

**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:** Bracewell & Giuliani, LLP Legal Fees  
**DATE:** February 2, 2006

**SUMMARY AND RECOMMENDATIONS**

This ordinance appropriates funds in the amount of \$13,513.66 payable to Bracewell & Giuliani, L.L.P. for legal services in connection with various capital projects located in various City Council Districts and are funded from General Obligations of the City and Community Development Block Grant (CDBG) funds.

Staff recommends the approval of this ordinance.

**BACKGROUND INFORMATION**

The invoices for these legal services have been reviewed for accuracy by the City Attorney's Office who recommends payment as requested.

**Bitters Road – West Avenue to Heimer (MPO)** – There are five signed instruments and five condemned parcels in the 10-parcel project. Construction on this project is complete.

**Cherry Street Drainage #15B Phase II** – There are 23 signed instruments in the 27-parcel project. Four parcels were submitted to the City Attorney's Office for condemnation proceedings. Construction on this project is complete.

**Culebra Drainage #58F Phase II** – There are 46 signed instruments in the 56-parcel project. Eight parcels are in negotiations, and two parcels were submitted to the City Attorney's Office for condemnation proceedings. The project is currently under construction and scheduled to be completed in December 2006.

**Escalon Street #1008 Drainage** – All of the necessary parcels have been acquired in this 10-parcel project. Construction on this project is complete.

**Hi-Lions Drainage #80 Phases III & V** – There are 69 signed instruments in the 70-parcel project. The one remaining parcel is in negotiation. Construction on this project is complete.

**Houston Street – Walters to Onslow (MPO)** – There is one signed instrument and one condemned parcel in the two-parcel project. Construction on this project is complete.

**Laddie Place Regional Storm Water Facility Phase I** – There is one signed instrument and one condemned parcel in the two-parcel project. This project is currently under design.

**Leonhardt at Low Water Crossing** – There are two signed instruments and one condemned parcel in the three-parcel project. Construction on this project is complete.

**Military Drive West to Reed Road** - The primary purpose of this project was to acquire one parcel of land in order to connect Military Drive West to Reed Road. Construction on this project is complete.

**Octavia Drainage #63, Phase II, Part I** – There are 72 signed instruments in the 74-parcel project. The two remaining parcels were submitted to the City Attorney's Office for condemnation proceedings. Construction on this project is complete.

**Pecan Valley – I.H. 10 to J Street (MPO)** – There are 33 signed instruments and three condemned parcels in the 36-parcel project. Construction on this project is complete.

**Pleasanton Road – Southcross to Mayfield (MPO)** – There are 17 signed instruments and three condemned parcels in the 20-parcel project. Construction on this project is complete.

**San Antonio River Improvements** – The primary purpose of this project was to acquire one parcel of land to shore up and strengthen the retaining walls along the River Walk adjacent to the property located at the northwest corner of Convent and Augusta Streets. This project also provided a handicap entrance onto the River Walk with an approach area in this location. Construction on phases of this project will be ongoing through 2011.

**South Flores Drainage #70-70A Phase II Part 3** – There are 63 signed instruments and one condemned parcel in the 64-parcel project. The remaining parcel was submitted to the City Attorney's Office for condemnation proceedings. Construction on this project is complete.

**Western Avenue Drainage Project #74, Phase III A** – There are 17 signed instruments and eight condemned parcels in the 25-parcel project. Construction on this project is complete.

**W. W. White Road from Rigsby to Lord Road** – There are 42 signed instruments and two condemned parcels in the 45-parcel project. The remaining parcel has been submitted to the City Attorney's Office for condemnation proceedings. Construction on this project is complete.

**Fay Phase I CDBG** – There are nine signed instruments and one condemned parcel in the 10-parcel project. Construction on this project is complete.

### **POLICY ANALYSIS**

Approval of this ordinance for payment of legal services is necessary to complete the real estate transactions on the acquisition of properties in these projects.

