



First Ord. 99263  
RECEIVED  
CITY OF SAN ANTONIO  
First Res. 2004-22-13  
Just Ord. - 39:90308  
Just Res. 2004-22-13

**Agenda  
City Council Meeting  
Municipal Plaza Building  
City Hall Complex  
103 Main Plaza  
San Antonio, Texas 78205  
June 3, 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:

Staff briefing on the River Barge Concession Request for Proposals. [Presented by Malcolm Matthews, Director, Parks and Recreation; Christopher J. Brady, Assistant City Manager]

- 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 Father James Henke, St. Francis of Assisi Catholic Church, guest of Councilman Art A. Hall, District 8, and Pledge of Allegiance.

2. Ceremonial Items.

Swearing in of Councilman Julian Castro, District 7, as Mayor Pro-Tem.

3. Approval of the minutes of the City Council Meeting of March 25, 2004 and April 1, 2004.

**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:**

4. 1:30 P.M. – Consideration of the following Ordinances: [Presented by Milo D. Nitschke, Director, Finance; Melissa Byrne Vossmer, Assistant City Manager]

A. An Ordinance amending Ordinance No. 83735, which authorized the issuance of “City of San Antonio, Texas Hotel Occupancy Tax Revenue Bonds, Series 1996”; approving an amendment to the Master Repurchase Reserve Fund Agreement, and enacting other provisions incident and related to the subject and purpose of this Ordinance.

B. An Ordinance amending, ratifying, reconfirming and readopting the plan relating to the expansion for the convention center complex; and enacting other provisions incident and related to the subject and purpose of this Ordinance.

C. An Ordinance authorizing the issuance of approximately \$11,085,000.00 “City of San Antonio, Texas Hotel Occupancy Tax Subordinate Lien Revenue Refunding Bonds, Series 2004A”; making provision for the payment of these bonds on a parity with certain obligations; enacting other provisions incident and related to the issuance, payment, sale and delivery of such bonds, including the approval and execution of a paying agent/registrar agreement, a bond purchase agreement and an escrow agreement and the approval and distribution of an official statement, providing for the defeasance of the bonds being refunded; and providing an effective date.

D. An Ordinance authorizing the issuance of approximately \$115,105,000.00 “City of San Antonio, Texas Hotel Occupancy Tax Subordinate Lien Revenue and Refunding Bonds, Series 2004B”; making provision for the payment of these bonds on a parity with certain obligations; enacting other provisions incident and related to the issuance, payment, sale and delivery of these bonds, including the approval and execution of a paying agent/registrar agreement, a bond purchase agreement and an escrow agreement and the approval and distribution of an official statement, providing for the defeasance of the bonds being refunded; delegating the authority to certain members of the City staff to execute certain documents relating to the sale of the bonds; and providing an effective date.

5. 2:00 P.M. – Public Hearing and consideration of an Ordinance approving the re-establishment of the Public Improvement District (“PID”) in the downtown area; selecting the nature and the cost of the proposed improvements; establishing district boundaries; specifying the method of assessment; and apportioning costs between the PID and municipality as a whole. [Presented by Ramiro A. Cavazos, Director, Economic Development; J. Rolando Bono, Deputy City Manager]

6. 3:00 P.M. – Consideration of the following Ordinances: [Presented by Ben Gorzell, Jr. Public Utilities Supervisor/Assistant Director, Finance; Melissa Byrne Vossmer, Assistant City Manager]

A. Public Hearing and consideration of an Ordinance adopting the Land Use Assumptions Plan and Capital Improvements Plan Relating to the Possible Adoption of Wastewater Impact Fees for an area known as the Far West.

99290

B. An Ordinance establishing a "Notice Of Public Hearing On Adoption of Impact Fees" to be held on July 22, 2004, at the City Council Chambers located on the First Floor of the Municipal Plaza Building at 114 West Commerce Street at 3:00 p.m., to consider the adoption of the following Wastewater Impact Fees for the Far West area: \$1,738.00 per service unit for the Medio Creek Water Shed, \$1,972.00 per service unit for the Potranca Creek Water Shed and \$1,929.00 per service unit for the Big Soss and Lucas Creek Water Sheds; and notifying the public that any member has the right to appear and present evidence for or against the plan or proposed fee.

