



First Ord. 95357  
 First Res. 2002-08-09  
 Last Ord. 95386  
 Last Res. 2002-08-10

**Agenda  
 City Council Meeting  
 Municipal Plaza Building  
 City Hall Complex  
 103 Main Plaza  
 San Antonio, Texas 78205  
 February 28, 2002**

*At any time during the "B" Session or the Regular City Council Meeting, the City Council may meet in executive session for consultation concerning attorney-client matters (real estate, litigation, contracts, personnel and security).*

- I. The City Council will convene for a "B" Session in the B Room of the Municipal Plaza Building at 10:00 A.M. for the following:
  - A. Staff presentation of Air Cargo Study. [Presented by Ramiro Cavazos, Director, Economic Development Department; Christopher J. Brady, Assistant City Manager]
  - B. Update on Convention & Visitors Bureau Post 9/11 Incremental Marketing Program. [Presented by Steve Moore, Director, Convention & Visitors Bureau; Roland A. Lozano, Assistant to the 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. David Miracle, Northridge Park Baptist Church, and Pledge of Allegiance.
  - 2. Ceremonial Items. *Resolution of Appreciation 2002-08-09*  
*Steve Moore*
  - 3. Approval of the minutes of the Regular Council Meetings of February 14, 2002

**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:**

4. 1:30 P.M. – Consideration of the following Ordinances: [Presented by Milo D. Nitschke, Director of Finance; Terry M. Brechtel, City Manager]

95372  
A. An Ordinance authorizing the issuance of “City of San Antonio, Texas Water System Revenue Bonds, Series 2002-A” in the principal amount of \$140,000,000.00; providing for the payment of the principal of and interest on the bonds by a lien on and pledge of the pledged revenues of the Water System on a parity with certain currently outstanding obligations; providing the terms and conditions of such bonds and resolving other matters incident and relating to the issuance, payment, security, sale, and delivery of such bonds, including the approval and distribution of an official statement; stipulating the terms and conditions for the issuance of additional revenue bonds on a parity therewith; authorizing the execution of a paying agent/registrar agreement, a purchase contract, and an escrow and trust agreement; complying with the requirements of the depository trust company; enacting other provisions incident and related to the subject and purpose of this ordinance; and providing for an immediate effective date upon passage by eight (8) affirmative votes.

95373  
B. An Ordinance authorizing the issuance of “City of San Antonio, Texas Water System Junior Lien Revenue Bonds, Series 2002” in the principal amount of \$15,650,000.00; providing for the payment of the principal of and interest on the bonds by a Junior Lien on and pledge of the net revenues of the city's Water System on a parity with certain currently outstanding obligations; providing the terms and conditions of such bonds and resolving other matters incident and relating to the issuance, payment, security, sale, and delivery of such bonds, including the approval of an application to the Texas Water Development Board; authorizing the execution of a paying agent/registrar agreement and an escrow agreement; complying with the requirements of the depository trust company's letter of representations; complying with the regulations promulgated by the Texas Water Development Board; enacting other provisions incident and related to the subject and purpose of this ordinance; and providing for an immediate effective date upon passage by eight (8) affirmative votes.

95374  
C. An Ordinance by the City Council of the City of San Antonio, Texas authorizing the issuance of “City of San Antonio, Texas Water System Junior Lien Revenue Bonds, Series 2002-A” in the principal amount of \$12,090,000.00; providing for the payment of the principal of and interest on the bonds by a Junior Lien on and pledge of the net revenues of the City's Water System on a parity with certain currently outstanding obligations; providing the terms and conditions of such bonds and resolving other matters incident and relating to the issuance, payment, security, sale, and delivery of such bonds, including the approval of an application to the Texas Water Development Board; authorizing the execution of a paying agent/registrar agreement and an escrow agreement; complying with the requirements of the depository trust company's letter of representations; complying with the regulations promulgated by the Texas Water Development Board; enacting other provisions incident and related to the subject and purpose of this ordinance; and providing for an immediate effective date upon passage by eight (8) affirmative votes

5. 2:00 P.M. – Public Hearing and Consideration of the following Zoning Cases: [Presented by Christopher J. Brady, Interim Director Development Services; Terry M. Brechtel, City Manager]

