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Agenda  
City Council Meeting  
Municipal Plaza Building  
City Hall Complex  
114 W. Commerce  
San Antonio, TX 78205  
June 4, 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
- 5:30PM:** 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 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. C.J. Littlefield, Assistant Pastor, New Union Missionary Baptist Church. Guest of Mayor Julian Castro.
2. Pledge of Allegiance.
3. Approval of Minutes for the May 14, 2009 City Council meeting.

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

**ACTION ITEMS FOR STAFF BRIEFING**

4. Second Public Hearing on the the need to continue the City's youth curfew ordinance and consideration of an ordinance modifying, readopting, and continuing the ordinance in effect. [Erik J. Walsh, Assistant City Manager; William McManus, Police Chief]

2009-06-04-0445

5. A Public Hearing and consideration of an Ordinance closing, vacating, and abandoning an alley between Howard Street and Main Avenue in NCB 377, Council District 1, as requested by Alamo Colleges, for a fee of \$62,174.00. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2009-06-04-0446

6. A Public Hearing and consideration of an Ordinance closing, vacating, and abandoning portions of Maryland, Dakota and Nevada Streets between Meerscheidt and Mittman and adjacent to NCBs 1484, 1499, and 1504, Council District 2, as requested by Alamo Colleges for a fee of \$69,246.00. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

continued to June 11, 2009

**CONSENT AGENDA**

**Purchase of Equipment and Supplies**

7. An Ordinance accepting the following bids to provide the City with the following commodities and services on an annual contract basis for FY 2009 for a combined estimated cost of \$2,431,000.00, including: (A) Samuels Glass Company for replacement of broken glass; (B) Terminix for pest control services; (C) Midwest Medical Supply Co., LLC for medical supplies; (D) Air Kon Service, Inc. for HVAC maintenance and repair; (E) Henry Schein Matrix Medical (Items 1-2, 5-16, 21-26, 28-32, 34-36, 38); Enerspect Medical Solutions (Items 3, 17-20, 27, 33, 39-42); Bound Tree Medical, LLC (Items 4 and 37) for BLS defibrillator and ALS monitor accessories; and (F) VeriClean Janitorial Services for City-wide pressure washing services. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

2009-06-04-0447

8. An Ordinance accepting the offer from Daktronics, Inc., using the TCPN contract, to provide the Convention, Sports, and Entertainment Facilities Department with outdoor light-emitting diode (LED) displays for a cost of \$98,800.00. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

2009-06-04-0448

9. An Ordinance accepting the bid from Meridian Medical Technologies, Inc. to provide the Fire and Police Departments with medical supplies for the treatment of exposure to toxic nerve agents, for a cost of \$257,719.80. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

2009-06-04-0449

10. An Ordinance authorizing a contract with Eagle Integrated Solutions, Inc., to provide the Aviation Department, Operations & Maintenance Division, with airfield inspection software for a total cost of \$64,940.00. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

2009-06-04-0450

11. An Ordinance accepting the bid from Buoy Services, Inc., d/b/a Survival Air Systems, to provide the Fire Department with two engine driven and two stationary breathing compressors and one fill station for a cost of \$129,720.00. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

2009-06-04-0451

#### Capital Improvements

12. An Ordinance delegating City Council authority to include the Director of the Capital Improvements Management Services Department to determine which capital projects alternative delivery method provides the best value. [Penny Post oak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2009-06-04-0452

13. An Ordinance approving Change Order No. 1 in the increased amount of \$318,431.00 to the construction contract with American Roofing & Metal Co., Inc. for additional roofing work for the Henry B. Gonzalez Convention Center Re-Roofing Project, a Hotel Renewal Improvement Contingency funded project. [Penny Post oak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2009-06-04-0453

14. An Ordinance approving a \$88,347.00 amendment to an existing professional services agreement with Post, Buckley, Schuh & Jernigan, Inc. (PBS&J) for environmental assessment services for the Indian Creek Channel Improvements project located in Council District 4, a 2007-2012 General Obligation Bonds funded project. [Penny Post oak Ferguson, Assistant City Manager, Mike Frisbie, Director, Capital Improvements Management Services]

2009-06-04-0454

15. An Ordinance authorizing contracts with T.S. Byrne Construction Services, as Construction Manager at Risk, for construction and construction phase services, for an amount up to \$20,150,000.00, for the Lila Cockrell Theatre Renovations Project, located in Council District 1, a Hotel Occupancy Tax Revenue Bond funded project. [Penny Post oak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management

