



Pally
 First Ord. 93343
 First Rev. 2001-05-06
 Last Ord 93392
 Last Rev. 2001-05-06

Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 Main Plaza
San Antonio, Texas 78205
February 1, 2001

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) Boards and Commission Worksession. [Presented by Norma Rodriguez, City Clerk; Travis M. Bishop, 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 Reverend Kenny Davis, Beacon Hill Presbyterian Church and Pledge of Allegiance.

*Resolution of Respect - Marshall T. Stern, Sr.
 2001-05-06*

2. Ceremonial Items.

3. Approval of the Minutes of the Regular City Council Meetings of October 26 and November 30, 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 forty-eight (48) 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:

4. 5:00 P.M. - Citizens To Be Heard.

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

CONSENT AGENDA *Item 5-20F*

Items Concerning the Purchase of Equipment, Supplies and Services

- 9334 3 *93343*
5. An Ordinance accepting the low, qualified bid submitted by Dury's Gunshop, Inc. to provide the City of San Antonio Police and Parks and Recreation Departments with semi-automatic pistols for a total of \$50,025.00. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Terry M. Brechtel, Executive Director of Administrative and Financial Services]

Capital Improvement Items

- 9334 4 *93343*
6. An Ordinance authorizing the execution of a "Local Transportation Project Advance Funding Agreement" with the Texas Department of Transportation (TxDOT) in the amount of \$33,000.00 in connection with the Metropolitan Planning Organization (MPO) Surface Transportation Project (STP), East Houston Street from New Braunfels to Onslow Street, located in Council District 2. [Presented by Thomas G. Wendorf, Director, Public Works Department; Christopher J. Brady, Assistant City Manager]

- 9334 5 *93343*
7. An Ordinance accepting a proposal and authorizing the execution of an Environmental Professional Services Agreement with HNTB Corporation for the preparation of environmental assessments and documents associated with various Metropolitan Organization funded projects, to fulfill National Environmental Policy Act (NEPA) requirements, in an amount not to exceed \$100,000.00; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works Department; Christopher J. Brady, Assistant City Manager]

- 9334 6 *93343*
8. An Ordinance accepting a proposal and authorizing the execution of an Environmental Professional Services Agreement with AMEC Earth and Environmental, Incorporated, for providing geotechnical and environmental services for closed landfills and other City projects in an agreement not to exceed \$155,000.00; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works Department; Christopher J. Brady, Assistant City Manager]

- 93347
9. An Ordinance accepting a proposal and authorizing the execution of an Environmental Professional Services Agreement with Hartnett Engineered Solutions, Incorporated for providing geotechnical and environmental services for closed landfills and other City projects in an agreement not to exceed \$150,000.00; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works Department; Christopher J. Brady, Assistant City Manager]
- 93348
10. An Ordinance accepting a proposal and authorizing the execution of an Environmental Professional Services Agreement with Geomarine, Incorporated for the preparation of environmental assessments and documents associated with various Metropolitan Organization funded projects, to fulfill National Environmental Policy Act (NEPA) requirements, in an amount not to exceed \$100,000.00. [Presented by Thomas G. Wendorf, Director, Public Works Department; Christopher J. Brady, Assistant City Manager]

