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AGENDA
City Council Meeting
Municipal Plaza Building
City Hall Complex
114 W. Commerce
San Antonio, TX 78205
June 16, 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 Father Edward Hauf, OMI, St. Mary's Catholic Church. Guest of Councilmember Mary Alice P. Cisneros, District 1.
2. Pledge of Allegiance.
3. Approval of Minutes for the June 1-2, 2011 City Council meetings.

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

ACTION ITEMS FOR STAFF BRIEFING

4. Briefing and possible action on legislation filed and adopted in the 82nd Regular State Legislative Session. [A.J. Rodriguez, Deputy City Manager; Carlos Contreras, Director, Intergovernmental Relations]

CONSENT AGENDA

Capital Improvements

5. An Ordinance awarding a Design/Build Services Agreement to Sabre Communications Company in an amount up to \$1,500,000.00 for the design, fabrication and installation of the Public Safety Communications Tower Site project, a Certificates of Obligation funded project, located in Council District 5. [Erik Walsh, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2011-06-16-0495

6. An Ordinance awarding a construction contract to Shannon-Monk, Inc. in the amount of \$253,700.00 for the Bonnie Connor Park Phase III (formerly Hausman Road Park Development) Project, an authorized 2007-2012 General Obligation Bond project located in Council District 8. [Peter Zanoni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2011-06-16-0496

7. An Ordinance authorizing an amendment in the increased amount of \$121,955.50 to the \$680,588.60 professional services agreement with Kell Munoz Architects, Inc. for the

Mission Marquee Outdoor Plaza Project and Mission Site Playground Improvements, an authorized Housing and Urban Development (HUD) 108 Loan funded project, located in Council District 3. [Peter Zaroni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2011-06-16-0497

8. An Ordinance authorizing an Advanced Funding Agreement with the Texas Department of Transportation and authorizing payment in the amount up to \$761,121.00 for the Medical to Fredericksburg project, a 2007-2012 General Obligation Bond Project, located in Council District 8. [Peter Zaroni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2011-06-16-0498

9. An Ordinance authorizing a City requested change order in the increased amount of \$208,656.30 to the \$2,484,575.25 construction contract with Yantis Company for the Indian Creek Channel Improvements Project, an authorized 2007-2012 General Obligation Bond funded project and the War Cloud Project, an authorized Housing and Urban Development 108 funded project, located in Council District 4. [Peter Zaroni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2011-06-16-0499

10. An Ordinance awarding a task order construction contract to Austin Constructors, in an amount up to \$1,380,000.00, for the construction of ADA curb ramps and sidewalk improvements related to Infrastructure Management Program projects located City-wide, funded by the Street Maintenance Program, VIA, and re-programming funds from the Community Development Block Grant. [Sharon De La Garza, Assistant City Manager; Majed A. Al-Ghafry, Director, Public Works]

2011-06-16-0500

Acquisition, Sale or Lease of Real Property

11. An Ordinance authorizing the closure, vacation and abandonment of an unimproved 7,340 square foot section of public right of way located at 3915 West Avenue between Wayside Drive and Amnon Drive in NCB 11684 located in Council District 1, as requested by North East Independent School District. [Peter Zaroni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2011-06-16-0501

Grant Applications and Awards

12. An Ordinance authorizing the submission of a grant application for the Community Transformation Grant to the Centers for Disease Control and Prevention (CDC) funded through the Public Prevention Health Fund for a project period beginning September 15, 2011 through September 14, 2016 for an amount up to \$20,000,000.00. [Sharon De La Garza, Assistant City Manager; Charles E. Pruski, Interim Deputy Public Health Director, Health]

2011-06-16-0502

13. An Ordinance authorizing the submission of a grant application and the acceptance of up to

\$305,777.00, upon award, from the Ballistic Vest Partnership Program, U.S. Department of Justice for the grant period April 1, 2011, to March 31, 2013. [Erik Walsh, Assistant City Manager; William P. McManus, Police Chief]

