



Int Ord 99485  
Int Res. 2004-26-22  
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CITY OF SAN ANTONIO  
Int Res. 2004-26-22  
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**Agenda  
City Council Meeting  
Municipal Plaza Building  
City Hall Complex  
103 Main Plaza  
San Antonio, Texas 78205  
July 29, 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:
  - A. Boards and Commissions Work Session. [Presented by Leticia M. Vacek, City Clerk; Erik J. Walsh, Assistant to the City Manager]
  - B. SAWS Quarterly Update. [Introduced by Thomas G. Wendorf, Director, Public Works; Presented by Susan Butler, Director, Water Resources for SAWS, and Stacy Isenberg, Interim Chief Financial Officer; Melissa Byrne Vossmer, 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 Rev. Robert Jemerson, Second Baptist Church, guest of Councilman Joel Williams, District 2, and Pledge of Allegiance.
  2. Ceremonial Items.
  3. Approval of the minutes of the City Council Meeting of May 13, 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.

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

**CONSENT AGENDA**

**Capital Improvement Items**

- 5) An Ordinance approving Field Alteration No. 7 and authorizing payment in the amount of \$43,166.27 from the project's contingency account fund to R.L. Jones, L.P., in connection with the W.W. White Road – Rigsby to Lord Project, located in Council District 2; revising the project budget; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]
6. An Ordinance approving Field Alteration No. 1 and authorizing payment in the amount of \$30,813.70 from the project's contingency account fund to San Antonio Constructors, Ltd., in connection with the Flores/Breeden/Beacon Drainage Outfall, Phase II 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]
- 7 An Ordinance approving Field Alteration No. 1 in the decreased amount of \$28,290.00 to the contract with E-Z Bel Construction, Ltd., in connection with the Navidad – Martin to Salinas Community Development Block Grant 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]
- 8 An Ordinance approving City Public Service (CPS) Field Alteration No. 1 in the amount of \$25,801.50 to E-Z Bel Construction, Ltd., in connection with the Waverly from Bandera to Glenmore, Phases I & II Community Development Block Grant Project, located in Council District 7; revising the project budget; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]
- 9) An Ordinance (A) accepting the low responsive bid in the amount of \$327,820.00 from R.L. Jones, L.P., in connection with speed humps within the 2004 Speed Hump Program (the "Program") located in Council Districts 1, 2, 4, 5, 6, 7, 8, 9 and 10; authorizing the execution of a construction contract relating to the Program; authorizing \$32,782.00 for construction contingency expenses; and (B) authorizing the transfer of funds in the amount of \$12,644.72 from the 2003-2007 Street Improvement Bond "Pedestrian Mobility and Traffic Calming Projects in District 4" Project to the Street Maintenance City Force Account for pavement repairs by City personnel in connection with speed humps within the Program in Council District 4, for a total amount of \$373,246.72; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

99504  
10. An Ordinance amending the professional services agreement and authorizing payment of an amount not to exceed \$18,955.00 from Certificates of Obligation to Turner, Collie & Braden, Inc. for additional professional services in connection with the Bitters Road – West Avenue to Heimer Project, located in Council District 9; revising the project budget; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

99487  
11. An Ordinance declaring the Comal Street Railroad Track Relocation to be a public Capital Improvement Project; and authorizing the transfer of funds in the amount of \$46,000.00 from the Council District 5 - 2004 Street Maintenance Program to the Capital Improvements Program budget for surveying and appraisal expenses and right-of-way acquisition for the project; 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**

99488  
12. An Ordinance declaring a public necessity for the acquisition of fee simple title to one parcel of land being described as 14,854 square feet out of N.C.B. A-20, City of San Antonio, Bexar County, Texas, and being out of that 1.0 acre tract as conveyed to Martin Linen Supply Company recorded in Volume 7949, Page 705, Deed Records of Bexar County, Texas, for a public purpose, namely the acquisition, improvement and maintenance of the Mission Trails Package 4 Project, located in Council Districts 1, 3 and 5; and authorizing the City Attorney to file eminent domain proceedings; ratifying and affirming all prior acts and proceedings done or initiated by attorneys and employees of the City to acquire such property; authorizing all other lawful action necessary or incidental to such acquisitions or eminent domain proceedings;. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

