

Int Ord 96973

Int Rev. 2003-01-01



Int Ord. 970
Int Rev. 2003-01-09-AM 11:02
RECEIVED
CITY OF SAN ANTONIO
CLERK

**Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 Main Plaza
San Antonio, Texas 78205
January 9, 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 10:30 A.M. for the following:

Staff presentation of Aerospace Impact Study. [Presented by Ramiro A. Cavazos, Director, Economic Development Department; 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. Jerry V. Calcott, Marbach Christian Church, and Pledge of Allegiance.
2. Ceremonial Items.

Swearing in of Councilwoman Bonnie Conner, District 8, as Mayor Pro Tem.

3. Approval of the minutes for the regular City Council meeting of October 24, 2002, November 14, 2002 and November 21, 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]
- A. ZONING CASE NUMBER Z2002211: The request of Xenia Aguilar, Applicant, for Xenia Aguilar, Owner(s), for a change in zoning from "C-3 NA" Commercial Non-Alcoholic Sales District to "C-2" Commercial District on Lot 3, NCB 11691, 3454 West Avenue. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 1)
- B. ZONING CASE NUMBER Z2002249 S: The request of VIA Metropolitan Transit, Applicant, for VIA Metropolitan Transit, Owner(s), for a change in zoning from "C-3 NA" Commercial Nonalcoholic Sales District, "C-3 Commercial District, "I-1" General Industrial District to "C-3 NA S" Commercial Nonalcoholic Sales District with a specific use authorization for a bus maintenance facility for Government Mass Transit Authorities of the State of Texas on all of NCB 345, Lots 1 through 3, the north 3.72 feet of Lot 4, Lots 7 through 9, Lots 13 through 17, NCB 1917, Lots 1 through 4, and Lot 7, Block 49, NCB 348, Tract A, NCB 104, Lots 1 through 6, Block 38, NCB 347, Lot 35, Block 1, NCB 3077, and Lots 26 and 29, Block 2, NCB 3076, 800 West Myrtle. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 1)
- C. ZONING CASE NUMBER Z2002170: The request of City of San Antonio, Applicant, for Winston & Bobbie Jane Butler, Owner(s), for a change in zoning to designate historic significance on west 77 feet of Lot 18, Block 109, NCB 1386, 701 Montana Street. Staff's recommendation was for approval. Zoning Commission has recommended denial. (Council District 2)
- D. ZONING CASE NUMBER Z2002221: The request of David L. Hamilton & Charles E. Odom, Applicant, for David L. Hamilton and Charles E. Odom, Owner(s), for a change in zoning from "R-4" Residential Single Family District to "C-3 NA" Commercial Nonalcoholic Sales District on Lots 28 and 29, Block 4, NCB 10263, 375 and 379 Morningview Drive. Staff's recommendation was for denial. Zoning Commission has recommended approval of "C-3 NA". (Council District 2)
- E. ZONING CASE NUMBER Z2002219: The request of Tomas & Amalia Guerrero, Applicant, for Tomas Guerrero, Amalia Guerrero, Owner(s), for a change in zoning from "C-2" Commercial District to "MH" Manufactured Housing District on Lots 1B and 1C, NCB 15666, 12132 Highway 281 South. Staff's recommendation was for approval. Zoning Commission has recommended denial. (Council District 3)

