



first order 97894
 first Res. 2003-27-27
 Hart Ord 97979
 Hart Res. 2003-27-27
 RECEIVED
 CITY OF SAN ANTONIO
 CITY CLERK
 AUG - 7 AM 10:45

**Agenda
 City Council Meeting
 Municipal Plaza Building
 City Hall Complex
 103 Main Plaza
 San Antonio, Texas 78205
 August 7, 2003**

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:
 - A. Boards and Commissions Work Session. [Presented by Yolanda Ledesma, Acting City Clerk; Travis M. Bishop, Assistant City Manager]
 - B. Review of Capital Projects proposed for 2003 Bond Program. [Presented by Lou Lendman, Director, Management & Budget; Christopher J. Brady, Assistant 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 Harinder Singh, Executive Director of Sikh Research Institute, and Pledge of Allegiance.
 - 2. Ceremonial Items.
 - 3. Approval of the minutes of the Regular City Council Meeting of May 22, 29, and June 5, 2003 and the Special City Council Meeting of May 30, 2003.

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:

- 97893
4. 3:00 P.M. - Consideration of an Ordinance revising City Code Chapter 36, entitled, "Smoking" to make necessary changes, revisions, and deletions regulating smoking in certain establishments within the City of San Antonio City limits; and providing for penalties. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant to the City Manager]
 5. 4:30 P.M. - Public Hearing and Discussion on the Capital Projects proposed for the 2003 Bond Program. [Presented by Lou Lendman, Director, Management & Budget; Christopher J. Brady, Assistant City Manager]
 6. 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

- 97896
7. An Ordinance accepting the low bid submitted by Mavron, Inc. to provide the City of San Antonio Health Department Animal Care Services Division with animal transportation units (ATU) for a total amount of \$31,932.00. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Travis M. Bishop, Assistant City Manager]
 - 97897
 8. An Ordinance ratifying a contract with The Trane Company for the emergency purchase and installation of a 125 ton chiller for the City of San Antonio Parks & Recreation Department for the Farmers Market building within the Market Square facility for a total amount of \$49,609.00. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Travis M. Bishop, Assistant City Manager]
 - 97898
 9. An Ordinance accepting the low bids submitted by Texas Bus Sales, Inc., item 1, and Hotshot Delivery Systems, Inc., item 2, to provide the City of San Antonio Community Initiatives Department Elderly and Disabled Services Division with two nine passenger transit buses and two concept vans for a total amount of \$132,150.00. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Travis M. Bishop, Assistant City Manager]
 - 97899
 10. An Ordinance accepting and ratifying the low bid submitted by Ace Audio Communications, Inc. to provide the City of San Antonio External Relations Department with a sound system upgrade in the City Council Chambers for a total amount of \$35,123.35. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

97900

11. An Ordinance accepting the bids of various companies to provide the City of San Antonio with automated tape library hardware maintenance agreement & Storagetek Silo MSV/ESA license renewal, nickel cadmium and nickel metal hydride batteries, intravenous catheter placement units, EKG electrodes, purchase, inspection & maintenance of fire extinguishers, replacement of broken glass at various city agencies, replacement of broken glass at the Alamodome, various file folders for Metropolitan Health District & San Antonio Police Department, lawnmower, edgers & chainsaw parts & service, pre-filled disposable syringes, materials & labor to maintain air conditioning systems at Market Square, automotive power take off parts & service, plumbing supplies & parts, private process service, maintenance of municipal court center security equipment, materials & labor to maintain heating & air conditioning systems for park facilities, Johnson sweeper parts & service, curbside recycling bins, lawn maintenance for various park areas, stormwater alert system parts, inspection, testing and maintenance of fire suppression system at the Alamodome, bonding glass beads, endotracheal tubes, floor pads, printing of events for the Carver Community Center, antennas, laboratory analysis of soil & water, and library media & audio supplies on an annual contract basis for Fiscal Year 2003-2004 for an estimated annual cost of \$899,830.00. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

Capital Improvement Items

97901

12. An Ordinance accepting the low, qualified bid of Constructors and Associates, Inc. in the amount of \$420,000.00 for the construction of Renovations to Existing Parking Garage – Package 1 at San Antonio International Airport; authorizing execution of a construction contract; authorizing \$42,000.00 for construction contingencies, for a total amount of \$462,000.00; appropriating funds; and providing for payment. [Presented by Kevin Dolliole, Director, Aviation; Christopher J. Brady, Assistant City Manager]

97943

13. An Ordinance selecting K.M. Ng & Associates, Inc., E.S. Moran Consulting Engineering, Inc. and Alderson & Associates, Inc. for on-call professional electrical engineering services for various park design projects and authorizing execution of one (1) year contracts, with two optional one (1) year renewals. [Presented by Malcolm Matthews, Director, Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]

97944

14. An Ordinance selecting Debra J. Dockery Architects, P.C., Nored Shearer Architects and Beaty & Partners Architects, Inc. for on-call professional architectural services for various park design projects and authorizing execution of one (1) year contracts, with two optional one (1) year renewals. [Presented by Malcolm Matthews, Director, Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]

97945

15. An Ordinance selecting K.M. Ng & Associates, Inc., Vickery & Associates, Inc. and Bain Medina Bain, Inc. for on-call professional civil engineering services for various park design projects and authorizing execution of one (1) year contracts, with two optional one (1) year renewals. [Presented by Malcolm Matthews, Director, Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]

