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**Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 Main Plaza
San Antonio, Texas 78205
January 21, 1999**

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) Review of City Council Proposed Projects for the 1999 Bond Package. [Presented by Terry Brechtel, Director of Budget & Employee Services; Melissa Byrne Vossmer, Assistant City Manager]
 - B) Presentation of the 1999 Street Maintenance Program. [Presented by John German, Director of Public Works; Christopher J. Brady, 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 Reverend Harry G. Kahl, Jefferson United Methodist Church; and Pledge of Allegiance.
 2. Ceremonial Items.
 3. Approval of the minutes of the Regular Council Meetings of September 24, 1998 and October 1, 1998.

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 twenty four (24) hours prior to the meeting) by calling (210) 207-7245 V/TDD for assistance.

Questions regarding this agenda notice should be directed to the City Agenda Coordinator at 207-7080.

OK

THE FOLLOWING ITEMS WILL BE CONSIDERED AT THE TIMES INDICATED:

89132

TO DENY THE APPEAL

- ✓4. 2:30 P.M. - Appeal of Mr. James Masterson Parker on behalf of Beethoven Maennerchor, Inc. on the denial of the Historic and Design Review Commission of their request to demolish the structure located at 1110 S. Alamo. [Presented by Emil Moncivais, Director of Planning; Christopher J. Brady, Assistant to the City Manager]
- ✓5. 3:00 P.M. - Public Hearing on Selection of Projects for the Proposed 1999 Bond Authorization Election. [Presented by Terry Brechtel, Director of Budget & Employee Services; 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 (7-35c)

Items Concerning the Purchase of Equipment, Supplies and Services

89094

- ✓7. An Ordinance accepting the low bid from Lowen Corporation to provide the City of San Antonio Police Department with logo markings for police vehicles in the amount of \$46,605.70. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Frank A. Stromboe, Jr., Executive Director of Administrative Services]

Capital Improvement Items

89095

- ✓8. An Ordinance selecting Sinclair & Associates, Inc. to provide engineering services in connection with the Alternative Housing Subdivision for San Antonio Alternative Housing Corporation, Community Development Block Grant (CDBG) Project, authorizing the negotiation and execution of a Community Development Block Grant (CDBG) funded professional services contract for an amount not to exceed \$44,400.00; authorizing \$4,400.00 for miscellaneous engineering contingency expenses; appropriating funds and providing for payment. [Presented by John German, Director of Public Works; Christopher J. Brady, Assistant to the City Manager]

89096

- ✓9. An Ordinance approving Field Alternation No. 2 in the amount of \$6,000.66 payable to E-Z Bel Construction Company, Inc., in connection with the Ansley Place Subdivision Community Development Block Grant (CDBG) Project; amending the construction contingency in the amount of \$4,895.89, revising the project budget; and providing for payment. [Presented by John German, Director of Public Works; Christopher J. Brady, Assistant to the City Manager]

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89097 ✓10. An Ordinance ratifying services and providing for payment in an amount not to exceed \$10,321.37 to Rosin-Cook, Inc. for providing center line staking and construction layout as required in connection with the General McMullen - Roselawn to Commerce Sidewalk Project, located in Council Districts 5 and 6. [Presented by John German, Director of Public Works; Christopher J. Brady, Assistant to the City Manager]

89098 ✓11. An Ordinance authorizing payment in the amount of \$1,451.87 to the Texas Department of Transportation (TxDOT) for a change order, in connection with General McMullen sidewalk project from Roselawn to Commerce; establishing a construction contingency in the amount of \$10,000.00; located in Council Districts 5 and 6. [Presented by John German, Director of Public Works; Christopher J. Brady, Assistant to the City Manager]

89099 ✓12. An Ordinance exercising authority granted under Ordinance No. 87291, passed and approved on January 29, 1998, to exercise the first one (1) year optional term with Maxim Technologies, Inc., in connection with the Geotechnical and Environmental Engineering Services contract for closed landfills and appropriating funds; providing for update adjustments to the contract format; and providing for payment in an amount not to exceed \$400,000.00. [Presented by John German, Director of Public Works; Christopher J. Brady, Assistant to the City Manager]

89100 ✓13. An Ordinance amending the professional services contract with W.F. Castella and Associates (MBE) by authorizing additional MPO/City Match Funds in an amount not to exceed \$7,767.10 in connection for subsurface intrusive environmental site investigation in association with the Southcross from WW White to IH 410 Project; and providing for payment. [Presented by John German, Director of Public Works; Christopher J. Brady, Assistant to the City Manager]