*Withdrawn*  
A. ZONING CASE NUMBER Z2001187: The request of Jesus & Olga Raygoza, Applicant, for Jesus & Olga Raygoza, Owner(s), for a change in zoning from "R-5" Residential Single-Family District to "C-2" Commercial District on Lot 20, Block 6, NCB 9194, 302 W. Hermosa. Staff's recommendation was for denial. Zoning Commission has recommended denial. (Council District 1)

*95375*  
B. ZONING CASE NUMBER Z2001238: The request of Eduardo Garcia, Applicant, for San Antonio S Group, Inc., Owner(s), for a change in zoning from "C-3 R" Commercial District Restrictive Alcohol Sales to "C-3" Commercial District on Lots 46, A-46 and A-48, Block 0, NCB 903, 713 & 715 S. Alamo Street. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 1)

*Continued to 3/20/10*  
C. ZONING CASE NUMBER Z2001242: The request of Lawrence K. O'Neill, Applicant, for Lawrence K. O'Neill, Owner(s), for a change in zoning from "RM-4 HD" Residential Mixed District, Historic District to "O-1 HD" Office, Historic District on Lot 16 and west 104.16 feet of 10, Block 19, NCB 546, 525 Nolan Street and 619 N. Mesquite Street. Staff's recommendation was for denial. Zoning Commission has recommended approval. (Council District 2)

*Continued to 3/20/10*  
D. ZONING CASE NUMBER Z2001247: The request of Gilbert Bazan, Applicant, for Gilbert Bazan, Owner(s), for a change in zoning from "D(H)" Historic Apartment District to "C-1 IDZ (H)" Historic Commercial Infill Development District on Lot 6, Block 6, NCB 1274, 2119 IH 35 North. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 2)

*95376*  
E. ZONING CASE NUMBER Z2002012: The request of L. A. Walker, Applicant, for L.A. Walker, Owner(s), for a change in zoning from "C-2" Commercial District to "MF-25" Multi-Family District on Lot 21, Block 5, NCB 10244, 2979 Martin Luther King Drive. Staff's recommendation was for approval. Zoning Commission has recommended approval, (Council District 2)

*Continued to 3/20/10*  
F. ZONING CASE NUMBER Z2002023: The request of City of San Antonio, Applicant, for Maria Mendiola, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "R-6 C" Residential Single Family District with a conditional use for two existing residences on Lot 19, Blk 51, NCB 8939, 305 McLaughlin Avenue. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 4)

95377  
G. ZONING CASE NUMBER Z2002018: The request of Hanover R.S. Limited Partnership, Applicant, for Westover Commercial Group, Ltd. (Israel Fogiel), Owner(s), for a change in zoning from "B-3" Business District to "MF-25" Multi-family Limited Density District on 16.41 acres of NCB 17642, NE corner of SH 151 & Hyatt Resort Dr. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 6)

95378  
H. ZONING CASE NUMBER Z2002020: The request of Jerry Arredondo, Applicant, for Darrell and Myrna McCurdy, Owner(s), for a change in zoning from "R-6" Single-family Residence District to "C-2 C" Commercial District with Conditional Use for Retail Landscaping Materials - Sales and Storage on 1.750 acres out of NCB 34392C, 11300 Block of Rousseau Road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 6)

95379  
I. ZONING CASE NUMBER Z2002019: The request of Mike Maring - Concept Property Management, Applicant, for Carol F. Cresswell, Owner(s), for a change in zoning from "R-6" Residential Single Family Edwards Recharge Zone District to "C-3 NA ERZD" Commercial Non Alcoholic Sales Edwards Recharge Zone District on Lot 14, NCB 17867, 18847 Redland Rd. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 9)

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**

95357  
7. An Ordinance accepting the proposal submitted by Airshore International, Inc. to provide the City of San Antonio Fire Department with shoring equipment for a total sum of \$35,500.00. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

95358  
8. An Ordinance accepting the low bid submitted by National Bus Sales & Leasing, Inc. to provide the City of San Antonio Aviation and Community Initiatives Departments with three (3) passenger buses for a total sum of \$138,136.00. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

