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AGENDA
City Council Meeting
Municipal Plaza Building
City Hall Complex
114 W. Commerce
San Antonio, TX 78205
May 17, 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 Hazzan Jeremy Lipton, Congregation Agudas Achim, guest of Councilmember Elisa Chan, District 9.
2. Pledge of Allegiance.
3. Approval of Minutes for the April 11 - 12, 2012 City Council meetings.

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

ACTION ITEMS FOR STAFF BRIEFING

4. An Ordinance canvassing the results of the Special Bond and Charter Amendment Election held on Saturday, May 12, 2012. [Leticia M. Vacek, City Clerk]

2012-05-17-0348

CONSENT AGENDA

Capital Improvements

5. An Ordinance accepting the lowest responsive bid and awarding a construction contract to E-Z Bel Construction, LLC in an amount not to exceed \$367,700.00, of which \$14,630.00 will be reimbursed by San Antonio Water System, for intersection improvements at Thousand Oaks Drive and Quarry Park, an authorized 2007 General Obligation Bond Savings funded project, located in Council District 10. [Peter Zanoni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2012-05-17-0349

6. Consideration of the following Ordinances related to the Blanco Road (Hildebrand to Jackson Keller) project, a 2007-2012 General Obligation Bond Project located in Council District 1: [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 to E-Z Bel Construction, LLC in an amount not to exceed \$12,721,494.40, of which \$1,687,680.31 will be reimbursed by San Antonio Water System and \$1,058,586.70 will be reimbursed by City Public Service Energy.

2012-05-17-0350

- B. An Ordinance awarding a public art fabrication and installation services agreement with Angel Rodriguez-Diaz in an amount not to exceed \$185,300.00 to provide integrated streetscape enhancements.

2012-05-17-0351

Acquisition, Sale or Lease of Real Property

- 7. An Ordinance reviving and extending the deadline of Ordinance 2011-09-29-0786, related to the acquisition of approximately 29.416 acres of privately-owned vacant real property necessary for the drainage project located along Laven Drive on the west side of Zarzamora Creek drainage right-of-way south of Culebra Road in NCBs 12002, 12003, 12004, and 12005; and, conversion of a \$692,842.00 Housing Development Grant (HDG) loan into a grant, releasing the lien and authorizing the execution of a HDG grant agreement with Lifshutz Company. [Peter Zaroni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2012-05-17-0352

Street Closures and Traffic Control Procedures

- 8. Consideration of the following ordinances related to Habitat for Humanity Affordable Single Family Housing Development Project located in Council District 5: [Peter Zaroni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

- A. An Ordinance authorizing the closure, vacation and abandonment of a 0.07 acre unimproved alley in NCB 6803 between West Harriman Place, Grothues Place, West Kirk Place and General Hudnell.

2012-05-17-0353

- B. An Ordinance authorizing the City's coordination and management of environmental study pursuant to the National Environmental Protective Act for the Habitat for Humanity Morning Star Terrace HOME Project; and authorizing the City to coordinate and manage the asbestos abatement, and demolition and removal of the existing abandoned buildings and parking lot for the Habitat for Humanity Morning Star Terrace HOME Project; and authorizing the execution of a Memorandum of Understanding with Habitat for Humanity of San Antonio for the City to perform said services.

2012-05-17-0354

City Code Amendments

- 9. An Ordinance related to the regulation of food establishments within the city by amending Chapter 13, "Food and Food Handlers" and Chapter 35 "Unified Development Code" of the

City Code of San Antonio, Texas, to allow for the operation of, and establish a permit and fee for mobile food courts, and amending Chapter 13 "Food and Food Handlers" to establish a special classification, regulations and a permit and fee for individuals that sell at farmers markets, flea markets, and/or trade shows; and providing for criminal penalties and publication. [David Ellison, Assistant City Manager; Roderick Sanchez, Director, Development Services; Dr. Thomas L. Schlenker, Director, Metro Health]

2012-05-17-0355

10. An Ordinance regulating booting practices in privately owned parking facilities and surface lots in the City of San Antonio; establishing certain fees and fines; and amending the City Code to reflect such changes. [Erik J. Walsh, Deputy City Manager; William McManus, Police Chief]

2012-05-17-0356

11. Second Public Hearing on the City's youth curfew ordinance and consideration of an Ordinance modifying, readopting and continuing the youth curfew Ordinance in effect. [Erik J. Walsh, Deputy City Manager; William McManus, Police Chief]

2012-05-17-0357

Boards, Commissions and Committee Appointments

12. 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 Councilmember Carlton Soules, (At-Large, Category: Elected Official) to the Board of Directors for the Intermunicipal Commuter Rail District (Lone Star Rail District) for the remainder of an unexpired term of office to expire February 1, 2014.

