



First Ord. 98428
First Resolution 2003-41-35
Last Ord. 98478
Last Res. None
RECEIVED
CITY CLERK
SAN ANTONIO
SIDC - SIDC-1320003-13

**Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 Main Plaza
San Antonio, Texas 78205
November 13, 2003**

At any time during the "B" Session or 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).

I. The City Council will convene for a "B" Session in the B Room of the Municipal Plaza Building at 10:00 A.M. for the following:

Staff briefing to provide information regarding interior improvements to the Alamodome, long-term capital improvements and outlining short-term solutions for the lease of an in-fill turf system. [Presented by Michael Abington, Director, Alamodome; Roland A. Lozano, Assistant to the City Manager]

II. The City Council will convene in Council Chambers, Municipal Plaza Building in a Regular Council Meeting at 1:00 P.M.

1. Invocation by Pastor Lasalle R. Vaughn, New Life Christian Center, and Pledge of Allegiance.

2. Ceremonial Items.

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-TVSA.

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

THE FOLLOWING ITEMS WILL BE CONSIDERED AT THE TIMES INDICATED:

3. 2:00 P.M. – Public Hearing and Consideration of the following Zoning Cases: [Presented by Florencio Pena, Director, Development Services; Christopher J. Brady, Assistant City Manager]

9 8 4 5 4
A. ZONING CASE NUMBER Z2003133: The request of H.E.B. Grocery Company, L.P., Applicant, for H.E.B. Grocery Company, L. P., Owner(s), for a change in zoning from "R-4" Residential Single-Family District to "C-2" Commercial District on Lots 5 through 7, Block 73, NCB 2768, 1640, 1642 and 1644 West Hollywood Avenue. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 1)

Denied
B. ZONING CASE NUMBER Z2003168: The request of Marion W. Cain, Applicant, for Marion W. Cain, Owner(s), for a change in zoning from "MF-33" Multi-Family District to "O-1" Office District on Lots 5 and 6, Block 5, NCB 1727, 119 East Dewey Place. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 1)

9 8 4 5 5
C. ZONING CASE NUMBER Z2003169: The request of Hixon Properties Incorporated, Attn: William G. Shown, Applicant, for Hixon Properties Incorporated, Attn: William G. Shown, Owner(s), for a change in zoning from "I-1" General Industrial District to "C-2" Commercial District on Lots 1 and 2, NCB 13423, 303 S. Santa Rosa. Staff's recommendation was for denial. Zoning Commission has recommended approval. (Council District 1)

9 8 4 5 6
D. ZONING CASE NUMBER Z2003187 : The request of City of San Antonio, Historic Preservation Officer, Applicant, for Viola Werner, Owner(s), for a change in zoning to designate Historic Significance on Lots 1, 2 and the west 5.3 feet of Lot 3, Block 1, NCB 129, 833 West Cypress Street. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 1)

9 8 4 5 7
E. ZONING CASE NUMBER Z2003177: The request of Kirby Investments, Applicant, for Kirby Investments, Owner(s), for a change in zoning from "C-3 NA" General Commercial District, Nonalcoholic Sales and "I-1" General Industrial District to "C-3" General Commercial District on Lot 13, Block 1, NCB 10599, at the intersection of northeast Loop 410 access road and Wehman Drive. Staff's recommendation was for approval. Zoning Commission has recommended approval of "C-3 NA" General Commercial District, Nonalcoholic Sales on the west approximately 133 feet of Lot 13 zoned "I-1" General Industrial District. (Council District 2)

9 8 4 5 8
F. ZONING CASE NUMBER Z2003181: The request of Earl & Brown, P. C., Applicant, for R. J. Gilbert; Contact: James Woo, Attorney for Seller, Owner(s), for a change in zoning from "R-6" Residential Single Family District to "MF-25" Multi-Family District on 12.804 acres out of Block 13, NCB 15780, approximately 365 feet south of Eisenhower Road between Ray Bon Drive and Midcrown Drive. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 2)

98459

G. ZONING CASE NUMBER Z2003195: The request of Fidencio R. Salazar and Olga Hernandez Salazar, Applicant, for Fidencio R. Salazar, Owner(s), for a change in zoning from "MF-33" Multi-Family District to "C-1" Light Commercial District on Lot 8, Block 13, NCB 1695, 2230 North Pan Am Expressway. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 2)

