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8/30/2010 8:50 AM

AGENDA
City Council Meeting
Municipal Plaza Building
City Hall Complex
114 W. Commerce
San Antonio, TX 78205
September 2, 2010
9:00 A.M.

10 AUG 30 AM 8:53

RECEIVED
CITY OF SAN ANTONIO
CITY CLERK

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.

0 50:00 - 01:05

- 9:00AM:** Invocation and Approval of Minutes
- 12:00PM:** Lunch Break
- 2:00PM:** Neighborhood Plan and Zone Amendments
- 6:00PM:** Citizens to be Heard
- 7:00PM:** Adjourn

At any time during the Regular City Council Meeting, the City Council may meet in executive session for consultation concerning attorney-client matters (real estate, litigation, contracts, personnel and security) under Chapter 551 of the Texas Government Code.

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, Area Commander, Salvation Army San Antonio. Guest of Councilmember Justin Rodriguez, District 7.
- 2. Pledge of Allegiance.
- 3. Approval of Minutes for the August 12, 2010 City Council meeting.

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

ACTION ITEMS FOR STAFF BRIEFING

- 4. A Public Hearing and consideration of an Ordinance approving the levy of a Special Assessment for the Downtown Public Improvement District (PID); levying an assessment rate for Fiscal Year 2011 at \$0.12 per \$100.00 value of real property in the PID and \$0.09 per \$100.00 value of residential condominiums; and approving the Fiscal Year 2011 Services and Assessment Plan for the PID. [Sharon De La Garza, Assistant City Manager; Paula X. Stallcup, Director, Downtown Operations]

2010-09-02-0729

- 5. An Ordinance accepting American Reinvestment and Recovery Act funds in the amount of \$3,785,893.00 and awarding a construction contract to G. W. Mitchell & Sons, Inc. in the amount of \$3,439,000.00 for the new Fire Station 51 Facility Project, an authorized Certificates of Obligation and American Reinvestment and Recovery Act funded project located in Council District 8. [Erik Walsh, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2010-09-02-0730

CONSENT AGENDA

Purchase of Equipment and Supplies

- 6. An Ordinance authorizing the following contracts establishing unit prices for annual goods and services: (A) Mission Golf Cars for EZ-GO and Cushman parts and service; (B) Vermeer Equipment of Texas, Inc. for Vermeer TG brush tub grinder parts and service and (C) HLP, Inc. for Shelter Software Case Management maintenance and training. [Ben Gorzell, Chief Financial Officer; Janie Cantu, Director, Purchasing & General Services]

2010-09-02-0731

- 7. An Ordinance authorizing the City to utilize a cooperative contract with Propane Specialty Services, LLC to provide propane dispenser upgrades at three City facility refueling stations located in Council Districts 4, 7 and 10 for a total cost of \$146,792.00, funded utilizing the Clean Cities - Alternative Fuel & Advanced Technology Vehicles - Texas Railroad Commission Grant and FY 2010 Fleet Maintenance Operations Budget in the Purchasing

2010-09-02-0732
8/30/2016

General Services Fund. [Ben Gorzell, Chief Financial Officer; Janie Cantu, Director, Purchasing & General Services]

- 8. An Ordinance authorizing a contract with Knowledge Computing Corporation (KCC) to provide the Police Department with intelligence sharing software including installation, training and maintenance to support the Regional Fusion Center for an initial estimated cost of \$427,357.50 for the first year and \$49,920.00 annually thereafter for a period of 2 years, funded by the Special Initiative Grant from Office of the Governor, Criminal Justice Division. [Ben Gorzell, Chief Financial Officer; Janie Cantu, Director, Purchasing & General Services]

2010-09-02-0733

- 9. An Ordinance accepting the bid from Grande Truck Center to provide the City's fleet with the parts and services required for the maintenance of 225 refuse trucks, tractor trailers and other equipment with industrial gasoline and diesel engines for an estimated annual cost of \$1,055,098.00. [Ben Gorzell, Chief Financial Officer; Janie Cantu, Director, Purchasing & General Services]

