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Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
114 W. Commerce
San Antonio, TX 78205
December 4, 2008

08 DEC - 1 AM 8:53

RECEIVED
CITY OF SAN ANTONIO
CITY CLERK

The City Council shall hold its regular meetings in the Norma S. Rodriguez Council Chamber in the Municipal Plaza Building within the City Hall Complex beginning at 9:00 a.m. After the meeting is convened, the City Council shall consider the following time certain items no sooner than the designated times, but may consider them at a later time.

- 9:00AM:** Invocation and Approval of Minutes
- 12:00PM:** Lunch Break
- 2:00PM:** Neighborhood Plan and Zone Amendments
- 5:45PM:** Ceremonial Recognitions
- 6:00PM:** Citizens to be Heard
- 7:00PM:** Adjourn

At any time during 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) under Chapter 551 of the Texas Government Code.

DISABILITY ACCESS STATEMENT

This meeting site is wheelchair accessible. The Accessible Entrance is located at the Municipal Plaza Building / Main Plaza Entrance. Accessible Visitor Parking Spaces are located at City Hall, 100 Military Plaza, Northside. Auxiliary Aids and Services are available upon request (Interpreters for the Deaf must be requested forty-eight[48] hours prior to the meeting). For Assistance, Call (210) 207-7245 Voice/TTY.

For additional information on any item on this agenda, please visit www.sanantonio.gov or call 207-7080.

The City Council of San Antonio will convene in the Norma S. Rodriguez Council Chamber, Municipal Plaza Building in a Regular Council Meeting at 9:00 A.M.

1. Invocation by Fr. Lenin Naffate, Pastor, St. Joseph Catholic Church (South San). Guest of Councilmember Lourdes Galvan, District 5.
2. Pledge of Allegiance.
3. Approval of Minutes for the City Council meetings of October 9 and 16, 2008.

THE FOLLOWING ITEMS MAY BE CONSIDERED AT ANY TIME DURING THE REGULAR COUNCIL MEETING:

ACTION ITEMS FOR STAFF BRIEFING

4. Briefings on the 2007-2012 Bond Program:
 - A. Presentation of the First 2007-2012 Bond Program Annual Report. [Terrell McCombs, Chairman, Citizens Bond Oversight Commission]
 - B. Staff presentation on the 2007-2012 Bond Program. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]
5. Consideration of the following Ordinances: [Pat DiGiovanni, Deputy City Manager; Ben Gorzell, Director, Finance]
 - A. An Ordinance authorizing the issuance of approximately \$77,015,000.00 "City of San Antonio, Texas General Improvement Bonds, Series 2008"; levying a continuing direct annual ad valorem tax for the payment of the bonds; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale and delivery of the bonds, including the approval and distribution of an official statement pertaining thereto; authorizing the execution of a paying agent/registrar agreement, and a purchase contract; complying with the provisions of the Depository Trust Company's letter of representations; and enacting other provisions incident and related to the subject and purpose of this ordinance; and providing for an immediate effective date upon passage by eight affirmative votes.
2008 - 12 - 04 - 1066
 - B. An Ordinance authorizing the issuance of approximately \$86,095,000.00 "City of San Antonio, Texas Combination Tax and Revenue Certificates of Obligation, Series 2008"; providing for the payment of the certificates by a levy of an ad valorem tax upon all taxable property within the City and further securing the certificates by a lien on and pledge of the pledged revenues; providing the terms and conditions of the certificates and resolving other matters incident and relating to the issuance, payment, security, sale, and delivery of the certificates, including the approval and distribution of

an official statement; authorizing the execution of a paying agent/registrars agreement and a purchase contract; complying with the provisions of the Depository Trust Company's letter of representations; and providing for an immediate effective date upon passage by eight affirmative votes.

2008-12-04-1067

6. An Ordinance authorizing the issuance of approximately \$16,020,000.00 "City of San Antonio, Texas Tax Notes, Series 2008"; levying a continuing direct annual ad valorem tax for the payment of the notes; prescribing the form, terms, conditions, and resolving other matters incident and related to the issuance, sale and delivery of the notes, including the approval and distribution of an official statement pertaining thereto; authorizing the execution of a paying agent/registrars agreement, and a purchase contract; complying with the provisions of the Depository Trust Company's letter of representations; and enacting other provisions incident and related to the subject and purpose of this ordinance; and providing for an immediate effective date upon passage by eight affirmative votes. [Pat DiGiovanni, Deputy City Manager; Ben Gorzell, Director, Finance]

