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2011 APR -4 AM 8:49

AGENDA
City Council Meeting
Municipal Plaza Building
City Hall Complex
114 W. Commerce
San Antonio, TX 78205
April 7, 2011
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, 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,

<http://cosaweb/agendabuilder/PrintAgenda.aspx?View=print&id=396>

4/4/2011

Municipal Plaza Building in a Regular Council Meeting at 9:00 A.M.

1. Invocation by Rev. Kent Kinard, Pastor, Chapel Hill United Methodist Church. Guest of Councilmember Philip A. Cortez, District 4.
2. Pledge of Allegiance.
3. Approval of Minutes for the March 10, 2011 City Council meeting.

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

ACTION ITEMS FOR STAFF BRIEFING

PULLED 4. Briefing and possible action on legislation filed in the 82nd Regular State Legislative Session. [A.J. Rodriguez, Deputy City Manager; Carlos Contreras, Director, Intergovernmental Relations]

At this time, the City Council of San Antonio will recess and convene as the City of San Antonio, Texas Municipal Facilities Corporation Board of Directors to consider the following:

5. Consideration of the following related to the City's 9-1-1 Emergency Dispatch Center facility, a \$28.03 million project to be funded through the future issuance of Municipal Facilities Corporation Lease Revenue Refunding Bonds, Series 2010, and an Urban Areas Security Initiative (UASI) grant: [Erik Walsh, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

- A. A Resolution authorizing a change order in the increased amount of \$3,139,920.00 to the \$13,310,311.00 Construction Manager at Risk services agreement with Guido Sundt A Joint Venture to increase the scope of work. Funds for this resolution are within the project budget.

MFC 2011-04-07-0001R

At this time, the Municipal Facilities Corporation Board of Directors will adjourn and the City Council of San Antonio will reconvene to continue the meeting.

- B. An Ordinance authorizing a change order in the increased amount of \$3,139,920.00 to the \$13,310,311.00 Construction Manager at Risk services agreement with Guido Sundt A Joint Venture to increase the scope of work. Funds for this ordinance are within the project budget.

2011-04-07-0256

CONSENT AGENDA

Purchase of Equipment and Supplies

- 6. An Ordinance authorizing the following contracts establishing unit prices for annual goods and services: (A) Genuine Parts Company and Sun Coast Resources, Inc. for lubricants (B) Ennis Paint Inc for acrylic waterborne traffic paint, (C) Royce Groff Oil Company for motor fuel tankwagon loads, (D) Lone Star Pet Supply, Inc. for dog and cat food, (E) Fleetwash Inc. for service truck/vehicle washing and (F) Software AG USA, Inc. for Software AG enterprise maintenance. [Ben Gorzell, Chief Financial Officer; Janie Cantu, Director, Purchasing & General Services]

PULLED
6C

2011-04-07-0257

Capital Improvements

- 7. An Ordinance authorizing three City requested change orders in the increased total amount of \$166,052.00 to the \$4,696,085.00 construction contract with O'Haver Contractors for the Mission Branch Library Project, an authorized 2007-2012 Bond, Certificates of Obligation, and Community Development Block Grant (CDBG) funded project, located in Council District 3. [Peter Zanoni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2011-04-07-0258

- 8. An Ordinance authorizing a construction contract with J3 Excavation Company, LLC, in an amount up to \$5,994,650.00 to construct street, drainage, traffic and pedestrian access related projects located city wide. [Sharon De La Garza, Assistant City Manager; Majed Al-Ghafry, Director, Public Works]

2011-04-07-0259

Acquisition, Sale or Lease of Real Property

- 9. An Ordinance authorizing the acquisition through negotiation, dedication, and/or condemnation of fee simple title and easement interest of portions of privately owned real property located in NCB 10234, 7662, 10675, 10578 and 10626 in Council District 2 for the Houston Street: AT&T Parkway to IH-10 Service Road 2007-2012 Bond Program Project; declaring it to be a public project and a public necessity for the acquisition; and authorizing the expenditure of \$90,000.00 from the 2007-2012 General Obligation Bond Program for the acquisition. [Peter Zanoni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2011-04-07-0260

