CITY OF SAN ANTONIOGENDA ITEM NO. 33 CITY ATTORNEY'S OFFICE CITY COUNCIL AGENDA MEMORANDUM

TO:

Mayor and City Council

FROM:

Andrew Martin, City Attorney

SUBJECT:

Selection of Bond Counsel

DATE:

January 6, 2005

SUMMARY AND RECOMMENDATIONS

This ordinance authorizes the engagement of the following attorneys and law firms to serve as the City of San Antonio's bond counsel in connection with various financings: Escamilla & Poneck, Inc., Fulbright & Jaworski L.L.P., Holland & Knight L.L.P., Loeffler Tuggey Pauerstein Rosenthal L.L.P., McCall, Parkhurst & Horton L.L.P., Vinson & Elkins L.L.P., William T. Avila, P.C., Winstead, Sechrest & Minick P.C.. The various financings include the Espada/Economic Development Project (Special Project); General Obligation Bonds; Certificates of Obligation; Airport System Improvement Revenue Bonds (GARBs); Airport Passenger Facility Charge (PFC) Revenue Bonds; Municipal Drainage Utility System Revenue Bonds; Parking System Revenue Bonds; San Antonio Housing Trust Finance Corporation Bonds; Lease/Purchase Financing Bonds, and Library District Financing (Special Project).

This ordinance will also authorize the City Attorney to select from the above-named attorneys and law firms to serve as bond counsel for the following financing transactions, when and if such transaction occurs, to the extent the City has the authority to select such counsel: Airport Facilities Revenue Bonds; Tax Increment Financing Bonds; Greater Kelly Development Corporation; Brooks Development Authority; Public Improvement Districts; Special Assessment Districts; Interest Rate Exchange Transactions; Variable Rate Demand Bonds; Auction Rate Securities; Tax-Exempt Commercial Paper; and conduit financings to include Economic Development, Health Care, Higher Education, Housing Authority, Municipal Facilities Corporation, and Local Development Corporation; and any other debt issuance not otherwise described herein where the City is authorized or obligated to engage counsel as determined by the Finance Director in consultation with the City Attorney.

Those bond counsel attorneys and law firms that are serving as the City's bond counsel in connection with pending financings are authorized by this ordinance to continue to serve in that capacity until completion of said transaction, in accordance with the following:

TRANSACTION	LEAD COUNSEL	CO-BOND COUNSEL
Pension Obligation Bonds	Winstead, Sechrest & Minick, P.C.	William T. Avila
2006 G.O. Forward Refunding	Fulbright & Jaworski L.L.P.	Escamilla & Poneck, Inc.
Convention Center Hotel Revenue Bonds (Special Project)	McCall, Parkhurst & Horton, Inc.	Escamilla & Poneck, Inc. and Andrews Kurth L.L.P.
Empowerment Zone Bonds	McCall, Parkhurst &	& Horton, Inc.

Staff recommends approval.

BACKGROUND INFORMATION

The City Attorney's Office released a Request for Qualifications ("RFQ") on July 26, 2004 seeking Statements of Interest from attorneys and law firms interested in serving as the City's Bond Counsel in connection with various financings. In addition to being posted on the City's website and being advertised in the Express-News, the RFQ was mailed to those firms currently serving as the City's bond counsel, as well as those firms in the San Antonio area listing bond law as an area of expertise. All Statements of Interest were required to be received no later than August 23, 2004 in order to be considered for award; eight (8) firms responded.

An evaluation committee consisting of the First Assistant City Attorney, the Deputy City Attorneys, the Director of Finance and the Investment Manager, interviewed all eight (8) firms that submitted a response. All attorneys and law firms interviewed demonstrated competence in various financings and are qualified to serve as the City's Bond Counsel. Based on these interviews and the interview team's analysis and discussion of the background, experience and identified strengths of each attorney and law firm, the committee recommends the following to serve as the City's bond counsel in connection with the following transactions:

TRANSACTION	LEAD	CO-BOND COUNSEL
General Obligation Bonds	Fulbright & Jaworski L.L.P.	William T. Avila

