

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

DATE: August 7, 2003

SUMMARY AND RECOMMENDATIONS

This ordinance authorizes funds in the amount of \$1,092.15 payable to Lawyers Title of San Antonio for title fees in connection with the Bitters Road – West Avenue to Heimer MPO project (\$469.20), and the Lorence Creek Linear Park/Upper Salado Creek Greenway Improvement project (\$622.95). These projects are located in City Council District 9 and are funded from General Obligations of the City.

Staff recommends the approval of this ordinance.

BACKGROUND INFORMATION

Bitters Road from West Avenue to Heimer (MPO) – 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 was let for contract in June 2003 by the Texas Department of Transportation, will start construction August 2003, and be completed by 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.

Lorence Creek Linear Park/Upper Salado Creek Greenway Improvement - Park Bond Funds were approved in 1999 for the Lorence Creek Linear Park/Upper Salado Creek Greenway Improvements project. Design is underway for the existing acreage of Lorence Creek Park, located at 14800 Henderson Pass between Blossom Park and McAllister Park.

POLICY ANALYSIS

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

FISCAL IMPACT

Bitters Road – West Avenue to Heimer MPO

This is a one-time capital improvement expenditure within budget and included in the FY03-FY08 Capital Improvement Program Budget. Funds in the amount of \$469.20 are available from 2000A Certificates of Obligation. This item represents a portion of a total estimated City project cost of \$1,910,557.00.

Lorence Creek Linear Park/Upper Salado Creek Greenway Improvement Project

This is a one-time capital improvement expenditure within budget and included in the FY03-FY08 Capital Improvement Program Budget. Funds in the amount of \$622.95 are available from 1999 General Obligation Park & Recreation Improvement Bonds. This item represents a portion of a total estimated City project cost of \$732,000.00.

Funds in the amount of \$1,092.15 are available from the following funding sources and authorized payable to Lawyers Title of San Antonio:

2000A Certificates of Obligation	\$ 469.20
1999 General Obligation Park & Recreation Improvement Bonds	<u>\$ 622.95</u>
	\$1,092.15

COORDINATION

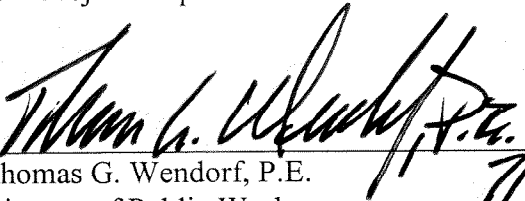
This ordinance was coordinated with the Finance Department, the Office of Management and Budget, and the City Attorney's Office, and the Parks and Recreation Department.

SUPPLEMENTARY COMMENTS


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

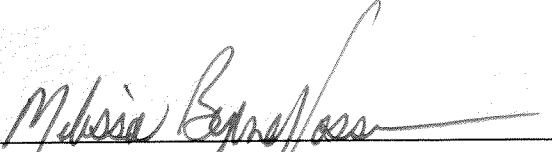
ATTACHMENTS

1. Discretionary Contracts Disclosure Form
2. Project Map

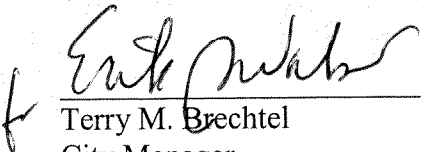

Thomas G. Wendorf, P.E.
Director of Public Works

7/25/03


Malcolm Matthews
Director of Parks and Recreation


Melissa Byrne Vossmer
Assistant City Manager

Approved:


Terry M. Brechtel
City Manager

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:

N/A

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

Lawyers Title Company of San Antonio

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;

Lawyers Title Insurance Corporation

LandAmerica, Inc.

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.

City of San Antonio

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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.

N/A

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:
N/A		

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.

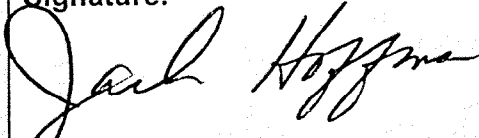
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² For purposes of this rule, facts are "reasonably understood" to "raise a question" about the appropriateness of official action if a disinterested person would conclude that the facts, if true, require recusal or require careful consideration of whether or not recusal is required.