97902

16. An Ordinance accepting the low, qualified bid with bid alternates 1 and 2 of Muniz Concrete & Contracting, Inc. for a total amount of \$140,143.00 in connection with the Bellaire Park Improvements Community Development Block Grant (CDBG) Project, located in City Council District 3; authorizing the negotiation and execution of a construction contract; authorizing \$14,014.00 for miscellaneous construction contingency expenses; authorizing \$709.24 for bid advertising expenses; authorizing \$424.56 for printing expenses; authorizing \$2,150.00 for permit fees; authorizing \$22,559.20 for park materials for a total amount of \$180,000.00; appropriating funds; revising the project budget; and providing for payment. [Presented by Malcolm Matthews, Director, Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]

97903

17. An Ordinance approving Field Alteration No. 6-Final in the amount of \$124,088.74 payable to R.L. Jones, L.P., for additional construction expenses in connection with the Alice Faye Area Streets (39th Street, #58M, Phase III) Community Development Block Grant (CDBG) Project, located in Council District 6; revising the project budget; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97904

18. An Ordinance amending a professional services contract by authorizing payment in the amount not to exceed \$23,840.00 from 1999 G.O. Drainage Improvement Bond funds to Turner Collie & Braden, Inc. for additional engineering services in connection with the Ave Maria Drainage Project, located in Council District 1; authorizing \$2,384.00 for miscellaneous engineering contingency expenses, for a total amount of \$26,224.00; revising the budget; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97905

19. An Ordinance authorizing payment in the amount of \$113,732.00 from 2002 Certificates of Obligation to SBC and authorizing City Public Service (CPS) to appropriate funds in the amount of \$754,400.00 from the CPS Overhead Conversion Fund for the relocation of its underground facilities in connection with the Florida from I.H. 37 to St. Mary's Project, located in Council District 1; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97906

10. An Ordinance authorizing payment in the amount of \$20,268.00 from 1999 G.O. Street Improvement Bond funds to Pape-Dawson Engineers, Inc., for certain environmental assessment services accomplished under an existing On-Call Environmental Professional Service Consulting Contract necessary for the Nakoma at U.S. 281 (West Side) Project, located in Council District 9; and for subsequent investigation underway; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97907

11. An Ordinance authorizing payment in the amount of \$4,867.50 from 1999 G.O. Drainage Improvement Bond funds to Drash Consulting Engineers, Inc., for environmental assessment services under an existing On-Call Environmental Professional Service Consulting Contract necessary for the Military Ditch #65 Project, located in Council District 4; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97908

22. An Ordinance authorizing the appropriation and allocation of Community Development Block Grant (CDBG) funds in the amount of \$3,337.00 for environmental laboratory services in connection with the Grandview Neighborhood Streets Phase III E (J Street from Hampton to Amanda) Community Development Block Grant (CDBG) Project, located in City Council District 2; revising the project budget; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

PULLED

23. An Ordinance authorizing the City Manager or her designee to execute an agreement with the Texas Department of Transportation for advanced funding for the extension of the coordinated signal system on S.H. 16 (Bandera Road) to intersections at Tezel/Prue Road, at Old Prue Road, and at Quincy Lee/Stoncroft, and authorizing \$22,130.28 from the "Traffic Signal Installation/Upgrades Program 2000-2001" to be paid to the Texas Department of Transportation for this signal system coordination improvements project in Districts 7 and 8. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97946

24. An Ordinance authorizing funds in the amount of \$2,993,280.03 payable to the Texas Department of Transportation for the City's share of twenty percent (20%) of construction costs in connection with the Mission Trails Construction Package II Project located in Council District 3; authorizing \$256,371.26 for miscellaneous engineering contingency expenses, for a total amount of \$3,249,651.29 from General Obligation Funds of the City; appropriating funds; 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

