

**STATE OF TEXAS
COUNTY OF BEXAR
CITY OF SAN ANTONIO**

A WORK SESSION AND REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO WERE HELD IN THE MUNICIPAL PLAZA BUILDING, WEDNESDAY, NOVEMBER 17, 2010 AND THURSDAY, NOVEMBER 18, 2010, RESPECTIVELY.

The San Antonio City Council convened in a Work Session at 2:00 pm Wednesday, **November 17, 2010**, Municipal Plaza Building with the following Councilmembers present: Cisneros, Taylor, Medina, Lopez, Rodriguez, Williams, Clamp, and Mayor Castro. **ABSENT:** Ramos, Cortez, and Chan. Mrs. Vacek announced that Councilmember Cortez was absent due to USAF Training Duty.

Item 2 was addressed first.

2. BRIEFING AND UPDATE ON THE CENTRO PARTNERSHIP.

Deputy City Manager Pat DiGiovanni stated that a Downtown Assessment had been conducted in June 2007 and an Advisory Panel had been convened in May 2008 to identify the best downtown management structure to facilitate economic development in the Downtown Area. He reported that with the assistance of Civitas Consultants LLC, a structure was proposed in January 2009 and a Resolution of support for the Centro Partnership was subsequently approved in January 2010. He noted that the Centro Partnership was a public-private partnership incorporated as a 501(c)(6) created by the City of San Antonio, Bexar County, and the Downtown Alliance, to oversee and facilitate development and revitalization in the inner city. He introduced Jack Spector of Hixon Properties.

Mr. Hixon stated that although San Antonio's Downtown was strong in many areas, it was too one-dimensional. He noted that it was important to establish a vision for Downtown in coordination with the SA 2020 Visioning Process. He reported that the Certificate of Formation for the Centro Partnership was filed on July 1, 2010 with Incorporators Mayor Julián Castro, County Judge Nelson Wolff, Don Frost, and Jack Spector. He mentioned that the Initial Registered Agent was Ben Brewer and that a Memorandum of Understanding (MOU) between the city and Centro was executed on August 1, 2010. He indicated that initial funding of \$20,000 each from the city and the Downtown Alliance, was included in the MOU.

Mayor Castro asked how the Centro Partnership would make Downtown more vibrant over the next 5-10 years. Mr. Spector replied that the Centro Partnership would serve as an agent of change and that establishing a vision would be an important first step. He stated that more residential areas, landscaping, and mixed-use development were essential and that it would be critical to create public-private partnerships to achieve their goals. Don Frost added that the Board of Directors would help establish the framework and reiterated that establishing a vision would be important. Mayor Castro spoke of the opportunity to coordinate with the SA 2020 Process and the need to focus on the "Decade of Downtown."

Councilmember Cisneros stated that enhancing Downtown was a team effort and hoped to include the area in the next Bond Program. She spoke of the great asset of the Riverwalk and the opportunity to market La Villita through a daily cooking show.

Councilmember Taylor stated that the Downtown Area was important for the entire city and asked for clarification of the boundaries. She referenced the view of Downtown from her home on the Eastside. Mr. Spector stated that the boundaries had not yet been defined and would be addressed by the Board. Councilmember Taylor stated that she hoped that the boundaries would include the neighborhoods that surround Downtown. Sheryl Sculley stated that there would be coordination with all parts of town as Downtown was relevant to the entire city. Councilmember Medina thanked everyone for their work on the Centro Partnership and recognized Mayor Castro for his leadership on SA 2020. He noted that incorporation of the Centro Board was a perfect vehicle to focus on the needs of Downtown and asked how young persons would be attracted to the area. Mr. Spector replied that nothing had been identified yet as it relates to the Centro Partnership but there were several developments occurring along River North that include apartments that would entice young persons to move to the area.

Councilmember Clamp asked of private investment into the Downtown Area. Mr. Spector replied that it would begin with the vision and that private investment would occur where opportunities were made available. He reiterated the importance of public-private partnerships and spoke of the need to develop River North densely. Mr. Frost added that the vision should stay consistent but the strategies will likely change.

1. BRIEFING AND UPDATE ON THE WESTSIDE DEVELOPMENT CORPORATION (WDC) AND SAN ANTONIO FOR GROWTH ON THE EASTSIDE (SAGE).

Jackie Gorman-Johnson, Executive Director of San Antonio for Growth on the Eastside (SAGE) stated that SAGE was a non-profit organization that serves as a growth engine for San Antonio's East Side. She noted that they helped East Side Businesses grow through partnerships, alliances, and leveraging resources. She reported their four driving principles: 1) Advocate for efficient, sustainable growth for San Antonio's East Side; 2) Champion small business development; 3) Maintain and promote the area's history and culture; and 4) Provide innovative, progressive solutions to East Side Challenges to encourage economic development and cultural vitality.

Ms. Gorman-Johnson outlined their Financial Assistance Programs that include the Store Front Grant and Economic Development Incentive Fund (EDIF) Loan Programs. She reported that they had provided nine Store Front Grants in 2010 totaling \$86,532; two low-interest loans for \$40,000; and three EDIF Grants for a total of \$47,500. She stated that they had increased media outreach efforts to develop a better relationship and to promote awareness of East Side Initiatives. She mentioned that in the future, they would continue their partnership with Government Hill and expand work on New Braunfels Avenue. Lastly, she recognized the 2011 SAGE Board of Directors and noted that the East Side was a great place to live, work, and invest.

