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FIRST ORDINANCE - 92447
FIRST RESOLUTION - 2000-32-28

**Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 Main Plaza
San Antonio, Texas 78205
September 7, 2000**

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) Budget Work Session. [Presented by Louis A. Lendman, Acting Director of Budget and Performance Assessment; Terry M. Brechtel, Executive Director of Financial & Administrative Services]
- 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 Celestin Tongotani, Holy Redeemer Catholic Church and Pledge of Allegiance.
 2. Ceremonial Items.
 3. Approval of the minutes of the Regular City Council Meeting of August 3, 2000.

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.

THE FOLLOWING ITEMS WILL BE CONSIDERED AT THE TIMES INDICATED:

- 92477 4. 3:00 P.M. – Public Hearing and Consideration of An Ordinance approving the levy of a Special Assessment to fund supplemental services for the Public Improvement District in the Downtown Area (“PID”) during FY 2000-2001; levying an assessment rate at \$0.12 per \$100.00 value of real property in the PID; approving the FY 2000-2001 Service and Assessment Plan for the PID, to include a management and operations program, a maintenance and landscaping program, marketing program, and a public service representative program; and authorizing an amendment to the FY 2000-2001 Service and Assessment Plan to add a downtown construction information program. [Presented by Lisa Lott, Executive Assistant; Travis M. Bishop, Assistant City Manager]
- 92478 5. 3:30 P.M.- Public Hearing and Consideration of An Ordinance closing, vacating and abandoning improved portions of Gibbs and North Olive Streets as requested by Petitioners, City of San Antonio and Carver Development Board and waiving payment by the Carver Development Board of the sum of \$39,600.00 as consideration for such street closures, in light of the written commitment by Southwestern Bell Corporation, to and through the Board, to contribute the sum of \$500,000.00 for improvements to the City-owned Little Carver Building. [Presented by Rebecca Waldman, Director, Department of Asset Management; Terry M. Brechtel, Executive Director of Administrative and Financial Services]
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

(7-24G)

Items Concerning the Purchase of Equipment, Supplies and Services

- 92447 7. An Ordinance accepting the low bid by Irwin Seating/Folding Bleacher Co. to provide the City of San Antonio Convention Center Facilities with telescoping stands for a total of \$529,240.00. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Terry M. Brechtel, Executive Director of Administrative and Financial Services]
- 92448 8. An Ordinance accepting the low bid by Southwest Sound & Electronics, Inc. to provide the City of San Antonio Convention Center Facilities with sound system parts and components for a total of \$236,850.00. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Terry M. Brechtel, Executive Director of Administrative and Financial Services]

92449 9. An Ordinance accepting the low qualified bids by Lesco, Inc., Gold Star Seed Co., Inc., (WBE) and BWI-Schulenburg, a branch of BWI Companies, Incorporated to provide the City of San Antonio Parks & Recreation Department with grass seed for a total of \$73,032.50. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Terry M. Brechtel, Executive Director of Administrative and Financial Services]

92450 10. An Ordinance accepting the low qualified bid by Power Field Services, a Division of the Marine Connection Services Incorporated to provide the City of San Antonio Public Works Department with an electric generator for a total of \$32,852.00. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Terry M. Brechtel, Executive Director of Administrative and Financial Services]

Capital Improvement Items

92451 11. An Ordinance revising the Olympia Park Improvements Project Budget and authorizing the transfer of \$24,557.42 in 1994 Park General Obligation Bond Issue Funds into Project Budget to provide for the construction of a park fence and other capital improvements in Olympia Park in City Council District 1. [Presented by Malcolm Matthews, Director, Parks & Recreation Department; Melissa Byrne Vossmer, Assistant City Manager]