9209 25. An Ordinance approving the Full and Final Settlement Agreement between the City of San Antonio and Maria P. Govea and Maria Govea Aguillon, for a 0.020 acre of land in fee simple and a 0.067 acre tract temporary easement out of Lot 69, Block 2, N.C.B. 11966, City of San Antonio, Bexar County, in the total amount of \$5,438.00 from 1985 G.O. Drainage Improvement Bond funds in connection with the Western Avenue Drainage Project #74, Phase III B & C, located in Council District 9; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97926 26. An Ordinance declaring the Old Brookside Subdivision Drainage Improvements Project ("Project"), located in Council District 3, to be a public project; declaring a public necessity for the acquisition of the fee simple title and/or easement interest 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: approximately 1,250.00 square feet (0.028 acres) out of Lot 8, and all of Lots 9, 10, 11 and 27, and approximately 800.00 square feet (0.018 acres) out of Lot 28, all out of Block 1, N.C.B. 10883; approximately 1,662.48 square feet (0.038 acres) out of Lot 14, and all of Lots 15, 32, 33 and approximately 1,674.96 square feet (0.038 acres) out of Lot 34, all out of Block 2, N.C.B. 10884; Lot 3, Block 3, N.C.B. 10885; and being approximately 6,991.89 square feet (0.160 acres) out of Tract 5A, N.C.B. 10914; all in the City of San Antonio, Bexar County, Texas, for a public purpose as part of this Project; establishing just compensation for the property; appropriating funds in the amount of \$131,900.00 from the Storm Water Operating Fund for the Project and miscellaneous expenses associated with the Project such as appraisals and attorneys fees; authorizing the City staff and/or its designated representatives to negotiate with and 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. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97927 27. An Ordinance declaring the Belgium - Picardie to Coliseum Project ("Project"), located in Council District 2, to be a public project; declaring a public necessity for the acquisition of the fee simple title and/or easement interest to certain privately owned real property, by negotiations and/or condemnation, if necessary, for public improvements for use as a part of this Project; to wit, all or portions of the properties being described as: being 0.020 of an acre of land out of Lot 10, N.C.B. 10575, CDS Warehouse Subdivision and being 0.092 of an acre of land in N.C.B. 10576, out of the Guillermo Nunez Survey No. 151, Abstract 548, and being 0.240 of an acre of land in N.C.B. 10576 all 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 \$65,300.00 from 1999 G.O. Street Improvement Bond funds for the Project and 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. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97912
28. An Ordinance authorizing payment in the amount of \$1,500.00 from 1987 G.O. Drainage Improvement Bond funds to Bartholomew J. Broadwater for fee simple title and release of all claims to one parcel of land in connection with the Hi-Lions Drainage Project #80, Phases III & V, located in Council District 3; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97913
An Ordinance authorizing 1999 General Obligation Drainage Improvement Bond Funds in the amount of \$26,850.00 for the acquisition of fee simple title and/or easement interest to two (2) parcels of real property out of N.C.B. 12019 and two (2) parcels of real property out of N.C.B. 12026, San Antonio, Bexar County, Texas, in connection with the Lanark Drainage #92A Phase I Project, located in Council District 2; establishing compensation for the property; appropriating funds for title and 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; finding the ordinance to have been considered pursuant to the laws governing open meetings; and establishing an effective date. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97914
An Ordinance declaring the Tezel - Timber Path to Old Tezel MPO Project ("Project") to be a public project; declaring a public necessity for the acquisition of fee simple title and/or easements 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 as follows: (1) 0.008 hectares (0.020 of an acre) drainage easement, out of a 5.00 acre tract, N.C.B. 15008, described as Tract II, Volume 2769, Page 1390, Real Property Records; (2) 0.010 hectares (0.024 of an acre) drainage easement out of Lot 200, Block 200, N.C.B. 15008, (3) 0.162 hectares (0.400 of an acre), out of and a part of a 4.108 acre tract, N.C.B. 15093, (4) 0.849 hectares (2.098 acres) of land out of and part of a 10.299 acre tract, N.C.B. 15093, (5) a 0.4091 acre tract of land, out of and part of a 14.224 acre tract, N.C.B. 15093, (6) 0.001 hectares (0.003 of an acre) of land, being part of Lot 1, Block 1, N.C.B. 18308, (7) 0.051 hectares (0.126 of an acre) drainage easement out of a 6.24 acre tract, N.C.B. 18309; (8) 0.052 hectares (0.128 of an acre) drainage easement out of and a 6.24 acre tract, N.C.B. 18309, and (9) 0.106 hectares (0.262 of an acre) drainage easement out of and a 6.580 acre tract, N.C.B. 18313, and recorded in Warranty Deed, Volume 8558, Page 1762, Real Property Records; all 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 \$333,850.00 from 1999 G.O. Street Improvement Bond funds for the Project and 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. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

90915
31. An Ordinance accepting the dedication of a 207.513 acre tract of land as a Permanent Drainage Easement from the Tom Slick Memorial Trust for Southwest Research Institute, and Southwest Research Institute, in connection with the Culebra/Loop 410 (Leon Creek) Regional Storm Water Detention Facilities. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97916
32. Ordinance authorizing additional funds in the amount of \$1,750.00 from 1994 G.O. Drainage Improvement Bond funds payable to Gerry Rickhoff, County Clerk, for the defendants in Condemnation Cause No. 2000-ED-0023, City of San Antonio vs. Javier A. Flores and Maria G. Flores, et al, for one permanent easement and one temporary easement, in connection with the Escalon Drainage Project #1008, located in Council District 3; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97917
33. An Ordinance authorizing payment in the amount of \$1,092.15 to Lawyers Title of San Antonio for title charges in connection with the Bitters Road – West Avenue to Heimer (MPO) Project (\$469.20), and the Lorence Creek Linear Park/Upper Salado Creek Greenway Improvement Project (\$622.95), both located in Council District 9; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97918
34. An Ordinance authorizing payment in the amount of \$1,939.53 to Davidson & Troilo, P.C., for legal services in connection with the Babcock Road/Leon Creek Improvements – Hausman to DeZavala Project (\$75.20), and the Bitters Road – West Avenue to Heimer MPO Project (\$1,864.33), located in Council Districts 8 and 9, respectively; revising the budget; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97919
35. An Ordinance authorizing payment in the amount of \$27,326.57 to Bracewell & Patterson, L.L.P., for legal services in connection with the Basse Road and San Pedro Intersection MPO Project (\$342.12), Bitters Road – West Avenue to Heimer MPO Project (\$18.00), Blanco Road and Jackson Keller Intersection MPO Project (\$216.00), Escalon Street #1008 Drainage Project (\$515.44), Hildebrand Avenue – I.H. 10 to Breeden MPO Project (\$21,442.31), Larkspur – West Avenue to Baltic Project (\$143.00), Octavia Drainage #63, Phase II, Part I Project (\$1,422.00), San Pedro Avenue – Quincy to Romana MPO Project (\$41.70), W.W. White Phase I – Rigsby to Lord Road Project (\$54.00), Western Avenue Drainage #74, IIIA Project (\$2,088.00); Wurzbach Road at I.H. 10 and Ironside Intersections Project (\$828.00), and the Wurzbach Parkway Project (\$216.00); revising the budget; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97920

