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Agenda
City Council Meeting
Municipal Plaza Building
City Hall Complex
114 W. Commerce
San Antonio, TX 78205
February 19, 2009

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
- 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 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 Phil Hardberger.
2. Pledge of Allegiance.
3. Approval of Minutes for the February 5, 2009 City Council meeting.

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

ACTION ITEMS FOR STAFF BRIEFING

4. Briefing and possible action on legislation filed in the 81st Regular State Legislative Session.
[A.J. Rodriguez, Deputy City Manager; Carlos Contreras, Director, Intergovernmental Relations]
5. Consideration of the following Ordinances: [Pat DiGiovanni, Deputy City Manager; Ben Gorzell, Director, Finance]

A. An Ordinance authorizing the issuance of "City of San Antonio, Texas Electric and Gas Systems Revenue Refunding Bonds, New Series 2009A" or one or more additional series in a principal amount not to exceed \$450,000,000.00 pursuant to the delegation provisions hereof; providing the terms, conditions, and specifications for such bonds, including the approval and distribution of an Official Statement pertaining thereto; making provisions for the payment and security thereof on a parity with certain currently outstanding obligations; stipulating the terms and conditions for the issuance of additional revenue bonds on a parity therewith; authorizing the execution of a paying agent/registrant agreement, an escrow and trust agreement, and a bond purchase agreement; complying with the requirements of the depository trust company; delegating the authority to certain members of the City Public Service Board 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 an effective date.

2009-02-19-0118

B. An Ordinance establishing a revolving finance program for the City's Electric and Gas Systems to be known as the "Flexible Rate Revolving Note Private Placement Program"; approving and authorizing the issuance, from time to time, under such Program of obligations in an aggregate principal amount at any time outstanding not to exceed \$100,000,000.00 to provide interim financing to pay project costs for eligible projects relating to the City's Electric and Gas Systems; authorizing such obligations to be issued, sold, and delivered in the form of taxable or tax exempt notes, bearing interest at fixed or variable rates, and prescribing the terms, features, and characteristics of such obligations; making provision for the payment and security thereof; authorizing the execution of contracts in connection with the issuance, sale and delivery of such obligations, including one or more note purchase agreements;

delegating the authority to certain members of the City Public Service Board Staff to execute certain documents relating to the periodic sale of these obligations within the limitations and procedures specified herein; making certain covenants and agreements in connection therewith; enacting other matters incident and related to the subject and purpose of this ordinance; and providing an effective date.

2009-02-19-0119

6. An Ordinance amending the FY 2009 – FY 2014 Capital Improvements Program and the FY 2009 – FY 2013 Infrastructure Management Program by appropriating a total of \$30 million in additional infrastructure projects and by approving the related project list and scope of work within the Programs; and authorizing amendments to existing Funding Agreements to include funds for the related project added pursuant to this Ordinance. [Sheryl Sculley, City Manager; Peter Zaroni, Director, Management and Budget]

2009-02-19-0120

7. An Ordinance amending the Planning and Development Services fund within the FY 2009 City Operating Budget; implementing the City's Reduction in Force policy; and revising the Department's personnel allotment. [T. C. Broadnax, Assistant City Manager; Roderick Sanchez, Director, Planning and Development Services]

2009-02-19-0121

CONSENT AGENDA

Purchase of Equipment, Supplies and Services

8. 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 \$815,000.00, including: (A) Alamo Ag-Con Equipment, Inc. for medium and heavy duty mowing equipment parts and service; (B) Southwest Wheel for automotive wheels and rims; (C) Applied Concepts, Inc. for police patrol vehicle & motorcycle radar units; and (D) GlaxoSmithKline, Sanofi-Pasteur, Inc. and CT International for vaccines and biologicals. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

2009-02-19-0122

9. An Ordinance accepting the offer from Ramtech Building Systems, Inc. to furnish, deliver and install a portable office building for the Solid Waste Management Department at the Southeast Service Center facility for a cost of \$106,371.00. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

