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First Reg. CITY OF SAN ANTONIO 2004-10-09
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**Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 Main Plaza
San Antonio, Texas 78205
March 11, 2004**

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 City Council Chamber of the Municipal Plaza Building at 10:00 A.M. for the following:

Staff presentation on the findings and recommendations of the Parking Demand Study for the Downtown Area. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, 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. Richard E. Tankerson, Grant Memorial AME 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 Florencio Peña, Director, Development Services; Christopher J. Brady, Assistant City Manager]

A. ZONING CASE NUMBER Z2004029: The request of Salem Leasing Corporation, Applicant, for Pador Properties, Ltd., Owner, for a change in zoning from "R-5" Residential Single Family District to "I-1" General Industrial District on that portion of Lot 7N, NCB 10615 west of IH-410 (SE Loop), 305 Loop 410 S.E. Staff's recommendation was for denial. Zoning Commission has recommended approval. (Council District 2)

B. ZONING CASE NUMBER Z2004032: The request of Amado Hoffman Sr. , Applicant, for El Tipico Enterprises, Owner, for a change in zoning from "R-5" Single-Family Residential District to "C-3NA" General Commercial District, Nonalcoholic Sales on Lot 6, Block 7, NCB 12903; and from "R-5" Residential Single-Family District to "O-1" Office District on Lot 7, Block 7, NCB 12903; and from "C-2" Commercial District to "C-3 NA" General Commercial District, Nonalcoholic Sales on 0.5035 acres out of Lot 25, Block 7, NCB 12903, the southwest corner of Rigsby Avenue and Ravina Drive. Staff's recommendation was for denial. Zoning Commission has recommended approval. (Council District 2)

C. ZONING CASE NUMBER Z2003173-13A: The request of City of San Antonio, Applicant, for Multiple Owners, Owner(s), for a change in zoning from "DR" Development Reserve and "NP-10" Neighborhood Preservation District to "MI-1" Mixed Light Industry District on CB 4005 P-64, P-24D, P-24E, P-33B, P-37, P-37A, P-37B, P-37C, P-47, P-47-A, P-47B, P-66 and P-67; CB 4006 P-7D; CB 4283 P-25; and NCB 16456 P-24. Properties are generally bound by Pleasanton Road on the east; the Union Pacific Railroad Right of Way to the west; and a line south of, but not adjacent to, IH-410 on the north. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 3)

D. ZONING CASE NUMBER Z2004001: The request of Mission Park, Applicant, for Robert Tips, Owner, for a change in zoning from "R-6 H RIO-6" Single Family Residential Historic River Improvement Overlay District to "C-3 H RIO-6" General Commercial Historic River Improvement Overlay District on 3.037 acres out of NCB 11175, 1700 Military Drive. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 3)

E. ZONING CASE NUMBER Z2004028: The request of Manuel Macias for San Antonio Development Agency, Applicant, for San Antonio Development Agency, Owner, for a change in zoning from "MF-33" Multi-Family District to "PUD MF-33" Multi-Family Planned Unit Development District on 0.9008 Acres out of Lot 9, Block C, NCB 11027, between Sally Gay Street to the North and Betty Jean Street to the south, east of Hillje Street. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 3)

Continued to 3/25/04

F. ZONING CASE NUMBER Z2004031 S C: The request of Lothry-Norstrum-Pfeifer House, Applicant, for Lothry-Norstrum-Pfeifer House, Owner(s), for a change in zoning from "R-5" Residential Single-Family District to "C-3 NA SC" General Commercial Nonalcoholic Sales District, with a specific use authorization for a mini warehouse facility exceeding 2.5 acres, with a conditional use for outdoor vehicle and boat storage on 20.30 acres out of NCB 10835, 4312 Roland Avenue. Staff's recommendation was for approval with conditions. Zoning Commission has recommended approval with conditions. (Council District 3)

98929

G. ZONING CASE NUMBER Z2003173-7A-1: The request of City of San Antonio, Applicant, for Jesus Vasquez, Owner, for a change in zoning from "DR" Development Reserve District and "RD" Rural Development District to "UD" Urban Development District on all of CB 4301 P-44 and P-44A and the northeast 795 feet adjacent to Fischer Road out of CB 4301 P-45 and 46, 11440 IH-35 S and 11893 Fischer Road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 4)

