

Int Ord 97236  
Int Res. 2003-08-08



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CITY OF SAN ANTONIO  
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FEB 27 AM 10:13

**Agenda  
City Council Meeting  
Municipal Plaza Building  
City Hall Complex  
103 Main Plaza  
San Antonio, Texas 78205  
February 27, 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 10:00 A.M. for the following:

Update on Fiscal Year 2003 Forecast. [Presented by Lou Lendman, Director, Office of Management & Budget; 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 Leighanne Brechin, Aldersgate Methodist Church, and Pledge of Allegiance.

2. Ceremonial Items. *Resolution of Respect - Frank Maripelli  
2003-08-08*

3. Approval of the minutes of the Regular City Council Meeting of January 23, 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:**

97248  
4. 1:30 P.M. – Consideration of an Ordinance approving an economic development program prescribed under Chapter 380, Texas Local Government Code; effective immediately if passed by at least eight (8) votes. [Presented by Ramiro Cavazos, Director, Economic Development Department; Christopher J. Brady, Assistant City Manager]

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5 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:

SIDC-2603-01  
A. A Resolution approving the bylaws of the City of San Antonio, Texas Starbright Industrial Development Corporation; electing and appointing corporate officers and agents; and approving other administrative procedures of the Corporation.

SIDC-2603-02  
B. A Resolution approving and authorizing an economic development contract between the City of San Antonio, Texas and the City of San Antonio, Texas Starbright Industrial Development Corporation.

SIDC-2603-03  
C. A Resolution approving the form, content, and distribution of the preliminary official statement pertaining to the issuance, sale and delivery of approximately \$22,910,000.00 City of San Antonio, Texas Starbright Industrial Development Corporation Contract Revenue Bonds, Series 2003; retaining co-bond counsel and special issuer's counsel; and authorizing other actions deemed necessary in connection with the sale of such bonds.

D. Adjourn.

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Reconvene the meeting of the City Council to consider the following: [Presented by Milo Nitschke, Director of Finance; Melissa Byrne Vossmer, Assistant City Manager]

97249  
An Ordinance approving and authorizing an economic development contract between the City of San Antonio, Texas and the City of San Antonio, Texas Starbright Industrial Development Corporation; making various findings and provisions related to the subject; effective immediately if passed by at least eight (8) votes.

7. 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]

97261  
A. ZONING CASE NUMBER Z2001223-2A: The request of City of San Antonio, Applicant, for Borden Park L.P., Owner(s), for a change in zoning to designate those properties as part of River Overlay District 2 on Lots 11, 12, 12A, 12B, 12C, 13, 14, NCB 3053, 815, 825, 835, 837, 841, and 875 East Ashby Place. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 1)

Continued to 3/24/03  
97251  
B. ZONING CASE NUMBER Z2002156: The request of COSA-HPO-Ann B. McGlone, Applicant, for Larry Polinard, Owner(s), for a change in zoning to designate Historic Significance on Lots 3 & 4, and the East 114.6 feet of Lot 14, Block 3, NCB 1726, 2011 McCullough Avenue & 211, 215 Courtland Place East. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 1)

97251  
C. ZONING CASE NUMBER Z2002246: The request of Dr. Donald Vestal, Applicant, for Dr. Donald Vestal, Owner(s), for a change in zoning from "R-5" Residential Single Family District, "MF-33" Multi Family District and "I-2" Heavy Industrial District to "I-1" General Industrial District and "C-3" Commercial District, as per exhibit map on 0.9192 acres out of NCB 10759, 2934 - 2940 Rigsby Avenue. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 2)

97251  
D. ZONING CASE NUMBER Z2002266: The request of Jack Drury Family Ltd. Partnership, Applicant, for Jack Drury Family Ltd. Partnership, Owner(s), for a change in zoning from "R-5" Single-Family Residential District to "MF-33" Multi-Family Residential District on Tract E (2.772 acres), except the north irregular 60.5 feet, NCB 10835, 4326 Roland Avenue. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 3)

