



Just Ord. 99631
Just Res. 2004-31-26
Just Ord. 99664
Just Ord. 99665

2004 SEP -2 A 10:22

**Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 Main Plaza
San Antonio, Texas 78205
September 2, 2004**

At any time during the "B" Session or the Regular City Council Meeting, the City Council may meet in executive session for consultation concerning attorney-client matters (real estate, litigation, contracts, personnel and security).

- I. The City Council will convene for a "B" Session in the B Room of the Municipal Plaza Building at 10:00 A.M. for the following:
 - Budget Work Session. [Presented by Peter Zanoni, Acting Director, Management & Budget; Erik J. Walsh, Assistant to the City Manager]
 - **Human Development**
- II. The City Council will convene in Council Chambers, Municipal Plaza Building in a Regular Council Meeting at 1:00 P.M.
 1. Invocation by Rev. Lawrence Christian, Assumption Seminary Church, guest of Councilman Julian Castro, District 7, and Pledge of Allegiance.
 2. Ceremonial Items.

DISABILITY ACCESS STATEMENT

This meeting is wheelchair accessible. The accessible entrance is located at 103 Main Plaza. Accessible parking spaces are located at City Hall, 100 Military Plaza. Auxiliary aids and services are available upon request (interpreters for the deaf must be requested forty-eight (48) hours prior to the meeting) by calling (210) 207-7245 V/TTY for assistance. Closed captioning is available on broadcasts of the Council meetings on 21-TVSA.

Questions regarding this agenda notice should be directed to the City Agenda Coordinator at 207-7080.

THE FOLLOWING ITEMS WILL BE CONSIDERED AT THE TIMES INDICATED:

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3. 2:00 P.M. – Public hearing to consider public comment and to discuss the levying of a Supplemental Special Assessment to fund services and improvements for the Public Improvement District (PID) in the downtown area in conjunction with City Council consideration of an ordinance approving the levy of a Supplemental Special Assessment to fund supplemental services for the Downtown Public Improvement District (PID). [Presented by Ramiro Cavazos, Director, Economic Development; J. Rolando Bono, Deputy City Manager]
 - A. An ordinance approving the levy of a Supplemental Special Assessment to fund supplemental services for the Downtown Public Improvement District (PID); levying an assessment rate at \$0.11 per \$100 value of real property in the PID; and approving the Fiscal Year 2005 Services And Assessment Plan for the PID to include an Annual Budget, a Five-Year Fiscal Forecast, the Supplemental Special Assessment rate, a maintenance and landscaping program, a marketing program, and a public services representatives program.
 - B. An ordinance authorizing the negotiation and execution of a contract with Centro San Antonio Management Corporation, a non-profit entity, to provide specified services and develop annual service and assessment plans for the Downtown Public Improvement District (PID) for a five-year period ending September 30, 2009.
 - C. An ordinance authorizing the negotiation and execution of a five (5) year Interlocal Agreement with VIA Metropolitan Transit for its annual contribution of an amount not to exceed \$60,000.00 upon passage of the Advanced Transportation District Referendum, but in any event, not less than \$30,000.00, to the Downtown Public Improvement District (PID), to begin October 1, 2004 and terminate on September 30, 2009.
 4. 3:00 P.M. –Public Hearing on the Proposed FY 2005 Tax Rate of 57.854 cents per \$100.00 valuation for the tax year beginning January 1, 2004 and ending December 31, 2004. [Presented by Peter Zaroni, Acting Director, Management & Budget; Erik J. Walsh, Assistant to the City Manager]
 5. 5:00 P.M. – Citizens to Be Heard.