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to 1/23/03
- F. ZONING CASE NUMBER Z2002196: The request of Glenn Lynch, Applicant, for Glenn Lynch, Trustee, Owner(s), for a change in zoning from "NP-10" Neighborhood Preservation District to "MF-33" Multi-Family District on 19.205 acres out of NCB 11295, 7311 Somerset Road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 4)
- G. ZONING CASE NUMBER Z2002205: The request of David & Donna Ann Ruiz, Applicant, for David & Donna Ann Ruiz, Owner(s), for a change in zoning from "R-6" Residential Single Family District to "MH" Manufactured Housing District on Lot 8, Block 1, NCB 15632, 5411 Sherry Drive. Staff's recommendation was for approval. Zoning Commission has recommended approval. Council District 4)
- H. ZONING CASE NUMBER Z2002245 S: The request of Nora E. & Eric Leal, Applicant, for Steven Sinkin, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "R-6 S" Residential Single-Family District with a specific use authorization for a group daycare home on Lot 2, Block 12, NCB 15910, 1343 Cavern Trail Drive. Staff's recommendation was for denial. Zoning Commission has recommended approval. (Council District 4)
- I. ZONING CASE NUMBER Z2002247: The request of Richard R. Whitcher, Jr., Applicant, for Richard R. Whitcher Jr., Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "MH" Manufactured Housing District on Lot 7, Block 1, NCB 15629, 5115 Sherry Drive. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 4)
- J. ZONING CASE NUMBER Z2002251: The request of Baptist Child & Family Services, Applicant, for Baptist Child & Family Services, Owner(s), for a change in zoning from "R-6" Residential Single Family district and "MF-33" Multi-Family District to "C-3" Commercial District on 65.29 acres out of NCB 15602, 7404 West Highway 90. Staff's recommendation was for approval. Zoning Commission has recommended approval of "C-3NA". (Council District 4)
- K. ZONING CASE NUMBER Z2002216: The request of Jack in the Box, Inc., Applicant, for Wilbco Inc., Owner(s), for a change in zoning from "MF-33" Multi-Family District to "C-2" Commercial District on Lots A-15 and A-16, Block E1/2, NCB A-9, 843, 905 & 907 Probandt Street. Staff's recommendation was for denial. Zoning Commission has recommended denial. (Council District 5)
- L. 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, the 1300 Block of Horal Drive. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 6)

Continue to 2/13/03
M. ZONING CASE NUMBER Z2002258: The request of City of San Antonio, Applicant, for WOH Holdings Inc. c/o Charles Martin Wender, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "R-6 PUD" Residential Single-Family Planned Unit Development District on 92.34 acre tract of land out NCB 17642, 4100 Block of Wiseman Road. Staff's recommendation was for approval. Zoning Commission has recommended denial. (Council District 6)

97011
N. ZONING CASE NUMBER Z2002234C: The request of Edward & Margaret Marotta, Applicant, for Ruben & Irma Perales, Owner(s), for a change in zoning from "R-5" Residential Single-Family District to "R-5 C" Residential Single-Family District with a conditional use for a day care center on the North Irregular 50 feet of Lots 4, 5, & 6, Block 3, NCB 11443, 2250 Benrus Boulevard. Staff's recommendation was for denial. Zoning Commission has recommended approved. (Council District 7)

97012
O. ZONING CASE NUMBER Z2002256: The request of City of San Antonio, Applicant, for Various Owners, for a change in zoning to designate properties as part of the Monticello Park Historic District on Lots 1 through 7 and 12 through 27, NCB 9074, Lots 1 through 28, NCB 9075, Lots 1 through 8, 12 through 23, and 25, NCB 9076, Lots 1 through 20, NCB 9077, Lots 1 through 10, 16 through 19, and 38 through 42, NCB 9078. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 7)

Continue to 1/23/03
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)

Continue to 1/23/03
ZONING CASE NUMBER Z2002229: The request of City of San Antonio, Applicant, for Dallas Daughtry, Owner(s), 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)

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R. ZONING CASE NUMBER Z2002248: The request of Hermansen Land Development, Applicant, for Brazos De Santos Partners, Ltd., Owner(s), for a change in zoning from "R-6 ERZD" Residential Single-Family, Edwards Recharge Zone District to "PUD C-3 ERZD" Planned Unit Development, Commercial, Edwards Recharge Zone District on Lot 3 and Parcel 100, NCB 14854, the northeast corner of North Loop 1604 and Old Fredericksburg Road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 8)

S. ZONING CASE NUMBER Z2002252: The request of Kaufman & Associates, Inc., Applicant, for LS Boardwalk L.L.C., Jim Ellis Trustee, Owner(s), for a change in zoning from "O-2" Office District to "C-2" Commercial District on .5671 of an acre out of Parcels 22 & 24, NCB 34730, 23535 IH-10 West. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 8)

