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AGENDA
City Council Meeting
Municipal Plaza Building
City Hall Complex
114 W. Commerce
San Antonio, TX 78205
October 21, 2010
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:** Citizens to be Heard
- 7:00PM:** 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, Municipal Plaza Building in a Regular Council Meeting at 9:00 A.M.

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

1. Invocation by Rev. Everett Bell, Associate Minister, Rising Star Missionary Baptist Church. Guest of Councilmember Ivy R. Taylor, District 2.
2. Pledge of Allegiance.
3. Approval of Minutes for the September 30, 2010 City Council meeting.
4. Administration of oath to Councilmember Ivy R. Taylor as Mayor Pro-Tem, serving the period of October 29, 2010 through January 7, 2011.

ACTION ITEMS FOR STAFF BRIEFING

5. An Ordinance authorizing a license agreement with The University of Texas at San Antonio (UTSA) to host its football games at the Alamodome, for an initial term of five years through December 2015, with two one-year renewal options. [Pat DiGiovanni, Deputy City Manager; Michael Sawaya, Director, Convention, Sports, and Entertainment Facilities]

2010-10-21-0901

6. An Ordinance authorizing the acceptance of funds for a COPS Technology grant from the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS), in the amount of \$1,100,000.00 for the implementation of a program to install a digital in-car camera system; and establishing a budget for the grant period December 16, 2009 through December 15, 2012. [Erik J. Walsh, Assistant City Manager; William P. McManus, Chief of Police]

2010-10-21-0902

CONSENT AGENDA

Purchase of Equipment and Supplies

7. An Ordinance authorizing the following contracts establishing unit prices for annual goods and services: (A) Lane Equipment Co. for lease of ice machines and ice storage bins; (B) SAT Radio Communications Ltd. dba Industrial Communications for installs, removals and repairs of equipment for Police vehicles, (C) Environmental Systems Research Institute (ESRI), Inc. for usage of Geographic Information System software through the ESRI Enterprise license subscription agreement and (D) Kidde Fire Trainers for maintenance support services/SAFD Training Academy. [Ben Gorzell, Chief Financial Officer; Janie Cantu, Director, Purchasing & General Services]

2010-10-21-0903

- 8. An Ordinance accepting the bid from RKA Petroleum Companies, Inc. to provide the City with unleaded gasoline blended with Ethanol for all gasoline-powered vehicles and equipment funded from the FY 2011 Fleet Maintenance Fund. [Ben Gorzell, Chief Financial Officer; Janie Cantu, Director, Purchasing & General Services]

2010-10-21-0904

Capital Improvements

- 9. An Ordinance authorizing a City requested change order in the increased amount of up to \$85,282.77 to the \$464,680.74 construction contract with V.K. Knowlton, Ltd. for the Green Street (Nogalitos Street to IH-35) Project, an authorized 2007-2012 General Obligation Bond funded project located in Council District 5. [Peter Zanoni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2010-10-21-0905

- 10. An Ordinance authorizing an amendment in the increased amount of \$167,981.00 to the \$277,345.00 professional services agreement with Civil Engineering Consultants for the Mission Trails Street Construction Project, an authorized Local Agency Management (LAM) project located in Council Districts 1, 3 and 5 and funded by Certificates of Obligation and federal funds through the Metropolitan Planning Organization (MPO). [Peter Zanoni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2010-10-21-0906

- 11. An Ordinance authorizing a task order contract with Flasher Equipment Company in an amount up to \$1,537,668.70 for the completion of pavement markings and bike lanes to be installed at numerous locations throughout the City. [Sharon De La Garza, Assistant City Manager; Mājed A. Al-Ghafry, Director, Public Works]

2010-10-21-0907

- 12. An Ordinance authorizing a change order in the increased amount of \$292,450.00 to the \$1,169,800.08 indefinite delivery construction contract with EZ Bel Construction, LLC for Traffic Signal Systems Project. [Sharon De La Garza, Assistant City Manager; Mājed A. Al Ghafry, Director, Public Works]

