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Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 S. Main Ave
San Antonio, TX 78205
December 14, 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 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

5:30PM: 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

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 Archbishop Jose H. Gomez, S.T.D., Archdiocese of San Antonio. Guest of Mayor Phil Hardberger.
- 2. Pledge of Allegiance.
- 3. Approval of Minutes for the November 16, 2006 City Council meeting.

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

ACTION ITEMS FOR STAFF BRIEFING

- 4. Public Hearing and consideration of the following Ordinances: [Presented by Robert Peche, Interim Director, Economic Development; Jelynn Leblanc Burley, Deputy City Manager]

- A. An Ordinance designating the Higuchi Reinvestment Zone consisting of 11.25 acres located within the Braunig Industrial Park, on the south side of Southton Road, near the intersection of Southton and Streich Roads in City Council District 3, and as more particularly described in the metes and bounds map, on file with the City Clerk.

2006 - 12 - 14 - 1420

- B. An Ordinance approving and authorizing the execution of a Tax Phase-In Agreement with Higuchi Manufacturing Company, L.T.D. to exempt 100% of ad valorem taxes for a period of ten (10) years on real property improvements of approximately \$3.5 million.

2006 - 12 - 14 - 1421

- 5. An Ordinance designating the River North Project area located in City Council District 1, as shown by the TIRZ Boundary Map to be bounded by the centerlines of the following streets: on the north by IH 35, to the west by N. St. Mary's, Camden, Wilmington, Brooklyn, Augusta, and Baltimore Streets, to the south by 4th, Taylor, and 3rd Streets, and to the east by N. Alamo, 4th, Bonham, McCullough, Avenue E, Brooklyn, Union, 10th, E. Jones, and Broadway as a Tax Increment Reinvestment Zone ("TIRZ"); describing the boundaries of the TIRZ; creating a board of directors for the TIRZ; providing for an effective date and a termination date for the TIRZ; naming the TIRZ "Reinvestment Zone Number Twenty-Six, City Of San Antonio, Texas"; establishing a tax increment fund; and containing other statutorily required provisions for the designation of a TIRZ. [Presented by David D. Garza, Director, Housing and Neighborhood Services; Jelynn LeBlanc Burley, Deputy City Manager]

2006 - 12 - 14 - 1422

- 6. A Resolution recommending to the Board of Directors of CPS Energy the approval of \$2.1

million in Community Infrastructure and Economic Development (CIED) Funds to support a Medical Arts and Research Center and South Texas Research Tower at the UT Health Science Center and the approval of \$1.5 million in CIED funds to support electrical infrastructure for planned growth at the UTSA main campus. [Presented by Robert Peche, Interim Director, Economic Development; Jelynne LeBlanc Burley, Deputy City Manager]

2006R-12-14-1423

7. An Ordinance approving and authorizing an Economic Development Program Loan in the amount of \$1.8 million to Vistana L.T.D. for use in supporting the Vistana Project. [Presented by Robert Peche, Interim Director, Economic Development; Jelynne LeBlanc Burley, Deputy City Manager]

2006-12-14-1424

8. Consideration of the following Interlocal Agreement and Assignment and Amendment of a Professional Services Agreement in connection with the Main Plaza Redevelopment Project: [Presented by Thomas Wendorf, Director, Public Works; Jelynne LeBlanc Burley Deputy City Manager]

A. An Ordinance authorizing the execution of an Interlocal Agreement between the City of San Antonio and Bexar County regarding their joint participation and City's conveyance of the Courthouse Tract to Bexar County, and accepting the County's contribution of \$2,500,000 in connection with the master plan, design, construction, and redevelopment of Main Plaza.

2006-12-14-1425

B. An Ordinance authorizing the assignment of a Professional Services Agreement from Bender, Inc. DBA Bender Wells Clark Design to SWA Group, deleting the Liquidated Damages provision, and other changes, and authorizing the amendment of the Professional Services Agreement in the amount of \$690,000.

2006-12-14-1426

9. An Ordinance authorizing the negotiation and execution of a \$200,000.00 Arts Agency contract with the Alameda National Center for Latino Art & Culture from The Cultural Collaborative's implementation funds reserved for deferred maintenance and capital project initiatives in order to support capital needs for the new facility. [Presented by Felix Padron, Director, Cultural Affairs; Penny Postoak Ferguson, Assistant City Manager]

PULLED

PULLED

10. Consideration of the following Ordinances: [Presented by Thomas Wendorf, Director, Public Works; Jelynne LeBlanc Burley Deputy City Manager]

A. An Ordinance adopting an Infrastructure Management Program that will be used to identify projects and develop schedules for Street Maintenance, Drainage Maintenance, Sidewalks, and Traffic Signals.

