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Int Res. 2004-30-26
Last Ord. 99630
Last Res. None

RECEIVED
 CITY OF SAN ANTONIO
 AUG 26 AM 10:49

Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 Main Plaza
San Antonio, Texas 78205
August 26, 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:

Budget Work Session. [Presented by Peter Zanoni, Acting Director, Management & Budget; Erik J. Walsh, Assistant to the City Manager]

➤ Visitors

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 Dr. Steven Branson, Village Parkway Baptist Church, guest of Councilman Enrique Barrera, District 6, and Pledge of Allegiance.
2. Ceremonial Items.
3. Approval of the minutes of the City Council Meeting of June 3, 2004.

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 Amendment to the Master Plan and Zoning Cases:

Land Use Plan Amendments: [Presented by Emil R. Moncivais, Director, Planning; Jelynne LeBlanc Burley, Assistant City Manager]

4.1A. An Ordinance amending the land use plan contained in the Northwest Community Plan, a component of the Master Plan of the City, by changing the use of approximately 48.33 acres, located in NCB 18560, P-66A, near the northwest quadrant of the intersection of Bandera Road and Eckhert Road in Council District 7, from Industrial Land Use to Community Commercial, High Density Residential, and Single-Family Residential Land Uses. Staff's recommendation is for approval. The Planning Commission recommends denial. [Presented by Emil R. Moncivais, Director, Planning; Jelynne LeBlanc Burley, Assistant City Manager]

*Continued
for 2
week
9-9-04*

Zoning Cases: [Presented by Florencio Peña, Director, Development Services; Christopher J. Brady, Assistant City Manager]

A. ZONING CASE NUMBER Z2004020: The request of Bilmar Construction, LP, Applicant, for Rosin-Johnson, Inc., Owner(s), for a change in zoning on 44.6 acres out of NCB 18560 from "I-1" General Industrial District to "R-5" Residential Single-Family District on 32.7 acres, "C-2" Commercial District on 6.7 acres, and "MF-25" Multi-Family District on 5.2 acres, west of the intersection of Bandera and Eckhert Road. Staff's recommendation was for denial. Zoning Commission has recommended denial. (Council District 7)

*Continued
for
2 week
9-9-04*

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B. ZONING CASE NUMBER Z2004082: The request of Downery Partners, LTD, Applicant, for Downery Partners, LTD, Owner(s), for a change in zoning from "RM-4" Residential Mixed District to "RM-4 C" Residential Mixed District with conditional use authorization for a noncommercial parking lot on Lots 14, 15, and 16, Block 61, NCB 1652, 102 Essex Street. Staff's recommendation was for denial. Zoning Commission has recommended approval with conditions: 1) The parking lot will have no more than 15 parking spaces. 2) A six feet solid fence will be erected along the eastern property line of subject property. 3) All on-site lighting is directed onto the site using 90 degree or less cut-off fixtures. (Council District 2)

C. ZONING CASE NUMBER Z2004001: The request of Mission Park, Applicant, for Robert Tips, Owner(s), 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)

*Continued
for
2 week
9-9-04*

99620
D. ZONING CASE NUMBER Z2004137: The request of Juan I. Alonso, Applicant, for Juan I. Alonso, Owner(s), for a change in zoning from "R-4" Residential Single-Family District to "C-2 NA C" Commercial District Nonalcoholic Sales with a conditional use for automobile sales on Lots 52 and 53, Block 4, NCB 7645, 1142 Kendalia Avenue. Staff's recommendation was for denial. Zoning Commission has recommended approval of "C2 NA C". (Council District 4)

99621
E. ZONING CASE NUMBER Z2004005: The request of City of San Antonio, Historic Preservation Office, Applicant, for Josephine A. Guerrero, Owner(s), for a change in zoning to designate Historic Significance on Lot 9B, NCB 2431, 2113 Guadalupe Street. Staff's recommendation was for approval. Zoning Commission has recommended denial. (Council District 5)

99622
F. ZONING CASE NUMBER Z2004146 C: The request of Hamid Reza Shams, Applicant, for Hamid Reza Shams, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-2 C" Commercial District with a conditional use for used auto sales on Lot 26, Block 4, NCB 15597, 6902 West Military Drive. Staff's recommendation was for denial. Zoning Commission has recommended approval with the following conditions: 1) Exterior lighting fixtures shall not emit a significant amount of fixture total output above a vertical cut-off angle of ninety degrees. 2) A six (6) foot solid screen fence shall be constructed in accordance with City of San Antonio standards and maintained along the east property line. 3) Ingress and egress shall be restricted to Military Drive only. (Council District 6)

