



1st Ordinance 97784
 1st Resolution 2003-25-27
 Last Ordinance 97825
 Last Resolution 2003-25-27

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**Agenda
 City Council Meeting
 Municipal Plaza Building
 City Hall Complex
 103 Main Plaza
 San Antonio, Texas 78205
 June 19, 2003**

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:
 - A. Briefing of Proposed 2003 Bond Program. [Presented by Lou Lendman, Director, Management and Budget; Christopher J. Brady, Assistant City Manager]
 - B. Presentation on the Other Funds in the City Budget and their Relationship to the General Fund. [Presented by Lou Lendman, Director, Management and Budget; 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 Pastor Rick Godwin, Eagles Nest Christian Fellowship, and Pledge of Allegiance.
 - 2. Ceremonial Items.
 - 3. Approval of the minutes of the Regular City Council Meeting of May 8, 2003.

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:

- 97812
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bid.
4. 1:30 P.M. – Consideration of an ordinance authorizing the issuance of approximately \$57,865,000 “City of San Antonio, Texas General Improvement Refunding Bonds, Series 2003-A”; levying a continuing direct annual ad valorem tax for the payment of the bonds; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale, and delivery of the bonds, including the approval and distribution of an official statement pertaining thereto; authorizing the execution of a paying agent/registrars agreement, escrow agreement and a purchase contract; complying with the requirements imposed by the letter of representations previously executed with the depository trust company; effective immediately if passed by at least eight votes. [Presented by Milo D. Nitschke, Director, Finance; Melissa Byrne Vossmer, Assistant City Manager]
 5. 3:00 P.M. – Staff presentation of the Five Year Financial Forecast. [Presented by Lou Lendman, Director, Management and Budget; Christopher J. Brady, Assistant City Manager]
 6. 3:30 P.M. – Public Hearing and consideration of an Ordinance closing, vacating and abandoning Public Rights of Way consisting of portions of Robards Row and a twenty five (25) foot wide alley abutting NCB 17626, between Weimer Way and the Southwest City Limits of Live Oak, Texas, as requested by the Petitioners, Drew M. Stewart, Linda A. Stewart, Hamilton W. Daniels and Rosalinda M. Daniels, for the total consideration of \$16,523.00. [Presented by Rebecca Waldman, Director, Asset Management; Erik J. Walsh, Assistant to the City Manager]
 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

- 97784
8. An Ordinance accepting the low bid from Tri-Global Technologies LLC, Bid No. 1 to provide the City of San Antonio Environmental Services Department with five ArcPad GeoXT handheld global positioning systems to be funded by a grant from the Alamo Area Council of Governments (AACOG) for a total amount of \$27,245.00. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

977906226
14. An Ordinance selecting Maestas & Bailey, Inc. to provide professional engineering services in connection with the Braniff from Turbo to U.S. 281 Project, located in Council District 9; authorizing the negotiation and execution of a professional services contract in an amount not to exceed \$73,111.97; authorizing \$7,311.20 for engineering contingency expenses, for an overall total amount of \$80,423.17 from 2001 Certificates of Obligation; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

977911
15. An Ordinance accepting the low, qualified responsive bid in the amount of \$737,217.90 from R.L. Jones, L.P., for construction services in connection with the Hoover Street from Nogalitos to Charlotte Project, located in Council District 5; authorizing the execution of a construction contract; authorizing \$57,664.44 for miscellaneous construction contingency expenses, for an overall total amount of \$794,882.34 of which \$634,308.84 from 1999 General Obligations of the City and authorizing the reimbursement from San Antonio Water System (SAWS) in the amount of \$160,573.50 for sewer and water expenses; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

977926
16. An Ordinance accepting the low, qualified responsive bid in the amount of \$311,621.60 from San Antonio Constructors, Ltd. (MBE) for construction services in connection with the Aransas from Meerscheidt to Walters Project, located in Council District 2; authorizing the execution of a construction contract; authorizing \$22,172.00 for miscellaneous construction contingency expenses, for an overall total of \$333,793.60 of which \$243,889.75 from 1999 General Obligations of the City and authorizing the reimbursement from San Antonio Water System (SAWS) in the amount of \$89,903.85 for sewer and water expenses; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

977936
17. An Ordinance approving Field Alteration No. 4 and authorizing payment in the amount of \$37,311.75 from G.O. Drainage Improvement Bond funds to R.L. Jones Company, Inc. for construction expenses in connection with the Blossom/Woodbury #1007, Phases I & II Project, located in Council District 10; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

977946
18. An Ordinance approving Field Alteration No. 4 and authorizing payment in the amount of \$27,770.87 from 1999 G.O. Drainage Improvement Bond funds to Dayco Construction Company for construction expenses in connection with the Culebra Drainage #58F Phase I Project, located in Council District 7; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

