



Joint Ord. 100208
Joint Res. 2005-02-01
Joint Ord. RECEIVED 100 238
Joint Res. CITY OF SAN ANTONIO
CITY CLERK
2005 JAN -6 A 10:41

**Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 Main Plaza
San Antonio, Texas 78205
January 6, 2005**

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:

1. Staff briefing on Neighborhood Association Registration Policy. [Presented by Emil R. Moncivais, Director, Planning; Jelyne LeBlanc Burley, Assistant City Manager]

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

A. Upon a Good Faith Determination by City Council pursuant to §551.086 (c) of the Texas Government Code that the subject matter involves a competitive matter, a discussion regarding competitive matters (§551.086 of the Tex. Govt. Code) and legal consultation (§551.071 of the Tex. Govt. Code) related to CPS' pricing strategies.

AM { B. Deliberate the offer of financial or other incentives related to economic development negotiations with a business prospect the City Council seeks to have locate in or near San Antonio, including the possible acquisition and disposition of an interest in real property, pursuant to Texas Government Code Section 551.087 (deliberation regarding economic development negotiations) and Texas Government Code Section 551.072 (deliberation regarding real property); and discuss related legal issues, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

C. Discuss the lawsuit styled *City of San Antonio v. Artemio A. Alanis and Nancy K. Alanis, et al*, Cause No. 99-ED-0029, Probate Court No. 1, Bexar County, Texas, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

PM
D. Discuss the lawsuit styled *City of Boerne v. City of San Antonio*, Cause No. 98-005, 216th Judicial Court, Kendall County, Texas, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

E. 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).

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. Randy Bales, University Baptist Church, guest of Council Member Art Hall, District 8, and Pledge of Allegiance.

2. Ceremonial Items.

Swearing in of Councilman Christopher "Chip" Haass, District 10, as Mayor Pro-Tem.

3. Approval of the minutes for the Special City Council meeting of November 10, 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. 5:00 P.M. – Citizens to Be Heard.

100228
5:30 P.M. – Public Hearing and consideration of an Ordinance approving amendments to the Non-Annexation Agreement with Lumbermen's Investment Corporation. [Presented by Christopher J. Brady, Assistant City Manager; J. Rolando Bono, Interim City Manager]

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

100228
6. An Ordinance accepting the sole source bid submitted by Shook Mobile Technology, L.P., to provide the City of San Antonio Fire Department with a pneumatic mast package for a total cost of \$31,358.00 from the Office of Domestic Preparedness Grant for Homeland Security. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]

7. An Ordinance accepting the low responsive bid submitted by Nu Van Technology, Inc., item 1, and Rowan & Cornil, Inc., d/b/a Sunbelt Industrial Trucks, items 2 and 2A, to provide the City of San Antonio Fire Department with two trailers and a forklift for a combined total cost of \$87,600.00 from the Office of Domestic Preparedness Grant for Homeland Security. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]

8. An Ordinance accepting the proposal submitted by SPS Golf Management Solutions to provide the City of San Antonio Parks & Recreation Department with a golf shop point of sale system for a total cost of \$73,595.92. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]

9. 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 Fiscal Year 2004-2005 for an estimated combined annual cost of \$3,371,739.00 to include contracts for Texshare database annual membership fee, notebook computers, and vital record forms. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]

Capital Improvement Items

10. An ordinance approving a Renewal and Extension of the Professional Services Agreement for Engineering Services between Poznecki, Camarillo and Associates, Inc., a Texas corporation, as Consultant, and the City of San Antonio, approved by Ordinance No. 99451 dated July 22, 2004, for the platting of the Levi Strauss Finishing Plant Property, located at 5827 Highway 90 West in City Council District 6, for three (3) months commencing on January 1, 2005, and expiring March 31, 2005, in order to provide additional time in which to obtain platting approval. [Presented by Rebecca Waldman, Director, Asset Management; Erik J. Walsh, Assistant to the City Manager]

