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AGENDA
City Council Meeting
Municipal Plaza Building
City Hall Complex
114 W. Commerce
San Antonio, TX 78205
September 1, 2011
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, 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 Major Albert Villafuerte, San Antonio Area Commander - Salvation Army. Guest of Councilmember Ray Lopez, District 6.
- 2. Pledge of Allegiance.
- 3. Approval of Minutes for the August 4, 2011 and August 10-11, 2011 City Council meetings.

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

ACTION ITEMS FOR STAFF BRIEFING

- 4. Confirming the appointment of Heriberto "Berto" Guerra, Jr. (North Zone) to the San Antonio Water System (SAWS) Board of Trustees for the remainder of an unexpired term of office to expire May 31, 2014, and concurring with the Mayor's appointment of Mr. Guerra as chair for the remainder of an unexpired term of office to expire May 31, 2012. [Leticia M. Vacek, City Clerk]

2011-09-01-0023R

- 5. Briefing on the 2010 Census and impact on City Council districts and introduction to the redistricting process. [Michael D. Bernard, City Attorney; David Mendez, Bickerstaff Heath Delgado Acosta LLP]
- 6. An Ordinance authorizing the City Manager to execute a professional service contract for the Advertising, Marketing and Public Relations Agency Services estimated annually at \$7.5 million to Proof Advertising to assist the Convention and Visitors Bureau (CVB) in carrying out the CVB's brand marketing strategies targeting the leisure visitor and convention/group business. [A.J. Rodriguez, Deputy City Manager; Casandra Matej, Executive Director, Convention & Visitors Bureau]

2011-09-01-0704

CONSENT AGENDA

Purchase of Equipment and Supplies

- 7. An Ordinance authorizing the following contracts establishing unit prices for annual goods

and services: (A) Honeywell International Inc. for maintenance agreement for the Convention Sports and Entertainment Facilities EBI System and (B) TCL Construction Enterprises, Inc. for labor and concrete material for park operations. [Ben Gorzell, Chief Financial Officer]

2011-09-01-0705

Capital Improvements

8. An Ordinance authorizes the submission of a \$150,000,000.00 grant application and if awarded, acceptance of funds by the City Manager or her designee for an Office of Economic Adjustment and Department of Defense grant for transportation related improvements near Fort Sam Houston located in Council Districts 2 and 10. [Mike Frisbie, Director, Capital Improvements Management Services; Peter Zaroni, Assistant City Manager]

2011-09-01-0706

9. An Ordinance authorizing three on-call professional services agreements with Gonzalez, Kypuros and White (GKW), Pape-Dawson Engineers, Inc. and Lockwood, Andrews & Newman, Inc. (LAN), in an amount not to exceed \$500,000.00 each per year for a one-year contract and a potential of two one-year extensions at the City's discretion, to provide professional traffic engineering consulting services for City-owned facilities and improvements, construction projects, and unforeseen conditions located city-wide. [Peter Zaroni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2011-09-01-0707

10. An Ordinance authorizing Asphalt Overlay with Rubber – Package III Contract Change Order No. 5, to the \$4,696,567.17 construction contract with Clark Construction of Texas, Inc., in the increased amount of \$389,534.05 for the completion of repairs along Stone Oak Parkway, located in Council District 9, an authorized 2009 Tax Notes and 2007 Certificates of Obligation project. [Sharon De La Garza, Assistant City Manager; Majed A. Al-Ghafry, Director, Public Works]

2011-09-01-0708

Acquisition, Sale or Lease of Real Property

11. An Ordinance authorizing the closure, vacation and abandonment of a 0.10 acre of an undeveloped alley located at Palo Duro Drive and Rio Seco Street, between lots 94, 95 and 96, NCB 14793 in Shady Oaks Subdivision in Council District 9, as requested by Michael LaHood, for a fee of \$12,000.00. [Peter Zaroni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2011-09-01-0709

12. An Ordinance declaring as surplus two vacant parcels of City-owned property located within the Southwest Business and Technology Park in Council District 6 and authorizing the sale to Gilbert's Utility & Concrete Work Inc. for a total of \$42,808.40. [Peter Zaroni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2011-09-01-0710

- 13. An Ordinance authorizing the closure, vacation and abandonment of a 0.456 acre portion of East Laurel Avenue, located at McCullough Avenue and Paschal Street, between NCB 393 and NCB 842 in Council District 1, as requested by Metropolitan Methodist Hospital for a fee of \$27,694.00. [Peter Zaroni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

Continued for 2 weeks

- 14. An Ordinance approving the assignment of the lease Needful Things & More in Farmers Market to Hasan K. Zubair and approving a lease amendment with Leather Creations in El Mercado to permit outdoor display of merchandise and change square footage of leased space. [A.J. Rodriguez, Deputy City Manager; Paula X. Stallcup, Director, Downtown Operations]

2011-09-01-0711

Grant Applications and Awards

- 15. An Ordinance ratifying a grant application submitted by the Office of Environmental Policy to the Department of Energy's "SunShot Initiative: Rooftop Solar Challenge to Induce Market Transformation" funded for a one-year project period for an amount up to \$335,500.00. [Edward Benavides, Chief of Staff; Laurence Doxsey, Director, Office of Environmental Policy]

2011-09-01-0712

Boards, Commissions and Committee Appointments

- 16. 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 Richard L. Lapaglia (District 6, Category: Performing Arts/Theater) and reappointing Tracey A. Curran-Herman (District 9, Category: Patron of the Arts) to the Arts and Cultural Advisory Committee.

