



Joint Ord 101114
Joint Res. 2005-31-32
Last Ord. 101155
Last Res. None

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 CITY OF SAN ANTONIO
 CITY CLERK

2005 JUL 11 P 8:58

Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 Main Plaza
San Antonio, Texas 78205
July 14, 2005

The council shall hold its regular meetings in the council chamber in the Municipal Plaza Building within the City Hall Complex on Thursday of each week beginning at 9:00 a.m. After the meeting is convened, the City Council shall consider agenda items in the following order and no sooner than the designated times:

1. Items requiring an individual vote, to include time certain items as may be required by law or otherwise scheduled by the City Manager. (9:00 a.m. – noon lunch break)
2. Items which are placed on a consent agenda and may therefore be considered and adopted as a group upon a single vote (upon conclusion of individual items)
3. Executive Session*
4. Continuation of Business (upon conclusion of executive session)
5. Ceremonial recognitions (5:00 p.m.)
6. Citizens to be Heard (6:00 p.m.)
7. At 7:00 p.m., if the meeting is not yet adjourned, the presiding officer shall entertain a motion to recess the council meeting. If no motion is made or if a motion is made and it fails, the meeting will continue until adjourned. If a motion is made and it passes, the presiding officer shall recess the Council meeting at 7:00 p.m. and reconvene the meeting at 9:00 a.m., or any other time designated by Council, on the following day.

At any time during 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) under Chapter 551 of the Texas Government Code.

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 City Council of San Antonio will convene in Council Chambers, Municipal Plaza Building in a Regular Council Meeting at 9:00 A.M.

1. Invocation by Father Einer R. Ochoa, St. Agnes Catholic Church, guest of Councilman Roger Flores III, District 1, and Pledge of Allegiance.
2. Approval of Minutes for the June 16, 2005 City Council Meeting.
3. 9:30 A.M. Public Hearings and items for consideration: [Presented by Rebecca Waldman, Director, Department of Asset Management; Erik J. Walsh, Assistant to the City Manager]
 - A. Public hearing and consideration of an Ordinance authorizing the acceptance of \$52,474.00 to close, vacate and abandon Hammond and Hallie Avenues Public Rights of Way (paper streets) adjacent to NCBs 1583, 1584 and 14059 in Council District No. 2, for housing development, as requested by Clark 05 Housing, L.P.

- B. An ordinance authorizing the vacating and abandonment of a portion of the Market Street right-of-way in connection with the construction of the Convention Center Hotel Project.

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

ITEMS FOR INDIVIDUAL CONSIDERATION

1. An Ordinance rescheduling the City Council meeting of July 21, 2005 to the next available date, as requested by Mayor Phil Hardberger. [Presented by Leticia Vacek, City Clerk]
2. An Ordinance amending Chapter 2 of the City Code entitled "Administration" by amending Article VIII entitled, "Boards and Commissions" which governs the creation and operation of Boards and Commissions created by City Council and amending any related ordinances, as requested by Councilman Richard Perez, District 4; Councilman Art A. Hall, District 8, and Councilman Chip Haass, District 10. [Presented by Leticia Vacek, City Clerk]
3. An Ordinance establishing the "Finance San Antonio Ad Hoc Committee" to address the current status of the financial industry within San Antonio and make recommendations to the Mayor and City Council on steps to take to increase the attractiveness of San Antonio to further promote the development of the finance sector of our economy; and appointing members, as requested by Councilman Art A. Hall, District 8. [Presented by Ramiro Cavazos, Director, Economic Development Department; Jelynn LeBlanc Burley, Assistant City Manager]
4. An Ordinance establishing the Council Oversight on Spending and Trust Committee (COST) to promote the public trust in government, establishing responsibilities and appointing Council members, as requested by Councilman Roland Gutierrez, Council District 3. [Presented by Martha Sepeda, Acting City Attorney; J. Rolando Bono, City Manager]

8. An Ordinance amending Ordinance No 96037 and approving changes to the bylaws of the City/County Joint Commission on Elderly Affairs to include changes to the bylaws governing member attendance, officer elections and duties, and subcommittee powers and roles. [Presented by Dennis Campa, Director of Community Initiatives Department; Frances A. Gonzalez, Assistant City Manager]