2008-12-04-1068

CONSENT AGENDA

Purchase of Equipment, Supplies and Services

7. An Ordinance accepting the following bids to provide the City with the following commodities and services on an annual contract basis for FY 2009 for a combined estimated cost of \$1,161,000.00, including: (A) Proforma DCS for violation notice forms; (B) BWI-Schulenburg for Tregator irrigation bags; (C) Chulainn Publishing Corporation for Spanish language books; (D) Lectorum Publications, Inc. for Spanish language books and video media; (E) ProQuest for ProQuest master license agreement; (F) Texas Highway Products, Ltd, Paradigm Traffic Systems and Control Technologies of Texas for video image vehicle detection system; (G) Siemens Building Technologies for maintenance and repair of computer room air conditioning and refrigeration units at the Information Technology Services Department and the Emergency Operations Center; (H) AT&T Datacomm for Call Center recording systems; and (I) SAT Radio Communications, Ltd. dba Industrial Communications for installs, removals and repairs of equipment for Fire and other City vehicles. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

2008-12-04-1069

8. An Ordinance accepting the offer from National Bus Sales to provide the Parks and Recreation, Community Initiatives, and Aviation Departments with one replacement and four additional shuttle buses for a cost of \$393,640.80. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

2008-12-04-1070

9. An Ordinance accepting the offer from Masimo, Inc. to provide the Fire Department Emergency Medical Services Division with 44 portable carbon monoxide readers for a cost of \$131,780.00. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

2008-12-04-1071

10. An Ordinance accepting the bid from Panoscan, Inc. to provide the Police Department with a camera system for the Crime Scene Unit for a cost of \$62,106.00. [Sharon De La Garza,

Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

2008-12-04-1072

11. An Ordinance accepting the bid from Brasada Ford Ltd. d/b/a Northside Ford to provide the Fire Department with ten replacement first responder units for a cost of \$200,290.00. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

2008-12-04-1073

12. An Ordinance accepting the bid from Triad Marine & Industrial Supply, Inc. to provide the Fire Department with two rescue boats for a cost of \$56,550.00. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

2008-12-04-1074

13. An Ordinance accepting the bid from Vogel Traffic Services Inc. d/b/a EZ-Liner Inc. to provide the Aviation Department with one airless truck striper for a cost of \$128,900.00. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

2008-12-04-1075

14. An Ordinance authorizing the ratification of a contract with AT&T Datacomm to provide the labor, materials, and equipment for the installation of a Ringdown System at the Aviation Department, for a total cost of \$140,168.31. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

2008-12-04-1076

15. An Ordinance authorizing use of the Texas Department of Information Resources' Information Technology Staff Augmentation Contract to provide the City with technical staffing services at a cost not to exceed \$2,000,000.00. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

2008-12-04-1077

16. An Ordinance authorizing a contract with Mid-America, dba Greenstar, for a six month recycling pilot program for City facilities with anticipated revenue of \$16,650.00 and an estimated total cost of \$4,500.00. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing and General Services]

2008-12-04-1078

Capital Improvements

17. An Ordinance authorizing a deductive change order in the amount of \$806,053.81 to the construction contract with Archer Western Contractors, Ltd. deleting the widening of the approaches to the upper ramp to Terminal 1 in connection with the San Antonio International Airport Expansion Project. [Penny Postoak Ferguson, Assistant City Manager; Michael J. Sawaya, Interim Director, Aviation]

2008-12-04-1079

18. An Ordinance ratifying a change order to the construction contract with Jerdon Enterprise, LP for various change order proposals reflecting increases and decreases in work scope and associated pricing for a net increase of \$4,138.89 in connection with the Extension of Taxiway Romeo at San Antonio International Airport. [Penny Postoak Ferguson, Assistant City Manager; Michael J. Sawaya, Interim Director, Aviation]

2008-12-04-1080

19. An Ordinance authorizing two change orders for a total net deduction of \$80,453.51 to the Bartlett Cocke/Walbridge construction contract for upgrading the parking garage security surveillance system, deleting a security office/station in the existing Long Term Parking Garage, and adding material and labor costs to install the re-designed Fire Protection System at San Antonio International Airport. [Penny Postoak Ferguson, Assistant City Manager; Michael J. Sawaya, Interim Director, Aviation]

2008 - 12 - 04 - 1081

20. An Ordinance ratifying a change order in the amount of \$295,680.29 to the construction contract with Eagle Construction and Environmental Services, Inc. for additional remediation work in connection with the Sky Place Environmental Remediation Project at San Antonio International Airport. [Penny Postoak Ferguson, Assistant City Manager; Michael J. Sawaya, Interim Director, Aviation]

2008 - 12 - 04 - 1082

21. An Ordinance authorizing the acceptance of the Guaranteed Maximum Price Proposal for the Central Utility Plant Package at San Antonio International Airport in the amount of \$11,481,412.00 and authorizing the corresponding amendment to the Construction Manager at Risk Contract with Clark Construction Group LLC/Thos. Byrne, a Joint Venture. [Penny Postoak Ferguson, Assistant City Manager; Michael J. Sawaya, Interim Director, Aviation]

2008 - 12 - 04 - 1083

22. An Ordinance awarding a construction contract in the amount of \$197,701.00 to Jerdon Enterprises, L.P., in connection with the Commerce Street, Jones Bridge Rail Replacement Project, an authorized Downtown Transportation Infrastructure Improvements 2007-2012 Bond Program project located in Council District 1. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2008 - 12 - 04 - 1084