Approved

- B. Appointing Andrew J. Salazar (District 6) to the San Antonio Youth Commission.

Approved

- C. Appointing Jesse Zuniga (District 6) to the Building Standards Board for a term of office to commence January 1, 2012 and to expire May 31, 2013.

Approved

- D. Reappointing Theodore N. Ritchie (District 6) to Keep San Antonio Beautiful, Inc. for the remainder of an unexpired term of office to expire December 22, 2012.

Approved

E. Reappointing Roberto C. Trevino (District 2, Category: Architect) to the Building and Fire Code Board of Appeals. *Approved*

F. Reappointing James A. Devno (District 2) to the City Commission on Veterans Affairs. *Approved*

G. Reappointing Vicente Garcia (District 2) to the City/County Joint Commission on Elderly Affairs. *Approved*

H. Appointing Carol A. Marler (District 9) and reappointing Alice Rose Kennedy (District 2) to the Commission for Children and Families. *Approved*

I. Reappointing Jane S. Gonzalez (District 2) to the Disability Access Advisory Committee. *Approved*

J. Reappointing Alexander Saucedo (District 2) to the Parks and Recreation Board. *Approved*

K. Reappointing Catherine E. Schneider (District 2) Linda N. Libby (District 5) to the San Antonio Commission on Literacy. *Approved*

L. Reappointing Edward H. Hardemon (District 2) to the Zoning Board of Adjustment. *Approved*

PULLED M. Reappointing Daniel C. Martinez (District 2) to the Zoning Commission. *Pulled*

N. Reappointing Steve Lopez (District 9, Category: Journeyman Electrician Open Shop) to the Electrical Board. *Approved*

O. Reappointing Daniel Zimmermann (District 9, Category: Professional Engineer) to the Mechanical Appeals and Advisory Board. *Approved*

P. Reappointing William S. Merten (District 9) to the San Antonio Housing Trust. *Approved*

Q. Reappointing Loyce J. Ince (District 9) to the San Antonio Public Library Board of Trustees for a term of office to commence October 1, 2011 and to expire September 30, 2013. *Approved*

R. Reappointing Cheryl Shaw (District 9, Category: Consumer) to the Transportation. *Approved*

Advisory Board.

City Code Amendments

PULLED

- 17. An Ordinance amending Chapter 5 of the City Code entitled "Animals," simplifying the process for citizens to address unrestrained cats and aligning the dangerous dog determination process with Municipal Court's Animal Court; providing for criminal penalties and publication. [Erik Walsh, Assistant City Manager; Gary Hendel, Director, Animal Care Services]

Miscellaneous

- 18. An Ordinance authorizing the execution of an interlocal agreement between the City of San Antonio and Medina County to establish a unified set of subdivision standards and procedures in the extraterritorial jurisdiction of the city. [T.C. Broadnax, Assistant City Manager, Roderick Sanchez, Director, Development Services Department]

2011-09-01-0713

- 19. An Ordinance authorizing an agreement with the University of Texas Health Science Center at San Antonio and the acceptance of funds in an amount up to \$91,145.00 for the San Antonio Metropolitan Health District to provide support for the Child Health Unified Research Network child hood obesity prevention project for a period beginning August 1, 2011 and ending April 30, 2012. [Sharon De La Garza, Assistant City Manager; Dr. Thomas L. Schlenker, Director, Health]

2011-09-01-0714

- 20. An Ordinance authorizing a contract renewal with the University of Texas Health Science Center at San Antonio Dental School to provide comprehensive dental services in an amount up to \$160,000.00 for the term September 1, 2011 to August 31, 2012. [Sharon De La Garza, Assistant City Manager; Dr. Thomas L. Schlenker, Director, Health]

2011-09-01-0715

- 21. An Ordinance authorizing the renewal of agreements with Texans Standing Tall, Courtney Denton and the San Antonio Council on Alcohol and Drug Abuse to provide continuing services to the San Antonio Metropolitan Health District's Tobacco Prevention and Control Program and Coalition for a cumulative amount not to exceed \$320,000.00 for a term beginning September 1, 2011 and ending August 31, 2012. [Sharon De La Garza, Assistant City Manager; Dr. Thomas L. Schlenker, Health]

2011-09-01-0716

- 22. An Ordinance approving a 6-year, 100% Tax Abatement Agreement with Sun Edison and an Ordinance creating the Sun Edison Industrial District and approving a 15-year Non-Annexation Agreement with Sun Edison. [A.J. Rodriguez, Deputy City Manager; Rene Dominguez, Director, International and Economic Development]

