

**CITY OF SAN ANTONIO
PUBLIC WORKS DEPARTMENT
CITY COUNCIL AGENDA MEMORANDUM**

TO: Sheryl Sculley, City Manager
FROM: Thomas G. Wendorf, P.E., Director of Public Works
SUBJECT: Military Ditch #65 Project
DATE: March 30, 2006

SUMMARY AND RECOMMENDATIONS

An ordinance authorizing funds in the amount of \$87,800.00 payable to Ameripoint Title Company as Escrow Agent for Marcus Crassus Land, Ltd. for Fee Simple Title to two parcels of land (\$86,800.00), and Title Fees (\$1,000.00); and authorizing funds in the amount of \$100.00 payable to Marcus Crassus Land, Ltd. for a Right of Entry Fee, for a total amount of \$87,900.00 in connection with Military Ditch#65 Project, an authorized 2003 Storm Water Revenue Bond project located in Council District 4.

Staff recommends the approval of this ordinance.

BACKGROUND INFORMATION

The Military Ditch #65 project provides for the drainage improvements to the Six Mile Creek main channel from the north side of Zarzamora, located at the end of the Upper Six Mile Creek project to Wagner. Project construction is anticipated to begin in August 2006 and to be completed by January 2008.

POLICY ANALYSIS

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 included in the FY06-FY11 Capital Improvement Program Budget. Funds in the amount of \$87,900.00 are available from 2003 Storm Water Revenue Bonds and are authorized to be appropriated for right of way acquisition related expenditures payable as follows:

Ameripoint Title Company	\$87,800.00
Marcus Crassus Land, Ltd.	<u>\$ 100.00</u>
	\$87,900.00

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. Discretionary Contracts Disclosure Form
2. Project Map

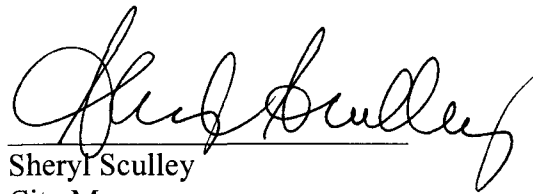


Thomas G. Wendorf, P.E.
Director of Public Works



Jelynné LeBlanc Burley
Deputy City Manager

Approved for Council Consideration:



Sheryl Sculley
City Manager

MILITARY DITCH #65



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 entity¹ that is a *party* to the discretionary contract:

AMERIPOINT TITLE SAN ANTONIO

(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:

(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:

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. 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:
N/A			

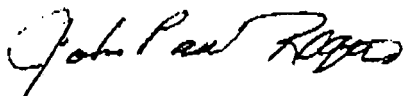
(6) Disclosures in Proposals

Any individual or business entity seeking a discretionary contract with the city must disclose any known facts which, reasonably understood, raise a question² 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.

Signature: 	Title: Owner Company or D/B/A: AMERIPOINT TITLE SAN ANTONIO	Date: 09/28/05
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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.