7. 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**

99278

8. An Ordinance accepting the sole source offer submitted by Johnson Controls, Inc., to provide the City of San Antonio Police Department with access control equipment for City Hall and City Council Chambers for a total amount of \$32,175.13. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]

9. An Ordinance accepting the low responsive bid submitted by Mission Golf Cars to provide the City of San Antonio Parks & Recreation Department with 130 electric golf cars for a total amount of \$299,290.00. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]

99279

10. An Ordinance accepting the bid from Express Video, Inc. for the purchase of 326 gambling devices (eight liners) in the amount of \$151,750.00, seized as a result of criminal investigations by the San Antonio Police Department and subsequently forfeited by orders of the courts; and authorizing payment in the amount of \$59,094.77 payable to the Bexar County District Attorney's Office. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]

**Capital Improvement Items**

99280

11. An Ordinance authorizing payment in the amount of amount of \$7,500.00 to Southwestern Bell Telephone, L.P., d/b/a SBC Southwestern Bell Telephone Company, \$8,459.00 to City Public Service and \$3,258.66 to Time-Warner Cable for utility modifications for a total amount of \$19,217.66 in connection with the Hillje Street – Avondale to Hot Wells Community Development Block Grant Project, located in Council District 3; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

99263  
12. An Ordinance amending the professional services contract and authorizing Community Development Block Grant (CDBG) funds in an amount not to exceed \$8,053.00 payable to Lockwood, Andrews, and Newnam, Inc., for additional engineering services in connection with the Hillje Street – Avondale to Hot Wells Community Development Block Grant Project, located in Council District 3; and amending the professional services contract and authorizing CDBG funds in an amount not to exceed \$30,462.00 payable to Lockwood, Andrews, and Newnam, Inc., for additional engineering services in connection with the Avondale Street – New Braunfels to I.H. 37 CDBG Project, located in Council District 3; revising the project budgets; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

99264  
13. An Ordinance amending the professional services contract and authorizing \$36,450.00 from 1999-2004 General Obligation Street Improvement Bond funds payable to Vickrey & Associates, Inc. for additional engineering services in connection with the Prue Road Extension: Prue to Huebner Project, located in Council District 8; revising the project budget; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

99265  
14. An Ordinance amending the professional services contract and authorizing \$9,000.00 from 1999-2004 General Obligation Street Improvement Bond funds payable to Rosin-Johnson, Inc. (formerly Rosin Group, Inc.) for additional engineering services in connection with the sidewalks projects on Blanco from Lockhill-Selma to West Avenue, Clark from Southcross to Hot Wells and Hot Wells from IH 37 to New Braunfels, included in the 2003 MPO Sidewalk Project in Council Districts 3 and 9; authorizing \$900.00 for additional engineering contingency expenses; revising the project budget; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

99266  
15. An Ordinance authorizing the transfer of funds in the amount of \$16,144.01 to a City Force Account for demolition, asbestos abatement and clean-up services necessary to the Lanark Drainage #92A, Phase I Project, located in Council District 2; covering City Force Services valued at \$8,687.24; Bexar Environmental, Inc., services for \$3,244.00 and Operational Technologies Corporation surveying and monitoring for \$4,012.77; and \$400.00 in regulatory fees; ratifying previous actions; 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**

99267  
16. An Ordinance authorizing the execution of a lease amendment for Lease No. 200616 with Check-Six Aviation, Inc., at Stinson Municipal Airport to delete a total of 173,115 square feet of associated ground space and Building 660A from the leased premises; authorizing rental credits in an amount not to exceed \$117,625.00; and providing for extensions of not more than five (5) years each for both the lease term and reversion of T-Hangar ownership. [Presented by Kevin C. Dolliole, Director, Aviation; J. Rolando Bono, Deputy City Manager]

