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Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 S. Main Ave
San Antonio, TX 78205
May 15, 2008

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2008 MAY 12 AM 9:38

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
- 5:15PM: 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. Virgilio Elizondo, Professor, University of Notre Dame, South Bend Indiana. Guest of Mayor Phil Hardberger.
2. Pledge of Allegiance.
3. Approval of Minutes for the April 17, 2008 City Council Meeting.

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

ACTION ITEMS FOR STAFF BRIEFING

4. A Public Hearing and consideration of an Ordinance authorizing a rate increase of 5.0 percent to the CPS Energy electric and gas base rates (system average); tariff amendments to implement the rate adjustments; and discount rate program for qualifying low-income customers. [Pat DiGiovanni, Deputy City Manager; Ben Gorzell, Director, Finance]

2008 - 05 - 15 - 0384

5. A Public Hearing to receive citizen input and comments regarding the Proposed FY 2008-2009 Housing and Urban Development (HUD) Consolidated Annual Action Plan/Budget and process for the Community Development Block Grant (CDBG), HOME Investment Partnership (HOME), the American Dream Downpayment Initiative (ADDI), Emergency Shelter Grant (ESG), and Housing Opportunities for Persons With AIDS (HOPWA) funding resources. [T.C. Broadnax, Assistant City Manager; Andrew Cameron, Director, Grants Monitoring and Administration]

CONSENT AGENDA

Purchase of Equipment, Supplies and Services

6. An Ordinance approving a contract with Siemens Energy & Automation, Inc. to purchase software and equipment to upgrade the City's Advanced Transportation Management System, in connection with the Traffic Signal System Modernization Program, in the amount of \$4,847,730.93. [Sharon De La Garza, Assistant City Manager; Majed A. Al-Ghafry, Director, Public Works]

2008 - 05 - 15 - 0385

7. An Ordinance accepting the offer from Frazer, Ltd., utilizing the Texas BuyBoard contract, to provide the City with sixteen Type I ambulances for a cost of \$1,653,600.00, from the Equipment Renewal and Replacement Fund and the General Fund. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & Contract Services]

2008 - 05 - 15 - 0386

8. An Ordinance accepting the bids from Freightliner of San Antonio, Ltd. and Grande Truck

Center to provide the City with brush trucks, trailers, and grapplers for a cost of \$3,074,064.00, from the Equipment Renewal and Replacement Fund, tax exempt lease-purchase financing, and the 2008 Mulch Delivery Fund. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & Contract Services]

2008-05-15-0387

9. An Ordinance accepting the offer from Siddons Fire Apparatus, Inc. to provide the Fire Department with five Pierce manufactured apparatuses for a cost of \$2,831,814.00, from the Equipment Renewal and Replacement Fund. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & Contract Services]

2008-05-15-0388

10. An Ordinance accepting the bid from Selrico Services, Inc. to provide the Parks and Recreation Department with summer food services for a cost of \$764,816.70, from the Texas Department of Agriculture Food Services Nutrition grant. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & Contract Services]

2008-05-15-0389

11. An Ordinance accepting the offer from Global Technology Systems, Inc., d/b/a Honeywell Batteries, for the purchase of Lithium Ion Polymer batteries, chargers and accessories on an annual contract basis for use by the Police, Fire and Information Technology Services Departments, for an estimated expenditure of \$1,045,140.00. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & Contract Services]

2008-05-15-0390

Capital Improvements

12. An Ordinance approving Change Order 2 in the amount of \$263,250.00 to the \$2,731,277.45 construction contract with Borco, L. P. for an alternate shoring system in connection with Project 10 – Volume 3 – Storm Water Outfall at San Antonio International Airport for a revised contract value of \$2,994,527.45. [Penny Postoak Ferguson, Assistant City Manager; Mark Webb, Director, Aviation]

2008-05-15-0391

13. An Ordinance approving three change orders with a combined value of \$84,327.22 to the \$41,189,089.72 construction contract with Archer Western Contractors, Ltd for installation of a temporary duct bank; installation of additional telecommunications cabling to meet FAA standards; and lighting equipment materials and installation at the Economy Parking Lot; all in connection with Project 6 – Roadways & Utilities at San Antonio International Airport for a revised contract value of \$41,273,416.94. [Penny Postoak Ferguson, Assistant City Manager; Mark Webb, Director, Aviation]

