



Int Ord. 100966
Int Rev. 2005-24-26
Int Ord. 100989
Int Rev. 2005-24-26

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 CITY OF SAN ANTONIO
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**Agenda
 City Council Meeting
 Municipal Plaza Building
 City Hall Complex
 103 Main Plaza
 San Antonio, Texas 78205
 June 2, 2005**

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).

Cancelled

I. The City Council will convene in the B Room of the Municipal Plaza Building at 11:00 A.M. and recess into executive session for the following:

Discuss legal issues related to the lawsuit styled *Gerardo Flores Ramos Sr., et al, v. City of San Antonio, et al*, Cause No. SA05CA0500, United States District Court, Western District of Texas, San Antonio Division, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

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 Father Fidele O. Dikete, Our Lady of Good Counsel Catholic Church, guest of Councilman Enrique M. Barrera, District 6, and Pledge of Allegiance.
2. Ceremonial Items.
3. Approval of the minutes of the Regular City Council meeting of May 12, 2005 and the Special City Council meeting of May 17, 2005.

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.
5. **6:00 P.M.** – First Public Hearing on the proposed Full Purpose Annexation of the Southside Initiative Expansion Area. [Presented by Emil R. Moncivais, Director, Planning; Jelynne LeBlanc Burley, Assistant City Manager]

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

6. An Ordinance ratifying a contract with Inficon, Inc. to provide the City of San Antonio Fire Department with an upgrade to Hapsite Smart Equipment for a total cost of \$27,294.00, from Homeland Security Grant funds. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]
7. An Ordinance accepting the bid submitted by the State of Texas Department of Information Resources to provide web developer services for the Fire Department for a total cost of \$98,899.20, from the Urban Areas Security Initiatives Grant fund. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]
8. An Ordinance accepting the bid submitted by Lenco Industries, utilizing the General Services Administration (GSA) contract, to provide an armored response and rescue vehicle for the Police Department for a total cost of \$258,726.00, from the Urban Areas Security Initiatives Grant fund. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]
9. 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 2005-2006 for an estimated combined annual cost of \$912,922.00 for the following: Hyster/Hypac Roller and J.C.B. Tractor loader backhoe parts & service; Spartan Motor Parts & Service; Simon LTI aerial ladder truck parts & service; truck mounted liftgate parts & service; wheeled coach ambulance parts; influenza vaccine; Time Manufacturing Versalift aerial tower parts & service; regulatory database information services; and herbicides. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]
10. An Ordinance authorizing the Purchasing & General Services Department to accept the offer submitted by Case Logical Design, Inc. to provide the City of San Antonio Information Technology Services Department with an annual contract for Business Objects software licenses, maintenance, support, training and professional services, for an estimated annual cost of \$574,890.50. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]

Capital Improvement Items

- 100979
- 100980
- 100981
- 100982
11. An Ordinance approving Field Alteration No. 8 (Final) and reducing the contract amount with San Antonio Constructors, Inc., by \$62,444.79 in connection with the Flores/Breeden/Beacon Drainage Outfall, Phase II Project, located in Council District 1; and revising the project budget. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]
 12. An Ordinance approving Field Alteration No. 2 and authorizing payment in the amount of \$37,738.79 to R.L. Jones, L.P., in connection with the Courtland - North Main to McCullough and Ogden - East Dewey to East Ashby Community Development Block Grant (CDBG) Projects, located in Council District 1; revising the project budget; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]
 13. An Ordinance accepting a proposal and authorizing payment in the amount of \$11,000.00 from District 2 Neighborhood Accessibility and Mobility Program funds for traffic engineering services to be provided by Pape-Dawson Engineers, Inc., under a previously authorized On-Call Professional Traffic Engineering Services Agreement, in connection with the Railroad Quiet Zone Study of the Union Pacific Railroad Line between Sherman and Essex, located in Council District 2; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]
 14. An Ordinance amending an existing professional services agreement and authorizing payment in an amount not to exceed \$190,428.50, which sum includes payment for services previously performed in connection with improvements to the Cody Branch Library, to Arizpe Group, Inc. (SBE/MBE/DBE) for architectural services in connection with library improvements for Bazan Branch Library in Council District 5; Carver Branch Library in District 2; Cody Branch Library in Council District 8; Cortez Branch Library in Council District 4; Forest Hill Branch Library in Council District 7; Johnston Branch Library in Council District 4; McCreless Branch Library in Council District 3; Memorial Branch Library in Council District 5; Pan American Branch Library in Council District 4; and Westfall Branch Library in Council District 1; authorizing \$18,340.00 for miscellaneous contingency expenses; \$13,300.00 for capital administration expenses; \$8,000.00 for advertising expenses for a total ordinance amount of \$230,068.50; 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

