



Joint Ord 2006-02-16-0209
Joint Ord 2006-02-16-0241

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CITY OF SAN ANTONIO
CITY CLERK

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**Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 S. Main Ave
San Antonio, Texas 78205
February 16, 2006**

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 on Thursday of each week beginning at 9:00 a.m. After the meeting is convened, the City Council shall consider the following time certain items in the following order 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
- 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
- 5:00PM:** Ceremonial Recognitions
- 5:30PM:** Public Hearing and consideration of an Ordinance to amend the UDC
- 6:00 PM** 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 S. Main Ave. 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 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 Col. Edward K. Maney, Chaplain (Ret.), Fort Sam Houston, Guest of Councilmember Sheila McNeil, District 2, and Pledge of Allegiance.
2. Approval of Minutes for the February 2, 2006 City Council Meeting.

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

INDIVIDUAL CONSIDERATION

3. An Ordinance selecting Bender, Inc., dba Bender Wells Clark Design, a W/MBE, to provide architectural/engineering services in connection with the Main Plaza Redevelopment Project, located in District 1; appropriating funds and authorizing the negotiation and execution of a professional services agreement in an amount not to exceed \$862,000.00; authorizing \$30,000.00 for project contingency, \$64,440.00 for capital administrative costs, and \$2,000.00 for advertising expenses, for a total amount of \$958,440.00; providing for an immediate effective date; and authorizing the negotiation of an interlocal joint funding agreement with Bexar County. [Presented by Thomas Wendorf, Director, Public Works; Jelynne LeBlanc Burley, Deputy City Manager] 2006-02-16-0209

CONSENT AGENDA

Items Concerning the Purchase of Equipment, Supplies and Services

4. An Ordinance accepting the low bid submitted by BWI Schulenburg to provide the Parks & Recreation Department with fertilizer for a total cost of \$79,236.00. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Michael Armstrong, Assistant City Manager/Chief Information Officer] 2006-02-16-0210
5. 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 for an estimated combined annual cost of \$154,635.00 including: audiobooks; HVAC maintenance at downtown buildings; and speaker microphones. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Michael Armstrong, Assistant City Manager/Chief Information Officer] 2006-02-16-0232

Capital Improvement Items

6. An Ordinance accepting the lowest responsive bid, appropriating funds, and awarding a construction contract in the amount of \$2,995,811.70 payable to Capital Excavation Co.; authorizing \$253,890.57 for project contingency, authorizing \$195,495.74 for capital administration cost and \$2,000.00 for advertising expenses, for a total amount of \$3,447,198.01, \$433,660.00 of which to be reimbursed by San Antonio Water Systems (SAWS) and \$23,246.00 of which to be reimbursed by City Public Service Energy (CPS Energy) in connection with the Henderson Pass Low Water Crossing Project, from 2003-2007 Storm Water Revenue Bond Funds, located in District 9. [Presented by Thomas Wendorf, Director, Public Works; Jelynne LeBlanc Burley, Deputy City Manager] 2006-02-16-0233

7. An Ordinance accepting the lowest responsive bid, appropriating funds, and awarding a construction contract in the amount of \$369,583.28 payable to AJ Commercial Services, Inc. d/b/a ASC Paving; authorizing \$33,263.73 for Project Contingency, authorizing \$25,613.07 for Capital Administrative Cost and \$2,000.00 for Advertising Expenses, for a total amount of \$430,460.08, \$36,946.00 of which to be reimbursed by San Antonio Water System (SAWS), in connection with the Redland Road Improvements – Redland Woods to Jones Maltsberger Project, from 2003-2007 General Obligation Street Improvement Bond Funds, located in District 10. [Presented by Thomas Wendorf, Director, Public Works; Jelynne LeBlanc Burley, Deputy City Manager]

2006-02-16-0211

8. An Ordinance selecting Drash Consulting Engineers, Inc. to provide engineering services in connection with the South Flores: Malone to Octavia Project located in Districts 3 and 5, appropriating funds, and authorizing the negotiation and execution of a professional services agreement, in an amount not to exceed \$23,510.00, from Housing and Urban Development (HUD) 108 Loan Program funds. [Presented by Thomas Wendorf, Director, Public Works; Jelynne LeBlanc Burley, Deputy City Manager]

2006-02-16-0234

Items Concerning the Purchase, Sale or Lease of Real Property

9. An Ordinance authorizing a Lease Agreement with the Trade Commission of Mexico for office space at the International Center located in District 1, for a three-year term beginning January 30, 2006 and ending January 31, 2009, with two three-year term renewal options. [Presented by Shawn Eddy, Interim Director, Asset Management; Erik J. Walsh, Assistant City Manager]