2009-02-19-0123

10. An Ordinance accepting the offer from Advanced Rescue Systems to provide the Fire Department with three replacement sets of hydraulic rescue tools for a cost of \$59,070.00. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

2009-02-19-0124

11. An Ordinance authorizing a contract with Kaba Benzing America, Inc., to provide the City of San Antonio with an SAP-integrated time collection solution, for an estimated total cost of \$927,000.00. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

2009-02-19-0125

12. An Ordinance accepting the bid from Architectural Brass to provide the Convention, Sports, and Entertainment Facilities Department with sixty-seven recycling containers for a cost of \$75,375.00. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

2009-02-19-0126

13. An Ordinance authorizing the purchase of primary property insurance coverage from Great American Insurance Company of New York and excess coverage from RSUI Indemnity Company for the Convention Center, for a three year period beginning February 28, 2009, for a combined premium of \$1,143,377.00 for the first year, with annual adjustments based on reported values of City property. [Sharon De La Garza, Assistant City Manager; Nikki M. Ramos, Interim Director, Human Resources]

2009-02-19-0127

Capital Improvements

14. An Ordinance selecting American Roofing & Metal Co., Inc. for negotiation and execution of a construction contract in the amount of \$1,790,866.00 for the Henry B. Gonzales Convention Center Re-roofing Project, Phase II. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2009-02-19-0128

15. An Ordinance awarding a construction contract in the amount of \$537,125.00 to Atlas Construction for the Denman Estate Development Project located in Council District 8, an authorized 2007-2012 Bond Program Project. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2009-02-19-0129

16. An Ordinance awarding a construction contract in the amount of \$10,628,811.15 to V.K. Knowlton Construction & Utilities, Inc., to perform construction work for the Octavia #63 Phase II Part C Project, located in Council District 5, an authorized 2007-2012 Bond Program Project. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2009-02-19-0130

17. An Ordinance selecting T.S. Byrne Construction Services for negotiation and execution of a Construction Manager at Risk professional services agreement, in an amount up to \$120,000.00 for pre-construction design services for the Lila Cockrell Theater Renovations Project, a Hotel Occupancy Tax Revenue Bonds Funded Project. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2009-02-19-0131

18. An Ordinance awarding a construction contract in the amount of \$2,161,000.00 with K-Bar Services, Inc. for the Salado Creek Greenway Project's Southern Segment (Rigsby Road to South Side Lions Park) located in Council Districts 2 and 3. [A.J. Rodriguez, Deputy City Manager; Xavier Urrutia, Director, Parks & Recreation]

2009-02-19-0132

19. An Ordinance awarding a construction contract in the amount of \$131,550.00 to The Levy Company, LP. for the Miller's Pond Park Trail Improvements Project located in Council District 4. [A.J. Rodriguez, Deputy City Manager; Xavier Urrutia, Director, Parks &

Recreation]

2009-02-19-0133

20. An Ordinance awarding an indefinite delivery construction contract in the amount of \$4,379,706.25 to EZ Bel Construction, LLC, for Public Works Infrastructure Maintenance and Construction Projects located city-wide. [Sharon De La Garza, Assistant City Manager; Majed A. Al-Ghafry, Director, Public Works]

2009-02-19-0134

Acquisition, Sale or Lease of Real Property

21. An Ordinance authorizing a five-year concession agreement with International Duty Free Stores/UETA at San Antonio International Airport with a Minimum Annual Guarantee of \$290,000.00. [Penny Postoak Ferguson, Assistant City Manager; Michael J. Sawaya, Interim Director, Aviation]

2009-02-19-0135

22. An Ordinance authorizing the second renewal of a two-year lease beginning March 1, 2009 with Goodwill Industries for approximately 400 square feet at 727 Northwest Loop 410, located in Council District 9, for the San Antonio Metropolitan Health District to provide immunizations and preventive health services for a monthly rent of \$320.00. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2009-02-19-0136

