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Agenda  
City Council Meeting  
Municipal Plaza Building  
City Hall Complex  
114 W. Commerce  
San Antonio, TX 78205  
**January 29, 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
- 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 Pastor Rick Vela, Destiny Church. Guest of Councilmember Diane Cibrian, District 8.
2. Pledge of Allegiance.
3. Approval of Minutes for the Special and Regular Meetings of January 7 and 15, 2009.

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

**ACTION ITEMS FOR STAFF BRIEFING**

4. Consideration of the following items related to City's State and Federal Legislative Programs: [A.J. Rodriguez, Deputy City Manager]

A. Update on the 81st Session of the State Legislature and approving an Addendum to the City's State Legislative Program.

**2009-01-29-0053**

B. Briefing and possible action adopting the City's 2009 Federal Legislative Program for the First Session of the 111th Congress.

**2009-01-29-0054**

C. Update and possible action on the proposed Federal Economic Stimulus Bill, including funding priorities.

5. Public hearing and consideration of an Ordinance closing, vacating, and abandoning an alley near the intersection of Probandt and Cevallos Streets, extending roughly northward from Cevallos toward Peden between NCBs 2567 and 2568, located in Council District 5, as requested by Cevallos Lofts, LLC. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

**2009-01-29-0055**

**CONSENT AGENDA**

**Purchase of Equipment, Supplies and Services**

6. 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 \$1,068,000.00, including: (A) Big Moe Automotive Rebuilders, Inc. for alternators and starters parts and services; (B) Tehco, Inc. for gasoline & diesel refueling parts & service; (C) Longhorn, Inc. for sprinkler and irrigation repair parts; (D) U.S. Wholesale Products for dog food; (E) Bound Tree Medical, LLC for disposable breathing tubes; and (F) Dell Marketing, LP for computer & server hardware, components, software, accessories,

parts & support. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

**2009-01-29-0056**

7. An Ordinance accepting the offer from Johnson Controls, Inc. to replace two water-cooled screw chillers, one air handling unit, related equipment and piping, and central plant controls at the Municipal Plaza Building for a cost of \$732,659.00. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

**2009-01-29-0057**

8. An Ordinance accepting the offer from Philpott-Motors to provide the San Antonio Police Department with four canine units (Ford Expeditions) for a cost of \$96,612.16. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

**2009-01-29-0058**

### Capital Improvements

9. An Ordinance awarding a construction contract in the amount of \$259,000.00 to 3TI, Inc., for construction of the Harlandale Park Pavilion Project, an authorized 2007-2012 Bond Program project located in Council District 3. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

**2009-01-29-0059**

10. An Ordinance authorizing an amendment in an amount up to \$195,955.00 to a construction contract for as-needed installation of traffic signal systems city-wide, with SAECO Electric and Utility for additional construction services for city-wide Projects. [Sharon De La Garza, Assistant City Manager; Majed A. Al-Ghafry, Director, Public Works]

**2009-01-29-0060**

### Acquisition, Sale or Lease of Real Property

11. An Ordinance approving a standard lease agreement and rental rates through October 31, 2013 for Air Cargo Building West and authorizing leases at said facility at San Antonio International Airport. [Penny Postoak Ferguson, Assistant City Manager; Michael J. Sawaya, Interim Director, Aviation]

**2009-01-29-0061**

12. An Ordinance authorizing a six-year lease from AEA Investments III, LLC at 3300 Nacogdoches Rd. for a Council District 10 constituent office at an initial monthly rent of \$2,000.00. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

**2009-01-29-0062**

13. An Ordinance authorizing a five-year lease from Strategic Market Services for approximately 11,178 square feet at 4355 Center Gate, Council District 10, starting the-later of (i) March 1, 2009 or (ii) within 30 days after issuance of a certificate of occupancy after finish-out, to be used by the Department of Community Initiatives for a senior multi-service center, the monthly rent beginning at \$13,749.00 and escalating thereafter, and providing for the possibility of renewal. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

**2009-01-29-0063**

14. An Ordinance approving a lease agreement with Rofo's Inc. d/b/a Paloma Riverwalk Parrilla Grill for the use of City-owned River Walk property. [Pat DiGiovanni, Deputy City Manager; Paula X. Stallcup, Director, Downtown Operations]

2009-01-29-0064

15. An Ordinance authorizing a Market Square Patio License Agreement with Ms. Petra Rivera Velazquez and Ms. Magali Velazquez d/b/a El Mercado Glass Factory for the display of merchandise on 165.2 square feet of public space at 110 Produce Row for a term ending on March 31, 2010 at an initial rate of \$1.19 per square foot per month. [Pat DiGiovanni, Deputy City Manager; Paula X. Stallcup, Director, Downtown Operations]

