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 Int Res. 2002-22-22  
 Int Ord. 95855  
 Int Res. 2002-22-22

RECEIVED  
 CITY OF SAN ANTONIO  
 MAY 30 AM 9:54

**Agenda  
 City Council Meeting  
 Municipal Plaza Building  
 City Hall Complex  
 103 Main Plaza  
 San Antonio, Texas 78205  
 May 30, 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 update on the Historic Civic Center Master Plan and Related Projects. [Presented by Cris Young, Downtown Special Projects Coordinator; Melissa Byrne Vossmer, 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. Franciszek Kursaj, Holy Name Catholic Church, and Pledge of Allegiance.
2. Ceremonial Items.

**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/TTY for assistance. Closed captioning is available on broadcasts of the Council meetings on 21-TVSA.

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:**

3. 3:00 P.M. – Public Hearing and Consideration of the following Ordinances: [Presented by Rebecca Waldman, Director, Department of Asset Management; Christopher J. Brady, Assistant City Manager]
- A. An Ordinance closing, vacating and abandoning an unimproved thirty-foot (30') portion of public right-of-way, out of a forty-foot (40') portion of public right-of-way known as Woodruff Avenue located adjacent to the east right of way line of South New Braunfels Avenue between Pecan Valley Drive and Lasses Boulevard, as requested by the petitioner, Terra Vista Partners-Pecan Manor, Ltd., an abutting property owner, for the consideration of \$6,944.00 including a fee of \$144.00 for the posting for public notification signs; and rescinding previous Ordinance 64349 closing such right of way for failure of previous petitioner to replat the property as required by Section 4 of the Ordinance.
- B. An Ordinance closing, vacating and abandoning a portion of unimproved portion of Crownpoint Drive right of way (a/k/a Bladau Bishop right of way), it being the northeast one-half and southwest one-half of the right of way, located between Interstate Highway-35 north and Randolph Boulevard, as requested by the Petitioner, Sirizzoti Family Ltd. Partnership, as abutting property owner, for the consideration of \$34,146.00 including a fee of \$144.00 for the posting of the public notification signs.

4. 5:00 P.M. – Citizens to Be Heard.

**THE FOLLOWING ITEMS MAY BE CONSIDERED AT ANY TIME DURING THE REGULAR COUNCIL MEETING:**

**CONSENT AGENDA**

**Items Concerning the Purchase of Equipment, Supplies and Services**

5. An Ordinance accepting the low bid submitted by Christal Vision to provide the City of San Antonio Branch Library System with twenty (20) closed circuit television magnification devices for a total sum of \$35,560.00. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]
6. An Ordinance accepting the proposal from Oracle Corporation, using Sigma Solutions (SBE), in accordance with the State of Texas Department of Information Resources Agreement to provide the City of San Antonio Information Technology Services Department with database software and licenses for an estimated cost of \$517,127.72. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

- 95821
7. An Ordinance accepting the bids of various companies to provide the City of San Antonio with various materials and services, including vehicle and equipment parts and service, automated cataloging, publications services, flex beams, guard posts and allied items, aluminum sign blanks, and red burning fusees, on an annual contract basis for Fiscal Year 2002-2003 for a total sum of approximately \$1,794,238.00. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

### Capital Improvement Items

- 95822
8. An Ordinance authorizing the execution of a professional services contract with James T. Rodriguez Consulting Engineers, Inc. in connection with the Tower of the Americas Structural, Architectural, Mechanical and Electrical Analysis Project in City Council District 1; authorizing a professional services contract in an amount not to exceed \$68,650.00; appropriating \$74,650.00 from Fiscal Year 2000-2001 Facility Improvement and Maintenance Program (FIMP) Funds; establishing the project budget; and encumbering \$68,650.00 for engineering fees and \$6,000.00 for engineering contingency. [Presented by Malcolm Matthews, Director of Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]
  9. An Ordinance accepting low bid submitted by GG&G General Construction, Inc. to perform construction work in connection with the District 3 Parks Improvements Project in the amount of \$206,520.00; authorizing the execution of a standard construction contract; providing for construction contingency and permit fees; appropriating \$225,795.00 in 1999 Park Bond Funds; and providing for payment. [Presented by Malcolm Matthews, Director of Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]
  - 95823
  10. An Ordinance selecting West East Design Group, L.L.C. (DBE) to provide professional architectural and engineering services in connection with the new regional Col. Victor J. Ferrari Learning and Leadership Development Center, located at 103 E. Rampart; authorizing the negotiation of a professional services contract in an amount not to exceed \$117,500.00 from 1989 General Obligation Library Improvement Bonds; authorizing \$11,000.00 to West East Design Group, L.L.C. (DBE) for additional services; authorizing \$17,500.00 for associated project fees and expenses; authorizing \$1,000.00 for advertising expenses; authorizing \$11,700.00 miscellaneous contingency expenses; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
  - 95824
  11. An Ordinance amending a professional services contract with Chiang, Patel & Yerby, Inc. (MBE) and authorizing additional funds in an amount not to exceed \$60,461.00 from 1999 General Obligation Street Improvement Bonds for additional engineering services in connection with the Tezel from Old Tezel to Timber Path Metropolitan Planning Organization Project, located in Council Districts 6 and 7; authorizing the City of San Antonio Public Works Department to provide demolition services for an amount not to exceed \$35,314.49; appropriating funds and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
  - 95825

