



Int Ord 98700  
 Int Rev. 2004-02-01  
 SIDC Res# 2004-01  
 Int Ord. 98713  
 Int Rev. 2004-02-01  
 RECEIVED  
 CITY OF SAN ANTONIO  
 CITY CLERK  
 JAN 15 AM 10:44

**Agenda**  
**City Council Meeting**  
**Municipal Plaza Building**  
**City Hall Complex**  
**103 Main Plaza**  
**San Antonio, Texas 78205**  
**January 15, 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 B Room of the Municipal Plaza Building at 10:00 A.M. for the following:

Report of findings regarding the Racial Profiling Data Analysis Study completed on the San Antonio Police Department. [Presented by Albert A. Ortiz, Police Chief; 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 of the City Council Meeting of November 6, 2003.

**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 Case: [Presented by Florencio Pena, Director, Development Services; Christopher J. Brady, Assistant City Manager]

9 87 11  
A. ZONING CASE NUMBER Z2003173-12: The request of City of San Antonio, Applicant, for Alan Madden and Presto Tierra, L.L.C., (Owners), for a change in zoning from "DR" Development Reserve District to "RD" Rural Development District on CB 4296 P-10, CB 4297 P-4, and CB 4298 P-15B and P-17, located at 15895 South State Hwy 16 and 14885 Watson Road, save and except the eastern 1,000 feet of Tract B fronting on State Hwy 16 which is changed from "DR" Development Reserve District to "MI-1" Mixed Light Industry District. Staff's recommendation was for approval. Zoning Commission has recommended Approval. (Council District 3)  
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Post-poned  
B. ZONING CASE NUMBER Z2003173-22: The request of City of San Antonio, Applicant, for Reed S. Lehman Grain Co., Owner, for a change in zoning from "DR" Development Reserve District to "FR" Farm and Ranch on CB 5161 P-5 and all of CB 5162 generally located north and south of Southton Road and northwest of Blue Wing Road. Staff's recommendation was for approval. Zoning Commission has recommended Approval. (Council District 3)

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**

9 87 05  
An Ordinance accepting the low responsive bid submitted by CKS Hydro Services Inc. to provide the City of San Antonio Aviation Department with rubber and paint deposit removal for a total amount of \$34,900.00. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]

**Capital Improvement Items**

9 87 06  
An Ordinance authorizing the appropriation of \$14,052.81 from the Stinson Revolving Fund in support of installing new hangar doors in conjunction with the Renovations of Hangars 5 and 6 Project at Stinson Municipal Airport; appropriating funds; revising the budget; and providing for payment. [Presented by Kevin Dolliole, Director, Aviation; J. Rolando Bono, Deputy City Manager]

9 87 07  
An Ordinance authorizing \$17,243.40 payable to HNTB Corporation for the investigation and preparation of a National Environmental Policy Act environmental assessment document under an existing stand-by Professional Services Agreement, approved by City Council in Ordinance No. 97613, May 15, 2003, necessary to the McCullough from Union Pacific Railroad Tracks to Basse MPO Project, a 1999 General Obligation Street Improvement Bond Project, located in Council District 1; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

9 8708  
9. An Ordinance amending a professional service contract and authorizing additional funds in the amount of \$11,103.00 payable to Carter & Burgess, Inc. for additional professional services in connection with the McCullough from Union Pacific Railroad Tracks to Basse MPO Project, a 1999 General Obligation Street Improvement Bond Project, located in Council District 1; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

9 8710  
10. An Ordinance authorizing the execution of a Take-Over Agreement with Cumberland Casualty & Surety Company for the completion of the Fire Station No. 5 Renovation Project, located at 1011 Mason Street, located in Council District 2; and providing for an immediate effective date upon passage by eight votes. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

9 8701  
11. An Ordinance authorizing Texas Department of Transportation (TXDOT) Change Order No. 7 in the amount of \$8,737.64 and TXDOT Change Order No. 9 in the amount of \$4,305.15, for a total amount of \$13,042.79 from Certificates of Obligation, payable to TXDOT in connection with the Pleasanton Road from Southcross to Mayfield MPO Project, located in Council District 3; revising the project budget; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

9 8702  
12. An Ordinance authorizing additional funds in the amount of \$42,828.53 from Certificates of Obligation payable to the Texas Department of Transportation for construction contingency and engineering costs in connection with the Southcross from New Braunfels to Presa MPO Project, located in Council District 3; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

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

9 8703  
13. An Ordinance authorizing payment in the total amount of \$10,450.00 from 2002 Certificates of Obligation funds to Lawyers Title of San Antonio as escrow agent for the San Antonio Independent School District for fee simple title to one (1) permanent easement in the amount of \$9,950.00 and title fees in the amount of \$500.00 in connection with the Mission Trails Package IV Project, located in Council Districts 1, 3 and 5; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