92452 12. An Ordinance authorizing Field Alteration No. 4 for the Cuellar Community Center improvements 1994 Parks GO Bond Project in the total amount of \$29,802.91; appropriating an additional \$45,333.00 in 1994 Park GO Bond Funds into the Project's budget; providing for payment of said amount to Baron Long Construction; and providing for the payment of an additional \$530.00 to Callins/Watts/Sendejo Architects for construction administration of Change Order No. 4. [Presented by Malcolm Matthews, Director, Parks & Recreation Department; Melissa Byrne Vossmer, Assistant City Manager]

Items Concerning the Purchase, Sale or Lease of Real Property

92453 13. An Ordinance authorizing payment of the amount of \$51,700.00 to Ticor Title Agency of San Antonio as escrow agent for Steve Talamantez for fee simple title to one parcel in connection with the Zarzamora Creek Flood Area Project and payment of the amount of \$34,000.00 to Ticor Title Agency of San Antonio as escrow agent for Eloisa C. Cavazos for fee simple title to one parcel in connection with the Martinez Creek Flood Area Project; for a total sum of \$85,700.00; appropriating funds and providing for payment. [Presented by John German, Director, Public Works Department; Christopher J. Brady, Assistant City Manager]

14. An Ordinance authorizing payment of the amount of \$23,851.00 to Lawyer's Title of San Antonio as escrow agent for Northern Hills Management Corp. for fee simple title to one parcel consisting of two tracts of land (\$18,170.00); a permanent easement (\$1,889.00) and a temporary easement (\$3,792.00) in connection with the Stahl Road #1038 – Bell to Bulverde, Phase 1 Project; appropriating funds; and providing for payment. [Presented by John German, Director, Public Works Department; Christopher J. Brady, Assistant City Manager]

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15. An Ordinance authorizing a one-year renewal of the parking agreement with the University of Texas at San Antonio for the Downtown Campus for parking spaces located under I-35 south of Durango Boulevard, in Council District 1. [Presented by John German, Director, Public Works Department; Christopher J. Brady, Assistant City Manager]

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16. An Ordinance authorizing payment of the amount of \$298,080.00 to Lawyer's Title of San Antonio as escrow agent for the San Antonio Conservation Society Foundation for one parcel (\$2,180.00) and the Revocable Living Trust of David L. Valdez for one parcel (\$295,900.00), in connection with the Mission Trails Parkway, Package IV Project; the amount of \$39,250.00 to Ticor Title Agency of San Antonio as escrow agent for Eddie Eng, Company, Inc. for one parcel in connection with the Higgins Road – Nacogdoches to Stahl Road Project; the amount of \$15,354.00 to Lawyer's Title of San Antonio as escrow agent for Craig B. Kennedy and wife, Edna Kennedy for a permanent easement in connection with the W. W. White Road – Rigsby to Lord Project; and the amount of \$4,000.00 to First American Title Insurance Company of San Antonio as escrow agent for Edgar k. Markwardt and wife, Maxine M. Markwardt, for one parcel in connection with the Houston Street – Bowie to Pine Project; for a total sum of \$356,684.00; appropriating funds and providing for payment. [Presented by John German, Director, Public Works Department; Christopher J. Brady, Assistant City Manager]

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17. An Ordinance declaring a public necessity for the acquisition of fee simple title to a 0.186 acre tract of land, being all of Lot 4, Block 31, New City Block 2992, L.J. Gembler Subdivision, in the City of San Antonio, Bexar County, Texas, for a public purpose, namely the providing, construction, operation, reconstruction, improvement, repair and maintenance of the Fire Station No. 7 Project, located at 115 Florida Street in Council District 1; and authorizing the City Attorney to file eminent domain proceedings. [Presented by John German, Director, Public Works Department; Christopher J. Brady, Assistant City Manager]