23. An Ordinance selecting Marmon Mok Architects for negotiation and execution of a professional services agreement in an amount up to \$1,963,680.00 for architectural and engineering services in connection with the Lila Cockrell Theatre Renovations Project, located in Council District 1. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

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24. An Ordinance authorizing the execution of an Advanced Funding Agreement with Texas Department of Transportation (TxDOT) and authorizing acceptance of reimbursement from TxDOT for eligible expenditures in connection with the Sunset Phase II: Teak to Broadway Project, located in Council District 9. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2008 - 12 - 04 - 1085

25. An Ordinance ratifying a design build contract in the amount of \$1,975,532.64 with Craig Olden, Inc., and ratifying a professional services contract in the amount of \$70,000.00 with Freese and Nichols, Inc. in connection with the Pearsall Road Landfill Project, located in Council District 4, appropriating \$400,000.00 from 2006 Certificates of Obligation, amending the FY 2009 Capital Budget, and authorizing \$107,951.91 for administrative costs. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2008 - 12 - 04 - 1086

Acquisition, Sale or Lease of Real Property

26. An Ordinance authorizing a lease amendment with Piedmont Hawthorne Aviation, LLC dba Landmark Aviation for an additional 202,800 square feet of ground space at the San Antonio International Airport for increased annual rentals of \$1,033,467.91. [Penny Postoak Ferguson, Assistant City Manager; Michael J. Sawaya, Interim Director, Aviation]

2008 - 12 - 04 - 1087

27. An Ordinance declaring the San Antonio Water System's Prue Road to Bamberger Way 30-Inch Water Transmission Main Project to be a public project; declaring that a public necessity exists for the acquisition of easements upon privately owned properties described as 1) land out of a 25.47 acre tract within the Oaks of French Creek, Unit-2, P.U.D. Subdivision, and 2) land out of Lots 87 and 89, Block 19, NCB 14615, River Mist Subdivision, Unit 4 and 5, all located in Council District 8, Bexar County, Texas, for use as part of the Project; authorizing acquisition of the properties and all other actions necessary or incidental to acquire the properties; authorizing condemnation proceedings; ratifying and affirming all prior acts and proceedings done or initiated by attorneys, agents and employees of the San Antonio Water System to acquire such easements, rights of ingress and egress, and fee property. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2008 - 12 - 04 - 1088

28. An Ordinance authorizing the acquisition of an aquifer-protection conservation easement over approximately 2,446 acres in Medina County known as the Hondo Ranches for a total of \$3,254,103.79. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2008 - 12 - 04 - 1089

29. An Ordinance declaring as surplus and authorizing the sale of an approximately 7,930 square foot parcel located between IH 35 and Halsey Street for a total of \$19,850.00, located in Council District 4. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2008 - 12 - 04 - 1090

30. An Ordinance authorizing placement of CPS Energy power lines near Toyota over property that crosses Leon Creek and in which the City has an interest, located in Council District 3. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2008 - 12 - 04 - 1091

31. An Ordinance approving a five-year River Walk Patio Lease Agreement with Cajun Riverport, Inc. d/b/a Boudro's Restaurant for use of patio space along the River Walk for a total revenue of \$25,215.60 over the five-year term. [Pat DiGiovanni, Deputy City Manager; Paula X. Stallcup, Director, Downtown Operations]

2008 - 12 - 04 - 1092

32. An Ordinance approving lease amendments with the 34 tenants of El Mercado at Market Square extending the lease terms one year with an increase in the rental rate from \$1.49 to \$1.55 per square foot and approving two lease assignments for spaces E-4 and E-7. [Pat DiGiovanni, Deputy City Manager; Paula X. Stallcup, Director, Downtown Operations]

2008 - 12 - 04 - 1093

33. An Ordinance approving the assignment of a River Walk Lease Agreement from Rhejay, Inc. d/b/a Catarina to Siam Real Estate, LLC for use of approximately 340 square feet of interior space located at River Walk level under the northeast corner of the East Commerce Street

Bridge. [Pat DiGiovanni, Deputy City Manager; Paula X. Stallcup, Director, Downtown Operations]

2008-12-04-1094

34. An Ordinance approving a five-year Antenna License Agreement with Belo Corporation, Inc. d/b/a KENS 5 TV for the purpose of operating and maintaining an electronic news gathering relay station and associated equipment at the Tower of the Americas for a total revenue of \$108,306.37 over the five-year term. [Pat DiGiovanni, Deputy City Manager; Paula X. Stallcup, Director, Downtown Operations]