98460

H. ZONING CASE NUMBER Z2003103: The request of Jim Burke, Burke Properties, Applicant, for Burke Properties, Ltd., Owner(s), for a change in zoning from "MH" Manufactured Housing District to "C-2" Commercial District on 43.2 acres out NCB 10979, 3143 Military Drive. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 3)

Continued
12/4/03

I. ZONING CASE NUMBER Z2003155: The request of Southton Ranch, Ltd., Applicant, for Southton Ranch, Ltd., Owner(s), for a change in zoning from "NP-10" Neighborhood Preservation District to "MF-25" Multi-Family District (20.647 acres) and "R-5" Residential Single-Family District (96.224 acres) on a 116.871 acre tract of land out of NCB 16624, 13334 Southton Road. Staff's recommendation was for denial. Zoning Commission has recommended approval. (Council District 3)

98461

J. ZONING CASE NUMBER Z2003188: The request of George Atallah, Applicant, for George Atallah, Owner(s), for a change in zoning from "R-6" Residential Single-Family District to "MF-25" Multi-Family District on P175 & P175A, NCB 18083, intersection of Border Brook and Timberhill Drive. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 6)

98462

K. ZONING CASE NUMBER Z2003182 C: The request of Kaufman & Associates, Inc., Applicant, for Cheryl Drive Warehouse Associates, Owner(s), for a change in zoning from "C-3NA C" General Commercial District Nonalcoholic Sales with a conditional use for electronic fabrication and storage to "C-3NA C" General Commercial District Nonalcoholic Sales with a conditional use for a warehouse on Lot 87, Block B, NCB 11508, 1067 Bandera Road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 7)

Continued
12/4/03

L. ZONING CASE NUMBER Z2003198: The request of Sadruddin Sarfani, Applicant, for Sadruddin Sarfani, Owner(s), for a change in zoning from "R-5" Residential Single-Family District to "C-2" Commercial District on Lot 12, Block 1, NCB 9645, 3535 Culebra Road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 7)

98463

M. ZONING CASE NUMBER Z2003178: The request of Whataburger, Inc., Applicant, for Whataburger, Inc., Owner(s), for a change in zoning from "I-1 ERZD" General Industrial Edwards Recharge Zone District to "C-3R ERZD" General Commercial, Restrictive Alcoholic Sales Edwards Recharge Zone District on Lot 1, Block 2, NCB 19189, 5403 De Zavala. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 8)

98464

N. ZONING CASE NUMBER Z2003179: The request of Earl & Brown, P. C., Applicant, for Kwok Min Lim, Successor Trustee of the Lim Family Trust, Owner(s), for a change in zoning from "C-2 GC-1" Commercial Gateway Corridor District to "C-3 GC-1" General Commercial Gateway Corridor District on 3.257 acres of land out of Tracts 1C, 130 & 131, NCB 14746, 14610 IH 10 West. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 8)

Continued to 12/4/03

O. ZONING CASE NUMBER Z2003197: The request of Vincent X. Smith Jr., Applicant, for John Portillo/Enrique Hernandez, Owner(s), for a change in zoning from "C-3 R" General Commercial District, Restrictive Alcoholic Sales to "MF-25" Multi-Family District on 2.102 acres out of NCB 14701, on the southwest side of Oakland Road near Huebner Road. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 8)

98465

P. ZONING CASE NUMBER Z2003149: The request of Inwood Heights Holding, Ltd., Applicant, for Inwood Heights Holding, Ltd., Owner(s), for a change in zoning from "R-6 PUD ERZD" Planned Unit Development Residential Single-Family Edwards Recharge Zone District to "C-2 NA ERZD" Commercial Non-Alcoholic Sales Edwards Recharge Zone District on 4.43 acres out of Lots 51, 52, 53, 54, 55, 56 and 65, Block 6, NCB 18346, P-1A, NCB 17858, and P-1C, NCB 17857, 16000 Block of Huebner. Staff's recommendation was for denial. Zoning Commission has recommended approval. (Council District 9)

Denied

Q. ZONING CASE NUMBER Z2003183 : The request of City of San Antonio, Applicant, for A. R. Perez, Realty, Owner(s), for a change in zoning to designate Historic Significance on Lot 14, Block 2, NCB 6228, 111 Davis Court. Staff's recommendation was for approval. Zoning Commission has recommended denial. (Council District 9)

