



Joint Ord 2006-01-26-0112
Last Ord. 2006-01-26-0146

Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
103 S. Main Ave
San Antonio, Texas 78205
January 26, 2006

RECEIVED
CITY OF SAN ANTONIO
CITY CLERK
JAN 23 A 8:54

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
- 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 Dr. Albert Kelly, Wayland Baptist University, Guest of Councilmember Chip Haass, District 10 and Pledge of Allegiance.
2. Swearing in of Councilmember Elena Guajardo, District 7, as Mayor Pro Tem.
3. Approval of Minutes for the January 12, 2006 City Council Meeting.

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

ITEMS FOR INDIVIDUAL CONSIDERATION

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

A. An Ordinance appointing and/or reappointing members to the Metropolitan Transit Authority for the remainder of unexpired terms of office to expire December 31, 2007.

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Nominees (2 slots): Tomas (T.T.) Moreno (seeking reappointment), Mary Briseno, and Rick Pych

B. An Ordinance appointing and/or reappointing members to the San Antonio Development Agency for the remainder of unexpired terms of office to expire December 18, 2007.

2006 - 01 - 26 - 0113

Nominees (5 slots): Ivy Ruth Taylor, Shirley Gonzales Flores, Tim Kellcy (seeking reappointment),

Janie Martinez Gonzalez, Diane G. Cibrian (seeking reappointment), and Rolando Briones, Jr.

C. An Ordinance appointing members to the Advisory Board of Health of the San Antonio Metropolitan Health District for the remainder of unexpired terms of office to expire December 31, 2007.

2006 - 01 - 26 - 0114

Nominees – Physician Category (2 slots): Dr. Gerardo Ortega

Nominees – At-Large/Hospital Services/Administration (1 slot): Steven Jewell and Mark Clayton

D. An Ordinance appointing and/or reappointing members to the Noise Abatement Advisory Committee for terms of office to expire May 31, 2007.

2006 - 01 - 26 - 0115

Nominees – Neighborhood Association Category (4 slots): Leslie Hobgood

Nominees – Air Transportation Advisory Commission Category (2 slots):

Dr. Edward Benson (seeking reappointment) and Richard Kelley (seeking reappointment)

Nominees – Alamo Area Council of Governments (AACOG) (1 slot):

Al Notzon (seeking reappointment)

E. An Ordinance appointing members to the Air Transportation Advisory Commission for terms of office to expire May 31, 2007. **2006 - 0 1 - 2 6 - 0 1 1 6**

Nominees – Community Representative Category (2 slots): Leslie Hobgood

Nominees – Business Category (1 slot): Michael Westheimer

5. An Ordinance accepting the low, qualified bid, appropriating funds and authorizing the execution of a standard construction contract with All Pro General Construction, Inc., a SBE/MBE firm, in the amount of \$392,000.00, for construction services in connection with the Japanese Tea Garden Improvements and Roofing Replacement Project in the Sunken Garden area of Brackenridge Park located in District 9, appropriating \$40,000.00 for construction contingency, \$4,000.00 for architectural contingency, and \$1,400.00 for bid advertising and printing; for a total appropriated amount of \$437,400.00 from 2003-2007 Park Bond funds; and providing for payment. [Presented by Malcolm Matthews, Director, Parks and Recreation; Frances A. Gonzalez, Assistant City Manager] **2006 - 0 1 - 2 6 - 0 1 1 7**
6. An Ordinance selecting Unison-Maximus, Inc. to provide leasing, marketing and management of retail, food, beverage and service concessions at the San Antonio International Airport; authorizing the negotiation and execution of a concession management contract agreement for a primary term of three years commencing on March 1, 2006, with two one-year renewal options upon mutual agreement and subject to City Council approval, for an annual sum not to exceed 13.25% of all collected concession revenues, for a total estimated cost of approximately \$1,863,102.00 for the three year primary term. [Presented by Mark H. Webb, Interim Director, Aviation; Roland A. Lozano, Assistant to the City Manager] **2006 - 0 1 - 2 6 - 0 1 1 8**
7. An Ordinance accepting the resignation(s) of Municipal Court Judge(s) and appointing part-time and full-time Municipal Court Judges, as recommended by the Quality of Life Committee, and providing for an effective date. [Presented by Michael D. Bernard, City Attorney; Sheryl Sculley, City Manager] **2006 - 0 1 - 2 6 - 0 1 2 0**
8. Public hearing and consideration of an Ordinance renaming a section of Watson Road located between Highway 16 and approximately 120 feet east of Applewhite Road to Lone Star Pass and waiving procedures established by City Code for renaming city streets, as requested by Councilman Roland Gutierrez, District 3. [Presented by Florencio Pena, Director, Development Services; Jelynn LeBlanc Burley, Assistant City Manager] **2006 - 0 1 - 2 6 - 0 1 1 9**

