



First Ord 96214
 First Res. 2002-31-33
 Last Ord 96249
 Last Res. 2002-31-33
 2002 AUG 23 P 12:05
 RECEIVED
 CITY CLERK
 CITY OF SAN ANTONIO

Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 Main Plaza
San Antonio, Texas 78205
August 22, 2002

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

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

Budget Work Session. [Presented by Louis A. Lendman, Director of Management & Budget; Christopher J. Brady, Assistant City Manager]

- Revenues (Office of Management & Budget) – all funds
- Employee Benefits and Employee Compensation (Human Resources)

II. The City Council will convene in Council Chambers, Municipal Plaza Building in a Regular Council Meeting at 1:00 P.M.

1. Invocation by Rev. Ilene Dunn, Madison Square Presbyterian Church, and Pledge of Allegiance.
2. Ceremonial Items.

DISABILITY ACCESS STATEMENT

This meeting is wheelchair accessible. The accessible entrance is located at 103 Main Plaza. Accessible parking spaces are located at City Hall, 100 Military Plaza. Auxiliary aids and services are available upon request (interpreters for the deaf must be requested forty-eight (48) hours prior to the meeting) by calling (210) 207-7245 V/TTY for assistance. Closed captioning is available on broadcasts of the Council meetings on 21-TVSA.

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

THE FOLLOWING ITEMS WILL BE CONSIDERED AT THE TIMES INDICATED:

3. 2:00 P.M. – Public Hearing and Consideration of the following Zoning Cases: [Presented by Christopher J. Brady, Interim Director Development Services; Terry M. Brechtel, City Manager]

Continue for 30 days (9/26/02)
A. ZONING CASE Z2001223-2A : The request of City of San Antonio, Applicant, for Borden Park LP, Owner(s), for a change in zoning to designate those properties as part of the River Overlay Districts on Lots 11, 12, 12A, 12B, 12C, 13, 14, NCB 3053, 815, 825, 835, 837, 841 and 875 East Ashby Place. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 1)

96233
B. ZONING CASE NUMBER Z2002155: The request of City of San Antonio, Applicant, for Lisa Guerra, Owner(s), for a change in zoning from "R-6" Residential Single Family District to "R-4" Residential Single Family District on Lot 37, NCB 852, 475 - 479 E. Magnolia Ave. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 1)

VOID
96233
C. ZONING CASE NUMBER Z2001223-4A : The request of City of San Antonio, Applicant, for Multiple property owners, Owner(s), for a change in zoning to designate those properties along the San Antonio River as River Overlay District 4 on those properties north of Octavia Place, south of Concepcion Creek, and west of the San Antonio River. Staff's recommendation was for approval. Zoning Commission has recommended approval of Z2001223-4 (RIO-4) with the exclusion of those properties north of Octavia Place, south of Concepcion Creek, and west of the San Antonio River as per exhibit "A" map. (Council District 3)

Continue for 30 days (9/26/02)
D. ZONING CASE NUMBER Z2002112 C S: The request of The Lothry-Nostrum-Pfeifer House, Applicant, for the Lothry-Nostrum-Pfeifer House, Owner(s), for a change in zoning from "R-5" Residential Single Family District to "C-3 NA C S" Commercial Non Alcoholic Sales District with a conditional use for parking of vehicles, recreational vehicles and boats and a specific use authorization for a mini warehouse on 20.30 acres of land on 20.30 acres out of Tract A, NCB 10835, Roland Ave., north of E. Southcross. Staff's recommendation was for approval. Zoning Commission has recommended approval of "C-2 NA C S". (Council District 3)