Ray Flores, Executive Director of the Westside Development Corporation (WDC) presented a map of the area targeted by the WDC and noted that it included four City Council Districts. He outlined their FY 2011 Operating Budget totaling \$367,700 and stated that their goal was to raise \$150,000 to support operations for the year. He spoke of the Grow West Business Expansion and Attraction Program that provides direct assistance for real estate development and business expansion projects. He mentioned that through the program, they had assisted 40 businesses and 18 real estate projects representing \$6.3 million in investment in FY 2009-2010. He provided examples of business growth in the Westside that include the expansion of the South Texas Spice Facility and the new Tellez Tamales Food Production Facility. He added that moving forward they would focus on five Key Development Sites for new investment and diversify revenue through assets and investments.

Councilmember Taylor expressed support for the efforts of the WDC and SAGE. She recognized Ms. Gorman-Johnson for the many accomplishments in a small amount of time. Councilmember Medina stated that he was grateful for the work of the WDC and highlighted the new Tellez Tamales Facility. Councilmember Medina spoke of the importance of identifying additional funding for the WDC to develop the West Side. Councilmember Rodriguez thanked the WDC and SAGE for their work and recognized the SAGE Board of Directors that were present. He asked of the five key Development Sites that would be targeted in the Grow West Program. Mr. Flores replied that they would include: 1) Frio Street Corridor; 2) West Commerce and 24th Street Intersection; 3) Southwest Business and Technology Park; 4) Edgewood Square; and 5) Bandera Center. Councilmember Rodriguez stated that it was great to bring in new businesses but also important to provide opportunities to retain and grow current businesses.

Councilmember Lopez asked of the effectiveness of the initiatives within the WDC. Mr. Flores stated that the initiatives were making a great difference in the area but the challenge was getting the information to the public. Councilmember Lopez asked of residential development. Mr. Flores stated that it was difficult in that many individuals looked at the schools in the area and the perception of challenges with inner city schools. He noted that price points and affordability of homes were issues but opportunities existed. Pat DiGiovanni stated that programs need to be implemented to work off the assets in the community such as employers incenting employees to live in the area in which they work. Councilmember Lopez asked of the Land Bank Program. Ms. Sculley replied that the idea was to find areas with vacant lots and bring in a developer to build affordable housing. She added that Pilot Areas would be brought to the City Council in early 2011.

Councilmember Cisneros spoke of the great work of SAGE and the WDC and asked that they continue to work with agencies including ACCION Texas. She expressed concern that there were many needs in the community and that the agencies still need financial support from the city. She spoke of the utilization of economic development tools such as TIRZ #11. Mayor Castro spoke of the significant improvements in the East Side and the need to help small businesses grow. Ms. Gorman-Johnson stated that it was important to communicate that the East Side is a safe place to live and work. Mayor Castro spoke of the West Side Reinvestment Summits that will be held in 2011 and noted that significant thought should be given to the boundaries since the West Side encompassed a large area.

EXECUTIVE SESSION

Mayor Castro recessed the meeting at 3:52 pm to convene in Executive Session for the purposes of:

- A. DISCUSS LEGAL ISSUES RELATED TO EMPLOYEE BENEFITS, PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY).**
- B. 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).**
- C. DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS AND RELATED ISSUES PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.087 (ECONOMIC DEVELOPMENT).**

Mayor Castro reconvened the meeting at 4:41 pm at which time it was noted that the City Council had been briefed on the above-styled matters but took no action.

ADJOURNMENT

There being no further discussion, Mayor Castro adjourned the meeting at 4: 41 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **November 18, 2010** at 9:00 am in the City Council Chambers.

ROLL CALL

City Clerk, Leticia M. Vacek, took the Roll Call and noted a quorum of the Council with the following present: Cisneros, Taylor, Ramos, Medina, Lopez, Rodriguez, Williams, Clamp, and Mayor Castro. **ABSENT:** Cortez and Chan. Mrs. Vacek announced that Councilmember Cortez was absent due to USAF Training Duty.

Item 1. The Invocation was delivered by Dr. Douglas Marks, Pastor, Northwest Hills Christian Church, guest of Councilmember Philip A. Cortez, District 4.

Item 2. Mayor Castro led the Pledge of Allegiance to the Flag of the United States of America.

Item 3. MINUTES

Councilmember Cisneros moved to approve the Minutes for the October 14, 2010 and October 21, 2010 City Council Meetings. Councilmember Williams seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Medina, Lopez, Rodriguez, Williams, Clamp, and Mayor Castro. **NAYS:** None. **ABSENT:** Cortez and Chan.

ITEMS FOR INDIVIDUAL CONSIDERATION

PULLED FROM THE AGENDA BY STAFF

Item 4. AN ORDINANCE APPOINTING 14 MEMBERS TO THE CITIZEN ADVISORY ACTION BOARD (CAAB).

Mayor Castro announced that Item 4 had been pulled from the agenda by staff and no action would be taken.

POINT OF PERSONAL PRIVILEGE

Councilmember Ramos recognized Victor Salas, District 3 Representative on the Historic Design and Review Commission and thanked him for his service (Item 17D).

CONSENT AGENDA ITEMS 5-31

Consent Agenda Items 16, 18, 20, and 30 were pulled for Individual Consideration. Mayor Castro announced that Item 7 had been pulled from the agenda by staff.

Councilmember Ramos moved to approve the remaining Consent Agenda Items. Councilmember Clamp seconded the motion.

Mayor Castro called upon the individuals registered to speak on the Consent Agenda.

Jack M. Finger stated that he was opposed to the grant funds for homeless residents that would be provided to Haven for Hope in Item 24. He spoke in opposition to Items 25, 26, and 32 related to the Rock N Roll Marathon and expressed concern with the traffic delays caused by the race. He stated that he was opposed to the Rock N Roll Marathon's proceeds benefitting the Komen Foundation since they provided funding to Planned Parenthood which provided abortions.

