

2007 APR -9 AM 8:52



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Agenda  
City Council Meeting  
Municipal Plaza Building  
City Hall Complex  
103 S. Main Ave  
San Antonio, TX 78205  
April 12, 2007

The City Council shall hold its regular meetings in the Norma S. Rodriguez Council Chamber in the Municipal Plaza Building within the City Hall Complex beginning at 9:00 a.m. After the meeting is convened, the City Council shall consider the following time certain items no sooner than the designated times, but may consider them at a later time.

- 9:00AM:** Invocation and Approval of Minutes
- 12:00PM:** Lunch Break
- 5:30PM:** Ceremonial Recognitions
- 6:00PM:** Citizens to be Heard
- 7:00PM:** Adjourn

At any time during 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) under Chapter 551 of the Texas Government Code.

**DISABILITY ACCESS STATEMENT**

This meeting is wheelchair accessible. The accessible entrance is located at 103 S. Main Ave. 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.

For additional information on any item on this agenda, please visit [www.sanantonio.gov](http://www.sanantonio.gov) or call 207-7080.

The City Council of San Antonio will convene in the Norma S. Rodriguez Council Chamber,

Municipal Plaza Building in a Regular Council Meeting at 9:00 A.M.

1. Invocation by Rev. Don Guthrie, Pastor, First Baptist Church San Antonio. Guest of Councilmember Roger Flores, District 1.
2. Pledge of Allegiance.
3. Approval of Minutes for the March 29, 2007 City Council meeting.

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

**ACTION ITEMS FOR STAFF BRIEFING**

4. Consideration of the following items related to the San Antonio River Improvements Project: [Presented by Jelynn LeBlanc Burley, Deputy City Manager]

A. An Ordinance authorizing the execution of a Memorandum of Understanding between the City of San Antonio, Bexar County, and the San Antonio River Authority in connection with the management and maintenance for the San Antonio River Improvements Project.

2007-04-12-0393

B. An Ordinance increasing the City's monetary commitment to the San Antonio River Improvements Project from \$56,788,781 to \$74,788,781.

2007-04-12-0394

C. An Ordinance authorizing payment in an amount not to exceed \$48,464,973 to the San Antonio River Authority for construction of the Museum Reach Urban Segment of the San Antonio River Improvements Project.

2007-04-12-0395

5. Staff briefing and possible action on bills pending in the 80th State Legislative Session. [Presented by Andrew Smith, Director, Intergovernmental Relations; Erik J. Walsh, Assistant City Manager]

6. An Ordinance amending the Small Business Economic Development Advocacy Ordinance Evaluation Standards for Alternative Construction Delivery Methods. [Presented by Manuel Longoria, Assistant Director, Economic Development; Jelynn LeBlanc Burley, Deputy City Manager]

2007-04-12-0396

7. A Public Hearing and Ordinance reprogramming \$1,231,252.91 in Community Development

Block Grant (CDBG) funds and \$641,820.92 in HOME Investment Partnership Grant (HOME) funds available from FY 2005-2006 City-wide project completions, program income funds and cancelled projects to address existing project shortfalls and new projects; closing and cancelling affected projects and creating appropriate projects and project budgets; changing the HUD Project name from Pecan Valley Park Playground and Skateboard Ring to the Southside Lions Playground and Skateboard Ring for reporting purposes; and amending Ordinance No. 100918 (dated May 19, 2005) to increase the FY 2005-2006 Emergency Shelter Grant (ESG) adopted budget by \$7,078.00 for a total FY 2005-2006 ESG budget amount of \$635,638.00. [Presented by Andrew Cameron, Director, Grants Monitoring and Administration; T.C. Broadnax, Assistant City Manager]

2007 - 04 - 12 - 0397

**CONSENT AGENDA**

**Purchase of Equipment, Supplies and Services**

- 8. An Ordinance accepting the offer from Planet Ford 6 to provide the City with the purchase of two replacement ¾ ton cab & chassis units for a cost of \$51,728.00, from the Equipment Renewal and Replacement Fund. [Presented by Florencio Peña, Director, Administrative Services; Sharon De La Garza, Assistant to the City Manager]

