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Agenda  
City Council Meeting  
Municipal Plaza Building  
City Hall Complex  
114 W. Commerce  
San Antonio, TX 78205  
October 15, 2009

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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
- 5:15PM:** 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 site is wheelchair accessible. The accessible entrance is located at the Municipal Plaza Building / Main Plaza Entrance. Accessible Visitor Parking Spaces are located at City Hall, 100 Military Plaza, Northside. Auxiliary Aids and Services are available upon request (Interpreters for the Deaf must be requested forty-eight [48] hours prior to the meeting). For assistance, call (210) 207-7245 Voice/TTY.

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 Rev. Jon D. Lowry, Pastor, Laurel Heights United Methodist Church. Guest of Councilmember Mary Alice Cisneros, District 1.
2. Pledge of Allegiance.
3. Approval of Minutes for the City Council Budget Work Session of September 8, 2009 and the Regular City Council Meeting of September 10, 2009 City Council meeting.

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

**ACTION ITEMS FOR STAFF BRIEFING**

4. Staff briefing on the City's American Recovery and Reinvestment Act (ARRA) initiatives to include a summary of the City's spending plans, project and program delivery timelines, and achieved results to date. [Sheryl Sculley, City Manager; Peter Zaroni, Director, Management and Budget]

**CONSENT AGENDA**

**Purchase of Equipment and Supplies**

5. An Ordinance accepting bids for the following annual contracts in the estimated annual amount of \$1,594,000.00: (A) Freightliner of San Antonio, LTD. for manual transmission parts and service; (B) J.R. Ramon & Sons, Inc. for demolition services; (C) Buckeye Cleaning Center, Gulf Coast Paper, Hillyard, Inc., K-Stone Supplies & Repairs, Matera Paper Company and Pollock Paper Distributors for janitorial supplies and personal care items; (D) Hertz Equipment Rental Corporation for rental of construction equipment; (E) Oracle for software maintenance and support; and (F) Vion Corporation for Brocade Hitachi maintenance and support. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services] **2009-10-15-0818**

6. An Ordinance authorizing a change order in the increased amount of \$154,950.00 to the \$619,850.00 contract with Datalink Corporation to provide the Information Technology Services Department with four (4) additional disk storage expansion trays for the Data Domain disk-based data backup and recovery system, funded by FY 2009-2014 Capital Project funds. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services] **2009-10-15-0819**

7. An Ordinance accepting the offers from Applied Biosystems and Roche Diagnostics Corp. for the purchase of laboratory equipment for the Metropolitan Health District for a cost of \$204,956.00, funded by the Public Health Emergency Response Grant from the Texas

Department of State Health Services. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

8. An Ordinance authorizing the City to utilize a state cooperative contract with the State of Texas Department of Information Resources (DIR) to provide the City of San Antonio with Information Technolgy staffing services for a cost of \$2,000,000.00, funded with FY 2010 Capital Budget and Operating funds. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

2009-10-15-0821

**Capital Improvements**

9. An Ordinance awarding a construction contract in the amount of \$292,376.70, from a total authorized project amount of \$357,775.80, to Hershap Backhoe & Ditching Inc. for the HemisFair Groundwater Force Main Project (Phase 1), funded from the FY 2010 budget, located in Council District 1. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2009-10-15-0822

10. An Ordinance awarding a construction contract with Silverado Brothers in the amount of \$439,980.97, of which \$202,277.58 will be reimbursed by San Antonio Water Systems (SAWS), for the Green - Nogalitos to IH 35 Street Project, an authorized 2007-2012 General Obligations Bond funded project located in Council District 5, from a total authorized project amount of \$562,535.76. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2009-10-15-0823

11. An Ordinance authorizing a San Antonio Water System (SAWS) requested change order in the increased amount of \$92,392.00 to the \$3,756,883.72 construction contract with Jay Reese Contractors, Inc., all of which will be reimbursed by SAWS, for replacement of two sections of a sewer main for the Hays Street Bridge Rehabilitation Project, a Local Agency Management Project, funded with Certificates of Obligation and 2007-2012 General Obligation Bonds, located in Council District 2. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2009-10-15-0824

12. An Ordinance authorizing a final change order in the decreased amount of \$292,793.51 to the \$1,243,479.86 construction contract with KL&J Partnership, and utilizing an existing Public Works Indefinite Delivery Contract for completion of the District 5 Housing and Urban Development (HUD 108) projects. [Sharon De La Garza, Assistant City Manager; Majed Al-Ghafry, Director, Public Works]