37. An Ordinance authorizing payment in the amount of \$11,419.27 to Bracewell & Patterson, L.L.P., for legal services in connection with the Fay Phase I Community Development Block Grant (CDBG) Project, located in Council District 5; revising the project budget; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97921

37. An Ordinance authorizing payment in the amount of \$6,500.00 from 1999 G.O. Street Improvement Bond funds to Dugger, Canaday, Grafe, Inc. for appraisal services in connection with the Tezel Road – Timber Path to Old Tezel Project, located in Council District 7; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97922

38. An Ordinance authorizing a License Agreement for Mariano’s Mexican Restaurant to use public right of way for an existing Americans with Disabilities Act (ADA) handicap access ramp and to erect a commercial sign on an existing sign pole that would partially encroach into a portion of public right of way at the intersection of San Pedro Avenue and Jeannette Drive, adjacent to NCB 10040, for a ten (10) year term for a License Fee of \$2,500.00, which reflects a fifty percent (50%) discount of the calculated License Fee, in consideration for the removal of two (2) pre-existing signs in a continuing effort to mitigate the amount of commercial signage in this area. [Presented by Rebecca Waldman, Director, Asset Management; Erik J. Walsh, Assistant to the City Manager]

97942

39. An Ordinance declaring approximately 1,960 square feet of maple flooring at 1804 Fredericksburg Road as surplus to the City’s needs and authorizing the City Manager or her designee to execute a Bill of Sale to The Urban-15 Group for the sale of the flooring for \$4,410.00. [Presented by Rebecca Waldman, Director, Asset Management; Erik J. Walsh, Assistant to the City Manager]

97923

40. An Ordinance declaring as surplus a certain unused 0.072 acre, more or less, tract of land (3,140 square feet), out of Lot 4, Block 1, N.C.B. 16930, appurtenant to F.M. 3487 (Culebra Road) and I.H. Loop 410 Right of Way, owned and controlled by the State of Texas; and requesting that the State of Texas, acting by and through its Texas Transportation Commission, declare such tract to be surplus and sold to Felix Paredez and wife, Jill Paradez, the abutting property owners. [Presented by Rebecca Waldman, Director, Asset Management; Erik J. Walsh, Assistant to the City Manager]

PULLED

41. An Ordinance declaring City-owned property located at 1519 Nogalitos, formerly known as Fire Station No. 16, as surplus to the City’s needs; accepting the high bid of \$113,681.90 from Connie H. and Edward Rodriguez for purchase of the property; and authorizing execution of an Earnest Money Contract with them, for sale of the property, for such bid price. [Presented by Rebecca Waldman, Director, Asset Management; Erik J. Walsh, Assistant to the City Manager]

97924 An Ordinance declaring City-owned property located at 1102 S. Flores, formerly known as Fire Station No. 12, as surplus to the City's needs; accepting the high bid of \$175,000.00 from Mitchell Whiddon and A. Scott Rosales for purchase of the property; and authorizing execution of an Earnest Money Contract with them, for sale of the property, for such bid price. [Presented by Rebecca Waldman, Director, Asset Management; Erik J. Walsh, Assistant to the City Manager]

Miscellaneous

97925 An Ordinance authorizing the acceptance of \$80,522.00 from City Public Service (CPS) for reimbursement of direct costs incurred by the Department of Community Initiatives (DCI) in connection with the Home Energy Assistance Reconnection Tactics (HEART) Program; authorizing the execution of a Memorandum of Agreement with CPS in connection therewith; and authorizing the reimbursement of Community Services Block Grant 2000 Project funds in the amount of \$80,522.00. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant to the City Manager]

97926 An Ordinance acknowledging and accepting a contract modification from the Alamo Workforce Development, Inc. (AWD) which deobligates funds in the amount of \$2,074.00 in connection with the Alamo Area Childcare Delivery System (CCDS) Program; authorizing the execution of modifications to the Child Care Local Match Contribution Agreement with AWD which extends the term of the agreement through December 31, 2003 and pledges certification of additional local expenditures in the amount of \$68,100.00 to use as local match to generate additional federal funds in the total amount of \$102,107.00 in connection with the continued operation of the CCDS Program; authorizing certification of said expenditures in connection therewith; authorizing acceptance of said additional federal funds in the amount of \$102,107.00 for the provision of child care services; adopting a revised CCDS program budget for Fiscal Year 2003; and authorizing the transfer of the remaining balance of program funds from Program Year 2003 to Program Year 2004. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant to the City Manager]