98930

H. ZONING CASE NUMBER Z2004011: The request of The Alhambras, Applicant, for NRP Properties, LLC., Owner, for a change in zoning from "RM-4" Residential Mixed District and "C-2" Commercial District to "MF-33" Multi-Family District on 5.074 acres out of NCB 11253, northeast of the intersection of Briggs Avenue and New Laredo Highway. Staff's recommendation was for denial. Zoning Commission has recommended approval. (Council District 4)

98931

I. ZONING CASE NUMBER Z2004030: The request of City of San Antonio, Applicant, for Guadalupe Espinosa, Owner, for a change in zoning from "C-2" Commercial District to "R-4" Residential Single-Family District on Lots 34 and 35, Block 1, NCB 3991, 319 and 321 Montezuma Street. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 5)

Continued to 3/25/04

J. ZONING CASE NUMBER Z2004034: The request of Jerardo Cavazos, Applicant, for Jerardo Cavazos, Owner, for a change in zoning from "R-6" Residential Single-Family District to "MF-25" Multi-Family District on Lot 21, Block 2, NCB 6776, 1027 Kirk Place. Staff's recommendation was for denial. Zoning Commission has recommended approval. (Council District 5)

98932

K. ZONING CASE NUMBER Z2004014 S: The request of Brandt Klutts, Applicant, for Clifford Dunham and Peggy Living Trust, Owner, for a change in zoning from "C-3" General Commercial District, "C-2" Commercial District and "R-6" Residential Single-Family District to "C-3 NA S" General Commercial District, Nonalcoholic Sales with a specific use authorization for a mini-warehouse facility over 2.5 acres on 3 acres out of Lot 6A, NCB 18288 (a portion of that tract 6A and CB 4433 and out of the Elizabeth Plunkett Survey No. 72), 8115 Potranco Road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 6)

98933
L. ZONING CASE NUMBER Z2004018 C: The request of 1080 Incorporated, Applicant, for 1080 Incorporated, Owner, for a change in zoning from "C-1" Light Commercial District to "C-2" Commercial District with a Conditional Use for a Studio - Sound and Recording, on Lots 21 and 22, NCB 14595, 8531 Fairhaven Street. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 8)

98933
M. ZONING CASE NUMBER Z2004033: The request of Bogi Building Corp., Applicant, for Janie C. Coppedge, Owner, for a change in zoning from "C-2" Commercial District to "MF-33" Multi-Family District on 2.46 acres out of Lot 12, Block B, NCB 11609, 7323 Snowden. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 8)

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

Items Concerning the Purchase of Equipment, Supplies and Services

98945
5. An Ordinance accepting the low responsive bid submitted by Petroleum Solutions, Inc. to provide the City of San Antonio Purchasing & General Services Fleet Operations Division with installation of automatic fuel tank monitors for a total amount of \$167,820.80. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]

Capital Improvement Items

98945
6. An Ordinance authorizing the execution of a construction contract with Vaughn Construction Company in the amount of \$806,006.00 in connection with the Carver Community Cultural Center Building Repairs, Phase IV Community Development Block Grant (CDBG) Project; authorizing \$50,507.00 for miscellaneous construction contingency expenses, for a total of \$856,513.00; appropriating funds; revising the project budget; and providing for payment. [Presented by Jelynn LeBlanc Burley, Assistant City Manager; Terry M. Brechtel, City Manager]

98938
7. An Ordinance amending a professional services contract and authorizing an amount not to exceed \$51,558.50 to Place Collaborative, Inc. (SBE) for professional architect and engineering services in connection with the District 4 Park Improvement Projects in Arnold Park, Flores Park and Miller's Park; authorizing \$4,160.50 for miscellaneous design contingency expenses; authorizing \$3,600.00 for mandatory project fees, for a total amount of \$59,319.00 from 1999-2004 Park Bond funds; revising the project budget; appropriating funds; and providing for payment. [Presented by Malcolm Matthews, Director, Parks and Recreation; Christopher J. Brady, Assistant City Manager]