Items Concerning the Purchase, Sale or Lease of Real Property

- 93349
11. An Ordinance authorizing a seven (7) Year Lease Agreement with Marcat Enterprises d/b/a KIA International for their continued lease of Building No. 336, The Kusch House, in HemisFair Park in City Council District 1 for their provision of \$20,592.00 in Capital Improvements to this building by March 15, 2002 and annual rent of \$9,609.60 in Year Two, \$9,884.16 in Year Three; \$10,158.72 in Year Four; \$10,433.28 in Year Five; \$10,845.12 in Year Six; and \$11,119.68 in Year Seven. [Presented by Malcolm Matthews, Director, Parks & Recreation Department; Melissa Byrne Vossmer, Assistant City Manager]
- 93350
12. An Ordinance authorizing a five (5) Year License Agreement with the Boys and Girls Clubs of San Antonio for their use of the City's Peter D. Reed Baseball Field in Elmendorf Park in City Council District 5 for Youth Athletic and Recreation Programs. [Presented by Malcolm Matthews, Director, Parks & Recreation Department; Melissa Byrne Vossmer, Assistant City Manager]
- 93351
13. An Ordinance authorizing payment of the amount of \$7,193.75 to Eckmann, Groll & Runyan, Inc. for appraisal services in connection with the Downtown Parking Garage Project (\$5,443.75) and the Fire Station No. 7 Project (\$1,750.00) and payment of the amount of \$1,740.00 to Dugger, Canaday & Garafe, Inc. for appraisal services in connection with the Babcock Road – De Zavala to Hausman Project (\$1,250.00) and the W. W. White Road – Rigsby to Lord Road Project (\$490.00); for a total sum of \$8,933.75; appropriating funds and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works Department; Christopher J. Brady, Assistant City Manager]

93352 14. An Ordinance authorizing payment of the amount of \$2,750.00 to Ramon Esquivel for the appraisal services in connection with the S. Flores – Malone to Octavia Metropolitan Planning Organization Project; appropriating funds and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works Department; Christopher J. Brady, Assistant City Manager]

93353 15. An Ordinance declaring the S. Flores – Malone to Octavia Project (“Project”) to be a public project; declaring a public necessity for the acquisition of the fee simple title and/or easement interest to certain privately owned real property, by negotiations and/or condemnation, if necessary, for public improvements for use as a part of this project; to wit all or portions of the properties listed as follows: a 0.0009 acre tract out of Lot 113, Block 4, NCB 3228; a 0.0052 acre tract out of Lots 1, 2 and Lot 3, Block 14, NCB 3232; a 0.0133 acre tract out of Lot 1, Block 1, NCB 6230; a 0.0059 acre tract out of Lot D, NCB 6102; a 0.0039 acre tract out of Lots 1, 2 and 3, Block 2, NCB 6151; a 0.0052 acre tract out of Lot 3, Block 1, NCB 6100, C.W. Hafer Addition; a 0.0037 acre tract out of Lots 1 and 2, Block 5, NCB 6154, Lorraine Place; a 0.0080 acre tract out of Lot A-35, Block 1, NCB 3267; a 0.0085 acre tract out of Lot 1, Block 2, NCB 3382; a 0.0056 acre tract out of Lots 2 through 5, Block 2, NCB 3382 and Lots 1 and 2, Block 1, NCB 6150; a 0.0029 acre tract out of Lots 1, 2, 3, 4 and 5, Block 7, NCB 3231, Hillcrest Addition; a 0.0037 acre tract out of 1.228 acre tract (Tract No. 7), NCB 6230; a 0.0107 acre tract out of Lot C1, NCB 6102; a 0.0030 acre tract out of Lot 21, Block 12, NCB 3227, Hillcrest Addition; a 0.0012 acre tract out of Lot 1, Block 1, NCB 6230; a 0.0022 acre tract out of NCB 3268; and a 0.0011 acre tract out of a 0.93 of an acre parcel, NCB A-24; all in Bexar County, Texas, for a public purpose as part of Project; establishing just compensation for the Property; appropriating funds for the Project and miscellaneous expenses associated with the Project such as appraisals and attorney’s fees; authorizing the City staff and/or its designated representatives to negotiate with and to acquire the Property from the owners on the approved terms; authorizing the City Attorney and/or designated special counsel to file eminent domain proceedings, if necessary; finding the ordinance to have been considered pursuant to the laws governing Open Meetings; and establishing an effective date. [Presented by Thomas G. Wendorf, Director, Public Works Department; Christopher J. Brady, Assistant City Manager]

93354 16. An Ordinance appropriating the amount of \$380,000.00 payable to Gerry Rickhoff, County Clerk, for the Defendants in Condemnation Cause No. 2000-ED-005, City of San Antonio vs. Colonnade Retail, Ltd., et al., for fee simple title to one parcel in connection with the Wurzbach Road at I. H. 10 and Ironside Intersections Project; appropriating funds and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works Department; Christopher J. Brady, Assistant City Manager]