### **FISCAL IMPACT**

Funds in the amount of \$13,513.66 are available from the following funding sources and authorized payable to Bracewell & Giuliani, L.L.P.:

2004 Certificates of Obligation	\$ 63.00
Prior Year General Obligation Drainage Bonds	\$ 540.55
Prior Year General Obligation Drainage Bonds	\$ 67.00
1994 General Obligation Drainage Bonds	\$ 71.00
1994 General Obligation Street Bonds	\$ 1,288.98
1996 Certificates of Obligation	\$ 109.64
1999 General Obligation Drainage Bonds	\$ 375.80
1999 General Obligation Street Bonds	\$ 59.00
2005 Certificates of Obligation	\$ 351.85
2002 Certificates of Obligation	\$ 1,464.10
2003 Storm Water Revenue Bonds	\$ 6,557.89
Community Development Block Grant (CDBG)	\$ 41.00
Fay Phase I Project Construction Contingency balance	\$ 1,791.10
Hi-Lions Drainage Project Construction Contingency balance	\$ 732.75
	<u>\$13,513.66</u>

### **COORDINATION**

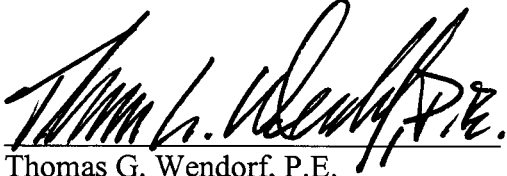
This ordinance was coordinated with the Finance Department, the Office of Management and Budget, the City Attorney's Office, and the Texas Department of Transportation.

### **SUPPLEMENTARY COMMENTS**

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

**ATTACHMENTS**

1. Discretionary Contracts Disclosure Form



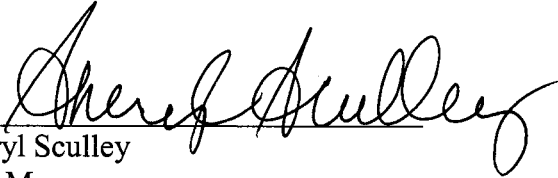
Thomas G. Wendorf, P.E.  
Director of Public Works



Michael D. Bernard  
City Attorney



Jelynn LeBlanc Burley  
Assistant City Manager



Sheryl Sculley  
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.*

**Bracewell & Giuliani LLP is the business entity that is the party to the discretionary contract.**

☐ **No partner, parent or subsidiary; or**

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

**See attached list of Bracewell & Giuliani LLP partners at Exhibit A.**

☒ **No subcontractor(s); or**

**List subcontractors:**

☒ **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.



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**Bracewell & Giuliani LLP**  
**Partners**

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Date: 9/15/05

Office	Partner
Austin	Adkins, Thomas W.
Austin	Benesh, W. S.
Austin	Fox, Paul W.
Austin	Gourley, Lacey L.
Austin	Groten, Eric
Austin	Hegland, Roberta J.
Austin	McHugh, Colleen .
Austin	Ricketts, Philip F.
Austin	Taylor, Andrew M.
Dallas	Bailey, Kennon B.
Dallas	Boone, Gayle A.
Dallas	Brown, Sanford M.
Dallas	Davis, Janice Z.
Dallas	Dinnin, Michael L.
Dallas	Guerin, Charles A.
Dallas	Knowles, Mark B.
Dallas	Kyle, Alfred G.
Dallas	Millard, William H.
Dallas	Rentzel, Christopher H.
Dallas	Roberts, Michelle E.
Dallas	Scott, Lynn R.
Dallas	Stricklin, Samuel M.
Dallas	Tankersley, Michael W.
Dallas	Whitaker, Elizabeth D.
Dallas	Williams, Lon R.
Dallas	Wisk, Allan C.
Houston	Aksamit, Roger D.
Houston	Aldis, Jay R.
Houston	Anderson, William S.
Houston	Ballard, Glenn A.
Houston	Barr, John H.
Houston	Blanco, Ileana M.
Houston	Bland, John L.
Houston	Bopp, Gregory M.
Houston	Borrecia, Christopher P.
Houston	Bradley, James E.
Houston	Brantley, John R.

