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Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 S. Main Ave
San Antonio, TX 78205
April 17, 2008

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2008 APR 14 AM 8:53

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
- 5:00PM: 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.

DISABILITY ACCESS STATEMENT

The meeting is wheelchair accessible. The temporary accessible entrance is located at 114 W. Commerce St due to Main Plaza construction. Accessible parking spaces are located at City Hall, 100 Military Plaza. Auxiliary aids and services are available upon request (interpreters for the deaf must be requested forty-eight (48) hours prior to the meeting) by calling (210) 207-7245 V/TTY for assistance. Closed captioning is available on broadcasts of the Council meetings on 21-TVSA.

For additional information on any item on this agenda, please visit www.sanantonio.gov or call 207-7080.

The City Council of San Antonio will convene in the Norma S. Rodriguez Council Chamber, Municipal Plaza Building in a Regular Council Meeting at 9:00 A.M.

1. Invocation by Msgr. Michael Yarbrough, Pastor, St. Matthew Catholic Church. Guest of Councilmember Diane Cibrian, District 8.
2. Pledge of Allegiance.
3. Approval of Minutes for the March 20, 2008 City Council meeting.

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

ACTION ITEMS FOR STAFF BRIEFING

4. A Resolution denying the petition of BP 1766 San Antonio, Ltd., owners of 1,766 acres of land known as "The Hills Of Castle Rock", for the provision of water and/or wastewater services and refusing consent to the creation by the Texas Commission on Environmental Quality of up to three Municipal Utility Districts over the property, located in Medina and Bandera counties. [T.C. Broadnax, Assistant City Manager / Interim Director, Planning and Community Development]

2008-04-17-0017R

5. A Resolution approving an amendment to the Articles of Incorporation of the City of San Antonio Industrial Development Authority relating to the appointment of board members; and approving an amendment to the Authority's Bylaws relating to the appointment of officers. [Pat DiGiovanni, Deputy City Manager; Robert Peche, Director, Economic Development]

2008-04-17-0018R

The San Antonio City Council will recess and convene as the City of San Antonio Industrial Development Authority for consideration of the following item:

6. Consideration of three Resolutions by the City of San Antonio Industrial Development Authority: [Pat DiGiovanni, Deputy City Manager; Robert Peche, Director, Economic Development]

- A. A Resolution approving an amendment to Articles II and IV of the Bylaws of the City of San Antonio Industrial Development Authority relating to the appointment of the Board of Directors and officers of the Authority, all to serve in an ex officio capacity.

2008-04-17-0019R

- B. A Resolution approving amended fee schedule and bond procedures relating to applications for financing of development projects by the City of San Antonio Industrial Development Authority.

2008-04-17-0020R

- C. A Resolution taking affirmative official action toward the issuance of Private Activity

Revenue Bonds to construct and equip a manufacturing facility for the Tindall Corporation, a South Carolina corporation; declaring an official intent to reimburse expenditures; and authorizing submission of an application to the Texas Bond Review Board for Private Activity Bond Allocation.

2008-04-17-0021R

The City of San Antonio Industrial Development Authority will adjourn and reconvene as the San Antonio City Council.

CONSENT AGENDA

Purchase of Equipment, Supplies and Services

7. 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 2007-2008 for a combined estimated cost of \$301,200.00, including: (A) vital records forms; (B) landscape maintenance services for Program Building Facilities-Animal Care Services Facility and the Emergency Operations Center; (C) audible pedestrian signal; (D) grounds-clearing and maintenance of airport facilities; and (E) janitorial services for DCI facilities. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & Contract Services]

2008-04-17-0305

8. An Ordinance amending an interlocal agreement with the South Texas Regional Area Council (STRAC) to install an additional one-hundred (100) mobile licenses for the Fire Department Patient Contact Record System Zoll Tablet PCR, for a total cost of \$350,000.00. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & Contract Services]

2008-04-17-0306

- PULL**
9. An Ordinance accepting the offer from Philpott Motors, Ltd, using the Houston-Galveston Area Council of Governments contract, to provide eighteen sport utility vehicles for use by the Housing and Neighborhood Services Department for a total cost of \$310,758.00, from the General Fund and the Equipment Renewal and Replacement Fund. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & Contract Services]