Miscellaneous Items

93355 17. An Ordinance authorizing payment of the annual membership dues for the City of San Antonio to the Alamo Area Council of Governments (AACOG) in the amount of \$68,832.78 for calendar year 2001. [Presented by Jim Campbell, Director Intergovernmental Relations; Melissa Byrne Vossmer, Assistant City Manager]

93356 18. An Ordinance amending the guidelines for the appointment of individuals to serve on Boards and Commissions of the City; and incorporating said amendments into one document. [Presented by Norma Rodriguez, City Clerk; Travis M. Bishop, Assistant City Manager]

93357 19. An Ordinance authorizing the receipt of the amount of \$260,000.00 for full and final settlement in the case styled *City of San Antonio vs. Estevez-Monroe, Inc. d/b/a Estevez-Monroe Development Company v. Fidelity National Title Insurance Company, Inc. and Alamo Title Insurance Company v. Bexar County Housing Finance Corporation*, Cause No. 99-CI-04452 in the 45th Judicial District Court of Bexar County, Texas; and authorizing the execution of a Mutual Release and all documents necessary to effect full and final settlement. [Presented by Frank J. Garza, City Attorney; Alexander E. Briseño, City Manager]

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

93358 A) An Ordinance appointing Marcus Alvarado (District 3) to the San Antonio Youth Commission for a term of office to expire on June 1, 2002.

93359 B) An Ordinance re-appointing Fred D. Villarreal (District 1); Mary Wallace (District 3) and Dominick Dina (District 8) to the Brooks Advisory Board for terms of office to expire on March 5, 2003.

93360 C) An Ordinance re-appointing Jeanne A. Paulk (District 8) to the Clean-Up City Commission for a term of office to expire on February 24, 2003.

93361 D) An Ordinance re-appointing Benjamin Youngblood (District 8) to the Ethics Review Board for a term of office to expire on February 21, 2003.

93362 E) An Ordinance re-appointing Paul Rockwood (District 9) to the Parks and Recreation Board for a term of office to expire on March 31, 2003.

93363 F) An Ordinance re-appointing Walter James Hagan (District 9) to the Animal Care Services Advisory Board for a term of office to expire April 3, 2003.

ITEMS FOR INDIVIDUAL CONSIDERATION

93364 21. An Ordinance selecting a Financial Underwriter Syndicate for the potential underwriting and sale of General Airport System Revenue Bonds and Airport Passenger Facility Revenue Bonds. [Presented by Terry M. Brechtel, Executive Director of Administration and Financial Services and Interim Director, Finance Department]

93365 22. An Ordinance authorizing the acceptance of a continuation grant in the amount of \$37,136,307.00 from the Department of Health and Human Services for the Operation of the Head Start-Early Child Care Program for the period February 1, 2001 through January 31, 2002; approving a budget; approving a personnel complement; and authorizing the execution of a contract with Parent/Child, Incorporated to operate said program; and authorizing a temporary loan from the general fund into the City Grant Fund Account pending receipt of grant funds. [Presented by Dennis J. Campa, Director, Department of Community Initiatives; Melissa Byrne Vossmer, Assistant City Manager]

93366 23. An Ordinance authorizing the expenditure of \$300.00 each from District 1, 5 and 7 Contingency Budget Accounts to the San Antonio Teachers' Council to help support the annual "Teacher Day" celebration on Friday, May 4, 2001; as requested by Councilmembers Bobby Perez, David Garcia and Ed Garza.

93367 24. An Ordinance authorizing the expenditure of \$500.00 from the District 5 Contingency Budget Account to the Quintana Community Neighborhood Association to help defray the costs associated with the publishing of a monthly newsletter informing the community of city services available; as requested by Councilman David Garcia.

93368 25. An Ordinance authorizing the expenditure of \$300.00 from the District 6 Contingency Budget Account to the Christian Boot Camp Organization which provides volunteers to assist with City-sponsored projects in every Council District; as requested by Councilman Enrique Barrera.

