



Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 Main Plaza
San Antonio, Texas 78205
October 18, 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. Staff Presentation on Convention Center Expansion Project update. [Presented by Jelynne LeBlanc Burley, Director of Convention Center Expansion Office; Roland A. Lozano, Assistant to the City Manager]
 - B. Staff Presentation on the Enterprise Resource Management (ERM) Project. [Presented by Milo D. Nitschke, Acting Director, Finance Department; Terry M. Brechtel, 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 Pastor Jim D. Rion, Westover Hills Assembly of God, and Pledge of Allegiance.
 2. Ceremonial Items.
 3. Approval of the minutes of the Regular Council Meeting of September 20, 2001 and October 4, 2001.

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. Closed captioning is available on broadcasts of the Council meetings on 21-CHIC.

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. 3:00 P.M. – Public Hearing and Consideration of an Ordinance closing, vacating and abandoning a portion of an unimproved 10-foot wide alley out of New City Block 8750, Block 11, adjacent to Lots 33, 34 and 45 located between Clarendon and Oregon Streets, generally north of Peabody Avenue as requested by Marina M. Villagran, Mary Lupe V. Torres and Sergio A. and Arcelia M. Gomez, the Petitioners and owners of property abutting the alley, for the consideration of \$748.00. [Presented by Rebecca Waldman, Director, Department of Asset Management; 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

6. An Ordinance accepting the bids of various companies to provide the City of San Antonio with various materials and services on an annual contract basis for the 2001-2002 Fiscal Year for a total of approximately \$202,652.00. (Copies of bid packets are available for review in the Purchasing Department and a list of successful bidders are available for review in the City Clerk's Office.) [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

Capital Improvement Items

7. An Ordinance ratifying Field Alteration No. 6 in the amount of \$61,036.26 payable to Dayco Construction Co. in connection with the Upper Six Mile Creek #83F Project in Council District 4. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
8. An Ordinance authorizing payment in the amount of \$2,178.08, as part of the City's share of twenty (20) percent of construction costs, payable to the Texas Department of Transportation (TXDOT) in connection with the Bitters from Broadway to Nacogdoches Metropolitan Planning Organization Project in Council District 10; appropriating funds and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

9. An Ordinance approving Field Alteration No. 3-Final in the decreased amount of \$31,409.90 to the construction contract with E-Z Bel Construction Co. in connection with the El Monte from San Pedro to McCullough Project located in Council District 9. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
10. An Ordinance amending the 1999 Bond Projects Start-Up Costs Project Budget in the Department of Parks and Recreation; authorizing the transfer of \$35,500.00 in 1999 Park General Obligation Bond Funds into this project; authorizing \$35,500.00 for professional services, mandatory project fees, land acquisition fees, bid advertising and printing expenses; authorizing City staff to allocate funds within the project budget; and encumbering funds and providing for payment. [Presented by Malcolm Matthews, Director of Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]
11. An Ordinance approving Field Alteration 1 in the amount of \$38,037.45 payable to LVA Construction Co., an SMWBE company, for capital improvements in connection with the Normoyle Park Improvements Project in City Council District 5 and transferring project funds from the construction contingency into the construction contract. [Presented by Malcolm Matthews, Director of Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]
12. An Ordinance accepting the low, qualified bid of D.R. Kidd Company, Inc. in the amount of \$1,263,000.00 for the construction of Package 4 of the Terminal Improvement Program at San Antonio International Airport; authorizing execution of a construction contract; authorizing \$126,300.00 for construction contingencies; appropriating funds; and providing for payment. [Presented by Kevin C. Dolliole, Director, Aviation Department; Christopher J. Brady, Assistant City Manager]
13. An Ordinance ratifying work completed and approving Field Alteration Nos. 111, 112, 114 and 115 in the total amount of \$269,057.00 payable to Clark/JT Construction for work associated with the Henry B. Gonzalez Convention Center Expansion Project – Phase 1B; and providing for payment. [Presented by Jelynn LeBlanc Burley, Director of Convention Center Expansion Office; Roland A. Lozano, Assistant to the City Manager]

Items Concerning the Purchase, Sale or Lease of Real Property

14. An Ordinance authorizing the acquisition of approximately 11.14 acres along Huebner Creek between Eckert Road and Whitby Road in City Council District 7 from the Echo Creek Homeowners Association for the amount of \$22,280.00; establishing a project budget; appropriating \$40,000.00 in FY 2000/2001 One-Time Improvement Funds; encumbering funds for land acquisition, survey fees, appraisal fees, environmental assessment fees, and park development; and providing for payment. [Presented by Malcolm Matthews, Director of Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]