- 100967
15. An Ordinance authorizing 2003 Storm Water Revenue Bond funds in the amount of \$213,800.00 for the acquisition of fee simple title and/or easement interest and for other miscellaneous expenses in connection with twenty-nine parcels of real property and declaring the Semlinger Road – Lord To Rigsby 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 privately owned real property described below, by negotiations and/or condemnation, if necessary, for public improvements for use as a part of the Project;

establishing just compensation for the property; authorizing the City Attorney and/or designated special counsel to file eminent domain proceedings, if necessary.

LOT(S)	BLOCK	NCB
95	2A	10753
76		10754
2		12886
2A		12886
2B		12886
2C		12886
South 50-foot part of Lot 2D		12886
North part of Lot 2D		12886
2F		12886
3		12886
3A		12886
3B		12886
4A		12886
4B		12886
P-22A		12886
19	13	13182
19	13	13182
19b	13	13182
19b	13	13182
22	13	13182
22	13	13182
17	14	13183
17	14	13183
37N	14	13183
37N	14	13183
41	14	13183
41	14	13183
42	14	13183
42	14	13183

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

16. An Ordinance declaring that the San Antonio Water System's 24" transmission main from loop 410 at F.M. 1937 to Pleasanton Road Project "Project" is a necessary public project; further declaring that a public necessity exists for the acquisition of permanent and temporary easement interests across, over, upon and under certain privately owned properties described below for use as part of the Project; authorizing the San Antonio Water System "SAWS", its employees, agents, and/or their authorized independent negotiators to negotiate and execute all sales and other agreements, easements and other necessary documents with the owners of certain privately owned properties described below and to take all other lawful actions necessary or incidental to survey, specify, clarify, define and acquire the permanent and temporary easement interests

100968

across, over, upon and under certain privately owned properties as described below; further authorizing the general counsel of SAWS to file condemnation proceedings, if necessary, and prosecute all such condemnation proceedings through conclusion (including final judgment and all necessary appeals) for the condemnation of the temporary and permanent easement interests across, over, upon and under certain privately owned properties as described below; and any other parcel or temporary or permanent easement interest required for public necessity that may develop along the proposed alignment of the Project between Parcel No. SAWS-6730 and Parcel No. SAWS-6736 inclusively; approving, ratifying and declaring valid all prior acts and proceedings done or initiated by attorneys, agents and employees of and/or acting for SAWS to acquire such permanent and temporary easement interests across, over, upon and under certain privately owned properties as described herein; declaring that the conveyance of all such permanent and temporary easements in certain privately owned properties as described herein shall be to the City of San Antonio for the use and benefit of SAWS; providing for a severability clause; and establishing an effective date; said properties described as follows:

PARCEL	ACRE/SQ.FT. EASEMENTS PERMANENT (P)	ACRES/SQ.FT. EASEMENTS TEMPORARY (T)	LEGAL DESCRIPTION	COUNTY BLOCK
SAWS-6730	0.029/1,241		Lot-37, Blk-1	5699
SAWS-6730-T		0.024/1,061	Lot-38, Blk-1	
SAWS-6732	0.147/6,407		Abstract No.3	5935
SAWS-6732T		0.184/8,010	Abstract No.3	
SAWS-6733	0.711/30,959		Abstract No.3	4006
SAWS-6733-T		0.888/38,692	Abstract No.3	
SAWS-6736	3.127/136,203		Abstract No.3	4006
SAWS-6736-T		3.918/170,672	Abstract No.3	