99268  
17. An Ordinance authorizing the execution of a five (5) year lease agreement with U.S. Helicopters, Inc. for use of Building 660A at Stinson Municipal Airport for an annual building rental of \$13,678.20, 119,444 square feet of ground space and 11,646 square feet of parking lot for an annual ground and parking lot rental of \$9,176.30, for a total annual rental of \$22,854.50; and authorizing rental credits in an amount not to exceed \$79,064.85. [Presented by Kevin C. Dolliole, Director, Aviation; J. Rolando Bono, Deputy City Manager]

99269  
18. An Ordinance authorizing the execution of a new twenty (20) year agreement with Check-Six Aviation, Inc. for use of Building 601 and 659 for an annual building rental of \$19,401.55, 99,415 square feet of ground and preferential use ramp space for an annual ground and ramp space rental of \$6,959.05 and 9,337 square feet of parking lot space for an annual parking lot rental of \$653.59 at Stinson Municipal Airport for a total annual rental of \$27,014.19; and authorizing a rental credit of \$50,000.00. [Presented by Kevin C. Dolliole, Director, Aviation; J. Rolando Bono, Deputy City Manager]

99270  
19. An Ordinance granting a License Agreement to the San Antonio Independent School District to use and maintain an existing footbridge over a drainage easement Public Right of Way at the Longfellow Middle School campus at 1130 East Sunshine Drive, in NCB 8398, in Council District 7, for a ten (10) year term and the total consideration of \$5,000.00. [Presented by Rebecca Waldman, Director, Asset Management; Erik J. Walsh, Assistant to the City Manager]

99281  
20. An Ordinance authorizing a five (5) year license agreement with Alamo Kiwanis Charities, Inc., a non-profit corporation, for their operation of Fiesta Noche del Rio in the City's Arneson River Theater in La Villita in Council District 1, for an annual consideration of \$7,000.00 in 2004, \$7,500.00 in 2005, \$8,000.00 in 2006, \$8,500.00 in 2007 and \$9,000.00 in 2008. [Presented by Malcolm Matthews, Director, Parks and Recreation; Christopher J. Brady, Assistant City Manager]

#### Miscellaneous

99271  
21. An Ordinance authorizing an Athletic Field Use and Maintenance License Agreement with the San Antonio Elite Youth Soccer Organization for 11.0115 acres of Parks and Recreation Department land that is leased from the Aviation Department land on Old Bitters Road in Council District 9. [Presented by Malcolm Matthews, Director, Parks and Recreation; Christopher J. Brady, Assistant City Manager]

99282  
22. An Ordinance amending Grant No. 470-04010, entitled Library System Operation Grant, from the Texas State Library and Archives Commission to accept additional funds in the amount of \$71,684.00, increasing the total amount of this award to \$716,838.00, which will be used to purchase library materials for the forty six (46) member libraries of the Alamo Area Library System. [Presented by Aubrey W. George, Acting Director, Library; Frances A. Gonzalez, Assistant City Manager]

99272  
23. An Ordinance amending Ordinance No. 90485, passed and approved on September 16, 1999, by reallocating \$16,722.63 from the Fiscal Year 2000 Council District 5 One-Time Projects Fund designated for the Corridor Revitalization Project to eleven comprehensive nutrition project centers; authorizing the execution of contracts with said centers for supplies and equipment; and authorizing payment. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant City Manager]

99283  
24. An Ordinance authorizing the execution of an agreement with Superior HealthPlan, Inc., for the provision of selected Health Care Services by the San Antonio Metropolitan Health District to individuals covered under the Superior HealthPlan, Inc., Medicaid Health Benefit Program. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant City Manager]

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

99273  
25. An Ordinance approving the parade permit and authorizing the temporary closure of portions of certain streets near the SBC Center in connection with the Juneteenth Parade sponsored by the Juneteenth Coalition to be held from 8:30 A.M. to 12:00 P.M. on Saturday, June 19, 2004. [Presented by Roland A. Lozano, Assistant to the City Manager; Terry M. Brechtel, City Manager]

