



1<sup>st</sup> Ordinance 99519  
 1<sup>st</sup> Resolution 2004-27-23  
 Last Ordinance 99539  
 Last Resolution 2004-27-24  
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2004 AUG -5 A 10:42

**Agenda  
 City Council Meeting  
 Municipal Plaza Building  
 City Hall Complex  
 103 Main Plaza  
 San Antonio, Texas 78205  
 August 5, 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:

Enterprise Resource Management Quarterly Report. [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 Rev. Msgr. Franciszek Kurzaj from Holy Name Catholic Church, guest of Councilman Ron H. Segovia, District 3, and Pledge of Allegiance.
2. Ceremonial Items.

**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:**

- 903  
904  
3:00 P.M. - Presentation of the FY 2004-2005 Proposed Budget. [Presented by Terry M. Brechtel, City Manager]
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**

**Items Concerning the Purchase of Equipment, Supplies and Services**

- 99530  
99519  
99520  
99531  
5. An Ordinance accepting the low responsive bids submitted by Creative Pipe, Inc. (WBE) for item 1 and Alamo Iron Works for item 2, to provide the City of San Antonio Public Works Department with bicycle racks for a total of \$30,496.50. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]
6. An Ordinance accepting the low responsive bid submitted by Applied Concepts, Inc. to provide the City of San Antonio Police Department with radar units for a total of \$38,190.00. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]
7. An Ordinance authorizing an Interlocal Cooperation Contract with the Texas Department of Information Resources to provide information resource technology professional staffing services through third party vendors, and approving a work order thereunder for a library technology assessment for the Alamo Area Library System for a total sum of \$60,000.00, funded by a grant from the Texas State Library. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]
8. 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 FY 2004-2005 for an estimated combined annual cost of \$5,948,697.00 to include contracts for: asphaltic paving materials; automotive belts, radiator hoses, heater hoses, & hose clamps; industrial Cushman Truckster parts and service; replacement of automotive glass; hoses & fittings-hydraulic; tires, tubes, recapping & road service for heavy equipment; bedding plants; office and stationary supplies; industrial bearings, oil and grease seals, and pillow blocks; truck & industrial tires; protective equipment kits and spill kits for police patrol vehicles; inspection of aerial apparatus & ground ladders; and police automotive batteries. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]

**Capital Improvement Items**

- 99532  
9. An Ordinance selecting Place Collaborative Inc. (SBE) to provide professional services associated with the development of standardized park details and specifications for park projects City-wide; authorizing the negotiation and execution of a professional services contract in an amount not to exceed \$84,930.00; establishing the project budget; appropriating \$45,000.00 in 1999-2004 Park Bond Funds and \$45,000.00 in 2003-2007 Park Bond Funds; authorizing \$5,070.00 for consultant contingency expenses, for a total amount of \$90,000.00; and providing for payment. [Presented by Malcolm Matthews, Director, Parks and Recreation; Christopher J. Brady, Assistant City Manager]

