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First Res. 2003-03-03
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Last Res. 2003-03-03

**Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 Main Plaza
San Antonio, Texas 78205
January 23, 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 briefing on the results from the Downtown Housing Market & Demand Analysis. [Presented by Ramiro A. Cavazos, Director, Economic Development; 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 Rev. Roger Box, Medical Center Baptist Church, and Pledge of Allegiance.

2. Ceremonial Items.

3. Approval of the minutes for the regular City Council meeting of December 12, 2002.

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 Department; Christopher J. Brady, Assistant City Manager]

97075
A. ZONING CASE NUMBER Z2002219: The request of Tomas & Amalia Guerrero, Applicant, for Tomas Guerrero and Amalia Guerrero, Owners, for a change in zoning from "C-2" Commercial District to "R-6 C" Residential Single Family District with a conditional use for a maximum of two (2) Manufactured Homes on the premises known as Lot 1B and 1C, NCB 15666, 12132 Highway 281 South. Staff's recommendation was for approval. Zoning Commission has recommended denial of "MH". (Council District 3)

97076
B. ZONING CASE NUMBER Z2002268: The request of City of San Antonio, Applicant, for Heatherwilde Estates Housing, L.P., Owner, for a change in zoning from "C-3 R" Commercial District Restrictive Alcoholic Sales to "MF-25" Multi-Family District on 15.00 acres out of NCB 14491, 6200 Block of Old Pearsall Rd. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 4)

Continued
to 3/13/03
ZONING CASE NUMBER Z2002214: The request of City of San Antonio, Applicant, for Multiple property owners, Owner(s), for a change in zoning from "MF-33" Multi-Family District, "C-2" Commercial District, "I-1" General Industrial District, "I-2" Heavy Industrial District to "R-4" Residential Single Family District, as per exhibit map on an area generally bounded by N. and S. San Jacinto to the west, W. Poplar to the north, Comal and N. San Marcos to the east, and W. Durango to the south. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 5)

97077
D. ZONING CASE NUMBER Z2002222: The request of Earl & Brown, P.C., Applicant, for Dittmar Family Partnership, Ltd.; Attn: Joseph E. Dittmar, Owner(s), for a change in zoning from "C-3" Commercial District and "C-3R" Commercial District, Restrictive Alcoholic Sales to "RM-4" Residential Mixed District on Parcels P-7 and P-10, NCB 17872, 1300 Block of Horal Drive. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 6)

97079
E. ZONING CASE NUMBER Z2002195: The request of Joe Nix, Applicant, for Dallas Daughtry & Associates, Owner(s), for a change in zoning from "O-2" Office District to "C-1" Commercial District on Lot 25, NCB 18230, 9599 Braun Road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 8)

97080
F. ZONING CASE NUMBER Z2002229: The request of City of San Antonio, Applicant, for Dallas Daughtry, Owner, for a change in zoning to designate Historic Exceptional on Lot 25, NCB 18230, 9599 Braun Road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 8)

97081
G. ZONING CASE NUMBER Z2002239S: The request of Misra Enterprises, L.P., Applicant, for Misra Enterprises, L.P., Owner, for a change in zoning from "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District to "C-2NA S ERZD" Commercial Non-Alcoholic Sales Edwards Recharge Zone District with a specific use authorization for a gymnasium on 4.49 acres of land out of NCB 19217, 21000 Block of Hardy Oak Boulevard. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 9)

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

97063
6. An Ordinance accepting a proposal from Markhurd to provide the City of San Antonio Information Technology Services with an annual contract for high-resolution digital orthophotography for an estimated cost of \$197,375.00. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

97066
7. An Ordinance approving a contract with InfoUSA to provide the City of San Antonio Library Department with database services for an estimated annual cost of \$30,025.00 for a one year term, with an option to renew for three additional one year terms. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

97067
8. An Ordinance accepting the low offer from Ikon Office Solutions, Inc., a Qualified Information System Vendor, to provide the City of San Antonio Police Department with a sixty-month lease of a network printer for an estimated cost of \$3,788.00 per month. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

