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Int Rev. 2001-43-47
Int Ord. 94968
Int Rev. 2001-43-50

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Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 Main Plaza
San Antonio, Texas 78205
November 15, 2001

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. Boards and Commissions. [Presented by Norma Rodriguez, City Clerk, Travis M. Bishop, Assistant City Manager]
 - B. Presentation of San Antonio Water System Quarterly Report. [Introduced by Thomas G. Wendorf, Director of Public Works; Presented by retired Gen. Eugene Habiger, President/Chief Executive Officer of San Antonio Water System]
- 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. John Harp, Sunset Hills Church of Christ, and Pledge of Allegiance.
 - 2. Ceremonial Items.
 - 3. Approval of the minutes of the Regular Council Meeting of October 18, 2001.

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/TDD for assistance. Closed captioning is available on broadcasts of the Council meetings on 21-CHIC.

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:

- 4955
4. 2:00 p.m. – Public Hearing and Consideration of an Ordinance authorizing the reprogramming of \$90,533.00 in 2000 Emergency Shelter Grant (ESG) funds available from the City of San Antonio Department of Community Initiatives, Community Action Division; authorizing the close-out and cancellation of affected projects and the creation of appropriate projects and project budgets; authorizing the appropriation and allocation of \$59,273.00 to the San Antonio Metropolitan Ministry (SAMM) to operate the Dwyer Avenue Center overflow shelter; authorizing the appropriation and allocation of \$31,260.00 to St. Mary's University School of Law to provide legal services to the homeless; authorizing the execution and submission of contracts and other documents as necessary in connection therewith; and providing for payment. [Presented by Dennis J. Campa, Director, Department of Community Initiatives; Melissa Byrne Vossmer, Assistant City Manager]
 5. 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

- 94909
6. An Ordinance accepting the low, qualified bids from John H. Sorola, Inc., a WBE/MBE company, for Items 1A and 1B; AMC Industries, for Bid No. 1, Item 2; Professional Turf Products, Inc., Bid No. 1, for Items 3 and 4; and Austin Turf & Tractor, for Item 5, to provide the City of San Antonio Parks and Recreation Department with mowing and utility equipment for a total sum of \$169,645.02. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]
 - 94910
 7. An Ordinance accepting the low, qualified bids from Sunwest Sales Company, a WBE/MBE company, for Items 1, 4 and 5; and Safety Supply, Inc., a WBE company, for Items 3, 6 and 7 to provide the City of San Antonio Hazardous Materials Division of the Fire Department with protective suits and accessories for a total sum of \$37,267.66. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]
 - 94911
 8. An Ordinance accepting the bids of various companies to provide the City of San Antonio with various materials and services on an annual contract basis for the 2001-2002 Fiscal Year for a total of approximately \$222,965.00. (Copies of bid packets are available for review in the Purchasing Department and a list of successful bidders are available for review in the City Clerk's Office.) [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

Capital Improvement Items

- 94912 9. An Ordinance selecting Turner Collie & Braden Inc. to provide professional engineering services in connection with the Ave Maria Drainage Project, located in Council District 9; authorizing the negotiation of a professional services contract in an amount not to exceed \$195,470.00; authorizing \$19,547.00 for miscellaneous engineering contingency expenses; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
- 94913 10. An Ordinance approving Field Alteration No. 1 in the amount of \$10,500.00, Field Alteration No. 2 in the amount of \$12,187.89 and Field Alteration No. 3 in the amount of \$40,383.00 payable to San Antonio Constructors, Inc. in connection with the Blueridge Street from General McMullen to 27th Street Community Development Block Grant (CDBG) Project, located in Council District 7; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
- 94914 11. An Ordinance approving and ratifying Field Alteration No. 2 in the amount of \$29,046.85 payable to Service Station Constructors & Fueling Systems, Inc. in connection with the Leonhardt at Low Water Crossing Project, located in Council District 10; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
- 94915 12. An Ordinance approving Field Alteration No. 6-Final in the amount of \$115,515.21 payable to R.L. Jones Company, Inc. in connection with the Monterrey - 36th to San Joaquin Project, located in Council District 6; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
- 94916 13. An Ordinance amending a professional engineering services contract with Hoyt Consulting Engineers, Inc. in an amount not to exceed \$7,610.00 in connection with the N. Flores/Breeden/Beacon Drainage Outfall, Phase II Project, located in Council District 1; revising the project budget; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
- 94917 14. An Ordinance amending the professional services contract and authorizing Community Development Block Grant (CDBG) funds in an amount not to exceed \$2,470.00 payable to Sinclair & Associates, Inc. for additional engineering services in connection with the Alternative Housing Subdivision for San Antonio Alternative Housing Corporation Community Development Block Grant (CDBG) Project, located in Council District 6; revising the project budget; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