B. An Ordinance approving the projects included in the FY2007-FY2011 Rolling 5-Year Infrastructure Management Plan.

CONSENT AGENDA

Purchase of Equipment, Supplies and Services

11. 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 for a combined estimated cost of \$6,211,000.00, including: supplemental taxi services; in-home personal assistance services; Nike golf pro apparel; Wilson golf pro apparel; John Deere industrial parts & service; vehicle car wash & vacuum cleaner parts & service; LRC car wash water recover parts & service; bedding plants; generator maintenance service for ITSD; elevator & escalator maintenance at the convention facilities; Ford Motor Company automobile & light duty pick-up truck collision repair; Microsoft enterprise licensing agreement; lawn maintenance for various park areas; Symantec software licenses & support; agronomy grounds service; automotive shop supplies; and books, media & cataloging & processing services for the Library. [Presented by Florencio Peña, Director, Administrative Services; Sharon De La Garza, Assistant to the City Manager]

2006 - 12 - 14 - 1428

12. An Ordinance awarding a contract to eCivis, Inc. in the amount of \$61,000.00 for a software license to access a grants locator system for a one year period, with options to renew for an additional three year term. [Presented by Florencio Pena, Director, Administrative Services; Sharon De La Garza, Assistant to the City Manager]

2006 - 12 - 14 - 1430

13. An Ordinance accepting the offer of Equipment Southwest, Inc. to provide three refuse collection containers for the Public Works Department for a total cost of \$68,736.00, from the Equipment Renewal & Replacement Fund. [Presented by Florencio Peña, Director, Administrative Services; Sharon De La Garza, Assistant to the City Manager]

2006 - 12 - 14 - 1431

14. An Ordinance accepting the offer from Toter Incorporated to provide the Environmental Services Department with roll out carts for automated refuse collection, for a cost of \$2,320,341.76, of which \$1,973,487.56 will be paid through a Tax-Exempt Lease Purchase Contract or other financial obligations, and the balance of \$346,854.20 will be funded from the Environmental Services Department Enterprise Fund. [Presented by Florencio Peña, Director, Administrative Services; Sharon De La Garza, Assistant to the City Manager]

2006 - 12 - 14 - 1375

15. An Ordinance accepting the bid from Aerocomputers, Inc. for the purchase of aerial moving map systems for the Police Department for a total cost of \$45,505.00, from Department of Homeland Security grant funds. [Presented by Florencio Pena, Director, Administrative Services; Sharon De La Garza, Assistant to the City Manager]

2006 - 12 - 14 - 1376

Capital Improvements

16. An Ordinance amending the Professional Services Agreement with the firm of THC, Inc., for

provision of consulting services in connection with the Residential Acoustical Treatment Program at the San Antonio International Airport, to include exercise of a two year option to extend the Agreement, a change in the project scope, and additional program management and construction cost compensation in the amount of \$10,684,414.00; increasing the project contingency by \$300,000.00 and appropriating funds. [Presented by Mark Webb, Director, Aviation; Penny Postoak Ferguson, Assistant City Manager]

2006 - 12 - 14 - 1429

- 17. An Ordinance amending the Professional Services Agreement with 3D/International, Inc. in the amount of \$649,010.31, to include Change Order Nos. 24, 25B, 25D, 26, 29, 30, 31, 32, 35, and 36, for design changes in connection with the Terminal Expansion Program at the San Antonio International Airport; increasing the design contingency and project administration appropriations in the amount of \$669,427.00; revising the budget and providing for payment. [Presented by Mark Webb, Director, Aviation; Penny Postoak Ferguson, Assistant City Manager]

2006 - 12 - 14 - 1377

- 18. An Ordinance approving a total construction project amount of \$338,790.22, to include awarding a \$320,000.00 contract with Baron-Long Construction, LTD. for the installation of a new heating, ventilating and air conditioning system in connection with the Jesse James Leija Gymnasium HVAC Improvements Project, an authorized Community Development Block Grant (CDBG) funded project in District 1; and appropriating funds. [Presented by Malcolm Matthews, Director, Parks and Recreation; Frances A. Gonzalez, Assistant City Manager]

2006 - 12 - 14 - 1378

- 19. An Ordinance approving a total construction project amount of \$1,044,526.00 to include a \$936,536.00 contract with LEH Contractors, Inc. to perform construction work in connection with the Olmos Basin Park Rehabilitation & Trail System Development Project located in Districts 1 and 9, an authorized 1999-2003 and 2003-2007 Park Bond funded project; and appropriating funds. [Presented by Malcolm Matthews, Director, Parks and Recreation; Frances A. Gonzalez, Assistant City Manager]

2006 - 12 - 14 - 1379

- 20. An Ordinance authorizing a professional services agreement in an amount not to exceed \$35,000.00 with Jones/Kroloff for work in connection with the design competition for the Voelcker Property Master Plan Project located in District 9; and appropriating \$35,000.00 from a portion of the remaining land acquisition funds from the Voelcker Property Acquisition Project approved on June 29, 2006, Ordinance No. 2006-06-29-0737. [Presented by Malcolm Matthews, Director, Parks and Recreation; Frances A. Gonzalez, Assistant City Manager]

2006 - 12 - 14 - 1380

- 21. An Ordinance approving a total construction project amount of \$1,564,095.29, to include awarding a \$1,328,883.00 contract with Davila Construction, Inc. for library upgrades and repairs for the Bazan Branch Library, Carver Branch Library, Cortez Branch Library and Memorial Branch Library located in Districts 5, 2, 4 and 5, respectively, in connection with the Library Improvements, Phase IV project; and appropriating funds from 1999 General Obligation Library System Improvement Bonds, 2003 General Obligation Library Improvement Bonds, Community Development Block Grant (CDBG) and U. S. Department of Housing and Urban Development 108 Loan Program funds. [Presented by Thomas

