

**CITY OF SAN ANTONIO
INTERDEPARTMENTAL MEMORANDUM
AVIATION DEPARTMENT**

CONSENT AGENDA

ITEM NO. 12

TO: Mayor and City Council

FROM: Kevin C. Dolliole, Aviation Director

THROUGH: Terry M. Brechtel, City Manager

COPIES TO: J. Rolando Bono, Deputy City Manager, Asset Management, Budget,
Legal, Finance and File

SUBJECT: Assignment of Concession Contracts to Porter & Britton GP, L.L.C.
at San Antonio International Airport

DATE: June 24, 2004

SUMMARY & RECOMMENDATION

This ordinance authorizes the execution of an assignment of an existing concession agreement between the City and Gerardo Sanchez d/b/a Frullati Café and Bakery, which is located in Space 206, San Antonio International Airport, Terminal Two, to Porter & Britton GP, L.L.C.

Staff recommends the approval of this ordinance.

BACKGROUND INFORMATION

Ordinance Number 94214, passed and approved by City Council on June 28, 2001, awarded a concession contract to Mr. Gerardo Sanchez for concession space 206, San Antonio International Airport, Terminal Two. Mr. Sanchez d/b/a Frulatti Café and Bakery has operated since that date and has provided quality customer service and products to the traveling public.

The assignment will transfer all rights and interest in the Concession Agreement from the current tenant, Gerardo Sanchez to Porter & Britton GP, L.L.C., a partnership formed to operate the Frullati Café and Bakery in Terminal Two. Mr. Kevin Porter, a certified DBE by the South Central Texas Regional Certification Agency (SCTRCA), is the managing partner and owns and operates a Frullati location in the Dallas metro area. The assignment allows the continuation of a popular concession at San Antonio Airport with proven success and reliable quality customer service.

POLICY ANALYSIS

This ordinance is consistent with the City Council policy of maintaining a self-sufficient airport by the generation of revenue for the leasing of City owned properties.

FISCAL IMPACT

No financial impact to the City.

COORDINATION


This item has been coordinated with the City Attorney's Office.

SUPPLEMENTARY COMMENTS

The Discretionary Contracts Disclosure form completed by Porter & Britton GP, L.L.C. is attached.




Kevin C. Dolliole
Aviation Director



J. Rolando Bono
Deputy 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:

KEVIN PORTER

(2) the identity of any business entity¹ that would be a party to the discretionary contract:
PORTER & BRITTON, LP
and the name of: 1

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

(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:

(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.

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.

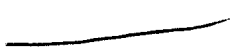

Political Contributions

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.

		
Signature: 	Title: MANAGER Company: PORTER & BRITTON, LP	Date: 06/04/04

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.