- 94918 15. An Ordinance amending a professional engineering services contract with Civil Engineering Consultants Don Durden, Inc. in an additional amount not to exceed \$14,750.00 in connection with the Clark Avenue from Fair to Southcross Metropolitan Planning Organization Project, located in Council District 3; revising the budget; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
- 94919 16. An Ordinance amending a professional engineering services contract with Garcia & Wright Consulting Engineers, Inc. in an additional amount not to exceed \$6,698.00 and authorizing \$70,000.00 to El Paso Field Services for the lowering of approximately 100 feet of gas pipeline in connection with the Blossom/Woodbury #1007, Phases I and II Project, located in Council District 10. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
- 94920 17. An Ordinance amending a professional engineering services contract with HNTB Corporation in an additional amount not to exceed \$53,778.00 for additional engineering and design fees in connection with the St. Mary's from S. Alamo to Pereida and S. Alamo from Durango to Cedar Metropolitan Planning Organization Projects in Council District 1; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
- 94921 18. An Ordinance amending a professional engineering services contract with HDR Engineering, Inc. in an additional amount not to exceed \$49,250.47 in connection with the 36th Street from U.S. 90 to Growdon Street Metropolitan Planning Organization Project, located in Council District 6; authorizing \$4,525.05 for miscellaneous engineering contingency expenses; revising the budget; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
- 94922 19. An Ordinance amending the professional services contract and authorizing Community Development Block Grant funds in an amount not to exceed \$5,224.42 payable to Science Applications International Corporation (SAIC) for additional environmental services in connection with the Quintana Road Drainage #64 Extension/King Street Phase I & Phase II Community Development Block Grant (CDBG) Project, located in Council District 4; revising the project budget; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

94923 20. An Ordinance amending the professional services contract and authorizing Community Development Block Grant funds in an amount not to exceed \$7,624.00 payable to AMEC Earth and Environmental, Inc. for air monitoring and environmental oversight services in connection with the St. Francis from Dowdy to Probandt Community Development Block Grant (CDBG) Project, located in Council District 5; revising the project budget; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

94924 21. An Ordinance amending a professional services contract for a Public Works Street Maintenance Operating Budget funded project in the additional amount of \$93,550.00 with GoodPointe Technology Corporation, in connection with computerized mapping and software integration of the Pavement Management System for the City of San Antonio with Environmental System Research Institute ArcView shape format, the City's Geographic Information System; accepting a transfer of assignment of contract from Braun Intertec Corporation to GoodPointe Technology Corporation; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

94925 22. An Ordinance accepting the low, qualified bid of San Antonio Constructors, Inc. in the amount of \$550,990.51 in connection with the 1999 General Obligation Drainage Improvement Bond and 24th and 26th Community Development Block Grant (CDBG) Funded Hillside Acres Phase I Project; authorizing a construction contract; authorizing \$53,721.28 for miscellaneous construction contingency expenses; \$684.14 for bid advertising expenses and \$5,000.00 for engineering services payable to S.M. Galindo Engineers; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

94926 23. An Ordinance authorizing the expenditure of \$50,000.00 out of District 10's One-Time Improvement Funds, authorizing payment of said funds to the McNay Art Museum and authorizing execution by the City Manager or her designee of an Agreement with the McNay Art Museum for the use of said funds for construction of wrought iron fencing and other improvements along Austin Highway at the McNay Art Museum. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

94927 24. An Ordinance amending Ordinance Number 94833, passed and approved on November 1, 2001, by substituting the proper allocations of \$1,000,524.10 for said contract, \$50,026.21 for miscellaneous construction expenses, \$750.00 for advertising expenses, and \$500.00 for printing and reproduction expenses, all payable to Clark Construction Company, Inc. in connection with the Single Course Bituminous Slurry Seal-2001 Package "C" Street Maintenance Project. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

