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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
October 11, 2001**

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 Presentation on proposed revisions to Chapter 14 of the City Code related to Solid Waste Management Program. [Presented by Daniel V. Cardenas, Acting Director, Environmental Services Department; 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. Monsignor Enda McKenna, St. Leo's Catholic Church and Pledge of Allegiance.
2. Ceremonial Items.

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:

3. 1:30 P.M. – Consideration of the following Ordinance: [Introduced by Ben Gorzell, Public Utility Supervisor; Presented by V. Gary Schaub, Secretary-Treasure/Senior Vice President of Finance and Administration for City Public Service]

An Ordinance authorizing the issuance of \$120,895,000.00 "City of San Antonio, Texas Electric and Gas Systems Revenue Refunding Bonds, New Series 2001"; providing the terms, conditions, and specifications for such bonds, including the approval and distribution of an official statement pertaining thereto; making provisions for the payment and security thereof on a parity with certain currently outstanding obligations; stipulating the terms and conditions for the issuance of additional revenue bonds on a parity therewith; authorizing the execution of a Paying Agent/Registrar Agreement, an Escrow and Trust Agreement, and a Bond Purchase Agreement; complying with the requirements of the Depository Trust Company; enacting other provisions incident and related to the subject and purpose of this Ordinance; providing for an immediate effective date upon passage by eight (8) affirmative votes.

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]

- A. ZONING CASE NUMBER Z2001202: The request of COSA - Historic Preservation Office, Applicant, for Multiple Property Owners, Owner(s), for a change in zoning to designate the subject properties a Historic District on Lots 11 and 12, Block 51, NCB 2745; Lots 1-4, Block 57, NCB 2751; Lots 1-12, Block 58, NCB 2752; Lots 1-12, Block 59, NCB 2753; Lots 13-24, Block 60, NCB 2754; Lots 13-24, Block 61, NCB 2755; Lots 10-16, Block 62, NCB 2756, Fulton Ave. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 1)
- B. ZONING CASE NUMBER Z2001198: The request of COSA - Historic Preservation Office, Applicant, for Jacobs Chapel United Methodist Church, Owner(s), for a change in zoning to designate Historic Significance on Lot 1, Block, 4, NCB 1496, 406 S. Polaris Street. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 2)
- C. ZONING CASE NUMBER Z2001168: The request of Arturo Melendez, Applicant, for Arturo Melendez, Owner(s), for a change in zoning from "B-3NA" Business, Non-alcoholic Sales and "B-2NA" Business, Non-alcoholic Sales to "C-2" Commercial District on Lots 96, 97, 98, 99, Block 9, NCB 11102, 151 Moursund Road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 3)

- D. ZONING CASE NUMBER Z2001148C: The request of Harry Hausman, Applicant, for Harry Hausman, Owner(s), for a change in zoning from Temporary "R-1" Single-Family Residence District to "C-2 C" Commercial District with a Conditional Use for an office warehouse and storage of drywall materials (4.254 acre tract) and "C-3R" Commercial District, Restrictive Alcoholic Sales with 50 feet of "C-2NA" Commercial District, Nonalcoholic Sales along the south property line (4.665 acre tract) on 8.919 acre tract of land out of NCB 18087, Southeast and southwest corners of Hunters Pond & Loop 410 Southwest Expressway. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 4)
- E. ZONING CASE NUMBER Z2001196A: The request of City of San Antonio, Applicant, for Tony Obeid and Ghassan K. Nassar, Owner(s), for a change in zoning from Temporary "R-1" Single-Family Residence District to "MF-25" Multi-Family District on Lot 47, Block 1, NCB 17952, Lot 48, Block 1, NCB 17952, Lot 49, Block 1, NCB 17952, Lot 50, Block 1, NCB 17952, Lot 51, Block 1, NCB 17952 and the northwest irregular 87 feet of Lot 52, Block 1, NCB 17952, 7801 Richard Frank Drive, 7802 Richard Frank Drive, 7805 Richard Frank Drive, 7806 Richard Frank Drive, 7807 Richard Frank Drive and 7809 Richard Frank Drive. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 7)
- F. ZONING CASE NUMBER Z2001204: The request of Gordon V. Hartman Enterprises, Inc., Applicant, for Gordon V. Hartman Enterprises, Inc., Owner(s), for a change in zoning from "B-1" Business District and "B-3" Business District to "PUD O-2 S" Planned Unit Development Office District with specific use authorization for a laboratory - medical or dental on 2.693 acres out of NCB 17721, SW corner of Bitters Road and Old Bitters Road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 9)
- G. ZONING CASE NUMBER Z2001206: The request of Kathleen Sommers - D. Capwell Lawton Jr., Applicant, for Kathleen Sommers - D. Capwell Lawton Jr., Owner(s), for a change in zoning from Historic "B" Residence District and Historic "F" Local Retail District to Historic "C-1" Commercial District for lot 6 and Historic "C-2" Commercial District for south 70.58' of lots 7,8,9, Block 1, NCB 1860 on 2415 N. Main - 112 W. Woodlawn Ave. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 9)
- H. ZONING CASE NUMBER Z2001209: The request of Earl & Brown, P.C., Applicant, for Bernays K. Thurston, Owner(s), for a change in zoning from "B-2 NA" Business Non-Alcoholic Sales District to "C-2 NA C" Commercial Non-Alcoholic Sales District with a Conditional Use permitting an Office Warehouse with no outside storage on 1.4677 acre tract of P-50, NCB 15678, Wetmore Rd. Staff's recommendation was for approval. Zoning Commission has recommended approval with conditions. (Council District 9)

