



Int Ord. 101265
Int Res. 2005-34-34
Int Ord. 101323
Int Res. None

Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 Main Plaza
San Antonio, Texas 78205
August 25, 2005

The City Council shall hold its regular meetings in the council chamber in the Municipal Plaza Building within the City Hall Complex on Thursday of each week beginning at 9:00 a.m. After the meeting is convened, the City Council shall consider agenda items in the following order and no sooner than the designated times:

- 9:00AM:** Invocation and Approval of Minutes.
- 9:30AM:** Public Hearing – Juvenile Curfew Ordinance.
- 11:30AM:** Public Hearing & Consideration – Cenizo Park/Rosedale Park.
- 12:00PM:** Lunch Break
- 1:00PM:** Executive Session*
- 2:00PM:** Public Hearing and Consideration of Amendments to the Neighborhood, Community and Perimeter Plans as Components of the Master Plan and Zoning Cases
- 3:00 P.M.** FY 2006 Proposed Budget Work Session
- 5:00PM:** 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.*

***At 7:00 p.m., if the meeting is not yet adjourned, the presiding officer shall entertain a motion to recess the council meeting and reconvene at 9:00 a.m., or any other time designated by Council, on the following day. If no motion is made or if a motion is made and it fails, the meeting will continue until adjourned.*

DISABILITY ACCESS STATEMENT

This meeting is wheelchair accessible. The accessible entrance is located at 103 Main Plaza 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-TVS

Questions regarding this agenda notice should be directed to the City Agenda Coordinator at 207-7080.

The City Council of San Antonio will convene in Council Chambers, Municipal Plaza Building in a Regular Council Meeting at 9:00 A.M.

1. Invocation by Pastor Statt Riddlebarger from Pearsall Road Baptist Church, guest of Councilmember Richard Perez (District 4), and Pledge of Allegiance.
2. Approval of Minutes for the August 11, 2005 City Council Meeting.

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

ITEMS FOR INDIVIDUAL CONSIDERATION

3. **9:30AM TIME CERTAIN:** Public Hearing and consideration of the following: [Presented Albert A. Ortiz, Chief of Police; Christopher J. Brady, Assistant City Manager]

Agreed
A. Public hearing on the need to continue the Youth Curfew Ordinance, Ordinance No. 74025, as amended by Ordinance Nos. 76419, 79327, and 86567.

101268
B. An Ordinance approving the continuation of the Youth Curfew Ordinance, as adopted through Ordinance No. 74025, as amended by Ordinance Nos. 76419, 79327 and 86567.

4. **11:30AM TIME CERTAIN:** Public Hearing and consideration of an Ordinance making a finding, pursuant to the requirements of Texas Parks and Wildlife Code Chapter 26, that there is no feasible and prudent alternative to the change in use of approximately 4.7 acres located in the northeast corner of Rosedale Park in City Council District 5 from public park use to public school use and authorizing the negotiation and execution of a contract for the transfer of ownership the 4.7 acres to Edgewood Independent School District, in exchange for approximately 5.9 acres of adjacent school property located on Ruiz Street to be designated as park land. [Presented by Malcolm Matthews, Director, Parks and Recreation; Christopher J. Brady, Assistant City Manager]

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*Label
well*
An Ordinance amending Section 33-981 of the San Antonio City Code to provide for a taxicab fare fuel surcharge. [Presented Albert A. Ortiz, Chief of Police; Christopher J. Brady, Assistant City Manager]

6. An Ordinance accepting the low qualified bid of Yantis Company in the amount of \$7,175,737.00 to provide construction services for the Remain Over Night (RON) apron and relocation of the 301 Localizer Projects at San Antonio International Airport; authorizing construction contingencies in an amount not to exceed \$333,787.00 and authorizing the execution of a construction contract with Yantis Company; appropriating funds; revising the budget and providing for payment. [Presented by Roland A. Lozano, Interim Director, Aviation; J. Rolando Bono, City Manager]

7. An Ordinance accepting the low qualified bid of Jerdon Enterprise, L.P. in the amount of \$5,638,500.00 to provide construction services for the Project 3-Volume 2-utility Relocation for Terminal B Project at San Antonio International Airport; authorizing construction contingencies in an amount not to exceed \$281,925.00 and authorizing the execution of a construction contract with Jerdon Enterprise, L.P.; appropriating funds; revising the budget and providing for payment. [Presented by Roland A. Lozano, Interim Director, Aviation; J. Rolando Bono, City Manager]

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101269
8. An Ordinance authorizing the acceptance of an airport improvement grant in the amount of \$7,646,366.00 from the Federal Aviation Administration in support of the Residential Acoustical Treatment and Airside Apron & Utilities Programs at the San Antonio International Airport. [Presented by Roland A. Lozano, Interim Director, Aviation; J. Rolando Bono, City Manager]
 9. An Ordinance amending the final project and financing plans for the Tax Increment Reinvestment Zone Number Eleven, City of San Antonio, Texas known as the "Inner City TIRZ" to add seven projects submitted in response to a Request for Proposal. [Presented by David D. Garza, Director, Neighborhood Action; Jelynn LeBlanc Burley, Assistant City Manager]

