

**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: Melissa B. Vossmer, Lou Lendman, Milo Nitschke, Andrew Martin, Andrew W. Cameron, Steven F. Hodges, and File

SUBJECT: Ordinance Authorizing Procurement of Right of Way (Permanent Drainage Easement)

DATE: September 4, 2003

SUMMARY AND RECOMMENDATIONS

This ordinance authorizes Community Development Block Grant (CDBG) funds in the amount of \$144,000, payable to Lawyers Title of San Antonio as escrow agent for Meadowlawn Memorial Park, Inc. for the acquisition of one Permanent Drainage Easement (\$142,500), and Title Fees (\$1,500), in connection with the Eastgate Drainage Improvements project, a Community Development Block Grant (CDBG) authorized project, located in Council District 2.

Staff recommends approval of this ordinance.

BACKGROUND INFORMATION

There is one parcel to acquire in this one-parcel project. The scope of this project provides for the purchase of right of way (permanent drainage easement) for future drainage improvements in the Eastgate Subdivision.

POLICY ANALYSIS

The acquisition of this property is necessary to complete the real estate transaction 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. Funds in the amount of \$144,000 are available from Community Development Block Grant (CDBG) funds and authorized payable to Lawyers Title of San Antonio. This item represents a portion of a total estimated City project cost of \$144,000.

COORDINATION

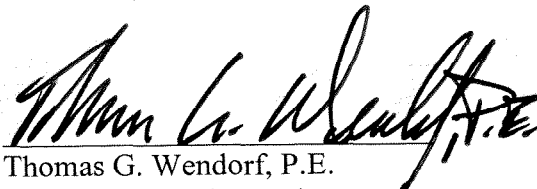
This ordinance was coordinated with the Finance Department, the Office of Management and Budget, the Housing and Community Development Department, and the City Attorney's Office.

SUPPLEMENTARY COMMENTS

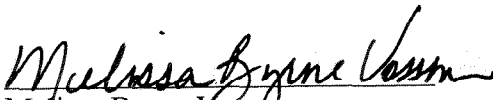
The Discretionary Contracts Disclosure Form required by the Ethics Ordinance is attached.

ATTACHMENTS


1. Discretionary Contracts Disclosure Form
2. Project Map


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

8/21/03


Melissa Byrne Vossmer
Assistant City Manager

Approved:


Terry M. Brechtel
City Manager

ATTACHMENT 1

FISCAL DATA

Project Name: EASTGATE DRAINAGE IMPROVEMENTS
Council District 2

Budget Information:

This is a one-time capital improvement expenditure.

Funds in the amount of \$144,000 are included in the FY03-FY08 Capital Improvement Program Budget.

Funds are available from 24TH Year Community Development Block Grant (CDBG) funds.

This item is within budget.

This item represents a portion of a total estimated City project cost of \$144,000.

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 that would be a party to the discretionary contract

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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

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LAWYERS TITLE OF SAN ANTONIO

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.

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

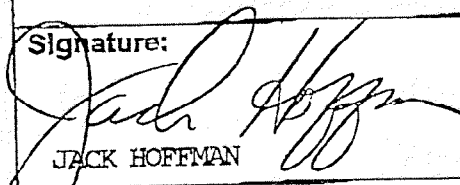
Any individual or business entity seeking a discretionary contract with the city shall disclose any known facts which, reasonably understood, raise a question as to whether any city official or employee would violate Section 1 of Part B, Improper Economic Benefit, by participating in official action 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:  JACK HOFFMAN	Title: SENIOR VICE PRESIDENT Company: LANDAMERICA LAWYERS TITLE OF SAN ANTONIO	Date: 8/8/03

EASTGATE DRAINAGE IMPROVEMENTS PROJECT (CDBG)