2008-12-04-1095

35. An Ordinance authorizing the acquisition, through negotiations or condemnation, of eleven tracts containing approximately 40.534 acres of land along the Leon and Salado Creeks, located in NCB 18083, P-170 and P-171; NCB 16931 P-216D & P-216E; NCB 15004 pt of P-11J, Lot P-123, P-112A, NCB 18049, P-24, P-209; NCB 12750 Lot P-2A, P-3; NCB 16325 Blk 1, Lot 10 exc NW 11.87 ft; NCB 10311 Blk 6 Lot E irr 575.7 ft of Tr 2; 1.574 acre out of a 18.654 acre tract out of NCB 10577 Lot E 1622.62 ft of 6 located in Council Districts 2, 6, 7, 8 and 9 for the Linear Creekway Park Development Project and Voelcker Park; declaring this to be a public project; determining the public necessity for this acquisition; and authorizing the City Attorney to file eminent domain proceedings, if necessary. [A.J. Rodriguez, Deputy City Manager; Xavier Urrutia, Interim Director, Parks & Recreation]

2008-12-04-1096

Grant Applications and Awards

36. An Ordinance authorizing an agreement with the San Antonio Water System (SAWS) to provide up to \$100,000.00 in utility assistance credits to eligible ratepayers for the Project Agua Plan for Calendar Year 2009; authorizing the acceptance of \$120,341.00 from SAWS to administer the \$1.3 million dollar Affordability Discount Program (ADP) for Calendar Year 2009 for eligible ratepayers; and authorizing execution of contracts with delegate agencies to implement the AGUA Plan and the ADP. [Frances A. Gonzalez, Assistant City Manager; Dennis J. Campa, Director, Community Initiatives]

2008-12-04-1097

37. An Ordinance authorizing (A) an agreement with CPS Energy and issuance of utility assistance credits in a projected amount of \$663,917.00 for the Project Winter Assistance Relief Mobilization (WARM) Plan for Calendar Year (CY) 2009; (B) implementation of the Residential Energy Assistance Partnership (REAP) Utility Assistance Project and issuance of utility assistance credits in a projected amount of \$820,000.00 for CY 2009; and (C) contracts with local non-profit agencies for distribution of WARM and REAP credits to CPS Energy ratepayers. [Frances A. Gonzalez, Assistant City Manager; Dennis J. Campa, Director, Community Initiatives]

2008-12-04-1098

38. An Ordinance approving the submission of a Calendar Year (CY) 2009 Community Services Block Grant (CSBG) application, and acceptance upon award of up to \$1,777,581.00 from the Texas Department of Housing and Community Affairs; and authorizing a contract with the Guadalupe Community Center in an amount up to \$15,000.00, for Volunteer Income Tax Assistance Program services in connection with the CSBG CY 2009 Program. [Frances A. Gonzalez, Assistant City Manager; Dennis J. Campa, Director, Community Initiatives]

2008-12-04-1099

39. An Ordinance approving professional services agreements totaling \$394,071.00 with the following: The American Cancer Society, The American Lung Association of the Central States, University Health System, University of Texas Health Science Center at San Antonio, South Central Area Health Education Center, San Antonio Council on Alcohol and Drug Abuse, and the Boys & Girls Club of San Antonio for services to the San Antonio Tobacco Prevention and Control Coalition within the San Antonio Metropolitan Health District for the period September 1, 2008 through August 31, 2009. [Frances A. Gonzalez, Assistant City Manager; Dr. Fernando A. Guerra, Director, Health]

2008 - 12 - 04 - 1100

40. An Ordinance authorizing the submission of a grant renewal application to the U.S. Department of Health and Human Services, Health Resources & Services Administration and the acceptance of grant funds in an amount not to exceed \$897,348.00 for the San Antonio Metropolitan Health District's Healthy Start Initiative for the period June 1, 2009 to May 31, 2010. [Frances A. Gonzalez, Assistant City Manager; Dr. Fernando A. Guerra, Director, Health]

2008 - 12 - 04 - 1101

41. An Ordinance amending Ordinance 2008-08-21-0725, which authorizes the submission of a joint grant application with Bexar County and acceptance of grant funds from the U.S. Department of Justice, Bureau of Justice Assistance, by amending the grant period from October 1, 2008 through September 30, 2012, to October 1, 2007 through September 30, 2011. [Erik J. Walsh, Assistant City Manager; William McManus, Police Chief]

2008 - 12 - 04 - 1102

City Code Amendments

42. An Ordinance amending Chapter 35, Unified Development Code of the City Code of San Antonio, Texas by adopting new provisions for car washes including supplemental use regulations and definitions, as requested by Councilmember Jennifer Ramos, District 3. [T.C. Broadnax, Assistant City Manager; Roderick Sanchez, Director, Planning and Development Services]

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Boards, Commissions and Committee Appointments

43. Consideration of Board, Commission and Committee appointments, to be effective immediately upon appointment: [Leticia M. Vacek, City Clerk]

A. Appointing Lynda Billa Burke to the Planning Commission for the remainder of an unexpired term of office to expire October 12, 2010.

