



First Ord. 95755
First Rev. 2002-20-22
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CITY OF SAN ANTONIO
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**Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 Main Plaza
San Antonio, Texas 78205
May 16, 2002**

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:

Discussion of Preliminary List of Strategic Issues for Fiscal Year 2003 Budget Process. [Presented by Lou Lendman, Director of Management and Budget; Terry M. Brechtel, 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. Cleo Edmunds, Little Church of La Villita, and Pledge of Allegiance.

2. Ceremonial Items.

3. ~~Approval of the minutes of the Regular Council Meeting of April 25, 2002.~~

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-CHIC.

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:

- 95772
95773
95773
4. 2:00 P.M. – Public Hearing and Consideration of the following Ordinances: [Presented by Ramiro Cavazos, Director, Economic Development Department; Christopher J. Brady, Assistant City Manager]
 - (A) An Ordinance designating the Chase Reinvestment Zone C consisting of 15.23 acres at 7050 Fairgrounds Parkway, Alamo Downs Business Park.
 - (B) An Ordinance approving and authorizing execution of a Tax Phase-In Agreement to exempt ad valorem taxation in personal property for Chase Bank Card Services, Inc. and approving a one hundred percent (100%) tax phase-in of personal property for a ten (10) year term.
 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

- 95755
95756
6. An Ordinance accepting the bid submitted by Software House International/Government Solutions, Inc. utilizing the Texas Department of Information Services "Go Direct" Program to provide the City of San Antonio Information Technology Services Department with antivirus software and licenses for a total sum of \$79,500.00. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]
 7. An Ordinance accepting the bid submitted by Wheeled Coach Industries in accordance with the Houston/Galveston Area Council of Governments cooperative purchasing agreement to provide the City of San Antonio Fire Department with twenty-one (21) Type I ambulances for a total sum of \$1,438,605.00. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

Capital Improvement Items

- 95757
8. Ordinance ratifying services and authorizing payment in the amount of \$9,868.73 from 1994 General Obligation Drainage Improvement Bonds payable to Broadwing Communications Services, Inc. for cable services in connection with the Escalon #1008 Drainage Project, located in Council District 3; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

9. An Ordinance accepting the low, qualified bid of Texas Sterling Construction, L.P. in the amount of \$343,523.00 in connection with the Grandview Neighborhood Streets, Phase IIIC (Hampton) Community Development Block Grant (CDBG) Project, located in Council District 2; authorizing a construction contract; authorizing \$24,232.50 for miscellaneous construction contingency expenses; authorizing \$16,962.75 for administrative costs; authorizing an additional \$6,750.00 payable to Grant Engineering for engineering expenses; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

Items Concerning the Purchase, Sale or Lease of Real Property

10. An Ordinance authorizing the execution of an Amendment to the Business Center Lease Agreement with F. Kellogg Business Enterprises, Inc., a franchisee of Mail Boxes Etc., to provide for an additional 375 square feet of space in its as-is condition, adjacent to the 1,386 square feet of existing Business Center space located at the Henry B. Gonzalez Convention Center, for a total of 1,761 gross square feet of rentable space, thus increasing the monthly base rent, at \$1.55 per gross square foot, from \$2,148.30 to \$2,729.55 per month, for an annual base rent of \$32,754.60, effective June 1, 2002 with the termination date for use of the additional space to run concurrently with the December 30, 2006 termination date of the initial term of the Lease, with one (1) renewal term of three (3) years subject to San Antonio City Council approval; and deleting the Office of Internal Review as a required recipient of monthly statements, at the office's request. [Presented by Edward C. Garcia, Convention Facilities Director; Roland A. Lozano, Assistant to the City Manager]

11. An Ordinance authorizing the purchase of a 3.731 acre tract from Bexar County for the amount of \$21,789.84 located north of the intersection of Nacogdoches and Judson Roads in City Council District 10, adjacent to, and as an addition to Comanche Lookout Park; allocating \$20,734.00 in 1994 Park Bond Funds; allocating \$6,515.84 in 1999 Park Bond Funds; establishing a project budget; approving \$3,949.00 for professional fees; approving \$1,511.00 for closing costs and fees; appropriating funds; and providing for payment. [Presented by Malcolm Matthews, Director of Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]

