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AGENDA
City Council Meeting
Municipal Plaza Building
City Hall Complex
114 W. Commerce
San Antonio, TX 78205
April 5, 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
- 11:30AM:** Reappointment of Municipal Court Judges
- 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.

0450-20-40-3105

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. Kent Kinard, Pastor, Chapel Hill United Methodist Church, guest of Councilmember Rey Saldaña, District 4.
2. Pledge of Allegiance.
3. Approval of Minutes for the February 29 - March 1, 2012 City Council meetings.

ACTION ITEM FOR STAFF BRIEFING

4. An Ordinance authorizing a three-year Hosting Obligation Agreement, with one two-year renewal option, with TI Live Events Inc. to host the People en Español Festival; appropriating payment of \$500,000.00 from the Hotel Occupancy Tax Fund as a hosting obligation; and authorizing corresponding License Agreements for the Alamodome and the Henry B. Gonzalez Convention Center. [Ed Belmares, Assistant City Manager; Casandra Matej, Director, Convention & Visitors Bureau]

2012-04-05-0238

11:30 A.M. TIME CERTAIN ITEM (may be heard after this time):

5. An Ordinance reappointing full-time Municipal Court Judges for a term effective May 1, 2012 to April 30, 2014; and establishing judicial salaries and benefits. [John Bull, Presiding Judge, Municipal Courts]

2012-04-05-0239

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

CONSENT AGENDA

Purchase of Equipment and Supplies

6. An Ordinance authorizing the following contracts establishing unit prices for annual goods and services: (A) Southwest Wheel for trailer parts & service (B) Toter, Incorporated for refuse containers-two wheel carts and (C) Amending the current contract for security system equipment, installation & maintenance to include Intertech Security Group, LLC., with no

2012-04-05-0240

change to the original contract cost. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

Capital Improvements

7. An Ordinance authorizing the negotiation and execution of a professional services contract, in an amount not to exceed \$2,500,000.00, with URS Corporation to provide engineering services, construction plans, details, specifications, and bid document for road construction, sanitary sewer/ steam/chilled water lines, AT&T lines and CPS underground electrical, coordination with other affected agencies such as TxDOT, VIA, Utilities, and the Convention & Visitors Bureau and construction management services for the downtown Market Street Realignment Project, a Certificates of Obligation and General Obligation Bond funded Project, located in Council District 1. [Peter Zaroni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2012-04-05-0241

8. An Ordinance ratifying two change orders in the total additive amount of \$461,093.73 and authorizing payment to Capital Excavation Company, for the Commercial Tributary Drainage Channel Reconstruction Phase II (Petaluma Boulevard to IH-35) Project, an authorized 2007-2012 General Obligation Bond funded project, located in Council Districts 3 and 4; of which \$263,903.73 will be reimbursed by the San Antonio Water System. [Peter Zaroni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2012-04-05-0242

Acquisition, Sale or Lease of Real Property

9. An Ordinance authorizing the execution of a five year Parking Space Lease Agreement with Serene Lodging, Inc. for the use of a 13,146 square foot City-owned lot located at 302 W. Houston Street in Council District 1 for the term commencing April 1, 2012 through March 31, 2017 at the rate of \$4,750.00 per month. [Ben Gorzell, Chief Financial Officer; Jorge A. Perez, Director, Building and Equipment Services]

2012-04-05-0243

10. An Ordinance authorizing the execution of a lease agreement with Centerview Marketplace, LP, for use of 6,163 square feet of office space at 4335 Piedras Drive in Council District 7 for the purposes of housing Solid Waste Management Department at the initial monthly rate of \$8,603.00 increasing to \$9,630.00 per month in the final year of the term which will commence upon occupancy by the Department and expire on July 31, 2017. [Ben Gorzell, Chief Financial Officer; Jorge A. Perez, Director, Building and Equipment Services]

2012-04-05-0244

Street Closures and Traffic Control Procedures

11. An Ordinance authorizing the closure, vacation and abandonment of a 0.683 acre portion of improved public right-of-way located on Bryn Mawr Drive between NCB 9059 and NCB 11762 in Council District 10, as requested by Mount Calvary Lutheran Church for a fee of