- 95826
- 95827
- 95828
- 95829
12. An Ordinance amending a professional services contract with Garcia & Wright Consulting Engineers, Inc. (MBE) and authorizing additional funds in an amount not to exceed \$16,557.26 from 1999 General Obligation Street Improvement Bonds for additional engineering services in connection with the Fay Street/St. Joseph from Creighton to New Laredo Highway Phase II Project, located in Council District 5; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
  13. An Ordinance approving Streets and Drainage Maintenance and Improvements funded Final Field Alteration Nos. 3 and 4 in the increased amounts of \$121,768.05 and \$3,303.19, respectively, in connection with the Neighborhood Improvement Program (NIP) 2000 Indefinite Delivery of Sidewalk Construction Project located in various council districts; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
  14. An Ordinance ratifying addendum 3 & 4 to the agreement with the Natural Resource Conservation Service (NRCS), approved through Ordinance No. 91296, passed on February 17, 2002, which authorizes supplemental funding in the amount of \$112,278.17 from Storm Water Operating Funds; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
  15. An Ordinance selecting Chesney Morales/Beaty & Partners, a Joint Venture (MBE), to provide professional architectural services in connection with the Fire Department Renovation Master Plan of facilities located in various council districts; authorizing the negotiation of a professional services contract in an amount not to exceed \$295,000.00 from 2000A Fire Station Improvements Certificates of Obligation funds; authorizing \$5,000.00 for miscellaneous contingency expenses; 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

- 95830
16. An Ordinance authorizing the execution of an agreement with DFSA/NGSI – San Antonio Partnership, a DBE partnership composed of Duty Free of San Antonio, Inc. (DFSA) and News & Gift Shops International, L.L.C. (NGSI), for use of approximately 800 square feet for a third news and gift facility in Terminal 2 at San Antonio International Airport; DFSA/NGSI will pay the greater of a minimum annual guarantee of \$68,000.00 per year for the first two (2) years and \$72,080.00 per year for the remaining three years or a percentage payment of fourteen percent (14%) of gross revenues for all news related items and twenty five (25%) of gross revenues for all gift and souvenir items. [Presented by Kevin C. Dolliole, Aviation Director; Christopher J. Brady, Assistant City Manager]



**Miscellaneous**

- 95836
22. An Ordinance authorizing the amendment of the concession agreement with McDonald's Corporation for operation of a food and beverage facility in the Terminal 2 Food Court at San Antonio International Airport to provide for annual payments to the City of San Antonio of the greater of the Minimum Annual Guarantee of \$90,000.00 per year or incremental sales – ten percent (10%) of all sales from \$0 to \$1,000,000.00, twelve percent (12%) of all sales from \$1,000,001.00 to \$1,500,000.00 and fourteen percent (14%) of all sales over \$1,500,000.00. [Presented by Kevin C. Dolliole, Aviation Director; Christopher J. Brady, Assistant City Manager]
- 95837
23. An Ordinance authorizing the execution of an agreement with American Appraisal Associates, Inc. to provide the City of San Antonio GASB Statement No. 34 Capital Asset Inventory and Valuation Services for a total fee of \$163,000.00; delegating authority to the Director of Finance to approve any contingency costs for additional work required by the City in an amount not to exceed ten (10) percent, or \$16,300.00; and providing for payment. [Presented by Milo Nitschke, Director of Finance; Terry M. Brechtel, City Manager]
- 95838
24. An Ordinance authorizing the negotiation and execution of cooperative agreements with local school districts for the operation of program sites under Parks and Recreation Department's After School Challenge Program during the school years 2001-2002 and 2002-2003. [Presented by Malcolm Matthews, Director of Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]
- 95839
25. An Ordinance approving an Interlocal Agreement by and between the City of San Antonio and the Northside Independent School District for improvements to Military Drive West Parkway, providing the District with certain fee credits to recoup its cost of right of way construction, and providing for execution of necessary documents. [Presented by Christopher J. Brady, Assistant City Manager; Terry M. Brechtel, City Manager]
- 95840
26. An Ordinance authorizing the submission of a grant application to the State of Texas Department of Economic Development (TxED) for \$500,000.00 in state grant funds available through the Defense Economic Adjustment Assistance Grant Program; authorizing the execution of a contract with TxED if any grant funds are awarded to the City; authorizing the execution of a subgrant contract with the Greater Kelly Development Authority for execution of the grant project. [Presented by Ramiro Cavazos, Director, Economic Development Department; Christopher J. Brady, Assistant City Manager]

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

95841  
A. An Ordinance appointing Elena Guajardo (District 8) and Jose Macias (District 6) to the Affirmative Action Advisory Committee for terms of office to expire on January 31, 2004.