## Capital Improvement Items

- 95359
- 95360
- 95361
9. An Ordinance amending a professional services contract and authorizing additional Community Development Block Grant (CDBG) funds in an amount not to exceed \$55,000.00 payable to Pyle & Klein Engineering, Inc. for additional engineering services in connection with the Waverly Phases I & II from Bandera to Glenmore Community Development Block Grant (CDBG) Project, located in Council District 7; revising the project budget; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
  10. An Ordinance approving and ratifying San Antonio Water System (SAWS) funded Field Alteration No. 2 in the amount of \$127,727.00 payable to Yantis Corporation; authorizing an increase in the project's receivable account in an amount not to exceed \$127,727.00 for additional work authorized by SAWS for services related to the Babcock Road from Hausman to DeZavala Road, a 1994 Street Improvement Bond Project, located in Council District 8. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
  11. An Ordinance appropriating \$2,950.00 in Fiscal Year 2001/2002 Facility Improvement and Maintenance Project Funds in connection with the San Antonio Garden Center Project in City Council District 9; establishing the project budget; allocating \$2,500.00 for professional services and allocating \$450.00 for professional services contingency. [Presented by Malcolm Matthews, Director of Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]

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

- 95362
- 95363
12. An Ordinance declaring a public necessity for the acquisition of fee simple title to all or portions of the properties listed as follows: (1) a 0.045 acre tract of land out of Lot 241; a 0.007 acre tract of land out of Lot 244; (3) a 0.005 acre tract of land out of Lot 245, all out of New City Block 11985, Willow Run Terrace; and (4) a 0.132 acre tract of land out of Lot 23, New City Block 13065, Countryside Plaza Subdivision, all in the City of San Antonio, Bexar County, Texas, for a public purpose, namely the Bitters Road – West Avenue to Heimer Metropolitan Planning Organization Project in Council District 9; and authorizing the City Attorney to file eminent domain proceedings. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
  13. An Ordinance authorizing payment in the amount of \$8,000.00 to Gerry Rickhoff, County Clerk, for the defendants in Condemnation Cause No. 2001-ED-0032, City of San Antonio vs. the Known and Unknown Heirs or devisees of Alonzo Cedillo, Deceased, and the Known or Unknown Heirs or devisees of Guadalupe Cedillo, Deceased, et al, for fee simple title to one parcel and payment of the amount of \$3,687.20 for court costs in connection with the Hi-Lions Drainage Project No. 80, Phases III & V, located in Council District 3; for the total sum of \$11,687.20; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

95364

14. An Ordinance authorizing 1999 General Obligation Street Bonds in the amount of \$23,487.00 for fee simple title to six (6) parcels of real property and other miscellaneous expenses associated with the Pleasanton Road - Gillette to Loop 410 Project ("Project"); declaring the Project to be a public project; declaring a public necessity for the acquisition of the fee simple title to certain privately owned real property, by negotiations and/or condemnation, if necessary, for public improvements for use as a part of the Project; to wit, all or portions of the properties listed as follows: (1) a 0.0011 of an acre tract out Lot 137, Block 26; (2) a 0.0011 of an acre tract out of the east 90 feet of Lot 143, Block 26, both out of NCB 11125, Harlandale Acres No. 8; (3) a 0.0011 of an acre tract out of the remaining 1.9083 acres out of Block 31, NCB 11130, Harlandale Acres No. 8; (4) a 0.0011 of an acre tract out of Tract F; (5) a 0.0031 of an acre tract out of a 1.57 acre tract out of Lot 7A, both being out of NCB 11147, Domingo Bustillo Survey No. 31; (6) a 0.0033 of an acre tract out of Tract 7A, NCB 11156, Domingo Bustillo Survey No. 31; and all properties being in the City of San Antonio, Bexar County, Texas; establishing just compensation for the property; appropriating funds for the Project including miscellaneous expenses associated with the Project such as appraisals and attorney's fees; authorizing the City staff and/or its designated representatives to negotiate with and to acquire the property from the owners on the approved terms; authorizing the City Attorney and/or designated special counsel to file eminent domain proceedings, if necessary; find the ordinance to have been considered pursuant to the laws governing open meetings; and establishing an effective date. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