Items Concerning the Purchase, Sale or Lease of Real Property

- 9-228
94928
25. An Ordinance authorizing the execution of a five (5) year Lease Agreement with C.A.N. Industries, Inc., for use by the San Antonio Metropolitan Health District of approximately 6,363 square feet of office space located in Suite 104 at 1325 North Flores Street, at a monthly rate of \$6,000.00, commencing on the date on which lessee obtains a certificate of occupancy, replacing the Lease currently in existence; and approving payments to the Lessor in connection therewith. [Presented by Dr. Fernando A. Guerra, Director of Health; Melissa Byrne Vossmer, Assistant City Manager]
- 9-229
94929
26. An Ordinance authorizing payment in the amount of \$129,750.00 to Lawyers Title of San Antonio as escrow agent for Mabel Gussen for fee simple title to one parcel in connection with the Tezel – Timber Path to Ridge Path Metropolitan Planning Organization Project; appropriating funds and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
- 9-230
94930
27. An Ordinance authorizing payment in the amount of \$482.00 to Gerry Rickhoff, County Clerk, for the defendants in Condemnation Cause No. 2001-ED-0012, City of San Antonio vs. Joan Calderon Valdez, et al, as additional compensation for the fee simple title to one parcel, in connection with the Pecan Valley – I.H. 10 to J Street Metropolitan Planning Organization Project in Council District 2; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
- 9-231
94931
28. An Ordinance authorizing payment in the amount of \$52,518.12 to Bracewell & Patterson, L.L.P., for legal services in connection with the Basse Road and San Pedro Intersection Metropolitan Planning Organization Project (\$1,233.50), Bitters Road – West Avenue to Heimer Metropolitan Planning Organization Project (\$5,834.72), Escalon Street #1008 Drainage Project (\$280.50), Fire Station No. 7 Project (\$4,608.70), Fire Station No. 25 Project (\$3,860.59), Higgins Road – Nacogdoches to Stahl Road Project (\$182.00), Hi-Lions Drainage Project #80, Phases III & V (\$5,159.98), Hildebrand Avenue – I.H. 10 to Breeden Metropolitan Planning Organization Project (\$1,637.77), Leonhardt at Low Water Crossing Project (\$263.50), Military Drive West Connection to Reed Road Project (\$195.50), Pearsall Road Landfill Redevelopment Project (\$3,977.85), Pecan Valley – I.H. 10 to J Street Metropolitan Planning Organization Project (\$4,314.30), Pleasanton Road – Southcross to Mayfield Metropolitan Planning Organization Project (\$8,163.44), San Antonio River Improvements – Houston to Lexington Project (\$317.15), South Flores Drainage Project #70-70A, Phase II-Part 3 (\$280.50), W.W. White Road – Rigsby to Lord Road Project, Phase I (\$11,462.27), Western Avenue Drainage Project #74 (\$107.00), Wurzbach Parkway Metropolitan Planning Organization Project (\$382.50), Wurzbach Road at I.H. 10 and Ironside Intersections Metropolitan Planning Organization Project (\$256.35); appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

94952 29. An Ordinance authorizing the San Antonio Water System (SAWS) to file lawsuits, when deemed necessary against the owners of the following described properties, to gain access to these properties for the purposes of surveying, appraising and environmental testing the properties in connection with the ASR Pipeline Project, to wit: (i) County Block 5097, Parcels P-3A, P-10 and P-11, Abstract 190, Bexar County, Texas; (ii) County Block 17978, Parcel P-3C, Abstract 743, Bexar County, Texas; and (iii) County Block 5098, Parcel P-1, Abstract 743, Bexar County, Texas; authorizing the President/Chief Executive Officer of the San Antonio Water System and the San Antonio Water System Board of Trustees' Counsel to pursue any necessary litigation through Final Judgment and all necessary appeals to obtain access to the aforementioned properties in connection with the System's ASR Pipeline Project. [Introduced by Thomas G. Wendorf, Director of Public Works; Presented by Jerry Berry, Manager of Water Integration Programs for SAWS]

30. Consideration of the following ordinances: [Introduced by Thomas G. Wendorf, Director of Public Works; Presented by Robert A. Statzer, Right of Way Manager for SAWS]

94932 A. An ordinance declaring a public necessity for the acquisition of a Permanent Easement and any other necessary or desirable property rights over, across, upon, and under certain privately owned real property being located on an approximate 0.1310 of an acre of land or 5,704 square feet, situated in the City of San Antonio, Bexar County, Texas, comprised of 0.0523 acres being over a portion of Lot 5, New City Block 16332, Stone Oak-Plaza-Subdivision, according to plat recorded in Volume 9539, Page 57, and further comprised of 0.0787 acres being over a portion of Lot 2, New City Block 16332, Stone Oak Boulevard Ltd. office subdivision, according to plat recorded in Volume 9717, Page 6, Plat Records of Bexar County, Texas, for a public purpose, namely a 16 foot wide Water Reuse Easement for the Loop 1604 – Blanco to Sigma Drive Phase II Project; further declaring a public necessity for the acquisition of a Permanent Easement and any other necessary or desirable property being located on an approximate 0.0740 of an acre of land or 3,221 square feet, situated in the City of San Antonio, Bexar County, Texas, being over a portion of a 1.789 acre tract being out of a portion of Lot 5, New City Block 16332, Stone Oak-Plaza-Subdivision, according to plat recorded in Volume 9539, Page 57, Plat Records of Bexar County, Texas, for a public purpose, namely a 16 foot wide Water Reuse Easement for the Loop 1604 – Blanco to Sigma Drive Phase II Project; authorizing all appropriate action of the San Antonio Water System (SAWS) in the institution and prosecution of condemnation proceedings to acquire such needed Permanent Easements to properties and any other necessary or desirable property rights that cannot be acquired through negotiation; ratifying and affirming all prior acts and proceedings done or initiated by attorneys, agents, and employees acting for the San Antonio Water System to acquire such property rights; authorizing all other lawful action necessary or incidental to such acquisitions or eminent domain proceedings to survey, specify, clarify, define, and acquire the necessary property rights; and declaring the sections of the ordinance to be severable one from the other in the event any section of this ordinance is determined to be invalid.