Nazirite Ruben Flores Perez stated that he understood that Item 4 had been pulled from the agenda but was supportive of the Citizen Advisory Action Board. He indicated that he had been a boxer in his younger age and expressed concern with the many Police-related shootings that had occurred lately. He spoke in support of the purchase of 143 police patrol sedans in Item 6 and referenced Yahweh and Chapter 22 in the Book of Matthew in the Bible.

John Bauchman thanked the City Council for the \$500,000 for spay/neuter services in Item 18 but stated that there was much work to be done. He expressed concern that the No Kill 2012 Goal was not going to be achieved. He noted his concerns with paying full price to organizations for spay/neuter surgeries. He requested that funds be paid to individuals who are eligible for reduced cost surgeries. He spoke of the need to solicit donations from private companies and the importance of educating the community.

Written testimony was received from Faris Hodge, Jr. in support of Items 5, 7, 9-15, 17-20, and 22-31. He wrote in opposition to Items 6, 8, 16, and 21.

The motion to approve the remaining Consent Agenda Items prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Medina, Lopez, Rodriguez, Williams, Clamp, and Mayor Castro. **NAYS:** None. **ABSENT:** Cortez and Chan.

2010-11-18-0975

Item 5. AN ORDINANCE AUTHORIZING A PURCHASE AGREEMENT WITH TIME WARNER CABLE IN THE AMOUNT OF \$98,003.14 TO UPGRADE THE CONVENTION CENTER VIDEO DISTRIBUTION SYSTEM FROM ANALOG TO DIGITAL, AND AUTHORIZING THE EXPENDITURE FROM THE CONVENTION, SPORTS, AND ENTERTAINMENT FACILITIES (CSEF) STATE REIMBURSEMENT FUND IN ANTICIPATION OF REIMBURSEMENT FROM THE STATE UNDER THE EVENTS TRUST FUND LEGISLATION.

2010-11-18-0976

Item 6. AN ORDINANCE ACCEPTING THE BIDS FROM ANCIRA MOTOR COMPANY, CALDWELL COUNTY CHEVROLET, AND PHILPOTT MOTORS TO PROVIDE THE SAN ANTONIO POLICE, PARKS & RECREATION, MUNICIPAL COURT AND SAN ANTONIO FIRE

DEPARTMENTS WITH 143 POLICE PATROL SEDANS FOR A TOTAL COST OF \$3,221,529.14, FUNDED FROM THE EQUIPMENT RENEWAL & REPLACEMENT FUND.

PULLED FROM THE AGENDA BY STAFF

Item 7. AN ORDINANCE AUTHORIZING THE CITY TO UTILIZE A COOPERATIVE CONTRACT WITH SCHOOL SPECIALTY, INC. TO PROVIDE PARTICIPATING LOCAL ELEMENTARY, MIDDLE AND HIGH SCHOOLS WITH PHYSICAL EDUCATION EQUIPMENT AND TRAINING WORKSHOPS IN CONNECTION WITH THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT'S COMMUNITIES PUTTING PREVENTION TO WORK (CPPW) PROGRAM FOR A TOTAL COST OF \$722,000.00, FUNDED THROUGH THE AMERICAN RECOVERY & REINVESTMENT ACT THROUGH THE CPPW PROGRAM.

2010-11-18-0977

Item 8. AN ORDINANCE AUTHORIZING THE CITY TO UTILIZE A COOPERATIVE CONTRACT WITH HONEYWELL INTERNATIONAL, INC. TO PROVIDE THE CONVENTION, SPORTS AND ENTERTAINMENT FACILITIES DEPARTMENT WITH A CARD ACCESS SYSTEM FOR THE HENRY B. GONZALEZ CONVENTION CENTER FOR A TOTAL COST OF \$4,099,927.00, FUNDED FROM THE CONVENTION CENTER SECURITY MONITORING PROJECT FUND.

2010-11-18-0978

Item 9. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT IN AN AMOUNT OF \$7,130,109.55 WITH YANTIS COMPANY FOR THE RUNWAY 3/21 EXTENSION-PAVING AND ELECTRICAL FOR RUNWAY 21 AND TAXIWAY Q, AN AUTHORIZED FEDERAL AVIATION ADMINISTRATION GRANT AND PASSENGER FACILITY CHARGES FUNDED PROJECT, AT THE SAN ANTONIO INTERNATIONAL AIRPORT.

2010-11-18-0979

Item 10. AN ORDINANCE AUTHORIZING A NEW THREE-YEAR LEASE AGREEMENT WITH THE UNITED STATES GOVERNMENT THROUGH GENERAL SERVICES ADMINISTRATION FOR THE TRANSPORTATION SECURITY ADMINISTRATION FOR SPACE IN TERMINAL A, TERMINAL B, THE BAGGAGE HANDLING AREA AND EIGHT PARKING SPACES AT THE SAN ANTONIO INTERNATIONAL AIRPORT, GENERATING ANNUAL REVENUE IN THE AMOUNT OF \$871,212.00.

2010-11-18-0980

Item 11. AN ORDINANCE AUTHORIZING A NEW 10-YEAR LEASE WITH TWO FIVE-YEAR EXTENSIONS WITH M7 AEROSPACE AT SAN ANTONIO INTERNATIONAL AIRPORT FOR 25.53 ACRES AND 12 BUILDINGS AT AN ANNUAL RENTAL RATE OF \$800,000.00 FOR THE FIRST FIVE YEARS AND AN ANNUAL RENTAL RATE OF \$900,000.00 FOR THE LAST FIVE YEARS, COMMENCING ON OCTOBER 1, 2010; AND AUTHORIZING UP TO \$300,000.00 FROM THE ECONOMIC DEVELOPMENT INCENTIVE FUND FOR THE CREATION AND RETENTION OF JOBS.

