



Joint Ord. 95500

Joint Res. 2002-12-13

Joint Ord. 95537

Joint Res. 2002-12-14

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2002 MAR 28 A 9:34

**Agenda  
City Council Meeting  
Municipal Plaza Building  
City Hall Complex  
103 Main Plaza  
San Antonio, Texas 78205  
March 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:

Staff presentation of Park Ranger Performance Review. [Presented by Erik Walsh, Assistant to the City Manager; Terry M. Brechtel, 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. Ron Corzine, Eagles Nest Christian Fellowship Church, and Pledge of Allegiance.
2. Ceremonial Items.
3. Approval of the minutes of the Regular Council Meeting of March 7, 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:**

*2001-12-13*

4. 1:30 P.M. – Resolution of Appreciation for Police Chief Al Philippus.

- Swearing in of Albert A. Ortiz as Police Chief.
- Swearing in of Andrew Martin as City Attorney.

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]

*Continued to 4/11/02*  
A. ZONING CASE NUMBER Z2001211: The request of Beatrice & Nestor Trevino, Applicant, for Beatrice & Nestor Trevino, Owner(s), for a change in zoning from "R-4" Residential Single-Family District to "MF-40" Multi-Family District on Lots 26, 27 and North 5 Feet of 28, Block 10, NCB 3129, 205 Castillo Avenue. Staff's recommendation was for denial. Zoning Commission has recommended denial. (Council District 1)

*Continued to 4/11/02*  
B. ZONING CASE NUMBER Z2002016: The request of Mauro R. Garza, Applicant, for Mauro R. Garza, Owner(s), for a change in zoning from "C-1" Commercial District to "C-2" Commercial District on Lot 4, Block 22, NCB 385, 111 E. Laurel Street. Staff's recommendation was for approval. Zoning Commission has recommended denial. (Council District 1)

*Continued to 4/11/02*  
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 H" Historic Residential Mixed District to "O-1 H" Historic Office District on Lot 16 and west 104.16 feet of Lot 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)

*95528*  
D. ZONING CASE NUMBER Z2001247: The request of Gilbert Bazan, Applicant, for Gilbert Bazan, Owner(s), for a change in zoning from "MF-33 H" Historic Multi-Family 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)

*95529*  
E. ZONING CASE NUMBER Z2002035: The request of Raul Patino Patino, Applicant, for Raul Patino Patino, Owner(s), for a change in zoning from "R-6" Residential Single Family District to "MH" Manufactured Housing District on Lot 182, Block 6, NCB 15623, 5503 Gavilan Drive. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 4)

95530  
F. ZONING CASE NUMBER Z2002026: The request of Earl & Brown, P.C., Applicant, for Eddie Morris and Billie Morris, Owner(s), for a change in zoning from "R-6" Residential Single Family District to "C-2" Commercial District on P-2, NCB 18338, 22193 IH 10 W. Staff's recommendation was for approval. Zoning Commission has recommended approval of "C-2". (Council District 8)

6. 5:00 P.M. – Citizens to Be Heard.

7. 6:00 P.M. – Public Hearing on and Consideration of an Ordinance approving a Development Agreement among the City of San Antonio, the proposed Cibolo Canyon Conservation and Improvement District No. 1, Bexar County, Texas and Lumberman's Investment Corporation on the terms and conditions set out therein, providing for, and conditioned upon, ratification of the proposed agreement by the district's governing body upon its formation, and providing for the execution of all necessary documents required pursuant to the Development Agreement. [Presented by Christopher Brady, Assistant City Manager; Terry M. Brechtel, City Manager]

