

2015 DEC 11 PM 7:12

City of San Antonio



AGENDA City Council A Session

City Hall Complex
114 W. Commerce
San Antonio, Texas 78205

Thursday, December 17, 2015

9:00 AM

Municipal Plaza Building

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 AM. 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) 207-7268 or 711 Texas Relay Service 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 Father Christopher Robinson, St. Francis Episcopal Church, guest of Councilmember Ron Nirenberg, District 8.

2. Pledge of Allegiance
3. Approval of Minutes for the Regular City Council Meeting of November 12, 2015.

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

INDIVIDUAL ITEMS FOR STAFF BRIEFING

4. Consideration of the following five items relating to the Soccer Field on David Edwards Drive known as "Toyota Field", located in Council District 10: [Carlos Contreras, Assistant City Manager; Michael Sawaya, Director, Convention and Sports Facilities]
- 4A. An Ordinance authorizing a \$9 million contribution by the City to be used in conjunction with \$9 million in funds from Bexar County for the purchase of Toyota Field through an Earnest Money Contract between the Public Facility Corporation and Sports and Outdoor Recreation in a cumulative amount of \$18 million; approving the negotiation and execution of ancillary documents necessary to purchase Toyota Field. **2015-12-17-1049**
- 4B. A Resolution authorizing the creation of a Public Facility Corporation to acquire and hold title to 5106 David Edwards Drive, San Antonio, TX, Bexar County, also known as "Toyota Field"; approving the Bylaws and Articles of Incorporation of the Public Facilities Corporation; approving an Interlocal Cooperation Agreement with Bexar County for its participation in the Public Facility Corporation; and other matters related to the creation of the Public Facilities Corporation. **2015-12-17-0068R**
- 4C. An Ordinance authorizing the Public Facility Corporation to enter into a Soccer Stadium Facility Lease Agreement with SA FC for a term of 20 years at an annual rental amount of \$100,000.00; authorizing a \$500,000.00 contribution from the City to the Public Facility Corporation to be used for Public Facility Corporation approved deferred maintenance and facility standard upgrades at Toyota Field, such contribution being contingent upon a \$1 million contribution towards deferred maintenance and facility standard upgrades to Toyota Field from SA FC and a \$500,000.00 contribution from the County for deferred maintenance of the STAR Soccer Complex; approving the

negotiation and execution of ancillary documents necessary to lease Toyota Field to SA FC, including a provision providing reimbursement to City and County of a combined \$5 million should no MLS franchise be awarded. **2015-12-17-1050**

- 4D.** An Ordinance authorizing a Lease Agreement between the City and SA FC for the STAR Soccer Complex located at 5103 David Edwards Drive, San Antonio, TX, Bexar County, excluding a portion of property to remain leased to Sports and Outdoor Recreation; approving the negotiation and execution of ancillary documents necessary to lease STAR Soccer Complex. **2015-12-17-1051**

- 4E.** An Ordinance authorizing a Third Amendment to the Lease Agreement between the City and Sports and Outdoor Recreation to reduce the acreage of leased property at 5103 David Edwards Drive, San Antonio, TX, Bexar County, to approximately four acres to be used as a water park in association with Morgan's Wonderland. **2015-12-17-1052**

CONSENT AGENDA

Purchase of Services, Supplies and Equipment

- 5.** An Ordinance accepting an offer from Sage Pursuits, Inc., dba Envision Technology Partners, Inc., to provide technical support to the San Antonio Metropolitan Health District's Immunization Registry system for an amount not to exceed \$41,000.00 with one year renewal option for a total estimated contract value of \$83,000.00. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance] **2015-12-17-1053**
- 6.** An Ordinance authorizing a one year contract with Carahsoft Technology Corp., for an initial cost of \$240,985.00, to provide the Transportation and Capital Improvements Department with a Right of Way Management solution, with a one year renewal option of \$223,125.00, for a total cost of \$464,110.00. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance] **2015-12-17-1054**
- 7.** An Ordinance accepting an offer from Kidde Fire Trainers, LLC to provide system upgrades to the existing Kidde Fire Trainer at the San Antonio Fire Department Training Academy for a total cost of \$67,820.00, funded from the General Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance] **2015-12-17-1055**