B. Reappointing Peter Vallone (Category: Alternate Member, At-Large) and appointing Narciso Cano (Category: Alternate Member, At-Large) to the Zoning Board of Adjustment for the remainder of unexpired terms of office to expire May 31, 2009.

C. Reappointing Adelita G. Cantu (Category: Medical), Andria Macias-Castillo (Category: Early Childhood Education), Ana DeHoyos O'Connor (Early-Childhood Education), Judith A. York (Category: Early Childhood Education) and appointing

Fred B. Cardenas (Category: Business), Darrell C. Balderrama (Category: Higher Education), Linda Williams (Category: Early Childhood Education) to the Head Start Policy Council for the remainder of unexpired terms of office to expire November 1, 2009.

D. Appointing Lauro Bustamante (Category: School District), Christina Marie Castano-Perez (Category: Public Transit), Albert Carrisalez (Category: College & University), Ignacio Perez (Category: Neighborhood Association), Dominique Halaby (Category: Workforce Development and Capacity Building), Christine Drennon (Category: Non-profit Developer/Service Provider), Debra Guerrero (Category: Real Estate/Development), Nancy Rocha (Category: Financial Services), and Jennifer Gonzalez (Category: Non-profit Housing Provider) to the Community Development Advisory Committee (CDAC) for the remainder of unexpired terms of office to expire May 31, 2009.

E. An Ordinance appointing Steven Sano (Category: Environment) to the Community Development Advisory Committee (CDAC) for the remainder of an unexpired term of office to expire May 31, 2009, and waiving the residency requirement of the City Code for this appointment.

2008 - 12 - 04 - 1103

F. Appointing Ignacio Perez (District 4 - Trustee) to the San Antonio Local Development Company, Inc. (d/b/a/ South Texas Business Fund) for the remainder of an unexpired term of office to expire November 30, 2011.

G. Reappointing Douglas B. Vair (District 5) to the Port Authority of San Antonio for the remainder of an unexpired term of office to expire November 30, 2010.

H. Reappointing Enedina C. Vasquez (District 5) to the Joint City/County Commission on Elderly Affairs for the remainder of an unexpired term of office to expire September 30, 2010.

I. Reappointing Annie Laurie Gruenbeck (District 5) to the San Antonio Public Library Board of Trustees to the remainder of an unexpired term of office to expire September 30, 2010.

J. Appointing Diana M. Casillas (District 5) to the Affirmative Action Advisory Committee for the remainder of an unexpired term of office to expire May 31, 2009.

K. Appointing Hector Rodriguez (District 5, Category: Consumer) to the Disability Access Advisory Committee for the remainder of an unexpired term of office to expire May 31, 2009.

L. Appointing Charles (Chuck) P. Saxer (District 8) to the Ethics Review Board for the remainder of an unexpired term of office to expire April 25, 2009.

44. A Resolution establishing the San Antonio-Bexar County US Census 2010 Complete Count Committee and appointing the eleven City members. [T.C. Broadnax, Assistant City Manager; Roderick Sanchez, Director, Planning and Development Services]

2008-12-04-0057R

Miscellaneous

45. An Ordinance authorizing a Joint Use Agreement with the San Antonio Water System in connection with 0.784 acres at Stinson Municipal Airport for the Old Salado Creek Replacement Project. [Penny Postoak Ferguson, Assistant City Manager; Michael J. Sawaya, Interim Director, Aviation]

2008-12-04-1104

46. An Ordinance authorizing amendments to the Tax Phase-In Agreement and 380 Economic Development Loan Agreement with Vistana LTD to extend the date required to complete construction to April 30, 2009. [Pat DiGiovanni, Deputy City Manager]

2008-12-04-1105

47. An Ordinance authorizing the execution of the Fifth Amendment to the Licensed User Agreement with Ticketmaster LLC for box office and ticket distribution services at the Henry B. Gonzalez Convention Center, Alamodome, Municipal Auditorium and Lila Cockrell Theatre, extending the term through June 30, 2009. [Penny Postoak Ferguson, Assistant City Manager; Jim Mery, Interim Director, Convention, Sports and Entertainment Facilities]

2008-12-04-1106

48. Consideration of the following Ordinances relating to the San Antonio Sports Foundation: [Sheryl Sculley, City Manager; Scott White, Director, Convention and Visitors Bureau]

- A. An Ordinance authorizing the execution of a one-year Professional Services Agreement with the San Antonio Sports Foundation, for an amount not to exceed \$159,000.00, to support the solicitation of select amateur regional, national and international sporting events.

2008-12-04-1107

- B. An Ordinance authorizing an agreement with the San Antonio Sports Foundation for reimbursement of expenses totaling \$1,650,000.00 associated with the State reimbursement to the City for the 2008 NCAA Men's Final Four Basketball Tournament; and authorizing payment of \$412,500.00 resulting from funds received through the Other Events Trust Fund.

