



First Ord 99071  
 First 2004-15-09  
 Last Ord. 99098  
 Last Res. [Signature]  
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RECEIVED  
 CITY OF SAN ANTONIO  
 CLERK  
 APR 15 AM 10:25

**Agenda  
 City Council Meeting  
 Municipal Plaza Building  
 City Hall Complex  
 103 Main Plaza  
 San Antonio, Texas 78205  
 April 15, 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:

A. Staff presentation on the proposed creation of Defense Adjustment Management Authority. [Presented by Jelynn LeBlanc Burley, Assistant City Manager; Terry M. Brechtel, City Manager]

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

B. Discuss legal issues relating to the creation and operation of a Defense Adjustment Management Authority, 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 Rev. Cheryl K. Owens, St. Marks United Methodist Church, guest of Councilman Roger Flores, District 1, 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.

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**THE FOLLOWING ITEMS WILL BE CONSIDERED AT THE TIMES INDICATED:**

3. 2:00 P.M. – Public Hearing and Consideration of the following Zoning Cases: [Presented by Florencio Peña, Director, Development Services; Christopher J. Brady, Assistant City Manager]

ZONING CASE NUMBER Z2003173-2B: The request of City of San Antonio, Applicant, for Ila Faye Miller (Tract III), Owner(s), for a change in zoning from "DR" Development Reserve District to "RP" Resource Protection District on that portion of CB 4180 P-2B and P-12, located within the City Limits of San Antonio, 7983 Neal Road, 261 Neal Road. Staff's recommendation was for approval. Zoning Commission has recommended forwarding to City Council without recommendation. (Council District 3)

4. 3:00 P.M. – Consideration of the following item: [Presented by Ramiro A. Cavazos, Director, Economic Development; J. Rolando Bono, Deputy City Manager]

An Ordinance authorizing the creation of the City of San Antonio Empowerment Zone Governance Board to assist and advise City Council and staff in the implementation of the San Antonio Empowerment Zone, approved by the U.S. Department of Housing and Urban Development (HUD) in January, 2002; naming the City Council as the Interim Governing Board to conduct business as needed until the permanent board becomes operational; approving the Bylaws for the Governance Board and establishing the process for the nomination, election and installation of the officers to the Governance Board.

5. The City Council will recess the regular City of San Antonio Council Meeting and convene as the City of San Antonio Empowerment Zone Governance Board for a Public Hearing and to consider the following Resolution: [Presented by Ramiro A. Cavazos, Director, Economic Development; J. Rolando Bono, Deputy City Manager]

A. A Resolution authorizing the submission of a request to HUD to expand the boundaries of the City of San Antonio Empowerment Zone (Zone) by adding census tracts which would increase the population within the Zone to over 100,000 people based on the Year 2000 Census.

B. Adjourn.

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Reconvene the meeting of the City of San Antonio City Council.

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**

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7. An Ordinance accepting the low responsive bid submitted by BWI Schulenburg to provide the City of San Antonio Parks & Recreation Department with fertilizer for a total amount of \$45,756.00. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]
  8. An Ordinance accepting the low responsive bid submitted by Dell utilizing the Texas Department of Information Resources (DIR) "GoDirect" Program to provide the City of San Antonio Information Technology Services Department with an EMC file server storage capacity expansion for a total amount of \$51,314.00. [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 FY 2004-2005 for an estimated combined annual cost of \$252,419.00 to include contracts for janitorial supplies for the Convention Center, janitorial services for the detention center, paper products and janitorial supplies for Nutrition Centers. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]

99073

**Capital Improvement Items**

10. An Ordinance amending a professional services contract and authorizing an additional \$25,000.00 payable to VITETTA Group, Incorporated for additional architectural services in connection with the Brookhollow Branch Library Expansion Project, located in Council District 9; authorizing \$3,000.00 for additional design contingency expenses, for a total amount of \$28,000.00 from 1999-2004 General Obligation Library 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]

99074

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

11. An Ordinance authorizing payment of rent in the amount of \$850.00 per month, utility costs and other associated expenses to be incurred during a holdover period of a lease with Milton Boniuk, M.D., of San Antonio, Texas, for use of 1,530 square feet of office space at 310 Valley Hi Drive, Space #107, by the Youth Services Division of the Community Initiatives Department, on a month-to-month basis for not more than five (5) months beginning May 1, 2004 and ending no later than September 30, 2004. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant City Manager]



Flanagan's Girls and Boys Town (family preservation), \$280,664.00 and the Department of Community Initiatives Children's Resources Division, \$289,633.00; and approving a budget and revising a personnel complement. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant City Manager]

17. An Ordinance authorizing five (5) firework displays at Wolff Stadium at approximately 9:00 P.M. or at the conclusion of the San Antonio Mission's Baseball games on the following Saturday dates: May 8, June 12, June 19, July 17 and August 14, 2004. [Presented by Robert Ojeda, Fire Chief; Christopher J. Brady, Assistant City Manager]

