

AN ORDINANCE 1 99729

**ESTABLISHING NEW FEES FOR ASSET MANAGEMENT SERVICES, TRANSFERRING CERTAIN EXISTING FUNDS, AND AMENDING THE CORRESPONDING SECTIONS OF THE CITY CODE TO REFLECT SUCH CHANGES.**

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**SECTION 1.** The City Code of the City of San Antonio, Texas, Chapter 29, entitled "Streets and Sidewalks", Section 29-22 is hereby amended. Said amendment is indicated by adding the language that is underlined (added) and deleting the language that is stricken (~~deleted~~) to the existing text of said Section as follows:

"Sec.29-22. Sale of land processing fee; Real Estate Fee; public right of way license fee; reduction and waivers; Lease Transfer Fee.

- (a) A single non-refundable five hundred dollar (\$500.00) sale of land processing fee is hereby established for all requests to close, vacate and abandon an improved or unimproved public right-of-way.
- (b) A Real Estate Fee which is equivalent to 6% of the City's proceeds from the sale of land at the Southwest Business and Technology Park is hereby established to recover costs associated with the sale of this property.
- (b) (c) A single five thousand dollar (\$5,000.00) public right-of-way license fee is to be charged for a license to use a public right-of-way, regardless of commercial or residential designation.
- (e) (d) City staff is hereby allowed to make recommendations as to the reduction of waiver of the above mentioned license fee, should the petitioner for said license request any of the following:
  - (1) To use subsurface space under a public right-of-way for an existing basement or utility vault;
  - (2) To make improvements specifically beneficial to the public; or
  - (3) To preserve, protect, or enhance historically, culturally, architecturally, or archaeologically significant sites or structures.
- (e) A Lease Transfer Fee of one thousand dollars (\$1,000.00) per lease is hereby established to recover costs associated with staff work to effect a requested assignment or sublease of an existing lease to which the City of San Antonio is a party."

**SECTION 2.** All other provisions of Chapter 29 to the City Code of the City of San Antonio shall remain in full force and effect except as expressly amended by this Ordinance.

**SECTION 3.** The proposed fee of \$70,722.00 will be transferred from Index Code 072652 in Fund No. 40-003 entitled "Sale of Land – Southwest Business & Technology Park" to the General Fund No. 11-000 in FY 2004-05.

**SECTION 4.** 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 interim City Manager or his or her designee, correct allocation to specific Index Codes and fund numbers as necessary to carry out the purpose of this Ordinance.

**SECTION 5.** The City Clerk for the City of San Antonio is hereby directed to publish notice of this Ordinance as required by the Charter of the City of San Antonio and the laws of the State of Texas.

**SECTION 6.** The publishers of the City Code are authorized to amend and format said Codes to reflect the changes adopted herein. In the event that the subsection assigned above has been previously assigned by Ordinance or by the publisher, then, in that event, the publisher is authorized to renumber the addition made by this section with the next available number.

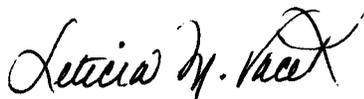
**SECTION 7.** The effective date for imposition of the fees enacted herein shall be October 1, 2004 or as soon as legally permissible on or after October 1, 2004.

**PASSED AND APPROVED this 16th day of September, 2004.**



M A Y O R  
EDWARD D. GARZA

ATTEST:

  
City Clerk

APPROVED AS TO FORM:

  
City Attorney