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Agenda  
City Council Meeting  
Municipal Plaza Building  
City Hall Complex  
114 W. Commerce  
San Antonio, TX 78205  
**September 17, 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](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 Rabbi Chaim Block, Executive Director, South Texas Chabad Lubavitch Branch. Guest of Councilmember Elisa Chan, District 9.
2. Pledge of Allegiance.
3. Approval of Minutes for the City Council Budget Worksession on August 18, 2009 and the Regular City Council Meeting on August 20, 2009.

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

**ACTION ITEMS FOR STAFF BRIEFING**

4. An Ordinance adopting the Annual Consolidated Operating and Capital budgets for the City of San Antonio for the FY 2010; approving the projects included in the FY 2010–FY 2014 5-Year Infrastructure Management Plan; approving the FY 2010–FY 2015 6-Year Capital Improvements Program for the City of San Antonio; authorizing personnel complements; and appropriating funds. [Sheryl Sculley, City Manager; Peter Zaroni, Director, Management & Budget]

**2009 - 09 - 17 - 0727**

5. An Ordinance ratifying the adoption of the FY 2010 budget that includes increased property tax revenue from new improvements and reappraisals. [Sheryl Sculley, City Manager; Peter Zaroni, Director, Management & Budget]

**2009 - 09 - 17 - 0728**

6. Consideration of the following Ordinances in connection with the adoption of the Tax Rates for Tax Year 2009: [Sheryl Sculley, City Manager; Peter Zaroni, Director, Management & Budget]

A. An Ordinance adopting the Ad Valorem Property Tax Rate for Maintenance and Operation (M&O) of the City government of the City of San Antonio at 35.419 cents per \$100.00 of taxable valuation for the tax year beginning on January 1, 2009 and ending on December 31, 2009.

**2009 - 09 - 17 - 0729**

B. An Ordinance adopting the Ad Valorem Property Tax Rate to pay the principal and interest on the funded debt of the City of San Antonio at 21.150 cents per \$100.00 of taxable valuation for the tax year beginning on January 1, 2009 and ending on December 31, 2009.

**2009 - 09 - 17 - 0730**

7. Consideration of Ordinances establishing new fees and amending or repealing existing fees within the General Fund, specifically within the Animal Care Services, City Clerk, Customer Service and 311, Downtown Operations, Fire, Health, Housing and Neighborhood

Services, Library, Municipal Court, Parks and Recreation, Police, Public Works; and within the Airport Operating & Maintenance Fund, Juvenile Case Manager Fund, Parking Fund, Planning & Development Services Fund, Purchasing and Contract Services Fund, and the Solid Waste Fund; and amending the City Code to reflect such changes. [Sheryl Sculley, City Manager; Peter Zanoni, Director, Management and Budget]

**2009 - 09 - 17 - 0731A-Q**

8. An Ordinance carrying forward certain funds; closing accounting records in certain funds; amending prior appropriations; appropriating funds for requirements in City projects and departments; and appropriating certain capital project funds. [Sheryl Sculley, City Manager; Peter Zanoni, Director, Management & Budget]

**2009 - 09 - 17 - 0732**

## **CONSENT AGENDA**

### **Purchase of Equipment and Supplies**

9. An Ordinance accepting bids for the following annual contracts in the estimated amount of \$2,243,000.00: (A) Selrico Services, Inc, for custodial services for San Antonio branch libraries; (B) Gartner, Inc. for subscription services; (C) The Alamo Travel Group, LP and Corporate Travel Planners for travel management services; and, (D) Siddons Fire Apparatus for Pierce fire truck parts. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

**2009 - 09 - 17 - 0733**

10. An Ordinance authorizing the City to utilize a state cooperative contract for the purchase of a vacuum rider sweeper from Nilfisk-Advance, Inc., for the Downtown Operations Department, for a cost of \$56,354.00, funded from the FY 2009 Budget. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

**2009 - 09 - 17 - 0734**

11. An Ordinance authorizing the City to utilize cooperative contracts for the purchase of five (5) specialty response vehicles from Siddons Fire Apparatus, Inc., Philpot Motors, Ltd. and Southwest International Trucks, Inc., for a cost of \$1,053,159.20, funded through the Department of Homeland Security, Urban Area Security Initiative and Metropolitan Medical Response System Grants. [Sharon De La Garza, Assistant City Manager; Janie Cantu, Director, Purchasing & General Services]

**2009 - 09 - 17 - 0735**

### **Capital Improvements**

12. An Ordinance ratifying the issuance of a \$153,900.00 job order, from a total authorized project amount of \$182,900.00, to Con-Cor/APM for the Repair/Replacement of the roof system at the International Center Facility, funded from the International Center Contingency Fund, located at 203 S. St. Mary's in Council District 1, appropriating funds and amending the 2009-2014 Capital Budget. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

**2009 - 09 - 17 - 0736**

13. Consideration of the following Ordinances related to the Midcrest Detention Project, a 2007-2012 Bond and Storm Water Facilities Fund Project located in Council District 7: [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

A. An Ordinance amending the FY 2009 Adopted Capital Budget and the FY 2010 Proposed Capital Budget, canceling the Midcrest Detention Project and reallocating excess project funds to create a new project, Seeling Channel Improvements - Phase I, that meets the intent of the original project to alleviate flooding.