97927 An Ordinance authorizing the acceptance of the Juvenile Accountability Incentive Block Grant (JAIBG) from the Office of the Governor, Criminal Justice Division by the City of San Antonio's Department of Community Initiatives, in the amount of \$413,493.00 for the period August 1, 2003 to July 31, 2004 to support the Striving Together to Achieve Rewarding Tomorrows (START) and Neighborhood Conferencing Committees (NCC) Programs; approving a budget and personnel complement; and authorizing the execution of a lease with the Mexican American Unity Council (MAUC) for approximately 804 square feet of office space for the amount of \$873.99 a month for the operation of the NCC Program. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant to the City Manager]

9 928

46. An Ordinance authorizing the execution of a Supplemental Environmental Project Agreement with the Texas Commission on Environmental Quality (TCEQ); accepting \$8,562.00 from TCEQ for the River Walk Pump Conservation Project; and establishing a project budget. [Presented by Malcolm Matthews, Director, Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]

9 7929

47. An Ordinance authorizing the acceptance of a cash grant award of \$45,000.00 from the Texas Department of Health (TDH) to fund the ongoing San Antonio Metropolitan Health District (SAMHD) Childhood Lead Poisoning Prevention Program for the period July 1, 2003 through June 30, 2004; authorizing the execution of a contract amendment with TDH in connection therewith; revising the budget for the Public Health State Support Project 2003/2004 established in Ordinance No. 97154, passed and approved February 6, 2003; and approving the personnel complement. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant to the City Manager]

9 7930

48. An Ordinance authorizing the execution of a change to the contract between the Texas Department of Health (TDH) and the San Antonio Metropolitan Health District to reduce funds in the amount of \$39,743.00 previously provided for the School Health Program entitled *Project Healthy Schools* during the period September 1, 2001 through August 31, 2003; and revising the budget. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant to the City Manager]

9 931

49. An Ordinance authorizing the execution of a one year renewal of a professional services agreement with Healthmaster Services, a subsidiary of Baptist Health System, to provide comprehensive drug and alcohol screening services for prospective non-uniformed City employees and current City employees requiring Commercial Drivers Licenses (CDL's) in connection with the City's Pre-employment and Transportation Worker Drug Testing Program; and authorizing payments not to exceed \$240,167.00 for services during the contract period July 1, 2003 through June 30, 2004. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant to the City Manager]

9 7932

50. An Ordinance authorizing the execution of Contract Number 7460020708A 2004 with the Texas Department of Health (TDH) and acceptance of an initial cash grant award in the amount of \$124,000.00 to renew the on-going Breast and Cervical Cancer Control Program (BCCCP) of the San Antonio Metropolitan Health District (SAMHD) for the period July 1, 2003 through June 30, 2004; authorizing the transfer of the remaining balance of program funds from Program Year 2003 to Program Year 2004; adopting the program budget; approving the personnel complement; and authorizing payments for contractual services. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant to the City Manager]

97938 Ordinance authorizing the execution of Contract Number 7460020708B 2004 with the Texas Department of Health (TDH) for the Public Health State Support Project 2003/2004 and the acceptance of an initial cash grant award in the amount of \$560,410.00 from TDH to support the on-going Laboratory Bioterrorism Preparedness Program of the San Antonio Metropolitan Health District (SAMHD) during the period September 1, 2003 through August 31, 2004; adopting the project budget; and approving the personnel complement. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant to the City Manager]

97939 Ordinance accepting a grant award in the amount of \$182,662.00 from the Office of the Governor, Criminal Justice Division, under the Violence Against Women Act to continue funding the Early Intervention for Women Living in Domestic Violence program for the period September 1, 2003 through August 31, 2004; establishing a fund; adopting a budget and approving personnel complements. [Presented by Andrew Martin, City Attorney; Terry M. Brechtel, City Manager]

97935 Ordinance authorizing the City Manager or her designee to accept a Texas Automobile Theft Prevention Authority (ATPA) grant in the amount of \$826,274.00 for the period September 1, 2003 through August 31, 2004, to continue funding for the ATPA Program, which enhances the City's efforts in dealing with auto theft and related property crimes; authorizing an Interlocal Agreement between the City of San Antonio and Bexar County Sheriff's Department to fund two (2) deputies for an amount not to exceed \$118,137.00; and authorizing a cash match of \$451,634.00 from the General Fund and \$11,347.00 from the Confiscated Property Fund. [Presented by Albert A. Ortiz, Police Chief; J. Rolando Bono, Deputy City Manager]

97936 Ordinance authorizing the City Manager or her designee to accept grant funds in the amount of \$146,076.00 from the Federal Emergency Management Agency (FEMA), through the Division of Emergency Management of the Texas Department of Public Safety for the period October 1, 2002 through September 30, 2003, to be used to reimburse one-half of the approved administrative staff and administrative overhead costs of the City's Office of Emergency Management. [Presented by Robert Ojeda, Fire Chief; J. Rolando Bono, Deputy City Manager]

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

97937 Ordinance approving the parade permit and authorizing the temporary closure of certain streets near Olmos Park in connection with the DAM '09 Triathlon to be held on Saturday, August 30, 2003 from 6:30 A.M. to 11:00 A.M.; sponsored by Roger Soler's Sports. [Presented by Roland A. Lozano, Assistant to the City Manager; Terry M. Brechtel, City Manager]