CONSENT AGENDA

Items Concerning the Purchase of Equipment, Supplies and Services

- 101278
101271
101300
101272
101301
10. An Ordinance accepting the low bid submitted by San Antonio Brake and Clutch to provide the Environmental Services Department with four roll-off containers for a total cost of \$26,200.00, from the Texas Commission on Environmental Quality FY2005 Regional Solid Waste Pass-Through Grant. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]
 11. An Ordinance accepting the bid from Rush Truck Center, utilizing the Texas Buyboard contract, for item 1, for a total of \$70,986.00, and from Heil of Texas, utilizing the Houston Galveston Area Council of Governments (HGAC) contract, for item 2, for a total cost of \$85,806.50 to provide the Environmental Services Department with recycling trucks, from the Texas Commission on Environmental Quality FY2005 Regional Solid Waste Pass-Through Grant. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]
 12. An Ordinance accepting the single source bid from Andela Products, Ltd. to provide the Environmental Services Department with glass pulverizer parts and accessories for a total cost of \$82,546.00, from the Texas Commission on Environmental Quality FY2005 Regional Solid Waste Pass-Through Grant. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]
 13. An Ordinance accepting the low bid submitted by Getinge USA, Inc. to provide the Health Department with one steam sterilizer for a total cost of \$46,526.40, from the Public Health Preparedness Grant funds. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]
 14. An Ordinance accepting bids to provide various types of commodities and services on an annual contract basis for Fiscal Year 2005-2006 for a combined annual cost of approximately \$1,874,547.00 including: garbage disposal service for the City of San Antonio; ice and ice storage bins at various City facilities; lawn mowers, edgers and chain saw parts and service; Gravely lawn mowers, edgers, and chain saw parts and service; sprinkler assembly components and repair kits; Crouse-Hinds airfield lighting parts; medium duty GMC and Peterbilt truck parts and service; Amano parking revenue control system; Microsoft premier technical support and services; vehicle logo decals, letters and numbers for identification of City vehicles; contraceptives; internet and print management system; multi-function devices; auto & light truck drums and brake parts; fire and pumper vehicle body repair service; traffic light mounting assemblies; lawn maintenance for flood buy out properties; and plastic bags. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]

Capital Improvement Items

15. An Ordinance accepting a proposal, appropriates funds, and authorizing a professional services agreement in the amount of \$438,457 for professional engineering services payable to Lockwood, Andrews and Newnam, Inc. (d/b/a LAN), authorizing \$43,845 for project contingency, and \$33,761.14 for capital administrative costs, for a total amount of \$516,063.14, in connection with the Salado Creek Hike and Bike, Phase II project located in Council District 2, from Transportation Efficiency Act 21 (TEA 21) grant funds through the Texas Department of Transportation (TxDOT) and from Proposition 3 Linear Park Project funds. [Presented by Thomas Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

Items Concerning the Purchase, Sale or Lease of Real Property

16. An Ordinance authorizing the fee simple purchase of seventeen (17) properties located along Salado Creek and within Council Districts 2 and 10 that will add a total of 54.9009 acres of creekway linear park space for a total purchase price of \$228,100.00, under the Proposition Three Creekways Linear Parks Land Acquisition and Park Expansion Project; authorizing \$8,836.00 in closing costs, for a total appropriated amount of \$236,936.00; appropriating funds; and providing for payment. [Presented by Christopher J. Brady, Assistant City Manager; J. Rolando Bono, City Manager]

17. An Ordinance authorizing Proposition 3 Creekway Linear Parks Land Acquisition and Park Expansion Funds in the amount Of \$1,142,222.00 for the acquisition of fee simple title and easement interests and for other miscellaneous expenses in connection with thirty-two (32) parcels of real property located in Council Districts 2 and 6, and declaring the Proposition 3 Creekway Linear Parks Land Acquisition and Park Expansion Project (Project) to be a Public Project; Declaring a Public Necessity for the acquisition of the fee simple title interest to privately owned real property described below, by negotiations and/or condemnation, if necessary, for public improvements for use as a part of the project, all properties being in the City of San Antonio, Bexar County, Texas, for a Public Purpose; Establishing just compensation for the property; Appropriating funds for the acquisition of the properties and other miscellaneous expenses associated with the Project such as appraisals and attorney's fees; Authorizing the city attorney and/or designated special counsel to file eminent domain proceedings, if necessary; and Authorizing negotiations and acquisition of the following properties on the approved terms:

Lot	Block	NCB or County Block
	Gonafacio Rodriguez Survey No. 131 Tract A - 7.018 acre tract of land being the remaining portion of that 10.44 acre tract described in volume 3864, page 1431 of the real property records of Bexar County, Texas, "Exhibit D", said tract being in the Bonafacio Rodriguez Survey NO. 131, County Block 5078, Bexar County Texas	5078
	G. Rodriguez survey, No. 131, Tract A - 2.2.80 acre tract called 2.3075 acres re orded in volume 2449, page 1430 of the real property records of Bexar County, Texas, being a part of a 10.44 acre tract conveyed in volume 3864, page 1431 of the real property records of Bexar County, Texas, County Block 5078, G. Rodriguez survey, No. 131, Bexar County, Texas.	5078

	Guillermo Nunez Survey No. 151 & S.A. M.G.R.R., A 17.991 acre tract of land situation in the C.F. King Survey No. 15, abstract 395, the G. Nunez Survey No. 151 abstract 548 and the S.A. & M.G.R.R. Survey No. 152, abstract 719, Bexar County, Texas, and being all of a 17.507 acre tract of land as described in Volume 3364, page 182, Official Public Records of Real Property of Bexar County, Texas.	10573
17	23	10704
25	32	10713
7	34	10715
25 & 28	41	10722
1, 38, 39, 44, & 45	45	10726
20	4	10730
4	5	10731
	South irregular .130 of Tract A, Block 22 New City Blck 10732 an addition to the City of San Antonio, Bexar County, Texas, being known as 3640 Martin Luther King Dr.	10732
	Arb D .149 acres out of the East irregular 127.8 of Abr D (.611) Blk 22 New City Block 10732, Grandview Addition, an addition to the City of San Antonio, Bexar County, Texas according to the map or plat thereof, recorded in Volume 105, page 13, Deed and Plat Records of Bexar County, Texas	10732
	The west 50 ft of north irregular 404.7 ft of Tract D or Arb Tract- D1, Block 22, New City Block 10732, Grandview Addition, an addition to the City of San Antonio, Bexar County, Texas according to the map or plat thereof, recorded in Volume 105, page 13,	10732
	The west 6.9309 acres out of Tract 2, Kahn and Gray Subdivision, as recorded in Volume 105, page 227, Deed and Plat records of of Bexar County and being out of New City Block 10749, an addition to the City of San Antonio, Texas	10749
	Being 22.55 acres out of Tract 3 & 4, Kahn and Gray Subdivision, New City Block 10749, an addition to the City of San Antonio, Bexar County, Texas according to the map or plat thereof, recorded in Volume 105, Page 327, Deed and Plat Records of Bexar County	10749
	All that certain tract or parcel containing 1.04 acres of land in the City of San Antonio, Bexar County, Texas, New City Block 10770, being a portion of that certain tract called 11 acres being a portion of that certain 12.95 acre tract described in conveyance from John H. Covington to Henry F. Hein of record in Volume 2391, Page 295, Deed Records of Bexar County, Texas	10770
	8.76 Acres out of Maria Gertrudis De Alanis Survey Number 20, Abstract Number 22, New City Block 10770, in the City of San Antonio, Bexar County, Texas	10770
	Being 20.991 acres out of Maria G. De Alanis Survey Number 20, Abstract Number 22, New City Block 10832, in the City of San Antonio, Bexar County, Texas	10832

	Tract A - 4.654 acres, called 4.7213 acres in volume 5207, page 1407 of the official property records of Bexar County, Texas, said tract being in the Gonafacio Rodriguez survey no. 131, New County Block 12174, Bexar County, Texas.	12174
	Tract 9 - 1.690 acres, tract out of that original 104.83 acre tract recorded in volume 1803, page 593 of the deed records of Bexar County, Texas, said tract being in the Gonafacio Rodriguez survey no. 131, New County Block 12174, Bexar County, Texas.	12174
	Tract 10 - 0.733 acre tract, the remainder of a 1.232 acre tract recorded in volume 10933, page 2027 of the official property records of Bexar County, Texas, said tract being in the Gonafacio Rodriguez survey no. 131, New County Block 12175, Bexar County.	12175
	Tract A - 4.579 acre tract out of that original remainder 30.55 acre tract recorded recorded in volume 2867, page 84 of the deed records of Bexar County, Texas, said tract being in the Gonafacio Rodriguez survey No. 131, New County Block 12175, Bexar County, Texas.	12175
6	3	16513
	Being 81.714 acres, more or less, out of Elizabeth Plunkett Survey Number 72, Abstract Number 573, New City Block 18083, San Antonio, Bexar County, Texas	18083
	Tract A - 0.802 acre of land being a variable width drainage easement as shown in volume 9529, page 144, of the plat records of Bexar County, Texas.	
	Tract 6 - 5.888 acres being the remaining portion of an 8.61 acre tract described in volume 3864, page 1431 of the real property records of Bexar County, Texas, "Exhibit A" said tract being in the Gonagacio Rodriguez Survey No. 131, Bexar County, Texas.	
	Tract 7 - 0.853 acre tract, the remainder of a 1.3916 acre tract recorded in volume 4168, page 550 of the deed records of Bexar County, Texas.	