PULLED

**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**

- 95500  
95501  
95502
8. An Ordinance accepting the low bids submitted by Products Unlimited, Inc., Items 1 and 2; and Amtec Medical, Inc., Item 3, to provide the City of San Antonio Health Department with retractable safety devices for immunization and blood collective devices on an annual contract basis for an estimated amount of \$66,000.00. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]
  9. An Ordinance accepting the low bid submitted by Thyssen Stearns, Inc. to provide the City of San Antonio Aviation Department with a passenger boarding bridge for a total sum of \$284,674.00 and appropriating funds therefore. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]
  10. An Ordinance ratifying the services of Aztec Fencing & Home Improvement Co., Inc. (MBE) in providing the City of San Antonio Convention Center Expansion Office with a steel security fence at Market Street, and authorizing the execution of a contract in connection therewith for a total sum of \$49,995.00. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

## Capital Improvement Items

- 95503
11. An Ordinance approving Field Alteration No. 3-Final in the decreased amount of \$48,952.52 to the contract with San Antonio Constructors, Inc. in connection with the Arbor from Trinity to San Marcos Phase II Project located in Council District 1; and revising the project budget. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
- 95504
12. An Ordinance amending the professional services contract and authorizing Community Development Block Grant (CDBG) funds in an amount not to exceed \$6,400.00 payable to Groves and Associates, Inc. for additional engineering services in connection with the "G" Street from Pecan Valley to Dead-end Community Development Block Grant (CDBG) Project, located in Council District 2; revising the project; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
- 95505
13. An Ordinance accepting the low bid of San Antonio Constructors, Ltd. in the amount of \$221,535.50 in connection with the Base and Pavement Repair-2002 Street Maintenance Contract; authorizing \$8,907.00 for miscellaneous construction contingency expenses; authorizing \$750.00 payable for advertising expenses and \$500.00 for printing and reproduction expenses; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
- 95506
14. An Ordinance accepting low bid submitted by Donsan Construction, L.L.C., to perform construction work in connection with the San Fernando Gym Americans with Disabilities Act (ADA) Community Development Block Grant (CDBG) Project in City Council District 1 in the amount of \$258,995.00; authorizing the execution of a standard construction contract; authorizing \$64,024.00 for miscellaneous construction contingency expenses; authorizing \$631.00 for asbestos testing and abatement expenses; authorizing \$800.00 for Permit Fees and \$50.00 for printing expenses; appropriating \$205,500.00 in 26<sup>th</sup> Year CDBG Funds, \$55,000.00 in 27<sup>th</sup> year CDBG Funds and \$64,000.00 in 2002 Reprogrammed CDBG Funds; establishing the project budget and providing for payment. [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

- 95507
15. An Ordinance approving a three (3) year La Villita Retail Lease Agreement for Building Number 7 in the City's La Villita, located in City Council District 1, with Barbara Garrett d/b/a Originals for the lease amount of \$7,070.00 in Year One, \$7,225.89 in Year Two and \$7,382.17 in Year Three; appropriating funds; and providing for payment. [Presented by Malcolm Matthews, Director of Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]

95508  
16. An Ordinance authorizing a ten (10) year License Agreement with Arcanum at the Vineyards, Ltd., a Texas Limited Partnership, to use public right-of-way on Blanco Springs Road at the intersection of North Loop 1604 for the installation, use and maintenance of an entry monument sign, for the consideration of \$5,000.00. [Presented by Rebecca Waldman, Director, Department of Asset Management; Christopher J. Brady, Assistant City Manager]

PULLED  
17. An Ordinance authorizing the renewal of a License Agreement with a ten (10) year term with Motiva Enterprises, L.L.C., to use, maintain and operate an existing "Texaco" advertising sign in a concrete island in Harry Wurzbach Highway public right-of-way at the intersection of Rittiman Road, adjacent to Lot 27, Block 15, NCB 5848A, for the consideration of \$5,000.00. [Presented by Rebecca Waldman, Director, Department of Asset Management; Christopher J. Brady, Assistant City Manager]

95509  
18. An Ordinance authorizing a ten (10) year License Agreement with TW-Downtown North, Ltd., to use N. Alamo and E. Houston Street public rights-of-way and a twenty (20')-foot alley, for an existing basement and awnings located at the Gibbs Building at 105 N. Alamo St., NCB 422, Block 26, Lot 6, for the total consideration of \$6,500.00. [Presented by Rebecca Waldman, Director, Department of Asset Management; Christopher J. Brady, Assistant City Manager]

