



Just Ord. 98893
Just Res. 2004-09-09
Last Ord. 98924
Just Res.: None
RECEIVED
CITY OF SAN ANTONIO
CITY CLERK
2004 MAR -4 AM 10:35

**Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 Main Plaza
San Antonio, Texas 78205
March 4, 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:

Quarterly Update on the Enterprise Resource Management Project. [Presented by Troy Elliott, Project Manager, ERM; J. Rolando Bono, Deputy 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 Isaac Alvarez Cardenas, Prayer Leader for Texan Coahuiltecan, and Pledge of Allegiance.
2. Ceremonial Items.
3. Approval of the minutes of the City Council Meeting of January 8, 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. 3:00 P.M. – Public Hearing and Consideration of the following Ordinances: [Presented by Rebecca Waldman, Director, Asset Management; Erik J. Walsh, Assistant to the City Manager]

A. An Ordinance closing, vacating and abandoning (1) improved and unimproved portions of all of the Public Rights of Way located within Rosedale Park, which park is bounded by West Martin Street, Ruiz Street, N.W. 27th Street, and partially bounded by General McMullen Drive, in Council District 5, the portions no longer being utilized for access purposes, not previously closed at the time the Park was originally acquired, and having been incorporated into green space within the Park, as requested by the City of San Antonio, as “Petitioner”, and (2) an unimproved portion of Colby Street Public Right of Way in the Rosedale Park Addition immediately adjacent to the Park, as requested by Raul C. and Lupe Mireles, Petitioners, whose properties abut Colby Street, for the total consideration of \$13,140.00 paid for their portion.

B. An Ordinance closing, vacating and abandoning an irregular portion of Blanco Road Public Right of Way located at the west corner of Jackson Keller Road adjacent to NCB 11697 in Council District 1, in compliance with Condemnation Cause No. 98-ED-0018 styled the City of San Antonio v. Angeles Garcia (also known as Maria De Los Angeles Sanchez De Garcia), individually and doing business as Garcia Investments, et al.

C. An Ordinance closing, vacating and abandoning portions of North Las Moras Street and an intersecting thirteen (13’)-foot wide alley Public Rights of Way located between Morales and Perez Streets adjacent to NCB 2214 in Council District 1 for the expansion and redevelopment of the adjacent Margil Elementary School, as requested by the petitioners, the San Antonio Independent School District and other owners, whose properties abut the alley, for the total consideration of \$12,725.00 paid entirely by the School District.

5. 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

6. An Ordinance accepting the low responsive bid submitted by Fire Supply, Inc. to provide the City of San Antonio Fire Department with positive pressure fans for a total amount of \$29,632.37. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]

Capital Improvement Items

7. Consideration of the following Ordinances: [Presented Kevin C. Dolliole, Director, Aviation; J. Rolando Bono, Deputy City Manager]
- A. An Ordinance accepting the low qualified bid of Yantis Company (Yantis) in the amount of \$1,092,900.00 to provide construction services for the East Air Cargo Expansion Phase II Ramp and Parking Project at San Antonio International Airport; authorizing construction contingencies in an amount not to exceed \$109,290.00; authorizing a budget amendment in the amount of \$1,202,190.00; authorizing the execution of a contract with Yantis; and providing for payment.
- B. An Ordinance accepting the proposal of Professional Services Industries, Inc. (PSI) for construction materials testing services for the East Air Cargo Phase II Ramp and Parking Project at San Antonio International Airport in an amount not to exceed \$17,000.00; and amending the existing contract with PSI to include said additional services pursuant to the terms outlined in their proposal; authorizing a budget amendment in the amount of \$17,000.00; and providing for payment.
8. An Ordinance amending the professional services contract with CDS/Muery Services and authorizing a budget transfer of \$65,512.90 to the engineering contract for the Remain Over Night Apron at San Antonio International Airport; revising the budget; and providing for payment. [Presented Kevin C. Dolliole, Director, Aviation; J. Rolando Bono, Deputy City Manager]
9. An Ordinance authorizing payment in the amount of \$21,874.50 to Bain Medina Bain, Inc. (SBW/WBE/DBE) to provide civil engineering services under an existing professional services contract in connection with the Friesenhahn Park Improvements Project, located in Council District 10; authorizing \$3,280.50 for miscellaneous engineering contingency expenses, for a total amount of \$25,155.00 from 1999-2004 Park Bond funds; revising the project budget; appropriating funds; and providing for payment. [Presented by Malcolm Matthews, Director, Parks and Recreation; Christopher J. Brady, Assistant City Manager]
10. An Ordinance approving Field Alteration No. 5 and authorizing payment in the amount of \$125,805.53 from Certificates of Obligation to SAECO Electric & Utility, Ltd., for additional construction expenses in connection with the Medical Drive and Ewing Halsell Intersection Project, located in Council District 8; authorizing \$20,000.00 for miscellaneous construction contingency expenses, for a total amount of \$145,805.53; revising the project budget; appropriating funds; providing for payment; and providing for an immediate effective date upon passage by eight votes. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]
11. An Ordinance amending the professional services contract and authorizing additional funds in the amount of \$24,766.00 from 2003-2007 General Obligation Drainage Improvement Bond funds payable to Brown Engineering Co. (SBE) for professional engineering services in connection with the Cardiff Area Drainage Improvements Project, located in Council District 2; authorizing \$4,953.20 for miscellaneous engineering contingency expenses, for a total amount of \$29,719.20; revising the project budget; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