**Items Concerning the Purchase, Sale or Lease of Real Property**

- 99533
10. An Ordinance authorizing the execution of a sublease whereby the City, as Lessor, has a current lease agreement with San Antonio 2000, Ltd., as Lessee, for approximately 252 square feet of public space on the River Walk atrium portion of the Paseo del Alamo and the City is consenting to the sublease of said space from San Antonio 2000, Ltd., to Elegant Trader, Inc. and John Kangethe d/b/a Ice Cream and Chocolates by the River. [Presented by Malcolm Matthews, Director, Parks and Recreation; Christopher J. Brady, Assistant City Manager]
- 99534
11. An Ordinance authorizing a license agreement for continued use of Public Rights of Way beneath North McCullough Avenue for existing conduits for chilled water lines, and for an existing pedestrian walkway (sky bridge) above and across North McCullough Avenue located between NCB's 389 and 842 and to construct, maintain and operate an overhead pedestrian passageway (sky bridge) across the 300 block of East Laurel Street between NCB's 842 and 393, as requested by the Petitioner, Methodist Healthcare System of San Antonio, LTD., L.L.P., d/b/a Metropolitan Methodist Hospital, for the total consideration of \$15,000.00. [Presented by Rebecca Waldman, Director, Asset Management; Erik J. Walsh, Assistant to the City Manager]
- 99535
12. An Ordinance reaffirming and declaring that the San Antonio Water System's Espada Un-Sewered Area Project ("Project") is a necessary public project; further declaring that a public necessity exists for the acquisition of permanent and temporary easement interests in the name of the City of San Antonio for the use and benefit of the San Antonio Water System ("SAWS") across, over, upon and under certain privately owned real properties described below ("Property") for use as part of the Project; said property being in the City of San Antonio, Bexar County, Texas for a public purpose; authorizing SAWS, its employees, agents, and/or their authorized independent negotiators to negotiate and execute all sales and other agreements, easements and other necessary documents with the owners of the property and to take all other lawful actions necessary or incidental to survey, specify, clarify, define and acquire the permanent and temporary easement interests across, over, and under the property; further authorizing the general counsel of SAWS to file condemnation proceedings, if necessary, and prosecute all such condemnation proceedings through conclusion (including final judgment and all necessary appeals) for the acquisition of the following property:

<b>Permanent/Temporary Easements</b>	<b>Legal Description</b>
0.053-ACRE/0.083-ACRE	NCB-11173
0.073-ACRE/0.111-ACRE	NCB-11173
0.107-ACRE/0.160-ACRE	NCB-11173
0.077-ACRE/0.130-ACRE	NCB-11173
0.024-ACRE/0.061-ACRE	NCB-11173
0.003-ACRE/0.009-ACRE	NCB-11173
0.100-ACRE/0.373-ACRE	NCB-11173
0.057-ACRE/0.089-ACRE	NCB-11173
0.022-ACRE/0.034ACRE	NCB-11173
0.020-ACRE/0.032-ACRE	NCB-11173
0.069-ACRE/0.108-ACRE	NCB-11173

0.048-ACRE/0.074-ACRE	NCB-11173
0.077-ACRE/0.122-ACRE	NCB-11173
0.016-ACRE/0.027-ACRE	NCB-11173
0.070-ACRE/0.110-ACRE	NCB-11173
0.136-ACRE/0.194-ACRE	NCB-11173
0.018-ACRE/0.029-ACRE	NCB-11173
0.019-ACRE/0.032-ACRE	NCB-11173
0.115-ACRE/0.163-ACRE	NCB-11173
0.364-ACRE/0.360-ACRE	NCB11169
0.097-ACRE/0.097-ACRE	NCB-11169
0.074-ACRE/0.074-ACRE	NCB-11169
0.220-ACRE/0.220-ACRE	NCB-11169
0.068-ACRE/0.068-ACRE	NCB-11171
0.068-ACRE/0.068-ACRE	NCB-11171
0.068-ACRE/0.068-ACRE	NCB-11171
0.043-ACRE/0.068-ACRE	NCB-11171
0.068-ACRE/0.068-ACRE	NCB-11171
0.068-ACRE/0.068-ACRE	NCB-11171
0.068-ACRE/0.068-ACRE	NCB-11171
0.136-ACRE/0.212-ACRE	NCB-11172
0.179-ACRE/0.179-ACRE	NCB-11171
0.060-ACRE/0.105-ACRE	NCB-11168
0.017-ACRE/0.022-ACRE	NCB-11168
0.205-ACRE/0.257-ACRE	NCB-11168
0.225-ACRE/0.277-ACRE	NCB-11168
0.606-ACRE/0.923-ACRE	NCB-11168
0.337-ACRE/0.0527-ACRE	NCB-11168
0.252-ACRE/0.394-ACRE	NCB-11168

