



First Ord 97267
First Rev 2003-09-09
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First Ord 97292
2003 MAR -6 AM 10:07
Last Rev. 2003-09-09

**Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 Main Plaza
San Antonio, Texas 78205
March 6, 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:
 - Staff presentation and summary on the Tree Preservation Ordinance. [Presented by Florencio Pena, Director, Development Services; 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 Terry Richardson, Valley-Hi Assembly of God, District 4, and Pledge of Allegiance.
 2. Ceremonial Items.
 3. Approval of the minutes of the Regular City Council Meeting of January 30, 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:

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4. 3:30 P.M. – Public Hearing and consideration of an Ordinance to close, vacate and abandon an improved portion of North Mittman Street located between Burlson and Sherman Streets adjacent to NCB 1306 in Council District 2, as requested by the Petitioner, the San Antonio Independent School District, for the total consideration of \$13,426.00. [Presented by Rebecca Waldman, Director, Asset Management; Erik J. Walsh, Assistant to the City Manager]

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4:00 P.M. – Public Hearing and consideration of an Ordinance authorizing the reprogramming of \$79,485.00 in FY 2002-2003 Housing Opportunities for Persons with AIDS (HOPWA) funds available from the City of San Antonio Department of Community Initiatives, Community Action Division; authorizing the close-out and cancellation of affected projects and the creation of the appropriate projects and project budgets; authorizing the appropriation and allocation of \$45,300.00 to the Alamo Area Resource Center (AARC) to establish a Housing Resource and Referral Network; authorizing the appropriation and allocation of \$34,185.00 to Black Effort Against the Threat of AIDS, Inc. (BEAT-AIDS) to establish a Housing Resource and Referral Network; authorizing the execution and submission of contracts and other documents as necessary in connection therewith; and providing for payment. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant to the City Manager]

6. 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

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7. An Ordinance accepting the bid submitted by C & M Golf & Grounds Equipment to provide the City of San Antonio Alamodome and Parks and Recreation Departments with an annual contract for Jacobsen equipment parts and service for an estimated annual cost of \$70,000.00. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

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8. An Ordinance accepting the low bid submitted by Flasher Equipment Company to provide the City of San Antonio Public Works Department with an eighteen (18) month contract for rental of barricades and allied items for the SBC Center for an estimated cost of \$480,600.00. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

Capital Improvement Items

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9. An Ordinance selecting Bain Medina Bain, Inc. to provide professional engineering services in connection with the Ogden from Dewey to Ashby and E. Courtland from Main to McCullough Community Development Block Grant (CDBG) Projects, located in Council District 1; authorizing the negotiation and execution of a 28th Year Community Development Block (CDBG) grant funded professional services contract in the amount not to exceed \$57,694.00; authorizing \$5,800.00 for miscellaneous project contingency expenses; for an overall total of \$63,494.00; revising the project budget; and providing for payment. [Presented by Thomas G. Wendorf, Director , Public Works; Melissa Byrne Vossmer, Assistant City Manager]

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10. An Ordinance amending a professional services contract and authorizing payment in the additional amount of \$14,250.00 from 1999 G.O. Drainage Improvement Bond funds to Turner Collie & Braden, Inc. for additional engineering services in connection with the Ave Maria Drainage Project, located in Council District 9; authorizing \$1,425.00 for miscellaneous engineering contingency expenses; for an overall total of \$15,675.00; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

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11. An Ordinance appropriating funds and providing for payment in the amount of \$17,168.31 to Southwestern Bell Telephone Company from 1999 G.O. Drainage Improvement Bond funds for the relocation of underground facilities in connection with the Guilbeau Drainage at French Creek Phase I Project, located in Council District 7. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

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12. An Ordinance authorizing the execution of Amendment No. 1 to the Surface Transportation Program - Metropolitan Mobility Rehabilitation Agreement dated May 9, 2000 with the Texas Department of Transportation ("TXDOT") and authorizing the appropriation of \$14,400.00 from 2002 Certificates of Obligation funds and the reimbursement of \$57,600.00 from TXDOT, for a total amount of \$72,000.00; and authorizing a force account in connection with the City-wide Bike Racks (MPO) Project. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

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Items Concerning the Purchase, Sale or Lease of Real Property

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13. An Ordinance authorizing payment in the amount of \$1,437.50 from 1994 G.O. Drainage Improvement Bond funds to Dugger, Canaday, Grafe, Inc. for appraisal services and expert testimony in connection with the W.W. White Phase I - Rigsby to Lord 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]

14. An Ordinance authorizing payment in the amount of \$4,795.64 to Davidson & Troilo, P.C. for legal services in connection with the Babcock Road/Leon Creek Improvements – Hausman to DeZavala Road Project (\$398.00), Bitters Road – West Avenue at Heimer (MPO) Project (\$1,948.85), Pleasanton Road – Southcross to Mayfield (MPO) Project (\$1,320.60), and the Salado Creek Greenway (Hike & Bike, Phase I) Project (\$1,128.19); revising the budget; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

