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AGENDA
City Council Meeting
Municipal Plaza Building
City Hall Complex
114 W. Commerce
San Antonio, TX 78205
June 6, 2013
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 Drew Witt, Pastor, The Gathering Church, guest of Councilmember Diego Bernal, District 1.
- 2. Pledge of Allegiance.
- 3. Approval of Minutes for the May 15 - 16, 2013 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 approving Fiscal Year 2013 and 2014 annual operating budgets for the "Pre-K 4 SA" program as adopted by the San Antonio Early Childhood Education Municipal Development Corporation in the respective amounts of \$828,684.00 and \$22,877,981.00. [Peter Zanoni, Deputy City Manager; Maria Villagomez, Budget Director]

2013 - 06 - 06 - 0382

CONSENT AGENDA

Purchase of Equipment and Supplies

- 5. An Ordinance accepting the offer from Dallas Dodge Chrysler Jeep to provide 16 turnkey Type I Ambulances for a total cost of \$2,725,000.00, from the Equipment Renewal and Replacement Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

2013 - 06 - 06 - 0383

- 6. An Ordinance authorizing the following contracts establishing unit prices for goods and services for an estimated annual cost of \$750,000.00: (A) Arrow Energy, Inc. for bulk jet-a fuel, (B) 3M Library Systems for library radio frequency identification tags, (C) OverDrive, Inc. for digital library reserve access agreement and (D) Recorded Books for recorded library books. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

2013 - 06 - 06 - 0384

- 7. An Ordinance authorizing a contract with The Winvale Group to provide the Office of the City Manager with an integrated Agenda and Legislative Management solution for an initial FY 2013 cost of \$47,468.70 and an estimated amount of \$54,480.48 annually thereafter for continued hosting and support with the contract value not to exceed \$165,509.74 through November 2015. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

2013 - 06 - 06 - 0385

Capital Improvements

- 8. An Ordinance accepting the lowest responsive bid and awarding a construction contract, including three additive alternates, in the amount of \$1,367,489.55 authorized payable to EZ Bel Construction LLC, for construction of the Tezel Road Intersection Improvements Project, a 2007 Bond Savings funded Project, located in Council District 7; of this amount, \$205,683.07 will be reimbursed by San Antonio Water Systems, and \$70,287.00 will be reimbursed by City Public Services for its work; and, amending the FY 2013 – 2018 Capital Improvement Budget with the reallocation of \$700,000.00 in 2007 - 2012 General Obligation Bond funds to the Tezel Road Intersection Improvements Project. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

SPED-00-00 2013-06-06-0386

Acquisition, Sale or Lease of Real Property

- 9. An Ordinance authorizing payment in the amount of \$162,196.90 to Texas Heritage Title, as escrow agent for title on a conservation easement, for land, due diligence and closing costs on a 317-acre tract of land known as the Martin Family Ranch located in Medina County, Texas, as part of of Edwards Aquifer Protection Program. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

SPED-00-00-2013-06-06-0387

- 10. An Ordinance approving a renewal and extension of a lease agreement between the City of San Antonio and Creekview Garden Offices, Ltd. for the continued lease of approximately 4,507 square feet of office space for City use located at 8600 Wurzbach Road, Suite 802 for a term ending June 30, 2018, at an annual rental rate of \$57,387.00 during the first three years of the renewal term, increasing to \$62,604.00 during the final two years of the renewal term, plus reimbursement of tenants prorated share of operating expenses over a base year. [Ben Gorzell, Chief Financial Officer; Jorge A. Perez, Director, Building and Equipment Services]

SPED-

2013-06-06-0388

- 11. An Ordinance authorizing an amendment to the Tower of the America's Lease and Development Agreement between the City and Willie G's Post Oak, Inc. dba Landry's Restaurants, Inc. for relocation of the Tower of the America's parking lot and revision to walkway license; an Amended and Restated Ingress and Egress Easement Agreement, a Parking Agreement and Memorandum of Understanding between the City and University of Texas at San Antonio which identifies the City's obligations to UTSA in exchange for the expanded use of UTSA's driveway into HemisFair Park from Cesar Chavez Boulevard; and, a one-time payment of \$48,000.00 authorized payable to UTSA for expanded use of an easement during construction of Henry B. Gonzalez Convention Center Expansion Project located in Council District 1. [Ed Belmares, Assistant City Manager; Jim Mery, Interim Director, Downtown Operations]

2013-06-06-0389

- 12. An Ordinance authorizing a five-year agreement with Subway Real Estate, LLC to operate a Subway restaurant from 240 E. Houston, located at street level within the Houston Street Parking Garage. [Ed Belmares, Assistant City Manager; Jim Mery, Interim Director,

SPED-00-00-5105

2013-06-06-0390

Downtown Operations Department]

- 13. An Ordinance authorizing an amendment to the National Western Art Foundation lease agreement for development of the Briscoe Art Museum at 210 W. Market Street, the former main library and Hertzberg Museum located in District 1. [Gloria Hurtado, Assistant City Manager; Ramiro Salazar, Director, Library]

