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Agenda  
City Council Meeting  
Municipal Plaza Building  
City Hall Complex  
103 S. Main Ave  
San Antonio, TX 78205  
**August 30, 2007**

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:** First Public Hearing on the FY2008 Proposed Ad Valorem Tax Rate
- 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](http://www.sanantonio.gov) or call 207-7080.

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

1. Invocation by Fr. Frank Kurzaj, Pastor, St Paul's Catholic Church. Guest of Councilmember Justin Rodriguez, District 7.
2. Pledge of Allegiance.
3. Approval of Minutes for the August 2, 2007 City Council meeting.

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

**ACTION ITEMS FOR STAFF BRIEFING**

4. An Ordinance closing, vacating and abandoning Lavays Drive adjacent to NCB 11688, District 1, as requested by JDS 1550 Holdings, LP for a fee of \$45,036.00. [Pat DiGiovanni, Deputy City Manager; Ron Smudy, Director, Asset Management]
5. A Resolution approving the issuance of revenue bonds, in an amount up to \$7,950,000, by the Ames Higher Education Facilities Corporation to refinance the campus of Wayland Baptist University in San Antonio. [Jelynn LeBlanc Burley, Deputy City Manager; Robert Peche, Director, Economic Development]

**2007-08-30-0894**

**2007-08-30-0004R**

**CONSENT AGENDA**

**Purchase of Equipment, Supplies and Services**

6. 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 2006-2007 and FY 2007-2008 for a combined estimated cost of \$7,261,450.00, including: (A) automotive & industrial light assemblies, lens & mirrors; (B) commercial deicer; (C) propane refueling system maintenance and repair; (D) industrial gasoline and diesel engine parts and service; (E) traffic light mounting assemblies; (F) Condor truck parts & service; (G) asphalt and pothole paving materials; (H) portable chemical toilets; (I) landscape maintenance for DCI facilities; (J) demolition of dangerous structures; (K) Internet tutoring service; (L) repair and maintenance of paging and speaker system at the San Antonio International Airport; (M) Gale Group database license agreement; (N) Millennium software system upgrade for the San Antonio Public Library; and (O) large print books. [Sharon De La Garza, Assistant to the City Manager; Janie Cantu, Director, Purchasing & Contract Services]

**2007-08-30-0895**

7. An Ordinance accepting the offer from Nicholas Enterprises d/b/a Industrial Trailer Company, utilizing the Houston-Galveston Area Council of Governments contract #11-06, to provide the San Antonio Metropolitan Health District with seven cargo trailers for a cost of \$74,444.00, from Cities Readiness Initiative (CRI) and Public Health Emergency Preparedness (PHEP) grant funds. [Sharon De La Garza, Assistant to the City Manager;

Janie Cantu, Director, Purchasing & Contract Services]

**2007-08-30-0896**

8. An Ordinance accepting the offer from Waukesha Pearce Industries, utilizing the Texas BuyBoard contract #205-04, to provide the Public Works Department with two excavator attachments for a total cost of \$52,037.18, from the Equipment Renewal and Replacement Fund. [Sharon De La Garza, Assistant to the City Manager; Janie Cantu, Director, Purchasing & Contract Services]

**2007-08-30-0897**

9. An Ordinance approving a contract with Traverse Technologies, Inc., a sole source, to provide the City of San Antonio Public Works Department with upgrades and enhancements to the on-line Right of Way (ROW) Permit system for a total cost of \$175,000.00. [Sharon De La Garza, Assistant to the City Manager; Janie Cantu, Director, Purchasing & Contract Services]

**2007-08-30-0898**

10. An Ordinance accepting the bid from Texas Electronic Systems Specialists, Inc. to provide the Police Department with labor, equipment and materials to furnish and install an access control security system at various City facilities for a cost of \$137,390.16, from 2003 Health and Safety Bond, Series 2006 and the general fund; and appropriating unencumbered funds from the Emergency Operations Project fund to fund various projects for the Emergency Operations Center utilizing City approved contracts. [Sharon De La Garza, Assistant to the City Manager; Janie Cantu, Director, Purchasing & Contract Services]

