



Just Ord 97569
Just Rev. 2003-18-20
Just ordinance - 97604
Just Rev. RECEIVED
CITY OF SAN ANTONIO
CITY CLERK

2003 MAY -8 P 11. 22

Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 Main Plaza
San Antonio, Texas 78205
May 8, 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:

Staff presentation on City-Wide Project Selection and Resource Allocation for 2003 General Obligation Bond Program. [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 Patrick Andrews, Southeast Church of Christ, and Pledge of Allegiance.
2. Ceremonial Items.
3. Approval of the minutes of the Regular City Council Meeting of April 10, 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. 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 Z2003053 S: The request of Southside Credit Union, Applicant, for Southside Credit Union, Owner(s), for a change in zoning from "H RM-4" Historic Residential Mixed Historic District to "H NC S" Historic Neighborhood Commercial District with specific use authorization for a bank without a drive-through facility on Lot 5, Block 3, NCB 744, 1017 South Alamo Street. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 1)
- B. ZONING CASE NUMBER Z2003056: The request of City of San Antonio, Historic Preservation Officer, Applicant, for San Antonio Housing Trust Investment Corporation, Owner(s), for a change in zoning to designate Historic Significance on Lot 23, Block A, NCB 8800, 2515 Blanco Road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 1)
- C. ZONING CASE NUMBER Z2003057: The request of City of San Antonio, Historic Preservation Officer, Applicant, for Richard and Ruth Vasquez, Owner(s), for a change in zoning to designate Historic Significance on West 39.3 Ft. of the East 73.0 Ft. of Lots 1, 2 & 3, NCB 680, 721 West Poplar Street. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 1)
- D. ZONING CASE NUMBER Z2003065: The request of City of San Antonio, Applicant, for Multiple Property Owners, Owner(s), for a change in zoning to establish a Neighborhood Conservation District 2 (NCD-2) Overlay District on an area generally bounded by West Myrtle to the south, San Pedro to the east, Hildebrand to the north and the Union Pacific Railroad tracks to the west. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 1)
- E. ZONING CASE NUMBER Z2003067: The request of City of San Antonio, Applicant, for Lansdowne Investments Ltd., Edgar K and Maxine M Markwardt, Arthur Veltman Jr, James and Patricia Doolittle, Eileen B. Biering et al, Betty Jean Baumgardner, Greenhill Enterprises Inc., Hospitalite Suisse Inc., Equity Inn Partnership LP, Gal-Tex Crockett Inc c/o Gal-Tex Hotel Corporation, Keystone-Texas Property Holding Corporation, Olga Donovan, Russell Noe, John H White et al c/o DB Harrell Mgmt. Inc., Owner(s), for a change in zoning to designate the Alamo Viewshed Protection District on 300 Alamo Plaza by amending the City Code of San Antonio, Texas Chapter 35, Unified Development Code, Section 35-337, Viewshed Protection District, to establish an Alamo Viewshed Protection District, VP-1, generally bounded by East Houston Street and Bonham Street on the north, Interstate Highway 37 on the east, East Crockett Street on the south, and Alamo Plaza on the west. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 1)

5. 3:00 P.M. – Consideration of the following: [Presented by Yolanda Ledesma, Acting City Clerk; Travis M. Bishop, Assistant City Manager]

A) An Ordinance declaring the results of the Canvass of the Regular and Joint Election held on May 3, 2003; ordering a Run-off Election for the City Council to be held on May 27, 2003; and establishing Early Voting and Election Day polling locations for the Run-Off Election.

✓ B) Statements of Elected Officer administered to successful candidates.

✓ C) Administration of the Oath of Office by City Clerk.

✓ D) Mayor to issue Certificates of Election to successful candidates.

6. 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

7. An Ordinance accepting the bids of various companies to provide the City of San Antonio with influenza vaccine, antivirus software & license for exchange server, Lombardini engine parts & service, Prentice grappler parts & service, Kubota tractor parts & service, and hand wipes on an annual basis for Fiscal Year 2003-2004 for a total cost of approximately \$270,202.00. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

Capital Improvement Items

8. An Ordinance authorizing the execution of Field Alteration No. 9 for the additional amount of \$67,902.00 to furnish and install infrastructure necessary to support a public address system in connection with the contract with Constructors & Associates, Inc. for the Terminal Improvements at San Antonio International Airport Package 3; revising the budget; and providing for payment. [Presented by Kevin Dolliole, Director, Aviation; Christopher J. Brady, Assistant City Manager]

9. An Ordinance selecting Pape-Dawson Engineers, Inc. to provide professional engineering services associated with pre-development land activities at the Southwest Business and Technology Park; authorizing the negotiation and execution of a professional services agreement in an amount not to exceed \$161,288.00; appropriating funds; and providing for payment. [Presented by Rebecca Waldman, Director, Asset Management; Erik Walsh, Assistant to the City Manager]

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97581
15. An Ordinance authorizing the City Manager or her designee to execute a Railroad Crossing Improvement Agreement with Union Pacific Railroad Company (UPRC) and authorizing \$29,916.00 from Street Maintenance and Improvement Funds payable to UPRC for improvements to the existing railroad crossing surface on Dreamland Drive in Council District 8; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

