

**CITY OF SAN ANTONIO
PUBLIC WORKS DEPARTMENT
CITY COUNCIL AGENDA MEMORANDUM**

TO: Mayor and City Council
FROM: Thomas G. Wendorf, P.E., Director of Public Works
SUBJECT: Oppenheimer Blend Harrison & Tate, Inc. Legal Fees
DATE: August 11, 2005

SUMMARY AND RECOMMENDATIONS

This ordinance authorizes funds in the amount of \$15,115.30 payable to Oppenheimer Blend Harrison & Tate, Inc. for legal services provided in Condemnation Cause No. 2005-ED-0035, City of San Antonio vs. Alamo Garage Associates, Ltd., and Marine Midland Bank, in connection with the Lockhill-Selma: West Avenue to N.W. Military Project, a Metropolitan Planning Organization and an authorized 1999-2004 General Obligation Street Improvement Bond project, located in Council District 9.

Staff recommends the approval of this ordinance.

BACKGROUND INFORMATION

Legal services were requested for Condemnation Cause No. 2005-ED-0035, City of San Antonio vs. Alamo Garage Associates, Ltd., and Marine Midland Bank in connection with the Lockhill-Selma: West Avenue to N.W. Military Project, for fee simple acquisition of 2,332 square feet of land and a temporary construction easement. The scope of this project includes the reconstruction of the existing two-lane roadway to three lanes with curbs, sidewalks, and necessary drainage. Advertisement is scheduled for March 2006, with construction to begin in June 2006, and completion anticipated in August 2007.

POLICY ANALYSIS

The invoices for these legal services have been reviewed for accuracy by the City Attorney's Office who recommends payment. Approval of this ordinance will be a continuation of City Council policy to complete previously approved Capital Improvement Projects.

FISCAL IMPACT

This is a one-time capital improvement expenditure within budget and is included in the FY05-FY10 Capital Improvement Program Budget. Funds in the amount of \$15,115.30 are available from 2004 Certificates of Obligation funds and are authorized payable to Oppenheimer Blend Harrison & Tate, Inc.

COORDINATION

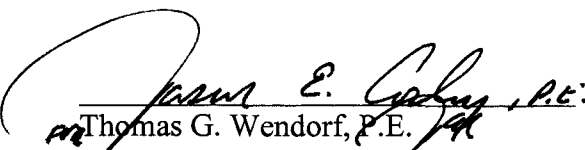
This ordinance was coordinated with the City Attorney's Office, the Finance Department, and the Office of Management and Budget.

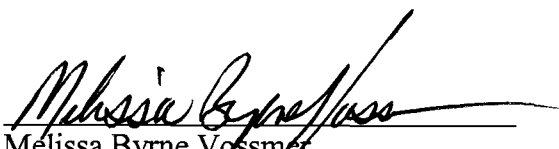
SUPPLEMENTARY COMMENTS

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

ATTACHMENTS

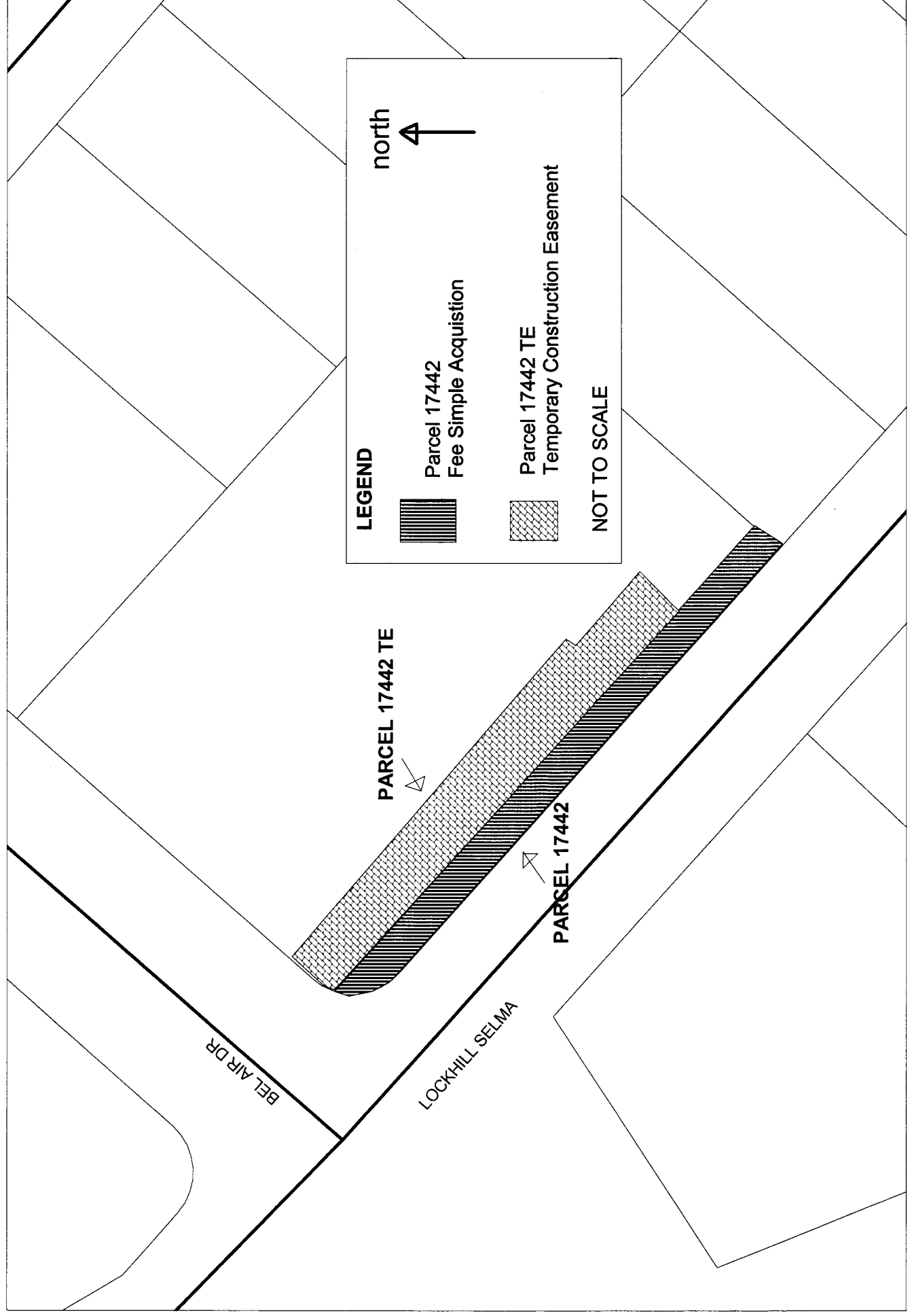
1. Project Map
2. Discretionary Contracts Disclosure Form