CONSENT AGENDA

Items Concerning the Purchase of Equipment, Supplies and Services

9. 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 fiscal year 2005-2006 for an estimated combined annual cost of \$192,501.00 including truck body accessory parts and service; motor fuel tankwagon loads; maintenance of the reverse osmosis system at the Botanical Center; and erosion **2006 - 0 1 - 2 6 - 0 1 2 1**

control materials and accessories. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Michael Armstrong, Assistant City Manager/Chief Information Officer]

10. An Ordinance ratifying purchases from GlaxoSmithKline, items 1, 2 and 3; Merck & Co., Inc., items 4, 5 and 6; CT International, item 7; and Sanofi-Pasteur, Inc., items 8, 9 and 10, utilizing the State of Texas contract, for a one-time emergency purchase of vaccines for foreign travel for a total of \$121,931.20, and accepting the offers from GlaxoSmithKline, items 1-5; Merck & Co., Inc., items 6-11; Sanofi-Pasteur, Inc., items 12-19; Richie Pharmacal Co., item 20; and CT International, items 21-23, utilizing the State of Texas contract, to provide the Health Department with various types of vaccines on an annual basis for an estimated total cost of \$4,895,417.00, and accepting the offer from Sanofi-Pasteur, Inc. for Fluzone influenza vaccine for a total of \$495,635.00 from the Public Health Support Revenue Fund. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Michael Armstrong, Assistant City Manager/Chief Information Officer]

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11. An Ordinance authorizing execution of an addendum to a contract with Innovative Interfaces, Inc. to provide the Library Department with Millennium software additions for a total of \$118,125.00, and authorizing an expenditure of \$172,875.00 for related hardware and equipment using existing City contracts, for a total expenditure of \$291,000.00, from tax exempt lease purchase funds. [Presented by Janie B. Cantu, Director, Purchasing & General Services; Michael Armstrong, Assistant City Manager/Chief Information Officer]

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Capital Improvement Items

12. An Ordinance accepting the low qualified bid of Yantis Company in the amount of \$6,351,654.00 to provide construction services for the Project 8-Volume 1-Airside Apron & Utilities-Phase 1 Project at San Antonio International Airport; authorizing construction contingencies in an amount not to exceed \$635,166.00, for a total appropriation of \$6,986,820.00; authorizing execution of a contract; appropriating funds; establishing the budget and providing for payment. [Presented by Mark H. Webb, Interim Director, Aviation; Roland A. Lozano, Assistant to the City Manager]

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13. An Ordinance authorizing the negotiation and execution of a Professional Services Contract with the firm of Raba-Kistner Consultants, Inc., to provide construction and material testing services in connection with the Sky Place Boulevard Realignment and Drainage Project at San Antonio International Airport for an amount not to exceed \$44,490.00; appropriating funds, amending the budget and providing for payment. [Presented by Mark H. Webb, Interim Director, Aviation; Roland A. Lozano, Assistant to the City Manager]

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14. An Ordinance authorizing the amendment of the Professional Services Contract For Design Development and Construction Administration Services with CDS/Muery Services in an amount not to exceed \$116,507.60, to provide Inspection Services for the Remain Over Night (RON) Apron Project at the San Antonio International Airport; amending the budget and appropriating payment. [Presented by Mark H. Webb, Interim Director, Aviation; Roland A. Lozano, Assistant to the City Manager]