99623
G. ZONING CASE NUMBER Z2004149: The request of Jack in the Box, LLP, Applicant, for City of San Antonio (Department of Asset Management), Owner(s), for a change in zoning from "C-3R" Commercial District, Restrictive Alcoholic Sales (1.40 acres) and "I-1" General Industrial District (1.56 acres) to "C-2" Commercial District on 2.96 acres out of Block 7, NCB 13940, south side of Old U.S. Highway 90 West. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 6)

99624
H. ZONING CASE NUMBER Z2004110: The request of Brown, P.C., Applicant, for F. C. Properties One, Ltd., Owner(s), for a change in zoning from "I-1" General Industrial District to "RM-4" Residential Mixed District on 96.95 acres out of NCB 4479, 10743 Leslie Road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 7)

*Continued
for
2 week
Sept 9, 2004*
I. ZONING CASE NUMBER Z2004161 C: The request of The Center for Health Care Service, Applicant, for the Center for Health Care Service, Bexar County Mental Health Mental Retardation (MHMR), Owner(s), for a change in zoning from "C-1" Light Commercial District to "C-2NA C" Commercial Nonalcoholic Sales District with a conditional use for a homeless shelter on Lots 1 through 8, Block 1, NCB 9645, 3551 Culebra Road. Staff's recommendation was for denial. Zoning Commission has recommended approval of "C-2 NA C" Commercial Nonalcoholic Sales District with a conditional use for a residential treatment facility with the following conditions: 1) Curfew for residents shall be 9:30 P.M. Monday through Thursday and 10:30 P.M. Friday through Sunday 2) Maintain the natural buffer and fence along the north property line 3) Outside lighting shall be directed down on the subject property not to emit any lighting on nearby residences. (Council District 7)

99625
J. ZONING CASE NUMBER Z2004174: The request of The Salvation Army, a Georgia Corporation, Applicant, for The Salvation Army, a Georgia Corporation, Owner(s), for a change in zoning from "MF-33" Multi-Family District (Lots 1 through 6) and "R-4" Residential Single-Family District (Lots 7 through 12) to "MF-40" Multi-Family District on Lots 1 through 12, Block 49, NCB 2011, 2806 West Ashby Place. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 7)

Continued to Sept 9, 2004
K. ZONING CASE NUMBER Z20266: The request of Roy Horn, III, Applicant, for LB Horn Jr., Owner(s), for a change in zoning from "O-2" Office District to "C-2" Commercial District on Lots 3 and 4, Block S, NCB 14667, 6300 Block of Babcock Road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 7)

Continued for 60 days
L. ZONING CASE NUMBER Z2004099: The request of Royal Properties, Applicant, for Roy Barrera, Owner(s), for a change in zoning from "C-3 ERZD" General Commercial Edwards Recharge Zone District to "MF-33 ERZD" Multi-Family Edwards Recharge Zone District on 4.455 acres out of NCB 14865, the west side of Babcock Road approximately 215 feet north of West Hausman Road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 8)

Continued for 20 days
M. ZONING CASE NUMBER Z2004167: The request of Ken Brown, P.C., Applicant, for Educational Development Company of America, L. L. C., Owner(s), for a change in zoning from "C-3 ERZD" Commercial Edwards Recharge Zone District to "MF-25 ERZD" Multi Family Edwards Recharge Zone District on P-200B, NCB 14859, 15502 Babcock Road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 8)

99628
N. ZONING CASE NUMBER Z2004151: The request of Details Development Group, LLC, Applicant, for Inwood Heights Holdings, Ltd., Owner(s), for a change in zoning from "RM-4 ERZD" Residential Mixed Edwards Recharge Zone District to "PUD RM-4 ERZD" Planned Unit Development Residential Mixed Edwards Recharge Zone District on 7.8700 acres out of NCB 15671, Redland Road and Gold Canyon Road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 9)

99626
O. ZONING CASE NUMBER Z2004156: The request of Alamo Park, Inc., Applicant, for Alamo Park, Inc., Owner(s), for a change in zoning from "C-3" Commercial District to "MXD" Mixed Use District on 13.72 acres out of NCB 8702 and NCB 18918, 304 Basse Road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 9)

