



Int Ord 100 637  
Int Res. 2005-15-11  
Int Ord. 100 662  
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RECEIVED  
CITY OF SAN ANTONIO  
CITY CLERK

05 APR -7 AM 10:38

**Agenda  
City Council Meeting  
Municipal Plaza Building  
City Hall Complex  
103 Main Plaza  
San Antonio, Texas 78205  
April 7, 2005**

*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:

Interviews with nominees for the new Charter-created Ethics Review Board. [Presented by Leticia M. Vacek, City Clerk]

- 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 David Allen, Northside Church of Christ, guest of Councilman Carroll Schubert, District 9, and Pledge of Allegiance.
2. Ceremonial Items.
3. Approval of the minutes of the regular City Council meeting of March 24, 2005.

**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:**

- Handwritten initials*
4. 3:00 P.M. – Staff presentation and Public Hearing to consider the proposed designation of a Defense Adjustment Management Authority (DAMA) whose boundaries may be all or any portion of the property generally described as: that land within Loop 410 to the north, I.H. 35 to the west, a line 1,350 feet south of the centerline of the Medina River to the south and including an area to the south generally between State Highway 16 and Pleasanton Road; the southern boundary of the area following and then parallel to S. Loop 1604 for an approximate distance of 4.85 miles to Pleasanton Road and continuing along 1,350 feet south of the Medina River to the east boundary line of I.H. 37, and contains approximately 63 square miles; and to consider the proposed powers of the DAMA, as authorized by the Texas Local Government Code, Chapter 375, Subchapter 0. [Presented by Jelynn LeBlanc Burley, Assistant City Manager; J. Rolando Bono, Interim City Manager]
  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**

- 100637*
6. An Ordinance accepting the low, responsive bid submitted by Commercial Data Systems, utilizing the Texas Department of Information Resources “Go Direct” program to provide the City of San Antonio Information Technology Services Department with input output cards and host bus adapters for Sun F12K servers for a total cost of \$45,648.00. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]

*100638*

  7. An Ordinance accepting the low, responsive bid submitted by Digital Safety Technologies, Inc. to provide the City of San Antonio Police Department Helicopter Detail with four mobile digital video recording units for a total cost of \$36,235.00. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]

*100651*

  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 Fiscal Year 2004-2005 for an estimated combined annual cost of \$299,181.00 to include contracts for: janitorial services for community link centers; home health maintenance voucher program; satellite phone service; and purchase of work uniforms. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]

## Capital Improvement Items

9. An Ordinance authorizing \$116,479.65 payable to RAM Building Services, L.L.C. (MBE) for services pursuant to an on-call construction contract dated September 2, 2004; authorizing \$11,648.00 for construction contingency expenses, for a total amount of \$128,127.62 to be appropriated from the Parking Operating Fund, in connection with the Frio Street Parking Lot located in Council District 1; 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

10. An Ordinance authorizing funds in the amount of \$10,053.60 from General Obligations of the City payable to Davidson & Troilo, P.C., for legal services necessary to the real estate acquisitions for the following approved City projects: Babcock Road/Leon Creek Improvements – Hausman to DeZavala Project, located in Council District 8; Bitters Road – West Avenue to Heimer MPO Project, located in Council District 9; the Culebra/Loop 410 Detention Pond Project, located in Council District 6; Loop 410 at Nacogdoches Drainage Improvements Project, located in Council Districts 9 and 10; and the Mission Trails Package IV Project, located in Council Districts 1, 3 and 5; revising the project budgets; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]
11. An Ordinance declaring the Sinclair Road at Rosillo Creek Project (“Project”) to be a public project; declaring a public necessity for the acquisition of the fee simple title to certain privately owned real property, by negotiations 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 as: (1) being 0.494 acres of land out of a 1.812 acre tract out of New City Block 10780, (2) being a 0.016 of an acre tract out of lot 9, New City Block 10780, Waukesha-Pearce Inc. Subdivision; and (3) being 5.041 acres of land out of a 133.502 acre tract of land out of New City Block 18239; in the City of San Antonio, Bexar County, Texas, for a public purpose as part of the Project; establishing just compensation for the property; appropriating funds in the amount of \$33,242.00 from 2003-2007 General Obligation Drainage Improvement Bond funds for the Project, including miscellaneous expenses associated with the Project such as appraisals and attorney’s fees; authorizing the City staff and/or its designated representatives to negotiate with and to acquire the property from the owners on the approved terms; authorizing the City Attorney and/or designated special counsel to file eminent domain proceedings, if necessary; and establishing an effective date. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]
12. An Ordinance authorizing payment in the amount of \$12,450.00 from General Obligations of the City to Eckmann, Groll, Inc., for appraisal services in connection with the following approved City projects: Semlinger Road – Rigsby to Lord Project, located in Council District 2; and the Stahl Road – O’Connor to Judson Project, located in Council District 10; revising the project budgets; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

