



TALLA
1ST DRO 89701
1ST RES 99-19-15

**Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 Main Plaza
San Antonio, Texas 78205
May 6, 1999**

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

I. The City Council will convene for a "B" Session in the B Room of the Municipal Plaza Building at 10:00 A.M. for the following:

A) Presentation/Update on the Neighborhood Sweeps Program. [Presented by Frances Gonzalez, Director, Neighborhood Action; George V. Pedraza, Assistant to the City Manager]

B) Presentation of the Downtown Neighborhood Plan. [Presented by Emil Moncivais, Director of Planning; Christopher J. Brady, Assistant to the 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 Reverend J. S. Smith, New Light Baptist Church and Pledge of Allegiance.

2. Ceremonial Items.

3. SAN ANTONIO SPURS.
Approval of the minutes of the Regular Council Meetings of April 1, 1999.

99-19-15

DISABILITY ACCESS STATEMENT

This meeting is wheelchair accessible. The accessible entrance is located at 103 Main Plaza. Accessible parking spaces are located at City Hall, 100 Military Plaza. Auxiliary aids and services are available upon request (interpreters for the deaf must be requested twenty four (24) hours prior to the meeting) by calling (210) 207-7245 V/TDD for assistance.

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

THE FOLLOWING ITEMS WILL BE CONSIDERED AT THE TIMES INDICATED:

x4) 2:00 P.M. - A Report by the San Antonio Water System on the status of the Mandates Report for Water Quality Initiatives regarding comprehensive watershed planning, protection and management, including sensitive areas of the Aquifer, in accordance with the City Master Plan policies. [Presented by Michael F. Thuss, President/CEO, San Antonio Water System] *(TD#22)*

89722
89722

✓5) 3:00 P.M. - Public Hearing and Consideration of An Ordinance amending City Code Part II, Chapter 35, Article III as follows: 1) Section 35-3311 (entitled "Bed and Breakfast") to: require distance requirements between each Bed and Breakfast established in an R-1, R-2, R-2A, C, D R-4, R-5, R-6, R-7, or R-8 Zoning District; to provide a methodology for special City Council approval for a Bed and Breakfast to be established in a location contrary to the distance requirements; to require a Bed and Breakfast established in R-1, R-2, R-2A, R-5, or R-8 to be owner occupied; permit Bed and Breakfast in an O-1 Office District; and provide additional regulations regarding: number of guest rooms per structure; signage; and parking requirements; and 2) amending Section 35-3603(a) to permit Bed and Breakfasts in "C" and "D" Apartment Districts that comply with the requirements set out for R-2A and R-3 Zoning Districts; and amending Section 35-3261 (entitled "Table of Permitted Uses in Residential Districts") to reflect the changes herein; and providing for a penalty as has been established in Chapter 35, Article I, Section 35-1024 (entitled "Penalties"); and directing the Clerk to publish in accordance with City Charter, Section 17. [Presented by Emil Moncivais, Director of Planning; Christopher J. Brady, Assistant City Manager]

x6. 5:00 P.M. - Citizens To Be Heard.

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

CONSENT AGENDA *(7-216)*

Items Concerning the Purchase of Equipment, Supplies and Services

89701

✓7. An Ordinance accepting the low, qualified bid submitted by Industrial Disposal Supply Co., Inc. to provide the City of San Antonio Aviation Department with a walk behind/riding sweeper for a total of \$25,450.00. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Melissa Byrne Vossmer, Assistant City Manager]

89702

✓8. An Ordinance accepting the low bid submitted by Wheeled Coach Industries, Inc. to provide the City of San Antonio Fire Department with fifteen (15) Type I ambulances for a total of \$970,225.00. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Melissa Byrne Vossmer, Assistant City Manager]

512

- 89703 ✓9. An Ordinance accepting the low bid submitted by Capco Communications to provide the City of San Antonio Information Services Department with an Asynchronous Transfer Mode (ATM) ARE Processor for a total of \$17,672.00. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Melissa Byrne Vossmer, Assistant City Manager]

Capital Improvement Items

- 89704 ✓10. An Ordinance amending a professional services contract and ratifying services to Rosin-Cook, Inc. in an amount not to exceed \$3,280.87 for additional engineering services in connection with the General McMullen from Roselawn to Commerce Sidewalk Project located in Council Districts 5 and 6. [Presented by John L. German, Director, Public Works Department; Christopher J. Brady, Assistant to the City Manager]

