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AGENDA
City Council Meeting
Municipal Plaza Building
City Hall Complex
114 W. Commerce
San Antonio, TX 78205
May 3, 2012
9:00 A.M.

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:** Adjourn

At any time during the meeting, the City Council may meet in executive session for consultation concerning attorney-client matters under Chapter 551 of the Texas Government Code.

Citizens may appear before the City Council to speak for or against any item on this agenda, in accordance with procedural rules governing City Council meetings. Questions relating to these rules may be directed to the Office of the City Clerk at (210) 207-7253.

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, north side. Auxiliary aids and services, including Deaf interpreters, must be requested forty-eight [48] hours prior to the meeting. For assistance, call (210) 207-7245 or 711 (Texas Relay Services for the Deaf).

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. Jason T. Roberts, Vicar, Episcopal Church of the Holy Spirit, guest of Councilmember Cris Medina, District 7.
2. Pledge of Allegiance.
3. Approval of Minutes for the March 28 - 29, 2012 City Council meetings.

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

CONSENT AGENDA

Purchase of Equipment and Supplies

4. An Ordinance authorizing the City to utilize a cooperative contract with Siddons Fire Apparatus, Inc. to provide the San Antonio Fire Department with 1 Quantum Aerial Platform Fire Truck, funded with the City of San Antonio's Equipment Renewal and Replacement Fund for a total cost of \$995,367.00. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

2012-05-03-0310

Capital Improvements

5. An Ordinance accepting the lowest responsive bid and awarding a construction contract in the amount of \$687,249.50 payable to Bartek Construction Company for the relocation of a 30" sanitary sewer utility line in connection with the Public Safety Headquarters Project, an authorized Certificates of Obligation funded project, located in Council District 1. [Erik J. Walsh, Deputy City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2012-05-03-0311

6. An Ordinance awarding a task order construction contract with Austin Constructors, LLC, in an amount not to exceed \$3,962,460.00, of which \$138,500.00 is to be reimbursed by San Antonio Water Systems, for construction of street, drainage, traffic and pedestrian access related projects for the 2012-2014 Task Order Contract for Public Works Maintenance and Construction Package E. [Ed Belmares, Assistant City Manager; Majed A. Al-Ghafry, Director, Public Works]

2012-05-03-0312

7. An Ordinance awarding a task order construction contract, Package VI to Pronto Sandblasting & Coating, Inc. in an amount not to exceed \$3,016,350.00, of which \$11,750.00 is to be reimbursed by San Antonio Water Systems, for the authorized FY 2012 Street Maintenance Program for rehabilitation projects using the pavement reclamation process, located in Council Districts 1, 2, 3, 4, and 5. [Ed Belmares, Assistant City Manager; Majed A. Al-Ghafry, Director, Public Works]

2012-05-03-0313

8. An Ordinance authorizing a final change order in the increased amount of \$204,610.53 to the \$2,473,167.55 construction contract with Ray Faris, Inc. for the Street Maintenance Program – Reclamation Contract, to reconcile actual costs incurred for projects located Citywide, funded by authorized project contingency funds. [Ed Belmares, Assistant City Manager; Majed A. Al-Ghafry, Director, Public Works]

2012-05-03-0314

9. Consideration of the following Ordinances related to Salado Creek Hike and Bike Phase I project, a Certificates of Obligation and General Obligation and American Reinvestment and Recovery Act funded project, located in Council District 2: [Peter Zanoni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

A. An Ordinance accepting the lowest responsive bid and awarding a construction contract in the amount of \$267,700.00 payable to J3 Company, LLC, for a pedestrian bridge for the Salado Creek Hike and Bike Phase I project.