98466

R. ZONING CASE NUMBER Z2003184 : The request of City of San Antonio , Applicant, for A. R. Perez, Realty, Owner(s), for a change in zoning to designate Historic Significance on Lot 13, Block 2, NCB 6228, 115 Davis Court. Staff's recommendation was for approval. Zoning Commission has recommended approval. (Council District 9)

98468

- 4. 5:00 P.M. – Citizens to Be Heard.
- 5. 5:30 P.M. – Public hearing and consideration of an ordinance approving the terms of a collective bargaining agreement between the City of San Antonio and the San Antonio Police Officer's Association for a period through September 30, 2006. [Presented by Erik J. Walsh, Assistant to the City Manager; Terry M. Brechtel, City Manager]
- 6. 6:00 P.M. – Second Public Hearing on the Annexation Plan for thirteen (13) areas. [Presented by Emil R. Moncivais, Director, Planning; Jelynn LeBlanc Burley, Assistant City Manager]

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

CONSENT AGENDA

Items Concerning the Purchase of Equipment, Supplies and Services

- 9 8 4 4 5
7. An Ordinance authorizing a contract with Dupont Qualicon to provide the City of San Antonio Metropolitan Health District with an automated foodborne bacteria analyzer for a total cost of \$25,000.00 as required by a contract with the Texas Department of Health for the Laboratory Bioterrorism Preparedness Program. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]
- 9 8 4 4 6
8. An Ordinance accepting the offer from Office Communications Systems, utilizing a Texas Building and Procurement Commission contract, to provide the City of San Antonio Metropolitan Health District with three digital duplicator printers and three one-year maintenance agreements for a total cost of \$27,717.45. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]
- 9 8 4 4 7
9. An Ordinance accepting the low qualified bids submitted by Kinlock Equipment & Supply, item 1; Romco Equipment Co., items 2, 7, 8; Holt Cat, item 3; Equipment Depot, item 4; Quality Equipment Co., items 5A-5D; AlamoAg-Con Equipment Inc., item 6; and Norstar Industries Inc., item 9 to provide the City of San Antonio Aviation and Public Works Departments with heavy equipment for a total amount of \$1,594,899.98. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]
- 9 8 4 4 8
10. An Ordinance accepting the bids of various companies to provide the City of San Antonio with various types of commodities and services on an annual contract basis for Fiscal Year 2003-2004 for an estimated combined annual cost of \$142,930.00 to include contracts for maintenance & repair of auxiliary generators, paper products & janitorial supplies, 800MZ subscriber unit accessories, and pet food. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Erik J. Walsh, Assistant to the City Manager]

Capital Improvement Items

- 9 8 4 4 8
11. An Ordinance selecting the proposals of Environmental/Occupational Solutions, Qualtech Environmental Services, AEHS, Inc., and TLI & Environmental Services (MBE) to provide on-call environmental consulting services in connection with the City of San Antonio's Lead Based Paint Program for a two-year period and one (1) two-year renewal option; authorizing the negotiation and execution of four (4) Community Development Block Grant (CDBG) funded professional services contracts in an amount not to exceed \$150,000.00 each; appropriating funds; revising the project budget; and providing for payment. [Presented by David D. Garza, Director, Neighborhood Action; Jelyne LeBlanc Burley, Assistant City Manager]

98429
12. An Ordinance establishing a budget and appropriating \$500,000.00 in the Airport Capital Improvement Fund to facilitate Airport Improvements previously charged to the Airport Operating Fund, and to be accomplished through City personnel. [Presented by Kevin Dolliole, Director, Aviation; J. Rolando Bono, Deputy City Manager]

98430
13. An Ordinance accepting the low, qualified responsive bid in the amount of \$592,000.00 from 3TI, Inc. (MBE/SBE) in connection with the Police Armory and Bullet Trap Replacement Project at the Police Training Academy, located at 12200 S.E. Loop 410 in Council District 3; authorizing \$29,600.00 for construction contingency expenses; for a total amount of \$621,600.00 from Certificates of Obligation; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