95842  
B. An Ordinance appointing Julio Ruiz (Licensed Mechanical Technician – Open Shop Category - District 4) and Ed Talamantez (Air Conditioning Maintenance Category – District 6) to the Mechanical Board of Appeals for terms of office to expire on March 20, 2003.

95843  
C. An Ordinance appointing Jack Lappeus (Layman Category – District 6) to the Board of Appeals for a term of office to expire on July 31, 2003.

95846  
D. An Ordinance ~~appointing Steven B. Grau (District 10)~~ and reappointing Jerry F. Morell (District 8) to the Zoning Commission for terms of office to expire on June 30, 2004.

95844  
E. An Ordinance reappointing Irvin Padgett (District 6) to the City Commission on Veterans Affairs for a term of office to expire on June 11, 2004.

95845  
F. An Ordinance reappointing William Hoagland-Fuchs (Community Representative - District 1) to the Capital Improvements Advisory Committee for a term of office to expire on October 25, 2003.

#### ITEMS FOR INDIVIDUAL CONSIDERATION

95847  
28. An Ordinance accepting the proposal and authorizing the execution of an On-Call Professional Services Agreement for environmental remediation and environmental construction with Eagle Construction and Environmental Services, L.P., in an amount not to exceed an annual budget of \$1,500,000.00, as necessary to meet the City's regulatory obligations, for a term of one (1) year, with options to extend for two (2) additional one (1) year periods; and providing for payment. [Presented by Daniel Cardenas, Director of Environmental Services; Melissa Byrne Vossmer, Assistant City Manager]

95848  
29. An Ordinance amending the land use plan contained in the Northwest Community Plan, a component of the City's Master Plan, by changing the use of a 12.82 acre tract of land located at the southwest corner of the intersection of Village Park and Timber Path from commercial use to single family residential use. [Presented by Emil R. Moncivais, Director, Planning Department; Christopher J. Brady, Assistant City Manager]

95849  
30. An Ordinance authorizing the purchase of a conservation easement over a 1,163.81 acres tract of land known as the Kallison Ranch in western Bexar County from the Texas Parks and Wildlife Department for the amount of \$2,910,000.00 as part of the Proposition Three Edward's Land Acquisition Program. [Presented by Susan Crane, Special Project Manager; Christopher J. Brady, Assistant City Manager]

31. An Ordinance authorizing a Yanaguana Cruises, Inc. Ticket and Boarding Station on the San Antonio Riverwalk Presidio Plaza area in City Council District 1 with an adjacent photography concession on Presidio property and authorizing an additional shuttle stop location at Portal San Fernando. [Presented by Malcolm Matthews, Director of Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]

3400.00

32. An Ordinance authorizing the expenditure of ~~\$1,000.00~~ from the Mayor's Contingency Account Fund, payable to the United San Antonio Commission, to be used to cover the costs of photography and printing expenses for its booth at the Texas Folklife Festival; as requested by Mayor Edward D. Garza.

33. An Ordinance authorizing the expenditure of \$550.00 from the District 5 Contingency Account Fund, payable to the Parks and Recreation Department for the use of one (1) showmobile, with sound system, by St. Francis Academy Alumnae Association for its festival to be held Saturday, June 1, 2002 from 11:00 A.M. to 10 P.M.; as requested by Councilman David A. Garcia.

34. An Ordinance authorizing the execution of a Lease Agreement ( Council District No. 7 for Office Space) between the City of San Antonio, as Tenant, and AP-Knight, LP, a Delaware Limited Partnership, acting by and through Koger Realty Services, Inc., its designated agent, for approximately 724 rentable square feet of office space, located at 4415 Piedras Drive West, Suite 256 in the Austin Building (07) in the Koger Center at a rental of \$900.00 per month for a 3 - year term commencing July 1, 2002 through June 30, 2005, contingent upon the annual appropriation of budget funds in subsequent City Fiscal Years, with a 1 year renewal option, subject to City Council approval by passage of a future ordinance and funding, such authorization; as requested by Councilman Julian Castro, District 7.

35. A Resolution expressing City Council support for Governor Rick Perry's "Controlling Our Destiny" Program, which addresses the issues of protecting and preserving the water quality and quantity of the State of Texas; as requested by Councilwoman Bonnie Conner, District 8.

36. An Ordinance authorizing the additional expenditure of \$500.00 from the District 10 Contingency Account Fund, payable to Madison High School Project Graduation, to assist with the cost of its annual, safe, drug-free party held for seniors, on their graduation night; as requested by David Carpenter.

37. An Ordinance authorizing the additional expenditure of \$500.00 from the District 10 Contingency Account Fund, payable to MacArthur High School Project Graduation, to assist with the cost of its annual, safe, drug-free party held for seniors, on their graduation night; as requested by David Carpenter.

38. City Manager's Report. - *None*

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

A. Attorney-client consultation regarding the lawsuit styled Farmco Trust, Richard Schaeffer and John Schaeffer v. City of San Antonio, 2000-CI-04602, and R. Brooks Hardee, et al, v. City of San Antonio, et al, 2000-CI-17663.

B. Personnel Matter regarding required annual written performance evaluation of City Manager Terry M. Brechtel.