

Int Ord 97353
Int Rev. 2003-12-13
Int Ord 97401
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**Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 Main Plaza
San Antonio, Texas 78205
March 27, 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:

Staff presentation on Streets and Drainage Improvements Bond Projects. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, 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 Rev. Thomas McClung, and Pledge of Allegiance.

2. Ceremonial Items.

➤ Swearing in of Councilman Bobby Perez, District 1, as Mayor Pro Tem.

3. Approval of the minutes of the Regular City Council Meeting of February 20, 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:

4. 2:00 P.M. – Public Hearing and Consideration of the following Zoning Cases: [Presented by Florencio Pena, Director, Development Services; Christopher J. Brady, Assistant City Manager]

Continued for 30 days
A. ZONING CASE NUMBER Z2003009 S: The request of Maria D. Maldonado, Applicant, for Jose A. and Maria D. Maldonado, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "R-6 S" Residential Single-Family District with a specific use authorization for a day care center on Lot 6, Block 20, NCB 18159, 9410 Adams Hill Drive. Staff's recommendation was for denial. Zoning Commission has recommended approval. (Council District 4)

Continued for 30 days
B. ZONING CASE NUMBER Z2003016 S: The request of Louise E. Galm, Estate, Applicant, for Harold F. Galm, Jr., Executor, Owner(s), for a change in zoning from "C-3 NA" Commercial Non-alcoholic Sales District to "C-3 NA S" Commercial Non-Alcoholic Sales District with a specific use authorization for a mini-storage facility exceeding 2.5 acres on Parcel 106, NCB 15880, save and except the southeast 50 feet, 9580 Potranco Road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 4)

Denied
C. ZONING CASE NUMBER Z2003001: The request of Jerry Arredondo, Applicant, for We-Callaghan, LP, Owner(s), for a change in zoning from "C-3 NA MAOZ-2" Commercial Nonalcoholic Sales Military Airport Overlay Zone District and "I-1 MAOZ-2" General Industrial Military Airport Overlay Zone District to "MF-25 MAOZ-2" Residential Multi-Family Military Airport Overlay Zone District on the northern 12 acres of Lot 11, Block 7, NCB 12007, 12 acres situated between Callaghan Road and Western Park, north of Commerce Street. Staff's recommendation was for denial. Zoning Commission has recommended denial. (Council District 6)

97385
D. ZONING CASE NUMBER Z2003021 C: The request of City of San Antonio, Applicant, for Multiple Owners, Owner(s), for a change in zoning from "MF-33" Multi-Family District, "C-2" Commercial District, and "I-1" General Industrial District to "R-4" Residential Single-Family, "R-4 C" Residential Single-Family with a conditional use for a Duplex, "R-5" Residential Single-Family, "R-5 C" Residential Single-Family with a conditional use for a Duplex, "R-5 C" Residential Single-Family with a conditional use for a Fourplex, and "R-6" Residential Single-Family on an area bound by Culebra Road to the north, 24th Street to the east, Commerce Street to the south, and San Joaquin to the west as per Exhibit Map. Staff's recommendation was for approval. Zoning Commission has recommended approval except NCB 9260, Blk. 10, Lt. 2 and 643 Blueridge. (Council District 7)

97386
E. ZONING CASE NUMBER Z2003007 C: The request of City of San Antonio, Applicant, for Multiple owners, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-3 NA ERZD C" Non-Alcoholic Commercial Sales Edwards Recharge Zone District with a conditional use for outside storage with screening on Lots 2, 3, 8, 9, Block 1, NCB 17615, Lots 19, 21, 23, 25, 26, 28, Block 2 NCB 17616, Lot 18, NCB 17616, 13000 Block of Western Oak. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 8)

97387
F. ZONING CASE NUMBER Z2003015: The request of Earl & Brown, P.C. on behalf of Continental Homes, Inc., Applicant, for Vise Oaks, Ltd., Attn: Hugo Gutierrez, Jr., Owner(s), for a change in zoning from "C-3" Commercial District to "R-4 PUD" Residential Single-Family Planned Unit Development District for 19.599 acres out of Parcel 60, NCB 15824, Parcel 57D, NCB 15823, Prue Road and Springtime Drive. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 8)

