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**Agenda  
City Council Meeting  
Municipal Plaza Building  
City Hall Complex  
103 Main Plaza  
San Antonio, Texas 78205  
April 29, 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:

FY 2004 Second Quarter Financial Status Report, Overview of FY 2005 Goal Setting Process and Introduction to FY 2004 Inventory of City Services. [Presented by Peter Zanoni, Acting Director, Management and Budget; Erik J. Walsh, Assistant to the 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 Pastor Dot DeLaRosa, Hope of Glory, guest of Councilman Ron Segovia, District 3, and Pledge of Allegiance.
2. Ceremonial Items.
3. Approval of the minutes of the City Council Meeting of February 26, 2004.

**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:**

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**

5. An Ordinance accepting the low responsive bid submitted by Southwest Solutions Group utilizing the Texas Multiple Award Schedule contract to provide the City of San Antonio Library Department with library shelving for the Guerra Branch Library for a total amount of \$86,640.00. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]
6. 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 \$200,087.00 to include contracts for purchase, inspection and maintenance of fire extinguishers, Yamaha golf cart parts & service, spread spectrum radios, and I.V. administration set & I.V. solutions in plastic containers. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]

**Capital Improvement Items**

7. An Ordinance approving Field Alteration No. 1 and authorizing payment of \$67,799.00 from the Construction Contingency fund to Westfield Construction, L.P., for additional construction expenses in connection with the Lincoln Park Pool & Playground Project, located in Council District 2; revising the project budget; appropriating funds; and providing for payment. [Presented by Malcolm Matthews, Director, Parks and Recreation; Christopher J. Brady, Assistant City Manager]
8. An Ordinance approving the San Antonio Water System (SAWS) Field Alteration No. 1 and authorizing payment of \$32,612.19 payable from SAWS to San Antonio Constructors, Ltd. in connection with the Pleasanton Road – Gillette to Loop 410 Project, located in Council District 3; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]
9. An Ordinance amending a professional services contract and authorizing payment of \$63,416.00 to Bain Medina Bain, Inc. (WBE) for additional engineering services in connection with the Nacogdoches Road – I.H. 410 to Danbury MPO Project located in Council District 10; authorizing \$6,342.00 for engineering contingency expenses, for a total amount of \$69,758.00 from 1999-2004 General Obligation Street Improvement Bond funds; revising the project budget; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

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10. An Ordinance approving Change Order No. 7 and authorizing payment of \$657.87 from Certificates of Obligation to the Texas Department of Transportation for construction expenses in connection with the Isom Road – Ramsey to U.S. 281 MPO Project, located in Council District 9; revising the project budget; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]
  11. An Ordinance authorizing payment of \$8,609.74 from 1999-2004 General Obligation Drainage Bond funds to Southwestern Bell Telephone, L.P., d/b/a SBC Southwestern Bell Telephone Company for the adjustment to aerial cable and related components in connection with the Lanark Drainage #92A, Phase I Project, located in Council District 2; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]
  12. An Ordinance accepting the low, responsive bid of Amstar, Inc. (MBE/WBE) in the amount of \$1,548,850.00 in connection with the Municipal Facilities Improvements within the Historic Civic Center Project, located in Council District 1; authorizing \$154,789.00 for construction contingency expenses, for a total amount of \$1,703,639.00 from Certificates of Obligation; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]
  13. An Ordinance accepting the low, responsive bid of San Antonio Constructors, Ltd., in the amount of \$286,522.76 in connection with the Huron – Fitch to Southcross Community Development Block Grant Project, located in Council District 4; authorizing the execution of a construction contract; authorizing \$27,546.78 for miscellaneous construction contingency expenses; authorizing \$21,211.02 for expense recovery; authorizing \$1,000.00 for advertising expenses; authorizing the reimbursement from San Antonio Water System in the amount of \$11,055.00 for sewer and water expenses, for a total amount of \$336,280.56; appropriating funds; revising the project budget; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]
  14. An Ordinance selecting Rehler Vaughn & Koone, Inc. (SBE), to provide professional architectural services in connection with the Hausman Road Branch Library and Park Project, located in Council District 8; authorizing the negotiation and execution of a professional services contract in an amount not to exceed \$58,000.00; authorizing \$12,000.00 for contingency expenses and initial geotechnical surveys, for a total amount of \$70,000.00 from 1999-2003 General Obligation Library Improvement Bond funds and 2003-2007 General Obligation Bond funds; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

15. An Ordinance authorizing the appropriation of \$250,000.00 for the FY 03-04 Annual Signal Upgrade Program to upgrade existing traffic signal installations and systems funded from the Capital Improvements Reserve Fund and the appropriation of \$510,000.00 for the FY 03-04 Annual Signal Program to install traffic signals at the following six intersections:

LOCATION	Council District
Westover Hills Boulevard at Senisa Springs	6
Marbach Road at Old Hunt Lane/Ingram Road	4/6
Wurzbach Road at Crystal Hill/Ingram Mall Driveway	7
Bulverde Road at Classen Road	10
Parliament Drive at Sir Winston	9
Medical Drive at University Hospital/UPG	8