15. An Ordinance authorizing payment in the amount of \$800.00 to Ramon Esquivel for appraisal services in connection with the Isom Road – Ramsey to U.S. 281 Metropolitan Planning Organization Project in Council District 9; appropriating funds and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

16. An Ordinance authorizing payment in the amount of \$17,052.25 to Eckmann, Groll, Runyan, Inc. for appraisal services in connection with the Belgium Lane – Picarde to Coliseum Project (\$500.00), Fire Station No. 7 Project (\$845.00), Fire Station No. 25 Project (\$4,095.00), French Creek Expansion (Mystic Park) Project (\$500.00), Hi-Lions Drainage Project #80, Phases III & V (\$500.00), Hunter Tract Park Project (\$500.00), Mission Trails Parkway, Package IV Metropolitan Planning Organization Project (\$724.75), Pecan Valley – I.H. 10 to J Street Metropolitan Planning Organization Project (\$1,235.00), Pleasanton Road – Southcross to Mayfield Metropolitan Planning Organization Project (\$3,672.50), Salado Creek Greenway (Hike and Bike) Project (\$1,750.00) and the San Antonio River Improvements – Houston to Lexington Project (\$2,730.00); appropriating funds and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

17. An Ordinance authorizing payment in the amount of \$25,405.09 to Lawyers Title of San Antonio for title charges in connection with the Bitters Road – W. Avenue to Heimer Metropolitan Planning Organization Project (\$1,350.72), Fire Station No. 7 Project (\$1,805.72), Fire Station No. 25 Project (\$1,746.72), French Creek Redevelopment (Mystic Park) Project (\$987.86), Friedrich Park Project (\$2,333.86), Heritage Park (Duck Pond) Project (\$150.86), Hunter Tract Park Project (\$640.86), Lockhill-Selma – George Road to Whispering Path Metropolitan Planning Organization Project (\$3,653.72), Northwestern Parkland Acquisition (Timber Path) Park Project (\$3,213.86), Pecan Valley – I.H. 10 to J Street Metropolitan Planning Organization Project (\$1,531.09), Price Avenue Reconstruction Project (\$420.86), Salado Creek Hike and Bike Trail Project (\$2,876.36), Southcross – New Braunfels to S. Presa Metropolitan Planning Organization Project (\$3,563.88) and the W.W. White Road – Rigsby to Lord Road Project (\$1,128.72); appropriating funds and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

18. An Ordinance authorizing payment in the amount of \$1,485.00 to Vickrey & Associates, Inc. for a property survey in connection with the Hildebrand Avenue – I.H. 10 to Breeden Metropolitan Planning Organization Project in Council District 1; appropriating funds and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

Miscellaneous

19. An Ordinance authorizing the acceptance of a cash grant award in the amount of \$115,000.00 from the Cancer Therapy and Research Center to support the ongoing Breast Cancer Screening Project of the San Antonio Metropolitan Health District through September 30, 2002; establishing a fund; adopting a budget; approving a personnel complement; authorizing the execution of an agreement with University Health System for the use of facilities and equipment; authorizing the execution of an agreement with University Physicians Group for the provision of diagnostic radiological procedures; authorizing the execution of an agreement with South Texas Radiology Imaging Centers for the provision of mammography services; and approving payments for contractual services. [Presented by Dr. Fernando A. Guerra, Director of Health; Melissa Byrne Vossmer, Assistant City Manager]

20. An Ordinance authorizing the acceptance of cash and contract support totaling \$5,221,482.00 from the Texas Department of Health for ongoing programs of the San Antonio Metropolitan Health District; authorizing the use of \$100,000.00 for the Core Public Health Project and \$5,121,482.00 for the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) Project; authorizing the execution of contract with Texas Department of Health; revising the budget for the Public Health State Support Project 2000/2001-State established in Ordinance No. 93174, passed and approved January 4, 2001; approving the personnel complement for the activities funded; establishing a fund for the Women, Infants and Children Project; adopting the project budget; approving the personnel complement; authorizing the execution of a contract for a Certified Lactation Consultant; and approving payments for contractual services and existing WIC clinic leases. [Presented by Dr. Fernando A. Guerra, Director of Health; Melissa Byrne Vossmer, Assistant City Manager]