T. ZONING CASE NUMBER Z2002253: The request of Earl & Brown, P.C., Applicant, for F.C. Properties One, Ltd.c/o First City Servicing Corporation, Owner(s), for a change in zoning from "DR" Development Reserve District to "R-4" Residential Single-Family District (112.77 acres) and "I-1" General Industrial District (96.95 acres) on 209.72 acre tract of land out of CB 4479, northeast side of Braun Road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 8)

U. ZONING CASE NUMBER Z2002236: The request of Gordon V. Hartman Enterprises, Inc., Applicant, for Gordon V. Hartman Enterprises, Inc., Owner(s), for a change in zoning from "C-2 ERZD" Commercial Edwards Recharge Zone District and "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District to "R-6 PUD ERZD" Residential Single-Family Planned Unit Development Edwards Recharge Zone District on 71.777 acres out of NCB 18218, extending south from the block of Marshall Road between Bulverde Road and U.S. Highway 281 (approximately 1000 feet west of Bulverde Road). Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 9)

V. ZONING CASE NUMBER Z2002243: The request of Concordia Group, Applicant, for Concordia Group, Owner(s), for a change in zoning from "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District to "C-2 NA ERZD" Commercial, Nonalcoholic Sales Edwards Recharge Zone District on 2.26 acres out of NCB 16334, Blanco Springs near North Loop 1604. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 9)

W. ZONING CASE NUMBER Z2002082: The request of George Gervin Academy, Barbara Hawkins, Applicant, for George Gervin Academy, Owner(s), for a change in zoning from "C-3 R" Commercial Restrictive Alcoholic Sales District to "MF-33" Multi-Family District on Lot 1, Block 2, NCB 16889, 6900 Block of East Sunbelt Drive. Staff's recommendation was for denial. Zoning Commission has recommended approval. (Council District 10)

X. ZONING CASE NUMBER Z2002241: The request of Dirt Dealers III, Ltd. , Applicant, for Dirt Dealers III, Ltd., Owner(s), for a change in zoning from "R-6" Residential Single Family District to "R-4" Residential Single Family District on 11.36 acres out of NCB 17153 and from "R-6" Residential Single Family District to "C-2 NA" Commercial Non Alcoholic Sales District on .41 acres out of NCB 17153 and from "R-6" Residential Single Family District to "C-3 NA" Commercial Non Alcoholic Sales District on 2.24 acres out of NCB 17153 on 14.01 acres out of NCB 17153, Nacogdoches Road, west of Falcon Crest. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 10)

Capital Improvement Items

- 9 6977
11. An Ordinance authorizing the execution of Field Alteration No. 8 for the additional amount of \$185,724.00 in connection with the contract with Constructors & Associates, Inc. for the terminal improvements at San Antonio International Airport Package 3; ratifying the actions taken by City staff relating to Terminal One Security Checkpoint Revisions in conjunction with Package 3 Terminal Improvement Project at San Antonio International Airport; appropriating funds; revising the budget; and providing for payment. [Presented by Kevin C. Dolliole, Aviation Director; Christopher J. Brady, Assistant City Manager]
 12. An Ordinance amending the professional services contract with Foster CM Group, Inc. in an amount not to exceed \$349,886.00 to extend the Project Management Contract in connection with the Terminal Improvement Project at San Antonio International Airport for a period of ten months; appropriating funds; revising the budget; and providing for payment. [Presented by Kevin C. Dolliole, Aviation Director; Christopher J. Brady, Assistant City Manager]

Items Concerning the Purchase, Sale or Lease of Real Property

- PULLED
13. An Ordinance selecting four companies: James Ponton; Dugger, Canaday, Grafe, Inc.; Eckmann, Groll & Runyan, Inc., and Sandison Appraisal Services, to provide appraisal services for certain properties along the Salado & Leon Creeks under the Proposition 3 Tax Initiative Project; authorizing execution of all related contracts and authorizing payment in an amount not to exceed \$701,075.00 for such services; appropriating funds; and providing for payment. [Presented by Susan Valis Crane, Special Project Manager; Christopher J. Brady, Assistant City Manager]
 14. An Ordinance selecting four companies: Civil Engineering Consultants, Vickrey & Associates, Bain Medina Bain, and CDS Muery, to provide surveying services for certain properties along the Salado & Leon Creeks under the Proposition 3 Tax Initiative Project; authorizing execution of all related contracts and authorizing payment in an amount not to exceed \$922,679.00 for such services; appropriating funds; and providing for payment. [Presented by Susan Valis Crane, Special Project Manager; Christopher J. Brady, Assistant City Manager]
 15. An Ordinance declaring as surplus a 1.307 acre tract of land located at IH 35 and Santa Rosa Street, owned and controlled by the Texas Department of Transportation for disposition to San Francesco Di Paola Church, the abutting property owner. [Presented by Rebecca Waldman, Director, Department of Asset Management; Erik J. Walsh, Assistant to the City Manager]