98941
13. An Ordinance authorizing City Manager or her designee to execute the second amendment to the professional services agreement with Ungerboeck Systems, Inc., which was originally authorized by Ordinance No. 90078 dated July 22, 1999, to provide for the purchase of eight (8) additional concurrent user licenses of the Event Business Management Software and one year of maintenance and support in the amount of \$31,995.00 for the Alamodome; and providing for payment. [Presented by Michael Abington, Director, Alamodome; Roland A. Lozano, Assistant to the City Manager]

98940
14. An Ordinance releasing two (2) lots (49 and 59) consisting of 0.159 acres out of the Park Lane Subdivision situated in Comal County and within the City of San Antonio's Extraterritorial Jurisdiction. Staff recommends approval. The Planning Commission recommends approval. [Presented by Emil R. Moncivais, Director, Planning; Jelynn LeBlanc Burley, Assistant City Manager]

Board, Commissions and Committee Appointments.

15. Consideration of the following board appointment: [Presented by Yolanda Ledesma, Acting City Clerk; Erik J. Walsh, Assistant to the City Manager]

98941
A. An Ordinance appointing Ida "Angie" Villela (District 3) to the Commission for Children and Families for a term of office to expire on June 27, 2006.

98942
B. An Ordinance reappointing Judith Laufer (Provider of Handicapped Services Category - District 9) to the Disability Access Advisory Committee for a term of office to expire on June 30, 2005.

98943
C. An Ordinance appointing Gene M. Gloria (District 6) to the Parks and Recreation Board for a term of office to expire on March 31, 2006.

98944
D. An Ordinance appointing Malorie Peacock (District 10) to the San Antonio Youth Commission for a term of office to expire on June 1, 2005.

ITEMS FOR INDIVIDUAL CONSIDERATION

NO ordinance
16. Staff briefing on the issues the 78th Legislature will study during the "interim" (or period between legislative sessions), and their possible impact on the City of San Antonio and Texas municipalities. [Presented by Jim Campbell, Director, External Relations; Christopher J. Brady, Assistant City Manager]

98950
17. An Ordinance approving the terms and conditions and authorizing the Mayor to execute an agreement between the City of San Antonio and municipalities throughout the Alamo Area Council of Governments Region for mutual aid when requested in response to an event where assistance is required. [Presented by Robert Ojeda, Fire Chief; Christopher J. Brady, Assistant City Manager]

9 89 51
18. An Ordinance approving: (1) a Construction Agreement governing development of a suites-type hotel and related public improvements on West Market Street between Navarro and Presa Streets and along the Riverwalk and (2) a Lease Agreement in connection with the hotel for 562.00 square feet of patio space along the Riverwalk for a 5 year term, with three 5-year renewal options, subject to City Council approval, at a beginning annual Rent of \$8,164.97 for the first year, subject to adjustment, both agreements being with Riverton Suites, Ltd.; and reauthorizing the limited waiver of right-of-way closure fees as provided under the Construction Agreement. [Presented by Ramiro A. Cavazos, Director, Economic Development; J. Rolando Bono, Deputy City Manager]

9 89 25
19. An Ordinance amending the land use plan contained in the Southside Initiative Community Plan, a component of the Master Plan of the City by changing the use of approximately 32 acres beginning at the intersection of Fisher Road and I.H. 35 Access Road, and extending 795 feet southwest along the I.H. 35 Access Road, more specifically described as 11440 I.H. 35 South and 11893 Fisher Road, located on the I.H. 35 Access Road at Fisher Road from Rural Living Land Use to Urban Living Land Use. Staff's recommendation is for approval. The Planning Commission has recommended denial. [Presented by Emil R. Moncivais, Director, Planning; Jelynn LeBlanc Burley, Assistant City Manager]

20. Consideration of the following Ordinances: [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

9 89 52
A. An Ordinance selecting Bain Medina Bain, Inc. (MBE) to provide engineering services in connection with the Duke Area Streets, Phase I Project, located in Council District 7; authorizing the negotiation and execution of a professional services contract in an amount not to exceed \$102,987.80; authorizing \$15,448.17 for contingency expenses, for a total amount of \$118,435.97 from 2003-2007 General Obligation Street Improvement Bond funds; appropriating funds; and providing for payment.

