

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: Stahl at O'Connor and Judson Reconstruction
DATE: May 5, 2005

SUMMARY AND RECOMMENDATIONS

This ordinance authorizes funds in the amount of \$151,686 payable to Lawyers Title of San Antonio as escrow agent for Bradford C. Powell and wife, Barbara H. Powell, for Fee Simple Title to one parcel of land (\$149,686), and Title Fees (\$2,000); authorizing funds in the amount of \$100 for a Right of Entry Fee payable to Bradford C. Powell and wife, Barbara H. Powell; for a total amount of \$151,786, in connection with the Stahl at O'Connor and Judson Reconstruction project, an authorized 1999-2004 General Obligation Street Improvement Bonds and Metropolitan Planning Organization (MPO) project, located in Council District 10.

Staff recommends the approval of this ordinance.

BACKGROUND INFORMATION

This acquisition is a commercial property consisting of a car wash enterprise. The City is purchasing 1,752.92 square feet (0.040 acres) of frontage property. The Fair Market Value of this property was based upon a written appraisal report prepared by Dugger, Canaday, Grafe, Inc., a state certified professional real estate appraisal firm. The scope of work for this project includes the reconstruction and widening of the existing two-lane roadways to four-lanes with left turn lanes at Judson and O'Connor. Advertisement for project construction services is scheduled for February 2006. Construction is anticipated to begin in May 2006, and to be completed in November 2007.

POLICY ANALYSIS

The acquisition of this property is necessary to complete the real estate transaction for this project. 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 \$151,786 are available from 1999-2004 General Obligation Street Improvement Bond funds are authorized payable as follows:

Lawyers Title of San Antonio	\$149,686	fee simple acquisition
Lawyers Title of San Antonio	\$ 2,000	title fees
Bradford C. and Barbara H. Powell	\$ 100	right of entry fee
	\$151,786	

COORDINATION

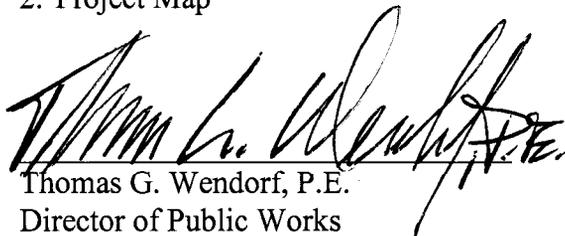
This ordinance was coordinated with the City Attorney's Office, the Finance Department, the Office of Management and Budget, and the Texas Department of Transportation.

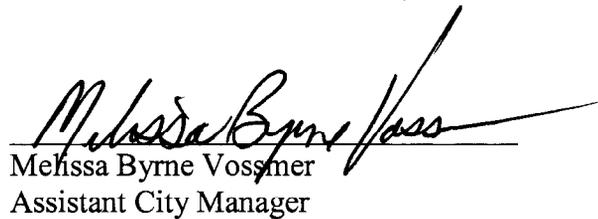
SUPPLEMENTARY COMMENTS

The Discretionary Contracts Disclosure Forms required by the Ethics Ordinance are attached.

ATTACHMENTS

1. Disclosure Forms
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 Section 2-59 through 2-61 of the City Code (Ethics Code)
Attach additional sheets if space provided is not sufficient.
State "Not Applicable" for questions that do not apply.*

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

and /or

(2) the identity of any business entity¹ that would be a party to the discretionary contract:

**LandAmerica
Lawyers Title of San Antonio**

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;

**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.

(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 individual or an entity include, but are not limited to, contributions made by the officers, owners, attorneys, or registered lobbyists of the individual or the entity.

By Whom Made:	To Whom Made:	Amount:	Date of Contribution:
None			

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 2-43 of the City Code (Ethics Code), by participating in official action relating to the discretionary contract.

Not Applicable

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, whichever occurs first.

Signature:  Jack Hoffman	Title: Senior Vice-President Company: LandAmerica Lawyers Title of San Antonio	Date: 04/08/05
--	--	--------------------------

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.

STAHL @ O'CONNOR & JUDSON RECONSTRUCTION



CITY OF SAN ANTONIO
DEPARTMENT OF PUBLIC WORKS
CAPITAL PROGRAMS DIVISION