2008-12-04-1108

49. An Ordinance authorizing an amendment to the professional services agreement with Denton, Navarro, Rocha and Bernal, increasing the total amount of the agreement by \$50,000.00 for the continued legal support of the City South Management Authority. [A.J. Rodriguez, Deputy City Manager; Robert Peche, Director, Economic Development]

2008-12-04-1109

50. An Ordinance authorizing the negotiation and execution of a Chapter 380 Economic Development Grant Agreement with Ortiz Pharmacy in an amount not to exceed \$40,000.00 to assist in the construction of a 9,000 square foot medical facility in City Council District 6.

[A.J. Rodriguez, Deputy City Manager; Robert Peche, Director, Economic Development]

2008 - 12 - 04 - 1110

51. An Ordinance amending a contract with Clean Harbors Environmental Services, Inc., to provide for additional Household Hazardous Waste (HHW) services to include four citywide HHW collection events and increasing the contract by \$550,000.00 [Frances A. Gonzalez, Assistant City Manager; David McCary, Director, Solid Waste Management]

2008 - 12 - 04 - 1111

52. An Ordinance authorizing a professional service agreement with Strategic Development Solutions in an amount up to \$75,000.00 to conduct a Multi-Tech Venture Fund Market Assessment. [A.J. Rodriguez, Deputy City Manager; Robert Peche, Director, Economic Development]

2008 - 12 - 04 - 1112

53. **City Manager's Report**
A. Top Ten Code Violators

THE CITY COUNCIL WILL RECESS FOR LUNCH AT NOON AND RECONVENE TO CONSIDER ANY UNFINISHED COUNCIL BUSINESS

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

- A. Deliberate competitive matters regarding the CPS Energy Strategic Energy Plan and discuss related legal issues pursuant to Texas Government Code Section 551.086 (competitive matters) and Texas Government Code Section 551.071 (consultation with attorney).
- B. Discuss legal issues related to the expenditure of bond proceeds pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- C. Discuss legal issues related to *Rebecca Moreau and Vernon Paul Bordelon v. City of San Antonio*, in the 150th Judicial District Court of Bexar County, Texas pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- D. Discuss legal issues related to *Timothy and Patricia McBride v. City of San Antonio*, in the 224th Judicial District Court of Bexar County, Texas pursuant to Texas Government Code Section 551.071 (consultation with attorney).

2:00 P.M. TIME CERTAIN ITEMS (may be heard after this time): Public Hearing and Consideration of the following Adoption and Amendments of the Neighborhood, Community and Perimeter Plans as Components of the Master Plan and Zoning Cases. [Planning and Zoning cases presented by T.C. Broadnax, Assistant City Manager; Roderick Sanchez, Director, Planning and Development Services]

- P-1. An Ordinance amending the City of San Antonio's Major Thoroughfare Plan as a component of the San Antonio Master Plan by removing the segment of Acme Road between West Commerce Street and Culebra Road.

2008 - 12 - 04 - 1113

P-2. An Ordinance amending the City of San Antonio's Major Thoroughfare Plan as a component of the San Antonio Master Plan by moving the alignment of Kearney Road eastward generally between Quintana Road and FM 2790.

2008-12-04-1114

P-3. **PLAN AMENDMENT # 08030 (District 3; Within CSMA jurisdiction):** An Ordinance amending the land use plan contained in the City South Community Plan, a component of the Master Plan of the City, by changing the use from Rural Living and Resource Protection/Open Space to Heavy Industry on 120.2 acres excluding the portion that is located within the floodplain and from Rural Living to Agriculture and Light Industry on 209.45 acres, on land located south, southeast and southwest of the intersection of Southton Road and Center Road. Staff, Planning Commission, and City South Management Authority Board recommend approval.

2008-12-04-1115

P-4. **PLAN AMENDMENT # 08027 (District 5):** An Ordinance amending the land use plan contained in the Kelly South San PUEBLO Community Plan, a component of the Master Plan of the City, by changing the use of an 1.997 acre tract of land located at 2634 SW 34th Street from Low Density Residential land use to Industrial land use. Staff and Planning Commission recommend denial. (Associated Zoning Case # Z2008182 S)

Withdrawn

Z-1. **ZONING CASE # Z2008182 S (District 4, District 5):** An Ordinance amending the Zoning District Boundary from "R-6" Residential Single-Family District to "I-1 S" General Industrial District with a Specific Use Authorization for Metal Products Fabrication on Lots 23 and 24, Block 5, NCB 11370 located at 2634 Southwest 34th Street. Staff and Zoning Commission recommend denial.

Withdrawn

Z-2. **ZONING CASE # Z2009006 (District 7):** An Ordinance amending the Zoning District Boundary from "H C-2NA" Commercial Nonalcoholic Sales, Monticello Park Historic District to "HE H C-2NA" Historic Exceptional, Commercial Nonalcoholic Sales, Monticello Park Historic District on a 0.2084 acre tract of land out of Block 1, NCB 6692 located at 1909 Fredericksburg Road. Staff and Zoning Commission recommend approval.