TRANSACTION	LEAD	CO-BOND COUNSEL		
Certificates of Obligation	Fulbright & Jaworksi L.L.P.	William T. Avila		
S.A. Housing Trust Finance	Fulbright & Jaworski L.L.P.			
Lease/Purchase Financings	Fulbright & Jav	Fulbright & Jaworski L.L.P.		
Parking Revenue Bonds	McCall, Parkhurst & Horton L.L.P.	Holland & Knight L.L.P.		
Airport System Improvement Revenue Bonds (PFC's & GARB's)	McCall, Parkhurst & Horton L.L.P.			
Municipal Drainage Utility System Revenue Bonds	Loeffler Tuggey Pauerstein Rosenthal L.L.P and Vinson & Elkins L.L.P.			
Library District (Special Project)		Loeffler Tuggey Pauerstein Rosenthal L.L.P and Vinson & Elkins L.L.P.		
ESPADA(Terramark/A&M) Economic Development Corp. (Special Project)	Winstead, Sechres	Winstead, Sechrest & Minick, P.C.		

The engagement of the above-listed attorneys and law firms shall be for those transactions initiated by the Finance Director on or after the effective date of this ordinance through September 30, 2007. The City Council may, at its discretion, authorize an extension of these engagements for two (2) one (1) year periods, as evidenced by passage of a subsequent ordinance. If such renewal is exercised, same terms shall commence October 1st and terminate September 30th in each of the following years.

POLICY ANALYSIS

The proposed selection of bond counsel is consistent with City policy and previous actions to employ bond counsel to assist with the City's financings.

FISCAL IMPACT

Fees for bond counsel services in connection with the issuance of debt obligations are typically paid from bond proceeds. Upon approval by City Council of the recommendations for bond counsel, the City Attorney, in consultation with the Finance Director, will negotiate a fair and reasonable fee, in accordance with industry standards for bond counsel services, with each of the recommended attorneys and firms, payable and contingent upon the issuance of bonds for each of the listed financings, with the exception of a Special Project. A Special Project is one which requires legal consultation but which may not result in the issuance of a debt instrument. Fees for Special Projects are negotiable on a case-by-case basis and may be paid from bond proceeds or other available funds, subject to City Council approval. In all instances, fees will be divided between the Lead Counsel and Co-Bond Counsel on a 70% - 30% basis, unless negotiated otherwise.

COORDINATION

This item has been coordinated with the Finance Department.

SUPPLEMENTARY COMMENTS

The disclosures required by the City's Ethics Ordinance are attached.

Andrew Martin,

City Attorney

J. Rolando Bøno,

Interim City Manager

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 scretionary contract is the subject of council action, and no later than five (5) business days after any change about which

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 <u>business entity</u> that would be a party to the discretionary contract:
WILLIAM T. AVILA, P.C.
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 subsidiar business entity, of any individual or business entity who would be a party to the discretionar contract;
WILLIAM THADDEUS AVILA, PRESIDENT, 100% OWNER

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.

		m employed for purposes relating to the r business entity who would be a party to the
NONE		
connection with a proposal for dollars (\$100) or more within or former member of City Count that contributes to City Count disclosed under (1), (2) or (3) to, contributions made by	or a discretionary contract al the past twenty-four (24) more uncil, any candidate for City cil elections, by any individual above. Indirect contributions the individual's spouse, whiclude, but are not limited to	ary contract from the city must disclose in political contributions totaling one hundrenths made directly or indirectly to any current Council, or to any political action committeral or business entity whose identity must be by an individual include, but are not limited the statutory or common-law. Indirect or, contributions made through the officers
To Whom Made:	Amount:	Date of Contribution:
NONE		
facts which, reasonably under	stood, raise a question ² as to	ontract with the city shall disclose any known whether any city official or employee would participating in official action relating to the
Signature	Title: President	Date:
ull 62		Date: 8-23-04 m T. Avila, P.C.

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.

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.

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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: PABLO ESCAMILLA DOUGLAS A. PONECK (2) the identity of any business entity that would be a party to the discretionary contract: ESCAMILLA & PONECK, INC. 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.