94933 B. An Ordinance declaring a public necessity for the acquisition of a Permanent Easement and any other necessary or desirable property rights over, across, upon, and under certain privately owned real property being located on an approximate 0.0719 acre tract fronting on the frontage road on the south side of U.S. 90 Highway West between S.W. Loop 410 and S.W. Military Drive out of the remaining portion of Lot 2, Block 1, New City Block 15601, 90 West R.V. Park Subdivision, in the City of San Antonio, Bexar County, Texas, for a public purpose namely a Permanent Water and Sanitary Sewer Easement for the U.S. Highway 90 West-S.W. Loop 410 to Military Drive 20 inch waterline Baptist Child and Family Services (Baptist Children's Home) Project; authorizing all appropriate action of the San Antonio Water System (SAWS) in the institution and prosecution of condemnation proceedings to acquire such needed Permanent Easement and any other necessary or desirable property rights that cannot be acquired through negotiation; ratifying and affirming all prior acts and proceedings done or initiated by attorneys, agents, and employees acting for the San Antonio Water System to acquire such property rights; authorizing all other lawful action necessary or incidental to such acquisitions or eminent domain proceedings to survey, specify, clarify, define, and acquire the necessary property rights; and declaring the sections of the ordinance to be severable one from the other in the event any section of this ordinance is determined to be invalid.

94934 C. An Ordinance declaring a public necessity for the acquisition of easements, temporary and permanent, and any other necessary or desirable property rights over, across, upon, and under certain privately owned real property being located on the following tracts: an approximate 0.070 acre tract and an approximate 0.042 acre tract out of the Juan Montes Grant No. 6, County Block No. 4007, Part of Division 19, Bexar County, Texas; an approximate 0.128 acre tract, and an approximate 0.077 acre tract out of the Juan Montes Grant No. 6, County Block 4007, Part of Division 19, Bexar County, Texas; an approximate 0.752 acre tract and an approximate 0.408 acre tract out of the Juan Montes De Oca (Juan Montez) 4 League Grant Division No. 4, Abstract No. 11, County Block 4007, Bexar County, Texas; an approximate 1.280 acre tract, an approximate 0.772 acre tract and an approximate 0.044 acre tract out of the Juan Montes De Oca (Juan Montes) Original Survey No. 6, Abstract 11, County Block 4007-7, Bexar County, Texas, for a public purpose namely the Salado Creek and Dos Rios Water Recycling Centers Interconnecting Line Project; authorizing all appropriate action of the San Antonio Water System (SAWS) in the institution and prosecution of condemnation proceedings to acquire such needed permanent and temporary easements to properties and any other necessary or desirable property rights that cannot be acquired through negotiation; ratifying and affirming all prior acts and proceedings done or initiated by attorneys, agents, and employees acting for the San Antonio Water System to acquire such property rights; authorizing all other lawful action necessary or incidental to such acquisitions or eminent domain proceedings to survey, clarify, define, and acquire the necessary property rights; and declaring the sections of the ordinance to be severable one from the other in the event any section of this ordinance is determined to be invalid.

Miscellaneous

4935. An Ordinance authorizing the execution of a one-year professional services contract in an amount not to exceed \$250,000.00, with the San Antonio Sports Foundation for bid related expenditures associated with the solicitation of the 2007 Pan American Games to San Antonio; authorizing the City Manager to enter said contract; and providing for payment. [Presented by Steve Moore, Director, Convention & Visitors Bureau; Roland A. Lozano, Assistant to the City Manager]
4936. An Ordinance authorizing the execution of a one-year professional services agreement, in an amount not to exceed \$150,000.00, with the San Antonio Sports Foundation to support the solicitation of amateur international, and regional competitive sporting events, and conventions and meetings of sports-related associations; and providing for payment. [Presented by Steve Moore, Director, Convention & Visitors Bureau; Roland A. Lozano, Assistant to the City Manager]
4937. An Ordinance authorizing the acceptance of an additional \$18,808.00 in cash from the Texas Department of Health to augment the ongoing San Antonio Metropolitan Health District Special TB Outreach Project; approving the execution of a change to the contract with the Texas Department of Health and revising the budget and the personnel complement for the Public Health State Support Project 2001/2002-State established in Ordinance No. 94558, passed and approved on September 20, 2001. [Presented by Dr. Fernando A. Guerra, Director of Health; Melissa Byrne Vossmer, Assistant City Manager]
4938. An Ordinance authorizing the execution of an agreement with Our Lady of the Lake University to conduct a program evaluation of the San Antonio Metropolitan Health District's Healthy Start Initiative Program and authorizing payments for services in an amount not to exceed \$33,000.00 for the period October 1, 2001 through June 30, 2002. [Presented by Dr. Fernando A. Guerra, Director of Health; Melissa Byrne Vossmer, Assistant City Manager]
4939. An Ordinance accepting funds in an amount of \$20,000.00 from the San Antonio Independent School District (SAISD) for the reimbursement of administration costs in connection with the Urban smARTS Program, administered by the Department of Community Initiatives, Youth Services Division, at three 21st Century Community Learning Centers; authorizing the execution of an agreement between the City and SAISD for the period beginning September 20, 2001 and ending May 24, 2002; establishing a fund, and approving a FY 2001-2002 budget and personnel complement. [Presented by Dennis J. Campa, Director, Department of Community Initiatives; Melissa Byrne Vossmer, Assistant City Manager]

