

First Ord. 2006-04-06-0428
Last Ord. 2006-04-06-0459



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Agenda

**City Council Meeting
Municipal Plaza Building
City Hall Complex
103 S. Main Ave
San Antonio, Texas 78205
April 6, 2006**

The City Council shall hold its regular meetings in the Norma S. Rodriguez Council Chamber in the Municipal Plaza Building within the City Hall Complex beginning at 9:00 a.m. After the meeting is convened, the City Council shall consider the following time certain items no sooner than the designated times, but may consider them at a later time.

- 9:00AM:** Invocation and Approval of Minutes.
- 12:00PM:** Lunch Break
- 5:00PM:** Ceremonial Recognitions
- 6:00 PM:** Citizens to be Heard
- 7:00PM:** Adjourn*

At any time during 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) under Chapter 551 of the Texas Government Code.

**If the Council has not yet adjourned by 7:00 p.m., the presiding officer shall entertain a motion to continue the council meeting, postpone the remaining items to the next council meeting date, or recess and reconvene the meeting at a specified time on the following day.*

DISABILITY ACCESS STATEMENT

This meeting is wheelchair accessible. The accessible entrance is located at 103 S. Main Ave. 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 City Council of San Antonio will convene in the Norma S. Rodriguez Council Chamber, Municipal Plaza Building in a Regular Council Meeting at 9:00 A.M.

1. Invocation by Pastor Mark Barz, Crown of Life Lutheran Church, Guest of Councilmember Kevin Wolff, District 9 and Pledge of Allegiance.
 - Swearing In of Mayor Pro Tem – Patti Radle, District 5.
2. Approval of Minutes for the March 23, 2006 City Council Meeting.

THE FOLLOWING ITEMS MAY BE CONSIDERED AT ANY TIME DURING THE REGULAR COUNCIL MEETING:

Action Item for Staff Briefing

2006-04-06-0428

3. An Ordinance appointing Alex Briseño (North Side) and reappointing Willie A. Mitchell (Southeast Quadrant) to the San Antonio Water System Board of Trustees for terms of office to begin on June 1, 2006 and expire on May 31, 2010 and appointing Alex Briseño as Chairman of the Board of Trustees for a term of office to begin on June 1, 2006 and expire on May 31, 2007.
4. An Ordinance supporting an agreement with the Dallas Cowboys Football Club to hold its Training Camps at the Alamodome from 2007 through 2011. [Presented by Michael Abington, Director, Alamodome; Roland A. Lozano, Assistant to the City Manager]

2006-04-06-0429

5. An Ordinance authorizing an agreement between Southwestern Bell Telephone, L.P., d/b/a AT&T Texas ("AT&T") and the City of San Antonio to accept \$415,000.00 as a prepayment of municipal franchise fees and payments in lieu of in-kind contributions as authorized by Chapter 66 of the Texas Utilities Code. [Presented by Ben Gorzell, Acting Director, Finance; Sheryl Sculley, City Manager]

2006-04-06-0430

CONSENT AGENDA

Items Concerning the Purchase of Equipment, Supplies and Services

6. An Ordinance accepting the proposals submitted by Houston Freightliner, Inc., item 1; Heil of Texas, items 2 and 4; and Grande Truck Center, item 3, to provide the Environmental Services Department with refuse collection trucks for a total cost of \$6,670,081.83, of which \$2,500,526.49 will be paid through a Tax-Exempt Lease Purchase Contract, and the balance of \$4,169,555.34 will be funded from the accrued Vehicle Replacement Fund. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Michael Armstrong, Assistant City Manager/Chief Information Officer]

2006-04-06-0447

7. An Ordinance accepting the bid submitted by Rush Truck Center - Houston to provide the Public Works Department with one truck mounted thermoplastic pavement marker for a total cost of \$297,621.00, from 2006 Traffic Signal Installation and Upgrade Project funds. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Michael Armstrong, Assistant City Manager/Chief Information Officer]

2006-04-06-0432

8. An Ordinance authorizing the fifth draw on the 2005 Master Lease Purchase Agreement with Banc Of America Leasing & Capital, L.L.C., in the amount of \$157,500.00 for the acquisition of thirteen (13) 12-lead electrocardiograms (EKGs) for the Fire Department's Emergency Services Division at a rate of 3.96% for a 60 month term to pay the costs of the transaction; and enacting other provisions incident and related to the subject and purpose of this Ordinance. [Presented by Ben Gorzell, Acting Director, Finance; Sheryl Sculley, City Manager]

