



**OFFICIALLY POSTED ON THE
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4/13/2012 11:32 AM**

**AGENDA
City Council Meeting
Municipal Plaza Building
City Hall Complex
114 W. Commerce
San Antonio, TX 78205
April 19, 2012
9:00 A.M.**

2012 APR 13 AM 11:37

**RECEIVED
OFFICE 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
- 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. Robert E. Glenn, Pastor, Bethel United Methodist Church, guest of Councilmember Ray Lopez, District 6.
2. Pledge of Allegiance.
3. Approval of Minutes for the March 14 - 15, 2012 City Council meetings.

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

ACTION ITEM FOR STAFF BRIEFING

4. A presentation on a Downtown Mobile Food Truck Pilot Program and City Council endorsement. [Pat DiGiovanni, Deputy City Manager; Mark Brodeur, Director, Center City Development Office]

CONSENT AGENDA

Purchase of Equipment and Supplies

5. An Ordinance authorizing a contract with RAE Systems, Inc. to provide the San Antonio Fire Department Hazmat Team with 2 Area RAE Rapid Deployment Kits for a total cost of \$123,222.00, funded from the 2010 UASI Homeland Security Program grant fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

2012-04-19-0272

6. An Ordinance ratifying a contract with M&Z Brandt Engineering Co., LLC in the total amount of \$138,901.65 for emergency repair services to the triturator facilities, which receive the lavatory waste from airplanes at the San Antonio International Airport, from available funds within the Airport's Operating Budget. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

2012-04-19-0273

Capital Improvements

7. An Ordinance authorizing the issuance of two job order contracts in an amount up to \$286,993.47 with Davilla Construction, Inc., and in an amount up to \$123,733.16 with F.A. Nunnelly Co., for the replacement of heating, ventilation and air-conditioning units to improve energy efficiency of eleven City-owned facilities, funded by the American Recovery and Reinvestment Act of 2009 Energy Efficiency and Conservation Block Grant program and the City of San Antonio Energy Efficiency Fund. [Edward Benavides, Chief of Staff; Laurence Doxsey, Director, Office of Environmental Policy]

2012-04-19-0274

Acquisition, Sale or Lease of Real Property

8. An Ordinance authorizing the acquisition through negotiation or condemnation of fee simple title to 17 parcels of privately-owned real property located in NCBs 9108, 9109, 9081 and 9082 for the Seeling Channel Drainage project, a 2007-2012 Bond Program funded project, located in Council District 7; and, declaring it to be a public use project and authorizing expenditures not to exceed \$700,000.00 payable to the selected title company. [Peter Zaroni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2012-04-19-0275

9. An Ordinance authorizing a six year lease agreement with Texspressions LLC to operate a coffee and cafe shop at the Houston Street Parking Garage, 240 E. Houston. [Pat DiGiovanni, Deputy City Manager; Jim Mery, Interim Director, Downtown Operations]

2012-04-19-0276

10. An Ordinance authorizing a Lease Agreement with San Antonio Tennis Association for approximately 289 square feet of office space at McFarlin Tennis Center for a three-year term beginning April 1, 2012, located in City Council District 1. [Ed Belmares, Assistant City Manager; Xavier Urrutia, Director, Parks & Recreation]

2012-04-19-0277

Grant Applications and Awards

11. An Ordinance accepting \$407,647.00 from the U.S. Department of Housing and Urban Development Supportive Housing Program for the provision of homeless childcare services for the period of from July 1, 2012 through August 31, 2013. [Peter Zaroni, Assistant City Manager; Gloria Hurtado, Director, Human Services]

2012-04-19-0278

12. An Ordinance authorizing the submission of a grant application, and acceptance of funds upon award, from the Texas Department of Agriculture for \$1,337,865.13 to fund the 2012 Summer Food Service Program operated by the Parks and Recreation Department for the period of June 18, 2012 through August 17, 2012. [Ed Belmares, Assistant City Manager; Xavier Urrutia, Director, Parks & Recreation]

2012-04-19-0279

Boards, Commissions and Committee Appointments

- 13. Consideration of the appointment of Grace Padron-Gonzales (District 7) to the Small Business Advocacy Committee for the remainder of an unexpired term 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. [Leticia M. Vacek, City Clerk]

Approved

Miscellaneous

- 14. An Ordinance reallocating Hotel Occupancy Tax funds awarded to the San Antonio Opera and the Chamber Orchestra of San Antonio in the Fiscal Year 2012 Budget to Luminaria, in the amount of \$50,000.00, and to the Opera Theater of San Antonio, in the amount of \$45,500.00; and authorizing associated funding agreements. [Pat DiGiovanni, Deputy City Manager; Felix Padron, Director, Office of Cultural Affairs]

