AGENDA ITEM NO

CITY OF SAN ANTONIO FINANCE DEPARTMENT CITY COUNCIL AGENDA MEMORANDUM

TO:

Mayor and City Council

FROM:

Milo Nitschke, Director, Finance Department

SUBJECT:

Approving Publication of the Notice of Intention to Issue Combination Tax and Revenue Certificates of Obligation; Approving the Form, Content and Distribution of the Preliminary Official Statements Related to General Improvement and Refunding Bonds, Series 2005 and Combination Tax and Revenue Certificates of Obligation, Series 2005 and Approving a Reimbursement Resolution Related to the future issuances of general improvement bonds and

Certificates of Obligation, Series 2005-A

DATE:

February 25, 2005

SUMMARY AND RECOMMENDATIONS

- This Ordinance authorizes and approves publication of the Notice of Intention to issue A. "City of San Antonio, Texas Combination Tax and Revenue Certificates of Obligation, Series 2005" in a maximum principal amount not to exceed \$11,600,000.00; complying with the requirements contained in Securities and Exchange Commission Rule 15c2-12, including the approval and distribution of the Preliminary Official Statements pertaining to the issuance of such obligations and approximately \$31,990,000.00 "City of San Antonio, Texas General Improvement Bonds, Series 2005", and "City of San Antonio, Texas General Improvement and Refunding Bonds, Series 2005" in the approximate amount of \$68,550,000.00; authorizing the City's staff, co-financial advisors, and co-bond counsel to take all actions deemed necessary in connection with the sale of such obligations; and providing for an effective date.
- B. This Resolution authorizes a resolution relating to establishing the City's intention to reimburse itself for the prior lawful expenditures of funds from the proceeds of taxexempt obligations to be issued by the City for authorized purposes designated as future issuances of general obligation bonds and "City of San Antonio Combination Tax and Revenue Certificates of Obligation, Series 2005-A"; authorizing other matters incident and related thereto; and providing for an effective date.

Staff recommends approval of this Ordinance and Resolution.

BACKGROUND INFORMATION

The fiscal year 2005 Debt Management Plan includes the proposed sale of approximately \$31,990,000 General Improvement Bonds, Series 2005 (the "2005 Bonds") and Combination Tax and Revenue Certificates of Obligation, Series 2005 (the "2005 Certificates") in an amount not to exceed \$11,600,000.

The City routinely evaluates the possibility of executing refunding transactions to achieve interest cost savings. If market conditions exist to achieve significant interest cost savings by refunding certain outstanding obligations a refunding would be considered that would range in an issuance amount between \$49,000,000 and \$185,000,000.

The 2005 New Money Bonds are being issued to provide funds (1) to finance the construction of general improvements to the City, including (a) streets and pedestrian improvements; (b) drainage improvements; (c) parks and recreation improvements; (d) library improvements; and (e) public health and safety improvements; and (2) to pay the costs of issuance. The sale of the 2005 Bonds represents the second installment of the 2003 Authorized Bond Program and the allocation of funds is detailed below.

Streets and Pedestrian Improvements	\$ 4,596,982
Drainage Improvements	8,764,293
Parks and Recreation Improvements	13,554,575
Library Improvements	2,711,150
Public Health and Safety	2,363,000
Total 2005 Bonds	\$ 31,990,000

The 2005 Certificates will be used for the purpose of providing funds for the payment of contractual obligations to be incurred for making permanent public improvements and for other public purposes, to-wit: (1) constructing public safety improvements, including renovating and improving existing fire stations, (2) constructing drainage improvements, sidewalk improvements, bridge improvements, street improvements and drainage incidental thereto, (3) constructing improvements and renovations to existing municipal facilities, including the, Levi Strauss Building and the Witte Museum, (4) acquiring, constructing and renovating park facilities, (5) purchasing materials, supplies, machinery, land, and rights-of-way for authorized needs and purposes relating to public safety, drainage, street and public works purposes, and (6) the payment of professional services related to the construction and financing of the aforementioned projects.

The allocation of funds is detailed below:

Fire	\$	1,619,000
Parks and Recreation		3,990,000
Kelly USA		1,500,000
Brooks City Base		1,300,000
Metropolitan Planning Organization		306,000
Streets		1,777,000
Estimated Cost of Issuance		288,000
Total 2005 Certificates	_\$	10,780,000

In connection with the issuance and sale of the bonds and certificates, documents will be mailed to Rating Agencies and Insurance Companies on or about March 11, 2005. Any ensuing discussions will be conducted via telephone conversations.

