



OFFICIALLY POSTED ON THE
WEB:
3/3/2008 8:50 AM

RECEIVED
CITY OF SAN ANTONIO
CITY CLERK

2008 MAR -3 AM 8:57

Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 S. Main Ave
San Antonio, TX 78205
March 6, 2008

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

5:30PM: 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 is wheelchair accessible. The accessible entrance is located at 103 S. Main Ave. 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.

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 Rev. Steven C. Lunning, Pastor, Highland Park Lutheran Church. Guest of Councilmember Jennifer Ramos, District 3.
- 2. Pledge of Allegiance.
- 3. Approval of Minutes for the February 7, 2008 City Council meeting.

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

ACTION ITEMS FOR STAFF BRIEFING

- 4. Consideration of the following relating to the transfer of land to the Land Heritage Institute Foundation: [Frances A. Gonzalez, Assistant City Manager; Malcolm Matthews, Director, Parks and Recreation]

- A. Public Hearing considering the conveyance, subject to restrictive covenants limiting the development and use of the property to conservation, green belt and similar uses, of approximately 1,173 acres of real property south of the Medina River located in City Council District 3 to the Land Heritage Institute Foundation (LHI), a non-profit corporation.

- B. An Ordinance approving the conveyance, subject to 1) the public hearing described in Item A, 2) the approval of the conveyance by the Mayor and the County Judge of Bexar County following such Public Hearing, 3) restrictive covenants limiting the development and use of the property to conservation, green belt and similar uses, of approximately 1,173 acres of real property south of the Medina River located in City Council District 3 to the Land Heritage Institute Foundation (LHI), a non-profit corporation.

2008-03-06-0157

- 5. A Public Hearing and consideration of an Ordinance closing, vacating, and abandoning an unimproved 16 foot-wide alley located between N. Pine and Muth Streets, District 2, as requested by Carson Land Trust, et al, for a fee of \$4,539.00. [Jelynn LeBlanc Burley, Deputy City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2008-03-06-0158

- 6. A Public Hearing and consideration of an Ordinance closing, vacating, and abandoning a portion of a 10 foot-wide (paper) alley located between Wilmot and West Commerce Streets within NCB 8252, District 5, as requested by Ho-Hak, Inc., for a fee of \$2,973.00 and authorizing the acceptance of two 10 foot-wide easements to permit continued public ingress and egress to the remaining Public Rights of Way. [Jelynn LeBlanc Burley, Deputy City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2008-03-06-0159

CONSENT AGENDA**Purchase of Equipment, Supplies and Services**

7. An Ordinance awarding contracts to various companies to provide the City with various types of commodities and services on an annual contract basis for FY 2007-2008, for a combined annual estimated cost of \$1,133,000.00, and awarding one contract which will provide an estimated annual revenue to the City of \$34,000.00, including: (A) drilling wood and steel pole foundations - \$113,000.00 annually; (B) labor and material for concrete work for Park Operations - \$60,000.00 annually; (C) mowing services in public park areas and other City property - \$960,000.00 annually; and (D) recycling and disposal of automotive and heavy equipment oil & oil filters - \$34,000.00 annually in revenue. [Sharon De La Garza, Assistant to the City Manager; Janie Cantu, Director, Purchasing & Contract Services]

2008-03-06-0160

8. An Ordinance accepting the bid from Joe Harrison Motorsports for the purchase of ten motorcycles for the Police Department for a total cost of \$175,000.00. [Sharon De La Garza, Assistant to the City Manager; Janie Cantu, Director, Purchasing & Contract Services]

2008-03-06-0161

Capital Improvements

9. An Ordinance authorizing issuance of a \$240,000.00 job order to Con-Cor/APM JV for repairs and upgrades of the Deco Building, 1800 Fredericksburg Road, District 1. [Jelynn LeBlanc Burley, Deputy City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2008-03-06-0162

10. An Ordinance authorizing an agreement with the Jefferson Woodlawn Lake Community Development Corporation, for the sublease of approximately 1,368 square feet of space at 1800 Fredericksburg Road ("Deco Building"), located in District 1, for use by the San Antonio Police Department's San Antonio Fear Free Environment ("S.A.F.F.E.") program; and authorizing a job order to Con-Cor/APM JV for the renovation of the leased space, in an amount up to \$210,000.00. [Jelynn LeBlanc Burley, Deputy City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2008-03-06-0163

