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Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 S. Main Ave
San Antonio, TX 78205
August 31, 2006

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
- 2:00PM: Public Hearing on Zoning Case
- 3:00PM: Public Hearing on FY2007 Proposed Tax Rate
- 5:45PM: 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.

Questions regarding this agenda notice should be directed to the City Agenda Coordinator at 207-

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. Ben Alexander, Associate Minister, Friendship Baptist Church, Guest of Mayor Phil Hardberger.
- 2. Pledge of Allegiance
- 3. Approval of Minutes for the August 10, 2006 and August 17, 2006 City Council meetings.

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

Action Items For Staff Briefing

4. A public hearing and consideration of the following: [Presented by Rod Sanchez, Interim Director, Development Services; Jelynn LeBlanc Burley, Deputy City Manager]

✓ A. An Ordinance adopting the 2006 International Existing Building Code with local amendments.

2006-08-31-0958

✓ B. An Ordinance adopting the 2006 International Building Code with local amendments.

2006-08-31-0959

✓ C. An Ordinance adopting the 2006 International Residential Code with local amendments.

2006-08-31-0960

✓ D. An Ordinance adopting the 2006 Uniform Plumbing Code with local amendments.

2006-08-31-0961

✓ E. An Ordinance adopting the 2005 National Electrical Code with local amendments.

2006-08-31-0962

✓ F. An Ordinance adopting the 2006 International Mechanical Code with local amendments.

2006-08-31-0963

Postponed 1 week

5. Public hearing and consideration of an ordinance authorizing closure, vacation, and abandonment of Ellis Alley, which intersects Chestnut between Crockett and Center Streets, adjacent to NCB 579, District 2, as requested by VIA Metropolitan Transit for a fee of \$46,309, some or all of which may be waived under the Incentive Scorecard Program. [Presented by Shawn Eddy, Acting Director, Asset Management; Erik J. Walsh, Assistant

City Manager]

- 6. An Ordinance authorizing \$963,495.00 for acquisition of fee simple title to two tracts of land totaling 116.956 acres known as the Dreiss and Laredo-Culebra II tracts situated in Medina County, Texas as part of the Proposition One Edwards Aquifer Protection Venue Project; authorizing the execution of a real estate purchase contracts to accomplish said purchases; and appropriating funds. [Presented by Malcolm Matthews, Director, Parks and Recreation; Frances A. Gonzalez, Assistant City Manager]

2006-08-31-0965

- 7. An Ordinance authorizing execution of a five (5) year concession agreement with Catering by Rosemary, Inc. to operate the food and beverage concessions operations at the City's seven (7) municipal golf facilities. [Presented by Malcolm Matthews, Director, Parks and Recreation; Frances A. Gonzalez, Assistant City Manager]

2006-08-31-0964

- 8. An Ordinance authorizing a lease of the old Main Library building, also known as the Hertzberg Circus Museum building, to the National Western Art Foundation for the renovation and use of the Building located at 210 W. Commerce, as well as adjacent City owned property on market street, as a world class art museum, Library historical information center and western heritage center with up to 5,000 square feet of dedicated space in the building for use by the San Antonio Public Library as a Library History Center Portal, for an operating term of twenty-five years with three five-year renewals. [Presented by Ramiro S. Salazar, Director, Library; Frances A. Gonzalez, Assistant City Manager]

2006-08-31-0966

CONSENT AGENDA

Items Concerning the Purchase of Equipment, Supplies and Services

- 9. An Ordinance accepting the bid submitted by Western Oilfields Supply Co. d/b/a Rain for Rent to provide the Public Works Department with three replacement trailer mounted pumps for a total cost of \$48,693.00, from the Equipment Renewal and Replacement Fund. [Presented by Florencio Peña, Director, Administrative Services; Pat DiGiovanni, Deputy City Manager]

2006-08-31-0967

- 10. An Ordinance accepting the bids of various companies to provide the City with various types of commodities and services on an annual contract basis for FY 2006-2007 for a combined estimated cost of \$3,046,600, including: OS-SAS software maintenance; TRMS & SAVRS license renewals; Spanish language books, DVD's and media; asphalts, oil & emulsions; automotive storage batteries; automotive & heavy equipment filters; air conditioning filters; Tymco sweeper & Converto parts and service; Allison transmission parts and service; maintenance of ice sheet chillers at the Alamodome; spread spectrum radios; printers, print servers and scanners; lawn service; replacement of automotive glass; official and other newspaper advertisements; work gloves; and back support belts for Fire. [Presented by Florencio Peña, Director, Administrative Services; Pat DiGiovanni, Deputy City Manager]

