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**Agenda**  
**City Council Meeting**  
**Municipal Plaza Building**  
**City Hall Complex**  
**103 S. Main Ave**  
**San Antonio, TX 78205**  
**August 21, 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
- 5:15PM:** 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 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](http://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. Erick Ritter, Pastor, St. Dominic Catholic Church. Guest of Councilmember Justin Rodriguez, District 7.
2. Pledge of Allegiance.
3. Approval of Minutes for the June 12, 2008 City Council meeting.
4. Swearing-in of Mayor Pro Tem Justin Rodriguez.

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

**CONSENT AGENDA**

**Purchase of Equipment, Supplies and Services**

5. An Ordinance accepting the bids of various companies to provide the City with various types of commodities and services on an annual contract basis for FY 2008 for a combined estimated cost of \$621,000.00, including: (A) Etnyre parts and service from Cooper Equipment Company; (B) fire hose from Municipal Emergency Services, Inc.; (C) bath tissue from Gulf Coast Paper Co., Inc.; and (D) access control system maintenance services at San Antonio International Airport from Matrix Systems, Inc. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & Contract Services]

**2008-08-21-0710**

6. An Ordinance accepting the offer from GT Distributors, Inc. to provide the Police Department with fifty Conductive Energy Devices and accessories for a cost of \$88,000.70, from the Asset & Seizure Fund. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & Contract Services]

**2008-08-21-0711**

**Capital Improvements**

7. An Ordinance authorizing a \$48,554.96 Change Order to the construction contract with Archer Western Contractors, Ltd. for pulling, terminating, testing and cut-over of communication and matrix security cables in connection with Project 6 – Roadways & Utilities and Project 10 – Volume 2 – Hydronic Lines Relocation at San Antonio International Airport, for a revised contract value of \$43,144,293.37 and revising the project budget. [Penny Post oak Ferguson, Assistant City Manager; Mark Webb, Director, Aviation]

**2008-08-21-0712**

8. An Ordinance authorizing a deductive Change Order in the amount of \$36,315.76 to the construction contract with Bartlett Cocke/Walbridge, J. V. for signage and deletion of an organic compound allowance in connection with Project 10 – Volume 7 - Garage

Foundations, Structure and Systems at San Antonio International Airport, for a revised contract value of \$44,650,702.05 and revising the project budget. [Penny Postoak Ferguson, Assistant City Manager; Mark Webb, Director, Aviation]

**2008-08-21-0713**

9. An Ordinance appropriating funds in the amount of \$386,731.88, for the Indefinite Delivery Contract for Capital Improvements Management Services Infrastructure Maintenance and Construction, in connection with the Houston, Commerce, and Dolorosa Street Modifications Project, located in Council District 1. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

**2008-08-21-0714**

10. An Ordinance approving Change Order No. 1 in the deductive amount of \$182,000.00 to the \$17,983,430.62 construction contract, with Texas Sterling Construction, Inc., and authorizing a \$52,020.00 amendment to the professional services agreement with Lockwood, Andrews, and Newnam, Inc. in connection with the Zarzamora Drainage #83 A Project, located in Council District 4, as authorized in the 2007-2012 Bond Program. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

**2008-08-21-0715**

11. An Ordinance awarding a construction contract in the amount of \$4,870,979.18 to V. K. Knowlton Construction and Utilities, in connection with the Ansley Phase I (Commercial Ave. to Moursund Blvd.) and Commercial Tributary Phase I (Six Mile Creek to Petaluma Blvd.) Project, of which \$565,312.33 will be reimbursed by San Antonio Water Systems and \$508,370.00, will be reimbursed by Bexar Metropolitan Water District, located in Council Districts 3 and 4, and appropriating funds. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

**2008-08-21-0716**

12. An Ordinance appropriating \$673,000.00 of City of San Antonio Certificates of Obligation - Series 2006 funds, to be used for expenses related to repaving of parking lots at 5 Police Department Substations. [Erik J. Walsh, Assistant City Manager; William McManus, Police Chief]

**2008-08-21-0717**

13. An Ordinance accepting the lowest responsive bid and awarding a construction contract to V.K. Knowlton Construction and Utilities in the amount of \$2,373,374.45, of which \$293,571.90 will be reimbursed by San Antonio Water System (SAWS) and \$122,336.00 will be reimbursed by City Public Service (CPS), for the reconstruction of Durango Blvd. from General McMullen Dr. to 34th Street, an authorized Housing and Urban Development (HUD) 108 Loan Program funded project located in Council District 6; and appropriating funds in the amount of \$2,760,995.36. [Sharon De La Garza, Assistant City Manager; Majed Al-Ghafry, Director, Public Works]