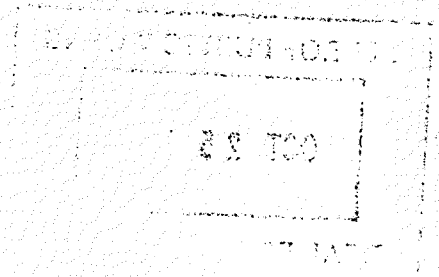
City of San Antonio
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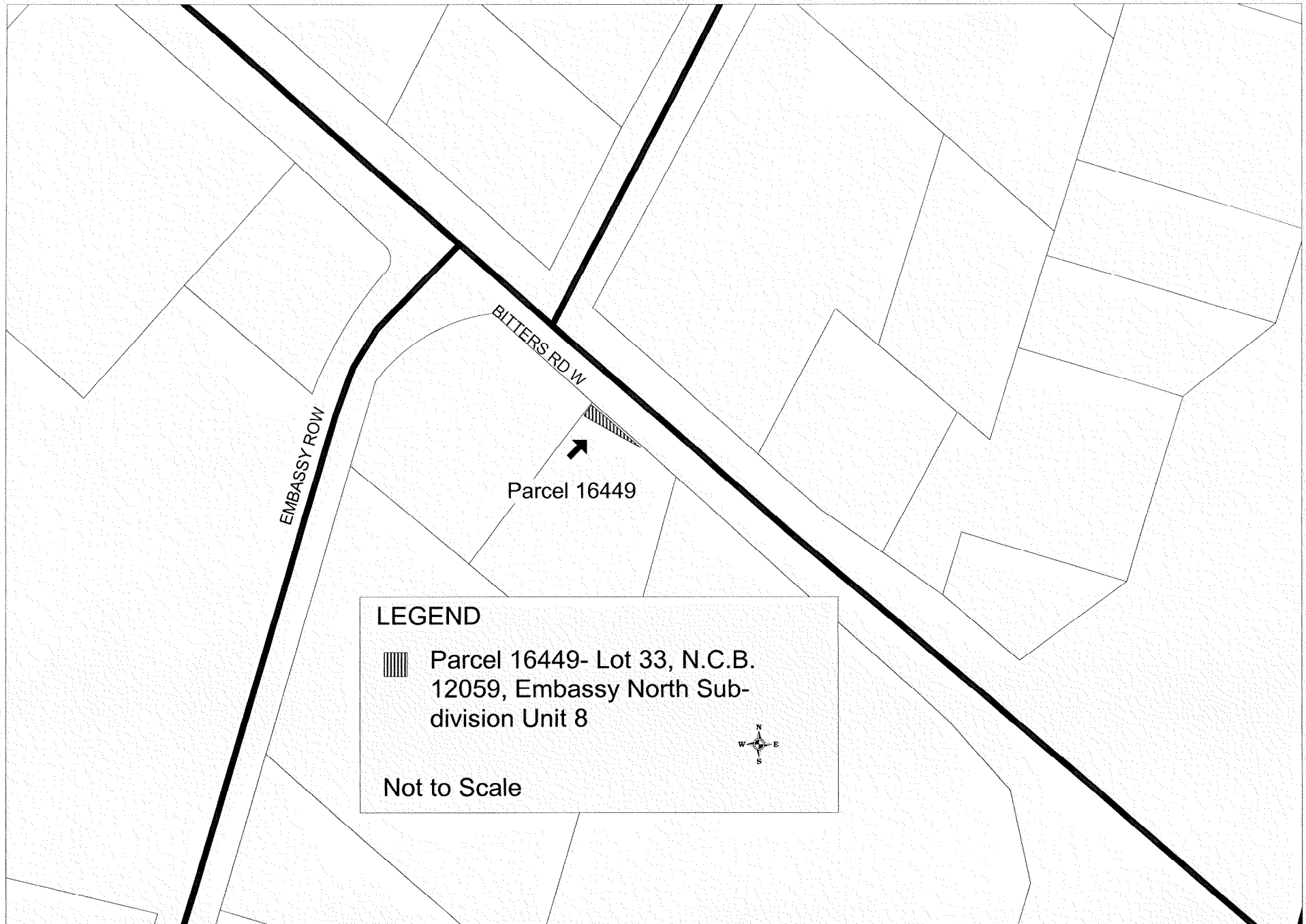
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Signature: 	Title: <i>SR Vice Pres</i> Company: <i>LAWYERS TITLE</i>	Date: <i>10/23/02</i>