Capital Improvement Items

97068
9. An Ordinance authorizing payment in the amount of \$394,741.59 from 2002 Certificates of Obligation to the Texas Department of Transportation for construction costs in connection with the Rittiman Road from Austin Highway to Harry Wurzbach (MPO) Project located 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]

9 069
10. An Ordinance authorizing payment in the amount of \$155,953.56 from 2002 Certificates of Obligation to the Texas Department of Transportation for construction costs in connection with the New Braunfels from I.H. 35 to Grayson (MPO) Project located in Council District 2; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

Miscellaneous

9 707 0
11. An Ordinance authorizing the payment of \$26,311.00 to the Airports Council International (ACI), North America for 2003 annual dues and membership fees. [Presented by Kevin C. Dolliole, Aviation Director; Christopher J. Brady, Assistant City Manager]

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12. An Ordinance authorizing acceptance of a grant from State Farm Insurance Company in the amount of \$10,000.00 to upgrade the current network infrastructure and bandwidth capability at the City of San Antonio's St. Mary's Learning and Leadership Development Center (LLDC) for the period February 1, 2003 through December 10, 2003 approving a budget; and authorizing the execution of any necessary documents in connection therewith. [Presented by Dennis J. Campa, Director of Community Initiatives; Frances A. Gonzalez, Assistant to the City Manager]

9 707 2
13. An Ordinance authorizing acceptance of a grant from the Department of Defense in the amount of \$149,950.00 for the Procurement Technical Assistance Center; authorizing a \$306,605.00 proposed budget with a personnel complement and \$156,655.00 City contribution via in-kind services for the period January 1, 2003 through December 31, 2003. [Presented by Ramiro A. Cavazos, Director, Economic Development; Christopher J. Brady, Assistant City Manager]

9 707 3
14. An Ordinance amending Ordinance No. 96931, passed and approved on December 19, 2002, which submitted a \$63,910.00 grant application to the Office of the Governor, Criminal Justice Division, by specifying the grant's Authorized Official, reducing and specifying the City match, and including new language as required by the Texas Administrative Code, Subchapter D, Section 3.2021. [Presented by Albert A. Ortiz, Police Chief; J. Rolando Bono, Deputy City Manager]

9 707 4
15. An Ordinance approving a hosting obligation for the 2004 Meeting Professionals International (MPI) Annual Professional Education Conference (PEC), scheduled for January 18-20, 2004 in San Antonio, requiring the City of San Antonio to host the delegate luncheon during the 2003 MPI-PEC; authorizing payment to MPI in an amount not to exceed \$65,000.00 for said hosting obligation; and providing for payment. [Presented by Dale Lockett, Acting Director, Convention & Visitors Bureau; Roland A. Lozano, Assistant to the City Manager]

ITEMS FOR INDIVIDUAL CONSIDERATION

Rec'd
2003-
07-23
16. A Resolution supporting City Council's nomination to reappoint Clayton Gay to serve a second term as a Trustee of the City Public Service Board to represent the Southeast Quadrant for a term of office to expire on January 31, 2008; as requested by Mayor Edward D. Garza. [Presented by Yolanda Ledesma, Acting City Clerk; Travis M. Bishop, Assistant City Manager]

97083
17. An Ordinance authorizing the execution of an Equipment/Lease Purchase Agreement between the City of San Antonio and Banc of America Leasing & Capital, LLC at an interest rate of 2.71% for a term of 60 months for \$4,465,000.00 for the purchase of equipment items to include street maintenance equipment, tractor trailers, and library automation system, and to pay the costs of financing; and enacting other provisions incident and related to the subject and purpose of this Ordinance. [Presented by Milo D. Nitschke, Director, Finance Department; Melissa Byrne Vossmer, Assistant City Manager]

97084
18. An Ordinance authorizing the City Manager or her designee to accept a one (1) year "Creating a Culture of Integrity" grant in the amount of \$114,011.00, for the period from September 1, 2002 to August 31, 2003, from the U.S. Department of Justice, Office of Community Oriented Policing Services to fund a Racial Profiling and Use of Force Data Study; establishing a budget and personnel complement. [Presented by Albert A. Ortiz, Police Chief; J. Rolando Bono, Deputy City Manager]