99274  
26. An Ordinance approving the parade permit and authorizing the temporary closure of portions of certain streets in the downtown area in connection with the Americans With Disabilities Act Celebration Walk sponsored by San Antonio Independent Living Services to be held from 8:30 A.M. to 10:00 A.M. on Friday, July 23, 2004. [Presented by Roland A. Lozano, Assistant to the City Manager; Terry M. Brechtel, City Manager]

99275  
27. An Ordinance authorizing the temporary closure of portions of Josephine Tobin Drive, French Street, Craig Street, and Ashby Street in the Woodlawn Lake Park Area in Council District 7, from 5:00 P.M. to 10:30 P.M. on Sunday, July 4, 2004 so that the City of San Antonio and San Antonio Parks Foundation may conduct the annual July 4<sup>th</sup> Celebration in Woodlawn Lake Park. [Presented by Malcolm Matthews, Director, Parks and Recreation; Christopher J. Brady, Assistant City Manager]

**Board, Commissions and Committee Appointments.**

99276  
28. Consideration of the following board appointments: [Presented by Yolanda Ledesma, Acting City Clerk; Erik J. Walsh, Assistant to the City Manager]

An Ordinance reappointing Ret. BGen. Karen S. Rankin (District 9) to the City Commission on Veterans' Affairs for a term of office to expire on June 11, 2006.

## ITEMS FOR INDIVIDUAL CONSIDERATION

29. Consideration of the following Ordinances: [Presented by Malcolm Matthews, Director, Parks and Recreation; Christopher J. Brady, Assistant City Manager]

- 99291
- A. An Ordinance selecting Durand-Hollis, Rupe Architects, Inc. (SBE/MBE/DBE) firm, to provide architectural services in connection with the Basketball Court Improvements Package Project, located in City Council Districts 1, 4 and 6; authorizing the negotiation and execution of a professional services contract in an amount not to exceed \$47,377.00; authorizing \$4,750.00 for miscellaneous architectural contingency expenses; authorizing \$2,000.00 for bid advertising/printing expenses; authorizing \$8,000.00 for mandatory project fees, for a total amount of \$62,127.00, from 2003-2007 General Obligation Park Improvement Bond funds and Community Development Block Grant funds; appropriating funds; and providing for payment.
- 99292
- B. An Ordinance selecting Beaty & Partners Architects, Inc. (SBE), to provide architectural services in connection with the Botanical Garden ADA Improvements Phase 2 Project, located in City Council District 9; authorizing the negotiation and execution of a professional services contract in an amount not to exceed \$52,000.00; authorizing \$5,200.00 for miscellaneous architectural contingency expenses; authorizing \$2,000.00 for bid advertising/printing expenses; authorizing \$4,000.00 for mandatory project fees, for a total amount of \$63,200.00 from 2003-2007 General Obligation Park Improvement Bond funds; appropriating funds; and provides for payment.
- 99293
- C. An Ordinance selecting Gould Evans Associates, P.L.L.C. to provide architectural services in connection with the Community Park Youth Sports Facility Improvements Project, located in Council Districts 2, 5, 7 and 9; authorizing the negotiation and execution of a professional services contract in an amount not to exceed \$93,000.00; authorizing \$9,300.00 for architectural contingency expenses; authorizing \$3,600.00 for bid advertising/printing expenses; authorizing \$75,000.00 for mandatory project fees and \$10,000.00 for land acquisition fees, for a total amount of \$190,900.00 from 2003-2007 General Obligation Park Improvement Bond funds; appropriating funds; and providing for payment.
- 99294
- D. An Ordinance selecting C. F. Zavala Group, Inc. (SBE/MBE/WBE), to provide architectural services in connection with the District 2 Park Improvements Package Project; authorizing the negotiation and execution of a professional services contract in an amount not to exceed \$88,500.00; authorizing \$8,850.00 for architectural contingency expenses; authorizing \$2,000.00 for bid advertising/printing expenses; authorizing \$18,800.00 for mandatory project fees, for a total amount of \$118,150.00 from 2003-2007 General Obligation Park Improvement Bond funds; appropriating funds; and providing for payment.
- 99295
- E. An Ordinance selecting HNTB Corporation, Inc. to provide architectural services in connection with the District 4 Park Improvements Package Project; authorizing the negotiation and execution of a professional services contract in an amount not to exceed \$42,878.00; authorizing \$4,200.00 for architectural contingency expenses; authorizing \$2,100.00 for bid advertising/printing expenses; authorizing \$24,632.00 for mandatory project fees, for a total amount of \$73,810.00 from 2003-2007 General Obligation Park Improvement Bond Funds; appropriating funds; and providing for payment.