18. An Ordinance amending the Traffic Control Devices Schedules established by Chapter 19 (Traffic Regulations), Article III (Traffic Control Devices), Section 19-68(b) to exclude certain locations from the official Traffic Control Device Schedule for "Cross Street Stop", "Cross Street Yield", "Parking Prohibited at All Times, including Sundays and Holidays", "Stopping, Standing or Parking Prohibited during certain hours except Sundays and Holidays prohibited from Seven A.M. to Nine A.M. and Two P.M. to Four P.M. School Days Only", and "School Speed Zones, School Crosswalks (Midblock)"; and to include certain additions to the official Traffic Control Device Schedule for "Full Traffic Signal Locations", "All Way Stops", "Cross Street Stop", "Maximum Speed Limit", "Parking Prohibited at All Times, including Sundays and Holidays", "Stopping, Standing or Parking Prohibited during certain hours except Sundays and Holidays prohibited from Seven A.M. to Nine A.M. and Two P.M. to Four P.M. School Days Only", "Prohibited Right Turn on Red Prohibited at All Times", "Prohibited Right Turn on Red Prohibited from Seven A.M. to Nine A.M. and Two P.M. to Four P.M.", "School Speed Zones, School Crosswalks (Intersection)", "Commercial Loading Zone 30 Minute Limit", "Passenger Loading Zone 15 Minute Limit", and "Student Loading Zone from Seven A.M. to Nine A.M. and Two P.M. to Four P.M. School Days Only"; authorizing the permanent removal or installation of said devices; declaring them as Official Traffic Control Devices of the City of San Antonio; and declaring violations of these Traffic Regulations, except the Civil Parking Violations, to be misdemeanor crimes punishable by a fine of not more than \$200.00, and declaring violations of the Civil Parking Violations to be subject to the enforcement provisions of City Code Section 19-225 (Administrative Adjudication of Stopping, Standing and Parking Violations); and establishing an effective date; and directing publication. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

19. An Ordinance authorizing the City Manager or her designee to accept a grant in the amount of \$2,033,568.00 from the Office of National Drug Control Policy High Intensity Drug Trafficking Area ("HIDTA"), which will be used to fund the San Antonio HIDTA Initiative, which consists of the Multi-Agency Drug Courier & Apprehension Task Force, the South Texas Intelligence Center, and the Director's Administrative Support Element, for the grant period January 1, 2004 to December 31, 2004. [Presented by Albert A. Ortiz, Police Chief; Christopher J. Brady, Assistant City Manager]

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

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20. An Ordinance authorizing the temporary closure of San Saba Street, between W. Commerce Street and Dolorosa Street, for seven (7) special events in Market Square for the Year 2004, from 6:00 P.M. the day prior to each event until 8:00 A.M. on the day after the last day of each event on the following dates: April 30-May 2, 2004; May 29-May 31, 2004; July 2-July 4, 2004; July 24-July 25, 2004; September 4-September 6, 2004; September 10-September 12, 2004; and November 26-November 28, 2004, as requested by the Parks and Recreation Department. [Presented by Malcolm Matthews, Director, Parks & Recreation; Christopher J. Brady, Assistant City Manager]
21. An Ordinance approving the parade permit and authorizing the temporary closure of portions of certain streets in connection with the Cinco De Mayo Celebration sponsored by the Edgewood Independent School District to be held from 8:00 A.M. to 12:00 P.M. on Saturday, May 1, 2004. [Presented by Roland A. Lozano, Assistant to the City Manager; Terry M. Brechtel, City Manager]

99081  
99082

**Board, Commissions and Committee Appointments.**

22. Consideration of the following board appointment: [Presented by Yolanda Ledesma, Acting City Clerk; Erik J. Walsh, Assistant to the City Manager]

An Ordinance appointing James Bias (Animal Welfare Organization Category - District 7) to the Animal Care Services Advisory Board for a term of office to expire on April 3, 2006.

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**ITEMS FOR INDIVIDUAL CONSIDERATION**

23. An Ordinance authorizing the City Manager or her designee to negotiate terms and conditions by which the City would exchange certain city-owned property in the Cattleman's Square area for property owned by the University of Texas Board of Regents in the HemisFair Park area subject to final approval by City Council and the Board and appropriating funds in an amount not to exceed \$35,000.00 for due diligence expenses associated with the project.[Presented by Rebecca Waldman, Director, Asset Management; Erik J. Walsh, Assistant to the City Manager]
24. An Ordinance amending the City Code to prohibit peddling in the Public Right-of-Way and on City-owned property in a defined area surrounding the SBC Center; designating the boundaries of the area around the SBC Center; and providing for criminal penalties to be imposed for a violation of this ordinance with a fine not to exceed \$500.00; as requested by Councilman Joel Williams, District 2. [Presented by Roland A. Lozano, Assistant to the City Manager; Terry M. Brechtel, City Manager]