2012-05-03-0315

B. An Ordinance accepting American Reinvestment and Recovery Act funds in the amount of \$234,905.00.

2012-05-03-0316

Acquisition, Sale or Lease of Real Property

10. An Ordinance authorizing an amendment to the lease with Allied Aviation Fueling Company of San Antonio, L.P. to enlarge the leased premises at the San Antonio International Airport. [Ed Belmares, Assistant City Manager; Frank Miller, Director, Aviation]

2012-05-03-0317

11. An Ordinance authorizing the execution of a five-year lease agreement expiring May 31, 2017 with Ella Austin Community Center for 4.2 acres of land and improvements located at 1023 North Pine Street at the rate of \$1.00 annually for the entire term. [Ben Gorzell, Chief Financial Officer; Jorge A. Perez, Director, Building and Equipment Services]

2012-05-03-0318

12. An Ordinance adding owners to La Boutique International, La Boutique I and Don Roman, Inc. in El Mercado. [Pat DiGiovanni, Deputy City Manager; Jim Mery, Interim Director, Downtown Operations]

2012-05-03-0319

13. An Ordinance, on behalf of San Antonio Water System, authorizing the acquisition through negotiation or condemnation, of seven permanent and seven temporary easement interests to privately-owned real property located in southwest Bexar County (within NCBs 11295, 14566 and 15068) in Council District 4 for the Leon Creek Water Recycle Center Interconnection to the Southwest Bexar Sewer Pipeline Project; declaring it to be a public project and a public necessity for the acquisition. [Peter Zanoni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2012-05-03-0320

14. An Ordinance authorizing the closure, vacation, abandonment and sale of 0.648 acres of unimproved Public Right of Way, located east of Palo Alto College on West Chavaneaux Road adjacent to NCB 11136 in Council District 4, as requested by Alamo Colleges, for a fee of \$35,050.00. [Peter Zanoni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2012-05-03-0321

15. An Ordinance authorizing the closure, vacation and abandonment of 0.1127 acres of West Huisache Avenue Public Right of Way, located west of Saint Cloud Street adjacent to NCB 8349, in Council District 7, as requested by Wal-Mart Real Estate Business Trust, for a fee of \$22,150.00. [Peter Zanoni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2012-05-03-0322

Grant Applications and Awards

16. An Ordinance authorizing the acceptance of funds, upon award, not to exceed \$283,400.00 for the 2012 Justice Assistance Grant from the U.S. Department of Justice, Bureau of Justice Assistance for a Child Welfare Strategic Alliance Program, a City/County project addressing child sexual abuse/assault, for the period of October 1, 2012 through September 30, 2016; authorizing an Interlocal Agreement with Bexar County regarding the distribution of grant funds and designating Bexar County as the grant fiscal agent; establishing a personnel complement and appropriating a budget. [Erik J. Walsh, Deputy City Manager; William P. McManus, Chief of Police]

2012-05-03-0323

17. An Ordinance authorizing the submission of a grant application and acceptance of funds upon award, not to exceed \$1,600,000.00 from the Texas Automobile Burglary & Theft Prevention Authority for the grant period of September 1, 2012 through August 31, 2013; authorizing an Interlocal Agreement with the Bexar County Sheriff's Office to fund two (2) deputies; approving a cash match of \$597,874.00 and an in-kind match of \$2,123,494.00; and establishing a budget and personnel complement. [Erik J. Walsh, Deputy City Manager; William McManus, Chief of Police]

2012-05-03-0324

City Code Amendments

18. An Ordinance amending Chapter 22 of the City Code to implement a park curfew at Woodlawn Lake Park, remove the Woodlawn Lake Park Sailing Club Building from list of park locations exempted from alcohol restrictions, and define the boundaries of the San Antonio River Walk exempt from park curfew. [Ed Belmares, Assistant City Manager; Xavier Urrutia, Director, Parks & Recreation]

2012-05-03-0325

Boards, Commissions and Committee Appointments

19. Consideration of the following Board, Commission and Committee appointments for the remainder of unexpired terms of office to expire May 31, 2013, 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; or for terms and effectiveness as otherwise indicated below: [Leticia M. Vacek, City Clerk]

A. Appointing Brent R. Anderson (At-Large, Category: Commercial Building Owner/Manager/Representative, Alternate) to the Building-Related and Fire Codes Appeals and Advisory Board

