



Int Ord. 97826
Int Res. 2003-26-27
Int Ord 97893
Resolution Stone

RECEIVED
CITY OF SAN ANTONIO
CITY CLERK
03 JUN 26 AM 10:29

**Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 Main Plaza
San Antonio, Texas 78205
June 26, 2003**

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:

Follow-up to Goals and Objectives Work Session. [Presented by Lou Lendman, Director, Management and Budget; Christopher J. Brady, 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 Rose Marden, Pastoral Associate, St. Helena's Catholic Church, and Pledge of Allegiance.
2. Ceremonial Items.
3. Approval of the minutes of the Regular City Council Meeting of May 15, 2003.

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:

4. 1:30 P.M. – Consideration of the following Ordinances: [Presented by Milo D. Nitschke, Director, Finance; Melissa Byrne Vossmer, Assistant City Manager]

A. An Ordinance authorizing the issuance of approximately \$361,520,000.00 “City of San Antonio, Texas Electric and Gas Systems Revenue Refunding Bonds, New Series 2003 (Forward Delivery)”; providing the terms, conditions, and specifications for such bonds, including the approval and distribution of an Official Statement pertaining thereto; making provisions for the payment and security thereof on a parity with certain currently outstanding obligations; stipulating the terms and conditions for the issuance of additional revenue bonds on a parity therewith; authorizing the execution of Paying Agent/Registrar Agreement, an Escrow Agreement, and a Forward Delivery Bond Purchase Agreement; complying with the requirements of the Depository Trust Company; enacting other provisions incident and related to the subject and purpose of this ordinance; effective immediately if passed by at least eight (8) votes.

B. An Ordinance authorizing the issuance of approximately \$94,565,000.00 “City of San Antonio, Texas Electric and Gas Systems Revenue Refunding Bonds, New Series 2003A”; providing the terms, conditions, and specifications for such bonds, including the approval and distribution of an Official Statement pertaining thereto; making provisions for the payment and security thereof on a parity with certain currently outstanding obligations; stipulating the terms and conditions for the issuance of additional revenue bonds on a parity therewith; authorizing the execution of Paying Agent/Registrar Agreement, an Escrow Agreement, and a Bond Purchase Agreement; complying with the requirements of the Depository Trust Company; delegating the authority to certain members of the City Public Service Board staff to execute certain documents relating to the sale of the bonds; enacting other provisions incident and related to the subject and purpose of this ordinance; effective immediately if passed by at least eight (8) votes.

5. 2:00 P.M. – Public Hearing and Consideration of the following Zoning Cases: [Presented by Florencio Pena, Director, Development Services; Christopher J. Brady, Assistant City Manager]

A. ZONING CASE NUMBER Z2003063: The request of Paul D Evans, Applicant, for Paul D Evans, Owner(s), for a change in zoning from "R-5" Residential Single-Family District to "O-1" Office District on Lot 8, Block 1, NCB 11900, 4466 Walzem Road. Staff's recommendation was for denial. Zoning Commission has recommended denial. (Council District 2)

B. ZONING CASE NUMBER Z2003069: The request of COIL CDC, Applicant, for Huntleigh Park Baptist Church, Air Today Inc., Owner(s), for a change in zoning from "R-5" Residential Single-Family Development & "R-6 S" Residential Single-Family Development to "RM-4" Residential Mixed District on 6.217 acres out of NCB 10615, the northwest corner of Hollyspring Drive and Whispering Creek. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 2)

97871
C. ZONING CASE NUMBER Z2003084 C: The request of Nestor Lopez, Applicant, for Francisco Zerrato, Owner(s), for a change in zoning from "C-2 NA" Commercial Nonalcoholic Sales District to "C-2 NA C" Commercial Nonalcoholic Sales District with a conditional use for auto sales and repair on Lot 1, Block 9, NCB 1509, 402 S. New Braunfels. Staff's recommendation was for approval of "C-2 NA C". Zoning Commission has recommended denial of "C-3". (Council District 2)

denied
D. ZONING CASE NUMBER Z2003097: The request of First Humanitarian Church, d/b/a Second Chance Foundation, Applicant, for First Humanitarian Church, d/b/a Second Chance Foundation, Owner(s), for a change in zoning from "C-3NA" Commercial District, Non-Alcoholic Sales to "C-3" Commercial District on Lot 26, NCB 12167, 8235 Vicar Drive. Staff's recommendation was for approval. Zoning Commission has recommended denial. (Council District 2)

denied
E. ZONING CASE NUMBER Z2003062: The request of Pedro Galvan, Applicant, for Pedro Galvan, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "I-1" General Industrial District on Lot 17, Block 47, NCB 8937, 1017 Fenfield. Staff's recommendation was for denial. Zoning Commission has recommended denial. (Council District 4)