2007 - 04 - 12 - 0398

- 9. An Ordinance accepting offers from Planet Dodge, Planet Ford 6, and Caldwell Country Chevrolet to provide 21 replacement vehicles and 10 additional vehicles to the City for a cost of \$630,293.00. [Presented by Florencio Peña, Director, Administrative Services; Sharon De La Garza, Assistant to the City Manager]

2007 - 04 - 12 - 0399

**Capital Improvements**

- 10. An Ordinance selecting Raba Kistner Consultants, Inc. for negotiation and execution for a professional engineering and design agreement, in an amount not to exceed \$458,300.00 for professional engineering and design services in connection with the Central Library Exterior Maintenance and Repairs Project, located in District 1, and appropriating funds from Certificates of Obligation and FY2006 Tax Notes. [Presented by Shawn Eddy, Director, Asset Management; Pat DiGiovanni, Deputy City Manager]

2007 - 04 - 12 - 0400

- 11. An Ordinance approving Change Order No. SAWS - 4 Final in the deductive amount of \$28,408.35 to the \$1,426,668.61 construction contract, as changed, with KGME to reconcile actual material quantities used, in connection with the Octavia #63-Phase II-Part I Project, located in District 5. [Presented by Thomas Wendorf, Director, Public Works; Jelynne LeBlanc Burley, Deputy City Manager]

2007 - 04 - 12 - 0401

- 12. Consideration of the following items related to the FY2006-2007 Street Maintenance Program. [Presented by Thomas Wendorf, Director, Public Works; Jelynne LeBlanc Burley, Deputy City Manager]

- A. An Ordinance approving Change Order No. 3 in the amount of \$305,278.09 to the construction contract with Clark Construction of Texas, Ltd. for Asphalt Recycling and Overlay work, in connection with the FY2006-2007 Street Maintenance Program.

**2007-04-12-0402**

- B. An Ordinance approving Change Order No. 3 in the amount of \$1,438,956.40 to the construction contract with Clark Construction of Texas, Ltd. for Hot Paver Laid Micro Surface work, in connection with the FY2006-2007 Street Maintenance Program.

**2007-04-12-0403**

- C. An Ordinance approving Change Order No. 2 in the amount of \$2,008,093.29 to the construction contract with Clark Construction of Texas, Ltd. for Asphalt Overlay work, in connection with the FY2006-2007 Street Maintenance Program.

**2007-04-12-0404**

- D. An Ordinance approving Change Order No. 2 in the amount of \$435,520.35 to the construction contract with Clark Construction of Texas, Ltd. for Micro-Surface work, in connection with the FY2006-2007 Street Maintenance Program.

**2007-04-12-0405**

#### **Purchase, Sale or Lease of Real Property**

13. An Ordinance authorizing the purchase of two (2) privately owned parcels of land for \$28,050.00 payable to Raul Vieyra; and authorizing up to \$2,500.00 for closing costs in connection with the Community Development Block Grant (CDBG) funded Affordable Showcase of Homes Project, located in Council District 7. [Presented by David D. Garza, Director, Housing and Neighborhood Services; T.C. Broadnax, Assistant City Manager]

**2007-04-12-0406**

14. An Ordinance authorizing the acceptance of a donation from the Gold Canyon Homeowners Association of two parcels of land in City Council District 10 totaling 69.533 acres, and approving \$38,118.75 from the Facility Services Improvement and Contingency Fund for closing costs, boundary survey, and associated fees. [Presented by Malcolm Matthews, Director, Parks and Recreation; Frances A. Gonzalez, Assistant City Manager]

**2007-04-12-0407**

#### **Grant Applications and Awards**

15. An Ordinance authorizing the acceptance of up to \$2,504,144.78 from the Department of the Air Force to continue funding the San Antonio Metropolitan Health District's Public Center for Environmental Health for the period October 1, 2006 through September 30, 2011; and approving an agreement with the U.S. Department of the Interior's U.S. Geological Survey (USGS) in the amount of \$59,210.00 for USGS to provide water data collection and monitoring activities at Leon Creek during the period October 1, 2006 through September 30, 2007. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant City Manager]