Wendorf, Director, Public Works; Jelynne LeBlanc Burley, Deputy City Manager]

2006 - 12 - 14 - 1432

22. An Ordinance authorizing City participation in a Hazard Elimination and Safety Program Grant through Texas Department of Transportation (TxDOT) from the Federal Highway Administration; authorizing the negotiation and execution of Local Project Advance Funding Agreements with TxDOT for installation of a traffic signal at the intersection of Sontera and Hardy Oak, construction of intersection improvements at Babcock and Hausman, and the installation of skid resistant pavement on Mainland between Mainland Square and Montego, and appropriating \$43,933.40 as local matching funds from Advanced Transportation District funds. [Presented by Thomas Wendorf, Director, Public Works; Jelynne LeBlanc Burley Deputy City Manager]

2006 - 12 - 14 - 1381

23. An Ordinance authorizing \$83,429.47 payable to Time Warner Cable and \$15,237.42 payable to SBC/AT&T, and adding \$13,666.48 for Project Contingency in connection with underground utility conversion in the Woodlawn Avenue from San Antonio to Lake Project, an authorized 1999 General Obligation Street Improvement Bond funded project, located in District 7, and appropriating funds. [Presented by Thomas Wendorf, Director, Public Works; Jelynne LeBlanc Burley, Deputy City Manager]

2006 - 12 - 14 - 1382

24. An Ordinance approving a total estimated project cost of \$7,428,655 and awarding a construction contact in the amount of \$4,450,703 to Shannon-Monk, Inc., in connection with the Laddie Place Regional Storm Water Detention Facility – Phase 2 Project, an authorized 2005 Storm Water Revenue Bond funded project located in District 1 and appropriating funds. [Presented by Thomas Wendorf, Director, Public Works; Jelynne LeBlanc Burley Deputy City Manager]

2006 - 12 - 14 - 1383

25. An Ordinance accepting a dedication from the Northside Independent School District of a permanent easement consisting of a 0.352 acre tract out of New City Block 18299, located in District 6. [Presented by Thomas Wendorf, Director, Public Works; Jelynne LeBlanc Burley Deputy City Manager]

2006 - 12 - 14 - 1384

26. An Ordinance accepting a dedication from Deer Creek Apartments Joint Venture of a permanent 20-foot drainage easement and a variable width drainage easement, both out of Lot 1, Block 29, New City Block 18076, within the Culebra Crossing Subdivision located in District 6. [Presented by Thomas Wendorf, Director, Public Works; Jelynne LeBlanc Burley Deputy City Manager]

2006 - 12 - 14 - 1385

27. An Ordinance approving a total estimated project cost of \$465,955.51 and awarding a construction contact in the amount of \$317,885.14 to R.L. Jones, L. P., in connection with the Menger Creek Channel Recapitalization Project, an authorized 2005 Storm Water Revenue Bond funded project located in District 2 and appropriating funds. [Presented by Thomas Wendorf, Director, Public Works; Jelynne LeBlanc Burley Deputy City Manager]

2006 - 12 - 14 - 1386

28. An Ordinance approving Change Order No.SAWS-3-Final in the deductive amount of

\$33,284.02 to the construction contract with San Antonio Constructors, Ltd. to reconcile actual quantities used in connection with the Duke Area Streets, Phase I Project, located in District 7. [Presented by Thomas Wendorf, Director, Public Works; Jelynn LeBlanc Burley Deputy City Manager]

2006 - 12 - 14 - 1387

29. An Ordinance approving a total estimated construction project amount of \$1,543,431.67 and awarding a construction contact in the amount of \$1,601,394.78 to San Antonio Constructors, Ltd., of which \$310,369.26 will be reimbursed by San Antonio Water System and \$41,861 will be reimbursed by City Public Service Energy, in connection with the two-year FY 2006-2007 Street Maintenance Program-Reconstruction, Package 1, located in Districts 1 and 7, funded from the Street Maintenance Program funds and authorizing Change Order No.1 in the deductive amount of \$81,320 to the construction contract with San Antonio Constructors, Ltd. and appropriating funds. [Presented by Thomas Wendorf, Director, Public Works; Jelynn LeBlanc Burley Deputy City Manager]

2006 - 12 - 14 - 1433

Purchase, Sale or Lease of Real Property

30. An Ordinance authorizing renewal, extension, and consent to assignment of a lease with Casa de Nuevo Leon, assignee of Secretaria de Desarrollo Economico de Nuevo Leon, for continued use of International Center office space, 1203 South St. Mary's Street, District 1, for a two-year term commencing January 1, 2007 and expiring December 31, 2008. [Presented by Shawn Eddy, Director, Asset Management; Pat DiGiovanni, Deputy City Manager]

2006 - 12 - 14 - 1388

31. An Ordinance authorizing the amendment of a parking agreement with the Texas Building and Procurement Commission, deleting parking at property near the intersection of North Walnut and East Crockett and renewing the agreement. [Presented by Shawn Eddy, Director, Asset Management; Pat DiGiovanni, Deputy City Manager]