Approved

B. Appointing Michelle B. Samaniego (District 8) to the San Antonio Youth Commission.

Approved

C. Appointing Juan A. Garcia and Minnie M. Hill to the Tax Increment Reinvestment Zone Number 11, known as Inner City.

Approved

D. Reappointing Jose B. Rodriguez (District 9) to the Citizens' Environmental Advisory Committee.

Approved

E. Reappointing Frederick J. McNealy (District 9) to the Zoning Commission.

Approved

F. Appointing Anthony Alcoser (District 3) to the San Antonio Housing Trust.

Approved

G. An Ordinance reappointing Harold "Ray" Knox (District 9) to the Parks and Recreation Board for the remainder of an unexpired term of office to expire May 31, 2013, and waiving the city code residency requirement in Chapter 2, Article IX, Sec. 2-529(b) for this appointment.

2012-05-03-0326

20. Report by City Clerk on Outstanding Financial Disclosure Reports and vacated positions by Board Members for 2012. [Leticia M. Vacek, City Clerk]

Miscellaneous

21. An Ordinance amending the Rates and Charges policy for use of facilities and services at the San Antonio International Airport. [Ed Belmares, Assistant City Manager; Frank Miller, Director, Aviation]

2012-05-03-0327

22. An Ordinance authorizing a negotiated agreement with Clark Construction Group, LLC/Thos. S. Byrne, a Joint Venture, for \$500,000.00 payment to the City to settle issues associated with the construction of Terminal B at San Antonio International Airport. [Ed Belmares, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2012-05-03-0328

23. An Ordinance authorizing an amendment and second one-year extension of the professional services agreement with Gonzaba Medical Group, for the administration and management of the City's Employee Health and Wellness Center for an estimated annual amount of \$240,000.00 funded by the Employee Benefits Fund. [Ed Belmares, Assistant City Manager; Martha Sepeda, Interim Director, Human Resources]

2012-05-03-0329

24. An Ordinance scheduling three Special City Council Meetings in August 2012 for Budget Work Sessions. [Leticia M. Vacek, City Clerk]

2012-05-03-0330

25. Consideration of the following Ordinances relating to the May 12, 2012 Bond and Charter Amendment Election: [Leticia M. Vacek, City Clerk]

- A. An Ordinance amending Early Voting and Election Day polling sites for the May 12, 2012 Bond and Charter Amendment Election.

2012-05-03-0331

- B. An Ordinance amending the cost of the Election Services Contract with Bexar County.

2012-05-03-0332

26. City Manager's Report

- A. Results of the Airport Bond Refunding Transaction
B. Fiesta Recycling Results

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 cases presented by

David Ellison, Assistant City Manager; John Dugan, Director, Planning and Community Development. Zoning cases presented by David Ellison, Assistant City Manager; Roderick Sanchez, Director, Development Services.

27. Consideration of an appeal of the Board of Adjustment's decision to approve a 10-foot variance from the 40-foot maximum sign height standard for single-tenant signs when located on an Arterial Type A, in order to allow a sign height not to exceed eighty (80) feet on the property located at 1855 North Foster Road in Council District 2. *Approved*

P-1. **PLAN AMENDMENT #12010 (District 1):** An Ordinance amending the land use plan contained in the Near Northwest Community Plan, a component of the Comprehensive Master Plan of the City, by changing the land use of a 0.4132 acre tract of land located at 1726 Fredericksburg Road from Neighborhood Commercial to Community Commercial. Staff and Planning Commission recommend denial. (Continued from April 19, 2012) (Associated Zoning Case: #Z2012061) *Denied*

Z-1. **ZONING CASE # Z2012061 CD (District 1):** An Ordinance amending the Zoning District Boundary from "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District to "C-2NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Conditional Use for a Tattoo Parlor/Studio on Lots 12, 13 and 14, Block 50, NCB 2744 located at 1726 Fredericksburg Road. Staff and Zoning Commission recommend denial. (Continued from April 19, 2012) *Denied*

Z-2. **ZONING CASE # Z2012033 HL (District 1):** An Ordinance amending the Zoning District Boundary from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "HL R-5 AHOD" Historic Landmark Residential Single-Family Airport Hazard Overlay District on Lot 1, Block 33, NCB 8569 located at 3510 North Main Avenue. Staff and Zoning Commission recommend approval. (Continued from February 2, 2012)

2012-05-03-0333

Z-3. **ZONING CASE # Z2012069 CD (District 1):** An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Two-Family Dwelling on a 0.3233 acre tract of land being all of Lot 9 and a triangular portion of Lot 10, Block 3, NCB 761 located at 308 Warren Street. Staff and Zoning Commission recommend approval.