97251  
E. ZONING CASE NUMBER Z2002273: The request of Aubrey Smith, Applicant, for Aubrey Smith, Owner(s), for a change in zoning from "R-4" Residential Single-Family District to "C-3" Commercial District on northeast irregular 36 feet of TR-4, NCB 10949, 4211 Clark Ave. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 3)

97254  
F. ZONING CASE NUMBER Z2002277: The request of Habitat for Humanity of San Antonio, Applicant, for Habitat for Humanity of San Antonio/Dennis Dechhold, Owner(s), for a change in zoning from "C-3 R" Commercial Restrictive Alcoholic Sales District to "R-6" Residential Single-Family District on Lots 37, 38, 39 and 40, Block 10, NCB 13961, on the north side of Castroville Road/Highway 90 West, between South Callaghan Road and Herbert Lane. Staff's recommendation was for denial. Zoning Commission has recommended approval. (Council District 6)

97255  
G. ZONING CASE NUMBER Z2003003: The request of George Atallah, Applicant, for George Atallah, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "MF-25" Multi-Family District on Lot 2, P-175 & P175A, Block 1, NCB 18084, Border Brook at Timberhill Dr. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 6)

97256  
H. ZONING CASE NUMBER Z2002257: The request of Steven E. Hanan, Applicant, for Woodstone Oaks Business Park L.T.D., Owner(s), for a change in zoning from "C-3" General Commercial District to "R-6" Residential Single-Family District on Lot 111C, NCB 18310, Olde Village Drive at Mainland Drive. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 7)

97257  
I. ZONING CASE NUMBER Z2002240 S: The request of Daniel Burdin, Applicant, for Texas Home Improvement Inc., Owner(s), for a change in zoning from "PUD C-2 ERZD" Planned Unit Development Commercial Edwards Recharge Zone District to "PUD C-2 ERZD S" Planned Unit Development Commercial Edwards Recharge Zone District with a specific use authorization to permit a self-serve car wash on Lot 1, Block 3, NCB 16633, 7126 UTSA Blvd. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 8)

Continued  
2 weeks  
J. ZONING CASE NUMBER Z2002254: The request of J.S. Developments, Inc. - Katherine Soliz, Applicant, for Multiple Property Owners, Owner(s), for a change in zoning from "R-5" Residential Single-Family District to "MF-33" Multi-Family District, "R-4" Residential Single-Family District on "R-5" to "R-4", Lots 2 and 3, Block 11, NCB 11727; Lots 1 thru 5, Block 14, NCB 11730; Lots 1 and 3, Block 18, NCB 11734; Lots 2 and 3, Block 19, NCB 11735; Lots 8 thru 14, Block 26, NCB 11742; Lots 1, 2 and 10, Block 29, NCB 11745; the northeast 62.5 feet of Lot 1, Block 33, NCB 11749; Lot 9, Block 10, NCB 11726; Lot 16, Block 13, NCB 11729; Lots 6 and 8, Block 16, NCB 11732; Lot 5, Block 17, NCB 11733, "R-5" to "MF-33", Lots 10 thru 12, Block 10, NCB 11726; Lots 4, 5, 9, 10, 13 thru 15, Block 13, NCB 11729; Lots 4, 5, 9 thru 13, the northeast 62.5 feet of Lots 2 and 3, Block 16, NCB 11732; Lot 4, Block 17, NCB 11733, area bounded by Baltic Dr. to the north, Anchor Dr. to the west, Larkspur Dr. to the east, & Lisbon Dr. to the south. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 9)