99489  
13. An Ordinance reaffirming and declaring that the San Antonio Water System's Loop 410: Blanco to McCullough Water and Wastewater Project ("Project") is a necessary public project; further reaffirming and declaring that a public necessity exists for the acquisition of permanent and temporary easement interests across, over, upon and under certain privately owned real properties, by negotiation and/or condemnation, if necessary, for public use as a part of the Project; authorizing the San Antonio Water System ("SAWS") to acquire permanent and temporary easement interests across, over, upon and under certain privately owned real properties described below, by negotiation and/or condemnation, if necessary, for public use as a part of the Project to wit; parcels inclusively between Parcel No. 7311 and 7320 as may develop from further sales transactions and property division on any tract in the proposed alignment of the Project; and subject to obtaining such reaffirmations and authorizations from the City Council as described above authorizing SAWS staff and/or their authorized independent negotiator to negotiate and execute all necessary agreements with the owners of certain privately owned properties for the acquisition of permanent and temporary easement interests in certain privately owned properties as described above; further authorizing SAWS designated special counsel to file eminent domain proceedings, if necessary, and prosecute all such condemnation proceedings through final judgment and all necessary appeals for the condemnation of permanent easement interests in certain privately owned properties as

described above; and declaring that the conveyance of all such permanent easement interests in certain privately owned properties as described above shall be to the City of San Antonio for the use and benefit of SAWS; providing a severability clause; and establishing an effective date; said properties being described as follows:

ACRE (S)	LOT (S)	NCB	SUBDIVISION
0.046 ACRE	LOT 27	NCB 12050	Joe J. Barshop
0.0115 ACRE	LOT 26	NCB 12050	Joe J. Barshop
0.0494 ACRE	LOT 26	NCB 12050	Joe J. Barshop
0.0460 ACRE	LOT 24	NCB 12050	Texaco Subdivision
0.0136 ACRE.	LOT 54	NCB 11714	Blanco Heights
0.0064 ACRE	LOT 57	NCB 11714	Blanco Heights
0.1257 ACRE	LOT10	NCB 11714	Blanco Heights
0.0849 ACRE	LOT 17	NCB 11714	Blanco Heights
0.0769 ACRE	LOT 22	NCB 11714	Blanco Heights

[Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

14. An Ordinance amending Ordinance No. 97550, passed and approved on May 1, 2003, to authorize payment of the additional sum of \$185,833.00 to Gerry Rickhoff, County Clerk, for the defendants in Condemnation Cause No. 2004-ED-0003, City of San Antonio v. Watts Investments, a Florida Limited Partnership, for the acquisition of one variable width sanitary sewer easement, one variable width drainage easement and a temporary variable width construction easement; and payment of the amount of \$2,032.00 for court costs in connection with the Loop 410 at Nacogdoches Drainage Improvement Project, located in Council District 10, for the total amount of \$187,865.00 from Certificates of Obligation; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

15. An Ordinance approving an Amendment to the Lease Agreement-International Center Suites ("Casa Use" - "Coahuila Trade Office"), amending Ordinance No. 97508, passed and approved on April 24, 2003, for the original lease of approximately 705 square feet of office space designated as the "Coahuila Trade Office", in order to add an additional approximately 481 square feet of leased premises for a total of approximately 1,186 square feet of leased premises, and to include former Joint Use Areas, all in a newly designated Suite 140, on the first floor of the International Center, located at 203 S. St. Mary's Street in Council District 1, for the balance of the original two (2) year term, with the term for the new portion having commenced on May 1, 2004 and to end on April 30, 2005, at a rent of \$9.60 per square foot, or \$948.80 per month, with an option to renew for two years at a rent subject to renegotiation and City Council approval. [Presented by Rebecca Waldman, Director, Asset Management; Erik J. Walsh, Assistant to the City Manager]

99491  
16. An Ordinance approving a Lease Agreement by and between the City of San Antonio, as Landlord, and the University of Las Palmas De Gran Canaria, acting by and through Fundacion Canaria Universitaria De Las Palmas (Canary Islands Office), as Tenant, for the use of approximately 1,165 square feet of office space known as Suite 160 at the International Center, 203 S. St. Mary's Street in Council District 1, for a one (1) year term having commenced on May 1, 2004 and expiring April 30, 2005, at a rent of \$9.60 per square foot annually, increasing to \$13.20 per square foot annually in the first one year option Renewal Term, and \$15.00 per square foot annually in the second one year option Renewal Term, plus Common Area Maintenance costs which are subject to annual adjustment, with each Renewal Term subject to City Council approval. [Presented by Rebecca Waldman, Director, Asset Management; Erik J. Walsh, Assistant to the City Manager]

