



July
Int Ord. 94241
Int Res. 2001-28-31
Last Ord: 94285
Last Res: 2001-28-31

Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 Main Plaza
San Antonio, Texas 78205
August 2, 2001

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

- I. The City Council will convene in Council chambers of the Municipal Plaza Building at 10:00 A.M. for the following:
 - A) Computer training for City Council members on paperless agenda. [Presented by Gary Moeller, Director, Information Systems Department; Travis Bishop, Assistant 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. Bernard Rochon of St. Timothy Catholic Church and Pledge of Allegiance.
 2. Ceremonial Items.
 3. Approval of the minutes of the Regular Council Meetings of April 26, May 3, May 24, May 31, June 7 and June 14, 2001.

DISABILITY ACCESS STATEMENT

This meeting is wheelchair accessible. The accessible entrance is located at 103 Main Plaza. Accessible parking spaces are located at City Hall, 100 Military Plaza. Auxiliary aids and services are available upon request (interpreters for the deaf must be requested forty-eight (48) hours prior to the meeting) by calling (210) 207-7245 V/TDD for assistance. Closed captioning is available on broadcasts of the Council meetings on 21-CHIC.

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

THE FOLLOWING ITEMS WILL BE CONSIDERED AT THE TIMES INDICATED:

- 94285
4. 3:00 P.M. – Public Hearing and Consideration of the following Ordinance: [Presented by Rebecca Waldman, Director, Department of Asset Management; Christopher J. Brady, Assistant City Manager]

A) An Ordinance closing, vacating and abandoning a portion of improved Silicon Drive located between Farinon Drive and Northwest Parkway out of New City Block 14862 as requested by Petitioner, Five Trees Investments, L.P., a Texas Limited Partnership, the adjacent property owner, for the consideration of \$5,275.00.

5. 5:00 P.M. – Citizens to Be Heard.
6. 6:00 P.M. – Public Hearing on proposed City of San Antonio Charter Revisions related to the City Auditor, City Attorney’s Office and Civil Service Sections. [Presented by Travis Bishop, Assistant City Manager; Terry M. Brechtel, City Manager]

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

- 94241
7. An Ordinance accepting the low bid submitted by Intrepid Solutions, Inc., d/b/a ARS to provide the City of San Antonio Fire Department with eight (8) chemical emergency response palmtops with specialized software for a total sum of \$19,080.00. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

- 94242
8. An Ordinance accepting the proposal from Frank Trifilio, d/b/a Analytical Computer Services utilizing the Texas Department of Information Resources in accordance with the State of Texas Cooperative Purchasing Agreement to provide the City of San Antonio Library Department with six (6) network servers for a total sum of \$25,524.00. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

- 94243
9. An Ordinance accepting the low bid submitted by Leeds Instruments, Inc. to provide the City of San Antonio Metropolitan Health District in accordance with the State of Texas Cooperative Purchasing Agreement with a direct fluorescent antibody microscope for a total sum of \$27,511.65. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

94244
10. An Ordinance ratifying the emergency acquisition of paint booth improvements at the City Marina for the City of San Antonio Parks & Recreation Department from B.O.L.D. Equipment Company, Inc. for a total sum of \$20,685.00. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

94245
11. An Ordinance canceling the contract of Roy Peralta and Sons Fence Company and accepting the low qualified bid from Anchor Post Products of Texas, Inc. to provide the City of San Antonio Parks & Recreation Department with approximately 2,000 feet of chainlink fence replacement at the Alva Jo Fisher Softball Complex located at 10700 Nacogdoches Road for a total sum of \$29,644.00 to include labor, materials and equipment. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

94246
12. An Ordinance accepting the low, qualified bid from Alamo Ag-Con Equipment, Inc. to provide the City of San Antonio Parks & Recreation Department and Public Works Department with various tractor mowing equipment for a total sum of \$83,082.00. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

94247
13. An Ordinance accepting the sole bid submitted by Pathmark Traffic Products of Texas Incorporated to provide the City of San Antonio Public Works Department with a trailer mounted bitumen applicator for a total sum of \$22,175.00. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

94248
14. An Ordinance accepting the low, qualified bids submitted by Texas Bus Sales, Inc. Item 1 (\$127,320.00) and State Wide Bus Sales, Item 2 (\$54,392.00) to provide the City of San Antonio Community Initiatives and Aviation Departments with passenger buses for a total sum of \$181,712.00. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