97258  
K. ZONING CASE NUMBER Z2003004 CS: The request of August Partners, Inc., Applicant, for Blanco Road Retail, Ltd. C/o B & O Blanco Road Investors, Ltd., Owner(s), for a change in zoning from "C-2 ERZD" Commercial, Edwards Recharge Zone District to "C-2 CS ERZD" Commercial, Edwards Recharge Zone District with a conditional use for mini-warehouse and a specific use permit for a mini warehouse over 2.5 acres on 6.130 acres out of NCB 18394. 1500 Block of N. Loop 1604 W. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 9)

97259  
L. ZONING CASE NUMBER Z2002265 C: The request of Cisarik Enterprises, Inc., Applicant, for Charles M. Armstrong, et al (Stewart Armstrong, Trustee), Owner(s), for a change in zoning from "C-2" Commercial District to "C-2 C" Commercial District with conditional use for a mini-warehouse on 2.003 acres out of NCB 8694, 1258 Austin Highway. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 10)

97260  
M. ZONING CASE NUMBER Z2002275: The request of Kenneth J. Weber & Mary Lou Gonzales, Applicant, for Kenneth J. Weber & Mary Lou Gonzales, Owner(s), for a change in zoning from "C2" Commercial District to "R6" Residential Single-Family District on .36 acres out of a 1.36 acre tract of NCB 16582, in the 16000 block of Fox Knoll Street, New City Block 16582. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 10)

H  
8. 3:30 P.M. - Consideration of the following Resolution: [Presented by David D. Garza, Director, Neighborhood Action Department; Jelynn LeBlanc Burley, Assistant City Manager]

Recess the regular City of San Antonio Council Meeting and convene the Board of Directors of the San Antonio Housing Trust Finance Corporation ("Corporation") to consider the following:

A Resolution authorizing certain actions by the President or the Vice President of the Corporation to facilitate the increased origination of Mortgage Loans relating to San Antonio Housing Trust Finance Corporation Single Family Mortgage Revenue Bonds, Series 2002.

Adjourn the meeting of the Board of Directors of the San Antonio Housing Trust Finance Corporation and reconvene the City of San Antonio Council Meeting.

9. 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, Sale or Lease of Real Property**

- 97236
10. An Ordinance authorizing the execution of a four and one-half year Lease Agreement for restaurant space at Building Number 16 in La Villita, located in City Council District 1, with DHBO, Inc. d/b/a Guadalajara Grill, Inc. for the lease amount of \$20,770.60 in Year One, \$21,157.17 in Year Two, \$21,450.56 in Year Three, \$21,653.98 in Year Four and \$10,675.94 in Year Five (six months). [Presented by Malcolm Matthews, Director of Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]
- 97237
11. An Ordinance authorizing the execution of a five (5) year License Agreement with the Miller's Pond Youth Football League for the use of sports fields in Miller's Pond Park in City Council District 4 for recreational purposes in consideration for their maintenance of said area. [Presented by Malcolm Matthews, Director of Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]

**Miscellaneous**

- 97238
12. An Ordinance authorizing the execution of three (3) separate License Agreements with Hi Tech Electric L.L.C., Associated Operations, Inc. d/b/a Harper Wood Electric Company (SWDBE), and Edlen Electrical Exhibition Services of Texas, Inc. for an approved list of three (3) contractors to provide temporary utility services, including electrical power, water and compressed air for individual events/functions at the Henry B. Gonzalez Convention Center, Lila Cockrell Theatre, Municipal Auditorium, Alamodome, and Nelson W. Wolff Municipal Stadium, all with primary three (3) year terms commencing March 15, 2003 and expiring March 14, 2006, each with one (1) additional one (1) year renewal option; for a consideration of twenty five percent (25%) of each contractor's gross receipts, after sales taxes. [Presented by Edward C. Garcia, Convention Facilities Director; Roland A. Lozano, Assistant to the City Manager]
- 97239
13. An Ordinance amending Ordinance No. 95365, passed and approved on February 28, 2002, by approving revisions to the Official City Store Ticket Consignment Policy and Official City Store Ticket Consignment Agreement for the consignment and resale of local attraction tickets at the Official City Store, located at 317 Alamo Plaza, to include tickets for other attractions (natural) such as show caves, show caverns, zoos, and wildlife parks, in addition to theme park and water park tickets which have previously been sold, as well as to allow the sale of tickets for attractions in both Bexar and contiguous counties; and re-authorizing the Director of Asset Management to negotiate and execute each agreement upon consultation with the City Attorney. [Presented by Rebecca Waldman, Director, Department of Asset Management; Erik J. Walsh, Assistant to the City Manager]