Acquisition, Sale or Lease of Real Property

11. An Ordinance authorizing a forty-year lease agreement with Haven For Hope of Bexar County, Inc. for a 22 acre tract of land near the intersection of Ruiz Street and North Frio Street in District 5 for the operation of a human services campus for the homeless, with two (2) ten (10) year renewal options; and severing four buildings from the underlying real estate at the site and conveying them to Haven for Hope of Bexar County for the term of the lease. [Frances A. Gonzalez, Assistant City Manager; Dennis J. Campa, Director, Community Initiatives]

2008-03-06-0164

Grant Applications and Awards

12. An Ordinance authorizing the submission of a grant proposal to the United States Department of Health and Human Services for an Assets for Independence Act - Individual Development Account grant in an amount up to \$250,000.00 to assist 125 individuals to become first-time homebuyers, pursue post-secondary education or start or expand a micro-enterprise during the period of September 30, 2008 through September 29, 2013; authorizing acceptance of said funds upon award; and authorizing the acceptance of up to \$250,000.00 from non-federal funding sources to meet the local match funding requirement. [Frances A. Gonzalez, Assistant City Manager; Dennis J. Campa, Director, Community Initiatives]

2008-03-06-0165

13. An Ordinance approving an agreement with the Texas Department of Transportation (TxDOT) for TxDOT to administer a \$2,847,360.00 Federal Highway Administration (FHWA) grant to assist in funding Intelligent Transportation System (ITS) related projects and authorizing the acceptance of funds upon award. [Jelynn LeBlanc Burley, Deputy City Manager; Majed A. Al-Ghafry, Director, Public Works]

2008-03-06-0166

City Code Amendments

14. An Ordinance amending Chapter 6, entitled "Buildings", of the City Code by requiring annual mechanical maintenance permits for certain multi-family houses; establishing related fees; and providing for penalties and publication. [Jelynn LeBlanc Burley, Deputy City Manager; Roderick Sanchez, Director, Development Services]

2008-03-06-0167

15. An Ordinance amending Chapter 21, Article III, entitled "Noise", of the City Code of San Antonio, Texas regulating vehicular mounted sound amplification systems, providing for a minimum fine of \$300.00 for a third violation and requiring the pleading of a culpable mental state to allow a maximum fine of up to \$2,000.00 per violation. [Erik J. Walsh, Assistant City Manager; William P. McManus, Police Chief]

2008-03-06-0168

Miscellaneous

16. An Ordinance approving a Conservation Easement Interlocal Cooperation Agreement with the Edwards Aquifer Authority to provide professional oversight and monitoring of conservation easements, donations and/or fee simple purchases associated with the Edwards Aquifer Protection Program, also known as Proposition 1. [Jelynn LeBlanc Burley, Deputy City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2008-03-06-0169

17. An Ordinance approving the termination of two agreements with the Texas Department of Transportation allowing for public parking under I.H. 37 in two areas: between 10th Street and Jones Avenue and between Avenue B Extension and Josephine Street. [Penny Postoak Ferguson, Assistant City Manager; Paula X. Stallcup, Director, Downtown Operations]

2008-03-06-0170

18. An Ordinance approving an amendment to an agreement with VIA to provide the City with an annual transit pass program; encumbering \$100,000.00 from the Downtown Trolley initiative for possible future purchase of an alternative fuel vehicle by VIA; and establishing

a pilot peripheral parking program at the Alamodome. [Penny Postoak Ferguson, Assistant City Manager; Paula X. Stallcup, Director, Downtown Operations]

2008-03-06-0171

19. An Ordinance authorizing payment of annual membership dues of \$50,000.00 to the Austin-San Antonio Corridor Council for the period of October 1, 2007 through September 30, 2008 to facilitate regional economic development. [Pat DiGiovanni, Deputy City Manager; Robert Peche, Director, Economic Development]

2008-03-06-0172

20. An Ordinance authorizing the execution of an agreement with Christian Senior Services to provide smoke detector installation in connection with the Homebound Elderly Lifeline Project of the Meals on Wheels Association of America. [Erik J. Walsh, Assistant City Manager; Charles Hood, Fire Chief]

2008-03-06-0173

21. Consideration of the following Ordinances: [Pat DiGiovanni, Deputy City Manager; Ben Gorzell, Director, Finance]

PULLED An Ordinance authorizing the redemption and defeasance of certain San Antonio Water System Revenue and Refunding Bonds, Series 2001 and certain San Antonio Water System Revenue Bonds, Series 2002-A; and,

B. An Ordinance authorizing an amendment to the Purchase Agreement with JPMorgan Chase Bank and other actions relating to the City of San Antonio, Water System Subordinate Lien Revenue and Refunding Series 2003-A and 2003-B.