2010-09-02-0734

Capital Improvements

- 10. An Ordinance approving the ratification of a change order and authorizing payment in the amount of \$42,105.16 to Ballenger Construction Company for the Sky Place Drainage Improvement Phase One Project, an Airport Capital Improvement funded project, at San Antonio International Airport. [Pat DiGiovanni, Deputy City Manager; Frank Miller, Director, Aviation]

2010-09-02-0735

- 11. An Ordinance awarding a construction contract to San Antonio Constructors, Ltd., in the amount of \$914,778.39, of which \$288,389.37 will be reimbursed by San Antonio Water Systems, for the Wallace Street Project (from 26th Street to Inca Street), an authorized 2007-2012 General Obligation Bond funded project located in Council District 5. [Peter Zanoni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2010-09-02-0736

- 12. An Ordinance awarding a construction contract to EZ Bel Construction, LLC in the amount of \$982,746.94, of which \$210,704.54 will be reimbursed by San Antonio Water Systems, for the Valley Forge Drainage System project, an authorized 2007-2012 General Obligation Bond Program funded project, located in Council District 10 and amending the FY 2010-2015 Adopted Capital Budget to reallocate \$140,000.00 from the Skyline Area Drainage Phase I A Project, a 2007-2012 General Obligation Project located in Council District 10, to fully fund the Valley Forge Drainage project. [Peter Zanoni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2010-09-02-0737

- 13. An Ordinance authorizing a San Antonio Water Systems (SAWS) requested and funded change order in the increased amount of \$142,018.35 to the \$5,059,665.57 construction contract with V.K. Knowlton, Ltd. for the SAWS work being completed in conjunction with the Ansley Street Phase I and Commercial Tributary Drainage Phase I projects, two authorized Housing and Urban Development 108 Loan program and 2005 Storm Water Revenue Bond funded projects located in Council Districts 3 and 4. [Peter Zanoni, Assistant

2010-09-02-0738

City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

- 14. An Ordinance authorizing a change order for additional sidewalk work in the amount of \$36,179.75 to the \$176,510.01 construction contract with San Antonio Constructors, LTD for the District 7 Pedestrian Mobility & Traffic Calming Initiatives Project, an authorized 2007-2012 General Obligation Bond Program funded project, located in Council District 7. [Peter Zaroni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2010-09-02-0739

Acquisition, Sale or Lease of Real Property

- 15. An Ordinance authorizing a ten-year lease from River Bend Garage LLC, for the San Antonio Police Department's Bike Patrol unit at the River Bend Garage at 412 East Commerce Street in Council District 1, at a cost of \$5,229.08 monthly in the first year of the term, beginning in FY 2011, increasing up to \$8,902.39 monthly by the tenth year of the term, authorizing payment in the amount of \$79,500.00 for one-time, occupancy related expenses payable from the Confiscated Property Fund, and amending the FY 2010 Budget to increase appropriations within the Confiscated Property Fund by \$79,500.00. [Peter Zaroni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2010-09-02-0740

- 16. An Ordinance authorizing the purchase of a conservation easement on Martin Ranch situated in Medina County, Texas for \$549,757.85 as part of the Proposition One Edwards Aquifer Protection Sales Tax Venue Project. [Peter Zaroni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2010-09-02-0741

- 17. An Ordinance authorizing the renewal of a 10-year license agreement with the U. S. Air Force for the continued use of City Public Right of Way for a communication cable system under Springvale Drive, Aldrich Drive, Parallel Drive, SW Loop 410, Ranch Valley Drive, Old Valley Hi Drive, and Ray Ellison Drive near Lackland Air Force Base in Council District 4 for a fee of \$8,018.00. [Peter Zaroni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

2010-09-02-0742

- 18. Consideration of the following Ordinances authorizing joint use agreements with San Antonio Water Systems for use of City properties: [Peter Zaroni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

- A. An Ordinance authorizing the use of City property located adjacent to Six Mile Creek on the south central side of the City (within NCB 11078) for the installation of a new 36-inch wide sewer line, as requested by San Antonio Water System (SAWS) for a usage fee of \$12,538.00.

2010-09-02-0743

- B. An Ordinance authorizing the use of City property located near the North Central Thousand Oaks subdivision for the installation of a sewer gravity collection system, as requested by San Antonio Water System (SAWS) for a usage fee of \$500.00.

