

**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 Byrne Vossmer, Peter Zanoni, Milo Nitschke, Andrew Martin, Steven F. Hodges, and File

SUBJECT: Ordinance authorizing the expenditure of \$3,750 for fee simple title to one parcel and title fees in connection with the Science Park Drainage #58 H, I and J Project

DATE: September 2, 2004

SUMMARY AND RECOMMENDATIONS

This ordinance authorizes funds in the amount of \$3,750 payable to Lawyers Title of San Antonio as escrow agent for Fernando G. Castaneda and Kandra J. Castaneda for Fee Simple Title to one parcel of land (\$3,250), and Title Fees (\$500), in connection with the Science Park Drainage #58 H, I & J project located in Council District 7. This is an authorized 1994 General Obligation Drainage Bond project.

Staff recommends the approval of this ordinance.

BACKGROUND INFORMATION

There are 34 signed instruments and 7 condemned parcels in the 42 parcel project. The one remaining parcel in this project had title problems preventing fee simple acquisition of the property. Title problems have now been cured and the City can proceed with completion of the acquisition process. Construction on this project is complete.

POLICY ANALYSIS

The acquisition of this one remaining property is necessary to complete the real estate transactions in this project.

FISCAL IMPACT

This is a one-time capital expenditure within budget and funds were previously appropriated to the project budget. Therefore, this expenditure was not included in the FY04-FY09 Capital Improvement Program Budget. Approval of this ordinance will appropriately modify the Capital Budget. Funds in the amount of \$3,750 are available from 1994 General Obligation Drainage Bonds.

COORDINATION

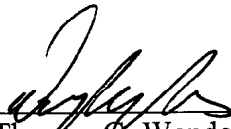
This ordinance was coordinated with the Finance Department, the Office of Management and Budget, and the City Attorney's Office.

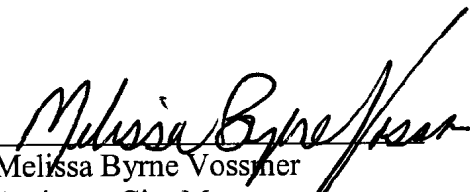
SUPPLEMENTARY COMMENTS

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

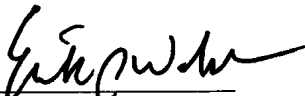
ATTACHMENTS

1. Project Map

 PE 8/29/04
Thomas G. Wendorf, P.E.
Director of Public Works


Melissa Byrne Vossner
Assistant City Manager

Approved:


Terry M. Brechtel
City Manager

ATTACHMENT 1

FISCAL DATA

Project Name: SCIENCE PARK DRAINAGE #58 H, I & J
Council District

Budget Information:

This is a one-time capital expenditure.

Funds in the amount of \$3,750 are not included in the FY04-FY09 Capital Improvement Program Budget.

Funds are available from 1994 General Obligation Drainage Improvement Bond funds.

This item is within budget.

This item represents a portion of a total estimated project cost of \$1,405,142.

Additional funds are available in Fund 45-467009 by canceling an encumbrance in the amount of \$3,750 in Index Code 612896, PS 90417B, and transferring said amount to Index Code 632018, \$3,250, and to Index Code 641811, \$500.

1994 GO Drainage Bond Original Budget	\$ 600,000
Subsequent budget approvals	<u>\$ 405,142</u>
Total approved budget-to-date	\$ 1,405,142

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:

LANDAMERICA
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.

City of San Antonio Discretionary Contracts Disclosure*

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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

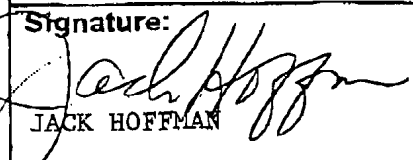
Any individual or business entity seeking a discretionary contract with the city shall disclose any known facts which reasonably understood, raise a question as to whether any city official or employee would violate Section 1 of Part B, Improper Economic Benefit, by participating in official action relating to the discretionary contract.

* 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*

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Signature:  JACK HOFFMAN	Title: SENIOR VICE PRESIDENT Company: LANDAMERICA LAWYERS TITLE OF SAN ANTONIO	Date: 5/4/04

Science Park Drainage, #58H, I & J

