

CITY OF SAN ANTONIO  
INTERDEPARTMENTAL MEMORANDUM  
PUBLIC WORKS DEPARTMENT

ITEM NO. 14

**TO:** Mayor and City Council

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

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

**COPIES:** Melissa Byrne Vossmer, Lou Lendman, Milo Nitschke, Andrew Martin, Steve Hodges, File

**SUBJECT:** Ordinance authorizing payment of \$5,445 to Site Specifics for Professional Site Planning Services in connection with the Bitters Road from West Avenue to Heimer MPO Project

**DATE:** November 6, 2003

**SUMMARY AND RECOMMENDATIONS**

This ordinance authorizes funds in the amount of \$5,445 from Certificates of Obligation, payable to Site Specifics for expert testimony in connection with the Bitters Road from West Avenue to Heimer Metropolitan Planning Organization (MPO) project, an authorized Certificates of Obligation project located in Council District 9.

Staff recommends approval of this ordinance.

**BACKGROUND INFORMATION**

City Ordinance No. 95362, dated February 28, 2002, authorized the filing of eminent domain action to obtain fee simple title and a temporary easement to this property in the Bitters Road from West Avenue to Heimer Metropolitan Planning Organization Project. As part of Condemnation Cause No. 2003-ED-0009, City of San Antonio vs. Countryside Plaza, Ltd., Et Al (a large shopping center), Site Specifics provided expert testimony at the Special Commissioners Hearing held on August 22, 2003.

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 November 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**

The acquisition of this property is necessary to complete the real estate transaction of this project.

## **FISCAL IMPACT**

This is a one-time capital improvement expenditure within budget and included in the FY04-FY09 Capital Improvement Program Budget. Funds in the amount of \$5,445 are available from 2000A Issued Certificates of Obligation funds and authorized payable to Site Specifics.

## **COORDINATION**

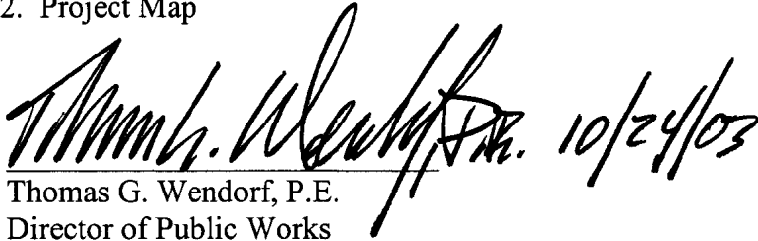
This ordinance was coordinated with the City Attorney's Office, the Office of Management and Budget, and the Finance Department.

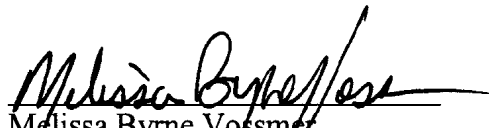
## **SUPPLEMENTARY COMMENTS**

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


## **ATTACHMENTS**

1. Discretionary Contracts Disclosure Form
2. Project Map

 10/24/03  
Thomas G. Wendorf, P.E.  
Director of Public Works

  
Melissa Byrne Vossmer  
Assistant City Manager

Approved:

  
Terry M. Brechtel  
City Manager

## **ATTACHMENT 1**

### **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 \$5,445 are included in the FY04-FY09 Capital Improvement Program Budget.

Funds are available from 2000A Issued Certificates of Obligation.

This item is within budget.

This item represents a portion of a total estimated City project cost of \$1,836,676.

## 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:

none

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

Site Specifics

and the name of:

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

none

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:

none

\* 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 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.

(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:

### 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.

\* 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  
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.

Signature: 	Title: President Company: Site Specifics	Date: 10-13-03

**SHARELODERS OF SITE SPECIFICS  
EXHIBIT "A"**

**Bobbie Jo Cornelius**

**Exhibit "B"**

**Political contributions (\$100 or more) to Benefit City Council  
Members September 1, 2001 through September 1, 2003**

**No contributions were made by Site Specifics**



# Bitters Road from West Avenue to Heimer Metropolitan Planning Organization Project

