



Pally
FIRST ORDINANCE: 92626
FIRST RESOLUTION: 2000-3731
Last Ord. 92674

**Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 Main Plaza
San Antonio, Texas 78205
October 5, 2000**

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 of the proposed Right-of-Way Management Ordinance. [Presented by John German, Director, Public Works Department; 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 Father Paul A. Raaz, Resurrection of the Lord Catholic Church and Pledge of Allegiance.
 - 2. Ceremonial Items.
 - 3. Approval of the minutes of the Regular City Council Meeting of August 31, 2000.

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:

- PULLED**
4. 3:00 P.M. – Public Hearing on the appeal of Mr. Edward H. Littell with Sinclair & Associates regarding the denial issued by SAWS for a variance to Aquifer Protection Ordinance No. 81491 concerning Canyon Ranch. [Introduced by John German, Director, Public Works Department; Christopher J. Brady, Assistant City Manager]
 5. 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

- 9 2 6 2 6 6. An Ordinance accepting the bid from the State of Texas Department of Information Resources to provide the City of San Antonio Information Services Department with network autosensing Hub and accessories for a total of \$15,929.00 under the Texas Cooperative Purchasing Agreement. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Terry M. Brechtel, Executive Director of Administrative and Financial Services]
- 9 2 6 2 7. An Ordinance accepting the bid from the State of Texas Department of Information Resources to provide the City of San Antonio Information Services Department with six (6) notebook computers for a total of \$16,710.00 under the Texas Cooperative Purchasing Agreement. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Terry M. Brechtel, Executive Director of Administrative and Financial Services]

Capital Improvement Items

- 9 2 6 2 8. An Ordinance accepting the low qualified responsive bid and Additive Alternates 1,2, 3 and 4 of Baron-Long Construction Co. in the amount of \$421,350.00 in connection with the 1994 Parks General Obligation (G.O.) Bond Issue, FY 98/99 General Fund Budget for District 5 One Time Capital Improvement Program Fund, and 24th, 25th and 26th Year Community Development Block Grant (CDBG) Funded Roosevelt, Martinez and Vidaurri Parks Project; authorizing a construction contract; revising the project budget; authorizing \$100,000.00 for miscellaneous construction contingency expenses; authorizing an additional \$7,387.00 payable to Bender Wells Clark Design for architectural expenses; authorizing \$2,000.00 in miscellaneous architectural contingency expenses; authorizing \$16,038.00 for park materials; authorizing \$550.00 for State mandated stormwater participation fees; appropriating funds; and providing for payment. [Presented by Malcolm Matthews, Director, Parks & Recreation Department; Melissa Byrne Vossmer, Assistant City Manager]