89101 ✓14. An Ordinance accepting the low, qualified bid of FMG Contracting Co., (SWMBE) in the total amount of \$529,675.00 for improvements to Elmendorf Park, authorizing a construction contract; revising the Projects Budget and authorizing the transfer of 1994 Park General Obligation Bond Issue Funds into this Project's Budget; authorizing \$17,968.00 for construction contingency expenses; authorizing \$2,000.00 for project related bid advertising and printing fees; and providing for payment. [Presented by Malcom Matthews, Director of Parks & Recreation Department; Melissa Byrne Vossmer, Assistant City Manager]

Items Concerning the Purchase, Sale or Lease of Real Property

- 89102 ✓15. An Ordinance authorizing the interjurisdictional transfer of two certain parcels of land, totaling 3.918 acres, being part of a larger total area of 239 acres, commonly known as the Pearsall Road Landfill from the City of San Antonio to the San Antonio Water System (SAWS) for utilization as a pumping station for the recycled water program for a total consideration of \$37,000.00 which is to be applied as a credit pursuant to Ordinance 89069 passed January 14, 1999. [Presented by John German, Director of Public Works; Christopher J. Brady, Assistant to the City Manager]
- 89103 ✓16. An Ordinance authorizing payment in the amount of \$12,200.00 for appraisal services to Dugger, Canaday, Grafe & Woelfel, Inc. in connection with the Briarglen Drive Flood Area Project (\$350.00); Wheatley Heights Flood Area Project (\$9,450.00), Pipestone Drive Flood Area Project (\$450.00); and the Plumnear Flood Area Project (\$1,950.00); appropriating funds and providing for payment. [Presented by John German, Director of Public Works; Christopher J. Brady, Assistant to the City Manager]
- 89104 ✓17. An Ordinance appropriating the sum of \$131,930.00 payable to Gerry Rickhoff, County Clerk, for the Defendants in Condemnation Cause No. 98-ED-0029, City of San Antonio vs. Johnny Deep Gabriel, et. al. for fee simple title to one parcel (\$130,000.00); court costs (\$1,930.00) and appraisal services in the amount of \$3,825.00 payable to Dugger, Canaday, Grafe & Woelfel, Inc., in connection with the acquisition of one parcel of land in the Hildebrand Avenue - I.H. 10 to Breeden Project, for a total sum of \$135,755.00. [Presented by John German, Director of Public Works; Christopher J. Brady, Assistant to the City Manager]
- 89105 ✓18. An Ordinance authorizing the expenditure of \$10,050.00 payable to Lawyers Title of San Antonio, as escrow agent for Kishor K. Patel and wife, Ranjan K. Patel, for fee simple title to one parcel in connection with the Pinn Road Reconstruction Project - W. Commerce to U.S. Hwy 90; appropriating funds; and providing for payment. [Presented by John German, Director of Public Works; Christopher J. Brady, Assistant to the City Manager]
- 89106 ✓19. An Ordinance authorizing the execution of a lease agreement with Casa del Estado de Nuevo Leon, operating as Casa Nuevo Leon, for use of approximately 1,165 square feet of office space at the International Center, for a two (2) year term commencing on October 1, 1998 and ending two years thereafter, with one (1) two-(2) year renewal option, subject to City Council approval, at a rate of \$4.80 per square foot per year for a total payment of \$11,184.00, for the initial term of the lease to cover janitorial, utility, and maintenance expenses. [Presented by Rebecca Waldman, Director of Asset Management; Frank A. Stromboe, Jr., Executive Director of Administrative Services]

89107 ✓20. An Ordinance declaring a public necessity for the acquisition of fee simple title to 0.420 hectares (1.038 acres), out of a 8.785 acre tract, New City Block 7657, San Antonio, Bexar County, Texas for a public purpose, namely the construction of a portion of the Mission Trails Parkway Project, Package 2; and authorizing the City Attorney to file eminent domain proceedings. [Presented by John German, Director of Public Works; Christopher J. Brady, Assistant to the City Manager]

89108 ✓21. An Ordinance declaring 5,719 square feet of property owned by the City of San Antonio through its agent, San Antonio Water System (SAWS), located at the generally southwest corner of East Market and South Presa Streets, legally described as portions of Lots 2 and A-3, NCB 157, as surplus to the needs of the City of San Antonio, and authorizing the sale of said property, including a surface easement over the adjoining 2,649 square feet of property. [Presented by Rebecca Waldman, Director of Asset Management; Frank A. Stromboe, Jr., Executive Director of Administrative Services]