97938 Ordinance approving the parade permit and authorizing the temporary closure of certain streets in connection with the Avenida Guadalupe Association's 22nd Annual Guadalupe Street Parade to be held on Saturday, September 13, 2003 from 11:30 A.M. to 2:00 P.M. [Presented by Roland A. Lozano, Assistant to the City Manager; Terry M. Brechtel, City Manager]

97939

57. An Ordinance approving the parade permit and authorizing the temporary closure of certain streets near HemisFair Park in connection with the MS Walk to be held on Saturday, September 20, 2003 from 7:00 A.M. to 11:00 A.M.; sponsored by the Multiple Sclerosis Society. [Presented by Roland A. Lozano, Assistant to the City Manager; Terry M. Brechtel, City Manager]

97940

58. An Ordinance approving the parade permit and authorizing the temporary closure of certain streets near Brackenridge Park in connection with the Cancer Therapy Research Center (CTRC) Run 4 Life 5K Run/Walk to be held on Saturday, September 13, 2003 from 7:30 A.M. to 9:30 A.M.; sponsored by the CTRC. [Presented by Roland A. Lozano, Assistant to the City Manager; Terry M. Brechtel, City Manager]

97941

59. An Ordinance approving the parade permit and authorizing the temporary closure of certain streets in the Sea World area in connection with the Splash Triathlon at Sea World to be held on Sunday, September 28, 2003 from 7:00 A.M. to 9:30 A.M.; sponsored by Roger Soler's Sports. [Presented by Roland A. Lozano, Assistant to the City Manager; Terry M. Brechtel, City Manager]

Board, Commissions and Committee Appointments.

60. Consideration of the following board appointments: [Presented by Yolanda Ledesma, Acting City Clerk; Travis M. Bishop, Assistant City Manager]

97947

A. An Ordinance appointing Fanny Mayahuel Thomas (District 8) and reappointing Ana DeHoyos O'Connor (District 10) to the Commission For Children and Families for terms of office to expire on June 27, 2004 and June 27, 2005, respectively.

97948

B. An Ordinance reappointing Ronnie Dausin (Master Electrician – Non Union - District 4) and Billy W. Chamberlin (Master Electrician – Union – District 10) to the Electrical Examining and Supervising Board for terms of office to expire on July 31, 2005.

97949

C. An Ordinance reappointing Victor Ferrari (District 8) and Tom DeChant (District 10) to the Joint City/County Commission on Elderly Affairs for terms of office to expire on September 30, 2005.

97950

D. An Ordinance appointing Mark T. Trevino (Mayor) to the Parks and Recreation Board for a term of office to expire on March 31, 2005.

97951

E. An Ordinance appointing Ben Mora (District 8) and Paul Fleck (District 1) as Trustees to the San Antonio Local Development Company for terms of office to expire on May 9, 2006.

97952

F. An Ordinance reappointing Michael "Bo" Still (District 8) to the San Antonio Youth Commission for a term of office to expire on June 1, 2004.

97953

G. An Ordinance reappointing Rogelio Garcia (District 10) to the City Commission on Veterans' Affairs for a term of office to expire on June 11, 2005.

54 H. An Ordinance appointing Willie M. Dixon (District 2) and Helen Dutmer (District 3) and appointing Rita Ann Cardenas-Gamez (District 5), Jody Sherrill (District 7) and Christopher R. Martinez (District 6) to the Zoning Commission for terms of office to expire on June 30, 2005.

ITEMS FOR INDIVIDUAL CONSIDERATION

97956 An Ordinance authorizing the amendment of Ordinance Nos. 76640 and 94436 to expand the voting membership in the Airport Noise Abatement Advisory Committee to include the District 1 Councilperson as well as an additional voting member in the Neighborhood Association Category; as requested by Councilman Roger O. Flores, District 1. [Presented by Kevin Dolliole, Director, Aviation; Christopher J. Brady, Assistant City Manager]

97955 62. An Ordinance amending Chapter 35, Unified Development Code, of the City Code of San Antonio, Texas, by Changing Section 35-311, Table 311-2, Non-Residential Use Matrix, to Require a Specific Use Authorization for Bars And/Or Taverns in a "C-2" Commercial District; as requested by Councilmen Julian Castro, District 7 and Art A. Hall, District 8. [Presented by Florencio Pena, Director, Development Services; Christopher J. Brady, Assistant City Manager]

97957 63. An Ordinance appointing and reappointing eight (8) members to the Downtown Advisory Board (DAB) for terms of office to expire in January 2005. [Presented by Ramiro A. Cavazos, Director, Economic Development; Christopher J. Brady, Assistant City Manager]

Nominees:

South Sector:

William McDonald, Architect, Appointment

Steven Yndo, Yndo Commercial Real Estate Company, Reappointment

East Sector:

Eugene Simor, The Goulash Group, Inc., Reappointment

North Sector:

Edward Cross, Cross & Company, Reappointment

Glenn Huddleston, Harper/Huddleston Commercial Real Estate, Reappointment

West Sector:

George Mery, Cattleman Square Association, Appointment

Robert Dugas, Goodwill Industries of San Antonio, Reappointment

Central Sector:

Joan Korte, Downtown Residents Association, Appointment

97958 64. An Ordinance renewing the adoption of Self-Monitoring Standards for the City of San Antonio's After School Challenge Program as per the requirements of Texas Department of Protective and Regulatory Services Regulation 42.041 (A) (14). [Presented by Malcolm Matthews, Director, Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]