7388
G. ZONING CASE NUMBER Z2003020: The request of Gordon Hartman-Hartman Homes, Applicant, for Rogers Shavano Ranch, LTD., Owner(s), for a change in zoning from "BP ERZD" Business Park Edwards Recharge Zone District to "R-4 ERZD" Residential Single-Family Edwards Recharge Zone District on 15.6440 acres out of NCB 17627. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 8)

Approved for 30 days
H. ZONING CASE NUMBER Z2003024 S: The request of Roy Horn III, Applicant, for A.J. Weatherford, Jr., Owner(s), for a change in zoning from "C-3 NA" Commercial Non-Alcoholic Sales District to "C-3 NA S" Commercial Non-Alcoholic Sales District with a specific use authorization for a mini-storage facility exceeding 2.5 acres on Parcel 5, NCB 18199, 10480 Loop 1604 N.W. Staff's recommendation was for denial. Zoning Commission has recommended approval. (Council District 8)

97389
I. ZONING CASE NUMBER Z2003018 C: The request of San Antonio Genealogical and Historical Society, Applicant, for Fourth Church of Christ Scientist, Owner(s), for a change in zoning from: "R-5" Residential Single-Family District to "R-5 C" Residential Single-Family District with a conditional use to allow a library on Lot 36, Block 13, NCB 13162, 903 Melissa Drive. Staff's recommendation was for approval, with conditions. Zoning Commission has recommended approval of staff's recommendations, with an additional condition that the hours of operation may go beyond 6:00 p.m. to 9:00 p.m. on Wednesdays only. (Council District 9)

97390
J. ZONING CASE NUMBER Z2003022 C S: The request of Veterinary Development Groups, S.A., L.P., Applicant, for Concord Corporation, Owner(s), for a change in zoning from "C-2 ERZD" Commercial Edwards Recharge Zone District to "C-2 ERZD CS" Commercial Edwards Recharge Zone District with a conditional & specific use authorization for a veterinary hospital, small animal on 1.556 acre tract out of Lot 2, New City Block 15669, 300 block of Sonterra Blvd. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 9)

- 97353
5. 3:00 P.M. - Public hearing to receive public comment on a proposed ordinance restricting trucks with three or more axles or one or more truck tractors from traveling in the left lane of United States Highway 90 West between Interstate Highway 410 West and Interstate Highway 35 South; and Interstate Highway 10 East between Interstate Highway 35 South and Interstate Highway 410 East, between the hours of 6 a.m. and 9 p.m., Monday through Friday. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, 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

- 97353
- An Ordinance ratifying the sole source contract with Perkin Elmer Life Sciences, Inc. to provide a toxin analyzer for the City of San Antonio Health Department for a total sum of \$47,686.04. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Travis M. Bishop, Assistant City Manager]
- 97354
8. An Ordinance ratifying the contract with Bio-Rad Laboratories and BioMerieux, Inc., to provide laboratory identification systems equipment for the City of San Antonio Health Department for a total of \$95,514.00. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

Capital Improvement Items

- 97355
9. An Ordinance authorizing the execution of Field Alteration No. 2 in the deductive amount of \$40,394.50 to the contract with Service Station Constructors & Fuel Systems, Inc. for Phase I of the Ground Run Up Enclosure at San Antonio International Airport; and revising the budget. [Presented by Kevin Dolliole, Director, Aviation; Christopher J. Brady, Assistant City Manager]
- 97356
10. An Ordinance selecting Durand-Hollis Rupe Architects, Inc. to provide professional architectural services in connection with the Sunken Garden Theater ADA Modifications Project in Council District 9; authorizing the execution of a professional services contract in an amount not to exceed \$31,607.00; allocating \$39,428.00 from certificates of obligation; authorizing \$6,321.00 for engineering contingency expenses and \$1,500.00 for bid/advertising/printing expenses; establishing the project budget; and providing for payment. [Presented by Malcolm Matthews, Director, Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]