18. An Ordinance authorizing acceptance of interests in 12 parcels of real estate, the interests consisting of fee title, drainage easements, and temporary construction easements, each interest subject to a right of reentry in the grantor if a road construction contract is not timely awarded, all in connection with the Prue Road Extension—Prue to Huebner, an authorized Metropolitan Planning Organization project and a 1999 General Obligation Street Improvement Bond project located in Council District 8. [Presented by Thomas Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

19. An Ordinance authorizing funds in the amount of \$20,598.40 from General Obligations of the City payable to Bracewell & Giuliani, L.L.P., for legal services necessary to the real estate acquisitions for the following approved City projects: Bitters Road – West Avenue to Heimer MPO Project, located in Council District 9; Blanco Road & Jackson Keller Intersection MPO project, located in Council Districts 1 & 9; Cherry Street Drainage #15b Phase II Project, located in Council District 2; Culebra Drainage Project #58f Phase II Project, located in Council District 7; Escalon Street #1008 Drainage Project, located in Council District 3; Hi-Lions Drainage #80 Phases III & V, located in Council District 3; Houston Street – Walters To Onslow MPO Project, located in

Council District 2; Laddie Place Detention Pond Project, located in Council District 1; Octavia Drainage #63, Phase II, Part I Project, located in Council District 5; Pecan Valley – I.H. 10 To J Street MPO Project, located in Council District 2; Pleasanton Road – Southcross To Mayfield Project, located in Council District 3; San Antonio River Improvements Project, located in Council District 1; South Flores Drainage #70-70a Phase II-Part 3 Project, located in Council District 4; Western Avenue Drainage #74 IIIA Project, located in Council District 9; W. W. White-Rigsby To Lord Road Project, located in Council District 2; The Fay Phase I Community Development Block Grant (CDBG) Project, located in Council District 5; and revising the project budgets; appropriating funds; and providing for payment. [Presented by Thomas Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

20. An Ordinance authorizing 1999 General Obligation Street Improvement Bond Funds in the amount of \$81,470.00 and 2001 Certificates of Obligation in the amount of \$170,718.00 for a total amount of \$252,188.00 for the acquisition of fee simple title and/or easement interests in connection with the eight tracts of land described below; declaring the Stahl at O'Connor and Judson Project (the "Project"), a "Public Project" located in Council District 10; declaring a public necessity and public purpose for the acquisition of the fee simple title and/or easement interests to or in this privately owned real property by negotiation and/or condemnation, if necessary, for public improvements for use as a part of the Project; all property being in the City of San Antonio, Bexar County, Texas, authorizing the negotiation and establishing just compensation for the property; authorizing the acquisition of the property; appropriating funds for the acquisition and other miscellaneous expenses such as appraisals and attorney's fees; authorizing the City Attorney and/or special counsel to file eminent domain proceedings, if necessary; on the approved terms: [Presented by Thomas Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

ACREAGE	LOT(S)	BLOCK	NCB
0.077	4	B	15705
0.005	6	15	16425
0.017	8	15	16425
0.014	10	15	16425
0.014	11	15	16425
0.014	12	15	16425
0.060	40	1	17759
0.022	1	1	17787

21. An Ordinance authorizing payment in the amount of \$3,350.00 to Lawyers Title Of San Antonio as escrow agent for Rudy S. Benavides and wife, Gloria M. Benavides, for fee simple title to one parcel (\$2,500.00) and title fees (\$850.00), and authorizing payment in the amount of \$500.00 to James W. Ponton, LLC for appraisal services for a total amount of \$3,850.00 in connection with the Wingate/Oriental/Floyd Drainage #1050 Project, an authorized 1994 General Obligation Drainage Improvement Bond Funded Project, located in Council District 5; revising the budget; appropriating funds; and providing for payment. [Presented by Thomas Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

22. An Ordinance declaring a public necessity for the acquisition of fee simple title to one parcel of land being described as a 0.002 acre tract of land, or 92 square feet out of Lot 60, a State of Texas Tract A-72372 in the June Park Addition Subdivision, San Antonio, Bexar County, Texas, for a public purpose, namely the acquisition, improvement and maintenance of the Ansley Boulevard Drainage #1091 Project, located in Council District 4; and authorizing the City Attorney to file eminent domain proceedings; ratifying and affirming all prior acts and proceedings done or initiated by attorneys and employees of the City to acquire such property; authorizing all other lawful action necessary or incidental to such acquisitions or eminent domain proceedings. [Presented by Thomas Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

23. An Ordinance consenting to a sublease of approximately 1409 square feet of City owned property on the River Walk in City Council District 1 from Aztec on the River, Ltd. to Iron Cactus San Antonio Riverwalk Limited Partnership, Inc. [Presented by Malcolm Matthews, Director, Parks and Recreation; Christopher J. Brady, Assistant City Manager]

24. An Ordinance authorizing the renewal and extension of the lease agreement for the District 10 Constituent Office for the period of September 1, 2005 to August 31, 2007; with a rental rate of \$817 per month for the first year of the lease and \$857.85 per month for the second year of the lease, as requested by Councilman Chip Haass of Council District 10.