23. An Ordinance authorizing the fourth renewal of a two-year lease beginning March 1, 2009 with Riverview Tower Partners, Ltd. for approximately 14,920 square feet in Riverview Tower, 111 Soledad Street, for use by the City Attorney's Office and the Human Resources Department, for a monthly rent of \$18,650.00. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2009-02-19-0137

24. An Ordinance authorizing an amendment and renewal for five years of a lease with Buster and Buddy, L. P. for office space at the Dailey and Wells Headquarters Bldg., 3440 E. Houston, located in Council District 2, for use by the Information Technology Services Department, for a monthly rent of \$10.00. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2009-02-19-0138

Grant Applications and Awards

25. An Ordinance authorizing the submission of a grant application and acceptance of funds, in the amount of \$216,308.00 from the Department of Defense for the 2009 operation of the Procurement Technical Assistance Center; authorizing in kind services in the amount of \$158,091.00; and authorizing the submission of a grant application and acceptance, upon award, for grant funding in Year 2010. [A.J. Rodriguez, Deputy City Manager / Interim Director, Economic Development]

2009-02-19-0139

26. An Ordinance authorizing the acceptance of a grant in the amount of \$85,120.00 from the Railroad Commission of Texas to offset the total purchase price of \$772,791.00 for 10 medium duty propane trucks. [Sharon De La Garza, Assistant City Manager; Florencio Pena,

Director, Fleet Maintenance and Operations]

2009-02-19-0140

27. Consideration of the following Ordinances relating to four grant applications to the Department of Energy (DOE) under the Clean Cities program: [Sharon De La Garza, Assistant City Manager; Florencio Pena, Director, Fleet Maintenance and Operations]

A. An Ordinance authorizing the submission of a grant application and acceptance of funds upon award in an amount up to \$312,500.00, for the purchase of 18 new heavy-duty propane vehicles and seven new medium-heavy duty propane vehicles at an estimated incremental cost of \$12,500.00 per truck.

2009-02-19-0141

B. An Ordinance authorizing the submission of a grant application and acceptance of funds upon award in the amount of \$182,400.00, for the purchase of 24 converter kits at a cost of \$169,680.00 and \$12,720.00 for installation costs.

2009-02-19-0142

C. An Ordinance authorizing the submission of a grant application and acceptance of funds upon award in an amount up to \$260,000.00, for the purchase of 65 Light-Duty propane trucks at an incremental cost of \$4,000.00 per truck.

2009-02-19-0143

D. An Ordinance authorizing the submission of a grant application and acceptance of funds upon award in an amount up to \$107,194.00, with \$26,904.00 for the purchase and installation of four Vehicle Refueling Appliances and \$80,290.00 for the incremental cost to purchase 14 Compressed Natural Gas (CNG) light-duty sedans.

2009-02-19-0144

28. An Ordinance authorizing the submission of a grant application and acceptance of funds, upon award, up to \$1,000,000.00, from the Texas Department of Transportation for the DWI/Speed Enforcement Selective Traffic Enforcement Program, and authorizing an in-kind match of \$144,990.00, and a cash match of \$16,215.00. [Erik J. Walsh, Assistant City Manager; William McManus, Police Chief]

2009-02-19-0145

City Code Amendments

29. An Ordinance amending Chapter 28 of the City Code of San Antonio, Texas, by altering the definition of "reface", providing for refacing nonconforming registered "trademark signs" in order to prevent misidentification with the registered trademark, and providing for publication. [T.C. Broadnax, Assistant City Manager; Roderick Sanchez, Director, Planning and Development Services]

2009-02-19-0146

Miscellaneous

30. An Ordinance ordering the General City Election to be held on Saturday, May 9, 2009 and Run-off Election to be held on Saturday, June 13, 2009, if necessary; and also setting forth election procedures. [Leticia Vacek, City Clerk]