11. An Ordinance selecting Fisher Heck Architects, Inc. (SBE), to provide professional architectural services in connection with the River Walk Rehabilitation & Improvements Project, located in Council District 1; authorizing the negotiation and execution of a professional services contract in an amount not to exceed \$81,500.00; authorizing \$9,850.00 for architectural contingency expenses; authorizing \$17,000.00 for surveying services; authorizing \$1,500.00 for bid advertising and printing expenses, for a total amount of \$109,850.00 from Certificates of Obligation and Facility Improvement Maintenance Program funds; appropriating funds; and providing for payment. [Presented by Malcolm Matthews, Director, Parks and Recreation Department; Christopher J. Brady, Assistant City Manager]

12. An Ordinance accepting the low, responsive bid of V.W. Brooks in the amount of \$121,000.00 to perform construction work in connection with the Sunken Garden Theater ADA Modifications Project, located in Council District 9; authorizing the execution of a construction contract; authorizing \$2,000.00 for mandatory project fees; authorizing \$18,500.00 for construction contingency expenses; authorizing \$1,000.00 for park materials, for a total amount of \$142,500.00 from Certificates of Obligation; appropriating funds; and providing for payment. [Presented by Malcolm Matthews, Director, Parks and Recreation Department; Christopher J. Brady, Assistant City Manager]

100230
13. An Ordinance amending the professional services contract and authorizing an amount not to exceed \$90,895.00 to Ford Powell & Carson Architects and Planners, Inc., for additional design services in connection with the Olmos Basin Park Rehabilitation and Trail System Development Project, located in Council Districts 1 and 9; authorizing \$13,600.00 for consultant contingency expenses; authorizing \$53,900.00 for topographic and site survey costs; authorizing \$5,000.00 for mandatory project fees, for a total amount of \$163,395.00; transferring \$841.00 within the project budget and appropriating \$162,554.00 from 1999-2003 Park Bond funds; and providing for payment. [Presented by Malcolm Matthews, Director, Parks and Recreation Department; Christopher J. Brady, Assistant City Manager]

100231
14. An Ordinance approving Field Alteration No. 46 to reduce the contract with E-Z Bel Construction, Ltd., by \$108,285.18 in connection with the Hi-Lions #80, Phases III and V Project, located in Council District 3; and revising the project budget. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

100232
15. An Ordinance approving Field Alteration No. 2 and authorizing \$83,485.71 from General Obligations of the City payable to Pronto Sandblasting and Coating and Oil-Field Service Company, Inc., in connection with the Southtown Area Street Improvements 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]

100232
16. An Ordinance approving Field Alteration No. PW-1 and authorizing \$362,421.00 from Aviation Capital Improvements funds payable to Clark Construction of Texas, Ltd., in connection with the Airport Terminal Roadway Renovation Project; revising the project budget; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

100213
17. An Ordinance selecting Chesney, Morales & Associates, Inc. (MBE/SBE) to provide architectural and engineering services in connection with the Partial Re-Roofing of the Henry B. Gonzalez Convention Center, located at 200 E. Market Street in Council District 1; authorizing the negotiation and execution of a professional services contract for an amount not to exceed \$194,541.00; authorizing \$16,158.00 for contingency expenses; authorizing \$6,324.00 for capital administration expenses; authorizing \$800.00 for advertising expenses, for a total amount of \$217,823.00 from Hotel Occupancy Tax Subordinate Lien Revenue and Refunding Bond, Series 2004B funds; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

18. An Ordinance selecting Chesney, Morales & Associates, Inc. (MBE/SBE) to provide architectural and engineering services in connection with the Henry B. Gonzalez Convention Center Interior Administrative Office Renovations and Upgrades and Code Improvements Project, located at 200 E. Market Street in Council District 1; authorizing the negotiation and execution of a professional services contract for an amount not to exceed \$169,590.00; authorizing \$11,424.00 for contingency expenses; authorizing \$7,997.00 for capital administration expenses; authorizing \$800.00 for advertising expenses, for a total amount of \$189,811.00 from Hotel Occupancy Tax Subordinate Lien Revenue and Refunding Bond, Series 2004B funds; 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