## Services]

2009-06-04-0455

16. An Ordinance approving Final Change Order No. PW-10 in the increased amount of \$212,515.52 to the construction contract, as changed, with R.L. Jones Co. to reconcile actual quantities used for the W.W. White Phase I, Part I Project, located in Council District 2, from 2005 Storm Water Revenue Bond Funds. [Sharon De La Garza, Assistant City Manager; Majed A. Al Ghafry, Director, Public Works]

2009-06-04-0456

## Acquisition, Sale or Lease of Real Property

17. An Ordinance authorizing a license to the U.S. Air Force for use of approximately 10.747 acres immediately west of the Kelly Field runway for five years at no fee, located in Council District 4. [Penny Postoak Ferguson, Assistant City Manager, Mike Frisbie, Director, Capital Improvements Management Services]

2009-06-04-0457

18. An Ordinance authorizing the City of San Antonio, acting by and through the San Antonio Water System, to acquire by negotiation and/or condemnation of permanent and temporary easement interests and related rights of ingress and egress to certain privately owned real properties located in the vicinity of the intersection of IH 37 and Hardy Road for the purpose of the Local Carrizo Program Well Drilling and Well Field Project; declaring this to be a public project; declaring a public necessity for the acquisition; authorizing condemnation proceedings; ratifying and affirming all prior acts and proceedings done or initiated by attorneys, agents and employees of the San Antonio Water System Board of Trustees to acquire such easement interests, and rights of ingress and egress. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2009-06-04-0458

19. An Ordinance determining and declaring a public necessity for and authorizing the City of San Antonio, acting by and through the City Public Service Board of San Antonio, to acquire and/or condemn fee simple title for Gas Transmission and Distribution Lines, a regulator station, communication systems and related appurtenances, to certain property located along Corley Road, being a 0.136 acre tract of land out of the Antonio Cruz Survey No. 170, Abstract 97, Kendall County, Texas, for the public purpose of the expansion and operation of the City of San Antonio's gas system, including The Boerne Gate Station Project, and authorizing the City of San Antonio, acting by and through the City Public Service Board of San Antonio to enter into an interlocal agreement between the City of Boerne and the City of San Antonio, acting by and through the City Public Service Board of San Antonio to allow the City of Boerne to acquire certain property, either through purchase or by the process of eminent domain, on behalf of the City of San Antonio for the Boerne Gate Station Project. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2009-06-04-0459

## Grant Applications and Awards

20. An Ordinance authorizing agreements with the Texas Commission on Environmental Quality which will provide \$431,100.00 in total funding for the San Antonio Metropolitan Health District's Public Center for Environmental Health to continue the operation and

maintenance of various air monitors and air samplers in the San Antonio area for a one-year period beginning September 1, 2009. [Frances A. Gonzalez, Assistant City Manager; Dr. Fernando A. Guerra, Director, Health]

2009-06-04-0460

- 21. An Ordinance authorizing the submission of seventeen grant applications and the acceptance of funds upon award in an amount up to \$14,127,337.20 from the Texas Department of State Health Services for core public health functions of the San Antonio Metropolitan Health District for Fiscal Year 2010. [Frances A. Gonzalez, Assistant City Manager; Dr. Fernando A. Guerra, Director, Health]

2009-06-04-0461

- 22. An Ordinance authorizing the submission of a grant application, and the acceptance of funds upon award in the amount of \$167,923.00 from the Texas Department of State Health Services (TDSHS) for the Public Health Emergency Preparedness Program for the period of June 1, 2009 to November 30, 2009; and authorizing a contract amendment with the TDSHS which increases funding for the Title V Dental Program from \$37,960.00 to \$60,000.00 for a one-year period beginning September 1, 2008. [Frances A. Gonzalez, Assistant City Manager; Dr. Fernando A. Guerra, Director, Health]

2009-06-04-0462

- 23. An Ordinance authorizing the submission of a grant application to KaBoom!, a national non-profit dedicated to providing playgrounds to children, and authorizing acceptance, upon award, of a playscape to be installed at West End Park located in Council District 1. [A.J. Rodriguez, Deputy City Manager; Xavier Urrutia, Director, Parks & Recreation]

2009-06-04-0463

**Miscellaneous**

- 24. An Ordinance ratifying the addition of the Ed White Middle School as an Early Voting Site, and amending the list of Early Voting and Election Day Polling Locations for the Run-Off Election on June 13, 2009, as approved by Ordinance No. 2009-05-14-0366. [Leticia M. Vacek, City Clerk]

