

**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:** Henderson Pass LWC (Lorence Creek)

**DATE:** March 10, 2005

**SUMMARY AND RECOMMENDATIONS**

This ordinance authorizes funds in the amount of \$15,250 payable to Service Title Company, as escrow agent for Allan B. Black and Barbara A. Black, for Fee Simple title to acquire one parcel of land (\$14,750.00), and Title Fees (\$500); a Right of Entry Fee (\$100) payable to Allan B. Black and Barbara A. Black, for a total of \$15,350 in connection with the Henderson Pass LWC (Lorence Creek) project, a 2003-2007 Storm Water Revenue Bond funded project located in Council District 9.

Staff recommends the approval of this ordinance.

**BACKGROUND INFORMATION**

This ordinance authorizes funds to acquire a parcel of land and associated fees needed in order to complete the Henderson Pass Low Water Crossing project. This project provides for the construction of a new bridge and street approaches over Lorence Creek on Henderson Pass. The bridge will handle two lanes of traffic in each direction in addition to sidewalks. Preliminary concepts indicate that the bridge will be approximately 520 feet long and 600 feet of approach roadway to accommodate the raised profile. The project will also accommodate a bike path under the bridge and necessary regrading to the existing channel. Advertisement is scheduled for June 2005, with construction to start in September 2005, and completed in December 2006.

**POLICY ANALYSIS**

Approval of this ordinance will be a continuation of City Council policy to complete previously approved 2003-2007 Storm Water Revenue Bond funded Capital Improvement Projects.

**FISCAL IMPACT**

This is a one-time capital expenditure within budget and is included in the FY05-FY10 Capital Improvement Program Budget. Funds in the amount of \$15,350 are available from 2003-2007 Storm Water Revenue Bond funds and authorized payable as follows:

Service Title Company	\$14,750	Fee Simple
Service Title Company	\$ 500	Title Fees
Allan B. and Barbara A. Black	\$ 100	Right of Entry Fee
	\$15,350	

### **COORDINATION**

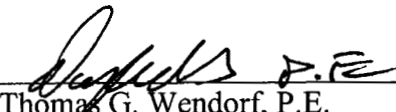
This ordinance was coordinated with the City Attorney's Office, the Finance Department, and the Office of Management and Budget.

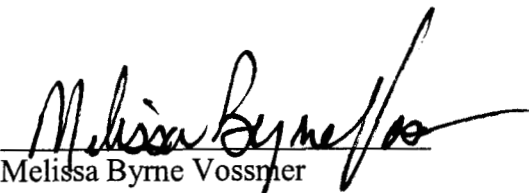
### **SUPPLEMENTARY COMMENTS**

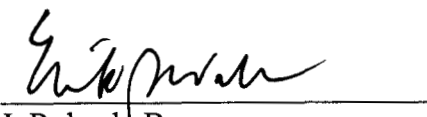
The Discretionary Contracts Disclosure Form required by the Ethics Ordinance is attached.

### **ATTACHMENTS**

1. Disclosure Form
2. Project Map

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

  
 Melissa Byrne Vossmer  
 Assistant City Manager

  
 J. Rolando Bono  
 Interim 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:

Not Applicable

(2) the identity of any business entity that would be a party to the discretionary contract:

Collins Title Company, Inc. dba Service Title Company

and the name of:

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

Not Applicable

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:

Not Applicable

<sup>1</sup> 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\*

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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(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.

Not Applicable

### 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:
Not Applicable		

### 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.

<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.

**City of San Antonio**  
**Discretionary Contracts Disclosure\***

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<b>Signature:</b>  Gerald Miller	<b>Title:</b> Escrow Officer <b>Company:</b> Service Title Company	<b>Date:</b> 02/23/05