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

16. An Ordinance authorizing the City Manager or her designee to execute agreements between the City of San Antonio and the University Physicians Group in the amount of \$85,000.00, and the City and the University Health System in the amount of \$37,500.00, respectively, for the installation of a traffic signal and other improvements to be located at the intersection of Medical Drive and the entry to University Hospital and at the University Physician's Group Diagnostic Pavilion, located within the Medical Center Area in Council District 8. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

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

17. An Ordinance authorizing the City Manager or her designee to execute a license agreement with the Medical Center Alliance as licensee for an initial term of twenty five (25) years for the placement and maintenance of way-finding signage, entry and logo signage on City right-of-way located within the Medical Center Area and in connection with the Medical Center Improvements Project, located in Council District 8. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

18. An Ordinance authorizing funds in the amount of \$8,503.90 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: Bitters Road – West Avenue to Heimer MPO Project, located in Council District 9 and the Salado Creek Greenway (Hike & Bike Trail) Phase I Project, located City Wide; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

19. An Ordinance authorizing funds in the amount of \$41,453.38 payable to Bracewell & Patterson, L.L.P. for legal services necessary to the real estate acquisitions for the following approved City projects: Bitters Road -- West Avenue to Heimer MPO Project, located in Council District 9; Cherry Street Drainage Project #15B Phase II, located in Council District 2; Escalon Street #1008 Drainage Project, located in Council District 3; Hildebrand Avenue from IH 10 to Breeden MPO Project, located in Council District 1; Octavia Drainage #63, Phase II, Part I Project, located in Council District 5; Western Avenue Drainage #74 III-A Project, located in Council District 9; Wurzbach Road to I.H. 10 and Ironside Intersections Project, located in Council District 8; Wurzbach Parkway Project, located in Council Districts 9 and 10; and the Chico-Knox/Margil Community Development Block Grant Project, located in Council District 5; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

20. An Ordinance approving an Amendment to that certain Lease Agreement approved by Ordinance No. 96772 dated November 21, 2002 between Mack-Cali Texas Property, L.P., as Landlord, and predecessor to Riverview Tower Partners, Ltd., a Texas Limited Partnership, the current Landlord, and the City of San Antonio, as Tenant, for rental of office space being used by the City Auditor's Office, described as Suite 600 in the Riverview Towers office building located at 111 Soledad Street, located in City Council District 1, for the purpose of increasing the number of parking spaces from two (2) vehicles to four (4) vehicles, at a total Monthly Parking Charge for the two (2) additional vehicles of \$78.75 per month per vehicle. [Presented by Rebecca Waldman, Director, Asset Management; Erik J. Walsh, Assistant to the City Manager]

21. An Ordinance approving a Renewal and Extension of Lease Agreement between Riverview Tower Partners, Ltd., a Texas Limited Partnership, the present Landlord, and the City of San Antonio, as Tenant, renewing and extending the term of that certain Lease Agreement with Mack-Cali Texas Property, L.P., predecessor in title to the present Landlord, approved by Ordinance No. 95657 dated April 25, 2002 for the rental of approximately 14,928 gross square feet of office space described as Suite 900 being used for the ERM Project at the rent rate of \$14.50 per gross square foot per year, or \$18,038.00 per month, in a building located at 111 Soledad Street, known as the Riverview Office Building, located in City Council District 1, for six (6) months commencing on June 1, 2004. [Presented by Rebecca Waldman, Director, Asset Management; Erik J. Walsh, Assistant to the City Manager] Waldman, Director, Asset Management; Erik J. Walsh, Assistant to the City Manager]

22. An Ordinance approving a one year Lease Agreement by and between the City of San Antonio, as Landlord, and the University of Las Palmas De Gran Canaria, acting by and through Fundación Canaria Universitaria De Las Palmas (Canary Islands Office), as Tenant, for the use of approximately 1,165 square feet of office space known as Suite 160 at the International Center, 203 South St. Mary's Street, in Council District 1, at a rent of \$9.60 per square foot annually, increasing to \$13.20 per square foot annually in the first optional Renewal Term, and \$15.00 per square foot annually in the second optional Renewal Term, both renewal options being subject to City Council approval, plus Common Area Maintenance (CAM) costs which are subject to annual adjustment. [Presented by Rebecca Waldman, Director, Asset Management; Erik J. Walsh, Assistant to the City Manager]