93369 26. An Ordinance authorizing the expenditure of \$300.00 each from District 5 and 6 Contingency Budget Account to the St. Jude's Nutritional Center Softball Team to help to defray the cost of uniforms, equipment and other operating costs; as requested by Councilmembers David Garcia and Enrique Barrera.

93370 27. An Ordinance authorizing the expenditure of \$500.00 from the District 5 Contingency Budget Account to the Brady Gardens Neighborhood Association to help defray the costs associated with the publishing of their monthly newsletter informing the community of city services available; as requested by Councilman David Garcia.

- 93371
28. An Ordinance authorizing the expenditure of \$750.00 from the District 5 Contingency Budget Account to the Boys & Girls Clubs of San Antonio to help defray the costs in connection with the 2001 Regional Golden Gloves Tournament scheduled for Tuesday, February 20 through Saturday, February 24, 2001; as requested by Councilman David Garcia.
- 93372
29. An Ordinance authorizing the expenditure of \$250.00 from both District 5 and District 6 Contingency Budget Accounts to assist the Thompson Community Neighborhood Association with the costs associated with the publishing of a monthly newsletter, which will help inform the community of city, county and state services that are available to the residents; as requested by Councilmembers David Garcia and Enrique Barrera.
- 93373
30. An Ordinance authorizing the expenditure of \$100.00 each from both the District 6 and District 7 Contingency Budget Accounts payable to the ACCESS 21 After School Program to help defray the costs involved with providing supplies for the after school program; as requested by Councilmembers Enrique Barrera and Ed Garza.
- 93374
31. An Ordinance authorizing the expenditure of \$100.00 from the District 7 Contingency Budget Account payable to the San Antonio Golf Association to offset expenses for both the Cinco De Mayo Jr. Classic and also for those who are unable to pay for fee expenses; as requested by Councilman Ed Garza.
- 93375
32. An Ordinance amending Ordinance Nos. 92511 and 92806 by authorizing the reallocation of funding from the FY 2001 Council District 9 One-Time Projects budget as follows: A) reducing funds set aside for Public Works Projects from \$50,000 to \$35,500; B) allocating \$5,000 to the Keep San Antonio Beautiful Program; C) allocating \$7,000 to the Monte Vista Historical Association for the purchase of Historical Association street markers; and D) allocating \$2,500 to the Clean Up City Commission; as requested by Councilman Tim Bannwolf.
- 93376
33. An Ordinance authorizing the expenditure of \$1,500.00 from the District 10 Contingency Budget Account to the Wetmore Community Cemetery, designated as a historical cemetery, to help defray the cost of fence repairs as well as landscaping needs; as requested by Councilman David Carpenter.
- 93377
34. An Ordinance authorizing the expenditure of \$1,434.74 from the District 2 Contingency Budget Account to the Sunrise Neighborhood Association to help defray the cost of lighting for the entrance sign to the subdivision; as requested by Councilman Mario Salas.

9336 35. An Ordinance authorizing the expenditure of \$600.00 from the District 6 Contingency Budget Account to the Oliver Wendell Holmes High School Parent & Teacher Association (PTA) to help offset the expenses associated with Northside Independent School District students to participate in the Columbia Scholastic Press Association's (CSPA) 77th Annual Convention; as requested by Councilman Enrique Barrera.

9337 36. An Ordinance authorizing the expenditure of \$200.00 from the District 6 Contingency Budget Account to the San Antonio Police Explorers Program, Post #830 to help offset expenses association with providing equipment, transportation and uniforms for disadvantaged teenagers in order that they might gain first-hand knowledge of our City's law enforcement activities by allowing them to participate in field trips organized by police officers on their personal time; as requested by Councilman Enrique Barrera.

9338 37. An Ordinance authorizing the expenditure of \$350.00 from the District 6 Contingency Budget Account to the Westwood Terrace Little League to help offset the expense necessary to purchase fencing and equipment association with field maintenance; as requested by Councilman Enrique Barrera.