**2009 - 09 - 17 - 0737**

B. An Ordinance authorizing a professional services agreement with AECOM, formerly known as TCB Inc., in an amount up to \$1,540,000.00 for engineering services for the Seeling Channel Improvements- Phase I Project.

**2009 - 09 - 17 - 0738**

14. An Ordinance selecting Fugro Consultants, Inc. for negotiation and execution of an indefinite delivery professional services agreement in an amount up to \$3,000,000.00 to provide an automated assessment of pavement conditions for the Professional Pavement Management Project, located city-wide and accepting up to \$50,000.00 from San Antonio Water System to develop a manhole and water valve inventory. [Sharon De La Garza, Assistant City Manager; Majed A. Al-Ghafry, Director, Public Works]

**2009 - 09 - 17 - 0739**

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

15. An Ordinance extending the Airline-airport use and lease agreements at San Antonio International Airport for one year. [Penny Postoak Ferguson, Assistant City Manager; Frank Miller, Director, Aviation]

**2009 - 09 - 17 - 0740**

16. An Ordinance authorizing an indefinite duration Joint Use Agreement with San Antonio Water System (SAWS) for use of City-owned property at 4531 South Zarzamora Street located in Council District 5 for a fee of \$7,500.00. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

**2009 - 09 - 17 - 0741**

17. An Ordinance authorizing a two-year lease from USAA Real Estate Company for the Council District 8 constituent office, located at 9830 Colonnade Blvd., Suite 460 for an annual rental fee of \$24,053.40 for the first year and \$25,682.16 during the second year. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

**2009 - 09 - 17 - 0742**

18. An Ordinance authorizing the purchase of an aquifer-protection conservation easement on the Lee Ranch, Uvalde County, Texas for \$2,176,589.20; amendment of the Gully Conservation Easement to include the Lee Ranch; and, acceptance of a donation of remnant tracts of land surrounding the Long Hollow easement, all as part of the Proposition One

Edwards Aquifer Protection Venue Project. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

### Grant Applications and Awards

2009 - 09 - 17 - 0743

19. An Ordinance ratifying a contract with Parent/Child Incorporated (PCI) in an amount up to \$21,056.00 for the San Antonio Metropolitan Health District Dental Division to provide, on a fee for service basis, oral health evaluations, preventive care and case management services to children between the ages of six weeks to age three who are enrolled in PCI Early Head Start programs. [Frances A. Gonzalez, Assistant City Manager; Dr. Fernando A. Guerra, Director, Health]

2009 - 09 - 17 - 0744

20. An Ordinance authorizing a sub-contract amendment with Texas A&M University to extend the contract term, adjust the scope of services, and provide compensation up to \$66,000.00 with carry over funds from the STEPS to a Healthier San Antonio grant funded by the Department of Health and Human Services. [Frances A. Gonzalez, Assistant City Manager; Dr. Fernando A. Guerra, Director, Health]

2009 - 09 - 17 - 0745

21. An Ordinance ratifying the submission of two Public Health Emergency Response grant applications, and authorizing the acceptance of funds upon award, from the Texas Department of State Health Services for preparation and response to ongoing and emerging outbreaks of novel influenza A (H1N1) and acceptance of funds upon award up to \$1,624,694.00, and authorizing contracts with response support agencies and the purchase of specialized equipment and supplies. [Frances A. Gonzalez, Assistant City Manager; Dr. Fernando A. Guerra, Director, Health]

2009 - 09 - 17 - 0746

### Boards, Commissions and Committee Appointments

22. 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. Reappointing Gloria M. Malone (District 2) to the San Antonio Public Library Board of Trustees for a term of office to commence October 1, 2009, and expire September 30, 2011.

B. Appointing Cruz S. Chavira (District 2, Category: Taxi Industry, Co-op) to the Transportation Advisory Board for the remainder of an unexpired term of office to expire May 31, 2011.

C. Appointing Gabe Farias and reappointing George I. Fernandez, Henry L. Galindo, Lou Miller, Louis P. Terrazas, and Ricardo D. Villasenor to the Municipal Golf

Association – SA (MGA-SA) for the remainder of unexpired terms of office to expire May 2, 2011.

D. Appointing Carolyn Kelley (District 1) to the Zoning Commission for the remainder of an unexpired term of office to expire May 31, 2011.