Continue for 30 days
E. ZONING CASE NUMBER Z2002120: The request of Sulieman D. Ismail, Applicant, for Sulieman D. Ismail, Owner(s), for a change in zoning from "C-3 NA" Commercial Non Alcoholic Sales District to "C-3" Commercial District on Lots 1 & 2, Block 1, NCB 11156, 1225 & 1217 E. Chavaneaux. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 3)

for 30/14
2012-31-33

ZONING CASE NUMBER Z2002141: The request of Mary C. Lopez c/o Domingo Villafranca, Applicant, for Mary C. Lope c/o Domingo Villafranca, Owner(s), for a change in zoning from "C-2" Commercial District to "C-3" Commercial District on Lot 142, Block 1, NCB 11252, 3222/3226 Southwest Military Drive & 7119 Somerset Road. Staff's recommendation was for denial. Zoning Commission has recommended approval. (Council District 4)

4. 3:00 P.M. – A Resolution adopting the 2002 Annexation Plan and setting the following dates for the first and second Public Hearings on the proposed annexations: Thursday, September 5, 2002, 6:00 P.M. and Thursday, September 12, 2002, 6:00 P.M. in the City Council Chambers, 103 Main Plaza. [Presented by Emil R. Moncivais, Director of Planning; Jelynn LeBlanc Burley, 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

96214
96215
96216
96217

6. An Ordinance accepting the low bid submitted by MLP Ventures, Inc. to provide the City of San Antonio Parks & Recreation Department with concrete work at the Bamberger Nature Park for a total sum of \$29,484.00 to be funded by a grant from the Texas Parks & Wildlife Department. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

7. An Ordinance accepting the low bid submitted by Cooper Equipment Co. to provide the City of San Antonio Public Works Department with one asphalt distributor for a total of \$34,557.00. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

8. An Ordinance accepting the offer submitted by TRC Computer Services, Inc. (MBE), a Qualified Information Systems Vendor, to provide the City of San Antonio Police Department with twenty (20) forms printers for a total sum of \$57,133.00. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

9. An Ordinance accepting the bids of various companies to provide the City of San Antonio with equipment parts and service, dry concrete, film, pest control service, traffic light assemblies, automotive & light truck repair, asphalt paving materials on an annual contract basis for FY2002-2003 for a total sum of approximately \$6,321,724.00. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

Capital Improvement Items

- 96228
96238
10. An Ordinance accepting low bid submitted by Amstar, Inc. to perform construction work in connection with the Calderon Boys and Girls Club/Frank Garrett Center Project in City Council Districts 1 and 5 in the amount \$283,000.00; appropriating \$246,350.00 in 1999 Park Bond General Obligation Funds and \$100,000.00 in reprogrammed Community Development Block Grant Funds; authorizing the execution of a standard construction contract; authorizing \$63,350.00 for construction contingency expenses; and providing for payment. [Presented by Malcolm Matthews, Director of Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]
- 96218
96218
11. An Ordinance accepting low bid submitted by 3TI, Inc. to perform construction work in connection with the Olmos Basin Park Rehabilitation and Trail System Development Construction Project in City Council District 9 with a base bid of \$217,000.00 with Bid Alternates 1, 2 and 3 for a total contract cost of \$222,179.00; appropriating \$272,179.00 in 1999 Park Bond Funds; authorizing the execution of a standard construction contract; authorizing \$50,000.00 for construction contingency expenses; and providing for payment. [Presented by Malcolm Matthews, Director of Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]
- 96219
96219
12. An Ordinance accepting the low, qualified bid in the amount of \$1,283,888.23 of San Antonio Constructors, Ltd. (MBE) in connection with the Flores/Breeden/Beacon Drainage Outfall Phase II & El Monte from Flores to San Pedro Project, located in Council District 1; utilizing 1999 G.O. Drainage Improvement Bond; authorizing \$91,974.22 for miscellaneous construction contingency expenses; authorizing an additional \$24,900.00 payable to Hoyt Consulting Engineers, Inc. for engineering expenses; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
- 96220
96220
13. An Ordinance approving Field Alteration No. 4-Final with Texas Sterling Construction, Inc. in the decreased amount of \$27,307.37 in connection with the Duval Street from Pierce to Walters Project, located in Council District 2. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
- 96221
96221
14. An Ordinance amending a professional services contract with Pape-Dawson Engineers, Inc. and authorizing additional funds in amount not to exceed \$332,615.00 from 2000 Certificates of Obligation for additional engineering services in connection with the Callaghan from Bandera to Ingram Metropolitan Planning Organization Project, located in Council District 7; authorizing \$33,262.00 for engineering contingency expenses; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