- 10. An Ordinance authorizing the acquisition, through negotiation or condemnation of parcels of privately owned property located in County Blocks 4300, 4301, 4302, 4311, 4312, 4318, 5196 and 5197 in Council District 4 and Bexar County for the San Antonio Water System Southwest Bexar Sewer Pipeline Project; declaring it to be a public project; and declaring a public necessity for the acquisition. [Peter Zanoni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2011-04-07-0261

Grant Applications and Awards

11. An Ordinance ratifying the submission of one grant application and authorizing the submission of nineteen grant applications and renewals and the acceptance of funds upon award in an amount up to \$14,920,036.00 from the Texas Department of State Health Services and the Texas Commission on Environmental Quality for public health functions of the San Antonio Metropolitan Health District. [Sharon De La Garza, Assistant City Manager; Charles E. Pruski, Interim Deputy Public Health Director, Health]

2011-04-07-0262

031109

12. An Ordinance amending Ordinance 2010-10-21-0928 that authorized a 5-year Economic Development Program Grant Agreement with The Boeing Company to reimburse 100% of inventory taxes paid to the City on any Boeing 787 Dreamliner aircraft located at Port San Antonio (PSA) to include Boeing 747-800 aircraft in the Agreement. [A.J. Rodriguez, Deputy City Manager; Rene Dominguez, Director, International and Economic Development]

2011-04-07-0263

13. An Ordinance authorizing the submission of a grant application, and acceptance of funds upon award, from the Texas Department of Agriculture for \$1,348,230.76 to fund the 2011 Summer Food Service Program operated by the Parks and Recreation Department (SAPAR) for the period of June 13, 2011 through August 19, 2011. [Sharon De La Garza, Assistant City Manager; Xavier Urrutia, Director, Parks & Recreation]

2011-04-07-0264

City Code Amendments

PULLED

11. An Ordinance amending Chapter 34 of the City Code, by adding a section to address the discharge of Fats, Oils, and Grease into the sanitary sewer system. [Ben Gorzell, Chief Financial Officer]

Boards, Commissions and Committee Appointments

15. Consideration of the following Board, Commission and Committee appointments for the remainder of unexpired terms of office to expire May 31, 2011, 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 Jane S. Gonzalez (District 2, Category: Provider of Handicapped Services) to the Disability Access Advisory Committee.

Approved

B. Appointing Orlando Salazar (District 4) to the Zoning Commission.

Approved

Miscellaneous

16. An Ordinance authorizing eight on-call contracts with Debra S. Runyan, MAI; Dugger, Canaday, Grafe, Inc.; Eckmann Groll, Inc.; Integra Realty Resources; McNeel, Weissler & Associates; Noble & Associates, Inc.; Paul Hornsby & Company and Sandison Appraisal,

LLC., to provide Real Estate Appraisal Services for a three year term with up to two additional years and renewing five on-call contracts for an additional two year term with Bain Medina Bain, Inc.; G.E. Reaves Engineering, Inc.; M.W. Cude Engineers, L.L.C.; Snell & Associates Land Surveyors, Inc. d/b/a Maverick Land Surveying Company and Unintech Consulting Engineers, Inc. to provide survey services for various City projects. [Peter Zanoni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2011-04-07-0265

- 17. An Ordinance authorizing four on-call construction inspection services agreements with Foster CM Group, Inc., Freese and Nichols, Inc., Jasmine Engineering, Inc. and Sunland Group, Inc., each for a one year term in an amount up to \$1,000,000.00 with two additional one year extension options, to provide City of San Antonio departments on-call inspection services related to construction projects. [Peter Zanoni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2011-04-07-0266

- 18. An Ordinance authorizing an agreement with the Office of Urban Redevelopment San Antonio (OUR SA) for the administration of land banking activities, authorizing the transfer of \$1,500,000.00 to OUR SA for land bank acquisitions and authorizing a professional service agreement for land bank administration in an amount up to \$7,500.00 per month, for up to a one-year term beginning on April 7, 2011. [Pat DiGiovanni, Deputy City Manager, Center City Development]