19. An Ordinance authorizing payment in the amount of \$57,301.00 from 1999 General Obligation Street Improvement Bond funds to Lawyers Title of San Antonio as escrow agent for the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints, a Utah Corporation, for fee simple title to one parcel (\$55,301.00) and title fees (\$2,000.00) in connection with the Stahl at O'Connor and Judson Reconstruction MPO Project, located in Council District 10; 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 funds in the amount of \$2,350.00 from 1999 General Obligation Street Bond funds for fee simple title to two parcels of real property and other miscellaneous expenses associated with the Mayfield – I.H. 35 to Zarzamora MPO Project (“Project”), located in Council District 4; declaring the Project to be a public project for the acquisition of the fee simple title to certain privately owned real property, to wit, all or portions of the properties listed as follows: (1) a 0.00258 acre tract of land out of the south 100 feet of original Lot 397, NCB 7853; (2) a 0.00258 acre tract of land out of the north part of original Lot 321, NCB 8607, all out of the Harlandale Acres Tract No. 2, 2nd filing, and all properties being in the City of San Antonio, Bexar County, Texas; establishing just compensation for the properties; appropriating funds for the Project including miscellaneous expenses associated with the Project such as title fees and attorney’s fees; authorizing City staff and/or its designated representatives to negotiate with and to acquire the properties from the owners on the approved terms; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

21. An Ordinance approving the full and final settlement agreement between the City of San Antonio and Jesse E. Pena for 641.52 square feet of land in fee simple out of Lot 11, Block 9, NCB 582, City of San Antonio, Bexar County, Texas, and authorizing payment in the total amount of \$21,000.00 from 1996 Certificates of Obligation, payable to Gerry Rickhoff, County Clerk, in connection with the Cherry Street Drainage #15B Phase II Project, located in Council District 2; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

100218
22. An Ordinance authorizing the execution of a Lease Agreement with the Government of the State of Nuevo Leon, Mexico, operating as Secretaria De Desarrollo Economico, N.L., for the use of approximately 1,521 square feet of office space at the International Center, located at 203 S. St. Mary's Street, in Council District 1, for a twenty seven (27) month term, which commenced on October 1, 2004 and which will expire on December 31, 2006, at a rent that escalates from \$9.60 per square foot annually to \$13.20 per square foot annually during the initial term, and providing for a two (2) year Renewal term at a rate of \$15.00 per square foot annually, plus Common Area Maintenance costs which are subject to annual adjustment. [Presented by Rebecca Waldman, Director, Asset Management; Erik J. Walsh, Assistant to the City Manager]

100219
23. An Ordinance authorizing the execution of a First Amendment to the lease with SP San Antonio Partnership, L.P., a Delaware limited partnership, for the use of approximately 1,843 square feet of space for the Community Link Service Center at South Park Mall, for five (5) years, at a cost of \$2,257.68 per month through June 30, 2005; \$2,856.65 per month for Years 1 and 2; \$3,071.67 per month for Years 3 and 4; and \$3,796.58 per month in Year 5; appropriating funds; and providing for payment. [Presented by Antonio A. Bosmans, Director, Customer Service/311 System; Melissa Byrne Vossmer, Assistant City Manager]

100220
24. An Ordinance authorizing the execution of a Lease Agreement with the United States Department of Transportation and the Federal Aviation Administration for use of ground space at the San Antonio International Airport, for the operation and maintenance of air navigational aid facilities for Runway 30L land sites, including, the Medium Intensity Approach Lighting System, Middle Marker, Glide Slope, and Localizer beacon sites. [Presented by Kevin C. Dolliole, Director, Aviation; Roland A. Lozano, Assistant to the City Manager]

Miscellaneous

100221
25. An Ordinance authorizing the Interim City Manager or his designee to accept a donation in the amount of \$700.00 from Target Stores to the Financial Crimes Unit, Forgery Detail of the San Antonio Police Department, which will be used to purchase a VCR and a monitor to further enhance the capabilities of the Forgery Detail; amending the budget; and appropriating funds. [Presented by Albert A. Ortiz, Police Chief, Christopher J. Brady, Assistant City Manager]

100222
26. An Ordinance authorizing the Interim City Manager or his designee to accept a donation of two (2) Sanyo digital night cameras with cases and two (2) Archos model AV340 digital video recorders and controllers, valued at \$2,438.00, to the San Antonio Police Department from the San Antonio Asian Community Affairs. [Presented by Albert A. Ortiz, Police Chief, Christopher J. Brady, Assistant City Manager]