Items Concerning the Purchase, Sale or Lease of Real Property

96222
96222
96222
15. An Ordinance authorizing payment in the amount of \$2,605.00 to Eckmann, Groll & Runyan, Inc. for appraisal services in connection with the Ashley Road – Bascum Blvd. to South Flores Project (\$455.00), Hi-Lions Drainage Project #80, Phases III & V (\$650.00), and the Fire Station No. 47 Project (\$1,500.00); appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

96223
96223
96223
16. An Ordinance authorizing payment in the amount of \$7,100.00 to Dugger, Canaday, Grafe, Inc. for expert testimony and appraisal services in connection with the Culebra Drainage #58F Project (\$1,125.00), Hildebrand – I.H. 10 to Breeden Metropolitan Planning Organization Project (\$1,650.00), Southcross Boulevard – New Braunfels to Presa Metropolitan Planning Organization Project (\$350.00), and the Thousand Oaks Intersections Metropolitan Planning Organization Project (\$3,975.00); revising the project budgets; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

96224
96224
96224
17. An Ordinance authorizing payment in the amount of \$72.00 to Davidson & Troilo, P.C. for legal services in connection with the Southcross Sidewalks – Zarzamora to Shelby Community Development Block Grant (CDBG) Project, located in Council District 4; revising the project budget; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

96225
96225
96225
18. An Ordinance authorizing payment in the amount of \$444.20 from 1987 General Obligation Drainage Bonds to Lawyers Title of San Antonio for title charges in connection with the Hi-Lions Drainage Project #80, Phases III & V, located in Council District 3; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

96226
96226
96226
19. An Ordinance authorizing the release of two (2) drainage easements located between N. Flores Street and San Pedro Creek and W. Laurel Street and the VIA Metropolitan Transit property, as requested by the Petitioner, VIA Metropolitan Transit, for the consideration of \$6,395.00. [Presented by Rebecca Waldman, Director, Department of Asset Management; Erik J. Walsh, Assistant to the City Manager]

96227
96227
96227
20. An Ordinance authorizing a License Agreement between the City of San Antonio and James D. Calder to use public right of way over a portion of Pebble Pier for the maintenance, operation and landscaping of an existing railroad tie barrier at his adjacent property located at 15426 Pebble Gate in NCB 17465, for a ten (10) year term, for the consideration of \$2,500.00. [Presented by Rebecca Waldman, Director, Department of Asset Management; Erik J. Walsh, Assistant to the City Manager]

Miscellaneous

96228
96228
21. An Ordinance authorizing the acceptance of additional funds in the total amount of \$1,546,132.00 from Alamo Workforce Development Inc. (AWD) for the provision of child care services in connection with the continued operation of the Alamo Child Care Delivery System (CCDS) program; acknowledging unilateral modifications in connection therewith; authorizing the execution of contract modifications with the Texas Workforce Commission (TWC) through Alamo Workforce Development, Inc. (AWD) which pledges certification of local expenditures in the total amount of \$1,860,593.00 to use as matching funds to generate additional federal funds in the total amount of \$2,810,742.00 in the CCDS program; authorizing certification of said expenditures in connection therewith; authorizing acceptance of said additional funds in the amount of \$2,810,742.00 for the provision of child care services and quality initiatives; and revising CCDS program budgets for fiscal years 2001 and 2002 and a personnel complement for Fiscal Year 2002. [Presented by Dennis J. Campa, Director, Department of Community Initiatives; Frances A. Gonzalez, Assistant to the City Manager]

96229
96229
22. An Ordinance authorizing the Environmental Services Director to accept four (4) Texas Natural Resource Conservation Commission (TNRCC) Regional Solid Waste Pass-Through Grants, totaling \$332,956.00, immediately available from the Alamo Area Council of Governments (AACOG) for FYs 2002 and 2003; along with authority to accept any amended allocations; and further authorizing the City Manager or her designee to submit FY 2003 grant applications for remaining FY 2003 grant opportunities approximately totaling \$215,687.00. [Presented by Daniel V. Cardenas, Director, Environmental Services Department; Melissa Byrne Vossmer, Assistant City Manager]

Board, Commissions and Committee Appointments.