2012-04-19-0280

- 15. An Ordinance authorizing Self-Monitoring Standards for the Parks and Recreation Department's youth recreation programs to comply with Texas Department of Family and Protective Services regulations. [Ed Belmares, Assistant City Manager; Xavier Urrutia, Director, Parks & Recreation]

2012-04-19-0281

- 16. An Ordinance authorizing an amendment to the interlocal agreement with the Bexar County Hospital District, d/b/a University Health System (UHS) to extend the term of the agreement and authorize the acceptance of compensation from UHS in the amount of \$79,486.00 for the period May 1, 2012 through September 30, 2012. [Erik J. Walsh, Deputy City Manager; Dr. Thomas L. Schlenker, Director of Public Health]

2012-04-19-0282

- 17. An Ordinance authorizing execution of contracts with Wittigs Office Interiors, Jones and Cook Stationers, Caprock Group LLC dba Texas Wilson, and Workplace Resource LLC dba Workplace Resource to provide and install furniture, fixtures and equipment for a total cost of \$3,397,536.19 for the Public Safety Headquarters building, located in Council District 1 at 315 South Santa Rosa. [Erik J. Walsh, Deputy City Manager; Mike Frisbie, Director, Capital Improvement Management Services]

2012-04-19-0283

- 18. An Ordinance authorizing the expenditure of grant funds from the Federal Motor Carrier Safety Administration, Ticketing Aggressive Cars and Trucks Grant, in an amount not to exceed \$80,180.00 for a traffic safety public information and education campaign to purchase billboard advertisement from Clear Channel Outdoor, Inc. [Erik J. Walsh, Deputy City Manager; William P. McManus, Chief of Police]

2012-04-19-0284

- 19. Consideration of the following Ordinances relating to the sale of eight-liner video machines: [Erik J. Walsh, Deputy City Manager; William P. McManus, Chief of Police]

A. An Ordinance authorizing the acceptance of a bid in the amount of \$8,000.00,

submitted by CDN Systems, LLC, to purchase from the City 378 confiscated and forfeited eight-liner video machines and payment of \$3,200.00 to the Bexar County District Attorney's Office in accordance with an agreement between that office and the City relating to the sale of forfeited property.

2012-04-19-0285

B. An Ordinance authorizing an agreement for future sales of forfeited eight-liner video machines.

2012-04-19-0286

20. Consideration of the following matters in connection with authorization to execute contracts providing for depository banking, lockbox, and merchant banking services to be provided to the City of San Antonio: [Ben Gorzell, Chief Financial Officer, Troy Elliott, Director, Finance]

A. An Ordinance authorizing the City Manager or her designee to execute a contract with Frost National Bank to provide depository banking and lockbox services and related financial services to the City of San Antonio for a period of three years, commencing on July 1, 2012, and ending on June 30, 2015, with an option to renew for one additional two-year period; and authorizing other matters incident and related thereto.

2012-04-19-0287

B. An Ordinance authorizing the City Manager or her designee to execute a contract with Paymentech, LLC to provide merchant banking services and related financial services to the City of San Antonio for a period of three years, commencing on July 1, 2012, and ending on June 30, 2015, with an option to renew for one additional two-year period; and authorizing other matters incident and related thereto.

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21. Consideration of the following Ordinances related to Parks and Recreation Agreements: [Ed Belmares, Assistant City Manager; Xavier Urrutia, Director, Parks & Recreation]

A. An Ordinance authorizing the renewal of a license agreement with Alamo City Rugby Football Club, Inc. at Brooks Park, located in Council District 3.

2012-04-19-0288

B. An Ordinance authorizing the renewal of a license agreement with Mission City Youth Soccer Organization, Inc. at Brooks Park, located in Council District 3.

2012-04-19-0289

C. An Ordinance authorizing the renewal of a license agreement with Southside Little Cowboys Pop Warner Football at Stinson Park, located in Council District 3.

2012-04-19-0290

22. Consideration of the following Ordinances related to the Department of Energy's SunShot Initiative: [Edward Benavides, Chief of Staff; Laurence Doxsey, Director, Office of Environmental Policy]

- A. An Ordinance authorizing the execution of an Interlocal Agreement with the City of Austin in an amount up to \$91,873.00 to cooperate and share expertise and resources in order to efficiently develop and implement the Department of Energy's SunShot Initiative.

2012-04-19-0291

- B. An Ordinance authorizing the execution of an Interlocal Agreement with the City of Houston in an amount up to \$106,201.00 to cooperate and share expertise and resources in order to efficiently develop and implement the Department of Energy's SunShot Initiative.