2009-10-15-0825

13. An Ordinance authorizing an indefinite delivery contract with Park Construction Company for an amount up to \$3,835,777.10 for federal economic stimulus and capital budget projects located City-wide included in the 2009-2010 Indefinite Delivery Contract Package III. [Sharon De La Garza, Assistant City Manager; Majed A. Al-Ghafry, Director, Public Works]

2009-10-15-0826

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

14. An Ordinance authorizing the lease assignment for the Airport Shuttle Concession Contract from SATRANS Joint Venture to City Tours, Inc., and exercising the first one-year extension. [Penny Post oak Ferguson, Assistant City Manager; Frank Miller, Director, Aviation]

**2009-10-15-0827**

15. An Ordinance authorizing a five-year lease with Wendell L. Miller for office space at 4458 E. Houston Street in Council District 2, for use as a constituent office, for an annual rental of \$14,400.00. [Penny Post oak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

**2009-10-15-0828**

16. An Ordinance approving the price, terms and conditions of sale by the San Antonio Development Agency (SADA), also known as the Urban Renewal Agency of the City of San Antonio, of approximately 0.1078-acres of property, and the structure thereupon, legally described as NCB 616 BLK 2 Lot 41 Historic Gardens Phase III BSL Replat, to Mr. Marco Carmona, for a total sum of \$114,000.00. [T.C. Broadnax, Assistant City Manager, David D. Garza, Director, Housing and Neighborhood Services]

**2009-10-15-0829**

#### Grant Applications and Awards

17. An Ordinance (a) ratifying the prior submission of a revised grant application for February 1, 2009 through January 31, 2010 to the U.S. Department of Health and Human Services (HHS); (b) authorizing contract amendments for the period of April 1, 2009 through January 31, 2010 with Head Start contractors totaling \$4,332,385.00, which includes \$2,805,901.00 in American Reinvestment and Recovery Act (ARRA) stimulus funding; and (c) authorizing the submission of an grant application, and the acceptance, upon award, of a Head Start Program continuation grant in an amount up to \$47,953,082.00 from HHS for the continuing operation of the 2010-2011 Head Start program and acceptance of additional funding as it may become available; an in-kind matching budget of up to \$11,988,270.00 (City General Fund in-kind match of \$703,133.00 and partner in-kind \$11,285,138.00); and a budget and personnel complement of 31 positions for the Department of Community Initiatives for the FY 2010 - 2011 grant. [Frances A. Gonzalez, Assistant City Manager; Dennis J. Campa, Director, Community Initiatives]

**2009-10-15-0830**

18. An Ordinance authorizing the submission of a grant application and acceptance of funds upon award for a grant from the Association for Library Service to Children in the amount of \$3,000.00 to provide literacy workshops for incarcerated parents as well as the caregivers of their children. [A.J. Rodriguez, Deputy City Manager; Ramiro Salazar, Director, Library]

**2009-10-15-0831**

19. An Ordinance authorizing the submission of a grant application and acceptance of a \$220,000.00 grant from the Texas Department of Transportation (TxDOT) for "Click It Or Ticket" Selective Enforcement Program's Seat Belt and Child Safety Seat enforcement program for the grant period October 19, 2009 to June 6, 2010. [Erik J. Walsh, Assistant City Manager; William P. McManus, Police Chief]

**2009-10-15-0832**

#### Boards, Commissions and Committee Appointments

20. Consideration of Board, Commission and Committee appointments, to be effective immediately upon the receipt of eight affirmative votes, or, in the event eight affirmative votes are not received, ten days after appointment: [Leticia M. Vacek, City Clerk]

A. Appointing Patrick T. Absher (District 6, Category: Tour/Charter/Shuttle Representative) to the Transportation Advisory Board for the remainder of an unexpired term of office to expire May 31, 2011.

B. Appointing Marcia Meredith (District 4) to the Citizens' Environmental Advisory Committee for the remainder of an unexpired term of office to expire May 31, 2011.

C. Appointing Jose Daniel Moreno-Lozano (District 4) to the San Antonio Youth Commission for the remainder of an unexpired term of office to expire May 31, 2011.

D. Appointing Mary Anguiano (District 4) to the San Antonio Housing Trust for the remainder of an unexpired term of office to expire May 31, 2011.