2006-02-16-0212

10. An Ordinance authorizing an Amendment to Earnest Money Contract under which the City is selling land to the San Antonio Food Bank, Inc, the amendment reducing the acreage from 17.2 acres to approximately 11.63 acres, adding an additional drainage easement, and changing the purchase price to the appraised value of \$582,593.22; and providing for an effective date. [Presented by Shawn Eddy, Interim Director, Asset Management; Erik J. Walsh, Assistant City Manager]

2006-02-16-0213

Miscellaneous Items

11. An Ordinance authorizing a joint application with Bexar County for a Justice Assistance Grant in the amount of \$638,843.00 from the U.S. Department of Justice, Bureau of Justice Assistance for a City/County project addressing child abuse; authorizing an interlocal agreement with Bexar County regarding the distribution of the grant funds; and designating Bexar County as the grant fiscal agent. [Presented by Albert A. Ortiz, Chief of Police; Erik J. Walsh, Assistant City Manager]

2006-02-16-0235

12. An Ordinance ratifying the submission of an application and authorizing the acceptance of a \$500,000.00 grant from the Texas Department of Transportation (TxDOT) for the DWI Selective Traffic Enforcement Program (STEP) for the grant period October 1, 2006, to September 30, 2007, and authorizing an in-kind match of \$253,011.00 and a cash match of \$16,215.00. [Presented by Albert A. Ortiz, Chief of Police; Erik J. Walsh, Assistant City Manager]

2006-02-16-0214

13. An Ordinance authorizing payment in accordance with the San Antonio Air Service Incentive Program an amount not to exceed \$100,000.00 to Southwest Airlines for reimbursement of advertising and promotional expenses, as a result of the air carrier's initiation of new non-stop service to San Diego, California on February 5, 2006, from Airport Funds. [Presented by Mark H. Webb, Interim Director, Aviation; Roland A. Lozano, Assistant to the City Manager]

2006-02-16-0236

14. An Ordinance authorizing the execution of an Extension Agreement to the Housekeeping and Conversion Services Agreement with Go Professional Environmental Management to provide the Alamodome and Nelson W. Wolff Municipal Stadium housekeeping and conversion services exercising the final one (1)-year renewal option and extending the Agreement through March 21, 2007, in an amount not to exceed \$579,003.00; and providing for payment. [Presented by Michael Abington, Director, Alamodome; Roland A. Lozano, Assistant to the City Manager]

2006-02-16-0237

15. An Ordinance authorizing the execution of a contract change with the Texas Department of State Health Services providing \$73,622.00 for the Title V Family Planning Program of the San Antonio Metropolitan Health District for the period January 1, 2006 through August 31, 2006; adopting the program budget; approving the personnel complement; and authorizing payments. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant City Manager]

2006-02-16-0215

16. An Ordinance authorizing the execution of a contract change with the Texas Department of State Health Services providing \$33,333.00 for the Title X Family Planning Program 2005/2006 of the San Antonio Metropolitan Health District for the period January 1, 2006 through August 31, 2006; adopting the program budget; approving the personnel complement; and authorizing payments. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant City Manager]

2006-02-16-0216

17. An Ordinance authorizing the execution of a contract change with the Texas Department of State Health Services providing \$226,917.00 for the Title XX Family Planning Program of the San Antonio Metropolitan Health District for the period January 1, 2006 through August 31, 2006; adopting the program budget; approving the personnel complement; and authorizing payments. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant City Manager]

2006-02-16-0217

18. An Ordinance authorizing the execution of seven professional services agreements for a total amount of \$784,540.00 with the American Cancer Society (\$145,000.00), American Lung Association of Texas (\$26,504.00), San Antonio-Bexar County Metropolitan Planning Organization (\$110,000.00), University Health System (\$151,555.00), Social and Health Research Center "Bienestar Program" (\$30,000.00), San Antonio Independent School District (\$226,817.00), and the YMCA of Greater San Antonio (\$94,664.00) for the Steps to A Healthier San Antonio Program of the San Antonio Metropolitan Health District for the period September 22, 2005 through September 21, 2006; and authorizing payments. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant City Manager]

2006-02-16-0218

POLLED

19. A Resolution expressing the City of San Antonio's intent to consider establishing a tax increment reinvestment zone ("TIRZ") to finance public improvements in the Park North development (City Council District 1) and authorizing staff to proceed with the statutory process to consider establishing a TIRZ. [Presented by David D. Garza, Director, Neighborhood Action; Jelyne LeBlanc Burley, Deputy City Manager]

20. An Ordinance authorizing settlement of a lawsuit styled *Alfred Castellano v Chris Fragozo, Individually and as San Antonio Police Officer, et al.*, Cause No.SA-96-CA-346. [Presented by Michael D. Bernard, City Attorney; Sheryl Sculley, City Manager] **2006-02-16-0219**