Miscellaneous Items

25. An Ordinance re-adopting the Self-Monitoring Standards for the After School Challenge Program and the Kid Quest Summer Recreation Program, as required to be done annually by state law, and authorizing staff to negotiate and execute interlocal agreements with public school districts for their participation in these programs. [Presented by Malcolm Matthews, Director, Parks and Recreation; Christopher J. Brady, Assistant City Manager]

26. An Ordinance authorizing the acceptance of a \$91,559.00 grant for the grant period of July 1, 2005 to June 30, 2006, from the Office of the Governor, Criminal Justice Division (CJD) for Project Educate, Assess, Serve and Empower (EASE) of the Victims Advocacy Section. [Presented Albert A. Ortiz, Chief of Police; Christopher J. Brady, Assistant City Manager]

27. An Ordinance authorizing the acceptance of a \$50,000.00 grant for the grant period September 1, 2005 to June 30, 2006, from the Office of the Governor, Criminal Justice Division (CJD) for the Crisis Assistance Team Administration (CATA) program of the Victims Advocacy Section. [Presented Albert A. Ortiz, Chief of Police; Christopher J. Brady, Assistant City Manager]

28. An Ordinance authorizing the allocation of \$1,674.15 to be paid from FY99 District 7 One Time Project Funds to the Animal Resource Center to provide for free spay/neutering services; as requested by Councilmember Elena K. Guajardo of Council District 7.

29. An Ordinance authorizing payment in the amount of \$171,906.91 to Gerry Rickhoff, County Clerk, for final judgment and interest in condemnation cause No. 99-ED-0029, City of San Antonio Vs. Artemio A. Alanis and Nancy K. Alanis, et al in connection with the Hildebrand Avenue – I.H. 10 to Breeden authorized Metropolitan Planning Organization Project, a 1996 Certificates of Obligation Project, located in Council District 1; appropriating funds and providing for payment. [Presented by Thomas Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

Approval of Temporary Street Closures and Traffic Control Procedures for Special Events

30. An Ordinance approving a parade permit and authorizing the temporary closure of portions of certain streets near the San Antonio Zoo in connection with the CTRC Run 4 Life to be held on Saturday, September 10, 2005 from 7:30 a.m. until 9:30 a.m., sponsored by the Cancer Therapy Research Center. [Presented by Roland A. Lozano, Assistant to the City Manager; J. Rolando Bono, City Manager]
31. An Ordinance approving a parade permit and authorizing the temporary closure of portions of certain streets near the west side of San Antonio in connection with the AGA 24th Annual Guadalupe Street Parade to be held on Saturday, September 10, 2005 from 9:00 a.m. until 2:30 p.m., sponsored by the Avenida Guadalupe Association, Inc. [Presented by Roland A. Lozano, Assistant to the City Manager; J. Rolando Bono, City Manager]
32. An Ordinance authorizing the temporary closure of certain streets adjacent to Travis Park in Council District 1 and restriction on use of parking meters around the Park from September 16, 2005 through September 19, 2005 so that the City of San Antonio and the San Antonio Parks Foundation may conduct the 22nd Annual Jazz'SAlive Festival in Travis Park. [Presented by Malcolm Matthews, Director, Parks and Recreation; Christopher J. Brady, Assistant City Manager]
33. An Ordinance approving the temporary street closure of Guadalupe Street between South Brazos Street and South San Jacinto Street in connection with the annual Guadalupe Street Parade and Calle Guadalupe Festival to be held from 9:00 a.m. on Saturday, September 10, 2005 to 6:00 a.m. on Sunday, September 11, 2005, sponsored by the Avenida Guadalupe Association, Inc. [Presented by Roland A. Lozano, Assistant to the City Manager; J. Rolando Bono, City Manager]
34. An Ordinance approving the temporary street closure of S. San Saba between Dolorosa and W. Commerce Street in connection with the KABB/KRRT Family Event-Treat Street 2005 to be held on October 29, 2005 from 8:00 a.m. to 10:00 p.m., sponsored by KABB/KRRT. [Presented by Roland A. Lozano, Assistant to the City Manager; J. Rolando Bono, City Manager]

Board, Commissions and Committee Appointments.

35. Consideration of the following Board Appointments: [Presented by Leticia M. Vacek, City Clerk]
- A. An Ordinance reappointing Eddie Masson (District 5) to the Disability Access Advisory Committee (Category: Consumer of Handicapped Services) for a term of office to expire on August 25, 2007.
- B. An Ordinance appointing Mary M. Dennis (District 2) and reappointing Crista Marichalar (District 10) to the Affirmative Action Advisory Committee for a term of office to expire on May 31, 2007.
- C. An Ordinance reappointing Gloria M. Malone (District 2) to the San Antonio Public Library Board of Trustees for a term of office to expire on August 25, 2007.
- D. An Ordinance reappointing Stephanie James (District 10) to the Housing Trust Fund Board of Trustees for a term of office to expire May 31, 2007.