21. An Ordinance authorizing the acceptance of up to \$41,300.00 in cash from SmithKline Beecham Corporation d/b/a GlaxoSmithKline for the San Antonio Metropolitan Health District to participate during the period October 1, 2001 through September 30, 2002 in a study of the effectiveness and safety of GlaxoSmithKline's inactivated Hepatitis A Vaccine (HAVRIX®) when administered with Aventis Pasteur's inactivated Poliovirus Vaccine (IPOL®) in children 12 months to 17 months of age; authorizing the execution of an Investigator Agreement with GlaxoSmithKline; establishing a fund; adopting a budget; approving a personnel complement; and approving payments for contractual services. [Presented by Dr. Fernando A. Guerra, Director of Health; Melissa Byrne Vossmer, Assistant City Manager]

22. An Ordinance authorizing the acceptance of up to \$44,965.00 in cash from SmithKline Beecham Corporation d/b/a GlaxoSmithKline for the San Antonio Metropolitan Health District to participate during the period October 1, 2001 through September 30, 2002 in a study of the effectiveness and safety of GlaxoSmithKline's inactivated Hepatitis A Vaccine (HAVRIX®) when given with a Measles-Mumps-Rubella Vaccine (Merck & Co's M-M-R®) and a Varicella Vaccine (Merck & Cos Varivax®) to children 12 months to 15 months of age; authorizing the execution of an Investigator Agreement with GlaxoSmithKline; establishing a fund; adopting a budget; approving a personnel complement; and approving payments for contractual services. [Presented by Dr. Fernando A. Guerra, Director of Health; Melissa Byrne Vossmer, Assistant City Manager]
23. An Ordinance authorizing the execution of an amendment to the Ryan White Care Act of 1990 Title I Program Intergovernmental Agreement between the City of San Antonio and Bexar County to extend the ending term from September 30, 2001 to September 30, 2004. [Presented by Dr. Fernando A. Guerra, Director of Health; Melissa Byrne Vossmer, Assistant City Manager]
24. An Ordinance authorizing the acceptance of a grant in the amount of \$15,000.00 from the Annie E. Casey Foundation (AECF) in support of the "Making Connections - Neighborhood Transformation/Family Development" Initiative; authorizing the City Manager to execute all necessary documentation with AECF in connection with said grant; and establishing a project budget and personnel complement. [Presented by Dennis J. Campa, Director, Department of Community Initiatives; Melissa Byrne Vossmer, Assistant City Manager]
25. An Ordinance amending Ordinance No. 92274, passed and approved on August 10, 2000, to accept the third year of funding of \$24,461.53 for the purchase of ballistic vests for law enforcement personnel. [Presented by Al A. Philippus, Chief of Police; J. Rolando Bono, Deputy City Manager]
26. An Ordinance authorizing the City Manager or her designated representative to enter into an interagency agreement with the Bexar County Criminal District Attorney's Office to share the proceeds from asset forfeiture cases pursuant to Chapter 59 of the Code of Criminal Procedure and the Texas Controlled Substance Act (Tex. Rev. Civ. Stat. Ann., Article 4476-15) on the basis of 75 percent for the San Antonio Police Department and 25 percent for the District Attorney's Office, for a two (2) year period commencing October 1, 2001 and ending September 30, 2003. [Presented by Al A. Philippus, Chief of Police; J. Rolando Bono, Deputy City Manager]

27. An Ordinance accepting a \$2,000.00 donation from Allstate Insurance for the Smoke Detector Installation Program that provides smoke detectors to needy families and individuals. [Presented by Robert Ojeda, Chief, Fire Department; J. Rolando Bono, Deputy City Manager]
28. **Board, Commissions and Committee Appointments** [Presented by Norma Rodriguez, City Clerk, Travis M. Bishop, Assistant City Manager]
- A. An Ordinance appointing William P. Ryan (District 10) to the Parks and Recreation Board for a term of office to expire on March 31, 2003.
- B. An Ordinance reappointing Michael B. Feldblum (District 8) and appointing Lisa Rodriguez (District 7) to the Housing Authority of the City of San Antonio for terms of office to expire on October 18, 2003.
- C. An Ordinance reappointing Xavier Antu (Journey Electrician- Union – Mayor) to the Electrical Examining and Supervising Board for a term of office to expire on July 31, 2003.
- D. An Ordinance appointing Siegfried Richter (District 6) and reappointing Richard Kelley (District 8) to the Airport Advisory Committee for terms of office to expire on December 15, 2003.
- E. An Ordinance reappointing Sandra Bliss (District 1) and Teresa Kilmer (District 7) to the Mayor's Commission on the Status of Women for terms of office to expire on December 15, 2003.
- F. An Ordinance reappointing Robert Echavarria (District 8), Stella Sanders (District 1) and Larry Losoya (District 4) to the City of San Antonio, Texas Educational Facilities Corporation for terms of office to expire on December 15, 2003.
- G. An Ordinance reappointing Mirella Hernandez (Cultural Artist-District 4) to the Arts and Cultural Advisory Committee for a term of office to expire on November 5, 2003.