THE FOLLOWING ITEMS MAY BE CONSIDERED AT ANY TIME DURING THE REGULAR COUNCIL MEETING:

CONSENT AGENDA

Items Concerning the Purchase of Equipment, Supplies and Services

6. An Ordinance accepting the low responsive bid submitted by TanSeco Systems, Inc. to provide the City of San Antonio Police Department with an integrated video security system for a total amount of \$206,098.00. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]

99632
7. An Ordinance accepting the low responsive bid submitted by Wescam Sonoma, Inc. to provide the City of San Antonio Police Department with an airborne thermal and visible light imaging camera system for a total amount of \$229,500.00. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]

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8. An Ordinance accepting the bids of various companies to provide the City of San Antonio with the various types of commodities and services on an annual contract basis for FY2004-2005 for an estimated combined annual cost of \$1,051,364.00 to include contracts for repair and maintenance of Physio Control monitors/defibrillators, Sun hardware maintenance and support, prefilled disposable syringes for EMS, and automotive and heavy equipment filters.[Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]

Capital Improvement Items

99634
9. An Ordinance accepting the low qualified bid of G G & G General Construction, Inc. in the amount of \$695,000.00 for construction work in connection with the Crownridge Canyon Nature Area Improvements Project, located in Council District 8; authorizing the execution of a construction contract; authorizing \$139,000.00 for construction contingency expenses; authorizing \$14,000.00 for art enhancement; authorizing \$62,950.28 for park materials, for a total amount of \$910,950.28; authorizing the transfer of \$599,500.28 from previously allocated 1999-2004 Park Bond funds approved for land acquisition and development; accepting a donation in the amount of \$14,000.00 from the Friends of Friedrich Park; appropriating \$297,450.00 from Proposition 3 Project Development funds; and providing for payment. [Presented by Malcolm Matthews, Director, Parks and Recreation; Christopher J. Brady, Assistant City Manager]

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10. An Ordinance approving Field Alteration No. 2 in the amount of \$33,800.00 payable to R.L. Jones, L.P., in connection with the Culebra Area Streets Phase III Community Development Block Grant (CDBG) Project, located in Council District 7; revising the project budget; appropriating funds and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

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11. An Ordinance selecting HNTB Corporation, and selecting Bain Medina Bain, Inc. (SBE/WBE), to provide as-needed services in connection with City-wide sidewalk, street and neighborhood improvement projects, each in an amount not to exceed \$400,000.00 for a total amount of \$800,000.00, authorizing the negotiation and execution of two Indefinite Delivery Professional Services Agreements for engineering services; appropriating funds and providing for payment. . [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

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12. An Ordinance selecting Chesney, Morales & Associates, Inc. (SBE/MBE), selecting Kinnison & Associates, Architects (SBE), and selecting Nored Architecture to provide as-needed services in connection with City-owned facilities and improvements, potential property acquisitions, construction projects and time-sensitive issues, each in an amount not to exceed \$100,000.00, for a total amount of \$300,000.00; authorizing the negotiation and execution of three Indefinite Delivery Professional Services Agreements for architectural services; appropriating funds and providing for payment. . [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

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13. An Ordinance selecting Bill Reiffert & Associates, Inc., selecting Jaster-Quintanilla San Antonio, LLP, and selecting Raba-Kistner Consultants, Inc. to provide as-needed services for time sensitive situations in connection with City-owned facilities and improvements, property acquisitions and construction projects, each in an amount not to exceed \$100,000, for a total amount of \$300,000; ratifying emergency services of and providing payment to Raba-Kistner Consultants, Inc. in the amount of \$39,197.15; ratifying emergency services of and providing payment to Jaster-Quintanilla San Antonio, LLP in an amount not to exceed \$1,500.00 from Certificates of Obligation; authorizing the negotiation and execution of three (3) Indefinite Delivery Professional Services Agreements for engineering services.; [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

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14. An Ordinance accepting the low bid in an amount not to exceed \$1,338,768.29 from RAM Building Services, L.L.C. (MBE) for construction services in connection with the City-wide Neighborhood Improvement Construction Project; authorizing the execution of a construction contract; authorizing \$130,000.00 for construction contingency expenses; authorizing \$1,000.00 for advertising expenses, for a total amount of \$1,469,768.29; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

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15. An Ordinance accepting the best offer in the amount of \$2,050,000.00 from F. A. Nunnally Company (SBE) for construction services in connection with the Fire Station No. 7 Project, located in Council District 1; authorizing the execution of a construction contract; authorizing \$100,000.00 for construction contingency expenses; amending the Professional Services Agreement of 3D International, Inc. in the amount of \$14,254.20 for additional services, for an overall total of \$2,164,254.20 from Fire Department Certificates of Obligation; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