2009-06-04-0464

- 25. An Ordinance approving a local contribution of \$19,870.00 to the Sporting Events Trust Fund in anticipation of reimbursement of up to \$144,054.00 from the Texas State Comptroller of Public Accounts for eligible expenses related to the 2009 NCAA Division II Women's Basketball Championship; authorizing a Reimbursement Agreement with San Antonio Sports for reimbursement of eligible expenses totaling up to \$124,184.00 associated with the event; and authorizing payment. [Sheryl Sculley, City Manager; Scott White, Director, Convention and Visitors Bureau]

2009-06-04-0465

- 26. An Ordinance authorizing an interagency participation agreement with the San Antonio Water System to conserve and recycle water at the HemisFair Park Fountain; and approving an interdepartmental loan. [Pat DiGiovanni, Deputy City Manager; Paula X. Stallcup, Director, Downtown Operations]

2009-06-04-0466

- 27. An Ordinance approving the renewal of, and amendments to, the Workforce Solutions - Alamo (WSA) Strategic Plan for consideration by the WSA Board of Directors and the Committee of Six, for submission to the Texas Workforce Commission. [A.J. Rodriguez,

Deputy City Manager / Interim Director, Economic Development]

2009-06-04-0467

- 28. An Ordinance amending the FY 2009 Community Infrastructure and Economic Development (CIED) Program by authorizing an additional \$666,000.00 from the CPS Energy CIED Fund and adding a utility overhead conversion project along Walters Street to Fort Sam Houston. [A.J. Rodriguez, Deputy City Manager / Interim Director, Economic Development]

2009-06-04-0468

- 29. An Ordinance approving a license agreement with North East Youth Soccer Organization (NEYSO) for the operation of soccer fields at John James Park in Council District 2, McAllister Park in Council District 9, and Lady Bird Johnson Park in Council District 10 for a ten-year term beginning July 1, 2009. [A.J. Rodriguez, Deputy City Manager; Xavier Urrutia, Director, Parks & Recreation]

2009-06-04-0469

- 30. An Ordinance approving a Funding Agreement with the Alamo City Youth Soccer Organization for the expenditure of up to \$1,045,000.00 for park improvements within the licensed premises of Culebra Creek Park, a 2007 Park Bond funded project, located in Council District 6. [A.J. Rodriguez, Deputy City Manager; Xavier Urrutia, Director, Parks & Recreation]

2009-06-04-0470

- 31. Consideration of the following items related to ACS State & Local Solutions, Inc.: [A.J. Rodriguez, Deputy City Manager / Interim Director, Economic Development]

- A. An Ordinance approving a \$300,000.00 grant agreement with ACS State & Local Solutions, Inc. for retention and expansion at Port San Antonio in Council District 4.

2009-06-04-0471

- B. A Resolution nominating ACS State & Local Solutions, Inc. for designation as a State Enterprise Project.

2009-06-04-0020R

- 32. An Ordinance changing contractors from Heritage Crystal Clean to Alamo One and increasing the authorized expenditure from \$78,000.00 to \$80,904.00 for the removal and disposal of hazardous and non-hazardous waste located at 207 Brooks; and authorizing an additional \$5,000.00 in contingency funds for the project. [T.C. Broadnax, Assistant City Manager; David D. Garza, Director, Housing and Neighborhood Services]

2009-06-04-0472

33. City Manager's Report

- A. 2009 Volunteer Income Tax Assistance Program
  - B. Fiscal Year 2010 Budget Calendar

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.

Z-1. **ZONING CASE # Z2009089 CD (District 2):** An Ordinance amending the Zoning District Boundary from "H C-1" Light Commercial Dignowity Hill Historic District to "H C-1 CD" Light Commercial Dignowity Hill Historic District with a conditional use for a charitable food service establishment on the east 10.52 feet of Lot 5 and the west 54.14 feet of Lot 6, Block 1, NCB 561 located at 626 Nolan. Staff and Zoning Commission recommend Approval.

continued to June 18, 2009

P-1. **PLAN AMENDMENT 09013 (District 2):** An Ordinance amending the land use plan in the Eastern Triangle Community Plan, a component of the Master Plan of the City, by adding 27.24 acres located southeast of the intersection of IH 10 E. and E. Houston St. for High Density Residential and Regional Commercial land use. (Associated Zoning Case Z2009097)