2008-05-15-0392

14. An Ordinance authorizing a \$119,028.00 amendment to the \$20,397,872.22 Professional Services Agreement with 3D/International to generate the phase and sequencing documentation for all relief cuts, cabling swings, cut-overs and temporary services in connection with the Roadway Project at San Antonio International Airport for a revised contract value of \$20,516,900.22. [Penny Postoak Ferguson, Assistant City Manager; Mark Webb, Director, Aviation]

2008-05-15-0393

15. An Ordinance accepting the low qualified bid of TCL Construction Enterprises, Inc. in the amount of \$74,529.08 to perform construction work in connection with the Copernicus Park

Parking Lot Expansion Project located in City Council District 2; authorizing the appropriation of \$100,000.00 from HUD 108 Funds to the project. [Frances A. Gonzalez, Assistant City Manager; Malcolm Matthews, Director, Parks and Recreation]

2008 - 05 - 15 - 0394

Grant Applications and Awards

16. An Ordinance authorizing the submission of the following grant applications and acceptance of funds, upon award, up to the amounts indicated relating to Federal Aviation Administration Airport Improvement Program grants for projects at the San Antonio International Airport; authorizing the execution of grant documents; and appropriating funds: [Penny Postoak Ferguson, Assistant City Manager; Mark Webb, Director, Aviation]

2008 - 05 - 15 - 0395

- A. \$5,000,000.00 for the continuation of the Residential Acoustical Treatment Program.
- B. \$6,046,653.00 for the Runway 3-21 Extension, Master Plan, Airfield Pavement Repairs, and Sky Place Drainage Improvements projects.
- C. \$2,919,177.00 for the Runway 3-21 Extension, Airfield Pavement Repairs, and Taxiway RC Extension – Phase 2 projects.

17. An Ordinance authorizing the acceptance of \$12,000.00 in additional grant funds from the Texas Education Agency (TEA) for the continuation of the English Literacy - Civics Education (EI/Civics) Project for the period from July 1, 2007 through June 30, 2008; authorizing the submission of a grant application, and acceptance upon award of a grant up to \$102,000.00 from the TEA for the continuation of the EI/Civics Project for the period from July 1, 2008 through June 30, 2009. [Frances A. Gonzalez, Assistant City Manager; Dennis J. Campa, Director, Community Initiatives]

2008 - 05 - 15 - 0398

18. An Ordinance authorizing the acceptance of a grant up to \$464,000.00 from Catholic Charities Archdiocese of San Antonio, Inc., the fiscal agent for a larger grant from the Annie E. Casey Foundation, for the Making Connections – San Antonio initiative and approving an agreement through December 31, 2010. [Frances A. Gonzalez, Assistant City Manager; Dennis J. Campa, Director, Community Initiatives]

2008 - 05 - 15 - 0399

19. An Ordinance authorizing the submission of a grant renewal application and acceptance of grant funds and 2007 carry-forward funding in a total amount not to exceed \$915,912.00 from the U.S Department of Health and Human Services, Health Resources & Services Administration, for the San Antonio Metropolitan Health District to continue the Healthy Start Initiative for the period June 1, 2008 to May 31, 2009; and authorizing the execution of any necessary documents. [Frances A. Gonzalez, Assistant City Manager; Dr. Fernando A. Guerra, Director, Health]

2008 - 05 - 15 - 0400

City Code Amendments

20. An Ordinance amending Chapter 35, Unified Development Code of the City Code of San Antonio, Texas by adopting procedures to define locational criteria for bail bond establishments as requested by Council Member Galvan, District 5. [T.C. Broadnax, Assistant City Manager; Roderick Sanchez, Director, Development Services]

2008-05-15-0401

21. An Ordinance amending Chapter 13 of the City Code of San Antonio, Texas, entitled "Food and Food Handlers", by providing for criminal penalties and publication. [Frances A. Gonzalez, Assistant City Manager; Dr. Fernando A. Guerra, Director, Health]

2008-05-15-0402

22. An Ordinance amending Chapter 14, Article V, of the City Code, entitled "Lot Clearance", to reflect changes regarding notification and appeal procedures for violations; and authorizing the City to clear alleyways at the cost of abutting property owners plus an administrative fee of \$150.00. [T.C. Broadnax, Assistant City Manager; David D. Garza, Director, Housing and Neighborhood Services]

2008-05-15-0403

Miscellaneous

23. An Ordinance approving an incentive package for AirTran Airways that includes \$100,000.00 for marketing cost reimbursements, airport landing fee waivers, and reimbursement of start-up costs not to exceed \$150,000.00 for four new flights to Atlanta, Georgia beginning June 11 through July 19, 2008. [Penny Postoak Ferguson, Assistant City Manager; Mark Webb, Director, Aviation]