98449
14. An Ordinance amending the professional services contract and authorizing additional funds in the amount of \$114,628.00 payable to Pape-Dawson Engineers, Inc. for professional engineering services in connection with the Woodlawn – Bandera to Maiden Project, located in Council District 7; authorizing \$22,925.00 for additional design contingency expenses; for an overall total of \$137,553.00 from Certificates of Obligation; revising the project budget; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

8450
15. An Ordinance amending the professional services contract and Community Development Block Grant (CDBG) funds in an amount not to exceed \$7,860.00 payable to Slay Engineering Co., Inc. (SBE) for engineering services in connection with the Huron – Fitch to Southcross Community Development Block Grant (CDBG) Project, located in Council District 4; authorizing \$1,000.00 for additional design contingency expenses; for an overall total of \$8,860.00; revising the project budget; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

98451
16. An Ordinance amending a professional services contract and authorizing additional funds from 1994 Drainage Improvement Bonds in the amount of \$64,935.00 payable to HDR Engineering, Inc. for engineering expenses in connection with the James Park Development and Holbrook Road Improvements Project, located in Council District 2; revising the project budget; appropriating funds; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

Items Concerning the Purchase, Sale or Lease of Real Property

98491
17. An Ordinance authorizing 1994 G.O. Drainage Bond funds in the amount of \$7,500.00 for the right of entry to 15 privately owned properties in connection with the W. W. White Phase I – Rigsby to Ford Project, located in Council District 2; appropriating funds for Right of Entry Agreements; revising the project budget; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

98432 18. An Ordinance authorizing the execution of a License Agreement and Memorandum of License Agreement granting San Antonio Resort Limited Partners, L.P., the right to use 0.1226 of an acre (5,29 square feet) of Public Right of Way under and across W. Military Drive located between Hunt Lane and Rogers Road for the construction of a golf cart tunnel adjacent to NCBs 17642 and 17673, for a ten (10) year term and a License Fee of \$5,000.00. [Presented by Rebecca Waldman, Director, Asset Management; Erik J. Walsh, Assistant to the City Manager]

98433 19. An Ordinance authorizing the execution of a License Agreement and Memorandum of License Agreement granting Mack-Cali Texas Property, L.P., the right to use surface and subsurface portions of Soledad Street Public Right of Way to maintain and operate six (6) existing landscape planters, four (4) existing flag poles and an existing sidewalk elevator in the subsurface of Soledad Street located at the Riverview Towers, 111 Soledad Street, adjacent to NCB 909, for a ten (10) year term, and a License Fee of \$5,000.00; and providing for the assignment of the License Agreement to a buyer of the adjacent property within one (1) calendar year of the effective date of the License Agreement, with thirty (30) days' prior written notice to the City. [Presented by Rebecca Waldman, Director, Asset Management; Erik J. Walsh, Assistant to the City Manager]

98434 20. An Ordinance authorizing the execution of a License Agreement and Memorandum of License Agreement granting La Mansion Hotels, Ltd., the right to use the air space over East Commerce Street Public Right of Way for the reconstruction of the façade at the Watermark Hotel at 212 W. Crockett Street, in NCB 116, for a ten (10) year term and a License Fee of \$5,000.00. [Presented by Rebecca Waldman, Director, Asset Management; Erik J. Walsh, Assistant to the City Manager]

98435 21. An ordinance allowing for the acceptance of title to real property located at 319 and 516 Clark Avenue (NCB 2848, Block 1, Lot 9 and NCB 1554, Block 4, Lot 28, respectively) to be donated to the City of San Antonio by Habitat for Humanity of San Antonio in connection with the City's Housing Asset Recovery Program. [Presented by David D. Garza, Director, Neighborhood Action; Jelynn LeBlanc Burley, Assistant City Manager]

Miscellaneous

98436 22. An ordinance authorizing payments in a total amount not to exceed \$215,000 to various vendors for costs associated with the San Antonio Convention and Visitors Bureau marketing activities and hosting obligations throughout Fiscal Year 2004; and providing for payment. [Presented by Melvin Tennant, Director, Convention & Visitors Bureau; Roland A. Lozano, Assistant to the City Manager]

98437 23. An Ordinance authorizing the purchase of Medical Professional Liability Insurance for the San Antonio Metropolitan Health District with Underwriters @ Lloyds through McGriff, Seibels & Williams of Texas, Inc., the City's Broker of Record, for a one-year period beginning November 15, 2003 at an estimated cost of \$168,538.00. [Presented by Louis A. Lendman, Director, Management and Budget; Erik J. Walsh, Assistant to the City Manager]