- 8. An Ordinance accepting the offer from Dailey & Wells Communications, Inc., through the Houston-Galveston Area Council of Governments cooperative contract to provide the San Antonio Police and Fire Departments with portable radios for a total cost of \$6,741,266.35, funded from the FY2015-FY2019 Capital Budget. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance] **2015-12-17-1056**
- 9. An Ordinance authorizing the following contracts establishing unit prices for goods and services for an estimated annual cost of \$370,404.00: (A) Western States Fire Protection Company for fire sprinkler inspection, maintenance & repair, (B) RCO Construction, L.L.C for paver repairs at Alamodome, (C) Capps Van & Truck Rental for rental of various vehicles, (D) Bio-Rad Laboratories, Inc. for HIV tests and supplies, and (E) West Publishing Corporation d/b/a West, a Thomson Reuters Business for West Publishing Corporation Research licenses and materials. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance] **2015-12-17-1057**

Capital Improvements

- 10. An Ordinance for the Stone Oak Park Improvement Project awarding a construction contract to ASD Consultants, Inc. in the amount of \$414,500.00, a 2012-2017 Bond-funded Project located in Council District 9. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements] **2015-12-17-1058**
- 11. An Ordinance for the Oscar Perez Park Improvement Project authorizing a Job Order Contract with Straight Line Management in an amount not to exceed \$205,985.40, a 2012-2017 Bond-funded Project located in Council District 6. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements] **2015-12-17-1059**
- 12. An Ordinance authorizing the execution of an Advanced Funding Agreement between the City of San Antonio, the Texas Department of Transportation, and Union Pacific Railroad and accepting \$300,000.00 for improvements near Hoefgen Avenue and accepting \$150,000.00 from TxDOT and \$150,000.00 from Union Pacific Railroad for the planned work. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation and Capital Improvements] **2015-12-17-1060**

Acquisition, Sale or Lease of Real Property

2015-12-17-1060

13. An Ordinance authorizing a new five year, restaurant lease with DBHO, Inc. dba Guadalajara Grill for use of Building 16 in La Villita. [Lori Houston, Assistant City Manager; John Jacks, Interim Director, Center City Development & Operations Department] **2015-12-17-1061**
14. An Ordinance authorizing an extension of Rainforest Cafe's River Walk patio lease through January 14, 2021. [Lori Houston, Assistant City Manager; John Jacks, Interim Director, Center City Development & Operations Department] **2015-12-17-1062**
15. An Ordinance authorizing an amendment to a ground and building lease agreement with Avis Rent A Car System, LLC to align the performance guarantee requirements with other lease agreements in the San Antonio Airport System. [Carlos Contreras, Assistant City Manager; Frank Miller, Director, Aviation] **2015-12-17-1063**

Grant Applications and Awards

16. Consideration of the following three items relating to the Community Wildfire Protection Plan: [Erik Walsh, Deputy City Manager; Charles N. Hood, Fire Chief]
- 16A. An Ordinance ratifying the submission of a grant application in an amount up to \$10,000.00 to the Texas Forest Service for funds to be used in the development of a Community Wildfire Protection Plan; and authorizing the acceptance of the funds upon award. **2015-12-17-1064**
- 16B. An Ordinance authorizing an interlocal agreement with the Texas Forest Service to provide for mutual aid assistance during prescribed fire, wildfire, and other all-risk incidents. **2015-12-17-1065**
- 16C. A Resolution supporting the development of a Community Wildfire Protection Plan. **2015-12-17-0069R**

City Code Amendments

17. An Ordinance amending City Code Chapter 13 "Food and Food Handlers" establishing provisions related to charitable feeding. [Maria Villagomez, Assistant City Manager; Melody Woosley, Director, Human Services] **2015-12-17-1066**
18. An Ordinance amending City Code, Chapter 13, Article II, Section

13-27 pertaining to the Food Establishment Permit Fee (1-5 Employees) to reflect fee adjustments approved within the FY 2016 Budget Amendments. [Maria Villagomez, Assistant City Manager; Chad Tustison, Interim Director, Management and Budget]

