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First Rev. 2005-08-06
Last Ord. 100483
Last Rev. [Signature]

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CITY OF SAN ANTONIO
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**Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 Main Plaza
San Antonio, Texas 78205
February 24, 2005**

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. and recess into executive session for the following:

Deliberate the duties, appointment, and employment of the City Manager, pursuant to Texas Government Code Section 551.074 (personnel matters), and discuss related legal issues, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

At the conclusion of the executive session, the City Council will reconvene for the following:

Boards and Commissions Work Session. [Presented by Leticia M. Vacek, City Clerk]

The City Council may recess into executive session to deliberate the appointment of candidates for the positions of regular and alternate members of the Municipal Civil Service Commission, pursuant to Texas Government Code Section 551.074 (personnel matters).

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. Alvin Logan, Chaplain, Bexar County Detention Ministries, guest of Councilwoman Patti Radle, District 5, and Pledge of Allegiance.
2. Ceremonial Items.
3. Approval of the minutes of the City Council meeting of February 3, 2005.

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 Peña, Director, Development Services; Christopher J. Brady, Assistant City Manager]

100474

A. ZONING CASE NUMBER Z2005010: The request of Casey Cooke, Applicant, for Casey Cooke, Owner(s), for a change in zoning from "R-6" Residential Single Family District to "R-6" C Residential Single-Family District with conditional use for multi-family dwellings not to exceed 23 units per acre on Lot 12, Block 5, NCB 1967 (1647 W. Woodlawn). Staff's recommendation was for approval. Zoning Commission has recommended approval of "R-6" C. (Council District 1)

100475

B. ZONING CASE NUMBER Z2005011: The request of Marty Taglauer, Applicant, for Marty Taglauer, Owner(s), for a change in zoning from "R-6" Residential Single Family District to "RM-4" Residential Mixed District on Lots 1 thru 3, Block 6, NCB 1782 (1146 Fulton Avenue). Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 1)

100476

C. ZONING CASE NUMBER Z2005023: The request of Brown, P. C. Attorneys at Law, Applicant, for William A. Nash IV, Owner(s), for a change in zoning from "R-4" Residential Single-Family District and "EP-1" Event Parking to "MF-33" Multi-Family District and "EP-1" Event Parking on 9.881 acres out of NCB 10235 (405 Spriggdale Road). Staff's recommendation was for approval. Zoning Commission recommendation was for approval. (Council District 2)

100477

D. ZONING CASE NUMBER Z2004284: The request of City of San Antonio, Historic Preservation Officer for Good News Missionary Church, Applicant, for Good News Missionary Baptist Church, Owner(s), for a change in zoning to designate Historic Significance on Lots 5 through 8, Block 4, NCB 6637 (1233 East Highland Boulevard). Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 3)

100478

E. ZONING CASE NUMBER Z2005009 C: The request of La Obra Milagrosa Church DBA Miracle Center Church, Applicant, for La Obra Milagrosa Church DBA Miracle Center Church, Owner(s), for a change in zoning from "R-4" Residential Single-Family District to "R-4" C Residential Single-Family District with a conditional use for a recreational facility-private community wide on 1.836 acre tract of land out of Lot 11, Block 49, NCB 11079. (1911 Escalon Avenue) Staff's recommendation was for approval. Zoning Commission has recommended approval with conditions: 1) There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure; 2) No construction features shall be permitted which would place the structure out of character with the surrounding neighborhood; and 3) Business or office hours of operations shall not be permitted before 7:00 a.m. or after 10:00 p.m. as requested by the applicant. (Council District 3)

100479

F. ZONING CASE NUMBER Z2005016: The request of City of San Antonio, Historic Preservation Office for Darryl Ohlenbusch, Applicant, for Darryl Ohlenbusch, Owner(s), for a change in zoning to designate Historic Significance on Lot 6, Block 5, NCB 1675 (2340 South Presa Street). Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 5)

Continue for 2 weeks

G. ZONING CASE NUMBER Z2005030 S: The request of City of San Antonio, Applicant, for Mainland Drive Investment, LLC, Owner(s), for a change in zoning from "I-1" General Industrial District to "L" S Light Industrial District with specific use authorization for a daycare center on Lots 5 and Lot 6, Block 1, NCB 18571 (7939, 7941, 7943, 7945, 7947 and 7949 Mainland Drive). Staff's recommendation was for approval. Zoning Commission recommendation was for approval. (Council District 8)