2006 - 12 - 14 - 1434

32. An Ordinance authorizing a five-year office lease with C.A.N. Industries, Inc. for the Department of Community Initiatives, of approximately 4,145 square feet of space located at 1325 N. Flores, Suite 114, at a base monthly rental rate of \$0.90 per square foot, plus a share of common area maintenance, utilities and custodial costs, and providing for a two-year renewal option. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant City Manager]

2006 - 12 - 14 - 1389

33. An Ordinance authorizing the execution of a lease agreement with Goodwill Industries of San Antonio for the lease of approximately 400 square feet of space in the Goodwill retail store located at 727 Northwest Loop 410 for immunization and preventive health services to be provided by the San Antonio Metropolitan Health District at a lease rate not to exceed \$320.00 per month for the period beginning January 1, 2007 through December 31, 2007 with a one-year renewal option at the same rate. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant City Manager]

2006 - 12 - 14 - 1390

34. An Ordinance approving a Sidewalk Patio License Agreement with Sheraton Gunter Hotel for 753 square feet of public sidewalk space at 205 E. Houston St., located in District 1, for a five (5) year term commencing on January 1, 2007 and ending on December 31, 2011, for a total initial annual rent in the first year of \$11,566.08 and escalating at 2.5% each year thereafter. [Presented by Malcolm Matthews, Director, Parks and Recreation; Frances A. Gonzalez, Assistant City Manager] 2006 - 12 - 14 - 1391

35. An Ordinance approving three lease agreements for River Walk interior lease spaces under the Commerce Street bridge located in District 1 with three current tenants, Megusta Fine Cigar Co. d/b/a Spirit of San Antonio, Silversmith, Inc., and Rhejay, Inc. d/b/a Catarina, at market rental rates starting at \$5.50 to \$5.75 per square foot per month, for five year terms with optional five year renewals. [Presented by Malcolm Matthews, Director, Parks and Recreation; Frances A. Gonzalez, Assistant City Manager]

2006 - 12 - 14 - 1435

36. An Ordinance approving an amendment to the HemisFair Park Lease Agreement with Marcat Enterprises, Inc. d/b/a Kia International extending the term of the agreement for an additional two (2) year period commencing on February 1, 2008 and ending on January 31, 2010. [Presented by Malcolm Matthews, Director, Parks and Recreation; Frances A. Gonzalez, Assistant City Manager] 2006 - 12 - 14 - 1436

37. An Ordinance authorizing the grant of a 50' wide easement to Bexar County for the construction of a entrance road to Pletz County Park; authorizing the acceptance of a 20' wide easement through Pletz County Park from Bexar County for the Salado Creek Hike and Bike Phase 2 Project; and appropriating \$3,600.00 for related expenses from the Proposition 3 Creekway Linear Parks Land Acquisition and Park Expansion Project. [Presented by Malcolm Matthews, Director, Parks and Recreation; Frances A. Gonzalez, Assistant City Manager] 2006 - 12 - 14 - 1392

38. An Ordinance authorizing the renewal of a Lease Agreement with COSC Partners, L.P., et al., for use by the Police Department's High Intensity Drug Trafficking Area (HIDTA) Program of 46,817 square feet of office space, for a seven year term commencing on January 1, 2007 and ending December 31, 2013, with an average annual rental payment of \$822,583.00 over the term of the lease. [Presented by William McManus, Police Chief; Sheryl Sculley, City Manager] 2006 - 12 - 14 - 1393

Grant Applications and Awards

39. An Ordinance authorizing a modification and one year extension (FY 2007) of a reimbursement agreement with the Transportation Security Administration for the use of airport police personnel at the San Antonio International Airport security checkpoints, in an amount not to exceed \$396,902.40; establishing a budget, and appropriating funds. [Presented by Mark Webb, Director, Aviation; Penny Post oak Ferguson, Assistant City Manager]

2006 - 12 - 14 - 1394

40. An Ordinance authorizing the acceptance of grant funds in the amount of \$50,000.00 from the

AT & T Foundation for the development of a comprehensive marketing plan for the San Antonio Coalition for Family Economic Progress and support of a mobile tax preparation team in order to enhance participation in the Earned Income Tax Credit (EITC) and Volunteer Income Tax Assistance (VITA) programs for the period ending December 31, 2007; authorizing an amendment to a delegate agency contract; and approving a budget. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant City Manager] 2006 - 12 - 14 - 1395

41. An Ordinance authorizing the execution of a contract change with the Texas Department of State Health Services which will reduce the funding support for the ongoing Tuberculosis Prevention and Control Program of the San Antonio Metropolitan Health District for the period January 1, 2006 through December 31, 2006 from \$353,133.00 to \$335,476.00; and revising the program budget. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant City Manager] 2006 - 12 - 14 - 1396

42. An Ordinance authorizing the execution of a contract amendment with GlaxoSmithKline which will provide \$47,880.00 for the San Antonio Metropolitan Health District to continue participation in the Havrix clinical vaccine study; revising the program budget; and authorizing payment of stipends to the parents/guardians of participants enrolled in the study. [Presented by Dr. Fernando A. Guerra, Director of Health; Frances A. Gonzalez, Assistant City Manager] 2006 - 12 - 14 - 1397