97240  
14. An Ordinance authorizing the acceptance of a grant from the Texas Association of Child Care Resource and Referral Agencies (TACCRRRA) in the amount of \$65,813.00 to enhance the operation of the City of San Antonio's Department of Community Initiatives, Children's Resources Division, KidCare Resource and Referral Network for the period of January 1, 2003 through August 31, 2003; authorizing the execution of a contract amendment in connection therewith; and approving a budget and personnel complement. [Presented by Dennis J. Campa, Director of Community Initiatives; Frances A. Gonzalez, Assistant to the City Manager]

97241  
15. An Ordinance authorizing the execution of an amendment to a contract with the U.S. Department of Housing and Urban Development (HUD) to add the City of San Antonio's Department of Community Initiatives, Children's Resources Division (CRD) as a project sponsor to provide child care services to homeless children and to extend the term of said contract to June 30, 2004; allocating funds in the amount of \$248,212.05 to CRD for the period of March 1, 2003 to June 30, 2004; allocating \$21,722.00 to the Community Action Division for administrative support of the Supportive Housing Program; approving a budget revision; and authorizing the execution of a contract amendment with the Children's Shelter reducing the amount of their contract by \$269,934.05 in 2000 Supportive Housing Program funds. [Presented by Dennis J. Campa, Director of Community Initiatives; Frances A. Gonzalez, Assistant to the City Manager]

97242  
16. An Ordinance acknowledging the acceptance of a grant award in the amount of \$2,500.00 from Bank One to the San Antonio Housing Trust Foundation, Inc. as fiscal agent for the City of San Antonio for the purchase of text books to be used by the Neighborhood Action Department for its homebuyers' counseling classes during the period of October 1, 2002 through September 30, 2003. [Presented by David D. Garza, Director, Neighborhood Action; Jelynn LeBlanc Burley, Assistant City Manager]

#### **Board, Commissions and Committee Appointments.**

97243  
17. Consideration of the following board appointments: [Presented by Yolanda Ledesma, Acting City Clerk; Travis M. Bishop, Assistant City Manager]

97244  
A. An Ordinance appointing Valerie E. Meads (District 10) as trustee to the San Antonio Local Development Company for a term of office to expire on May 9, 2005.

97244  
B. An Ordinance reappointing Jesse F. Jenkins (District 3) to the Board of Adjustment for a term of office to expire on February 22, 2005.

97245  
C. An Ordinance reappointing John Braxton (General/Real Estate-Law Category - District 1) to the Historic and Design Review Commission for a term of office to expire on October 31, 2004.

97246  
18. An Ordinance reappointing Robert Richardson, Landon Kane, and Lance Elliott to the Board of Directors for Tax Increment Reinvestment Zone Number Ten commonly referred to as Stablewood Farms Project, located in Council District 4, for a term of office to expire on March 16, 2005; and appointing Robert Richardson as chairperson for a one year term beginning on January 1, 2004 and expiring on December 31, 2004. [Presented by David D. Garza, Director, Neighborhood Action; Jelyne LeBlanc Burley, Assistant City Manager]