100480

H. ZONING CASE NUMBER Z2004259: The request of City of San Antonio, Applicant, for Multiple Owners, for a change in zoning to establish Neighborhood Conservation District No. 4 (NCD-4) Overlay on property generally bound by Wurzbach Parkway on the northwest, Lockhill-Selma Road on the northeast, Dreamland on the southeast and the Union Pacific Railroad right-of-way on the southwest. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 8)

Continue for 2 weeks

I. ZONING CASE NUMBER Z2004270: The request of Gamez Family Partnership, Ltd., Applicant, for Gamez Family Partnership, Ltd., Owner(s), for a change in zoning from "R-6" ERZD Residential Single-Family Edwards Recharge Zone District to "C-2NA" ERZD Commercial Nonalcoholic Sales Edwards Recharge Zone District on 6.8317 acres out of NCB 15671 (18851 Redland Road). Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 9)

Continue for 2 weeks

J. ZONING CASE NUMBER Z2004265: The request of Randy Schumacher, Applicant, for Monterey Adair, Owner(s), for a change in zoning from "R-6" ERZD Residential Single-Family Edwards Recharge Zone District to "C-3NA" ERZD General Commercial District, Nonalcoholic Sales Edwards Recharge Zone District on P-4F, NCB 15671 (18581 Redland Road). 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

- 100454
6. An Ordinance accepting the single source offer submitted by Asbury Environmental Services to provide the City of San Antonio Public Works Department Storm Water Division with installation of automatic storm water curb inlet protectors for a total cost of \$68,600.00 from grant funds. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]
- 100455
7. An Ordinance accepting the low responsive bid submitted by Emergency One, Inc. to provide the City of San Antonio Aviation Department with a replacement aircraft rescue firefighting vehicle for a total cost of \$635,678.00. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]
- 100473
8. An Ordinance accepting the low responsive bids submitted by Baby Jack Automotive Ltd., d/b/a Columbus Country Ford, Bid No. 1, Item 1 and Tom Benson Chevrolet, Item 2 to provide the City of San Antonio with replacement administrative vehicles, to include sixty four (64) sedans and twelve (12) hybrid sedans for a total cost of \$1,042,824.00. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]

Capital Improvement Items

- 100456
9. An Ordinance authorizing funds in the amount of \$559,384.36 payable to the Texas Department of Transportation (“TXDOT”) for the City’s portion of the construction costs in connection with the South Flores – Malone to Octavia MPO Project, the Thousand Oaks Intersections MPO Project and the Tezel Road – Timber Path to Old Tezel Road MPO Project; authorizing \$13,361.20 for construction contingency expenses; authorizing \$23,490.00 payable to Drash Consulting Engineers, Inc., for environmental monitoring and oversight services in connection with the South Flores – Malone to Octavia Project; authorizing \$6,458.13 for construction contingency expenses in connection with the Thousand Oaks Intersection Project; authorizing \$36,119.11 for construction contingency expenses in connection with the Tezel Road – Timber Path to Old Tezel Project, for a total amount of \$638,812.80 from Certificates of Obligation; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

10. An Ordinance selecting Alderson & Associates, Inc. (SBE) to provide professional electrical engineering services associated with the River Walk Electrical and Lighting Analysis Project covering various locations on the River Walk in Council District 1; authorizing the negotiation and execution of a professional services contract in an amount not to exceed \$108,217.00; authorizing \$10,800.00 for architectural contingency expenses; authorizing mandatory project fees of \$50,600.00, for a total amount of \$169,617.00 from the River Walk Capital Improvements fund; appropriating funds; and providing for payment. [Presented by Malcolm Matthews, Director, Parks and Recreation; Christopher J. Brady, Assistant City Manager]

11. An Ordinance selecting Halff Associates, Inc., to provide professional landscape architectural services in connection with the Mitchell Lake/Land Heritage Institute Trail System Project, located in Council Districts 3 and 4; authorizing the negotiation and execution of a professional services contract in an amount not to exceed \$144,848.00; authorizing \$10,000.00 for master plan contingency expenses; authorizing \$40,000.00 for mandatory project fees, for a total amount of \$194,848.00 from Park Bond funds; appropriating funds; and providing for payment. [Presented by Malcolm Matthews, Director, Parks and Recreation; Christopher J. Brady, Assistant City Manager]