**2007-08-30-0899**

#### **Capital Improvements**

11. An Ordinance approving Change Orders 28-30 and 32-33 in the amount of \$75,291.61 to a \$2,911,504.51 contract with Jamail Smith Construction, Inc. for work in connection with the Bob Ross Project; an authorized project funded through a one-time capital improvement expenditure from Bexar County in District 8; and appropriating funds. [Pat DiGiovanni, Deputy City Manager; Ron Smudy, Director, Asset Management]

**2007-08-30-0900**

12. An Ordinance approving \$100,000.00 to provide for demolition, remediation, and associated studies and fees for the relocation of the City Nursery located in Brackenridge Park in District 9, as part of the City Nursery Relocation Project. [Frances A. Gonzalez, Assistant City Manager; Malcolm Matthews, Director, Parks and Recreation]

**2007-08-30-0901**

13. An Ordinance approving a total amount of \$298,409.00 for professional services and fees, including the selection of Klotz Associates, Inc. for an engineering contract in an amount up to \$184,693.00, for design of an ultraviolet water treatment system to treat water as it releases from the San Antonio Zoo outfall into the San Antonio River, a recommendation of the River Water Quality Work Group Final Report, as part of the San Antonio River Water Treatment System project, located in District 9, a Certificate of Obligation Funded Project. [Frances A. Gonzalez, Assistant City Manager; Malcolm Matthews, Director, Parks and Recreation]

**2007-08-30-0902**

14. An Ordinance approving a total of \$34,694.05, to include a \$28,507.85 payment under an existing Public Works Infrastructure Maintenance and Construction contract with Ram

Building Services, LLC, for work in connection with the Guadalupe Street Sidewalk (South Smith to South Colorado) project in District 5; and appropriating HUD 108 Loan Program funds. [Jelynne LeBlanc Burley, Deputy City Manager; Thomas Wendorf, Director, Public Works]

**2007-08-30-0903**

- 15. An Ordinance approving Change Order No. 2- final in the deductive amount of \$31,786.00 to the construction contract, as changed, with J.D. Ramming Paving Company, Ltd.to reconcile actual quantities used in connection with the 2006-2007 Street Maintenance Program located in various Districts. [Jelynne LeBlanc Burley, Deputy City Manager; Thomas Wendorf, Director, Public Works]

**2007-08-30-0904**

- 16. An Ordinance awarding a construction contract in the amount of \$1,433,848.63 to E-Z Bel Construction, Ltd., of which \$1,339,910.67 will be reimbursed by the Texas Department of Transportation, and approving a reimbursement agreement with San Antonio Water System, in connection with the Blanco/Clark/Hot Wells MPO Sidewalk Project, an authorized Local Agency Managed Project funded with 1999 General Obligation Street Improvement Bonds and Certificates of Obligation, located in Districts 3 and 9, and appropriating funds. [Jelynne LeBlanc Burley, Deputy City Manager; Thomas Wendorf, Director, Public Works]

**2007-08-30-0905**

- 17. An Ordinance approving Change Order No. 2 in the amount of \$71,732.13 and SAWS Change Order No. 1 in the amount of \$195,646.06 to the construction contract with Jerdon Enterprises, LP for additional modifications and improvements and amending a professional services agreement with SWA Group in the amount of \$311,200.00, for construction administration services, antiquities monitoring of construction activities and archeological investigation services in connection with the Main Plaza Redevelopment Project, located in District 1. [Jelynne LeBlanc Burley, Deputy City Manager; Thomas Wendorf, Director, Public Works]