21. An Ordinance authorizing the purchase of Commercial Property Insurance, including Boiler and Machinery Coverage, for City-owned and leased buildings, contents, and equipment with Great American Insurance Company, through McGriff, Seibels & Williams of Texas, Inc., the City's broker of record, for a three year period beginning February 28, 2006, with a first year premium at a cost of \$1,264,257.00, and a guaranteed premium rate of \$0.0666 (rounded) per \$100.00 of total insured value of property for the second and third years. [Presented by Sharon De La Garza, Director, Human Resources; Frances A. Gonzalez, Assistant City Manager] **2006-02-16-0220**

22. An Ordinance ratifying the acceptance, transfer, and appropriation of Federal Emergency Management (FEMA) Public Assistance grant funds for the purpose of reimbursing the City of San Antonio and organizations within the City's local jurisdiction for expenses incurred in support of the hurricane relief effort for Hurricanes Katrina and Rita. [Presented by Ben Gorzell, Acting Director, Finance; Sheryl Sculley, City Manager] **2006-02-16-0221**

23. An Ordinance amending Chapter 28, Sign Ordinance, of the City Code clarifying language for exceptions to the permit requirements for noncommercial or political signs and adding language for variance and appeals procedures for the sign permit process. [Presented by Florencio Peña, Director, Development Services; Jelyne LeBlanc Burley, Deputy City Manager] **2006-02-16-0238**

24. Consideration of the following San Antonio Education Partnership items: [Presented by Dennis Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant City Manager]

A. An Ordinance authorizing the allocation and expenditure of Human Development Services Funds from Council District 9 in the amount of \$40,000.00 to the San Antonio Education Partnership for higher education scholarships; and authorizing the execution of a contract with the San Antonio Education Partnership for the period ending December 31, 2006. **2006-02-16-0239**

B. An Ordinance authorizing the execution of a contract with the San Antonio Education Partnership in the amount of \$139,200.00 in support of the Ambassador Program and for program outreach and scholarship eligibility determination for students attending Tom C. Clark High School, Winston Churchill High School and James Madison High School for the period ending September 30, 2006. **2006-02-16-0240**

Board, Commissions and Committee Appointments.

25. Consideration of the following Board Appointments: [Presented by Leticia M. Vacek, City Clerk]

A. An Ordinance appointing Jonathan Ashkenaze (District 1) to the Electrical Examining and Supervising Board (Category: Layperson) for the remainder of an unexpired term of office to expire July 31, 2007. **2006-02-16-0222**

2006-02-16-0223

B. An Ordinance appointing Martin Herrera (District 1) to the Transportation Advisory Board (Category: Consumer) for a term of office to expire May 31, 2007.

C. An Ordinance appointing Michael Westheimer (District 1) to the Zoning Commission for the remainder of an unexpired term of office to expire June 30, 2006. 2006-02-16-0224

D. An Ordinance appointing Laura McKieran (District 9) to the Commission for Children and Families for a term of office to expire May 31, 2006. 2006-02-16-0225

PULLED

E. An Ordinance appointing Charles Codd (District 1) to the Capital Improvements Advisory Committee (Category: Community Representative) for the remainder of an unexpired term of office to expire October 25, 2007.

F. An Ordinance appointing Randolph Edward Murdock (District 7) to the Parks and Recreation Board for a term of office to expire May 31, 2006. 2006-02-16-0226

G. An Ordinance appointing James Allen (District 9) to the Brooks Development Authority (Category: Education) for the remainder of an unexpired term of office to expire November 4, 2007. 2006-02-16-0227

H. An Ordinance appointing Sulaman Chaudhry (District 9) to the San Antonio Youth Commission for a term of office to expire May 31, 2007. 2006-02-16-0228

I. An Ordinance appointing Casey Magnuson (District 9) to Keep San Antonio Beautiful, Inc. for the remainder of an unexpired term of office to expire December 22, 2006. 2006-02-16-0229

J. An Ordinance appointing Vance Krebs (District 9) to the Housing Trust Fund Board of Trustees for a term of office to expire May 31, 2007. 2006-02-16-0230

K. An Ordinance appointing Juan Antonio Landa (District 7) to the San Antonio Local Development Company, Inc., dba South Texas Business Fund, (Category: Trustee) for the remainder of an unexpired term of office to expire July 22, 2007. 2006-02-16-0231

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

26. City Manager's Report

5:00 P.M. (may be heard after this time) – Ceremonial Recognitions

5:30 P.M TIME CERTAIN (may be heard after this time):

27. Public hearing and consideration of an Ordinance amending Chapter 34 and Chapter 35, Unified Development Code, of the City Code of San Antonio, Texas regarding recognition of rights under Chapter 245 of the Texas Local Government Code and common law for projects; implementing fair notice of a project and permit sought; adopting conforming amendments and apportioning current fees. [Presented by Florencio Peña, Director, Development Services; Jelynn LeBlanc Burley, Deputy City Manager] 2006-02-16-0241

6:00 P.M. (may be heard after this time) – Citizens to be Heard

ADJOURN

9:00 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.