2013-06-06-0391

- 14. An Ordinance authorizing the Public Use Agreement with the University of the Incarnate Word and the Board of Directors of Tax Increment Reinvestment Zone Number Eleven, City of San Antonio, Texas also known as the Inner City TIRZ for up to \$831,797.00. [David Ellison, Assistant City Manager; John Dugan, Director, Planning and Community Development]

2013-06-06-0392

Grant Applications and Awards

- 15. An Ordinance authorizing the submission of a grant application to the Department of Defense Office of Economic Adjustment in the amount of approximately \$314,180.00, and acceptance of funds upon award, to support the functions and on-going projects of the Office of Military Affairs. [Carlos Contreras, Assistant City Manager; Robert Murdock, Director, Office of Military Affairs]

2013-06-06-0393

City Code Amendments

- 16. An Ordinance amending New Residential Permit Fees. [David Ellison, Assistant City Manager; Roderick Sanchez, Director, Development Services]

2013-06-06-0394

Miscellaneous

- 17. An Ordinance awarding \$5,105,799.00 Fiscal Year 2014 Operational Support funds to various local arts and cultural organizations by extending the Operational Awards under the Fiscal Year 2012 Arts Funding Program and authorizing the execution of contracts with the various local arts agencies. [Ed Belmares, Assistant City Manager; Felix Padron, Director, Culture and Creative Development]

2013-06-06-0395

- 18. An Ordinance authorizing the settlement of a lawsuit styled *Daniel and Gloria Thomas, et al v. City of San Antonio, et al*, Civil Action Number SA-08-CA-0891, in the United States District Court, Western District of Texas, San Antonio Division, for a payment in the amount of \$180,000.00. [Michael D. Bernard, City Attorney]

2013-06-06-0396

- 19. An Ordinance authorizing the settlement of a lawsuit styled *Natasha Brown v. City of San Antonio*, Cause Number 2010-CI-13453 in the 37th Judicial District Court, Bexar County

2013-06-06-0397

Texas for payment in the amount of \$175,000.00 from the Self-Insurance Liability Fund.
 [Michael Bernard, City Attorney]

- 20. An Ordinance scheduling City Council Meetings as necessary and rescheduling all the July 2013 City Council Meetings to the next available date. [Leticia Vacek, City Clerk]

2013-06-06-0398

- 21. An Ordinance selecting River Recycling LLC, d/b/a ReCommunity, and awarding a contract to provide the Solid Waste Management Department with residential recycling processing services, for an initial term of ten years with two, five year renewal options, with an estimated \$11.5 million net revenue to the Solid Waste Operating and Maintenance Fund during the initial ten year period, and commencing on August 1, 2014. [Peter Zanoni, Deputy City Manager; David W. McCary, Director, Solid Waste Management]

2013-06-06-0399

22. City Manager's Report

- A. Community Budget Hearings
- B. Boarding Homes Update
- C. Solid Waste Update - 8105

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.

- Z-1. **ZONING CASE # Z2012215 CD (District 2):** An Ordinance amending the Zoning District Boundary from "R-5" Residential Single-Family District to "C-1 CD" Light Commercial District with a Conditional Use for Tire Repair - Auto and Small Truck (Sale and Installation Only, No Mechanical Service Permitted) on 1.852 acres out of Parcel 112, NCB 10832 located at 2710 Rigsby Avenue. Staff and Zoning Commission recommend approval. (Continued from April 18, 2013)

CONTINUED

- Z-2. **ZONING CASE # Z2013108 CD (District 2):** An Ordinance amending the Zoning District Boundary from "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District to "RM-4 CD AHOD" Residential Mixed Airport Hazard Overlay District with a Conditional Use for a Non-Commercial Parking Lot on Lot 8, the north 48.62 feet of Lot 10, and the north 48.62 feet of Lot 11, Block 3, NCB 661 located at 724 Indiana Street and 909 South Pine Street. Staff and Zoning Commission recommend approval, with conditions.

2013-06-06-0400

- Z-3. **ZONING CASE # Z2013035 (District 2):** An Ordinance amending the Zoning District

Boundary from "MF-33 AHOD" Multi-Family Airport Hazard Overlay District to "C-3 AHOD" General Commercial Airport Hazard Overlay District on Lot 1, Block 1, NCB 14057 located at the northwest corner of Interstate Highway 10 and Roland Avenue. Staff and Zoning Commission recommend approval. (Continued from May 16, 2013)

2013-06-06-0401

Z-4. **ZONING CASE # Z2013115 CD (District 3):** 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 Motor Vehicle Sales on Lots 11, 12, and 13 and the south 11 feet of Lot 10, Block 83, NCB 9365 located at 2619 Commercial Avenue. Staff and Zoning Commission recommend approval.

2013-06-06-0402

Z-5. **ZONING CASE # Z2013107 S (District 3):** An Ordinance amending the Zoning District Boundary from "RP" Resource Protection District to "RP S" Resource Protection District with a Specific Use Authorization for a Manufactured Home on 1 acre out of , County Block 4012 and County Block 4180 located on a portion of the 16000 Block of Laredo Road. Staff and Zoning Commission recommend approval.

