

Valley

First Ord. 93884

First Res. 2001-19-24

Last Ord. 93922

Last Res. None



**Agenda  
City Council Meeting  
Municipal Plaza Building  
City Hall Complex  
103 Main Plaza  
San Antonio, Texas 78205  
May 10, 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]
- B) Presentation of the Neighborhood Housing Enforcement Code. [Presented by Martin Rodriguez, Director of Code Compliance; 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 Reverend Bert Clayton, Jefferson United Methodist 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/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:**

3. 1:30 P.M. – Consideration of the following: [Presented by Norma Rodriguez, City Clerk; Travis M. Bishop, Assistant City Manager]

A) Canvassing of the Election Returns and declaring the results of the Canvass;

B) Statement of Elected Official to successful candidates

C) Administration of Oath of Office by City Clerk;

D) Mayor to issue Certificates of Election to successful candidates;

E) An Ordinance declaring run-off election, if necessary

93884 4. 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]

93904 A) ZONING CASE NO. Z2001070: The request of Lynn Hernandez, Applicant, for Lynn Hernandez, Owner(s), for a change in zoning from "B" Residence District to "B-1" Business District on Lot 9, Block 60, NCB 10589, 2908 - 2910 NW Loop 410. Staff's recommendation was for approval. Zoning Commission has recommended approval (Council District 1).

93905 B) ZONING CASE NO. Z2001043: The request of Justin Triesch, Applicant, for Justin Triesch, Owner(s), for a change in zoning from "B-3" Business District to "I-2 CC" Heavy Industry District with City Council approval for a steel recycling facility on 1.57 acres out of Lots 1 and 2, Block 1, NCB 17198 and Tract 16A, NCB 11168, 5326 Roosevelt Avenue, San Antonio, Texas 78223. Staff's recommendation was for denial. Zoning Commission has recommended approval (Council District 3).

93906 C) ZONING CASE NO. Z2001068 SUP: The request of City of San Antonio, Applicant, for Elias J. Guajardo, Owner(s), for a change in zoning from "B" Residence District to "R-1 SUP" Single Family Residence District with a Special Use Permit for one Manufactured Home on Lot 11 and Lot 12, Block 25, NCB 10907, 422 Esma Street. Staff's recommendation was for approval. Zoning Commission has recommended approval (Council District 3).

93907 D) ZONING Z2001066: The request of Phil Garay, Applicant, for Alma D. Marquez, Owner(s), for a change in zoning from "R-7" Small Lot Residence District to "B-2" Business District on Lot 1 and Lot 2, Block 3, NCB 7797, 1002 Pleasanton Road. Staff's recommendation was for approval. Zoning Commission has recommended approval (Council District 4).

93908  
E) ZONING CASE NO. Z99189A: The request of City of San Antonio, Applicant, for Oscar Speegle, Owner(s), for a change in zoning from "B" Residence District to "B-3R" Restrictive Business District or "R-2" Residence District on 3.61 acres out of Tract 6, NCB 11268 on 8119 Somerset Road. Staff's recommendation was for approval of "R-2." Zoning Commission has recommended approval of "R-2" (Council District 4).

93909  
F) ZONING CASE NO. Z99189B: The request of City of San Antonio, Applicant, for Brenda, Robert and Susanna Garza, Owner(s), for a change in zoning from "B" Residence District and "B-2" Business District to "B-3" Business District or "B-1SUP" Business District with a Special Use Permit for a grocery store and restaurant with sales of alcoholic beverages only for off premise consumption on Lots 2, 3 and 28, Block 5, NCB 11191, 7710, 7714 and 7718 Somerset Road. Staff's recommendation was for approval of "B-1SUP". Zoning Commission has recommended approval of "B-1SUP" (Council District 4).