Florencio

- 11. An Ordinance accepting the bids submitted by Northside Ford and Columbus Country Ford to provide the City of San Antonio with 54 replacement and 5 additional vans and platform trucks for a total cost of \$1,131,191, from the Equipment Renewal and Replacement Fund and the Governor's Committee on Aging Fund. [Presented by Florencio Peña, Director, Administrative Services; Pat DiGiovanni, Deputy City Manager]

2006-08-31-0984

- 12. An Ordinance accepting the bid submitted by Federal Resources Supply Co. to provide the Fire Department with a gas identification package for a total cost of \$61,485.33, from the State Homeland Security Program 2005 Grant Fund. [Presented by Florencio Peña, Director, Administrative Services; Pat DiGiovanni, Deputy City Manager]

2006-08-31-0968

- 13. An Ordinance accepting the bid submitted by Nathan Alterman Electric Co., Ltd., to provide the Health Department with the purchase and installation of one 300 kilowatt diesel powered standby generator for a total cost of \$98,329.00, from the Public Health Preparedness Laboratory Grant. [Presented by Florencio Peña, Director, Administrative Services; Pat DiGiovanni, Deputy City Manager]

2006-08-31-0969

Capital Improvements Items

- 14. An Ordinance approving a total estimated project amount of \$3,430,310.00 and awarding a construction contract in the amount of \$399,300.00 to Davila Construction, Inc. and approving Change Order Number 1 in the deductive amount of \$78,149.00 to the construction contract with Davila Construction, Inc. for value engineering modifications, in connection with the Library Improvements Phase 3 Project at Cody, Forrest Hills, and Pan American Branch Libraries, located in Districts 4, 7, and 8, from 1989 General Obligation Library System Improvement Bonds and 2003-2007 General Obligation Library Improvement Bonds, and appropriating funds. [Presented by Thomas Wendorf, Director, Public Works; Jelynn LeBlanc Burley, Deputy City Manager]

2006-08-31-0985

- 15. An Ordinance approving a total project amount of \$5,431,584.70 and awarding a construction contract in the amount of \$5,090,560.20 to Texas-Sterling Construction, L.P., \$675,459.20 of which will be reimbursed by San Antonio Water System and \$325,374.50 will be reimbursed by CPS Energy, in connection with Marbach Road - Phase I - Military to Pinn Project, an authorized 2003 General Obligation Street & Pedestrian Improvement Bond funded project, located in District 6, and authorizing Change Order Number 1 in the deductive amount of \$797,133.90 to the construction contract with Texas-Sterling Construction, L.P., for value engineering modifications, and amending a professional engineering services agreement with Lockwood, Andrews & Newman, Inc. for additional engineering services in an amount not to exceed \$75,000.00, and appropriating funds. [Presented by Thomas Wendorf, Director, Public Works; Jelynn LeBlanc Burley, Deputy City Manager]

2006-08-31-0970

- 16. An Ordinance approving a total estimated project cost of \$285,000.00 and awarding a construction contract in the amount of \$152,680.00 to McNeil Roofing and Sheet Metal in connection with the San Antonio Police Academy Roof Repairs Project, an authorized 2002

Certificates of Obligation project located in District 3, and appropriating funds. [Presented by Thomas Wendorf, Director, Public Works; Jelynn LeBlanc Burley, Deputy City Manager]

2006-08-31-0986

17. An Ordinance approving SAWS Change Order Number 2 in the amount of \$63,257.45 to the construction contract with E-Z Bell Construction, Ltd., of which \$63,257.45 will be reimbursed by San Antonio Water System, in connection with the Olympia Drainage Area Phase I Project, an authorized 2003-2007 General Obligation Drainage Improvement Bond and Certificates of Obligation project, located in District 1, and appropriating funds. [Presented by Thomas Wendorf, Director, Public Works; Jelynn LeBlanc Burley, Deputy City Manager]

2006-08-31-0987

18. An Ordinance approving a total construction project amount of \$54,260.55 to include \$50,960.55 for in-house construction of a basketball court, site furnishings, and an accessible path to the court from the existing parking lot in connection with the Sunrise Park Improvements Project in City Council District 2, an authorized UDC (Unified Development Code) fees funded project; and appropriating funds. [Presented by Malcolm Matthews, Director, Parks and Recreation; Frances A. Gonzalez, Assistant City Manager]

2006-08-31-0988

19. An Ordinance approving a total construction project amount of \$79,263.15 to include \$76,563.15 for in-house construction of a pugmill trail, site amenities, including picnic units and benches in connection with the Chestnut Springs Park Development Project in City Council District 6, an authorized UDC (Unified Development Code) fees funded project; and appropriating funds. [Presented by Malcolm Matthews, Director, Parks and Recreation; Frances A. Gonzalez, Assistant City Manager]