ITEMS FOR INDIVIDUAL CONSIDERATION

29. An Ordinance amending Ordinance No. 94375, passed on August 16, 2001, which called a Special Election for November 6, 2001, to amend the Charter of the City of San Antonio, and reflecting changes to Early Vote Sites and Election Day Voting Polling Locations to be used for that election. [Presented by Norma Rodriguez, City Clerk, Travis M. Bishop, Assistant City Manager]

30. Consideration of the following Ordinances: [Presented by Milo D. Nitschke, Acting Director, Finance Department; Terry M. Brechtel, City Manager]

A. An Ordinance authorizing and approving publication of the Notice of Intention to issue City of San Antonio, Texas Combination Tax and Revenue Certificates of Obligation, Series 2001 in a maximum principal amount not to exceed \$75,000,000.00; complying with the requirements contained in Securities and Exchange Commission Rule 15c2-12, including the approval and distribution of the Preliminary Official Statements pertaining to the issuance of such obligations and approximately \$98,465,000.00 City of San Antonio, Texas General Improvement and Refunding Bonds, Series 2001 and approximately \$265,325,000.00 General Improvement Forward Refunding Bonds, Series 2002; authorizing the City's staff, co-financial advisors, and co-bond counsel to take all actions deemed necessary in connection with the sale of such obligations; and providing for an effective date.

B. A Resolution relating to establishing the City's intention to reimburse itself for the prior lawful expenditures of funds from the proceeds of tax-exempt obligations to be issued by the City for authorizing purposes designated as "City of San Antonio, Texas General Improvement Bonds, Series 2002"; and "City of San Antonio, Combination Tax and Revenue Certificates of Obligation, Series 2002"; authorizing other matters incident and related thereto; and providing for an effective date.

31. An Ordinance authorizing the execution of contracts and approving the firms of Deloitte and Touche, L.L.P., Garza/Gonzalez and Associates, and Robert J. Williams, CPA, to provide the City GASB Statement No. 34 implementation assistance and independent audit services for the fiscal years of 2002, 2003, 2004, 2005 and 2006, at a total fee for audit services of \$270,000.00 for year one, \$278,100.00 for year two, \$286,443.00 for year three, with years 2005 and 2006 to be negotiated, with City Council approval, and an amount not to exceed \$100,000.00 over the term of the contract for GASB Statement No. 34 implementation assistance. [Presented by Milo D. Nitschke, Acting Director, Finance Department; Terry M. Brechtel, City Manager]

32. An Ordinance authorizing payment of the amount of \$550,000.00 and submission of agreed consent decree as settlement of the lawsuit styled Esperanza, et al, vs. City of San Antonio, et al, Cause No. SA98CA-00696-OG, in the United States District Court, Western District of Texas, San Antonio Division. [Presented by Frank J. Garza, City Attorney; Terry M. Brechtel, City Manager]

33. An Ordinance authorizing the appropriating of \$26,600.00 of Proposition 3 Edwards Aquifer Park Land Project Funds into the Crownridge Canyon Nature Park Development Project budget in City Council District 8 for Landscape Architect Fees and Professional Environmental and Habitat Assessment Fees. [Presented by Malcolm Matthews, Director of Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]