2012-04-05-0245

\$74,569.00. [Peter Zanoni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

12. An Ordinance approving the temporary closure of certain streets for the 2012 Fiesta San Antonio celebration; approving the locations, dates and times for the Fiesta Carnival and official Fiesta events with related requirements and conditions and approving the Fiesta parade routes. [Pat DiGiovanni, Deputy City Manager; Jim Mery, Interim Director, Downtown Operations]

2012-04-05-0246

Boards, Commissions and Committee Appointments

13. 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. Reappointing James E. Montgomery, Victoria Outlaw, and Robert J. Wortham to the Tax Increment Reinvestment Zone Number 4, known as Highland Heights. *Approved*

B. Reappointing Edward R. Campos, Lance F. Elliott, Danny C. McKnight, and Dale E. Slinkard to the Tax Increment Reinvestment Zone Number 24, known as Palo Alto. *Approved*

C. Appointing John B. Shaver and reappointing Angel J. Gonzalez, Gloria S. Martinez, Rod J. Radle, and Michael W. White to the Tax Increment Reinvestment Zone Number 2, known as Rosedale. *Approved*

Miscellaneous

14. An Ordinance authorizing the settlement of claims brought by Silverado Brothers Construction Co. in the amount of \$96,000.00, paid from the Self Insurance Fund. [Sheryl Sculley, City Manager; Michael D. Bernard, City Attorney]

2012-04-05-0247

15. An Ordinance authorizing the settlement of a lawsuit styled *Janel Wissman v. City of San Antonio* for the amount of \$75,500.00, paid from the Self-Insurance Liability Fund [Sheryl Sculley, City Manager; Michael D. Bernard, City Attorney]

2012-04-05-0248

16. An Ordinance authorizing the purchase of (A) Excess General Liability and Excess Workers' Compensation Insurance from Star Insurance Company for a term from May 1, 2012 to May 1, 2013 at an annual premium of \$493,640.00 and (B) Aircraft Hull and Liability Insurance from ACE USA Insurance Company for a term from May 1, 2012 to

May 1, 2013, at an annual premium of \$136,640.00, funded by the FY 2012 budget. [Ed Belmares, Assistant City Manager; Martha Sepeda, Interim Director, Human Resources]

2012-04-05-0249

17. An Ordinance accepting donations and pledges in the amount of \$90,000.00 from the San Antonio Public Library Foundation and the San Antonio Hispanic Chamber of Commerce to the San Antonio Public Library to bring the JASON Project to the Central Library. [David Ellison, Assistant City Manager; Ramiro Salazar, Director, Library]

2012-04-05-0250

18. An Ordinance authorizing a Funding Agreement with Sports Outdoor and Recreation (SOAR) Park for the expenditure of up to \$100,000.00 from the General Fund for the operations of Morgan's Wonderland located in City Council District 10. [Ed Belmares, Assistant City Manager; Xavier Urrutia, Director, Parks & Recreation]

2012-04-05-0251

19. City Manager's Report

- A. Convention & Visitors Bureau Update
- B. Graffiti Wipeout Program Update

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. An Ordinance waiving the requirements of Section 4-6, 4-6(d)(6) and 4-6(e)(1) of the City Code and authorizing a variance request to allow City Base West, LP, D/B/A City Base Diner located at 2619 Southeast Military Drive, Suite 117, to sell alcoholic beverages for on-premise consumption as a "Food Service Establishment without cover charge 3 or more days per week (with or without accessory live entertainment)" within three hundred (300) feet of the Seidel Learning Center, a public educational institution located in Council District 3.

2012-04-05-0252

21. An Ordinance waiving the requirements of Sections 4-6, 4-6(d)(6) and 4-6(e)(1) of the City Code and authorizing a variance request to allow Murphy Oil USA, Inc - D/B/A Murphy Express #8679, located at 2519 Southeast Military Drive, to sell alcoholic beverages for off-premise consumption at a "Convenience Store with Gasoline" within three-hundred (300) feet of the Seidel Learning Center, a public educational institution located in Council District 3.

2012-04-05-0253

P-1. PLAN AMENDMENT CASE # 12023 (District 1): An Ordinance amending the future

land use plan contained in the Near Northwest Community Plan, a component of the Comprehensive Master Plan of the City, by changing the use of a 0.457 acre tract of land located at 1302 Gardina Street from High Density Residential land use to Community Commercial land use. Staff and Planning Commission recommend approval. (Zoning case has not been submitted at this time.)