99296  
F. An Ordinance selecting Beaty & Partners Architects, Inc. (SBE), to provide architectural services in connection with the District 5 Park Improvements Package Project; authorizing the negotiation and execution of a professional services contract in an amount not to exceed \$25,200.00; authorizing \$2,500.00 for architectural contingency expenses; authorizing \$2,000.00 for bid advertising/printing expenses; authorizing \$4,000.00 for mandatory project fees, for a total amount of \$33,700.00 from 2003-2007 General Obligation Park Improvement Bond funds; appropriating funds; and providing for payment.

99297  
G. An Ordinance selecting Bender Wells Clark Design (SBE/WBE/DBE), to provide architectural services in connection with the District 6 Park Improvements Package Project; authorizing the negotiation and execution of a professional services contract in an amount not to exceed \$51,000.00; authorizing \$5,100.00 for architectural contingency expenses; authorizing \$2,000.00 for bid advertising/printing expenses; authorizing \$14,000.00 for mandatory project fees, for a total amount of \$72,100.00 from 2003-2007 General Obligation Park Improvement Bond funds; appropriating funds; and providing for payment.

99298  
H. An Ordinance selecting The Arizpe Group, Inc. (MBE/DBE), to provide architectural services in connection with the District 6 and District 8 Park Swimming Facility Rehabilitation Project; authorizing the negotiation and execution of a professional services contract in an amount not to exceed \$73,000.00; authorizing \$7,300.00 for architectural contingency expenses; authorizing \$2,000.00 for bid advertising/printing expenses; authorizing \$4,000.00 for mandatory project fees, for a total amount of \$86,300.00 from 2003-2007 General Obligation Park Improvement Bond funds; appropriating funds; and providing for payment.

99299  
I. An Ordinance selecting Laffoon Associates, Inc. (SBE), to provide architectural services in connection with the Nani Falcone Community Park Improvements Phase 2 Project, located in Council District 7; authorizing the negotiation and execution of a professional services contract in an amount not to exceed \$77,000.00; authorizing \$7,700.00 for architectural contingency expenses; authorizing \$2,000.00 for bid advertising/printing expenses; authorizing \$10,000.00 for a design enhancement allowance; authorizing \$6,000.00 for mandatory project fees, for a total amount of \$102,700.00 from 2003-2007 General Obligation Park Improvement Bond funds; appropriating funds; and providing for payment.

99300  
J. An Ordinance selecting 2TEN Architects, Inc. (DBE/SBE/MBE), to provide architectural services in connection with the Farmers Market Building Rehabilitation Project, located in Council District 1; authorizing the negotiation and execution of a professional services contract in an amount not to exceed \$39,495.00; authorizing \$3,950.00 for architectural contingency expenses; authorizing \$2,000.00 for bid advertising/printing expenses; authorizing \$4,000.00 for mandatory project fees, for a total amount of \$49,445.00 from 2003-2007 General Obligation Park Improvement Bond funds; appropriating funds; and providing for payment.