12. An Ordinance selecting Kinnison & Associates, Architects, to provide architectural services in connection with the Collins Garden Branch Library Roof Repairs Community Development Block Grant Project, located in Council District 5; authorizing the negotiation and execution of a professional services contract in the amount not to exceed \$24,500.00; authorizing \$4,000.00 for environmental services; authorizing \$1,500.00 for miscellaneous architectural contingency expenses; authorizing \$1,000.00 for advertising expenses; authorizing \$1,000.00 for printing expenses, for a total amount of \$32,000.00; appropriating funds; revising the project budget; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

13. An Ordinance authorizing \$259,934.49 from General Obligations of the City to the Texas Department of Transportation (TXDOT) for the City's share of twenty percent (20%) of construction costs in connection with the 2003 Sidewalks: Blanco – Lockhill-Selma to Patricia; Clark – Southcross to Hot Wells; and Hot Wells – I.H. 37 to New Braunfels MPO Projects, located in Council Districts 3 and 9; authorizing \$38,990.17 for miscellaneous construction contingency expenses, for a total amount of \$298,924.66; 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

14. An Ordinance authorizing \$2,562,750.00 from 2003 Storm Water Revenue Bond funds for acquisition of fee simple title and for other miscellaneous expenses in connection with eight parcels of real property and declaring the French Creek Buyouts – South of Prue Road Project (Project) located in Council District 7 to be a public project; declaring a public necessity for the acquisition of the eight parcels described below by negotiation and/or condemnation, if necessary, for public improvements for use as a part of the Project; to wit, all or portions of the properties being described below: all being in the City of San Antonio, Bexar County, Texas, for a public purpose; establishing just compensation for the properties; appropriating funds for the acquisition of the properties and other miscellaneous expenses associated with the properties such as appraisals and attorneys fees; authorizing negotiations and acquisition on the approved terms; authorizing the City Attorney and/or designated special counsel to file eminent domain proceedings, if necessary, if necessary.

ACRE(S)	LOT(S)	NCB	SUBDIVISION
	8, Block 9	17939	French Creek Village Unit 2
	9, Block 9	17939	French Creek Village Unit 2
4.207	47	18292	Albert L. Wickes
2.25	W Irr 25.29 ft of 32	18293	Albert L. Wickes
1.784	35	18293	Albert L. Wickes
3.506	36	18293	Albert L. Wickes
2.112	29	18294	Albert L. Wickes
6.403	37	18294	Albert L. Wickes

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

9 8899
15. An Ordinance authorizing \$3,300.00 from 2002 Certificates of Obligation and the reimbursement of \$9,900.00 from the Federal Emergency Management Agency, for a total amount of \$13,200.00, payable to Ticor Title Agency of San Antonio as escrow agent for Georgia Eichler Colyer for fee simple title to two parcels (\$12,000.00) and title fees (\$1,200.00) in connection with the Plumnear Flood Area 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]

Miscellaneous

9 8900
16. An Ordinance authorizing the City Manager or her designee to renew a professional services agreement with the San Antonio Mobility Coalition, Inc. (SAMCo) and authorizing payment in an amount not to exceed \$70,000.00 from the General Fund to SAMCo for annual membership dues beginning February 1, 2004 through January 31, 2005 for the City of San Antonio. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

9 8901
17. An Ordinance authorizing the acceptance of a grant award from Citibank Service Center in the amount of \$50,000.00 to be used as match funding for the Families SAVE Individual Development Account (IDA) program for the period of January 1, 2004 through December 31, 2004; and approving a revised budget for the Families SAVE IDA program.