43. An Ordinance authorizing the acceptance of grant funds from Citibank in the amount of \$95,000.00 for the Neighborhood Commercial Revitalization (NCR) Program's 2006 Honor Award Celebrate Evolve Renew (HACER) Gala and the NCR's Façade Improvement Program, Operation Facelift; appropriating funds and authorizing payment. [Presented by David D. Garza, Director, Housing and Neighborhood Services, Jelynn LeBlanc Burley, Deputy City Manager] 2006 - 12 - 14 - 1427

Miscellaneous

44. An Ordinance revising the procedures for City Councilmembers to schedule the consideration of items on the agendas of City Council and Committees. [Presented by Sheryl Sculley, City Manager] **ULLED**

45. An Ordinance authorizing the settlement of a state lawsuit styled *Savage v. City of San Antonio*, in the 45th Judicial District Court, Bexar County, Texas, Cause No. 2003-CI-07742, for the amount of \$250,000.00. [Presented by Michael Bernard, City Attorney; Sheryl Sculley, City Manager] 2006 - 12 - 14 - 1398

46. An Ordinance authorizing payment of a final judgment in a state lawsuit styled *Shavanc Rogers Ranch North No. 3, LTD. v. City of San Antonio*, in the 408th Judicial District Court Bexar County, Texas, Cause No. 2005-CI-05281, for the amount of \$97,050.82. [Presented by

Michael Bernard, City Attorney; Sheryl Sculley, City Manager]

2006 - 12 - 14 - 1437

- 47. An Ordinance confirming the City Attorney's engagement of McCall Parkhurst & Horton L.L.C. and West & Gooden, PC for bond counsel work associated with a proposed Sales Tax Revenue Commercial Paper transaction anticipated in 2007. [Presented by Michael Bernard, City Attorney; Sheryl Sculley, City Manager]

2006 - 12 - 14 - 1399

- 48. An Ordinance amending the agreement between the City Of San Antonio and the Law Firm of Denton, Navarro, Rocha, and Bernal, a Professional Corporation, for continued legal support of the City South Management Authority and authorizing additional payment in an amount not to exceed \$25,000.00 for these services. [Presented by Robert Peche, Director, City South Management Authority; Jelynn LeBlanc Burley, Deputy City Manager]

2006 - 12 - 14 - 1400

- 49. An Ordinance authorizing the execution of a contract with San Antonio Education Partnership (SAEP) in an amount not to exceed \$372,533.00 to support the Ambassador Program and for outreach and scholarship eligibility determination for students attending high schools for a period from October 1, 2006 through September 30, 2007. [Presented by Dennis J. Campa, Director, Community Initiatives; Frances A. Gonzalez, Assistant City Manager]

2006 - 12 - 14 - 1438

- 50. An Ordinance approving the negotiation and execution of a \$149,500 Professional Services Contract with Zucker Systems to perform a work flow study of the Development Services Department and other entities involved in the development process. [Presented by Roderick Sanchez, Interim Director, Development Services; Jelynn LeBlanc Burley, Deputy City Manager]

2006 - 12 - 14 - 1439

- 51. A Resolution consenting to the issuance of Industrial Revenue Bonds by the Mission Economic Development Corporation to finance improvements to solid waste disposal facilities owned and operated by Waste Management, Inc., within the City of San Antonio and authorizing the Mayor to approve the issuance of such bonds following a public hearing. [Presented by Robert Peche, Interim Director, Economic Development; Jelynn LeBlanc Burley, Deputy City Manager]

2006 R - 12 - 14 - 1401

- 52. A Resolution consenting to the use of the proceeds of the City of Shavano Park Health Facilities Development Corporation's Limited Obligation Revenue Notes in an aggregate principal amount of \$13,000,000 to finance the cost of equipment projects in part within the territorial limits of the City of San Antonio and to pay certain costs of issuance which will be utilized by UT Medicine San Antonio Health Care Facilities in the UT Health Science Center located at 7703 Floyd Curl Drive in City Council District 8. [Presented by Robert Peche, Interim Director, Economic Development; Jelynn LeBlanc Burley, Deputy City Manager]

2006 R - 12 - 14 - 1402

- 53. Consideration of the following Ordinances: [Presented by Ben Gorzell, Director, Finance; Pat DiGiovanni, Deputy City Manager]

A. An Ordinance authorizing the issuance of "City of San Antonio, Texas Water System Revenue Refunding Bonds, Series 2007" in the principal amount of approximately \$365,000,000; providing for the payment of the principal of and interest on the bonds by a lien on and pledge of the pledged revenues of the Water System on a parity with certain currently outstanding obligations; providing the terms and conditions of such bonds and resolving other matters incident and relating to the issuance, payment, security, sale, and delivery of such bonds, including the approval and distribution of an official statement; stipulating the terms and conditions for the issuance of additional revenue bonds on a parity therewith; authorizing the execution of a paying agent/registrars agreement, an escrow and trust agreement, and a purchase contract; complying with the requirements of the Depository Trust Company; delegating the authority to certain members of the San Antonio Water System Staff to execute certain documents relating to the sale of the bonds; enacting other provisions incident and related to the subject and purpose of this ordinance; and providing for an effective date.

