



First Ord. 95435
First Rev. 2002-10-13
Last Ord 95471
Last Rev. None

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**Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 Main Plaza
San Antonio, Texas 78205
March 14, 2002**

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:

Staff briefing on Alcohol Ban in City Parks. [Presented by Malcolm Matthews, Director of Parks and Recreation; 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. Samuel Howard, Greater Ball Tabernacle African Methodist Episcopal Church, and Pledge of Allegiance.

2. Ceremonial Items.

3. Approval of the minutes of the Regular Council Meetings of February 28, 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/TDD for assistance. Closed captioning is available on broadcasts of the Council meetings on 21-CHIC.

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 Christopher J. Brady, Interim Director Development Services; Terry M. Brechtel, City Manager]

Continue to 3/28/02
A. ZONING CASE NUMBER Z2001211: The request of Beatrice & Nestor Trevino, Applicant, for Beatrice & Nestor Trevino, Owner(s), for a change in zoning from "R-4" Residential Single-Family District to "MF-40" Multi-Family District on Lots 26, 27 and N 5FT of 28, Block 10, NCB 3129, 205 Castillo Avenue. Staff's recommendation was for denial. Zoning Commission has recommended denial. (Council District 1)

Continue to 3/28/02
B. ZONING CASE NUMBER Z2002016: The request of Mauro R. Garza, Applicant, for Mauro R. Garza, Owner(s), for a change in zoning from "C-1" Commercial District to "C-2" Commercial District on Lot 4, Block 22, NCB 385, 111 E. Laurel Street. Staff's recommendation was for approval. Zoning Commission has recommended denial. (Council District 1)

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C. ZONING CASE NUMBER Z2002025: The request of Aaron Acosta, Applicant, for Aaron Acosta, Owner(s), for a change in zoning from "R-4" Residential Single Family District to "O-1" Office District on Lot 2, Block 2, NCB 9793, 1355 Basse Road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 1)

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D. ZONING CASE NUMBER Z2001256: The request of Phil Garay, Applicant, for Jesse Maldonado, Owner(s), for a change in zoning from "R-4" Residential Single-Family District to "C-3 NA" Commercial District Nonalcoholic Sales on Lots 3 thru 5 & West 10' of Lot 6 & East 20' of Lot 2, Block 57, NCB 7960, 5702 S. Zarzamora Street. Staff's recommendation was for denial. Zoning Commission has recommended denial. (Council District 4)

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E. ZONING CASE NUMBER Z2002011: The request of DFGG of Texas, Ltd., Applicant, for DFGG of Texas, Ltd., Owner(s), for a change in zoning from "C-2" Commercial District and "O-2" Office District to "R-4" Residential Single Family District on P-3C, NCB 15850, Potranco Road & Hunt Lane. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 4)

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F. ZONING CASE NUMBER Z2002022: The request of Robert C. Zamora, Applicant, for Robert C. Zamora, Owner(s), for a change in zoning from "R-4" Single-Family Residence District to "C-2 NA" Commercial, Nonalcoholic Sales District on a 0.117 acre tract out of NCB 11071 and the E 80 ft of the N 170 ft of Lot 5, Block 101, NCB 11071, 1204 Gillette Blvd. Staff's recommendation was for denial as requested and approval of "C-1." Zoning Commission has recommended approval of "C-2 NA". (Council District 4)

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G. ZONING CASE NUMBER Z2002023: The request of City of San Antonio, Applicant, for Maria Mendiola, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "R-6 C" Residential Single Family District with a conditional use for two existing residences on Lot 19, Blk 51, NCB 8939, 305 McLaughlin Avenue. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 4)

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H. ZONING CASE NUMBER Z2001142S: The request of Kaufman and Associates, Applicant, for Charles C. Schoenfeld, Owner(s), for a change in zoning from "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District to "C-3 C S ERZD" Commercial Edwards Recharge Zone District with City Council approval and a Special Use Permit for a Batch Plant on P-1 NCB 14853, 5197 Loop 1604 N. Staff's recommendation was for approval. Zoning Commission has recommended approval of "C-3 ERZD". (Council District 8)