97872
F. ZONING CASE NUMBER Z2003021 D C: The request of City of San Antonio, Applicant, for St. Theresa Rodriguez, Owner(s), for a change in zoning from "MF-33" Multi-Family District to "R-5 C" Single-Family Residential District with a conditional use for a duplex on Lots 75 and 76, Block 5, NCB 8861, 474 North San Joaquin. Staff's recommendation was for approval of R-5 C. Zoning Commission has recommended approval of R-5. (Council District 5)

continued to 2/14/03
G. ZONING CASE NUMBER Z2002258: The request of City of San Antonio, Applicant, for WOH Holdings, Inc. c/o Charles Martin Wender, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "R-6 PUD" Residential Single-Family Planned Unit Development District on 92.34 acre tract of land out NCB 17642, 4100 Block of Wiseman Road. Staff's recommendation was for approval. Zoning Commission has recommended denial. (Council District 6)

97873
H. ZONING CASE NUMBER Z2002271C: The request of Jerry Arredondo, Applicant, for Gary D. Skinner, Owner(s), for a change in zoning from "R-5" Single-Family Residence District to "R-5 C" Single-Family Resident District with a conditional use for a 61 unit Multi-Family complex on Lots 193, 237, 238, 239, 240 and 241, Block E, New City Block 11549, 700 Block of Oak Knoll Drive. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 7)

97873A
I. ZONING CASE NUMBER Z2003060: The request of Joaquin & Rosa Romo, Applicant, for Joaquin & Rosa Romo, Owner(s), for a change in zoning from "C-2" Commercial District to "C-3 NA" General Commercial Nonalcoholic Sales District on Lot 10, Block 1, NCB 11998, 4212 Culebra Road. Staff's recommendation was for denial. Zoning Commission has recommended approval of "C-3NA". (Council District 7)

J. ZONING CASE NUMBER Z2003068 C: The request of Martin Gutierrez, Applicant, for Martin Gutierrez, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-1 C" Commercial District with a conditional use for an auto repair shop on Lot P-22, NCB 17929, 8537 Bandera Road. Staff's recommendation was for approval. Zoning Commission has recommended denial. (Council District 7)

K. ZONING CASE NUMBER Z2003080: The request of Traditional Value Homes, Ltd. c/o C. Benjamin McCaleb, Applicant, for Traditional Value Homes, Ltd., Owner(s), for a change in zoning from "C-2NA ERZD" Commercial, Nonalcoholic Sales Edwards Recharge Zone District, "O-2 ERZD" Office Edwards Recharge Zone District, and "C-1 ERZD-PUD" Light Commercial Edwards Recharge Zone District, Planned Unit Development to "RM-5 ERZD-PUD" Residential Mixed Edwards Recharge Zone District, Planned Unit Development on P-5, P-12, and P-1C, NCB 18350, Bitters Road. Staff's recommendation was for approval. Zoning Commission has recommended denial. (Council District 9)

L. ZONING CASE NUMBER Z2003091: The request of John J. Warlow III, Applicant, for Bert Duehler, Owner(s), for a change in zoning from "C-2 NA" Commercial Nonalcoholic Sales District to "C-2" Commercial District on Lot 2, Block 2, NCB 13732, 13818 Jones Maltsberger Rd. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 9)

6. 3:00 P.M. – Public Hearing on the 2003 Bond Program. [Presented by Lou Lendman, Director, Management and Budget; Christopher J. Brady, Assistant City Manager]

7. 4:00 P.M. – Public Hearing and consideration of an Ordinance adopting the Southside Initiative Community Plan as a component of the City's Master Plan. [Presented by Emil R. Moncivais, Director, Planning; Jelynn LeBlanc Burley, Assistant City Manager]

8. 5:00 P.M. – Citizens to Be Heard.