2006-04-06-0448

Capital Improvement Items

9. An Ordinance accepting the low, qualified bid and authorizing a construction contract with Cato Electric, a SBE/MBE firm, to perform lighting construction work in connection with the Alderete Park Walking Trail Project located in District 5 and appropriating a total amount of \$105,901.63 from 2003-2007 Park Bond funds. [Presented by Malcolm Matthews, Director, Parks and Recreation; Frances A. Gonzalez, Assistant City Manager]

2006-04-06-0433

10. An Ordinance authorizing the execution of Field Alteration No. 2 in the amount of \$32,775.00 to the Contract with Yantis Company for the Remain Over Night Apron Project at San Antonio International Airport, to cover construction of new Air Operations Area security fencing in support of the Sky Place Boulevard realignment. [Presented by Mark Webb, Interim Director, Aviation; Roland A. Lozano, Assistant to the City Manager]

2006-04-06-0449

11. An Ordinance accepting the low qualified bid and authorizing the execution of a contract with Garco Contracting Company, Inc. (MBE, SBE, DBE, HUE) to provide construction services for the new Operations and Customer Service Facility at Stinson Municipal Airport; appropriating a total project amount of \$4,438,500.00 and amending the budget. [Presented by Mark Webb, Interim Director, Aviation; Roland A. Lozano, Assistant to the City Manager]

2006-04-06-0450

12. An Ordinance amending a professional services agreement with Bain Medina Bain, Inc., in the amount of \$12,010.00 for additional engineering services, revisions to the railroad permit exhibits, and adding associated field and review meetings, in connection with the Jones Maltsberger - (U.S. 281 to U.P.R.R.) project, an authorized Metropolitan Planning Organization project located in District 9, and appropriating funds from Certificates of Obligation funds. [Presented by Thomas Wendorf, Director, Public Works; Jelyne LeBlanc Burley, Deputy City Manager]

2006-04-06-0434

13. An Ordinance approving Field Alteration Number PW-08 (final) in the deductive amount of \$88,549.49 to the contract with E-Z Bel Construction, Ltd., in connection with the Belgium Lane - Picardie to SBC Parkway Project, located in District 2, from 1999 General Obligation Street Improvement Bond funds. [Presented by Thomas Wendorf, Director, Public Works; Jelyne LeBlanc Burley, Deputy City Manager]

2006-04-06-0451

14. An Ordinance authorizing the submission of a grant application to the Federal Highway Administration for funding consideration from FY 2004 Intelligent Transportation Systems (ITS) Deployment Program funds, authorizing the acceptance of grant funds, and appropriating \$172,316.00 from Advanced Transportation District funds for an ITS Integration Study, contingent upon award. [Presented by Thomas Wendorf, Director, Public Works; Jelyne LeBlanc Burley, Deputy City Manager]

2006-04-06-0435

15. Consideration of the following Indefinite Delivery Professional Services Agreements: [Presented by Thomas Wendorf, Director, Public Works; Jelynne LeBlanc Burley, Deputy City Manager]

- A. An Ordinance selecting Beaty & Partners, Chesney, Morales & Associates, Inc., and Debra J. Dockrey Architect, P.C. to provide indefinite delivery professional architectural consulting services on an as-needed basis and authorizing the negotiation and execution of three professional services contracts, each in an amount not to exceed \$350,000.00. **2006-04-06-0436**
- B. An Ordinance authorizing the extension of two previously authorized indefinite delivery professional services agreements for City-wide traffic engineering consulting services on an as-needed basis with Pape-Dawson Engineers, Inc. and Post, Buckley, Schuh & Jernigan, Inc., and increasing the current contract amounts of \$500,000.00 per contract to \$1,000,000.00 per contract. **2006-04-06-0437**

16. Consideration of the following FY05 Street Maintenance Program Ordinances: [Presented by Thomas Wendorf, Director, Public Works; Jelynne LeBlanc Burley, Deputy City Manager]