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11. An Ordinance selecting Bender Wells Clark Design to provide professional architectural services in connection with the Crownridge Canyon Nature Area Improvements Project located in Council District 8; authorizing the execution of a professional services contract in an amount not to exceed \$38,750.00; authorizing \$5,800.00 for architectural contingency expenses, \$9,000.00 for surveying/drainage report fee and \$1,500.00 for bid advertising/printing expenses; allocating \$55,050.00 from the Proposition 3 Edwards Aquifer Project Fund; and providing for payment. [Presented by Malcolm Matthews, Director, Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]

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12. An Ordinance selecting Lockwood, Andrews and Newnam, Inc. to provide professional engineering services in connection with the Salado Creek Bicycle Paths (MPO) Project, located in Council District 9; authorizing the negotiation and execution of a professional services contract in an amount not to exceed \$20,000.00; authorizing \$2,000.00 for engineering contingency expenses; for an overall total of \$22,000.00 from 2002 Certificates of Obligation; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

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13. An Ordinance accepting the low, qualified responsive bid of Mangold Roofing & Sheet Metal, Inc. in the amount of \$41,096.00 in connection with the San Pedro Branch Library Improvements Community Development Block Grant (CDBG) Project, located in Council District 1; authorizing the negotiation and execution of a construction contract; authorizing \$8,904.00 for miscellaneous construction contingency expenses; authorizing the appropriation of Community Development Block Grant (CDBG) funds in the amount of \$25,000.00 and authorizing the acceptance and appropriation of Historic Neighborhood Preservation Project funds in the amount of \$25,000.00 from the San Antonio Conservation Society, for a total amount of \$50,000.00; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