5:30 P.M. – Public Hearing and Consideration of an Ordinance revising the City Code Chapter 36, entitled "Smoking" to make necessary changes, revisions, and deletions, and providing for penalties. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant to the 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

- 97826
97827
97828
10. An Ordinance accepting and ratifying a contract with Gerard Electric Inc. (MBE) to provide the City of San Antonio Police Department with an Uninterruptible Power System (UPS) for a total amount of \$120,000.00. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Travis M. Bishop, Assistant City Manager]
 11. An Ordinance accepting the offers from Commonwealth Trading Company, Inc. d/b/a Commonwealth Computer Co., (AABE), items 1-7 and 9-22, and Panté Technology Corporation, (AABE), item 8, and establishing annual contracts for the purchase, if necessary, of personal computers, laptops and servers, utilizing the Texas Department of Information Resources "GoDirect" Program for an estimated cost of \$768,000.00. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Travis M. Bishop, Assistant City Manager]
 12. An Ordinance accepting the bids and establishing annual contracts for an estimated annual cost of \$3,606,507.00 for Fiscal Year 2003-2004 for the purchase, if necessary, of software license renewal, maintenance agreement, software support services, Veritas software, printing of calling cards, dust control service, John Deere consumer equipment parts and service, assembly components & repair kits, Tymco sweeper parts & Converto Parts, maintenance and inspection of Trane Centrifugal Chillers & Marley Double Flow mechanical draft cooling towers; materials & labor to maintain heating and a/c systems for maintenance service centers, materials and labor to maintain a/c systems at various multi-service centers, traffic pull boxes, acrylic waterborne traffic paint, vehicle car wash & vacuum cleaner parts, linen service, potting soil, bedding plants, material and labor to maintain heating & a/c at La Villita; Powerboss sweeper/scrubber parts & service, emergency medical supplies, lease of vehicles, processing of waste tires; printer service, automatic restroom disinfecting service, lawn maintenance for police academy, grass sod, propane refueling system maintenance, replacement of canopy at Tower of Americas, retractable safety device, crack sealant, Ford New Holland, Howse, Terrain King Mechanical Mower, Okada, Bradco & Morbark chipper & Fiat-Allis equipment parts and service, work uniforms, vehicle washing detergent, rental of asphalt paver, speed humps and childrens resource materials. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

Capital Improvement Items

- 978329
13. An Ordinance amending the professional services contract and authorizing additional funds in an amount not to exceed \$32,215.50 payable to Turner Collie & Braden, Inc. for engineering services in connection with the Bitters Road from West Avenue to Heimer MPO Project, located in Council District 9; authorizing \$3,221.55 for miscellaneous engineering contingency expenses, for an overall total of \$35,437.05 to be funded by Certificates of Obligation; revising the project budget; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]
- 978329
14. An Ordinance amending the professional services contract and authorizing Community Development Block Grant (CDBG) funds in an amount not to exceed \$31,000.00 payable to Twyla Arthur for additional design services in connection with the Fulton Avenue from Blanco to North Flores Community Development Block Grant (CDBG) Project, located in Council District 1; revising the project budget; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]
- 978329
15. An Ordinance amending the professional services contract and authorizing additional funds in an amount not to exceed \$15,670.70 from 2000 Certificates of Obligation payable to Beaty & Partners Architects, Inc. for architectural services in connection with the Presa Street Linkage at San Antonio River Project, located in Council 1; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]
- 978329
16. An Ordinance approving Field Alteration No. 6 in the increased amount of \$8,961.46 payable to Clark Construction Company, Incorporated in connection with the 2003 Asphalt Recycling and Overlay Street Maintenance Project, located in Council District 7; accepting \$8,961.46 from the Residents of the Misty Cove Planned Unit Development (PUD) to fund this Field Alteration; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]
- 978329
17. An Ordinance approving Field Alteration No. 7 in the increased amount of \$65,051.19 from Neighborhood Access and Mobility Program (NAMF) funds payable to Clark Construction Company, Incorporated in connection with the 2003 Asphalt Recycling and Overlay Street Maintenance Project, located in Council District 9; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]
- 978329
18. An Ordinance authorizing \$38,000.00 from 2002 Certificates of Obligation payable to Southwestern Bell Telephone Co. for the relocation of their underground facilities and authorizing City Public Service (CPS) to appropriate funds in the amount of \$500,000.00 from the CPS Overhead Conversion Fund for the construction of CPS Infrastructure in connection with the Woodlawn Avenue from San Antonio to Lake Project, located in Council District 7; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