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

9 95 21

13. An Ordinance reaffirming and declaring that the San Antonio Water System's Recycling Interbranch Connection Segment 2 & 3 and the Jackson Keller to Oblate Potable Water Main Projects ("Projects") are necessary public projects; further reaffirming and declaring that a public necessity exists for the acquisition of permanent and temporary easement interests in the Name of the City of San Antonio for the use and benefit of the San Antonio Water System across, over, upon and under certain privately owned real properties described below ("Property") by negotiation and/or condemnation, if necessary, for public use as a part of the Projects; authorizing SAWS to acquire permanent and temporary easement interests the Property, by negotiation and/or condemnation, if necessary, for public use as a part of the Projects, to wit, all or portions of the Property ; all being in the City of San Antonio, Bexar County, Texas, for a public purpose; authorizing SAWS' staff and/or their authorized independent negotiator to negotiate and execute all necessary agreements with the owners of the Property; further authorizing SAWS designated general 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 the Property; and; providing a severability clause; and establishing an effective date; said Property being described as follows:

<b>Permanent Easement</b>	<b>Temporary Easement</b>	<b>Legal Description</b>
	0.476-Acre	Lot 25, NCB 11622
0.104-Acre	0.293-Acre	Lot P-107, NCB 11631
0.102-Acre	0.228-Acre	Lot P-100, NCB 11631
4.228-Acre	-	-
0.072-Acre	-	Lot M, NCB 11693

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

**Miscellaneous**

- 99522 14. An Ordinance authorizing the acceptance of a grant from the Project AWARE (Aquatic World Awareness Responsibility Education) Foundation in the amount of \$1,000.00 by the City Of San Antonio's Department of Community Initiatives, to support the Striving Together to Achieve Rewarding Tomorrows (START) program; authorizing the execution of any necessary documents in connection therewith; and approving a budget. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant City Manager]
- 99523 15. An Ordinance authorizing the execution of a grant agreement with the U. S. Department of Housing and Urban Development in the amount of \$423,457.00 for the provision of childcare services by the San Antonio Child Care Delivery System, for the period of September 1, 2004 to August 31, 2005; and approving a revised budget for the 2003 Supportive Housing Program. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant City Manager]
- 99524 16. An Ordinance authorizing the City Manager, or her designee, to submit an application for a Local Law Enforcement Block Grant (LLEBG) in the amount of \$333,785.00 from the U.S. Department of Justice, Bureau of Justice Assistance, which, if awarded, will be used to support continued operations of the Gang Detail and to purchase 16 in-car video-recording devices and associated computer hardware; and, if awarded, authorizing a city match in the amount of \$37,087.00 that will be provided utilizing Confiscated Property Funds. [Presented by Albert A. Ortiz, Police Chief; Christopher J. Brady, Assistant City Manager]

99525  
17. An Ordinance authorizing the amendment of Section 4 of the Defense Economic Adjustment Assistance Grant Agreement between the Texas Military Preparedness Commission and the City of San Antonio extending the completion date of the Rail Line Project (the "Project") from June 30, 2004 to August 16, 2004; amending Section 3 of the Defense Economic Adjustment Assistance Grant Agreement between the City of San Antonio and the Greater Kelly Development Authority to extend the completion date of the Project from June 30, 2004 to August 16, 2004. [Presented by Ramiro A. Cavazos, Director, Economic Development; J. Rolando Bono, Deputy City Manager]

99526  
18. An Ordinance authorizing the acceptance of a grant in the amount of \$750,000.00 from the Health Resources & Services Administration for the San Antonio Metropolitan Health District to continue the Healthy Start Initiative for a fourth year to reduce the incidence of infant mortality and low birth weight in Bexar County for the period June 1, 2004 through May 31, 2005; establishing the project fund; adopting the budget; approving the personnel complement; and authorizing payments for contractual services. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant City Manager]

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

99527  
19. An Ordinance approving the parade permit and authorizing the temporary closure of portions of certain streets near Olmos Park in connection with the DAM '09 Triathlon to be held from 6:30 A.M. to 11:00 A.M. on Saturday, August 21, 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 appointments: [Presented by Leticia M. Vacek, City Clerk; Erik J. Walsh, Assistant to the City Manager]

99528  
A. An Ordinance reappointing Michael J. Seal (District 9) as Trustee to the San Antonio Local Development Company d/b/a South Texas Business Fund for a term of office to expire on May 9, 2005.