E. Reappointing Carole A. Abitz (District 4, Category: Layperson) to the Animal Care Services Advisory Board for the remainder of an unexpired term of office to expire May 31, 2011.

F. Reappointing James L. Myers (District 4) to the Zoning Commission for the remainder of an unexpired term of office to expire May 31, 2011.

G. Reappointing Mary K. Luna (District 4) to the Mayor's Commission on the Status of Women for the remainder of an unexpired term of office to expire May 31, 2011.

H. Reappointing Vanessa B. Chavez (District 4) to the San Antonio Commission on Literacy for the remainder of an unexpired term of office to expire May 31, 2011.

I. Reappointing Frank Castro, Jr. (District 4) to the Commission for Children and Families for the remainder of an unexpired term of office to expire May 31, 2011.

J. An Ordinance designating the Councilmembers from District 1, District 2, and District 5 as Ex-Officio members to the Board of Directors for Tax Increment Reinvestment Zone Number Eleven, City of San Antonio, Texas, known as the "Inner City" TIRZ; providing that Chapter 2, Article IX, Boards and Commissions, Sections 2-256 to 2-528 of the City Code are not applicable to ex officio members; and appointing Councilmember Ivy R. Taylor as Chair of the Inner City TIRZ Board for a one-year term effective January 1, 2010.

2009-10-15-0833

21. An Ordinance terminating inactive campaign treasurer appointments. [Leticia M. Vacek, City Clerk]

2009-10-15-0834

22. An Ordinance authorizing a one-year extension of the City's professional services contract with Sedgwick CMS, Inc., for third-party administrator services for operation of the City's liability and workers' compensation self-insurance programs at a cost of \$1,588,931.50, for a one-year term beginning January 1, 2010, funded from the FY 2010 budget, allocated to the Liability Self-Insurance Fund and the Workers' Compensation Fund. [Sharon De La Garza, Assistant City Manager; Elizabeth Braune, Director, Human Resources]

2009-10-15-0835

23. An Ordinance appointing a San Antonio Municipal Court Judge for the remainder of an unexpired term, to expire April 30, 2010. [John W. Bull, Presiding Judge, Municipal Court]

2009-10-15-0836

**City Code Amendments**

24. An Ordinance amending the City Code, Chapter 14, entitled Solid Waste, regarding the City's current illegal dumping regulations, authorizing criminal prosecution of an individual caught illegally dumping including provisions to prosecute an entity and/or entity's agent or employee that illegally dumps. [T.C. Broadnax, Assistant City Manager; David D. Garza, Director, Housing and Neighborhood Services]

2009-10-15-0837

**25. City Manager's Report**

- A. 2009 City Employee Survey
- B. Animal Care Services National Media Campaign

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

**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. Planning and Zoning Cases presented by T.C. Broadnax, Assistant City Manager; Roderick Sanchez, Director, Planning and Development Services.

26. A Resolution directing the Planning and Development Services Department to initiate a change in the Zoning District Boundary of approximately 0.7322 of an acre located at 3127 Mission Road to a use compatible with the existing surrounding land as requested by Councilmember Jennifer Ramos, District 3.

2009-10-15-0033R

27. A Resolution directing the Planning and Development Services Department to initiate a change in the Zoning District Boundary of approximately 17.9 acres located along Mission Road from East Southcross to the north to East Huff to the south to uses compatible with the existing surrounding land as requested by Councilmember Jennifer Ramos, District 3.

2009-10-15-0034R

Z-1. **ZONING CASE # Z2009078 S (District 2):** An Ordinance amending the Zoning District Boundary from "I-1" General Industrial District to "I-1 S" General Industrial District with a Specific Use Authorization for Millwork and Wood Products Manufacturing on a portion of Lot A-3, NCB A-27, Lot 1 thru Lot 12, NCB 7057 (4.8341 acres) located at 51 Essex Street and 1403 South Cherry. Staff and Zoning Commission recommend approval with conditions.

2009-10-15-0838

Z-2. **ZONING CASE # Z2009131 (District 4):** An Ordinance amending the Zoning District Boundary from "C-1" Light Commercial District to "C-2" Commercial District on Lot 3, Block 1, NCB 17380 located at 2003 West Hutchins Place. Staff and Zoning Commission recommend approval.