Boards, Commissions and Committee Appointments**2015-12-17-1067**

19. Consideration of the following Board, Commission and Committee appointments for the remainder of unexpired terms of office to expire May 31, 2017, 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) Reappointing Arlene B. Fisher (District 1) to the Capital Improvements Advisory Committee. **APPROVED**

B) Reappointing Jane A. Thomas (District 3) to the Small Business Advocacy Committee. **APPROVED**

C) Appointing Deborah A. Korinchock, Anita Ledbetter, and Sylvia Montemayor to the San Antonio Bike Share Board of Directors for the remainder of an unexpired term of office to expire June 21, 2016. **APPROVED**

Miscellaneous

20. An Ordinance authorizing a concession agreement with Ready Credit Corporation for a Cashless Kiosk in Terminal B of the San Antonio International Airport with a Minimum Annual Guarantee of \$1,500.00. [Carlos Contreras, Assistant City Manager; Frank Miller, Director, Aviation]

2015-12-17-1068

21. An Ordinance authorizing an Interlocal Agreement between the City of San Antonio and CPS Energy for the use of the City's Compressed Natural Gas facilities through September 30, 2016 with the option of two additional one year extensions; and ratifying current month-to-month extensions of the existing Interlocal Agreement with CPS Energy. [Peter Zaroni, Deputy City Manager; Jorge A. Perez, Director, Building and Equipment Services]

2015-12-17-1069

22. An Ordinance authorizing an agreement with the Southwest Texas Regional Advisory Council (STRAC) to provide funding to STRAC in

- an amount not to exceed \$37,500.00 in support of multiagency funded licenses for Visual Dx and EverBridge software related to public health emergency preparedness activities for Bexar County for a period ending June 30, 2016. [Erik Walsh, Deputy City Manager; Dr. Vincent R. Nathan, Interim Director of Health] **2015-12-17-1070**
23. An Ordinance authorizing the settlement of a lawsuit styled Valemas, Inc. v. City of San Antonio, Cause No. 2007-CI-15772, pending in the 166th Judicial District Court for the for an amount up to \$244,569.00. [Martha G. Sepeda, Acting City Attorney] **2015-12-17-1071**
24. An Ordinance authorizing the settlement of a lawsuit styled Valemas, Inc. and L. Payne Constructors v. City of San Antonio, Cause No. 2011-CI-00316, pending in State District Court for the for an amount up to \$293,000.00. [Martha G. Sepeda, Acting City Attorney] **2015-12-17-1072**
25. An Ordinance authorizing agreements related to the San Antonio Metropolitan Health District's Tuberculosis Prevention and Control Program with the University of Texas Health Science Center at Tyler which includes two agreements in a cumulative amount not to exceed \$417,973.00 for physician services for a period ending September 30, 2016 with options to renew. [Erik Walsh, Deputy City Manager; Dr. Vincent R. Nathan, Interim Director of Health] **2015-12-17-1073**
26. An Ordinance authorizing agreements with Family Services Association and Parent/ Child Incorporated for terms ending June 30, 2016 for the San Antonio Metropolitan Health District to provide oral health services to Early Head Start enrollees with options to renew for two additional one-year terms for a cumulative amount, inclusive of renewals, of up to \$27,500.00 and an in-kind match requirement in services totaling \$5,600.00. [Erik Walsh, Deputy City Manager; Dr. Vincent R. Nathan, Interim Director of Health] **2015-12-17-1074**
27. Consideration of the following two items relating to the AmeriCredit Financial Services, Inc. (a wholly owned subsidiary of General Motors Financial Company) project located in Council District 6: [Lori Houston, Assistant City Manager; Rene Dominguez, Director, Economic Development]
- 27A. A Public Hearing and consideration of an Ordinance designating the AmeriCredit Reinvestment Zone located at N. Ellison Dr. & Westover **2015-12-17-1075**

Link, San Antonio, Texas 78251 in Council District 6.

- 27B. An Ordinance approving a 6-year, 50% Tax Abatement Agreement with SRP, LTD as real property owner and AmeriCredit Financial Services as lessee and personal property owner based on a capital investment of \$24.5 million in real and personal property improvements and the creation of at least 490 new full-time jobs.