100655

13. An Ordinance authorizing payment in the amount of \$7,325.00 from General Obligations of the City to Dugger, Canaday, Grafe, Inc., for appraisal services in connection with the following approved City projects: Hardy Oak Extension Project, located in Council District 9; Henderson Pass LWC (Lorence Creek) Project, located in Council District 9; James Park Development and Holbrook Road Improvements Project, located in Council District 2; Military Ditch #65 Project, located in Council District 4; Stahl Road – O’Connor to Judson Project, located in Council District 10; and the Western Avenue Drainage Project #74, Phase III A Project, located in Council District 9; revising the project budgets; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

100656

14. An Ordinance declaring the Proposition Three Creekways Linear Parks Acquisition and Park Expansion Project (“Project”) to be a public project; declaring a public necessity for the acquisition of the fee simple title to certain privately owned real property, by negotiations and/or condemnation, if necessary, for use as a part of the Project; to wit, all or portions of the properties being described below, in the City of San Antonio, Bexar County, Texas, for a public purpose as part of the Project; establishing just compensation for the property; appropriating funds in the amount of \$1,355,926.00 from Parks Development and Expansion Venue Project Proposition Three Sales Tax funds for the Project, including miscellaneous expenses associated with the Project such as appraisals and attorney’s fees; authorizing the City staff and/or its designated representatives to negotiate with and to acquire the property from the owners on the approved terms; and authorizing the City Attorney and/or designated special counsel to file eminent domain proceedings, if necessary; said properties being described as follows:

| Lot(s)                             | Block      | NCB   | Subdivision                    |
|------------------------------------|------------|-------|--------------------------------|
| 5                                  | -0-        | 10575 | Friederichs                    |
| Guillermo Nunez Survey No. 151     | Abs<br>548 | 10575 | Guillermo Nunez Survey No. 151 |
| 11 & 12                            | 20         | 10698 | Wheatley Heights               |
| 20, 21, & 22                       | 29         | 10710 | Wheatley Heights               |
| 26                                 | 30         | 10711 | Wheatley Heights               |
| 7, 16, 20                          | 32         | 10713 | Wheatley Heights               |
| 1, 14                              | 33         | 10713 | Wheatley Heights               |
| 6, 18 & 19                         | 34         | 10715 | Wheatley Heights               |
| 20                                 | 40         | 10721 | Wheatley Heights               |
| 5, 11, 12, 15, 21, 23, 24, 26 & 30 | 41         | 10722 | Wheatley Heights               |
| 11                                 | 44         | 10722 | Wheatley Heights               |
| 24                                 | 47         | 10723 | Wheatley Heights               |