2012-05-03-0334

Z-4. **ZONING CASE # Z2012078 CD (District 1):** An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single Family Airport Hazard Overlay District to "R-4 CD AHOD" Residential Single Family Airport Hazard Overlay District with a Conditional Use for a Non-Commercial Parking Lot on Lot 3 and the west 10 feet of Lot 2, Block 22, NCB 10487 located at 411 Beryl Drive. Staff and Zoning Commission recommend approval with conditions.

2012-05-03-0335

Z-5. **ZONING CASE # Z2012080 (District 1):** An Ordinance amending the Zoning District

Boundary from "I-1 HS AHOD" General Industrial Historic Significant Airport Hazard Overlay District to "C-2 HS AHOD" Commercial Historic Significant Airport Hazard Overlay District on 0.7105 acres out of Lots 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 and a portion of Lots 20 and 21, Block F, NCB 2564 located at 1735 South Alamo Street. Staff and Zoning Commission recommend approval. *withdrawn*

Z-6. ZONING CASE # Z2012097 (District 2): An Ordinance amending the Zoning District Boundary from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District and "O-2 AHOD" High-Rise Office Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on a 50.99 acre tract of land out of NCB 12173 and NCB 12174 located at 4050 Eisenhower Road. Staff recommends approval. Zoning Commission recommendation pending the May 1, 2012 public hearing.

2012-05-03-0336

Z-7. ZONING CASE # Z2012030 (District 5): An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on 2 acres out of the south 287 feet of Block 2, NCB 8243 located on a portion of the 5700 Block of West Commerce Street. Staff and Zoning Commission recommend approval.

2012-05-03-0337

Z-8. ZONING CASE # Z2012041 S (District 6): An Ordinance amending the Zoning District Boundary from "C-3 GC-2 AHOD" General Commercial Highway 151 Gateway Corridor Overlay Airport Hazard Overlay District to "C-3 S GC-2 AHOD" General Commercial Highway 151 Gateway Corridor Overlay Airport Hazard Overlay District with a Specific Use Authorization for a Helistop on a 0.268 of an acre tract of land being out of Lot 3, Block 50, NCB 17642 located at 10811 Town Center Drive. Staff and Zoning Commission recommend approval. (Continued from April 19, 2012)

continued

Z-9. ZONING CASE # Z2012079 CD (District 7): An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Auto Sales on Lot 3, Block 1, NCB 15053 save and except approximately 350 square feet known as Parcel 4 located at 5790 Northwest Loop 410. Staff and Zoning Commission recommend approval.

2012-05-03-0338

Z-10. ZONING CASE # Z2012087 CD (District 8): An Ordinance amending the Zoning District Boundary from "C-2 GC-1 MLOD" Commercial Hill Country Gateway Corridor Overlay Military Lighting Overlay District, "C-2 S GC-1 MLOD" Commercial Hill Country Gateway Corridor Overlay Military Lighting Overlay District with Specific Use Authorization for a Bar/Tavern and "C-3 GC-1 MLOD" General Commercial Hill Country Gateway Corridor Overlay Military Lighting Overlay District to "C-2 CD GC-1 MLOD" Commercial Hill Country Gateway Corridor Overlay Military Lighting Overlay District with a Conditional Use for a Nightclub without cover charge 3 or more nights per week on 0.213 of an acre out of Lot 6, Block 1, NCB 16391 located at 23535 IH 10 West, #1101. Staff recommends approval. Zoning Commission recommendation pending the May 1, 2012 public hearing.

2012-05-03-0339

6:00 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.