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19. An Ordinance approving Field Alteration No. 3 and authorizing payment in the amount of \$399,755.00 from Certificates of Obligation to Constructors & Associates, Inc. for construction expenses in connection with the Municipal Plaza Exterior Renovation Project, located at 114 W. Commerce in Council District 1; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

20. An Ordinance authorizing the execution of a Intra-jurisdictional Agreement between the City of San Antonio and City Public Service Board of San Antonio (CPS) in connection with the installation and maintenance of electric transmission and distribution lines for Building 2 located within the Municipal Records Facility complex at 131 El Paso Street in Council District 1. [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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21. An Ordinance authorizing the execution of a Joint Use Agreement between the City of San Antonio and the San Antonio Water System in connection with an existing Drainage and Sanitary Sewer Right of Way in the vicinity of Arrid Drive, Smallwood Drive and Hicks Avenue, located in Council District 1. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

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22. An Ordinance authorizing payment in the amount of \$6,600.81 to Davidson & Troilo, P.C., for legal services in connection with the Babcock Road/Leon Creek Improvements – Hausman to DeZavala Project (\$2,447.75), Bitters Road – West Avenue at Heimer MPO Project (\$2,740.31), Pleasanton Road – Southcross to Mayfield MPO Project (\$72.00), and the Salado Creek Greenway (Hike & Bike, Phase I) Project (\$1,340.75); revising the 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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23. An Ordinance authorizing payment in the amount of \$41,469.04 to Bracewell & Patterson, L.L.P., for legal services in connection with the Basse Road and San Pedro Intersection MPO Project (\$90.00), Bitters Road – West Avenue to Heimer MPO Project (\$234.00), Blanco Road and Jackson Keller Intersection MPO Project (\$612.00), Escalon Street #1008 Drainage Project (\$216.00), Fire Station No. 25 Project (\$54.00), Hi-Lions Drainage #80, Phases III & V Project (\$185.00), Hildebrand Avenue – I.H. 10 to Breeden MPO Project (\$38,907.01), Octavia Drainage #63 Phase II, Part 1 Project (\$90.00), San Pedro – Quincy to Romana MPO Project (\$594.00), W.W. White Phase I – Rigsby to Lord Road Project (\$401.88), and the Wurzbach Road at I.H. 10 and Ironside Intersections Project (\$85.15); revising the budget; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

978002
24. An Ordinance authorizing payment in the amount of \$6,300.00 to Eckmann, Groll, Inc. for appraisal services in connection with the Belgium from Picardie to Coliseum Project (\$1,200.00), Lanark Drainage #92A Phase I Project (\$1,200.00), and the Old Brookside Subdivision Drainage Project (\$3,900.00); appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

978003
25. An Ordinance authorizing payment in the amount of \$16,161.81 to Dugger, Canaday, Grafe, Incorporated for appraisal services in connection with the Lockhill-Selma: West Avenue to N.W. Military Project (\$15,361.81) and the Tezel Road – Timber Path to Old Tezel Project (\$800.00); appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

978004
26. An Ordinance authorizing \$1,000.00 for appraisal services in connection with the Emmett Street from Block #500 to Block #700 (Deadend to Deadend), located in Council District 3, and authorizing \$2,125.00 for expert testimony in connection with the Fay Phase I from Creighton to Quintana Community Development Block Grant (CDBG) Project, located in Council District 5, for a total amount of \$3,125.00 payable to Dugger, Canaday, Grafe Incorporated; revising the project budget; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

978005
27. An Ordinance authorizing payment in the amount of \$3,118.00 in Community Development Block Grant (CDBG) funds payable to Gerry Rickhoff, County Clerk, for the defendants in Condemnation Cause No. 2003-ED-0003, City of San Antonio vs. Rita Sanchez for the acquisition of fee simple title to one (1) parcel of real property and authorizing payment in the amount of \$1,051.00 for court costs for a total amount of \$4,169.00 in connection with the Fay Phase I Community Development Block Grant (CDBG) Project, located in Council District 5; revising the project budget; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

978006
28. An Ordinance amending Ordinance No. 93891, passed and approved on May 10, 2001, to authorize payment of the additional sum of \$11,430.00 to Gerry Rickhoff, County Clerk, for the defendants in Condemnation Cause No. 2001-ED-0003, City of San Antonio vs. Alfred F. Renteria and Rita H. Renteria, et al, for fee simple title to one parcel in connection with the Pleasanton Road – Southcross to Mayfield MPO Project, located in Council District 4; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

978007
29. An Ordinance authorizing payment in the amount of \$1,060.48 from 1994 G.O. Street Improvement Bond funds to Ticor Title Agency of San Antonio for title fees in connection with the Higgins Road – Nacogdoches to Stahl Project, located in Council District 10; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

