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Agenda  
City Council Meeting  
Municipal Plaza Building  
City Hall Complex  
114 W. Commerce  
San Antonio, TX 78205  
March 5, 2009

09 MAR -2 AM 8:52

RECEIVED  
CITY OF SAN ANTONIO  
CITY CLERK

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 Reverend Dr. Ilene Dunn, Pastor, Madison Square Presbyterian Church. Guest of Mary Alice P. Cisneros, District 1.
2. Pledge of Allegiance.
3. Approval of Minutes for the February 12, 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]

**2009-03-05-0004R**

5. An Ordinance approving funding strategies for City Council prioritized projects identified for the approved Federal Economic Stimulus Bill (American Recovery & Reinvestment Act of 2009). [Sheryl Sculley, City Manager; Peter Zaroni, Director, Management and Budget]

**2009-03-05-0152**

6. A Public hearing and consideration of an Ordinance authorizing the closure of an improved portion of Mockingbird Road located between Interstate Highway 10 West and Greatview Drive, located in Council District 8, in exchange for \$118,090.00 and dedication of additional right of way. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

**2009-03-05-0153**

**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 \$550,000.00, including: (A) Flasher Equipment, Co. for rental of barricades and allied items; (B) Closner Equipment Co., Inc. for Gomaco sidewalk and curb machine parts and service; (C) Graphic Designs International, Inc. for vehicle decals, letters and numbers; (D) Uniforms 4 All, Inc. for SAPD badges; and (E) KW Industries for traffic signal steel poles. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

**2009-03-05-0154**

8. An Ordinance accepting the offer from Montel Aetnastak, Inc. to provide shelving for the San Antonio Public Library's Memorial Branch facility for a cost of \$78,618.05. [Sharon De

La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

**2009-03-05-0155**

9. An Ordinance accepting the bid from Hanson Pipe & Precast to provide the Public Works Department with a box culvert for a cost of \$69,217.20. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

**2009-03-05-0156**

10. An Ordinance accepting the bid from ADH Marketing to provide the Fire Department with eight thermal imaging cameras for a cost of \$55,160.00. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

**2009-03-05-0157**

11. An Ordinance accepting the bid from Crafcot Texas, Inc. to provide the Public Works Department with two crack sealing machines for a cost of \$88,460.00. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

**2009-03-05-0158**

12. An Ordinance authorizing a contract with E.J. Ward, Inc., to provide the Fleet Maintenance and Operations Department with an automated fuel management system, for an initial amount up to \$1,259,270.00 and \$151,000.00 for annual maintenance and support. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

**2009-03-05-0159**

13. An Ordinance accepting the offer from Southwest Solutions Group to provide the City with evidence storage lockers for the San Antonio Police Department property room for a total cost of \$68,326.48. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

**2009-03-05-0160**

### Capital Improvements

14. An Ordinance ratifying a contract with Cardinal Mechanical for emergency repairs to the Central Utility Plant at San Antonio International Airport at a cost of \$63,865.00. [Penny Postoak Ferguson, Assistant City Manager; Michael J. Sawaya, Interim Director, Aviation]

**2009-03-05-0161**

15. An Ordinance authorizing an agreement with Union Pacific Rail Road (UPRR) and amending a Funding Agreement with the Texas Department of Transportation to reimburse the City for reconstruction of Jones Maltsberger: US 281 to East of UPRR, and upgrades to UPRR crossings, located in Council District 9. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

**2009-03-05-0162**

16. An Ordinance accepting \$46,900.00 from the San Antonio Public Library Foundation, and authorizing Change Order No. 1 in the amount of \$68,200.00 to the construction contract with F.A. Nunnally Company for additional work for the John Igo Branch Library Outdoor Reading Area Improvements Project, located in Council District 8. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

**2009-03-05-0163**

### Acquisition, Sale or Lease of Real Property

17. An Ordinance authorizing a three-year lease renewal beginning February 21, 2009 from Jesse C. Moreno for approximately 32,016 square feet at 12725 Applewhite Road, Council District 4, for use as a fire station, for an annual rent of \$8,015.00. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2009-03-05-0164

18. An Ordinance authorizing a three-year lease from NBY Properties, LLC, for office space used by the Police Department's San Antonio Fear Free Environment unit at 4883 West Commerce Street, Council District 5, and authorizing \$25,680.00 for occupancy-related expenses. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2009-03-05-0165

19. An Ordinance authorizing a 10-year license to Longs Ridge Association, Inc. for the construction of a concrete fence over O'Connor Road and Knollcreek Street, Council District 10, for a fee of \$16,715.00. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2009-03-05-0166

20. An Ordinance approving a five-year license agreement beginning on April 1, 2009 with the Paseo Del Rio Association, Inc., to conduct special events promoting downtown and the River Walk. [Pat DiGiovanni, Deputy City Manager; Paula X. Stallcup, Director, Downtown Operations]

2009-03-05-0167

#### **Grant Applications and Awards**

21. An Ordinance authorizing the submission of grant applications and the acceptance of funds upon award from the Texas Commission on the Arts, authorizing contracts associated with the expenditure of such funds, and the provision of matching funds. [Penny Postoak Ferguson, Assistant City Manager; Felix Padron, Director, Cultural Affairs]

2009-03-05-0168

22. An Ordinance authorizing awards of trust assistance from the San Antonio Housing Trust totaling \$1,000,000.00 to support two (2) affordable housing projects located in Council Districts 1, 6, and 7. [Frances A. Gonzalez, Assistant City Manager; Jeanetta Tinsley, Grants Administration Manager, Grants Monitoring and Administration]

2009-03-05-0169

#### **Boards, Commissions and Committee Appointments**

23. Consideration of Board, Commission and Committee appointments, to be effective immediately upon appointment: [Leticia M. Vacek, City Clerk]

A. Reappointing Rod Radle (Housing Developer), Dr. Jesse Zapata (University Representative - University of Texas San Antonio), Martha Castilla (Non-Profit Organization), Dr. Tessa Martinez-Pollack (University Representative - Our Lady of the Lake University), George Hernandez (University Health System), Dr. Elizabeth

Garza (Edgewood ISD), and appointing Steve Saldana (Faith-Based Organization) to the Westside Development Corporation Board of Directors for the remainder of unexpired terms of office to expire November 28, 2010.