|   |             |   |                                 |
|---|-------------|---|---------------------------------|
| 1 & 2   | 43          | 10724   | Wheatley Heights                |
| 12  | 44          | 10725   | Wheatley Heights                |
| 2, 3, 4, 5, 15, 16, 29 & 30                                     | 45          | 10726   | Wheatley Heights                |
| 15  | 3           | 10729   | Wheatley Heights                |
| 1, 16, 19 & 20  | 3           | 10729   | Brookdale                       |
| 5, 12, & 17   | 4           | 10730   | Brookdale                       |
| 8, 17, 18, & 20   | 5           | 10731   | Brookdale                       |
| east 50 ft of the west 100 of the north irr<br>404.7 ft of Tr D | 22          | 10732   | Grandview                       |
| 7   | 5           | 10730   | Meadowcliff                     |
| 1, 3, 4, 5, & 21  | 3           | 16513   | Meadowcliff                     |
| 1, 2, 3, 4, 5, 8, 9, 14, 17, 18, 19, 20, &<br>21                | 5           | 16515   | Meadowcliff                     |
| Pinckney Caldwell Survey No. 83                                 | Abs<br>124  | 12750   | Pinckney Caldwell Survey No. 83 |
| G. Rodriguez Survey No. 131                                     | Abs<br>621  | 12163   | G. Rodriguez Survey No. 131     |
| G. Rodriguez Survey No. 131                                     | Abs.<br>621 | 12153   | G. Rodriguez Survey No. 131     |
| Elizabeth Plunkett Survey #72                                   | Abs<br>573  | 18058   | Elizabeth Plunkett Survey #72   |
| Tract C   |             | 13962 as more particularly<br>described in an instrument<br>of record at Vol. 10349,<br>Page 2266 of the Bexar<br>County Deed Records |                                 |

[Presented by Christopher J. Brady, Assistant City Manager; J. Rolando Bono, Interim City Manager]

### Miscellaneous

15. An Ordinance authorizing the execution of a contract amendment No. 5 with Alamo Workforce Development, Inc., d/b/a Alamo Worksource, which awards additional funds of \$200,000.00 and revises the statement of work to require the provision of additional quality improvement activities within the Alamo Area Child Care Delivery System (CCDS) Program for the period beginning April 1, 2005 and ending September 30, 2005; authorizing the acceptance of said additional funds in connection therewith; approving a revised CCDS Program budget for Fiscal Year 2005; authorizing execution of an amendment of the delegate agency contract with Family Service Association of San Antonio, Inc., providing additional funds in the amount of \$180,000.00 for a contract total of \$726,426.00 for the provision of additional quality improvement activities in connection with the Alamo Area CCDS Program for the period beginning April 1, 2005 and ending September 30, 2005. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant City Manager]

16. An Ordinance authorizing the execution of two assignments of agreement which transfer all rights and obligations of Father Flanagan's Girls and Boys Town of San Antonio in two delegate agency contracts to the newly created entity called the Girls and Boys Town of San Antonio in connection with the Family Preservation Service to Homeless Families and assessment and short term residential program projects. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant City Manager]
17. An Ordinance authorizing the submission of a continuation grant application to, and upon award the acceptance of a Juvenile Accountability Block Grant from, the Office of the Governor, Criminal Justice Division, State of Texas, by the City of San Antonio, Department of Community Initiatives, in the amount of \$55,944.00 to support the Striving Together to Achieve Rewarding Tomorrows Program in the South San Antonio Independent School District for the period August 1, 2005 to July 31, 2006; approving a budget and personnel complement; and authorizing the execution of any necessary documents in connection therewith. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant City Manager]
18. An Ordinance authorizing the submission of a grant application to, and upon award the acceptance of a Title V Grant from, the Office of the Governor, Criminal Justice Division, State of Texas, by the City of San Antonio, Department of Community Initiatives, in the amount of \$125,944.00 to support the expansion of the Striving Together to Achieve Rewarding Tomorrows Program in two additional schools in the Edgewood Independent School District for the period September 1, 2005 to August 31, 2006; approving a budget and personnel complement; and authorizing the execution of any necessary documents in connection therewith. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant City Manager]
19. An Ordinance ratifying the submission of an application to, and authorizing the acceptance of a grant from, the Local Board of the Federal Emergency Management Agency's Emergency Food and Shelter Program in the amount of \$130,900.00 for the provision of mortgage and rental assistance by the City of San Antonio's Department of Community Initiatives, Community Action Division, for the period October 1, 2004 to September 30, 2005; and approving a budget and a personnel complement; and authorizing the execution of any and all documents in connection therewith. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant City Manager]
20. An Ordinance authorizing the acceptance of Grant for the U.S. Department of Health and Human Services (DHHS), Administration for Children and Families, in the amount of \$300,000.00 for the Individual Development Account (IDA) Program for the period of October 1, 2004 to September 30, 2009; authorizing the acceptance of funds from Citigroup (\$50,000.00), The Young Women's Christian Association (\$25,000.00), Frost Bank (\$10,000.00) and J.P. Morgan Chase Bank One (\$5,000.00) through the San Antonio Housing trust, to be used as match funding for the Families Save IDA Program for the period of January 1, 2005 through December 31, 2005; authorizing the reduction of the fiscal year 2005 Council District 9 Human Development Services Fund (HDSF) by \$50,000.00 as match funding for the Families Save IDA Program and appropriating said \$50,000.00 to the Families Save IDA Program; authorizing the reduction of the Department of Community Initiatives general fund budget by \$20,000.00 as match funding for the Families Save