2015-12-17-1076

City Manager's Report

- 28. City Manager's Report
 - A. FY 2015 Preliminary Year-End Financial Report

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. Plan amendments and Zoning cases presented by Erik Walsh, Deputy City Manager; Roderick Sanchez, Director, Development Services.

- 29. An Ordinance amending Chapter 35, Unified Development Code, of the City of San Antonio, Texas, by correcting clerical and formatting items; making major amendments; making minor amendments; clarifying items; and amending definitions; pursuant to Section 35-111 of the Unified Development Code, and providing for publication. [Erik Walsh, Deputy City Manager; Roderick Sanchez, Director, Development Services]

2015-12-17-1077

- 30. A Resolution to initiate land use and zoning to make the zoning consistent with the current uses of the property for properties generally located along Turbo Drive and Braniff Drive in Council District 9.

2015-12-17-0070R

- Z-1. ZONING CASE # Z2015223 CD (Council District 1): An Ordinance amending the Zoning District Boundary from "MF-33" Multi-Family District to "C-2NA CD" Commercial District with a Conditional Use for Self-Service Storage Facility on approximately 2.76 acres out of NCB 11687 (formerly known as NCB 11669) located at 4718 Vance Jackson. Staff and Zoning Commission recommend Approval.

2015-12-17-1078

- Z-2. ZONING CASE # Z2016009 CD (Council 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 Conditional Use for a Professional Office on 0.1837 acres of land out of NCB 1997 located at 1406 West French Place. Staff recommends Approval. Zoning Commission recommends Approval, with Conditions. **2015-12-17-1079**

Z-3. ZONING CASE # Z2016004 (Council District 2): An Ordinance amending the Zoning District Boundary from "D HE AHOD" Downtown Historic Exceptional Airport Hazard Overlay District and "D AHOD" Downtown Airport Hazard Overlay District to "D AHOD" Downtown Airport Hazard Overlay District on approximately 3.82 acres of land out of NCB 567 located at 1305 East Houston Street and 430 North Cherry Street. Staff recommends Denial. Zoning Commission recommends Approval. **2015-12-17-1080**

Z-4. ZONING CASE # Z2016005 (Council District 2): An Ordinance amending the Zoning District Boundary from "IDZ HS AHOD" Infill Development Zone Historic Significant Airport Hazard Overlay District with uses for Mixed Use District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses for Mixed Use District on 5.307 acres of land out of NCB 593 and NCB 595 located at 1617 and 1631 East Commerce Street. Staff recommends Denial. Zoning Commission recommends Approval. **2015-12-17-1081**

Z-5. ZONING CASE # Z2015191 CD (Council District 2): An Ordinance amending the Zoning District Boundary from "C-3NA AHOD" General Commercial Non-Alcoholic Sales Airport Hazard Overlay District to "C-2NA CD AHOD" Commercial Non-Alcoholic Sales Airport Hazard Overlay District with Conditional Use for a Construction Contractor Facility on Lots 1, 2, & 3, Block 5, NCB 12875, located at 9310 Northeast Loop 410. Staff recommends Approval and Zoning Commission recommends Approval with Conditions. **2015-12-17-1082**

P-1. PLAN AMENDMENT #15059 (Council District 3): An Ordinance amending the future land use plan contained in the South Central San Antonio Community Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use of 0.826 acres out of NCB 7582 located at 218 Betty Jean from "Low Density Residential" to "Community Commercial." Staff and Planning Commission

CONTINUED

recommend Approval. (Associated Zoning Case Z2015225)
 (Continued from September 17, 2015) **CONTINUED**

Z-6. ZONING CASE # Z2015225 (Council District 3): An Ordinance amending the Zoning District Boundary from "MF-33 AHOD" Multi-Family Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on 0.826 acres of land out of NCB 7582 located at 218 Betty Jean Street. Staff recommends Approval, pending Plan Amendment. Zoning Commission recommends Denial. (Associated Plan Amendment 15059) (Continued from September 17, 2015) **CONTINUED**

Z-7. ZONING CASE # Z2016015 S (Council District 3): An Ordinance amending the Zoning District Boundary from "MF-33 AHOD" Multi-Family Residential Airport Hazard Overlay District to "C-2 S AHOD" Commercial Airport Hazard Overlay District with Specific Use Authorization for a Carwash on 0.773 acres of land out of NCB 7589 and NCB 7587, located at 3726 and 3728 South New Braunfels Avenue. Staff and Zoning Commission recommend Approval.