10. An Ordinance accepting an offer from OSI Federal Technologies, made available through a federal supply schedule contract of the United States General Services Administration, to provide the Fire Department with the purchase of specialized computer equipment for a total cost of \$70,828.17, from Urban Area Security Initiative grant funds. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & Contract Services]

2008-04-17-0307

11. An Ordinance accepting a State of Texas Department of Information Resources (DIR) contract to provide the City of San Antonio with Government Managed Services Assessment for the Information Technology Services Department, for a total cost of \$255,000.00. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & Contract Services]

2008-04-17-0308

Capital Improvements

12. An Ordinance approving Change Order 25 in the amount of \$3,100,000.00 to the \$38,089,089.72 construction contract with Archer Western Contractors, Ltd. for installation of two portable chiller systems, including cooling towers, generators and fuel tanks, 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 \$41,189,089.72. [Penny Postoak Ferguson, Assistant City Manager; Mark Webb, Director, Aviation]

2008-04-17-0309

13. An Ordinance authorizing a one-year renewal of a lease of space at 345 W. Commerce that the City uses for the San Antonio Metropolitan Health District main immunization clinic, for monthly rent of \$8,837.50 and providing for possible renewal. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2008-04-17-0310

14. An Ordinance approving the first amendment to a professional architectural and engineering services agreement, with Chesney Morales & Associates, Inc. for additional architectural and engineering services in an amount not to exceed \$232,823.00, in connection with the second phase of the Roof Replacement of the Henry B. Gonzalez Convention Center Project, located in District 1 and appropriating \$267,323.00. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Capital Improvements Management Services]

2008-04-17-0311

15. An Ordinance approving Change Order No. PW-01 in the amount of \$145,027.38 to the construction contract, with Texas Sterling, L.P. for additional work, in connection with the Callaghan Road: Ingram to Hemphill Project, located in Districts 6 and 7. [Sharon De La Garza, Assistant City Manager; Majed A. Al Ghafry, Director, Public Works]

2008-04-17-0312

Acquisition, Sale or Lease of Real Property

16. An Ordinance authorizing a Joint Use Agreement with the San Antonio River Authority allowing SARA to install a sewer pipeline in Newcombe Drive, District 2, waiving the fee otherwise due. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Capital Improvements Management Services]

2008-04-17-0313

17. An Ordinance approving renewal of a lease whereby the City leases a District 10 constituent office for three years, beginning at \$900.74 monthly and gradually increasing over the lease term, and providing for the possibility of renewal. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Capital Improvements Management Services]

2008-04-17-0314

18. An Ordinance approving \$67,356.00 of Parks Development and Expansion Venue Project Sales Tax Initiative funds for the acquisition of approximately 18.45 acres of land along Leon Creek in City Council District 7 from Nance & Associates Inc. and approving the acceptance of an easement donation along Salado Creek in City Council District 2 from Bexar County for the Linear Creekway Parks Development Program. [Frances A. Gonzalez, Assistant City Manager; Malcolm Matthews, Director, Parks and Recreation]

2008-04-17-0315

Grant Applications and Awards

19. An Ordinance approving the submission of a grant application to Texas Parks & Wildlife Department and the acceptance, upon award, in an amount up to \$200,000.00, to be used to fund amenities and improvements associated with the Medina River Greenway Project. [Frances A. Gonzalez, Assistant City Manager; Malcolm Matthews, Director, Parks and Recreation]

2008 - 04 - 17 - 0316

City Code Amendments

20. An Ordinance amending Chapter 22 of the City Code regarding City parks, clarifying permitted uses of certain park facilities to ensure the health and safety of citizens; providing for penalties; and providing for publication. [Frances A. Gonzalez, Assistant City Manager; Malcolm Matthews, Director, Parks and Recreation]

2008 - 04 - 17 - 0317

21. An Ordinance eliminating the Internet Convenience Fee for aviation parking permits, and deleting Chapter 2, Section 2-503 of the City Code of San Antonio, to reflect the elimination of the fee. [Richard Varn, Chief Information Officer; Hugh Miller, Director, Information Technology Services]