### Miscellaneous

23. An Ordinance approving an Investment Policy for the City of San Antonio, Texas, in accordance with the requirement of the Texas Public Funds Investment Act, as amended; designating certain employees as Investment Officers for the City of San Antonio; and providing for an effective date. [Pat DiGiovanni, Deputy City Manager; Ben Gorzell, Director, Finance]

**2009 - 09 - 17 - 0747**

24. A Resolution supporting the Office of Environmental Policy to participate in rate reviews of SAWS and CPS Energy's proposed rates conducted by the Supervisor of Public Utilities to ensure that conservation and sustainability goals are addressed in the review process. [Pat DiGiovanni, Deputy City Manager; Ben Gorzell, Director, Finance]

**2009 - 09 - 17 - 0030R**

25. An Ordinance authorizing an amendment to the City-County Interlocal Services and Planning Agreement with University Health System (UHS) which will provide for \$239,464.00 in total compensation from UHS to the City for health services provided by the San Antonio Metropolitan Health District. [Frances A. Gonzalez, Assistant City Manager, Dr. Fernando A. Guerra, Director, Health]

**2009 - 09 - 17 - 0748**

26. An Ordinance accepting a donation in the amount of \$513,858.61 from the estate of Boza Becica, as prescribed in her Last Will and Testament, for the purchase of library books and materials for the San Antonio Public Library. [A.J. Rodriguez, Deputy City Manager; Ramiro Salazar, Director, Library]

**2009 - 09 - 17 - 0749**

27. An Ordinance approving an Interlocal Agreement between the City of San Antonio and the Northeast Independent School District to use the Molly Pruitt Library at Roosevelt High School as a public library facility. [A.J. Rodriguez, Deputy City Manager; Ramiro Salazar, Director, Library]

**2009 - 09 - 17 - 0750**

28. An Ordinance authorizing a professional services agreement with Unique Management Services for library book and material recovery, revenue collection and patron notification services at a cost of \$8.95 for each account referred; appropriated in the FY 2010 Budget. [A.J. Rodriguez, Deputy City Manager; Ramiro Salazar, Director, Library]

**2009 - 09 - 17 - 0751**

29. An Ordinance approving an agreement with the Department of Homeland Security Transportation Security Administration providing not more than \$14,385,466.00 in

American Recovery & Reinvestment Act of 2009 funds for reimbursement of up to 90% of allowable costs associated with design, engineering and construction services for the Terminal 1/B Consolidated Baggage Handling System Project at the San Antonio International Airport. [Sheryl Sculley, City Manager; Peter Zanoni, Director, Management and Budget]

2009 - 09 - 17 - 0752

30. An Ordinance authorizing an amendment to extend the ending date for two interlocal agreements (Contraband Forfeiture and Forfeiture of Gambling Property and Proceeds) with the San Antonio Police Department and the District Attorney's Office from September 30, 2009 to September 30, 2012. [Erik J. Walsh, Assistant City Manager; William P. McManus, Police Chief]

2009 - 09 - 17 - 0753

31. An Ordinance authorizing a contract with A & D Tests, Inc. to provide Random Drug Testing Services in an amount of up to \$35,000.00, funded by the General Fund. [Erik J. Walsh, Assistant City Manager; William P. McManus, Police Chief]

2009 - 09 - 17 - 0754

32. An Ordinance authorizing one-year contracts, each in an amount up to \$100,000.00, with the Humane Society of Bexar County and the Humane Society/SPCA of Bexar County to provide supplemental spay and neuter surgery services for the Animal Care Services Department. [T.C. Broadnax, Deputy City Manager; Gary Hendel, Director, Animal Care Services]

2009 - 09 - 17 - 0755

**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

33. A Resolution directing the Planning and Development Services Department to initiate a Zoning District Boundary change to designate 3031 W. Woodlawn as Historic Significant (District 7). Staff and Historic and Design Review Commission recommend Approval. [T.C. Broadnax, Assistant City Manager; Shanon Wasielewski, Historic Preservation Officer]

2009 - 09 - 17 - 0031R

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.

Continued for 30 days

P-1. **PLAN AMENDMENT # PA09017 (District 2):** An Ordinance amending the land use plan contained in the Arena District/Eastside Community Plan, a component of the Master Plan of the City, by changing the use on 4.156 acres located at 301 Yucca Street from Institutional land use to Mixed Use land use. Staff and Planning Commission recommend approval. (Associated Zoning Case: #Z2009129)

**2009-09-17-0756**

Z-2. **ZONING CASE # Z2009129 (District 2):** An Ordinance amending the Zoning District Boundary from "MF-33" Multi-Family District to "C-2" Commercial District on 4.156 acres out of Block 1, NCB 7457 and Block 19, NCB 1550 located on the south side of Martin Luther King Drive, between Lacey and Robeson. Staff and Zoning Commission recommend approval pending the plan amendment.

**2009-09-17-0757**

Z-3. **ZONING CASE # Z2009130 S (District 2):** An Ordinance amending the Zoning District Boundary from "MF-33" Multi-Family District to "C-3 NAS" General Commercial District Non-Alcoholic Sales with a Specific Use Authorization for a Correctional Facility (Transitional Home) on 4.914 acres out of Block 16, NCB 1546 and Block 20, NCB 1551 located on the north side of Yucca Street, between Hallie Avenue and Robeson. Staff recommends denial. Zoning Commission recommends approval with one condition.

**2009-09-17-0758**

**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.