It is anticipated that the bonds and certificates will be sold the week of March 28, 2005 by an underwriting syndicate including First Southwest Company as Senior Book Running Manager; Ramirez & Company as Co-Senior Manager; and M.E. Allison, Southwestern Capital Markets and Southwest Securities as Co-Managers.

Approval of the reimbursement resolution will enable the City to reimburse itself for project expenditures to be funded by the issuance of future obligations but expenditures incurred prior to the sale and delivery of such obligations' proceeds. Such expenditures are related to projects funded by the future issuance of general improvement bonds and combination tax and revenue certificates of obligation which are anticipated to be sold in November, 2005. The next installment of general improvement bonds is anticipated to be sold in November, 2005. The future sale of the certificates is anticipated to be approximately \$11,000,000. The anticipated sale of the general improvement bonds and 2005-A Certificates is consistent with the Debt Management Plan and the Adopted 2005 Capital Budget.

POLICY ANALYSIS

The aforementioned transactions are consistent with approved capital projects, the 2005 Approved Capital Budget and the Debt Management Plan.

FISCAL IMPACT

Any costs pertaining to the proposed bond transactions will be paid from the proceeds derived from the issuance and sale of such obligations. Therefore, there is no impact on the City's Operating Budget.

COORDINATION

This action was coordinated with the City Manager's Office, City Attorney's Office, the Departments of Finance, Public Works, Parks and Recreation, Fire, the Office of Management and Budget, the City's Underwriting Syndicate, Co-Financial Advisors and Co-Bond Counsel.

SUPPLEMENTAL COMMENTS

The disclosures required by the City's Ethics Ordinance for each of the underwriting firms are attached.

Milo D. Nitschke

Director, Finance Department

Approved:

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:
First Southwest 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.
First Southwest Holdings, Inc.
(3) the identity of any lobbyist or public relations film 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 seconnection with a proposal for a chundred dollars (\$100) or more windirectly to any current or former many political action committee that business entity whose identity micontributions by an individual inclindividual's spouse whether status include, but are not limited to, con registered lobbyists of the entity.	eking a discretionary contra discretionary contract all po- vithin the past twenty-four nember of City Council, any contributes to City Council ust be disclosed under (ude, but are not limited tory or common-law. Indi	Itical contributions totaling one (24) months made directly or candidate for City Council, or to elections, by any individual or 1), (2) or (3) above, indirect contributions made by the rect contributions by an entity
To Whom Made:	Amount:	Date of Contribution:
Not Applicable		
Any individual or business entity see	eking a discretionary contract erstood, raise a question a of Part B) Improper Econo	is to whether any city official or mic Benefit, by participating in
Disclosures in Proposals Any individual or business entity see known facts which reasonably und employee would violate Section 1 official action relating to the discretic Not Applicable	eking a discretionary contract erstood, raise a question a of Part B) Improper Econo	it with the city shall disclose any is to whether any city official or mic Benefit, by participating in

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.

Failure to fully and truthfully disclose the information required by this Litigation Disclosure form may result in the disqualification of your proposal from consideration or termination of the contract, once awarded.

1. Have you or any member of your Firm or Team to be assigned to this engagement ever been indicted or convicted of a felony or misdemeanor greater than a Class C in the last five (5) years?

Circle One

YES



2. Have you or any member of your Firm or Team been terminated (for cause or otherwise) from any work being performed for the City of San Antonio or any other Federal, State or Local Government, or Private Entity?

Circle One

YES



3. Have you or any member of your Firm or Team been involved in any claim or litigation with the City of San Antonio or any other Federal, State or Local Government, or Private Entity during the last ten (10) years?

Circle One



NO

If you have answered "Yes" to any of the above questions, please indicate the name(s) of the person(s), the nature, and the status and/or outcome of the information, indictment, conviction, termination, claim or litigation, as applicable. Any such information should be provided on a separate page, attached to this form and submitted with your proposal.

TO THE BEST OF MY KNOWLEDGE, THE ABOVE INFORMATION IS TRUE AND CORRECT.

Company Name: First Southwest Company

Signature of Principal:

Anne Burger Entrekin

Printed Name of Principal:

Senior Vice President

Title of Principal

3.