2009-06-04-0473

Z-2. **ZONING CASE # Z2009097 (District 2):** An Ordinance amending the Zoning District Boundary from "R-5" Residential Single-Family District and "C-3" General Commercial District to "C-3" General Commercial District (15.124 acres) and "MF-33" Multi-Family District (12.116 acres) on 27.24 acres out of NCB 10675, 10677, 13143 and 13144 located at 3860 IH 10 East. Staff recommends Approval. Zoning Commission recommendation pending June 2, 2009 public hearing.

continued to June 18, 2009

P-2. **PLAN AMENDMENT # 09008 (District 3):** An Ordinance amending the land use plan in the South Central San Antonio Community Plan, a component of the Master Plan of the City, by changing the use of a 0.3099 acre tract of land located at 2011 Probandt from Low Density Residential to Mixed Use. Staff recommends Approval. Planning Commission recommends Denial.

2009-06-04-0474

Z-3. **ZONING CASE # Z2009106 S (District 3):** An Ordinance amending the Zoning District Boundary from "H C-1 RIO-6" Light Commercial Mission Historic River Improvement Overlay District-6 to "H C-3NA S RIO-6" General Commercial Mission Historic River Improvement Overlay District-6, Non-Alcoholic Sales with a Specific Use Authorization for a Human Services Campus on Lots 3, 4 and 5, Block 1, NCB 11175 located at 8706 and 8708 Mission Road. Staff recommends Approval. Zoning Commission pending June 2, 2009 public hearing.

2009-06-04-0475

P-3. **PLAN AMENDMENT (District 6):** An Ordinance amending the City of San Antonio's Major Thoroughfare Plan as a component of the San Antonio Master Plan by de-designating and deleting a proposed segment of Braun Road, which extends from FM 1560 to Galm Road.

2009-06-04-0476

Z-4. **ZONING CASE # Z2009085 S (District 6):** An Ordinance amending the Zoning District Boundary from "C-3" General Commercial District to "C-3 S" General Commercial District with a Specific Use Authorization for a Check Cashing Facility on Lot 2, Block 1, NCB 18829 located at 9355 Culebra Road. Staff and Zoning Commission recommend Approval,

with conditions.

2009-06-04-0477

Z-5. ZONING CASE # Z2009086 (District 6): An Ordinance amending the Zoning District Boundary from R-6" Residential Single-Family District to "MF-25" Multi-Family District on 3.746 acres out of Block 1, NCB 7423 located at the 400 Block of Jesse Street. Staff and Zoning Commission recommends Approval.

2009-06-04-0478

Z-6. ZONING CASE # Z2009087 (District 7): An Ordinance amending the zoning district boundary from "C-1" Light Commercial District and "C-3" General Commercial District to "C-2 NA" Commercial District, Nonalcoholic Sales on Lot 9, Block 3, NCB 16469 located at 4923 Fred May Drive. Staff and Zoning Commission recommend Approval.

2009-06-04-0479

Z-7. ZONING CASE # Z2008014 (District 8): An Ordinance amending the Zoning District Boundary from "R-20 MLOD-1" Residential Single Family, Camp Bullis Military Lighting Overlay District-1 to "C-2 NA MLOD-1" Commercial, Camp Bullis Military Lighting Overlay District-1, Nonalcoholic Sales (16.108 acres), "C-2 MLOD-1" Commercial, Camp Bullis Military Lighting Overlay District-1 (44.535 acres) and "O-1.5 MLOD-1" Mid-rise Office, Camp Bullis Military Lighting Overlay District-1 (43.621 acres) all on 104.264 acres out of CB 4780 (NCB 34780) located at 5914 Old Camp Bullis Road. Staff recommends Denial. Zoning Commission recommends Approval.

Continued to June 18, 2009

Z-8. ZONING CASE # Z2009104 CD (District 8): An Ordinance amending the Zoning District Boundary from "C-2" Commercial District to "C-2 CD" Commercial District with a Conditional Use for a Funeral Home or Undertaking Parlor on 6.80 acres out of Lot 1 and Lot 2, Block 11, NCB 17941 located at 8910 and 9060 Bandera Road. Staff recommends Approval. Zoning Commission recommendation pending the June 2, 2009 public hearing.

2009-06-04-0480

P-4. PLAN AMENDMENT (District 10): An Ordinance amending the City of San Antonio's Major Thoroughfare Plan, as a component of the San Antonio Master Plan, de-designating and deleting a proposed segment of Jones-Maltsberger Road east of Redland Road.

2009-06-04-0481

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.