



Int Ord. 99582

Int Res. 2004-29-25

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**Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 Main Plaza
San Antonio, Texas 78205
August 19, 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:

Budget Work Session. [Presented by Peter Zaroni, Acting Director, Management & Budget; Erik J. Walsh, Assistant to the City Manager]

➤ Revenues

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 Ann Helmke, Director, San Antonio Peace Center, guest of Councilwoman Patti Radle, District 5, and Pledge of Allegiance.

2. Ceremonial Items.

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:

- 99607
3. 3:00 P.M. – Public Hearing and consideration of an Ordinance closing, vacating and abandoning an unimproved 1.973 acre portion of Rogers Road from the northwest intersection of Wiseman Boulevard and State Highway 151 to the south of the Mountain View Subdivision adjacent to New City Blocks 17640 and 17642, located in Council District 6, as requested by the Petitioner, Westover Hills Development Partners, L.P., for the total consideration of \$20,755.00. [Presented by Rebecca Waldman, Director, Asset Management; Erik J. Walsh, Assistant to the City Manager]
 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

- 99582
- 99583
- 99584
5. An Ordinance accepting the low responsive bid submitted by Ross Distributing Corp. d/b/a Ross Associates to provide the City of San Antonio Police Department with a long range aircraft to ground video downlink tracking system for a total amount of \$91,827.00. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]
 6. An Ordinance accepting the low responsive bids submitted by Getinge USA, Inc., item 1; New Brunswick Scientific Co., Inc., items 4, 5; and Thermo Forma, Inc., items 2 and 3 to provide the City of San Antonio Health Department with bio-safety level 3 laboratory equipment for a total amount of \$137,895.70. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]
 7. 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 FY2004-2005 for an estimated combined annual cost of \$1,373,589.00 to include contracts for automotive and truck air conditioning parts, automotive storage batteries, frame, axle, suspension and front wheel drive component parts, aircraft rescue fire fighting vehicle parts and service, auto & truck spring parts and service, special sand products, Allison transmission parts and service, differential component parts and new and rebuilt exchange units, black soil, corrugated polyethylene pipe, horizontal directional boring, custodial paper products, Hitachi software maintenance and support, alternators and starters, tire repair and balancing materials, passenger tires, automotive shop supplies, and plastic bags. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]

Capital Improvement Items

- 99595
8. An Ordinance amending the professional services agreement and authorizing payment in the amount of \$25,067.00 for additional engineering services to Bury + Partners SA, Inc. in connection with the Thousand Oaks Intersections MPO Project, located in Council Districts 9 and 10; authorizing \$2,506.70 for additional engineering contingency expenses, for a total amount of \$27,573.70 from 1994-1999 General Obligation Drainage 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]

Items Concerning the Purchase, Sale or Lease of Real Property

- 99585
9. An Ordinance granting a ten (10) year license agreement to use approximately 0.0798 of an acre (3,477 square feet) out of a portion of an abutting 70-foot wide Public Drainage Easement for parking purposes and a retaining wall adjacent to New City Blocks 12811 and 11619, located in Council District 8, as requested by the Petitioner, HHC Babcock NC, L.P., a Texas Domestic Limited Partnership, for the total consideration of \$11,587.00. [Presented by Rebecca Waldman, Director, Asset Management; Erik J. Walsh, Assistant to the City Manager]

Miscellaneous

- 99596
10. An Ordinance changing the street name of Misty Rock to Raba Drive in Council District 6. [Presented by Florencio Peña, Director, Development Services; Christopher J. Brady, Assistant City Manager]
- 99591
11. An Ordinance reviewing and adopting annual 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; Christopher J. Brady, Assistant City Manager]
- 99586
12. An Ordinance authorizing the execution of a Food and Beverage Concession Contract for the Municipal Auditorium between the City of San Antonio and Facility Concession Services d/b/a Spectrum on a month-to-month basis not to exceed ten (10) months effective May 1, 2004 and providing for payment to the City of 32.5 percent of Concessionaire's receipts after sales tax. [Presented by Michael J. Sawaya, Director, Convention Facilities; Roland A. Lozano, Assistant to the City Manager]
- 99598
13. An Ordinance authorizing the acceptance of \$398,000.00 from the Texas Department of Health (TDH) to augment funding for the Bioterrorism Preparedness Program of the San Antonio Metropolitan Health District for the period September 1, 2003 through August 31, 2004; authorizing the execution of a contract change with TDH; revising the program budget; approving the transfer of funds; and authorizing payments for contractual services. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant City Manager]
- 99599
14. An Ordinance authorizing the acceptance of \$899,073.00 from the Texas Department of Health (TDH) to renew the Title V Maternal & Child Health Program (\$261,633.00) and the Title V Family Planning Program (\$637,440.00) of the San Antonio Metropolitan Health District for the period September 1, 2004 through August 31, 2005; authorizing the execution of a contract change with TDH; adopting the program budgets; approving the personnel complements; and authorizing payments for contractual services. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant City Manager]