2010-11-18-0981

Item 12. AN ORDINANCE AUTHORIZING A NEW THREE-YEAR LEASE WITH AIR METHODS CORPORATION FOR THE USE OF HANGAR 4 (BUILDING 605), GROUND SPACE AND PARKING SPACE GENERATING \$32,309.40 ANNUALLY FOR STINSON MUNICIPAL

AIRPORT LOCATED IN COUNCIL DISTRICT 3 AND SUBJECT TO YEARLY RENTAL ADJUSTMENTS.

2010-11-18-0982

Item 13. AN ORDINANCE AUTHORIZING THE RENEWAL AND EXTENSION FOR SIX MONTHS OF A LEASE AGREEMENT FROM DONALD J. KUYRKENDALL FOR THE CONTINUED USE OF OFFICE/WAREHOUSE SPACE LOCATED AT 5015 AIRPARK, IN COUNCIL DISTRICT 6, FOR USE BY THE SOLID WASTE DEPARTMENT, EFFECTIVE NOVEMBER 1, 2010 FOR THE REDUCED MONTHLY RENTAL AMOUNT FROM THE CURRENT \$13,020.00 TO \$8,000.00.

2010-11-18-0983

Item 14. AN ORDINANCE AUTHORIZING A 10-YEAR LICENSE AGREEMENT TO ELECTRON ACQUISITIONS LLC FOR USE OF AERIAL RIGHT OF WAY SPACE OVER GREEN MOUNTAIN ROAD SOUTH OF EVANS ROAD FOR A CONVEYOR SYSTEM TO TRANSPORT AGGREGATES FROM A QUARRY TO A RAIL YARD, LOCATED IN COUNCIL DISTRICT 10 AND THE ACCEPTANCE OF \$8,150.00 FOR THE LICENSE AGREEMENT.

2010-11-18-0984

Item 15. AN ORDINANCE AUTHORIZING A 5-YEAR RENEWAL WITH RIVERTON SUITES, LTD. D/B/A HOTEL CONTESSA FOR RIVER WALK PATIO SPACE FOR ANNUAL RENTAL OF \$10,183.44.

Item 17. 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:

- A. REAPPOINTING WILLIAM J. LYONS, (CATEGORY: RIVER BEND LESSEE) TO THE RIVERWALK CAPITAL IMPROVEMENTS ADVISORY BOARD FOR A TERM OF OFFICE TO COMMENCE DECEMBER 20, 2010 AND TO EXPIRE DECEMBER 19, 2012.
- B. REAPPOINTING BRIAN D. SMITH (DISTRICT 5, CATEGORY: COMMUNITY) TO THE BROOKS DEVELOPMENT AUTHORITY FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE NOVEMBER 4, 2012.
- C. REAPPOINTING ANNIE LAURIE GRUENBECK (DISTRICT 5) TO THE SAN ANTONIO PUBLIC LIBRARY BOARD OF TRUSTEES FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE SEPTEMBER 30, 2012.
- D. REAPPOINTING VICTOR H. SALAS (DISTRICT 3, CATEGORY: HISTORIC PRESERVATION) TO THE HISTORIC DESIGN AND REVIEW COMMISSION FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE OCTOBER 31, 2011.

E. REAPPOINTING ALBERT HERNANDEZ (DISTRICT 3, CATEGORY: FIRE PREVENTION EXPERTISE) TO THE BUILDING AND FIRE CODE BOARD OF APPEALS.

F. APPOINTING ERIC A. PARSONS (DISTRICT 6) TO THE SAN ANTONIO YOUTH COMMISSION.

2010-11-18-0987

Item 19. AN ORDINANCE AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC., IN THE AMOUNT OF \$348,395.28, FUNDED FROM GENERAL AIRPORT REVENUE BOND, FOR AN AIRPORT PAVEMENT MANAGEMENT SYSTEM PROJECT AT THE SAN ANTONIO INTERNATIONAL AIRPORT.

2010-11-18-0989

Item 21. AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT FOR FINANCIAL ADMINISTRATION MANAGEMENT SERVICES WITH MICHAEL G. MORONEY & ASSOCIATES, INC. BY INCREASING THE CONTRACT AMOUNT BY UP TO \$100,000.00 AND EXTENDING THE TERM THROUGH JUNE 30, 2011 FOR THE AVIATION DEPARTMENT WITH THE OPTION OF ONE THREE-MONTH EXTENSION.

2010-11-18-0990

Item 22. AN ORDINANCE APPROVING THE FISCAL YEAR 2011 ANNUAL AUDIT PLAN.

2010-11-18-0991

Item 23. AN ORDINANCE RATIFYING A MEMORANDUM OF UNDERSTANDING WITH THE CORE COLLABORATORS OF THE EASTSIDE PROMISE NEIGHBORHOOD INITIATIVE OUTLINING THE CITY'S PARTICIPATION IN THE IMPLEMENTATION OF A \$312,000.00 PLANNING GRANT BEING MANAGED BY THE UNITED WAY OF SAN ANTONIO & BEXAR COUNTY FOR THE PERIOD SEPTEMBER 2010 TO SEPTEMBER 2011 TO PREPARE FOR A FUTURE GRANT OPPORTUNITY TO IMPLEMENT THE PROMISE NEIGHBORHOOD PROJECT.

2010-11-18-0992

Item 24. AN ORDINANCE AUTHORIZING TWO HAVEN FOR HOPE RELATED ITEMS: ACCEPTANCE AND APPROPRIATION OF GRANT FUNDS UP TO \$406,633.92 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT-HOUSING ASSISTANCE PAYMENT PROGRAM, A RENTAL SUBSIDY PROGRAM FOR HOMELESS RESIDENTS TO BE UTILIZED AT THE HAVEN FOR HOPE FROM SEPTEMBER 17, 2010 TO SEPTEMBER 16, 2011 AND A CORRESPONDING CONTRACT RENEWAL WITH THE SAN ANTONIO HOUSING AUTHORITY AND A SUBCONTRACT WITH SAN ANTONIO METROPOLITAN MINISTRY, INC. (SAMM); AND SECONDLY AUTHORIZING AN AGREEMENT TRANSFERRING THE TITLE OF TWO CITY OWNED VEHICLES TO HAVEN FOR HOPE OF BEXAR COUNTY TO USE VEHICLES FOR HOMELESS SERVICES AT HAVEN FOR HOPE.

