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AGENDA
City Council Meeting
Municipal Plaza Building
City Hall Complex
114 W. Commerce
San Antonio, TX 78205
December 9, 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.

1. Invocation by Rev. Ruben Torrez, Pastor, Templo Amor Y Gracia. Guest of Councilmember David Medina, Jr., District 5.
2. Pledge of Allegiance.
3. Approval of Minutes for the November 4, 2010 and the November 10, 2010 City Council meetings.

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

ACTION ITEMS FOR STAFF BRIEFING

4. Briefing on the City's Budget and Financial performance to include: i) a preliminary unaudited year end financial status report for FY 2010; ii) a financial and progress update for the FY 2011 Budget; and iii) a status update on the \$30 Million Capital Improvements Program. [Sheryl Sculley, City Manager]

CONSENT AGENDA

Purchase of Equipment and Supplies

5. An Ordinance authorizing the following contracts establishing unit prices for annual goods and services: (A) Genuine Parts Company for automotive & truck air conditioning parts, (B) Poppe Automotive Whse., Inc. for automotive bearings, oil and grease seals, hub caps, gaskets and vent plugs, (C) Casares Sand Pit & Trucking for sand products, (D) Casares Sand Pit & Trucking for soil, (E) Genuine Parts Company for automotive type paint and supplies, (F) Tractor City for Rayco brush grinder parts and service, (G) D & A Technology and Development for tire rubber modified surface seal, (H) CBT Partners dba Jani-King of San Antonio for janitorial services for various City facilities, (I) Fire Supply, Inc. for firefighting gloves, (J) OverDrive Inc. for Subscription and License for downloadable books and digital media, (K) ProQuest LLC for newspaper publications in microfilm, (L) Standard & Poor's Financial Services, LLC for NetAdvantage license agreement, (M) Mid-America Recycling LLC dba Greenstar, (fka Vista Fibers) for recycling of commercial garbage disposal services for the City of San Antonio and (N) Staples Contract & Commercial Inc., operating as Staples Advantage for office supplies and products. [Ben Gorzell, Chief Financial Officer; Janie Cantu, Director, Purchasing & General Services]

2010-12-09-1009

6. An Ordinance authorizing the City to utilize a cooperative contract with School Specialty, Inc. to provide participating local elementary, middle and high schools with physical

education equipment and training workshops in connection with the San Antonio Metropolitan Health District's Communities Putting Prevention to Work (CPPW) Program for a total cost of \$722,000.00, funded through the American Recovery & Reinvestment Act through the CPPW Program. [Ben Gorzell, Chief Financial Officer; Janie Cantu, Director, Purchasing & General Services]

2010-12-09-1010

5101-011-0105

7. An Ordinance accepting an offer with Remotec, Inc. to provide the San Antonio Police Department, Bomb Squad Unit with 1 robot utilized for hazardous duties for a total cost of \$112,002.00, funded by the 2008 State Homeland Security Program Grant. [Ben Gorzell, Chief Financial Officer; Janie B. Cantu, Director, Purchasing and General Services]

2010-12-09-1011

8101-00-0105

8. An Ordinance authorizing a contract with Comprise Technologies, Inc., to provide the Library Department with a Personal Computer (PC) Reservation and Print Management System for \$94,000.00 funded from a 2009 IMLS Congressionally Directed Grant and a 2011 Texas State Library and Archives Commission Loan Star Grant. [T.C. Broadnax, Assistant City Manager; Ramiro S. Salazar, Director, Library]

2010-12-09-1012

Capital Improvements

81-0105

9. An Ordinance authorizing an increase of \$20,690.00 to the prior approved funding agreement with Northside Independent School District for drainage and other improvements associated with the Hunt Lane project, a 2007-2012 General Obligation Bond Program Project, located in Council Districts 4 and 6. [Peter Zanoni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2010-12-09-1013

10. An Ordinance awarding a construction contract to Healthy Resources Enterprise, Inc. in the amount of \$275,089.78 for the Culebra Creek Park Improvements Project, an authorized 2007-2012 General Obligation Bond project located in Council District 6 and authorizing the City of San Antonio to accept a cash donation in the amount of \$37,993.50 from Mr. Wayne Harwell to fund the development of a trail head from the adjacent Harwell property to the Culebra Creek Park. [Peter Zanoni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2010-12-09-1014

11. An Ordinance authorizing a change order in the increased amount of \$68,773.30 to the \$533,536.70 construction contract with Tropical Contracting, LLC for additional sidewalk work as part of the St. Cloud Pedestrian Improvements Project, a 2007-2012 General Obligation Bond funded project located in Council District 7. [Peter Zanoni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2010-12-09-1015