19. An Ordinance authorizing \$113,732.00 from 2002 Certificates of Obligation payable to Southwestern Bell Telephone Co. for the relocation of their overhead utilities and authorizing City Public Service (CPS) to appropriate funds in the amount of \$754,400.00 from the CPS Overhead Conversion Fund for the relocation of their underground facilities in connection with the Florida from I.H. 37 to St. Mary's Project, located in Council District 1; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]
20. An Ordinance accepting the low, qualified, responsive bid in the amount of \$1,410,043.07 from KGME, Inc. (MBE) in connection with the Octavia #63, Phase II – Part 1 Project, located in Council District 5; authorizing the execution of a construction contract; authorizing \$112,681.50 for miscellaneous construction contingency expenses; authorizing \$719.00 for advertising expenses, for an overall total of \$1,523,443.57, of which \$1,240,215.13 will be funded by General Obligations of the City and authorizing the reimbursement from City Public Service (CPS) in the amount \$64,772.75 for gas line replacement and authorizing the reimbursement from San Antonio Water System (SAWS) in the amount of \$218,455.69 for sewer and water work; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]
21. An Ordinance accepting the low, qualified, responsive bid in the amount of \$1,275,773.41 from KGME, Inc. (MBE) in connection with the Mockert Area Streets (Mockert, Forest, W. Lambert, Kline, Cass) Project, located in Council District 5; authorizing the execution of a construction contract; authorizing \$83,614.04 for miscellaneous construction contingency expenses, for an overall total of \$1,359,387.45, of which \$919,754.35 will be funded by 1999 G.O. Street Improvement Bonds and authorizing the reimbursement from City Public Service (CPS) in the amount \$136,904.88 for gas line replacement and authorizing the reimbursement from San Antonio Water System (SAWS) in the amount of \$302,728.22 for sewer and water work; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]
22. An Ordinance accepting the low, qualified, responsive bid in the amount of \$1,434,736.03 from KGME, Inc. (MBE) in connection with the Harris Storm Drainage (Alvarez, Glass, Cass, Halstead) Project, located in Council District 5; authorizing the execution of a construction contract; authorizing \$85,108.58 for miscellaneous construction contingency expenses, for an overall total of \$1,519,844.61, of which \$936,194.33 will be funded by 1999 G.O. Drainage Improvement Bonds and authorizing the reimbursement from City Public Service (CPS) in the amount \$135,611.50 for gas line replacement and authorizing the reimbursement from San Antonio Water System (SAWS) in the amount of \$448,038.78 for sewer and water work; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97832
23. An Ordinance accepting the low, qualified, responsive bid of San Antonio Constructors, Ltd., in the amount of \$1,051,172.82 in connection with the Claremont/Eleanor/Natalen Phase III Community Development Block Grant (CDBG) Project, located in Council District 9; authorizing the negotiation and execution of a construction contract; authorizing \$79,072.54 for miscellaneous construction contingency expenses; authorizing \$240.00 for advertising expenses; authorizing \$55,350.78 for expense recovery; authorizing the reimbursement from City Public Service (CPS) in the amount \$34,784.00 for gas line replacement; authorizing the reimbursement from San Antonio Water System (SAWS) in the amount of \$225,663.39 for sewer and water expenses for a total amount of \$1,185,836.14; appropriating funds; revising the project budget; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97832
24. An Ordinance accepting the low, qualified, responsive bid of R.L. Jones, L.P., in the amount of \$298,723.70 in connection with the Grandview Neighborhood Streets, Phase III D, Alhaven: Pecan Valley to Amanda Community Development Block Grant (CDBG) Project, located in Council District 2; authorizing the negotiation and execution of a construction contract; authorizing \$18,923.29 for miscellaneous construction contingency expenses; authorizing \$4,700.00 for construction engineering expenses payable to Grant Engineering; authorizing \$470.00 for miscellaneous engineering contingency expenses; authorizing \$13,246.30 for expense recovery; authorizing \$1,000.00 for bid advertising; authorizing the reimbursement from San Antonio Water System (SAWS) in the amount of \$109,490.85 for sewer and water expenses for a total amount of \$337,063.29; appropriating funds; revising the project budget; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97832
