

AN ORDINANCE **9 8 1 7 3**

ACCEPTING A FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) GRANT IN THE AMOUNT OF \$600,198.75 IN CONNECTION WITH THE FLOOD BUYOUT PROGRAM 2002; APPROPRIATING THE SUM OF \$600,198.75 FROM FEMA APPROVED FUNDS, REPRESENTING FEMA'S 75% SHARE; AND APPROPRIATING THE SUM OF \$200,066.25 FROM 2003 STORMWATER REVENUE BONDS, REPRESENTING THE CITY'S 25% MATCH, TOTALING \$800,265.00 TO ACQUIRE FEE SIMPLE TITLE TO CERTAIN PROPERTIES IN SEVERAL COUNCIL DISTRICTS; AUTHORIZING THE PURCHASE OF THE PROPERTIES; AND PROVIDING FOR PAYMENT.

* * * * *

WHEREAS, due to flooding which occurred in July 2002, in the City of San Antonio, several areas suffered extensive damage; and

WHEREAS, the City intends to purchase certain properties that are within the 100 year flood plain areas and that were severely affected by the flood waters; and

WHEREAS, as part of the requirement for participating in the buyout program, the property owner must voluntarily elect to participate in the program; and

WHEREAS, all property acquired by the program must carry a restriction that the land will be maintained as open space in perpetuity and that no Federal disaster assistance will be made available to it; and

WHEREAS, it is the intention of the City Council that funds expended for fee simple title on these properties be subject to reimbursement from the Federal Emergency Management Agency (FEMA); and

WHEREAS, in the alternative, the funds spent on these properties may be through the Certificates of Obligation; and

WHEREAS, the 13 properties designated as a part of the Project are described in **Attachment I**, ("Property"); and

WHEREAS, independent appraisals for the property to be acquired will be completed and reviewed by the City's staff of the Real Estate Section of the Public Works Department and a fair market value determined for the property; and

WHEREAS, miscellaneous expenses, title fees, legal fees, lender fees, right of entry fees, appraisal fees, demolition fees and environmental assessment fees shall be paid as necessary expenses for the completion of the Project; and

WHEREAS, funds are available to acquire the necessary properties and pay the necessary expenses for this project; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. This Ordinance accepts a grant from the Federal Emergency Management Agency (FEMA) in the amount of \$600,198.75 and issued as Grant #1425-3.2-017. The City's 25% contribution in the amount of \$200,066.25 will come from 2003 Stormwater Revenue Bonds for a total project allocation of \$800,265.00.

SECTION 2. Fund No. 26-056041 entitled "FLOOD BUYOUT PROGRAM 2002" is hereby designated for use in accounting for the above grant, and the sum of \$800,265.00 is hereby appropriated in said fund as set out in the detailed budget affixed hereto and incorporated herein as **Attachment II**.

SECTION 3. The amount of \$200,066.25 is appropriated in Fund No. 48-002001, Index Code. 939959 for transfer to Fund No. 26-056051 and appropriated therein as set out in budget schedule affixed herein as **Attachment II**.

SECTION 4. The City staff is hereby directed to negotiate with the owners (s) of the respective properties for the acquisition of the property at fair market value as indicated on Attachment 1 which is affixed hereto and incorporated herein, to execute sales agreements purchasing the property from the owners as the owner's are identified by a Commitment for Title Insurance issued by a title insurance company authorized to conduct such practice in the State of Texas and in Bexar County or by order of a Court of competent jurisdiction and to finalize such purchases on behalf of the City of San Antonio. The City Council finds that it is in the best interest to obtain the property from whomever holds legal and equitable title as identified according to the procedure adopted through this Ordinance and the Director of Finance is directed to disburse funds in accordance herewith.

SECTION 5. The City Attorney is hereby authorized to retain the services of the law firm of Davidson & Troilo, P.C. and the law firm of Bracewell & Patterson, L.L.P. as special counsel as may be needed from time to time and to pay for the services rendered from the appropriations set aside herein or such other appropriations as may be made for the purpose.