2008-03-06-0174

22. An Ordinance authorizing the negotiation and execution of contracts with Zion Star Missionary Baptist Church, New Rose of Sharon Baptist Church, and Safe Haven Alternative Youth Program located in City Council District 2, for facility improvements in the total amount of \$40,000.00 available from the City's HUD 108 Capital Improvements Faith Based Initiative Program; appropriating funds; and providing for payment. [T.C. Broadnax, Assistant City Manager; Andrew Cameron, Director, Grants Monitoring and Administration]

2008-03-06-0175

23. An Ordinance approving a Letter of Agreement with the San Antonio Housing Authority for the San Antonio Metropolitan Health District to provide comprehensive health assessments to residents of the Villas de Fortuna, Blue Ridge, Sunflower, Palm Lake and Mirasol subdivisions and the Blanco Apartments for the period February 1, 2008 through December 31, 2008. [Frances A. Gonzalez, Assistant City Manager; Dr. Fernando A. Guerra, Director, Health]

2008-03-06-0176

24. An Ordinance approving an agreement with the U.S. Department of the Interior U.S. Geological Survey (USGS) for USGS to test sediments in Lower Leon Creek for the San Antonio Metropolitan Health District's Public Center for Environmental Health for the period of February 1, 2008 through September 30, 2008 for the amount of \$40,000.00. [Frances A. Gonzalez, Assistant City Manager; Dr. Fernando A. Guerra, Director, Health]

2008-03-06-0177

25. An Ordinance authorizing the appropriation of \$1,142,207.00 from remaining Certificate of

Obligation funds associated with the ERM Project, for the purchase of a Service Desk Application from Column Technologies, Inc. [Richard Varn, Chief Information Officer; Hugh Miller, Director, Information Technology Services]

2008-03-06-0178

26. An Ordinance appropriating funds for Information Technology (IT) capital projects from the 2007A Tax Notes, issued in December 2007, in the amount of \$20,739,662.00. [Richard Varn, Chief Information Officer; Hugh Miller, Director, Information Technology Services]

2008-03-06-0179

27. An Ordinance authorizing the terms of an agreement between the City of San Antonio and the San Antonio Water System for operation of a groundwater well at the Growdon Vehicle Impound Facility, and authorizing the plugging of an abandoned well on the grounds of the same facility. [Erik J. Walsh, Assistant City Manager; Ben Gorzell, Director, Finance]

2008-03-06-0180

28. An Ordinance approving two funding agreements, each in the amount of \$118,722.10, with Port Authority of San Antonio and the Texas Department of Transportation for the removal and replacement of approximately 35 traffic signs along US Hwy 90 West of 36th Street to West of IH 35/10 Interchange, Spur 371, Frio City Road and Quintana Rd., located in Districts 4 and 6. [Jelynn LeBlanc Burley, Deputy City Manager; Majed A. Al- Ghafray, Director, Public Works]

2008-03-06-0181

Boards, Commissions and Committee Appointments

29. Consideration of board, commission and committee nominees, for terms of office to be effective immediately upon appointment: [Leticia M. Vacek, City Clerk]

A. Reappointing Mike Barnard (District 8 - Category: Taxicab Industry) to the Transportation Advisory Board for the remainder of an unexpired term of office to expire May 31, 2009.

B. Reappointing Steve Duran (District 8) to the San Antonio Commission on Literacy for the remainder of an unexpired term of office to expire May 31, 2009.

C. Reappointing Robert Echavarria (District 8) to the City of San Antonio, Texas Education Facilities Corporation for the remainder of an unexpired term of office to expire December 15, 2009.

D. Appointing Councilmember John Clamp (District 10) to the Metropolitan Planning Organization Transportation Policy Board for the remainder of an unexpired term of office to expire May 31, 2009.

E. Appointing Councilmember Louis Rowe (District 9) to the Alamo Area Council of Governments (AACOG) Board of Directors for the remainder of an unexpired term of office to expire May 31, 2009.

F. Reappointing Clayton Binford (Category: Medina County Representative) to the Conservation Advisory Board for the remainder of an unexpired term of office to expire May 31, 2009.

G. Reappointing to the Westside Development Corporation Board of Directors Janie Barrera (Financial Institution), Patricia Castillo (Resident), Moses Hernandez (Small Business), Marisol Martinez (Small Business), Christopher Martinez (Small Business), Choco Meza (Small Business), Stephen J. O'Donnell (Major Business) and Christine Ortega (Resident) for the remainder of unexpired terms of office to expire November 28, 2009; and appointing Father John Suenram (Faith Based) for the remainder of an unexpired term of office to expire November 28, 2008.