95365

**Miscellaneous**

15. An Ordinance adopting policies and approving the Official City Store Ticket Consignment Agreement for the consignment of theme and water park tickets to be sold at the Official City Store; authorizing the Director of Asset Management to negotiate and execute each agreement upon consultation with the City Attorney. [Presented by Rebecca Waldman, Director, Department of Asset Management; Christopher J. Brady, Assistant City Manager]

95366

16. An Ordinance authorizing the execution of the final of two one-year renewal options with Trade Show Electrical, Harper Wood Electric Company and Edlen Electrical Exhibition Services, Inc. to provide temporary utility services for individual events/functions at the Henry B. Gonzalez Convention Center, Lila Cockrell Theater, Municipal Auditorium, Alamodome and Nelson W. Wolff Municipal Stadium, beginning March 15, 2002, for a consideration of eighteen percent (18%) of gross receipts, less taxes, generating a projected combined revenue of \$290,828.00. [Presented by Edward C. Garcia, Convention Facilities Director; Roland A. Lozano, Assistant to the City Manager]

95367  
17. An Ordinance authorizing the execution of a contract in the amount of \$45,000.00 with Southwest Texas Regional Advisory Council (STRAC) for the purchase of a regional emergency response truck to be used for responding to potential disasters such as flooding, wildland fires and terrorist attacks; revising the project budget for the Public Health Disaster Preparedness Program established through Ordinance No. 89584 on April 8, 1999; and authorizing payment for contractual services. [Presented by Dr. Fernando A. Guerra, Director of Health; Melissa Byrne Vossmer, Assistant City Manager]

95368  
18. An Ordinance authorizing a portion of the downtown area to be designated as a Clean Zone in order to regulate certain commercial activity within public property or rights-of-way from March 23, 2002 through April 3, 2002 in preparation for hosting the 2002 NCAA Women's Final Four Basketball Tournament; designating the geographical boundaries for the Clean Zone; providing for special Clean Zone license permits; and criminal penalties to be imposed for violation of this ordinance with a fine not to exceed \$2,000.00. [Presented by Malcolm Matthews, Director of Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]

95369  
19. An Ordinance accepting the proposal of Joseph H. Rother for McFarlin Tennis Center Lessons Coordinator to provide for tennis clinics/camps, lesson instruction, and non-USTA tournament play at McFarlin Tennis Center and authorizing the City Manager to enter into an agreement with said individual for said services. [Presented by Malcolm Matthews, Director of Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]

95370  
20. **Board, Commissions and Committee Appointments** [Presented by Norma Rodriguez, City Clerk, Travis M. Bishop, Assistant City Manager]

95371  
A. An Ordinance appointing Fred Rangel to the San Antonio Local Development Company (Trustee Category, District 7) for a term of office to expire on May 9, 2003.

B. An Ordinance reappointing Elizabeth Melson to the Ethics Review Board (District 7) for a term of office to expire on February 21, 2004.

**ITEMS FOR INDIVIDUAL CONSIDERATION**

95380  
21. An Ordinance authorizing payment to Chicago Title Company as escrow agent for fee simple purchase of 169.00 acre tract in northwest Bexar County adjacent to Highway 211 west of the Windgate Ranch property in the total amount of \$591,500.00 for the purchase tract; authorizing acceptance of a donation of an adjacent 176.11 acre tract of land in Medina County; authorizing \$450.00 for closing costs; authorizing payment of \$9,415.00 to the Nature Conservancy for its services in negotiating, investigating, holding, and purchasing said property; authorizing execution of a real estate purchase contract to accomplish said acquisitions under the auspices of the Proposition Three Edwards Land Acquisition and Park Expansion Project. [Presented by Christopher J. Brady, Assistant City Manager; Terry M. Brechtel, City Manager]

95381  
22. An Ordinance authorizing payment to Chicago Title Company as escrow agent for fee simple purchase of 403.12 acre tract of land adjacent to the previously acquired Thrift tract lands, in northwest Bexar County, Texas in the total amount of \$2,821,840.00; authorizing acceptance of a donation of a 31.31 acre tract of land located inside the City of Grey Forrest ETJ, also adjacent to the Thrift tract; authorizing \$450.00 for closing costs; authorizing payment of \$28,218.00 to the Bexar Land Trust for its services in negotiating, investigating, and purchasing said property; authorizing execution of a real estate purchase contract to accomplish said acquisitions under the auspices of the Proposition Three Edwards Land Acquisition and Park Expansion Project. [Presented by Christopher J. Brady, Assistant City Manager; Terry M. Brechtel, City Manager]