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16. An Ordinance authorizing the City Manager or her designee to execute an "Agreement to Use Funds for Infrastructure Improvements to KellyUSA" between the City of San Antonio and the Greater Kelly Development Authority in an amount not to exceed \$558,580.00 from 2003-2007 General Obligation Street Improvement Bond funds to provide funding for the first phase of improvements to Billy Mitchell Boulevard; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

Items Concerning the Purchase, Sale or Lease of Real Property

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17. An Ordinance authorizing funds in the amount of \$45,689.63 from General Obligations of the City payable to Bracewell & Patterson, L.L.P. for legal services necessary to the real estate acquisitions for the following approved City projects: Hildebrand Avenue from IH 10 to Breeden MPO Project, located in Council District 1; Pleasanton Road – Southcross to Mayfield MPO Project, located in Council District 5; and the Western Avenue Drainage #74 III-A Project, located in Council District 9; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]
 18. An Ordinance authorizing funds in the amount of \$8,372.17 from General Obligations of the City payable to Davidson & Troilo, P.C., for legal services necessary to the real-estate acquisitions for the following approved City projects: Babcock Road/Leon Creek Improvements – Hausman to DeZavala Project, located in Council District 8; Bitters Road – West Avenue to Heimer MPO Project, located in Council District 9; the Culebra/Loop 410 Detention Pond Project, located in Council District 6; and the Salado Creek Greenway (Hike & Bike Trail) Phase I Project, a city wide project; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]
 19. An Ordinance authorizing funds in the amount of \$3,750.00 from 1994 General Obligation Drainage Bond funds payable to Lawyers Title of San Antonio as escrow agent for Fernando G. Castaneda and Kandra J. Castaneda for fee simple title to one parcel (\$3,250.00) and title fees (\$500.00) in connection with the Science Park Drainage #58 H, I and J Project, located in Council District 7; revising the project budget; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]
 20. An Ordinance authorizing payment in the amount of \$4,350.00 from General Obligations of the City to Dugger, Canaday, Grafe, Inc. for appraisal services in connection with the Hildebrand – I.H. 10 to Breeden MPO Project, located in Council District 1; revising the project budget; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]
 21. An Ordinance authorizing payment in the amount of \$2,400.00 from General Obligations of the City to Eckmann Groll, Inc. for appraisal services in connection with the Mission Trails Package IV Project, located in Council Districts 1, 3 and 5; Science Park Drainage #58 H, I and J Project, located in Council District 7; and the Wurzbach Parkway Phase V Project, located in Council District 9; revising the project budgets; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]
 22. An Ordinance authorizing the execution of a lease agreement with WNLV, Ltd., a Texas Limited Partnership, for use by the San Antonio Metropolitan Health District of approximately 3,000 square feet of clinic and office space at 4020 Naco-Perrin Boulevard in Council District 10 for the period September 1, 2004 through January 31, 2005 at a rate of \$2,850.00 per month; approving payments to the lessor in connection therewith; and providing for an immediate effective date upon passage by eight votes. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant City Manager]

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23. An Ordinance granting (1) a License Agreement to Alamo Quarters, Ltd., a Texas Limited Partnership to use, maintain and operate two existing balconies (23.5 feet by 5 feet and 27.5 feet by 5 feet, respectively) over Public Right of Way at 242 Loyosa Street and 248 Losoya Street, respectively, and to construct a third balcony over Public Right of Way at 246 Losoya Street, all balconies adjacent to a building at 248 and 254 Loyosa Street, co-owned with Kboundi Partnership, a Texas General Partnership, for a License Fee of \$7,597.00; and (2) a License Agreement with Kboundi Partnership, to use, maintain and operate an existing balcony over Public Right of Way adjacent to the building at 254 Losoya Street for a License Fee of \$2,545.00, all located in NCB 145, in Council District 1, each License Agreement for a ten (10) year term for a total consideration of \$10,142.00 which includes a 75% reduction of the license fees as provided by the City's Incentive Scorecard, passed and approved by City Council on May 29, 2003. [Presented by Rebecca Waldman, Director, Asset Management; Erik J. Walsh, Assistant to the City Manager]