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**Miscellaneous**

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23. An Ordinance authorizing the City Manager or her designee to accept a grant in the amount of \$82,486.00 from the Texas Department of Transportation for the "Click It Or Ticket" Selective Traffic Enforcement Program (STEP), which will be used to fund an overtime program for seat belt and child safety seat enforcement program to be administered by the San Antonio Police Department for the grant period of May 24, 2004 through June 6, 2004. [Presented by Albert A. Ortiz, Police Chief; Christopher J. Brady, Assistant City Manager]
24. An Ordinance authorizing the submission of a grant application in the amount of \$955,590.00 to the Texas Automobile Theft Prevention Authority (ATPA), which, if awarded, will augment the San Antonio Police Department's effort in reducing auto theft and authorizing a city match and an in-kind match. [Presented by Albert A. Ortiz, Police Chief; Christopher J. Brady, Assistant City Manager]
25. An Ordinance authorizing a fireworks display for USAA's annual company picnic to be held on their property located at 9800 Fredericksburg Road at approximately 8:45 P.M. on May 8, 2004, with no rain date; and providing for an immediate effective date upon passage by eight votes. [Presented by Robert Ojeda, Fire Chief; Christopher J. Brady, Assistant City Manager]

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

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26. An Ordinance approving the parade permit and authorizing the temporary closure of portions of certain streets near Plaza Avenida Guadalupe (1321 El Paso) in connection with the Corazon Y Familia Mural 5K Run/Walk sponsored by San Anto Cultural Arts, Inc. to be held from 7:30 A.M. to 11:00 A.M. on Saturday, May 8, 2004. [Presented by Roland A. Lozano, Assistant to the City Manager; Terry M. Brechtel, City Manager]

**Board, Commissions and Committee Appointments.**

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27. Consideration of the following board appointment: [Presented by Yolanda Ledesma, Acting City Clerk; Erik J. Walsh, Assistant to the City Manager]
- A. An Ordinance reappointing Daniel Kossl (Extraterritorial Jurisdiction Category - Mayor) to the Capital Improvements Advisory Committee for a term of office to expire on October 10, 2005.
- B. An Ordinance reappointing Nancy Hard (Mayor) and Anita Cano Gonzalez (District 6) to the Commission for Children and Families for a term of office to expire on June 27, 2006.
- C. An Ordinance reappointing Gloria Flores (Consumer of Handicapped Services Category - District 3) to the Disability Access Advisory Committee for a term of office to expire on June 30, 2006.
- D. An Ordinance appointing Jennifer Hurt (Mayor) to Keep San Antonio Beautiful, Inc. for a term of office to expire on December 22, 2005.

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E. An Ordinance reappointing Maria Angelina Ruiz (District 1) to the Joint City/County Commission on Elderly Affairs for a term of office to expire on September 30, 2005.

An Ordinance appointing Rolando Pablos (District 1) to the Small Business Advocacy Committee for a term of office to expire on November 20, 2005.

G. An Ordinance amending Ordinance Nos. 97207, 97489, 98046 and 98820, to conform the terms of office of the appointees to the Municipal Civil Service Commission to the requirement of the Charter; and designating a chairperson.

**ITEMS FOR INDIVIDUAL CONSIDERATION**

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28. An Ordinance establishing a "Notice Of Public Hearing On Land Use Assumptions and Capital Improvements Plan Relating to Possible Adoption of Impact Fees" to be held on June 3, 2004, at the City Council Chambers located on the First Floor of the Municipal Plaza Building at 114 West Commerce Street at 3:00 p.m., to consider the adoption of the Land Use Assumptions Plan and Capital Improvements Plan related to possible Wastewater Impact Fees for an area known as the Far West; and notifying the public that any member has the right to appear and present evidence for or against the plans. [Presented by Ben Gorzell, Jr., Public Utilities Supervisor/Assistant Director, Finance; Melissa Byrne Vossmer, Assistant City Manager]

29. An Ordinance authorizing the defeasance and redemption of a portion of the City's outstanding Parking System Revenue Bonds, Series 2000; authorizing the execution of an escrow agreement and other documents related thereto; and authorizing the use of certain available proceeds from such bonds to accomplish such defeasance. [Presented by Milo D. Nitschke, Director, Finance; Melissa Byrne Vossmer, Assistant City Manager]

30. Travel Authorization for Councilman Enrique M. Barrera, District 6, who will travel to Houston, Texas, to visit Nutrition Centers on Wednesday, May 5, 2004.

Approved  
Approved  
None  
31. Travel Authorization for Councilman Carroll W. Schubert, District 9, who will travel to Colorado Springs, CO, to participate in the Department of the Air Force, Air Force Reserve 433d Airlift Wing Civic Leader Tour from Tuesday, May 4, 2004 to Wednesday May 5, 2004.

32. City Manager's Report.

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

A. Discuss legal issues relating to *Borden Park, L.P., d/b/a Star Storage-Downtown, San Antonio vs. City of San Antonio*, Cause No. 2003-CI-09049, 45<sup>th</sup> Judicial District, Bexar County, Texas, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

● PULLED  
B. Discuss legal issues relating to *City of San Antonio v. Greg Abbott, Attorney General for the State of Texas*, Cause No. GV-400253, in the 345th District Court, Travis County, Texas, pursuant to Texas Government Code Section 551.071 (consultation with attorney).