Acquisition, Sale or Lease of Real Property

12. An Ordinance authorizing the change of the use of park property and authorizing an intrajurisdictional agreement for the transfer of use, benefit and control of approximately 1.3 acres of park property to CPS Energy. [Sharon De La Garza, Assistant City Manager; Xavier Urrutia, Director, Parks & Recreation]

2010-12-09-1016

13. An Ordinance authorizing the conditional closure, vacation, and abandonment of improved portions along East Houston at 3rd Streets Public Rights of Way located between Alamo Plaza and Bonham Street adjacent to N.C.B 115 in City Council District 1, as requested by the Daughters of the Republic of Texas. [Peter Zanoni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2010-12-09-1017

14. An Ordinance authorizing the San Antonio Water System (SAWS) to declare as surplus and sell 85.516 acres located at 8400 Old Pearsall Road, located in the City of San Antonio's Extra Territorial Jurisdiction. [Peter Zanoni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2010-12-09-1018

15. An Ordinance authorizing a five-year lease from Products Lumber and Supply Company for office space located at 5055 Popping Drive in Council District 7, for use by the San Antonio Metropolitan Health District as a Women, Infants and Children Clinic, for an initial monthly rental rate \$9,500.00 increasing to \$10,474.00 for the fifth year. [Peter Zanoni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2010-12-09-1019

16. An Ordinance authorizing the renewal of the Valley View Customer Service/311 Service Center five-year lease agreement with Weingarten Realty Investors for the continued use of office space located at 8523 Blanco Road for an initial monthly rental rate of \$4,556.30 increasing to \$5,545.13 per month at the fifth year of the renewal term. [Peter Zanoni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2010-12-09-1020

17. An Ordinance authorizing a five-year lease extension with Rainforest Cafe for River Walk patio space for first year rental payment of \$4,704.00. [A.J. Rodriguez, Deputy City Manager; Paula X. Stallcup, Director, Downtown Operations]

2010-12-09-1021

Grant Applications and Awards

18. An Ordinance authorizing the submission of a grant application and the acceptance of funds upon award from the Texas State Library and Archives Commission in the amount of \$241,652.00 for the FY 2011 Loan Star Libraries Grant to support the services and operations of the Library Department. [T.C. Broadnax, Assistant City Manager; Ramiro S. Salazar, Director, Library]

2010-12-09-1022

19. An Ordinance authorizing an agreement with the Department of State Health Services and acceptance of funds up to \$200,000.00 for dental services and authorizing an agreement with the UT Health Science Center Dental School to provide specialty dental services in an amount up to \$120,000.00 for the term September 1, 2010 to August 31, 2011. [Sharon De La Garza, Assistant City Manager; Dr. Fernando A. Guerra, Director, Health]

2010-12-09-1023

20. An Ordinance authorizing a contract with Novartis Vaccines and Diagnostics, Inc. in an amount up to \$87,830.00 for the San Antonio Metropolitan Health District to conduct a vaccine study for the prevention of meningococcal disease in infants and children; and

authorizing payments for the participants. [Sharon De La Garza, Assistant City Manager; Dr. Fernando A. Guerra, Director, Health]

2010-12-09-1024

City Code Amendments

2010-12-09-1025

21. An Ordinance amending Chapter 13 of the City Code entitled "Food and Food Handlers" to provide for a variance for food establishments seeking to permit dogs in outdoor eating areas; establishing related fees; and providing for a penalty and publication. [Sharon De La Garza, Assistant City Manager; Dr. Fernando A. Guerra, Director, Health]

2010-12-09-1025

22. An Ordinance amending Chapter 14 of the City Code of San Antonio, Texas, to add a new section requiring residential multi-family properties to provide or contract for on-site recycling collection services for residents within multi-family properties. [Peter Zanoni, Assistant City Manager; David W. McCary, Director, Solid Waste Management]

2010-12-09-1026

Boards, Commissions and Committee Appointments

2010-12-09-1027

23. 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: [Letitia M. Vaccar, City Clerk]

A. Reappointing Gerald W. Lee, Lou Miller, and Gavino Ramos (At-Large) to the VIA Metropolitan Transit Authority for terms of office to commence January 1, 2011 and expire December 31, 2012.

Approved

B. Reappointing Maria Elena Torralva-Alonso (District 1) to the Port Authority of San Antonio for the remainder of an unexpired term of office to expire November 30, 2012.