94940 36. An Ordinance authorizing an amendment to the current legal services contracts for the Brooks City-Base Project with the Law Offices of Davidson & Troilo, P.C., in association with Escamilla and Ponek, to provide for: (1) ratifying the payment of an additional \$25,256.59 for legal services incurred by the City through September 30, 2001; and (2) allocating an available budget of \$150,000.00 for Fiscal Year 2002. [Presented by Frank J. Garza, City Attorney; Terry M. Brechtel, City Manager]

94941 37. An Ordinance authorizing a professional services agreement for future services and ratifying services performed by the law offices of Miller, Canfield, Paddock & Stone to provide legal assistance related to telecommunications, cable, broadband or internet matters, including franchise renewal and reopener negotiations for an amount not to exceed \$40,000.00; authorizing the City Manager to execute said Agreement; and authorizing payment. [Presented by Frank J. Garza, City Attorney; Terry M. Brechtel, City Manager]

94942 38. An Ordinance authorizing the first amendment to the presubscription telephone agreement (default long distance) with Qwest, formerly U.S. Long Distance, Inc.; accepting a \$650,000.00 payment to the City of San Antonio in satisfaction of the minimum annual guarantee requirement; modifying the method of compensation by terminating the minimum annual guarantee requirement effective May 11, 2001, but requiring the continued payment of 41 percent of billed gross revenues; modifying the term of the agreement to a month-to-month term; and authorizing the City Manager to execute said amendment. [Presented by Frank J. Garza, City Attorney; Terry M. Brechtel, City Manager]

94943 39. An Ordinance approving amendments to the Final Project and Financing Plan for the Brookside Project located in Council District 3, which decreases the number of single-family homes from 390 to 371, as approved by the Reinvestment Zone Number Seven Board of Directors. [Presented by David D. Garza, Director, Neighborhood Action Department; Frances A. Gonzalez, Assistant to the City Manager]

94944 40. An Ordinance approving amendments to the Final Project and Financing Plan for the Rosedale Project located in Council District 7, which decreases the number of multi-family homes from 217 to 92, decreases the number of elderly units from 30 to 0 and increases the number of single-family homes from 64 to 67; as approved by the Reinvestment Zone Number Two Board of Directors. [Presented by David D. Garza, Director, Neighborhood Action Department; Frances A. Gonzalez, Assistant to the City Manager]

94945 41. An Ordinance authorizing the execution of a Development Agreement, between the City of San Antonio, Bridle Bit Corporation and Reinvestment Zone Number Seven (7), City of San Antonio, Texas for the Brookside Development located in Council District 3 with a Tax Increment Reinvestment Zone termination date of September 30, 2013; for a potential total payment to developer of available tax increment funds of \$3,604,864.00. [Presented by David D. Garza, Director, Neighborhood Action Department; Frances A. Gonzalez, Assistant to the City Manager]

- 94946 42. An Ordinance authorizing the execution of a Development Agreement, between the City of San Antonio, San Antonio Alternative Housing Corporation Number Eight (8) and Reinvestment Zone Number Two (2), City of San Antonio, Texas for the Rosedale Development located in Council District 7 with a Tax Increment Reinvestment Zone termination date of September 30, 2019; for a potential total payment to developer of available tax increment funds of \$1,737,216.00. [Presented by David D. Garza, Director, Neighborhood Action Department; Frances A. Gonzalez, Assistant to the City Manager]
- 94947 43. An Ordinance authorizing the City Manager or her designee to enter into a contract with the Salt Lake City Olympic Committee in connection with the Salt Lake City 2002 Olympic Torch Relay. [Presented by Travis M. Bishop, Assistant City Manager; Terry M. Brechtel, City Manager]
- 94948 44. An Ordinance authorizing a professional services contract between the City of San Antonio and the Free Trade Alliance San Antonio in the amount of \$150,000.00 for the Fiscal Year 2001-2002. [Presented by Henry E. Sauvignet, Director, International Affairs; Christopher J. Brady, Assistant City Manager]
- 94949 45. An Ordinance adopting the Urban Renewal Plan for the Five Points/Project Renew area located in Council District 1. [Presented by Frances A. Gonzalez, Assistant to the City Manager; Melissa Byrne Vossmer, Assistant City Manager]
- 94950 46. An Ordinance accepting funds in the amount of \$25,000.00 from Citicorp for the benefit of the Individual Development Account (IDA) Families SAVE Program; authorizing agreements with Wells Fargo Bank Texas and Security Service Federal Credit Union and any future financial institutions in connection with the IDA Families SAVE Program; amending Ordinance No. 93760 authorizing certain City personnel to sign checks for disbursement of City of San Antonio Texas Funds; and authorizing the execution of any documents and agreements in connection therewith. [Presented by Melissa Byrne Vossmer, Assistant City Manager; Terry M. Brechtel, City Manager]