Miscellaneous

15. An Ordinance authorizing the acceptance of a Community Services Block Grant (CSBG) award from the Texas Department of Housing and Community Affairs (“TDHCA”) in the amount of \$30,000.00 for the purpose of acquiring and distributing food to needy individuals and families; authorizing execution of a contract with the TDHCA in connection with said award; authorizing execution of a funding agreement with the San Antonio Food Bank for the purposes of acquiring and distributing food to needy individuals and families; and approving a budget. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant to the City Manager]

16. An Ordinance ratifying the submission of an application and authorizing the acceptance of a grant in the amount of \$119,303.00 from the local board of the Federal Emergency Management Agency's Emergency Food and Shelter National Board Program for the provision of rental and mortgage assistance by the City of San Antonio's Department of Community Initiatives, Community Action Division; authorizing the execution of any necessary documents in connection therewith; and approving a budget and personnel complement for the period of October 1, 2002 to September 30, 2003. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant to the City Manager]

Board, Commissions and Committee Appointments.

17. Consideration of the following board appointments: [Presented by Yolanda Ledesma, Acting City Clerk; Travis M. Bishop, Assistant City Manager]

A. An Ordinance reappointing Andrew C. Guerrero (District 10) and appointing Jose A. Macias, Jr. (District 6) to the Tax Phase-In Advisory Committee for terms of office to expire on May 18, 2004 and May 18, 2005.

B. An Ordinance reappointing Grace Rose P. Gonzales (District 7) to the Greater Kelly Development Authority for a term of office to expire on November 30, 2004.

ITEMS FOR INDIVIDUAL CONSIDERATION

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18. An Ordinance accepting the resignation of part-time Municipal Court Judge David J. Rodriguez effective March 1, 2003; declaring a vacancy to exist as a result of the resignation of Judge Rodriguez; and directing the City Manager and staff to initiate all steps necessary to fill the vacancy created by the resignation of Judge Rodriguez; effective immediately if passed by at least eight (8) votes. [Presented by Yolanda Ledesma, Acting City Clerk; Travis M. Bishop, Assistant City Manager]
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19. An Ordinance authorizing the appropriation of funds in the amount of \$500,000.00 for computer hardware equipment to be purchased through annual City contracts and required for the Enterprise Resource Management Project implementation. [Presented by Troy Elliott, ERM Project Director; Travis M. Bishop, Assistant City Manager]
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20. An Ordinance accepting the bid from Sigma Solutions, Inc., utilizing the Department of Information Resources "Go Direct" Contract to provide the City of San Antonio Enterprise Resource Management Project with backup hardware and software licenses for the sum of \$161,535.35; and appropriating funds. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Travis M. Bishop, Assistant City Manager]
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21. An Ordinance ratifying the execution of an amendment to the SAP Public Services, Inc. License and Maintenance Agreement to provide for the acquisition of proprietary software licenses for the GIS Business Connector for \$23,280.00 and subsequent maintenance at an initial annual amount of \$3,321.00 as part of the Enterprise Resource Management Project; appropriating funds; and providing for payment. [Presented by Troy Elliott, ERM Project Director; Travis M. Bishop, Assistant City Manager]
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22. An Ordinance designating the firm of Carter & Burgess, Inc. to provide program management services in connection with terminal expansions, demolition work, new parking facilities and various other projects at San Antonio International Airport; authorizing negotiation and execution of a professional services contract for an amount not to exceed \$16,148,000.00 for the three year term of the contract; appropriating funds; establishing the budget and providing for payment. [Presented by Kevin Dolliole, Director, Aviation Christopher J. Brady, Assistant City Manager]
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23. An Ordinance authorizing the execution of a General Operating Agency Contract between the City of San Antonio and the Brooks Development Authority for the distribution of \$2,516,752.60 for fourteen (14) projects at Brooks City-Base. [Presented by Thomas Rumora, Director, Brooks City-Base; Christopher J. Brady, Assistant City Manager]

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24. An Ordinance approving the form, content, and distribution of the Preliminary Official Statement pertaining to the issuance, sale and delivery of approximately \$8,330,000.00 in principal amount of City of San Antonio, Texas, Airport System Revenue Refunding Bonds, Series 2003-A and approximately \$3,285,000.00 in principal amount of City of San Antonio, Texas, Airport System Revenue Refunding Bonds, Series 2003-B; complying with the requirements contained in securities and exchange commission rule 15c2-12; and authorizing the City's staff, co-financial advisors and bond counsel to take all actions deemed necessary in connection with the sale of such bonds. [Presented by Milo Nitschke, Director, Finance; Melissa Byrne Vossmer, Assistant City Manager]