99492  
17. An Ordinance authorizing the execution of a sublease whereby the City, as lessor, has a current lease agreement with 235 E. Commerce, Ltd., as lessee, for approximately 341 square feet of public space on the River Walk in Council District 1 and the City is consenting to the sublease of said space from 235 E. Commerce, Ltd., to Waxy's Pub Group, Inc. [Presented by Malcolm Matthews, Director, Parks and Recreation; Christopher J. Brady, Assistant City Manager]

99493  
18. An Ordinance approving the assignment of a five (5) year River Walk Lease Agreement from Presidio Restaurant, Inc. d/b/a The Presidio Restaurant to Mule Restaurant Group, L.L.C., d/b/a Rita's on the River for a lease of 96.20 square feet of sidewalk space in the City of San Antonio River Walk in Council District 1 for the term of December 1, 2003 through June 30, 2007. [Presented by Malcolm Matthews, Director, Parks and Recreation; Christopher J. Brady, Assistant City Manager]

#### Miscellaneous

99494  
19. An Ordinance authorizing a Second Amendment to the "Professional Services – Facility Component Assessment Services" Agreement with ISES Corporation, which was originally approved by Ordinance No. 94201 on June 28, 2001, and amended by Ordinance No. 96838 on December 12, 2002 in order to provide services to the City of San Antonio to include preparation of a Facilities Condition Analysis and building assessment and evaluation as part of the due diligence in connection with the City's proposed purchase of the Levi Strauss property in Council District 6, such service to be performed for the sum of \$18,840.00; and providing for payment. [Presented by Rebecca Waldman, Director, Asset Management; Erik J. Walsh, Assistant to the City Manager]

99495  
20. An Ordinance authorizing the acceptance of an Airport Improvement Grant, if and when offered, in the amount of \$1,285,307.00 from the Federal Aviation Administration in support of the Sky Place Drainage Phase 2 Project at San Antonio International Airport. [Presented by Kevin Dolliole, Director, Aviation; J. Rolando Bono, Deputy City Manager]

21. An Ordinance ratifying the execution of a one (1) year first renewal option of the Food and Beverage Concession Contract for the Municipal Auditorium between the City of San Antonio and Facility Concession Services d/b/a Spectrum from May 1, 2004 to April 30, 2005; and providing for payment to the City of 32.5 percent of concessionaire's receipts after sales taxes. [Presented by Michael J. Sawaya, Director, Convention Facilities; Roland A. Lozano, Assistant to the City Manager]

22. An Ordinance accepting a shared flood planning protection grant in the amount of \$260,000.00 from the Texas Water Development Board; authorizing the execution by the City Manager or her designee of a Memorandum of Understanding with the San Antonio River Authority for the delivery of services stipulated within the grant; authorizing a \$50,000.00 match of funds for the grant services from the Storm Water Regional Facilities fund; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

23. An Ordinance authorizing the City Manager or her designee to accept a grant in the amount of \$186,912.00 from the Texas Engineering Extension Service for the State Homeland Security Law Enforcement Terrorism Prevention Program. [Presented by Albert A. Ortiz, Police Chief; Christopher J. Brady, Assistant City Manager]

24. An Ordinance authorizing the City Manager or her designee to accept a grant in the amount of \$826,274.00 from the Texas Automobile Theft Prevention Authority for the grant period September 1, 2004 to August 31, 2005; authorizing an Interlocal Agreement between the City and the Bexar County Sheriff's Department to fund two (2) deputies for an amount not to exceed \$110,213.00; and authorizing a cash match of \$451,634.00 from the General Fund. [Presented by Albert A. Ortiz, Police Chief; Christopher J. Brady, Assistant City Manager]

25. An Ordinance amending Ordinance No. 92274, passed and approved on August 10, 2000, to accept the fourth year of grant funding of \$21,456.35 from the Bureau of Justice Assistance to assist in the purchase of ballistic vests for law enforcement personnel and increasing the grant award to a new budgeted amount of \$136,491.64. [Presented by Albert A. Ortiz, Police Chief; Christopher J. Brady, Assistant City Manager]