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18. An Ordinance authorizing the execution of a one (1) year lease agreement with Durango Street Limited Company d/b/a Heritage Plaza Office Building for use by the San Antonio Metropolitan Health District of 635 square feet of space in Suite 202 of the building located at 434 South Main Street in connection with the Integrated Family Treatment Program at a monthly cost of \$685.00 for the period October 1, 2000 through September 30, 2001; and approving payments to the Lessor in connection therewith. [Presented by Dr. Fernando A. Guerra, Director of Health; Melissa Byrne Vossmer, Assistant City Manager]

Miscellaneous Items

19. An Ordinance authorizing the execution of a second year option renewal of the Professional Nursing Services Contract with Dependable Health Services, Inc. to provide nursing services involving the screening and observation of detainees at the City Detention Center Facility; authorizing payments for nursing services in an amount not to exceed \$405,964.00 for the period October 1, 2000 through September 30, 2001; and authorizing payment to Private Physicians up to \$28,920.00 for medical on-call services at this facility. [Presented by Dr. Fernando A. Guerra, Director of Health; Melissa Byrne Vossmer, Assistant City Manager]

20. An Ordinance authorizing the City Manager to enter into an agreement with Sargeant's Wholesale Biologicals for the purchase of feline carcasses for educational purposes at a rate of \$3.25 per specimen from the City Animal Control Facility for the two year period beginning October 1, 2000 and ending September 30, 2002. [Presented by Dr. Fernando A. Guerra, Director of Health; Melissa Byrne Vossmer, Assistant City Manager]

21. An Ordinance accepting a \$750.00 grant from the Texas Historical Commission (THC) to the Planning Department for training and travel for the Historic and Design Review Commission members and staff to attend preservation training sessions with a \$300.00 match by the Historic Preservation Office from the Finck Building Funds. [Presented by Emil R. Moncivais, Planning Director; Christopher J. Brady, Assistant City Manager]

22. An Ordinance authorizing additional services by the law firm of Mayor, Day, Caldwell & Keeton to assist with ongoing legal issues related to contractual documents with the San Antonio Spurs and provide legal advice on an as needed basis in an amount not to exceed \$50,000.00. [Presented by Michael Abington, Director, Alamodome; Roland A. Lozano, Executive Director of Facilities & Visitors Services]

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

23. An Ordinance approving a parade permit and authorizing the temporary closure of certain streets in connection with the Healthy Steps 5K Run being held on Saturday, September 23, 2000 beginning at 7:30 A.M. until 9:30 A.M.; sponsored by the Baptist Health System.
9 2 4 6 3 [Presented by Travis M. Bishop, Assistant City Manager; Alexander E. Briseño, City Manager]

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

9 2 4 6 4 A) An Ordinance appointing Rogelio Rendon (District 3) to the Arts and Cultural Advisory Committee for a term of office to expire on November 15, 2002.

9 2 4 6 5 B) An Ordinance re-appointing Nancy Hard (Mayor) to the Commission for Children and Families for a term of office to expire on June 27, 2002.

9 2 4 6 6 C) An Ordinance re-appointing Joel Klein (District 8) to the Convention and Visitors' Bureau Advisory Committee for a term of office to expire on June 30, 2002.

9 2 4 6 7 D) An Ordinance re-appointing Rudy Nino (Mayor) to the Home Improvement Advisory Board for a term of office to expire on June 23, 2002.

9 2 4 6 8 E) An Ordinance re-appointing Katherine Diver (Mayor) to the Tax Phase-In Advisory Committee for a term of office to expire on May 18, 2002.

9 2 4 6 9 F) An Ordinance re-appointing Dr. Fernando Guerra (Mayor) to the Animal Control Advisory Board for a term of office to expire on April 3, 2002.

9 2 4 7 0 G) An Ordinance re-appointing Ralph Mehringer (Mayor) to the Zoning Commission for a term of office to expire on June 30, 2002.