2009-02-19-0147

31. An Ordinance authorizing an application for reimbursement of up to \$728,353.00 from the Texas Comptroller of Public Accounts for expenses incurred for the 2008 Rock N Roll Marathon and authorizing the remittance of \$116,537.00 to the Comptroller in accordance with state law. [Penny Postoak Ferguson, Assistant City Manager; Jim Mery, Interim Director, Convention, Sports and Entertainment Facilities]

2009-02-19-0148

32. An Ordinance approving a Memorandum of Understanding with the City of Dresden, Saxony Germany confirming an Economic and Cultural Alliance as a precursor to a potential Sister Cities relationship. [A.J. Rodriguez, Deputy City Manager; Elizabeth Costello, Director, International Affairs]

33. City Manager's Report

- A. Burglary Vehicle Task Force Update
B. Federal Stimulus Update

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 Community Infrastructure and Economic Development (CIED) Fund pursuant to Texas Government Code Sections 551.071 (consultation with attorney).
- B. Deliberations regarding economic development negotiations pursuant to Texas Government Code Section 551.087 (economic development).
- C. Deliberate the duties, appointment, and employment of the City Internal Auditor, pursuant to Texas Government Code Section 551.074 (personnel matters).

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]

34. An Ordinance authorizing the installation of an honorary street sign, to read "Reverend Aristide Brown Way", at 774 "G" Street located in Council District 2. [T. C. Broadnax, Assistant City Manager; Roderick Sanchez, Director, Planning & Development Services]

2009-02-19-0149

35. An Ordinance authorizing the renaming of "South Smith Street" to "Guadalupe Ybarra Street" between the cross streets of Colima Street and Chihuahua Street, as requested by Councilwoman Galvan, Council District 5. [T.C. Broadnax, Assistant City Manager; Roderick Sanchez, Director, Planning and Development Services]

Continued to March 5, 2009

36. An Ordinance authorizing the renaming of "Clinker Heights Street" to "David Edwards Drive" beginning at "Schertz Road" and continuing until it dead ends at "Quarry Park", as requested by Councilman Clamp, Council District 10. [T.C. Broadnax, Assistant City Manager; Roderick Sanchez, Director, Planning and Development Services]

2009-02-19-0150

- Z-1. ZONING CASE # Z2009034 S (District 1): 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 to allow a Pay Day Loan Agency on 0.0476 of an acre out of Lot 18, NCB 13718 located at 834 Northwest Loop 410. Staff and Zoning Commission recommend approval.

continued to March 5, 2009

- Z-2. ZONING CASE # Z2008193 (District 8): An Ordinance amending the Zoning District Boundary from "R-20" Residential Single-Family District to "PUD R-6" Planned Unit Development Residential Single-Family District on Lots 1, 2, 3, and 4, Block 1, NCB 11670 located at 11327 Dreamland. Staff and Zoning Commission recommend denial.

Denied

- Z-3. ZONING CASE # Z2009027 ERZD (District 9): An Ordinance amending the Zoning District Boundary from "C-2 ERZD" Commercial Edwards Recharge Zone District to "C-3 ERZD" General Commercial Edwards Recharge Zone District on 0.463 of an acre out of Lots 18 and 19, Block 13, NCB 13827 located on a portion of 136 and 143 Kenley Place. Staff and Zoning Commission recommend approval.

continued to March 5, 2009

- Z-4. ZONING CASE # Z2009031 S (District 10): An Ordinance amending the Zoning District Boundary from "I-1" General Industrial District to "C-3NA S" General Commercial District, Nonalcoholic Sales with a Specific Use Authorization for an Auto Alarm and Radio Retail Store on Lot 19, NCB 12170 located at 1790 Austin Highway. Staff and Zoning Commission recommend approval with conditions.

2009-02-19-0151

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.*