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CITY OF SAN ANTONIO
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AGENDA
City Council Meeting
Municipal Plaza Building
City Hall Complex
114 W. Commerce
San Antonio, TX 78205
June 7, 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 Dr. B.S. Kasinath, Professor of Nephrology, University of Texas Health Science Center at San Antonio, guest of Mayor Julián Castro.
2. Pledge of Allegiance.
3. Approval of Minutes for the May 2 - 3, 2012 City Council meetings.

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

CONSENT AGENDA

Capital Improvements

4. An Ordinance authorizing the negotiation and execution of five on-call Architectural Services agreements, with Beaty Palmer Architects, WestEast Design Group, LLC, Alvidrez Architects, Inc., Chesney Morales & Associates, Inc. and Debra J. Dockery Architect, P.E., each in the amount not to exceed \$500,000.00 per year, to provide as-needed architectural consulting services for City-owned facilities and improvements, construction projects and planning projects located City-wide. [Peter Zanoni, Assistant City Manager, Mike Frisbie, Director, Capital Improvements Management Services]

2012-06-07-0397

5. An Ordinance ratifying an owner-requested change order for additional construction work completed beyond original project limits in the total increased amount of \$553,084.12 to the previously allocated \$9,273,553.83 construction contract with Ballenger Construction Company for the DeZavala Road (Babcock to Cogburn) project, an authorized 2007-2012 General Obligation Bond funded project, located in Council District 8. [Peter Zanoni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2012-06-07-0398

6. An Ordinance authorizing an Interlocal Agreement with the San Antonio River Authority for project management of 2010 Sales Tax Venue – Greenway Project for hike and bike trail improvements in association with the Westside Creeks Restoration Project located in City Council Districts 1, 3, 5 and 7, as well as the 2012 Bond Project and 2012 Stormwater Regional Facilities Project for park and stormwater improvements in the Elmendorf Lake Park area located in City Council District 5, for a total contract cost not to exceed \$15,116,980.00 to be leveraged with a projected \$7,000,000.00 in Bexar County Flood Control funding to enhance water quality of the lake and flood control enhancements of the

2012-06-07-0399

associated tributary. [Ed Belmares, Assistant City Manager; Xavier Urrutia, Director, Parks & Recreation]

7. Consideration of the following ordinances related to the Phil Hardberger Park Phase 3 Urban Ecology Center project, an authorized Certificates of Obligation, 2012 Parks, Recreation and Open Space Improvements Bond and Texas Parks and Wildlife Department Grant funded project, located in Council Districts 8 and 9: [Peter Zaroni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

- A. An Ordinance authorizing the negotiation and execution of a construction contract with eight additive alternates in an amount not-to-exceed \$6,378,000.00 payable to Guido Brothers Construction Co, Inc. for the Phil Hardberger Park Phase 3 Urban Ecology Center project.

2012-06-07-0400

- B. An Ordinance authorizing the approval of an Interagency Participation Agreement with San Antonio Water System (SAWS) in which the City will receive up to \$100,000.00 from SAWS for design and construction related to water conservation and storm water management features at the Phil Hardberger Park Urban Ecology Center.

2012-06-07-0401

8. Consideration of the following Ordinances related to the demolition of the former San Antonio Water System Headquarters Building, a Certificates of Obligation and 2007-2012 General Obligation Bond funded project, located in Council District 1: [Peter Zaroni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

- A. An Ordinance awarding a construction contract in the amount of \$527,000.00 payable to Hunter Demolition & Wrecking Corp. for the demolition of the former San Antonio Water System Headquarters Building.

2012-06-07-0402

- B. An Ordinance amending the on-call professional services agreement with TLI Environmental Services, Inc. for asbestos abatement and related construction services to increase the contract capacity in an amount not to exceed \$150,000.00 for the current year for a total amount not to exceed \$480,000.00.