Except as provided below, there has been no claim or litigation with the City of San Antonio or any other Federal, State or Local Government, or Private Entity involving First Southwest Company ("FSC") or any member of the firm during the past ten (10) years related to the firm's public finance business.

- a. In April 2000, FSC was joined as a defendant in a lawsuit in Starr County, Texas, by Rio Grande City Consolidated Independent School District and Rio Grande City Public Facilities Corporation in connection with a lease revenue bond offering in 1995 in which FSC acted, nominally, as a co-manager in the underwriting of the bonds. There were no specific allegations of wrongdoing by FSC, but it was alleged that the managing underwriter represented that a lower interest rate would be obtained than that which was ultimately attributed to the bonds when issued. FSC denied the claims as same relate to FSC, and filed for removal of the case to federal court. FSC and the other defendant prevailed in the matter with a directed verdict entered on January 8, 2003. The plaintiff appealed the decision, but it was affirmed by the Court of Appeals on April 14, 2004.
- b. In 2001, Brownsville Independent School District instituted an action in state court in Brownsville, Texas based on a claim that FSC, as financial advisor to the district, acted to convince the district of a need for trips to New York to meet with ratings agencies in connection with certain bond offerings when, according to the district's allegations, the trips were unnecessary. The district claimed to have incurred travel expenses in an amount approximating \$65,000 for the three trips which they sought to recover from FSC. FSC filed an answer denying the claim and filed a counterclaim seeking to recover additional costs for the ratings trips for which FSC had not been reimbursed. The case was settled amicably with the school district agreeing to pay to FSC a portion of its unreimbursed expenses as sought in the counterclaim.

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:
George W. Giraham, MANAGING DIRECTOR
TOM MEAD, MANAGING DIRECTOR
MARY MEYERS, VICE PRESIDENT, UNDERWRITING
(2) the identity of any business entity ¹ that would be a party to the discretionary contract:
SAMUEL A. RAMIREZ & Company, Inc.
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/4

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 or public red discretionary contract being sought by party to the discretionary contract.					
NONE					
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 discount facts which, reasonably understood, employee would violate Section 1 of Part official action relating to the discretionary con	raise a question ² as t B, Improper Economic	o whether any city official or			
NONE					
Signature: Title: Compa	MANAGING DIRE any: LE A. RAMIREZE	ZTAR Date: MMRL# 1, 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.

Failure to fully and truthfully disclose the information required by this Litigation Disclosure form may result in the disqualification of your proposal from consideration or termination of the contract, once awarded.

1.		•	eam to be assigned to this engagement misdemeanor greater than a Class C in
	Circle One	YES	NO
2.	•	ork being performed for	Team been terminated (for cause or r the City of San Antonio or any other Entity?
	Circle One	YES	(NO)
3.		ty of San Antonio or	Team been involved in any claim or any other Federal, State or Local en (10) years?
	Circle One	YES	NO
nai info An	ne(s) of the person(sormation, indictment,	s), the nature, and to conviction, termination ould be provided on a	bove questions, please indicate the the status and/or outcome of the n, claim or litigation, as applicable. separate page, attached to this form
	THE BEST OF MY D CORRECT.	KNOWLEDGE, THE	ABOVE INFORMATION IS TRUE
Coj	npany Name: SAMU	2 A. RAMIREZI	ECompany, INC.
10	men palan		•
/Sig	nature of Principal:		

Rev. 5/31/02

Title of Principal

Printed Name of Principal:

MANAGING DIRECTOR

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

(1) the identity of any individual who would be a party to the discretionary contract. (2) the identity of any business entity that would be a party to the discretionary contract. Southwest Securities and the name of: (A) any individual or business entity that would be a subcontractor on the discretionary contract. Alowe and the name of: (B) any individual of pusiness entity that is brown to be a partner or a parent or subsidiary business entity, of any individual or business entity. The is brown to be a partner or a parent or subsidiary business entity, of any individual or business entity. Alowe	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:
(2) the identity of any business antity that would be a party to the discretionary contract. Solution of the identity of any business antity that yould be a subcontractor on the discretionary contract; (A) any individual or business antity that yould 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;	(1) the identity of any inclivitual was welle be a party to the discretionary contract
Soluthwest Securities and the name of: (A) any individual or business entity that would be a subcontractor on the discretionary contract: Aloke and the name of: (B) any individual or business entity that is known to be a partner or a parent or substitutionary business entity of any individual or business entity who would be a party to the discretionary contract.	MARK McLiney
and the name of: (A) any individual or business entity that would be a subcontractor on the discretionary contract; and the name of: (B) any individual of business entity that is known to be a partner, or a parent or subsidiary pushess entity of any individual or business entity who would be a party to the discretionary contract;	(2) the identity of any outsiness entity that waterbala party to the discretionery contract
(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 contract.	Southwest Securities
and the name of: (B) any individual or austress entity that is known to be a partner or a parent or substellar, pusiness antity of any individual or pusiness entity who would be a partner. (b) any individual or austress entity that is known to be a partner or a parent or substellar, pusiness entity of any individual or pusiness entity who would be a party to the discretionary contract.	and the name of:
and the name of: (B) any individual of business entity that is known to be a partner of a parent or attacked by purposes anny or any individual of purposes entity with would be a party to the discretionary contract.	is the two the transfer of t
(S) any individual of business ertify that is known to be a partner, or a parent or authorizing phases antity of any rightistal or business entity wife well dibe a party to the discretionary contract.	RIONE
Substition of Distress artity of any individual of business entity who would be a party to the discretionary contract	and the name of:
Alone	subsidiary dusiness antity of any individual of business entity who would be a party to
	plone

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 obbyest of public relations for amployed by purposes relating to the discretionary contract being sought by any individual or cusiness entity who would be a party to the discretionary contract.

MONE

Political Confibutions

Any individual or cusiness entity seeking a decretionary contract from the city must disclose in connection with a proposal for a theoreticinally contract all political contributions totaling one hundred dollars (\$100) or those within the cast twenty four (24) morning 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 considerate to City Council electrons: by any individual or business entity whose identity must be disclosed under (1) (2) or (3) above indirect contributions by an activities include for size act times to contributions made by the individual's appuse, whether effectively of common law indirect contributions by an entity include but are not timited to contributions made to registered lobbyists of the entity

To Whom Made:	Amount:	Date of Contribution:
NONE		

Disclosures in Proposals

Any individual or business entry seeking a discretionary contract with the dry snall 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.

MARLA	1 CLINER	
Signature:	Title: SR VD	Date:
and motor	Company: Southwest Securities	3/1/05

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.

Failure to fully and truthfully disclose the information required by this Litigation Disclosure form may result in the disqualification of your proposal from

	nsideration or terminati	_	nce awarded.
1.			eam to be assigned to this engagement r misdemeanor greater than a Class C in
	Circle One	YES	NO
2.		rk being performed f	r Team been terminated (for cause or for the City of San Antonio or any other e Entity?
	Circle One	YES	(NO
3.		y of San Antonio	Team been involved in any claim or or any other Federal, State or Local ten (10) years?
	Circle One	YES	(NO
na in Aı	me(s) of the person(s formation, indictment,), the nature, and conviction, terminat ould be provided on	above questions, please indicate the the status and/or outcome of the ion, claim or litigation, as applicable. a separate page, attached to this form
A)	ND CORRECT.		E ABOVE INFORMATION IS TRUE
Co	ompany Name: Sou	thoust's e	curities
	gnature of Principal:	7	
<u>/</u>	MARK MICLI inted Name of Principal:	VEZ	
ΓI	miled Name of Frincipal:	•	

Title of Principal

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

M. E. Allison, Jr. Christopher R. Allison E. James Seal Mark A. Seal		
(2) the identity of any business entity that would be a pa	ntyrto the discretionary contract.	192000
M. E. Allison & Co., Inc.		
and the name of:		
(A) any individual or business entity that would be a contract;	subcontractor on the discreti	onary
None.		·
and the name of:		
(B) any individual or business entity that is known subsidiary business entity, of any individual or but the discretionary contract;	usiness entity who would be a pa	int or arty to
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.