9 89 53
B. An Ordinance selecting Pape-Dawson Engineers, Inc., to provide engineering services in connection with the Stahl Road – O'Connor to Judson Project, located in Council District 10; authorizing the negotiation and execution of a professional services contract in an amount not to exceed \$457,500.00; authorizing \$45,750.00 for contingency expenses, for a total amount of \$503,250.00 from 2003-2007 General Obligation Street Improvement Bond funds; appropriating funds; and providing for payment.

9 89 54
C. An Ordinance selecting Fernandez, Frazer, White and Associates, Inc. (MBE) to provide engineering services in connection with the La Manda – West Avenue to Buckeye Project, located in Council District 1; authorizing the negotiation and execution of a professional services contract in an amount not to exceed \$50,650.00; authorizing \$5,065.00 for contingency expenses, for a total amount of \$55,715.00 from 2003-2007 General Obligation Street Improvement Bond funds; appropriating funds; and providing for payment.

9 89 53
D. An Ordinance selecting Maestas & Bailey, Inc. (MBE) to provide engineering services in connection with the Rosabel Street – Culebra to Inez Project, located in Council District 5; authorizing the negotiation and execution of a professional services contract in an amount not to exceed \$133,407.23; authorizing \$20,012.00 for miscellaneous expenses, for a total amount of \$153,419.23 from 2003-2007 General Obligation Street Improvement Bond funds; appropriating funds; and providing for payment.

9 89 56
E. An Ordinance selecting Poznecki-Camarillo, Inc. (MBE) to provide engineering services in connection with the Commerce Street – Railroad to S. Palmetto Project, located in Council District 2; authorizing the negotiation and execution of a professional services contract in an amount not to exceed \$211,507.00; authorizing \$21,150.70 for contingency expenses, for a total amount of \$232,657.70 from 2003-2007 General Obligation Street Improvement Bond funds; appropriating funds; and providing for payment.

9 89 57
F. An Ordinance selecting Lockwood, Andrews and Newnam, Inc. to provide engineering services in connection with the Marbach Road Phase I – Pinn Road to Military Drive Project, located in Council District 6; authorizing the negotiation and execution of a professional services contract in an amount not to exceed \$325,998.00; authorizing \$32,600.00 for contingency expenses, for a total amount of \$358,598.00 from 2003-2007 General Obligation Street Improvement Bond funds; appropriating funds; and providing for payment.

9 89 58
21. An Ordinance authorizing the execution of a short-term Lease Agreement with Nick's Enterprise's, Inc. d/b/a N & D Sports for the period from March 30, 2004 through April 7, 2004 for the use of vacant retail space at the HemisFair Parking Garage for a one-time rental fee of \$13,500.00; effective immediately if passed by eight votes. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

9 89 59
22. An Ordinance authorizing the execution of a short-term Lease Agreement with BUDCO, Ltd., for the period from March 15, 2004 through April 15, 2004 for the use of vacant retail space at the HemisFair Parking Garage for a one-time rental fee of \$15,100.00; effective immediately if passed by eight votes. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

Approved
23. Ratification of Travel Authorization for Councilman Julian Castro who traveled to Washington, D.C., to attend the Greater San Antonio Chamber of Commerce SA to DC trip to meet with legislators on key issues on San Antonio from Sunday, March 7, 2004 to Wednesday, March 10, 2004.

24. City Manager's Report.

25. The City Council will recess into an executive session to discuss the following:

- A. Discuss acquisition and disposition of an interest in real property for warehouse, office, service center, and related uses, pursuant to Texas Government Code Section 551.072 (deliberation on the purchase, exchange, lease, or value of real property).
- B. Discuss legal issues related to the City of San Antonio's collective bargaining agreement with the International Association of Firefighters, Local 624, pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- C. Discuss legal issues regarding the term and certain conditions of the Food and Beverage Service Agreement with The RK Group Joint Venture for the Henry B. Gonzalez Convention Center, pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- D. Discuss legal issues related to collective bargaining by public employees, pursuant to Texas Government Code Section 551.071 (consultation with attorney).