2010-11-18-0993

Item 25. AN ORDINANCE AUTHORIZING A ONE-YEAR PROFESSIONAL SERVICES AGREEMENT, IN AN AMOUNT UP TO \$155,000.00, WITH SAN ANTONIO SPORTS TO ASSIST

THE SAN ANTONIO CONVENTION AND VISITORS BUREAU IN THE SOLICITATION OF SELECT AMATEUR REGIONAL, NATIONAL AND INTERNATIONAL SPORTING EVENTS.

Item 26. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATING TO THE REIMBURSEMENT OF EXPENSES FOR EVENTS:

2010-11-18-0994

- A. AN ORDINANCE AUTHORIZING A LOCAL CONTRIBUTION IN THE AMOUNT OF \$95,562.00 TO THE EVENTS TRUST FUND IN ANTICIPATION OF REIMBURSEMENT OF UP TO \$692,822.00 FROM THE TEXAS STATE COMPTROLLER OF PUBLIC ACCOUNTS FOR ELIGIBLE EXPENSES RELATED TO THE 2010 ROCK N ROLL MARATHON; APPROVING A REIMBURSEMENT AGREEMENT WITH SAN ANTONIO SPORTS FOR REIMBURSEMENT OF EXPENSES TOTALING UP TO \$67,934.85 ASSOCIATED WITH THE STATE REIMBURSEMENT TO THE CITY FOR THE 2010 ROCK N ROLL MARATHON; AND AUTHORIZING PAYMENT.

2010-11-18-0995

- B. AN ORDINANCE APPROVING A REIMBURSEMENT AGREEMENT WITH SAN ANTONIO SPORTS FOR REIMBURSEMENT OF EXPENSES TOTALING UP TO \$100,000.00 ASSOCIATED WITH THE STATE REIMBURSEMENT TO THE CITY FOR THE 2010 NCAA WOMEN'S FINAL FOUR BASKETBALL TOURNAMENT; AND AUTHORIZING PAYMENT.

Item 27. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATING TO FUNDING AGREEMENTS FOR THE WESTSIDE DEVELOPMENT CORPORATION (WDC) AND SAN ANTONIO FOR GROWTH ON THE EASTSIDE (SAGE):

2010-11-18-0996

- A. AN ORDINANCE APPROVING A \$100,000.00 FUNDING AGREEMENT WITH THE WDC FOR ECONOMIC DEVELOPMENT PURPOSES; AND APPROPRIATING FUNDS.

2010-11-18-0997

- B. AN ORDINANCE ACCEPTING A \$400,000.00 DONATION FROM GLAZER'S WHOLESALE DRUG COMPANY; AND APPROVING A \$400,000.00 DONATION AGREEMENT WITH GLAZER'S FOR OPERATIONS SUPPORT OF SAGE.

2010-11-18-0998

- C. AN ORDINANCE APPROVING A \$540,000.00 FUNDING AGREEMENT WITH SAGE FOR ECONOMIC DEVELOPMENT PURPOSES, OPERATIONS AND MARKETING; AND APPROPRIATING FUNDS.

2010-11-18-0999

Item 28. AN ORDINANCE AUTHORIZING AN AGREEMENT WITH DR. JENNIFER BANKLER IN AN AMOUNT UP TO \$112,000.00 FOR DENTAL SERVICES COORDINATION FOR THE TERM OF OCTOBER 1, 2010 TO SEPTEMBER 31, 2011.

2010-11-18-1000

Item 29. AN ORDINANCE APPROVING A CONTRACT UP TO \$250,000.00 FOR A PROFESSIONAL SERVICES AGREEMENT WITH KGB TEXAS MARKETING / PUBLIC RELATIONS INC. TO FACILITATE A STRATEGIC PLANNING PROCESS LEADING TO THE DEVELOPMENT OF A FIVE-YEAR LIBRARY STRATEGIC PLAN FOR THE SAN ANTONIO PUBLIC LIBRARY.

2010-11-18-1002

Item 31. AN ORDINANCE AUTHORIZING AN INTERLOCAL AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) ALLOWING THE CITY OF SAN ANTONIO TO OPERATE AND MAINTAIN THE TRAFFIC SIGNALS ON US 281 AND MARSHALL ROAD.

[CONSENT ITEMS CONCLUDED]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2010-11-18-0985

Item 16. AN ORDINANCE AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, OF THE CITY CODE OF SAN ANTONIO, TEXAS, BY MAKING SUBSTANTIVE AND MINOR AMENDMENTS; CORRECTING CLERICAL AND FORMATTING ITEMS; CLARIFYING ITEMS; AMENDING DEFINITIONS; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR SEVERANCE.

Councilmember Clamp moved to adopt the proposed Ordinance with the following amendments: 1) To allow a pawnshop use in C-3, D, L, RD, UD and AE-1 districts in the Use Regulations Table 311-2, Non-Residential Use Matrix, to be effective January 1, 2011; and 2) In consideration of the nine-year grace period since the adoption of the new zoning districts in the 2001 UDC that has allowed uses that are not authorized by the City Council to open in multi-tenant buildings, that the multi-tenant grace period provisions be removed from Appendix D, to be effective May 1, 2011. Councilmember Rodriguez seconded the motion.

Rod Sanchez stated that the Infrastructure and Growth Council Committee had recommended that four draw downs on trust agreements be allowed and were included in the staff recommendation.