2006-08-31-0989

20. An Ordinance approving a total construction project amount of \$142,056.63 to include \$138,756.63 for in-house construction of an entry drive, a parking lot, practice fields for baseball and soccer, and site furnishings in connection with the Hausman Road Park Development Project in City Council District 8, an authorized 2003-2007 Park Bond funded project, and appropriating funds. [Presented by Malcolm Matthews, Director, Parks and Recreation; Frances A. Gonzalez, Assistant City Manager]

2006-08-31-0990

Purchase, Sale or Lease of Real Property

21. An Ordinance authorizing a 10-year license to Northeast Independent School District for a \$5,000 fee for an overhead cable over Hardy Oak Boulevard adjacent to Hardy Oak Elementary School, NCB 19217, District 9. [Presented by Shawn Eddy, Acting Director, Asset Management; Erik J. Walsh, Assistant City Manager]

2006-08-31-0971

22. An Ordinance authorizing the execution of a Lease Agreement with American Airlines for 11,520 square feet of cargo space in the Air Cargo Building West, Bays 15, 16, 28, 29, 40 and 41 at San Antonio International Airport, for a term of three (3) years effective on November 1, 2005 for monthly rental of \$7,265.81. [Presented by Mark H. Webb, Director,

2006-08-31-0972

Aviation; Roland A. Lozano, Assistant to the City Manager]

- 23. An Ordinance authorizing the execution of a lease renewal and extension with Marbach Plaza, Ltd. for approximately 5,670 square feet of clinic and office space located at 7452 Military Drive West for use by the San Antonio Metropolitan Health District's Women, Infants and Children (WIC) Program for the period September 1, 2006 through August 31, 2011 at a rate of \$5,079.38 per month. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant City Manager]

2006-08-31-0973

- 24. An Ordinance approving a three (3) year Farmers Market Lease Agreement with Ms. Claudia Paz Negrete and Mr. Salvador Cazares Negrete d/b/a Casa Clasal International, Inc. for use of approximately 114 square feet identified as Stall S-11 in Farmers Market Plaza at Market Square in City Council District 1 commencing on September 1, 2006 and ending August 31, 2009. [Presented by Malcolm Matthews, Director, Parks and Recreation; Frances A. Gonzalez, Assistant City Manager]

2006-08-31-0974

- 25. An Ordinance approving the first of three renewals beginning July 1, 2005 and ending June 30, 2015 and amendment of broadcasting lease agreements for use of the Tower of the Americas with the following radio broadcast stations: Clear Channel Broadcasting, Inc. (KQXT); Texas CBS Radio Broadcasting, L.P. (KJXK); and Texas Lotus, Ltd. (KZEP) resulting in increased rental rates from \$2,500 to \$5,500 per month generating revenues in the total of \$148,500 in FY2006 with an annual increase of 3.00% thereafter. [Presented by Malcolm Matthews, Director, Parks and Recreation; Frances A. Gonzalez, Assistant City Manager]

2006-08-31-0975

- 26. An Ordinance approving a Lease Agreement with Tower FM Consortium, LLC for the installation and management of a master antenna for commercial broadcasting to be located on top of the Tower of Americas. [Presented by Malcolm Matthews, Director, Parks and Recreation; Frances A. Gonzalez, Assistant City Manager]

2006-08-31-0976

Grant Applications and Awards

- 27. An Ordinance authorizing the transfer of \$54,000.00 from the Department of Community Initiatives' general fund budget and the transfer of \$20,000.00 from the 2006 Annie E. Casey - Making Connections grant budget for use as match money for the IDA program in order to enable individuals to utilize an IDA to purchase a home or attend post-secondary education. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant City Manager]

2006-08-31-0977

- 28. An Ordinance authorizing the acceptance of an award in the amount of \$625,000.00 from the Department of Health and Human Services, Health Resources & Services Administration for the San Antonio Metropolitan Health District's Healthy Start Initiative to continue for the period August 1, 2006 through May 31, 2007; adopting the program budget; and approving the personnel complement. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances

2006-08-31-0978

A. Gonzalez, Assistant City Manager]

29. An Ordinance authorizing the execution of a contract with the Texas Department of State Health Services totaling \$261,633.00 which will provide funding for the ongoing Title V Maternal & Child Health Program of the San Antonio Metropolitan Health District for the period September 1, 2006 through August 31, 2007; adopting the program budget; and approving the personnel complement. [Presented by Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant City Manager]

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30. An Ordinance authorizing the execution of a contract with the Texas Department of State Health Services totaling \$207,183.00 which will provide funding for the Title V Population Based Services Program of the San Antonio Metropolitan Health District through August 31, 2007; adopting the program budget; and approving the personnel complement. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant City Manager]