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- 99592
15. An Ordinance authorizing the execution of an agreement for the provision of nursing services at the City Detention Center in an amount not to exceed \$390,804.00 per year with Dependable Health Services, Inc., for the period October 1, 2004 through September 30, 2006; and authorizing payments for contractual services. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant City Manager]
 16. An Ordinance acknowledging contract modifications Nos. 8 and 10 from the Alamo Workforce Development, Inc. (AWD), which awards additional funding in the amount of \$2,293,402.00 for the period of September 1, 2003 through August 31, 2004 in connection with the Alamo Area Child Care Delivery System (CCDS) Program; authorizing the acceptance of said additional funding; authorizing the acceptance of additional CCDS funding in an amount up to \$3,300,000.00, when awarded, for the period September 1 – September 30, 2004; authorizing the execution of a delegate agency contract amendment with the Alamo Area Development Corporation which extends the contract period to September 30, 2004 and, subject to award of funding from AWD, provides funding in the amount of \$58,496.00 in connection with the CCDS program; and adopting a revised Fiscal Year 2003-2004 CCDS program budget and personnel complement. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant City Manager]
 17. An Ordinance authorizing the execution of a contract with the National Economic Development and Law Center in the amount of \$2,000.00 plus reimbursable expenses for the Department of Community Initiatives to facilitate two focus group meetings in connection with the individual development account program; authorizing the acceptance of payment of \$2,282.00 in connection therewith; and approving a budget. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant City Manager]
 18. An Ordinance authorizing the City Manager, or her designee, to execute the renewal and extension of a contract with Alcohol and Drug Tests, Inc. to provide random and reasonable suspicion drug testing services for the City's Police Department for a one year period from October 1, 2004 through September 30, 2005 at a cost of \$50,000.00. [Presented by Albert A. Ortiz, Chief of Police; Christopher J. Brady, Assistant City Manager]
 19. An Ordinance ratifying the submission of a grant application to the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS) for an amount of \$164,819.00 to fund the Methamphetamine Training Initiative which will enhance methamphetamine-related prevention, enforcement and education. [Presented by Albert A. Ortiz, Chief of Police; Christopher J. Brady, Assistant City Manager]
 20. An Ordinance authorizing the City Manager, or her designee, to accept a \$68,635.00 grant from the Office of the Governor, Criminal Justice Division (CJD) for Project EASE (Educate, Assess, Serve and Empower), which strives to increase awareness of resources available and provide culturally appropriate communication to victims of crime who are deaf; specifying the grant's authorized official; authorizing a City match of \$17,159.00; and including language as required by the Texas Administrative Code, Subchapter D, Section 3.2021. [Presented by Albert A. Ortiz, Chief of Police; Christopher J. Brady, Assistant City Manager]

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

- 99593
21. An Ordinance authorizing the temporary closure of certain streets adjacent to Travis Park in Council District 1 and restriction on use of parking meters around the Park from September 17, 2004 through September 20, 2004 so that the City of San Antonio and the San Antonio Parks Foundation may conduct the 21st Annual Jazz'SAlive Festival in Travis Park. [Presented by Malcolm Matthews, Director, Parks and Recreation; Christopher J. Brady, Assistant City Manager]
- 99594
22. An Ordinance approving a parade permit and authorizing the temporary closure of certain streets in the Brackenridge Park area in connection with the CTCRC Run 4 Life 5K Run/Walk being held on Saturday, September 11, 2004 from 7:30 a.m. until 9:30 a.m.; sponsored by the Cancer Therapy Research Center. [Presented by Roland A. Lozano, Assistant to the City Manager; Terry M. Brechtel, City Manager]

ITEMS FOR INDIVIDUAL CONSIDERATION

- 99600
23. An Ordinance setting a proposed ad valorem tax rate for FY 2005 at 57.854 cents per \$100 of taxable valuation which is the tax rate recommended in the City Manager's FY 2005 Proposed Budget, which includes 36.704 cents per \$100 of taxable valuation for Maintenance and Operations and 21.150 cents per \$100 of taxable valuation for Debt Service. [Presented by Peter Zaroni, Acting Director, Management and Budget; Christopher J. Brady, Assistant City Manager]
- 99601
24. An Ordinance authorizing the remittance of up to \$800,000 to the Texas Comptroller of Public Accounts, in accordance with the Other Events Trust Fund established by state law, Article 5190.14, Section 5A (Vernon's Texas Civil Statutes), and directing staff to seek reimbursement from the Texas Comptroller of Public Accounts from the Other Events Trust Fund for expenses incurred by the City of San Antonio in support of the 2004 Men's NCAA College Basketball Final Four; and authorizing the deposit of said funds, upon receipt, into the Community and Visitor Facilities Fund. [Presented by Roland A. Lozano, Assistant to the City Manager; Terry M. Brechtel, City Manager]
- 99602
25. An Ordinance authorizing the execution of an agreement with the Texas Commission on Environmental Quality ("TCEQ") for the period September 1, 2004 through August 31, 2005 in the amount of \$235,000.00 to support the San Antonio Metropolitan Health District ("SAMHD") in the operations and maintenance of air monitors in the San Antonio area; authorizing the acceptance of an agreement with TCEQ for the period September 1, 2004 through August 31, 2005 in the amount of \$30,000.00 to support the SAMHD in the operation and maintenance of an additional three PM 2.5 air monitors that TCEQ will establish in the San Antonio area; approving the execution of the two agreements with TCEQ; establishing a fund; adopting the program budgets; and approving the personnel complements. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant City Manager]