2010-09-02-0744

Grant Applications and Awards

19. An Ordinance authorizing the submission of a grant application and the acceptance of up to \$25,000.00 upon award, for a Senior Transportation Services grant from the Texas Department of Transportation and authorizing a required 20% City cash match. [Peter Zaroni, Assistant City Manager; Cindy Schoenmakers, Interim Director, Community Initiatives]

2010-09-02-0745

20. An Ordinance authorizing the acceptance of additional grant funding in an amount up to \$367,977.00 from the Texas Department of State Health Services for the San Antonio Metropolitan Health District's continued implementation of the San Antonio Tobacco Prevention and Control Coalition for the term September 1, 2010 through August 31, 2011; and adopting a revised budget in the amount of \$1,193,313.00. [Sharon De La Garza, Assistant City Manager; Dr. Fernando A. Guerra, Director, Health]

2010-09-02-0746

21. An Ordinance ratifying the submission of a grant application and acceptance of funds in an amount up to \$158,948.00 from the Goldsbury Foundation for the period July 1, 2010 to December 31, 2011; and authorizing funds in the amount of \$84,598.94 for ongoing participation in the La Paloma Mission Collaborative of the San Antonio Metropolitan Health District's Healthy Start program. [Sharon De La Garza, Assistant City Manager; Dr. Fernando A. Guerra, Director, Health]

2010-09-02-0747

22. An Ordinance authorizing the submission of a grant application and the acceptance of funds upon award for an Interlibrary Loan Grant from the Texas State Library and Archives Commission in the amount of \$362,427.00 for the continuing operation of interlibrary loan services. [T.C. Broadnax, Assistant City Manager; Ramiro S. Salazar, Director, Library]

2010-09-02-0748

23. An Ordinance authorizing the acceptance of up to \$51,500.00, from the Texas Comptroller of Public Accounts, for a Tobacco Compliance grant and establishing a budget for the grant period September 1, 2010 through August 31, 2011. [Erik J. Walsh, Assistant City Manager; William P. McManus, Chief of Police]

2010-09-02-0749

24. An Ordinance authorizing the acceptance of grant funds from the State Energy Conservation Office in the amount of \$100,000.00 to partially fund the incremental costs associated with the purchase of 20 hybrid sedans and to authorize a cash match of \$26,000.00 from the Equipment Renewal & Replacement Fund. [Sharon De La Garza, Assistant City Manager; Majed A. Al-Ghafry, Director, Public Works]

2010-09-02-0750

Boards, Commissions and Committee Appointments

25. Consideration of the following Board, Commission and Committee appointments for the remainder of unexpired terms of office to expire May 31, 2011, 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 Joe Valadez (District 5) to the Zoning Commission. *Approved*
- B. Appointing Jack Leifer (District 7, Category: Academic Institution) to the Brooks Development Authority. *Approved*
- C. Appointing Mary E. Emerson (At-Large, Category: Neighborhood Association Harvard Place/Eastlawn) to the Fort Sam Houston Community Advisory Board. *Approved*
- D. Appointing Deborah E. Seabron (District 2) to the Mayor's Commission on the Status of Women. *Approved*
- E. Reappointing John A. Rodriguez (District 3) to the City Commission on Veteran's Affairs. *Approved*
- F. Reappointing Jose R. Limon (District 3) to the Capital Improvements Advisory Committee. *Approved*

Miscellaneous

26. An Ordinance amending the boundary of the River North Tax Increment Reinvestment Zone (TIRZ) to remove five parcels associated with the 1221 Broadway project. [Pat DiGiovanni, Deputy City Manager, Center City Development]

2010-09-02-0751

27. An Ordinance amending the City of San Antonio's Neighborhood Stabilization Program Substantial Amendment to the Consolidated Plan and Annual Action Plan to reprogram an amount not to exceed \$241,589.90 from remaining construction loan guarantee funds, soft second loan funds, and down payment assistance funds to the administrative allocation of the City's Neighborhood Stabilization Program. [T.C. Broadnax, Assistant City Manager; Nina Nixon-Mendez, Grants Administrator, Grants Monitoring and Administration]