Company of SAN ANTONIO

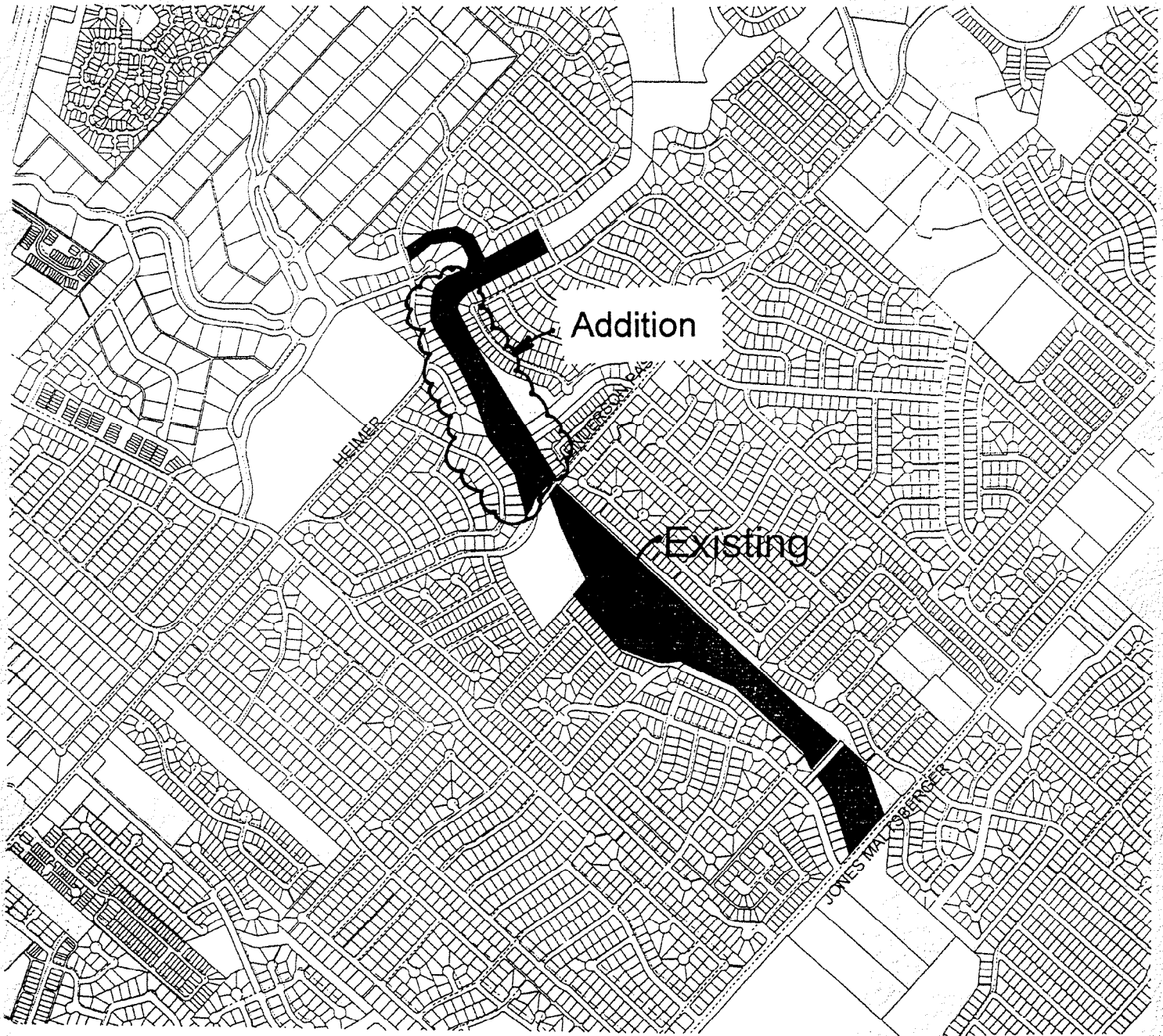


BITTERS - WEST AVENUE TO HEIMER (MPO)



Site Map

Lorence Creek Park Addition



City of San Antonio
Parks & Recreation Dept.

