

**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:** June 16, 2005

**SUMMARY AND RECOMMENDATIONS**

This ordinance authorizes funds in the amount of \$13,550 payable to Lawyers Title of San Antonio as escrow agent for Maria Y. Wilder for fee simple title to one parcel of land (\$3,950), and Roger A. Demers and wife, Gwen M. Demers for fee simple title to one parcel of land (\$9,000), and Title Fees (\$600); authorizing funds in the amount of \$200 for Right of Entry Fees payable to Mary Y. Wilder (\$100), and to Robert A. Demers and wife, Gwen M. Demers (\$100), for a total sum of \$13,750, 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 ordinance will authorize the acquisition of two parcels at Fair Market Value, which were based upon written appraisal reports prepared by Eckmann Groll, 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 is scheduled for February 2006. Construction is anticipated to begin in May 2006, and completion projected 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 Metropolitan Planning Organization (MPO) and 1999-2004 General Obligation Street Improvement Bond Projects.

## **FISCAL IMPACT**

This is a one-time capital improvement expenditure within budget and included in the FY05-FY10 Capital Improvement Program Budget. Funds in the amount of \$13,750 are available from 1999-2004 General Obligation Street Improvement Bond funds and are authorized payable as follows:

Lawyers Title of San Antonio	\$12,950 fee simple acquisition
Lawyers Title of San Antonio	\$ 600 title fees
Maria Y. Wilder	\$ 100 right of entry fee
Roger A. Demers and Gwen M. Demers	\$ 100 right of entry fee
	<u>\$13,750</u>

## **COORDINATION**

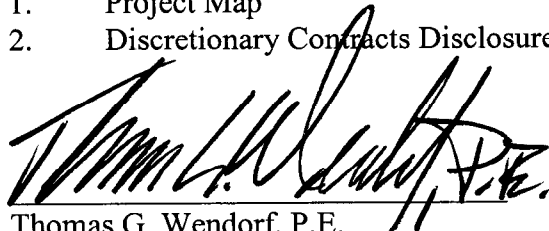
This ordinance was coordinated with the City Attorney's Office, the Finance Department, and the Office of Management and Budget.

## **SUPPLEMENTARY COMMENTS**

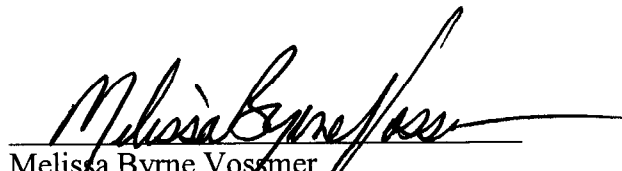
The Discretionary Contracts Disclosure Form required by the Ethics Ordinance is attached.

## **ATTACHMENTS**


1. Project Map
2. Discretionary Contracts Disclosure Form



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



Melissa Byrne Vosmer  
Assistant City Manager



J. Rolando Rono  
Interim City Manager

**AN ORDINANCE**

**AUTHORIZING PAYMENT IN THE AMOUNT OF \$13,550.00 TO LAWYERS TITLE OF SAN ANTONIO AS ESCROW AGENT FOR MARIA Y. WILDER, FOR FEE SIMPLE TITLE TO ONE PARCEL (\$3,950.00) AND ROGER A. DEMERS AND WIFE, GWEN M. DEMERS FOR FEE SIMPLE TITLE TO ONE PARCEL (\$9,000.00), AND TITLE FEES (\$600.00); AUTHORIZING PAYMENT IN THE AMOUNT OF \$100.00 TO MARIA Y. WILDER FOR A RIGHT OF ENTRY AGREEMENT; AUTHORIZING PAYMENT IN THE AMOUNT OF \$100.00 TO ROGER A. DEMERS AND WIFE, GWEN M. DEMERS FOR A RIGHT OF ENTRY AGREEMENT IN CONNECTION WITH THE STAHL AT O'CONNOR AND JUDSON RECONSTRUCTOIN METROPOLITAN PLANNING ORGANIZATION PROJECT, LOCATED IN COUNCIL DISTRICT 10; REVISING THE BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.**