Postponed  
G) ZONING CASE NO. Z2001006: The request of Housing Authority of the City of San Antonio, Applicant, for Housing Authority of the City of San Antonio, Owner(s), for a change in zoning from "R-3" Multi-Family Residence District to "R-3 CC" Multi-Family Residence District with City Council approval for a Child Care Facility on 0.7694 acres out of Lot 15, Block 28, NCB 8147, 4000 Block of El Paso Street. Staff's recommendation was for approval. Zoning Commission has recommended approval (Council District 5).

93910  
H) ZONING CASE NO. Z20272: The request of Housing Authority of the City of San Antonio, Applicant, for Housing Authority of the City of San Antonio, Owner(s), for a change in zoning from "R-7" Small Lot Residence District to "R-3" Multiple-Family Residence District on 2.284 acres out of NCB 8156 and NCB 8155; and, from "R-3CC" Multiple-Family Residence District with special City Council approval for a Child Care Parent Education Center to "R-3" Multiple-Family Residence District on Lot 1, Block 1, NCB 8144 on northeast and southeast of the intersection of San Fernando Street and S.W. 28th Street. Staff's recommendation was for approval. Zoning Commission has recommended approval (Council District 5).

93911  
I) ZONING CASE NO. Z20294 SUP: The request of Housing Authority of the City of San Antonio, Applicant, for Housing Authority of the City of San Antonio, Owner(s), for a change in zoning from "R-3" Multiple Family Residence District to "R-3 SUP" Multiple Family Residence District with a Special Use Permit for an Administration Building (San Antonio Housing Authority) on Lots 2 through 6, Block. 28, NCB 8139, 802 - 818 Mathews Avenue. Staff's recommendation was for approval with the condition that a one- (1) foot vehicular non-access easement be provided along Mathews Avenue. Zoning Commission has recommended approval with the condition that a one- (1) foot vehicular non-access easement be provided along Mathews Avenue (Council District 5).

93912 J) ZONING CASE NO. Z2001050 SUP: The request of Hector Sanchez, Applicant, for Hector Sanchez, Owner(s), for a change in zoning from "H" Local Retail to "B-2NA SUP" Business District, Non-Alcoholic Sales with a Special Use Permit for an automotive repair and body shop on Lot 1 and Lot 2, Block 88, NCB 3680, 3626 West Commerce. Staff's recommendation was for approval. Zoning Commission has recommended approval (Council District 5).

93913 K) ZONING CASE NO. Z2001055: The request of Damm Enterprises, Inc., Applicant, for Chris Damm, Owner(s), for a change in zoning from "B-2" Business District to "B-2NA SUP" Business Non-Alcoholic Sales with a Special Use Permit for automobile sales on Lot 13, Block 1, NCB 2449, 2424 Guadalupe Street. Staff's recommendation was for approval. Zoning Commission has recommended approval (Council District 5).

93914 L) ZONING CASE NO. Z2001072: The request of J. Garlyn Rainwater, Applicant, for Kwik N Neat Inc. / Danny Renteria, Owner(s), for a change in zoning from "B" Residence District to "B-2" Business District on 0.1214 acres out of Lot 2, Block 2, NCB 6585, 1611 Northwest 24th Street. Staff's recommendation was for approval. Zoning Commission has recommended approval (Council District 7).

93915 M) ZONING CASE NO. Z2001075: The request of Jennifer M. Dhaemers, Applicant, for Alexander Russ, Owner(s), for a change in zoning from Temporary "R-1" Single-Family Residence District to "R-1 CC" Single-Family Residence District with City Council approval for a preschool/day-care center on Lot 4, Block 1, NCB 18308, Old Tezel Road. Staff's recommendation was for approval. Zoning Commission has recommended approval (Council District 7).

Continue to 6/24/01  
93916 N) ZONING CASE NO. Z20303 SUP: The request of Edward Karam, Applicant, for William C. Miller, Jr., Owner(s), for a change in zoning from "B-2" Business District to "B-2SUP" Business District with a Special Use Permit for an automobile sales lot on the north 225 feet of Lot 84, Block B, NCB 11507 on Lot 84, Block B, NCB 11507, 1235 Bandera Road. Staff's recommendation was for denial. Zoning Commission has recommended approval with conditions (Council District 7).