12. Consideration of the following Ordinances: Presented by Malcolm Matthews, Director, Parks and Recreation; Christopher J. Brady, Assistant City Manager]

A. An Ordinance authorizing payment in the amount of \$13,703.00 to K. M. Ng & Associates, Inc. (SBE/DBE/MBE) for on-call civil engineering services, passed and approved on August 7, 2003, by Ordinance No. 97945, in connection with the Southside Lions Park Pool Drain Line Relocation Community Development Block Grant (CDBG) Project, located in Council District 3; authorizing \$3,000.00 for engineering contingency expenses; authorizing \$1,000.00 for bid advertising and printing expenses; authorizing \$3,000.00 for mandatory project fees, for a total amount of \$20,703.00; revising the budget; appropriating funds; and providing for payment.

B. An Ordinance authorizing payment in the amount of \$18,424.00 to K. M. Ng & Associates, Inc. (SBE/DBE/MBE) for on-call civil engineering services, passed and approved on August 7, 2003, by Ordinance No. 97945, in connection with the Southside Lions Park (West) Drainage Improvements Community Development Block Grant (CDBG) Project, located in Council District 3; authorizing \$3,000.00 for engineering contingency expenses; authorizing \$1,200.00 for bid advertising and printing expenses; authorizing \$3,000.00 for mandatory project fees, for a total amount of \$25,624.00; revising the budget; appropriating funds; and providing for payment.

Items Concerning the Purchase, Sale or Lease of Real Property

13. An Ordinance authorizing the fee simple purchase of nine (9) properties located along the Salado and Leon Creeks in Council Districts 2 and 6 for a total amount of \$86,945.00; authorizing \$2,754.00 for due diligence expenses, for a total amount of \$89,699.00 from the Parks Development and Expansion Venue Project (Proposition 3) Sales Tax funds; appropriating funds; and providing for payment. [Presented by Christopher J. Brady, Assistant City Manager; J. Rolando Bono, Interim City Manager]

Miscellaneous

14. An Ordinance authorizing the City of San Antonio to accept the transfer of ownership of telecommunication equipment from the University of Texas at San Antonio as described in a Memorandum of Understanding. [Presented by Gary Moeller, Director, Information Technology Services Department; J. Rolando Bono, Interim City Manager]
15. An Ordinance authorizing the acceptance of a \$10,000.00 grant by the San Antonio Housing Trust Foundation, Inc., acting as fiscal agent for the City of San Antonio, from the Citigroup Foundation for façade improvements through Operation Facelift administered through the Neighborhood Commercial Revitalization Program. [Presented by David D. Garza, Director, Neighborhood Action; Jelyne LeBlanc Burley, Assistant City Manager]
16. An Ordinance authorizing the execution of eight (8) professional services agreements totaling \$678,825.00 to support the Steps To A Healthier San Antonio Program of the San Antonio Metropolitan Health District for the period September 22, 2004 through September 21, 2005, as follows: the American Cancer Society, \$153,195.00; the American Lung Association Of Texas, \$13,450.00; the South Texas Asthma Coalition, \$29,500.00; the San Antonio – Bexar County Metropolitan Planning Organization, \$88,200.00; the Bexar County Community Health Collaborative, \$66,825.00; University Health System – Texas Diabetes Institute, \$151,555.00; the Social and Health Research Center “Bienestar Program”, and the San Antonio Independent School District, \$146,100.00; and authorizing payments for contractual services. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant City Manager]
17. An Ordinance ratifying the submission of a grant application in the amount of \$126,755.00 to the Office of the Governor, Criminal Justice Division, available under the Violence Against Women Act for the Early Intervention for Women Living in Domestic Violence Program for the period September 1, 2005 through August 31, 2006. [Presented by Andrew Martin, City Attorney; J. Rolando Bono, Interim City Manager]

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

18. An Ordinance approving the parade permit and authorizing the temporary closure of portions of certain streets near downtown for the Cesar Chavez March for Justice Parade to be held from 10:00 A.M. until 2:00 P.M. Saturday, March 26, 2005. [Presented by Roland A. Lozano, Assistant to the City Manager; J. Rolando Bono, Interim City Manager]

Board, Commissions and Committee Appointments.