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14. An Ordinance accepting the low, qualified bid in the amount of \$2,595,287.35 from Texas Sterling Construction, L.P., for construction services in connection with the Navajo Area Streets Project, located in Council District 4; authorizing the negotiation and execution of a standard construction contract; authorizing \$249,643.00 for construction contingency expenses; authorizing \$26,385.00 payable to CDS/Muery Services, Inc. for engineering construction services; authorizing \$9,482.00 for engineering construction contingency expenses, for an overall total of \$2,880,797.35; allocating and appropriating \$2,781,949.65 from 2002 Certificates of Obligation for the project; \$47,672.10 will be funded from San Antonio Water System for sewer and water work; and \$51,175.60 will be funded by City Public Service for gas line replacement; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97361 15. An Ordinance accepting the low, qualified bid in the amount of \$1,716,565.45 from San Antonio Constructors, Ltd. for construction services in connection with the Pleasanton Road from Gillette to Loop 410 Project, located in Council District 3; authorizing the execution of a standard construction contract; authorizing \$155,215.00 for construction contingency expenses; for an overall total amount of \$1,871,780.45, of which \$1,707,365.85 will be funded by general obligations of the City and \$164,414.60 will be funded by San Antonio Water System for sewer and water work; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97361 16. An Ordinance accepting the low, qualified responsive bid in the amount of \$108,145.70 from Tom Page & Company, Incorporated for construction services in connection with the North Tower Enclosure-Level 6 of the St. Mary's Parking Garage at 400 N. St. Mary's, located in Council District 1; authorizing the execution of a standard construction contract; authorizing \$10,815.00 for construction contingency expenses and \$685.00 for advertising expenses; for an overall total amount of \$119,645.70 from 2000 Parking Revenue Bond funds; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97362 17. An Ordinance authorizing the transfer of \$25,635.00 from 2000 Parking Revenue Bond funds to the City of San Antonio Public Works Department; establishing a force account; and authorizing the City of San Antonio Public Works Department to provide construction services in connection with the alley at the St. Mary's Street Parking Garage at 400 N. St. Mary's Street, located in Council District 1. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97363 18. An Ordinance authorizing payment in the amount of \$53,000.00 from 1994 G.O. Drainage Improvement Bond funds to Southwestern Bell Telephone Co. (SBC Communications, Inc.) for the relocation of their underground facilities in connection with the W.W. White from Rigsby to Lord Project, located in Council District 2; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97364 19. An Ordinance authorizing City Public Service (CPS) to appropriate funds in the amount of \$497,664.88 from the CPS Overhead Conversion Fund for the construction of CPS infrastructure within the limits of the Medical Drive and Ewing Halsell Road Intersection Project, located in Council District 8. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97365 20. An Ordinance authorizing the City Manager or her designee to execute a Texas Department of Transportation (TXDOT) Railroad License & Force Account Agreement with TXDOT and the Union Pacific Railroad Company (UPRR) in the amount of \$67,767.40 payable to TXDOT in connection with the Sunset Road from Jones Maltsberger to Teak (MPO) Project, located in Council District 9; authorizing \$6,776.74 for engineering contingency expenses; for an overall total amount of \$74,544.14 funded with 2001 Certificates of Obligation; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97383 21. An Ordinance accepting the low, qualified bid of R.L. Jones, L.P., in the amount of \$304,604.25 in connection with the Grandview Neighborhood Streets Phase III E ("J" Street from Amanda to Hampton) Community Development Block Grant (CDBG) Project, located in Council District 2; authorizing the negotiation and execution of a construction contract; authorizing \$30,460.43 for miscellaneous construction contingency expenses; authorizing \$4,625.00 for construction engineering expenses payable to Grant Engineering, Inc.; authorizing \$537.08 for advertising expenses and \$15,000.53 for expense recovery; authorizing the reimbursement of from San Antonio Water System (SAWS) in the amount of \$90,311.00 for sewer and water expenses, for an overall total amount of \$355,227.29; revising the project budget; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97366 22. An Ordinance accepting the low, qualified bid of R.L. Jones, L.P., in the amount of \$382,227.85 in connection with the Fay Phase I - Quintana to Creighton Community Development Block Grant (CDBG) Project, located in Council District 5; authorizing the negotiation and execution of a construction contract; authorizing \$38,222.79 for miscellaneous construction contingency expenses; authorizing \$6,678.86 for construction engineering expenses payable to Garcia & Wright Consulting Engineers, Inc.; authorizing \$26,755.95 for expense recovery; authorizing the reimbursement from San Antonio Water System (SAWS) in the amount of \$5,205.00 for sewer and water expenses, for an overall total amount of \$453,885.45; revising the project budget; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97367 23. An Ordinance accepting the low, qualified responsive bid of San Antonio Constructors, Ltd., in the amount of \$294,886.38 in connection with the Emmett Street Block #500 to Block #700 Community Development Block Grant (CDBG) Project, located in Council District 3; authorizing the negotiation and execution of a construction contract; authorizing \$28,223.00 for miscellaneous construction contingency expenses; authorizing \$21,732.00 for expense recovery; authorizing the reimbursement from San Antonio Water System (SAWS) in the amount of \$12,650.41 for sewer and water expenses, for an overall total amount of \$344,841.38; revising the project budget; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97368 24. An Ordinance amending a professional services contract and authorizing additional funds in the amount not to exceed \$22,686.10 from 2001 Certificates of Obligation payable to Calle & Associates, Inc. for additional engineering services in connection with the Larkspur from West Avenue to Baltic Project, located in Council District 9; authorizing \$2,269.00 for engineering contingency expenses; for an overall total amount of \$24,955.10; 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

97369 25. An Ordinance authorizing payment in the amount of \$4,926.81 from general obligations of the City to Eckmann, Groll, Inc. for appraisal services in connection with the Bitters Road – West Avenue to Heimer (MPO) Project (\$2,665.00), Fay/St. Joseph: Creighton to New Laredo Highway, Part 1 Project (\$1,811.81) and the Lanark Drainage #92A, Phase I Project (\$450.00); appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97370 26. An Ordinance authorizing the execution of an agreement between the City of San Antonio and the Northside Independent School District (“NISD”), by which the City of San Antonio grants NISD a 0.076 acre (±3,311 square feet) City-required access easement for a fire lane out of a 0.468 acre parcel of land conveyed by NISD to the City, and accepted by the City pursuant to Ordinance No. 46922 dated July 22, 1976 for construction of a recreation building, and the City accepts a perpetual easement from NISD to continue to use the driveways of Anson Jones Middle School for vehicular and pedestrian access to Pinn Road and to continue to have joint use of the Anson Jones Middle School playground located within New City Block 15332, as originally provided under a 25 year agreement authorized by the 1976 ordinance. [Presented by Rebecca Waldman, Director, Asset Management; Erik J. Walsh, Assistant to the City Manager]