12. An Ordinance authorizing the execution of an Agreement for Mutual Termination of San Antonio Airport Lease No. 122036, authorized by Ordinance No. 92814, passed and approved November 2, 2001, with Capital Cargo International Airlines, Inc. at San Antonio International Airport. [Presented by Kevin C. Dolliole, Aviation Director; Christopher J. Brady, Assistant City Manager]

95761
13. An Ordinance authorizing a nine (9) month Interim License Agreement with Grey Forest Utilities (GFU), a gas utility owned by the City of Grey Forest, to allow GFU to use City rights-of-way to operate a gas distribution system within an interim licensed area in consideration of three percent (3%) of gross revenues that are derived from GFU's system within the interim licensed area to be paid to the City. [Presented by Ben Gorzell, Public Utilities Supervisor/Assistant Director of Finance; Terry M. Brechtel, City Manager]

Miscellaneous

95762
14. An Ordinance authorizing the acceptance of an additional \$559,295.00 in cash and \$91,244.00 in-kind vaccine support from the U.S. Public Health Service to augment the operation of the Childhood Immunization Project of the San Antonio Metropolitan Health District through December 13, 2002 and revising the project budget for the Childhood Immunization Project established in Ordinance No. 95453, passed and approved on March 14, 2002. [Presented by Dr. Fernando A. Guerra, Director of Health; Melissa Byrne Vossmer, Assistant City Manager]

95763
15. An Ordinance authorizing the acceptance of a cash grant in the amount of \$300,493.00 from the Texas Department of Health to fund the ongoing Ryan White Title II HIV/AIDS Program administered by the San Antonio Metropolitan Health District for the period April 1, 2002 through August 31, 2002; authorizing the execution of a contract change notice with the Texas Department of Health; revising the budget for the Public Health State Support Project 2001/2002, established in Ordinance No. 93174, passed and approved on January 4, 2001; approving the personnel complement for the Ryan White Title II Project; authorizing the execution of standard City operating agency grant fund contracts totaling \$251,299.00 with HIV/AIDS service providers, in connection with the project; and authorizing payments for contractual services. [Presented by Dr. Fernando A. Guerra, Director of Health; Melissa Byrne Vossmer, Assistant City Manager]

95764
16. An Ordinance authorizing the execution of a one-year renewal contract in the amount of \$55,000.00 with Booth Research Group, Inc., testing consultant, for the preparation of validated written promotional examinations for the positions of Fire Apparatus Operator, Fire Lieutenant, Fire Captain and District Fire Chief, San Antonio Fire Department and for the development of the examinations and the related job analyses. [Presented by Elisa Pena Bernal, Human Resources Director; Travis M. Bishop, Assistant City Manager]

95765
17. An Ordinance amending Ordinance No. 95186 approved on January 17, 2002 to remove real and personal property lenders as required parties to a Tax Phase-In Agreement with Oberthur Gaming Technologies in accordance with SB 985; and authorizing an additional thirty (30) days to execute such modified Tax Phase-In Agreement and a related Tax Refund Settlement agreement with Oberthur Gaming Technologies. [Presented by Ramiro Cavazos, Director, Economic Development Department; Christopher J. Brady, Assistant City Manager]

95766
18. An Ordinance authorizing the funding of a Grants Management Officer within the Economic Development Department; authorizing the transfer of existing funds in the amount of \$105,866.95 from grant accounts to the Economic Development Department; authorizing an operating budget and personnel complement. [Presented by Ramiro Cavazos, Director, Economic Development Department; Christopher J. Brady, Assistant City Manager]

95767
19. An Ordinance authorizing the execution of a contract with the San Antonio Neighborhood Corporation d/b/a the Neighborhood Resource Center in an amount not to exceed \$50,000.00 to provide neighborhood services for the period beginning October 1, 2001 to September 30, 2002; appropriating funds; and providing for payment. [Presented by David D. Garza, Director, Neighborhood Action Department; Frances A. Gonzalez, Assistant to the City Manager]