99091  
25. An Ordinance authorizing the allocation and expenditure of Human Development Services Funds from Council Districts 2,3,4,5,7,9 and 10 in the amount of \$93,500.00 for the provision of human development services with the following agencies: Communities in Schools of San Antonio (general operations), \$23,500.00; Catholic Charities, Archdiocese of San Antonio, Inc. (Retired and Senior Volunteer Program), \$500.00; Catholic Charities, Archdiocese of San Antonio, Inc. (Foster Grandparent Program), \$500.00; Magik Theatre (general operations), \$7,000.00; San Antonio Education Partnership (scholarships), \$62,000.00; authorizing the execution of two contract amendments with Catholic Charities, Archdiocese of San Antonio, Inc. and one contract amendment with Communities in Schools of San Antonio in connection with the allocation of said funds; and authorizing the execution of a contract with Magik Theatre and with the San Antonio Education Partnership in connection with the allocation of said funds. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant City Manager]

99092  
26. An Ordinance authorizing the acceptance of a grant in the amount of \$25,000.00 from the Methodist Healthcare Ministries of South Texas, Inc., to conduct strategic planning with community and stakeholder groups to determine services to be provided at the City/County Senior Multi-Service and Health Center; and approving a budget. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant City Manager]

99093  
27. An Ordinance authorizing the amendment of Resolution No. 2004-04-04, passed and approved January 29, 2004, to change the date of the presentation of the Home Investment Partnership (HOME) budget and the Community Development Block Grant (CDBG) budget (with the exception of the Public Service Component) to City Council, from June 24, 2004 to May 27, 2004 and in late May in future years. [Presented by Andrew W. Cameron, Director, Housing & Community Development; Jelynn LeBlanc Burley, Assistant City Manager]

99094  
28. An Ordinance accepting a proposal and awarding a professional services contract in an amount not to exceed \$83,884.50 payable to Shannon P. Marquez, dba Jenkins, Austin, Marquez & Associates, (WBE) for professional facilitations services and associated reimbursement expenses necessary to the Ad Hoc Citizen's Water Quality Review Committee; and providing for payment. [Presented by Thomas Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

99095  
29. Consideration of the following Ordinances: [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

99096  
A. An Ordinance authorizing the City Manager or her designee to execute an Advance Funding Agreement Amendment with the Texas Department of Transportation to allow for local government control in connection with the Ingram Road – Callaghan to Benrus Bicycle Lanes MPO Project and the Nakoma – U.S. 281 to Warfield MPO Project, located in Council Districts 7 and 9.

B. An Ordinance authorizing the City Manager or her designee to execute an Advance Funding Agreement Amendment with the Texas Department of Transportation to allow for local government control in connection with the N. Vandiver – I.H. 410 to Rittiman Road Bicycle Lanes MPO Project, located in Council District 10.

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C. An Ordinance authorizing the City Manager or her designee to execute an Advance Funding Agreement Amendment with the Texas Department of Transportation to allow for local government control in connection with the Cincinnati Avenue from Saint Mary's University to Navidad Bicycle Lanes MPO Project, the Cincinnati/Ashby from Navidad to N. St. Mary's Bicycle Lanes MPO Project and the Alamo/Broadway Corridor from Josephine to the Alamo Bicycle Lanes MPO Project, located in Council Districts 1, 2 and 7.

D. An Ordinance authorizing the City Manager or her designee to execute an Advance Funding Agreement Amendment with the Texas Department of Transportation to allow for local government control in connection with the UTSA to OLLU from Houston Street to 24<sup>th</sup> Street Bicycle Lanes MPO Project and the Theo/Malone from Quintana to Concepcion Park Bicycle Lanes MPO Project, located in Council Districts 1, 3 and 5.

30. City Manager's Report. - *Non-Activity Report - Chief Albert Ortiz*  
*Introduction of HR Director*

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

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

B. Discuss legal issues relating to *Allstars, PT's, Sugar's, XTC, Jane Roe I and Jane Roe II v. City of San Antonio, et al*, Cause No. SA-03-CA-356 FB, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

C. Discuss legal issues relating to *Brooks Hardee, et al, v. City of San Antonio*, Cause No. 2004-CI-05439, 225<sup>th</sup> District Court of Bexar County, Texas; *Brooks Hardee, as Trustee for and on the behalf of the Farmco Trust, and VWC, Ltd., v. City of San Antonio*, Cause No. 2004-CI-05440, 285<sup>th</sup> District Court of Bexar County, Texas; and *Reed S. Lehman Grain, Ltd., v. City of San Antonio*, Cause No. 2004-CI-05442, 407<sup>th</sup> District Court of Bexar County, pursuant to Texas Government Code Section 551.071 (consultation with attorney).