2015-12-17-1083

P-2. PLAN AMENDMENT # 16004 (Council District 4) : An Ordinance amending the future land use plan contained in the United Southwest Communities Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use of 6.00 acres of land out of NCB 15269 located in the 5500 Block of Ray Ellison Boulevard from "Low Density Residential" to "Community Commercial." Staff and Planning Commission recommend Approval. (Associated Zoning Case Z2016021) **2015-12-17-1084**

Z-8. ZONING CASE # Z2016021 (Council District 4): 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 6.00 acres of land out of NCB 15269, located in the 5500 Block of Ray Ellison Boulevard. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment 16004)

2015-12-17-1085

Z-9. ZONING CASE # Z2016008 (Council District 5): An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with Uses

permitted in "R-4" Residential Single-Family District and "C-1" Light Commercial District on Lot 13, Block 1, NCB 2181 located at 549 Ruiz Street. Staff and Zoning Commission recommend Approval.

2015-12-17-1086

Z-10.

ZONING CASE # Z2016014 (Council District 5): An Ordinance amending the Zoning District Boundary from "I-1 HL AHOD" General Industrial Historic Landmark Airport Hazard Overlay District to "IDZ HL AHOD" Infill Development Zone Historic Landmark Airport Hazard Overlay District with Uses Permitted in "C-2" Commercial District on 0.221 acres of land out of NCB 2302, located at 1617 West Commerce Street. Staff and Zoning Commission recommend Approval.

2015-12-17-1087

P-3.

PLAN AMENDMENT # 15091 (Council District 6): An Ordinance amending the future land use plan contained in the West/Southwest Sector Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use of 7.08 acres of land out of NCB 18050 and NCB18049 generally located at 7386 and 7416 Grissom Road from "Suburban Tier" to "Specialized Center." Staff and Planning Commission recommend Approval. (Associated Zoning Case Z2015313 S)

2015-12-17-1088

Z-11.

ZONING CASE # Z2015313 S (Council District 6): An Ordinance amending the Zoning District Boundary from "I-2 AHOD" Heavy Industrial Airport Hazard Overlay District and "I-1 AHOD" General Industrial Airport Hazard Overlay District to "I-2 S AHOD" Heavy Industrial Airport Hazard Overlay District with Specific Use Authorization for Metal Recycling Entity with Outside Storage and /or Processing on 7.08 acres out of NCB 18049 and NCB 18050 located at 7386 and 7416 Grissom Road. Staff and Zoning Commission recommend Approval, pending Plan Amendment.(Associated Plan Amendment 15091)

2015-12-17-1089

Z-12.

ZONING CASE # Z2015271 (Council District 6): An Ordinance amending the Zoning District Boundary from "R-4 GC-2 AHOD" Residential Single-Family Highway 151 Gateway Corridor Airport Hazard Overlay District to "C-1 GC-2 AHOD" Light Commercial Highway 151 Gateway Corridor Airport Hazard Overlay District on 0.146 acres of land out the South 120 feet of Lots 1 and 2, Block 13, NCB 8997, save and except the five foot (5') portion deeded to the City of San Antonio, located at 258 Ardmore Street. Staff and Zoning

2015-12-17-1090

Commission recommend Approval.

Z-13.

ZONING CASE # Z2015300 S ERZD (Council District 8): An Ordinance amending the Zoning District Boundary from "MPCD GC-1 MLOD AHOD ERZD" Master Planned Community Hill Country Gateway Corridor Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District to "MPCD S GC-1 MLOD AHOD ERZD" Master Planned Community Hill Country Gateway Corridor Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District with Specific Use Authorization for Motor Vehicle Sales on 1.500 acres out of NCB 14853 located in the 5000 Block of Loop 1604 West. Staff and Zoning Commission recommend Approval. **2015-12-17-1091**

ADJOURNMENT

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.