An Ordinance accepting the offer submitted by Government Technology Systems, Inc. to provide the Fire Department with video conferencing system hardware and software for a total cost of \$359,947.00, from Urban Area Security Initiatives Grant Funds. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]

10. An Ordinance accepting the bid from Granutech Saturn Systems Corp. of America for the purchase of one surplus Barko (Crane) Grapppler 160A with Saturn Shredder for a total amount of \$85,701.00. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]

11. An Ordinance authorizing the issuance of Tax Exempt Multi-Family Housing Revenue Bonds in an amount not to exceed \$13,870,000.00 to support the construction of the Clark Pointe Apartments Project located near the intersection of Clark Street and Rigsby in the City Council District 2. [Presented by Andrew W. Cameron, Director of Community Development Department; Jelynn LeBlanc Burley, Assistant City Manager]

12. Consideration of the following Public Works items: [Presented by Thomas G. Wendorf, P.E., Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

An Ordinance accepting a proposal and authorizing payment to Pape-Dawson Engineers, Inc. for engineering services in connection with the Traffic Signal Study under the Indefinite Delivery Professional Services Agreement for an amount not to exceed \$140,000.00.

An Ordinance authorizing \$496,500 to improve traffic signals and related traffic control devices within the Central Business District.

13. Consideration of the following ordinances, as requested by Mayor Phil Hardberger: [Presented by Leticia Vacek, City Clerk]

A. An Ordinance appointing Councilman Art Hall (District 8) to the Metropolitan Planning Organization for a term of office that shall run concurrent with the City Council terms.

An Ordinance appointing Councilman Art Hall (District 8) to the San Antonio Mobility Coalition for a term of office that shall run concurrent with the City Council terms.

CONSENT AGENDA

Items Concerning the Purchase of Equipment, Supplies and Services

- 101127
14. An Ordinance accepting the bids of various companies to provide the following commodities and services on an annual contract basis for an estimated combined annual cost of approximately \$819,619.00: passenger vehicle tires; potting soil; Bomag confined area compaction equipment parts and service; S & S trailer parts and service; and electrical parts and fixtures. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]
- 101143
15. An Ordinance accepting the bid from Grande Truck Center to provide the Fire Department with completion of the conversion work for a command vehicle bus for a total amount of \$419,956.00, funded by the Urban Area Security Initiatives grant. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]

Capital Improvement Items

- 101146
16. An Ordinance authorizing the execution of two agreements with the Texas Department of Transportation in connection with traffic signal installations located in Council District 10 at the intersection of Bulverde Road and Classen Road in the amount not to exceed \$56,598.12 and at the intersection of Loop 1604 and Bulverde Road for a cost reimbursement to the City in the amount not to exceed \$15,125.00 [Presented by Thomas G. Wendorf, P.E., Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
- 101128
17. An Ordinance authorizing a professional services agreement with HVJ Associates, Inc. for a three year term in the amount of \$200,350.00 for engineering services and \$28,650.00 for Engineering Contingency, for a total amount of \$229,000.00 with an option to extend for three subsequent one-year terms with Council approval in connection with the Pavement Management System project, a citywide surveying and pavement condition assessment project. [Presented by Thomas G. Wendorf, P.E., Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
- 101147
18. An Ordinance authorizing funds in the amount of \$136,697.07 payable to the Texas Department of Transportation (TxDOT) for the City's portion of the increased construction cost, \$13,669.71 for Construction Contingency, and \$2,733.94 for Capital Administrative Costs, for a total amount of \$153,100.72 in connection with the McCullough - UPRR to Basse project, a 1999-2004 General Obligation Street Improvement Bond and Metropolitan Planning Organization (MPO) funded project, located in Council District 1. [Presented by Thomas G. Wendorf, P.E., Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
19. An Ordinance authorizing a professional services agreement with Bain Medina Bain, Inc., a SBE/WBE firm, in the amount of \$795,861.00 for engineering services, \$79,586.10 for Engineering Contingency, \$55,710.00 for Capital Administration Costs, and \$1,500.00 for Environmental Contingency for a total amount of \$932,657.10 in connection with the RIP Rap #69, Phase IID project, a 2005 Storm Water Revenue Bond project located in Council District 3. [Presented by Thomas G. Wendorf, P.E., Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