Approved

B. Appointing Sergio Arambula (Mayoral) to the San Antonio Youth Commission.

Approved

Miscellaneous

13. An Ordinance amending the FY 2012 Annual Operating Budget and the Six Year Capital Budget to adjust revenue and appropriation levels in certain funds based upon the recently completed mid-year review of revenues and expenditures. [Peter Zaroni, Assistant City Manager; Maria Villagomez, Director, Management and Budget]

2012-05-17-0358

14. An Ordinance authorizing an Economic Development Grant Agreement for up to \$3,453,515.00 with A.A. Seeligson, Jr. River North, LTD and the River North TIRZ Board, and a SAWS impact fee waiver up to \$400,000.00 for the River North Multifamily Project. [Pat DiGiovanni, Deputy City Manager; Mark Brodeur, Director, Center City Development Office]

2012-05-17-0359

- 15. An Ordinance authorizing an Economic Development Grant Agreement for up to \$997,743.00 with Paradigm Hotel SA Riverwalk, L.P. and the River North TIRZ Board for the Embarcadero Hotel project, located in Council District 1. [Pat DiGiovanni, Deputy City Manager; Mark Brodeur, Director, Center City Development Office]

2012-05-17-0360

- 16. An Ordinance authorizing an Economic Development Grant Agreement for up to \$520,548.00 with the Emit L.L.C. and the River North TIRZ Board for the Phipps Law Firm project, located in Council District 1. [Pat DiGiovanni, Deputy City Manager; Mark Brodeur, Director, Center City Development Office]

2012-05-17-0361

- 17. An Ordinance authorizing a professional services agreement between the City of San Antonio and Mickey Schaefer & Associates, LLC, in an amount not to exceed \$47,000.00, with an annual \$10,000.00 licensing fee, for the development of the San Antonio Tourism Ambassadors Program.[Ed Belmares, Assistant City Manager; Casandra Matej, Director, Convention & Visitors Bureau]

2012-05-17-0362

- 18. An Ordinance approving revisions to the Convention and Visitors Commission Bylaws. [Ed Belmares, Assistant City Manager; Casandra Matej, Director, Convention & Visitors Bureau]

2012-05-17-0363

- 19. An Ordinance authorizing an amendment to the Professional Services Agreement with Witt Group Holdings, LLC to expand the scope of the Hazard, Risk and Vulnerability Assessment to ensure the alignment of standards with the Emergency Management Accreditation Program, increasing compensation by an additional \$20,000.00, for a total contract value of \$65,000.00. [Erik Walsh, Deputy City Manager; Charles N. Hood, Fire Chief, Fire Department]

2012-05-17-0364

- 20. An Ordinance approving an Emergency Notification System Mutual Aid and Use Agreement between Bexar Metro 911 Network District and the City of San Antonio to provide emergency notifications to the public, with the term of agreement for one year with an automatic one-year renewal. [Erik J. Walsh, Deputy City Manager; Charles N. Hood, Fire Chief]

2012-05-17-0365

- 21. An Ordinance authorizing amendments to the City's Housing Policy for Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Programs. [David Ellison, Assistant City Manager; John Dugan, Director, Planning and Community Development]

2012-05-17-0366

- 22. An Ordinance authorizing the execution of an agreement with the U.S. Department of Housing and Urban Development to provide technical assistance for the City's community development programs. [David Ellison, Assistant City Manager; John Dugan, Director, Planning and Community Development]

2012-05-17-0367

23. An Ordinance authorizing the execution of a Construction and Maintenance Agreement in an amount not to exceed \$94,081.00 with Union Pacific Railroad for improvements at the Cumberland Crossing in conjunction with the District 5 Frio City Quiet Zone. [Ed Belmares, Assistant City Manager, Majed A. Al-Ghafry, Director, Public Works]

2012-05-17-0368

24. An Ordinance authorizing the execution of a Developer Participation Agreement in an amount not to exceed \$200,000.00 with Nationwide Mutual Insurance Company to construct public transportation and infrastructure improvements on Rogers Road located in Council District 6. [Ed Belmares, Assistant City Manager, Majed A. Al-Ghafry, Director, Public Works]

2012-05-17-0369

25. Consideration of the following items related to CPS Energy: [Ben Gorzell, Chief Financial Officer]

- A. An Ordinance authorizing the issuance of not to exceed \$900,000,000 "City of San Antonio, Texas Electric and Gas Systems Revenue Refunding Bonds, New Series 2012"; providing the terms, conditions, and specifications for such bonds, including the approval and distribution of an official statement pertaining thereto; making provisions for the payment and security thereof on a parity with certain currently outstanding obligations; stipulating the terms and conditions for the issuance of additional revenue bonds on a parity therewith; authorizing the execution of a Paying Agent/Registrar Agreement, an Escrow and Trust Agreement, and a Bond Purchase Agreement; complying with the requirements of the Depository Trust Company; delegating the authority to certain members of the City Public Service Board Staff to execute certain documents relating to the sale of the bonds; enacting other provisions incident and related to the subject and purpose of this ordinance; and providing an effective date.