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I. ZONING CASE NUMBER Z2001207: The request of Hausman 18 Joint Venture, Applicant, for Hausman 18 Joint Venture, Owner(s), for a change in zoning from "C-2" ERZD Commercial Edwards Recharge Zone District and "C-2 NA" ERZD Commercial Non Alcoholic Sales Edwards Recharge Zone District to "RM-4" PUD ERZD Residential Mixed Planned Unit Development Edwards Recharge Zone District on P-5A, NCB 14865, 7500 Hausman Rd.. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 8)

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J. ZONING CASE NUMBER Z2001237 S: The request of Brundage Management, Applicant, for Thomas O. Brundage, Owner(s), for a change in zoning from "C-3 R" Restrictive Business District to "C-3 S" Commercial District with a Specific Use Permit for a Mini-Storage facility on a site of 3.134 acres out of NCB 18163, Loop 1604 and north of New Guilbeau Rd. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 8)

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K. ZONING CASE NUMBER Z2002015: The request of Anthony J. Ferro, Applicant, for Anthony J. Ferro, Owner(s), for a change in zoning from "R-4" Residential Single Family District and "MF-33" Multi Family District to "C-1 C" Commercial District with a conditional use for a wheel alignment service and parking of vehicles to be repaired on Lots 9 and 30, Block B, NCB 10110, 112 Nova Mae. Staff's recommendation was for denial as requested and approval of "C-1 C" Commercial District. Zoning Commission has recommended approval with conditions. (Council District 9)

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L. ZONING CASE NUMBER Z2002021: The request of Lisa & Theodore C. Musial, Applicant, for Lisa & Theodore C. Musial, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "C-2" Commercial District on Lot 34, NCB 17860, 14255 Blanco Road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 9)

Continue to April 20⁰²
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M. ZONING CASE NUMBER Z2001132A: The request of City of San Antonio, Applicant, for Six Star Partnership, Owner(s), for a change in zoning from "QD S ERZD" Quarry Edwards Recharge Zone District with a Special Use Permit for Blasting and Asphaltic Concrete to "C-2 NA ERZD" Commercial Edwards Recharge Zone District on a 109.023 acre tract of land out of NCB 17728, East side of Bulverde Road. Staff's recommendation was for approval. Zoning Commission has recommended approval of "C-2 NA ERZD" Commercial Non Alcoholic Sales Edwards Recharge Zone District. (Council District 10)

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IN. ZONING CASE NUMBER Z2002028: The request of Wetmore-Thousand Oaks, Ltd., Applicant, for Wetmore-Thousand Oaks, Ltd., Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "L" Light Industrial District on Lot P-65, NCB 15687, 3897 Stahl Rd.. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 10)

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

- 95436
6. An Ordinance accepting the low, qualified bids submitted by Aramsco to provide the City of San Antonio Police Department with gas masks with tactical kits for a total sum of \$35,443.50. [Presented by Janie B. Cantu, Director of Purchasing & General Services; Travis M. Bishop, Assistant City Manager]

Capital Improvement Items

- 95437
7. An Ordinance authorizing the execution of Field Alteration No. 8 to enlarge the security area and install security access system as a result of changes in airport security requirements for the additional amount of \$71,308.00 in connection with the contract with PAR Construction for the terminal improvements at San Antonio International Airport Package 6; 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

- 95438
8. An Ordinance approving Amendment Number 1 to a La Villita Retail Lease Agreement in the City's La Villita, located in City Council District 1, with Alamo Wholesale to the Public d/b/a the Sutler Country Store to change lease location from Building 14 to Building 24. [Presented by Malcolm Matthews, Director of Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]
- 95439
9. An Ordinance approving Amendment Number 1 to a La Villita Retail Lease Agreement in the City's La Villita, located in City Council District 1, with Jean M. Engel d/b/a Mustang Grey's to change lease location from Building 17 to Building 16. [Presented by Malcolm Matthews, Director of Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]