- 89705 ✓11. An Ordinance ratifying services, amending a professional services contract and authorizing MPO/City Match Funds to K. M. Ng and Associates, Inc. (MBE) in an amount not to exceed \$93,361.00, in connection with the Houston Street from Bowie to Pine Project; for plan modifications due to change in scope (\$15,354.00); for pavement design, environmental subsurface investigation, and right of way plats and field notes (\$23,007.00); authorizing \$55,000.00 additional funds based on the revised construction estimate; and providing for payment. [Presented by John German, Director of Public Works Department; Christopher J. Brady, Assistant to the City Manager]

- 89706 ✓12. An Ordinance selecting Rosin-Cook, Inc. to provide professional services in an amount not to exceed \$12,000.00 in connection with various MPO Sidewalk Projects located citywide; authorizing the negotiation of a professional services contract; authorizing \$1,200.00 for miscellaneous contingency expenses; and providing for payment. [Presented by John German, Director of Public Works Department; Christopher J. Brady, Assistant to the City Manager]

- 89707 ✓13. An Ordinance selecting Lockwood, Andrews & Newnam to provide professional services in an amount not to exceed \$198,000.00 in connection with the Medical Drive from IH 10 to Ewing Halsell Project located in Council District 8; authorizing the negotiation of a professional services contract; authorizing \$19,800.00 for miscellaneous contingency expenses; and providing for payment. [Presented by John German, Director of Public Works Department; Christopher J. Brady, Assistant to the City Manager]

Items Concerning the Purchase, Sale or Lease of Real Property

- 89708 ✓14. An Ordinance authorizing the expenditure of the amount of \$155,000.00 payable to Lawyers Title of San Antonio as escrow agent for Matt N. Molak and Wife, Maurine S. Molak, for fee simple title to one (1) parcel in connection with the Southcross Blvd. - W. White to I.H. 410 Project; and the amount of \$34,287.12 payable to Ticor Title Agency of San Antonio as escrow agent for National Convenience Stores Incorporated for fee simple title to one (1) parcel in connection with the Hildebrand Avenue - I. H. 10 to Breeden Project; appropriating funds; and providing for payment. [Presented by John L. German, Director, Public Works Department; Christopher J. Brady, Assistant to the City Manager]
- 89709 ✓15. An Ordinance authorizing a five (5) year License Agreement with the Alamo Kiwanis Charities, Inc., a non-profit corporation, for their operation of Fiesta Noche Del Rio in the City's Arneson River Theater in 1999, 2000, 2001, 2002 and 2003 for an annual consideration of \$7,000.00. [Presented by Malcolm Matthews, Director, Parks & Recreation Department; Melissa Byrne Vossmer, Assistant City Manager]

Miscellaneous Items

- 89710 ✓16. An Ordinance amending the City Code of San Antonio, Texas, Chapter 6, Buildings, by creating a new Article XI, entitled Asbestos Health Protection Survey, commencing at Sec. 6-290, requiring an asbestos survey prior to the issuance of a permit for renovation or demolition of a commercial building or residential building have five or more units; and prior to certain municipal real property transactions; providing penalty for violation; and, allowing severability. [Presented by John German, Director of Public Works Department; Christopher J. Brady, Assistant to the City Manager]
- 89711 ✓17. An Ordinance authorizing the acceptance of a cash award in the amount of \$28,450.00 from the Texas Department of Health to augment funding of the Housing Opportunities for Persons with AIDS Project of the San Antonio Metropolitan Health District; authorizing the execution of Contract Change Notice No. 5; revising the budget for the Public Health State Support Project 1999/00 established in Ordinance 88976, passed and approved December 17, 1998; and approving payment for contractual services. [Presented by Dr. Fernando A. Guerra, Director of Health; Melissa Byrne Vossmer, Assistant City Manager]
- 89712 ✓18. An Ordinance ratifying the submission of the Project H.I.R.E. Grant application in the amount of \$119,981.00 to the Alamo Workforce Development, Inc., to support a Welfare-to-Work Program offered at St. Mary's Learning and Leadership Development Center from the Department of Community Initiatives, Literacy Services Division. [Presented by Dennis J. Campa, Director of Community Initiatives; Melissa Byrne Vossmer, Assistant City Manager]