2012-04-19-0292

- C. An Ordinance authorizing the execution of an agreement with Solar San Antonio, Inc., in an amount up to \$33,500.00 to provide technical services to develop and implement the Department of Energy's SunShot Initiative.

2012-04-19-0293

- D. An Ordinance authorizing the execution of an agreement with the Metropolitan Partnership for Energy, d/b/a Build San Antonio Green, in an amount up to \$25,000.00 to provide technical services to develop and implement the Department of Energy's SunShot Initiative.

2012-04-19-0294

- 23. An Ordinance authorizing a 10 year agreement with the San Antonio Conservation Society to conduct the annual Night in Old San Antonio event in La Villita for the period 2013-2022, with an option to extend for up to 10 years. [Pat DiGiovanni, Deputy City Manager; Jim Mery, Interim Director, Downtown Operations Department]

2012-04-19-0295

24. City Manager's Report

- A. Volunteer Income Tax Assistance (VITA) Program Update
- B. Government Finance Officers Association Award
- C. Fiesta Recycling Initiative

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.

- 25. An Ordinance waiving the requirements of Section 4-6(c), 4-6(d)(6) and 4-6(e)(1) of the City Code and authorizing a variance request to allow City Base West, LP, D/B/A El Mariachi

Café & Bakery located at 2511 Southeast Military Drive, to sell alcoholic beverages for on-premise consumption as a "Food Service Establishment without cover charge 3 or more days per week (with or without accessory live entertainment)" within three hundred (300) feet of the Seidel Learning Center, a public educational institution located in Council District 3.

2012-04-19-0296

26. An Ordinance waiving the requirements of Sections 4-6(c), 4-6(d)(6) and 4-6(e)(1) of the City Code and authorizing a variance request to allow City Base West, L.P., D/B/A the Flying Tiger Sports Bar, located at 2619 SE Military Drive, Suite 111, to sell alcoholic beverages for on-premise consumption as a "Food Service Establishment without cover charge 3 or more days per week (with or without accessory live entertainment)" within three hundred (300) feet of the Seidel Learning Center, a Public Educational Institution located in Council District 3.

2012-04-19-0297

- P-1. **PLAN AMENDMENT #12028 (District 1):** An Ordinance amending the future land use plan contained in the Near Northwest Community Plan, a component of the Comprehensive Master Plan of the City, by changing the use of a 0.2670 acre tract of land located at 1206 West Avenue from Office to Neighborhood Commercial. Staff and Planning Commission recommend approval. (A zoning case has not been submitted at this time.)

2012-04-19-0298

- P-2. **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 5, 2012) (Associated Zoning Case: #Z2012061)

Continued

- 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 5, 2012)

continued

- Z-2. **ZONING CASE # Z2012072 HL (District 1):** An Ordinance amending the Zoning District Boundary from "C-3 AHOD" General Commercial Airport Hazard Overlay District to "HL C-3 AHOD" Historic Landmark General Commercial Airport Hazard Overlay District on Lot 21, Block 3, NCB 2208 located at 235 Monclova. Staff and Zoning Commission recommend approval.

2012-04-19-0299

- Z-3. **ZONING CASE # Z2012074 CD (District 1):** An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 AHOD CD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Dental Lab on the south 132.5 feet of Lot 6, Block 59, NCB 7193 located at 1118 Fresno. Staff and Zoning Commission recommend approval.

withdrawn by applicant

Z-4. **ZONING CASE # Z2012070 (District 1):** An Ordinance amending the Zoning District Boundary from "MF-33 HS H AHOD" Multi-Family Historic Significant Tobin Hill Historic Airport Hazard Overlay District to "O-1 HS H AHOD" Office Historic Significant Tobin Hill Historic Airport Hazard Overlay District on Lot 4 and the west 9.39 feet of Lot 5, Block 10, NCB 1750 located at 215 East Park Avenue. Staff and Zoning Commission recommend approval.

2012-04-19-0300

P-3. **PLAN AMENDMENT #12025 (District 2):** An Ordinance amending the land use plan contained in the IH-10 East Corridor Perimeter Plan, a component of the Master Plan of the City, by changing the land use of a 1,8485 tract of land located at the northwest corner of Bicentennial Drive and Interstate Highway 10 East more specifically described as NCB 17980 P-13C and NCB 17980 Block 1 Lot 6 and 5930 Bicentennial Drive, from Parks/Open Space and Industrial to Industrial. Staff and Planning Commission recommend approval. (Continued from April 5, 2012)(Associated Zoning Case: #Z2012060S)