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10. An Ordinance approving Amendment Number 2 to a Lease Agreement with the City of Alamo Heights for use of park property in Olmos Basin Park located in City Council District 9 to add an additional 1.93 acres to the leased area. [Presented by Malcolm Matthews, Director of Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]
11. An Ordinance authorizing a five (5) year Lease Agreement with Mule Restaurant Group, L.L.C. d/b/a the Links Grille for approximately 118.93 square feet of River Walk sidewalk space in City Council District 1 to be used for outdoor dining purposes for annual rent of \$2,140.72 in Year One, \$2,197.81 in Year Two, \$2,254.89 in Year Three, \$2,311.98 in Year Four, and \$2,369.06 in Year Five. [Presented by Malcolm Matthews, Director of Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]
12. An Ordinance authorizing the execution of a License Agreement between the City of San Antonio and Service Life & Casualty Insurance, a Texas Corporation to occupy space over and under a sidewalk adjacent to Lot A-11, New City Block 423, located between E. Houston and E. Crockett streets, for an existing basement, maintenance of a freight elevator, an eight (8) foot awning overhang, and a loading and unloading ramp for a ten (10) year term and the total consideration of \$5,000.00. [Presented by Rebecca Waldman, Director, Department of Asset Management; Christopher J. Brady, Assistant City Manager]
13. An Ordinance authorizing and consenting to the assignment of Lease No. 200600, authorized by Ordinance No. 64212 of December 18, 1986 and amended by Ordinance No. 86979 of November 20, 1997, at Stinson Municipal Airport, from John D. Tosh d/b/a Texas Aviation Services to Hertz Corporation, for 295 square feet of office space in the Administration Building at Stinson Municipal Airport; and approving an amendment of said Lease Agreement to extend the lease for a two (2) year period beginning January 1, 2003 and ending December 31, 2004, adding four (4) preferential use parking spaces in the Stinson Terminal Parking Lot, and authorizing Assignee to use the assigned premises as an annex to Hertz's leased premises at San Antonio International Airport in connection with Hertz's Car Rental Concession Agreement with the City of San Antonio. [Presented by Kevin C. Dolliole, Aviation Director; Christopher J. Brady, Assistant City Manager]

Miscellaneous

14. An Ordinance accepting a \$145,000.00 grant from the Texas Department of Transportation's "Click It or Ticket" Selective Traffic Enforcement Program, which will be used to fund an overtime program for seat belt and child safety seat enforcement for the grant period May 20, 2002 through December 1, 2002. [Presented by Al A. Philippus, Chief of Police; J. Rolando Bono, Deputy City Manager]

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15. An Ordinance authorizing the acceptance of cash support totaling \$77,195.00 from the Texas Department of Health to renew ongoing programs of the San Antonio Metropolitan Health District; authorizing the use of said support for the following projects: Housing Opportunities for Persons with AIDS (HOPWA), \$53,195.00 and Hepatitis C Screening/Intervention, \$24,000.00; approving the execution of a change to the contract with the Texas Department of Health; revising the budget for the Public Health State Support Project 2001/2002-Federal, established in Ordinance No. 93174, passed and approved on January 4, 2002; and revising the budget for the Public Health State Support Project 2001/2002-State, established in Ordinance No. 94558, passed and approved on September 20, 2001. [Presented by Dr. Fernando A. Guerra, Director of Health; Melissa Byrne Vossmer, Assistant City Manager]

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16. An Ordinance authorizing the acceptance of an additional \$31,640.70 in cash from the National Opinion Research Center to extend funding of the United States Department of Justice Arrestee Drug Abuse Monitoring Program conducted by the San Antonio Metropolitan Health District through March 31, 2002; authorizing execution of the subcontract modification with the National Opinion Research Center; 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; Melissa Byrne Vossmer, Assistant City Manager]