97085
19. An Ordinance ratifying the submission of a continuation grant application to the U.S. Department of Health and Human Services in the amount of \$44,229,262.00 for the operation of the Head Start-Early Child Care Program for the period February 1, 2003 through January 31, 2004 and authorizing the acceptance of said grant in an amount not to exceed the foregoing sum when awarded; establishing a budget; approving a personnel complement; and authorizing the execution of a contract with Parent/Child, Incorporated in the amount of \$43,866,430.00 to operate said program. [Presented by Dennis J. Campa, Director of Community Initiatives; Frances A. Gonzalez, Assistant to the City Manager]

97086
20. An Ordinance accepting the official resignation of Councilman David A. Garcia from Council District 5 and providing for an immediate effective date upon passage by eight (8) affirmative votes. [Presented by Andrew Martin, City Attorney; Terry M. Brechtel, City Manager]

97087
21. An Ordinance adopting the operating budget for the City of San Antonio's Housing Asset Recovery Program (HARP) for FY 2002-2003; approving the HARP Workplan; and ratifying the execution of a contract renewal and providing for payment between the City of San Antonio and the Fannie Mae Corporation for the provision of property disposition services and renovation services for single-family homes for the period beginning December 11, 2002 to December 10, 2003 in connection with the HARP program. [Presented by David D. Garza, Director, Neighborhood Action; Jelynn LeBlanc Burley, Assistant City Manager]

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22. An Ordinance authorizing the creation of a Neighborhood Empowerment Zone totaling 125,000 square feet or 2.86 acres in NCB 10979, near the intersection of S.E. Military Drive and Goliad Road, and granting authorization to the City Manager to negotiate and execute a Sales Tax Rebate Agreement with Development Strategies, Inc. and Target Stores, Inc. for the partial rebate of sales taxes generated at a proposed Target store in an amount not to exceed \$1,463,000.00 for a ten (10) year period commencing upon the earlier of either store opening or January 1, 2004; as requested by Councilwoman Antoniette Moorhouse, District 3. [Presented by Ramiro Cavazos, Director, Economic Development Department; Christopher J. Brady, Assistant City Manager]

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23. An Ordinance authorizing the execution of a contract with the San Antonio Food Bank, Inc. in the amount of \$28,771.00 for the provision of nutritious food and related products to charitable organizations that provide for needy individuals and families in San Antonio; and authorizing the allocation and expenditure of Human Development Services Funds from District 2 in the amount of \$5,100.00, District 3 in the amount of \$5,100.00, District 6 in the amount of \$7,371.00, District 8 in the amount of \$1,000.00, District 9 in the amount of \$5,100.00 and District 10 in the amount of \$5,100.00, in connection therewith. [Presented by Dennis J. Campa, Director of Community Initiatives; Frances A. Gonzalez, Assistant to the City Manager]

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24. An Ordinance authorizing the execution of a contract with the Alamo Area Council, Boy Scouts of America in the amount of \$58,753.00 for the provision of educational programs for boys, girls and young adults; and authorizing the allocation and expenditure of Human Development Services Funds from District 1 in the amount of \$5,000.00, District 3 in the amount of \$1,253.00, District 4 in the amount of \$15,000.00, District 6 in the amount of \$15,000.00, District 7 in the amount of \$12,500.00 and District 9 in the amount of 10,000.00, in connection therewith. [Presented by Dennis J. Campa, Director of Community Initiatives; Frances A. Gonzalez, Assistant to the City Manager]

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25. An Ordinance authorizing the execution of a contract with the Alamo Area Resource Center in the amount of \$4,000.00 for general outreach support in connection with Jennifer's Camp, a camp for children affected by AIDS and their caregivers and siblings; and authorizing the allocation and expenditure of Human Development Services Funds from District 5 in the amount of \$1,000.00, District 6 in the amount of \$1,000.00, District 7 in the amount of \$500.00, District 8 in the amount of \$500.00, District 9 in the amount of \$500.00, District 10 in the amount of \$500.00, in connection therewith; as requested by Councilmember Enrique Barrera. [Presented by Dennis J. Campa, Director of Community Initiatives; Frances A. Gonzalez, Assistant to the City Manager]