99603
26. An Ordinance reappointing four (4) individuals and appointing one (1) individual to the Board of Directors for Reinvestment Zone Number Two, City of San Antonio, Texas, commonly referred to as the Rosedale Project, located in Council District 5, for terms of office to expire on August 29, 2006, and appointing one (1) of the five (5) individuals as chairperson for a one year term beginning on January 1, 2005. [Presented by David D. Garza, Director, Neighborhood Action; Jelynne LeBlanc Burley, Assistant City Manager]

99604
27. An Ordinance reappointing four (4) individuals and appointing one (1) individual to the Board of Directors for Reinvestment Zone Number Seven, City of San Antonio, Texas, commonly referred to as the Brookside Project, located in Council District 3, for terms of office to expire on August 29, 2006, and appointing one (1) of the five (5) individuals as chairperson for a one year term beginning on January 1, 2005. [Presented by David D. Garza, Director, Neighborhood Action; Jelynne LeBlanc Burley, Assistant City Manager]

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28. An Ordinance appointing five (5) individuals to the Board of Directors for Reinvestment Zone Number Thirteen, City of San Antonio, Texas, commonly referred to as the Lackland Hills Project, located in Council District 4, for terms of office to expire on August 29, 2006. [Presented by David D. Garza, Director, Neighborhood Action; Jelynne LeBlanc Burley, Assistant City Manager]

99605
29. An Ordinance reappointing four (4) individuals and appointing one (1) individual to the Board of Directors for Reinvestment Zone Number Fifteen, City of San Antonio, Texas, commonly referred to as the Northeast Crossing Project, located in Council District 2, for terms of office to expire on August 29, 2006. [Presented by David D. Garza, Director, Neighborhood Action; Jelynne LeBlanc Burley, Assistant City Manager]

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30. Staff presentation and analysis of recommendations submitted by the Joint Citizens Commission on City-County Service Integration. [Presented by Jim Campbell, Director, External Relations; Christopher J. Brady, Assistant City Manager]

99606
31. An Ordinance amending City Ordinance No. 89366, dated March 4, 1999, to expand the enforcement duties of the San Antonio Police Department Public Safety Team volunteers to include fire lane parking violations; as requested by Councilman Chip Haass, District 10. [Presented by Albert A. Ortiz, Police Chief; Christopher J. Brady, Assistant City Manager]

99608
32. An Ordinance ordering a Special Election to be held on either February 5, 2005, or May 7, 2005, in the City of San Antonio, Texas, in accordance with Chapter 334, Texas Local Government Code, as amended, and other applicable law, on the question of implementing and approving City Council Resolution No. 2004-27-23, which designates, and provides for the planning, acquisition, establishment, development, construction, or renovation of, and the method of financing for, the *Edwards Aquifer Protection Venue Project*; making provision for the holding of said election; and providing for an effective date. [Presented by Melissa Byrne Vossmer, Assistant City Manager; Terry M. Brechtel, City Manager]

2004-25
33. A Resolution of the City Council of the City of San Antonio, Texas, designating as a "Venue Project" under Chapter 334 of the Texas Local Government Code, a Municipal Parks and Recreation Project to provide funds for the acquisition of open space and linear parks along Leon Creek, Salado Creek, Medina River and San Antonio River, and for improvements and additions to the municipal parks and recreation system; authorizing the planning, acquisition, establishment, development, construction, or renovation of this venue project; designating the method of financing to be used to finance this venue project; containing other provisions related to authorizing this venue project; and providing for an immediate effective date. [Presented by Melissa Byrne Vossmer, Assistant City Manager; Terry M. Brechtel, City Manager]

34. City Manager's Report. *None*

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

A. Discuss the lawsuit styled *Niki C. Hunt v. Jesse Patino, Jr. & City of San Antonio*, Cause No. 2003-CI-13216, 45th Judicial District Court of Texas, Bexar County, pursuant to Section 551.071 (consultation with attorney).

B. Discuss legal issues relating to the claim of Clark/Torres, J.V. for and on behalf of Todd Ford, Inc. and Lewis & Lambert Metal Constructors, Inc. and other issues in connection with the Convention Center Expansion Project, pursuant to Section 551.071 (consultation with attorney).

36. The City Council will convene at 7:00 P.M. or at the conclusion of the Council Meeting for a Budget Work Session.

Efficiencies