101294
E. An Ordinance reappointing Joe C. Soules (District 10) to the Linear Creekway Parks Advisory Board for a term of office to expire May 31, 2007.

101295
F. An Ordinance reappointing Bobbie J. Menzel-Butts (District 10) to the Mayor's Commission on the Status of Women for a term of office to expire May 31, 2007.

101296
G. An Ordinance reappointing Roy R. Botello (District 5) to the Parks and Recreation Board for a term of office to expire May 31, 2007.

101297
H. An Ordinance reappointing Daniel Lopez (District 5) to the South Texas Business Fund Board (Category: Director) for a term of office to expire August 28, 2007.

101298
I. An Ordinance appointing Victor Salas (District 3) to the Historic and Design Review Commission (Category: Historic Preservation) for a term of office to expire August 28, 2007.

101299
J. An Ordinance reappointing Alex Garza (District 1) to the Plumbing Appeals and Advisory Board (Category: Layman/Consumer) for a term of office to expire August 25, 2007.

36. City Manager's Report

THE CITY COUNCIL WILL RECESS FOR LUNCH AT NOON AND RECONVENE AT 1 P.M. TO CONSIDER EXECUTIVE SESSION ITEMS AND ANY UNFINISHED COUNCIL BUSINESS:

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

- ✓ A. Deliberate the duties, appointment, and employment of the City Manager, pursuant to Texas Government Code Section 551.074 (personnel matters), and discuss related legal issues, pursuant to Texas Government Code Section 551.071. (consultation with attorney)
- B. Discuss legal issues related to *Reed S. Lehman Grain, Ltd, v City of San Antonio (CoSA)*, Cause No. 2004-CI-00238, 17461, 07714, and 05442, *Brooks Hardee Trustee, et. al. v CoSA*, Cause No. 2004-CI-05439 and 05440, *En Seguido, Ltd. v CoSA*, Cause No. 2005-CI-09689, *Schaefer, et. al. v CoSA*, Cause No. 2004-CI-07394, *VWC, Ltd. v CoSA, et.al*, Cause No. 2004-CI-03264, and *Lakeside Joint Venture, et. al. v CoSA*, Cause No. 2003-CI-05618, in the U.S. District Court, pursuant to Texas Government Code Section 551.071. (consultation with attorney)

2:00 P.M. Public Hearing and Consideration of the Following Amendments to the Neighborhood, Community and Perimeter Plans as Components of the Master Plan and Zoning Cases. [Land Use Plan Amendments presented by Emil R. Moncivais, Director, Planning; Jelynn LeBlanc Burley, Assistant City Manager]; [Zoning Cases presented by Florencio Peña, Director, Development Services; Christopher J. Brady, Assistant City Manager]

101304
P-1. **PLAN AMENDMENT CASE #05005 (District 3):** An Ordinance amending the land use plan contained in the City South (Southside Initiative) Community Plan, a component of the Master Plan of the City, by changing the use of a 479.9 acre tract of land located at 16196 and 16700 Highway 281 South at the Medina River from Agriculture and Rural Living land uses to Urban Living land use. Staff's recommendation is for approval for the property east of Highway

281 (approximately 188.8 acres at 16196 and 16700 Highway 281S) and denial for the property west of Highway 281 (approximately 291 acres at 16795 Highway 281S). Planning Commission's recommendation is for denial. (Council District 3) [Presented by Emil R. Moncivais, Director of Planning; Jelynne LeBlanc Burley, Assistant City Manager]

101306
Z-1. ZONING CASE #Z2005066 (District 3): An Ordinance changing the zoning district boundary from "FR" Farm and Ranch District and "RD" Rural Development District to "UD" Urban Development District on P-10, P-10B, P-10C, P-10D, and 16.4 acres out of P-10A and P-62, CB 4006, 16795, 16196, and 16700 Highway 281 South as requested by Manuel Gonzales, Applicant, for Day, McDaniel, and Fight for the Family of Texas Inc., Owner(s). Staff has recommended approval of east side and denial of west side of Hwy 281 and Zoning Commission has recommended approval of east side and denial of west side of Hwy 281.

Denial
P-2. PLAN AMENDMENT CASE #05010 (District 4): An Ordinance amending the land use plan contained in the South Central San Antonio Community Plan, a component of the Master Plan of the City, by changing the use of a 0.425 acre tract of land located at 106 Halsey Road from Low-Density Residential land use to General Commercial land use. Staff's recommendation is for denial. Planning Commission's recommendation is for denial. (Council District 4) [Presented by Emil R. Moncivais, Director of Planning; Jelynne LeBlanc Burley, Assistant City Manager]

Denial
Z-2. ZONING CASE #Z2005138 (District 4): An Ordinance changing the zoning district boundary on Lot 11, Block 4, NCB 8055, from "O-2" Office District to "C-3" General Commercial District, 106 Halsey, as requested by Tony Renteria, Applicant, for Tony Renteria, Owner(s). Staff has recommended denial and Zoning Commission has recommended denial.