No. 5. 3:00 P.M. – Library Board Presentation of the FY 2005 Library Proposed Budget. [Introduced by Frances A. Gonzalez, Assistant City Manager; Presented by John Nicholas, Chair, Library Board of Trustees]

- 99627
6. 4:00 P.M. – Public Hearing and consideration of an Ordinance of the City Council of San Antonio, Texas, ordaining the City’s participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code, (“Act”), providing tax incentives, designating a liaison for communication with interested parties, and nominating Toyota Motor Manufacturing Texas, Inc. to the Office of the Governor, Economic Development and Tourism (“EDT”), through the Economic Development Bank (“Bank”) as a Triple Jumbo Enterprise Project (“Project”). [Presented by Ramiro Cavazos, Director, Economic Development; J. Rolando Bono, Deputy City Manager]
 7. 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

- 99608
- 99616
- 99610
- An Ordinance accepting a proposal submitted by Route Match Software, Inc. to provide the City of San Antonio Community Initiatives Department with paratransit dispatch software for a total amount of \$43,795.00. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]
 9. An Ordinance accepting the low responsive bid submitted by Storage Technology Corporation utilizing the Texas Department of Information Resources to provide the City of San Antonio Information Technology Services Department with StorageTek Backup and authorizing the execution of a lease purchase agreement with Key Municipal Finance for a term of sixty (60) months, for a total amount of \$541,315.76. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]
 10. An Ordinance accepting the bids of various companies to provide the City of San Antonio with various types of commodities and services on an annual contract basis for FY2004-2005 for an estimated combined annual cost of \$712,135.00 to include contracts for automotive bearings, oil & grease seals, hub caps, gaskets and vent plugs, intravenous catheter placement units, industrial gasoline and diesel engine parts and service, automotive ignition parts, wire, cable parts and accessories, automotive and industrial light assemblies, lens and mirrors, recycling of automotive and heavy equipment oil filters, automotive switches and circuit breakers, Citrix software and support, LED/halogen light bars for SAPD vehicles and endotracheal tubes. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]

Items Concerning the Purchase, Sale or Lease of Real Property

99617
11. An Ordinance authorizing the purchase of a 0.1856 acre lot located at 644 Funston Street in Council District 9 from the Management Trust for Mary Louise Cazares for the amount of \$75,000.00 with the cost to be equally divided between the City of San Antonio and the San Antonio Botanical Society; authorizing \$37,500.00 for the purchase of the property; authorizing \$12,500.00 for demolition expenses, for a total amount of \$50,000.00 from 1994-1999 Park Bond funds; amending the project budget; and providing for payment. [Presented by Malcolm Matthews, Director, Parks and Recreation; Christopher J. Brady, Assistant City Manager]

Miscellaneous

99611
12. An Ordinance amending Ordinance No. 97239, passed and approved on February 27, 2003, by revising the Official City Store Ticket Consignment Policy to authorize the Director of the Convention and Visitors Bureau, or his designee, to negotiate and execute agreements, upon consultation with the City Attorney, for the resale of local attraction consignment tickets in the Official City Store, in lieu of the Director of Asset Management, and modifying the Official City Store Ticket Consignment Agreement to reflect this revision. [Presented by Melvin Tennant, Director, Convention and Visitors Bureau; Roland A. Lozano, Assistant City Manager]

99612
13. An Ordinance authorizing the acceptance of \$135,200.00 from the Texas Department of Health (TDH) to renew support for the Breast and Cervical Cancer Control Program of the San Antonio Metropolitan Health District for the period July 1, 2004 through June 30, 2005; authorizing the execution of the contract with TDH; adopting the program budget; approving the personnel complement; and authorizing payments for contractual services. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant City Manager]

99613
14. An Ordinance authorizing the acceptance of a grant award totaling \$95,000.00 from the Cancer Therapy and Research Center to renew support for the Breast Cancer Screening Program of the San Antonio Metropolitan Health District for the period October 1, 2004 through September 30, 2005; establishing a fund; adopting the program budget; approving the personnel complement; and authorizing payments for contractual services. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant City Manager]

99614
15. An Ordinance authorizing the acceptance of \$340,375.00 from the Texas Department of Health (TDH) to renew support for the Title XX Family Planning Program of the San Antonio Metropolitan Health District for the period September 1, 2004 through August 31, 2005; authorizing the execution of the contract change with TDH; adopting the program budget; approving the personnel complement; and authorizing payments for contractual services. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant City Manager]