101148
20. An Ordinance amending a professional service contract with Ford Engineering, Inc. in the amount of \$355,775 for engineering services and the obtainment of applicable permitting from TxDOT, \$35,577.50 for Engineering Contingency, \$27,394.68 for Capital Administrative Costs, and \$1,500 for Environmental Contingency for a total amount of \$420,247.18 in connection with the W.W. White Area Outfall, Phase I, Part 1 project, a 2005 Storm Water Revenue Bond project located in Council District 2. [Presented by Thomas G. Wendorf, P.E., Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

101149
21. An Ordinance authorizing a professional services agreement with Civil Engineering Consultants, Inc., in the amount of \$297,402.89 for engineering services, \$29,740.29 for Engineering Contingency, \$22,900.02 for Capital Administration Costs, and \$1,500.00 for Environmental Contingency for a total amount of \$351,543.20 in connection with the W.W. White Area Outfall, Phase I, Part 2 project, a 2005 Storm Water Revenue Bond project located in Council District 2. [Presented by Thomas G. Wendorf, P.E., Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

101150
22. An Ordinance amending a professional service contract with Civil Engineering Consultants, Inc., in the amount of \$80,350 for engineering services in connection with the Goliad Road Outfall, Phase II Project, a 2003 Storm Water Revenue Bond project located in Council District 3. [Presented by Thomas G. Wendorf, P.E., Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

101129
23. An Ordinance appropriating funds in the amount of \$30,000.00 in Certificates of Obligation to facilitate the replacement of fire sprinklers in the City Hall Annex Building at 506 Dolorosa. [Presented by Rebecca Waldman, Director of Asset Management; Erik J. Walsh, Assistant to the City Manager]

24. Consideration of the following Aviation items: [Presented by Roland A. Lozano, Interim Aviation Director; J. Rolando Bono, City Manager]

101151
A. An Ordinance amending Sections 2, 3 and 4 of Ordinance No. 100386, appropriating \$66,700.00 to fund Field Alteration No. 2 in connection with the Street and Drainage Improvement Project contract with Yantis Company at the San Antonio International Airport.

101152
B. An Ordinance ratifying Field Alteration No. 3 in the amount of \$54,445.60 to Yantis Company in connection with the Street and Drainage Improvement Project at the San Antonio Airport.

Items Concerning the Purchase, Sale or Lease of Real Property

PURPOSED
25. An Ordinance authorizing funds in the amount of \$231,901 for fee simple title to eight (8) parcels of certain privately owned real property and other miscellaneous expenses associated with the Stahl Road-O'Connor to Judson project, a 2003-2007 General Obligation Street Improvement Bond project located in Council District 10, and authorizing City staff to acquire these properties at fair

market value by negotiation or condemnation, if necessary. [Presented by Thomas G. Wendorf, P.E., Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

101130
26. An Ordinance amending Ordinance No. 98400, authorizing additional funds in the amount of \$152,540.00 payable to Gerry Rickhoff, County Clerk, for fee simple acquisition of 2,332 square feet of land, and a temporary construction easement, out of Lot 25, Block 5, NCB 11721, Oakdell Lockhill Estates Subdivision, located in Council District 9, in connection with the Lockhill-Selma: West Avenue to N.W. Military Project, a Metropolitan Planning Organization project and a 1999 General Obligation Street Improvement Bond project, in Condemnation Cause No. 2005-ED-0035, *City of San Antonio v. Alamo Garage Associates, Ltd., and Marine Midland Bank*. [Presented by Thomas G. Wendorf, P.E., Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

101131
27. An Ordinance authorizing funds in the amount of \$90,669.09 payable to Bracewell & Giuliani, L.L.P. for legal services in connection with the Bitters Road - West Avenue to Heimer MPO project (\$2,708.53), Cherry Street Drainage #15B Phase II project (\$4,722.61), Culebra Drainage #58F project (\$2,052), Escalon Street #1008 Drainage project (\$4,983.50), Hi-Lions Drainage #80 Phases III & V project (\$17,755.00), Houston Street - Walters to Onslow MPO project (\$2,573.01), Laddie Place Detention Pond project (\$11,345.20), Leonhardt at Low Water Crossing project (\$3,860.17), Military Drive West to Reed Road (\$1,746), Octavia Drainage #63, Phase II, Part I project (\$2,694.44), Pecan Valley - I.H. 10 to J Street MPO project (\$3,484.98), Pleasanton Road - Southcross to Mayfield project (\$5,716.11), San Antonio River Improvements project (\$4,107.45), South Flores Drainage #70-70A Phase II-Part 3 project (\$4,902.82), Western Avenue Drainage #74 IIIA project (\$7,672.27), Wurzbach Road at I.H. 10 and Ironside Intersections project (\$64), and the W.W. White-Rigsby to Lord Road project (\$3,310.50); and the Fay Phase I Community Development Block Grant (CDBG) project (\$6,970.50); funded from General Obligations of the City and CDBG funds. [Presented by Thomas G. Wendorf, P.E., Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