25. An Ordinance accepting the low, qualified, responsive bid and Alternate No. 5 in the amount of \$1,121,706.25 from E-Z Bel Construction, Ltd. (MBE) in connection with the Library and Fire Station No. 49 - Drainage and Street Package Project, located at 8700 Mystic Park Street in Council District 7; authorizing \$61,538.75 for miscellaneous contingency expenses, for an overall total of \$1,183,245.00 to be funded by General Obligations of the City; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97840
26. An Ordinance accepting the low, qualified, responsive bid of E-Z Bel Construction, Ltd. (MBE) in the amount of \$226,658.51 in connection with the Las Moras - Travis to Salinas Community Development Block Grant (CDBG) Project, located in Council District 1; authorizing the negotiation and execution of a construction contract; authorizing \$16,988.75 for miscellaneous construction contingency expenses; authorizing \$11,892.12 for expense recovery; authorizing the reimbursement from San Antonio Water System (SAWS) in the amount of \$43,489.01 for sewer and water expenses; authorizing the reimbursement from City Public Service (CPS) in the amount of \$13,282.00 for gas line replacement for a total amount of \$255,539.38; appropriating funds; revising the project budget; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97842
27. An Ordinance accepting the low, qualified, responsive bid of E-Z Bel Construction, Ltd. (MBE) in the amount of \$434,376.95 in connection with the Fleming – Gerald to New Laredo Hwy., Gerald – Fleming to New Laredo Hwy., and Lovett – Oregon to Fleming Community Development Block Grant (CDBG) Projects, located in Council District 4; authorizing the negotiation and execution of construction contract; authorizing \$39,539.20 for miscellaneous construction contingency expenses; authorizing \$27,677.44 for expense recovery; authorizing the reimbursement from San Antonio Water System (SAWS) in the amount of \$38,985.00 for sewer and water expenses for a total amount of \$501,593.59; appropriating funds; revising the project budget; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97842
28. An Ordinance selecting Beaty & Partners, Inc. to provide professional architectural and engineering services in connection with the Fire Station No. 47 Project, located on Stonewall Bend in Council District 8; authorizing the negotiation and execution of a professional services contract in an amount not to exceed \$170,250.00; authorizing \$17,000.00 for miscellaneous contingency expenses and \$750.00 for advertising expenses, for an overall total of \$188,000.00 to be funded by 2002 Certificates of Obligation; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97842
29. An Ordinance approving Field Alteration No. 2 in the amount of \$33,862.99 payable to San Antonio Constructors, Ltd., for construction expenses in connection with the Glider & Landing from Gunsmoke to Loop 410 Community Development Block Grant (CDBG) Project, located in Council District 4; authorizing the reimbursement from San Antonio Water System (SAWS) in the amount of \$33,862.99; appropriating funds; revising the project budget; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97842
30. An Ordinance appropriating \$510,000.00 for the Fiscal Year 2002-2003 Annual Signal Program to install traffic signals at seven intersections and appropriating \$250,000.00 for the Fiscal Year 2002-2003 Annual Signal Upgrade Program to upgrade existing traffic signal installations and systems funded from the Capital Improvements Reserve Fund. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97842
31. An Ordinance authorizing payment under an existing on-call professional services agreement in the amount of \$147,539.00 from Certificates of Obligation to Eagle Construction and Environmental Services, L.P., for remedial environmental construction services associated with the Mission Trails Package II Project, located in Council District 3; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