93916 O) ZONING CASE NO. Z2001073: The request of George Gaiser, Applicant, for De Zavala Capital Assoc. 1992-1 Ltd., Owner(s), for a change in zoning from "I-1" Light Industrial Use and "B-3R" Restrictive Business District to "B-3" Business District on Lots 1, 2, 3, 4, Block 2, NCB 17451. Staff's recommendation was for approval. Zoning Commission has recommended approval (Council District 8).

93917 P) ZONING CASE NO. Z2001056: The request of SHSA Ltd., Applicant, for Steven M. Huffman, Owner(s), for a change in zoning from "B-3 ERZD" Business Edwards Recharge Zone District to "B-3 ERZD CC" Business Edwards Recharge Zone District with Special City Council approval for a hospital on 7.00 acres out of NCB 15669, southeast corner of Hardy Oaks Blvd and Sonterra Boulevard. Staff's recommendation was for approval. Zoning Commission has recommended approval (Council District 9).

93902 Q) ZONING CASE NO. Z2001062: The request of Stone-Terra, LLC, Applicant, for Stone-Terra, LLC, Owner(s), for a change in zoning from "B-2 ERZD" Business Edwards Recharge Zone District to "B-2 ERZD CC" Business Edwards Recharge Zone District with Special City Council approval for a hospital on 1.265 acres out of Lot 4 (formally P-22A), Block 2, NCB 16332. Staff's recommendation was for approval. Zoning Commission has recommended approval (Council District 9).

93903 R) ZONING CASE NO. Z2001063 SUP: The request of Blanco Road Retail, Ltd., Applicant, for Blanco Road Retail, Ltd., Owner(s), for a change in zoning from "B-2 ERZD" Business Edwards Recharge Zone District to "B-2 ERZD SUP CC" Business Edwards Recharge Zone District with a Special Use Permit and Special City Council approval for Building Specialties, Retail Facility on 5.995 acres out of NCB 18394, 1100 block of Loop 1604 Expressway. Staff's recommendation was for approval. Zoning Commission has recommended approval (Council District 9).

93918 S) ZONING CASE NO. Z2001067: The request of City of San Antonio, Applicant, for Multiple Property Owners, for a change in zoning from Temporary "A ERZD" Single-Family Residence Edwards Recharge Zone District, "A" Single-Family Residence District, Temporary "R-1 ERZD" Single-Family Residence Edwards Recharge Zone District and Temporary "R-1" Single-Family Residence District to "R-1a ERZD" Single-Family Residence Edwards Recharge Zone District, "R-1b ERZD" Single-Family Residence Edwards Recharge Zone District, "R-1c ERZD" Single-Family Residence Edwards Recharge Zone District, "R-8 ERZD" Large Lot Home Edwards Recharge Zone District, "R-8a ERZD" Single-Family Residence Edwards Recharge Zone District, "R-1b" Single-Family Residence District, "R-8a" Single-Family Residence District and "R-8" Large Lot Home District (as per attached list, incorporated by reference herein) Shady Oaks Neighborhood. 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**

- 93885
6. An Ordinance accepting the bid from the State of Texas Department of Information Resources in accordance with the State of Texas Cooperative Purchasing Program to provide the City of San Antonio Police Department with desktop computers and networking cards for a total of \$34,920.00. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]
- 93886
7. An Ordinance accepting the low bids submitted by Aquasol Commercial Chemical, Inc.; Hines Pool & Spa, Inc. and Leslie's Poolmart, Inc. to provide the City of San Antonio Parks & Recreation Department with pool chemicals and services on an annual contract basis for an estimated cost of \$200,000.00. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