94249
15. An Ordinance accepting the bids of various companies to provide the City of San Antonio with various materials and services on an annual contract basis for the 2001-2002 Fiscal Year for a total sum of approximately \$51,000.00. (Copies of bid packets are available for review in the Purchasing Department and a list of successful bidders are available for review in the City Clerk's Office.) [Presented by Yolanda Taylor, Assistant Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

94250
16. An Ordinance accepting the bids of various companies to provide the City of San Antonio with various materials and services on an annual contract basis for the 2001-2002 Fiscal Year for a total sum of approximately \$4,637,844.00. (Copies of bid packets are available for review in the Purchasing Department and a list of successful bidders are available for review in the City Clerk's Office.) [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

Capital Improvement Items

- 94251
17. An Ordinance amending a professional services contract with Carter & Burgess, Inc. for an amount not to exceed \$20,191.00 for additional engineering and design fees in connection with the McCullough from Basse to Railroad Tracks Metropolitan Planning Organization Project in Council District 9; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
- 94252
18. An Ordinance approving Field Alteration No. 3-Final in the amount of \$28,260.27 payable to R.L. Jones Company, Inc. in connection with the Capitol Avenue from Basse to La Manda Community Development Block Grant (CDBG) Project in Council District 1; amending the construction contingency in the amount of \$28,260.27; revising the project budget; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

Items Concerning the Purchase, Sale or Lease of Real Property

- 94253
19. An Ordinance authorizing the execution of a purchase agreement with Liza B. and A.J. Lewis III for the purchase of approximately 2.823 acres of property at Hoefgen and Boyer Streets for use as the Convention Center Marshalling Yard for a total purchase price of \$105,500.00 contingent upon acceptable pre-purchase survey and study results; authorizing the purchase of a ninety day option period for \$100.00; authorizing a pre-purchase engineer's survey in an amount not to exceed \$11,980.00; authorizing an environmental study in an amount not to exceed \$12,000.00; and appropriating funds from the Convention Center Expansion Project for said expenditures. [Presented by Jelynn LeBlanc Burley, Director of Convention Center Expansion Project; Roland A. Lozano, Assistant to the City Manager]
- 94254
20. An Ordinance amending the Lease Agreement between the City of San Antonio, as landlord, and the North American Development Bank (NADBank), as tenant, for the rental of 12,541 square feet of office space located within the International Center, located at 203 S. St. Mary's St.; revising Section 1.1 of the Lease Agreement to increase the total amount of leased space by 1,430 square feet bringing the total amount of leased space to 13,971 square feet for a total cost of approximately \$60,355.00 per year to cover janitorial, utility and common area maintenance expenses; and revising Section 7.8 to provide that NADBank will be responsible for all costs associated with finishing out the additional space. [Presented by Rebecca Waldman, Director, Asset Management; Christopher Brady, Assistant City Manager]

94255
21. An Ordinance authorizing the execution of a two (2) year Lease Agreement between the City of San Antonio, as landlord, and Casa del Estado de Nuevo Leon, operating as Casa Nuevo Leon, as tenant, for the rental of approximately 1,521 square feet of office space at the International Center, located at 203 S. St. Mary's Street, for a total cost of \$10,951.20 per year, to cover janitorial, utility and maintenance expenses. [Presented by Rebecca Waldman, Director, Asset Management; Christopher Brady, Assistant City Manager]

94264
22. An Ordinance declaring the Goliad Road – Pecan Valley to S.E. Military Drive Project ("Project") to be a public project; declaring a public necessity for the acquisition of the easement interest to certain privately owned real property, by negotiations and/or condemnation, if necessary, for public improvements for use as a part of this project; to wit, all or portions of the properties listed as follows: (1) a 0.051 acre tract out of and a part of Lot 11, NCB 10979, N.C.S. Subdivision; (2) a 0.023 acre tract out of and a part of Lot 12, NCB 10979, N.C.S. Subdivision; (3) a 0.027 acre tract out of and a part of Lot 13, NCB 10979, H.E.B. Subdivision; and (4) a 0.007 acre tract out of and a part of Tract 7, NCB 10979, Indian Hills Mobile Home Park; all in Bexar County, Texas, for a public purpose as part of the project; establishing just compensation for the property; appropriating funds in the amount of \$37,100.00 for the project and 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 designed special counsel to file eminent domain proceedings, if necessary; and establishing an effective date. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