100223
27. An Ordinance authorizing the Interim City Manager or his designee to extend the feasibility period until March 1, 2005, and further negotiate and execute any other extensions relating to the acquisition of certain real property from the San Antonio Water System; and appropriating an amount not to exceed \$10,000.00 from Hotel Occupancy Tax Revenue Bond funds for additional due diligence expenses. [Presented by Rebecca Waldman, Director, Asset Management; Erik J. Walsh, Assistant to the City Manager]

100224
28. An Ordinance changing the street name of Cassava Place to Grace Place, located in Council District 9. [Presented by Florencio Peña, Director, Development Services; Christopher J. Brady, Assistant City Manager]

100225
29. An Ordinance ratifying the acceptance of a \$40,000.00 grant by the San Antonio Housing Trust Foundation, Inc., ("SAHTF") from the Fannie Mae Foundation to support homebuyer counseling activities and the Neighborhood Action Department's Homebuyer's Club Program; authorizing the execution of a contract with SAHTF in the amount of \$20,000.00 to support the Neighborhood Action Department's Homebuyer's Club Program; and authorizing the execution of any and all documents and agreements in connection therewith. [Presented by David D. Garza, Director, Neighborhood Action; Jelynn LeBlanc Burley, Assistant City Manager]

Board, Commissions and Committee Appointments.

100226
30. An Ordinance re-appointing Evanleen Schmueckle (District 3) to the Animal Care Services Advisory Board for a term expiring April 3, 2006. [Presented by Leticia M. Vacek, City Clerk]

ITEMS FOR INDIVIDUAL CONSIDERATION

100233
31. An Ordinance adopting revised voting precincts to be used for the May 7, 2005 General and Special Election. [Presented by Leticia M. Vacek, City Clerk]

100234
32. An Ordinance authorizing the execution of two agreements for traffic engineering consulting services with Pape-Dawson Engineers, Inc., and Post, Buckley, Schuh & Jernigan, Inc., d/b/a PBS & J, San Antonio, each in an amount not to exceed \$500,000.00 for as-needed services in connection with City-owned facilities and improvements, construction projects and emergency situations, for a one (1) year term, with an option to extend one or both of the agreements for one (1) additional year. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

100235
33. An Ordinance authorizing the engagement of attorneys and law firms to serve as bond counsel for the City of San Antonio in connection with various financings. [Presented by Andrew Martin, City Attorney; J. Rolando Bono, Interim City Manager]

100236
34. An Ordinance approving an addendum to the City's State Legislative Program for the 79th Legislature that was adopted by Ordinance No. 99966 on November 4, 2004. [Presented by Christopher J. Brady, Assistant City Manager; J. Rolando Bono, Interim City Manager]

100237
35. An Ordinance authorizing the renewal and execution of a Lease Agreement with Moses and Cristy Mitchell, d/b/a Valley Hi Executive Center, for leased space located in a building known as Valley Hi Executive Center at 333 Valley Hi Drive, Suite #2108 and #2110 for the Council District 4 Constituent Office for a rental rate of \$587.25 per month commencing January 1, 2005 through May 15, 2005; as requested by Councilman Richard Perez.

36. City Manager's Report. - *Report on Fire Dept. Budget - Peter Jarovi*

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

- AM
- A. Upon a Good Faith Determination by City Council pursuant to §551.086 (c) of the Texas Government Code that the subject matter involves a competitive matter, a discussion regarding competitive matters (§551.086 of the Tex. Govt. Code) and legal consultation (§551.071 of the Tex. Govt. Code) related to CPS' pricing strategies.
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 - C. Discuss the lawsuit styled *City of San Antonio v. Artemio A. Alanis and Nancy K. Alanis, et al*, Cause No. 99-ED-0029, Probate Court No. 1, Bexar County, Texas, pursuant to Texas Government Code Section 551.071 (consultation with attorney).
 - PM
 - D. Discuss the lawsuit styled *City of Boerne v. City of San Antonio*, Cause No. 98-005, 216th Judicial Court, Kendall County, Texas, pursuant to Texas Government Code Section 551.071 (consultation with attorney).
 - Not addressed
 - E. 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).