97846
97847
97848
97849
32. An Ordinance approving Field Alteration No. 1 in the amount of \$133,203.00 payable to Vaughn Construction Company for additional construction expenses in connection with the Carver Community Cultural Center Building Repairs, Phase II Community Development Block Grant (CDBG) Project; authorizing the amendment of the construction contract with Vaughn Construction Company to increase the construction contract by \$50,000.00 in reprogrammed Community Development Block Grant (CDBG) funds for a new contract amount of \$729,534.00; authorizing \$182,383.50 for miscellaneous construction contingency expenses; appropriating funds; revising the project budget; and providing for payment [Presented by Jelynn LeBlanc Burley, Assistant City Manager; Terry M. Brechtel, City Manager]

33. An Ordinance authorizing the acceptance of \$50,000.00 from San Antonio Water System for the Leon Creek Restoration Project; establishing a project budget and encumbering \$50,000.00 for park construction crew expenses. [Presented by Malcolm Matthews, Director, Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]

34. An Ordinance accepting the low bid with bid alternates 1 and 2 of 3TI, Inc. in an amount not to exceed \$191,865.00 in connection with Fiscal Year 2002 Facility Improvement Maintenance Program (FIMP) and Community Development Block Grant (CDBG) funded Fiscal Year 2003 Playground Improvements – Package B Project, located in Council Districts 1 and 2; authorizing the negotiation and execution of a construction contract; authorizing \$37,372.65 for miscellaneous construction contingency expenses; authorizing \$1,062.35 for bid advertising and printing expenses; authorizing \$2,200.00 for permit fee expenses for a total amount of \$232,500.00; authorizing the transfer of \$170,000.00 in Fiscal Year 2002 Facility Improvement Maintenance Program (FIMP) funds; revising the project budget; appropriating funds; and providing for payment. [Presented by Malcolm Matthews, Director, Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]

97847
97848
97849
35. An Ordinance accepting the low, qualified bid of Vertex Corporation in the amount of \$440,000.00 in connection with the Fiscal Year 2003 Playground Improvements - Package A Project, located in Council Districts 3, 5 and 6; authorizing the negotiation and execution of a construction contract; authorizing \$27,250.00 for miscellaneous construction contingency expenses; authorizing \$825.00 for bid advertising and printing expenses; authorizing \$5,200.00 for permit fee expenses; authorizing the appropriation of \$130,000.00 reprogrammed Community Development Block Grant (CDBG) funds for future construction work at Acme Park; revising the project budget; appropriating funds; and providing for payment. [Presented by Malcolm Matthews, Director, Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]

36. Consideration of the following Ordinances: [Presented by David D. Garza, Director, Neighborhood Action; Jelyne LeBlanc Burley, Assistant City Manager]

A. An Ordinance approving a Brownfields Redevelopment Program Project, under provisions of the City's grant from the U.S. EPA, authorizing a Participation Understanding with Consent for Promotional Use and Right of Access between the City of San Antonio and C.A.N. Industries, Inc., and authorizing Professional Environmental Engineering Services necessary to accomplish an Environmental Site Assessment in the amount of \$34,042.00 by Drash Consulting Engineers, Inc., under an existing Environmental Consulting Services Agreement; and providing for payment.

B. An Ordinance ratifying actions taken to complete a Brownfields Redevelopment Program Project for Friedrich Lofts, Ltd., authorizing execution of documents necessary thereto, and approving payment made to KEI Consultants, Ltd., in the amount of \$35,591.00, for project services performed under a stand-by Professional Environmental Services Agreement; all under provisions of the City's grant from the U.S. EPA. [Presented by David D. Garza, Director, Neighborhood Action; Jelyne LeBlanc Burley, Assistant City Manager]

Items Concerning the Purchase, Sale or Lease of Real Property

37. An Ordinance authorizing the execution of a five-year lease agreement with Centro Del Barrio for use of the Dullnig House, located at 204 Nolan in City Council District 2, for the period beginning April 1, 2003, to serve as a clinic and in consideration of \$100.00 rent per year. [Presented by Malcolm Matthews, Director, Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]

38. An Ordinance accepting title to two parcels of land totaling approximately 4,156 square feet from Koontz/McCombs MHS, Ltd., one parcel totaling approximately 2,182 square feet from South Texas Cardiology, Ltd., a Texas Limited Partnership, and one parcel of land totaling approximately 1,904 square feet from Methodist Healthcare System of San Antonio, Ltd., a Texas Limited Partnership, in connection with the Medical Center Improvements at Ewing Halsell Project, located in Council District 8; authorizing \$1,742.00 payable to Alamo Title Company for title fees associated with the project; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

39. An Ordinance authorizing the execution of a 2003 Amendment to Panchitos' Lease and License Agreement with Frank Sepulveda, as Tenant, providing for an increase in the Leased Premises and Licensed Area by an additional 716 square feet in the basement of 115 Plaza de Armas, a City-owned building, to provide the tenant space for a separate dining area in the restaurant, a small office area, storage and space for an icemaker for \$20,475.00 of total additional rent for the First Option Term, payable from October 1, 2003 through December 31, 2006, and \$34,020.00 of additional rent, if the Tenant renews the Second Option Term, commencing January 1, 2007 and ending on December 31, 2011. [Presented by Rebecca Waldman, Director, Asset Management; Erik J. Walsh, Assistant to the City Manager]