IDA Program and appropriating said \$20,000.00 to the Families Save IDA Program; authorizing the allocation of \$20,000.00 per year from the Department of Community Initiatives general fund budget, subject to the appropriation of said funds by the San Antonio City Council, for FY 2006 through FY 2009 to be used as match for the IDA program in accordance with the terms of the DHHS grant; authorizing the acceptance of future grants for local matching funds in an amount up to \$210,000.00; adopting a Families Save IDA budget; and authorizing the execution of any and all necessary documents in connection therewith. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant City Manager]

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

A. An Ordinance authorizing the submission of a grant application to, and upon award the acceptance of a Juvenile Justice and Delinquency Prevention Grant from the Office of the Governor, Criminal Justice Division, State of Texas by the City of San Antonio, Department of Community Initiatives in the amount of \$227,906.00 for the support of the Neighborhood Conferencing Committee (NCC) Program for juvenile offenders referred from the Municipal Court System for the period of September 1, 2005 to August 31, 2006; authorizing the execution of any necessary documents in connection therewith; and approving a budget and personnel complement in connection therewith.

B. An Ordinance authorizing the submission of a grant application to, and upon award the acceptance of a Juvenile Justice and Delinquency Prevention grant from the Office of the Governor, Criminal Justice Division, State of Texas in the amount of \$180,166.00 for support of the expansion of the Striving Together to Achieve Rewarding Tomorrows (START) Program in three additional schools in the South San Antonio Independent School District for the period of September 1, 2005 to August 31, 2006; authorizing the execution of any necessary documents in connection therewith; and approving a budget and personnel complement in connection therewith.

22. An Ordinance authorizing the acceptance and execution of a grant amendment with the Texas Department of Transportation ("TXDOT") Routine Airport Maintenance Program in an amount not to exceed \$30,000.00; and authorizing payment in the amount of \$30,000.00 to TXDOT for the City's portion of construction costs associated with the rejuvenation/asphalt overlay and markings of airport parking lots and apron areas at Stinson Municipal Airport, for a total project cost of \$60,000.00; appropriating funds; and providing for payment. [Presented by Kevin Dolliole, Director, Aviation; Roland A. Lozano, Assistant to the City Manager]

23. An Ordinance authorizing execution of a contract with MAXIMUS, Inc. to prepare the Cost Allocation Plans and Indirect Cost Rate Proposal for use in the FY 2005-2006 budget process, for an amount not to exceed \$34,409.00, and authorizing up to three (3) additional successive one year renewals, subject to available funding. [Presented by Peter Zaroni, Director, Management and Budget; Erik J. Walsh, Assistant to the City Manager]

24. An Ordinance confirming the appointment of Martha Sepeda as Acting City Attorney of the City of San Antonio, in accordance with the Charter of the City of San Antonio. [Presented by J. Rolando Bono, Interim City Manager]

**Board, Commissions and Committee Appointments.**

25. Consideration of the following Ordinances: [Presented by Leticia M. Vacek, City Clerk]

A. An Ordinance appointing Betty Ann Graham (District 5) to the San Antonio Commission on Literacy for a term of office to expire on December 31, 2006.

B. An Ordinance reappointing Mary Ann Veltri (District 9) to the City/County Joint Commission on Elderly Affairs for a term of office to expire on September 30, 2006.