2012-06-07-0403

Acquisition, Sale or Lease of Real Property

9. An Ordinance authorizing the renewal of two ground lease agreements presently in force with the Greater San Antonio Chamber of Commerce, for land owned by the City located at 602 East Commerce Street in Council District 1 for renewal terms that will terminate July 31, 2038 at no charge for rent. [Ben Gorzell, Chief Financial Officer; Jorge A. Perez, Director, Building and Equipment Services]

2012-06-07-0404

10. An Ordinance authorizing the acquisition through negotiation or condemnation of interests in land sufficient for project purposes in a portion of five parcels of privately-owned real property located in NCBs 2533 and 2534 in Council District 5 for the South Zarzamora and Ceralvo Intersection Improvement Project; declaring it to be a public project; and a public necessity for the acquisition; and authorizing expenditures not to exceed \$200,000.00 payable to the selected title company for land and associated closing costs. [Peter Zaroni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2012-06-07-0405

11. An Ordinance authorizing ten 10-year License Agreements with NuStar Logistics, L.P. for use of public right-of-way, located under Binz-Engleman Road (NCB 12201), Interstate Drive (NCB 17501), Springfield Road (NCB 10599), Corner Parkway (NCB 10597), Centerpiece Drive (NCB 10597), Cotton Belt Road (NCB 18010), Dietrich Road (NCB 18010), Lula Mae Drive (NCB 12865), Stout Drive (NCB 16776), and Pop Gunn Drive (NCB 12867) to install common carrier piping under the roadway for its San Antonio Supply Expansion Pipeline project located in Council District 2, for a total fee of \$50,387.18. [Peter Zaroni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2012-06-07-0406

Boards, Commissions and Committee Appointments

12. An Ordinance appointing Kausi S. Subramaniam and Larry S. Anthis as At-Large, Business Community/Chamber Representatives, and Chad D. Taylor as an At-Large, General Community Representative, to the Convention and Visitors Commission for the remainder of unexpired terms of office to expire May 31, 2013, effective immediately upon the receipt of eight affirmative votes, or, in the event eight affirmative votes are not received, ten days after appointment; and waiving the city code residency requirement in Chapter 2, Article IX, Sec. 2-529(b) for Ms. Subramaniam's appointment. [Leticia M. Vacek, City Clerk]

2012-06-07-0407

Miscellaneous

13. An Ordinance awarding a City Council Project Funds allocation to the Martin Luther King, Jr. Scholarship Fund in an amount up to \$13,700.00. [Edward Benavides, Chief of Staff; Chris Callanen, Assistant to City Council]

2012-06-07-0408

14. An Ordinance approving a consent agreement and amendment to the Walzem Road Redevelopment Master Economic Incentive Agreement among the City of Windcrest, the Windcrest Economic Development Corporation, Windcrest Economic Development Company, L.L.C., Bexar County, the City of San Antonio and Rackspace US, Inc dba Rackspace Hosting. [Pat DiGiovanni, Deputy City Manager; Rene Dominguez, Director, Economic Development]

2012-06-07-0409

15. An Ordinance approving an amendment to the Competitive Matter Memorandum of Understanding between the City and CPS Energy as authorized by Ordinance No. 99907 on October 21, 2004, allowing further pricing flexibility to CPS Energy in pursuing certain wholesale off-system sales. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

2012-06-07-0410

16. An Ordinance authorizing an amendment to an agreement with the Urban Renewal Agency for the City of San Antonio dba the Office of Urban Redevelopment San Antonio to conduct activities in conjunction with the City's Infill Pilot Program. [Pat DiGiovanni, Deputy City Manager; Mark Brodeur, Director, Center City Development Office]

2012-06-07-0411

17. Consideration of the following ordinances relating to the use of Chapter 380 Loan and Grant Agreements for residential housing as part of the City's Inner-City Reinvestment/Infill Program: [Pat DiGiovanni, Deputy City Manager; Mark Brodeur, Director, Center City Development Office]

- A. An Ordinance authorizing the negotiation and execution of a Chapter 380 Economic Development Program Loan and Grant Agreement with David Anderson Homes in an amount up to \$823,500.00.

2012-06-07-0412

- B. An Ordinance authorizing the negotiation and execution of a Chapter 380 Economic Development Program Loan and Grant Agreement with Whitecap Waves Inc. dba Greenboro Homes in an amount up to \$823,500.00.