89713 ✓19. An Ordinance approving a legal services contract in the amount of \$50,000.00 with the Kleberg Law Firm to provide services in connection with the recovery of costs arising from change orders on the Convention Center Expansion Project. [Presented by Frank J. Garza, City Attorney; Alexander E. Briseño, City Manager]

89714 ✓20. An Ordinance authorizing the execution of and approving the terms of an administrative services agreement with the San Antonio Fire and Police Pension Fund Board of Trustees ("Fund") for the City to provide certain administrative services to the Fund for the period from October 1, 1998 through September 30, 1999; authorizing the renewal of such agreement thereafter upon mutual agreement of the parties for two (2) additional one (1) year terms; and accepting compensation in the amount of \$24,000 per year. [Presented by Octavio Peña, Director of Finance; Melissa Byrne Vossmer, Assistant City Manager]

✓21. **Boards, Commissions and Committee Appointments** [Presented by Norma Rodriguez, City Clerk; Travis M. Bishop, Assistant to the City Manger]

89715 ✓A) An Ordinance appointing Mark Anton Richter (District 3) to the Arts and Cultural Advisory Committee for a term of office to expire on November 15, 2000.

89716 ✓B) An Ordinance appointing Lulu Olson (District 9) to the Higher Education Authority for a term of office to expire on December 15, 2000. (to #4)

ITEMS FOR INDIVIDUAL CONSIDERATION

89717 ✓22) An Ordinance approving a parade permit and authorizing the temporary closure of certain streets on Saturday, May 15, 1999 beginning at 7:30 A.M. until 10:00 A.M. in connection with the Bike Fest 99, sponsored by Metropolitan Planning Organization; and providing for an immediate effective date upon passage of eight (8) affirmative votes. [Travis M. Bishop, Assistant to the City Manager; Alexander E. Briseño, City Manager]

89718 ✓23. An Ordinance authorizing acquisition of fee simple title to four (4) parcels of land for the amount of \$145,000.00 payable to Ticor Title Agency of San Antonio as escrow agent for Jesus C. Hernandez, and wife, Maria Celina Hernandez (\$20,000.00) and George Allen Eichler (\$125,000.00) in connection with the Plumnear Road Flood Area Project. [Presented by John L. German, Director, Public Works Department; Christopher J. Brady, Assistant to the City Manager]

89719 ✓24) An Ordinance authorizing acquisition of fee simple title to three (3) parcels of land for the amount of \$104,150.00 payable to Ticor Title Agency of San Antonio as escrow agent for Martha D. Rodriguez (\$57,000.00) and Bernice Russell (\$47,150.00) in connection with the Wheatley Heights Flood Area Project. [Presented by John German, Director of Public Works Department; Christopher J. Brady, Assistant to the City Manager]

25) An Ordinance accepting the low qualified bid of San Antonio Constructors, Inc. in the amount of \$1,262,584.20 in connection with the 1998 VIA Local Assistance Program Project; authorizing a construction contract; authorizing \$34,715.80 for miscellaneous construction contingency expenses; authorizing \$1,200.00 for advertising expenses, authorizing \$1,500.00 for printing and production expenses; and providing for payment. [Presented by John L. German, Director, Public Works Department; Christopher J. Brady, Assistant to the City Manager]

26. Update on the 76th Legislative Session. [Presented by James R. Campbell, Director, Intergovernmental Relations Department; J. Rolando Bono, Assistant City Manager]

27) An Ordinance authorizing the temporary closure of Martin Luther King Blvd. from Hackberry to Cherry Streets on Monday, May 17, 1999 beginning at 9:30 A.M. until 11:30 A.M. to allow Douglass Elementary School to receive a historical landmark designation from the Conservation Society; as requested by Councilman Mario M. Salas, District 2. (JA#5)

28. City Manager's Report.

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

- A) Status of the City administrative appeal regarding Municipal Court collection of State court costs and fees for Class "C" Misdemeanor offenses from 1993 to 1996.
- B) Attorney/Client consultation regarding litigation case styled *Alamo Music, et al., vs. City of San Antonio, et al.*, Cause No. 95-CI-06264, in the 131st Judicial District Court of Bexar County, Texas.

27