**2008-08-21-0718**

#### **Acquisition, Sale or Lease of Real Property**

14. An Ordinance consenting to the assignment of a concession lease at San Antonio International Airport Terminal 2 from Monterrey Products Company, Inc. to Texan Accent General Store, LLC. [Penny Postoak Ferguson, Assistant City Manager; Mark Webb, Director, Aviation]

**2008-08-21-0719**

15. An Ordinance authorizing an amendment to the lease with Avis Rent A Car System, LLC at San Antonio International Airport to add 43,406 square feet of ground space with associated annual rentals of \$23,873.30. [Penny Postoak Ferguson, Assistant City Manager; Mark Webb, Director, Aviation]

2008-08-21-0720

16. An Ordinance authorizing the City to enter into a reimbursement agreement with Medical Center Alliance authorizing the acquisition of fee simple title and/or easement interests to twenty four (24) parcels for the South Texas Medical Center Intersection Improvements Project; and declaring it a public project; declaring a public necessity for the acquisition of the privately owned real property located in the following NCBs: 17060, 12816, 13663, 17108, 11609, 16783, 13666, 13667, 17171, 16350, 17102, 17488 and 17253, Council District 8, by negotiation and/or condemnation, if necessary; and authorizing the City Attorney and/or designated special counsel to file Eminent Domain proceedings, if necessary, and appropriating funds. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2008-08-21-0721

17. An Ordinance authorizing a twenty-year lease agreement for the use of 1,151 square feet of River Walk patio space to New Rivercenter Mall II LP; and authorizing an amendment extending a licensing agreement for use of the Rivercenter lagoon island. [Pat DiGiovanni, Deputy City Manager; Paula X. Stallcup, Director, Downtown Operations]

2008-08-21-0722

#### Grant Applications and Awards

18. An Ordinance authorizing a grant application to the U.S. Department of Energy (DOE) Solar America Showcase for a two year technical services grant for up to \$200,000.00 for the development of large-scale, high-visibility solar installation projects and authorizing acceptance of the grant upon award. [Richard Varn, Chief Information Officer; W Laurence Doxsey, Director, Office of Environmental Policy]

2008-08-21-0723

19. An Ordinance authorizing the submission of a grant application and upon award, acceptance of funds not to exceed \$2,225,000.00 from the Office of National Drug Control Policy for a high intensity drug trafficking area grant establishing a personnel complement and budget which funds the San Antonio High Intensity Drug Trafficking Area Initiative. [Erik J. Walsh, Assistant City Manager; William McManus, Police Chief]

2008-08-21-0724

20. An Ordinance authorizing the submission of a joint grant application with Bexar County and the acceptance upon award, of up to \$122,880.00 to the City of San Antonio from the U.S. Department of Justice, Bureau of Justice Assistance, for the Welfare Strategic Alliance Program, addressing child sexual abuse and assault; and authorizing an interlocal agreement with Bexar County in connection with the grant. [Erik J. Walsh, Assistant City Manager; William McManus, Police Chief]

2008-08-21-0725

#### City Code Amendments

21. An Ordinance amending the City Code of the City of San Antonio, Part II, Chapter 2,

Division 2, entitled "Meetings", Section 2-35 regarding rules for addressing the City Council. [Leticia M. Vacek, City Clerk]

2008-08-21-0726

22. An Ordinance amending Chapter 19, Article VII of the City Code by adding Section 19-254 prohibiting the use of a hand-held mobile telephone to engage in a call or the use of a mobile communication device to send, read, or write a text message while operating a moving motor vehicle in an active reduced speed school zone where prohibited by sign, and providing for a fine of up to \$200.00 per violation. [Erik J. Walsh, Assistant City Manager; William McManus, Police Chief]

2008-08-21-0727

### Miscellaneous

23. An Ordinance approving the terms and conditions of a Memorandum of Understanding with Hotel Investments, L.P., FaulknerUSA, L.P., and TX Riverwalk Residences related to the Grand Hyatt San Antonio Convention Center Hotel and the Alteza Condominiums. [Penny Postoak Ferguson, Assistant City Manager; Michael J. Sawaya, Director, Convention, Sports and Entertainment Facilities]