9 8704  
14. An Ordinance declaring the Avondale - New Braunfels to I.H. 37 Community Development Block Grant (CDBG) 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 being all or portions of the properties being described as: (1) 0.052 acre tract of land out of the north and east side of Lot 20, Block 2, NCB 7578; (2) 0.009 acre tract of land out of the northwest 71.00 feet of Lot 20, Block 2, NCB 7578; (3) 0.007 acre tract of land out of the northwest irregular 67.12 feet of Lot 21, Block 1, NCB 7578; (4) 0.007 acre tract of land out of the west 757.55 feet of the north 141.8 feet of Lot 22, Block 2, NCB 7578; (5) 0.017 acre tract of land out of Lot 23, Block 2, NCB 7578; (6) 0.008 acre tract of land out of the east 67.12 feet of Lot 24, Block 2, NCB 7578; (7) 0.008 acre tract of land out of the west 67.12 feet of Lot 24, Block 2, NCB 7578; (8) 0.008 acre tract of land out of the east 67.12 feet of Lot 25, Block 2, NCB 7578; (9) 0.008 acre tract of land out of the west 67.12 feet of Lot 25, Block 2, NCB 7578; (10) 0.009 acre tract of land out of the west 74.24 feet of Lot 26, Block 2,

NCB 7578; (11) 0.017 acre tract of land out of the west 64 feet of Lot 27 and the east 70.24 feet of Lot 27, Block 2, NCB 7578; (12) 0.026 acre tract of land out of the north 157.50 feet of Lot 28 and north irregular 74.24 feet of Lot 29, Block 2, NCB 7578; (13) 0.008 acre tract of land out of the west 60 feet of the north 142.5 feet of Lot 29, Block 2, NCB 7578; (14) 0.017 acre tract of land out of the north 150 feet of Lot 31, Block 2, NCB 7578; (15) 0.008 acre tract of land out of Lot 32A, Block 2, NCB 7578; (16) 0.007 acre out of the east irregular 39.56 feet of the north 150 feet of Lot 34 and the west 67.12 feet of the north 150 feet of Lot 33, Block 2, NCB 7578; (17) 0.007 acre tract of land out of the south 175.5 feet of the west 62.7 feet of Lot 6, Block 1, NCB 7581; (18) 0.013 acre tract of land out of the east 62.6 feet of Lot 6 and the south 175.3 feet of the west 62.1 feet of Lot 7, Block 1, NCB 7581; (19) 0.008 acre tract of land out of the east 74.36 feet of the south 175.2 feet of Lot 9, Block 1, NCB 7581; (20) 0.005 acre tract of land out of the west 49.8 feet of the south 140 feet of Lot 10, Block 1, NCB 7581; (21) 0.005 acre tract of land out of the west 49.8 feet of the east 74.6 feet of the south 140 feet of Lot 10, Block 1, NCB 7581; (22) 0.005 acre tract of land out of the east 24.8 feet of the south 140 feet of Lot 10 and the west 24.9 feet of the south 140 feet of Lot 11, Block 1, NCB 7581; (23) 0.005 acre tract of land out of the west 49.8 feet of the east 99.6 feet of the south 140 feet of Lot 11, Block 1, NCB 7581; (24) 0.005 acre tract of land out of the south 140 feet of the east 49.8 feet of Lot 11, Block 1, NCB 7581; (25) 0.013 acre tract of land out of Lot 12, Block 1, NCB 7581; (26) 0.006 acre tract of land out of the west 62.3 feet of Lot 13, Block 1, NCB 7581; (27) 0.006 acre tract of land out of the east 62.3 feet of Lot 13, Block 1, NCB 7581; (28) 0.007 acre tract of land out of the west 62.75 feet of Lot 14, Block 1, NCB 7581; (29) 0.006 acre tract of land out of the east 62 feet of Lot 14, Block 1, NCB 7581; (30) 0.008 acre tract of land out of the west 74.8 feet of Lot 15, Block 1, NCB 7581; (31) 0.008 acre tract of land out of the east 50 feet of Lot 15 and the west 31 feet of Lot 16, Block 1, NCB 7581; (32) 0.010 acre tract of land out of the east 93.89 feet of Lot 16, Block 1, NCB 7581; (33) 0.007 acre tract of land out of the west 62.45 feet of Lot 17, Block 1, NCB 7581; (34) 0.007 acre tract of land out of the east 62.45 feet of Lot 17, Block 1, NCB 7581; (35) 0.013 acre tract of land out of Lot 18, Block 1, NCB 7581; (36) 0.013 acre tract of land out of the south irregular 323.19 feet of Lot 19, Block 1, NCB 7581; (37) 0.013 of an acre out of Lot 42, Block 1, NCB 7581; all in the City of San Antonio, Bexar County, Texas, for a public purpose; establishing just compensation for the property; appropriating Community Development Block Grant (CDBG) funds in the amount of \$125,245.00 for the property and the Project including miscellaneous expenses associated with the Project such as appraisals and attorney's fees; authorizing City staff and/or its designated representatives to negotiate and acquire the property from the owners on the approved terms; and authorizing the City Attorney and/or designated special counsel to file eminent domain proceedings, if necessary. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