Approved

Miscellaneous

2010-12-09-1028

24. An Ordinance authorizing a Funding Agreement with the University of Texas at San Antonio in the amount of \$5,250,000.00 for use in the construction of the University of Texas San Antonio Athletics Fields and Facilities Project, a 2007-2012 General Obligation Funded Project located in Council District 8. [Pat DiGiovanni, Deputy City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2010-12-09-1027

25. An Ordinance authorizing an amendment to the Economic Development Grant Agreement with Iron & Steel Lofts, LLC to provide for a six month extension to commence construction on the \$10.9 million mixed-used project with the possibility of an additional six month extension. [Pat DiGiovanni, Deputy City Manager / Interim Director, Center City Development]

2010-12-09-1028

26. An Ordinance authorizing a non-binding Memorandum of Understanding between the City and San Antonio Independent School District for due diligence related items associated with a potential property exchange between the parties, to include the Friedrich property. [Pat DiGiovanni, Deputy City Manager / Interim Director, Center City Development]

2010-12-09-1029

27. Consideration of the following Ordinances relating to the ButterKrust Bakery Redevelopment project located at 2201 Broadway in Council District 2: [Pat DiGiovanni, Deputy City Manager / Interim Director, Center City Development]

A. An Ordinance authorizing the City Manager or her designee to enter into an Economic Development Grant Agreement in the amount of \$2,468,150.00 with R.L. Worth and Associates and approving a SAWS fee waiver in an amount up to \$232,000.00 for the redevelopment of the ButterKrust Bakery.

2010-12-09-1030

B. An Ordinance closing, vacating and abandoning a 30-foot wide portion of the Mill Race public right of way, located in Council District 2, and waiving the associated fees at the request of Guenther Development, LLC.

2010-12-09-1031

28. An Ordinance authorizing the naming of the park located at 5206 Hillje Street to the Sgt. Matthew E. Mendoza, USMC Park. [Sharon De La Garza, Assistant City Manager; Xavier Urrutia, Director, Parks & Recreation]

2010-12-09-1032

29. An Ordinance authorizing a Third Amendment and Renewal to the Agreement for Audio/Visual Services with Audio Visual Services Group, Inc. dba PSAV Event Services Division by extending the term of the agreement for four (4) months. [Pat DiGiovanni, Deputy City Manager; Michael Sawaya, Director, Convention, Sports, and Entertainment Facilities]

2010-12-09-1033

30. An Ordinance adopting the Arts Funding Program Guideline Revisions, effective for the FY 2012-2013 funding cycle, applications for which will be accepted beginning January 2011. [Pat DiGiovanni, Deputy City Manager; Felix Padron, Director, Cultural Affairs]

2010-12-09-1034

31. An Ordinance authorizing a five-year agreement with El Consejo Real de Reyes Feos Anteriores dba Rey Feo Consejo Educational Foundation to conduct the Fiesta event at Market Square. [Pat DiGiovanni, Deputy City Manager; Paula X. Stallcup, Director, Downtown Operations]

2010-12-09-1035

32. An Ordinance authorizing a five-year funding agreement with the San Antonio Parks Foundation for \$100,000.00 with an annual increase of 3%. [A.J. Rodriguez, Deputy City Manager; Paula X. Stallcup, Director, Downtown Operations]

2010-12-09-1036

33. Consideration of the following matters in connection with the Issuance, Sale, and Delivery of the 2010A Tax-Exempt Airport Bonds, 2010B Taxable Airport Bonds, and 2010 PFC Bonds: [Ben Gorzell, Jr. Chief Financial Officer]

- A. An Ordinance authorizing the issuance, sale, and delivery of approximately \$41,155,000.00 in principal amount of "City of San Antonio, Texas Airport System Revenue Improvement and Refunding Bonds, Series 2010A", and approximately \$22,535,000.00 in principal amount of "City of San Antonio, Texas Airport System Revenue Refunding Bonds, Taxable Series 2010B"; approves and authorizes instruments and procedures relating thereto, including a purchase contract, an escrow agreement, and a paying agent/registrars agreement, and provides for an immediate effective date.

2010-12-09-1037

- B. An Ordinance authorizing the issuance, sale, and delivery of approximately \$38,145,000.00 in principal amount of "City of San Antonio, Texas Passenger Facility Charge and Subordinate Lien Airport System Revenue Improvement and Refunding Bonds, Series 2010"; granting a first lien on Passenger Facility Charges under the Master PFC Ordinance and a lien on subordinate net revenues of the Airport System under the Master Airport System Ordinance; approves and authorizes instruments and procedures relating thereto including a purchase contract and a paying agent/registrars agreement; and provides for an immediate effective date.