95768
20. An Ordinance amending the temporary Housekeeping and Conversion Services Agreement with Pacesetter Personnel Service to provide the Alamodome and Nelson W. Wolff Municipal Stadium with Housekeeping and Conversion Services to extend the term of the agreement an additional eleven (11) days whereby it will commence January 26, 2002 and terminate March 26, 2002; ratifying additional services in the amount of \$64,250.00 for the Alamodome and \$10,000.00 for Nelson W. Wolff Municipal Stadium; and providing for payment. [Michael Abington, Alamodome Director; Roland A. Lozano, Assistant to the City Manager]

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

95769
21. An Ordinance authorizing four (4) fireworks displays on an open field across from 5757 Hwy. 90 at the conclusion of the San Antonio Mission's baseball games scheduled for June 8, 15, 22 and July 20, 2002 at Nelson W. Wolff Municipal Stadium. [Presented by Robert Ojeda, Fire Chief; J. Rolando Bono, Deputy City Manager]

95770
22. **Board, Commissions and Committee Appointments.** [Presented by Norma Rodriguez, City Clerk, Travis M. Bishop, Assistant City Manager]

95771
A. An Ordinance appointing Frank B. Palmer (District 8) to Keep San Antonio Beautiful, Inc. for a term of office to expire on December 22, 2003.

95772
B. An Ordinance appointing Josh Copeland (District 8) to the San Antonio Local Development Company for a term of office to expire on May 9, 2004.

ITEMS FOR INDIVIDUAL CONSIDERATION

95773
23. An Ordinance authorizing the City Manager to execute an agreement with the Downtown Alliance/San Antonio in the amount of \$13,000.00 for conducting a Downtown Housing Market & Demand Analysis; and providing for payment. [Presented by Ramiro Cavazos, Director, Economic Development Department; Christopher J. Brady, Assistant City Manager]

9527256

24. An Ordinance approving the issuance of the City of San Antonio Education Facilities Corporation revenue bonds in the amount of \$32,000,000.00 for Trinity University ("TU") for the construction of building improvements at TU and a \$7,000,000.00 refunding of 1993 series bond issue; authorizing the execution of a loan agreement, a trust agreement, and other official documentation related to this project. [Presented by Ramiro Cavazos, Director, Economic Development Department; Christopher J. Brady, Assistant City Manager]

25. Consideration of the following Ordinances: [Presented by Milo Nitschke, Director of Finance; Terry M. Brechtel, City Manager]

PULLED

A. An Ordinance approving the Development Services component of Phase III of the Enterprise Resource Management Project to the existing contract (Ordinance No. 94040, approved May 31, 2001) with Deloitte Consulting L.P. to obtain professional services for the implementation of the land management and development system; appropriating and encumbering funds in an amount not to exceed \$7,097,500.00; authorizing payment and execution of the required documents; and delegating the authority to approve change orders as may be required by the City of \$25,000.00 or less to the Director of Finance.

PULLED

B. An Ordinance approving the selection of Hansen Information Technologies, Inc. to provide the City of San Antonio with land management and development software and five years of service and maintenance in the initial amount of \$1,313,000.00 for the purchase of proprietary software licenses and \$118,067.00 for the first four months of support and maintenance; providing for service and maintenance for five years at an initial amount of \$354,200.00 per year and providing for adjustment in fees subject to a maximum of five percent annual increase; appropriating funds and authorizing payment.

PULLED

C. An Ordinance approving a continuance of the contract with the law firm of Cox and Smith, Inc. which has assisted in all previous phases of the project and which would continue to provide legal services to assist the City Attorney's Office in negotiating contracts with the proposed vendors of the Enterprise Resource Management Project, and with Deloitte Consulting, L.P., and the associated computer and software firms in an additional amount not to exceed \$150,000.00, for a total contract amount of \$225,000.00; appropriating and encumbering funds; and providing for payment.

Approved

26. Confirmation of Travel Authorization for Mayor Edward D. Garza who attended the Urban Land Institute/Joseph C. Canizaro Mayor's Forum Series "Bringing Community Back to the City" in Los Angeles, CA, from Tuesday, May 14, 2002 through Thursday, May 16, 2002.