Miscellaneous

97371 27. An Ordinance establishing the budget for administrative expenses in connection with the purchase of a new air rescue and fire fighting vehicle for San Antonio International Airport; authorizing \$10,000.00 for administrative expenses; appropriating funds; and providing for payment. [Presented by Kevin Dolliole, Director, Aviation; Christopher J. Brady, Assistant City Manager]

97372 28. An Ordinance authorizing the execution of a contract with Headquarters, Fifth United States Army, G8, (“Army”) for participants of the Youth Opportunity Program to perform administrative support services for the Army in an amount up to \$5,500.00 for the period of April 7, 2003 through September 30, 2003; establishing a fund and adopting a budget. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant to the City Manager]

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

97373 A An Ordinance authorizing the execution of an amendment to a grant agreement with the U.S. Department of Housing and Urban Development (HUD) for the 1999 Supportive Housing Program Grant and amending the target population to be served by Jewish Family & Children's Services through their Care for Homeless Teens Program; and authorizing the execution of a delegate agency contract amendment with Jewish Family & Children's Services which revises the agency's performance impact plan to reflect the changes in target population to be served.

97374 B An Ordinance authorizing the execution of an amendment to a grant agreement with the U.S. Department of Housing and Urban Development (HUD) for the 2000 Supportive Housing Program Grant and adjusting the operating and supportive services budgets for the Center for Health Care Services; and authorizing the execution of a contract amendment with the Center for Health Care Services reflecting an amended performance impact plan and a budget.

97375 30 An Ordinance authorizing a five (5) year Antenna License Agreement in the amount of \$12,500.00 per year with Belo Corporation, Inc. for the installation, operation and maintenance of television antenna equipment on the Tower of the Americas for the period February 1, 2003 through January 31, 2008. [Presented by Malcolm Matthews, Director, Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]

97376 31 An Ordinance authorizing the City Manager or her designee to purchase Airport Owners and Operators General Liability Insurance for the City of San Antonio with ACE USA Group (Westchester Fire Insurance Company) through McGriff, Seibels & Williams of Texas, Inc., the City's broker of record, at an annual premium of \$62,370.00, for a one year term beginning at 12:01 A.M. on March 31, 2003 through 12:01 A.M. March 31, 2004. [Presented by Louis A. Lendman, Director, Management & Budget; Christopher J. Brady, Assistant City Manager]

97377 32 An Ordinance authorizing the City Manager or her designee to purchase Aircraft Hull and Liability Insurance for the City of San Antonio with ACE USA Group (Westchester Fire Insurance Company) through McGriff, Seibels & Williams of Texas, Inc., the City's broker of record, at an annual premium of \$150,442.00, for a one year term beginning at 12:01 A.M. on March 31, 2003 through 12:01 A.M. March 31, 2004. [Presented by Louis A. Lendman, Director, Management & Budget; Christopher J. Brady, Assistant City Manager]

97378 33 An Ordinance authorizing the City Manager or her designee, to submit a \$525,000.00 grant application to the U.S. Fire Administration/Federal Emergency Management Agency (USFA/FEMA), which, if awarded, will allow for the purchase of an Aerial Fire Truck, associated accessories and equipment for firefighting and rescue operations; which require a City match in the amount of \$225,000.00, or thirty percent (30%) of the funding request, for a total funding amount of \$750,000.00. [Presented by Robert Ojeda, Fire Chief; J. Rolando Bono, Deputy City Manager]