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

- 94953 47. An Ordinance authorizing the temporary closure of a portion of Alamo Street between Houston and Commerce, from 5:00 P.M. to 8:00 P.M. on Friday, November 23, so that the City of San Antonio and HEB may conduct the Annual Christmas Tree Lighting Ceremony in Alamo Plaza and providing for an immediate effective date upon the passage of eight (8) affirmative votes. [Presented by Malcolm Matthews, Director of Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]

48. **Board, Commissions and Committee Appointments** [Presented by Norma Rodriguez, City Clerk, Travis M. Bishop, Assistant City Manager]

4951 A. An Ordinance appointing Jesse Zuniga (District 6) to the San Antonio Housing Trust Fund Board of Trustees for a term of office to expire on May 30, 2003.

4954 B. An Ordinance appointing and reappointing 27 members to the Greater San Antonio Crime Prevention Commission for the following categories and for staggered terms of office as nominated by Mayor Edward Garza. [Nominees: David Carpenter (Chairman); Patricia Castillo (Mayor's Designee); Andy Mireles (Judicial Member - State); Albert Ortiz (Law Enforcement) Tom DeChant (Neighborhood Representative); Col. Ray Hamilton (Community Organization); Col. Ethel Nelson (Neighborhood Representative); Stephanie Lopez (Youth Commission); Gilbert Candia (Neighborhood Representative); Dr. Kenneth Thompson (Religious Community); Raul Zamora (Education Representative); Susan D. Reed (District Attorney); Joseph Victor Barth (Retired Sector); Roscoe Mack (Neighborhood Representative); Jeanne A. Paulk (Neighborhood Representative); Connie Sonnen (San Antonio Housing Authority); Robert W. Davis (Community Organization); Dr. Kathleen Fletcher (At-Large); Karen Chalkey (At-Large); Sherry Goeble (At-Large); Jon Gary Herrera (Professional Journalism); Rev. Jimmy Drennan (Religious Community); Ceasar Garcia (Bexar County Representative); Major David C. Ptak (Military Representative); Ray Lopez (Education Representative); Judge Alfredo Tavera (Judicial Member - Municipal); and Tino Duran (Professional Journalism)]

ITEMS FOR INDIVIDUAL CONSIDERATION

94956 49. An Ordinance approving the results of the Canvass conducted by Bexar County for the Special Charter Revision Election held on Tuesday, November 6, 2001. [Presented by Norma Rodriguez, City Clerk, Travis M. Bishop, Assistant City Manager]

94908 50. An ordinance authorizing execution of an Agreement between the City of San Antonio, Texas and Sea World of Texas, Inc. providing for the donation and acceptance of an approximately six foot tall bronze statue of former U.S. Congressman Henry B. Gonzalez from Sea World to the City. [Presented by Roland A. Lozano, Assistant to the City Manager; Terry M. Brechtel, City Manager]

94958 51. An Ordinance authorizing the City Manager or a designee to execute both a fifteen (15) year Lease Agreement and a \$1,400,000.00 Funding Agreement with the Jefferson/Woodlawn Lake Community Development Corporation for the redevelopment of the City-owned Travis Building located at 1800 - 1814 Fredericksburg Road. [Presented by David D. Garza, Director, Neighborhood Action Department; Frances A. Gonzalez, Assistant to the City Manager]

4959
2001-43-47
52. An Ordinance authorizing the execution of a seven-year Lease Agreement with C.A.N. Industries, Inc., as Landlord, for use by the Neighborhood Action Department ("NAD"), Housing and Community Development Department ("H & CD"), and San Antonio Development Agency ("SADA") of 28,242 gross square feet of office space located at 1400 South Flores Street, at a monthly rent of \$34,286.00, including utilities and janitorial service, for the period from April 15, 2002 through April 14, 2009 with (1) a right to renew the term of the Lease Agreement for two additional consecutive renewal periods of three years each at a renegotiated rent and (2) both a right of first refusal and a right to present an offer to purchase the leased premises and land at 1400 South Flores Street, such renewals and exercise of the right of first refusal and right to present an offer to purchase subject to approval by the City Council; amending a portion of SADA's Community Development Block Grant ("CDBG") budget to reimburse the City for rental expenses in the amount of \$118,090.00 for use of the leased premises; and authorizing payment to C.A.N. Industries, Inc, pursuant to the Lease Agreement [Presented by David D. Garza, Director, Neighborhood Action Department; Frances A. Gonzalez, Assistant to the City Manager]