2008-05-15-0404

24. An Ordinance approving an agreement with WellMed Charitable Foundation and the Leeza Gibbons Memory Foundation, Inc. for the provision of equipment, materials and caregiver services in support of the program Leeza's Place by WellMed @ The Bob Ross Senior Center through May 31, 2011. [Frances A. Gonzalez, Assistant City Manager; Dennis J. Campa, Director, Community Initiatives]

2008-05-15-0405

25. An Ordinance authorizing a section of Ashley Road to be renamed Acequia Road between Mission Road and Ashley Road and authorizing a section of Ashley Road to be renamed Mission Road between Mission Road and Villamain Street. [T.C. Broadnax, Assistant City Manager; Roderick Sanchez, Director, Development Services]

2008-05-15-0406

26. An Ordinance authorizing an Economic Development Program Grant Agreement between the City of San Antonio and the Texas Biological and Agro-Defense Consortium (TBAC) in the amount of \$100,000.00. [Pat DiGiovanni, Deputy City Manager; Robert Peche, Director, Economic Development]

2008-05-15-0407

27. An Ordinance approving a \$500,000.00 Funding Agreement with the George Gervin Youth Center, Inc. for the development of the George Gervin Fitness and Wellness Center located in District 2, a 2007 Park Bond Funded Project. [Frances A. Gonzalez, Assistant City Manager; Malcolm Matthews, Director, Parks and Recreation]

2008-05-15-0408

28. An Ordinance approving license agreements with the Highland Rockets Pop Warner

Football and Cheerleading Organization and the Southside Lions Little League for use of Southside Lions Park located in District 3, and the San Antonio Five Diamonds Little League for use of Stinson Park also located in District 3. [Frances A. Gonzalez, Assistant City Manager; Malcolm Matthews, Director, Parks and Recreation]

2008-05-15-0409

29. An Ordinance appointing an Interim City Internal Auditor for the City of San Antonio. [Leticia M. Vacek, City Clerk]

2008-05-15-0410

Boards, Commissions and Committee Appointments

30. Consideration of Board, Commission and Committee appointments, for terms of office commencing immediately upon appointment: [Leticia M. Vacek, City Clerk]
- A. Appointing Paula Gold-Williams to the San Antonio Energy Acquisition Public Facility Corporation Board of Directors for the remainder of an unexpired term of office to expire January 31, 2009, as requested by CPS Energy.
 - B. Appointing Nichole Guadiano (District 2) to the Commission for Children and Families for the remainder of an unexpired term of office to expire May 31, 2009.
 - C. Appointing Michael Wade Archer (District 9) to the City Commission on Veterans Affairs for the remainder of an unexpired term of office to expire May 31, 2009.
 - D. Appointing Miguel Aguilar (District 8) to the San Antonio Housing Trust Board for the remainder of an unexpired term of office to expire May 31, 2009.
 - E. Appointing Lydia Borrero (District 8) to the Parks and Recreation Board for the remainder of an unexpired term of office to expire May 31, 2009.

31. 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 various Municipal Court cases styled *State of Texas v. Scott Holden* and involving the premises located at 11150 Applewhite Road, San Antonio, Bexar County, Texas, pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- B. Deliberate the purchase, exchange, lease or value of real property and discuss legal issues related to tax increment financing pursuant to Texas Government Code Sections 551.071

(consultation with attorney) and 551.072 (real property).

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]

32. (District 1): A Resolution directing City staff to initiate a change in the zoning district boundary of property located at 157 Magnolia Drive for Historic Designation. [T.C. Broadnax, Assistant City Manager/Interim Director, Planning and Community Development]

2008-05-15-0025R

- Z-1. **ZONING CASE # Z2008113 CD (District 7):** An Ordinance changing the zoning district boundary from "R-20 NCD-3" Residential Single Family Ingram Hills Neighborhood Conservation District-3 to "C-2 NCD-3 CD" (CD-Auto Sales) Commercial Ingram Hills Neighborhood Conservation District-3 with a Conditional Use for Auto Sales on a 0.542 acre tract out of Block E, NCB 11538, 2259 Bandera Road as requested by Jerry Arredondo, Applicant for Carp, Vasile and Sabou, Ioan, Owners. Staff recommends Approval with conditions. Zoning Commission recommends denial.

continued

- Z-2. **ZONING CASE # Z2008127 CD (District 7):** An Ordinance changing the zoning district boundary from "R-4" Residential Single-Family District to "R-4 CD" (CD -Two-Family Dwelling) Residential Single Family District with a Conditional Use for a Two-Family Dwelling on Lot 12, Block 17, NCB 8388, 832 Zachry Drive as requested by Victor Cuellar Jr., Applicant for Victor Cuellar Jr., Owner. Staff and Zoning Commission recommend approval.

