

**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, Peter Zaroni, Milo Nitschke, Andrew Martin, Steven F. Hodges; File

**SUBJECT:** Ordinance acquiring fee simple title and payment of title fees associated with the Plumnear Flood Area Project

**DATE:** March 4, 2004

**SUMMARY AND RECOMMENDATION**

This ordinance authorizes 2002 Certificates of Obligation funds in the amount of \$3,300 and the reimbursement of \$9,900 from the Federal Emergency Management Agency (FEMA) for a total amount of \$13,200 payable to Ticor Title Agency as escrow agent for Georgia Eichler Colyer for Fee Simple Title to two parcels (\$12,000), and Title Fees (\$1,200), in connection with the Plumnear Flood Area Project located in Council District 4.

Staff recommends the approval of this ordinance.

**BACKGROUND INFORMATION**

The City of San Antonio experienced historic flooding on October 17, 1998 which caused extensive damage to different areas of the City. The Plumnear Area was one of the four areas impacted by the flooding.

The buyout program addresses structures that were impacted by floodwaters within flood plain areas. It is the City's intent to pursue the maximum level (75%) of reimbursement for the financial costs associated with these activities from the State of Texas Hazard Mitigation Grant Program who are the local administrators for Federal Emergency Management Agency (FEMA) Funds.

Under Phase I of the 1998 Flood Buyout, there were 302 total offers made and 259 closed under this voluntary buyout program. The remaining 43 property owners did not agree to sell or were unable to provide clear title. This property owner has resolved title issues and wishes to sell. The City is proceeding with purchase of these two parcels now that title has been cured.

## **POLICY ANALYSIS**

This action is consistent with the City's commitment and plans to address those concerns from citizens affected by the 1998 flood.

## **FISCAL IMPACT**

This is a one-time capital improvement expenditure. Funds in the amount of \$3,300 (25%) are available from 2002 Certificates of Obligation and included in the FY04-FY09 Capital Improvement Program Budget. Of the total \$13,200, funds in the amount of \$9,900 (75%) will be reimbursed by the Federal Emergency Management Agency (FEMA). Any amounts not reimbursed by FEMA will be funded from 2002 Certificates of Obligation funds. This ordinance authorizes funds in the total amount of \$13,200 payable to Ticor Title Agency.

## **COORDINATION**


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

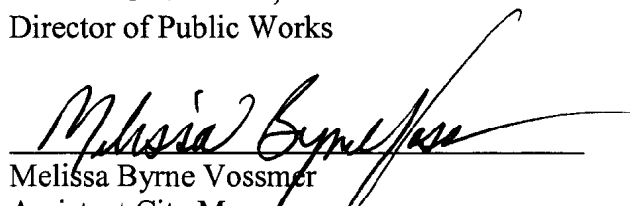
## **SUPPLEMENTARY COMMENTS**

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

## **ATTACHMENTS**

1. Discretionary Contracts Disclosure Form
2. Project Map

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

  
Melissa Byrne Vossmer  
Assistant City Manager

Approved:

tr   
Terry M. Brechtel  
City Manager

## **ATTACHMENT I**

### **FISCAL DATA**

**Project Name: PLUMNEAR FLOOD AREA PROJECT**  
**Council District 4**

**Budget Information:**

This is a one-time capital improvement expenditure.

Funds in the amount of \$3,300 are available from 2002 Certificates of Obligation and funds in the amount of \$9,900 are available from Federal Emergency Management Agency (FEMA) reimbursement.

Funds in the amount of \$3,300 are included in the FY04-FY09 Capital Improvement Program Budget, listed as Flood Buyout in the Budget Document for the 1998 flood.

This item is within budget.

This item represents a portion of a total estimated City project cost of \$337,000.

(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.

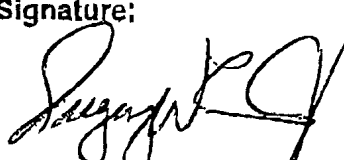
### Political Contributions

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:
SEE ATTACHED EXHIBIT OF JOHN PAUL ROGERS, PRESIDENT OF TICOR TITLE AGENCY OF SAN ANTONIO		

### 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<sup>2</sup> 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.

Signature: 	Title: <u>Vice President</u> Company: <u>TICOR TITLE AGENCY</u>	Date: <u>12/8/2003</u>

<sup>2</sup> 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.

Received Time Mar. 25. 2:46PM

Exhibit of Political Contributions  
by  
John Paul Rogers  
President of Ticor Title Agency of San Antonio  
March 26, 2001 to March 25, 2003

<u>To Whom Made</u>	<u>Amount</u>	<u>Date of Contribution</u>
Carroll Schubert Campaign	\$250.00	May, 2001
Roland Gutierrez Campaign	\$250.00	May, 2001
Enrique Barrera Campaign	\$500.00	June, 2001
SABPAC	\$150.00	July, 2001
Toni Moorehouse Campaign	\$100.00	January, 2002
Enrique Barrera Campaign	\$100.00	July, 2002
Carroll Schubert Campaign	\$100.00	July, 2002

# PLUMNEAR FLOOD AREA PROJECT