96230
96230
23. Consideration of the following board appointments: [Presented by Norma Rodriguez, City Clerk; Travis M. Bishop, Assistant City Manager]

96231
96231
24. An Ordinance appointing John Benito Cavazos (Mayor) to the City Commission on Veterans Affairs for a term of office to expire on June 11, 2004.

96232
96232
25. An Ordinance appointing Al J. Notzon as Director/Trustee (District 7) and reappointing Roy Rivero (District 7) as Trustee to the San Antonio Local Development Company for terms of office to expire on May 9, 2004 and May 9, 2005, respectively.

96233
96233
26. An Ordinance appointing Debra Gail Carr to the Commission for Children and Families (District 1) for a term of office to expire on June 27, 2004.

96234
96234
27. An Ordinance appointing Deborah Perez to the Affirmative Action Advisory Committee (District 10) for a term of office to expire on January 31, 2003.

24. Consideration of the following board appointments: [Presented by David D. Garza, Director, Neighborhood Action Department; Jelynne LeBlanc Burley, Assistant City Manager]

A. An Ordinance appointing five (5) members to the Board of Directors for Reinvestment Zone Number Twelve, City of San Antonio, Texas, commonly referred to as the Plaza Fortuna Project, for terms of office to expire on September 1, 2004. [Nominees: Abraham Elliott, Lance F. Elliott, Harry Hausman, Laura Hausman and Abel Tovar]

B. An Ordinance reappointing three (3) members and appointing two (2) members to the Board of Directors for Reinvestment Zone Number Five, City of San Antonio, Texas, commonly referred to as the New Horizons Project, for terms of office to expire on September 1, 2004, and appointing one (1) member as chairperson for a one year term beginning on January 1, 2003. [Nominees: Carlos Balido, Maricela Tello, Councilman Julian Castro (proposed chairperson), Dell F. Sanchez and Carmen P. Limon]

C. An Ordinance appointing five (5) members to the Board of Directors for Reinvestment Zone Number Six, City of San Antonio, Texas, commonly referred to as the Mission Del Lago Project, for terms of office to expire on September 1, 2004, and appointing one (1) member as chairperson for a one year term effective upon passage. [Nominees: Lance F. Elliott, John Pleuthner, Jim Mattox (proposed chairperson), Will Richardson and Virginia Rogers]

D. An Ordinance appointing two (2) members to the Board of Directors for Reinvestment Zone Number Ten, City of San Antonio, Texas, commonly referred to as the Stablewood Farms Project, for terms of office to expire on September 1, 2004. [Nominees: Marcus Moreno and Jason V. Morash]

ITEMS FOR INDIVIDUAL CONSIDERATION

25. An Ordinance setting a proposed ad valorem tax rate for FY 2003 at 57.854 cents per \$100 of taxable valuation which is the tax rate recommended in the City Manager's Proposed Budget, which includes 36.204 cents per \$100 of taxable valuation for Maintenance and Operations and 21.650 cents per \$100 of taxable valuation for Debt Service [Presented by Louis A. Lendman, Director, Office of Management and Budget; Christopher J. Brady, Assistant City Manager]

26. An Ordinance amending Chapter 19 of the City Code, Article XI, Sections 19-386 through Section 19-406, providing for the provisions of Private Property Non-Consent Towing Services, by removing the requirements for the licensing and insurance of tow services; providing for the inspection of tow vehicles for compliance with uniform vehicle and equipment safety standards established by the State; increasing the maximum fee schedule; and providing for the inspection of tow service companies and vehicle storage records and facilities for compliance with State law. [Presented by Albert A. Ortiz, Chief of Police; J. Rolando Bono, Deputy City Manager]