2006 - 12 - 14 - 1403

B. An Ordinance authorizing the issuance of "City of San Antonio, Texas Water System Junior Lien Revenue and Refunding Bonds, Series 2007" in the principal amount of \$8,070,000; providing for the payment of the principal of and interest on the bonds by a junior lien on and pledge of the net revenues of the City's Water System on a parity with certain currently outstanding obligations; providing the terms and conditions of such bonds and resolving other matters incident and relating to the issuance, payment, security, sale, and delivery of such bonds, including the approval of an application to the Texas Water Development Board; authorizing the execution of a paying agent/registrars agreement, an escrow deposit letter, and an escrow agreement; complying with the requirements of the Depository Trust Company's letter of representations; complying with the regulations promulgated by the Texas Water Development Board; enacting other provisions incident and related to the subject and purpose of this ordinance; providing for an effective date.

2006 - 12 - 14 - 1404

C. An Ordinance authorizing the issuance of "City of San Antonio, Texas Water System Junior Lien Revenue and Refunding Bonds, Series 2007a" in the principal amount of \$35,375,000; providing for the payment of the principal of and interest on the bonds by a junior lien on and pledge of the net revenues of the City's Water System on a parity with certain currently outstanding obligations; providing the terms and conditions of such bonds and resolving other matters incident and relating to the issuance, payment, security, sale, and delivery of such bonds, including the approval of an application to the Texas Water Development Board; authorizing the execution of a paying agent/registrars agreement, an escrow deposit letter, and an escrow agreement; complying with the requirements of the depository trust company's letter of representations; complying with the regulations promulgated by the Texas Water Development Board; enacting other provisions incident and related to the subject and purpose of this ordinance; providing for an effective date.

2006 - 12 - 14 - 1405

D. An Ordinance authorizing the redemption and defeasance of certain currently outstanding City of San Antonio, Texas Water System Revenue Bonds; and providing for an effective date.

2006 - 12 - 14 - 1406

54. An Ordinance authorizing Schedule A, No. 2 to the 2006 Master Lease Purchase Agreement with Banc of America Public Capital Corp, in the total amount of \$8,784,354.56, which consists of \$6,808,317.00 for the acquisition of nineteen (19) triple combination pumper trucks for the City's Fire Department at a rate of 3.5691% for a 60 month term, and \$1,976,037.56 for the acquisition of 40,226 96-gallon refuse containers for the City's Environmental Services Department at a rate of 3.6233% for a 36 month term, to pay the costs of the transaction; enacting other provisions incident and related to the subject and purpose of this Ordinance; and providing an effective date. [Presented by Ben Gorzell, Director, Finance; Pat DiGiovanni, Deputy City Manager]

2006 - 12 - 14 - 1407

55. An Ordinance authorizing the execution of five contract amendments totaling \$245,276.50 with the following local dentists: Peter J. Almquist, D.D.S., Jennifer M. Bankler, D.D.S., Donnese Michelle Fritsche, D.D.S., Catherine Trang Nguyen, D.D.S., and Lindsey M. Schlepp, D.D.S. to continue providing dental services for the San Antonio Metropolitan Health District by extending the terms of their contracts and/or increasing compensation through March 31, 2008. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant City Manager]

2006 - 12 - 14 - 1408

56. An Ordinance authorizing the execution of a contract change with the Texas Department of State Health Services which will provide an additional \$969,394.00 to the Public Health Emergency Preparedness Program of the San Antonio Metropolitan Health District and extend the contract period until August 31, 2007; and revising the program budget and personnel complement. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant City Manager] test

2006 - 12 - 14 - 1409

57. An Ordinance authorizing the execution of an Interlocal Services Agreement with the Texas A&M University System Health Science Center totaling \$29,000.00 to conduct a program evaluation project for the Steps to a Healthier San Antonio project of the San Antonio Metropolitan Health District during the period November 1, 2006 through March 30, 2007. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant City Manager]

2006 - 12 - 14 - 1410

58. An Ordinance authorizing the execution of an agreement with AETNA Health, Inc. (AETNA) allowing the San Antonio Metropolitan Health District to receive up to \$60,000.00 for providing Medicaid and CHIP eligible health services to AETNA enrollees for the period October 1, 2006 through September 30, 2007. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant City Manager]

2006 - 12 - 14 - 1411

59. An Ordinance authorizing the execution of a contract renewal with the University of Texas Health Science Center at San Antonio Dental School in the amount of \$150,000.00 for the provision of comprehensive dental care services to children at the Ricardo Salinas Public Health Clinic for the period October 1, 2006 through September 30, 2007. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant City Manager]

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60. An Ordinance approving the negotiation and execution of three (3) as needed professional services contracts, each for an amount not to exceed \$150,000.00 with Qualtech Environmental Services, AEHS, Inc. and ATC Associates, Inc. to provide comprehensive lead inspections, risk assessments, project monitoring, project design and clearance testing in connection with various Housing and Neighborhood Services Department housing programs for a one-year term, with two one-year renewal option periods; and appropriating funds. [Presented by David D. Garza, Director, Housing and Neighborhood Services; Jelynne LeBlanc Burley, Deputy City Manager]