(3) the identity of any <i>lobbyist</i> or <i>pu</i> discretionary contract being sought by discretionary contract.		employed for purposes relating to the siness entity who would be a party to the
NONE		
Political Contributions Any individual or business entity seeki connection with a proposal for a discreti dollars (\$100) or more within the past two or former member of City Council, any of that contributes to City Council elections disclosed under (1), (2) or (3) above. Indeed to, contributions made by the individual contributions by an entity include, but owners, attorneys, or registered lobbyists	ionary contract all poenty-four (24) months andidate for City Cous, by any individual or lirect contributions by ual's spouse, whether are not limited to, c	litical contributions totaling one hundre made directly or indirectly to any currer incil, or to any political action committed business entity whose identity must be an individual include, but are not limited as statutory or common-law. Indirect
To Whom Made:	Amount:	Date of Contribution:
NONE		
Disclosures in Proposals Any individual or business entity seeking facts which, reasonably understood, raise violate Section 1 of Part B, Improper Eco discretionary contract.	e a question ² as to wh	ether any city official or employee would
Signature: Title De Ponedicon Esc	e: VICE PRESIDENT	Date: August 23, 2004
ESC	CAMILLA & PONECK,	INC.

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.

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 <u>individual</u> who would be a party to the discretionary contract:
N/A
(2) the identity of any <u>business entity</u> ⁹⁴ that would be a party to the discretionary contract:
Fulbright & Jaworski L.L.P.
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;
See attached list of Fulbright & Jaworski L.L.P. partners.
(3) the identity of any <i>lobbyist</i> or <i>public relations firm</i> 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.
Jane H. Macon, James P. Plummer, and James M. Summers

⁹⁴ 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:
See attached list of contributions.		

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 question⁹⁵ 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: Partner	Date: 08/23/04
ند براث	que	Company: Fulbright & Jaworski L.L.P.	

⁹⁵ 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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(1) the identity of any individual who would be a party to the discretionary contract:

N/A		
(2) the identit	ty of any <u>business entity¹</u> that wou	ıld be a party to the discretionary contract:
Holland &	Knight LLP	
and the n	ame of:	
(A) any in	dividual or business entity that wou	ald be a subcontractor on the discretionary contract;
N/A		
and the n	lame of:	
	ess entity, of any individual or bus	s known to be a <i>partner</i> , or a <i>parent</i> or <i>subsidiary</i> iness entity who would be a party to the discretionary
Partners:	Burke Huber Alex Huddleston Andy Kerr Camille Stearns Miller	William S. Sessions John Wittenberg

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(3) the identity of any lobbyist of discretionary contract being sour discretionary contract.				
N/A				
Political Contributions Any individual or business entity connection with a proposal for a d dollars (\$100) or more within the part or former member of City Council, that contributes to City Council eledisclosed under (1), (2) or (3) above to, contributions made by the ir contributions by an entity include owners, attorneys, or registered lob	iscretionar ast twenty- any candi ctions, by e. Indirect adividual's but are	ry contract all perfour (24) months date for City Co any individual contributions by spouse, wheth not limited to,	olitical control of the control of t	ributions totaling one hundre ctly or indirectly to any curred any political action committe entity whose identity must be ual include, but are not limite y or common-law. Indired
To Whom Made:	······································	Amount:	Date	of Contribution:
See attachment			ļ	
	N.			
Disclosures in Proposals Any individual or business entity se facts which, reasonably understood violate Section 1 of Part B, Impropediscretionary contract.	, raise a q	uestion ² as to w	hether any	city official or employee woul
Unaware of any such facts.		1979	****	
Signature:	Title:	Senior Counse	1	Date:
Milley HiVasin	Compai	ny: Holland & LLP	Knight	August 23, 2004
				<u> </u>

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City of San Antonio Discretionary Contracts Disclosure*

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Attach additional sheets if space provided is not sufficient.
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Disclosure of Parties, Owners, and Closely Related Persons

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(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:
Loeffler Jonas & Tuggey LLP
and the name of:
and the name of.
(A) any individual or business entity that would be a subcontractor on the discretionary
contract;
AL/A
N/A
1
and the name of:
(B) any individual or business entity that is known to be a partner, or a parent or
(B) any individual or business entity that is known to be a <i>partner</i> , or <i>a parent</i> or <i>subsidiary</i> business entity, of any individual or business entity who would be a party to
(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;
 (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; Tom Loeffler
 (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; Tom Loeffler W. James Jonas III
 (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; Tom Loeffler
 (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; Tom Loeffler W. James Jonas III Timothy N. Tuggey

(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.