Miscellaneous

- 9 6978
16. An Ordinance ratifying the acceptance of a \$10,000.00 grant from the Texas Forest Service for an Urban Forestry Partnership Grant Project for San Antonio; and establishing a fund and budget complement for the project. [Presented by Malcolm Matthews, Director of Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]

17. An Ordinance authorizing the acceptance of an additional grant award totaling \$27,728.00 in cash support from the Texas Department of Health (TDH) to augment the ongoing HIV Surveillance Project of the San Antonio Metropolitan Health District (SAMHD) during the period January 1, 2002 through December 31, 2002; authorizing execution of the contract change with the TDH; and revising the budget for the Public Health State Support Project 2002/2003-Federal account. [Presented by Dr. Fernando A. Guerra, Director of Health; Frances A. Gonzalez, Assistant to the City Manager]

18. An Ordinance authorizing the acceptance of an additional cash grant award in the amount of \$14,130.00 from the Texas Department of Health (TDH) to augment the ongoing support for the Sexually Transmitted Disease (STD) Program of the San Antonio Metropolitan Health District during the period January 1, 2002 through December 31, 2002; authorizing execution of the contract change with the TDH; and revising the budget for the Public Health State Support Project 2002/2003-Federal account. [Presented by Dr. Fernando A. Guerra, Director of Health; Frances A. Gonzalez, Assistant to the City Manager]

19. An Ordinance authorizing the acceptance of an additional \$77,812.00 in cash from the National Opinion Research Center (NORC) to extend funding of the United States Department of Justice Arrestee Drug Abuse Monitoring (ADAM) Program conducted by the San Antonio Metropolitan Health District (SAMHD) through September 30, 2003; authorizing execution of the subcontract modification with NORC; and revising the project budget established through Ordinance No. 94848, passed and approved on November 1, 2001. [Presented by Dr. Fernando A. Guerra, Director of Health; Frances A. Gonzalez, Assistant to the City Manager]

20. An Ordinance authorizing a professional services contract with, and ratifying services performed by, Open Systems Group (OSG) in an amount not to exceed \$510,000.00, at a rate of \$85.00 per hour, to implement the Electronic Document Managing System for Municipal Courts for the period beginning October 1, 2002 and ending October 31, 2004. [Presented by Quentin B. Porter, Director, Municipal Courts; Melissa Byrne Vossmer, Assistant City Manager]

21. An Ordinance authorizing the creation of the Air Transportation Advisory Commission and sunset of the Airport Advisory Committee; as requested by Mayor Edward D. Garza. [Presented by Kevin C. Dolliole, Aviation Director; Christopher J. Brady, Assistant City Manager]

Board, Commissions and Committee Appointments.

22. Consideration of the following board appointments: [Presented by Yolanda Ledesma, Acting City Clerk; Travis M. Bishop, Assistant City Manager]

A. An Ordinance appointing Susie L. Green (District 2) to the Animal Care Services Advisory Board for a term of office to expire on April 3, 2005.

B. An Ordinance appointing Antoinette V. Franklin (Performance Artist/Dance Category – District 2) to the Arts and Cultural Advisory Committee for a term of office to expire on November 15, 2004.

C. An Ordinance reappointing Jesse Zuniga, Jr. (District 6) and appointing Joseph Michael Tinti (District 4) for terms of office to expire on February 22, 2005 and appointing Michael Gallagher (District 10) for a term of office to expire on February 22, 2004 to the Board of Adjustment.