2010-10-21-0908

Acquisition, Sale or Lease of Real Property

- 13. An Ordinance authorizing the closure, vacation, and abandonment of a portion of a proposed street known as Halldale Drive that was never constructed, located in Council District 7, as requested by Jerry and Dolores Tenney for a fee of \$4,050.00. [Peter Zanoni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2010-10-21-0909

- 14. An Ordinance authorizing a lease agreement with MPIO, Inc. d/b/a Mission Park Funeral Chapels and Cemeteries for San Jose Burial Park for a twenty-five (25) year term commencing on January 1, 2011, located in Council District 3, and the repeal of outdated and obsolete provisions of Chapter 7 Article II of the Municipal Code. [Sharon De La Garza, Assistant City Manager; Xavier Urrutia, Director, Parks & Recreation]

2010-10-21-0910

Grant Applications and Awards

15. An Ordinance authorizing the submission of a grant application to the United Way of San Antonio and the acceptance of \$31,000.00 and execution of grant agreement upon award for computer training classes conducted in Spanish. [Peter Zanoni, Assistant City Manager; Cindy Schoenmakers, Interim Director, Community Initiatives]

2010-10-21-0911

16. An Ordinance authorizing seven actions related to the Head Start program to include (a) the submission of a grant application and the acceptance of funds upon award for a continuation grant for the Head Start Program in an amount up to \$48,800,199.00 for the operation of the 2011-2012 Head Start program; (b) the submission of the 2011-2012 Training and Technical Assistance (T&TA) Plan; (c) an in-kind matching budget of up to \$12,200,050.00; (d) a personnel complement of 36 positions within the Department of Community Initiatives for the Head Start program; (e) the negotiation and execution of eight contracts in the combined amount of \$45,819,467.00 for Head Start services; (f) the negotiation and execution of contract amendments for the purpose of implementing program improvements, if necessary, at the start of the new school year; and (g) the execution of Memorandums of Understanding with Local Education Agencies, Early Head Start programs, and Early Childhood Intervention services programs. [Peter Zanoni, Assistant City Manager; Cindy Schoenmakers, Interim Director, Community Initiatives]

2010-10-21-0912

17. An Ordinance authorizing the submission of a grant application and acceptance of funds upon award of up to \$400,000.00 from the U.S. Environmental Protection Agency for Brownfield Assessments and \$400,000.00 for Brownfield Cleanup for a three year period beginning April of 2011. [T.C. Broadnax, Assistant City Manager; Patrick Howard, Interim Director, Planning and Community Development]

2010-10-21-0913

City Code Amendments

18. An Ordinance amending Chapter 3 of the City Code of San Antonio to reduce the minimum separation distance of helistops and heliport facilities from 500 feet to 250 feet. [Pat DiGiovanni, Deputy City Manager; Frank Miller, Director, Aviation]

2010-10-21-0914

19. An Ordinance amending the Traffic Control Devices Schedules for the City of San Antonio, established in Chapter 19, Section 68 of the City Code, to include new traffic control devices and delete previous entries from the schedules that are in conflict with current traffic code regulations; providing for criminal and civil penalties for violations. [Sharon De La Garza, Assistant City Manager; Majed Al-Ghafry, Director, Public Works]

2010-10-21-0915

Boards, Commissions and Committee Appointments

20. 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. Reappointing John P. Jennings (District 1, Category: Real Estate) to the Brooks Development Authority for a term of office to commence November 5, 2010 and expire November 4, 2012.

Approved

B. Appointing Mariana Ornelas (District 1) to the Zoning Commission.

Approved

Miscellaneous

21. An Ordinance authorizing the City Attorney to settle a lawsuit styled *Rosemary Flammia v. City of San Antonio*, Cause No. 2007-CI-07965. [Sheryl Sculley, City Manager; Michael Bernard, City Attorney]

2010-10-21-0916

22. An Ordinance authorizing the settlement of a lawsuit styled *Suleman Sayani v. City of San Antonio, et al*, Cause No. 2008-CI-17390, for the amount of \$500,000.00, from the Liability Self-Insurance Fund. [Sheryl Sculley, City Manager; Michael Bernard, City Attorney]