2011-04-07-0267

- 19. An Ordinance authorizing an Economic Development Grant Agreement in the amount of \$1,577,602.00 with Broadway Developments and approving a waiver of \$219,946.00 in SAWS impact fees for The Mosaic. [Pat DiGiovanni, Deputy City Manager, Center City Development]

2011-04-07-0268

- 20. An Ordinance authorizing an Economic Development Grant Agreement in the amount of \$2,901,669.00 with Regent Companies and approving a waiver of \$289,897.00 in SAWS impact fees for 1800 Broadway. [Pat DiGiovanni, Deputy City Manager, Center City Development]

2011-04-07-0269

- 21. An Ordinance authorizing an Economic Development Grant Agreement in the amount of \$2,546,992.95 with Midway Austin Highway Partners, LP and approving a waiver of \$345,435.00 in SAWS impact fees for the 1111 Austin Highway project. [Pat DiGiovanni, Deputy City Manager, Center City Development]

2011-04-07-0270

- 22. An Ordinance authorizing an Economic Development Grant Agreement in the amount of \$3,106,839.00 with Rio Perla Properties L.P. and approving a waiver of \$311,890.00 in SAWS impact fees for the Pearl Parkway North and South. [Pat DiGiovanni, Deputy City Manager, Center City Development]

2011-04-07-0271

- 23. An Ordinance authorizing the negotiation and award of a professional services agreement with HR&A Advisors in an amount up to \$227,412.00 for the creation of an Economic Development Strategy and Implementation Plan for the Inner City and other consultant services associated with its implementation. [Pat DiGiovanni, Deputy City Manager, Center City Development]

2011-04-07-0272

24. An Ordinance authorizing the settlement of a lawsuit styled *Sylvia Paez, et al. vs. City of San Antonio*, in the 131st Judicial District Court, Bexar County, Texas, Cause No. 2010-CI-05382, for the amount of \$218,750.00, paid from the Self-Insurance Liability Fund. [Sheryl Sculley, City Manager; Michael Bernard, City Attorney]

2011-04-07-0273

25. An Ordinance approving a local contribution in the amount of \$738,731.00 to the Events Trust Fund to qualify for reimbursement of eligible expenses in an amount up to \$5,355,764.00 related to various events held at the Henry B. Gonzalez Convention Center and Alamodome during the months of January, February, and March 2011. [Pat DiGiovanni, Deputy City Manager; Mike Sawaya, Director, Convention, Sports and Entertainment Facilities]

2011-04-07-0274

- PULLED**
26. An Ordinance authorizing a professional services agreement with Populous, Inc. in an amount up to \$130,000.00 for additional services related to the Convention Center Facilities Development Study; and amending the FY 2011 budget to appropriate funds from the HOT Tax Capital Facilities Fund. [Pat DiGiovanni, Deputy City Manager; Michael J. Sawaya, Director, Convention, Sports, and Entertainment Facilities]

27. An Ordinance setting a public hearing for May 12, 2011, to consider updated land use assumptions, capital improvements plan and impact fees for the San Antonio Water System service territory. [Ben Gorzell, Chief Financial Officer]

2011-04-07-0275

28. An Ordinance authorizing the renaming of Ingram Hills Park to Joan Price Park located in Council District 7. [Sharon De La Garza, Assistant City Manager; Xavier Urrutia, Director, Parks & Recreation]

2011-04-07-0276

29. An Ordinance authorizing a Construction and Maintenance Agreement with TxDOT for the Salado Creek Greenway trail improvements to be constructed by TxDOT in conjunction with the Wurzbach Parkway project within TxDOT right-of-way located in Council District 9. [Sharon De La Garza, Assistant City Manager; Xavier Urrutia, Director, Parks & Recreation]