- A. An Ordinance approving Field Alteration Number 1 (final) in the amount of \$115,000.00 payable to Clark Construction of Texas, Ltd., in connection with the Slurry Seal - 2005 Street Maintenance Project, located in various Districts, from FY05 Street Maintenance Improvements funds. **2006-04-06-0438**
- B. An Ordinance approving Field Alteration Number 3 (final) in the amount of \$460,469.41, payable to Clark Construction of Texas, Ltd., in connection with the Hot Paver-Laid Micro-Surfacing Street Maintenance Project, located in various Districts, from FY05 Street Maintenance Improvements funds. **2006-04-06-0439**

17. Consideration of FY06 and FY07 Street Maintenance Program Ordinances: [Presented by Thomas Wendorf, Director, Public Works; Jelynne LeBlanc Burley, Deputy City Manager]

- A. An Ordinance accepting the lowest responsive base bid and authorizing a construction contract with Clark Construction of Texas, Ltd. in connection with the Asphalt Recycling & Overlay Project located in various Districts; and appropriating a total amount of \$6,898,163.59, of which \$146,400.00 will be reimbursed by SAWS and \$10,000.00 will be reimbursed by CPS Energy, from the FY 2006 and FY 2007 Street Maintenance Program, ATD, and Street Construction Maintenance Budget funds. **2006-04-06-0452**
- B. An Ordinance accepting the lowest responsive base bid and authorizing a construction contract with Clark Construction of Texas, Ltd. in connection with the Hot Paver-Laid Base Project located in various Districts; and appropriating a total amount of \$9,325,746.13, of which \$208,100.00 will be reimbursed by SAWS and \$10,000.00 will be reimbursed by CPS Energy, from the FY 2006 and FY 2007 Street Maintenance Program, ATD, and Street Contractual Maintenance Budget funds. **2006-04-06-0453**
- C. An Ordinance accepting the lowest responsive bid and authorizing a construction contract with Clark Construction of Texas, Ltd. in connection with the Asphalt Overlay Project located in various Districts; and appropriating a total amount of \$20,191,454.44 of which \$602,500.00 will be reimbursed by SAWS and \$10,000.00 will be reimbursed by CPS Energy, from the FY 2006 and FY 2007 Street Maintenance Program, ATD, and Street Contractual Maintenance Budget funds. **2006-04-06-0454**

D. An Ordinance accepting the lowest responsive bid and authorizing a construction contract with J.D. Ramming Paving Company, Ltd. in connection with the Slurry Seal Project located in various Districts; and appropriating a total amount of \$1,633,282.58 of which \$13,950.00 will be reimbursed by SAWS, from the FY 2006 and FY 2007 Street Maintenance Program and Street Contractual Maintenance Budget funds.

2006-04-06-0455

E. An Ordinance accepting the lowest responsive base bid and authorizing a construction contract with Clark Construction of Texas, Ltd. in connection with the Micro-Surface Project located in various Districts; and appropriating a total amount of \$2,519,820.22 of which \$25,300.00 will be reimbursed by SAWS and \$30,000.00 will be reimbursed by CPS Energy, from FY 2006 and FY 2007 Street Maintenance Program and Street Contractual Maintenance Budget funds.

2006-04-06-0456

Items Concerning the Purchase, Sale or Lease of Real Property

18. An Ordinance accepting a permanent drainage easement dedication from Joe Centeno III, consisting of a 0.144 acre tract of land out of New City Block 14496, within the Corte Del Sur Subdivision located in District 4. [Presented by Thomas Wendorf, Director, Public Works; Jelynne LeBlanc Burley, Deputy City Manager]

2006-04-06-0440

19. An Ordinance accepting a dedication from Military Drive, L.L.C., for a temporary ingress/egress easement across the southernmost 90 feet of Lot 16 located in New City Block 9503, within the NCB 9503 Subdivision, located in District 4, in connection with the Military Ditch #65 Project, an authorized 2003 Storm Water Revenue Bond project. [Presented by Thomas Wendorf, Director, Public Works; Jelynne LeBlanc Burley, Deputy City Manager]