978008
30. An Ordinance authorizing 1999 G.O. Street Improvement Bond funds in the amount of \$9,550.00 for the acquisition of fee simple title and/or easement interest to five (5) parcels of real property out of NCB 8084, San Antonio, Bexar County, Texas, in connection with the Northington – S.W. 36th to S.W. 35th Project, located in Council District 6; establishing compensation for the property; appropriating funds for title and miscellaneous expenses associated with the project; authorizing the City staff and/or its designated representatives to negotiate with and to acquire the property from the owners on the approved terms; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

978009
31. An Ordinance authorizing execution of a Renewal and Extension of Lease Agreement (incorporating Amendment to Lease Agreement) between the City of San Antonio and the United Services Organization Council of Metropolitan San Antonio, Texas (U.S.O.), a Texas non-profit corporation, as Tenant, for the use of 10,444 square feet in the Riverbend Garage for a three (3) year term effective March 1, 2003 with no rent and costs of Common Area Maintenance (CAM) charges due from the U.S.O., subject to annual appropriation of funds for such rent and CAM charges in future City of San Antonio Fiscal Years after September 30, 2003, in consideration of the benefits derived by the City from services provided to the Armed Forces by the U.S.O, but with the U.S.O. paying chilled water costs of 5¢ per square foot for its proportionate share of such costs per month through February 28, 2006 and all operating costs, with an option to renew and extend the Lease Term an additional three years, subject to such annual appropriation and subject to City Council approval. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

978010
32. An Ordinance authorizing a License Agreement with the Camp Street Partners, L.P., to temporarily excavate, then restore a portion of the Development and Business Services Center property located at 1901 South Alamo, that is currently used for landscaping, to facilitate the construction of an underground parking area in the basement of an adjacent building located at 114 Camp Street, for a term to expire on December 31, 2003. [Presented by Rebecca Waldman, Director, Asset Management; Erik J. Walsh, Assistant to the City Manager]

978011
33. An Ordinance authorizing the execution of a five-year lease agreement with the Carver Development Board (CDB) at a rental rate of \$1.00 per year for use by the CDB administrative staff of approximately 4,000 square feet of office space located at the Carver Annex, 215 N. Hackberry, San Antonio, Texas. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant to the City Manager]

Miscellaneous

- 97810
34. An Ordinance authorizing the City Manager or her designee in partnership with the Alamo Area Council of Governments (AACOG), Bexar County, and the San Antonio River Authority to accept a Pre-Disaster Mitigation Grant in the amount \$150,000.00 plus any additional allocation that may become available from the Texas Department of Public Safety Division of Emergency Management; and authorizing a grantee match of twenty five percent (25%) of the total project costs, with the City's portion to be met through in-kind services. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]
- 97811
35. An Ordinance authorizing the acceptance of cash grants and donations in the cumulative amount of \$55,895.00 to support the Special Immunizations Promotion Project of the San Antonio Metropolitan Health District as follows: Aventis Pasteur, \$4,000.00; Merck & Co., Inc., \$5,000.00; GlaxoSmithKline Pharmaceuticals, \$10,000.00; Wyeth-Ayerst Pharmaceuticals, \$1,500.00; City Public Service, \$7,500.00; Infinity Broadcasting Corporation, \$7,100.00; Moroch, \$3,000.00; San Antonio Spurs, \$360.00; SAS Shoemakers, \$3,090.00; San Antonio Lighthouse, William Judson Center, \$910.00; Telemundo Television, \$5,275.00; Sinclair Communications, Inc., \$7,500.00; Bates Container, \$160.00 and Anonymous cash donations of \$500.00; and revising the project budget. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant to the City Manager]

ITEMS FOR INDIVIDUAL CONSIDERATION

- 97812
36. Staff presentation on Southside Initiative Plan. [Presented by Emil Moncivais, Director, Planning; Jelyne LeBlanc Burley, Assistant City Manager]
- 97813
37. An Ordinance authorizing and directing the City Manager or her designee to execute agreements for car rental concessions at San Antonio International Airport for a term of five years, and providing for annual payment to the City of the greater of a minimum annual guarantee which range from \$290,000.00 to \$1,447,600.00 or ten percent of revenues generated at the airport, as well as rental for counter space occupied in each terminal building. [Presented by Kevin Dolliole, Director, Aviation; Christopher J. Brady, Assistant City Manager]
- 97814
38. An Ordinance designating the firm of Llewelyn-Davies Sahni to provide planning services in connection with the Land Use and Development Study for San Antonio International and Stinson Municipal Airports; authorizing the negotiation and execution of a contract for an amount not to exceed \$467,871.00; and authorizing \$20,000.00 for planning contingency expenses and \$12,129.00 for administrative expenses, for an overall total amount of \$500,000.00; appropriating funds; and providing for payment. [Presented by Kevin Dolliole, Director, Aviation; Christopher J. Brady, Assistant City Manager]