19. Consideration of the following Ordinances: [Presented by Leticia M. Vacek, City Clerk]

20. An Ordinance reappointing Betti Ward (District 1) to the Arts and Cultural Advisory Committee for a term of office to expire on December 31, 2006.

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100472
An Ordinance reappointing Carmen Abad-Fitts (Structural Engineer Category - District 1) to the Board of Appeals for a term of office to expire on July 31, 2006.

An Ordinance reappointing Connie Boyle (District 1) to Keep San Antonio Beautiful, Inc., for a term of office to expire on December 22, 2006.

D. An Ordinance reappointing Barbara Witte-Howell (District 1) to the Parks and Recreation Board for a term of office to expire on December 31, 2006.

E. An Ordinance appointing Kevin S. Messenger (District 10) and Arthur Emerson (District 1) to the Greater Kelly Development Authority for terms of office to expire on November 30, 2006.

F. An Ordinance reappointing Veronica Garcia (District 6) to the Mayor's Commission on the Status of Women for a term of office to expire on December 31, 2006.

G. An Ordinance appointing Crista Marichalar (District 10) to the Affirmative Action Advisory Committee for a term of office to expire on December 31, 2006.

ITEMS FOR INDIVIDUAL CONSIDERATION

20. Staff briefing on the Convention Center Headquarters Hotel Project. [Presented by Christopher J. Brady, Assistant City Manager; J. Rolando Bono, Interim City Manager]

100481
21. An Ordinance authorizing the establishment of a dedicated revenue and expenditure account titled "Animal Care Facility Donation Fund" and authorizing the acceptance of all monetary donations from sources that support the initiatives for responsible pet ownership and shelter operations within the animal care division. [Presented by Samuel T. Sanchez, Animal Care Administrator, Health; Frances A. Gonzalez, Assistant City Manager]

100482
22. An Ordinance approving the terms and conditions and authorizing the execution of an agreement with the San Antonio Technology Accelerator Initiative ("SATAI") Network, L.L.C., a single-member Texas Limited Liability Corporation acting through its fiscal agent, the Texas Research Park Foundation, to establish the terms and conditions of a \$500,000.00 grant to assist the SATAI Network in promoting and facilitating the community's technology initiatives. [Presented by Ramiro A. Cavazos, Director, Economic Development; Jelynn LeBlanc Burley, Assistant City Manager]

100483
23. An Ordinance authorizing the Director of the Economic Development Department to accept, by electronic signature, a \$125,000.00 planning grant from the U.S. Department of Defense, Office of Economic Adjustment ("OEA"), for the purpose of studying the impact of local military medical centers in San Antonio; authorizing the Interim City Manager or his designee to execute a professional services contract in an amount not to exceed \$125,000.00 with The DiLuzio Group, a local consultant, to execute the OEA planning grant on behalf of the City. [Presented by Ramiro A. Cavazos, Director, Economic Development; Jelynn LeBlanc Burley, Assistant City Manager]

24. A Resolution of support to the Alamo Community College District Board of Directors, to have the proposed Allied Health Care Facility built on the near eastside of San Antonio, within the Empowerment Zone; as requested by Councilman Joel Williams, District 2.

25. City Manager's Report. - *Di Galvan presented 2004 Annual Report*

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

(A). Deliberate the duties, appointment, and employment of the City Manager, pursuant to Texas Government Code Section 551.074 (personnel matters), and discuss related legal issues, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

(B) Deliberate the offer of financial or other incentives related to economic development negotiations with the Texas A&M University System, Faulkner USA, and one or more business prospects, including the possible acquisition and disposition of an interest in real property, pursuant to Texas Government Code Section 551.087 (deliberation regarding economic development negotiations) and Texas Government Code Section 551.072 (deliberation regarding real property); and discuss related legal issues, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

C. Discuss legal issues related to municipal regulation of development of a school facility by an independent school district, pursuant to Texas Government Code Section 551.071 (consultation with attorney). - *Not addressed*