2006-04-06-0441

20. An Ordinance authorizing a Right of Entry Agreement with David G. Casares for the relocation of surplus, non-regulated soil materials to a site located at 3420 Jett Road, associated with the City Force Street Maintenance Program and the Neighborhood Access Mobility Program construction projects. [Presented by Thomas Wendorf, Director, Public Works; Jelynne LeBlanc Burley, Deputy City Manager]

2006-04-06-0457

21. An Ordinance authorizing a license for an existing canopy and supporting posts extending into public right of way at Karam's Restaurant, 121 N. Zarzamora St., NCB 2289, District 5, for a 10-year term and for a \$5,000.00 fee. [Presented by Shawn Eddy, Interim Director, Asset Management; Erik J. Walsh, Assistant City Manager]

2006-04-06-0442

*Table 23
2 weeks*
An Ordinance authorizing a 10-year term License to NSHE TX Gainesville, LLC, to construct, use, and maintain 14 new balconies and an existing basement in the right of way over and under North Saint Mary's Street, located in District 1, adjacent to the new Marriott Courtyard Riverwalk Hotel at 207 N. St. Mary's Street, New City Block 404, in consideration of \$10,000.00. [Presented by Shawn Eddy, Interim Director, Asset Management; Erik J. Walsh, Assistant City Manager]

Miscellaneous Items

23. An Ordinance approving a short term concession agreement with Catering by Nick d/b/a S. A. Café, to operate food and beverage concessions at the following golf facilities: Brackenridge, Willow Springs, Mission del Lago, Riverside, Cedar Creek, and Olmos Basin. [Presented by Malcolm Matthews, Director, Parks and Recreation; Frances A. Gonzalez, Assistant City Manager]

2006-04-06-0458

24. An Ordinance authorizing the execution of a Legally Binding Agreement regarding Homeless Assistance at former Kelly Air Force Base by and between the City of San Antonio and the Port Authority of San Antonio (formerly Greater Kelly Development Authority and Greater Kelly Development Corporation) concerning rights and obligations to certain real and personal property at Kelly USA. [Presented by Dennis Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant City Manager] 2006-04-06-0459

25. An Ordinance authorizing the acceptance of a special initiatives/disaster relief grant from the Texas Commission for the Arts in the amount of \$5,000.00 and appropriating such funds, together with a \$5,000.00 match from the Office of Cultural Affairs, to support local arts youth programs produced by Arts Teach (Arts San Antonio) and Healing Arts (Boys & Girls Club). [Presented by Felix Padron, Director, Cultural Affairs; Roland A. Lozano, Assistant to the City Manager] 2006-04-06-0443

26. A Resolution terminating the review process for the application for the use of Tax Increment Financing (TIF) for the Foster Meadow Project located outside Loop 410 and south of US Hwy 87 East in District 2. [Presented by David Garza, Director, Neighborhood Action; Jelynn LeBlanc Burley, Deputy City Manager] 2006 R - 04 - 06 - 0431

Board, Commissions and Committee Appointments

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

A. An Ordinance appointing Albert Cisneros (District 6) to the Small Business Advocacy Committee for a term of office to expire May 31, 2007. 2006-04-06-0444

B. An Ordinance reappointing Olga Lizcano (District 7) to the Linear Creekway Parks Advisory Board for a term of office to expire May 31, 2007. 2006-04-06-0445

C. An Ordinance appointing Pat DiGiovanni (Mayor) (Category: City Official) and Helen Bennett (District 10) to the Animal Care Services Advisory Board for the remainder of unexpired terms of office to expire April 3, 2008. 2006-04-06-0446

THE CITY COUNCIL WILL RECESS FOR LUNCH AT NOON AND RECONVENE TO CONSIDER ANY UNFINISHED COUNCIL BUSINESS.

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

✓ A. Discuss legal issues related to the Police and Fire Collective Bargaining Agreements, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

✓ B. Discuss legal issues related to the Fire Department's breathing apparatus equipment, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

28. City Manager's Report - *Status of Animal Care Service Facility*

5:00 P.M. (may be heard after this time) - Ceremonial Recognitions

6:00 P.M. (may be heard after this time) - Citizens to be Heard

ADJOURN

P.M. - If the Council has not yet adjourned, the presiding officer shall entertain a motion to continue the council meeting, postpone the remaining items to the next council meeting date, or recess and reconvene the meeting at a specified time on the following day.