B. Appointing Harry J. Shafer, PhD. (District 2, Category: Archaeologist) to the Historic Design and Review Commission for the remainder of an unexpired term of office to expire October 31, 2009.

### Miscellaneous

24. An Ordinance approving an extension of line-of-duty injury leave for San Antonio Fire Department Fire Apparatus Operators Robert Fullerton, Donnie Napier, and Lea Twidwell. [Erik J. Walsh, Assistant City Manager; Charles Hood, Fire Chief]

2009-03-05-0170

25. An Ordinance approving a twenty-five year Operations and Maintenance Agreement with The Witte Museum for the Brackenridge Park Parking Facility located in Council District 9. [A.J. Rodriguez, Deputy City Manager; Xavier Urrutia, Director, Parks & Recreation]

2009-03-05-0171

26. An Ordinance approving Self-Monitoring Standards for the Parks and Recreation Department's youth recreation programs to comply with state regulations. [A.J. Rodriguez, Deputy City Manager; Xavier Urrutia, Director, Parks & Recreation]

2009-03-05-0172

27. An Ordinance authorizing a contract with Welch Group Environmental LLP for the removal of firearm debris from the shooting range bays at the San Antonio Police Training Academy. [Erik J. Walsh, Assistant City Manager; William McManus, Police Chief]

2009-03-05-0173

28. An Ordinance amending the traffic signal installation agreement with the Texas Department of Transportation by adding traffic signal intersections and increasing the total maximum reimbursable amount to \$229,021.62 annually. [Sharon De La Garza, Assistant City Manager; Majed A. Al Ghafry, Director, Public Works]

2009-03-05-0174

29. City Manager's Report

**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. Deliberations regarding economic development negotiations pursuant to Texas Government Code Section 551.087 (economic development).

B. Discuss legal issues related to employee benefits pursuant to Texas Government Code Section 551.071 (consultation with attorney).

C. Discuss legal issues related to *Dora Rios v. City of San Antonio*, in the 225th Judicial District Court, Bexar County, Cause No. 2008-CI-07318, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

D. Discuss legal issues related to *Argonaut Southwest Insurance Company v. City of San Antonio*, in the 408th Judicial District Court, Bexar County, Cause No. 2007-CI-02686, 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. Planning and Zoning Cases presented by T.C. Broadnax, Assistant City Manager; Roderick Sanchez, Director, Planning and Development Services.

30. An Ordinance authorizing the installation of honorary street marker signs to read "William J. Bordelon Expressway" along Interstate Highway IH-37 between its intersections with Interstate Highway IH-10E/U.S.Hwy 90E and Interstate Highway IH-35N. [T. C. Broadnax, Assistant City Manager; Roderick Sanchez, Director, Planning and Development Services]

2009-03-05-0175

31. 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 12, 2009

Z-1. A Resolution directing the Planning and Development Services Department to develop and bring forward to the Zoning Commission and City Council a Corridor Overlay District for an area along Roosevelt Avenue between IH-10 and Loop 410 and to initiate a change in the Zoning District Boundaries of the properties within the area to adopt the Corridor Overlay District and to amend the base Zoning District Boundaries to zoning districts more appropriate for development opportunities as requested by Councilwoman Ramos, District 3.

2009-03-05-0005R

Z-2. A Resolution directing the Planning and Development Services Department to initiate a change in the Zoning District Boundary of approximately 3.9480 acres located at 5317 West Commerce from "I-1" General Industrial and "MF-33" Multi-Family to a use compatible with the existing surrounding land as requested by Councilwoman Galvan, District 5.

2009-03-05-0006R

Z-3. ZONING CASE # Z2009036 ERZD (District 8): An Ordinance amending the Zoning District Boundary from "C-2 ERZD" Commercial Edwards Recharge Zone District and "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District to "MF-25 ERZD" Multi-Family Edwards Recharge Zone District on 24.315 acres out of NCB 14865 located on the west side of Babcock Road, between University Row and UTSA Blvd. Staff recommends approval. Zoning Commission recommendation is pending the March 3, 2009 public hearing.

continued to March 19, 2009

Z-4. ZONING CASE # Z2009035 (District 1): An Ordinance amending the Zoning District Boundary from "H C-3R" General Commercial, Restrictive Alcohol Sales Tobin Hill

Historic District to "H R-5" Residential Single-Family Tobin Hill Historic District on the north 110.55 feet of Lot 3, NCB 1751 (also known as Lot C Block 6 NCB 1751) located at ~~706 East Myrtle Street~~. Staff and Zoning Commission recommend approval.

**2009-03-05-0176**

Z-5. 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.

**2009-03-05-0177**

Z-6. ZONING CASE # Z2009054 (District 2): An Ordinance amending the Zoning District Boundary from "I-2" Heavy Industrial District to "L" Light Industrial District on Lot 8, NCB 12201 located at 4414 N. Pan Am Expressway. Staff recommends approval. Zoning Commission recommendation pending the March 3, 2009 public hearing.

**2009-03-05-0178**

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.*