2011-06-16-0503

City Code Amendments

14. An Ordinance amending the Traffic Control Devices Schedules for the City of San Antonio, established in Chapter 19, Section 68 of the City Code, to include new traffic control devices and delete previous entries from the schedules that are in conflict with current traffic code regulations and amends the title of Schedule M (a through f) to include "Cell Phone Use Prohibited" and deletes Schedule M (g); providing for criminal and civil penalties for violations. [Sharon De La Garza, Assistant City Manager; Majed Al-Ghafry, Director, Public Works]

2011-06-16-0504

Boards, Commissions and Committee Appointments

15. 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 Gabriel Q. Vasquez (District 3, Category: Arts Education) to the Arts and Cultural Advisory Committee.

Approved

B. Reappointing Burke C. Marold (District 3, Category: Consumer) to the Transportation Advisory Board.

Approved

C. Reappointing Thomas A. Tompkins (District 3) to the Commission for Children and Families.

Approved

D. Reappointing Albert Hernandez (District 3, Category: Fire Prevention Expert) to the Building and Fire Code Board of Appeals.

Approved

E. Reappointing John A. Rodriguez (District 3) to the City Commission on Veterans Affairs.

Approved

F. Appointing Rod J. Radle (Mayoral, Category: Downtown Business) to the HemisFair Park Area Redevelopment Corporation for the remainder of an unexpired term of office to expire August 13, 2011.

Approved

Miscellaneous

16. An Ordinance authorizing \$400,000.00 in budget amendments to delegate agency contracts associated with the Federal Economic Stimulus funded Homelessness Prevention and Rapid Re-housing Program (HPRP). [Peter Zanoni, Assistant City Manager; Gloria Hurtado, Director, Community Initiatives]

2011-06-16-0505

17. An Ordinance authorizing an agreement with the San Antonio Food Bank to establish community gardens at four (4) San Antonio Housing Authority (SAHA) residential properties and provide technical assistance on the planting and maintenance of gardens for an amount up to \$8,000.00. [Sharon De La Garza, Assistant City Manager; Charles E. Pruski, Interim Deputy Public Health Director, Health]

2011-06-16-0506

18. Consideration of the following Ordinances related to the provision of bicycles, bicycle racks, and accessories to the San Antonio Housing Authority by the San Antonio Metropolitan Health District's Communities Putting Prevention to Work Program, funded by the American Recovery and Reinvestment Act, for an amount up to \$375,633.57. [Sharon De La Garza, Assistant City Manager; Charles E. Pruski, Interim Deputy Public Health Director, Health]

- A. An Ordinance authorizing the City to utilize a cooperative contract with Sports Supply Group, Inc. to provide bicycles, bicycle racks, and related accessories to support Ride to Own programs for a total cost of \$375,633.57 which will be funded by the San Antonio Metropolitan Health District's (Metro Health) Communities Putting Prevention to Work (CPPW) Program.

2011-06-16-0507

- B. An Ordinance authorizing an agreement with the San Antonio Housing Authority (SAHA) to host and manage a Ride to Own bicycle distribution program and provide bicycles, bicycle racks and related accessories through SAHA communities to participating residents. The distribution of these incentives will occur during a term beginning on June 23, 2011 and ending March 18, 2012.

