

RECEIVED
CITY OF SAN ANTONIO
CITY CLERK

2009 FEB -2 AM 8: 50



OFFICIALLY POSTED ON THE
WEB:
2/2/2009 8:48 AM

Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
114 W. Commerce
San Antonio, TX 78205
February 5, 2009

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
- 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 Pastor Chris Emmitt, Community Bible Church. Guest of Councilmember Louis Rowe, District 9.
2. Pledge of Allegiance.
3. Approval of Minutes for the January 15, 2009 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 related to the 2009 State Legislative Program: [A.J. Rodriguez, Deputy City Manager; Erik J. Walsh, Assistant City Manager]
 - A. Briefing and possible action on legislation filed in the 81st Regular State Legislative Session.
 - B. Briefing and possible action on an amendment to the City's 2009 State Legislative Program regarding proposed amendments from the Fire and Police Pension Fund Board of Trustees.

2009-02-05-0076

CONSENT AGENDA

Purchase of Equipment, Supplies and Services

5. 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 \$903,000.00, including: (A) Air Kon Service, Inc. for maintenance of heating, ventilation & air conditioning systems for the Metropolitan Health District and Customer Service/311; (B) Reliance Truck & Equipment, Ltd. for E-Z Pack Recycling body parts and service; (C) Gen-Probe Sales & Service, Inc. for testing kits; (D) Hubb Systems, LLC d/b/a Data911 for self-contained ruggedized computers; and (E) Greater San Antonio Transportation Company for supplemental taxi services for seniors and citizens with non-emergency medical service needs. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

2009-02-05-0077

Capital Improvements

6. An Ordinance approving Change Order No.CIMS-10 in the amount of \$54,109.00 to the \$4,372,975.10 construction contract, as changed, with Texas Sterling, L.P. for additional

work for the Goliad Road-Pecan Valley to Military Phase I Project, located in Council District 3. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2009-02-05-0078

Acquisition, Sale or Lease of Real Property

7. Consideration of the following items in relation to concession agreements at San Antonio International Airport: [Penny Postoak Ferguson, Assistant City Manager; Michael J. Sawaya, Interim Director, Aviation]

A. An Ordinance authorizing a five-year retail concession agreement with International Duty Free Stores/UETA with minimum annual guaranteed rentals of \$290,000.00.

pulled

B. An Ordinance authorizing a five-year food and beverage concession agreement with Host International, Inc. with minimum annual guaranteed rentals of \$231,000.00.

pulled

8. An Ordinance consenting to the change in ownership of News & Gift Shops International LLC, an operator of eight stores at San Antonio International Airport, from PMG International Ltd. to HDS Retail North America LP. [Penny Postoak Ferguson, Assistant City Manager; Michael J. Sawaya, Interim Director, Aviation]

2009-02-05-0079

9. An Ordinance declaring as surplus and authorizing the sale of an approximately 0.06 acre tract of land out of Lot 42, Block 1, NCB 2444 near the intersection of Guadalupe and Brazos Streets, located in Council District 5, to John J. Gagliano for \$1,437.70. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2009-02-05-0080

10. An Ordinance authorizing a five-year lease renewal to Casa de Nuevo León for office space at 203 South St. Mary's Street, located in Council District 1, at an ~~initial~~ monthly rent of \$2,281.50. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2009-02-05-0081

11. Consideration of the following Ordinances for the current and future locations of Fire Station No. 27, both near the intersection of Hillcrest and Bandera in Council District 7: [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

A. An Ordinance declaring an approximately 5,978 square feet parcel out of the current Fire Station No. 27 property surplus to the City's needs and authorizing its sale for \$185,400.00 to TxDOT for street widening.

2009-02-05-0082

B. An Ordinance declaring a public necessity and authorizing the acquisition, by negotiation or condemnation for fair market value, of an approximately 3.13 acre parcel for a new Fire Station 27 located in NCB 8394.

2009-02-05-0083

Boards, Commissions and Committee Appointments

12. Consideration of Board, Commission and Committee appointments, to be effective immediately upon appointment following the receipt of eight affirmative votes: [Leticia M. Vacek, City Clerk]

A. Appointing Sara V. Samano (District 1) to the Animal Care Services Advisory Board for a term of office to expire February 4, 2011.

B. Appointing Clifford W. Whittingstall (District 10, Category: Architect) to the Building and Fire Code Board of Appeals for the remainder of an unexpired term of office to expire July 31, 2009.

Miscellaneous

13. An Ordinance declaring as surplus twelve buildings located at San Antonio International Airport and authorizing phased demolition of the buildings. [Penny Postoak Ferguson, Assistant City Manager; Michael J. Sawaya, Interim Director, Aviation]

2009-02-05-0084

14. Consideration of the following items to implement the City of San Antonio's Mission Verde Plan: [Richard Varn, Chief Information Officer; Laurence Doxsey, Director, Office of Environmental Policy]

A. An Ordinance authorizing an agreement with CPS Energy and Jeremy Rifkin Enterprises to provide economic policy consulting services for an amount up to \$131,400.00 as the City's contribution.

2009-02-05-0085

B. An Ordinance authorizing a professional services contract with the Council for Adult and Experiential Learning Inc., for an amount up to \$88,600.00, to develop a San Antonio Green Jobs Program.

2009-02-05-0086

15. Consideration of the following Ordinances relating to the City of San Antonio's solar energy programs: [Richard Varn, Chief Information Officer; Laurence Doxsey, Director, Office of Environmental Policy]

A. An Ordinance authorizing two agreements with Solar San Antonio, in an amount up to \$125,000.00, to support solar energy public outreach efforts and technical assistance for the Department of Energy's "Solar Cities" Program.