ITEMS FOR INDIVIDUAL CONSIDERATION

9 2 4 7 1 25. An Ordinance authorizing the acceptance of cash and in-kind support totaling \$1,809,483.00 from the Texas Department of Health for ongoing programs of the San Antonio Metropolitan Health District; authorizing the use of said support for the following projects: STD Control \$77,046.00; Health Services/Education \$252,392.00; Public Health State In-kind Support \$97,806.00; Special TB Outreach \$197,979.00; Inner-City School Immunization \$369,376.00; AIDS/HIV Support \$550,849.00; and Core Public Health \$264,035.00; approving the execution of Contract Change Notice 09 with Texas Department of Health; revising the budget for the Public Health State Support Project 2000/2001 established in Ordinance 91021, passed and approved December 16, 1999; approving the execution of subcontracts with AIDS/HIV Service Providers; authorizing payments for contractual services; and approving personnel complements for the activities funded. [Presented by Dr. Fernando A. Guerra, Director of Health; Melissa Byrne Vossmer, Assistant City Manager]

2000-32-28 26. A Resolution supporting and urging Texas Natural Resource Conservation Commission's (TNRCC) efforts and Federal Environmental Protection Agency (EPA) initiatives to make Accelerated Attainment Agreements (AAA's) available to near non-attainment regions and unclassifiable regions in order to clean air, avoid non-attainment designations, preserving and protecting the public health, safety and welfare through voluntary local programs. [Presented by John German, Director, Public Works Department; Christopher J. Brady, Assistant City Manager]

PRESENTED 27. Presentation of the Alamodome impact analysis and strategic plan, prepared by Leisure Management International (LMI). [Presented by Michael Abington, Director, Alamodome; Roland A. Lozano, Executive Director of Facilities & Visitors Services]

9 2 4 7 2 28. An Ordinance authorizing Bobby Perez in his capacity as City Councilman, District 1, to execute a month-to-month Lease Agreement with Puig Partnership, a Texas partnership, as Landlord, for the lease of approximately 1,000 square feet of office space for the District at 2321 Vance Jackson at a monthly rental of \$600.00 for a period beginning September 1, 2000, subject to either party's right to terminate the lease with 60 days prior written notice to other party and also subject to reelection and annual appropriations by City Council beyond the current City of San Antonio Fiscal Year; as requested by Councilman Bobby Perez.

9 2 4 7 3 29. An Ordinance authorizing reimbursement from the District 1 Budget Account in the total amount of \$1,670.00 to Councilman Bobby Perez for an Administrative Services Contract with Ivan Martin Melchor from September 1, 2000 through September 30, 2000; as requested by Councilman Bobby Perez.

9 2 4 7 4 30. An Ordinance authorizing the expenditure of \$440.00 from the District 1 Contingency Account payable to Thomas R. Aguillon for cost associated with a Spanish course taken at the Universidad Nacional Autonoma de Mexico (UNAM), to assist with better serving the Spanish speaking constituents of District 1; as requested by Councilman Bobby Perez.

APPROVED
9 2 4 7 5 31. Travel Authorization for Councilwoman Debra Guerrero to travel to Washington, D.C. to attend the Congressional Hispanic Caucus scheduled for Sunday, September 17, 2000 through Thursday, September 21, 2000.

9 2 4 7 5 32. An Ordinance authorizing the expenditure of \$500.00 from the District 4 Contingency Budget Account to the Christa McAuliffe Junior High School PTA to assist in the purchase of an illuminated School Marquee; as requested by Councilman Raul Prado.

9 2 4 7 6 33. An Ordinance authorizing the City Manager to negotiate and execute a contract with John Murphy, in the amount of \$3,000.00, for a portrait of former Mayor Francois Giraud to be added to the City's collection of mayoral portraits located in the Municipal Plaza Building; and authorizing the expenditure of said funds from the District 10 Contingency Account; as requested by Councilman David Carpenter.

34. City Manager's Report.

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

A. Attorney/Client consultation regarding the lawsuit between Yanaguana Cruises, Inc. and the City of San Antonio, Cause No. 2000-CI-04845.