2012-04-05-0254

- P-2. **PLAN AMENDMENT #12010 (District 1):** An Ordinance amending the land use plan contained in the Near Northwest Community Plan, a component of the Comprehensive Master Plan of the City, by changing the land use of a 0.4132 acre tract of land located at 1726 Fredericksburg Road from Neighborhood Commercial to Community Commercial. Staff and Planning Commission recommend denial. (Associated Zoning Case: #Z2012061)

Continued

- Z-1. **ZONING CASE # Z2012061 CD (District 1):** An Ordinance amending the Zoning District Boundary from "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District to "C-2NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Conditional Use for a Tattoo Parlor/Studio on Lots 12, 13 and 14, Block 50, NCB 2744 located at 1726 Fredericksburg Road. Staff and Zoning Commission recommend denial.

Continued

- Z-2. **ZONING CASE # Z2012066 S (District 1):** An Ordinance amending the Zoning District Boundary from "C-3NA H AHOD" General Commercial Nonalcoholic Sales Tobin Hill Historic Airport Hazard Overlay District to "IDZ S H AHOD" Infill Development Zone Tobin Hill Historic Airport Hazard Overlay District with uses permitted in the "C-2NA" Commercial Nonalcoholic Sales District, Laboratory - Testing and Research, Cosmetics Manufacturing and Processing and a Specific Use Authorization for Biomedical Products-Manufacturing on Lot 8, Block 13, NCB 1734 located at 620 East Dewey Place. Staff recommends approval of "IDZ" with uses permitted in "C-2NA" with Laboratory - Testing and Research and denial of the request for Cosmetics Manufacturing and Processing and the Specific Use Authorization for Biomedical Products Manufacturing. Zoning Commission recommends approval.

2012-04-05-0255

- P-3. **PLAN AMENDMENT #12025 (District 2):** An Ordinance amending the land use plan contained in the IH-10 East Corridor Perimeter Plan, a component of the Master Plan of the City, by changing the land use of a 1.8485 tract of land located at the northwest corner of Bicentennial Drive and Interstate Highway 10 East more specifically described as NCB 17980 P-13C and NCB 17980 BLOCK 1 Lot 6 and 5930 Bicentennial Drive, from Parks/Open Space and Industrial to Industrial. Staff and Planning Commission recommend approval. (Associated Zoning Case: #Z2012060S)

Continued

- Z-3. **ZONING CASE #Z2012060 S (District 2):** An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District to "I-2 S AHOD" Heavy Industrial Airport Hazard Overlay District with a Specific Use Authorization for a Bulk Plant or Terminal on Parcels 13B and 13C, NCB 17980 and Lots 5 and 6, Block 1, NCB 17980 located northwest of the intersection of IH 10 East and Bicentennial Drive. Staff and Zoning Commission recommend approval pending the plan amendment.

Continued

Z-4. ZONING CASE # Z2012065 S (District 3): An Ordinance amending the Zoning District Boundary from "H I-2 AHOD" Mission Historic Heavy Industrial Airport Hazard Overlay District to "H C-2 S AHOD" Mission Historic Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Party House/Reception Hall/Meeting Facility on a 0.9240 of an acre tract of land out of NCB 11176 located at 1319 March Avenue. Staff and Zoning Commission recommend approval.

2012-04-05-0256

Z-5. ZONING CASE # Z2012073 (District 3): An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District on 4.433 acres out of NCB 11128 located at 331 West Buchanan Boulevard and 300 West Villaret Boulevard. Staff recommends denial of C-2NA with an alternate recommendation of "R-4 CD" Residential Single-Family District with a Conditional Use for a Non-Commercial Parking Lot. Zoning Commission recommendation pending the April 3, 2012 public hearing.

2012-04-05-0257

P-4. PLAN AMENDMENT #12026: An Ordinance amending the land use plan contained in the Heritage South Sector Plan, a component of the Comprehensive Master Plan of the City, by changing the use of approximately 120.06 acres located at the southeast corner of Fischer Road and IH-35, and further described as CB 4301 P-45 and P-46 ABS 6, located within City South Management Authority and closest to Council District 4, from Regional Center and Suburban Tier to Agribusiness/RIMSE Tier. Staff, City South Management Authority, and Planning Commission recommend approval. (A zoning application has not been submitted at this time.)