\* \* \* \* \*

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The total amount of \$13,550.00 is hereby authorized to be encumbered from the financial adjustments stated below and made payable to Lawyers Title of San Antonio, as Escrow Agent for Maria Y. Wilder, for fee simple title to one parcel of land, and as Escrow Agent for Robert A. Demers and wife, Gwen M. Demers, for fee simple title to one parcel of land, and title fees, in connection with the Stahl at O'Connor and Judson Reconstruction Project. The legal description is attached hereto and incorporated herein for all purposes as **Attachment I and Attachment II.**

**SECTION 2.** The following financial adjustments are hereby approved:

- A.) The amount of \$12,950.00 is appropriated in SAP Fund \_\_\_\_\_, General Obligation Capital Projects, SAP Project Definition \_\_\_\_\_, in SAP WBS Element \_\_\_\_\_, entitled "Acquisition" and is authorized to be encumbered and made payable to Lawyers Title of San Antonio for Fee Simple Title to two parcels of land in connection with the Stahl at O'Connor and Judson Reconstruction project.
- B.) The amount of \$600.00 is appropriated in SAP Fund \_\_\_\_\_, General Obligation Capital Projects, SAP Project Definition \_\_\_\_\_, in SAP WBS Element \_\_\_\_\_, entitled "Title Fees" and is authorized to be encumbered and made payable to Lawyers Title of San Antonio for title fees in connection with the Stahl at O'Connor and Judson Reconstruction project.

**SECTION 3.** The total amount of \$100.00 is appropriated in SAP Fund \_\_\_\_\_, General Obligation Capital Projects, SAP Project Definition \_\_\_\_\_, in SAP WBS Element \_\_\_\_\_, entitled "Land Acquisition", and is authorized to be encumbered and made payable to Maria Y. Wilder for a Right of Entry Fee as described in Attachment I.

**SECTION 4.** The total amount of \$100.00 is appropriated in SAP Fund \_\_\_\_\_, General Obligation Capital Projects, SAP Project Definition \_\_\_\_\_, in SAP WBS Element \_\_\_\_\_, entitled "Land Acquisition", and is authorized to be encumbered and made payable to Roger a. Demers and wife, Gwen M. Demers for a Right of Entry Fee as described in Attachment II.

**SECTION 5.** The financial allocations in this Ordinance are subject to approval by the Director of San Antonio, City of San Antonio. The Director of Finance, subject to concurrence by the Interim City Manager or the Interim City Manager's designee, correct allocation to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

**SECTION 6.** This Ordinance shall be effective on the \_\_\_\_\_ day of \_\_\_\_\_, 2005.

**PASSED AND APPROVED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2005.

**M      A      Y      O      R**

**ATTEST:**

**CITY CLERK**

**APPROVED AS TO FORM:** \_\_\_\_\_  
**City Attorney**

# STAHL RD.: O'CONNOR - JUDSON



CITY OF SAN ANTONIO  
DEPARTMENT OF PUBLIC WORKS  
CAPITAL PROGRAMS DIVISION



**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 entity<sup>1</sup> that is a **party** to the discretionary contract:

(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:

LandAmerica  
Lawyers Title of San Antonio

(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:

<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. 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:

**(6) Disclosures in Proposals**

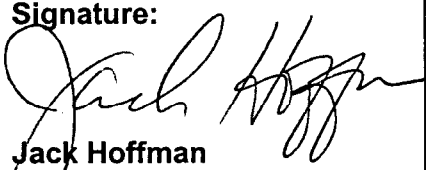
Any individual or business entity seeking a discretionary contract with the city must disclose any known facts which, reasonably understood, raise a question<sup>2</sup> as to whether any city official or employee would violate Section 2-43 of the City Code (Ethics Code), ("conflicts of interest") by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

<b>Signature:</b>  Jack Hoffman	<b>Title: Vice-President</b>  <b>Company or D/B/A:</b> LandAmerica Lawyers Title of San Antonio	<b>Date:</b>  05/19/05
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<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.