9. An Ordinance amending the Pickwell Park Improvement 1994 Park General Obligation Bond Funds Project Budget to disencumber \$1,620.00 allocated for project binding and printing, and reallocating and encumbering this \$1,620 for construction contingencies. [Presented by Malcolm Matthews, Director, Parks & Recreation Department; Melissa **9 2 6 2** ~~S~~yrme Vossmer, Assistant City Manager]
10. An Ordinance authorizing additional payment in the amount of \$144,061.53 to the Texas Department of Transportation (TxDOT) in connection with the Metropolitan Planning Organization (MPO) Project on Mitchell/Probandt Streets, located in Council Districts 3 and 5; authorizing \$14,406.00 for miscellaneous construction contingency expenses; and providing for payment. [Presented by John German, Director, Public Works Department; Christopher J. Brady, Assistant City Manager] **9 2 6 3 0**
11. An Ordinance enabling Eagle Construction & Environmental Services, L.P., to provide environmental construction services, under an existing indefinite delivery contract, in connection with the Mitchell/Probandt Project, located in Council Districts 3 and 5; authorizing Contaminated soils management in an amount not to exceed \$50,485.96; authorizing \$5,048.00 for miscellaneous contingency expenses; and providing for payment. [Presented by John German, Director, Public Works Department; Christopher J. Brady, Assistant City Manager] **9 2 6 3 1**
12. An Ordinance authorizing selection of URS Radian Corporation to provide additional environmental engineering services in connection with the Mitchell/Probandt Project, located in Council Districts 3 and 5; authorizing the negotiation and execution of a contract in an amount not to exceed \$17,240.00; authorizing \$1,724.00 for miscellaneous engineering contingency expenses; and providing for payment. [Presented by John German, Director, Public Works Department; Christopher J. Brady, Assistant City Manager] **9 2 6 3 2**
13. An Ordinance authorizing payment in the amount of \$330,676.74 to the Texas Department of Transportation (TxDOT) in connection with the Metropolitan Planning Organization (MPO) Project on Pecan Valley Drive – IH 10 to “J” Street, located in Council District 2; authorizing \$33,067.00 for miscellaneous construction contingency expenses; and providing for payment. [Presented by John German, Director, Public Works Department; Christopher J. Brady, Assistant City Manager] **9 2 6 3 3**
14. An Ordinance authorizing Regional Detention Pond funds in an amount not to exceed \$1,000,000.00 payable to the San Antonio River Authority for the construction of Phase II of the Salado 15R Flood Control Dam being constructed in McAllister Park, located in Council District 9; and providing for payment. [Presented by John German, Director, Public Works Department; Christopher J. Brady, Assistant City Manager] **9 2 6 3 4**

- 9 2 6 3 5 15. An Ordinance authorizing Field Alteration No. 1 in the amount of \$24,646.00 payable to VW Brooks, Inc. to add a sedimentation filter structure in connection with the Temporary Fire Station No. 48 Project, located in Council District 10; amending Ordinance No. 91140, passed and approved on January 20, 2000, to authorize additional payment to Alamo Architects for professional architectural design services in the amount of \$4,575.00; authorizing \$4,099.75 for additional costs associated with material testing services payable to Alamo Architects; authorizing an additional \$3,500.00 for architectural and engineering contingency expenses; and providing for payment. [Presented by John German, Director, Public Works Department; Christopher J. Brady, Assistant City Manager]
- 9 2 6 3 6 16. An Ordinance approving Field Alteration No. 2 in the amount of \$43,258.80 payable to San Antonio Constructors, Inc. in connection with the Carson – Walters to Frank Community Development Block Grant Community Development Block Grant (CDBG) Project, located in Council District 2; revising the project budget; and providing for payment. [Presented by John German, Director, Public Works Department; Christopher J. Brady, Assistant City Manager]
- 9 2 6 3 7 17. An Ordinance approving City Public Service (CPS) Field Alteration No. 1 in the amount of \$53,356.40 payable to Laughlin Environmental, Inc. in connection with the Quintana Road Drainage Extension #64 Community Development Block Grant (CDBG) Project, located in Council District 4; authorizing an increase to the City Public Service (CPS) account receivable in the amount of \$53,356.40 and reducing the construction contingency by \$53,356.40; revising the project budget; and providing for payment. [Presented by John German, Director, Public Works Department; Christopher J. Brady, Assistant City Manager]
- 9 2 6 3 8 18. An Ordinance amending the professional services contract and authorizing 26th Year Community Development Block Grant (CDBG) Funds in an amount not to exceed \$14,800.00 made payable to Grant Engineering (MBE) for additional engineering design services in connection with the Grandview Neighborhood Streets – Hampton Avenue – Roland to “H” Street Community Development Block Grant (CDBG) Project, located in Council District 2; authorizing \$1,480.00 for miscellaneous engineering contingency expenses; revising the project budget; and providing for payment. [Presented by John German, Director, Public Works Department; Christopher J. Brady, Assistant City Manager]
- 9 2 6 3 9 19. An Ordinance approving Field Alteration No. 1 in the amount of \$37,364.70 payable to San Antonio Constructors, Inc. in connection with the Carson – Walters to Frank Community Development Block Grant (CDBG) Project, located in Council District 2; revising the project budget; and providing for payment. [Presented by John German, Director, Public Works Department; Christopher J. Brady, Assistant City Manager]