2011-04-07-0277

30. An Ordinance approving the continued imposition of a one-eighth (1/8) cent sales and use tax for Propositions 1, the Edwards Aquifer Protection Venue Project, and Proposition 2, the Parks Development and Expansion Venue Project; and approving the establishment of venue project funds to be used in connection with the Edwards Aquifer Protection Venue Project and the Parks Development and Expansion Venue Project. [Sharon De La Garza, Assistant City Manager; Xavier Urrutia, Director, Parks & Recreation]

2011-04-07-0278

31. An Ordinance authorizing a funding agreement with the School of Science and Technology accepting funds in an amount up to \$8,000.00 for the construction and installation of two road side mounted solar powered flashing beacons near the School of Science and Technology campus located in Council District 10. [Sharon De La Garza, Assistant City Manager; Majed A. Al Ghafry, Director, Public Works]

2011-04-07-0279

- 32. An Ordinance authorizing an Advanced Funding Agreement with the Texas Department of Transportation (TxDOT) to accept reimbursement from TxDOT in an amount not to exceed \$800,000.00 for eligible expenditures associated with the \$1,012,000.00 Intelligent Transportation System (ITS) Equipment Project located throughout the city. [Sharon De La Garza, Assistant City Manager; Majed A. Al Ghafry, Director, Public Works]

2011-04-07-0280

- 33. An Ordinance authorizing the purchase of additional functionality from Tyler Technologies, Inc. for the San Antonio Municipal Court Case Management System (CMS) for a total initial cost up to \$189,250.00 and \$58,000.00 annually thereafter. [Sheryl Sculley, City Manager; Fred Garcia, Municipal Court Clerk]

2011-04-07-0281

- 34. **City Manager's Report**
 - A. Newly Appointed Staff

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 T.C. Broadnax, Assistant City Manager; Patrick Howard, Interim Director, Planning and Community Development. Zoning cases presented by T.C. Broadnax, Assistant City Manager; Roderick Sanchez, Director, Development Services.

- 35. A Resolution directing the Department of Planning and Community Development to develop and bring forward to the Zoning Commission and City Council a Corridor District for an area along Austin Highway between North New Braunfels Avenue and Northeast Loop 410 and along Harry Wurzbach Road between Fort Sam Houston and Northeast Loop 410 and to initiate a change in the Zoning District Boundaries of the properties within the area described to adopt the Corridor District as an overlay district and to amend the base Zoning District Boundaries to zoning districts that are consistent with existing land use plans and will facilitate redevelopment as requested by Councilman Clamp, District 10.

- Z-1. **ZONING CASE # Z2011064 (District 3):** An Ordinance amending the Zoning District Boundary from "H NP-10 AHOD" Mission Historic Neighborhood Preservation Airport Hazard Overlay District and "H I-1 AHOD" Mission Historic General Industrial Airport Hazard Overlay District to "H NP-10 AHOD" Mission Historic Neighborhood Preservation Airport Hazard Overlay District on 5 acres out of NCB 10918 located on a portion of 9146 Villamain. Staff and Zoning Commission recommend approval.

2011-04-07-0282

- Z-2. **ZONING CASE # Z2011058 S (District 4):** An Ordinance amending the Zoning District Boundary from "MF-33 AHOD" Multi-Family Airport Hazard Overlay District, "MF-33 S AHOD" Multi-Family Airport Hazard Overlay District with a Specific Use Authorization for a Daycare Center Caring for Over 20 Children, and "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "O-1 S AHOD" Office Airport Hazard Overlay District with a Specific Use Authorization for Parking on Lot 5 and the south half of Lot 4,

2011-04-07-0283

Block 9, NCB 15507, and Lot 1 and the north half of Lot 2, Block 3, NCB 15513, portions of the 2500 and 2600 Blocks of Observation Drive. Staff and Zoning Commission recommend approval with one condition.

2011-04-07-0283

P-1. PLAN AMENDMENT #11011 (District 5) - An Ordinance amending the land use plan contained in the Downtown Neighborhood Plan, a component of the Master Plan of the City, by changing the use of approximately 2.43 acres located at 509, 511, 513, 515, 519, 525, 527, 529, and 531 El Paso Street and the northern portion of 1025 South Frio Street from Residential land use to Mixed Use land use. Staff and Planning Commission recommend approval. (Associated Zoning Case: None).