16. An Ordinance authorizing payment of \$160,000.00 as full and final settlement in the lawsuit styled Niki C. Hunt v. Jesse Patino, Jr. and City of San Antonio. [Presented by Andrew Martin, City Attorney; Terry M. Brechtel, City Manager]

17. An Ordinance amending Ordinance Nos. 94006 and 98568 to revise the projects listed in the Final Project Plan for Reinvestment Zone Number Eleven, City of San Antonio, Texas (known as the Inner City TIRZ located in Council Districts 1, 2 and 5), to remove all listed projects except the Eastside Sports Complex, and to revise the Final Financing Plan to reflect changes to the Final Project Plan. [Presented by David Garza, Director, Neighborhood Action; Jelynne LeBlanc Burley, Assistant City Manager]

18. An Ordinance authorizing the City Manager or her designee to execute a contract in the amount of \$129,500.00 annually with McGriff, Seibels & Williams of Texas, Inc., to serve as the City's Insurance Broker of Record for a three year term beginning September 1, 2004 and ending on August 31, 2007; authorizing two (2) additional one (1) year renewal periods, subject to and contingent upon funding by the City Council. [Presented by Sharon De La Garza, Director, Human Resources; Frances A. Gonzalez, Assistant City Manager]

ITEMS FOR INDIVIDUAL CONSIDERATION

19. An Ordinance adopting the Camelot I Neighborhood Plan Update as a component of the Master Plan of the City for an area bounded by Walzem Road to the north and east, Eisenhower Road to the south and Interstate 35 to the west in Council District 2, and superseding the Preferred Land Use Map of Camelot I Neighborhood Plan adopted on September 23, 1999. Staff's recommendation is for approval. [Presented by Emil R. Moncivais, Director, Planning; Jelynne LeBlanc Burley, Assistant City Manager]

20. An Ordinance authorizing the execution of a contract with Parent/Child Incorporated (PCI) in the amount of \$44,666,896.00 for the San Antonio/Bexar County Head Start-Early Child Care Program for the period of February 1, 2004 through January 31, 2005; ratifying the reimbursement of expenditures to PCI since February 1, 2004 for continuity of said program; and adopting a revised Head Start-Early Child Care Program budget. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant City Manager]

21. An Ordinance to establish an Employee-Management Committee to provide a consultation process for management and employees to discuss issues and concerns relating to employment conditions [Presented by Sharon De La Garza, Director, Human Resources; Frances A. Gonzalez, Assistant City Manager]

22. City Manager's Report. 

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

- A. Discuss status of economic development negotiations and incentives offered to business prospects that may locate, stay, or expand in or near the full or limited purpose city limits of San Antonio, pursuant to Texas Government Code Section 551.087 (economic development negotiations and incentives) and related legal issues, pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- B. Discuss legal issues related to a proposed contract with Parent/Child Incorporated (PCI) in the amount of \$44,666,896.00 for the San Antonio/Bexar County Head Start-Early Child Care Program for the period of February 1, 2004 through January 31, 2005, pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- C. Discuss the lawsuits styled John M. Schaefer, et al. v. City of San Antonio, Cause No. 2004-CI-07394, in the 45th Judicial District Court for Bexar County (Hausman Road gas station case); Farmco Trust, John Schaefer, Nancy Schaefer, Richard Schaefer, and Mary Schaefer v. City of San Antonio, et al., Cause No. 2003-CI-05122 in the 150th Judicial District Court for Bexar County ("weed liens" claims); Brooks Hardee as Trustee for and on behalf of The Farmco Trust, et al. v. City of San Antonio, Cause No. 2004-CI-05439, in the 225th Judicial District Court for Bexar County (Lakeside vested rights claim); Brooks Hardee as Trustee for and on behalf of The Farmco Trust, et al. v. City of San Antonio, Cause No. 2004-CI-05440, in the 285th Judicial District Court for Bexar County (Villages of Westcreek vested rights claim); Reed S. Lehman Grain, Ltd. v. City of San Antonio, Cause No. 2004-CI-05442, 407th Judicial District Court for Bexar County (Southton Park vested rights claim); Reed S. Lehman Grain, Ltd., formerly known as Reed S. Lehman Grain Co. v. City of San Antonio, Cause No. 2004-CI-00238, in the 37th Judicial District Court for Bexar County (Southton Park flooding claim); and legal issues related to claims raised in one or more of these lawsuits, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

III. The City Council will convene at 7:00 P.M. or at the conclusion of the Council Meeting for a Budget Work Session.

- Human Development - *Postponed*