94256
23. An Ordinance vacating and abandoning all rights to a 40 foot wide easement within Lot 18, New City Block 12025, located adjacent to the east right of way of San Pedro Avenue between Sprucewood and Rampart Drives, as shown on plat filed of record at Volume 4900, Page 191 of the Bexar County Deed and Plat Records as requested by Petitioner, HPRI San Pedro Drive, L.P. [Presented by Rebecca Waldman, Director, Asset Management; Christopher Brady, Assistant City Manager]

Miscellaneous

94257
24. An Ordinance authorizing the acceptance of an additional \$10,000.00 in cash from the South Central Texas Chapter, March of Dimes to extend funding of the Folic Acid Campaign conducted by the San Antonio Metropolitan Health District through December 31, 2002 and revising the program budget established in Ordinance 90938, passed and approved on December 9, 1999. [Presented by Dr. Fernando A. Guerra, Director of Health; Melissa Byrne Vossmer; Assistant City Manager]

94258 ●
25. An Ordinance amending Ordinance No. 86247, which established an expendable trust fund (C-Fire) to accept and expend private donations, and revising the purpose of the expendable trust fund to include any equipment to be used for any Emergency Medical Services or Firefighting functions, responsibilities or goals. [Presented by Robert Ojeda; Chief, Fire Department; J. Rolando Bono, Deputy City Manager]

94259 ●
26. An Ordinance accepting a Texas Automobile Theft Prevention Authority (ATPA) supplemental grant totaling \$48,906.00 to purchase equipment for the use in the San Antonio Police Department's effort in reducing auto theft. [Presented by Al. A. Philippus, Chief of Police; J. Rolando Bono, Deputy City Manager]

94260 ●
27. An Ordinance authorizing the acceptance of an additional \$243,815.00 in cash from the Texas Department of Health to augment funding of the ongoing Ryan White Title II HIV/AIDS Project administered by the San Antonio Metropolitan Health District through March 31, 2002; authorizing the execution of a contract change notice with the Texas Department of Health; revising the budget from the Public Health State Support Project 2000/2001 established in Ordinance 91021, passed and approved on December 16, 1999; amending standard city operating agency grant fund contracts to add funds totaling \$203,130.00 for us in connection with the outgoing project; and authorizing payments for contractual services. [Presented by Dr. Fernando A. Guerra, Director of Health; Melissa Byrne Vossmer; Assistant City Manager]

94261 ●
28. An Ordinance authorizing the acceptance of an additional \$26,896.00 in cash from ABT Associates, Inc. to extend funding of the United States Department of Justice Arrestee Drug Abuse Monitoring Program conducted by the San Antonio Metropolitan Health District through September 30, 2001; authorizing execution of the subcontract modification with ABT Associates, Inc. and revising the program budget established in Ordinance No. 99147, passed and approved on January 20, 2000. [Presented by Dr. Fernando A. Guerra, Director of Health; Melissa Byrne Vossmer, Assistant City Manager]

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

94262 ●
29. An Ordinance approving a parade permit and authorizing the temporary closure of certain streets in the area of the Mission County Park in connection with the Child Guidance Center's 10k/5k run to be held on Sunday, October 21, 2001 beginning at 8:30 A.M. until 11:00 A.M. sponsored by the Child Guidance Center. [Presented by Travis M. Bishop, Assistant City Manager; Terry M. Brechtel, City Manager]

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

94263 A) An Ordinance appointing Donald Henry Biggs (District 9) to the Housing Authority of the City of San Antonio for a term of office to expire on October 18, 2002.

PULLED B) An Ordinance reappointing David Garza (District 6) to the Greater Kelly Development Authority for a term of office to expire on November 30, 2002.

PULLED C) An Ordinance appointing Steven Grau (District 10) to the Parks and Recreation Board for a term of office to expire on March 31, 2003.