2012-04-19-0301

Z-5. **ZONING CASE #Z2012060 S (District 2):** 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 "I-2 S AHOD" Heavy Industrial Airport Hazard Overlay District with a Specific Use Authorization for a Bulk Plant or Terminal on Parcels 13B and 13C, NCB 17980 and Lots 5 and 6, Block 1, NCB 17980 located northwest of the intersection of IH 10 East and Bicentennial Drive. Staff and Zoning Commission recommend approval pending the plan amendment. (Continued from April 5, 2012)

2012-04-19-0302

Z-6. **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 Heliport 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 5, 2012) *continued*

Z-7. **ZONING CASE # Z2012049 (District 7):** An Ordinance amending the Zoning District Boundary from "R-4 AHOD NCD-8" Residential Single-Family Airport Hazard Overlay Woodlawn Lake Area Neighborhood Conservation District to "RM-4 AHOD NCD-8" Residential Mixed Airport Hazard Overlay Woodlawn Lake Area Neighborhood Conservation District on Lot 5, Block 32, NCB 1974 located at 1719 West Craig Place. Staff recommends approval. Zoning Commission recommends denial. (Continued from April 5, 2012)

withdrawn by applicant

P-4. **PLAN AMENDMENT #12030 (District 9):** An Ordinance amending the future land use plan contained in the San Antonio International Airport Vicinity Land Use Plan, a component of the Comprehensive Master Plan of the City, by changing the land use of a 29.594 acre tract of land out of NCB 16325 located at West Avenue from Parks/Open Space and Public/Institutional to Medium Density Residential. Staff and Planning

2012-04-19-0303

Commission recommend approval. (Associated Zoning Case: #Z2012063)

Z-8. ZONING CASE # Z2012063 (District 9): An Ordinance amending the Zoning District Boundary from "R-6 AHOD MLOD" Residential Single-Family Airport Hazard Overlay Military Lighting Overlay District, "MF-25 AHOD MLOD" Multi-Family Airport Hazard Overlay Military Lighting Overlay District "MF-33 AHOD MLOD" Multi-Family Airport Hazard Overlay Military Lighting Overlay District and "C-2 AHOD MLOD" Commercial Airport Hazard Overlay Military Lighting Overlay District to "MF-18 AHOD MLOD" Limited Density Multi-Family Airport Hazard Overlay Military Lighting Overlay District on a 29.594 acre tract of land out of NCB 16325 located on West Avenue. Staff and Zoning Commission recommend approval pending the plan amendment.

2012-04-19-0304

P-5. PLAN AMENDMENT #12032 (District 9): An Ordinance amending the future land use plan contained in the San Antonio International Airport Vicinity Land Use Plan, a component of the Comprehensive Master Plan of the City, by changing the use of approximately 1.94 acres addressed at 526 Everest and 538 Everest from Medium Density Residential to Mixed Use. Staff and Planning Commission recommend approval. (Associated Zoning Case: #Z2012075)

2012-04-19-0305

Z-9. ZONING CASE # Z2012075 CD (District 9): An Ordinance amending the Zoning District Boundary from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for a Construction Trades Contractor Facility on 1.006 acres out of Lots 32 and 34, NCB 11880 located at 526 Everest Avenue. Staff and Zoning Commission recommend approval pending the plan amendment.

2012-04-19-0306

P-6. PLAN AMENDMENT #12033 (District 10): An Ordinance amending the future land use plan contained in the San Antonio International Airport Vicinity Land Use Plan, a component of the Comprehensive Master Plan of the City, by changing the land use of 38.5 acres of land located on the northeast side of Thousand Oaks north of the intersection with Wetmore Road: bound on the northwest by Country Morning and on the southeast by the northeastern and southeastern lot lines of NCB 15679 Block 2 Lot 19, from Neighborhood Commercial and Low Density Residential to Community Commercial. Staff and Planning Commission recommend approval. (Associated Zoning Case: #Z2011052)

2012-04-19-0307

Z-10. ZONING CASE # Z2011052 (District 10): An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District, "C-3 AHOD" General Commercial Airport Hazard Overlay District and "C-3R AHOD" General Commercial Restrictive Alcohol Sales Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Lots 7, 8, 9 and 10, NCB 13740 and Parcels 38, 128A, 128B, 128C and 128D, NCB 15679 located on portions of the 3100, 3500, and 3700 Blocks of Thousand Oaks. Staff and Zoning Commission recommend approval.

2012-04-19-0308

Z-11. ZONING CASE # Z2012058 CD (District 10): An Ordinance amending the Zoning

District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-3NA CD AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Conditional Use for a Batching Plant on Parcels 4 and 90, NCB 15686 located at 11939 Nacogdoches Road. Staff and Zoning Commission recommend approval.

2012-04-19-0309

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.