Items Concerning the Purchase, Sale or Lease of Real Property

20. An Ordinance declaring as surplus and selling a parcel of land located at 227 Martin Luther King Drive to be developed as part of the Historic Gardens Unit 2 Project, and legally described as the west 26.04 feet of Lot 12, Block 33, New City Block 630, as requested by Petitioner, San Antonio Development Agency, for the consideration of \$16,300.00. [Presented by Rebecca Waldman, Director, Department of Asset Management; Terry M. Brechtel, Executive Director of Administrative and Financial Services]

9 2 6 4 0

21. An Ordinance authorizing the execution of a month-to-month lease with Grand Holdings, Inc., d/b/a Champion Air commencing on October 1, 2000, for a total of 179 square feet of office space in Terminal 1 of the San Antonio International Airport, for a total annual rent of \$13,598.63, to be used by Grand Holdings, Inc. d/b/a Champion Air for office and other aviation-related activities in support of the provision of an air charter service. [Presented by Kevin C. Dolliole, Aviation Director, Christopher J. Brady, Assistant City Manager]

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22. An Ordinance authorizing a five-year license Agreement with the Orthodox Ecumenical Church, Inc. d/b/a the Little Church of La Villita, for conduct of the 2001 through 2005 Starving Artist Art Show in La Villita and on the RiverWalk in City Council District 1 for a Ten Dollar (\$10.00) per exhibitor fee. [Presented by Malcolm Matthews, Director, Parks & Recreation Department; Melissa Byrne Vossmer, Assistant City Manager]

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23. An Ordinance authorizing the execution of a five (5) year license agreement with the Southside Little Cowboys, Inc. Pop Warner Football Organization for their use of approximately 8.07 acres in Stinson Park in City Council District 3 for Pop Warner Football and recreational purposes in consideration for their year round maintenance of said area. [Presented by Malcolm Matthews, Director, Parks & Recreation Department; Melissa Byrne Vossmer, Assistant City Manager]

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24. An Ordinance declaring a public necessity for the acquisition of fee simple title to a 0.041 acre tract of land out of the Thomas Jackson Survey No. 323, Abstract No. 384, New City Block 17757, in the City of San Antonio, Bexar County, Texas; for a public purpose, namely the construction of a portion of the Higgins Road – Nacogdoches to Stahl Road Project; and authorizing the City Attorney to file eminent domain proceedings. [Presented by John German, Director, Public Works Department; Christopher J. Brady, Assistant City Manager]

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25. An Ordinance declaring a public necessity for the acquisition of fee simple title to a 0.0200 acre tract of land out of Lot 11 and Lot 12, Block 2, New City Block 14888, Valley View Acres Unit 2, in the City of San Antonio, Bexar County, Texas for a public purpose, namely the construction of a portion of the Babcock Road – De Zavala to Hausman Road Project; and authorizing the City Attorney to file eminent domain proceedings. [Presented by John German, Director, Public Works Department; Christopher J. Brady, Assistant City Manager]

26. An Ordinance declaring a public necessity for the acquisition of fee simple title to a 3780.88 square feet tract of land, more or less, out of and a part of Lot 51, New City Block 7907, Spencer Subdivision, in the City of San Antonio, Bexar County, Texas; and a 1684.65 square feet tract of land, more or less, out of and a part of Lot 200A and the North 25 feet of Lot 200B, New City Block 7847, replat of Harlandale Acres Tract No. 2, in the City of San Antonio, Bexar County, Texas; for a public purpose, namely the construction of a portion of the Pleasanton Road – Mayfield to Southcross Metropolitan Planning Organization Project; and authorizing the City Attorney to file eminent domain proceedings. [Presented by John German, Director, Public Works Department; Christopher J. Brady, Assistant City Manager]