**ITEMS FOR INDIVIDUAL CONSIDERATION**

26. An Ordinance approving an addendum related to the creation of an urban library district to the City's State Legislative Program for the 79<sup>th</sup> Legislative Session that was adopted by Ordinance No. 99966, passed and approved on November 4, 2004. [Presented by Christopher J. Brady, Assistant City Manager; J. Rolando Bono, Interim City Manager]

27. A Resolution supporting Senate Bill 57, authored by Texas Senator Jane Nelson, granting Texas counties the authority to regulate billboard construction within their jurisdictions. [Presented by Christopher J. Brady, Assistant City Manager; J. Rolando Bono, Interim City Manager]

28. An Ordinance authorizing the execution of a professional Design-Build Services Agreement with THC, Inc., for the Residential Acoustical Treatment Program at the San Antonio International Airport for a fee in an amount not to exceed \$3,308,316.00; authorizing \$8,814,813.00 for construction; authorizing \$15,000.00 for legal fees and expenses; authorizing \$20,000.00 for administrative fees; appropriating funds; authorizing payments and establishing a budget. [Presented by Kevin Dolliole, Director, Aviation; Roland A. Lozano, Assistant to the City Manager]

29. An Ordinance terminating the Selrico Services, Inc., contract authorized by Ordinance No. 99782, and accepting the best value bid of Selrico Services, Inc., to provide the Department of Community Initiatives with meal preparation and delivery services for the Comprehensive Nutrition Project for the period of June 1, 2005 through September 30, 2006, for an approximate cost of \$3,038,918.00. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant City Manager]

100062

PULLED

Approved

30. An Ordinance authorizing the execution of a contract and certain amendments thereto, with the University of Texas at San Antonio (UTSA) to support a conference for Project Bridge (Bring Together Resources in Industry, Development, Government, and Education) during the period April 7, 2005 through September 30, 2005; and authorizing the allocation and expenditure of Human Development Services funds from City Council for the UTSA Project Bridge Program. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant City Manager]

31. An Ordinance authorizing the execution and delivery of a Fourth Amendment to the Agreement for Transfer of Use, Benefit, and Control of Property between the City and SAWS relating to the SAWS' Headquarters Building; the Amendment (1) deferring to August 1, 2006 the date by which SAWS must close (2) establishing a daily rate amount by which the purchase price of the property will be reduced if SAWS fails to close by August 1, 2005, and (3) listing personal property that will be conveyed from SAWS to the City at Closing. [Presented by Rebecca Waldman, Director, Asset Management; Erik J. Walsh, Assistant to the City Manager]

32. Confirmation of Travel Authorization for Councilman Enrique M. Barrera, District 6, who attended the Bond Rating & Bond Insurance Presentation in New York for the Convention Center Hotel Bonds from Saturday, April 2, 2005 through Tuesday, April 5, 2005 and for Mayor Edward D. Garza and Councilman Roger O. Flores, District 1, who attended the presentation from Sunday, April 3, 2004 through Tuesday, April 5, 2005.

33. City Manager's Report. *None*

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

- A. Deliberate the duties, appointment, and employment of the City Manager, pursuant to Texas Government Code Section 551.074 (personnel matters), and discuss related legal issues, pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- B. Deliberate the offer of financial or other incentives related to economic development negotiations with the following business prospects: Texas A&M University System, Faulkner USA, Hanford Development Corporation, Park Centre Towers, Ltd., and one or more other business prospects, including the possible acquisition and disposition of an interest in real property, pursuant to Texas Government Code Section 551.087 (deliberation regarding economic development negotiations) and Texas Government Code Section 551.072 (deliberation regarding real property); and discuss related legal issues, pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- C. Deliberate the purchase, exchange, lease, or value of real property located at 1001 E. Market Street, San Antonio, Texas 78205, pursuant to Texas Government Code Section 551.072 (deliberation regarding real property).
- D. Deliberate the exchange and value of real property owned by the University of Texas at HemisFair Park for city property located in the central business district, pursuant to Texas Government Code Section 551.072 (deliberation regarding real property).

*Addressed*  
E. Discuss legal issues related to negotiation of service agreements with representatives of areas included in the City's Three Year Annexation Plan, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

✓ F. Discuss legal issues related to a pending request for annexation submitted by the City of Timberwood Park Committee, pursuant to Texas Government Code Section 551.071 (consultation with attorney).