Miscellaneous

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24. An Ordinance amending the Traffic Control Devices Schedules established by Chapter 19 (Traffic Regulations), Article III (Traffic Control Devices), Section 19-68(b) to include certain additions to the Official Traffic Control Device Schedule for "Full Traffic Signal Locations", "One Way at All Times", "All Way Stops", "Cross Street Stop", "Cross Street Yield", "Maximum Speed Limit", "Parking Prohibited at All Times, including Sundays and Holidays", "Stopping, Standing or Parking Prohibited during certain hours except Sundays and Holidays Prohibited Seven A.M. to Nine A.M. and Two P.M. to Four P.M. School Days Only", "School Speed Zones", "School Crosswalks (Mid-Block)", "School Crosswalks (Intersection)", and "Student Loading Zone Seven A.M. to Nine A.M. and Two P.M. to Four P.M. School Days Only", authorizing the permanent installation of said devices; declaring them as Official Traffic Control Devices of the City of San Antonio; and declaring violations of these traffic regulations, except the civil parking violations, to be misdemeanor crimes punishable by a fine of not more than \$200.00, and declaring violations of the civil parking violations to be subject to the enforcement provisions of City Code Section 19-225 (Administrative Adjudication of Stopping, Standing and Parking Violations), and establishing an effective date of no more than five (5) days after publication in accordance with Article 2, Section 17, of the City Charter. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

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25. An Ordinance authorizing the City Manager or her designee to execute an extension of an agreement with the Federal Reserve Bank of Dallas and accepting an annual payment in the amount of \$38,550.00 from the Federal Reserve Bank of Dallas to offset the loss of Parking Fund Revenue associated with the previous removal of twenty-nine (29) parking meters adjacent to the Federal Reserve Building located in Council District 1. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

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26. An Ordinance authorizing the City Manager or her designee to accept a \$500,000.00 grant for the fourth year of the Texas Department of Transportation DWI Selective Traffic Enforcement Program, which will continue to fund an overtime program for DWI enforcement, for the grant period October 1, 2004 to September 30, 2005; and authorizing an in-kind match of \$39,440.00 and a cash match of \$16,116.00. [Presented by Albert A. Ortiz, Police Chief; Christopher J. Brady, Assistant City Manager]

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27. An Ordinance authorizing the City Manager or her designee to accept a \$333,785.00 Local Law Enforcement Block Grant from the U.S. Department of Justice, Bureau of Justice Assistance, to be used to support continued operations of the San Antonio Police Department's Gang Detail and to purchase sixteen in-car video recording devices and associated computer hardware necessary to store the video images; establishing a budget; appropriating and authorizing expenditure of all project accrued interest; authorizing an Interlocal Agreement with Bexar County regarding the distribution of the combined City and County grants; and authorizing a \$37,087.00 local match from the Confiscated Property Fund. [Presented by Albert A. Ortiz, Police Chief; Christopher J. Brady, Assistant City Manager]

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28. An Ordinance approving the terms and conditions and authorizing the execution of: 1) a Change Order in the amount of \$3,125,000.00 with Clark/JT Construction on behalf of Todd-Ford and Lewis and Lambert, subcontractors on the Convention Center Expansion Project; and 2) a Mutual Release and Settlement Agreement in connection therewith; and providing for payment. [Presented by Andrew Martin, City Attorney; Terry M. Brechtel, City Manager]

99648
Approval of Temporary Street Closures and Traffic Control Procedures for Special Events

29. An Ordinance approving a parade permit and authorizing the temporary closure of certain streets near Mission San Jose in connection with the Mission Heritage 5K to be held on Sunday, September 19, 2004 from 6:30 a.m. until 10:00 a.m., sponsored by Mission San Jose. [Presented by Roland A. Lozano, Assistant to the City Manager; Terry M. Brechtel, City Manager]