ITEMS FOR INDIVIDUAL CONSIDERATION

94265 31. An Ordinance authorizing the temporary closure or intermittent traffic control of certain streets in the downtown area, within the Central Business District, for the filming production of a "Texas Tourism" commercial by Conspiracy Texas Productions (for the Texas Department of Economic Development) on Thursday, August 9, 2001. [Presented by Steve Moore, Director, Convention & Visitors Bureau; Roland A. Lozano, Assistant to the City Manager]

94266 32. An Ordinance revising Chapter 15, Article VIII, of the City Code to make necessary changes and amendments; adopting, with local amendments, the Texas Department of Health Standards for swimming pools and spas; adopting Texas Health and Safety Code Chapter 757 Pool Yard Enclosures; and deleting Sections 15-186 through 15-220 of Chapter 15 of the existing City Code. [Presented by Dr. Fernando A. Guerra, Director of Health; Melissa Byrne Vossmer; Assistant City Manager]

2001-28-31 94267 33. A Resolution expressing the City Council's support of a 2001 Statewide Transportation Enhancement Program grant application to the Texas Department of Transportation for the South Texas Medical Center Roadway Enhancements Project. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

94267 34. An Ordinance authorizing reimbursement from the District 1 Administrative Budget Fund in the amount of \$1,400.00 to Councilman Bobby Perez for an Administrative Services Contract with Dan Canales from June 1, 2001 through June 30, 2001; as requested by Councilman Bobby Perez.

35. Confirmation and approval of Travel Authorization for Councilwoman Antoniette Moorhouse (District 3) who traveled to San Diego, California to attend Civic Leaders Tour from Sunday, July 22 through Tuesday, July 24, 2001.

94268
36. An Ordinance authorizing the allocation of \$500.00 out of the District 3 Contingency Fund to the Cinema Network of San Antonio to help defray the cost for the Film Focus 2001 workshop held at San Antonio College on Saturday, July 14, 2001; as requested by Councilwoman Antoniette Moorhouse.

94269
37. An Ordinance authorizing the allocation of \$600.00 out of the District 3 Contingency Fund to the United Outreach of Southside Churches on S.W. Military Drive to help defray the cost for the monthly "Breakout" events to be held at the Century Plaza Shopping Center located at I.H. 35 and S.W. Military Drive during the months of July through December; as requested by Councilwoman Antoniette Moorhouse.

94270
38. An Ordinance authorizing the allocation of \$1,000.00 out of the District 4 Contingency Fund to the Miller's Pond Youth Football League for new uniforms and equipment for the youth football program that runs from August 1, 2001 through December 20, 2001; as requested by Councilman Enrique Martin.

94271
39. An Ordinance authorizing the allocation of \$100.00 out of the District 5 Contingency Fund to the Collins Garden Neighborhood Association to help defray the costs associated with the National Night Out event to be held at Collins Gardens Park on Tuesday, August 7, 2001, sponsored by the Collins Garden Neighborhood Association; as requested by Councilman David A. Garcia.

94272
40. An Ordinance authorizing reimbursement from the District 5 Administrative Budget Fund in the amount of \$4,200.00 to Councilman David A. Garcia for Administrative Services Contracts with David Q. Garcia (\$2,100.00) and Vidal Rodriguez (\$2,100.00) from July 1, 2001 through September 30, 2001; as requested by Councilman David A. Garcia.

41. Confirmation and approval of Travel Authorization for Councilman David A. Garcia (District 5) who will travel to Washington, D.C. to participate in the Congressional Hispanic Caucus Institute's 24th Annual Conference from Sunday, September 23, 2001 through Thursday, September 27, 2001.

42. Confirmation and approval of Travel Authorization for Mayor Ed Garza and Councilman Enrique M. Barrera (District 6) who traveled to Mexico City, Mexico to visit with Vicente Fox, President of Mexico, and key ministers and business leaders from Sunday, July 29 through Tuesday, July 31, 2001.

94273
43. An Ordinance authorizing the execution of a lease agreement between the City of San Antonio, as tenant, and Perrin Plaza Annex Joint Venture, a Texas Joint Venture, as landlord, for approximately 1,423 square feet of office space, located at 4169 Naco Perrin at a rental of \$812.00 per month plus \$10.00 per month for water, beginning September 1, 2001 and ending June 30, 2003; as requested by Councilman David Carpenter, District 10.

94274
44. An Ordinance authorizing the allocation of \$500.00 out of the District 1 Contingency Fund to the Frank Garrett Multi Service Center for the purchase of school supplies for low income families; as requested by Councilman Bobby Perez.

94275
45. An Ordinance authorizing the allocation of \$400.00 out of the District 1 Contingency Fund to the Villar Boxing Club for the purchase of boxing equipment and registration fees for kids entering the program; as requested by Councilman Bobby Perez.