2010-09-02-0752

28. An Ordinance authorizing a contract with Sanofi Pasteur, Inc. in an amount up to \$68,000.00 for a one-year term beginning October 1, 2010 to conduct a vaccine study for the prevention of tetanus, diphtheria and pertussis in children; authorizing a program budget and personnel complement and authorizing payments for the participants. [Sharon De La Garza, Assistant City Manager; Dr. Fernando A. Guerra, Director, Health]

2010-09-02-0753

29. An Ordinance authorizing a revenue contract with Pick-N-Pull, Inc. for the removal and disposal of junked vehicles that are deemed a public nuisance. [T.C. Broadnax, Assistant City Manager; David Garza, Director, Housing and Neighborhood Services]

2010-09-02-0754

30. An Ordinance authorizing an amendment for the addition of post-accident drug and alcohol

testing and a reduction in the amount of professional liability insurance coverage required in the Gonzaba Medical Group contract, which provides administration and management of the City's Occupational Health and Wellness Center. [A.J. Rodriguez, Deputy City Manager; Elizabeth Braune, Director, Human Resources]

2010-09-02-0755

31. Consideration of the following items pertaining to the revised Small Business Economic Development Advocacy (SBEDA) Program: [A.J. Rodriguez, Deputy City Manager; Rene Dominguez, Director, International and Economic Development]

A. An Ordinance approving two citizen members, not limited to SBAC members, for appointment to Goal Setting Committees for the SBEDA Program and establishing voting rights for certain solicitations and goals.

2010-09-02-0756

B. An Ordinance appropriating funds and approving reimbursement to MGT of America for travel and advertisement expenses associated with development of the San Antonio Regional Causation Disparity Analysis Study.

2010-09-02-0757

32. A Resolution approving the Economic Development Foundation's 2010 - 2011 Action Plan, as part of the Professional Services Agreement between the City of San Antonio and the Economic Development Foundation for economic development services. [A.J. Rodriguez, Deputy City Manager; Rene Dominguez, Director, International and Economic Development]

2010-09-02-0043R

33. An Ordinance authorizing a funding agreement with Bexar County for the administration of the County's Community Infrastructure and Economic Development (CIED) Funds. [A.J. Rodriguez, Deputy City Manager; Rene Dominguez, Director, International and Economic Development]

2010-09-02-0758

34. An Ordinance authorizing an amendment to an existing Interlocal Agreement with the City of Olmos Park, to provide for the design and construction of a railroad quiet zone from W. Sunset Road to W. Hildebrand Avenue, and acceptance of funds in the amount of \$96,100.00 from the City of Olmos Park, located in Districts 1 and 9. [Sharon De La Garza, Assistant City Manager; Majed A. Al-Ghafry, Director, Public Works]

2010-09-02-0759

35. An Ordinance authorizing a funding agreement with United Way of San Antonio and Bexar County to hold funds deposited in support of the SA 2020 Project and authorizing the City to contribute up to \$180,000.00 for the SA 2020 project. [Pat DiGiovanni, Deputy City Manager]

2010-09-02-0760

36. An Ordinance authorizing an economic development grant in the amount of \$2,268,952.00 with Rio Perla Properties L.P. and a waiver of \$272,317.00 in SAWS impact fees for the Can Plant Apartments. [Pat DiGiovanni, Deputy City Manager, Center City Development]

2010-09-02-0761

37. City Manager's Report

A. Strategic Historic Preservation Plan Update

B. FY 2011 Budget Update

THE CITY COUNCIL WILL RECESS FOR LUNCH AT NOON AND RECONVENE TO CONSIDER ANY UNFINISHED COUNCIL BUSINESS

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

- A. Discuss legal issues related to the expenditure of grant funds pursuant to Texas Government Code Section 551.071 (consultation with attorney).
- B. Deliberations regarding information relating to economic development negotiations pursuant to Texas Government Code Section 551.087 (economic development).
- C. Discuss legal issues related to employee benefits pursuant to Texas Government Code Section 551.071 (consultation with attorney).

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 and Zoning Cases presented by T.C. Broadnax, Assistant City Manager; Roderick Sanchez, Director, Planning and Development Services.

P-1. An Ordinance amending the Major Thoroughfare Plan, a component of the City of San Antonio Master Plan, to include a re-alignment of the intersection of Binz-Engleman Road and FM 1516, both designated Secondary Arterial Type A (86' right-of-way 4-lane divided); and to add an east-west connector designated Secondary Arterial Type A (86' right-of-way 4-lane divided); all generally located west of Loop 1604, north of IH 10, and east of FM 78.