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Z-3. ZONING CASE #Z2005130 (District 1): An Ordinance changing the zoning district boundary on 0.8462 acres out of Lot 1, Block 1, NCB 6637, to designate "HE" Historic Exceptional, 312 Pearl Parkway, as requested by City of San Antonio, Historic Preservation Officer, Applicant, for Rio Perla Properties, L. P., Owner(s). Staff has recommended approval and Zoning Commission has recommended approval.

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Z-4. ZONING CASE #Z2005131 (District 1): An Ordinance changing the zoning district boundary on the East 25 Feet of Lot 11, Lot 12, and the West 24.7 feet of Lot 13, NCB 6859, to designate "HS" Historic Significant, 339 and 349 West Josephine Street, as requested by City of San Antonio, Historic Preservation Officer, Applicant, for The Josephine Theatrical Company, Inc., Owner(s). Staff has recommended approval and Zoning Commission has recommended approval.

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Z-5. ZONING CASE #Z2005132 (District 1): An Ordinance changing the zoning district boundary on the East 33 feet of Lot 2, Block 2, NCB 214, to "HS" Historic Significant, 708 Marshall Street, as requested by City of San Antonio, Historic Preservation Officer, Applicant, for James Wuneburger, Owner(s). Staff has recommended approval and Zoning Commission has recommended approval.

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Z-6. ZONING CASE #Z2005162 (District 1): An Ordinance changing the zoning district boundary on Lot 9 and Lot 10, NCB 112, to "HS" Historic Significant, 211 Belvin Street, as requested by City of San Antonio, Historic Preservation Officer, Applicant, for Estate of Lester J. Reetz, Owner(s). Staff has recommended approval and Zoning Commission has recommended approval.

Z-7. **ZONING CASE #Z2005164 (District 1):** An Ordinance changing the zoning district boundary on 0.2348 acres out of NCB 14164, to "HS" Historic Significant, 312 Pearl Parkway as requested by City of San Antonio, Historic Preservation Officer, Applicant, for Rio Perla Properties, L.P., Owner(s). Staff has recommended approval and Zoning Commission has recommended approval.

Z-8. **ZONING CASE #Z2005133 (District 2):** An Ordinance changing the zoning district boundary on the West 77 feet of Lot 18, Block 109, NCB 1386, to "HS" Historic Significant, 701 Montana, as requested by City of San Antonio, Historic Preservation Officer, Applicant, for Winston & Bobbie Jane Butler, Owner(s). Staff has recommended approval and Zoning Commission has recommended approval.

Z-9. **ZONING CASE #Z2005161 (District 2):** An Ordinance changing the zoning district boundary on Lots 11 and 12, Block 14, NCB 610, to "HS" Historic Significant, 1029 Wyoming Street, as requested by City of San Antonio, Historic Preservation Officer, Applicant, for Clare Carrillo, Owner(s). Staff has recommended approval and Zoning Commission has recommended approval.

Z-10. **ZONING CASE #Z2005006 (District 4):** An Ordinance changing the zoning district boundary on 8.53 acres out of NCB 11186, from "I-1" General Industrial District to "RM-5" Residential Mixed District, the southeast side of Interstate Highway 35 South northwest of the Poteet Jourdanton Freeway (State Highway 16), as requested by Baptist University of the Americas, Applicant, for Barrett Brothers Interests, Owner(s). Staff has recommended approval and Zoning Commission has recommended approval.

Z-11. **ZONING CASE #Z2005113 CD (District 4):** An Ordinance changing the zoning district boundary on Lot 8, Block 13, NCB 15504, from "C-1" Commercial District to "C-2" (CD-Light Automotive Maintenance) Commercial District with a Conditional Use for Light Automotive Maintenance, 8209 Landing Avenue, as requested by Faili Enterprises, Inc., Applicant, for Faili Enterprises, Inc., Owner(s). Staff has recommended approval and Zoning Commission has recommended approval.

Z-12. **ZONING CASE #Z2005173 (District 4):** An Ordinance changing the zoning district boundary on 2 acres out of NCB 11067, from "R-4" Residential Single Family District to "O-1" Office District, 1100 Block of Poteet Jourdanton Freeway (State Highway 16), as requested by Elliott and Dusti Clemeace, Applicant, for Marcus Crassus Land Ltd., Owner(s). Staff has recommended approval and Zoning Commission has recommended approval.

Z-13. **ZONING CASE #Z2005163 (District 5):** An Ordinance changing the zoning district boundary on the North 112 feet of Lots 10, 11, and 12, Block 3, NCB 2353, to "HS" Historic Significant, 2004 Monterey Street, as requested by City of San Antonio, Historic Preservation Officer, Applicant, for Tony & Delia Diaz, Owner(s). Staff has recommended approval and Zoning Commission has recommended approval.

