

**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, Steve Hodges, and File

SUBJECT: Ordinance authorizing payment of \$9,522.25 for appraisal services and expert testimony incurred in land acquisition

DATE: October 16, 2003

SUMMARY AND RECOMMENDATIONS

This ordinance authorizes funds in the amount of \$9,522.25, payable to Debra S. Runyan, Real Estate Appraiser-Consultant, for appraisal services in connection with the Bitters Road – West Avenue to Heimer Metropolitan Planning Organization project, an authorized Certificates of Obligation project located in Council District 9.

Staff recommends the approval of this ordinance.

BACKGROUND INFORMATION

Appraisal services and expert testimony were required for the condemnation case styled Condemnation Cause No. 2003-ED-0009, *City of San Antonio, Texas vs. Countryside Plaza, Ltd., Et Al* in the Bitters Road – West Avenue to Heimer Metropolitan Planning Organization project.

There are six signed instruments and one condemned parcel in the nine-parcel project. Two parcels have been submitted to the City Attorney's Office for condemnation proceedings. This project is currently under construction and scheduled to be completed in August 2004. The scope of this project includes the widening of the existing roadway to seven lanes, adding left and right turn lanes at U.S. 281 to facilitate traffic through the intersection of U.S. 281, and upgrade traffic signalization. This project will also include the construction of six-foot sidewalks at the curb.

POLICY ANALYSIS

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

FISCAL IMPACT

This is a one-time capital improvement expenditure within budget and is included in the FY04-FY09 Capital Improvement Program Budget. Funds in the amount of \$9,522.25 are available from Certificates of Obligation and authorized payable to Debra S. Runyan, Real Estate Appraiser-Consultant.

COORDINATION

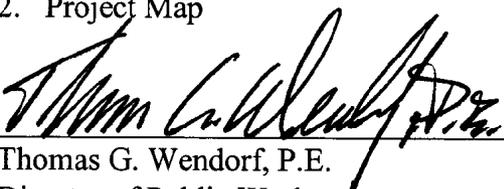
This ordinance was coordinated with the Finance Department, the Office of Management and Budget, the City Attorney's Office, and the Texas Department of Transportation.

SUPPLEMENTARY COMMENTS

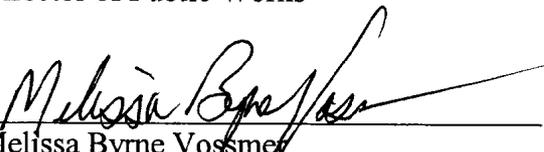
The Discretionary Contracts Disclosure Form required by the Ethics Ordinance is attached.

ATTACHMENTS

- 1. Discretionary Contracts Disclosure Form
- 2. Project Map



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



Melissa Byrne Vossmer
Assistant City Manager

Approved:



Terry M. Brechte
City Manager

ATTACHMENT

FISCAL DATA

**Project Name: BITTERS ROAD FROM WEST AVENUE TO HEIMER (MPO)
PROJECT**

Council District 9

Budget Information:

This is a one-time capital improvement expenditure.

Funds in the amount of \$9,522.25 are included in the FY04-FY09 Capital Improvement Program Budget.

Funds are available from Certificates of Obligation transferred to Fund 43-070004.

This item is within budget.

This item represents a portion of a total estimated City project cost of \$1,793,435.00.

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**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:

DEBRA S. RUNYAN

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

DEBRA S. RUNYAN REAL ESTATE

and the name of:

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

NA

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:

NA

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

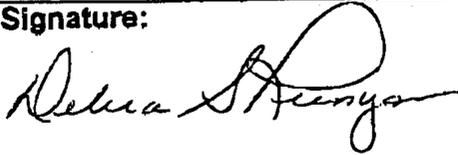
Any individual or business entity seeking a discretionary contract with the city shall disclose any known facts which, reasonably understood, raise a question² as to whether any city official or employee would violate Section 1 of Part B, Improper Economic Benefit, by participating in official action relating to the discretionary contract.

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: 	Title: <i>Owner</i> Company: 	Date: <i>9/16/03</i>

Bitters Road from West Avenue to Heimer Metropolitan Planning Organization Project