SECTION 6. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific Index Codes and fund numbers as necessary to carry out the purpose of this Ordinance.

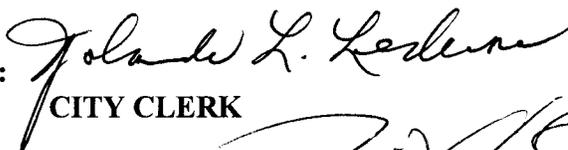
SECTION 7. This Ordinance shall be effective on the 28th day of September 2003.

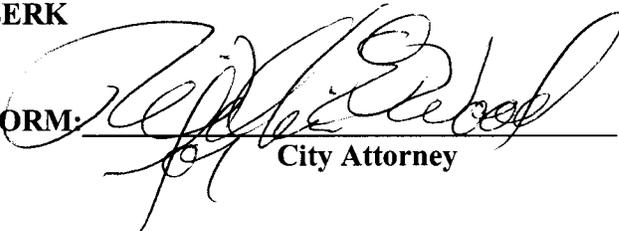
PASSED AND APPROVED this the 18th day of September, 2003.



M A Y O R

EDWARD D. GARZA

ATTEST: 
CITY CLERK

APPROVED AS TO FORM: 
City Attorney

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MEETING OF THE CITY COUNCIL

ALAMODOME
ASSET MANAGEMENT
AVIATION
CITY ATTORNEY
MUNICIPAL COURT
REAL ESTATE (FASSNIDGE)
REAL ESTATE (WOOD)
RISK MANAGEMENT
CITY MANAGER
SPECIAL PROJECTS
CITY PUBLIC SERVICE - GENERAL MANAGER
CITY PUBLIC SERVICE - MAPS AND RECORDS
CODE COMPLIANCE
COMMERCIAL RECORDER
COMMUNITY INITIATIVES
CONVENTION AND VISITORS BUREAU
CONVENTION CENTER EXPANSION OFFICE
CONVENTION FACILITIES
COUNCIL OFFICES
CULTURAL AFFAIRS
CUSTOMER SERVICE/311 SYSTEM
DEVELOPMENT SERVICES
HOUSE NUMBERING
LAND DEVELOPMENT SERVICES
TRAFFIC & DRAINAGE PLAN REVIEW
ECONOMIC DEVELOPMENT
ENVIRONMENTAL SERVICES
SOLID WASTE
EXTERNAL RELATIONS
PUBLIC INFORMATION OFFICE
FINANCE - DIRECTOR
FINANCE - ASSESSOR
FINANCE - CONTROLLER
FINANCE - GRANTS
FINANCE - PUBLIC UTILITIES SUPERVISOR
FINANCE- TREASURY
FIRE DEPARTMENT
HOUSING AND COMMUNITY DEVELOPMENT
HUMAN RESOURCES (PERSONNEL)
INFORMATION SERVICES
INTERNAL REVIEW
INTERNATIONAL AFFAIRS
LIBRARY
MANAGEMENT & BUDGET (OFFICE OF) OMB
MAYOR'S OFFICE
METROPOLITAN HEALTH DISTRICT
MUNICIPAL CODE CORPORATION
MUNICIPAL COURT
NEIGHBORHOOD ACTION
PARKS AND RECREATION
MARKET SQUARE
YOUTH INITIATIVES
PLANNING DEPARTMENT -NEIGHBORHOOD PLNG; URBAN DESIGN/HISTORIC PRESERVATION
DISABILITY ACCESS OFFICE
POLICE DEPARTMENT
GROUND TRANSPORTATION
PUBLIC WORKS DIRECTOR
CAPITAL PROJECTS
CENTRAL MAPPING
ENGINEERING
PARKING DIVISION
REAL ESTATE DIVISION
TRAFFIC ENGINEERING
PURCHASING AND GENERAL SERVICES
SAN ANTONIO WATER SYSTEMS (SAWS)
VIA