		•	l .
one.			
The state of the s			
1 - ボン・・・ はっこいをついて、高温は水水できて変わっていた。連続を火火である場合では、水平の海の海の海の海の	residente de la Principal de la Companie	nakonikassaksing paramayan paramayan	
olitical Contributions ny individual or business entity signification with a proposal for a undred dollars (\$100) or more adirectly to any current or former my political action committee that usiness entity whose identity rontributions by an individual individual's spouse, whether states	discretionar within the property of Contributes must be disclude, but utery or co	y contract all p past twenty-fou City Council, and s to City Council sclosed under are not limited mmon-law line	olitical contributions totaling of (24) months made directly candidate for City Council, or it elections, by any individual (1), (2) or (3) above. Indirect contributions by an endirect contributions by
nclude, but are not limited to, co egistered lobbyists of the entity.	ntributions r	made through the	Date of Contribution:
Carroll Schubert Campaign Carroll Schubert Campaign		\$250.00 \$250.00	August 2, 2004 August 3, 2004
	_		
Disclosures in Proposals Any individual or business entity s known facts which, reasonably ur employee would violate Section official action relating to the discre	eeking a dis nderstood, r 1 of Part B	cretionary contr aise a guestion , Improper Eco	act with the city shall disclose as to whether any city officia
Any Individual or business entity s known facts which, reasonably un employee would violate Section	eeking a dis nderstood, r 1 of Part B	cretionary contr aise a guestion , Improper Eco	act with the city shall disclose as to whether any city officia
Any Individual or business entity s known facts which, reasonably un employee would violate Section	eeking a dis nderstood, r 1 of Part B	cretionary contr aise a guestion , Improper Eco	act with the city shall disclose as to whether any city officia

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.

Failure to fully and truthfully disclose the information required by this Litigation Disclosure form may result in the disqualification of your proposal from consideration or termination of the contract, once awarded.

1. Have you or any member of your Firm or Team to be assigned to this engagement ever been indicted or convicted of a felony or misdemeanor greater than a Class C in the last five (5) years?

Circle One

YES



2. Have you or any member of your Firm or Team been terminated (for cause or otherwise) from any work being performed for the City of San Antonio or any other Federal, State or Local Government, or Private Entity?

Circle One

YES



3. Have you or any member of your Firm or Team been involved in any claim or litigation with the City of San Antonio or any other Federal, State or Local Government, or Private Entity during the last ten (10) years?

Circle One

YES



If you have answered "Yes" to any of the above questions, please indicate the name(s) of the person(s), the nature, and the status and/or outcome of the information, indictment, conviction, termination, claim or litigation, as applicable. Any such information should be provided on a separate page, attached to this form and submitted with your proposal.

TO THE BEST OF MY KNOWLEDGE, THE ABOVE INFORMATION IS TRUE AND CORRECT.

Company Name: M. E. Allison & Co., Inc.

Signature of Principal:

M. E. Allison, Jr.

Printed Name of Principal:

President
Title of Principal

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:
Robert G. Rodriguez, President & CEO
(2) the identity of any business entity! that would be a party to the discretionary contract.
Southwestern Capital Markets, Inc.
and the name of:
 (A) any individual or business entity that would be a subcontractor on the discretionary contract;
None.
v
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.

(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.

None.			

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:
MSRB Rule G-37 prohibits any dealer from engaging in municipal securities business with an issuer within 2 years of any contribution to an official of such issuer except a maximum of \$250 is allowed for someone you may vote for. A contribution was made to Art A. Hall	\$250.00	Sometime before the May 2003 elections.

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:

President & CEO
Company:
Southwestern Capital Markets, Inc.

Date:
February 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.

Failure to fully and truthfully disclose the information required by this Litigation Disclosure form may result in the disqualification of your proposal from consideration or termination of the contract, once awarded.

1.	Have you or any member	er of your firm or le	am to be assigned	to this engagement
	ever been indicted or con	nvicted of a felony or a	misdemeanor greate	er than a Class C in
	the last five (5) years?			
	Circle One	YES	(NO)	å

2. Have you or any member of your Firm or Team been terminated (for cause or otherwise) from any work being performed for the City of San Antonio or any other Federal, State or Local Government, or Private Entity?

Circle One YES NO

3. Have you or any member of your Firm or Team been involved in any claim or litigation with the City of San Antonio or any other Federal, State or Local Government, or Private Entity during the last ten (10) years?

Circle One YES (NO

If you have answered "Yes" to any of the above questions, please indicate the name(s) of the person(s), the nature, and the status and/or outcome of the information, indictment, conviction, termination, claim or litigation, as applicable. Any such information should be provided on a separate page, attached to this form and submitted with your proposal.

TO THE BEST OF MY KNOWLEDGE, THE ABOVE INFORMATION IS TRUE AND CORRECT.

Company Name: Southwestern Capital Markets, Inc.

Signature of Principal:

Robert G. Rodriguez
Printed Name of Principal:

President & CEO
Title of Principal