

**CITY OF SAN ANTONIO  
INTERDEPARTMENTAL MEMORANDUM  
PUBLIC WORKS DEPARTMENT**

**TO:** Mayor and City Council

**FROM:** Thomas G. Wendorf, P.E., Director of Public Works

**THROUGH:** Terry M. Brechtel, City Manager

**COPIES TO:** Melissa Byrne Vossmer; Steven F. Hodges; File

**SUBJECT:** Ordinance authorizing payment of legal fees incurred in land acquisition related to various Community Development Block Grant Projects

**DATE:** October 31, 2002

**SUMMARY AND RECOMMENDATIONS**

This ordinance authorizes funds in the amount of \$36.00 payable to Bracewell & Patterson, L.L.P. for legal services in connection with the Chico – Knox & Margil Community Development Block Grant (CDBG) Project (\$18.00) located in Council District 5, and the Glider and Landing – Gunsmoke to Loop 410 Community Development Block Grant (CDBG) Project (\$18.00) located in Council District 6.

Staff recommends approval of this ordinance.

**BACKGROUND INFORMATION**

The Chico – Knox & Margil Community Development Block Grant (CDBG) project has been completed.

We have two signed instruments in the two-parcel Glider and Landing – Gunsmoke to Loop 410 Community Development Block Grant (CDBG) project. This project is currently under construction and is scheduled to be completed in December 2002. The scope of this project includes the reconstruction of Glider and Landing from Gunsmoke to Loop 410 and Altitude from Landing north to cul-de-sac to a 30-foot width. It will also provide for reconstruction of the drainage channel from Altitude to Observation. This project will include parkway improvements such as new curbs, sidewalks, driveway approaches, necessary drainage, and utility improvements.

The invoices for these legal services have been reviewed for accuracy by the City Attorney's office who recommends payment as requested.

### POLICY ANALYSIS

Approval of this ordinance for payment of legal services is necessary to complete the real estate transactions on the acquisition of the properties in these projects.

### FISCAL IMPACT


Funds in the amount of \$36.00 are available from Community Development Block Grant (CDBG) funds and authorized payable to Bracewell & Patterson, L.L.P.

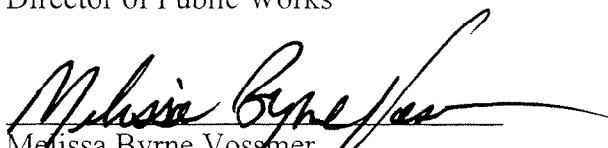
### COORDINATION

This ordinance was coordinated with the Department of Finance, the City Attorney's Office, and the Department of Housing and Community Development.

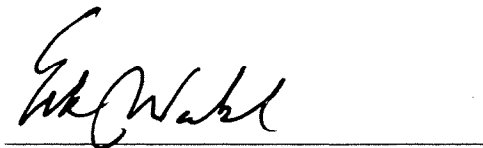
### SUPPLEMENTARY COMMENTS

A copy of the Discretionary Contracts Disclosure Form is attached.

  
Thomas G. Wendorf, P.E. *2004 10/19/02*  
Director of Public Works

  
Melissa Byrne Vossmer  
Assistant City Manager

Approved:

  
Terry M. Brechtel  
City Manager

## **ATTACHMENT 1**

### **FISCAL DATA**

**Project Name: CHICO – KNOX & MARGIL (CDBG) PROJECT**  
Council District 5

**Budget Information:**

This is a one-time capital expenditure.

Funds in the amount of \$18.00 are not included in the Capital Improvement Program Budget.

Funds are available from Community Development Block Grant (CDBG) funds.

This item is within budget.

This item represents a portion of a total estimated City project cost of \$304,500.00.

Additional funding is available in Fund 26-013489 by transferring \$18.00 from Index Code 372375 Construction Contingency to Index Code 337352 Legal Fees.

**Project Name: GLIDER AND LANDING – GUNSMOKE TO LOOP 410 (CDBG) PROJECT**  
Council District 6

**Budget Information:**

This is a one-time capital expenditure.

Funds in the amount of \$18.00 are included in the FY03-FY08 Capital Improvement Program Budget.

Funds are available from Community Development Block Grant (CDBG) funds.

This item is within budget.

This item represents a portion of a total estimated City project cost of \$1,422,094.00

## 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;

Not applicable.

(2) the identity of any **business entity** that would be a party to the discretionary contract  
and the name of \_\_\_\_\_ a

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

- (i) Bracewell & Patterson, L.L.P. is the business entity that is the party to the discretionary contract.
- (ii) None.

(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;

See attached list of Bracewell & Patterson, L.L.P. partners.

(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

None.

<sup>1</sup> 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.


**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:
Tim Bannwolf	\$23,900.00	All within the last
Bobby Perez	\$300.00	24 months.
Ed Garza	\$6,575.00	
Carroll Schubert	\$2,900.00	
Debra Guerrero	\$500.00	
Art Hall	\$500.00	

**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 question<sup>2</sup> 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.

<b>Signature:</b>  	<b>Title:</b> Partner in Charge - San Antonio Office  <b>Company:</b> Bracewell & Patterson, LLP	<b>Date:</b>  04/01/02

J. Tullios Wells

<sup>2</sup> 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.

**BRACEWELL & PATTERSON, L.L.P.****PARTNERS LISTING**

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