2010-10-21-0917

23. An Ordinance authorizing three actions to provide for permanent housing for homeless families with disabilities to include (a) ratifying a two-month extension and an increase in an amount up to \$21,888.00 to the Memorandum of Agreement (MOA) with the San Antonio Housing Authority (SAHA) for a revised period of June 1, 2010 to July 31, 2010; (b) approving an MOA with SAHA for one-year period beginning August 1, 2010 to July 31, 2011 in the amount of \$152,640.00 to provide 16 permanent housing units at Woodhill Apartments; and (c) approving a contract with the George Gervin Youth Center, Inc. for \$98,470.00 for the period beginning August 1, 2010 to July 31, 2011 to provide eight permanent housing units at the Yucca Street Apartments. [Peter Zanoni, Assistant City Manager; Cindy Schoenmakers, Interim Director, Community Initiatives]

2010-10-21-0918

24. An Ordinance authorizing an exclusive ATM License Agreement with Access to Money, Inc. to provide, install and maintain permanent, temporary and mobile ATMs at the Alamodome for an initial term of three years through September 30, 2013, with one five-year renewal option. [Pat DiGiovanni, Deputy City Manager; Michael Sawaya, Director, Convention, Sports, and Entertainment Facilities]

2010-10-21-0919

25. An Ordinance approving a local contribution in the amount of \$143,262.00 to the Events Trust Fund to qualify for reimbursement of eligible expenses related to the Emergency Nurses Association 2010 Annual Convention and the 2010 Emerson Process Management Convention held at the Henry B. Gonzalez Convention Center during the months of September and October. [Pat DiGiovanni, Deputy City Manager; Michael J. Sawaya, Director, Convention, Sports, and Entertainment Facilities]

2010-10-21-0920

26. An Ordinance authorizing an Interagency Participation Agreement with CPS Energy in an amount up to \$432,152.48 to assist the City in coordination, development, marketing and implementation of the "Better Buildings Program" for commercial and residential sectors,

funded with American Recovery and Reinvestment Act (ARRA) funds. [Edward Benavides, Chief of Staff; Laurence Doxsey, Director, Office of Environmental Policy]

2010-10-21-0921

27. Consideration of the following Ordinances relating to the issuance of San Antonio Water System bonds: [Ben Gorzell, Jr., Chief Financial Officer]

A. An Ordinance authorizing the issuance of "City of San Antonio, Texas Water System Revenue Bonds, Series 2010A" in the principal amount not to exceed \$110,000,000.00; providing for the payment of the principal of and interest on the bonds by a lien on and pledge of the pledged revenues of the Water System on a parity with certain currently outstanding obligations; and authorizing other matters incident and relating to the issuance of such bonds.

2010-10-21-0922

B. An Ordinance authorizing the issuance of "City of San Antonio, Texas Water System Revenue Bonds, Taxable Series 2010B (Direct Subsidy - Build America Bonds" in the principal amount not to exceed \$110,000,000.00; providing for the payment of the principal of and interest on the bonds by a lien on and pledge of the pledged revenues of the Water System on a parity with certain currently outstanding obligations; and authorizing other matters incident and relating to the issuance of such bonds.

2010-10-21-0923

C. An Ordinance authorizing the issuance of "City of San Antonio, Texas Water System Junior Lien Revenue and Refunding Bonds, Series 2010A" in the principal amount of \$17,930,000.00; providing for the payment of the principal of and interest on the bonds by a junior lien on and pledge of the net revenues of the Water System on a parity with certain currently outstanding obligations; and authorizing other matters incident and relating to the issuance of such bonds.

2010-10-21-0924

28. Consideration of the following Ordinances relating to the issuance of CPS Energy bonds: [Ben Gorzell, Jr., Chief Financial Officer]

A. An Ordinance authorizing the remarketing of \$147,615,000.00 of outstanding obligations designated as City of San Antonio, Texas Electric and Gas Systems Junior Lien Revenue Bonds, Series 2004; and authorizing other matters incident and related to the remarketing of such bonds.

2010-10-21-0925

B. An Ordinance authorizing the issuance of not to exceed \$300,000,000.00 "City of San Antonio, Texas Electric and Gas Systems Junior Lien Revenue Bonds, Taxable Series 2010A (Direct Subsidy - Build America Bonds)" or one or more additional series pursuant to the delegation provisions set forth herein; making provision for the payment and security thereof, together with certain currently outstanding obligations, by a junior lien on and pledge of the net revenues of the Electric and Gas Systems; and authorizing other matters incident and related to the issuance of such bonds.