101133
28. An Ordinance authorizing the purchase of Storm Water Fee credits in the amount of \$200,000.00 from H. B. Zachry Company, in order to release funds held in an escrow account related to the Six Mile Creek #83F project. [Presented by Thomas G. Wendorf, P.E., Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

101154
29. An Ordinance authorizing the execution of a two-year Renewal and Extension of a Lease Agreement with FNFS, Ltd., d/b/a B&W Finance Company, as "Tenant", for the use of 936 square feet of retail/office space and a drive through teller lane at the Houston Street Parking Garage, located in Council District 1 at the intersection of Navarro and College Streets for a monthly base rental amount equal to \$1,684.80 or \$20,217.60 for the first year. [Presented by Thomas G. Wendorf, P.E., Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

101182
30. An Ordinance amending the existing Interlocal Agreement on Regional Flood Control, Drainage and Storm Water Management Program between the City of San Antonio, Bexar County, and the San Antonio River Authority that was approved through Ordinance No. 96902, and authorizing the execution of an agreement for the City's participation in the digital terrain mapping of Bexar County, digital orthophotography, and ultimate hydrologic model development by contributing

funds in the amount of \$1,884,030.00 available in the Storm Water Regional Facilities Fund and the Information Technology Services Department Operating Budget. [Presented by Thomas G. Wendorf, P.E., Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

31. An Ordinance authorizing the execution of a contract with West Laurel Heights First Missionary Baptist Church for the sale of approximately 1.03 acres of City-owned property at the Southwest Business & Technology Park (former Van de Walle property) in Council District 6, for the purchase price of \$43,560 per acre or the appraised value, whichever is greater, and authorizing 5% of the final sales price for real estate broker's fees, \$590.00 for the title insurance policy, and \$500.00 for closing costs. [Presented by Rebecca Waldman, Director, Department of Asset Management; Erik J. Walsh, Assistant to the City Manager]

32. An Ordinance authorizing the execution of a contract with Dahyalal A. Gajera and Mehul Patel for the sale of approximately 11 acres of City owned property at the Southwest Business & Technology Park (former Van de Walle property) in Council District 6, for \$19,602.00 per acre or the appraised value, whichever is greater, and authorizing 5% of the final sales price for real estate broker's fees, \$2,964.00 for the title insurance policy, and \$500.00 for closing costs. [Presented by Rebecca Waldman, Director, Department of Asset Management; Erik J. Walsh, Assistant to the City Manager]

33. An Ordinance authorizing funds in the amount of \$8,075.00 payable to Eckmann Groll, Inc. for appraisal services in connection with the Culebra/Loop 410 Detention Pond project (\$850) located in Council District 6, Laddie Place Detention Pond project (\$2,625) located in Council District 1, and the Loop 410 at Nacogdoches Drainage Improvement project (\$4,600) located in Council Districts 9 and 10; funded from General Obligations of the City. [Presented by Thomas G. Wendorf, P.E., Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

34. An Ordinance authorizing the execution of a five year lease agreement, with an option to renew for two periods of five years, with Parent/Child, Inc. for space in the City's Colonel Victor J. Ferrari Community Family Resource and Learning Center, for an annual amount of \$16,704 plus utility charges for the period August 1, 2005 through July 31, 2010. [Presented by Dennis Campa, Director of Community Initiatives; Frances A. Gonzalez, Assistant City Manager]

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

35. An Ordinance approving the temporary street closure of Avenue B Annex between East Grayson Street and Avenue B on Saturday, August 13, 2005 from 11:00 a.m. to 11:59 p.m. as requested by Sam's Burger Joint to hold their annual Festival Bazaar located in City Council District 1. [Presented by Roland A. Lozano, Assistant to the City Manager; J. Rolando Bono, City Manager]