2009-01-29-0065

16. An Ordinance authorizing the assignment of a Farmers Market Lease Agreement from Daniel Gonzales d/b/a Fiesta Cutouts to Hugo Matta & Olga Cristina Matta d/b/a Fiesta Cutouts. [Pat DiGiovanni, Deputy City Manager; Paula X. Stallcup, Director, Downtown Operations]

2009-01-29-0066

### Grant Applications and Awards

17. An Ordinance accepting \$250,500.00 in grant funds from the Transportation Security Administration for Fiscal Year 2009 for the National Explosives Detection Canine Team Program. [Penny Postoak Ferguson, Assistant City Manager; Michael J. Sawaya, Interim Director, Aviation]

2009-01-29-0067

18. An Ordinance accepting \$386,184.60 in grant funds from the Transportation Security Administration for Fiscal Year 2009 to post law enforcement officers at airport security checkpoints. [Penny Postoak Ferguson, Assistant City Manager; Michael J. Sawaya, Interim Director, Aviation]

2009-01-29-0068

19. An Ordinance ratifying a contract for up to \$5,900.00 with the Texas Department of State Health Services to fund influenza surveillance activities conducted by the San Antonio Metropolitan Health District for the period January 1, 2009 to August 31, 2009. [Frances A. Gonzalez, Assistant City Manager; Dr. Fernando A. Guerra, Director, Health]

2009-01-29-0069

20. An Ordinance authorizing the submission of a grant application and acceptance of funds, upon award, in the amount of \$30,880.00 from the Office of the Governor, Criminal Justice Division for Project Educate, Assess, Serve and Empower to provide services to victims of crime who are deaf and/or hard of hearing; and authorizing an in-kind match of \$7,720.00 in staff and volunteer hours. [Erik J. Walsh, Assistant City Manager; William McManus, Police Chief]

2009-01-29-0070

### City Code Amendments

21. An Ordinance amending Chapter 28, Section 28-117(b)(1) of the City Code of San Antonio, Texas, by clarifying the criteria necessary to place banners over street rights of way. [T.C. Broadnax, Assistant City Manager; Roderick Sanchez, Director, Planning and Development Services]

2009-01-29-0071

**Boards, Commissions and Committee Appointments**

22. Consideration of Board, Commission and Committee appointments, to be effective immediately upon appointment, following the receipt of 8 affirmative votes: [Leticia M. Vacek, City Clerk]
- A. Appointing Bianca Maldonado (District 7, Category: General) to the Historic and Design Review Commission for the remainder of an unexpired term of office to expire October 31, 2010.
  - B. Appointing Nancy O'Malley (District 8) to the San Antonio Commission on Literacy for the remainder of an unexpired term of office to expire May 31, 2009.
  - C. Reappointing Michael J. Leonard (District 8) to the Building and Fire Code Board of Appeals for the remainder of an unexpired term of office to expire July 31, 2009.

**Miscellaneous**

23. An Ordinance approving the FY 2009 CIED Fund Guidelines. [A.J. Rodriguez, Deputy City Manager; Robert Peche, Director, Economic Development]  
2009-01-29-0072
24. An Ordinance ratifying an Amendment to the Audit Services Contract for additional independent audit services totaling \$19,285.00 by Grant Thornton L.L.P., for the FY 2007 audit. [Pat DiGiovanni, Deputy City Manager; Ben Gorzell, Jr., Director, Finance]  
2009-01-29-0073
25. An Ordinance approving an extension of line-of-duty injury leave for San Antonio Fire Department Fire Apparatus Operator Martin Conner III. [Erik J. Walsh, Assistant City Manager; Charles N. Hood, Fire Chief]  
2009-01-29-0074
26. An Ordinance approving an amendment to the Funding Agreement with the Young Men's Christian Association of Greater San Antonio and the Hill Country (YMCA), increasing the reimbursable amount by up to \$154,000.00 and expanding the scope of work to include the resurfacing and striping of the parking lot at the Westside YMCA located at 2900 Ruiz in Council District 5. [A.J. Rodriguez, Deputy City Manager; Xavier Urrutia, Director, Parks & Recreation]  
2009-01-29-0075
27. **City Manager's Report**
- A. Animal Care Services Update
  - B. Residential Utility Assistance Program (REAP) Update
  - C. Volunteer Income Tax Assistance (VITA) Program 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. Deliberate the purchase, exchange, lease or value of real property and discuss related legal issues pursuant to Texas Government Code Sections 551.072 (real property) and 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).
- C. Discuss the CPS Strategic Energy Plan and related legal issues pursuant to Texas Government Code Sections 551.071 (consultation with attorney) and 551.086 (public power utility competitive matters).
- D. Discuss legal issues related to *Grethel Echartea v. City of San Antonio*, Cause No. SA-07-CA-0781-OG, Bexar County, Texas pursuant to Texas Government Code Section 551.071 (consultation with attorney).

**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.*