AGENDA ITEM NUMBER: 20

DATE: SEP 18 2003

MOTION: Perez Alora

ORDINANCE NUMBER: 98173

RESOLUTION NUMBER: _____

ZONING CASE NUMBER: _____

TRAVEL AUTHORIZATION: _____

NAME	ROLL	AYE	NAY
ROGER O. FLORES JR. District 1		/	
JOEL WILLIAMS District 2		/	
RON SEGOVIA District 3		/	
RICHARD PEREZ District 4		/	
PATTI RADLE District 5		/	
ENRIQUE M. BARRERA District 6		/	
JULIAN CASTRO District 7		/	
ART A. HALL District 8		/	
CARROLL SCHUBERT District 9		/	
CHRISTOPHER "CHIP" HAASS District 10		/	
EDWARD D. GARZA Mayor		/	

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CONSENT AGENDA

ATTACHMENT I

Parcel #	Parcel Address	Legal Descriptions	Values
17293	20345 Carrie Louise, SA Tx 78257-9710	NCB 34760 Blk Lot P-22 (.557AC) & P-23 (1.00 AC)	\$40,740
17294	6517 Cedar Lane SA Tx	NCB 34760A Blk E Lot 10	\$42,000
17296	20110 Leon Creek SA Tx 78257	NCB 34760A Blk D Lot 20	\$37,500
17298	20170 Leon Creek SA Tx 78257	NCB 34760A Blk D Lot 23	\$13,440
17300	20130 Leon Creek SA Tx 78257	NCB 34760A Blk D Lot 21	\$39,000
17304	20350 Leon Creek SA Tx 78257	NCB 34760A Blk D Lot 30	\$39,500
17317	2546 W. Summit Ave SA Tx 78228	NCB 9181 Blk Lot 1 & W IRR 22 Ft of 2	\$68,000
17328	2450 W. Huisache Ave. SA Tx 78228	NCB 9107 Blk 8 Lot 33	\$68,000
17337	2435 W. Huisache Ave. SA Tx 78228	NCB 9106 Blk 7 Lot 48	\$110,000
17359	2311 W. Woodlawn Ave. SA Tx 78201	NCB 9082 Blk Lot 22	\$69,000
17381	20110 Shady Lane SA Tx 78257	NCB 34760A Blk B Lot 18	\$67,500
17412	2218 Orr Rd. SA Tx 78227	NCB 16524 Blk 14 Lot 10 & 11	\$52,000
17417	20105 Leon Creek SA Tx 78257	NCB 34760A Blk C Lot 18 & S 32.5 Ft of 19	\$45,000

ATTACHMENT II

FLOOD BUYOUT PROGRAM-2002

Fund 26-

Index	Account		Current	Revision	Revised
Code			Budget	(+) (-)	Budget
REVENUES					
	FEMA Grant #1425-3.2-017		\$ -		\$ -
	Trf from		\$ -		\$ -
			\$ -	\$ -	\$ -
APPROPRIATIONS					
	Land Acquisition	05-361	\$691,680.00	\$ -	\$ -
	Miscellaneous (Awnings, Fences)	05-378	\$2,000.00	\$ -	\$ -
	Title Fees	05-378	\$12,500.00	\$ -	\$ -
	Legal Fees	05-378	\$3,000.00	\$ -	\$ -
	Lender Fess	05-378	\$3,000.00	\$ -	\$ -
	Right of Entry Fees	05-378	\$1,300.00	\$ -	\$ -
	Appraisal Fees	05-378	\$4,900.00	\$ -	\$ -
	Demolition Fees	05-378	\$70,000.00	\$ -	\$ -
	Enviromental Fees	05-378	\$11,885.00	\$ -	\$ -
			\$ 800,265.00	\$ -	\$ -
	FUND ONLY INDEX NO.				
	ACTIVITY 23-01-01				