**2007-08-30-0906**

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

- 18. An Ordinance approving a Second Amendment to and First Renewal of Lease Agreement with Avenida Guadalupe Association, Inc. for the continued use of leased space at 1410 Guadalupe Street, for the District 5 Constituent Office, for a reduced rental rate of \$530.00 per month for a term to commence on July 1, 2007 through November 30, 2009. [Pat DiGiovanni, Deputy City Manager; Ron Smudy, Director, Asset Management]

**2007-08-30-0907**

- 19. An Ordinance approving a Lease Agreement between Art Duncan, Inc. and the City of San Antonio, for 1590 square feet of leased space at 2712 Hillcrest, for the District 7 Constituent Office, for a rental rate of \$1,300 per month for a term of 36 months to commence on September 1, 2007. [Pat DiGiovanni, Deputy City Manager; Ron Smudy, Director, Asset Management]

**2007-08-30-0908**

- 20. An Ordinance approving a lease agreement with Oak Ridge Square G.P. for 991 square feet of leased space at 11124 Wurzbach Rd., Suite 205, for the District 8 Constituent Office, for an initial term to commence on November 1, 2007 through October 31, 2008 at a rate of \$1,338 per month and base rent to increase each year by 3%, compounded. [Pat DiGiovanni, Deputy City Manager; Ron Smudy, Director, Asset Management]

**2007-08-30-0909**

21. An Ordinance approving a one- (1) year lease renewal with Audio Visual Services Group, Inc. d/b/a Audiovisual Headquarters (AVHQ) or PSAV Presentation Services for approximately 3,224 sq. ft. of warehouse space located in Bldg. 277 of Hemisfair Park. [Penny Postoak Ferguson, Assistant City Manager; Michael Sawaya, Director, Convention Sports & Entertainment Facilities]

2007-08-30-0910

#### Street Closures and Traffic Control Procedures

22. An Ordinance denying the request submitted by the applicant and approving staff's recommendation for temporary street closure of portions of East Grayson Street between Isletta and Avenue A, Karnes Street between East Josephine Street and East Grayson Street on September 28 - 29, October 5 - 7, 12 - 14, 18 - 21 and 25 - 31, 2007 from 6:00 p.m. to 12:00 a.m. in order hold the annual event of Nightmare on Grayson Street. [Jelynn LeBlanc Burley, Deputy City Manager; Thomas Wendorf, Director, Public Works]

2007-08-30-0911

#### Grant Applications and Awards

23. An Ordinance authorizing the following items in relation to Federal Aviation Administration (FAA) Airport Improvement Program grants for projects at San Antonio International Airport: [Penny Postoak Ferguson, Assistant City Manager; Mark Webb, Director, Aviation]

- Submission of an application and acceptance upon award of a grant in an amount up to \$8,815,391.00 for the Airside Apron & Utilities, Sky Place Drainage, Taxiway R Extension, and Runway Safety Assessment Airfield Improvements projects; authorizing the execution of any and all related grant agreements with FAA.
- Submission of an application and acceptance upon award of a grant in an amount up to \$6,094,446.00 for the continuation of the Residential Acoustical Treatment Program; authorizing the execution of any and all related grant agreements with FAA.
- Submission of an application and acceptance upon award of a grant in an amount up to \$200,000.00 for the Safety Management Systems Pilot Study; authorizing the execution of any and all related grant agreements with FAA.

2007-08-30-0912

#### City Code Amendments

24. An Ordinance amending Chapter 6 of the City Code and creating Article XVI entitled "Buildings" consolidating references to facility and street naming; increasing the application fee for the renaming of streets; requiring the applicant to pay for the notification process of a street name change; and streamlining the approval process. [Jelynn LeBlanc Burley, Deputy City Manager; Roderick Sanchez, Director, Development Services]

2007-08-30-0913

25. An Ordinance amending Chapter 19, Article III of the City Code entitled "Traffic Control

Devices" to include certain additions to the Official Traffic-Control Device Schedules; authorizing installation; declaring as Official Traffic Control Devices of the City of San Antonio; and declaring violations and penalties, and establishing an effective date of no more than 5 days after publication in accordance with Article 2, Section 17, of the City Charter. [Jelynn LeBlanc Burley, Deputy City Manager; Thomas Wendorf, Director, Public Works]