2011-06-16-0508

19. An Ordinance authorizing an Amendment to the Highland Heights TIRZ Legal Documents to adjust the construction schedule and approval of the Assumption of the Highland Heights Development Agreement by San Antonio Highland Heights Development, LLC. [T.C. Broadnax, Assistant City Manager / Interim Director, Planning and Community Development]

2011-06-16-0509

20. An Ordinance authorizing the San Antonio Housing Trust Public Facility Corporation's participation in and financing for the Woodlawn Ranch Apartments Project, as required by its organizational documents. [T.C. Broadnax, Assistant City Manager / Interim Director, Planning and Community Development]

2011-06-16-0510

21. A public hearing and ordinance authorizing the reprogramming of Housing and Urban Development (HUD) Section 108 loan funds and Community Development Block Grant (CDBG) funds for two separate projects as follows: a) Reprogram HUD Section 108 loan funds in an amount of \$268,089.00 to the Frank Garrett Community Center Facility Improvement Project; b) Reprogram CDBG funds in the amount of \$280,000 to the Blessed Sacrament Academy School Cafeteria Facility Improvement Project and approving an amendment to the FY 2011 Annual Action Plan/Budget. [Peter Zanoni, Assistant City Manager; Maria Villagomez, Director, Office of Management and Budget]

2011-06-16-0511

22. Consideration of the following Ordinances authorizing a Renewal Agreement for State Representation Services & Federal Representation Services: [A.J. Rodriguez, Deputy City Manager; Carlos Contreras, Director, Intergovernmental Relations]

- A. An Ordinance authorizing a Renewal Agreement for State Representation Services with Marc A. Rodriguez for a total monthly amount of \$5,555.00, beginning October 1, 2011 and ending September 30, 2013.

2011-06-16-0512

- B. An Ordinance authorizing a First Amendment and Renewal Agreement for Federal Representation Services with Patton Boggs a total monthly amount of \$16,666.00 beginning October 1, 2011 and ending December 31, 2012.

2011-06-16-0513

23. City Manager's Report

- A. Staff Introduction
B. Solid Waste Management Initiatives 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 T.C Broadnax, Assistant City Manager / Interim Director, Planning and Community Development. Zoning cases presented by T.C. Broadnax, Assistant City Manager; Roderick Sanchez, Director, Development Services.

24. An Ordinance approving a request for a variance to sell alcoholic beverages at 2123 Culebra Road (D/B/A Asadero de Jalisco Restaurant) that is located within three hundred (300) feet of Fenwick Elementary School, a public school located in Council District 7.

2011-06-16-0514

- P-1. **PLAN AMENDMENT #11030 (District 8):** 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 a 2.8306 acre tract of land located west of the intersection of IH-10 West and Calle Rialto, more specifically described as Lot 11 and portions of Lots 9, 10, and 12 Block 3 NCB

16390 from Rural Estate Tier land use to Suburban Tier land use. Staff and Planning Commission recommend approval. (Associated Zoning Case: #Z2011119)

2011-06-16-0515

- Z-1. **ZONING CASE # Z2011119 (District 8):** An Ordinance amending the Zoning District Boundary from "PUD MF-33 GC-1 MLOD" Planned Unit Development Multi-Family Hill Country Gateway Corridor Overlay Military Lighting Overlay District and "PUD C-3 GC-1 MLOD" Planned Unit Development General Commercial Hill Country Gateway Corridor Overlay Military Lighting Overlay District to "PUD C-2 GC-1 MLOD" Planned Unit Development Commercial Hill Country Gateway Corridor Overlay Military Lighting Overlay District on 2.8306 acres out of NCB 16390 located on the 25000 Block of IH 10 West. Staff and Zoning Commission recommend approval pending the plan amendment.

2011-06-16-0516

- P-2. **PLAN AMENDMENT #11027 (District 9):** An Ordinance amending the land use plan contained in the Mahncke Park Neighborhood Plan, a component of the Master Plan of the City, by changing the use of a 0.1839 acre tract of land located at 116 Elmhurst Avenue from Urban Multifamily Residential land use to Neighborhood Commercial land use. Staff and Planning Commission recommend approval. (Associated Zoning Case Number: Z2011108)

2011-06-16-0517

- Z-2. **ZONING CASE # Z2011108 (District 9):** An Ordinance amending the Zoning District Boundary from "MF-33 AHOD NCD-6" Multi-Family Airport Hazard Overlay Mahncke Park Neighborhood Conservation District to "NC AHOD NCD-6" Neighborhood Commercial Airport Hazard Overlay Mahncke Park Neighborhood Conservation District on Lot 5 and the southwest triangle 50 feet of Lot 6, NCB 6144 located at 116 Elmhurst Avenue. Staff and Zoning Commission recommend approval.