2009-10-15-0839

Z-3. **ZONING CASE # Z2009139 (District 4):** An Ordinance amending the Zoning District Boundary from "C-2" Commercial District and "C-3 R" General Commercial District, Restrictive Alcohol Sales to "C-2" Commercial District on 2.737 acres out of NCB 15910 located at 9902 Potranco Road. Staff and Zoning Commission recommend approval.

2009-10-15-0840

Z-4. **ZONING CASE # Z2009141 (District 4):** An Ordinance amending the Zoning District Boundary from "R-6" Residential Single-Family District to "MF-25" Multi-Family District on 4.990 acres out of Lot 21, Block 8, NCB 15417 located on the 200 Block of Bertetti Drive. Staff and Zoning Commission recommend approval.

2009-10-15-0841

P-1. **PLAN AMENDMENT #09018 (District 5):** An Ordinance amending the land use plan contained in the Nogalitos/ S. Zarzamora Community Plan, a component of the Master Plan of the City, by changing the use of an 0.0717 acre tract of land located at 110 Pendleton from Medium Density Residential land use to Neighborhood Commercial land use. Staff and Planning Commission recommend approval. (Associated Zoning Case #Z2009119)

DENIED

Z-5. **ZONING CASE # Z2009119 (District 5):** An Ordinance amending the Zoning District Boundary from "MF-33" Multi-Family District to "NC IDZ" Neighborhood Commercial Infill Development Zone Overlay on Lot 281, NCB 6185 located at 110 Pendleton. Staff and Zoning Commission recommend approval.

DENIED

Z-6. **ZONING CASE # Z2009109 (District 6):** An Ordinance amending the Zoning District Boundary from "C-3" General Commercial District to "MF-33" Multi-Family District on 5.797 acres out of NCB 17635 and 18295 located at Culebra Road and FM 1560 North. Staff and Zoning Commission recommend approval.

2009-10-15-0842

Z-7. **ZONING CASE # Z2009123 (District 7):** An Ordinance amending the Zoning District Boundary from "C-3" General Commercial District to "C-2" Commercial District on Lot 27, Block 2, NCB 8416 located at 2907 Fredericksburg Road. Staff and Zoning Commission recommend approval.

CONTINUED TO NOVEMBER 5, 2009

Z-8. **ZONING CASE # Z2009076 ERZD (District 9):** An Ordinance amending the Zoning

District Boundary from "NP-10 ERZD MLOD-1" Neighborhood Preservation Edwards Recharge Zone Camp Bullis Military Lighting Overlay District-1 and "QD S ERZD MLOD-1" Quarry Edwards Recharge Zone Camp Bullis Military Lighting Overlay District-1 with a Specific Use Authorization for Blasting to "MPCD ERZD MLOD-1" Master Planned Community Edwards Recharge Zone Camp Bullis Military Lighting Overlay District-1 on 385.39 acres out of NCB 19221 located at 19101 North US Highway 281 and 19300 Classen Crest. Staff and Zoning Commission recommend approval.

2009-10-15-0843

Z-9. ZONING CASE # Z2009149 ERZD (District 9): An Ordinance amending the Zoning District Boundary from "C-2 NA ERZD" Commercial Nonalcoholic Sales Edwards Recharge Zone District to "C-2 ERZD" Commercial Edwards Recharge Zone District on Lot 1, Block 23, NCB 17600 located at 2770 East Evans Road. Staff and Zoning Commission recommend approval.

CONTINUED TO NOVEMBER 5, 2009

Z-10. ZONING CASE # Z2009127 (District 1): An Ordinance amending the Zoning District Boundary from "R-6 NCD-5" Residential Single-Family Beacon Hill Area Neighborhood Conservation District to "C-2NA IDZ NCD-5" Commercial Nonalcoholic Sales Infill Development Zone Overlay Beacon Hill Area Neighborhood Conservation District on 0.273 of an acre out of Lot 9, Lot 10 and Lot 11, Block 7, NCB 1995 located at 731 Fredericksburg Road. Staff and Zoning Commission recommend approval.

2009-10-15-0844

Z-11. ZONING CASE # Z2009153 (District 1): An Ordinance amending the Zoning District Boundary from "DR" Development Reserve to "O-1" Office District on 0.280 of an acre out of Block 6, NCB 10378 located on the 2000 Block of El Monte Boulevard. Staff and Zoning Commission recommend approval.

2009-10-15-0845

5:15 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.*