99301  
K. An Ordinance selecting San Antonio Design Group, Inc. (MBE), to provide engineering services in connection with the Friedrich Park and Eisenhower Park Water Service Connections Project, located in Council District 8; authorizing the negotiation and execution of a professional services contract in an amount not to exceed \$68,100.00; authorizing \$6,810.00 for engineering contingency expenses; authorizing \$2,000.00 for bid advertising/printing expenses; authorizing \$14,000.00 for mandatory project fees, for a total amount of \$90,910.00 from 2003-2007 General Obligation Park Improvement Bond funds; appropriating funds; and providing for payment.

99302  
L. An Ordinance selecting C.F. Zavala Group, Inc. (SBE/MBE/WBE), to provide architectural services in connection with the McAllister Park Improvements and Youth Sports Facility Project, located in Council District 9; authorizing the negotiation and execution of a professional services contract in an amount not to exceed \$223,189.00; authorizing \$22,300.00 for architectural contingency expenses; authorizing \$3,500.00 for bid advertising/printing expenses; authorizing \$75,000.00 for mandatory project fees; authorizing \$25,000.00 for design enhancement allowance, for a total amount of \$348,989.00 from 2003-2007 General Obligation Park Improvement Bond funds; appropriating funds; and providing for payment.

99303  
M. An Ordinance selecting Kinnison and Associates, Architects (SBE), to provide architectural services in connection with the Park Facility Roof Replacement Package Project, located in Council Districts 5 and 6; authorizing the negotiation and execution of a professional services contract in an amount not to exceed \$34,000.00; authorizing \$3,400.00 for architectural contingency expenses; authorizing \$2,000.00 for bid advertising/printing expenses; authorizing \$3,000.00 for mandatory project fees, for a total amount of \$42,400.00 from 2003-2007 General Obligation Park Improvement Bond funds; appropriating funds; and providing for payment.

99304  
N. An Ordinance selecting Rialto Studio, Inc. (SBE), to provide architectural services in connection with the Regional Youth Sports Facility Improvements Project, located in Council Districts 3, 4 and 6; authorizing the negotiation and execution of a professional services contract in an amount not to exceed \$326,000.00; authorizing \$32,600.00 for architectural contingency expenses; authorizing \$3,600.00 for bid advertising/printing expenses; authorizing \$75,000.00 for mandatory project fees; authorizing \$60,000.00 for design enhancement allowance, for a total amount of \$497,200.00 from 2003-2007 General Obligation Park Improvement Bond funds; appropriating funds; and providing for payment.

99305  
O. An Ordinance selecting Beaty & Partners Architects, Inc. (SBE), to provide architectural services in connection with the O.P. Schnabel Park Entrance Improvements Project, located in Council District 8; authorizing the negotiation and execution of a professional services contract in an amount not to exceed \$47,190.00; authorizing \$4,700.00 for architectural contingency expenses; authorizing \$2,000.00 for bid advertising/printing expenses; authorizing \$4,000.00 for mandatory project fees, for a total amount of \$57,890.00 from 2003-2007 General Obligation Park Improvement Bond funds; appropriating funds; and providing for payment.

99306  
P. An Ordinance selecting Gould Evans Associates, P.L.L.C., to provide architectural services in connection with the Stone Oak Park Improvements Phase 2 Project, located in Council District 9; authorizing the negotiation and execution of a professional services contract in an amount not to exceed \$75,000.00; authorizing \$7,500.00 for architectural contingency expenses; authorizing \$2,000.00 for bid advertising/printing expenses; authorizing \$10,000.00 for design enhancement allowance; authorizing \$10,000.00 for karst surveys and endangered species assessments; authorizing \$60,000.00 for mandatory project fees, for a total amount of \$164,500.00 from 2003-2007 General Obligation Park Improvement Bond funds; appropriating funds; and providing for payment.