**Capital Improvement Items**

- 93887
8. An Ordinance amending a professional services contract with E. S. Moran Consulting Engineer, Inc. to provide additional design, engineering and construction administration services in the amount of \$17,018.00 in connection with the City's Olmos Basin Park Rehabilitation & Trail System 1999 Park General Obligation Bond Issue Project; providing an additional \$1,000.00 for bid advertising and printing fees; revising the Olmos Basin Park Rehabilitation & Trail System Development Project Budget; authorizing the transfer of 1999 Park GO Bond Funds into the project's budget; and providing for payment. [Presented by Malcolm Matthews, Director, Parks & Recreation Department; Melissa Byrne Vossmer, Assistant City Manager]

**Items Concerning the Purchase, Sale or Lease of Real Property**

- 93888
9. An Ordinance accepting the donation and transfer of approximately 67.19 acres of land at Mud Creek, north of Low Oak and west of Jones Maltsberger Road in City Council District 10, and approximately 253.62 acres of land at Panther Springs, north of Loop 1604 and east of Blanco Road in City Council District 9 from the San Antonio River Authority for use as public park space; and accepting special warranty deeds for said property. [Presented by Malcolm Matthews, Director, Parks & Recreation Department; Melissa Byrne Vossmer, Assistant City Manager]

93890 10. An Ordinance authorizing the renewal of a License Agreement for a 10-year term between the City of San Antonio and the Baptist Health System for use of Public Right of Way with an overhead passageway across Richmond Avenue between Camden Avenue and Quincy Street for the total consideration of \$6,000.00. [Presented by Rebecca Waldman, Director of Asset Management; Christopher J. Brady, Assistant City Manager]

93890 11. An Ordinance authorizing the renewal of a License Agreement for a 10-year term between the City of San Antonio and the Baptist Health System for use of Public Right of Way with a tunnel under Camden Avenue between Richmond Avenue and Seymour Street for a total consideration of \$12,500.00. [Presented by Rebecca Waldman, Director of Asset Management; Christopher J. Brady, Assistant City Manager]

93891 12. An Ordinance authorizing payment in the amount of \$10,000.00 to Gerry Rickhoff, County Clerk, for the Defendants in Condemnation Cause No. 2001-ED-0003, City of San Antonio vs. Alfred F. Renteria and Rita H. Renteria, et al., for fee simple title to a tract of land; and payment of the amount of \$913.00 for court costs, in connection with the Pleasanton Road - Mayfield to Southcross Metropolitan Planning Organization; for the total sum of \$10,913.00; appropriating funds and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Christopher J. Brady, Assistant City Manager]

93892 13. An Ordinance authorizing the execution of a Sublease Agreement with the Greater Kelly Development Authority (GKDA), as Landlord, for use of approximately 12,501 rentable square feet of space in a portion of Building 3820 Bay A at KellyUSA Industrial Center to be used by the San Antonio Fire Department for its Candidate Physical Ability Test Program for a six-month term commencing on June 1, 2001, at a total rental payment for the lease term of \$10.00 and common area maintenance, essential services, and insurance charges of approximately \$5,436.18, for a total of approximately \$5,446.18. [Presented by Robert Ojeda, Fire Chief, J. Rolando Bono, Deputy City Manager]

#### Miscellaneous

93900 14. An Ordinance authorizing the acceptance of a \$750,000.00 three year grant from the Office of Community Oriented Policing Services (COPS), U.S. Department of Justice; establishing a budget and personnel complement. [Presented by Al A. Philippus, Chief of Police; J. Rolando Bono, Deputy City Manager]

93893 15. An Ordinance authorizing the acceptance of \$120,000.00 from Bexar County Hospital District d/b/a University Health System to renew the ongoing Diabetes Registry Program of the San Antonio Metropolitan Health District; authorizing the execution of an agreement with University Health System; establishing a fund; adopting a budget for the Diabetes Registry 2001 Program; approving a personnel complement and authorizing payment for contractual services. [Presented by Dr. Fernando A. Guerra, Director of Health; Melissa Byrne Vossmer, Assistant City Manager]