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Miscellaneous Items

31. An Ordinance authorizing the City Manager to enter into an Agreement to Use Funds of the City of San Antonio with Alamo Public Telecommunications Council d/b/a KLRN-TV in an amount not to exceed \$60,000 to partially fund the production of a one-hour film entitled "Wings Over the Alamo", documenting the City's military aviation history. [Presented by Ramiro Cavazos, Director, Economic Development; Jelynn LeBlanc Burley, Deputy City Manager]

2006-08-31-0991

32. An Ordinance selecting Carter & Burgess, Inc. to provide parking consultant services in connection with the operation, management, and marketing of the City's parking assets; authorizing negotiation and execution of a consultant contract in an amount not to exceed \$246,700. [Presented by Shawn Eddy, Acting Director, Asset Management; Erik J. Walsh, Assistant City Manager]

2006-08-31-0992

Tabled Zweck

33. An Ordinance authorizing the establishment of a Reserve Law Enforcement Officer Program at the San Antonio International Airport, to include up to twenty volunteer certified police officers to serve at the discretion of the Chief of Airport Police, approving standards for training, and providing for payment of uniform and administrative expenses of the Program from previously appropriated funds. [Presented by Mark Webb, Director, Aviation; Roland A. Lozano, Assistant to the City Manager]

34. An Ordinance authorizing the acceptance of passenger vans and the transfer of the respective titles to the City of San Antonio from the Archdiocese of San Antonio; authorizing the execution of agreements and agreement amendments necessary to facilitate acceptance of the vans by the City and to allow for the conversion of one van into a cargo van for continued support of the Comprehensive Nutrition Program. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant City Manager]

2006-08-31-0993

- 35. An Ordinance approving the assignment and second amendment to the Tax Phase-In Agreement between the City of San Antonio and Texas Machining Enterprises II, L.L.P. ("TME") assigning all rights and obligations from TME, as assignor, to Caterpillar, Inc., as assignee. [Presented by Ramiro Cavazos, Director, Economic Development; Jelynne LeBlanc Burley, Deputy City Manager]

2006-08-31-0981

- 36. An Ordinance authorizing the execution of an Interlocal Agreement for up to \$500,000.00 with the Texas Department of State Health Services to provide laboratory testing services for patients of the San Antonio Metropolitan Health District through December 31, 2009. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant City Manager]

2006-08-31-0982

- 37. An Ordinance authorizing the execution of a contract with the Texas Department of State Health Services which will allow the San Antonio Metropolitan Health District continued on-line access to birth records from the State's Bureau of Vital Statistics through August 31, 2008. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant City Manager]

2006-08-31-0983

- 38. An Ordinance authorizing (1) the execution of a contraband forfeiture agreement and (2) a contraband forfeiture agreement for gambling property and proceeds, both with three-year terms commencing October 1, 2006, with the Bexar County District Attorney's Office to share proceeds from asset forfeiture cases pursuant to Chapters 18 and 59 of the Texas Code of Criminal Procedure. [Presented by William McManus, Police Chief; Sheryl Sculley, City Manager]

2006-08-31-0994

Boards, Commissions and Committee Appointments

Approved

- 39. Reappointing Ralph De Leon (District 3) to the San Antonio Local Development Company, Inc. (d/b/a South Texas Business Fund) (Category: Director) for the remainder of an unexpired term of office to expire May 5, 2008. [Presented by Leticia M. Vacek, City Clerk]

40. City Manager's Report

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

- 41. Briefing on the five-year Animal Care Services Strategic Plan. [Presented by Kathleen McGowan, Chair, Animal Care Services Advisory Board; Craig Brestrup, Interim Director, Animal Care Services; Pat DiGiovanni, Deputy City Manager]

- 42. Briefing on the efforts of the City/County Joint Commission on Elderly Affairs by Glen

Hartman. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant City Manager]

TIME CERTAIN ITEMS (may be heard after indicated time):

*Cont
1 week*

43. **2:00 p.m. - ZONING CASE #Z2006137 S (District 5):** Public hearing and consideration of an Ordinance changing the zoning district boundary from "I-2" Heavy Industrial District to "I-1" S General Industrial District with Specific Use Permit for a Transitional Home on Lot A-46, Block 46, NCB 220, 801 Morales Street as requested by Bannum, Inc., Applicant, for Downtown Warehouse Investors, Ltd., Owner(s). Staff recommends Denial. Zoning Commission recommends Approval. [Presented by Rod Sanchez, Interim Director, Development Services; Jelyne LeBlanc Burley, Deputy City Manager].

44. **3:00 p.m. -** Second required Public Hearing on the FY 2007 Proposed Ad Valorem Tax Rate for the FY 2007 Proposed Budget and the tax year beginning on January 1, 2006 and ending December 31, 2006. [Presented by Peter Zaroni, Director, Management and Budget; Erik J. Walsh, Assistant City Manager]

✓ 5:45 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.