95382  
23. An Ordinance authorizing the City Manager or her designee to accept the proposals and execute a contract with Ardaga and Associates and Rene De La Garza Permitting Services to provide right-of-way services to negotiate and acquire certain properties along the Salado & Leon Creeks under the Proposition 3 Tax Initiative Project. [Presented by Christopher J. Brady, Assistant City Manager; Terry M. Brechtel, City Manager]

95383  
24. An Ordinance authorizing the execution of a three (3)-year Agreement, with two (2) one (1)-year extension options, with Go Professional Environmental Management, to provide the Alamodome and Nelson W. Wolff Municipal Stadium Housekeeping and Conversion Services, for a projected amount of \$1,088,781.00 for the initial three (3) year term, according to anticipated event programming; ratifying the agreement with Pacesetter Personnel Service in an amount not to exceed \$172,750.00, and payments to date of \$61,669.19, to provide the Alamodome and Nelson W. Wolff Municipal Stadium with temporary housekeeping and conversion services; and providing for payment. [Presented by Michael Abington, Alamodome Director; Roland A. Lozano, Assistant to the City Manager]

2002-08-10  
25. A Resolution authorizing the City Manager or her designee to submit six (6) or more grant applications, for an approximate total amount of \$421,956.00 to the Alamo Area Council of Governments (AACOG) for Fiscal Year 2002 Municipal Solid Waste Pass-Through Grants from the Texas Natural Resource Conservation Commission to support environmental programming efforts related to recycling, solid waste stream reduction, and municipal enforcement of anti-dumping laws. [Presented by Daniel V. Cardenas, Director of Environmental Services; Melissa Byrne Vossmer, Assistant City Manager]

95384

26. An Ordinance accepting the proposals and authorizing the execution of seven (7) On-Call Professional Services Agreements for environmental consulting services, respectively, each in an amount not to exceed \$180,000.00, with Engineering and Fire Investigators, Inc., Drash Consulting Engineers, Inc., Geo Strata Environmental Consultants, Inc., KEI, Inc., ATC Associates, Inc., Geo-Marine Engineering and Environmental Services, Inc., and Pape-Dawson Engineers, Inc., all totaling \$1,260,000.00; authorizing the transfer of \$75,000.00 from the Airport System 2001 Construction Fund to the Environmental Consulting Service-FY 2002 EFI Project and \$75,000.00 from the Airport System 2001 Construction Fund to the Environmental Consulting Service-FY 2002 Drash Project, for various environmental consulting activities at the airport facilities; and providing for payment. [Presented by Daniel V. Cárdenas, Director of Environmental Services; Melissa Byrne Vossmer, Assistant City Manager]

95385

27. An Ordinance authorizing the expenditure of \$1,000.00 from the District 5 Contingency Account Fund, payable to the San Antonio Missions Amateur Hardball Team, to assist with payment for uniforms, equipment and other operating costs; as requested by Councilman David A. Garcia.

95386

28. An Ordinance authorizing the expenditure of \$1,600.00 from the District 2 Contingency Account Fund, payable to the San Antonio Teachers Council, to defray the cost of supplies for a mural project, "Let There Be Peace" by students of Pickett Academy to help develop artistic talents and boost self-esteem; as requested by Councilman John Sanders.

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

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

A. Attorney-Client consultation regarding the status of the negotiations of a Development Services Agreement on the terms and conditions of the possible donation to the City of San Antonio of certain real property and the terms and conditions of the acquisition by the City of San Antonio of certain real property by purchase, exchange, lease or value of real property as a component of the Development Services Agreement between the City of San Antonio and the proposed Cibolo Canyon Conservation and Improvement District No. 1, Bexar County, Texas

B. 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.

C. Attorney-Client consultation regarding the City of San Antonio's HUD-funded Lead-Based Paint Hazard Control Program Consultant with Clean Environments, Inc.

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