99529  
B. An Ordinance reappointing James McAden (District 9) to the Zoning Commission for a term of office to expire on June 30, 2006.

#### **ITEMS FOR INDIVIDUAL CONSIDERATION**

99536  
21. An Ordinance setting the following dates, times, and location for the first and second Public Hearings on the Proposed Budget for FY 2004-2005: Tuesday, August 31, 2004, 7:00 P.M., and Thursday, September 16, 2004, 3:00 P.M. in the City Council Chambers, 103 Main Plaza; and setting Thursday, September 2, 2004, 3:00 P.M. in the City Council Chambers as the date, time and location for a Public Hearing on the Proposed Tax Rate for the tax year beginning January 1, 2004 and ending December 31, 2004. [Presented by Peter Zanoni, Acting Director, Management & Budget; Erik J. Walsh, Assistant to the City Manager]

99537  
22. An Ordinance approving the appointments of Douglas Heath (Place 11 – Business Category), Herman Segovia (Place 8 – Business Category) and Bob R. Plunkett (Place 25 – Vocational Rehabilitation Category) to the Alamo Workforce Development Board for terms of office to expire on December 31, 2004, December 31, 2005 and December 31, 2005, respectively. [Presented by Ramiro A. Cavazos, Director, Economic Development; J. Rolando Bono, Deputy City Manager]

99538  
23. An Ordinance amending Chapter 2 of the City Code of San Antonio, Texas to adopt a new Article VII entitled, "Campaign Finance Regulations." [Presented by Andrew Martin, City Attorney; Terry M. Brechtel, City Manager]

99539  
24. An ordinance authorizing the selection of a firm to assist the City of San Antonio Convention and Visitors Bureau in its advertising, marketing, and public relations programs for a three (3) year period with two (2) additional two (2) year terms at the sole discretion of City Council, and authorizing the City Manager and staff to negotiate a contract that reflects the terms and conditions found in Request for Proposal. [Presented by Melvin Tennant, Director, Convention and Visitors Bureau; Roland A. Lozano, Assistant to the City Manager]

2004-27-23  
25. A Resolution of the City Council of the City of San Antonio, Texas, designating as a "Venue" under Chapter 334 of the Texas Local Government Code, a project to acquire property for conservation easement or an open space preservation program intended to protect water in the Edwards Aquifer; authorizing the planning, acquisition, establishment, development, construction, and renovation of this Venue Project; designating the method of financing to be used to finance this Venue Project; containing other provisions relating to authorizing this Venue Project; and providing for an immediate effective date; as requested by Councilmen Roger O. Flores, District 1, and Art A. Hall, District 8. [Presented by Melissa Byrne Vossmer, Assistant City Manager and Christopher J. Brady, Assistant City Manager; Terry M. Brechtel, City Manager]

2004-27-24  
26. A Resolution allowing the development and construction of the Artisan at Willow Springs Project, located in the 500 block of Gemblar Road, 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 or less of an existing development that serves the same household; as requested by Councilman Joel Williams, District 2. [Presented by Andrew Cameron, Director, Housing and Community Development; Jelynn LeBlanc Burley, Assistant City Manager]

Approved  
Word.  
27. Travel Authorization for Councilman Joel Williams, District 2, who will travel to Austin, Texas to attend a conference of the Texas Municipal League Legislative Policy Committee on General Government from Thursday, August 12, 2004 to Friday, August 13, 2004.

28. City Manager's Report.