2011-09-01-0717

- 23. An Ordinance authorizing the release of approximately 2,717 acres of land generally located

in southwest Bexar County, near the intersection of IH 35 and Loop 1604, and south of the Medina River from the City of San Antonio's Extraterritorial Jurisdiction as requested by the City of Von Ormy. [T.C. Broadnax, Assistant City Manager, David Ellison, Interim Director, Planning & Community Development Department]

2011-09-01-0718

- 24. An Ordinance awarding High-Sierra Electronics construction contract in the amount of \$492,465.00 to improve Low Water Crossings in the City of San Antonio.[Sharon De La Garza, Assistant City Manager; Majed A. Al-Ghafry, Director, Public Works]

2011-09-01-0719

- 25. An Ordinance authorizing the execution of four (4) agreements with the Texas Department of Transportation (TxDOT) for the purchase and installation of traffic signal communications equipment for traffic signal intersections located in Council Districts 4, 6, 8 and 9. [Sharon De La Garza, Assistant City Manager; Majed A. Al Ghafray, Director, Public Works]

2011-09-01-0720

- 26. An Ordinance authorizing a Chapter 380 Economic Development Program Grant Agreement with HVHC, Inc. ("HVHC") in an estimated amount of \$3,973,200.00 over 10 years; authorizing the negotiation and execution of an associated parking agreement. [Pat DiGiovanni, Deputy City Manager / Interim Director, Center City Development Office]

2011-09-01-0721

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; David Ellison, 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 # Z2011154 (District 1):** An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-3 IDZ AHOD" General Commercial Infill Development Zone Airport Hazard Overlay District on a 0.203 acres of land out of Lot 26, Block 4, NCB 2154 (formerly Lot 7) located at 524 Delgado Street. Staff and Zoning Commission recommend approval.

2011-09-01-0722

- Z-2. **ZONING CASE # Z2011163 (District 3):** An Ordinance amending the Zoning District Boundary from "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on the east 225 feet of Lot 250, Block 25, NCB 11124 located at 563 Moursund Boulevard. Staff and Zoning Commission recommend approval.

2011-09-01-0723

- P-1. **PLAN AMENDMENT #11037 (District 5):** An Ordinance amending the land use plan

contained in the Downtown Neighborhood Plan, a component of the Master Plan of the City, by changing the use of a 0.195 acre tract of land located at 801 South Frio Street from Residential land use to Mixed Use land use. Staff and Planning Commission recommend approval. (Associated Zoning Case #Z2011140)

2011-09-01-0724

Z-3. **ZONING CASE # Z2011140 (District 5):** An Ordinance amending the Zoning District Boundary from "I-2 AHOD" Heavy Industrial Airport Hazard Overlay District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in the "C-2" Commercial District with additional Funeral Home and Mortuary uses on Lot 17, Block 98, NCB 272 located at 801 South Frio Street. Staff and Zoning Commission recommend approval, pending plan amendment.

2011-09-01-0725

P-2. **PLAN AMENDMENT #11046 (District 6):** An Ordinance amending the land use plan contained in the West/Southwest Sector Plan, a component of the Master Plan of the City, by changing the use of a 9.423 acre tract of land located northwest of the intersection of Culebra Road and Westwood Loop, more specifically described as Lot 24, Block 17, NCB 17635 from Suburban Tier land use to General Urban Tier land use. Staff and Planning Commission recommend approval. (Associated Zoning Case: #Z2011164)

2011-09-01-0726

Z-4. **ZONING CASE # Z2011164 (District 6):** An Ordinance amending the Zoning District Boundary from "C-3" General Commercial District and "C-3R" General Commercial Restrictive Alcohol Sales District to "MF-25" Multi Family District on Lot 24, Block 17, NCB 17635 located on 11000 Block of Culebra Road. Staff and Zoning Commission recommend approval pending the plan amendment.

2011-09-01-0727

Z-5. **ZONING CASE # Z2011131 S (District 8):** An Ordinance amending the Zoning District Boundary from "R-6 MLOD-1" Residential Single-Family Military Lighting Overlay District to "R-6 S MLOD-1" Residential Single-Family Military Lighting Overlay District with a Specific Use for a Wireless Communication System on 0.0574 of an acre out of Parcel 26, NCB 14861 located on a portion of the 6900 Block of West Hausman Road (also known as 7022 West Hausman Road). Staff and Zoning Commission recommend approval.

2011-09-01-0728

P-3. **PLAN AMENDMENT#11044 (District 10):** An Ordinance amending the land use plan contained in the North Sector Plan, a component of the Master Plan of the City, by changing the use of an 0.4566 acre tract of land located at 13107 Lookout Run Road from Suburban Tier land use to Specialized Center land use. Staff recommends denial. Planning Commission recommends Regional Center land use. (Associated Zoning Case: #Z2011160)

2011-09-01-0729

Z-6. **ZONING CASE # Z2011160 (District 10):** An Ordinance amending the Zoning District Boundary from "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District to "L AHOD" Light Industrial Airport Hazard Overlay District on Lot 9, Block 3, NCB 17436 located at 13107 Lookout Run. Staff recommends denial. Zoning Commission recommends approval, pending the plan amendment.

2011-09-01-0730

ADJOURN

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.