98438
24. An Ordinance authorizing the City Manager or her designee to accept a \$76,278.00 supplemental grant from the Office of National Drug Control Policy for the San Antonio High Intensity Drug Trafficking Area Initiative for the grant period January 1, 2003 through December 31, 2003. [Presented by Albert A. Ortiz, Police Chief; Christopher J. Brady, Assistant City Manager]

98439
25. An Ordinance authorizing the City Manager or her designee to accept a \$25,000.00 supplemental grant from the Office of National Drug Control Policy for the San Antonio High Intensity Drug Trafficking Area Intelligence Center for the grant period January 1, 2002 through December 31, 2003. [Presented by Albert A. Ortiz, Police Chief; Christopher J. Brady, Assistant City Manager]

98440
26. An Ordinance consenting to the inclusion of a portion of the City's Extraterritorial Jurisdiction in the proposed Emergency Services District No. 1, Guadalupe County, for the provision by the district of fire suppression and emergency medical services for individuals residing within the boundaries of the proposed district. [Presented by Jim Campbell, Director, External Relations; Christopher J. Brady, Assistant City Manager]

98441
27. An Ordinance approving the extension of Line of Duty leave for Fire Apparatus Operator Jesse Hernandez, Jr. that will restore one thousand four hundred and sixteen (1,416) hours, or fifty-nine (59) shifts of his personal leave and convert three hundred and sixty (360) hours, or fifteen (15) shifts of time spent on Leave without Pay to Line of Duty Leave to allow the Fire Department to consider that period as Line of Duty Leave. [Presented by Robert Ojeda, Fire Chief; Christopher J. Brady, Assistant City Manager]

98442
28. An Ordinance authorizing the acceptance of grant funds in the amount of \$143,495.00 from the Texas Department of Health (TDH) to renew the ongoing Federal Refugee Health Screening Program of the San Antonio Metropolitan Health District for the period October 1, 2003 through September 30, 2004; approving the execution of the change to the contract with TDH; adopting a program budget; approving the personnel complement; authorizing the execution of a contract with Catholic Charities, Archdiocese of San Antonio, Inc. in connection with the program; and authorizing payments for contractual services. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant City Manager]

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

98443
29. An Ordinance authorizing the temporary closure of certain downtown streets in connection with the City's New Year's Eve Celebration to be held in HemisFair Park on December 31, 2003; prohibiting "liquid string", silly string, super string, snappers, throwdowns, popping match sticks, pop pops, and glass beverage containers and requiring all pets to be on a leash in La Villita, HemisFair Park and on certain downtown streets near the HemisFair Park area in connection with said event; and providing penalties for the violation of this provision. [Presented by Malcolm Matthews, Director, Parks and Recreation; Christopher J. Brady, Assistant City Manager]

Board, Commissions and Committee Appointments.

30. Consideration of the following board appointments: [Presented by Yolanda Ledesma, Acting City Clerk; Erik J. Walsh, Assistant to the City Manager]

9 8443 A. An Ordinance reappointing Belvin B. Steward (District 2) to the Greater Kelly Development Authority for a term of office to expire on November 30, 2005.

9 8444 B. An Ordinance appointing Ruben Flores, Jr. (District 8) to the Small Business Advocacy Committee for a term of office to expire on November 20, 2005.

ITEMS FOR INDIVIDUAL CONSIDERATION

9 8467 31. An Ordinance declaring the results of the canvass of the Joint Special Election held on Tuesday, November 4, 2003. [Presented by Yolanda Ledesma, Acting City Clerk; Erik J. Walsh, Assistant to the City Manager]

9 8468 32. An Ordinance authorizing the City Manager or her designee to execute a five (5) year license agreement granting advertising and product rights at the Alamodome to The Pepsi Bottling Group for compensation in the amount of \$100,000.00 per year of the license agreement and a marketing and promotional package with an estimated annual value of \$1,281,100.00, for a total annual value to the Alamodome of \$1,381,100.00. [Presented by Michael Abington, Director, Alamodome; Roland A. Lozano, Assistant to the City Manager]