- I. ZONING CASE NUMBER Z2001179S: The request of Tammy Lyn Jamieson, Applicant, for Tammy Lyn Jamieson and Brian Kevin Jamieson, Owner(s), for a change in zoning from "R-1" Single-Family Residence District to "R-6 S" Residential Single-Family District, Specific Use Permit for a group day-care home for seven (7) to twelve (12) children on Lot 36, Block 12, NCB 15906, 13811 Landmark Hill Drive. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 10)
- J. ZONING CASE NUMBER Z2001221: The request of City of San Antonio, Applicant, for Lowe's Home Centers, Owner(s), for a change to remove the "P-1" Planned Unit Development Overlay District from the property presently zoned "P-1 B-3" Business Planned Unit Development District and "P-1 B-3 NA" Business Non Alcoholic Sales Planned Unit Development District on Lot T, NCB 8696, Harry Wurzbach & Austin Hwy. 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

Capital Improvement Items

6. An Ordinance approving Field Alteration No. 5 in the amount of \$29,838.26, No. 6 in the amount of \$28,122.94, and No. 7 in the amount of \$15,539.42 payable to Winters Construction, Inc. for construction expenses in connection with the McAllister Park Improvements Project in City Council District 9; approving \$3,500.00 for archeological survey fees; approving \$260,000.00 in asphalt installation fees and \$60,000.00 in pavilion installation fees for improvements to be done by City staff; and allocating additional funding of \$330,000.62 from the 1994 Park Bond Fund to the project budget. [Presented by Malcolm Matthews, Director of Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]
7. An Ordinance accepting the low, qualified bid with alternates submitted by ACI General Contractors, Inc. in the amount of \$1,606,940.00 for construction services in connection with the expansion of three Police substations located at 7000 Culebra Road, 711 West Mayfield and 13030 Jones Maltsberger; authorizing \$175,060.00 for miscellaneous contingency expenses; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]

8. An Ordinance accepting the low, qualified bid with bid alternates submitted by Artisan Group, Inc. in the amount of \$1,640,826.00 for construction services in connection with the Fire Station No. 45 Project located at 3232 Rogers Road; authorizing \$135,174.00 for miscellaneous contingency expenses; amending a professional services contract with O'Neill Conrad Oppelt, Architects, Inc. in an amount not to exceed \$47,000.00 for additional professional services; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
9. An Ordinance selecting Hesson Andrews Sotomayor, Inc. to professional architectural/engineering services in connection with the expansion of two Police substations located at 3635 E. Houston Street and 5020 Prue Road; authorizing the negotiation of a professional services contract in an amount not to exceed \$86,500.00; authorizing \$23,100.00 for additional services; authorizing \$2,000.00 for advertising expenses; authorizing \$8,650.00 for miscellaneous contingency expenses; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director of Public Works; Melissa Byrne Vossmer, Assistant City Manager]
10. An Ordinance authorizing the appropriation of \$26,475.00 into the Stone Oak Park Improvements Project Budget for professional Environmental and Archeological Assessment Fees. [Presented by Malcolm Matthews, Director of Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]

Items Concerning the Purchase, Sale or Lease of Real Property

11. An Ordinance authorizing execution of an amendment to Landlord's Consent between the City of San Antonio, SportsAmerica, S.A., Ltd. and Broadway National Bank, authorized by Ordinance No. 73252, related to a Lease of Space in McAllister Park, being loan documents required by the lender in connection with refinancing of the debt of the Gunn Sports Park; and providing for the City Manager's execution of similar loan documents, as first reviewed and approved by the City Attorney, in connection with future refinancing of the debt of the Gunn Sports Park. [Presented by Malcolm Matthews, Director of Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]
12. An Ordinance authorizing the execution of a three (3) year License Agreement with the Highland Skyline Youth Sports Complex, Inc. for the use of sports fields in Southside Lions Park in City Council District 3 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]