2001-43-48
94960
53. An Ordinance ratifying work previously performed and completed, resolving disputes associated with delays and inefficiencies, addressing and closing open issues, authorizing additional negotiated change orders, amending the construction contingency, and approving the terms and conditions related to the final fiscal closeout and settlement of contracted work, in the total amount of \$5,380,073.87, payable to Clark/JT Construction, a Joint Venture, for work associated with the Henry B. Gonzalez Convention Center Expansion Project-Phase 1B; and providing for payment. [Presented by Jelyne LeBlanc Burley, Director of Convention Center Expansion Office; Roland A. Lozano, Assistant to the City Manager]

2001-43-47
54. A Resolution setting dates, times and locations for twenty (20) neighborhood participation meetings and two (2) City Council Public Hearings required for the City's Annual Community Development Block Grant (CDBG), Home (Home Investment Partnerships), HOPWA (Housing Opportunities for Persons With AIDS), and ESG (Emergency Shelter Grant) Consolidated Plan/Budget Process for FY 2002-2003. [Presented by Andrew W. Cameron, Director, Housing and Community Development; Frances A. Gonzalez, Assistant to the City Manager]

2001-43-48
55. A Resolution directing City Public Service (CPS) to establish a Utility Conversion Project to be known as the One-Stop Development Services Center Project and to spend an estimated \$763,551.00 from the CPS Overhead Conversion Fund to accomplish the conversion of overhead electric service to underground services at this location. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

2001-43-49
56. A Resolution expressing the City Council's support of the Countywide Citizens Watershed Master Plan Committee work; accepting the Countywide Citizens Watershed Master Plan Committee "Action Plan" for implementation of the Final Report recommendations related to the development of a master plan for and implementation of proposed flood control and related improvements within the Salado Creek, Leon Creek, Cibolo Creek, Medina River and San Antonio River watersheds; reestablishing the Countywide Citizens Watershed Masterplan Committee by appointing ten (10) persons to serve on the Committee, along with ten (10) persons to be appointed by the Bexar County Commissioners Court, to serve as advisors to the City of San Antonio and Bexar County; and supporting continuing efforts between the City of San Antonio, Bexar County, and the San Antonio River Authority for implementation of flood control projects. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

94961
57. An Ordinance approving the Fiscal Year 2001-2002 Project Winter Assistant Relief Mobilization (WARM) Plan, which is projected to provide approximately \$300,000.00 in utility assistance to eligible City Public Service ratepayers in the San Antonio area; authorizing the execution of a contract between the City and City Public Service (CPS) to implement such plan; and authorizing the execution of Delegate Agency Contracts with Bexar County Housing and Human Services in the amount of \$14,200.00; Daughters of Charity in the amount of \$5,680.00; Greater Randolph Area Service Program in the amount of \$7,100.00; San Antonio AIDS Foundation in the amount of \$8,250.00; and City Public Service in the amount of \$6,000.00. [Presented by Dennis J. Campa, Director, Department of Community Initiatives; Melissa Byrne Vossmer, Assistant City Manager]

94962
58. An Ordinance authorizing the acceptance of supplemental funds in the amount of \$5,639,329.00 for a Continuation Grant from the U.S. Department of Health and Human Services for the operation of the Head Start-Early Child Care Program for the period February 1, 2001 through January 31, 2002; adopting a revised Head Start Program budget reflecting said additional funds; and authorizing the execution of a contract amendment awarding additional funds in the amount of \$5,530,752.00 with Parent/Child Incorporated, operator of said program. [Presented by Dennis J. Campa, Director, Department of Community Initiatives; Melissa Byrne Vossmer, Assistant City Manager]

94963
59. An Ordinance amending Ordinance No. 52612 approved by the City Council on August 7, 1980, by amending the criteria by which an employee association may be eligible to receive payroll deduction of association dues; as requested by Councilman Bobby Perez, District 1. [Presented by Elisa Bernal, Director, Human Resources; Travis M. Bishop, Assistant City Manager]

60. Second and final reading of the following ordinances: [Presented by Emil R. Moncivais, Director of Planning; Christopher J. Brady, Assistant City Manager]

An ordinance providing for the extension of the San Antonio City Limits by the voluntary annexation of approximately 95 acres out of a 122.6 acre commercial tract, herein referred to as the I.H. 10 West/Boerne Stage Road Property, establishing an effective date and approving a service plan for such area.