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61. An Ordinance approving the negotiation and execution of seven (7) as needed professional services contracts, each for an amount not to exceed \$350,000.00 with Watson Consolidated, Hadar Construction Services, L.L.C., TLI & Environmental Services, Inc., Sinclair Construction, Bolado Environmental & Construction Services, L.L.C., JGG Integrated Construction, L.L.C. and South West Texas Environmental Contractors, Inc. to provide lead hazard control work in connection with various Housing and Neighborhood Services Department housing programs for a one-year term, with two one-year renewal option periods; and appropriating funds. [Presented by David D. Garza, Director, Housing and Neighborhood Services; Jelynne LeBlanc Burley, Deputy City Manager]

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62. An Ordinance authorizing the purchase of excess workers' compensation and excess general liability insurance from State National Insurance Company through the City's broker of record for a one (1) year period beginning December 31, 2006 at an annual premium of \$628,425.00 from the Liability Self-Insurance Fund. [Presented by Flor D. Garcia, Acting Director, Human Resources; Sharon De La Garza, Assistant to the City Manager]

2006 - 12 - 14 - 1415

63. An Ordinance authorizing a \$200,000.00 professional services contract with the Free Trade Alliance San Antonio for the period of October 1, 2006 through September 30, 2007. [Presented by Elizabeth Costello, Director, International Affairs; Jelynne LeBlanc Burley, Deputy City Manager]

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64. An Ordinance approving an option contract for the purchase of approximately 20.27 acres of land with improvements located in District 8 from the Estate of Gilbert Denman and payment of \$50,000.00 for payment of the option fee. [Presented by Malcolm Matthews, Director, Parks and Recreation; Frances A. Gonzalez, Assistant City Manager]

2006 - 12 - 14 - 1416

65. An Ordinance adopting a procedure and a schedule including public hearings for the consideration of an ordinance disannexing certain real property within the City South Management Authority Area from limited purpose annexation. [Presented by Emil R. Moncivais, Director, Planning and Community Development; Jelynne LeBlanc Burley, Deputy City Manager]

2006 - 12 - 14 - 1417

66. An Ordinance approving a \$25,007.60 amendment to a \$98,060 Indefinite Delivery Construction Materials Testing Professional Services Agreement, as amended, with Professional Services Industries, Inc. for additional construction materials testing services. [Presented by Thomas Wendorf, Director, Public Works; Jelynne LeBlanc Burley Deputy

2006 - 12 - 14 - 1418

City Manager]

67. An Ordinance authorizing the acceptance of \$7,347.60 from Crime Stoppers of San Antonio, Inc. to fund one clerk position through the San Antonio Police Department, and authorizing the execution of a contract. [Presented by William McManus, Police Chief; Sheryl Sculley, City Manager]

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Boards, Commissions and Committee Appointments

68. Consideration of At-Large and District Board, Commission and Committee Appointments:
[Presented by Leticia M. Vacek, City Clerk]

- A. Reappointing George L. Britton (District 4) to the Joint City/County Commission on Elderly Affairs for the remainder of an unexpired term of office to expire September 30, 2008.
- B. Reappointing Mark Johnson (District 8) to the Capital Improvements Advisory Committee (Category: Real Estate/Building Industry) for the remainder of an unexpired term of office to expire October 25, 2007.
- C. Appointing Lori Ann Mendez (District 3) to the Commission for Children and Families for a term of office to expire May 31, 2007.
- D. Appointing Reba Malone (District 3) to the Brooks Development Authority for the remainder of an unexpired term of office to expire November 4, 2008.
- E. Appointing Adyn Pipoly (District 9) to the San Antonio Youth Commission for a term of office to expire May 31, 2007.
- F. Appointing David Beyer (District 6) (Category: Discipline - Landscape Architect) and Michael "Alex" Nava (District 10) (Category: Business/Professional - Law) to the Historic and Design Review Commission for the remainder of unexpired terms of office to expire October 31, 2007 and October 31, 2008, respectively.
- G. Appointing Billie Andrzejewski (Place 1 - Business Category), Ray Romero (Place 5 - Business Category), Ernest F. Serrato (Place 9 - Business Category), Clarence Waters (Place 10 - Business Category), Nancy P. Hard (Place 16 - CBO Category), Alicia Garza (Place 21 - Labor Category), and Glenn Skiles (Place 24 - Public Employment Category) for terms of office to commence January 1, 2007 and expire December 31, 2009, appointing Lawrence Alan Reyes (Place 3 - Business Category) for the remainder of an unexpired term of office to expire December 31, 2008, and appointing Heather Ramona

Ayala (Place 11 - Business Category) for the remainder of an unexpired term of office to expire December 31, 2007, to the Alamo WorkSource Board of Directors.