2011-06-16-0518

- Z-3. **ZONING CASE # Z2011127 CD (District 10):** An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-2 NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Conditional Use for Auto and Light Truck Repair on Lot 21, Block 2, NCB 14052 located at 6611 Topper Ridge. Staff and Zoning Commission recommend approval.

2011-06-16-0519

- P-3. **PLAN AMENDMENT #11031 (District #1):** An Ordinance amending the land use plan contained in the Near Northwest Community Plan, a component of the Master Plan of the City, by changing the use of an 0.089 acre tract of land located at 1407 West Olmos from Urban Low Density Residential land use to Neighborhood Commercial land use. Staff and Planning Commission recommend approval (No associated zoning request)

2011-06-16-0520

- Z-4. **ZONING CASE # Z2011097 S (District 1):** An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 S AHOD" Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Carwash on Lot 17, Block 83, NCB 3256 located at 1102 and 1104 Fredericksburg Road. Staff and Zoning Commission recommend approval. (Continued from June 2, 2011)

Continued

- Z-5. **ZONING CASE # Z2011100 (District 1):** An Ordinance amending the Zoning District

Boundary from "MF-33 AHOD" Multi-Family Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Lot 35 and 36, Block 2, NCB 6389, save and except the east 3.5 feet of Lot 36 located at 1934 West Poplar Street. Staff and Zoning Commission recommend denial. (Continued from May 19, 2011)

Denied

- Z-6. **ZONING CASE # Z2011110 S (District 1):** An Ordinance amending the Zoning District Boundary from "C-2 S AHOD" Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Medical-Hospital to "C-2 S AHOD" Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Medical-Hospital with a maximum height of 111.53 feet on a 0.061 acre tract of land out of Lot 9, Block 9, NCB 842 located at 1310 McCullough Avenue. Staff and Zoning Commission recommend approval.

2011-06-16-0521

- Z-7. **ZONING CASE # Z2011121 S (District 1):** An Ordinance amending the Zoning District Boundary from "C-2 AHOD NCD-1" Commercial Airport Hazard Overlay South Presa/South St. Mary's Streets Neighborhood Conservation District to "C-2 S AHOD NCD-1" Commercial Airport Hazard Overlay South Presa/South St. Mary's Streets Neighborhood Conservation District with a Specific Use Authorization for a Bar And/Or Tavern Without Cover Change 3 or More Days Per Week on a 0.0283 acre tract of land out of Lot 1, Block 4, NCB 732 located at 1014 South Presa Street. Staff and Zoning Commission recommend approval.

2011-06-16-0522

- Z-8. **ZONING CASE # Z2011053 S (District 2):** An Ordinance amending the Zoning District Boundary from "C-2" Commercial District to "C-2 S" Commercial District with a Specific Use Authorization for a Specified Financial Institution on Lot 78, NCB 10754 located at 1264 South W. W. White. Staff and Zoning Commission recommend denial. (Continued from May 19, 2011)

Denied

- Z-9. **ZONING CASE # Z2011105 S (District 2):** An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 S AHOD" Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Specified Financial Institution on 0.040 of an acre out of NCB 8694 located at 1248 Austin Highway, #202B. Staff recommends denial. Zoning Commission recommends approval. (Continued from June 2, 2011)

Denied

- P-4. **PLAN AMENDMENT #11024 (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 use of a 7.41 acre tract of land located at 11095 Graytown Road, more specifically described as NCB 16554 Lot P-1A Abs 678, from **Neighborhood Commercial** land use to **Low Density Residential** land use. (Associated Zoning Case: #Z2011116)

2011-06-16-0523

- Z-10. **ZONING CASE # Z2011116 (District 2):** An Ordinance amending the Zoning District Boundary from "C-3 AHOD" General Commercial Airport Hazard Overlay District and "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for a Mini Warehouse to "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District on

a 13.69 acre tract of land out of NCB 16554 located at 11095 North Graytown Road. Staff recommends denial. Zoning Commission recommends approval.