2011-04-07-0284

P-2. PLAN AMENDMENT #11012 (District 5): An Ordinance amending the land use plan contained in the Guadalupe Westside Community Plan, a component of the Master Plan of the City, by changing the use of a 0.1724 acre tract of land located at 1419 S. Hamilton Avenue from Low Density Residential land use to Neighborhood Commercial land use. Staff and Planning Commission recommend approval. (Associated Zoning Case Number: Z2011051)

2011-04-07-0285

Z-3. ZONING CASE # Z2011051 (District 5): An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "NC AHOD" Neighborhood Commercial Airport Hazard Overlay District on Lot 25, Lot 26, Lot 27 and Lot 46, Block 8, NCB 2491 located at 1419 South Hamilton Avenue. Staff and Zoning Commission recommend approval, pending plan amendment.

2011-04-07-0286

Z-4. ZONING CASE # Z2011060 (District 5): An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "O-1.5 AHOD" Mid-Rise Office Airport Hazard Overlay District on Lots 3 and 4, Block 10 (also known as Block 12), NCB 1682 located at 2402 South Presa Street. Staff and Zoning Commission recommend approval.

2011-04-07-0287

Z-5. ZONING CASE # Z2011057 (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 "MF-33 GC-2 AHOD" Multi-Family Highway 151 Gateway Corridor Overlay Airport Hazard Overlay District on a 12.72 acre tract of land out of NCB 15239 located on the 8500 Block of State Highway 151. Staff and Zoning Commission recommend approval.

2011-04-07-0288

Z-6. ZONING CASE # Z2011063 S (District 7): An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 AHOD S" Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Reception Hall on a 0.2460 acres of land out of Lot 2, Block 3, NCB 14160 located at 5351 Glen Ridge Drive. Staff and Zoning Commission recommend approval.

2011-04-07-0289

Z-7. ZONING CASE # Z2011061 (District 9): An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District to "C-3 AHOD" General Commercial Airport Hazard Overlay District on Lot 21 and Lot 22, Block 2, NCB

11966 located at 9911 McCullough Avenue and 774 Isom Road. Staff and Zoning Commission recommend approval. *continued*

Z-8. **ZONING CASE # Z2010009 (District 10):** An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District and "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Tract 1A and 0.937 Acres out of Tract 2, NCB 16587 located at 15602 and 15700 Nacogdoches Road. Staff and Zoning Commission recommend approval. (Continued from March 3, 2011) *continued*

Z-9. **ZONING CASE # Z2011054 (District 10):** An Ordinance amending the Zoning District Boundary from "C-3 AHOD" General Commercial Airport Hazard Overlay District to "RM-6 AHOD" Residential Mixed Airport Hazard Overlay District on Lot 26, Block 2, NCB 16301 located at 13051 O'Connor Cove. Staff and Zoning Commission recommend approval.

2011-04-07-0290

Z-10. **ZONING CASE # Z2011055 (District 1):** An Ordinance amending the Zoning District Boundary from "C-1 AHOD" Light Commercial Airport Hazard Overlay District, "C-3 AHOD" General Commercial Airport Hazard Overlay District, "O-2 AHOD" High-Rise Office Airport Hazard Overlay District and "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on 2.306 acres out of NCB 2228 multiple properties bound by Morales to the north, North Las Moras to the east, North San Jacinto to the west and West Martin Street to the south. Staff and Zoning Commission recommend approval.

2011-04-07-0291

ADJOURN

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.



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Addendum to the City Council Meeting Agenda
Municipal Plaza Building
City Hall Complex
114 W. Commerce
San Antonio, TX 78205
April 7, 2011
11:15 A.M.

The City Council of San Antonio will recess from their regular meeting into executive session, no sooner than the above time, to discuss the following:

- A. Discuss legal issues related to the Fire Collective Bargaining Agreement, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

For additional information on any item on this agenda, please visit www.sanantonio.gov or call 207-7080.