Miscellaneous Items

27. An Ordinance authorizing appointment of the election officials for the Joint and Special Election on November 7, 2000; and amending Ordinance No. 92256 to reflect the changes to two (2) Early Voting Sites, specifically the Guy Chipman office located at 18503 Sigma Road has moved to the Albertson's Store, located at 18450 Blanco Road; and the HEB Store, located at 2929 Thousand Oaks has moved to the Blossom Athletic Center, located at 12002 Jones Maltsberger Road. [Presented by Norma Rodriguez, City Clerk; Travis M. Bishop, Assistant City Manager]

28. An Ordinance creating the Park Construction Crew 1994 and 1999 Bond Projects in the Department of Parks and Recreation; authorizing the transfer of \$170,068.00 in 1994 Parks GO Bond Funds into the 1994 Project's Budget and \$263,000.00 into the 1999 Project's Budget; authorizing a total of \$170,068.00 for 1994 Park Construction Crew Costs; authorizing a total of \$263,000.00 for 1999 Park Construction Crew Costs; authorizing City Staff to allocate funds within the project budget; and encumbering funds and providing for payment. [Presented by Malcolm Matthews, Director, Parks & Recreation Department; Melissa Byrne Vossmer, Assistant City Manager]

29. An Ordinance authorizing the execution of three (3) consultant services contracts with the San Antonio Independent School District (SAISD), totaling \$644,041.00, for continuation of the City's SAISD After School Challenge Program for the 2000/2001 school year. [Presented by Malcolm Matthews, Director, Parks & Recreation Department; Melissa Byrne Vossmer, Assistant City Manager]

92649

30. An Ordinance authorizing the execution of a contract in the amount of \$20,000.00 with the Texas Wildlife Damage Management Service of the Texas A&M University System for the provision of Wildlife Damage Management Services and Disease Surveillance Activities through the San Antonio Metropolitan Health District for the period October 1, 2000 through September 30, 2001; and authorizing payment to the contractor. [Presented by Dr. Fernando A. Guerra, Director of Health; Melissa Byrne Vossmer, Assistant City Manager]

92650

31. An Ordinance authorizing the execution of a participating dentist agreement with United Concordia Companies, Inc. for the San Antonio Metropolitan Health District to provide dental services to individuals enrolled in the Children's Health Insurance Program administered by United Concordia Companies, Inc. and to comply with claim submission procedures and requirements in connection therewith. [Presented by Dr. Fernando A. Guerra, Director of Health; Melissa Byrne Vossmer, Assistant City Manager]

92651

32. An Ordinance ratifying the submission of a grant application and authorizing the acceptance of a grant award in the amount of \$62,674.00 from the Texas Association of Community Action Agencies (TACAA) for the Food Stamp Information and Education Campaign; establishing a fund; and authorizing a budget and personnel complement. [Presented by Dennis J. Campa, Director, Department of Community Initiatives; Melissa Byrne Vossmer, Assistant City Manager]

92652

33. An Ordinance authorizing the acceptance of a grant from the Alamo Area Council of Governments (AACOG) in the amount of \$1,192,884.00 for the continuation of the Comprehensive Nutrition Program from October 1, 2000 through September 30, 2001; establishing a fund; approving a budget and personnel complement for FY 2000-2001; appropriating funds; authorizing the execution of contracts with non-profit agencies for operation of service sites; and authorizing the allocation of carry-over surplus funds. [Presented by Dennis J. Campa, Director, Department of Community Initiatives; Melissa Byrne Vossmer, Assistant City Manager]

92653

34. An Ordinance authorizing the acceptance of a continuation grant in the amount of \$418,519.00 from the State of Texas, Office of the Governor, Criminal Justice Division, for the Juvenile accountability Incentive Block Grant to the City of San Antonio, to be administered by the Department of Community Initiatives, youth Services Division to continue supporting the Striving Together to Achieve Rewarding Tomorrows (START) and Neighborhood Conferencing Committees (NCC) Programs, beginning August 1, 2000 through July 31, 2001; and authorizing the City Manager to execute all necessary documentation in connection with said award, establishing a fund; approving a budget and personnel complement. [Presented by Dennis J. Campa, Director, Department of Community Initiatives; Melissa Byrne Vossmer, Assistant City Manager]