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

97379 34. An Ordinance authorizing a fireworks display for the San Antonio Missions baseball games at an open area across from Wolff Municipal Stadium at approximately 9:00 P.M. or at game's conclusion on April 5, 12; May 10, 17; July 26; and August 2 and 16, 2003; effectively immediately if passed by at least eight (8) votes. [Presented by Robert Ojeda, Fire Chief; J. Rolando Bono, Deputy City Manager]

97380 35. An Ordinance authorizing the temporary closure of certain streets in connection with the 2003 Fiesta San Antonio Celebration; approving the locations, dates and times for the Fiesta Carnival and official Fiesta events; and related requirements and conditions; approving the Fiesta Parade Routes; and amending Ordinance No. 95561, passed on April 4, 2002 to reflect such changes; providing for a fine of not more than two hundred dollars (\$200.00) for violation of this Ordinance, Ordinance No. 88270, and Ordinance No. 95561. [Presented by Roland A. Lozano, Assistant to the City Manager; Terry M. Brechtel, City Manager]

Board, Commissions and Committee Appointments.

97381 36. Consideration of the following board appointments: [Presented by Yolanda Ledesma, Acting City Clerk; Travis M. Bishop, Assistant City Manager]

● An Ordinance reappointing Paul P. Garcia (Plumbing Contractor Representative – District 4) to the Plumbing Appeals and Advisory Board for a term of office to expire on March 20, 2004.

ITEMS FOR INDIVIDUAL CONSIDERATION

97392 37. An Ordinance amending Ordinance No. 97210, passed on February 13, 2003, to reflect changes in polling sites, precincts and voting equipment to be used for early voting for the May 3, 2003 Regular and Joint Election. [Presented by Yolanda Ledesma, Acting City Clerk; Travis M. Bishop, Assistant City Manager]

97393 38. An Ordinance appointing Sam Barshop to the Convention Center Hotel Advisory Board as a representative from the Real Estate/Corporate Sector. [Presented by Ramiro Cavazos, Director, Economic Development; Christopher J. Brady, Assistant City Manager]

97394 39. An Ordinance renewing an existing 15-year Interlocal Agreement between the City of San Antonio and Alamo Community College District (ACCD) for a period of twelve (12) months, between April 1, 2003 and March 31, 2004, which administers funds encumbered pursuant to a March 2001 Settlement Agreement for the purpose of economic development initiatives to include approximately \$563,226.00 encumbered this term for the Information Technology and Security Academy and Alamo Area Aerospace Academy, employee customized training and tuition reimbursement, reserves as well as workforce development. [Presented by Ramiro Cavazos, Director, Economic Development; Christopher J. Brady, Assistant City Manager]

97395
40. An Ordinance authorizing an amendment to Chapter 34 of the City Code to incorporate changes related to Industrial Waste Surcharges for Biochemical Oxygen Demand (BOD) from \$1.48 to \$1.62 per milligram per liter and for Total Suspended Solids (TSS) from \$0.61 to \$1.50 per milligram per liter for those customers who produce levels of BOD and TSS in excess of 250 milligrams per liter; and establishing 12:01 A.M. May 1, 2003 as the effective date for the new rates. [Presented by Ben Gorzell, Jr., Public Utilities Supervisor/Assistant Director of Finance; Melissa Byrne Vossmer, Assistant City Manager]

