

**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 ByrneVossmer, Lou Lendman, Milo Nitschke, Andrew Martin, Steven F. Hodges, and File

SUBJECT: Ordinance authorizing payment of \$1,920.00 for appraisal services and expert testimony incurred in land acquisition

DATE: May 29, 2003

SUMMARY AND RECOMMENDATIONS

This ordinance authorizes funds in the amount of \$1,920.00, from 1994 General Obligation Drainage Improvement Bonds, payable to Dugger, Canaday, Grafe Incorporated for appraisal services and expert testimony in connection with the Babcock Road/Leon Creek Improvements – Hausman to DeZavala, an authorized 1994 General Obligation Street Improvement Bond project, located in Council District 8.

Staff recommends the approval of this ordinance.

BACKGROUND INFORMATION

We have 23 signed instruments and one condemned parcel in the 25-parcel project. The remaining parcel has been submitted to the City Attorney's Office to begin condemnation proceedings. This project has completed construction. The scope of this project included the reconstruction of Babcock Road from Hausman to Nickle and from DeZavala to a point west of Spring Rain to a typical 44-foot width. This project also constructed the new location of Babcock Road from Nickel to a point west of Spring Rain to a typical 44-foot width. It also included the construction of new bridges at Huesta and Leon Creeks and new curbs, sidewalks, and driveways.

POLICY ANALYSIS

Approval of this ordinance for payment of expert testimony is necessary to complete the real estate transactions on the acquisition of the properties in this project.

FISCAL IMPACT

This is a one-time capital improvement expenditure within budget and is included in the FY03-FY08 Capital Improvement Program Budget. This item represents a portion of a total estimated project cost of \$7,813,204.04. Funds in the amount of \$1,920.00 are available from 1994 General Obligation Drainage Improvement Bonds and authorized payable to Dugger, Canaday, Grafe, Incorporated.

COORDINATION

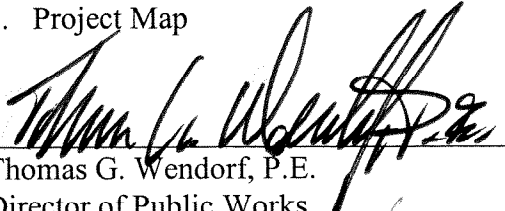
This ordinance was coordinated with the Finance Department, the Office of Management and Budget, and the City Attorney's Office.

SUPPLEMENTARY COMMENTS

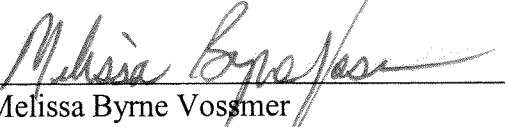
The Discretionary Contracts Disclosure Form required by the Ethics Ordinance is included.

ATTACHMENTS

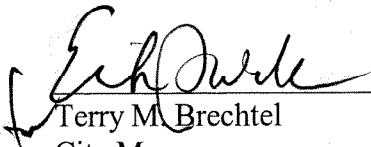
1. Discretionary Contracts Disclosure Form
2. Project Map


Thomas G. Wendorf, P.E.
Director of Public Works

5/16/03


Melissa Byrne Vossmer
Assistant City Manager

Approved:


Terry M. Brechtel
City Manager

ATTACHMENT

FISCAL DATA

**Project Name: BABCOCK ROAD/LEON CREEK IMPROVEMENTS – HAUSMAN TO
DEZAVALA PROJECT**
Council District 8

Budget Information:

This is a one-time capital improvement expenditure.

Funds are available from 1994 General Obligation Drainage Bonds transferred to Fund 45-746013, Index Code 406884.

Funds in the amount of \$1,920.00 are included in the FY03-FY08 Capital Improvement Program Budget.

This item is within budget.

This item represents a portion of a total estimated project cost of \$7,813,204.04.

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:

R. DON CANADAY

(2) the identity of any **business entity**¹ that would be a party to the discretionary contract:

DUGGER, CANADAY, GRAFE, INC.

and the name of:

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

N/A

and the name of:

(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;

N/A

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.

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(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

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:
NONE		

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 question² 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.

NONE

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.

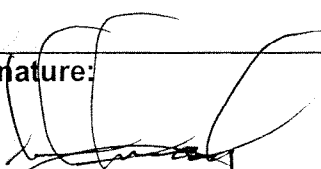
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Signature:  DON CANADAY	Title: PRESIDENT Company: DUGGER, CANADAY, GRAFE, INC.	Date: 10/22/02

BABCOCK ROAD/LEON CREEK IMPROVEMENTS-HAUSMAN TO DEZAVALA PROJECT