2008 - 04 - 17 - 0318

Miscellaneous

22. An Ordinance authorizing an incentive package for Spirit Airlines that includes \$300,000.00 for marketing cost reimbursements, landing fee waivers, and reimbursement of start-up costs not to exceed \$150,000.00 for flights to Fort Lauderdale beginning April 14 and May 1, 2008. [Penny Postoak Ferguson, Assistant City Manager; Mark Webb, Director, Aviation]

2008 - 04 - 17 - 0319

23. An Ordinance approving \$525,000.00 amendments to each of three professional engineering services agreements, as amended, with Post Buckley Schuh & Jernigan, Inc., Adams Environmental, Inc., and S&B Infrastructure, Ltd. for additional National Environmental Policy Act services in connection with City-wide projects. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Capital Improvements Management Services]

2008 - 04 - 17 - 0320

24. An Ordinance amending the professional services agreement with Conventions Sports & Leisure International (CS&L) to provide for a rate study of the Convention Facilities and increasing the amount of the agreement by \$65,000.00. [Penny Postoak Ferguson, Assistant City Manager; Michael Sawaya, Director, Convention Sports and Entertainment Facilities]

2008 - 04 - 17 - 0321

25. Consideration of the following Resolutions relating to the City of San Antonio, Texas Education Facilities Corporation: [Pat DiGiovanni, Deputy City Manager; Robert Peche, Director, Economic Development]

A. A Resolution approving the issuance of \$28,000,000.00 in principal amount of

"Adjustable Rate Demand Revenue Bonds" by the City of San Antonio, Texas Education Facilities Corporation for the University of the Incarnate Word, a Texas nonprofit corporation, and approving other matters related thereto.

2008-04-17-0022R

- B. A Resolution authorizing and approving an amendment to the Articles of Incorporation of the City of San Antonio, Texas Education Facilities Corporation to conform the statutory authority under which the corporation exists to current state law.

2008-04-17-0023R

26. An Ordinance authorizing the execution of a Memorandum of Understanding (MOU) with the San Antonio Housing Authority (SAHA) and the acceptance of \$760,000.00 to provide downpayment assistance to first-time homebuyers in connection with the City's Homeownership Incentive Program (HIP). [T.C. Broadnax, Assistant City Manager; David D. Garza, Director, Housing and Neighborhood Services]

2008-04-17-0322

27. An Ordinance approving a Meet and Confer Agreement between the City of San Antonio and the San Antonio Park Police Officer's Association for a period through September 30, 2009. [Sharon De La Garza, Assistant City Manager; Edward Belmares, Director, Human Resources]

2008-04-17-0323

28. An Ordinance approving Field Use and Maintenance License Agreements with Westwood Terrace Pony League (formerly Westwood Terrace Little League) at Lackland Terrace Park and Miller's Pond Youth Football League at Miller's Pond Park, in City Council District 4. [Frances A. Gonzalez, Assistant City Manager; Malcolm Matthews, Director, Parks and Recreation]

2008-04-17-0324

29. An Ordinance approving a \$77,746.00 contract with Jesse James and Associates, Incorporated DBA Tree Wise Men for services in connection with downtown tree relocations. [Frances A. Gonzalez, Assistant City Manager; Malcolm Matthews, Director, Parks and Recreation]

2008-04-17-0325

Boards, Commissions and Committee Appointments

30. Consideration of Board, Commission and Committee appointments, for terms of office commencing immediately upon appointment: [Leticia M. Vacek, City Clerk]

A. Confirming the reappointment by Mayor Hardberger of Heberto Gutierrez and Steven Jewell to the Bexar Metro 911 District Board of Managers for the remainder of unexpired terms of office to expire February 28, 2010.

PULLED

B. Appointing Albert Cisneros (District 5) to the Electrical Supervisory Board for the remainder of an unexpired term of office to expire July 31, 2008, and waiving the City Code Section 10-66 "layperson" categorical requirement, as requested by Councilmember Galvan.