99307  
Q. An Ordinance selecting Bender Wells Clark Design (SBE/WBE/DBE) to provide architectural services in connection with the Walker Ranch Park Improvements Phase 3 Project, located in Council District 9; authorizing the negotiation and execution of a professional services contract in an amount not to exceed \$40,200.00; authorizing \$4,100.00 for architectural contingency expenses; authorizing \$2,000.00 for bid advertising/printing expenses; authorizing \$24,000.00 for mandatory project fees; authorizing \$10,000.00 for a design enhancement allowance; authorizing \$10,000.00 for land acquisition fees, for a total amount of \$90,300.00 from 2003-2007 General Obligation Park Improvement Bond funds; appropriating funds; and providing for payment.

99308  
30. An Ordinance adopting guidelines for use of the Economic Development Incentive Fund; and amending Ordinance No. 97248, passed and approved on February 27, 2003, to modify the Economic Development Program for the City to permit grants in accordance with these guidelines. [Presented by Ramiro A. Cavazos, Director, Economic Development; J. Rolando Bono, Deputy City Manager]

Res 2 - 2004-22-13  
31. A Resolution authorizing the creation of the City of San Antonio, Texas Empowerment Zone Development Corporation to review and authorize the issuance of tax-exempt Enterprise Zone Facility Bonds; and approving the Articles of Incorporation and Bylaws for the Corporation. [Presented by Ramiro A. Cavazos, Director, Economic Development; J. Rolando Bono, Deputy City Manager]

32. City Manager's Report.

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

A. Discuss acquisition and disposition of an interest in real property for warehouse, office, service center, and related uses, pursuant to Texas Government Code Section 551.072 (deliberation on the purchase, exchange, lease, or value of real property).

- B. Discuss the lawsuits styled Lakeside Joint Venture, et al. v. City of San Antonio, Cause No. 2003-CI-05618, 57<sup>th</sup> Judicial District Court for Bexar County, Texas; VWC, Ltd. v. City of San Antonio, Cause No. 2004-CI-03264, 224<sup>th</sup> Judicial District Court for Bexar County, Texas; Brooks Hardee, et al. v. City of San Antonio, Cause No. 2004-CI-05439, 225<sup>th</sup> Judicial District Court for Bexar County, Texas; Brooks Hardee, et al. v. City of San Antonio, Cause No. 2000-CI-04602, 288<sup>th</sup> Judicial District Court for Bexar County, Texas; Farmco Trust, et al. v. City of San Antonio, Cause No. 2003-CI-05122, 150<sup>th</sup> Judicial District Court for Bexar County, Texas; Farmco Trust, et al. v. City of San Antonio, Cause No. 2000-CI-17663, 57<sup>th</sup> Judicial District Court for Bexar County, Texas; Reed Lehman Grain, Ltd., et al. v. City of San Antonio, Cause No. 2004-CI-00238, 37<sup>th</sup> Judicial District Court for Bexar County, Texas; Reed Lehman Grain, Ltd., et al. v. City of San Antonio, Cause No. 2004-CI-05442, 407<sup>th</sup> Judicial District Court for Bexar County, Texas; Reed Lehman Grain, Ltd., et al. v. City of San Antonio, Cause No. 2004-CI-07714, 57<sup>th</sup> Judicial District Court for Bexar County, Texas; Brooks Hardee, et al. v. City of San Antonio, Cause No. 2004-CI-05440, 285<sup>th</sup> Judicial District Court for Bexar County; Brooks Hardee, et al. v. City of San Antonio, Cause No. 2000-CI-05220, 224<sup>th</sup> Judicial District Court for Bexar County; City of San Antonio v. En Seguido, et al., Cause No. 2002-ED-0040, Probate Court No. 2 of Bexar County, Texas; City of San Antonio v. CEM Investments, Inc., et al., Cause No. 2002-ED-0044, Probate Court No. 2 of Bexar County, Texas; pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- C. Discuss legal issues related to the December 9, 2002, Agreement for Services in Lieu of Annexation among the City of San Antonio, Lumbermen's Investment Corporation, and others, commonly known as the "PGA Agreement," pursuant to Texas Government Code Section 551.071 (consultation with attorney).