26. An Ordinance accepting a donation of training equipment valued at \$10,000.00 from Zachry Construction Company in support of the San Antonio Police Department's K-9 Detail. [Presented by Albert A. Ortiz, Police Chief; Christopher J. Brady, Assistant City Manager]

27. An Ordinance accepting a donation of five hundred gas masks valued at \$80,190.00 from San Antonio Asian Community Affairs in support of the San Antonio Police Department. [Presented by Albert A. Ortiz, Police Chief; Christopher J. Brady, Assistant City Manager]

99498  
28. An Ordinance authorizing the City Manager or her designee to execute a Cost Reimbursement Agreement for up to \$175,000.00 with San Antonio Fighting Back, for overtime costs associated with public safety activities incurred from October 1, 2003 through September 30, 2004 of the Weed and Seed Initiative. [Presented by Albert A. Ortiz, Police Chief; Christopher J. Brady, Assistant City Manager]

99499  
29. An Ordinance authorizing the City Manager or her designee to execute contracts with Methodist Healthcare System of San Antonio, Ltd., d/b/a Methodist Specialty and Transplant Hospital, Christus Santa Rosa Health Care, and the Alamo Children's Advocacy Center to provide victims with specialized sexual assault/abuse examinations for approximately \$227,175.00 annually for a two year term expiring September 30, 2006. [Presented by Albert A. Ortiz, Police Chief; Christopher J. Brady, Assistant City Manager]

99500  
30. An Ordinance amending Ordinance No. 98329, passed and approved on October 16, 2003, which accepted a grant in the amount of \$79,759.00 from the Office of the Governor, Criminal Justice Division, by changing the grant's designated Authorized Official. [Presented by Albert A. Ortiz, Police Chief; Christopher J. Brady, Assistant City Manager]

99511  
31. Consideration of the following Ordinances: [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant City Manager]

99512  
A. An Ordinance authorizing the execution of a grant agreement amendment with the U.S. Department of Housing and Urban Development to revise the definition and the number of clients to be served through the Family Violence Prevention Services Program, La Paloma De La Paz Facility in connection with the 2000 Supportive Housing Program; and providing for an immediate effective date upon passage by eight (8) affirmative votes.

99513  
B. An Ordinance authorizing the execution of a grant agreement amendment with the U. S. Department of Housing and Urban Development to re-allocate \$21,493.19 from the Operations Budget line-item to the Supportive Services Budget line-item for the Salvation Army scattered site expansion program in connection with the 2000 Supportive Housing Program; and providing for an immediate effective date upon passage by eight (8) affirmative votes.

#### ITEMS FOR INDIVIDUAL CONSIDERATION

99514  
32. Consideration of the following board appointments: [Presented by Leticia M. Vacek, City Clerk; Erik J. Walsh, Assistant to the City Manager]

99515  
33. An Ordinance confirming the appointment of one member to the Fire Fighters' and Police Officers' Civil Service Commission to serve the remainder of an unexpired term until December 19, 2004.

Nominees:  
Edward Riojas  
Thomas C. Rockeymoore  
Elmer F. Williams



PULLED  
99516

38. An Ordinance authorizing the reallocation of \$13,651.42 from the District 4 One Time Project funds from fiscal years 1999, 2000 and 2001, which are now completed, to the following: \$200.00 to the Parks and Recreation Department for rental of a stage in connection with the National Night Out event to be hosted by the Rainbow Hills Neighborhood Association on August 3, 2004; \$500.00 to the Hillside Acres neighborhood Association in connection with the National Night Out event to be held on August 3, 2004; \$12,951.42 to the District 4 Administrative Assistant Fund to cover administrative costs; as requested by Councilman Richard Perez, District 4.

39. A Resolution allowing the development and construction of the Artisan at Willow Springs Project, located in Council District 2, in compliance with the Texas Department of Housing and Community Affairs requirement for a development which is located within one (1) linear mile of an existing development that serves the same household; as requested by Councilman Joel Williams, District 2.

40. City Manager's Report. *None*

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

✓ Discuss status of economic development negotiations and incentives offered to business prospects that may locate within the corporate city limits of San Antonio and/or in areas proposed for annexation, pursuant to Section 551.087 of the Texas Government Code.