- C. Reappointing Jimmy Salazar (District 10 - Category: Layperson) to the Mechanical Board of Appeals for the remainder of an unexpired term of office to expire March 20, 2010.
- D. Appointing Sallie Frances Scott (District 10) to the Animal Care Services Advisory Board for a term of office to expire April 16, 2010.
- E. Appointing Pat DiGiovanni (District 10 - Category: City Manager's Designee) to the Brooks Development Authority for the remainder of an unexpired term of office to expire November 4, 2009.

31. City Manager's Report

THE CITY COUNCIL WILL RECESS FOR LUNCH AT NOON AND RECONVENE TO CONSIDER ANY UNFINISHED COUNCIL BUSINESS

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

- A. Deliberate the appointment, employment, and duties of public officers and discuss related legal issues pursuant to Texas Government Code Sections 551.074 (personnel matters) and 551.071 (consultation with attorney).
- B. Discuss and deliberate the purchase, exchange, lease or value of real property pursuant to Texas Government Code Section 551.072 (real property).

2:00 P.M. TIME CERTAIN ITEMS (may be heard after this time): Public Hearing and Consideration of the following Adoption and Amendments of the Neighborhood, Community and Perimeter Plans as Components of the Master Plan and Zoning Cases. [Land Use Plan Amendments presented by T.C. Broadnax, Assistant City Manager / Interim Director, Planning and Community Development; and Zoning Cases presented by Roderick Sanchez, Director, Development Services]

Z-1. ZONING CASE # Z2008089 CD (District 5): An Ordinance changing the zoning district boundary from "IDZ" Infill Development Zone with uses permitted in "R-4" Single-Family Residential District and "NC" Neighborhood Commercial District to "IDZ" Infill Development Zone with uses permitted in "C-2" (CD-Theater-Outdoor including Drive-In and Amphitheatres) Commercial District with a Conditional Use for a Theater-Outdoor including Drive-In and Amphitheatres on Lot A4, NCB 2569, 132 East Cevallos as requested by Rick and Angela Martinez, Applicant for Patrick S. Shearer, Owner. Staff recommends Denial. Zoning Commission recommends Approval.

Continued

Z-2. ZONING CASE # Z2008098 CD (District 5): An Ordinance changing the zoning district boundary from "I-2" Heavy Industrial District to "C-2 CD" (CD-Auto Paint and Body) Commercial District with a Conditional Use for an Auto Paint and Body Facility, on 0.311 acres out of NCB 2524, 514 Merida Street as requested by Salah Diab, Applicant for Merida & La Chapelle, Ltd., Owners. Staff and Zoning Commission recommend Approval.

2008-04-17-0326

Z-3. **ZONING CASE # Z2008102 (District 5):** An Ordinance changing the zoning district boundary from "IDZ" Infill Development Zone with uses permitted in "MF-33" Multi-Family District and "C-2" Commercial District to "IDZ" Infill Development Zone with uses permitted in "MF-50" Multi-Family District and "C-2" Commercial District, on 10.06 acres out of NCB A-14, 1334 S. Flores Street and 243, 249, 301, 305, 311, 315 and 319 E. Cevallos Street as requested by Bobby J. Perez, Applicant for NRP Group, LLC, Owner. Staff and Zoning Commission recommend approval.

2008-04-17-0327

Z-4. **ZONING CASE # Z2008054 S (District 6):** An Ordinance changing the zoning district boundary from "R-6" Residential Single-Family District to "C-2 S" Commercial District with a Specific Use Authorization for a Hotel, on Lot 1 and Lot 2, Block 3, NCB 17634, 11202 and 11214 Misty Woods Street as requested by Sahi-Grant, LLC, Applicant for Jerry Lee and Loretta F. Wendel, Owners. Staff and Zoning Commission recommend approval with conditions.