2010-10-21-0926

C. An Ordinance authorizing the issuance of not to exceed \$200,000,000.00 "City of San Antonio, Texas Electric and Gas Systems Junior Lien Revenue Refunding Bonds, Taxable Series 2010B (Direct Subsidy - Build America Bonds)" pursuant to the

delegation provisions set forth herein; making provision for the payment and security thereof, together with certain currently outstanding obligations, by a junior lien on and pledge of the net revenues of the Electric and Gas Systems; and authorizing other matters incident and related to the issuance of such bonds.

2010-10-21-0927

PULLED

29. An Ordinance authorizing a Risk Management Consulting and Insurance Broker of Record Services contract for the City of San Antonio with Marsh USA, Inc., for a period of three years beginning December 1, 2010 at an annual cost of \$110,000.00 funded from the FY 2011 budget and allocated to the Liability Self-Insurance Fund. [A.J. Rodriguez, Deputy City Manager; Elizabeth Braune, Director, Human Resources]

30. An Ordinance authorizing the approval of a 5-year Economic Development Program Grant Agreement with The Boeing Company to rebate 100% of inventory taxes paid to the city on the 787 Dreamliner aircraft located at Port San Antonio (Port SA) for refurbishment work. [A.J. Rodriguez, Deputy City Manager; Rene Dominguez, Director, International and Economic Development]

2010-10-21-0928

31. An Ordinance approving the San Antonio Botanical Garden Master Plan and authorizing agreements with the San Antonio Botanical Garden Society for the city-owned Botanical Garden located in Council District 9. [Sharon De La Garza, Assistant City Manager; Xavier Urrutia, Director, Parks & Recreation]

2010-10-21-0929

32. City Manager's Report

- A. Update on Airport Terminal B and San Antonio International Airport Master Plan
- B. Update on Municipal Golf Association San Antonio (MGA-SA)

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. Zoning Cases presented by Roderick Sanchez, Director, Development Services. Planning Cases presented by Patrick Howard, Interim Director, Planning and Community Development.

33. An Ordinance amending Chapter 10 (Electrical) of the City Code of San Antonio, Texas by modifying and adding to the existing "electrified fences" section, providing for violations, publication, and an effective date. [T.C. Broadnax, Assistant City Manager; Roderick J. Sanchez, Director, Development Services]

2010-10-21-0930

34. A Resolution to proceed with Landmark Designation for 43 properties within the River North area generally bound by IH 35, IH-37, Navarro Street, and 3rd Street. [T.C. Broadnax, Assistant City Manager; Shanon Peterson Wasielewski, Historic Preservation Officer, Office of Historic Preservation]

2010-10-21-0047R

35. A Resolution directing the Development Services Department to initiate a change in the Zoning District Boundary for property located at 13202 Scarsdale from "MF-33 AHOD" Multi-Family Airport Hazard Overlay District to "G AHOD" Golf Course Airport Hazard Overlay District, as requested by Councilman Clamp District 10.

2010-10-21-0048R

Z-1. ZONING CASE # Z2010091 CD (District 2): An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "RM-6 CD AHOD" Residential Mixed Airport Hazard Overlay District with a Conditional Use for a Boarding House (Rooming House) on Lots 6, 7 and 8, Block A-1 or 25, NCB 500 located at 1306 North Hackberry Street. Staff and Zoning Commission recommend approval.