13. An Ordinance authorizing the purchase of an 89.09 acre tract from Bulverde Road Properties, Ltd. for the amount of \$222,725.00 and the purchase of an 8.407 acre tract from Denton Development Co. Inc. for the amount of \$21,017.50, each located between O'Connor and Judson Roads in City Council District 10; designating the property as Bryan McClain Park per deed conditions; accepting \$100,000.00 donation from Martin-Marietta for the project; allocating \$97,260.00 in FY 99/00 One-Time Improvement Funds; allocating \$50,000.00 in FY00/01 One-Time Improvement Funds; establishing a project budget and encumbering funds for associated costs. [Presented by Malcolm Matthews, Director of Parks and Recreation; Melissa Byrne Vossmer, Assistant City Manager]

Miscellaneous

14. An Ordinance authorizing the execution of a contract with Zachry Construction Corporation, in an amount not to exceed \$2,964.00 to provide Conversational Spanish Language classes to Zachry employees through the Department of Community Initiatives, Literacy Services Division, for the period beginning October 21, 2001 and ending January 31, 2002; approving a budget; authorizing the execution of contracts with future contractors in accordance with standards approved in this ordinance; and establishing such standards. [Presented by Dennis J. Campa, Director, Community Initiatives; Melissa Byrne Vossmer, Assistant City Manager]

ITEMS FOR INDIVIDUAL CONSIDERATION

15. Consideration of the following Board Appointments: [Presented by Norma Rodriguez, City Clerk; Travis Bishop, Assistant City Manager]
- A. An Ordinance appointing one member and reappointing one member to the Advisory Board of Health of San Antonio Metropolitan Health District for terms of office to expire on December 31, 2001. [Nominees: Dr. Morris Spector (reappointment), District 1; Dr. Morris Stribling (appointment), District 2]
- B. An Ordinance appointing one member to the Firemen's and Policemen's Civil Service Commission for terms of office to expire on December 19, 2003. [Nominees: Charlie Pena, District 5; Roy Lee, District 2]
- C. An Ordinance appointing one member and reappointing two members to the Historic and Design Review Commission for terms of office to expire on October 31, 2003. [Nominees: Charles Schubert (Architectural History-reappointment), District 1; Eduardo Garcia (Planner-reappointment), District 1; Andrew T. Douglas (Public Art-appointment), District 9]
- D. An Ordinance appointing two members and reappointing one member to the Metropolitan Transit Authority for terms of office to expire December 31, 2003. [Nominees: Garry Kosinski, District 3; Charles Munoz (reappointment), District 4; Tomas T. Moreno, District 1; Shelton Padgett, Mayor]

- E. An Ordinance appointing one member and reappointing two members to the Noise Abatement Advisory Committee for terms of office to expire December 15, 2003. [Nominees: Jim Williams (Neighborhood Association), District 9; Neil Stone (Northside Chamber of Commerce-reappointment), District 9; Al Notzon (AACOG-reappointment), District 9]
- F. An Ordinance appointing two members to the San Antonio AIDS/HIV Commission for terms of office to expire June 11, 2003. [Nominees: Cynthia Medina, District 3; Jill Louise Rips, District 3]
- G. An Ordinance appointing one member to the San Antonio Water System Board of Trustees for a term of office to expire May 31, 2005. [Nominee: Salvadore Hernandez, District 6]
- 16. A Resolution nominating James McAden to the Bexar Appraisal District Board of Directors for a term of office to expire on December 31, 2003. [Presented by Norma Rodriguez, City Clerk; Travis Bishop, Assistant City Manager]
- 17. An Ordinance authorizing the execution of Delegate Agency Contracts for the provision of program services in support of the Family Strengthening, Better Jobs and Human Development Initiatives for FY 2001-2002; and allocating funds from the Child Care Delivery Services General Fund, United Way, the Start Program and the Youth Opportunity Program Grants in the aggregate amount of \$2,443,518.00 in conjunction with said Delegate Agency Contracts. [Presented by Dennis J. Campa, Director, Community Initiatives; Melissa Byrne Vossmer, Assistant City Manager]
- 18. Second and final reading of the following ordinances: [Presented by Emil R. Moncivais, Director of Planning; Christopher J. Brady, Assistant City Manager]
 - A) An ordinance providing for the extension of the San Antonio City Limits by the voluntary annexation of approximately 16 acres known as the Heights at Stone Oak Property, establishing an effective date and approving a service plan for such area.
 - B) An ordinance providing for the extension of the San Antonio City Limits by the voluntary annexation of approximately 95 acres out of a 122.6 acre commercial tract, herein referred to as the I.H. 10 West/Boerne Stage Road Property, establishing an effective date and approving a service plan for such area.