2008-05-15-0411

- Z-3. **ZONING CASE # Z2008085 CD S ERZD (District 9):** An Ordinance changing the zoning district boundary from "C-1 ERZD" Light Commercial Edwards Recharge Zone District to "C-2 CD S ERZD" [CD-Veterinary Hospital - Small Animals (No Outside Runs, Pens and Paddocks Permitted)] Commercial Edwards Recharge Zone District with a Conditional Use for a Veterinary Hospital - Small Animals (No Outside Runs, Pens and Paddocks Permitted) and a Specific Use Authorization for a Veterinary Hospital - Small Animals (No Outside Runs, Pens and Paddocks Permitted) within the Edwards Recharge Zone on 0.5869 acres out of Parcel 25B, NCB 18218 the west side of Stone Oak Parkway between U.S. Highway 281 and Bulverde Road, as requested by RAD Investments, Inc., Applicant for RAD Investments, Inc., Owner. Staff recommends approval. With the exception of no recommendation on the impervious cover limits, Zoning Commission recommends approval.

continued

- Z-4. **ZONING CASE # Z2008129 (District 10):** An Ordinance changing the zoning district boundary from "QD S" Quarry District with Specific Use Authorization for Blasting and Asphaltic Concrete to "C-2" Commercial District, on 3.229 acres out of NCB 34963, 5425 North Loop 1604 East as requested by Brown & Ortiz, P. C., Applicant for Yantis Corporation, Owner. Staff and Zoning Commission recommend approval.

2008-05-15-0412

Z-5. **ZONING CASE # Z2008133 S (District 10):** An Ordinance changing the zoning district boundary from "C-3" General Commercial District to "C-3 NA S" General Commercial District, Nonalcoholic Sales with a Specific Use Authorization for a Contractor's Facility on the south 183.63 feet of Lot 2, Block 1, NCB 16483, 9999 Perrin Beitel Road as requested by Billy Hill, Applicant for Roellen Gin Company, Inc., Owner. Staff and Zoning Commission recommend approval.

2008-05-15-0413

Z-6. **ZONING CASE # Z2008154 S (District 10):** An Ordinance changing the zoning district boundary from "I-1" General Industrial District to "I-1 S" General Industrial District with a Specific Use Authorization for a Correctional and Rehabilitation Facility on 4.0 acres out of NCB 16585, 17500 Block of Nacogdoches Road/ FM 2252, as requested by Bobby Perez, Applicant for J. Allen Family Partners, Ltd., Owner. Staff and Zoning Commission recommend approval.

continued

Z-7. **ZONING CASE # Z2008118 S (District 1):** An Ordinance changing the zoning district boundary from "H HE RM-4 RIO-4" Historic Exceptional Residential Mixed Historic District, River Improvement Overlay District-4 to "H HE R-4 S RIO-4" Historic Exceptional Residential Single-Family Historic District, River Improvement Overlay District-4 with a Specific Use Authorization to allow a Museum on Lots 1, 2, and 3, NCB 745, 401 King William as requested by Villa Finale, A National Trust Historic Site, Applicant for National Trust for Historic Preservation, Owner. Staff and Zoning Commission recommend approval.

2008-05-15-0414

Z-8. **ZONING CASE # Z2008103 (District 2):** An Ordinance changing the zoning district boundary from "R-6" Residential Single-Family District to "I-1" General Industrial District on Lots 11 and 12, Block 1, NCB 15732, 140 and 144 Remount Drive as requested by Benjamin G. Lopez, Applicant for Benjamin G. Lopez, Owner. Staff and Zoning Commission recommend approval.

continued

Z-9. **ZONING CASE # Z2008109 CD (District 3):** An Ordinance changing the zoning district boundary from "I-1" General Industrial District and "MF-33" Multi-Family District to "C-2NA" (CD-Auto and Light Truck Repair) Commercial District, Nonalcoholic Sales with a Conditional Use for Auto and Light Truck Repair on Lot 702, NCB 9484, 3110 Pleasanton Road as requested by Jose A. Alonzo, Applicant for Jose A. Alonzo, Owner. Staff and Zoning Commission recommend approval, with conditions.