9 8902
18. Consideration of the following Ordinances: [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant City Manager]

A. An Ordinance authorizing the acceptance of Community Services Block Grant (CSBG) funding in an amount up to \$1,986,996.00 from the Texas Department of Housing and Community Affairs (TDHCA) to enable the City to continue operation of the CSBG program through December 31, 2004; approving amendments of the TDHCA contract in connection with said award; approving a budget and personnel complement; and authorizing the execution of delegate agency contracts with the Boys & Girls Clubs of San Antonio in an amount up to \$30,000.00; Guadalupe Community Center in an amount up to \$15,000.00; Young Women's Christian Association in an amount up to \$41,250.00; AVANCE in an amount up to \$63,750.00; and JOVEN in an amount up to \$41,250.00. authorizing the acceptance of up to \$1,986,996.00 from the Texas Department of Housing and Community Affairs to extend the City of San Antonio's existing Community Services Block Grant contract for the period January 1, 2004 through December 31, 2004; approving a budget and personnel complement; and authorizing the execution of five (5) delegate agency contracts with the Boys & Girls Clubs of San Antonio in an amount up to \$30,000.00; Guadalupe Community Center in an amount up to \$15,000.00; Young Women's Christian Association in an amount up to \$41,250.00; AVANCE in an amount up to \$63,750.00; and JOVEN in an amount up to \$41,250.00.

- 9 89 03
- B. An Ordinance authorizing the acceptance of a Community Services Block Grant award from the Texas Department of Housing and Community Affairs (TDHCA) in the amount of \$30,000.00 for operation of two Volunteer Income Tax Assistance (VITA) program sites for the period beginning January 1, 2004 and ending December 31, 2004; authorizing execution of a contract with the TDHCA in connection with said award; authorizing the execution of professional services contracts with Antioch Baptist Church in the amount of \$15,000.00 and New Beginnings Baptist Church in the amount of \$15,000.00 for the operation of said program sites; and approving a budget.

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

- 9 89 04
19. An Ordinance approving the parade permit and authorizing the temporary closure of portions of certain streets in the downtown area in connection with the St. Patrick's Day Parade sponsored by the St. Patrick's Day Commission to be held from noon to 4:00 P.M. on Saturday, March 13, 2004. [Presented by Roland A. Lozano, Assistant to the City Manager; Terry M. Brechtel, City Manager]

Board, Commissions and Committee Appointments.

20. Consideration of the following board appointment: [Presented by Yolanda Ledesma, Acting City Clerk; Erik J. Walsh, Assistant to the City Manager]

9 89 05

An Ordinance reappointing Alderus Stewart (Real Estate Category - District 2) to the Brooks Development Authority for a term of office to expire on November 4, 2005.

ITEMS FOR INDIVIDUAL CONSIDERATION

21. Consideration of the following Temporary Street Closures and Traffic Control Procedures for Special Events: [Presented by Roland A. Lozano, Assistant to the City Manager; Terry M. Brechtel, City Manager]

A. An Ordinance approving the parade permit and authorizing the temporary closure of portions of certain streets near and in the downtown area in connection with the Cesar Chavez March for Justice Parade to be held from 10:00 A.M. to 2:00 P.M. on Saturday, March 27, 2004.

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B. An Ordinance approving the temporary closure of portions of certain streets in the downtown area for the "Alamo" movie premier to be held on Saturday, March 27, 2004.

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22. An Ordinance selecting a firm to provide entertainment and restaurant services under a fifteen (15) year lease agreement for the Tower of the Americas. [Presented by Malcolm Matthews, Director, Parks and Recreation; Christopher J. Brady, Assistant City Manager]