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Items Concerning the Purchase, Sale or Lease of Real Property

15. An Ordinance authorizing the execution of a Joint Use Agreement between San Antonio Water System ("SAWS") and the City of San Antonio in connection with 5.23 acres located at Stinson Municipal Airport for the purpose of allowing SAWS to construct, install, operate, and maintain the new Six Mile Creek Sewer Line, as well as grout and abandon-in-place, SAWS' existing sanitary sewer line which currently traverses the Stinson Municipal Airport airfield, for a one-time privilege fee payable to the City in the amount of \$107,000.00. [Presented by Mark H. Webb, Interim Director, Aviation; Roland A. Lozano, Assistant to the City Manager]

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16. An Ordinance authorizing the execution of a Lease Agreement with Southwest Airlines for 9,600 square feet of cargo space in the Air Cargo Building West at San Antonio International Airport for a term of three (3) years commencing November 1, 2005, for a monthly rental of \$6,106.13. [Presented by Mark H. Webb, Interim Director, Aviation; Roland A. Lozano, Assistant to the City Manager]

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17. An Ordinance authorizing the execution of a Lease Agreement with Continental Airlines for 1,920 square feet of cargo space in the Air Cargo Building West at San Antonio International Airport for a term of three (3) years commencing November 1, 2005, for a monthly rental of \$1,224.85. [Presented by Mark H. Webb, Interim Director, Aviation; Roland A. Lozano, Assistant to the City Manager]

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18. An Ordinance authorizing the execution of a Lease Agreement with Texas Department of Public Safety (DPS) for 22,613 square feet of ground space and 8,400 square feet of building space at 8723 Mission Road, at Stinson Municipal Airport, for a five (5) year term commencing February 1, 2006, for a monthly rental of \$723.13 to increase in October 2006 to a monthly rate of \$779.66. [Presented by Mark H. Webb, Interim Director, Aviation; Roland A. Lozano, Assistant to the City Manager]

Miscellaneous Items

19. An Ordinance authorizing the execution of a contract totaling \$353,133.00 with the Texas Department of State Health Services for the Tuberculosis Prevention and Control Program of the San Antonio Metropolitan Health District for the period January 1, 2006 through December 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]

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20. An Ordinance authorizing the acceptance of \$500.00 from the Holt Company of Texas for the Special Immunizations Promotion Project of the San Antonio Metropolitan Health District for the period ending December 31, 2005; revising the Special Immunization Promotions Project budget; and increasing appropriations. [Presented by Dr. Fernando A. Guerra, Director, Health; Frances A. Gonzalez, Assistant City Manager]

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21. An Ordinance authorizing a grant agreement with the San Antonio Technology Accelerator Initiative Foundation (SATAI) for an amount not to exceed \$500,000.00 to financially assist SATAI in promoting and facilitating economic development of the City's technology initiatives. [Presented by Ramiro Cavazos, Director, Economic Development; Jelynn LeBlanc Burley, Assistant City Manager]

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22. An Ordinance authorizing the execution of a grant agreement in the amount of \$100,000.00 with the San Antonio Research and Technology Foundation and Defense Transformation Institute for the creation of economic development opportunities within the City's active military installations, increasing the FY 2006 General Fund appropriations and amending the FY 2006 Budget by \$25,000.00 [Presented by Ramiro Cavazos, Director, Economic Development; Jelynn LeBlanc Burley, Assistant City Manager] **2006 - 0 1 - 2 6 - 0 1 3 2**

Board, Commissions and Committee Appointments.