Councilmember Williams recognized the many individuals that that worked on the UDC Amendments and stated that he was pleased that the process would now occur every five years. He asked of the second amendment. Mr. Sanchez mentioned that it applied to multi-tenant shopping centers that were previously allowed to continue their use if they had been authorized to do so prior to 2001. Today's action would no longer allow them to request that use as of June 1, 2011. He noted that although it could cause some hardship, they had been given adequate time to request continuance of the use. Councilmember Ramos confirmed that pawn shops would not be allowed in a C-2 Zoning. Mr. Sanchez confirmed same. Councilmember Clamp added that he was pleased to remove pawn shops from C-2 Zoning Districts.

The motion prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Medina, Lopez, Rodriguez, Williams, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** Cortez and Chan.

The City Clerk read the following Ordinance:

2010-11-18-0986

Item 18. AN ORDINANCE APPROVING CONTRACTS UP TO \$500,000.00 FUNDED BY THE FY 2011 ADOPTED BUDGET, FOR SPAY NEUTER ASSISTANCE PROGRAM (SNAP), SPAY NEUTER INCENTIVE PROGRAM SAN ANTONIO (SNIPSA), SPAYSA, ANIMAL DEFENSE LEAGUE (ADL), AND THE HUMANE SOCIETY OF SAN ANTONIO (HSSA) TO PROVIDE FREE SPAY/NEUTER SURGERIES FOR THE COMMUNITY.

Councilmember Rodriguez asked how the plan would be implemented. Gary Hendel replied that the \$500,000 would be distributed among partner agencies based on their capacity over a one-year period. He noted that 9,433 surgeries could be accomplished and conducted throughout the city. He mentioned that they would target areas with high call volume, bite incidents, and stray pickups. Councilmember Rodriguez asked of the outreach that would be conducted. Mr. Hendel stated that when Officers issued citations for loose dogs, they would provide the owner with a certificate for a free spay/neuter surgery. He added that staff would also provide information door-to-door in identified neighborhoods. He mentioned that the first joint spay/neuter effort among partner agencies would occur on December 9, 2010. Councilmember Rodriguez recommended that a B Session be held to discuss the progress of the No Kill Goal by 2012.

Councilmember Cisneros thanked Animal Care Services Staff for their work and noted that great progress had been made. She stated that she was grateful to the partner agencies and spoke of the importance of community education and focusing on the inner city. Councilmember Medina expressed his support and noted that this was a step in the right direction to address the issue of stray animals in the community. Mayor Castro stated that the city had made significant progress toward the No Kill Goal by 2012 but there was still much work to be done. He spoke of the importance of spay/neuter surgeries and the need to educate the community beginning with the schools.

Councilmember Rodriguez moved to adopt the proposed Ordinance. Councilmember Cisneros seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Medina, Lopez, Rodriguez, Williams, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** Cortez and Chan.

The City Clerk read the following Ordinance:

2010-11-18-0988

Item 20. AN ORDINANCE AUTHORIZING THE AMENDMENT OF A PROFESSIONAL SERVICES AGREEMENT WITH NORTH AMERICAN CONVEYOR CORPORATION IN THE AMOUNT OF \$480,456.00 FOR CONSULTANT SERVICES ASSOCIATED WITH OVERSIGHT OF THE CONSOLIDATED BAGGAGE HANDLING SYSTEM IN THE SAN ANTONIO INTERNATIONAL AIRPORT.

Councilmember Williams asked why said item was necessary. Mike Frisbie replied that North American Conveyor Corporation (NACC) had been the city's representative throughout the Consolidated Baggage Handling Project working to ensure that the system was operational and certified by the Transportation Security Administration (TSA). He noted that due to missed completion milestone dates by the contractor, extension of the contract with NACC was needed to continue their

services through the Spring to complete the project. He added that the increased cost would be included in negotiations with the contractor prior to closing the project. Frank Miller stated that due to the large number of passengers and baggage during the holiday season, the majority of airlines in Terminal A would not be integrated into the new system until January, 2011.

Councilmember Williams moved to adopt the proposed Ordinance. Councilmember Ramos seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Lopez, Rodriguez, Williams, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** Cortez, Medina, and Chan.

The City Clerk read the following Ordinance:

2010-11-18-1001

Item 30. AN ORDINANCE NOMINATING BROOKS CITY-BASE TO THE STATE OF TEXAS AS A DEFENSE ECONOMIC READJUSTMENT ZONE (DERZ) FOR A PERIOD OF SEVEN YEARS.

Councilmember Ramos stated that she pulled said item to highlight it and asked how it would benefit Brooks City-Base in the future. Robert Murdock replied that the Defense Economic Readjustment Zone would encourage development at Brooks City-Base through the granting of State Tax Credits to corporations that develop at the base. He noted that since the credits were granted by the State, there would be no fiscal impact to the city. Councilmember Ramos recognized Donald Jakeway, President and CEO of Brooks Development Authority.

Mr. Jakeway thanked the City Council for their support and stated that they were excited about this great opportunity.

Councilmember Ramos moved to adopt the proposed Ordinance. Councilmember Rodriguez seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Lopez, Rodriguez, Williams, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** Cortez, Medina, and Chan.

Item 32. CITY MANAGER'S REPORT

A. HISTORIC PRESERVATION S.T.A.R. PROJECT

Ms. Sculley reported that the Office of Historic Preservation had hosted a four-day service project called Students Together Achieving Revitalization (S.T.A.R.) with participation from 250 students from the University of Texas at San Antonio (UTSA) College of Architecture. She stated that they had performed minor repair work including siding, porches, and window rehabilitation on 13 houses in the Dignowitty Hill Historic District. She recognized Dean John Murphy, Faculty Member Sue Ann Pemberton, and Victor Salas, Owner of Architectural Interiors Incorporated for their work and coordination with the city. She noted that the next projects were scheduled for March and April and staff would coordinate same with the City Council.