2008-08-21-0728

24. An Ordinance authorizing application for reimbursement from the Texas Comptroller of Public Accounts for expenses incurred for the 2008 NCAA Men's Final Four Basketball Tournament totaling \$6.082 million and the remittance of \$973,000.00 to the Comptroller in accordance with state law. [Penny Postoak Ferguson, Assistant City Manager; Michael J. Sawaya, Director, Convention, Sports and Entertainment Facilities]

2008-08-21-0729

25. An Ordinance authorizing the ninth draw, Schedule I to the 2005 Tax-Exempt Master Equipment Lease/Purchase Agreement with Banc of America Public Capital Corp in the total amount of \$5,443,291.00 for the acquisition of (17) Automated Refuse Collection Trucks, (5) Brush Grapppler Trucks, & (10) Brush Collection Tractor/Trailers for the City's Solid Waste Management Department. [Pat DiGiovanni, Deputy City Manager; Ben Gorzell, Director, Finance]

2008-08-21-0730

26. An Ordinance authorizing the San Antonio Housing Finance Corporation to issue Tax Exempt Multifamily Housing Mortgage Revenue Bonds in an amount not to exceed \$15,000,000.00 to provide financing for the construction of the San Pedro Creek Apartments Project located in Council District 5; enacting other provisions incident and related to the subject and purpose of this Ordinance; and providing for an immediate effective date. [Frances A. Gonzalez, Assistant City Manager, Andrew Cameron, Director, Grants Monitoring and Administration]

2008-08-21-0731

### Boards, Commissions and Committee Appointments

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

A. An Ordinance appointing Albert G. Cisneros (District 5) to the Electrical Supervisory

Board for the remainder of an unexpired term of office to expire July 31, 2010, and waiving the categorical requirement of Layperson for this appointment.

**Tabled**

- B. Appointing Margo Elaine Layman to the San Antonio Metropolitan Health District Advisory Board (Category: Texas Nurses Association Representative) for the remainder of the unexpired term of office to expire December 31, 2010.

**28. 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. Deliberate the purchase, exchange, lease or value of real property and discuss related legal issues pursuant to Texas Government Code Sections 551.072 (real property) and 551.071 (consultation with attorney).
- B. Discuss legal issues related to vested rights 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. [T.C. Broadnax, Assistant City Manager; Roderick Sanchez, Director, Development Services]

**P-1. PLAN AMENDMENT # 08026 (District 5):** An Ordinance amending the land use plan in the Downtown Neighborhood Plan, a component of the Master Plan of the City, by changing the use of a 1.012 acre tract of land located at 1202 and 1228 W. Commerce Street from Residential to Mixed Use land use. Staff and Planning Commission recommends Approval. (Associated Zoning Case Z2008186)

**2008-08-21-0732**

**Z-1. ZONING CASE #Z2008186 S (District 5):** An Ordinance amending the Zoning District Boundary from "I-2" Heavy Industrial District to "IDZ S" Infill Development Zone with uses permitted in C-2 S Commercial District with a Specific Use Authorization for a Bail Bond Office on 1.012 acres out of NCB 191 located at 1202 and 1228 West Commerce. Staff and Zoning Commission recommend approval.

**continued**

**Z-2. ZONING CASE #Z2008178 CD S (District 6):** An Ordinance amending the Zoning District Boundary from "C-3R" General Commercial District, Restrictive Alcohol Sales to "C-3 CD S" General Commercial District with a Conditional Use for a Recycling Facility and a Specific Use Authorization for Storage- Outside (Screening from Public ROWS and adjacent property required) on Lots 28 and 29, NCB 8240 located at 263 and 267 Old US Highway 90 West. Staff and Zoning Commission recommend approval.

**2008-08-21-0733**

Z-3. **ZONING CASE # Z2008028 ERZD (District 8):** An Ordinance amending the Zoning District Boundary from "PUD R-6 ERZD" Planned Unit Development, Residential Single Family Edwards Recharge Zone District to "C-2 ERZD" Commercial Edwards Recharge Zone District on Parcel 127T, NCB 14865 located at 7280 UTSA Boulevard. Staff and Zoning Commission recommend approval.