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**Bracewell & Giuliani LLP**  
**Partners**

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Date: 9/15/05

Office	Partner
Houston	Brenner, Margaret T.
Houston	Brown, Heather L.
Houston	Brown, Lisa A.
Houston	Clarke, Robert L.
Houston	Connelly, Michael C.
Houston	Couch, John A.
Houston	Crain, Stephen B.
Houston	Dade, W. C.
Houston	Daniels, Douglas A.
Houston	Dumesnil, Bryan S.
Houston	Edison, Andrew M.
Houston	Evans, Mark C.
Houston	Fraissinet, Philip D.
Houston	Frels, Kelly
Houston	Gilbert, Christopher B.
Houston	Giles, Neil E.
Houston	Giraud, Charles W.
Houston	Gonsoulin, Dewey J.
Houston	Gonzalez, George Y.
Houston	Gunter, J. C.
Houston	Gutermuth, William D.
Houston	Halevy, Amy K.
Houston	Harris, Warren W.
Houston	Hayes, William J.
Houston	Herring, Laura B.
Houston	Hester, Tracy D.
Houston	Hodgins, David B.
Houston	Hollingsworth, Jarvis V.
Houston	Horner, Jeffrey J.
Houston	Horton, Janet L.
Houston	Hull, Robert J.
Houston	Jacobs, Jennifer W.
Houston	Jocz, Bruce R.
Houston	Kaim, Henry J.
Houston	Keneally, Walter S.
Houston	Kennedy, Ross D.
Houston	Kimball, Albert B.

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**Bracewell & Giuliani LLP**  
**Partners**

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Date: 9/15/05

Office	Partner
Houston	Kneese, V. S.
Houston	Kuhn, Michael
Houston	Kurtz, Marcy E.
Houston	Locascio, David W.
Houston	Long, Geoffrey A.
Houston	Luedke, William T.
Houston	Manford, Thomas D.
Houston	Marston, Edgar J.
Houston	McAnelly, W. J.
Houston	McBride, Ralph D.
Houston	McDowell, David T.
Houston	Moore, Thomas O.
Houston	Muzzy, Gray H.
Houston	Nichols, Robert S.
Houston	Orloff, Gary W.
Houston	Oxford, Patrick C.
Houston	Ozdogan, Mary C.
Houston	Parsons, Katherine D.
Houston	Patman, Carrin F.
Houston	Raffe, G. A.
Houston	Renfro, Tracie J.
Houston	Rhebergen, Constance G.
Houston	Rice, Richard C.
Houston	Roffwarg, Aaron P.
Houston	Sampson, Phillip L.
Houston	Sanders, Scott C.
Houston	Schneider-Vogel, Merri
Houston	Sharp, Phillip D.
Houston	Sholeen, Eden P.
Houston	Spalding, Andrew F.
Houston	Stephens, Robert G.
Houston	Stephenson, Phyllis P.
Houston	Still, Charles H.
Houston	Symonds, Margaret B.
Houston	Telle, Michael S.
Houston	Temple, Tracy C.
Houston	Thompson, Clark G.

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**Bracewell & Giuliani LLP**  
**Partners**

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Date: 9/15/05

Office	Partner
Houston	Thompson, J. D.
Houston	Tobor, Ben D.
Houston	Tomlinson, Thomas M.
Houston	Vest, G. W.
Houston	Visage, Tony L.
Houston	Vittor, Jose L.
Houston	Wege, Mark W.
Houston	Whittle, Jeffrey S.
Houston	Wilde, Carlton
Houston	Wilkins, Timothy A.
Houston	Witschey, R. D.
Houston	Wood, William A.
Kazakhstan	Vojack, Gregory J.
New York	Caruso, Kenneth A.
New York	Connolly, Daniel S.
New York	Giuliani, Rudolph W.
New York	Hess, Michael D.
New York	Hunt, Martin J.
New York	Lange, Marvin R.
New York	Miles, Robin J.
New York	Scott, Ronald
New York	Toy, Timothy M.
San Antonio	Bannwolf, Timothy H.
San Antonio	Barrera, Mario A.
San Antonio	Barrera, Ruben R.
San Antonio	Byrd, Leslie S.
San Antonio	Danysh, Richard C.
San Antonio	Garcia, Victoria M.
San Antonio	Harris, J. J.
San Antonio	Johnson, Russell S.
San Antonio	Jones, Mark A.
San Antonio	Kizzlar, James H.
San Antonio	Ruttenberg, Frank Z.
San Antonio	Smith, Annalyn G.
San Antonio	Wells, J. T.
Washington	Anikeeff, Anthony H.
Washington	Bethune, Edwin R.