2009-02-05-0087

B. An Ordinance authorizing an agreement with the Metropolitan Partnership for Energy,

in an amount up to \$67,500.00, to provide technical assistance for the Department of Energy's "Solar Cities" Program.

2009-02-05-0088

16. An Ordinance authorizing revisions to the San Antonio Aquifer Management Plan to update drought restriction triggers consistent with the Edwards Aquifer Authority's critical period regulations. [Pat DiGiovanni, Deputy City Manager; Ben Gorzell, Director, Finance]

2009-02-05-0089

17. Consideration of the following Ordinances relating to the Camp Bullis Joint Land Use Study: [Pat DiGiovanni, Deputy City Manager; Robert Murdock, Director, Office of Military Affairs]

- A. An Ordinance authorizing an amendment to the grant application submitted to the Office of Economic Adjustment increasing the requested amount of grant funding by \$50,000.00.

2009-02-05-0090

- B. An Ordinance authorizing the First Amendment to the Professional Service Agreement with Matrix Design Group increasing the scope of work and authorizing an additional \$44,337.00.

2009-02-05-0091

18. An Ordinance approving an increase in general admission fees to the Witte Museum. [A.J. Rodriguez, Deputy City Manager; Xavier Urrutia, Director, Parks & Recreation]

2009-02-05-0092

19. An Ordinance authorizing the renaming of "South Smith Street" between the cross streets of Colima Street and Chihuahua Street to the new name of "Guadalupe Ybarra Street", as requested by Councilwoman Galvan, Council District 5. [T.C. Broadnax, Assistant City Manager; Roderick Sanchez, Director, Planning and Development Services]

Continued to February 19, 2009

20. City Manager's Report

A. Literacy Programs Update

B. Traffic Synchronization and Modernization (TSSM) Project Update

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 *Grethel Echartea v. City of San Antonio*, Cause No. SA-07-CA-0781-OG, 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]

Z-1. ZONING CASE # Z2009026 (District 6): An Ordinance amending the Zoning District Boundary from "R-6" Residential Single-Family District and "R-6 GC-2" Residential Single-Family Highway 151 Gateway Corridor Overlay District-2 to "C-3" General Commercial District and "C-3 GC-2" General Commercial Highway 151 Gateway Corridor Overlay District-2 on 0.3202 of an acre out of NCB 17640 located between State Highway 151 and Rogers Road. Staff and Zoning Commission recommend approval.

2009-02-05-0093

Z-2. ZONING CASE # Z2009003 (District 7): An Ordinance amending the Zoning District Boundary from "C-1 NCD-3" Light Commercial, Ingram Hills Neighborhood Conservation District-3 to "C-2NA NCD-3" Commercial Nonalcoholic Sales Ingram Hills Neighborhood Conservation District-3 on Lots 274, 275, 281 and 282, Block E, NCB 11551, save and except the part of said lots conveyed to the City of San Antonio in Volume 10700, Page 313, Real Property Records, Bexar County, Texas, located at 4530 Callaghan Road and 5922 Silvercrest Drive. Staff recommends denial. Zoning Commission recommends approval.

2009-02-05-0094

Z-3. ZONING CASE # Z2008147 ERZD (District 8): An Ordinance amending the Zoning District Boundary from "R-6 CD ERZD" Residential Single-Family Edwards Recharge Zone District with a Conditional Use for a Private High School to "O-1 ERZD" Office Edwards Recharge Zone District (1.6350 acres) and "O-2 ERZD" Office Edwards Recharge Zone District (11.9523 acres) on a 13.5873 acre tract of land out of NCB 17627 and NCB 18598 located at 4150 DeZavala Road. Staff and Zoning Commission recommend approval.

2009-02-05-0095

Z-4. 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.

2009-02-05-0096

Z-5. ZONING CASE # Z2008213 S ERZD (District 10): 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 to allow a Wireless Communication System on a 0.0367 acre tract of land out of CB 5014 located at 15943 Bulverde Rd. Staff and Zoning Commission recommend approval.

Continued to March 5, 2009

Z-6. ZONING CASE # Z2009028 S (District 2): An Ordinance changing the Zoning District Boundary from "I-2 EP-1" Heavy Industrial Event Parking Overlay District, "I-1 EP-1" General Industrial Event Parking Overlay District, "C-3 EP-1" General Commercial Event Parking Overlay District, "HS H IDZ" Historic Significant, Infill Development Zone Dignowity Hill Historic District, and "HS IDZ" Historic Significant, Infill Development Zone District to "AE-3 S EP-1" Arts and Entertainment, Event Parking Overlay District with a Specific Use Authorization for Truck Repair and Maintenance, "AE-3 S EP-1" Arts and

Entertainment, Event Parking Overlay District with a Specific Use Authorization for Warehousing, "HS H AE-3" Historic Significant, Arts and Entertainment Dignowity Hill Historic District, and "HS AE-3" Historic Significant, Arts and Entertainment District on P-10 and Lot 19, Block 2, NCB 10578; Lot 5, NCB 10233; Lots 1 thru 18, Block A, NCB 593; Lots 1 thru 18, Block 1, NCB 595 located at 3641 E. Houston Street, 403 Kraft Street, and 1617 and 1631 E. Commerce Street. Staff and Zoning Commission recommend approval.

2009-02-05-0097

Z-7. ZONING CASE # Z2009023 CD (District 5): An Ordinance amending the Zoning District Boundary from "I-1" General Industrial District to "C-2 CD" (CD-Auto Repair Facility) Commercial District with a Conditional Use for an Auto Repair Facility on 0.27 of an acre out of Lot 27 and Lot 28, Block A, NCB 2873 located at 730 Nogalitos Street. Staff and Zoning Commission recommend approval with conditions.

2009-02-05-0098

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.