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:
Ed Garza	\$ 9,500 (in-kind)	10/01/2002
Julian Castro	\$ 500	3/12/2003
Toni Moorhouse	\$ 500	3/19/2003
Ron Segovia	\$ 500	6/30/2003
Art Hall	\$ 500	7/18/2003
Carroll Schubert	\$ 1,000	8/18/2003
Chip Haass	\$ 500	9/23/2003
Joel Williams	\$ 500	10/28/2003
Julian Castro	\$ 500	11/4/2003
Ron Segovia	\$ 500	11/7/2003
Carroll Schubert	\$ 500	2/16/2004
Ron Segovia	\$ 500	3/3/2004
Joel Williams	\$ 500	4/6/2004
Chip Haass	\$ 500	5/24/2004
Ron Segovia	\$ 300	6/24/2004
Carroll Schubert	\$ 250	8/2/2004

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.

N/A		
Signature:	Title: Managing Partner	Date:
772m	Company: Loeffler Jonas & Tuggey LLP	August 23, 2004

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.

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.

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Disclosure of Parties, Owners, and Closely Related Persons

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(1) the identity of any individual who would be a party to the discretionary contract:
None
(2) the identity of any <u>business entity</u> that would be a party to the discretionary contract:
McCall, Parkhurst & Horton L.L.P.
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

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.

			loyed for purposes relating to ess entity who would be a party t	
N/A				
connection with a proposal for dollars (\$100) or more within the or former member of City Countributes to City Council disclosed under (1), (2) or (3) to, contributions made by the	r a discretional he past twenty- uncil, any candicil elections, by above. Indirecthe individual's clude, but are	ry contract all politic four (24) months ma idate for City Counci any individual or bu contributions by an spouse, whether s not limited to, conti	tract from the city must disclosed contributions totaling one hurade directly or indirectly to any cuil, or to any political action commusiness entity whose identity muindividual include, but are not ling statutory or common-law. Incributions made through the office	ndre urrer nitte st b mite direc
To Whom Made:		Amount:	Date of Contribution:	
None				
facts which, reasonably unders	stood, raise a q	uestion ² as to wheth	with the city shall disclose any kreer any city official or employee wipating in official action relating to	voul
Signatura	Tido		I Data:	
Signature:	Title: P		Date: 8/23/04	
	Compar	Y: McCall, Parkh & Horton L.L		

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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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 <u>business entity</u> that would	be a party to the discretionary contract:
Vinson & Elkins L.L.P.	
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;

N/A

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.

(3) the identity of any lobbyist of discretionary contract being sout discretionary contract.				
None				
Political Contributions Any individual or business entity connection with a proposal for a did dollars (\$100) or more within the past or former member of City Council, at that contributes to City Council electron disclosed under (1), (2) or (3) above to, contributions made by the incontributions by an entity include, owners, attorneys, or registered lobb	scretionary contracts twenty-four (24) any candidate for (24) tions, by any individual's spouse, but are not limited.	ct all politica months mad City Council, ridual or bus tions by an i whether s	I contri de direc or to a siness e ndividu tatutory	butions totaling one hundred city or indirectly to any current any political action committee entity whose identity must be al include, but are not limited or common-law. Indirect
To Whom Made: Ed Garza Campaign	Amoun	t: \$1,000.00	Date April 4,	of Contribution:
Ed Garza Campaign		\$1,000.00	May 28	
Julian Castro Campaign		\$250.00	2004	
Disclosures in Proposals Any individual or business entity see facts which, reasonably understood, violate Section 1 of Part B, Imprope discretionary contract.	raise a question ²	as to whethe	er any c	city official or employee would
Signature.	Title:			Date:
10. VIII.	Partner			August 20, 2004
Guypoo	Company: Vinson & Elkins L.L.F	> .		

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.

Discretionary Contracts Disclosure* B.

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.

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(1) the identity of any individual who would be a party to the discretionary contract:
M. Paul Martin Carey R. Troell Clayton S. Binford Blakely L. Fernandez
(2) the identity of any business entity that would be a party to the discretionary contract:
Winstead Sechrest & Minick P.C.
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;
N/A
(3) the identity of any <i>lobbyist</i> or <i>public relations firm</i> 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:
Phil Hardberger	\$100.00	May 26, 2004

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.

Title: Sur HUTTHIC Date: 8/23/04
Company:
Wastad Sechusis Minich PC

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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.