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35. An Ordinance authorizing the acceptance of a grant in the amount of \$60,000.00 from the Annie E. Casey Foundation (AECF) in support of the "Making Connections – Neighborhood Transformation/Family Development" Initiative; authorizing the execution of all necessary documentation with AECF in connection with said grant; and establishing a budget and personnel complement. [Presented by Dennis J. Campa, Director, Department of Community Initiatives; Melissa Byrne Vossmer, Assistant City Manager]

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

36. An Ordinance approving a parade permit and authorizing the temporary closure of portions of Huisache, Howard, Mistletoe, Belknap, Kings Hwy., McCullough, Lynwood, Lullwood Streets in connection with the St. Anthony Fun Run being held on Saturday, October 14, 2000 beginning at 7:30 A.M. until 9:30 A.M.; sponsored by St. Anthony Catholic School. [Presented by Travis M. Bishop, Assistant City Manager; Alexander E. Briseño, City Manager]

9 2 6 5 6

37. An Ordinance approving a parade permit and authorizing the temporary closure of portions of Trinity, Laredo, Brazos, Guadalupe, San Jacinto and El Paso Streets in connection with the Huevos Rancheros Parade being held on Saturday, October 14, 2000 beginning at 8:30 A.M. until 10:00 A.M.; sponsored by San Antonio Cultural Arts, Inc. [Presented by Travis M. Bishop, Assistant City Manager; Alexander E. Briseño, City Manager]

9 2 6 5 7

38. An Ordinance approving a parade permit and authorizing the temporary closure of certain streets in connection with the 5 Miles For Life Run/Walk being held on Saturday, October 28, 2000 beginning at 8:00 A.M. until 11:00 A.M.; sponsored by the Leukemia & Lymphoma Society. [Presented by Travis M. Bishop, Assistant City Manager; Alexander E. Briseño, City Manager]

9 2 6 5 8

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

9 2 6 5 9 A) An Ordinance appointing Ricardo Sanchez (District 6) to the Affirmative Action Advisory Committee for a term of office to expire on January 31, 2002.

9 2 6 6 0 B) An Ordinance appointing Michael Ramirez (District 1) to the Board of Adjustment for a term of office to expire on February 22, 2002.

9 2 6 6 1 C) An Ordinance re-appointing Doug McMurry (District 10) to the Capital Improvements Advisory Committee for a term of office to expire on October 25, 2002.

9 2 6 6 2 D) An Ordinance re-appointing Carlton Soules, Jr. (District 10) to the San Antonio Local Development Company for a term of office to expire on May 9, 2002.

9 2 6 6 3 E) An Ordinance appointing Andrew C. Guerrero (District 10) to the Tax Phase-In Advisory Committee for a term of office to expire on May 18, 2002.

9 2 6 6 4 F) An Ordinance re-appointing John Clamp (District 10) and appointing Clarence R. McGowan (District 2) to the Zoning Commission for terms of office to expire on June 30, 2002.

9 2 6 6 5 G) An Ordinance re-appointing Elvira M. Cisneros (District 5) to the San Antonio Public Library Board of Trustees for a term of office to expire on September 30, 2002.

9 2 6 6 6 40. An Ordinance approving the appointment of Dr. David F. Splitek and Fermin O. Gonzalez to the Alamo Workforce Development Board for a term of forty (40) months and five (5) months, respectively. [Presented by Dennis J. Campa, Director, Department of Community Initiatives; Melissa Byrne Vossmer, Assistant City Manager]

ITEMS FOR INDIVIDUAL CONSIDERATION

9 2 6 6 7 41. An Ordinance renaming the City of San Antonio's Rittiman Creek Park, located at 6881 Gibbs Sprawl Road in City Council District 2, the Lou Kardon Memorial Park in recognition of Lou Kardon's contributions to the City of San Antonio and the East Village Neighborhood Community. [Presented by Malcolm Matthews, Director, Parks & Recreation Department; Melissa Byrne Vossmer, Assistant City Manager]