16. An Ordinance authorizing the City Manager or her designee to execute a Railroad Crossing Improvement Agreement with Union Pacific Railroad Company (UPRC) and authorizing \$23,194.00 from Street Maintenance and Improvement Funds payable to UPRC for improvements to the existing railroad crossing surface on Orsinger Lane in Council District 8; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

17. An Ordinance authorizing the City Manager or her designee to execute a Railroad Crossing Improvement Agreement with Union Pacific Railroad Company (UPRC) and authorizing \$79,454.00 from Street Maintenance and Improvement Funds payable to UPRC for improvements to the existing railroad crossing surface on Southcross Boulevard in Council District 3; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

18. An Ordinance authorizing payment in the total amount of \$24,238.00 from 1999 G.O. Drainage Improvement Bond funds to KEI, Inc. for On-Call environmental engineering remediation services under an existing Environmental Professional Service Consulting Contract in connection with the S. Flores from Malone to Octavia Project, located in Council Districts 3 and 5; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

Miscellaneous

19. An Ordinance authorizing the acceptance of an amount not to exceed \$64,350.00 from GlaxoSmithKline Pharmaceuticals for the San Antonio Metropolitan Health District to participate in a follow-on TWINRIX® Vaccine Study from March 28, 2003 through March 27, 2005 for the prevention of Hepatitis A and Hepatitis B in healthy adults 18 years of age or older; authorizing the execution of the Investigator Agreement; establishing the project fund; adopting the project budget; and authorizing payments for contractual services. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant to the City Manager]

97582
20. An Ordinance authorizing the execution of a professional services agreement not to exceed \$51,000.00 with Southwest Research Institute to conduct the Fruit and Nut Survey Phase II: Assessment of Homegrown Produce for Volatile Organic Compound Contamination in connection with the Public Center for Environmental Health, which is operated by the San Antonio Metropolitan Health District, for the period May 1, 2003 through December 31, 2003; and authorizing payments for services. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant to the City Manager]

97583
21. An Ordinance approving revisions to the Rental of International Center Meeting Rooms, Terraces, and Other Spaces Usage Policy, including modifications to the Catering Agreement; and allowing the fee for custodial services to increase from \$10 per hour to \$15 per hour. [Presented by Rebecca Waldman, Director, Asset Management; Erik Walsh, Assistant to the City Manager]

97584
22. An Ordinance approving the terms and conditions and authorizing the execution of a Designated Fund Agreement with the San Antonio Area Foundation ("Foundation") so that the Foundation may receive and distribute funds raised by the City to support the development of the Office of Cultural Affairs' community cultural plan titled *The Cultural Collaborative: A Community Plan for San Antonio's Creative Economy* ("Cultural Plan"). [Presented by Felix Padron, Director, Cultural Affairs; Roland A. Lozano, Assistant to the City Manager]

ITEMS FOR INDIVIDUAL CONSIDERATION

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23. An Ordinance accepting the low bid of True Flavors Culinary Planners (MBE) to provide the City of San Antonio Parks & Recreation Department with a summer food service program for a total of \$743,529.15, authorizing the execution of said contract subject to the timely submission by True Flavors Culinary Planners of the required performance bond, or in the event such bond is not timely submitted, in the alternative, accepting the second low qualified bid and awarding a contract for these same services, to Selrico Services, Inc. for the amount of \$773,709.30; and providing for an effective date. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

97586
24. An Ordinance authorizing the City Manager to negotiate and execute a five-year agreement with Aramark Sports and Entertainment Services, Inc. for the operation of food, beverage and catering services at the Alamodome. [Presented by Michael Abington, Director, Alamodome; Roland A. Lozano, Assistant to the City Manager]

97602
25. An Ordinance amending Chapter 35 of the City Code of San Antonio, Texas by amending Section 35-523, Tree Preservation, regarding Tree Protection Requirements, Tree Retention Ratio, Tree Root Protection Zone, Tree Warranty Requirements and Renumbering Tables 523-2 and 523-3 and references and by amending Section 35-511, Landscaping, regarding Understory Preservation and Parking Lot Shading; as requested by Mayor Edward D. Garza. [Presented by Florencio Pena, Director, Development Services; Christopher J. Brady, Assistant City Manager]

92604

26. An Ordinance supporting a License Agreement with the Dallas Cowboys Football Club ("Dallas Cowboys") to hold its 2003 Training Camp at the Alamodome from the approximate dates of July 24, 2003 through August 20, 2003, in which the Dallas Cowboys will assume their local expenses including lodging, meals and transportation, the Alamodome will retain revenues for concessions and parking from all Training Camp events and the Dallas Cowboys will pay the Alamodome \$2.00 for each ticket sold for a scrimmage game with the Houston Texans to be held at the Alamodome during the 2003 Training Camp; authorizing a fee to the Dallas Cowboys of \$400,000.00 of reallocated Pan American reserve funds to offset the procurement and expenses associated with the football field; and providing for payment. [Presented by Roland A. Lozano, Assistant to the City Manager; Terry M. Brechtel, City Manager]

27. City Manager's Report. - 

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

A. Deliberation and consideration of the annual performance evaluation of City Manager Terry M. Brechtel, pursuant to Texas Government Code Section 551.074 (personnel matters).

B. Discuss legal issues relating to *Encore Video, Inc. v. City of San Antonio*, 00-5119 - US Court of Appeals, Fifth Circuit, New Orleans, pursuant to Texas Government Code Section 551.071 (consultation with attorney).