### Miscellaneous

15. An Ordinance authorizing the City Manager or her designee to negotiate and execute twenty-two (22) agreements in connection with the Arts in the Community Program for community based art projects in a total amount of \$220,500.00; authorizing the use of Arts in the Community Program fund balances from City Council Districts 6, 7, 9 and 10 totaling \$40,025.00 to support a Graffiti Abatement Mural Program; establishing a Graffiti Abatement Mural Program as part of the Arts in the Community Program; approving a funding process and criteria for a Graffiti Abatement Mural Program; and providing for payment. [Presented by Felix Padron, Director, Cultural Affairs; Roland A. Lozano, Assistant to the City Manager]

ITEMS FOR INDIVIDUAL CONSIDERATION

- 98709 16. Ordinance adopting amendments and revisions to the provisions of the City's Ethics Code pertaining to the annual lobbyist registration fee. [Presented by Andrew Martin, City Attorney; Terry M. Brechtel, City Manager]
- 98710 17. 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 890 acres of land, 14885 Watson Rd. and 15895 State Highway 16, northwest of the intersection of the State Highway 16 and the Medina River from Agriculture to Rural Living. Staff's recommendation is for approval. Planning Commission recommendation is for approval. (Council District 4) [Presented by Emil Moncivais, Director, Planning; Jelynn LeBlanc Burley, Assistant City Manager]
- 2004-02-01 Resolution  
98711 18. An ~~Ordinance~~ <sup>Resolution</sup> approving the issuance of Adjustable Rate Demand Revenue Refunding Bonds in the amount of \$4,180,000 by the City of San Antonio, Texas Education Facilities Corporation for the Phase I Dormitory Partnership, a Texas general partnership, and approving other matters related thereto. [Presented by Ramiro Cavazos, Director, Economic Development; J. Rolando Bono, Deputy City Manager]
- no. ordinance  
98712 19. Staff Briefing on the status of the Consolidated Human Development Services Funding Priorities and Process. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant City Manager]
- 98712 20. An Ordinance revising the approved Intrajurisdictional Agreement between the San Antonio Water System (SAWS) and the City of San Antonio (COSA) for the transfer of approximately 1,916 acres of land in Bexar County, Texas, from SAWS to COSA in exchange for the imposition of Conservation Easements on other properties including approximately 710 acres (the Chris Hill Conservation Easement) and approximately 855 acres to be acquired (the Lauder Conservation Easement) in favor of SAWS and the assumption by COSA of certain obligations for payment of the acquisition of the Lauder property and further authorizing the subsequent transfer of approximately 637 acres out of the 1,916 acres to the City of San Antonio, Texas, Starbright Industrial Development Corporation to be used to fulfill a portion of the requirements of the Project Starbright Agreement. [Christopher J. Brady, Assistant City Manager; Terry M. Brechtel, City Manager]
- 98713 21. An Ordinance authorizing an exchange of approximately 6.5 acres of real property obtained by the City of San Antonio from SAWS to Bexar Metropolitan Water District for approximately 2.0 acres, pursuant to the Project Starbright Agreement. [Christopher J. Brady, Assistant City Manager; Terry M. Brechtel, City Manager]

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22. The City Council will recess the regular City of San Antonio Council Meeting and convene the Board of Directors for the City of San Antonio, Texas Starbright Industrial Development Corporation to consider the following: [Presented by Christopher J. Brady, Assistant City Manager; Terry M. Brechtel, City Manager]

SDIC  
2004-01

A. A Resolution authorizing the transfer of approximately 2,678 acres of property from the City of San Antonio, Texas, Starbright Industrial Development Corporation to Toyota Motor Manufacturing North America, Inc. to fulfill obligations from the Starbright Agreement dated May 22, 2003; and authorizing payment of all appropriate closing costs. [Presented by Christopher J. Brady, Assistant City Manager; Terry M. Brechtel, City Manager]

B. Adjourn.

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Reconvene the meeting of the City of San Antonio City Council.

No  
Ordinance  
Approved

23. Ratification of Travel Authorization for Councilman Joel Williams, District 2, who traveled to Nashville, Tenn. from December 8, 2003 through December 13, 2003 to attend the National League of Cities Conference.

24. City Manager's Report.

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

Deliberation and consideration of the annual performance evaluation of City Manager Terry M. Brechtel, pursuant to Texas Government Code Section 551.074 (personnel matters).