94276
46. An Ordinance authorizing the allocation of \$500.00 out of the District 2 Contingency Fund to the Southeast Apaches Football Club to help defray the cost of expenses associated with providing sports equipment and supplies for the football team and cheerleaders of the club; as requested by Councilman John H. Sanders.

94277
47. An Ordinance authorizing the allocation of \$300.00 out of the District 2 Contingency Fund to the National Alliance for the Mentally Ill (NAMI) – San Antonio South, to help defray the cost of expenses associated with the 2nd Annual Fashion Show and Appreciation Banquet to be held from 6:00 P.M. to 9:00 P.M. on Thursday, October 11, 2001 at the Officers' Club at Fort Sam Houston, sponsored by NAMI – San Antonio South; as requested by Councilman John H. Sanders.

94278
48. An Ordinance authorizing the allocation of \$565.00 out of the District 2 Contingency Fund to San Antonio Fighting Back (SAFB) of United Way to help defray the cost of expenses associated with the 3rd National Night Out Pre-Community Event, which was held at St. Philip's College on July 24, 2001, co-sponsored by SAFB and the San Antonio Police Department; as requested by Councilman John H. Sanders.

94279
49. An Ordinance authorizing the allocation of \$500.00 out of the District 2 Contingency Fund to the Randolph Roadrunners Track Club to help defray the cost of travel expenses for a group of young athletes who are participating in the Junior Olympics held July 28, 2001 through August 6, 2001 in Hampton Roads, Virginia; as requested by Councilman John H. Sanders.

94280
50. An Ordinance authorizing the allocation of \$500.00 out of the District 2 Contingency Fund to the San Antonio Heat Track and Field Club to help defray the costs of travel expenses for 42 young athletes who are participating in the Junior Olympics held July 28, 2001 through August 6, 2001 in Hampton Roads, Virginia; as requested by Councilman John H. Sanders.

94281
51. An Ordinance authorizing the allocation of \$1,000.00 out of the District 2 Contingency Fund to the Alamo Area Council, Boy Scouts of America to help defray the costs of expenses associated with providing a bus to transport youths from the East Side Boys and Girls Club, Copernicus and Dorie Miller Parks and Recreation sites to the Club Odessey Day Camp sponsored by the Alamo Area Council, Boy Scouts of America, that was held on July 24-27, 2001; as requested by Councilman John H. Sanders.

94282 52. An Ordinance authorizing the allocation of \$500.00 out of the District 2 Contingency Fund to the San Antonio Youth Ensemble to help defray the costs of traveling expenses for a group of teenagers who will attend the Gospel Music Workshop convention in Minneapolis, Minnesota from Tuesday, August 14, 2001 to Friday, August 17, 2001; as requested by Councilman John H. Sanders.

94283 53. An Ordinance authorizing the allocation of \$500.00 out of the District 2 Contingency Fund to the San Antonio Juneteenth Association to help defray the costs of expenses associated with the Juneteenth celebration held on June 16, 2001; as requested by Councilman John H. Sanders.

94284 54. An Ordinance authorizing the execution of a lease agreement between the City of San Antonio, as tenant, and Ithaca Investments, Ltd., a Texas Limited Partnership, as landlord, for approximately 960 square feet of office space, located at the Gateway Plaza Shopping Center, Suite 100, 7121 Highway 90 West at a rental of \$550.00 per month, for a one (1) year term beginning August 6, 2001, with an option to renew for an additional one (1) year period at a rental rate to be renegotiated; as requested by Councilman Enrique M. Barrera, District 6.

✓ 55. Confirmation and approval of Travel Authorization for Councilman David Carpenter (District 10) who traveled to Wichita, Kansas to meet with a business prospect on Friday, July 27, 2001.

56. City Manager's Report. ^{1) Introduction of new Ant Dementia - Public Work}
^{2) Health Report - By Dr. Fernando Gomez}

57. 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 settlement offer made by Qwest Communications in relation to terms and conditions of its default long distant provider agreement with City.

B) Attorney-Client consultation regarding the lawsuit styled Cause No. SA 98CA-696-OG, Esperanza Peace and Justice Center, et al, v. City of San Antonio.

C) Attorney-Client consultation regarding the lawsuit styled Cause No. 97-CI-10609, Arlene Otto, et al, v. Lorenzo Alvarez, Fernando Arellano and City of San Antonio.

August 2, 2001

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

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

PETITIONER

Petition of Mr. Eusebio F. Baca on behalf of residents on Covington Road requesting repair of streets, curbs and sidewalks.