2008-08-21-0734

Z-4. **ZONING CASE #Z2008208 CD (District 8):** An Ordinance amending the Zoning District Boundary from "C-2" Commercial District to "C-2 CD" (CD-Mini Warehouse) Commercial District with a Conditional Use for a Mini Warehouse exceeding 2.5 acres on 3.046 acres out of Lot 10, Block 1, NCB 16911 located at 6061 De Zavala Road. Staff and Zoning Commission recommend approval with conditions.

continued

Z-5. **ZONING CASE #Z2008210 (District 8):** An Ordinance amending the Zoning District Boundary from "C-1" Light Commercial District and "O-2" Office District to "C-2 NA" Commercial District, Nonalcoholic Sales on Lot 59, Block 3, NCB 11613 located at 2116 Babcock Road. Staff and Zoning Commission recommend approval.

2008-08-21-0735

Z-6. **ZONING CASE # Z2008164 S ERZD (District 9):** An Ordinance amending the Zoning District Boundary from "C-2 ERZD" Commercial Edwards Recharge Zone District to "C-2 S ERZD" Commercial Edwards Recharge Zone District with a Specific Use Authorization for a Hospital on 3.650 acres out of NCB 19221 located at 20400 Block of Huebner Road. Staff and Zoning Commission recommend approval.

continued

Z-7. **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

Z-8. **ZONING CASE #Z2008195 (District 1):** An Ordinance amending the Zoning District Boundary from "C-3NA" General Commercial District, Nonalcoholic Sales to "RM-4" Residential Mixed District on Lots 22, 23, and 24, Block 2, NCB 2077 located at 110 and 102 Cornell. Staff and Zoning Commission recommend approval.

2008-08-21-0736

Z-9. **ZONING CASE #Z2008198 (District 1):** An Ordinance amending the Zoning District Boundary from "R-4" Residential Single-Family District to "PUD R-4" Planned Unit Development, Residential Single-Family District on 1.067 acres out of NCB 773 and NCB 774 located at 602, 618, 620 and 652 West Euclid Avenue; 101, 103, 104 and 106 Macon Court and 515 West Elmira Street. Staff and Zoning Commission recommend approval.

continued

Z-10. **ZONING CASE #Z2008167 CD (District 2):** An Ordinance amending the Zoning District Boundary from "R-4" Residential Single-Family District to "C-2 NA CD" (CD-Motor Vehicle Sales) Commercial District, Nonalcoholic Sales with a Conditional Use for Motor Vehicle Sales on Lot B-6, NCB 10751 located at 2011 and 2015 Rigsby. Staff and Zoning Commission recommend approval with conditions.

2008-08-21-0737

Z-11. **ZONING CASE #Z2008189 (District 2):** An Ordinance amending the Zoning District Boundary from "R-5" Residential Single-Family District to "O-1" Office District on 0.2 acres out of Lot 19, NCB 10616 located at 4300 IH 10 East. Staff and Zoning Commission recommend approval.

2008-08-21-0738 2008-08-21-0738

Z-12. **ZONING CASE #Z2008190 (District 2):** An Ordinance amending the Zoning District Boundary from "R-5" Residential Single-Family District; "C-2" Commercial District and "C-3NA" General Commercial District, Nonalcoholic Sales to "C-2" Commercial District on Lots 1 through 5 and 11 through 16, Block 12, NCB 12918 located at 2711 Southeast Loop 410 and 2718 Hollyhill. Staff and Zoning Commission recommend approval.

2008-08-21-0739

Z-13. **ZONING CASE #Z2008201 CD (District 2):** An Ordinance amending the Zoning District Boundary from "C-2NA CD" Commercial District, Nonalcoholic Sales with a Conditional Use for Auto Repair to "C-2NA CD" Commercial District, Nonalcoholic Sales with a Conditional Use for a Welding Facility on Lot 1, Block 9, NCB 1509 located at 402 South New Braunfels. Staff and Zoning Commission recommend approval with conditions.

2008-08-21-0740

Z-14. **ZONING CASE #Z2008207 (District 2):** An Ordinance amending the Zoning District Boundary from "R-6" Residential Single-Family District to "PUD R-6" Planned Unit Development, Residential Single-Family District on 22.240 acres out of NCB 35132 located at 3099 Foster Meadows. Staff and Zoning Commission recommend approval.

2008-08-21-0741

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.*