27. Travel Authorization for Mayor Edward D. Garza who will attend the Spring Convention of International Council on Shopping Centers (Mayor's Panel Session on Public/Private Collaboration in the Development of Successful Retail Projects) in Las Vegas, NV, from Sunday, May 19, 2002 to Monday, May 20, 2002.
28. An Ordinance authorizing the expenditure of \$150.00 from Council District 6 Contingency Expense Account, payable to the Meadow Village Elementary School PTA, to be used to pay for lunches and snacks for students, teachers and chaperones on a field trip to the Capitol in Austin, Texas on Friday, May 17, 2002; as requested by Councilman Enrique M. Barrera.
29. An Ordinance authorizing the expenditure of \$250.00 from the Council District 6 Contingency Expense Account, payable to the Meadow Village Neighborhood Association, to be use to offset costs (including the security deposit required for use of the Virginia Gill Community Center, food and supplies), in connection with its annual pot-luck dinner for members and residents to be held on Tuesday, July 23, 2002; as requested by Councilman Enrique M. Barrera.
30. An Ordinance authorizing the expenditure of \$1,000.00 from the District 10 Contingency Expense Account, payable to the Hills of Park North Neighborhood Association, to be used to purchase a neighborhood sign and xeriscaping for the entrance to the subdivision; as requested by Councilman David Carpenter.
31. An Ordinance authorizing the expenditure of \$550.00 from the District 2 Contingency Expense Account, payable to the Parks and Recreation Department for the use of one (1) showmobile, with sound system, by St. Patrick's Catholic Church, for its Fall Festival to be held on Sunday, October 6, 2002; as requested by Councilman John H. Sanders.
32. An Ordinance authorizing the expenditure of \$300.00 from the District 2 Contingency Expense Account, payable to National Alliance for the Mentally Ill (NAMI) - San Antonio South, to be used to help defray the cost of expenses associated with its annual Fashion Show and Appreciation Banquet to be held on Thursday, October 10, 2002; as requested by Councilman John H. Sanders.
33. An Ordinance authorizing the expenditure of \$1,500.00 from the District 2 Contingency Expense Account, payable to the American Diabetes Association, to be used as part of its mission to find a cure for diabetes and to improve the lives of all people affected with diabetes; as requested by Councilman John H. Sanders.
34. An Ordinance authorizing the expenditure of \$550.00 from the District 4 Contingency Expense Account, payable to the Parks and Recreation Department for the use of one (1) showmobile, with sound system, by the Rainbow Hills Area Neighborhood Association for National Night Out to be held on Tuesday, August 6, 2002; as requested by Councilman Enrique "Kiki" Martin.

957833
35. An Ordinance authorizing the expenditure of \$500.00 from the District 4 Contingency Expense Account, payable to the St. Clare Catholic Church, to be used to defray the costs of expenses associated with its annual parish festival to be held on Sunday, June 2, 2002; as requested by Councilman Enrique "Kiki" Martin.

95784
36. An Ordinance authorizing the expenditure of \$200.00 from the District 7 Contingency Expense Account, payable to the San Antonio Dance Umbrella, to be used to offset the cost of tuition for representation of the City of San Antonio at the American Ballet Theatre Summer Intensive Program to be held July 8 through August 2, 2002; as requested by Councilman Julian Castro.

37. City Manager's Report. - *None*

38. Executive Session: Consultation concerning attorney-client matters (real estate, litigation, contracts, personnel and security) may be discussed.

A. Attorney-Client consultation on the potential impact on the Municipal Solid Waste Management Agreement, entered between the City and Browning Ferris, Inc., June 12, 1995 (performance and contract enforcement requirements) from the lawsuit styled BFI Waste Systems of North America, Inc. & Texas National Resource Conservation Commission v. Martinez Environmental Group, City of China Grove, and Don McKenzie, Case No. 03-02-00218-CV, an appeal filed 4-10-02 from the 98th Judicial District Court of Travis County in Cause No. GN003403, to the Third Court of Appeals for the Austin region.

B. Attorney-Client consultation regarding: 1) the status of negotiations on interconnection between Time Warner Cable and Grande Communications and the associated franchise renewal and reopener process; and 2) the City's options in dealing with the Federal Communications Commission's Declaratory Ruling and Notice of Proposed Rulemaking regarding cable service and revenues, issued on March 14, 2002.

C. Attorney-Client consultation regarding terms and conditions of a Project Agreement with Sheraton Riverwalk, L.P. for the construction of a convention headquarters hotel adjacent to the Henry B. Gonzalez Convention Center.