34. An Ordinance amending Chapter 14 of the City Code of San Antonio, Texas, to effect an enhanced Solid Waste Management Program, including elimination of an ambiguous grace period associated with impermissible waste placed at curbside; providing for collection of extraordinary costs and administrative fees for solid waste services necessary to abate impermissible waste; authorizing the Directors of Environmental Services, Public Works, Code Compliance, and the Metropolitan Health District and to make orders for special collection services for benefit of the Public Health and Safety and to designate personnel to issue Notices of Violation (NOVs); modifying sections of Chapter 14 as necessary; deferring some enforcement actions during a thirty (30) day public outreach; providing for penalties and directing publication. [Presented by Daniel V. Cardenas, Acting Director of Environmental Service Department; Melissa Byrne Vossmer, Assistant City Manager]
35. An Ordinance authorizing the submission by the City of San Antonio, Department of Community Initiatives, Community Action Division of a Fiscal Year 2002 Community Services Block Grant (CSBG) application in the amount of \$1,843,950.00 to the Texas Department of Housing and Community Affairs (TDHCA) for the period of January 1, 2002 to December 31, 2002; accepting recommendations by the Community Action Advisory Board to allocate funds to Delegate Agencies as follows: the American G.I. Forum, \$28,000.00; Avance, \$85,000.00; Boys and Girls Club of San Antonio, \$44,000.00; Project QUEST, \$80,000.00; and Young Women's Christian Association, \$55,000.00; and authorizing the execution of a Lease with the Mexican American Unity Council for leasing approximately 2,918 square feet of office space for the amount of \$2,918.00 a month for the operation of the Community Action Program West. [Presented by Dennis J. Campa, Director, Department of Community Initiatives; Melissa Byrne Vossmer, Assistant City Manager]
36. An Ordinance authorizing the acceptance of a grant from the Alamo Area Council of Governments (AACOG)/Bexar Area Agency on Aging in the amount of \$1,117,689.00 for the continuation of the Comprehensive Nutrition Project from October 1, 2001 through September 30, 2002; approving a budget and personnel complement for FY 2001/2002; 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]
37. An Ordinance amending Chapter 33 of the City Code, adding Section 33-931 to provide for the approval of accessible vehicle permits for the operation of taxicabs that are accessible to passengers with disabilities. [Presented by Al A. Philippus, Chief of Police; J. Rolando Bono, Deputy City Manager]

38. Presentation of report to City Council concerning the independent review of the Air Force's contaminated groundwater treatment options near Kelly Air Force Base by Zephyr Environmental Corporation. [Presented by Daniel V. Cardenas, Acting Director, Environmental Services Department; Melissa Byrne Vossmer, Assistant City Manager]
39. Confirmation and approval of Travel Authorization for Councilmembers Enrique Martin, District 4, and David A. Garcia, District 5, who will travel to Mexico City, Mexico to join with San Antonio Export Leaders to visit with government officials and business organizations from Thursday, October 18, 2001 through Sunday, October 21, 2001.
40. An Ordinance reappointing Glenn Huddleston to the Downtown Advisory Board (North Sector) for a term of office to expire on January 26, 2003; as requested by Councilman Bobby Perez, District 1.
41. A Resolution supporting a constitutional amendment creating the Texas Mobility Fund, listed as Proposition 15, on the November 6, 2001 ballot, which would allow for the authorization of grants, loans of money and issuance of obligations for financing construction, reconstruction, acquisition, operation and expansion of state highways, turnpikes, toll roads, toll bridges and other mobility projects; as requested by Councilman Carroll W. Schubert, District 9.
42. An Ordinance authorizing the expenditure of \$550.00 from the District 9 Contingency Account Fund payable to the City of San Antonio Parks and Recreation Department for use of the showmobile, with sound systems, by Woodridge Elementary Parent Teacher Organization (PTO) for a fundraising Halloween festival hosted by the Woodridge Elementary PTO on Saturday, October 27, 2001; as requested by Councilman Carroll W. Schubert.
43. City Manager's Report.
44. Executive Session: Consultation concerning attorney-client matters (real estate, litigation, contracts, personnel and security) may be discussed.
 - A. Attorney-Client consultation regarding the lawsuits styled Thomas Bullock, et. al. v. City of San Antonio, Cause No. 1997-CI-16326, 37th Judicial District Court, 04-99-906 CV 4th Court of Appeals, and 01-0018 Texas Supreme Court and Ruben Hernandez, et. al., v. City of San Antonio, Cause Number 2001-CI-08722, 407th Judicial District Court.
 - B. Attorney-Client consultation regarding status of Grey Forest Utilities' use of City right-of-way.

- C. Attorney-Client consultation regarding the status of settlement negotiations with Qwest Communications in relation to terms and conditions of its default long distant provider agreement with City.
- D. Attorney-Client consultation regarding the enforcement of terms of a Tax Phase-In Agreement previously approved by City Council and dated August 28, 1991 between the City of San Antonio, American Airlines, Inc., as owner of certain real property, and AMR Information Services, Inc., as operator of improvements developed on said real property.
- E. Attorney-Client consultation regarding the application of terms of a City Council resolution approved June 1996 expressing the City Council's intent to enter into a Tax Phase-In Agreement with BABN Technologies, Corp. (now known as Oberthur Gaming Technologies), upon the annexation of related property into the City limits and subject to said companies compliance at that time with the terms of an existing Tax Phase-In Agreement with Bexar County.