B. INFRASTRUCTURE MANAGEMENT PROGRAM - STREET BIDS

Item B was not Addressed.

C. 2010 ROCK N ROLL MARATHON UPDATE

Ms. Sculley stated that she was pleased that Mayor Castro and several members of the City Council had participated in the 2010 Rock N Roll Marathon. She reported that 31,000 individuals had registered for the event and 26,000 finished the race. She mentioned that 150 city employees had participated and recognized VIA Metropolitan for the shuttle service they provided. She thanked the 4,000 volunteers and highlighted the recycling coordination that occurred throughout the race. She spoke of the Kids Rock event held on Saturday morning at Brackenridge Park with over 1,600 children participating. She thanked the many individuals that assisted in making the race a huge success, noting an economic impact estimated at \$41 million.

Mayor Castro stated that he was pleased with the work of the S.T.A.R. Project, noting that it helped improve the look of the neighborhood and involved young people. He recognized Ms. Sculley for participating in the Rock N Roll Marathon and stated that he looked forward to keeping the race in San Antonio for many years. Councilmember Taylor thanked city staff and UTSA for their work on the S.T.A.R. Project. She stated that she was pleased that the Architecture Students were exposed to the homes in Dignowitty Hill and that others that had witnessed the work were inspired to improve their homes.

POINT OF PERSONAL PRIVILEGE

Mayor Castro recognized Councilmember Clamp who would be celebrating his birthday on November 27, 2010. Everyone joined in singing Happy Birthday to Councilmember Clamp.

RECESSED

Mayor Castro recessed the meeting at 10:25 am and announced that the meeting would resume at 2:00 pm for Zoning.

RECONVENED

Mayor Castro reconvened the meeting at 2:00 pm and addressed the Consent Zoning Items.

CONSENT ZONING ITEMS

Councilmember Taylor moved to approve the following rezoning cases, noting that Staff and Zoning Commission recommendation were to approve and that no citizens had registered to speak against: Z-1, Z-8, and Z-9. Councilmember Lopez seconded the motion.

The motion to approve the Consent Zoning Items prevailed by the following vote: **AYES:** Cisneros, Taylor, Medina, Lopez, Williams, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** Ramos, Cortez, Rodriguez, and Chan.

2010-11-18-1003

Item Z-1. **ZONING CASE # Z2010160 (District 6):** An Ordinance amending the Zoning District Boundary from "PUD MF-33 AHOD" Planned Unit Development Multi-Family Airport Hazard Overlay District, "PUD MF-33 GC-2 AHOD" Planned Unit Development Multi-Family Highway 151 Gateway Corridor Overlay Airport Hazard Overlay District to "MF-33 AHOD" Multi-Family Airport Hazard Overlay District and "MF-33 GC-2 AHOD" Multi-Family Highway 151 Gateway Corridor Overlay Airport Hazard Overlay District on Lots 1 through 97 and Lots 901 through 905, Block 14, NCB 17673, within the Westover Hills Townhomes, P.U.D. established by Subdivision Plat Number 060629, formerly known as County Block 4398, located at 2210 Rogers Road. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOTS 1 THROUGH 97 AND LOTS 901 THROUGH 905, BLOCK 14, NCB 17673, WITHIN THE WESTOVER HILLS TOWNHOMES, P.U.D. ESTABLISHED BY SUBDIVISION PLAT NUMBER 060629, FORMERLY KNOWN AS COUNTY BLOCK 4398 TO WIT: FROM "PUD MF-33 AHOD" PLANNED UNIT DEVELOPMENT MULTI-FAMILY AIRPORT HAZARD OVERLAY DISTRICT, "PUD MF-33 GC-2 AHOD" PLANNED UNIT DEVELOPMENT MULTI-FAMILY HIGHWAY 151 GATEWAY CORRIDOR OVERLAY AIRPORT HAZARD OVERLAY DISTRICT TO "MF-33 AHOD" MULTI-FAMILY AIRPORT HAZARD OVERLAY DISTRICT AND "MF-33 GC-2 AHOD" MULTI-FAMILY HIGHWAY 151 GATEWAY CORRIDOR OVERLAY AIRPORT HAZARD OVERLAY DISTRICT.

2010-11-18-1007

Item Z-8. **ZONING CASE # Z2011005 (District 2):** An Ordinance amending the Zoning District Boundary from "I-1 RIO-1 AHOD" General Industrial River Improvement Overlay-1 Airport Hazard Overlay District to "C-2 IDZ RIO-1 AHOD" Commercial Infill Development Zone River Improvement Overlay-1 Airport Hazard Overlay District on 5.408 acres out of NCB 6294 and 6295 located on the 2200 and 2300 Block of Broadway. Staff recommends approval. The Zoning Commission recommendation is pending the November 16, 2010 public hearing.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 5.408 ACRES OUT OF NCB 6294 AND 6295 TO WIT: FROM "I-1 RIO-1 AHOD" GENERAL INDUSTRIAL RIVER IMPROVEMENT OVERLAY-1 AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 IDZ RIO-1 AHOD " COMMERCIAL INFILL DEVELOPMENT ZONE RIVER IMPROVEMENT OVERLAY-1 AIRPORT HAZARD OVERLAY DISTRICT.

2010-11-18-1008

Item Z-9. **ZONING CASE # Z2010151 (District 4):** An Ordinance amending the Zoning District Boundary from "I-2 AHOD" Heavy Industrial Airport Hazard Overlay District to "I-1 AHOD" General Industrial Airport Hazard Overlay District on 0.913 of an acre out of Lot 1, Block 1, NCB 17550 located on a portion of 2658 Southwest Military Drive. Staff and Zoning Commission recommend approval. (Continued from November 4, 2010)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 0.913 OF AN ACRE OUT OF LOT 1, BLOCK 1, NCB 17550 TO WIT: FROM "I-2 AHOD" HEAVY INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT.