95510  
19. An Ordinance authorizing a License Agreement between the City of San Antonio and Milam Capital Partners, L.P., a Texas Limited Partnership, for an existing basement area in the subsurface of Soledad and East Travis Street rights-of-way, including the load-bearing support foundations for the building; two (2) existing fire escapes in the space above the East Salinas Street right of way; the façade and overhanging roof of the building; and an existing canopy located in the space above Soledad and East Travis Street rights-of-way, at the Milam Building at 115 E. Travis St., in NCB 120, for a ten (10) year term and the consideration of \$5,000.00. [Presented by Rebecca Waldman, Director, Department of Asset Management; Christopher J. Brady, Assistant City Manager]

95511  
20. An Ordinance authorizing payment in the amount of \$8,250.00 to Gerry Rickhoff, County Clerk, for the defendants in Condemnation Cause No. 2001-ED0027, City of San Antonio vs. Cavazos & Ortiz, a Texas General Partnership, et al, for fee simple title to one parcel and payment of the amount of \$904.00 for court costs in connection with the Hildebrand Avenue - I.H. 10 to Breeden Metropolitan Planning Organization Project in Council District 1; for the total sum of \$9,154.00; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

95512  
21. An Ordinance authorizing 1987 General Obligation Drainage Bond Funds in the amount of \$1,165.00 payable to Eckmann, Groll & Runyan, Inc. for appraisal services in connection with the Hi-Lions Drainage Project #80, Phases III & V; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

95513  
22. An Ordinance authorizing payment in the amount of \$8,236.08 to Davidson & Troilo, P.C., for legal services in connection with the Babcock Road/Leon Creek Improvements – Hausman to De Zavala Project (\$6,712.08), Basse Road and San Pedro Intersections Metropolitan Planning Organization Project (\$792.35), Fire Station No. 25 Project (\$378.00), and the Pecan Valley – I.H. 10 to J Street Metropolitan Planning Organization Project (\$353.65); appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

95514  
23. An Ordinance authorizing 1996 Certificates of Obligation Funds in the amount of \$509.00 payable to First American Title Insurance Company of Texas for title charges in connection with the Wurzbach Road at I.H. 10 and Ironside Intersections 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]

95515  
24. An Ordinance authorizing payment in the amount of \$1,516.28 from 1999 Fire Station Improvements Certificates of Obligation Funds (\$999.00) – Fire Station No. 48 Project and from 1999 General Obligation Park Bond Funds (\$517.28) – Leon Creek Greenway Phase I Development Project, payable to Alamo Title Company for title charges. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

95516  
25. An Ordinance authorizing payment in the amount of \$12,807.64 to Bracewell & Patterson, L.P., for legal services in connection with the Ashley Road – Bascum to South Flores Project (\$72.00), Bitters Road – West Avenue to Heimer Metropolitan Planning Organization Project (\$1,411.83), Fire Station No. 25 Project (\$3,700.19), Hi-Lions Drainage Project #80, Phases III & V (\$5,451.95), Hildebrand Avenue – I.H. 10 to Breeden Metropolitan Planning Organization Project (\$989.62), Pearsall Road Landfill Redevelopment Project (\$140.90), Pecan Valley – I.H. 10 to J Street Metropolitan Planning Organization Project (\$144.00), Pleasanton Road – Southcross to Mayfield Metropolitan Planning Organization Project (\$807.15), and the W.W. White Phase I – Rigsby to Lord Project (\$90.00); appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