#### ITEMS FOR INDIVIDUAL CONSIDERATION

97247  
19. An Ordinance (1) authorizing the City Manager or her designee to effectuate any and all necessary street closures related to segment filming and/or broadcast of the 2003 Miss USA Pageant, during the production period of March 9-25, 2003, provided that all necessary procedures, including the notification of adjacent property owners, are followed; (2) authorizing the City Manager or her designee to waive applicable permit fees for the temporary closures of streets, lanes, sidewalks and/or loading zones and the bagging of applicable parking meters pertaining to any City of San Antonio-related needs during the production period of the 2003 Miss USA Pageant; and (3) providing that park reservation fees, film permit fees and park use policies established by ordinance shall be waived for all venues/facilities/park areas utilized by the Miss USA Pageant during said production period. [Presented by Dale Lockett, Acting Director, Convention & Visitors Bureau; Roland A. Lozano, Assistant to the City Manager]

97250  
20. An Ordinance amending Chapter 16 Licenses and Business Regulations of the City Code by adding a new article entitled Article XV Irrigation Contractors relating to the registration of irrigation contractors; and amending the budget by creating two (2) additional City plumbing inspector positions and creating new fees; providing a penalty; directing publication; and declaring an effective date; as requested by Councilman Bobby Perez, District 1. [Presented by Florencio Pena, Director, Development Services Department; Christopher J. Brady, Assistant City Manager]

97262  
21. An Ordinance establishing the Convention Center Hotel Advisory Board (CCHAB) to assist the City Council in formulating recommendations and focus on expediting the hotel development process. [Presented by Ramiro Cavazos, Director, Economic Development Department; Christopher J. Brady, Assistant City Manager]

97268  
22. An Ordinance approving an Economic Incentive Rider, Rider E16, providing for a discount to the Super Large Power (SLP) Electric Rate of up to fifty percent (50%) of demand charges, depending on the size of the electric load addition, for a term of up to seven (7) years for those customers who meet requirements as set out in the Rider. [Presented by Ben Gorzell, Jr., Public Utilities Supervisor/Assistant Director of Finance; Melissa Byrne Vossmer, Assistant City Manager]

97264  
23. An Ordinance amending certain sections of Chapter 34 of the City Code to include the definition of an economic development water service customers; establishing a rate schedule for economic development water service customers; permitting the waiver of certain fees and charges; providing for the construction of infrastructure and facilities; and establishing an effective date of March 15, 2003. [Presented by Ben Gorzell, Jr., Public Utilities Supervisor/Assistant Director of Finance; Melissa Byrne Vossmer, Assistant City Manager]

97265  
24. An Ordinance granting a request submitted by Vicki Slater for waiver of the Interim Development Controls adopted on February 6, 2003 (Ordinance No. 97173) as it applies to Lot 17, NCB 34286 also known as 2027 Black Bass Lane. [Presented by Florencio Pena, Director, Development Services Department; Christopher J. Brady, Assistant City Manager]

97266  
25. An Ordinance granting a request submitted by Earl & Brown for waiver of the Interim Development Controls adopted on February 6, 2003 (Ordinance No. 97173) as it applies to Hunters Pond Unit 1, Bexar County. [Presented by Florencio Pena, Director, Development Services Department; Christopher J. Brady, Assistant City Manager]

97267  
26. Travel Authorization for Councilman Carroll W. Schubert, District 9, who will travel to Washington, D.C. from Sunday, March 9, 2003 through Wednesday, March 12, 2003 to participate in the San Antonio Greater Chamber of Commerce's 25<sup>th</sup> annual "SA to DC" trip to meet with senior government officials on community issues.

27. City Manager's Report. — *Jim Campbell, Dir. of External Relations*

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

✓  
A. Discuss lease and economic development negotiations, incentives offered, and related legal issues concerning a proposal by the Dallas Cowboys NFL Team to stay in San Antonio for its 2003 training camp, pursuant to Texas Government Code Sections 551.072 (deliberations involving real property), 551.087 (deliberations regarding economic development negotiations), and 551.071 (consultation with attorney).

*Pulled*  
B. Discuss legal issues concerning the interpretation and application of Chapter 245 of the Texas Local Government Code, pursuant to Texas Government Code Section 551.071 (consultation with attorney).