2008-05-15-0415

P-1. **PLAN AMENDMENT # 08016 (District 4):** An Ordinance amending the land use plan in the United Southwest Communities Plan, a component of the Master Plan of the City, by changing the use of a 3.063 acre tract of land located along the south right-of-way of Ray Ellison approximately 300 ft. east of Loop 410 from Low Density Residential to Community Commercial land use. Staff and Planning Commission recommend Approval. (Associated Zoning Case Z2008106)

2008-05-15-0416

Z-10. **ZONING CASE # Z2008106 CD (District 4):** An Ordinance changing the zoning district boundary from "R-6" Residential Single-Family District to "C-2 CD" (CD- Mini-Warehouse - over 2.5 acres) Commercial District with a Conditional Use for a Mini-Warehouse - over 2.5 acres on Parcel 3, NCB 15228, Ray Ellison Boulevard, east of Southwest Loop 410 as requested by Salah E. Diab, Applicant for Milton Zaiontz, Owner. Staff and Zoning

Commission recommend approval, pending plan amendment.

2008-05-15-0417

Z-11. **ZONING CASE # Z2008138 (District 4):** An Ordinance changing the zoning district boundary from "I-1 MAOZ-1" General Industrial District, Military Airport Overlay Zone-1 and "C-3R MAOZ-1" Commercial District, Restrictive Alcohol Sales Military Airport Overlay Zone-1 to "C-3R MAOZ-1" Commercial District, Restrictive Alcohol Sales Military Airport Overlay Zone-1 on the west 25 feet of Lot 17, Lot 18, Lot 66, and Lot 67, Block 3, NCB 11257, 4028 Southwest Military Drive as requested by Chuck Christian, Applicant for Tom and Wendy Ford; Mesquite Holdings, LLC/Herman Ford, Owners. Staff and Zoning Commission recommend approval.

2008-05-15-0418

Z-12. **ZONING CASE # Z2008089 CD (District 5):** An Ordinance changing the zoning district boundary from "IDZ" Infill Development Zone with uses permitted in "R-4" Single-Family Residential District and "NC" Neighborhood Commercial District to "IDZ" Infill Development Zone with uses permitted in "C-2 CD" (CD-Theater-Outdoor including Drive-In and Amphitheatres) Commercial District with a Conditional Use for a Theater-Outdoor including Drive-In and Amphitheatres on Lot A4, NCB 2569, 132 East Cevallos as requested by Rick and Angela Martinez, Applicant for Patrick S. Shearer, Owner. Staff recommends Denial. Zoning Commission recommends approval with conditions.

2008-05-15-0419

Z-13. **ZONING CASE # Z2008130 (District 5):** An Ordinance changing the zoning district boundary from "H I-2 RIO-4" Heavy Industrial Historic District River Improvement Overlay District-4 to "H IDZ RIO-4" Infill Development Zone Historic District River Improvement Overlay District-4 with uses permitted in "MF-40" Multi-Family District and "C-2" General Commercial District with the following additional uses: bar, beer garden, microbrewery and hotel on a 22.39 acre tract of land out of Lot 17, NCB A-17, 600 Lone Star Boulevard as requested by B. Knightly Development & Construction, Applicant for Newell Commercial Property, L. P., Owner. Staff and Zoning Commission recommend approval.

2008-05-15-0420

Z-14. **ZONING CASE # Z2008136 CD (District 5):** An Ordinance changing the zoning district boundary from "R-4" Residential Single-Family District to "C-2NA CD" (CD-Auto Repair) Commercial, Nonalcoholic Sales District with a Conditional Use for Auto Repair on Lots 3, 4, 5 and 6, Block B, NCB 8651, 106 and 106-1 Alta Sita as requested by Adolph E. Guzman, Applicant for James L. Jackson, Owner. Staff and Zoning Commission recommend approval with conditions.

2008-05-15-0421

Z-15. **ZONING CASE # Z2008105 (District 6):** An Ordinance changing the zoning district boundary from "R-6" Residential Single-Family District to "C-2" Commercial District on Parcel 7 and Parcel 7A, NCB 18820, 9600 Block of Westover Hills Boulevard as requested by Westover Hills Development Partners, L. P., Applicant for Westover Hills Development Partners, L. P., Owner. Staff and Zoning Commission recommend approval.

2008-05-15-0422

5:15 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.*