2010-12-09-1038

34. An Ordinance authorizing the fourth amendment of the audit services contract with Grant Thornton L.L.P., to provide up to \$150,000.00 additional compensation due to the requirement for increased Single Audit testing of major State and Federal grant programs, with the total fee for independent audit services to the City for Fiscal Year 2010 not to exceed \$975,000.00 and authorizing payment upon completion of services. [Ben Gorzell, Jr., Chief Financial Officer]

2010-12-09-1039

35. An Ordinance authorizing agreements with Bexar County Independent School Districts for incentives in a cumulative amount up to \$1,208,008.00 in connection with the San Antonio Metropolitan Health District's Communities Putting Prevention to Work (CPPW) Program, funded through the American Recovery & Reinvestment Act, with terms beginning on December 9, 2010 and ending on March 18, 2012. [Sharon De La Garza, Assistant City Manager; Dr. Fernando A. Guerra, Director, Health]

2010-12-09-1040

36. An Ordinance authorizing three professional services agreements with Kennmark Bullock Personnel LLC, Labor on Demand, Inc., and KeyStaff, Inc., to provide temporary staffing services on a "pay per use" basis to City departments in an estimated annual amount of \$2 million, funded by department budget appropriations. [A.J. Rodriguez, Deputy City Manager; Elizabeth Braune, Director, Human Resources]

2010-12-09-1041

37. An Ordinance authorizing a two-year extension to the current contract with Morris & McDaniel Inc., for the preparation of validated, written examinations and video-based assessments for police promotional examinations for the San Antonio Police Department, for an estimated annual compensation in the amount of \$186,840.00 for the first year and \$156,240.00 for the second year, with an additional \$2,500.00 per test for appeal hearings, if necessary, funded by the General Fund. [A.J. Rodriguez, Deputy City Manager; Elizabeth Braune, Director, Human Resources]

2010-12-09-1042

38. Consideration of the following items related to PETCO Animal Supplies, Inc.: [A.J. Rodriguez, Deputy City Manager; Rene Dominguez, Director, International and Economic Development]

A. An Ordinance designating the PETCO Reinvestment Zone located at 654 Richland Hills Drive in District 6.

2010-12-09-1043

B. An Ordinance approving a 10-year, 100% Tax Abatement and \$650,000.00 Grant Agreement with PETCO Animal Supplies, Inc.; approving \$100,000.00 in training credits with Alamo Colleges over two years for PETCO; and accepting a donation from PETCO for the benefit of the City's spay and neuter program.

2010-12-09-1044

39. Consideration of the following Ordinances relating to Industrial District Non-Annexation and Basic Fire Services Agreements: [A.J. Rodriguez, Deputy City Manager; Rene Dominguez, Director, International and Economic Development]

8001-20-51-0105

A. An Ordinance approving a five-year Industrial District Non-Annexation and Basic Fire Services Agreement with Lancer Corporation.

2010-12-09-1045

B. An Ordinance approving a five-year Industrial District Non-Annexation and Basic Fire Services Agreement with the Texas Research and Technology Foundation.

2010-12-09-1046

C. An Ordinance approving a five-year Industrial District Non-Annexation and Basic Fire Services Agreement with Citicorp Data Systems Incorporated.

2010-12-09-1047

40. Consideration of the following Ordinances relating to the Solar America Cities Program: [Edward Benavides, Chief of Staff; Laurence Doxsey, Director, Office of Environmental Policy]

4001-20-51-0105

A. An Ordinance authorizing an Interagency Participation Agreement with CPS Energy in an amount up to \$50,000.00 to manage a media marketing campaign for the "Solar America Cities Program" to raise public awareness of Build San Antonio Green's solar home certification program, funded by the Department of Energy's "Solar America Cities" grant.

2010-12-09-1048

B. An Ordinance authorizing the extension of an agreement with Build San Antonio Green, funded by the Department of Energy's "Solar America Cities" grant.

2010-12-09-1049

41. An Ordinance authorizing the reprogramming of U.S. Department of Housing and Urban Development (HUD) Home Investment Partnership Grant funds in the amount of \$2,425,000.00 available from cancelled and closed-out projects; amending the FY 2011 Consolidated Annual Action Plan; authorizing the close-out and cancellation of affected projects and the creation of new projects and project budgets; and authorizing the execution and submission of contracts and other documents as necessary. [Peter Zanoni, Assistant City

2010-12-09-1050

42. An Ordinance authorizing an amendment to the FY 2010-2011 Consolidated Annual Action Plan to amend the public service allocations of \$1,866,793.00 to reflect the Human & Workforce Development Delegate Agency allocations approved as part of the City's FY 2011 Adopted Budget; and authorizing the amendment of Ordinance No. 2010-08-05-0645 to authorize the Director of Planning and Community Development to execute any and all documents in connection with the Owner-Occupied Reconstruction, Rental Rehabilitation and housing revitalization programs. [Peter Zanoni, Assistant City Manager; Maria Villagomez, Director, Management and Budget]

2010-12-09-1051

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.

Z-1. ZONING CASE #Z2009165 HL (District 7): An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "HL C-2 AHOD" Historic Landmark Commercial Airport Hazard Overlay District (previously known as Historic Significant) on the northeast 522 feet of Lot 6, NCB 8349 located at 3031 West Woodlawn Avenue. Staff and Zoning Commission recommend approval. (Continued from November 19, 2010)

Continued

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.

12-11-00-SI-0105