Miscellaneous Items

89109 ✓22. An Ordinance authorizing the City Manager to execute an amendment to the 1998-99 Project Winter Assistance Relief Mobilization, Ordinance No. 88893, passed and approved on December 10, 1998, to reprogram \$12,000.00 from the Department of Community Initiatives to the Greater Randolph Area Services Program in the amount of \$2,000.00 and to Catholic Family and Children Services, Inc. in the amount of \$10,000.00. [Presented by Dennis J. Campa, Director of Community Initiatives; Melissa Byrne Vossmer, Assistant City Manager]

89110 ✓23. An Ordinance authorizing the ratification and acceptance of a grant by the Department of Community Initiatives in the amount of \$50,000.00 from the Local Board of the Emergency Food & Shelter National Board Program for the period October 1, 1998 to September 30, 1999. [Presented by Dennis J. Campa, Director of Community Initiatives; Melissa Byrne Vossmer, Assistant City Manager]

89111 ✓24. An Ordinance authorizing the execution of a modification of a subcontract between ABT Associates, Inc. and the City of San Antonio to continue funding the Arrestee Drug Abuse Monitoring (ADAM) Program through June 30, 1999; and approving a budget revision adding \$55,903.00 in funds for project activities. [Presented by Dr. Fernando Guerra, Director of Health; Melissa Byrne Vossmer, Assistant City Manager]

- 89112 ✓25. An Ordinance authorizing the termination of the current agreement with HMO Blue®, Central Texas authorized by Ordinance 87557, passed and approved March 26, 1998 and authorizing the acceptance and execution of a new participating ancillary health care provider agreement with HMO Blue®, Central Texas for the provision of selected health care services by the San Antonio Metropolitan Health District to individuals covered under the HMO Blue®, Central Texas Medicaid Health Benefit Program. [Presented by Dr. Fernando Guerra, Director of Health; Melissa Byrne Vossmer, Assistant City Manager]
- 89113 ✓26. An Ordinance amending Ordinance No. 82805, passed and approved September 14, 1995, which established the repayment schedule for the Automated Fingerprint Identification System (AFIS) by authorizing payment in the amount of the \$815,408.09 balance due Fund 72, Internal Service Fund, Equipment Renewal & Replacement for purchase of the AFIS System. [Presented by Al A. Philippus, Chief of Police; J. Rolando Bono, Assistant City Manager]
- 89114 ✓27. An Ordinance authorizing the acceptance of an Office of National Drug Control Policy (ONDCP) High Intensity Drug Trafficking Area (HIDTA) Grant, in the amount of \$408,477.00 for the period beginning January 1, 1999 to December 31, 1999 for funding the South Texas Intelligence Center. [Presented by Al A. Philippus, Chief of Police; J. Rolando Bono, Assistant City Manager]
- 89115 ✓28. An Ordinance authorizing the acceptance of an Office of National Drug Control Policy (ONDCP) High Intensity Drug Trafficking Area (HIDTA) Grant, in the amount of \$855,679.00 for the period beginning January 1, 1999 to December 31, 1999 for funding the Multi-Agency Drug Courier & Apprehension Task Force. [Presented by Al A. Philippus, Chief of Police; J. Rolando Bono, Assistant City Manager]
- 89116 ✓29. An Ordinance authorizing the acceptance of an Office of National Drug Control Policy (ONDCP) High Intensity Drug Trafficking Area (HIDTA) Grant, in the amount of \$60,043.00 for the period beginning January 1, 1999 to December 31, 1999 for funding the Director's Administrative Support Element. [Presented by Al A. Philippus, Chief of Police; J. Rolando Bono, Assistant City Manager]
- 89117 ✓30. An Ordinance authorizing the acceptance of an Office of National Drug Control Policy (ONDCP) High Intensity Drug Trafficking Area (HIDTA) Grant, in the amount of \$333,891.00 for the period beginning January 1, 1999 to December 31, 1999 for funding the San Antonio Multi-Agency Investigative Partnership. [Presented by Al A. Philippus, Chief of Police; J. Rolando Bono, Assistant City Manager]

891 18 ✓31. An Ordinance authorizing the City Manager and the City Attorney to compromise and settle Cause No. SA-96-CA-0882, styled Georgia Rakowitz v. City of San Antonio, for a total amount of \$175,000.00. [Presented by Frank J. Garza, City Attorney; Alexander E. Briseño, City Manager]