9 8469 33. An Ordinance authorizing the City Manager or her designee to execute an agreement with Sportfield, L.L.C. in the amount of \$184,000.00 for the lease of an in-filled turf system for use in the Alamodome for the period November 16, 2003 through January 16, 2004, with an option lease period from April 25, 2004 through September 18, 2004; authorizing the expenditure of \$34,350.00 for necessary costs associated with the installation and multiple conversions of the turf system including the rental of 25,000 pound and 20,000 pound forklifts from Equipment Depot for \$14,300.00, the rental of two Laymore Sweepers from Sunbelt Rental for \$2,400.00, the fabrication of two sets of rack and roller systems by Pacific Machine Shop for \$13,790.00, and solid rubber tires to retrofit existing Alamodome forklifts from Teeler Industrial Tires for \$3,860.00; providing for payment; and effective immediately if passed by at least eight votes. [Presented by Michael Abington, Director, Alamodome; Roland A. Lozano, Assistant to the City Manager]

9 8470 34. An Ordinance amending the land use plan contained in the I.H. 10 East Corridor Perimeter Plan, a component of the Master Plan of the City, by changing the use of approximately 0.4 acres of land located at 11822 I.H. 10 East from Neighborhood Commercial Use to Single Family Use for Lots 10 and 11 and from Neighborhood Commercial Use to Regional Commercial Use for Lot 12. Staff recommends approval of Lots 10 and 11 to Single Family Residential, and denial of Lot 12 to Regional Commercial. The Planning Commission recommends approval of Lots 10 and 11 to Single Family Residential, and denial of Lot 12 to Regional Commercial. [Presented by Emil Moncivais, Director, Planning; Jelynn LeBlanc Burley, Assistant City Manager]

9 8 4 5 3
35. An Ordinance amending the land use plan contained in the Near Northwest Community Plan, a component of the Master Plan of the City, by changing the use of approximately 0.41 acres of land located at 1638, 1642, and 1644 W. Hollywood Avenue from Urban Low Density Residential use to Mixed Use. Staff recommends approval of the proposed amendment. The Planning Commission recommends approval of the proposed Master Plan amendment. The Zoning Commission recommends approval. [Presented by Emil Moncivais, Director, Planning; Jelyne LeBlanc Burley, Assistant City Manager]

9 8 4 7 1
36. An Ordinance amending the land use plan contained in the Southside Initiative Community Plan, a component of the Master Plan of the City by; 1) changing the use of approximately 325 acres in an area located in an area generally bounded by Palo Alto Village Subdivision on the north, State Highway 16 on the east, and Leon Creek on the south and west from Urban Living use to Agriculture and Light Industry use; 2) changing the use of approximately 3455 acres in an area generally bounded by a line approximately 2,000 feet south of Interstate Highway 410 (S.W. Loop) on the north, by Pleasanton Road on the east, and by the centerlines of the Medina River, Leon Creek, Comanche Creek, Mauermann Road, Applewhite Road, and South Zarzamora Street on the south and by State Highway 16 on the west from Agriculture use to Agriculture and Light Industry use; and 3) changing the use of approximately 1708 acres in an area generally bounded on the northeast and southeast by the property lines of Lot 1, Block 1, NCB 16629 and the San Antonio River, on the south by the south property line of CB 4006 P-47B ABS 3 and Blue Wing Road, on the west by the east property line of CB 4006 P-44 ABS 3, on the north and northwest by the south property line of CB 4006 P-12 & P-12A ABS 3 & CB 5162 P-2 ABS 18, the San Antonio River, and Blue Wing Road from Agriculture and Light Industry use to Agriculture use. Staff recommends approval. The Planning Commission recommended approval. [Presented by Emil Moncivais, Director, Planning; Jelyne LeBlanc Burley, Assistant City Manager]

9 8 4 7 2
37. An Ordinance accepting a grant in the amount of \$435,088.00 from the Federal Highway Administration through the Texas Department of Transportation (TXDOT) and authorizing \$98,000 from NAMP and Traffic Signal Upgrade Funds in support of the "Safe Routes to School" Project; authorizing the City Manager or her designee to execute an Agreement with TXDOT for improvements to various locations in the Northside Independent School District; authorizing payment in the amount of \$2,423.13 to TXDOT; selecting M.W. Cude Engineers, L.L.C. for professional engineering services and authorizing the negotiation and execution of a professional services contract with M.W. Cude Engineers, L.L.C. in an amount not to exceed \$47,900.00; establishing a force account; authorizing \$482,764.87 for construction services by City forces; and providing for payment. [Presented by Thomas G. Wendorf, Director, Public Works; Melissa Byrne Vossmer, Assistant City Manager]