2010-09-02-0762

Z-1. **ZONING CASE #Z2009165 HS (District 7):** An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "HS C-2 AHOD" Historic Significant Commercial Airport Hazard Overlay District on the northeast 522 feet of Lot 6, NCB 8349 located at 3031 West Woodlawn Avenue. Staff and Zoning Commission recommend approval. (Continued from June 17, 2010)

Continued to 10/21/2010

Z-2. **ZONING CASE # Z2010136 S (District 7):** An Ordinance amending the Zoning District Boundary from "C-3" General Commercial District and "C-2" Commercial District to "R-20 S" Residential Single-Family District with a Specific Use Authorization for a Child Care Institution (Basic) on Lot 98, Block 5, NCB 17883 located at 9314 Ryder Drive. Staff recommends approval. Zoning Commission recommends denial. (Continued from August 19, 2010)

Withdrawn by applicant

Z-3. **ZONING CASE # Z2010107 CD (District 1):** An Ordinance amending the Zoning District Boundary from "I-2 AHOD" Heavy Industrial Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on 1.19 acres and "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for a Nightclub on 1.00

acre, all on 2.19 acres out of NCB 919 located at 1304, 1312 and 1322 South Laredo Street. Staff and Zoning Commission recommend approval.

Z-4. ZONING CASE # Z2010130 (District 1): 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 a 2.369 acres out of Lot 18, NCB 11687 located at 2148 Jackson-Keller Road. Staff and Zoning Commission recommend approval.

2010-09-02-0764

Z-5. ZONING CASE # Z2010122 (District 2): An Ordinance amending the Zoning District Boundary from "D AHOD" Downtown Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Lot 8 and the north 40.6 feet of Lot 13, NCB 163 located at 313 Chestnut Street. Staff and Zoning Commission recommend approval.

2010-09-02-0765

Z-6. ZONING CASE # Z2010129 H (District 2): An Ordinance amending the Zoning District Boundary from "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District, "MF-33 AHOD" Multi-Family Airport Hazard Overlay District, and "HS C-1 AHOD" Historic Significant Light Commercial Airport Hazard Overlay District to "H RM-4 AHOD" Residential Mixed Knob Hill Historic Airport Hazard Overlay District, "H MF-33 AHOD" Multi-Family Knob Hill Historic Airport Hazard Overlay District, and "H HS C-1 AHOD" Historic Significant Light Commercial Knob Hill Historic Airport Hazard Overlay District on properties located along Iowa Street and Virginia Boulevard between South Palmetto and South New Braunfels Avenue, and properties located along Nelson Avenue between St. Anthony Avenue and South New Braunfels Avenue. Staff and Zoning Commission recommend approval.

2010-09-02-0766

P-2. PLAN AMENDMENT #10020 (District 4): An Ordinance amending the land use plan contained in the Nogalitos/S. Zarzamora Community Plan, a component of the Master Plan of the City, by changing the use of an 12.971 acre tract of land located at 2227, 2333, and 2343 Southwest Military Drive from Mixed Use land use to Regional Commercial land use. Staff and Planning Commission recommend approval. (Associated Zoning Case: Z2010124)

2010-09-02-0767

Z-7. ZONING CASE # Z2010124 (District 4): An Ordinance amending the Zoning District Boundary from "I-2 AHOD" Heavy Industrial Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Lots 14 and 16, NCB 8950 and Lot 1, NCB 8947 located on a portion of the 2200 and 2300 Blocks of Southwest Military Drive. Staff and Zoning Commission recommend approval pending the plan amendment.

2010-09-02-0768

Z-8. ZONING CASE # Z2010127 CD (District 4): An Ordinance amending the Zoning District Boundary from "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District to "RM-4 AHOD CD" Residential Mixed Airport Hazard Overlay District with a Conditional Use for a Non-Commercial Parking Lot on Lot 21, Block 2, NCB 11188 located at 115 Cree Street. Staff and Zoning Commission recommend approval.

2010-09-02-0769

6:00 P.M. (may be heard after this time) – Citizens to be Heard

ADJOURN

7:00 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.