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


Melissa Byrne Vossmer
Assistant City Manager


J. Rolando Bono
City Manager

Lockhill-Selma - West Ave to NW Military Hwy



City of San Antonio
Discretionary Contracts Disclosure

*For use of this form, see Section 2-59 through 2-61 of the City Code (Ethics Code)
Attach additional sheets if space provided is not sufficient.*

(1) Identify any individual or business entity¹ that is a **party** to the discretionary contract:

Oppenheimer, Blend, Harrison & Tate, Inc.
711 Navarro, Suite 600
San Antonio, Texas 78205
Phone (210) 224-2000
Fax (210) 224-7540

(2) Identify any individual or business entity which is a **partner, parent** or **subsidiary** business entity, of any individual or business entity identified above in Box (1):

☒ No partner, parent or subsidiary; or

List partner, parent or subsidiary of each party to the contract and identify the corresponding party:

(3) Identify any individual or business entity that would be a **subcontractor** on the discretionary contract.

☒ No subcontractor(s); or

List subcontractors:

(4) Identify any **lobbyist** or **public relations firm** employed by any party to the discretionary contract for purposes related to seeking the discretionary contract.

☒ No lobbyist or public relations firm employed; or

List lobbyists or public relations firms:

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. A sole proprietor should list the name of the individual and the d/b/a, if any.

(5) Political Contributions

List all political contributions totaling one hundred dollars (\$100) or more within the past twenty-four (24) months made 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 Box (1), (2), (3) or (4) above, or by the officers, owners of any business entity listed in Box (1), (2) or (3):



No contributions made; If contributions made, list below:

By Whom Made:	To Whom Made:	Amount :	Date of Contribution:
Ken Gindy	Roger O. Flores	\$100	March 27, 2003
Ken Gindy	Art Hall	\$100	March 27, 2003
Ken Gindy	Carroll Schubert	\$100	March 27, 2003
Ken Gindy	Chip Haass	\$100	March 27, 2003
Bobby Perez	Roger O. Flores	\$500	Past 24 Months
Bobby Perez	Joel Williams	\$500	Past 24 Months
Bobby Perez	Ron Segovia	\$500	Past 24 Months
Bobby Perez	Richard Perez	\$500	Past 24 Months
Bobby Perez	Enrique Barrera	\$500	Past 24 Months
Bobby Perez	Chip Haass	\$500	Past 24 Months
Bobby Perez	Carroll Schubert	\$500	Past 24 Months

(6) Disclosures in Proposals

Any individual or business entity seeking a discretionary contract with the city must disclose any known facts which, reasonably understood, raise a question² as to whether any city official or employee would violate Section 2-43 of the City Code (Ethics Code), ("conflicts of interest") by participating in official action relating to the discretionary contract.



Party not aware of facts which would raise a "conflicts-of-interest" issue under Section 2-43 of the City Code; or

Party aware of the following facts:

This form is required to be supplemented in the event there is any change in the information 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, whichever occurs first.

Signature:


PAUL D. BARKHURST

Title: Vice President

Company or D/B/A:
Oppenheimer, Blend,
Harrison & Tate, Inc.

Date:

April 28, 2005

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.