96244
96243
27. An Ordinance authorizing the acceptance and execution of a Settlement Agreement with Philips Semiconductors, Inc. (F/K/A VLSI Technology Inc. or "VLSI") providing that the firm will pay \$37,437.92 in interest on City property taxes totaling \$337,534.82 previously paid for tax years 1995, 1996 and 1997; and authorizing the waiver of \$97,282.85 in penalties and collection fees. [Presented by Ramiro Cavazos, Director, Economic Development; Christopher J. Brady, Assistant City Manager]

96244
96244
28. An Ordinance authorizing the execution of an amendment to the one (1) year professional services contract with the San Antonio Sports Foundation to provide an additional \$150,000.00 for bid related expenditures associated with the solicitation of the 2007 Pan American Games to San Antonio; appropriating funds; and providing for payment; as requested by Mayor Ed Garza. [Presented by Dale Lockett, Acting Director, Convention & Visitors Bureau; Roland A. Lozano, Assistant to the City Manager]

96244
96245
29. An Ordinance authorizing the waiver of sidewalk and street permit fees of approximately \$49,000.00 for the temporary closure of the sidewalks and streets surrounding San Fernando Cathedral for the purposes of the renovation of the Cathedral; as requested by Councilman Bobby Perez, District 1. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

96244
96246
30. An Ordinance authorizing the waiver of sidewalk, street and parking meter closure fees in the approximate amount of \$64,000.00 for the temporary closure of the sidewalks, streets and parking meters adjacent to the construction of Museo Americano located within Market Square at Commerce and Santa Rosa; as requested by Councilman Bobby Perez, District 1. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

96244
96247
31. An Ordinance amending the professional services contract with PBS&J-Austin in an amount not to exceed \$50,000.00 for professional services in connection with the Elmendorf, Woodlawn and Olmos Proposal Study project, a Storm Water Regional Facilities funded project located in City Council Districts 5, 7 and 9. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

96244
96248
32. An Ordinance accepting a proposal and amending the professional services contract with Turner Collie & Braden, Inc. in an amount of \$50,000.00 and authorizing \$5,000.00 for miscellaneous engineering contingency expenses in connection with the Martinez Creek/Woodlawn Lake Watershed Drainage Analysis, a Storm Water Regional Facilities funded project located in District 7. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

PUBLISHED

96249
Approved

33. Staff presentation regarding the proposed Letter of Intent for Proposed Annexation Agreement between the City of San Antonio, Texas ("City") and Lumbermen's Investment Corporation ("Lumbermen's"). [Presented by Christopher J. Brady, Assistant City Manager; Terry M. Brechtel, City Manager]

34. An Ordinance authorizing the expenditure of \$100.00 from the Mayor's Contingency Account Fund, payable to the Monticello Park Historic District Organization, to be used to help defray a portion of the cost for janitorial and security services incurred in connection with the annual Fiesta Home Tour that was held on April 20, 2002; as requested by Mayor Edward D. Garza.

35. Travel Authorization for Mayor Edward D. Garza who will travel to Mexico City, Mexico to attend the XL Pan American Sports Organization (PASO) General Assembly to support San Antonio's bid for the 2007 Pan American Games from Friday, August 23, 2002 to Saturday, August 24, 2002.

36. City Manager's Report. - *No report*

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

A. Attorney-Client consultation on legal issues relating to the boundary of City property along the San Antonio River near East Hildebrand.

B. Attorney-Client consultation regarding the lawsuit styled Save Our Aquifer, et al, v. City of San Antonio, et al, Cause No. SA-02-CA-618, United States District Court, Western District, San Antonio Division.

C. Attorney-Client consultation regarding the proposed lawsuit by the City of San Antonio and the San Antonio Water System against Dead On Directional and Bechtel Telecommunications.

III. The City Council will convene in a "B" Session at 7:00 P.M. or at the conclusion of the Council Meeting for a Budget Work Session.

➤ Public Safety: Police, Fire, EMS