97959 55. An Ordinance 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 (CNP) for the period of October 1, 2003 through September 30, 2004 for an approximate cost of \$2,156,382.00, and authorizing up to three additional one-year renewals, subject to appropriation. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant to the City Manager]

97960 56. An Ordinance amending Ordinance No. 88485, passed and approved on September 17, 1998, by authorizing the reallocation of \$25,000.00 from the FY 1999 Council District 9 One-Time Projects Fund to support the Department of Community Initiatives Families SAVE Individual Development Account (IDA) program for use as match funding for IDAs for college scholarships; and revising the Families SAVE IDA Program budget; as requested by Councilman Carroll W. Schubert. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant to the City Manager]

97961 57. An Ordinance ratifying the acceptance of a grant in the amount of \$5,137,519.00 from the U.S. Department of Homeland Security (DHS) through the Office of Domestic Preparedness (ODP) distributed through the State of Texas, which will allow the City to expand the ODP Program to allow for a greater range of preparedness activities, including the purchase of anti-terrorism and weapons of mass destruction incident related equipment, pharmaceuticals, and supplies, for the FY 2002 grant period of July 1, 2003 through July 31, 2004 and Fiscal Year 2003 grant period of July 1, 2003 through April 30, 2005. [Presented by Robert Ojeda, Fire Chief; J. Rolando Bono, Deputy City Manager]

97894 68. An Ordinance approving and authorizing the execution of an Operations Agreement with Bexar County for the purpose of consolidating the booking, magistrate, and pre-trial service functions at the City Detention Center located in the Frank D. Wing Municipal Court Building; and authorizing City staff to renovate an area at the City Detention Center to accommodate additional District Attorney staff and equipment at a cost of \$30,204.00 to be paid by Bexar County. [Presented by Quentin B. Porter, Director, Municipal Courts; Melissa Byrne Vossmer, Assistant City Manager]

97962

69. Consideration of the following Ordinance: [Presented by Christopher J. Brady, Assistant City Manager; Terry M. Brechtel, City Manager]

An ordinance ratifying the assignment of the contract for the acquisition of approximately 1,726 acres of land for a purchase price of not more than \$16,090,000.00 to City of San Antonio, Texas Starbright Industrial Development Corporation as part of the Project Starbright Agreement on the terms and conditions set out in Ordinance No. 97706 and actions taken to fulfill the assignment.

70. The City Council will recess the regular City of San Antonio Council Meeting and convene the Board of Directors for the City of San Antonio, Texas Starbright Industrial Development Corporation to consider the following: [Presented by Christopher J. Brady, Assistant City Manager; Terry M. Brechtel, City Manager]

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A. A Resolution approving payment to the University of Texas at San Antonio for conducting an archeological survey of the proposed Starbright site in an amount not to exceed \$70,000 and delegating authority to the Executive Director to approve contracts and authorize payments involving expenditures of \$25,000 or less.

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B. A Resolution authorizing the acquisition of approximately 1,726 acres of land for a purchase price of not more than \$16,090,000.00 as part of the Project Starbright Agreement, ratifying actions taken to complete the transaction, and authorizing payment of necessary and reasonable expenses as more fully set out in the final closing statements for the acquisition and in Ordinance No. 97706, adopted by the City Council of the City of San Antonio on May 29th, 2003.

C. Adjourn.

Reconvene the meeting of the City Council.

97963

71. An Ordinance authorizing the execution of a Second Renewal and Extension of Lease Agreement (incorporating Amendment to Lease Agreement) for the continued rental of 1,310 square feet of office space at 1344 S. Flores for use as a constituent office for 2 years from July 1, 2003 through June 30, 2005, at a rental of \$1,500.00 per month, with a right to a third renewal for two additional years, at a rental of \$1,716.00, subject to City Council approval and contingent upon annual appropriation of funds, as requested by Mayor Ed Garza.

TRAVEL
Approved

72. Confirmation of Travel Authorizations for Councilmembers Roger O. Flores, District 1, Ron H. Segovia, District 3, Art A. Hall, District 8 and Christopher "Chip" Haass, District 10, who traveled to Houston, Texas on July 17, 2003 to tour Tax Increment Reinvestment Zones (TIRZ) and Traditional Neighborhood Development (TND) Zones in the City of Houston.

73. An Ordinance authorizing the expenditure of \$100.00 from the District 1 Contingency Account Fund, payable to the Columbian Squires, to be used to purchase school supplies for the children of San Fernando Cathedral; as requested by Councilman Roger O. Flores.

74. An Ordinance authorizing the expenditure of \$350.00 from the District 1 Contingency Account Fund, payable to the San Antonio Longhorns Pop Warner Team, to be used to help defray costs associated with the rental of their practice facility; as requested by Councilman Roger O. Flores.

75. An Ordinance authorizing the expenditure of \$631.65 from the District 1 Contingency Account Fund, payable to U.U. Housing Assistance Corp., to be used to help defray costs associated with a joint Town Hall meeting and Community and Wellness Fair to be held on Saturday, August 9, 2003; as requested by Councilman Roger O. Flores.

76. An Ordinance authorizing the expenditure of \$300.00 from the District 2 Contingency Account Fund, payable to the National Alliance for the Mentally Ill (NAMI), to be used to provide education and training in work skills and social skills for persons suffering from mental illness; as requested by Councilman Joel Williams.