2012-06-07-0413

18. City Manager's Report

- A. 2012-2017 Bond Kick Off and Request for Qualifications Pre-Submission Conference
B. National Civic League 2012 All America City Award
C. Americans for the Arts Conference

19. At any time during the meeting, the City Council may recess into executive session to discuss the following:

- A. Deliberate the purchase, exchange, lease or value of real property and discuss related legal issues pursuant to Texas Government Code Sections 551.072 (real property) and 551.071 (consultation with attorney).
B. Deliberations regarding economic development negotiations and discuss related legal issues pursuant to Texas Government Code Sections 551.087 (economic development) and 551.071 (consultation with attorney).

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.

20. A Resolution to initiate an amendment to the Nogalitos/South Zarzamora Community Plan, a component of the Master Plan of the City; and a change in the Zoning District Boundary for 7.662 acres out of Lots 13, 14, 15, 16, 21, 22, 23 and 24, Block 108, NCB 7973; Lots 1, 2 and 3, Block 1, NCB 13372 and portions of Lenard and Ella Street; located at 1201 Lenard (also known as 1406 Fitch), 419, 323, 319, 311, 307 and 303 Berlin Avenue, and portions of Lenard and Ella Street, as requested by Councilman Saldana District 4.

2012-06-07-0016R

- Z-1. ~~ZONING CASE # Z2012090 (District 1):~~ An Ordinance amending the Zoning District Boundary from "C-2 RIO-2 AHOD" Commercial River Improvement Overlay Airport Hazard Overlay District to "C-2 IDZ RIO-2 AHOD" Commercial Infill Development Zone River Improvement Overlay-2 Airport Hazard Overlay District on the east 98.93 feet of the north 66.7 feet of Lot 13, Block 18 (also known as Block 2 and as Block 7), NCB 964 located at 400 Pearl Parkway. Staff and Zoning Commission recommend approval.

2012-06-07-0414

- Z-2. ~~ZONING CASE # Z2012083 (District 2):~~ An Ordinance amending the Zoning District Boundary from "MF-33 AHOD" Multi-Family Airport Hazard Overlay District to "O-1 IDZ AHOD" Office Infill Development Zone Airport Hazard Overlay District on a 0.14 of an acre out of Lots 19 and 20, Block 4, NCB 487 located at 128 Mason Street. Staff and Zoning Commission recommend approval.

2012-06-07-0415

- Z-3. ~~ZONING CASE # Z2012094 (District 2):~~ An Ordinance amending the Zoning District Boundary from "MF-33 EP-1 AHOD" Multi-Family Facility Parking/Traffic Control Overlay Airport Hazard Overlay District and "O-2 EP-1 AHOD" High-Rise Office Facility Parking/Traffic Control Overlay Airport Hazard Overlay District to "RM-4 IDZ EP-1 AHOD" Residential Mixed Infill Development Zone Facility Parking/Traffic Control Overlay Airport Hazard Overlay District on 2.379 acres out of NCB 1355, NCB 1354, NCB 1352 and including portions of Hudson and Poinsettia (also known as Nolan) streets located northwest of the intersection of North Walters Street and Eross Street. Staff and Zoning Commission recommend approval.

2012-06-07-0416

- Z-4. ~~ZONING CASE # Z2012081 (District 3):~~ An Ordinance amending the Zoning District Boundary from "MF-33" Multi-Family District to "G" Golf Course District on 59.216 acres out of Block 1, NCB 13485 and 42.011 acres out of Block 2, NCB 13486 located at 3600

East Southcross Boulevard (also known as 4700 Pecan Valley Drive). Staff recommends approval. Zoning Commission recommendation pending the June 5, 2012 public hearing.

2012-06-07-0417

Z-5. **ZONING CASE # Z2012091 (District 3):** 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 the south 377.83 feet of Lot 8, Block 7, NCB 9572 located at 107 through 133 Goliad Road. Staff and Zoning Commission recommend approval.

2012-06-07-0418

P-1. **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 from May 17, 2012)

continued

Z-6. **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 from May 17, 2012)

continued

Z-7. **ZONING CASE # Z2012099 (District 9):** An Ordinance amending the Zoning District Boundary from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on the north 294.82 feet of the west 72.6 feet of Lot 21, NCB 11887 located at 155 West Sunset Road. Staff and Zoning Commission recommend approval.

2012-06-07-0419

Z-8. **ZONING CASE # Z2012098 (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 65, Block 7, NCB 11971 located at 10100 Reunion Place. Staff and Zoning Commission recommend approval.

2012-06-07-0420

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.