2012-04-05-0258

P-5. PLAN AMENDMENT #12021 (District 5): An Ordinance amending the land use plan contained in the Downtown Neighborhood Plan, a component of the Comprehensive Master Plan of the City, by changing the land use of a 0.4189 acre tract of land located at 701 South Frio Street from Residential to Mixed Use. Staff and Planning Commission recommend approval. (Associated Zoning Case: #Z2012062)

2012-04-05-0259

Z-6. ZONING CASE # Z2012062 S (District 5): An Ordinance amending the Zoning District Boundary from "I-2 AHOD" Heavy Industrial Airport Hazard Overlay District to "C-2P S AHOD" Commercial Pedestrian Airport Hazard Overlay District with a Specific Use Authorization for a Bail Bond Agency on a 560.78 square feet out of Lots 1, 2 and 3, Block 96, NCB 271 located at 701 South Frio Street. Staff recommends approval. Zoning Commission recommends denial.

2012-04-05-0260

Z-7. ZONING CASE # Z2012068 (District 5): An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District and "I-2 AHOD" Heavy Industrial Airport Hazard Overlay District to "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District on Lot 16, Block 51, NCB 199 located at 804 North San Marcos. Staff and Zoning Commission recommend approval and authorization of a seven (7) foot fence on all sides of the property pursuant to

2012-04-05-0261

35-514(d)(2)D.

Z-8. ZONING CASE # Z2012041 S (District 6): An Ordinance amending the Zoning District Boundary from "C-3 GC-2 AHOD" General Commercial Highway 151 Gateway Corridor Overlay Airport Hazard Overlay District to "C-3 S GC-2 AHOD" General Commercial Highway 151 Gateway Corridor Overlay Airport Hazard Overlay District with a Specific Use Authorization for a Helistop on a 0.268 of an acre tract of land being out of Lot 3, Block 50, NCB 17642 located at 10811 Town Center Drive. Staff and Zoning Commission recommend approval. (Continued from March 15, 2012)

Continued

Z-9. ZONING CASE # Z2012049 (District 7): An Ordinance amending the Zoning District Boundary from "R-4 AHOD NCD-8" Residential Single-Family Airport Hazard Overlay Woodlawn Lake Area Neighborhood Conservation District to "RM-4 AHOD NCD-8" Residential Mixed Airport Hazard Overlay Woodlawn Lake Area Neighborhood Conservation District on Lot 5, Block 32, NCB 1974 located at 1719 West Craig Place. Staff recommends approval. Zoning Commission recommends denial. (Continued from March 15, 2012)

Continued

Z-10. ZONING CASE # Z2012007 ERZD (District 9): An Ordinance amending the Zoning District Boundary from "C-2 ERZD AHOD MLOD" Commercial Edwards Recharge Zone Airport Hazard Overlay Military Lighting Overlay District, "C-1 ERZD AHOD MLOD" Light Commercial Edwards Recharge Zone Airport Hazard Overlay Military Lighting Overlay District, "MF-25 ERZD AHOD MLOD" Multi-Family Edwards Recharge Zone Airport Hazard Overlay Military Lighting Overlay District, "R-6 ERZD AHOD MSAO MLOD" Residential Single-Family Edwards Recharge Zone Airport Hazard Overlay Military Sound Attenuation Overlay Military Lighting Overlay District and "R-6 ERZD AHOD MLOD" Residential Single-Family Edwards Recharge Zone Airport Hazard Overlay Military Lighting Overlay District to "PUD R-6 ERZD AHOD MLOD" Planned Unit Development Residential Single-Family Edwards Recharge Zone Airport Hazard Overlay Military Lighting Overlay District on 191.202 acres, "PUD R-6 ERZD AHOD MSAO MLOD" Planned Unit Development Residential Single-Family Edwards Recharge Zone Airport Hazard Overlay Military Sound Attenuation Overlay Military Lighting Overlay District on 11.733 acres and "C-2 ERZD AHOD MLOD" Commercial Edwards Recharge Zone Airport Hazard Overlay Military Lighting Overlay District on 1.574 acres on 204.509 acres out of NCB 17701 and NCB 16334 located northeast of the intersection of Northwest Military Highway and North Loop 1604 West. Staff recommends approval of "PUD R-6" on the 11.733 acre tract and approval of "C-2" on the 1.574 acre tract and denial of "PUD R-6" on the 191.202 acre tract. Zoning Commission recommends approval.

2012-04-05-0262

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.