891 19 ✓32. An Ordinance authorizing the transfer of \$125,000.00 of funds, previously appropriated for grants to Project Quest, Inc. and San Antonio Urban Ministries, to the Texas Workforce Commission (TWC) as matching funds to be returned to the City through Alamo Workforce Development, Inc. along with additional funds provided by a federal match to purchase child care services for Project Quest, Inc. and San Antonio Urban Ministries through the Department of Community Initiatives, Children's Resources Division, Child Care Management Services (CCMS) Program; authorizing the execution of a contract with TWC to accomplish said transfer; amending the CCMS Budget and amending Ordinance No. 88485, passed and approved on September 17, 1998. [Presented by Dennis J. Campa, Director of Community Initiatives; Melissa Byrne Vossmer, Assistant City Manager]

891 20 ✓33. An Ordinance authorizing payment of the annual membership dues for the City of San Antonio to the Alamo Area Council Of Governments (AACOG) in the amount of \$56,155.98 for the calendar year 1999. [Presented by Jim Campbell, Director, Intergovernmental Relations; J. Rolando Bono, Assistant City Manager]

891 21 ✓34. An Ordinance authorizing a twenty-five (25) year personal property use agreement with the Sunset Group, LLPC for the restoration, relocation and exhibition of the City of San Antonio's Steam Locomotive Engine No. 794 at the Sunset Station Complex in consideration for approximately \$40,000.00 in restoration costs for this historic exhibit. [Presented by Malcolm Matthews, Director of Parks & Recreation; Melissa Byrne Vossmer, Assistant City Manager]

✓35. **Boards, Commissions and Committee Appointments** [Presented by Norma Rodriguez, City Clerk; Travis M. Bishop, Assistant to the City Manager]

891 22 ✓A) An Ordinance reappointing William Monier (District 9) to the Mechanical Board of Appeals for a term of office to expire on March 20, 2000.

891 23 ✓B) An Ordinance reappointing David Marshall (Mayor) to the Airport Advisory Committee for a term of office to expire on December 31, 1999.

891 24 ✓C) An Ordinance appointing John Clamp (District 10) to the Zoning Commission for a term of office to expire on June 30, 2000.

ITEMS FOR INDIVIDUAL CONSIDERATION

- 89125 ✓36. An Ordinance authorizing the execution of an "Agreement to Contribute Funds" and appropriating funds in an amount not to exceed \$900,000.00 to the Texas Department of Transportation (TxDOT) for right of way acquisition matching funds for Spur 421 (Culebra/Bandera Road) from IH 10 to Evers Road, located in Council Districts 1 and 7. [Presented by John German, Director of Public Works; Christopher J. Brady, Assistant to the City Manager]
- 89126 ✓37. An Ordinance renaming Dreamwood, west of Nacogdoches, to Friesenhahn Ct. in honor of Mr. Ray Friesenhahn for his contributions to St. Helena's Catholic Church and to the City for many years; as requested by Mr. Stephen B. Bolner, Vice President of Alamo Consulting Engineering & Surveying, Inc. [Presented by Gene Camargo, Director of Building Inspections; Christopher J. Brady, Assistant to the City Manager]
- 89127 ✓38. An Ordinance adopting the 1997 Edition of the Uniform Mechanical Code, with local amendments. [Presented by Gene Camargo, Director of Building Inspections; Christopher J. Brady, Assistant to the City Manager]
- 89128 ✓39. An Ordinance adopting the 1997 Edition of the Uniform Plumbing Code, with its appendices and local amendments. [Presented by Gene Camargo, Director of Building Inspections; Christopher J. Brady, Assistant to the City Manager]
- 89129 ✓40. An Ordinance adopting the 1997 Edition of the 1997 Edition of the Uniform Building Code and the Uniform Fire Code, with local amendments. [Presented by Gene Camargo, Director of Building Inspections; Christopher J. Brady, Assistant to the City Manager]
- 89130 ✓41. An Ordinance approving the terms and conditions, and authorizing the execution, of a one (1) year contract, including two (2) one-year options to renew, with the firm of Arter & Hadden for federal legislative and regulatory representation beginning February 1, 1999, in the an amount not to exceed \$144,000.00 plus monthly expenses not to exceed \$1,000.00. [Presented by Jim Campbell, Director, Intergovernmental Relations; J. Rolando Bono, Assistant City Manager]
- 89131 ✓42. An Ordinance amending the City's 1999 State Legislative Program to include support for the right to vote on the Structure of Local Governments; as requested by Mayor Howard W. Peak. (To City)
- 89133 ✓43. An Ordinance authorizing the expenditure of \$150.00 from the District 2 Budget Account to assist the San Antonio Runners Female Basketball team with the costs of a trip to Austin, Texas to attend the Top Gun Basketball Classic Tournament; as requested by Councilman Mario M. Salas.