95517  
26. An Ordinance authorizing and consenting to the Assignment of Lease No. 122035, authorized by Ordinance No. 90098 of July 22, 1999, at San Antonio International Airport, from EGL Eagle Global Logistics, L.P., to Lynxs Holdings, L.L.C., for 113,694 square feet of ground space at San Antonio International Airport; approving a first amendment of said lease agreement by changing the five (5) year mutual extension into a two (2) year option and three (3) year mutual extension, acknowledging that a water pipeline is no longer required and that lessee is not entitled to a rent credit therefore and deleting provisions of Subsections F and H of Section 9 of the lease agreement relating to rights to terminate and the rerouting of perimeter road and security fence construction; consenting to the sublease to EGL Eagle Global Logistics, and authorizing the execution of documents in furtherance of the agreement. [Presented by Kevin C. Dolliole, Aviation Director; Christopher J. Brady, Assistant City Manager]

Miscellaneous

- 95518 27. An Ordinance authorizing the City Manager or her designated representative to accept equipment, including an animated McGruff, crime prevention puppet sets, drug education kits, pens, pencils and stickers, and a digital camera, donated by West Durango Plaza Trust, Inc. to the San Antonio Police Department West Substation, to be used by police officers for use in presentations and work projects in educating the community on police reporting and other safety programs in the West Durango Plaza Partnership Project. [Presented by Al A. Philippus, Chief of Police; J. Rolando Bono, Deputy City Manager]
- 95519 28. An Ordinance authorizing the execution of standard delegate agency contract with the YMCA of San Antonio and the Hill Country for the operation of a total of seven (7) program sites under the Department of Parks and Recreation's After School Challenge Program at a total annual cost of \$87,395.00; and authorizing reimbursements for program contractor. [Presented by Malcolm Matthews, Director of Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]
- 95520 29. An Ordinance authorizing the execution of an amendment to the Professional Services Contract with Goode Casseb, & Jones, P.C., to allow for the payment in the amount of \$150,000.00 for additional legal services in connection with the City of San Antonio's ongoing efforts to confirm the City's ownership of the property along the San Antonio River known as the Riverwalk; appropriating funds; and providing for payment. [Presented by Steven Arronge, Acting City Attorney; Terry M. Brechtel, City Manager]
- 95521 30. An Ordinance approving the waiver of Water and Sewer Impact Fees in the amount of \$19,350.00 for the San Antonio Housing Authority's O'Conner Road Seniors Elderly Housing Project located in Council District 10. [Presented by Andrew W. Cameron, Director, Department of Housing & Community Development; Frances A. Gonzalez, Assistant to the City Manager]
- 95522 31. An Ordinance approving the proposed Transportation Planning Projects to be submitted to the Metropolitan Planning Organization for funding in Fiscal Year 2002-2003. [Presented by Emil R. Moncivais, Director of Planning; Christopher J. Brady, Assistant City Manager]
- PULLED 32. An Ordinance authorizing the negotiation and execution of a discretionary contract between the City of San Antonio and the Community Economic Revitalization Agency in an amount not to exceed \$55,000.00 to provide artistic enhancements along certain rights-of-way and other public areas on the City's near Eastside. [Presented by Felix Padron, Director of Cultural Affairs; Roland A. Lozano, Assistant to the City Manager]

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

95523  
A. An Ordinance appointing Gwen Sweeney as Trustee to the San Antonio Local Development Company (District 8) for a term of office to expire on May 9, 2005.

95524  
B. An Ordinance appointing Dr. Roque Gonzales to the Animal Care Services Advisory Board (District 8) for a term of office to expire on April 3, 2004.

95525  
C. An Ordinance appointing Dr. Bennie Wilson, III, to the San Antonio Commission on Literacy (District 8) for a term of office to expire on September 15, 2003.