38. The City Council will recess the regular City of San Antonio Council Meeting and convene the Board of Directors for the City of San Antonio, Texas Starbright Industrial Development Corporation to consider the following: [Presented by Christopher J. Brady, Assistant City Manager; Terry M. Brechtel, City Manager]

51DC-13
A. A Resolution by the Board of Directors of the Starbright Industrial Development Corporation (IDC) authorizing an agreement between the City of San Antonio, Texas, Starbright IDC and Tower Asset Sub, Inc. for the purpose of removal of a communications tower and related equipment as part of the IDC's obligations to transfer certain parcels of real property under the Project Starbright Agreement.

B. Adjourn.

Reconvene the meeting of the City of San Antonio City Council to consider the following:

9 8474
39. An Ordinance authorizing a 25 year ground lease agreement between the City of San Antonio and SpectraSite Communications, Inc. for the purpose of constructing, maintaining, securing and operating a communications facility at Medina River Park for an initial annual amount of \$7,500.00, subject to annual adjustment, plus the additional consideration of relocating SpectraSites existing facilities in support of the City's obligations under the Project Starbright Agreement. [Presented by Christopher J. Brady, Assistant City Manager; Terry M. Brechtel, City Manager]

40. Consideration of the following Ordinances: [Presented by Milo D. Nitschke, Director, Finance; Melissa Byrne Vossmer, Assistant City Manager]

9 8475
A. An Ordinance approving the selection of a Financial Underwriter Pool from which Financial Underwriter Syndicates will be selected and approved by City Council for various financings for the term commencing with the effective date of this Ordinance and terminating on September 30, 2006 with the exception of any underwritings that are in progress but have not been completed; and approving initial Financial Underwriter Syndicates selected from the Financial Underwriting Pool for financings related to (1) General Obligation Bonds and Certificates of Obligation; (2) General Airport Revenue Bonds and Airport Passenger Facility Charge Bonds; (3) Convention Center Hotel Occupancy Tax Revenue Bonds; and (4) Pension Obligation Bonds.

9 8476
B. An Ordinance authorizing staff to proceed with the evaluation of the financial opportunities that the City may realize by entering into a lease-lease back, securitization and monetization or other such transactions commonly described by industry vernacular ("Asset Based Transactions"); directing staff to report such findings to City Council; and approving the selection of Investment Banking firms to assist in such evaluations and possible execution of such transactions subsequent to City Council approval.

9 8477
C. An Ordinance authorizing the execution of a contract with Ernst & Young LLP, for Arbitrage Rebate Compliance Services for various issues of tax-exempt obligations at a base fee of \$1,900.00 per issue, per calculation year, to commence on December 1, 2003 and to terminate on November 30, 2006, with the option to extend the contract for two (2) additional successive one (1) year periods under the same terms and conditions.

98478
D. An Ordinance authorizing engagement of the law firms of Fulbright & Jaworski L.L.P.; the Law Offices of Bill Avila; a joint proposal by Loeffler, Jonas & Tuggey L.L.P. and Vinson & Elkins L.L.P.; Holland & Knight L.L.P.; McCall, Parkhurst & Horton L.L.P.; a joint proposal by Escamilla & Poneck, Inc. and Andrews Kurth L.L.P.; and Winstead Sechrest & Minick, P.C. as bond counsel on possible City of San Antonio financing transactions involving “lease-lease back” transactions for real estate, qualified technological equipment, and rolling stock; the Convention Center Hotel Project; pension obligation bonds; and the analysis of securitization, monetization, and related issues in connection with the proposed transactions. [Presented by Andrew Martin, City Attorney; Terry M. Brechtel, City Manager]

41. City Manager’s Report.

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

- A. Discuss legal issues related to City contracts for solid waste disposal at landfills, pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- B. Discuss the periodic performance evaluation of City Internal Auditor Patricia Major, pursuant to Texas Government Code Section 551.074 (personnel matters).