89134 ✓44. An Ordinance authorizing the expenditure of \$300.00 from the District 2 Budget Account to assist the Southeast Apaches Pop Warner Football/Cheerleader Association with the costs of equipment, registration, team operations and traveling expenses; as requested by Councilman Mario M. Salas.

89135 ✓45. An Ordinance authorizing the expenditure of \$200.00 from the District 2 Budget Account to assist the Guardian Angel Performance Arts Academy in providing educational materials for teachers and students; as requested by Councilman Mario M. Salas.

89136 ✓46. An Ordinance authorizing reimbursement from the District 2 Budget Account in the total amount of \$6,250.00 to Councilman Mario M. Salas for an Administrative Services Contract with Howard Anderson (\$1,250.00 per month) from January 1, 1999 through May 31, 1999; as requested by Councilman Mario M. Salas.

89137 ✓47. An Ordinance authorizing the expenditure of \$750.00 from the District 5 Budget Account to assist the St. James' CYO Program with expenses for the purchase of uniforms for the 1999 Baseball Season; as requested by Councilman Rick Vásquez.

89138 ✓48. An Ordinance authorizing the expenditure of \$1,000.00 from the District 5 Budget Account to assist St. John Berchman's Catholic Youth Organization (CYO) with the purchase of uniforms and equipment for their CYO Sport's Program; as requested by Councilman Rick Vásquez.

89139 ✓49. An Ordinance authorizing the expenditure of \$250.00 from the District 5 Budget Account to assist the St. James' CYO Program with the cost of uniforms for the 1999 "Angels" Softball Team; as requested by Councilman Rick Vásquez.

89140 ✓50. An Ordinance authorizing reimbursement from the District 7 Budget Account in the total amount of \$5,400.00 to Councilman Ed Garza for Administrative Services Contracts with Benjamin S. Mora (\$1,000.00 per month) and Chris Cantu (\$800.00 per month) from January 1, 1999 through March 31, 1999; as requested by Councilman Ed Garza.

89141 ✓51. An Ordinance authorizing reimbursement from the District 8 Budget Account in the total amount of \$5,350.00 to Councilman Robert Marbut for Administrative Services Contracts with Deborah Gray (\$2,500.00), Rebecca J. Viagran (\$1,750.00) and Elizabeth A. Gonzalez (\$1,100.00) from January 1, 1999 through January 31, 1999; as requested by Councilman Robert Marbut.

89142 ✓52. An Ordinance authorizing reimbursement from the District 10 Budget Account in the total amount of \$7,950.00 to Councilman Jeff Webster for Administrative Services Contract with Michelle Jean McDaniel, (\$750.00) from January 13, 1999 through January 31, 1999; and (\$1,800.00 per month) from February 1, 1999 through May 31, 1999; as requested by Councilman Jeff S. Webster.

89143 ✓53. An Ordinance authorizing the reimbursement from the District 6 Budget Account in the total amount of \$29,750.00 to Councilman José Menéndez for Administrative Services Contracts with Daniel Ortiz (\$2,200.00 per month) from January 1, 1999 through May 31, 1999; Melissa Pacheco (\$800.00) from January 1, 199 through January 31, 1999; Melissa Pacheco (\$1,800.00 per month) from February 1, 1999 through May 31, 1999; Carlos Alvarez (\$1,650.00 per month) from January 1, 1999 through May 31, 1999; and Cecilia Rodriguez (\$500.00 per month) from January 1, 1999 through May 31, 1999; as requested by Councilman José Menéndez. *(Handwritten initials)*

✗54. City Manager's Report.

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

A) Attorney/Client consultation regarding litigation case styled *Joel Rutstein and Barbara Rutstein, Individually and As Personal Representatives of the Estate of Erica Rutstein, Deceased; and Mathews and Carole Benzaquen, Individually and as Next Friend of Benjamin Benzaquen III, a Minor Child vs. City of San Antonio*, Cause No. 95-CI-16065, 73rd Judicial District, Claim No. 737-1162.

PULLED B) Attorney/Client consultation regarding the status report in regard to claims for recovery of certain platting fees from the City of San Antonio.

January 21, 1999

Honorable Mayor and Members of the City Council of the City of San Antonio:

The following petitions were received in my office and forwarded to the appropriate departments for investigation and report to the City Council:

<u>DATE</u>	<u>DESCRIPTION</u>
January 11, 1999	Petition submitted on behalf of area residents, requesting that the City of San Antonio keep the Martin Luther King march route as is, from MLK Park to MLK Plaza.