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

17. An Ordinance declaring that the San Antonio Water System's US 281: Mud Creek to Stone Oak Parkway Project ("Project") is a necessary public project; further declaring that a public necessity exists for the acquisition of permanent and temporary easement interests across, over, upon and under certain privately owned properties described below for use as part of the Project; authorizing the San Antonio Water System (SAWS), its employees, agents, and/or their authorized independent negotiators to negotiate and execute all sales and other agreements, easements and other necessary documents with the owners of certain privately owned properties described below and to take all other lawful actions necessary or incidental to survey, specify, clarify, define and acquire the permanent and temporary easement interests across, over, upon and under certain privately owned properties as described below; further authorizing the general counsel of SAWS to file condemnation proceedings, if necessary, and prosecute all such condemnation proceedings through conclusion (including final judgment and all necessary appeals) for the condemnation of the temporary and permanent easement interests across, over, upon and under certain privately owned properties as described below; and any other parcel or

100969

temporary or permanent easement interest required for public necessity that may develop along the proposed alignment of the Project between Parcel No. SAWS-9629 and Parcel No. SAWS-9666 inclusively; approving, ratifying and declaring valid all prior acts and proceedings done or initiated by attorneys, agents and employees of and/or acting for SAWS to acquire such permanent and temporary easement interests across, over, upon and under certain privately owned properties as described herein; declaring that the conveyance of all such permanent and temporary easements in certain privately owned properties as described herein shall be to the City of San Antonio for the use and benefit of SAWS; providing for a severability clause; and establishing an effective date; said properties described as follows:

PARCEL	ACRES/ S.F.- EASEMENTS PERMANENT (P)	ACRES/S.F.- EASEMENTS TEMPORARY (T)	LEGAL DESCRIPTION NEW CITY BLOCK/ LOT NO.
SAWS-9629-B	0.0689/3,000	0.0654/2,850	Lot-4, Blk-25, NCB 19219
SAWS-9631-A	0.1174/5,114	0.0398/1,732	S. Jett Survey 92 ½, Abstract-855
SAWS-9631-B	0.2649/11,537	0.0883/3,846	S. Jett Survey 92 ½, Abstract-855
SAWS-9632	0.0098/426	0.0026/115	S. Jett Survey 92 ½, Abstract-855
SAWS-9633-A	0.2307/10,051	0.0770/3,356	C. Sheilbel Survey 360 ½, Abstract-724
SAWS-9633-D	0.0733/3,193	0.0163/708	C. Sheilbel Survey 360 ½, Abstract-724
SAWS-9638	0.1838/8,008	0.0614/2,676	S. Jet Survey 92 ½, Abstract-855

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

18. An Ordinance declaring a public necessity for the acquisition of a temporary construction easement being described as a 0.1337 acre (5,826 square feet) tract of land, out of and a portion of Lot 23, New City Block 9503, San Antonio, Bexar County, Texas, for a public purpose, namely the improvement and maintenance of the Military Ditch #65 Project, located in Council District 4; and authorizing the City Attorney and special counsel to file eminent domain proceedings. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

Miscellaneous

19. An Ordinance allocating \$77,000.00 from 1999 General Obligation Library Bond funds for the purchase of furniture, fixtures and equipment for the Brook Hollow Branch Library, located at 530 Heimer Road in City Council District 9. [Presented by Ramiro S. Salazar, Director, Library; Frances A. Gonzalez, Assistant City Manager]

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

20. An Ordinance approving the temporary street closure of Woodward Place between Dwyer Avenue and the Dead End from 10:00 A.M. Saturday, June 18, 2005 to 2:00 A.M. Sunday, June 19, 2005 in order to hold a wedding reception at the Inn on the River. [Presented by Roland A. Lozano, Assistant to the City Manager; J. Rolando Bono, Interim City Manager]

100972
21. An Ordinance approving the parade permit and authorizing the temporary closure of certain streets near the SBC Center in connection with the Juneteenth Parade sponsored by the Juneteenth Coalition to be held from 8:30 A.M. to noon on Saturday, June 18, 2005. [Presented by Roland A. Lozano, Assistant to the City Manager; J. Rolando Bono, Interim City Manager]

100973
22. An Ordinance authorizing the temporary closure of portions of Josephine Tobin Drive, French Street, Craig Street, and Ashby Street in the Woodlawn Lake Park Area in Council District 7 from 5:00 P.M. to 10:30 P.M. on Monday, July 4, 2005 so that the City of San Antonio and San Antonio Parks Foundation may conduct the Annual July 4th Celebration in Woodlawn Lake Park. [Presented by Malcolm Matthews, Director, Parks and Recreation; Christopher J. Brady, Assistant City Manager]

Board, Commissions and Committee Appointments.