97816
39. An Ordinance authorizing the application for Texas Block Grant in an amount not to exceed \$223,161.00 from the Texas Department of Transportation (TXDOT) in support of various airport improvements at Stinson Municipal Airport; committing to participate in the cost of these improvements in the amount of ten percent (10%), not to exceed \$358,129.00; and designating TXDOT as the City's agent for purposes of this grant. Presented by Kevin Dolliole, Director, Aviation; Christopher J. Brady, Assistant City Manager]

97817
40. An Ordinance authorizing the City Manager to execute a Cooperative Research and Development Agreement (CRADA) with the United States Air Force Institute for Operational Health to provide facility space for the San Antonio Metropolitan Health District Bioterrorism Preparedness Laboratory at Brooks City-Base for a term of sixty (60) months. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant to the City Manager]

41. Consideration of the following Ordinances: [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant to the City Manager]

97818
A. An Ordinance authorizing the execution of an agreement with the San Antonio Water System (System) Board of Trustees for the implementation and administration of the Laterals to People Program, a sewer lateral program providing assistance to eligible customers.

97819
B. An Ordinance authorizing the execution of an agreement with the San Antonio Water System (System) Board of Trustees for the implementation and administration of the Plumbers to People Program, which provides assistance to eligible System ratepayers.

97820
C. An Ordinance ratifying the 2003 Project Agua Plan, which will provide approximately \$25,000.00 in utility assistance to eligible San Antonio Water System ratepayers in San Antonio.

97821
D. An Ordinance authorizing the acceptance of \$120,341.00 from the San Antonio Water System (System) Board of Trustees to administer the Water Meter Discount Affordability Program (WMDAP) for 2003; establishing a budget; and approving a personnel complement in connection therewith.

97822
42. An Ordinance acknowledging a Unilateral Modification to the Youth Opportunity (YO) Grant contract with Alamo Workforce Development, Inc., which awards funds in an amount up to \$4,731,656.00 and extends the contract term for the period from July 1, 2003 to June 30, 2004; adopting a budget; and approving a personnel complement in connection therewith. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant to the City Manager]

97823
43. An Ordinance acknowledging and accepting a contract modification from Alamo Workforce Development, Inc. (AWD) in connection with the continued operation of the Alamo Child Care Delivery System (CCDS) Program; authorizing the acceptance of additional funds in the amount of \$931,000.00 from AWD for the provision of child care services in connection therewith; authorizing the execution of contract modifications with the Texas Workforce Commission (TWC) through AWD which pledges certification of additional local expenditures in the amount of \$75,431.00 to use as a match to generate additional federal funds in the amount of \$113,951 in the CCDS Program; authorizing certification of said expenditures in connection therewith; authorizing the acceptance of said additional federal funds in the amount of \$113,951 for the provision of child care services; and adopting a revised CCDS Program budget for Fiscal Year 2003. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant to the City Manager]

97824
44. An Ordinance authorizing the expenditure of \$2,400.00 from the Mayor's Contingency Account Fund, payable to Romelia Escamilla, to be used to facilitate services for consensus building and collective decision-making by the Mayor's Southside Initiative Education Working Group, consisting of Southwest ISD, Southside ISD, East Central ISD, UTSA, Texas A&M, Palo Alto College, Bexar County and others, regarding improvements in education and quality of life in the Southside; as requested by Mayor Edward D. Garza.

97825
45. An Ordinance amending Ordinance No. 97142, which authorized the expenditure of up to \$75,000.00 of District 8 Contingency Funds for use by the City Council Governance Subcommittee on Charter Review, by releasing the remaining balance of \$18,427.57 for transfer into the District 8 Administrative Assistant Fund; as requested by Councilman Art A. Hall, District 8.

46. City Manager's Report. - *Introduction of CVB Director*

47. Executive Session: Consultation concerning attorney-client matters (real estate, litigation, contracts, personnel and security) may be discussed.

A. Discuss legal issues regarding dispute resolution provisions of the City's construction contract with Clark/JT Construction for work on the Convention Center Expansion Project, as applied to a pending claim from its subcontractor Todd-Ford, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

B. Discuss legal issues relating to the proposed settlement of a claim filed by Michelle Trinidad, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

C. Discuss legal issues relating to *Borden Park, L.P., d/b/a Star Storage-Downtown, San Antonio vs. City of San Antonio*, Cause No. 2003-CI-09049, 45th Judicial District, Bexar County, Texas, pursuant to Texas Government Code Section 551.071 (consultation with attorney).