978618
978618
978618
46. An Ordinance approving an extension of line-of-duty leave for Fire Apparatus Operator Henry F. Gil Jr. and restoring one thousand, two hundred and seventy two (1,272) hours, or fifty three (53) shifts, of his personal sick leave, and allowing the Fire Department to consider that period as line-of-duty leave. [Presented by Robert Ojeda, Fire Chief; J. Rolando Bono, Deputy City Manager]

978618
978618
978618
47. An Ordinance authorizing the execution of a contract with the Metropolitan Planning Organization (MPO) for the City to perform various planning tasks for payment to the City of an amount not to exceed \$65,000.00 as part of the MPO's Unified Planning Work Program for Fiscal Year 2002-2003. [Presented by Emil R. Moncivais, Director, Planning; Jelynn LeBlanc Burley, Assistant City Manager]

978618
978618
978618
48. An Ordinance establishing the budget for administrative expenses in connection with the Environmental Impact Statement for San Antonio International Airport; authorizing \$25,000.00 for administrative expenses; appropriating \$250,000.00 in matching funds; and providing for payment. [Presented by Kevin Dolliole, Director, Aviation; Christopher J. Brady, Assistant City Manager]

978618
978618
978618
49. An Ordinance authorizing the City Manager or her designee to execute an agreement with the San Antonio Conservation Society ("Society") memorializing an understanding whereby the Society shall maintain a fund of \$50,000.00 to be held by the Society and used for the development of an architectural survey of the original 36 square miles of the City to be conducted by the City's Historic Preservation Office. [Presented by Emil R. Moncivais, Director, Planning; Jelynn LeBlanc Burley, Assistant City Manager]

978618
978618
978618
50. An Ordinance authorizing the City Manager or her designee to execute a Memorandum of Understanding approving the Regional Intelligent Transportation System (ITS) Architecture, dated 2002, and pledging to work together with other agencies in the region to coordinate and cooperate in the planning, implementation, integration, and operation of ITS systems, and pledging to provide the Texas Department of Transportation the information necessary to maintain the Regional ITS Architecture. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

978618
978618
978618
51. An Ordinance authorizing payment in the amount of \$90,000.00 as the full and final settlement of the claim filed by Michelle Trinidad with the City of San Antonio. [Presented by Andrew Martin, City Attorney; Terry M. Brechtel, City Manager]

ITEMS FOR INDIVIDUAL CONSIDERATION

978618
978618
978618
52. An Ordinance approving the appointment of Sammy G. Nieto to the Alamo Workforce Development Board (Private Sector Large/For Profit Business Category) for a term of office to expire on December 31, 2005. [Presented by Frances A. Gonzalez, Assistant to the City Manager; Terry M. Brechtel, City Manager]

97879
53. An Ordinance authorizing the execution of a contract with Great South Texas Corporation d/b/a Computer Solutions (WBE) to provide the Department of Community Initiatives with implementation of a single portal entry software system for a community-wide child care safety net for an approximate cost of \$830,700.00; authorizing the purchase of Microsoft Biztalk Licenses for use in the single portal system from SHI-Government Solutions utilizing a Texas Department of Information Resources Contract for a cost of \$100,736.00; and revising ordinance number 97629 to authorize a budget revision in accordance herewith. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant to the City Manager]

97879
54. An Ordinance authorizing the City Manager or her designee to execute a contract in the amount of \$1,442,000.00 with Sterling's Public Safety, Inc. to supply the San Antonio Fire Department with uniform items for the period of October 1, 2003 to September 30, 2005, with the option for three one-year extensions. [Presented by Robert Ojeda, Fire Chief; J. Rolando Bono, Deputy City Manager]

No Ord
55. End of Session report on the City of San Antonio's State Initiatives Program for the 78th Legislative Session. [Presented by Jim Campbell, Director, External Relations; Terry M. Brechtel, City Manager]

97879
56. An Ordinance amending the land use plan contained in the I.H. 10 East Corridor Perimeter Plan, a component of the Master Plan of the City, by changing the use of a 3.21 acre tract of land located approximately 850 west of the intersection of FM 1516 and I.H. 10 East from Community Commercial use to Industrial use. Staff's recommendation is for denial. Planning Commission has recommended denial. [Presented by Emil R. Moncivais, Director, Planning; Jelyne LeBlanc Burley, Assistant City Manager]