**2007-04-12-0408**

**City Code Amendments**

- 16. An Ordinance amending Chapter 35 of the City Code (Unified Development Code) by adding specified time frames to the application process for designation of historic districts. [Presented by Emil R. Moncivais, Director, Planning and Community Development; T.C. Broadnax, Assistant City Manager]

2007 - 04 - 12 - 0409

**Miscellaneous**

- 17. An Ordinance authorizing the execution of an Election Services contract in an amount up to \$342,269.22 with the Bexar County Election Administrator for the administration of the City's May 12, 2007 General and Special Election. [Presented by Leticia M. Vacek, City Clerk]

2007 - 04 - 12 - 0410

- 18. An Ordinance approving a total project amount of \$40,576.00 to include awarding a \$28,660.00 emergency construction contract with Delta Structural Technology, Inc. for repairs to a concrete beam and columns at El Mercado and a \$8,750.00 contract with Lundy and Franke Engineering, Inc. for engineering services as part of the El Mercado Structural Repairs Project, paid for from one-time general funds. [Presented by Malcolm Matthews, Director, Parks and Recreation; Frances A. Gonzalez, Assistant City Manager]

2007 - 04 - 12 - 0411

- 19. A Resolution recommending approval to City Public Service Energy to fund a total of \$1,500,000.00 from the Community Infrastructure and Economic Development (CIED) Fund for the construction of underground electrical supply lines in connection with the Southwest Research Institute Underground Conversion Project, located in District 6. [Presented by Thomas Wendorf, Director, Public Works; Jelynn LeBlanc Burley, Deputy City Manager]

2007 R - 04 - 12 - 0412

- 20. A Resolution recommending approval to Bexar County-Metropolitan Planning Organization to fund five(5) projects for FY 2008-2009 and three(3) additional projects for future year inclusion.[Presented by Thomas Wendorf, Director, Public Works; Jelynn LeBlanc Burley, Deputy City Manager]

2007 R - 04 - 12 - 0413

- 21. An Ordinance approving an agreement between the City of San Antonio and AT&T Texas for testing the compatibility of the City's Public, Education and Government (PEG) Programming Signal on AT&T's U-Verse Television Serve. [Presented by Ben Gorzell, Director, Finance; Pat DiGiovanni, Deputy City Manager]

2007 - 04 - 12 - 0414

- 22. An Ordinance approving a Memorandum of Understanding between the City of San Antonio and CPS Energy to jointly develop a shared high-speed communications wide area network. [Presented by Hugh Miller, Director, Information Technology Services; Michael Armstrong, Chief Information Officer]

**PULLED**

**23. City Manager's Report**

**THE CITY COUNCIL WILL RECESS FOR LUNCH AT NOON AND RECONVENE TO CONSIDER ANY UNFINISHED COUNCIL BUSINESS**

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

- A. Deliberate the management, purchase, exchange, lease, or value of certain real properties and discuss related legal issues pursuant to Texas Government Code Sec. 551.072 (real property) and Texas Government Code Sec. 551.071 (consultation with attorney).
  
- B. Deliberate competitive matters regarding CPS Energy and discuss related legal issues pursuant to Texas Government Code Sec. 551.086 (competitive matters) and Texas Government Code Sec. 551.071 (consultation with attorney).
  
- C. Discuss legal issues related to the Police and Fire Collective Bargaining Agreements, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

**5:30 P.M. (may be heard after this time) – Ceremonial Recognitions**

**6:00 P.M. (may be heard after this time) – Citizens to be Heard**

**ADJOURN**

*7:00 P.M. – If the Council has not yet adjourned, the presiding officer shall entertain a motion to continue the council meeting, postpone the remaining items to the next council meeting date, or recess and reconvene the meeting at a specified time on the following day.*