ITEMS FOR INDIVIDUAL CONSIDERATION

99658
30. An Ordinance authorizing the execution of an amendment to the City's Tax Phase-In Agreement with Royal Oak Industries, Incorporated (approved by Ordinance No. 96358 dated September 12, 2002) to adjust the existing ten (10) year term of the Agreement to commence January 1, 2004; amending the job creation deadline and facility completion date corresponding with the adjusted term of the Agreement; revising the descriptions of real and personal property improvements and investment levels; and assigning the rights and obligations of the Agreement to Texas Machining Enterprises II, L.L.P., an affiliate entity of Royal Oak Industries, Incorporated. [Presented by Ramiro Cavazos, Director, Economic Development; J. Rolando Bono, Deputy City Manager]

31. Consideration of the following Ordinances: [Presented by Ben Gorzell Jr., Public Utilities Supervisor/Assistant Director, Finance; Melissa Byrne Vossmer, Assistant City Manager]

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A. An Ordinance authorizing certain actions relating to outstanding obligations designated as City of San Antonio, Texas Electric and Gas Systems Junior Lien Revenue Bonds, Series 2003; and enacting other provisions incident and related to the subject and purpose of this ordinance.

B. An Ordinance authorizing certain actions relating to outstanding obligations designated as City of San Antonio, Texas Electric and Gas Systems Commercial Paper Notes, Series A, including approval of a revolving credit agreement, an amended and restated dealer agreement, and an amended and restated commercial paper issuing and paying agency agreement; and enacting other provisions incident and related to the subject and purpose of this ordinance.

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32. An Ordinance authorizing the City Manager or her designee to execute a Funding Agreement with the Metropolitan Planning Organization (MPO) and accepting reimbursement from the MPO in an amount not to exceed \$130,000.00; and adopting a personnel complement for one two-year staff position entitled Hike and Bike Coordinator (Special Project Coordinator). [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

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33. An Ordinance approving revisions to Chapter 19, Section 251 of the City Code regarding "School Zones designated; driving restrictions", to allow for 1) the establishment of reduced speed zones at various speeds other than 20 mph; and 2) school zone times other than 7-9 a.m. and 2-4 p.m. for flashing beacon locations. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

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34. An Ordinance amending the Final Project Plan for Reinvestment Zone Number Eleven, City of San Antonio, Texas (known as the Inner City TIRZ located in Council Districts 1, 2 and 5), as approved by Ordinance Nos. 94006 and 98568, by adding the Eastside Sports Complex to the list of approved projects, placing the Eastside Sports Complex first on the list, retaining the originally approved list of projects; and revising the Final Financing Plan to reflect those changes to the Final Project Plan. [Presented by David Garza, Director, Neighborhood Action; Jelyne LeBlanc Burley, Assistant City Manager]

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35. An Ordinance to act on the appeal by Mr. Adam Cardenas, Jr. of the decision of the Electrical Examining and Supervising Board to refuse to certify the results of the Master Electrician's examination given in April 2004. Staff recommends that the examination be certified. The Electrical Examining and Supervising Board recommends the examination not be certified. [Presented by Florencio Peña, Director, Development Services; Christopher J. Brady, Assistant City Manager]

Approved
36. Ratification of Travel Authorization for Councilman Enrique M. Barrera, District 6, who traveled to Mexico City, Mexico from Sunday, August 29, 2004 through Tuesday, August 31, 2004 on a Trade Mission to Mexico City, Mexican Stock Market.

37. City Manager's Report. - *Mail Webb spoke on High Risk Contract*

38. The City Council will recess into an executive session to discuss the following:

- A. Discuss status of economic development negotiations and incentives offered to business prospects that may locate within the corporate city limits of San Antonio and/or in areas proposed for annexation, pursuant to Texas Government Code Section 551.087 (deliberations regarding economic development negotiations).
- B. Discuss the lawsuit styled *Dynamic Conversions, Inc., and Dynamic National Industries, L.L.C. vs. City of San Antonio*, Cause No. 2003-CI-11189, 57th District Court, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

39. The City Council will convene at 7:00 P.M. or at the conclusion of the Council Meeting for a Budget Work Session.

- **Aviation**
- **Development Services**