



AGENDA MEMORANDUM

First Reading Item for the City Council Meeting of November 13, 2018
Second Reading Item for the City Council Meeting of November 27, 2018

DATE: November 11, 2018
TO: Keith Selman, Interim City Manager
FROM: Becky Perrin, Interim Director of Parks and Recreation
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Approve sale of parkland

CAPTION:

Ordinance approving the sale of Creekway Park (7306 Prairie) to Abel Garza, Jr. and Cynthia P. Garza for \$85,000

PURPOSE:

To approve the sale of park property and authorize execution of documents to finalize real estate sales transactions.

BACKGROUND AND FINDINGS:

In October 2012, the Parks & Recreation Master Plan is approved by City Council and identified 27 parks to be repurposed by means of adoption, lease, transfer to another government entity, sale or allowing them to return to a natural state. Three of 27 were repurposed and/or adopted shortly after the plan was approved.

In June and July 2014, public hearings were held at City Council to place the remaining 24 parks on the ballot for approval of voters to sell. During this time, seven additional parks were adopted or transferred to another agency for maintenance and removed from list to be considered by voters. Ballot language for Proposition 3 – Sale of City Parkland for the remaining 17 parks was established.

In September 2014, City Council passed a resolution mandating the proceeds of sales were to be reinvested in existing parks and established a process for notification to adjacent landowners prior to each sale. In November 2014, voters approved Proposition 3 to authorize the city to list designated park properties for sale.

In early 2015, the City elected the vehicle for selling the properties would be to list them with a licensed real estate broker and negotiate the highest cash offer for each property. Three parks were removed from the list because leases or sales with governmental entities are being explored. The Clower Company (TCC) was identified through the request for qualification process to represent the City in the transactions.

The properties were listed for sale in a multiple listing service on January 24, 2016. Signs were posted at the parks and TCC made contact with all entities who had expressed interest in the parks since Proposition 3 was approved. In addition, residents within 500 feet of each park were notified by mail that the park was being listed for sale. While there has been interest in each of the

properties, the negotiated cash offers have been received for the three properties presented today.

By state law, the city may only accept the highest cash offer for each property. By city ordinance, the proceeds from the sale of the parks must be reinvested in the park system according to the 2012 Parks & Recreation Master Plan.

Home and property owners within 500 feet of each of the parks being considered for sale today were notified via mail of the agenda item and the opportunity to make public comment. In addition, a sign was posted in the park noting the time and date of this city council meeting

The properties will be sold "As-Is" and the City will not incur the cost of removing any existing equipment or buildings as a condition of sale. Any utilities required for development would be modified/improved at the cost of developer/purchaser. In addition, any zoning changes should be handled by the developer/purchaser on an individual basis.

ALTERNATIVES:

Do not approve sale of parkland properties.

OTHER CONSIDERATIONS:

None

CONFORMITY TO CITY POLICY:

City Council must approve real estate transactions.

EMERGENCY / NON-EMERGENCY:

Non-emergency

DEPARTMENTAL CLEARANCES:

Legal, Finance

FINANCIAL IMPACT:

☐ Operating ☐ Revenue ☐ Capital X Not applicable

Fiscal Year: 2018 - 2019	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered/ Expended Amount				
This item		\$		\$
BALANCE		\$		\$

Fund(s):

Comments: none

RECOMMENDATION:

Staff recommends approval of this ordinance.

LIST OF SUPPORTING DOCUMENTS:

Ordinance
Contract
Presentation