23. Consideration of the following Board appointments: [Presented by Leticia M. Vacek, City Clerk]

PULLED
A. An Ordinance appointing Rick W. Cockerham (District 3) to the Ethics Review Board for a term of office to expire on April 25, 2008.

100974
B. An Ordinance appointing David Fernandez (General/Neighborhood Representative Category – District 4) to the Historic Design and Review Commission for a term of office to expire on December 31, 2006.

ITEMS FOR INDIVIDUAL CONSIDERATION

100986
24. An Ordinance recommending five (5) projects for the Unified Planning Work Program funding from the Bexar County – Metropolitan Planning Organization for Fiscal Year 2006-2007; and recommending five (5) projects for future year inclusion. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

25. Consideration of the following Ordinances: [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant City Manager]

100987
A. An Ordinance abolishing the Head Start Commission effective June 12, 2005; abolishing the Head Start Policy Council for the Head Start Program for San Antonio and Bexar County effective upon appointment of members to the Head Start Policy Commission; repealing Ordinance No. 99788 and Section 1 of Ordinance No. 99349, effective June 12, 2005; repealing Section 2 of Ordinance No. 99349 effective upon the appointment of members to the Head Start Policy Commission; establishing a Head Start Policy Commission comprised of twenty-three (23) members, authorized to act as the Policy Council for San Antonio and Bexar County in accordance with Head Start federal regulations.

100988
B. An Ordinance authorizing the acceptance of a grant from the U.S. Department of Health and Human Services – Administration for children and families in the amount of \$35,000.00 for the purchase of child restraints/auto safety seats and classroom computers for the Head Start Early Child Care Program; revising the City's 2005 Head Start Early Child Care Program budget in connection therewith; authorizing the execution of a contract amendment with Parent/Child, Incorporated (PCI) increasing the total amount of the contract by \$35,000.00 for a total contract amount of \$45,398,107.00 and revising the PCI Head Start Program budget in accordance therewith.

26. An Ordinance releasing 67 acres in the Wild Wind Subdivision from the Extraterritorial Jurisdiction of the City of San Antonio as petitioned by the City of Garden Ridge, in Comal County. [Presented by Emil R. Moncivais, Director, Planning; Jelyne LeBlanc Burley, Assistant City Manager]

27. Consideration of the following items: [Presented by Christopher J. Brady, Assistant City Manager; J. Rolando Bono, Interim City Manager]

100989
A. An Ordinance imposing and levying a one-eighth cent sales and use tax for Proposition No. 1—
4. Edwards Aquifer Protection Venue Project Proposition and Proposition No. 2—Parks Development and Expansion Venue Project Proposition, the adoption of which were authorized and approved by the voters of the city at the May 7, 2005 Special Election.

26
B. A Resolution approving the establishment of venue project funds to be used in connection with the Edwards Aquifer Protection Venue Project and the Parks Development and Expansion Venue Project.

100985
28. An Ordinance expanding the composition and revising the purpose of the Conservation Advisory Board to provide input and advice to City Council on the acquisition and development of venue projects funded with sales tax revenues; and amending Ordinance No. 91566, approved on April 6, 2000, and Ordinance No. 92098, approved June 29, 2000; as requested by Councilman Art A. Hall, District 8. [Presented by Christopher J. Brady, Assistant City Manager; J. Rolando Bono, Interim City Manager]

29. City Manager's Report. - *Roy Baray - Legislative Update*
Neil Webb - High Risk Contract

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

Cancelled
Discuss legal issues related to the lawsuit styled *Gerardo Flores Ramos Sr., et al, v. City of San Antonio, et al*, Cause No. SA05CA0500, United States District Court, Western District of Texas, San Antonio Division, pursuant to Texas Government Code Section 551.071 (consultation with attorney).