42. An Ordinance adopting program requirements and guidelines for eligibility under Operation Facelift, a façade improvement Community Development Block Grant (CDBG) program; and providing matching grants between \$500.00 and \$15,000.00 to each accepted commercial applicant within the Neighborhood Commercial Revitalization Program's (NCRP) Revitalization Project areas. [Presented by Frances A. Gonzalez, Director, Neighborhood Action Department; George V. Pedraza, Assistant to the City Manager]

9 2 6 6 8

43. A Resolution approving the City's Legislative Program for the 77th Legislature, which begins on January 9, 2001. [Presented by Jim Campbell, Director Intergovernmental Relations; Melissa Byrne Vossmer, Assistant City Manager]

2000-37-3

44. An Ordinance authorizing the first amendment to the 3D/International (3D/I) agreement, in the amount of \$1,645,000.00, for Project Management services, including construction document review and cost analysis services provided on the Mexican Cultural Institute Renovation Phase, and additional staff required to address the numerous unanticipated change orders, budget increases and extended duration of services associated with the Henry B. Gonzalez Convention Center Expansion Project; ratifying related services performed; and providing for payment. [Presented by Jelynn LeBlanc Burley, Director, Convention Center Expansion Office; Joe A. Aceves, Special Projects Consultant; Roland A. Lozano, Executive Director, Facility and Visitor Services]

9 2 6 6 9

45. An Ordinance amending Sections 35-4124 and 35-4125 of the City Code establishing new requirements for new residential street construction to inhibit speeding by limiting the unimpeded street length based upon anticipated traffic volume; approving traffic calming features; and precluding single family residential lots from fronting collector streets. [Presented by John German, Director, Public Works Department; Christopher J. Brady, Assistant City Manager]

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46. An Ordinance authorizing the expenditure of \$500.00 from the District 1 Contingency Budget Account payable to the Guitar Foundation of America to help with the purchase of tickets to allow children to attend the Southwest Guitar festival concert featuring "Los Niños del CIDEA," as requested by Councilman Bobby Perez.

9 2 6 7 1

47. An Ordinance authorizing the expenditure of \$500.00 from the District 1 Contingency Budget Account payable to Christ the King Catholic Church to help offset the cost for rental of a showmobile in connection with their Fall Festival scheduled for Sunday, October 8, 2000; as requested by Councilman Bobby Perez.

9 2 6 7 2

92678
48. An Ordinance authorizing the temporary closure of Houston Street from Broadway to N. Alamo on October 12, 2000 beginning at 7:30 A.M. until 7:30 P.M. and on October 13, 2000 from 7:30 A.M. until 2:00 P.M. in connection with Octane Films' TV Commercial for Capital One; and providing for an immediate effective date upon passage of eight (8) affirmative votes; as requested by Councilman Bobby Perez.

92674
49. An Ordinance authorizing Raul Prado, in his capacity as City Councilman, District 4, to execute a License Agreement with General Growth Properties, Inc., as Licensor, for the use of 310 square feet of office space for the District at South Park Mall, 2310 S.W. Military Drive, at a monthly license fee of \$500.00 for a period of one year, subject to annual appropriation of funds; as requested by Councilman Raul Prado.

50. Travel Authorization for Councilwoman Bonnie Conner to attend the Texas Conference for Women in Austin, Texas on Monday, October 9, 2000 through Tuesday, October 10, 2000.

51. City Manager's Report.

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

A. Attorney/Client consultation regarding the lawsuit between *Yanaguana Cruises, Inc. vs. City of San Antonio*, Cause No. 2000-CI-04845.

B. Attorney/Client consultation regarding the lawsuit between *Arlene Otto, et al vs. City of San Antonio, Lorenzo Alvarez and Fernando Arrellano*, Cause No. 98-CI-10602.