2011-06-16-0524

Z-11. **ZONING CASE # Z2011115 (District 3):** An Ordinance amending the Zoning District Boundary from "UD AHOD" Urban Development Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Lots 1 and 2, Block 3, NCB 18087 located at 9903 Hunters Pond. Staff and Zoning Commission recommend approval.

2011-06-16-0525

P-5. **PLAN UPDATE U11002 (District 4):** An Ordinance amending the United Southwest Communities Plan, a component of the Master Plan of the City, for an area of approximately 22.48 square miles generally bound by: Valley Hi Drive, Medina Base Road, SW Military Drive, and Lackland Air Force Base to the north; Quintana Road and Interstate 35 to the east; Loop 1604 to the south; and the city limits and the Lackland Air Force Base Annex to the west. Staff and Planning Commission recommend approval.

2011-06-16-0526

P-6. **PLAN AMENDMENT #11020 (District 4):** An Ordinance amending the land use plan contained in the United Southwest Community Plan, a component of the Master Plan of the City, by changing the use of approximately 4.995 acres located at the northwest corner of the intersection of Lake Valley Drive and Southwest Loop 410, further described by legal description NCB 15172 P-3H ABS 323 from Community Commercial land use to Regional Commercial land use. Staff recommends denial. Planning Commission recommends approval. (Associated Zoning Case: #Z2011068 S)

Continued

Z-12. **ZONING CASE # Z2011068 S (District 4):** An Ordinance amending the Zoning District Boundary from "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District to "C-3NA S AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Specific Use Authorization for Machinery, Tools and Construction Equipment Sales and Service on 4.893 acres out of NCB 15172 located on the 6600 Block of Southwest Loop 410. Staff recommends denial. Zoning Commission failed to pass a motion for this case; therefore it moves forward to City Council as a recommendation for denial.

continued

Z-13. **ZONING CASE # Z2011138 HL (District 5):** 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 on Lot 16, Block 1, NCB 2444 located at 1312 Guadalupe Street. Staff recommends approval. Zoning Commission recommends denial.

Denied

Z-14. **ZONING CASE # Z2011101 (District 6):** An Ordinance amending the Zoning District Boundary from "C-3" General Commercial District and "C-3 GC-2" General Commercial Highway 151 Gateway Corridor Overlay District to "MF-33" Multi-Family District and "MF-33 GC-2" Multi-Family Highway 151 Gateway Corridor Overlay District on 20.557 acres out of NCB 17642 located along Highway 151 between Wiseman and West 1604 North. Staff and Zoning Commission recommend approval.

2011-06-16-0527

Z-15. **ZONING CASE # Z2011112 S (District 6):** An Ordinance amending the Zoning District Boundary from "C-3" General Commercial District to "C-3 S" General Commercial District with a Specific Use Authorization for an Auto Paint and Body Facility on a 3.417 acre tract of land out of NCB 17636 located at 7511 North Loop 1604 West. Staff and Zoning Commission recommend approval. (Continued from June 2, 2011)

continued

P-7. **PLAN UPDATE U11001 (District 6, 7, and 8):** An Ordinance amending the Northwest Community Plan, a component of the Master Plan of the City, for an area of approximately 14.36 square miles of land bound by Bandera Road to the north and east, City of Leon Valley to the southeast, Grissom and Culebra Roads to the south, and Loop 1604 to the west. Staff and Planning Commission recommend approval.

2011-06-16-0528

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.