2008-04-17-0328

Z-5. **ZONING CASE # Z2008062 (District 7):** An Ordinance changing the zoning district boundary from "C-3" General Commercial District to "MF-33" Multi-Family District on Parcel 22B and Parcel 22C, NCB 15052 and Lots 7 through 13, Block 8, NCB 18098, 5831 Northwest Loop 410 and 5052 through 5082 Wurzbach Road, as requested by Kaufman & Associates, Inc., Applicant for Paul Herder and Alex Thomas Jr., Owner. Staff and Zoning Commission recommend Approval.

continued

Z-6. **ZONING CASE #Z2008059 CD S ERZD (District 8):** An Ordinance changing the zoning district boundary from "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District to "O-1 S ERZD" Office Edwards Recharge Zone District with a Specific Use Authorization for a Non-Commercial Parking Lot and "R-6 CD S ERZD" (CD-Non-Commercial Parking Lot) Residential Single-Family Edwards Recharge Zone District with a Conditional Use for a Non-Commercial Parking Lot and a Specific Use Authorization for a Non-Commercial Parking Lot within the Edwards Recharge Zone on Lots 6 and 8, Block 4, NCB 14759, 7535 West Loop 1604 and 999 Red Robin Road as requested Kyle Seale Crossings, Ltd., Applicant for Vernon and Maria Griffith. Staff and Zoning Commission recommend Approval with conditions.

2008-04-17-0329

Z-7. **ZONING CASE # Z2008085 CD S ERZD (District 9):** An Ordinance changing the zoning district boundary from "C-1 ERZD" Light Commercial Edwards Recharge Zone District to "C-2 CD S ERZD" [CD-Veterinary Hospital - Small Animals (No Outside Runs, Pens and Paddocks Permitted)] Commercial Edwards Recharge Zone District with a Conditional Use for a Veterinary Hospital - Small Animals (No Outside Runs, Pens and Paddocks Permitted) and a Specific Use Authorization for a Veterinary Hospital - Small Animals (No Outside Runs, Pens and Paddocks Permitted) within the Edwards Recharge Zone, on 0.5869 acres out of Parcel 25B, NCB 18218, west side of Stone Oak Parkway between U.S. Highway 281 and Bulverde Road, as requested by RAD Investments, Inc., Applicant for RAD Investments, Inc., Owner. Staff and Zoning Commission recommend Approval.

continued

Z-8. **ZONING CASE # Z2008101 (District 9):** An Ordinance changing the zoning district boundary from "O-1" Office District to "I-1" General Industrial District, on Lot 52, Block 1, NCB 12048, 927 Clydeville Road as requested by Kimberly Smith, Applicant for Jim and Kimberly Smith, Owners. Staff and Zoning Commission recommend Approval.

2008-04-17-0330

2008-04-17-0330

P-1. **PLAN AMENDMENT # 08011 (District 1):** An Ordinance amending the land use plan in the South Central San Antonio Community Plan, a component of the Master Plan of the City, by changing the use of a 11.3 acre tract of land generally bound by S. Alamo Street to the North, Probandt St. to the East, East and West Cevallos to the South and the Union Pacific Rail Line to the West from Light Industrial Land Use to Mixed Use Land Use. Staff and Planning Commission recommend Approval.

2008-04-17-0331

Z-9. **ZONING CASE # Z2008099 (District 1):** An Ordinance changing the zoning district boundary from "I-1" General Industrial District to "C-3" General Commercial District on the North 80.8 Feet of Lot 1C, Block 3, NCB 2807, 1601 North Zarzamora as requested by B & C Conner Group, L. L. C., Applicant for B & C Conner Group, L. L. C., Owner. Staff and Zoning Commission recommend Approval.

2008-04-17-0332

Z-10. **ZONING CASE # Z2008103 (District 2):** An Ordinance changing the zoning district boundary from "R-6" Residential Single-Family District to "I-1" General Industrial District on Lot 11 and Lot 12, Block 1, NCB 15732, 140 and 144 Remount Drive as requested by Benjamin G. Lopez, Applicant for Benjamin G. Lopez and Olga G. Lopez, Owner. Staff and Zoning Commission recommend approval.

continued

Z-11. **ZONING CASE Z2008104 CD (District 4):** An Ordinance changing the zoning district boundary from "I-2" Heavy Industrial District to "C-2" (CD-Motor Vehicle Sales) Commercial District with a Conditional Use for Motor Vehicle Sales, on a 0.4028 acre tract of land out of Lot 6, Block 4, NCB 8780, 3441 S. W. Military Drive, as requested by Robert Villarreal, Applicant for Eric Morales, Owner. Staff and Zoning Commission recommend Approval.

2008-04-17-0333

5:00 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.*