2007-08-30-0914

### Miscellaneous

26. An Ordinance authorizing the settlement of a claim made by Joseph Fennell, for the amount of \$80,000.00. [Sheryl Sculley, City Manager; Michael Bernard, City Attorney]

2007-08-30-0915

27. An Ordinance authorizing a Souvenir Merchandise Concessions Agreement with River City Merchandising to provide services at the Municipal Auditorium for an initial term of four (4) years, with renewal options [Penny Postoak Ferguson, Assistant City Manager; Michael Sawaya, Director, Convention, Sports & Entertainment Facilities].

2007-08-30-0916

28. An Ordinance exercising a three-year renewal option to the Automated Teller Machine License Agreement at the Alamodome with Security Service Federal Credit Union. [Penny Postoak Ferguson, Assistant City Manager; Michael Sawaya, Director, Convention Sports & Entertainment Facilities]

2007-08-30-0917

29. An Ordinance approving five (5) Temporary Utility/Electrical and Plumbing Service License Agreements for events held at the Convention, Sports & Entertainment Facilities with an initial term of four (4) years and renewal options. [Penny Postoak Ferguson, Assistant City Manager; Michael Sawaya, Director, Convention Sports & Entertainment Facilities]

2007-08-30-0918

30. An Ordinance approving an annual EBMS Software Maintenance Agreement for Fiscal Year 2007-2008 with Ungerboeck Systems International (USI) in the amount of \$44,127.00 to provide software maintenance and upgrades for the Event Business Management Software (EBMS) utilized for booking and managing events by the Convention and Visitor's Bureau (CVB) and the Convention, Sports and Entertainment Facilities Department. [Penny Postoak Ferguson, Assistant City Manager; Michael Sawaya, Director, Convention Sports & Entertainment Facilities]

2007-08-30-0919

31. An Ordinance authorizing the City Manager, or her designee, to execute any and all instruments and documents required to establish loan programs under the International City/County Management Association-Retirement Corporation (ICMA-RC) and the Nationwide Retirement Solutions deferred compensation plans. [Sharon De La Garza, Assistant to the City Manager; Edward Belmares, Director, Human Resources]

2007-08-30-0920

32. An Ordinance approving the Development Agreement and County Interlocal Agreement for Tax Increment Reinvestment Zone Number Twenty-two, City of San Antonio, Texas, known as the Ridge Stone TIRZ and authorizing the City Manager to execute the necessary contracts with the TIRZ Board, Bexar County, and Big Fish On Five, L.P., the developer.

[T.C. Broadnax, Assistant City Manager; David D. Garza, Director, Housing and Neighborhood Services]

2007-08-30-0921

33. An Ordinance approving an Interlocal Agreement with Bexar County for the collaborative maintenance and repair of the Mid-Beitel Creek Restoration Project, located in District 10. [Jelyne LeBlanc Burley, Deputy City Manager; Thomas Wendorf, Director, Public Works]

2007-08-30-0922

34. An Ordinance authorizing the reduction of District 8 One Time Funds in the amount of \$487.80 and reallocation of these funds to the San Antonio Police Department for the purchase of two (2) Lumix DMC-FX 12 digital cameras for use in the documentation of family violence cases, as requested by Councilwoman Diane Cibrian.

2007-08-30-0923

#### **Boards, Commissions and Committee Appointments**

35. Consideration of board, commission and committee appointments: [Leticia M. Vacek, City Clerk]

A. Reappointing Mary Dennis (District 2) to the Mayor's Commission on the Status of Women for the remainder of an unexpired term of office commencing immediately and expiring May 31, 2009.

B. Reappointing Gloria Malone (District 2) to the San Antonio Public Library Board of Trustees for a term of office commencing immediately and expiring September 30, 2009.