D. An Ordinance reappointing Jim Greenfield (Community Category – District 5) to the Brooks Development Authority for a term of office to expire on November 4, 2004.

E. An Ordinance appointing Pamela Bain (Community Representative Category – District 6) to the Capital Improvements Advisory Committee for a term of office to expire on October 25, 2004.

F. An Ordinance appointing Maria Angelina Ruiz (District 1) and Lewis Melvin Marshall (District 2) to the Joint City/County Commission on Elderly Affairs for terms of office to expire on September 30, 2003 and September 30, 2004, respectively.

G. An Ordinance reappointing Arthur R. Emerson (Community Representative Category - District 7) to the Greater Kelly Development Authority for a term of office to expire on November 30, 2004.

H. An Ordinance appointing Joe Carlton Soules, Jr. (Community Representative Category – District 10) to the San Antonio Housing Authority of the City of San Antonio for a term of office to expire on October 18, 2003.

I. An Ordinance appointing Steven Sano (Mayor) to the San Antonio Public Library Board of Trustees for a term of office to expire on September 30, 2004.

J. An Ordinance reappointing Oswald Jerrals (District 4) to the San Antonio Commission on Literacy for a term of office to expire on September 15, 2004.

K. An Ordinance reappointing Helen Vera (District 8) to the Mayor's Commission on the Status of Women for a term of office to expire on December 15, 2004.

L. An Ordinance appointing Eddyth Worley (District 1) to the Tax Phase-In Advisory Committee for a term of office to expire on May 18, 2004.

M. An Ordinance appointing Christina Vara (Mayor) to the San Antonio Youth Commission for a term of office to expire on June 1, 2004.

ITEMS FOR INDIVIDUAL CONSIDERATION

- 96999
23. An Ordinance appointing Dr. Carlos Campos, Ramon Chapa, Sr., Phyllis Gallay and Antonio Perales and reappointing Elaine Mendoza, Donald Sikes and Terry Smith to the Alamo Workforce Development Board. [Presented by Frances A. Gonzalez, Assistant to the City Manager; Terry M. Brechtel, City Manager]
24. Consideration of the following items: [Presented by Andrew Martin, City Attorney; Terry M. Brechtel, City Manager]
- A. An Ordinance enabling the San Antonio Water System, on behalf of the City of San Antonio, to pursue environmental enforcement authority given to local governments pursuant to Chapter 26 and §7.351 of the Texas Water Code, and further amending Chapter 34 of the City Code of Ordinances to reflect such authority in the San Antonio Water System as well as the Office of the City Attorney.
- 97000
- 2003-01-01 B. A Resolution, as required by statute, memorializing the authority created by the aforesaid Ordinance and further directing the City Clerk to transmit to the Texas Commission on Environmental Quality an official copy of said Ordinance.
25. An Ordinance amending the Land Use Plan contained in the South Central San Antonio Community Plan, a component of the Master Plan of the City, by changing the use of a 1.1 acre tract of land located near the northwest corner of the intersection of Highway 90 and Probandt Street from Low Density Residential Use to Neighborhood Commercial Use. Staff's recommendation was for denial. Planning Commission's recommendation was for denial. [Presented by Emil R. Moncivais, Director, Planning Department; Jelynn LeBlanc Burley, Assistant City Manager]
- 97000
26. A briefing on the proposed revisions to the Housing Program Policies for projects funded by the Community Development Block Grant (CDBG) and Home Investment Partnership Program. [Presented by Andrew A. Cameron, Director, Department of Housing and Community Development; Jelynn LeBlanc Burley, Assistant City Manager]
- 2003-01-02
27. A Resolution setting the dates, times and locations for twenty (20) neighborhood participation meetings and two (2) City Council Public Hearings required for the City's Annual Community Development Block Grant (CDBG), Home Investment Partnership Grant (HOME), Housing Opportunities for Persons with AIDS (HOPWA), and Emergency Shelter Grant (ESG) Consolidated Plan/Budget Process for the Fiscal Year 2003-2004. [Presented by Andrew A. Cameron, Director, Department of Housing and Community Development; Jelynn LeBlanc Burley, Assistant City Manager]