77. An Ordinance authorizing the expenditure of \$200.00 from the District 2 and \$200.00 from the District 3 Contingency Account funds, payable to San Antonio Independent Living Services (SAILS), to be used to help offset the cost associated with the 13th Annual ADA Walk/Stroll that was held on July 25, 2003; as requested by Councilman Joel Williams and Councilman Ron H. Segovia.

78. An Ordinance authorizing the expenditure of \$500.00 from the District 2 Contingency Account Fund, payable to the Southeast Side Community Organization, to be used to help offset the cost associated with the National Night Out event that was held on August 5, 2003; as requested by Councilman Joel Williams.

79. An Ordinance authorizing the expenditure of \$200.00 from the District 2 Contingency Account Fund, payable to the Jefferson Heights Neighborhood Association, to be used to help offset the cost associated with the National Night Out event that was held on August 5, 2003; as requested by Councilman Joel Williams.

80. An Ordinance authorizing the expenditure of \$500.00 from the District 2 Contingency Account fund, payable to the Freedom Foundation, Inc., to be used to help defray the cost associated with a feasibility study of MLK Park to help find ways to promote growth and economic development in the area; as requested by Councilman Joel Williams.

81. An Ordinance authorizing the transfer of \$550.00 from the District 2 Contingency Account fund to the Parks and Recreation Department for the use of one Showmobile with sound system, for St. Patrick's Church Fall Festival which will be held on Sunday, October 5, 2003; as requested by Councilman Joel Williams.

82. An ordinance authorizing the execution of a Lease Agreement and Tenant Addendum with Windsor Park Mall, L.L.C. for the use of 1,500 square feet at Windsor Park Mall for the District 2 Constituent Office, rent-free, but with the payment of (1) a one-time initial charge of \$1,350 for facility upgrade in lieu of the payment of rent, and (2) \$180.00 per month for electricity use for a two year Term from August 15, 2003 through August 14, 2005; and providing for a renewal option, of two years, subject to City Council approval and contingent upon annual appropriation of funds, as requested by Councilman Joel Williams.

97974
83. An Ordinance amending Ordinance No. 97064, to use the remaining unexpended contingency account funds in the amount of \$2,800.00 to pay expenses associated with the District 6 Back to School Fair, including immunization and other related costs, which will be held on Saturday, August 9, 2003 at the Edgewood Fine Arts Academy; as requested by Councilman Enrique M. Barrera.

97975
84. An Ordinance authorizing execution of a Lease Agreement with 1200 North Mansfield, Ltd., a California Limited Partnership, as Landlord, for use of approximately 807 square feet at 4204 Gardendale, Suite 208, San Antonio, Texas in the Fairway Executive Tower for the District 8 Constituent Office, with no rent due under the agreement for the first 2 months, and a rent of \$875.00 established for the 3rd through the 24th month of the two year Primary Term, which began August 1, 2003 and continues through July 31, 2005, with provision for a two year renewal period, with no rent due for the first 2 months of such renewal, and the same rent of \$875.00 established for the 3rd through the 24th month of such Renewal Term, subject to City Council approval, and contingent upon appropriation of funds; as requested by Councilman Art A. Hall.

97976
85. An Ordinance authorizing execution of a Lease Agreement with James F. Cotter, acting by and through Cotter & Sons, Inc., as Landlord, for the use of 860 square feet at 1802 N.E. Loop 410, Suite 102, San Antonio, Texas in the 1802 Plaza Building for the District 10 Field Office at a rental rate of \$817.00 per month for the period of September 1, 2003 through August 31, 2005 and providing for a two-year renewal option, subject to City Council approval, and contingent upon annual appropriation of funds, as requested by Councilman Christopher "Chip" Haass.

97977
86. Ordinance authorizing the expenditure of \$1,920.00 from the District 1 Contingency Account Fund, payable to the Foster Grandparent Program, to be used to help defray costs associated with the administration of the program in Council District 1; as requested by Councilman Roger O. Flores.

97978
87. An Ordinance authorizing the transfer of \$4,000.00 from the District 2 Contingency Account Fund to the District 2 Constituent Office account, to be used to help defray the anticipated finish-out costs for the district constituent offices; as requested by Councilman Joel Williams.

97979
88. An Ordinance reallocating the balances remaining in the various contingency fund accounts of the Mayor and City Council into certain Council District Administrative Assistant Budgets and the General Fund, as requested by Councilman Carroll W. Schubert, District 9.

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89. A Resolution of Support for the reinstatement of VIA routes 54/70 and implementation of a new tourism route utilizing a portion of VIA's City of San Antonio allocation for street maintenance, as requested by Councilwoman Patti Radle, District 5.

90. City Manager's Report.

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

A. Discuss the lawsuit styled Matthew J. Jackson, et al, and other Similarly Situated Persons vs. City of San Antonio, Cause No. 2002-CI-18233, 408th Judicial District Court, Bexar County, Texas, and legal issues related to collective bargaining negotiations with the San Antonio Police Officers Association, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

B. Discuss legal issues relating to the status of the Western Integrated Networks Bankruptcy suit and related settlement proposal, pursuant to Texas Government Code Section 551.071 (consultation with attorney).