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**Bracewell & Giuliani LLP**  
**Partners**

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Date: 9/15/05

Office	Partner
Washington	Brack, William T.
Washington	Chapman, James L.
Washington	Cope, John R.
Washington	Ewing, Kevin A.
Washington	Foots, George M.
Washington	Godley, Gene E.
Washington	Hogwood, Stephen F.
Washington	Horn, Richard D.
Washington	Israel, Benjamin L.
Washington	Jaeger, Lisa M.
Washington	Kearney, Andrea M.
Washington	Lister, Penelope M.
Washington	Nelson, Nancy J.
Washington	Nido, Luis M.
Washington	O'Connor, Nancy M.
Washington	Pate, Michael L.
Washington	Petersen, John C.
Washington	Rich, Randall S.
Washington	Segal, Scott H.
Washington	Shoneman, Charles H.
Washington	Watkiss, Jeffrey D.
Washington	Williams, George H.
Washington	Wodka, Nancy A.
Washington	Zipp, Joel F.

### POLITICAL CONTRIBUTIONS

By Whom Made:	To Whom Made:	Amount:	Date of Contribution:
Various contributors*	Art Hall	\$600.00	As reported in October 31, 2003 report
Various contributors*	Carroll Schubert	\$2,900.00	As reported in October 31, 2003 report
Various contributors*	Roger Perez	\$500.00	As reported in October 31, 2003 report
Various contributors*	Patti Radle	\$1,200.00	As reported in October 31, 2003 report
Various contributors*	Roger Flores, Jr.	\$250.00	As reported in October 31, 2003 report
George P. Parker, Jr.	Phil Hardberger	\$500.00	May 24, 2004
Various contributors*	Art Hall	\$100.00	As reported in June 10, 2004 report
Various contributors*	Patti Radle	\$1,200.00	As reported in June 10, 2004 report
Various contributors*	Roger Perez	\$500.00	As reported in June 10, 2004 report
Various contributors*	Roger Flores, Jr.	\$250.00	As reported in June 10, 2004 report
James H. Kizziar, Jr.	Carroll Schubert	\$500.00	July 19, 2004
J. Tullos Wells	Carroll Schubert	\$2,500.00	July 28, 2004
J. Tullos Wells	Carroll Schubert	\$5,079.72	October 7, 2004
Various contributors*	Phil Hardberger	\$750.00	As reported in December 15, 2004 report
Various contributors*	Carroll Schubert	\$7,351.93	As reported in December 15, 2004 report
George P. Parker, Jr.	Phil Hardberger	\$500.00	January 24, 2005
J. Tullos Wells	Joel Williams	\$250.00	March 7, 2005
Mario A. Barrera	Roger Flores	\$100.00	March 14, 2005
George P. Parker, Jr.	Phil Hardberger	\$500.00	April 14, 2005
J. Tullos Wells	Phil Hardberger	\$2,000.00	May 9, 2005
J. Tullos Wells	Julian Castro	\$1,000.00	May 9, 2005
J. Tullos Wells	Richard Perez	\$500.00	May 26, 2005
Frank Z. Ruttenberg	Phil Hardberger	\$1,000.00	Within the last 24 months
Russell S. Johnson	Phil Hardberger	\$500.00	Within the last 24 months

\*Data on individual contributor no longer available.

**EXHIBIT B**