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25. An Ordinance complying with the requirements contained in securities and exchange commission rule 15c2-12, including the approval and distribution of a preliminary official statement pertaining to the issuance of approximately \$25,855,000.00 City of San Antonio, Texas General Improvement Refunding Bonds, Series 2003; and authorizing the City's staff, co-financial advisors and co-bond counsel to take all actions deemed necessary in connection with the sale of such obligations. [Presented by Milo Nitschke, Director, Finance; Melissa Byrne Vossmer, Assistant City Manager]

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26. An Ordinance approving an extension of Line-of-Duty (LOD) leave for Firefighter Luis Morales, extending his one-year LOD leave for an August 1998 ankle injury by 564.5 hours (396.5 sick leave hours and 168 annual leave hours) during the time period of September 27, 1998 to January 6, 1999; staff recommends approval of an extension for 39.5 hours of sick leave. [Presented by Robert Ojeda, Fire Chief; J. Rolando Bono, Deputy City Manager]

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27. An Ordinance amending Chapter 28 of the City of San Antonio Code, entitled "Signs and Billboards" by revising and adding definitions to clarify the sign regulations established by that chapter. [Presented by Andrew Martin, City Attorney; Terry M. Brechtel, City Manager]

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28. An Ordinance changing the name of H.F. Garcia Boulevard to Durango Boulevard; designating a portion of that street (between Interstate Highway 37 on the east and Interstate Highway 35 on the west) as Judge H.F. Garcia Memorial Boulevard; and waiving procedures established by City Code for renaming city streets; as requested by Councilman Bobby Perez. [Presented by Florencio Pena, Director, Development Services; Christopher J. Brady, Assistant City Manager]

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29. An Ordinance appointing members to the Convention Center Hotel Advisory Board. [Nominees: Finance/Banking Sector: Ruben Escobedo, Adam Garza and Joe McKinney; Real Estate/Corporate Sector: Henry Feldman (Hotel/Tourism Industry) and Julianne Galloway Community Appointment: Richard Terrell] [Presented by Ramiro Cavazos, Director, Economic Development; Christopher J. Brady, Assistant City Manager]

Approved

30. Travel Authorization for Councilwoman Antoniette Moorhouse, District 3, who will travel to Washington, D.C. from Sunday, March 9, 2003 through Wednesday, March 12, 2003 to participate in the San Antonio Greater Chamber of Commerce's 25th annual "SA to DC" trip to meet with senior government officials on community issues.

31. The City Council will recess the regular City of San Antonio Council Meeting and convene the Board of Directors for the City of San Antonio, Texas Starbright Industrial Development Corporation to consider the following:

Res.
SIDE-2663-04

A. A Resolution authorizing the acquisition of approximately 200 acres of land for an amount not to exceed \$1,300,000.00, plus additional closing costs paid at the closing not to exceed \$85,000.00, for the purchase of land located on Applewhite Road to partially implement the previously approved Economic Development Contract between the Corporation and the City of San Antonio, including the authorization of (i) an assignment to the Corporation of an Earnest Money Contract for such acquisition, (ii) seller financing for the purchase price of such land, less \$75,000.00, (iii) a loan from the City of San Antonio in an amount up to \$160,000.00 for the balance of such purchase price and for closing costs, and authorizing the officers of the Corporation to negotiate the terms of such acquisition, seller financing and loan and any documents for such acquisition, seller financing and loan, and authorizing other actions, as necessary.

B. Adjourn.

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32. Reconvene the meeting of the City Council to consider an Ordinance approving a loan by the City to City of San Antonio, Texas, Starbright Industrial Development Corporation ("Corporation") in an amount not to exceed \$160,000.00 to enable the acquisition of approximately 200 acres of land to be used to fulfill obligations in the previously approved Economic Development Contract between the Corporation and the City, and authorizing the City Manager to negotiate the terms of such loan and any documents for such loan, and appropriating funds, and authorizing other actions, as necessary; effective immediately if passed by at least eight (8) votes. [Presented by Christopher J. Brady, Assistant City Manager; Terry M. Brechtel, City Manager]

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Introduction of First Asst City Atty - Walter Zepeda
Report on Racial Profiling - Chief Albert Ortiz

33. City Manager's Report.

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

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- A. Discuss legal issues related to the city's power to regulate and control signs, pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- B. Discuss the lawsuit styled *Charles Pollock and Tracy Pollock, individually and as next friend of Sarah Jane Pollock, a minor child, v. the City of San Antonio*, Cause No. 2000-CI-01201, in the 225th Judicial District Court, Bexar County, Texas, pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- C. Discuss lease and economic development negotiations, incentives offered, and related legal issues concerning a proposal by the Dallas Cowboys NFL Team to stay in San Antonio for its 2003 training camp, pursuant to Texas Government Code Sections 551.072 (deliberations involving real property), 551.087 (deliberations regarding economic development negotiations), and 551.071 (consultation with attorney).