2001-43-50
4957
61. An Ordinance authorizing the appropriation of \$2,000,000.00 of Hotel/Motel Occupancy Tax funds to the Convention and Visitors Bureau for an enhanced leisure travel marketing campaign addressing citywide visitor industry economic losses resulting from the events of September 11, 2001. [Presented by Steve Moore, Director, Convention & Visitors Bureau; Roland A. Lozano, Assistant to the City Manager]

2001-43-50
4964
62. A Resolution supporting City Public Service and San Antonio Water System in a program, involving deposit referrals, long term pay agreements and payment extensions, to assist families of reservists who are in financial difficulty as a result of one or more of the family "bread winners" being called up for active service in response to the events of September 11, 2001; as requested by Councilwoman Antoniette Moorhouse, District 3.

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63. An Ordinance authorizing the expenditure of \$200.00 from the District 3 Contingency Account Fund, payable to the San Antonio Wheelchair Athletic Association, to be used to help purchase children's athletic racing wheelchairs and, in turn, enable disabled children to participate in athletic events; as requested by Councilwoman Antoniette Moorhouse.

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64. An Ordinance authorizing the execution of a renewal of a Lease Agreement (styled "Councilman's Office License Agreement") between the City of San Antonio and SoPark LTD., a Limited Partnership, for use of approximately 310 square feet for the District 4 Councilperson's constituent office space at South Park Mall, 2310 S.W. Military Drive for a one (1) year term beginning September 1, 2001 and ending August 31, 2002, at a rental of \$500.00 per month; as requested by Councilman Enrique "Kike" Martin.

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65. An Ordinance authorizing the total expenditure of \$250.00 from the District 6 Contingency Account Fund, payable to Northwest Raiders Football & Cheerleading, to be used to offset travel expenses to and from regional and national competitions in Beaumont, Texas and Orlando, Florida, respectively; as requested by Councilman Enrique M. Barrera.

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66. An Ordinance authorizing the total expenditure of \$300.00 from the District 5, District 6 and District 7 Contingency Account Funds, payable to Our Lady of the Lake University for supplies and materials associated with the 1st Annual Latina Youth Leadership Conference that was held on November 10, 2001, at Our Lady of the Lake University; as requested by Councilmembers David A. Garcia, Enrique M. Barrera, and Julian Castro.

granted
67. Travel Authorization for Mayor Edward Garza and Councilmembers Bobby Perez, District 1, John H. Sanders, District 2, Antoniette Moorhouse, District 3, David A. Garcia, District 5, Enrique M. Barrera, District 6, Julian Castro, District 7, and Carroll W. Schubert, District 9, who will attend the 89th Annual Texas Municipal League Conference in Houston, Texas from Tuesday, November 27, 2001 through Saturday, December 1, 2001.

granted
68. Travel Authorization for Mayor Edward Garza and Councilmembers Bobby Perez, District 1, John H. Sanders, District 2, Antoniette Moorhouse, District 3, Enrique Martin, District 4, David A. Garcia, District 5, and Julian Castro, District 7, who will attend the National League of Cities Conference in Atlanta, Georgia from Monday, December 3, 2001 through Sunday, December 9, 2001.

94968
4968
69. An Ordinance authorizing the execution of contracts to provide Third Party Administration Services, Utilization Review, and Preferred Provider Organization Services for active civilian employees, active Fire and Police employees, and retirees in the Citimed Self Funded Health Plan for a term of three (3) years, beginning January 1, 2002, and ending December 31, 2004, in an estimated aggregated annual amount of \$1,545,170.00, for each of the three years of the contracts, and with an option for the City to extend said contracts for two (2) additional one (1) year terms, subject to funding and approval by City Council. [Presented by Elisa Bernal, Director, Human Resources; Travis M. Bishop, Assistant City Manager]

70. City Manager's Report. *- No report*

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

A. Attorney-Client consultation regarding terms and conditions of a Project Agreement with Sheraton Riverwalk, L.P. for the construction of a convention headquarters hotel adjacent to the Henry B. Gonzalez Convention Center.

B. Attorney-Client consultation regarding the application of terms of a City Council resolution approved June 1996 expressing the City Council's intent to enter into a Tax Phase-In Agreement with BABN Technologies, Corp. (now known as Oberthur Gaming Technologies), upon the annexation of related property into the City limits and subject to said companies compliance at that time with the terms of an existing Tax Phase-In Agreement with Bexar County.

C. Attorney-Client consultation regarding the status of the negotiations associated with the Time Warner Cable franchise renewal and Grande Communications reopener process.

D. Attorney-Client consultation regarding negotiation of terms and conditions of proposed purchase of approximately 1100 acres within Cibolo Canyon Conservation District.