30. City Manager's Report

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. Discuss legal issues related to *International Women's Day March Planning Committee, et al. v. City of San Antonio* pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- B. Discuss legal issues related to wastewater permit compliance pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- C. Discuss legal issues related to *Andre and Rose Barajas, Individually, and as Representatives of the Estate of Christie Barajas, Deceased, and Anita Mayorga v. City of San Antonio*; In the 57th Judicial District Court of Bexar County, Texas, Cause No. 2006-CI-14583 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. [Land Use Plan Amendments presented by T.C. Broadnax, Assistant City Manager / Interim Director, Planning and Community Development; and Zoning Cases presented by Roderick Sanchez, Director, Development Services; Jelynn LeBlanc Burley, Deputy City Manager]

Z-1. ZONING CASE # Z2008067 H (District 1): An Ordinance changing the zoning district boundary from "MF-33" Multi Family District, "R-6" Residential Single Family District and "RM-4" Residential Mixed District "C-3 NA" General Commercial District, Nonalcoholic Sales "I-1" General Industrial District and "I-2" Heavy Industrial District to "H" "MF-33" Multi Family Historic District, "H" "R-6" Residential Single Family Historic District and "H" "RM-4" Residential Mixed Historic District "H" "C-3 NA" General Commercial Historic District, Nonalcoholic Sales "H" "I-1" General Industrial Historic District and "H" "I-2"

Heavy Industrial Historic District on multiple lots contained within Block B, NCB 1717; Block 19, NCB 395; Block 29, NCB 396; Block 28, NCB 397; Block 18, NCB 398; Block 27, NCB 399, within the 400 Block of E. Evergreen, 500 Block of E. Evergreen, 600 Block of E. Evergreen and 700 Block of E. Evergreen, generally bound by East Park Avenue to the North, North St. Mary's to the East, Paschal to the West, and East Euclid Avenue to the South as requested by City of San Antonio, Planning and Community Development, Historic Preservation Officer, Applicant for Multiple Property Owners. Staff and Zoning Commission recommend Approval.

2008-03-06-0182

Z-2. **ZONING CASE # Z2008012 (District 2):** An Ordinance changing the zoning district boundary from "MF-33" RIO-1 Multi-Family River Improvement Overlay District-1 to PUD "MF-25" RIO-1 Planned Unit Development Multi-Family River Improvement Overlay District-1 on Lot 5 and Lot 6, NCB 3857, 200 Block of Brahan Boulevard as requested by MBC Engineers c/o Mark Cervantez, Applicants for Brahan Development, LLC, Owner. Staff and Zoning Commission recommend Approval.

2008-03-06-0183

Z-3. **ZONING CASE # Z2008052 (District 5):** An Ordinance changing the zoning district from "I-1" General Industrial District to "C-3 NA" General Commercial District, Non-Alcoholic Sales on Lot 24 and Lot 25, Block 6, NCB 2152, 1109 and 1115 North Colorado Street as requested by Carlos Torralva, Applicant for Richard Ojeda and Karl and Norma Gonzalez, Owners. Staff and Zoning Commission recommend Approval.

2008-03-06-0184

Z-4. **ZONING CASE # Z2008066 (District 5):** An Ordinance changing the zoning district from "MF-33" Multi-Family District to "C-2" Commercial District on Lot 5, Block 6, NCB 2289, 2926 West Houston Street as requested by AmREIT c/o Bobby Perez, Applicant for Karam's Inc., Owner. Staff and Zoning Commission recommend Approval.

2008-03-06-0185

Z-5. **ZONING CASE # Z2008073 (District 5):** An Ordinance changing the zoning district boundary from "R-6" Residential Single-Family District to "C-1" Light Commercial District on West 80 feet of Lot 3, NCB 2860, 604 East LaChappelle as requested by Alfredo M. Ximenez, Applicant for Alfredo M. Ximenez, Owner. Staff and Zoning Commission recommend Approval.

2008-03-06-0186

Z-6. **ZONING CASE # Z2008074 CD (District 8):** An Ordinance changing the zoning district boundary from "R-20" Residential Single-Family District to "R-20" (CD- Professional Office) Residential Single-Family District with a Conditional Use for a Professional Office on 1.00 acre out of NCB 14709, 6325 Babcock Road as requested by 6325 Babcock Road, LLC, Applicant for Reagan and Joan Smith, Owners. Staff recommends Approval. Zoning Commission recommendation pending March 4, 2008 public hearing.

2008-03-06-0187

5:30 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.