36. An Ordinance approving the temporary street closure of Dugas Drive between Rainbow Creek and the Dead End on Tuesday, August 2, 2005 from 1:00 p.m. to 9:00 p.m., as requested by Darlene Rubio to hold the annual National Night Out located in City Council District 6. [Presented by Roland A. Lozano, Assistant to the City Manager; J. Rolando Bono, City Manager]

37. An Ordinance approving the temporary street closure of Mountain Top Boulevard between Sharon Drive and Linda Drive on Tuesday August 2, 2005 from 3:00 p.m. to 10:00 p.m, as requested by Shear Hills/Ridgeview Neighborhood Association in order to hold its annual National Night Out located in City Council District 1. [Presented by Roland A. Lozano, Assistant to the City Manager; J. Rolando Bono, City Manager]

Miscellaneous Items

38. An Ordinance amending Ordinance No. 99508, authorizing the City Manager, or his designated representative, to accept a Texas Automobile Theft Prevention Authority (ATPA) supplemental grant in the amount of \$22,482, bringing the total revised budget to \$2,882,441, to augment the San Antonio Police Department's effort in reducing auto theft and related property crimes during the grant period from September 1, 2004 through August 31,2005. [Presented by Albert A. Ortiz, Chief of Police; Chris Brady, Assistant City Manager]

39. An Ordinance establishing parking fees for the parking lot on the HemisFair Park property located in Council District 1. [Presented by Thomas G. Wendorf, P.E., Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

40. An Ordinance authorizing a license agreement permitting City Public Service to maintain its solar panel display at the City's soon to be acquired parking lot at HemisFair Park. [Presented by Rebecca Waldman, Director, Department of Asset Management; Erik J. Walsh, Assistant to the City Manager]

41. An Ordinance authorizing the acceptance and execution of a Texas Department of State Health Services contract change totaling \$21,882.00 to augment support for the ongoing Title XX Family Planning Program in the San Antonio Metropolitan Health District (SAMHD) for the period of September 1, 2004 through August 31, 2005; authorizing the acceptance and execution of a contract with the University of Texas Health Science Center at San Antonio, Department of Family Nursing for the AVANTE Clinic Project in the SAMHD for the period of May 1, 2005 through September 30, 2008, providing SAMHD estimated Medicaid reimbursements totaling \$13,500; and revising the program budget. [Presented by Fernando A. Guerra, MD, Director of Health; Frances A. Gonzalez, Assistant City Manager]

42. An Ordinance authorizing a holdover provision of the lease agreements for the District 5 and District 7 Constituent Offices to extend the tenancy on a month-to month basis and at a rental rate equal to 110% of the rental rate, which is currently \$200.00 for District 5 and \$550 for District 7, pursuant to Ordinance No.95982 and Ordinance No.96139, as requested by Councilwoman Patti Radle, District 5.

Board, Commissions and Committee Appointments.

43. Consideration of the following Board Appointments: [Presented by Leticia M. Vacek, City Clerk]

44. An Ordinance appointing Glenn G. Gregory (District 9) to the Capital Improvements Advisory Committee for a term of office to expire on October 25, 2006.

THE CITY COUNCIL WILL RECESS FOR LUNCH AT NOON AND RECONVENE AT 1 P.M. TO CONSIDER EXECUTIVE SESSION ITEMS AND ANY UNFINISHED COUNCIL BUSINESS:

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

- A. Deliberate the duties, appointment, and employment of the City Manager, pursuant to Texas Government Code Section 551.074 (personnel matters), and discuss related legal issues, pursuant to Texas Government Code Section 551.071. (consultation with attorney)
- B. Discuss legal issues related to the lawsuit styled, *City of San Antonio v. Artemio Alanis, et al*, Cause No. 99-ED-0029, in the Probate Court No. 1, Bexar County, Texas pursuant to Texas Government Code Section 551.071. (consultation with attorney)

45. 5:00 P.M. – Ceremonial Items

46. 6:00 P.M. – Citizens to be Heard

47. City Manager's Report – *None*

ADJOURN

7:00 P.M. – If Council has not yet adjourned, the presiding officer shall entertain a motion to recess the council meeting. If no motion is made or if a motion is made and it fails, the meeting will continue until adjourned. If a motion is made and it passes, the presiding officer shall recess the Council meeting at 7:00 p.m. and reconvene the meeting at 9:00 a.m. on the following day.