2010-10-21-0931

Z-2. ZONING CASE # Z2010116 (District 2): An Ordinance amending the Zoning District Boundary from "R-6" Residential Single-Family District to "R-5" Residential Single Family District on 5.959 acres and "R-4" Residential Single-Family District on 6.68 acres, all on 12.639 acres out of NCB 18279 located on multiple properties located along Foster Meadow Drive, Channel View, Media Meadow, Le Villas, La Route, Airstream, and Red Heeler streets. Staff and Zoning Commission recommend approval pending the plan amendment. (Continued from October 7, 2010)

Continued

Z-3. ZONING CASE # Z2010139 (District 4): An Ordinance amending the Zoning District Boundary from "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District, "I-1 of the AHOD MAOZ-1" General Industrial Airport Hazard Overlay Military Airport Overlay Zone, and "I-1 AHOD MAOZ-2" General Industrial Airport Hazard Overlay Military Airport Overlay Zone to "C-3 AHOD" General Commercial Airport Hazard Overlay District, "C-3 AHOD MAOZ-1" General Commercial Airport Hazard Overlay Military Airport Overlay Zone, and "C-3 AHOD MAOZ-2" General Commercial Airport Hazard Overlay Military Airport Overlay Zone on Lots 2, 3, 4A, 21, 22, 23A, the west 91.7 feet of Lot 1 and the west 84.4 feet of Lot 20, Block 3, NCB 11263; Lots 7 through 9 and the east 85.45 feet of Lot 10, Block 6, NCB 11266; Lot 1A, CB 11297 located at 3418 Pitluk Avenue. Staff and Zoning Commission recommend approval.

2010-10-21-0932

Z-4. ZONING CASE # Z2010145 (District 4): An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Lot 39, Block 76, NCB 11051 located at 8600 South Zarzamora. Staff and Zoning Commission recommend approval.

2010-10-21-0933

Z-5. ZONING CASE #Z2009165 HS (District 7): An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "HS C-2 AHOD" Historic Significant Commercial Airport Hazard Overlay District on the northeast 522 feet of Lot 6, NCB 8349 located at 3031 West Woodlawn Avenue. Staff and Zoning Commission recommend approval. (Continued from September 2, 2010)

continued

Z-6. ZONING CASE # Z2010106 CD (District 7): An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for a Tattoo Parlor on Lot 8, Block 18, NCB 2068 located at 1515 Culebra Road. Staff recommends approval. Zoning Commission recommends denial.

Denied

Z-7. ZONING CASE # Z2010140 S (District 8): An Ordinance amending the Zoning District Boundary from "R-20 MLOD-1" Residential Single-Family Military Lighting Overlay District to "L MLOD-1 S" Light Industrial Military Lighting Overlay District with a Specific Use Authorization for a Contractor's Facility on a 3.222 acre tract out of NCB 35733 located at 7065 and 7067 Heuermann Road. Staff and Zoning Commission recommend approval.

2010-10-21-0934

Z-8. ZONING CASE # Z2010066 S ERZD (District 9): An Ordinance amending the Zoning District Boundary from "C-2 ERZD AHOD MLOD-1" Commercial Edwards Recharge Zone Airport Hazard Overlay Military Lighting Overlay District-1 to "C-2 S ERZD AHOD MLOD-1" Commercial Edwards Recharge Zone Airport Hazard Overlay Military Lighting Overlay District-1 with a Specific Use Authorization for a Carwash on Lot 7, Block 2, NCB 18908 located on the 2000 and 2100 Blocks of Loop 1604. Staff and Zoning Commission recommend approval with conditions.

Withdrawn by applicant

Z-9. ZONING CASE # Z2010143 (District 10): 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 Parcel 7A and Parcel 7C, NCB 17801(1.7824 Acres) located at 14839 Toepperwein Road. Staff and Zoning Commission recommend approval.

continued

Z-10. ZONING CASE # Z2010144 (District 1): An Ordinance amending the Zoning District Boundary from "O-2 AHOD" High-Rise Office Airport Hazard Overlay District to "O-1 IDZ AHOD" Office Infill Development Zone Airport Hazard Overlay District on Lot 4, Block 1, NCB 811 located at 315 East Euclid Avenue. Staff and Zoning Commission recommend approval.

2010-10-21-0935

Z-11. ZONING CASE # Z2010162 HL (District 1): An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "HL I-1 AHOD" Historic Landmark General Industrial Airport Hazard Overlay District on Lots 13 and 14, Block 25, NCB 2085 located at 1602 and 1612 North Zarzamora. Staff recommends approval. The Zoning Commission recommendation is pending the October 19, 2010 public hearing.

2010-10-21-0936

6:00 P.M. (may be heard after this time) – Citizens to be Heard

ADJOURN

7:00 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.