97879
57. An Ordinance amending Ordinance No. 97173 to extend the Interim Development Controls in areas annexed January 5, 2003 by the City of San Antonio for Limited purposes for a 60 day period pending consideration and adoption of a comprehensive Plan and Development regulations necessary to implement that plan for the annexed area. . [Presented by Emil R. Moncivais, Director, Planning; Jelyne LeBlanc Burley, Assistant City Manager]

No Ord.
(referred to zoning)
58. An Ordinance granting a waiver of the Interim Development Controls adopted on February 6, 2003 by Ordinance 97173 to Thomas F. Phillips and Harry D. Urey as such interim controls apply to zoning and platting for a 16.27 acre tract of land located near the northwest corner of the intersection of IH-37 and Blue Wing Road. Staff recommends denial. [Presented by Emil R. Moncivais, Director, Planning; Jelyne LeBlanc Burley, Assistant City Manager]

97880
59. An Ordinance selecting Fessel International Hospitality Consultants to provide restaurant and visitor facility consultant services for the City's Tower of the Americas; authorizing the negotiation and execution of an agreement in an amount not to exceed \$111,200.00; authorizing \$5,000.00 for consultant contingency expenses; appropriating funds; and providing for payment. [Presented by Malcolm Matthews, Director, Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]

65. An Ordinance authorizing the expenditure of \$1,000.00 from the District 1 Contingency Account Fund, payable to the Guadalupe Home, to be used to help defray the costs associated with improving the quality of life for the city's homeless; as requested by Councilman Roger O. Flores.

66. An Ordinance authorizing the expenditure of \$500.00 from the District 1 Contingency Account Fund, payable to the San Antonio Independent Living Services, to be used to help defray the costs associated with its 13th Annual ADA Walk/Stroll to be held on Friday, July 25, 2003, which will promote education, information and community awareness about persons with disabilities and their advocates who reside in the City; as requested by Councilman Roger O. Flores.

67. An Ordinance authorizing the transfer of \$550.00 from the District 1 Contingency Account Fund to the Parks and Recreation Department for the use of one Showmobile, with sound system, for St. Mary Magdalene Catholic Church for its annual Festival to be held Friday, October 3, 2003 to Sunday, October 5, 2003; as requested by Councilman Roger O. Flores.

68. An Ordinance authorizing the expenditure of \$500.00 from the District 2 Contingency Account Fund, payable to the Texas Emancipation Day Commission, to be used to help offset the cost of the Freedom Fest activities that were held on June 19, 2003; as requested by Councilman Joel Williams.

69. An Ordinance authorizing the expenditure of \$1,000.00 from the District 2 Contingency Account Fund, payable to the Juneteenth Freedom Coalition, to be used to help offset the cost of the barricades for the Juneteenth Parade that was held on June 14, 2003; as requested by Councilman Joel Williams.

70. An Ordinance authorizing the expenditure of \$1,900.00 from the District 7 Contingency Account Fund, payable to the San Antonio Parks Foundation, to be used to help offset expenses related to the 4th of July Celebration that will be held at Woodlawn Lake Park; as requested by Councilman Julian Castro.

71. Travel Authorization for Councilman Art A. Hall, District 8, who will travel to Austin, Texas from Friday, July 25, 2003 to Saturday, July 26, 2003 to represent the City of San Antonio as newly elected City Councilman at the Annual Presidential Reception for the Texas Association of Black City Council members.

72. An ordinance authorizing the execution of a Letter Agreement dated June 17, 2003 extending the lease term on a month-to-month basis of a Lease Agreement for Council District No. 10 Office space between the City of San Antonio, as Tenant, and Perrin Plaza Annex Joint Venture, a Texas Joint Venture, as Landlord, originally authorized by Ordinance No. 94273, passed and approved on August 2, 2001, to continue using approximately 1,423 square feet of office space, located at 4169 Naco Perrin, at a rental of \$862.34 per month plus \$10.00 per month for water, beginning July 1, 2003, contingent upon appropriation of funds, as requested by Councilman Christopher "Chip" Haass.

73. City Manager's Report.

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

Discuss the lawsuit styled *Matthew J. Jackson, et al, and other Similarly Situated Persons vs. City of San Antonio*, Cause No. 2002-CI-18233, 408th Judicial District Court, Bexar County, Texas, and legal issues related to collective bargaining negotiations with the San Antonio Police Officers Association, pursuant to Texas Government Code Section 551.071 (consultation with attorney).