9338 38. An Ordinance authorizing the expenditure of \$250.00 each from Districts 5 and 6 Contingency Budget Accounts to the Helping Hands Lifeline Foundation to provide short term assistance to indigent families and children with clothing, food, school supplies and toys; as requested by Councilmembers David Garcia and Enrique Barrera.

9338 39. An Ordinance authorizing the expenditure of \$100.00 from the District 1 Contingency Budget Account to the St. Timothy Catholic Church CYO Program to help defray the costs of purchasing uniforms, equipment and other operating costs; as requested by Councilman Bobby Perez.

9338 40. An Ordinance authorizing the expenditure of \$400.00 from the District 1 Contingency Budget account to the Jefferson Co-op to help defray the costs of transporting 57 seniors to the State Capitol celebration for a luncheon with the Bexar County Delegation; as requested by Councilman Bobby Perez.

9338 41. An Ordinance authorizing the expenditure of \$275.00 from the District 4 Contingency Budget Account to the City of San Antonio Parks and Recreation Department for rental of the showmobile to be used by St. Bonaventure Church for their annual spring festival scheduled for May 6, 2001; as requested by Councilman Raul Prado.

9338 42. An Ordinance authorizing the expenditure of \$5,000.00 from the District 3 Contingency Budget Account to the Alameda Museum for the "Official Texas State Latino Museum" to help defray the cost for equipment, materials, and software; as requested by Councilwoman Debra Guerrero.

- 93386
43. An Ordinance authorizing the expenditure of \$3,000.00 from the District 3 Contingency Budget Account to the YMCA of San Antonio and Hill Country/Downtown Branch to help defray the cost of renovating the men and women's locker room areas ADA accessible; as requested by Councilwoman Debra Guerrero.
- 93387
44. An Ordinance authorizing the expenditure of \$550.00 from the District 3 Contingency Budget Account to St. Lawrence Church to help defray the costs of the showmobile for their annual Spring Festival, scheduled for April 1, 2001; as requested by Councilwoman Debra Guerrero.
- 93388
45. An Ordinance authorizing the expenditure of \$1,000.00 from the District 3 Contingency Budget Account to the Highland Skyline Youth Sports Complex to help defray the cost to purchase trophies and/or metals for the season participants; as requested by Councilwoman Debra Guerrero.
- 93389
46. An Ordinance authorizing the expenditure of \$500.00 from the District 3 Contingency Budget Account to St. Lawrence Church to help defray the cost of renting the showmobile for their annual Fall Festival; as requested by Councilwoman Debra Guerrero.
- 93390
47. An Ordinance authorizing the expenditure of \$100.00 from the District 3 Contingency Budget Account to the Alameda to help defray the cost for rental of plants for the dinner honoring the Secretary of Smithsonian Institute; as requested by Councilwoman Debra Guerrero.
- 93391
48. An Ordinance authorizing the expenditure of \$1,000.00 from the District 3 Contingency Budget Account to the Universidad Nacional Autonoma de Mexico for an exhibition by Mexican cut-paper artist Jorge Rosano, the funds will help defray the cost of Mr. Rosano's travel and lodging expenses, as well as shipping fees to bring the collection from Mexico City; as requested by Councilwoman Debra Guerrero.
- 93392
49. An Ordinance authorizing the expenditure of \$1,000.00 from the District 3 Contingency Budget Account to the Lyric Opera of San Antonio to help defray the cost involved with the upcoming production of Las Musas Latinas, a zarzuela; as requested by Councilwoman Debra Guerrero.
50. City Manager's Report.
*Report on Development Process Manual
 (Building Inspection Dept)*

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

- A) Attorney/Client consultation regarding the case styled *Roger Boysen v. City of San Antonio*; Cause No. 98-CI-05812 in the 285th Judicial District, Bexar County, Texas.
- B) Attorney/Client consultation regarding recovery of costs due to Change Orders resulting from architectural errors and omissions on the Convention Center Expansion Project.