grade level will be 16 feet.

	Included in Canvassing	Out Date	In Date	Uncond. Approval	Conditional Approval	Denial
Planning Department	<input checked="" type="checkbox"/>	10/5/2005	11/10/2005	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PublicWorks	<input checked="" type="checkbox"/>	10/5/2005	12/15/2005	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Development Services	<input checked="" type="checkbox"/>	10/5/2005	11/8/2005	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police Department	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fire Department	<input checked="" type="checkbox"/>	10/5/2005	1/6/2006	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Neighborhood Action (NAD)	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
City Public Service	<input checked="" type="checkbox"/>	10/5/2005	11/16/2005	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
S.A. Water System (SAWS)	<input checked="" type="checkbox"/>	10/5/2005	10/28/2005	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
TXDOT	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
S.A. River Authority (SARA)	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VIA Metropolitan	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Environmental Services	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other Agency	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Neighborhood Association	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Canvassing Comments



CITY OF SAN ANTONIO

DEPARTMENT OF ASSET MANAGEMENT
P.O. BOX 839966 SAN ANTONIO, TEXAS 78283-3966
TEL 210-207-4032 FAX 210-207-7888

January 19, 2006

University United Methodist Church
Attn: Jim Martin
5084 De Zavala Road
San Antonio, Texas 78249

Re: S. P. No. 1224 - Request for a License to construct, operate and maintain a pedestrian skybridge over and across the 5000 Blk. of De Zavala Road.

Dear Mr. Martin:

With reference to the captioned projects, please be advised that the City of San Antonio has now completed the canvassing process and will recommend approval of your request subject to the following conditions:

SAN ANTONIO WATER SYSTEM:

Petitioner must agree to reserve a perpetual easement for all existing water and/or sewer facilities and agrees to allow perpetual access to any such utilities for inspection, operational and maintenance purposes or may seek the relocation of the facilities with the express permission and coordination with the San Antonio Water System and at the sole expense of the petitioner.

CITY PUBLIC SERVICE ENERGY:

Existing overhead facilities would need to be raised to meet NESC clearances for sky bridge. Other facilities (Time Warner, SBC, traffic signal) would all have to be taken into consideration for NESC code. Also, petitioner would be responsible for costs incurred with rebuild. Owner must submit encroachment request to CPS Energy, right of way section to process through engineering for review once overhead facilities have been converted to UG (underground).

DEVELOPMENT SERVICES DEPARTMENT:

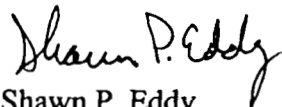
The request for a License to construct, operate and maintain a sky bridge over and across the 5000 Block of De Zavala road is recommended for approval provided that construction plans are submitted and proper permits and required inspections are obtained.

Additionally, the fee established for this license agreement is \$15,732.00 for a 10-year term, to be paid to the City of San Antonio prior to City Council consideration. If for some reason the license is not approved by City Council the license fee will be returned to the petitioner. Also, a Certificate of Insurance must be provided and the City of San Antonio must be formally released from any and all liabilities, which may be incurred in connection with this request. Further, a fully completed and signed Discretionary Contracts Disclosure Statement is required and enclosed for your convenience.

If you concur with the above mentioned conditions, including the payment of the fee established for this encroachment, please countersign this letter in the space provided below and return to the undersigned. Upon receipt of this signed Discretionary Contracts Disclosure Statement, Letter of Agreement and the Certificate of Insurance we will continue processing your request.

This Letter of Agreement is being offered by the City of San Antonio only to the above named petitioner and will expire thirty (30) days after the date of issuance unless a specific extension is requested by the petitioner and granted by the City.

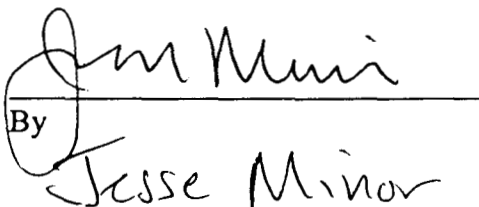
Sincerely,



Shawn P. Eddy
Special Projects Manager

AGREED AS TO TERMS AND CONDITIONS:

PETITIONER: University United Methodist Church

By 
Jesse Minor
Print Name

Chair Building Comm.
Title
1/24/06
Date

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:

(2) the identity of any **business entity**¹ that would be a party to the discretionary contract:

University United Methodist Church

and the name of:

(A) any individual or business entity that would be a **subcontractor** on the discretionary contract;

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;

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.

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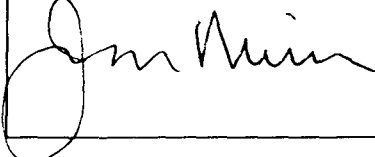
Political Contributions

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:

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: Chair Building Committee Company: UUMC	Date: 1/24/06

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.