Z-14. **ZONING CASE #Z2004218 (District 6):** An Ordinance changing the zoning district boundary District on Lot P-5, Block 35, NCB 17875, Southwest corner of Cable Ranch Road and Waters Edge Drive, from "C-2NA" Commercial, Nonalcoholic Sales District to PUD "R-5" Planned Unit Development Residential Single-Family as requested by Earl & Associates, P. C., Applicant, for William E. Cooper, Inc., Owner(s). Staff has recommended approval and Zoning Commission has recommended approval.

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Z-15. **ZONING CASE #Z2005084-A (District 6):** An Ordinance changing the zoning district boundary District on P-16, NCB 34361, from “C-3” General Commercial District to “C-2” Commercial District, Northwest corner of the intersection of Potranco Road and West Loop 1604 North, as requested by City of San Antonio, Applicant, for Madison Realty & Development Corporation, Owner(s). Staff has recommended approval and Zoning Commission has recommended approval.

Z-16. **ZONING CASE #Z2005174 (District 6):** An Ordinance changing the zoning district boundary on Lot 26, Block 2, NCB 34400B, from “R-6” Residential Single-Family District to “C-2NA” Commercial Non-Alcoholic Sales District, the Northeast corner of the intersection of West Loop 1604 North and Kilmamoch Lane, as requested by John L. Santikos, Applicant, for John L. Santikos, Owner(s). Staff has recommended approval and Zoning Commission has recommended approval.

Z-17. **ZONING CASE #Z2005176 (District 6):** An Ordinance changing the zoning district boundary on P-15, NCB 34361, from “R-6” Residential Single-Family District to “C-2” Commercial District, North of the intersection of Potranco Road and West Loop 1604 North, as requested by Madison Realty & Development Corporation, Applicant, for Sally H. Eckhoff, Owner(s). Staff has recommended approval and Zoning Commission has recommended approval.

Z-18. **ZONING CASE #Z2005178 (District 6):** An Ordinance changing the zoning district boundary on P-15, NCB 34392, from “R-6” Residential Single-Family District to “C-2NA” Commercial Non-Alcoholic Sales District, as requested by Psencik Family Partners, Inc., Applicant, for Psencik Family Partners, Inc., Owner(s). Staff has recommended approval and Zoning Commission has recommended approval.

Z-19. **ZONING CASE #Z2005168 (District 8):** An Ordinance changing the zoning district boundary on 28.3 acres out of NCB 13663 (Tract 2D), from “R-5” Residential Single-Family District to “C-3NA” General Commercial, Non-alcoholic Sales District, 8000 Block of Wurzbach Road, as requested by San Antonio Medical Foundation, Applicant, for San Antonio Medical Foundation, Owner(s). Staff has recommended approval and Zoning Commission has recommended approval.

Z-20. **ZONING CASE #Z2005109 (District 9):** An Ordinance changing the zoning district boundary on Lots 4, 5, and 6, NCB 11886, from “R-5” Residential Single-Family District to PUD “R-5” Planned Unit Development Residential Single-Family District, 321, 329 and 339 East Sunset Road, as requested by Regent Communities Partners, L. P., Applicant, for Paula Moore, John Eiler, Hart Interests, L. P. and Douglas Hart, Owner(s). Staff has recommended approval and Zoning Commission has recommended approval.

Z-21. **ZONING CASE #Z2005154 (District 9):** An Ordinance changing the zoning district boundary on 14.68 acres out of NCB 19219, from “C-2” ERZD Commercial Edwards Recharge Zone District to “R-6” ERZD Residential Single-Family Edwards Recharge Zone District, 1500 Block of Evans Road, as requested by KB Home Lone Star LP, a Texas Limited Partnership by KBSA, Inc., its General Partner, Applicant, for Oak Stone (San Antonio) PPI III Limited Liability Limited Partnership, A George Limited Liability Partnership, Owner(s). Staff has recommended approval and Zoning Commission has recommended approval.

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Z-22. **ZONING CASE #Z2005166 S (District 9):** An Ordinance changing the zoning district boundary on Lot 5, Block 51, NCB 19221, from "C-2" ERZD Commercial Edwards Recharge Zone District and "C-3" ERZD General Commercial Edwards Recharge Zone District to "C-2 ERZD S" Commercial Edwards Recharge Zone District with Special Use Permit for a Medical Laboratory and "C-3 ERZD S" General Commercial Edwards Recharge Zone District with Specific Use Permit for a Medical Laboratory, 607 East Sonterra Boulevard, as requested by Concord Corporation, Applicant, for Concord Corporation, Owner(s). Staff has recommended approval and Zoning Commission has recommended

37. 3:00 P.M. – FY 2006 Proposed Budget Work Session:

- Health & Human Services
- Parks and Youth Development ✓

38. 5:00 P.M. – Ceremonial Recognitions. ✓

39. 6:00 P.M. – Citizens to be Heard. ✓

ADJOURN

7:00 P.M. – If Council has not yet adjourned, the presiding officer shall entertain a motion to recess the council meeting and reconvene at 9:00 a.m., or any other time designated by Council, on the following day. If no motion is made or if a motion is made and it fails, the meeting will continue until adjourned.