### ITEMS FOR INDIVIDUAL CONSIDERATION

95526  
34. An Ordinance appointing one member to the City Public Service Board (Northwest Quadrant) for a term of office to expire on January 31, 2007. [Nominee: Aurora Ortega-Geis] [Presented by Norma Rodriguez, City Clerk, Travis M. Bishop, Assistant City Manager]

95527  
35. An Ordinance renaming the City of San Antonio's Municipal Records Facility, located at 719 South Santa Rosa Street in City Council District 1, the George Whitfield, Jr. Municipal Records Facility in recognition of George Whitfield's contributions to the City of San Antonio and the Municipal Records Facility. [Presented by Norma Rodriguez, City Clerk, Travis M. Bishop, Assistant City Manager]

95531  
36. An Ordinance authorizing a funding process to be utilized by the City of San Antonio's Office of Cultural Affairs in the awarding of discretionary contracts to art and cultural organizations for specific projects and/or operating costs. [Presented by Felix Padron, Director of Cultural Affairs; Roland A. Lozano, Assistant to the City Manager]

95532  
37. An Ordinance renewing an existing fifteen (15) year Interlocal Agreement between the City of San Antonio and Alamo Community College District (ACCD) for a period of twelve (12) months, and incorporating amendments to the document jointly executed by City staff and ACCD representatives between March 31, 2001 and March 19, 2002; authorizing a Memorandum of Understanding with the San Antonio Information Technology & Security Academy to provide customized workforce training to San Antonio area trainees in information assurance and security. [Presented by Pamiro A. Cavazos, Director, Economic Development Department; Christopher J. Brady, Assistant City Manager]

95533

2002-12-14

Approved

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38. An Ordinance accepting the low bid of Cutler Repaving Company, Inc. in the amount of \$2,086,701.70 in connection with the Asphalt Recycling and Overlay-2002 Street Maintenance Contract; authorizing \$81,829.62 for miscellaneous construction contingency expenses; authorizing \$750.00 for advertising expenses and \$500.00 for printing and reproduction expenses; appropriating funds and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

39. A Resolution approving the Resolution adopted by the San Antonio Housing Finance Corporation relating to the issuance, sale and deliver of \$1,600,000.00 of its Multifamily Housing Revenue Bonds (American Opportunity for Housing – Brittany and Oak Hills Village Apartments Project) Senior Series 2002 to finance a project for the benefit of American Opportunity for Housing – Brit Oaks, L.L.C.; providing for an immediate effective date; and other matters in connection therewith; as requested by Councilman Bobby Perez, District 1. [Presented by David D. Garza, Director, Neighborhood Action; Frances A. Gonzalez, Assistant to the City Manager]

40. Travel authorization for Mayor Edward D. Garza who traveled to Austin, Texas on March 25, 2002 to attend a meeting with Texas Transportation Commission Chairman John Johnson.

41. An Ordinance authorizing the expenditure of \$800.00 from the District 4 Contingency Account Fund, payable to the Harlandale Little League/Reds, to be used to defray the costs of the team's baseball uniforms; as requested by Councilman Enrique "Kike" Martin.

42. Travel authorization for Councilman Enrique M. Barrera who will travel to Veracruz, Mexico, from Wednesday, April 10, 2002 through Saturday, April 13, 2002, on a trade mission to strengthen the ties between San Antonio and Mexico's southeastern states in the following business sectors: business and trade, tourism education and culture.

43. An Ordinance authorizing the expenditure of \$550.00 from the District 1 (\$275.00) and the District 5 (\$275.00) Contingency Account Funds, in the amounts indicated, payable to the Parks and Recreation Department, for the use of one (1) showmobile, with sound system, by St. Henry's Catholic Church, for its annual festival, to be held on Sunday, June 9, 2002; as requested by Councilmen Bobby Perez, District 1, and David A. Garcia, District 5.

44. An Ordinance authorizing the expenditure of \$250.00 from the District 2 Contingency Account Fund, payable to the Cesar Chavez Scholarship Fund, to be used to provide scholarships for low-income youth seeking a higher education; as requested by Councilman John H. Sanders.

45. An Ordinance authorizing the expenditure of \$1,500.00 from the District 2 Contingency Account Fund, payable to TeamXpress, to be used to defray costs associated with a sports-based mentoring program encouraging young girls to pursue higher education and participate in community projects; as requested by Councilman John H. Sanders.

46. City Manager's Report.

47. 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 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 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 status of negotiations of terms and conditions of an Alamodome lease with the Dallas Cowboys NFL team for its 2002 training camp.