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

A. An Ordinance appointing Jo M. Cox (District 7) to the Mayor's Commission on the Status of Women for a term of office to expire May 31, 2007. **2006 - 0 1 - 2 6 - 0 1 3 3**

B. An Ordinance appointing Sara Maria Gonzales (District 4) to the Keep San Antonio Beautiful, Inc. for the remainder of an unexpired term of office to expire December 22, 2006. **2006 - 0 1 - 2 6 - 0 1 3 4**

C. An Ordinance appointing Michael Rodriguez (District 7) to the Small Business Advocacy Committee for a term of office to expire May 31, 2007. **2006 - 0 1 - 2 6 - 0 1 3 5**

D. An Ordinance appointing Jelynn LeBlanc Burley (District 10) to the Brooks Development Authority (Category: City Manager's Designee) for the remainder of an unexpired term of office to expire November 30, 2006. **2006 - 0 1 - 2 6 - 0 1 3 6**

E. An Ordinance appointing Cathy Starnes (Category: Chamber of Commerce) and Pat Castillo (Category: At Large) for the remainder of unexpired terms of office to expire November 30, 2006 and November 30, 2007, respectively, and reappointing Joseph V. Barth (Category: Retired Sector), Rick Crespo (Category: Housing Representative), Robert W. Davis (Category: Community Organization), Bennett R. Finesilber (Category: At Large), Michael J. Gilbert (Category: Education Representative), Ray Hamilton (Category: Retired Sector), Debra Huerta (Category: Professional Journalist), Ethel A. Nelson (Category: Neighborhood Representative), Carla D. Obledo (Category: Judicial Member-Municipal), Jeanne A. Paulk (Category: Neighborhood Representative) and Andy D. Shaw (Category: Professional Journalist) for the remainder of unexpired terms of office to expire November 30, 2006, and reappointing Joe G. Candia (Category: Neighborhood Representative), Father Jimmy D. Drennan (Category: Religious Community), Lucy M. Hall (Category: Neighborhood Representative), Reynaldo T. Lopez (Category: At Large), Robert W. Roth (Category: Military Representative), James M. Templeton (Category: AACOG), Kenneth Thompson (Category: Religious Community), and Judge Andy Mireles (Category: State Judicial Representative) for the remainder of unexpired terms of office to expire November 30, 2007, to the Greater San Antonio Crime Prevention Commission as requested by Mayor Phil Hardberger. **2006 - 0 1 - 2 6 - 0 1 3 7**

24. An Ordinance amending Ordinance No. 101558 and appointing Councilmember Sheila McNeil to the Convention and Visitor's Commission, for a term of office to expire May 31, 2007, as requested by Mayor Phil Hardberger. **2006 - 0 1 - 2 6 - 0 1 3 8**

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.

- A. Deliberate the appointment of applicants for Municipal Court Judge positions pursuant to Texas Government Code Section 551.074 (personnel matters), and discuss related legal issues, 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, Assistant City Manager]; [Zoning Cases presented by Florencio Peña, Director, Development Services; Jelynn LeBlanc Burley, Assistant City Manager]

P-1. PLAN AMENDMENT CASE #05016 (District 1): An Ordinance amending the land use plan contained in the Lavaca Neighborhood Plan, a component of the Master Plan of the City, by changing the use of approximately 0.316 acres of land located at 701 Indianola from Parks/Recreational land use to Medium Density Residential land use.

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Z-1. ZONING CASE #Z2005081 (District 4): An Ordinance amending the zoning boundary from "NP-8" Neighborhood Preservation District to "R-6" Residential Single-Family District on 9.031 acres out of Lot 7 and Lot P-37, Block 128, NCB 15264, 5834 South Sandy Valley as requested by Miam Enterprises Management, LLC, Applicant, for Miguel A. Vela, Owner(s). Staff and Zoning Commission recommend Denial.

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Z-2. ZONING CASE #Z2005272 (District 6): An Ordinance amending the zoning boundary from "R-6" Residential Single-Family District to "C-2" Commercial District on 0.439 acres out of NCB 17417, 8615 Marbach Road as requested by Robert Grant, Applicant, for Lakeside Properties, Ltd., Owner(s). Staff and Zoning Commission recommend Approval.

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Z-3. ZONING CASE #Z2005283 (District 6): An Ordinance amending the zoning boundary from "R-6" Residential Single-Family District to "RM-4" Mixed Residential District on 2.027 acres out of NCB 17873, 8000 Block of Garden Brook as requested by Salah E. Diab, Applicant, for Lakeside Properties, Ltd., Owner(s). Staff and Zoning Commission recommend Approval.