2012-05-17-0370

- B. A Resolution authorizing the cash defeasance of certain maturities of the City of San Antonio, Texas Electric and Gas Systems Revenue Bonds, New Series 2006A; and providing an effective date.

2012-05-17-0013R

26. City Manager's Report

- A. 2012 Community Survey
B. Community Budget Input Hearings

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.

P-1. PLAN AMENDMENT #12022 (District 2): An Ordinance amending the future land use plan contained in the Eastern Triangle Community Plan, a component of the Comprehensive Master Plan of the City, by changing the land use of an approximately 13.9 acre tract of land located at 2922, 2926, 2930, 2934, 2940, 2950, and 2954 Southeast Loop 410 and P-17B and P-17D of NCB 10777 from Community Commercial and Parks/Open Space to Light Industrial. Staff recommends denial. Planning Commission recommends approval. (No associated Zoning Case) *Continued*

Z-1. ZONING CASE # Z2012071 HL (District 5): An Ordinance amending the Zoning District Boundary from "MF-33 AHOD" Multi-Family Airport Hazard Overlay District to "HL MF-33 AHOD" Historic Landmark Multi-Family Airport Hazard Overlay District on Lots 1, 2, 3, 4, 5, 21, 22, 23, 24 and 25, Block 3, NCB 2459 and Lots 1, 2, 3, 4, 5, 21, 22, 23, 24 and 25, Block 4, NCB 2460 and a portion of San Patricio Street located at 1222 and 1214 Colima Street and 1014 South San Jacinto Street. Staff and Zoning Commission recommends approval.

2012-05-17-0371

P-2. PLAN AMENDMENT #11060 (District 5): An Ordinance amending the land use plan contained in the Nogalitos/South Zarzamora Community Plan, a component of the Comprehensive Master Plan of the City, by changing the use of 1.1524 acres of land out of NCB 7895, located at 718 and 722 Stonewall Avenue, 1022 Commercial Avenue, and S IH 35 TX, from Low Density Residential land use and Neighborhood Commercial land use to Regional Commercial land use. (Associated Zoning Case: #Z2011193) *continued*

Z-2. ZONING CASE # Z2011193 (District 5): An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District and "C-1 AHOD" Light Commercial Airport Hazard Overlay District to "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District on 1.132 acres out of Lots 54, 55, 56, 97 and Tract 55, NCB 7895 located at 1022 Commercial Avenue, 718 and 722 Stonewall. Staff and Zoning Commission recommend denial. *continued*

Z-3. ZONING CASE # Z2012085 (District 8): An Ordinance amending the Zoning District Boundary from "C-3NA" General Commercial Nonalcoholic Sales District to "PUD MF-18" Planned Unit Development Limited Density Multi-Family District on 1.334 acres out of NCB 15823 and NCB 17247 located on the west side of Babcock Road, north of Prue Road. Staff and Zoning Commission recommend approval.

2012-05-17-0372

P-3. PLAN AMENDMENT #12036 (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 Plan of the City, by changing the land use of a 0.738 acre

tract of land located at 441 - 443 West Nakoma Street and 12510 West Avenue more specifically described as Lot 18, Block 4, NCB 15855 from Community Commercial to Business Park. Staff and Planning Commission recommend approval. (Associated Zoning Case: #Z2012077)

2012-05-17-0373

Z-4. ZONING CASE # Z2012077 (District 9): An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-3 AHOD" General Commercial Airport Hazard Overlay District on Lot 18, Block 4, NCB 15855 located at 441 and 443 West Nakoma Street and 12510 West Avenue. Staff and Zoning Commission recommend approval pending the plan amendment.

2012-05-17-0374

Z-5. ZONING CASE # Z2012089 S (District 10): An Ordinance amending the Zoning District Boundary from "C-3NA IH-1 AHOD" General Commercial Nonalcoholic Sales Northeast Gateway Corridor Overlay Airport Hazard Overlay District to "C-3NA S IH-1 AHOD" General Commercial Nonalcoholic Sales Northeast Gateway Corridor Overlay Airport Hazard Overlay District with a Specific Use Authorization for Auto Paint and Body Repair on 1.165 acres out of Lots 1, 2 and 14, Block 36, NCB 17624 located on the south side of Randolph Boulevard, west of Weimer Way. Staff and Zoning Commission recommend approval.

2012-05-17-0375

Z-6. ZONING CASE # Z2012067 S (District 10): An Ordinance amending the Zoning District Boundary from "I-1 IH-1 AHOD" General Industrial Northeast Gateway Corridor Airport Hazard Overlay District to "I-1 S IH-1 AHOD" General Industrial Northeast Gateway Corridor Airport Hazard Overlay District with a Specific Use Authorization for Rifle and Pistol Range - Indoor on 0.954 of an acre out of Lot 1, NCB 13807 located at 9710 IH-35 North. Staff and Zoning Commission recommends approval.

2012-05-17-0376

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.