19. An Ordinance amending the Code of Ordinances of the City of San Antonio by repealing in its entirety, Article III out of Chapter 21, and adopting in its stead a new article III entitled Noise; changing the standard for decibel meters from the American Standards Association to the American National Standards Institute; amending definitions and standards; extending nighttime enforcement hours; clarifying vibration provisions; adopting the offense of vehicular mounted sound amplification systems; establishing as a violation excessive noise produced by air-conditioning units, heat pumps, or swimming pool machinery on residential and non-residential property; incorporating City Code Chapter 5, Section 5-201 offenses into procedures for impoundment of noise nuisance animals under Section 21-55; providing for a penalty; and providing for publication. [Presented by Martin G. Rodriguez, Director, Code Compliance Department; Melissa Byrne Vossmer, Assistant City Manager]
20. An Ordinance amending Section 16-30 of the City Code, regulating Billiard Parlors, providing an exception to the unobstructed view requirement in historic and architecturally significant structures; as requested by Councilman Bobby Perez, District 1.
21. An Ordinance authorizing the expenditure of District 4 Contingency Funds in the amount of \$500.00 to expand the District 4 Emergency House Repairs Program administered by the San Antonio Development Agency, authorized by Ordinance No. 92806, passed and approved on October 26, 2000; as requested by Councilman Enrique Martin.
22. Confirmation and approval of Travel Authorization for Councilmembers Antoniette Moorhouse, District 3, Enrique M. Barrera, Council District 6, Bonnie Conner, District 8, and Carroll W. Schubert, District 9, who will travel to Washington, D.C. to present the City's Federal Initiatives Program to Federal Administration and Congressional officials from Sunday, October 21, 2001 through Tuesday, October 23, 2001.
23. A Resolution expressing the City Council's support for the proposed commemorative postage stamp honoring William C. Velasquez, the national Hispanic civic leader; as requested by Councilman Enrique M. Barrera, District 6.
24. City Manager's Report.
25. Executive Session: Consultation concerning attorney-client matters (real estate, litigation, contracts, personnel and security) may be discussed.

CEREMONIAL AGENDA

OCTOBER 11, 2001

1:00 P.M.

VISIT FROM MAYOR PEDRO GARZA TREVIÑO, CITY OF GUADALUPE, NUEVO LÉON, MÉXICO

MAYOR PEDRO GARZA TREVIÑO AND HIS DISTINGUISHED DELEGATION FROM GUADALUPE, NUEVO LÉON, MÉXICO ARE HERE TO VISIT THE FIRE, POLICE, AND PUBLIC WORKS DEPARTMENTS, AS WELL AS VARIOUS OTHER ORGANIZATIONS THROUGHOUT THE CITY.

PROCLAMATION: "BREAST CANCER AWARENESS MONTH"

OCTOBER 2001 HAS BEEN DESIGNATED AS "*BREAST CANCER AWARENESS MONTH*." THE EFFECTS OF BREAST CANCER HAVE TOUCHED MANY OF US, WHETHER THROUGH PERSONAL DIAGNOSIS, OR THE DIAGNOSIS OF A FAMILY MEMBER OR FRIEND. EARLY DETECTION IS IMPORTANT, AND INCREASING AWARENESS ABOUT THE IMPORTANCE OF EARLY DETECTION CAN REDUCE THE INCIDENCE OF BREAST CANCER IN OUR NATION.

CERTIFICATE OF COMMENDATION FOR MRS. LESLIE MOUTON (KSAT-12)

THE PERSONAL LIFE OF LESLIE MOUTON, ANCHORWOMAN FOR KSAT-12, BECAME VERY PUBLIC IN 2000, WHEN SHE DISCOVERED SHE HAD BREAST CANCER AT A YOUNG AGE. LESLIE BATTLED HER DISEASE PUBLICLY, AND SHARED HER STORY WITH THE ENTIRE SAN ANTONIO COMMUNITY. SHE HOPES YOUNG WOMEN, AND ALL WOMEN IN GENERAL, WILL SEE THE IMPORTANCE OF BREAST EXAMS. HER GOAL IS TO GIVE HOPE AND COURAGE TO OTHER CANCER PATIENTS WHO ARE FIGHTING THEIR OWN BATTLES. MOST RECENTLY, SHE WAS NOMINATED BY CONGRESSMAN CHARLIE GONZALES AND WAS CHOSEN AS THE RECIPIENT OF THE "**CONGRESSIONAL FAMILIES ACTION FOR CANCER AWARENESS**," WHICH RECOGNIZES THE PRESS AND COMMUNITY ADVOCATES WHO DO OUTSTANDING WORK IN EDUCATING THE PUBLIC ABOUT CANCER PREVENTION AND EARLY DETECTION. LESLIE ALSO HAS A VIDEO ENTITLED "LESLIE'S STORY," WHICH WILL BE DISTRIBUTED THROUGHOUT THE COMMUNITY AND AT CANCER SCREENING EVENTS THROUGHOUT THE YEAR.