C. Appointing Greg K. Hammer (District 7) to the Linear Creekway Parks Advisory Board for the remainder of an unexpired term of office commencing immediately and expiring May 31, 2009.

D. Appointing Alejandro (Alex) Soto (District 7) to the Parks and Recreation Board for the remainder of an unexpired term of office commencing immediately and expiring May 31, 2009.

E. Reappointing Robert B. Robley (District 7) to the City Commission on Veterans Affairs for the remainder of an unexpired term of office commencing immediately and expiring May 31, 2009.

F. An Ordinance reappointing Judge Andy Mireles (District 7) to the Commission for Children and Families for the remainder of an unexpired term of office commencing immediately and expiring May 31, 2009 and waiving the term limitations of Section 2-530(b) of the City Code.

2007-08-30-0924

G. Reappointing Randy K. Rice (District 7) to the San Antonio Housing Trust Board of

Trustees for the remainder of an unexpired term of office commencing immediately and expiring May 31, 2009.

H. Appointing Zachary Newman (District 9) to the San Antonio Youth Commission for the remainder of an unexpired term of office commencing immediately and expiring May 31, 2009.

### 36. 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. Deliberations and discussion relating to the purchase, exchange, lease or value of real property and related legal issues pursuant to Texas Government Code Sections 551.072 (real property) and 551.071 (consultation with attorney).
- B. Discuss legal issues related to City Council agenda and meeting procedures pursuant to Texas Government Code Sec. 551.071 (consultation with attorney).
- C. Deliberation and discussion relating to security personnel or devices pursuant to Texas Government Code Sec. 551.076 (security).

### TIME CERTAIN ITEMS:

**2:00 P.M. (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 Emil R. Moncivais, Director, Planning; T.C. Broadnax, Assistant City Manager; and Zoning Cases presented by Roderick Sanchez, Director, Development Services; Jelynn LeBlanc Burley, Deputy City Manager]

**Z-1. ZONING CASE # Z2007176 CD (District 2):** An Ordinance changing the zoning district boundary from "C-2" Commercial District and "MH" Manufactured Housing District to "C-2" (CD Warehousing) Commercial District with a Conditional Use for Warehousing on 3.42 Acres (Tract 14) out of NCB 17994, 7304 IH 10 East as requested by A Ngoc Nguyen, Applicant for A Ngoc Nguyen, Owner. Staff and Zoning Commission recommend Approval.

2007-08-30-0925

**Z-2. ZONING CASE # Z2007184 S (District 3):** An Ordinance changing the zoning district boundary from "C-2" Commercial District to "C-2" S Commercial District with Specific Use Permit for a Bingo Parlor on a 0.27 acre tract of land out of Lot A, Block 1, NCB 11949, 2103 Goliad Road as requested by Brown, P. C., Applicant for Goliad Pecan Valley Properties, Ltd., Owners. Staff and Zoning Commission recommend Approval.

Z-3. **ZONING CASE # Z2007117 (District 8):** An Ordinance changing the zoning district boundary from "R-6" ERZD Residential Single Family Edwards Recharge Zone District to "O-1" ERZD Office Edwards Recharge Zone District on Lot 6, Lot 9 and Lot 10, Block 18, NCB 14728, 12037 Huebner Road, 4300 Moonlight Way 3 and 12000 Pebble Lane 1 as requested by Jerry Arredondo, Applicant for Alejandro Garcia II and Juan C. Garza, Owners. Staff recommends Approval. Zoning Commission recommends Approval, save and except a 10 foot strip along Pebble Lane.

37. **5:00 P.M. (may be heard after this time):** First required Public Hearing on the FY 2008 Proposed Ad Valorem Tax Rate for the FY 2008 Proposed Budget and the tax year beginning on January 1, 2007 and ending December 31, 2007. [Erik J. Walsh, Assistant City Manager; Peter Zaroni, Director, Management and Budget]

**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.*