2008-12-04-1116

Z-3. **ZONING CASE Z2008188 ERZD (District 8):** An Ordinance amending the Zoning District Boundary from "C-3" General Commercial District; "R-6" Residential Single-Family District; "C-3" ERZD General Commercial Edwards Recharge Zone District and "R-6" ERZD Residential Single-Family Edwards Recharge Zone District to "MPCD ERZD" Master Planned Community Edwards Recharge Zone District and "MPCD" Master Planned Community District on an 81.138 acre tract of land out of NCB 14867 located at the 9100 Block of North Loop 1604 West. Staff and Zoning Commission recommend approval.

2008-12-04-1117

Z-4. **ZONING CASE # Z2008226 (District 8):** An Ordinance amending the Zoning District Boundary from "O-2" Office District to "C-1" Light Commercial District on Lot 40, NCB 11622 located at 7923 Donore Place. Staff and Zoning Commission recommend approval.

Continued to January 15, 2009

Z-5. **ZONING CASE # Z2008247 ERZD (District 8):** An Ordinance amending the Zoning District Boundary from "C-2" Commercial District and "C-2 ERZD" Commercial Edwards Recharge Zone District to "MF-33" Multi-Family District and "MF-33 ERZD" Multi-Family

Edwards Recharge Zone District on a 14.744 acre tract of land out of NCB 14615 located at 8122 West Hausman. Staff and Zoning Commission recommend approval.

2008-12-04-1118

Z-6. ZONING CASE # Z2008253 (District 8): An Ordinance amending the Zoning District Boundary from "R-6" Residential Single-Family District to "MF-33" Multi-Family District on a 4.271 acre tract of land out of NCB 14862 and a 6.142 acre tract of land out of NCB 17204 located at 6301 Melissa Ann. Staff and Zoning Commission recommend approval.

2008-12-04-1119

Z-7. ZONING CASE # Z2008276 (District 8): An Ordinance amending the Zoning District Boundary from "C-2" Commercial District to "C-3" General Commercial District on 1.477 acres out of Lot 14, Block 19, NCB 14035 located at 4302 Hyatt Place Drive (also known as Amerisuites Drive). Staff and Zoning Commission recommend approval.

2008-12-04-1120

Z-8. ZONING CASE # Z2009001 CD (District 8): An Ordinance amending the Zoning District Boundary from "R-20" Residential Single Family District to "R-20 CD" (CD-Professional Office) Residential Single Family District with a Conditional Use to allow a Professional Office on a 0.631 acre tract of land out of Lots 1 and 2, Block 9, NCB 14709. Staff recommends denial. Zoning Commission recommends approval with conditions.

2008-12-04-1121

Z-9. ZONING CASE # Z2009004 ERZD (District 9): An Ordinance amending the Zoning District Boundary from "C-2 ERZD" Commercial Edwards Recharge Zone District to "C-3 ERZD" General Commercial Edwards Recharge Zone District on a 0.195 acre tract of land out of Lot 60, Block 2, NCB 17608 located at 19141 Stone Oak Parkway. Staff and Zoning Commission recommend approval.

2008-12-04-1122

Z-10. ZONING CASE #Z2008206 (District 10): An Ordinance amending the Zoning District Boundary from "I-1 IH-1" General Industrial National Highway System High Priority Northeast Gateway Corridor Overlay District to "C-3 IH-1" General Commercial National Highway System High Priority Northeast Gateway Corridor Overlay District on Lot 11, NCB 13804 located at 10811 IH 35 North. Staff and Zoning Commission recommend approval.

Continued to January 15, 2009

Z-11. ZONING CASE #Z2008280 (District 1): An Ordinance amending the Zoning District Boundary from "MF-33" Multi-Family District and "C-2" Commercial District to "MF-33 IDZ" Multi-Family District, Infill Development Zone on Lot 9 and the north 90.8 feet of Lot 7 and Lot 8, Block 11, NCB 1749 located at 120 East Myrtle Street and 623 Ogden Street. Staff and Zoning Commission recommend approval.

2008-12-04-1123

Z-12. ZONING CASE Z2008275 S (District 2): An Ordinance amending the Zoning District Boundary from "I-1" General Industrial District to "I-2 S" Heavy Industrial District with a Specific Use Authorization for a Bulk Plant or Terminal on Lot 25, NCB 12867 located at 498 Pop Gunn Drive. Staff and Zoning Commission recommend approval.

2008-12-04-1124

Z-13. An Ordinance amending Chapter 35, Unified Development Code of the City Code of San Antonio, Texas to adopt Arts and Entertainment Special Zoning Districts "AE-1", "AE-2", "AE-3", and "AE-4".