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Z-4. ZONING CASE #Z2005297 (District 7): An Ordinance amending the zoning boundary from "R-6" Residential Single-Family District to "C-3NA" General Commercial, Nonalcoholic Sales District on Lot P-3D, NCB 15663, 11212 Leslie Road as requested by Roy Horn III, Applicant, for Robert and Mary Maddox, Owner(s). Staff and Zoning Commission recommend Approval.

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*Continued
30 days*

Z-5. ZONING CASE #Z2005292 CD S:): An Ordinance amending the zoning boundary from "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District, "R-6 ERZD" GC-1 Residential Edwards Recharge Zone Gateway Corridor District-3, "C-3 ERZD" General Commercial Edwards Recharge Zone District, "C-3 ERZD" GC-1 General Commercial Edwards Recharge Zone Gateway Corridor District-3 and "I-1 ERZD" General Industrial Edwards Recharge Zone District to "C-3 CD S ERZD" (CD-Freight Depot) General Commercial Edwards Recharge Zone District with a Conditional Use and Specific Use Permit for a Freight Depot and "C-3 CD S ERZD" GC-1 (CD-Freight Depot) General Commercial Edwards Recharge Zone Gateway Corridor District with a Conditional Use and Specific Use Permit for a Freight Depot on 21.23 acres out of NCB 14881, NCB 14882, and NCB 14853, and 4.60 acres out of NCB 34760, NCB 34761, and NCB 14747, 17000 Block of IH-10 West as requested by Brown, PC., Applicant, for La Cantera Partnership, Owner(s). Staff and Zoning Commission recommend Approval with SAWS recommendations and site specific conditions.

Z-6. ZONING CASE #Z2006002 (District 8): An Ordinance amending the zoning boundary from "R-6" Residential Single-Family District, "R-6" GC-1 Residential Single-Family Gateway Corridor District, "R-20" Residential Single-Family District and "R-20" GC-1 Residential Single-Family Gateway Corridor District to "MF-25" Multi-Family District and "MF-25" GC-1 Multi-Family Gateway Corridor District on 65.095 acres, "C-3" General Commercial District on 41.396 acres, and "C-3" GC-1 General Commercial Gateway Corridor District on 30.197 acres from a total of 136.688 acres out of NCB 18333 and NCB 34760, 19000 and 20000 Block of Interstate Highway 10 West as requested by Kaufman and Associates, Inc., Applicant, for BP HWY 10 San Antonio, Ltd., Owner(s). Staff and Zoning Commission recommend Approval.

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*Returned
by applicant*

Z-7. ZONING CASE #Z2005289 (District 9 and 10): An Ordinance amending the zoning boundary from The request of, for a change in zoning from "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District to "C-2 ERZD" Commercial Edwards Recharge Zone District on 13.194 acres, "O-2 ERZD" Office Edwards Recharge Zone District on 13.689 acres and "O-1 ERZD" Office Edwards Recharge Zone District on 2.74 acres of a total of 29.83 acres out of CB 4955, 3500 to 3600 Block of North Loop 1604 East as requested by Andrew L. Johnston, Applicant, for The Sitterle Corporation, Owner(s). Staff and Zoning Commission recommend Approval with SAWS recommendations and site specific conditions.

Z-8. ZONING CASE #Z2005291 (District 9): An Ordinance amending the zoning boundary from "R-4 ERZD" Residential Single-Family Edwards Recharge Zone District to PUD "R-4 ERZD" Planned Unit Development Residential Single-Family Edwards Recharge Zone District on 74.595 acres out of NCB 17701, 17300 Block of Northwest Military Highway as requested by Kaufman and Associates, Inc., Applicant, for McMillin Texas Development, LLC., Owner(s). Staff and Zoning Commission recommend Approval with a limit of 375 total units, and with SAWS recommendations and site specific conditions.

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25. City Manager's Report - *None*

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 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.