69. 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. Discuss legal issues related to the lawsuit styled *Reed S. Lehman Grain, Ltd. V. City of San Antonio, Texas*, Cause No. 2004-CI-17461, pursuant to the Texas Government Code Section 551.071 (consultation with attorney).
- B. Discuss legal issues related to the Police and Fire Collective Bargaining Agreements, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

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 Emil R. Moncivais, Director, Planning; Jelynn LeBlanc Burley, Deputy City Manager; and Zoning Cases presented by Roderick Sanchez, Interim Director, Development Services; Jelynn LeBlanc Burley, Deputy City Manager]

Z-1. ZONING CASE # Z2006007 CD (District 1 and 5): An Ordinance changing the zoning district boundary from "I-2" Heavy Industrial District, "I-1" General Industrial District, "C-3" NA General Commercial Non-Alcoholic Sales District, "C-2" NA Commercial Non-Alcoholic Sales District, "C-2" Commercial District and "MF-33" Multi-Family District to: "R-4" Residential Single-Family District, "R-4" CD Residential Single-Family District with a Conditional Use for a Duplex, "R-5" Residential Single-Family District, "R-5" CD Residential Single-Family District with a Conditional Use for a Duplex, "R-6" Residential Single-Family District, "R-6" CD Residential Single-Family District with a Conditional Use for a Duplex, "R-6" CD Residential Single-Family District with a Conditional Use for a Triplex, "R-6" CD Residential Single-Family District with a Conditional Use for a Four-plex, "R-6" CD Residential Single-Family District with a Conditional Use for a Five-plex, "R-6" CD Residential Single-Family District with a Conditional Use for an Appliance Store, "R-6" CD Residential Single-Family District with a Conditional Use for a Convent, "RM-4" Residential Mixed District, "RM-5" Residential Mixed District, "RM-6" Residential Mixed District, MF-25 IDZ Multi-Family Infill Development Zone District, "NC" IDZ Neighborhood Commercial Infill Development Zone District, "C-1" IDZ Light Commercial Infill Development Zone District, IDZ Infill Development Zone with Uses Permitted in "R-4" Residential Single-Family District and "NC" Neighborhood Commercial District, IDZ Infill Development Zone with Uses Permitted in "MF-25" Multi-Family District and "C-1" Light Commercial District, on multiple properties bound by South Alamo Street to the north, I.H.

10 East to the south, Probandt Street to the east, and I.H. 35 South to the west, as requested by City of San Antonio, Applicant, for Multiple Owners. Staff and Zoning Commission recommend Approval.

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Z-2. **ZONING CASE # Z2006167 (District 2):** An Ordinance changing the zoning district boundary from "R-6" Residential Single Family District to "MF-25" Multi-Family District on Parcel 3 and Parcel 11, NCB 15894 , 6670 Walzem Road and 6726 Walzem Road, as requested by H. B. Newman, Applicant, for Ernest C. Brehm and Eldora A. Brehm, Owners. Staff and Zoning Commission recommend Approval.

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*Continued
with
Jan 18, 07*

Z-3. **ZONING CASE # Z2006222 CD (District 2):** An Ordinance changing the zoning district boundary from "I-2" Heavy Industrial District to "R-4" (CD - Dwelling, Two-Family) Residential Single-Family District with a Conditional Use for a Two-Family Dwelling not exceeding 13 units per acre on Lot 30, Block D, NCB 1161, 409 Coleman Street, as requested by HTG Real Property Management, Inc., Applicant, for HTG Real Property Management, Inc., Owner. Staff and Zoning Commission recommend Approval.

Z-4. **ZONING CASE # Z2007007 S (District 3):** An Ordinance changing the zoning district boundary from "C-2" Commercial District to "C-2" S Commercial District with a Specific Use Permit for Radio Transmission Towers on 14.56 acres out of NCB 11166, 13699 South U.S. HWY 281, as requested by Brown, P.C., Applicant, for John Pleuthner, Owner. Staff and Zoning Commission recommend Approval with Conditions.

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Z-5. **ZONING CASE # Z2007014 (District 3):** An Ordinance changing the zoning district boundary from PUD "MF-33" Planned Unit Development Multi-Family District to "R-4" Residential Single-Family District on 3.8008 acres out of Lot 9, Block C, NCB 11027, 5000 Block of Hillje Street as requested by City of San Antonio, Applicant, for San Antonio Development Agency, Owners. Staff and Zoning Commission recommend Approval.

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Z-6. **ZONING CASE # Z2006288 (District 4):** An Ordinance changing the zoning district boundary from "I-1" General Industrial District to "C-3 NA" General Commercial Nonalcoholic Sales District on 4.269 acres out of NCB 14268, 6200 Block of Highway 90 W., as requested by Tinu Patel, Applicant, for San Antonio Macedonia Church, Owners. Staff recommends Approval. Zoning Commission pending December 5, 2006.

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Z-7. **ZONING CASE # Z2007006 (District 4):** An Ordinance changing the zoning district boundary from "I-2" Heavy Industrial District to "C-3" General Commercial District on 2.643 acres out of NCB 11186, 7000 Block of Yarrow Avenue, as requested by Brown, P.C., Applicant, for Barrett Construction Company, Owners. Staff recommends Approval. Zoning Commission pending.

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Z-8. **ZONING CASE # Z2007002 (District 6):** An Ordinance changing the zoning district boundary from "I-1" General Industrial District to "C-3" General Commercial District on 19.80 acres out of NCB 15329, 700 Block of Richland Hills Drive, as requested by Fred Loya

Insurance Agency, Applicant, for Park 410 Westplex Joint Venture, Owner. Staff and Zoning Commission recommend Approval.

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5:30 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.