2008-12-04-1125

P-5. PLAN AMENDMENT # U09002 (District 2): An Ordinance amending the Downtown Neighborhood Plan: East Neighborhood, Denver Heights District, a component of the Master Plan of the City, by supporting the creation of the East Commerce Street Arts & Entertainment District, changing the use of approximately 10.50 acres located on the south side of East Commerce Street between North Cherry Street and North Monumental Street from Residential land use to Mixed Use land use and by adding the following text to the Land Use Plan Section, District G, Denver Heights: "Limited medium-density residential (duplex, triplex, quadplex) and neighborhood commercial uses permitted along streets with higher traffic volumes and on corner lots if consistent with the historic development pattern". Staff and Planning Commission recommend approval. (Associated Zoning Case Z2009010 S)

2008 - 12 - 04 - 1126

P-6. PLAN AMENDMENT # U09003 (District 2): An Ordinance amending the Arena District / Eastside Community Plan, a component of the Master Plan of the City to support the creation of the East Commerce Street Arts & Entertainment District by 1) changing the use of approximately 1.72 acres located on the south side of East Commerce Street between North Monumental Street and the City Cemetery from Medium Density Residential and Parks/Open Space land use to Mixed Use land use; 2) changing the use of approximately 2.27 acres located on the south side of East Commerce Street between North New Braunfels Avenue and South Polaris Street and 4.72 acres located on the south side of East Commerce Street between North Rio Grande Street and Garcia Street from Medium Density Residential land use to Mixed Use land use; 3) changing the use of approximately 0.85 acres located south of the intersection of East Commerce Street and Honey Boulevard from Parks/Open Space land use to Mixed Use land use; 4) changing the use of approximately 22.43 acres bound by East Houston Street to the north, East Commerce Street to the south and Coca-Cola Place to the west from General Commercial and High Density Residential land use to Light Industrial land use; 5) changing the use of approximately 6.04 acres located on the south side of East Commerce Street between Honey Boulevard and Salado Creek from General Commercial land use to Mixed Use land use; 6) changing the use of approximately 55.64 acres located on the north side of East Houston Street between Willowsprings Golf Course and IH-10 East from High Density Residential, Light Industrial and General Commercial land use to Mixed Use land use; and 7) adding the following text to the Land Use Plan Section, Land Use Classifications, Medium Density Residential Description: "Limited neighborhood commercial uses permitted along street with higher traffic volumes and on corner lots if consistent with the historic development pattern". Staff and Planning Commission recommend approval. (Associated Zoning Case Z2009010 S)

2008 - 12 - 04 - 1127

Z-14. ZONING CASE # Z2009010 S (District 2): An Ordinance amending various Zoning District Boundaries to "AE-1", "AE-2", "AE-3", and "AE-4" Arts and Entertainment Districts with various Specific Use Authorizations, retaining "EP-1" Event Parking Overlay District-1 and Historic zoning district boundaries, on a tract of land generally bound by Belmont Street, Rio Grande Drive and Rosa Parks to the North; IH-35 to the East, Commerce Street, Como Street, Springsdale Avenue, Martin Luther King Drive, Walters Street, and Montana Street on the South, and New Braunfels Street on the West; and a tract of land generally bound by Center Street and East Commerce Street on the North, Palmetto Street on the East, Wyoming Street on the South, and North Cherry Street on the West. Staff recommends approval pending plan amendments. Zoning Commission recommendation pending the December 2, 2008 public hearing.

2008 - 12 - 04 - 1128

Z-15. **ZONING CASE # Z2009013 (District 3):** An Ordinance amending the Zoning District Boundary from "I-1" General Industrial District to "C-3NA" General Commercial District, Nonalcoholic Sales on Lot 4, NCB 9485 located at 6700 South Flores Street. Staff recommends approval. Zoning Commission recommendation pending the December 2, 2008 public hearing.

2008 - 12 - 04 - 1129

Z-16. **ZONING CASE # Z2008279 CD (District 4):** An Ordinance amending the Zoning District Boundary from "R-6" Residential Single Family District and "C-1" Light Commercial District to "C-2 CD" (CD-Motor Vehicle Sales) Commercial District with a Conditional Use for Motor Vehicle Sales on a 2.270 acre tract of land out of NCB 15552 located at the southwest corner of the intersection of Westrock & Westoak. Staff and Zoning Commission recommend approval with conditions.

2008 - 12 - 04 - 1130

Z-17. **ZONING CASE # Z2008281 (District 4):** An Ordinance amending the Zoning District Boundary from "R-6" Residential Single-Family District to "MF-33" Multi-Family District on Lot 8, Block 8, NCB 15508 located at 273 Altitude Drive. Staff and Zoning Commission recommend approval.

2008 - 12 - 04 - 1131

5:45 P.M. (may be heard after this time) – Ceremonial Recognitions

6:00 P.M. (may be heard after this time) – Citizens to be Heard

ADJOURN

7:00 P.M. – *If the Council has not yet adjourned, the presiding officer shall entertain a motion to continue the council meeting, postpone the remaining items to the next council meeting date, or recess and reconvene the meeting at a specified time on the following day.*