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26. An Ordinance authorizing the expenditure of \$500.00 from the Mayor's Contingency Account Fund, \$500.00 from the District 1 Contingency Account Fund, and \$500.00 from the District 8 Contingency Account Fund, payable to the San Antonio Saint Patrick's Day Parade Commission, to be used to offset expenses associated with the Saint Patrick's Day Parade to be held on Saturday, March 15, 2003; as requested by Mayor Edward D. Garza.

- 97091
27. An Ordinance authorizing the expenditure of \$1,000.00 from the Mayor's Contingency Account Fund, \$300.00 from the District 1 Contingency Account Fund, \$500.00 from the District 6 Contingency Account Fund, \$200.00 from the District 7 Contingency Account Fund, and \$500.00 from the District 8 Contingency Account Fund, payable to Solar San Antonio, to be used to offset expenses associated with Solar Fest 2003, an educational event to showcase the widespread use of renewable energy and energy conservation, to be held on Saturday, May 17, 2003 at Maverick Park; as requested by Mayor Edward D. Garza.
- 97092
28. An Ordinance authorizing the transfer of \$550.00 from the District 3 Contingency Account Fund to the Parks and Recreation Department, for the use of one Showmobile, with sound system, for St. Lawrence Catholic Church's spring festival to be held on Saturday, May 3, 2003; as requested by Councilwoman Antoniette Moorhouse.
- 97093
29. An Ordinance authorizing the expenditure of \$600.00 from the District 3 Contingency Account Fund, payable to the Highland Park Neighborhood Association, to be used to help defray the costs associated with their spring festival that was held on April 6, 2002; as requested by Councilwoman Antoniette Moorhouse.
- 97094
30. An Ordinance authorizing the expenditure of \$500.00 from the District 3 Contingency Account Fund, payable to the Sunshine Cottage School for Deaf Children, to be used to purchase books and materials to support the Year of Reading Program; as requested by Councilwoman Antoniette Moorhouse.
- 97095
31. An Ordinance authorizing the expenditure of \$6,000.00 from the District 4 Contingency Account Fund, payable to the Heritage Neighborhood Association, to be used to help defray the cost of repairing and maintaining the Heritage Neighborhood swimming pool; as requested by Councilman Enrique "Kike" Martin.
- 97096
32. An Ordinance authorizing the expenditure of \$100.00 from the District 4 Contingency Account Fund, payable to the Adams Hill C.O.P., to be used to replace worn and faded Cellular on Patrol (C.O.P.) signs in the Adams Hill neighborhood; as requested by Councilman Enrique "Kike" Martin.
- 97097
33. An Ordinance authorizing the transfer of \$3,500.00 from the District 6 Contingency Account Fund to the Metropolitan Health District, to be used to help defray the costs associated with the District 6 "Community Health Fair" to be held on Saturday, January 25, 2003 at Westlakes Mall; as requested by Councilman Enrique M. Barrera.
- 97098
34. An Ordinance authorizing the expenditure of \$135.00 from the District 10 Contingency Account Fund, payable to Citizens on Alert (C.O.A - Sierra North), to be used to purchase three (3) Cellular on Patrol Signs for the Sierra North neighborhood; as requested by Councilman David Carpenter.
35. City Manager's Report. *None*

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

A) Attorney-client consultation pursuant to Sec. 551.071 of the Texas Government Code, to discuss legal issues related to collective bargaining negotiations with the San Antonio Police Officers Association.

B) Attorney-client consultation pursuant to Sec. 551.071 of the Texas Government Code, to discuss legal issues regarding the use of right-of-way by El Paso Natural Gas.

C) Attorney-client consultation pursuant to Sec. 551.071 of the Texas Government Code, to discuss legal issues relating to *Luis Morales vs. City of San Antonio*, Cause No. 2000-CI-16821, 131st District Court.

PULLED