2013-06-06-0403

Z-6. **ZONING CASE # Z2013089 (District 4):** An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District and "C-3R AHOD" General Commercial Restrictive Alcohol Sales Airport Hazard Overlay District to "MF-40 AHOD" Multi-Family Airport Hazard Overlay District on Lots 36 & 37, Block 3, NCB 15176 located on portions of the 2900 Block of Southwest Loop 410 and the 7700 Block of West Highway 90. Staff and Zoning Commission recommend approval. (Continued from May 2, 2013)

Withdrawn by applicant

Z-7. **ZONING CASE # Z2013106 (District 5):** An Ordinance amending the Zoning District Boundary from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "RM-5 AHOD" Residential Mixed Airport Hazard Overlay District on Lots 25 & 26, Block 3, NCB 8291 located at 639 North San Augustine. Staff and Zoning Commission recommend approval.

2013-06-06-0404

Z-8. **ZONING CASE # Z2013104 (District 5):** An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Lots 5 & 6, Block 2, NCB 2307 located at 1416, 1420, 1424, 1428, and 1430 West Commerce Street. Staff and Zoning Commission recommend approval.

2013-06-06-0405

P-1. **PLAN AMENDMENT #13027 (District 6):** An Ordinance amending the future land use plan contained in the West/Southwest Sector Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use of a 0.8396 acre tract out of NCB 8669 located at 2702 Castroville Road from Civic Center to General Urban Tier. Staff and Planning Commission recommend approval. (Associated Zoning Case # Z2013097 CD)

2013-06-06-0406

Z-9. **ZONING CASE # Z2013097 CD (District 6):** An Ordinance amending the Zoning District Boundary from "C-1 AHOD" Light Commercial Airport Hazard Overlay District to "C-2NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Conditional Use for a Funeral Home on Lot 11, NCB 8669 located at 2702 Castroville Road. Staff and Zoning recommend approval pending the plan amendment. (Associated Plan Amendment Case # 13027)

2013 - 06 - 06 - 0407

Z-10. **ZONING CASE # Z2013103 ERZD (District 8):** An Ordinance amending the Zoning District Boundary from "C-2" Commercial District, "C-3" General Commercial District and "C-3 ERZD" General Commercial Edwards Recharge Zone District to "MF-33" Multi-Family District on 16.884 acres out of Lot 1, Block 1, NCB 17333 located on a portion of the 11000 Block of Huebner Road. Staff and Zoning Commission recommend approval.

2013 - 06 - 06 - 0408

Z-11. **ZONING CASE # Z2013126 CD (District 8):** An Ordinance amending the Zoning District Boundary from "C-3NA" General Commercial Nonalcoholic Sales District and "O-2" High-Rise Office District to "C-2NA CD" Commercial Nonalcoholic Sales District with a Conditional Use for Motor Vehicle Sales (full service) on 4.2844 acres and "C-2NA" Commercial Nonalcoholic Sales District on 0.3662 of an acre on 4.6506 acres out of Lot 93, NCB 11630 located on a portion of 8333 IH 10 West. Staff and Zoning Commission recommend approval and authorization of an eight (8) foot fence on the property pursuant to 35-514 (d)(2)(D).

2013 - 06 - 06 - 0409

Z-12. **ZONING CASE # Z2013081 ERZD (District 8):** An Ordinance amending the Zoning District Boundary from "C-3 ERZD MLOD-1" General Commercial Edwards Recharge Zone Camp Bullis Military Lighting Overlay District and "C-3 ERZD MLOD-1 UC-1" General Commercial Edwards Recharge Zone Camp Bullis Military Lighting Overlay IH-10/FM 1604 Urban Corridor District to "MF-33 ERZD MLOD-1" Multi-Family Edwards Recharge Zone Camp Bullis Military Lighting Overlay District and "MF-33 ERZD MLOD-1 UC-1" Multi-Family Edwards Recharge Zone Camp Bullis Military Lighting Overlay IH-10/FM 1604 Urban Corridor District on 16.07 acres out of NCB 14859 located at 15502 Babcock Road. Staff and Zoning Commission recommend approval. (Continued from May 16, 2013)

2013 - 06 - 06 - 0410

Z-13. **ZONING CASE # Z2013112 CD (District 10):** An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District and "C-2 MC-3 AHOD" Commercial Austin Highway/Harry Wurzbach (TAPS Memorial Boulevard) Metropolitan Corridor Overlay Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Auto and Light Truck Repair and "C-2 CD MC-3 AHOD" Commercial Austin Highway/Harry Wurzbach (TAPS Memorial Boulevard) Metropolitan Corridor Overlay Airport Hazard Overlay District with a Conditional Use for Auto and Light Truck Repair on 1.212 acres out of Lots 23 and 24, Block A, NCB 8695 located at 1331 Austin Highway. Staff and Zoning Commission recommend approval.

CONTINUED

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.

5040-00-00-2105

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0140-00-00-2105