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- 98921
23. An Ordinance authorizing the execution of a five (5) year License Agreement with the Paseo del Rio Association, Inc. for the use of a portion of the City's River Walk for special events to promote the River Walk and for management of novelty vendors on the River Walk for a flat rate license fee beginning at \$20,000.00 per year for the first year and two percent increases each succeeding year of the agreement; and amending Section 35-679(e) of the City Code to allow for stationary River Walk novelty vendors under a licensing program to be administered through the Paseo Del Rio Association. [Presented by Malcolm Matthews, Director, Parks and Recreation; Christopher J. Brady, Assistant City Manager]
 24. An Ordinance approving renewal lease agreements of five years and six months for twenty three (23) tenants and one year and three months for three (3) tenants in the renovated Farmer's Market Plaza Square in Council District 1, with rental rates of \$4,500.00 annually for the first year for a full size Store Stall of 228 square feet, increasing to \$5,400.00 annually in the second year, \$6,000.00 annually in the third year, \$7,500.00 annually in the fourth year and \$7,800.00 annually in the fifth year; and rental rates of \$3,600.00 annually for the first year for a half size Store Stall of 114 square feet, increasing to \$3,900.00 annually in the second year, \$4,500.00 annually in the third year, \$4,800.00 annually in the fourth year and \$5,100.00 annually in the fifth year. [Presented by Malcolm Matthews, Director, Parks and Recreation; Christopher J. Brady, Assistant City Manager]
 25. An Ordinance authorizing the execution of two one-year lease agreements with two tenants for leases at the Farmer's Market in the City of San Antonio's Market Square in Council District 1; as requested by Councilman Roger O. Flores, District 1. [Presented by Malcolm Matthews, Director, Parks and Recreation; Christopher J. Brady, Assistant City Manager]
 26. An Ordinance establishing Lane Use Restrictions for trucks upon a portion of Interstate Highway 10 east and United States Highway 90 West; declaring certain conduct to be unlawful and containing findings and other provisions relating to the foregoing subject; providing a penalty and directing publication and providing for severability. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]
 27. An Ordinance accepting the low responsive bid in the amount of \$1,118,322.50 from Clark Construction of Texas, Ltd., in connection with the Micro-Surface - 2004 Street Maintenance Project; authorizing the execution of a construction contract; authorizing \$55,916.13 for miscellaneous construction contingency expenses; authorizing \$750.00 for advertising expenses; authorizing \$500.00 for printing and reproduction expenses; authorizing \$22,366.45 for consultant material testing; authorizing \$53,476.19 for reimbursement of City Forces for traffic markings, Video Image Vehicle Detection System and other traffic improvements, for a total amount of \$1,251,331.27; appropriating funds; providing for payment; and providing for an immediate effective date upon passage by eight votes. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

989222
28. An Ordinance accepting the low responsive bid in the amount of \$1,469,450.00 from Clark Construction of Texas, Ltd., in connection with the Slurry Seal 2004 Street Maintenance Project; authorizing the execution of a construction contract; authorizing \$73,472.54 for miscellaneous construction contingency expenses; authorizing \$750.00 for advertising expenses; authorizing \$500.00 for printing and reproduction expenses; authorizing \$29,389.02 for consultant material testing; authorizing \$1,536.44 for reimbursement of City Forces for traffic markings, and other traffic improvements, for a total amount of \$1,575,098.00; appropriating funds; providing for payment; and providing for an immediate effective date upon passage by eight votes. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

989223
29. An Ordinance accepting the low responsive bid in the amount of \$1,976,444.21 from Clark Construction of Texas, Ltd., in connection with the Asphalt Overlay – 2004 Street Maintenance Project; authorizing the execution of a construction contract; authorizing \$98,822.21 for miscellaneous construction contingency expenses; authorizing \$750.00 for advertising expenses; authorizing \$500.00 for printing and reproduction expenses; authorizing \$39,528.88 for consultant material testing; authorizing \$108,931.53 for reimbursement of City Forces for traffic markings, Video Image Vehicle Detection System and other traffic improvements; approving Field Alteration No. 1 in the amount of \$25,634.00 and Field Alteration No. 1 in the amount of \$29,150.30, for a total amount of \$2,279,761.13; appropriating funds; providing for payment; and providing for an immediate effective date upon passage by eight votes. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

989224
30. An Ordinance accepting the low responsive bid in the amount of \$2,098,889.59 from Clark Construction of Texas, Ltd., in connection with the Asphalt Recycling and Overlay – 2004 Street Maintenance Project; authorizing the execution of a construction contract; authorizing \$104,944.48 for miscellaneous construction contingency expenses; authorizing \$750.00 for advertising expenses; authorizing \$500.00 for printing and reproduction expenses; authorizing \$41,977.79 for consultant material testing; authorizing \$121,760.26 for reimbursement of City Forces for traffic markings, Video Image Vehicle Detection System and other traffic improvements, for a total amount of \$2,368,822.12; appropriating funds; and providing for payment; and providing for an immediate effective date upon passage by eight votes. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

approved
98913
31. Travel Authorization for Councilman Chip Haass, District 10, who will travel to Austin, Texas to attend the Texas Municipal League's one-day workshop on the potential effects on cities of Public School Finance reform on Friday, March 12, 2004.

32. An Ordinance reappointing and appointing members to the Board of Directors, Tax Increment Reinvestment Zone No. 11, as requested by Councilman Joel Williams. [Presented by David D. Garza, Director of Neighborhood Action; Jelynn Burley, Assistant City Manager]

33. City Manager's Report.

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

- A. Discuss acquisition and disposition of an interest in real property for warehouse, office, service center, and related uses, pursuant to Texas Government Code Section 551.072 (deliberation on the purchase, exchange, lease, or value of real property).
- B. Discuss legal issues related to the City of San Antonio's collective bargaining agreement with the International Association of Firefighters, Local 624, pursuant to Texas Government Code Section 551.071 (consultation with attorney).