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17. An Ordinance authorizing the acceptance of a cash award in the amount of \$356,702.00 from the Texas Department of Health to support the ongoing Tuberculosis Prevention Project 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 Texas Department of Health; revising the budget for the Public Health State Support Project 2002/2003-Federal Account, established in Ordinance No. 94306, passed and approved on August 9, 2001; authorizing payment for contractual services; and approving a personnel complement. [Presented by Dr. Fernando A. Guerra, Director of Health; Melissa Byrne Vossmer, Assistant City Manager]

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18. An Ordinance authorizing the development of the Title V Family Planning Project of the San Antonio Metropolitan Health District; approving the transfer of \$785,470.00 in grant funding and \$6,000.00 in patient co-payments from the ongoing Title V Maternal and Child Health Project of the San Antonio Metropolitan Health District into the Title V Family Planning Project; approving the execution of a change to the contract with the Texas Department of Health; amending the budget and personnel complement of the Title V Maternal and Child Health Project established through Ordinance No. 94559, passed and approved on September 20, 2001; establishing the budget for the Title V Family Planning Project for the period September 1, 2001 through August 31, 2002; approving the personnel complement for the Title V Family Planning Project; and authorizing payment for contractual services. [Presented by Dr. Fernando A. Guerra, Director of Health; Melissa Byrne Vossmer, Assistant City Manager]

95448
19. An Ordinance authorizing payment in the amount of \$657,000.00 for the settlement of two lawsuits styled Julius Spilman, Individually and on Behalf of the Wrongful Death Beneficiaries, and on Behalf of The Estate of Sarah Suprun v. City of San Antonio et al, Cause No. 99-CI-10880 (166th District Court, Bexar County, Texas) and Leonides Munoz and Janie Munoz, et al v. City of San Antonio, et al, Cause No. 2000-CI-12265 (288th District Court, Bexar County, Texas). [Presented by Steven Arronge, Acting City Attorney, City Attorney's Office; Terry M. Brechtel, City Manager]

95449
20. An Ordinance authorizing a Legal Services Contract in the amount of \$21,500.00 with the law firm of Lloyd, Gosselink, Blevins, Rochelle, Baldwin & Townsend to provide services in connection with post construction claims on the Henry B. Gonzalez Convention Center Expansion Project; amending Ordinance No. 93163, dated January 4, 2001 to replace said firm with the firm of Plunkett & Gibson to serve as the City representative on the Disputes Review Board established under the City's construction contract with Browning Construction (Phase 1C Renovation); approving an contract in the amount of \$15,000.00 with the latter law firm for these services; and providing for payment. [Presented by Steven Arronge, Acting City Attorney, City Attorney's Office; Terry M. Brechtel, City Manager]

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

95450
A. An Ordinance appointing Ramiro Nava (District 5) and Joseph M. De La Garza (District 5) as Trustees to the San Antonio Local Development Company for terms of office to expire on May 9, 2005 and May 9, 2004, respectively.

95451
B. An Ordinance appointing Marco Barros (District 7) to the Airport Advisory Committee for a term of office to expire on December 15, 2002.

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C. An Ordinance amending Ordinance No. 76772, passed and approved on October 29, 1992, by removing the requirement of a representative of the District Attorney's Office for the San Antonio Greater Crime Prevention Commission and instead requiring a Liaison Relationship Representative from the District Attorney's Office to serve as a resource individual; as requested by Mayor Edward Garza and Councilman David Garcia, District 5.