97396
41. An Ordinance accepting the low, qualified responsive bid in the amount of \$884,899.00 from W. Mitchell & Sons, Incorporated for construction services in connection with the Mid-City Garage at 240 E. Houston, located in Council District 1; authorizing the execution of a construction contract; authorizing \$88,489.90 for construction contingency expenses; for an overall total amount of \$973,388.90 from 2000 Parking Revenue Bond funds; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97397
42. An Ordinance authorizing the acceptance of a grant in the amount of \$1,162,915.50 from the Natural Resource Conservation Service ("NRCS") to provide emergency watershed protection measures to relieve hazards and damages created by the July 2002 central Texas floods in the Leon and Salado Creek watersheds; authorizing the execution of the project agreements related to the grant by the Director of Public Works and authorizing \$372,638.50 from the Storm Water Operating Fund Balance as the City's share for this project. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97397
43. An ordinance authorizing the execution by the City Manager or her designee of an Agreement effecting certain changes to the San Antonio-Bexar County Metropolitan Planning Organization, including: (i) adding the Executive Director of the San Antonio Mobility Coalition to the Transportation Steering Committee as an ex-officio member; (ii) permitting the Greater Bexar County Council of Cities the flexibility to appoint a representative in lieu of a mayor to the Transportation Steering Committee; and (iii) updating personal titles and organization names. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

2003-12-13
44. A Resolution declaring City of San Antonio's support and affirmation of Head Start, a national comprehensive child development program, as it is currently operated by the U.S. Department of Health and Human Services. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant to the City Manager]

97398
45. An Ordinance authorizing the acceptance of a grant award in the amount of \$100,000.00 from the Annie E. Casey Foundation (AECF) in support of the Making Connections Initiative and supporting the Family Economic Success Program beginning January 1, 2003 and ending December 31, 2003; authorizing the execution of all necessary documents with AECF in connection with said grant; establishing a fund; authorizing the transfer of the remaining fund balance from the previous grant year in the amount of \$45,000.00 to the Assets for Independence Individual Development Account (IDA) Program; and approving a program budget and personnel complement. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant to the City Manager]

97399
46. An Ordinance authorizing the acceptance of a grant award from Citicorp in the amount of \$50,000.00 to be used as match funding for the Assets for Independence Individual Development Account (IDA) Program for the period of January 1, 2003 through December 31, 2003; ratifying submission of an application to the U.S. Department of Health and Human Service ("DHHS"), Administration for Children and Families in connection with the Assets for Independence IDA Program; authorizing the acceptance of a grant award from DHHS in the amount of \$900,000.00 in connection with said program; and approving a budget in connection with said grants. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant to the City Manager]

9400
47. An Ordinance authorizing the execution of a contract with the San Antonio Education Partnership in the amount of \$40,000.00 for the disbursement of scholarships to high school students attending MacArthur, Madison, Reagan and Roosevelt High Schools; and authorizing the allocation and expenditure of Human Development Services Funds in the amount of \$40,000.00 from District 10 in connection therewith; as requested by Councilman David Carpenter. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant to the City Manager]

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48. An Ordinance authorizing the expenditure of \$5,000.00 from the District 1 Contingency Account Fund, \$1,000.00 from the District 8 Contingency Account Fund, and \$5,000.00 from the District 10 Contingency Account Fund to help defray the current operational expenses of the San Antonio Symphony; and waiving the prohibition against the consideration of requests for the expenditure of contingency funds 90 days prior to a council election as set out in Ordinance No. 96399 in order to allow for such expenditures; as requested by Councilman Bobby Perez, District 1.

49. City Manager's Report. *-Dale Lorhett - Report on Miss USA Competition*

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

- A. Discuss lease and economic development negotiations, incentives offered, and related legal issues concerning a proposal by the Dallas Cowboys NFL Team to stay in San Antonio for its 2003-2004 training camp, pursuant to Texas Government Code Sections 551.072 (deliberations involving real property), 551.087 (deliberations regarding economic development negotiations), and 551.071 (consultation with attorney).
- B. Discuss land acquisition, economic development negotiations, incentives offered, and related legal issues concerning a decision by Toyota Motor Manufacturing North America, Inc., to build and operate a manufacturing facility in San Antonio, pursuant to Texas Government Code Sections 551.072 (deliberations involving real property), 551.087 (deliberations regarding economic development negotiations), and 551.071 (consultation with attorney).
- C. Discuss legal issues relating to *Luis Morales vs. City of San Antonio*, Cause No. 2000-CI-16821, 131st District Court, pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- D. Discuss legal issues related to proposed Human Display Ordinance, pursuant to Texas Government Code Section 551.071 (consultation with attorney).