938901 16. An Ordinance authorizing the negotiation and execution of a contract with Keep San Antonio Beautiful, Inc. to provide assistance to the City in conducting a neighborhood clean-up; and authorizing payment of \$20,000.00 from the Solid Waste Operating Budget for such services for FY 2000-2001. [Presented by Daniel V. Cárdenas, Acting Director of Environmental Services; Melissa Byrne Vossmer, Assistant City Manager]

938904 17. An Ordinance amending Ordinance No. 93855, passed and approved on April 26, 2001 to change the effective date of the San Antonio System Board of Trustees' effective appointment date from May 7, 2001 to June 1, 2001. [Presented by Norma Rodriguez, City Clerk; Travis M. Bishop, Assistant City Manager]

938905 18. An Ordinance authorizing the execution of twenty-two (22) delegate agency contracts under the "Arts in the Community" Program totaling \$149,200.00; and appropriating funds. [Presented by Ernesto Rubio, Jr. Acting Director, Cultural Affairs; Roland A. Lozano, Assistant to the City Manager]

**Approval of Temporary Street Closures and Traffic Control Procedures for Special Events**

938906 19. An Ordinance approving a parade permit and authorizing the temporary closure of certain streets between Mission San Jose and Travis Park and between the Quarry Market and Travis Park on Saturday, May 19, 2001 beginning at 7:30 A.M. until 10:00 A.M. in connection with the Bike Fest 2001, sponsored by the Metropolitan Planning Organization. [Presented by Travis M. Bishop, Assistant City Manager; Terry M. Brechtel, City Manager]

938907 20. An Ordinance approving a parade permit and authorizing the temporary closure of W. Houston from Alamo Plaza to Milam Park on Saturday, June 2, 2001 beginning at 9:30 A.M. until 11:00 A.M., in connection with the Stand for Children Walk, sponsored by the City of San Antonio Community Initiatives Department. [Presented by Travis M. Bishop, Assistant City Manager; Terry M. Brechtel, City Manager]

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

938908 A) An Ordinance re-appointing Oliver Hill (District 2) to the Affirmative Action Advisory Committee for a term of office to expire on January 31, 2003.

938909 B) An Ordinance re-appointing Lillie M. Harris to the Parks and Recreation Board for a term of office to expire on March 31, 2003.

## ITEMS FOR INDIVIDUAL CONSIDERATION

93919 22. An Ordinance authorizing the execution of a one-year professional services agreement with Texas Closed Captioning to provide the City of San Antonio with closed captioning services for Council Meetings beginning June 7, 2001 for the amount of \$44,500.00. [Presented by Jim Campbell, Director of External Relations; Terry M. Brechtel, City Manager]

93920 23. An Ordinance amending the City of San Antonio's Parks and Recreation System Plan, adopted by Ordinance No. 89162, passed and approved on January 28, 1999, to add Creek Based Greenways Planning and Design Guidelines. [Presented by Malcolm Matthews, Director, Parks & Recreation Department; Melissa Byrne Vossmer, Assistant City Manager]

93921 24. An Ordinance amending Ordinance No. 80172, passed and approved on May 12, 1994, to establish the procedure by which six signature memoranda are placed on the City Council Agenda, as requested by the City Council Policy and Planning Committee; amending Ordinance No. 87687, passed and approved on April 16, 1998, to establish new rules and time limits for citizens to address the City Council, as requested by Councilman Bobby Perez. [Presented by Frank J. Garza, City Attorney; Terry M. Brechtel, City Manager]

93922 25. An Ordinance authorizing reimbursement from the District 7 Budget Account in the total amount of \$1,200.00 to Councilman Ed Garza for an Administrative Services Contract with Melissa Cabello Havrda (\$1,200.00) from April 16, 2001 through May 31, 2001; as requested by Councilman Ed Garza.

26. City Manager's Report. - *None*

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

A) Attorney/Client consultation regarding recovery of costs due to Change orders resulting from architectural errors and omissions on the Convention Center Expansion Project.