ITEMS FOR INDIVIDUAL CONSIDERATION

95452
22. An Ordinance authorizing the payment of an amount not to exceed \$50,000.00 to Southwest Airlines for advertising expenses as part of the San Antonio International Airport's Air Service Development Incentive Program as a result of the air carrier's initiation of new non-stop air service to San Diego, California and Raleigh-Durham, North Carolina. [Presented by Kevin C. Dolliole, Aviation Director; Christopher J. Brady, Assistant City Manager]

95453
23. An Ordinance accepting a grant of \$1,419,051.00 in cash, \$2,054,178.00 of in-kind vaccine support and \$51,841.00 of in-kind personnel support from the U.S. Public Health Service in support of the operation of the Childhood Immunization Project of the San Antonio Metropolitan Health District for the period January 1, 2002 through December 31, 2002; establishing a fund; adopting a budget and approving a personnel complement. [Presented by Dr. Fernando A. Guerra, Director of Health; Melissa Byrne Vossmer, Assistant City Manager]

EXECUTIVE SESSION PRIOR TO:

95454
24. Briefing to City Council on Development Agreement with Cibolo Canyon Conservation and Improvement District No. 1. [Presented by Christopher J. Brady, Assistant City Manager; Terry M. Brechtel, City Manager]

95455
25. An Ordinance amending Ordinance No. 94578, by reducing the District 3 Contingency Account Fund in the amount of \$4,000.00, and reprogramming the funds by increasing the District 3 Administrative Assistance Fund budget by \$4,000.00; as requested by Councilwoman Antoniette Moorhouse.

95456
26. An Ordinance amending Ordinance No. 94578, by reducing the District 6 Contingency Account Fund in the amount of \$15,000.00, and reprogramming the funds by increasing the District 6 Administrative Assistant Fund budget by \$15,000.00; as requested by Councilman Enrique M. Barrera.

95457
27. An Ordinance authorizing the expenditure of \$165.00 from the District 4 Contingency Account Fund, payable to Fuerza Unida, to be used to pay for the insurance needed for the International Women's Day March sponsored by Fuerza Unida, that was held on March 9, 2002; as requested by Councilman Enrique "Kike" Martin.

95458
28. An Ordinance authorizing the expenditure of \$100.00 from the District 5 Contingency Account Fund, payable to Bexar County National Crime Victims' Rights Week Coalition, to be used to defray costs associated with their Children's Awareness Picnic, to be held on Friday, April 5, 2002 at Milam Park; as requested by Councilman David A. Garcia.

95459
29. An Ordinance authorizing the expenditure of \$2,000.00 from the District 7 Contingency Account Fund, payable to the City of San Antonio's Parks and Recreation Department, to be used to offset the costs associated with the Near Northwest Community Festival, to be held on Sunday, March 17, 2002 at Woodlawn Lake Park; as requested by Councilman Julian Castro.

95460
30. An Ordinance authorizing the expenditure of \$150.00 from the District 7 Contingency Account Fund, payable to the St. Dominick's Tigers Baseball Team, to be used to cover expenses for uniforms and trophies for the team members; as requested by Councilman Julian Castro.

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31. An Ordinance authorizing the expenditure of \$150.00 from the District 7 Contingency Account Fund, payable to the San Antonio Street Dance and Drum Co., to be used to offset the group's travel expenses to New Orleans from February 7-9, 2002, as representatives of the City of San Antonio in the Mardi Gras celebration; as requested by Councilman Julian Castro.

94435
32. An Ordinance confirming the appointment of the City Attorney in accordance with the Charter of the City of San Antonio. [Presented by Terry M. Brechtel, City Manager]

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

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

A. Attorney-client consultation regarding the status of the negotiations of a Development Services Agreement on the terms and conditions of the possible donation to the City of San Antonio of certain real property and the terms and conditions of the acquisition by the City of San Antonio of certain real property by purchase, exchange, lease or value of real property as a component of the Development Services Agreement between the City of San Antonio and the proposed Cibolo Canyon Conservation and Improvement District No. 1, Bexar County, Texas.

B. Attorney-Client consultation regarding the status of the Right-of-Way Use Agreement negotiations with Grey Forest Utilities.

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