

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

TO: Mayor and City Council

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

SUBJECT: Agricultural Lease for mowing and farming of crops on City-owned land at the Southwest Business & Technology Park

DATE: June 29, 2006

SUMMARY AND RECOMMENDATIONS

An Ordinance approving an Agricultural Lease Agreement with Mr. Wesley Atkison (Tenant) for the mowing and farming of approximately 273 acres of City-owned land at Southwest Business & Technology Park (SWBTP) formally known as the Van de Walle property, located in City Council District 6, for a five-year term commencing June 1, 2006 and expiring May 31, 2011, and to authorize the Director of the Department of Asset Management to execute this and future Southwest Business & Technology Park agricultural lease agreements.

Staff recommends approval of this Ordinance.

BACKGROUND INFORMATION

Since 1997, the City has entered into several agreements with local farmers to have the SWBTP property mowed and kept clean at no charge to the City. This has resulted in estimated savings to the City in excess of \$70,000.00 annually. In return for the upkeep of the property, the farmers have been allowed to plant and harvest various crops on the property. The City has contracted with the Mr. Atkison for these services since August 2002.

POLICY ANALYSIS

This action is consistent with the City's policy to maintain its property.

FISCAL IMPACT

There is no cost to the City for the services provided. However, if the City sells SWBTP property that the Tenant has seeded but not harvested, then the City will reimburse Tenant \$200 for each unharvested acre (provided a Planting Diagram has been submitted by the Tenant to the City).

COORDINATION

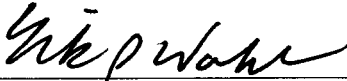
This item has been coordinated with the City Attorney's Office.

SUPPLEMENTARY COMMENTS

The required Discretionary Contracts Disclosure form is attached.

 TKD

Shawn P. Eddy, Interim Director
Department of Asset Management



Erik J. Walsh
Assistant City Manager

Approved for Council Consideration



Sheryl Sculley
City Manager

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:

Wesley Atkison

(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:

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.

(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:

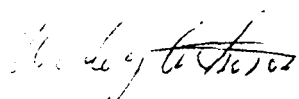
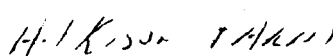
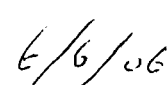
(6) Disclosures in Proposals

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:	Title:	Date:
	Company or D/B/A: 	

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.