[CONSENT ZONING CONCLUDED]

INDIVIDUAL ZONING ITEMS

2010-11-18-1004

Item Z-2. **ZONING CASE # Z2010149 (District 8):** An Ordinance amending the Zoning District Boundary from "R-6" Residential Single-Family District to "C-2 NA" Commercial Nonalcoholic Sales District on Lot 4, NCB 18009 located at 11006 Bandera Road. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 4, NCB 18009 TO WIT: FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-2 NA" COMMERCIAL NONALCOHOLIC SALES DISTRICT.

Chris Looney stated that staff and the Zoning Commission recommended approval. He noted that of 18 notices mailed, four were returned in favor and none were received in opposition. He added that no response was received from the Stonefield Neighborhood Association.

Mayor Castro called upon the individuals registered to speak on Item Z-2.

Ms. M.C. McCool spoke against the zoning case and expressed concern that the neighbors had not been properly notified. She stated that they lived along a small street and would like to keep it zoned residential. She noted that two properties that had been rezoned in the area were not being properly maintained. She presented two written petitions against the zoning case by the names of Thomas Johnston and Darlene Wanke.

Patrick W. Christensen addressed the Council and stated that he represented the property owner. He noted that they had amended their original zoning request and removed the back lot that would remain zoned Single Family Residential. He mentioned that they had added a "No Alcohol Restriction" to the lot along Bandera Road and requested approval of the City Council.

Councilmember Williams asked of the commercial lot that needed repairs. Mr. Christensen replied that he had discussed the issues with the property owner and he had agreed to make the improvements. Councilmember Williams confirmed that Bering Street was included in the Infrastructure Management Program. Discussion ensued regarding the notification process. Mr. Looney stated that property owners within 200 feet of the property being rezoned were notified but since the original request had been amended, fewer property owners were notified. Councilmember Williams asked of surrounding properties being utilized as commercial properties. Mr. Looney replied that there were several properties operating as commercial properties and staff would confirm that they had been approved for same.

Councilmember Williams moved to adopt the proposed Ordinance. Councilmember Clamp seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, Taylor, Medina, Lopez, Williams, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** Ramos, Cortez, Rodriguez, and Chan.

Items Z-3 and Z-5 were addressed jointly.

CONTINUED

Item Z-3. **ZONING CASE # Z2010009 (District 10):** An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District and "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Tract 1A and 0.937 Acres out of Tract 2, NCB 16587 located at 15602 and 15700 Nacogdoches Road. Staff and Zoning Commission recommend approval. (Continued from November 4, 2010)

CONTINUED

Item Z-5. **ZONING CASE # Z2010125 S ERZD (District 10):** An Ordinance amending the Zoning District Boundary from "C-2 ERZD" Commercial Edwards Recharge Zone District to "C-2 S ERZD" Commercial Edwards Recharge Zone District with a Specific Use Authorization to allow a Wireless Communication System on 0.037 of an acre out of CB 5014 (NCB 17194) located at 15943 Bulverde Road. Staff and Zoning Commission recommend approval. (Continued from November 4, 2010)

Chris Looney stated that staff and the Zoning Commission recommended approval of Items Z-3 and Z-5. For Item Z-3, he reported that 11 notices were mailed and one was received in favor and none in opposition. He noted that no response was received from the Fox Run Neighborhood Association.

Councilmember Clamp moved to continue Items Z-3 and Z-5 to December 16, 2010. Councilmember Cisneros seconded the motion.

Mayor Castro called upon the individuals registered to speak.

Jack M. Finger expressed concern with the 38% impervious cover recommended by SAWS in Item Z-4 since it will affect the drinking water. He noted that several individuals had expressed opposition to the 150-foot wireless tower in Item Z-5. He spoke in opposition to the Bingo Parlor in Item Z-6 noting that others were also opposed.

Judy Hoover addressed the Council and stated that she was President of the Range Rider Homeowners Association. She noted that they were in opposition to Item Z-5 due to the fact that their properties backed up to the area where the 150-foot wireless tower would be placed. She added that many have not had an opportunity to respond to the case and thanked the Council for the continuance.

Jack Belew addressed the Council and stated that he was representing the tower operator in Item Z-5. He stated that he would be meeting with residents in the area to provide them with accurate information and thanked the City Council for the continuance.

The motion to continue prevailed by the following vote: **AYES:** Cisneros, Taylor, Medina, Lopez, Williams, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** Ramos, Cortez, Rodriguez, and Chan.

Item Z-6 was addressed at this time followed by Z-4.

DENIED

Item Z-6. **ZONING CASE # Z2010153 S (District 10):** An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 AHOD S" Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Bingo Parlor on 0.3143 of an acre out of NCB 12103 located at 3143 and 3147 Nacogdoches Road. Staff and Zoning Commission recommend approval. (Continued from November 4, 2010)

Chris Looney stated that staff and the Zoning Commission recommended approval. He noted that of seven notices mailed, one was received in opposition and none in favor. He added that no response had been received from the Forest Oak Neighborhood Association.

Written testimony in opposition to Item Z-6 was received from the following: Villar Boxing Club; Non Commissioned Officers Association; League of United Latin American Citizens (LULAC); and MacArthur Park Neighborhood Association. Mrs. Vacek further reported that a petition with 70 signatures in opposition to Item Z-6 had been received from the Regency Place Property Owner's Association.

Councilmember Clamp stated that this had been a very difficult zoning case and had requested that the applicants garner support from the neighborhood associations. He noted that they had not done so and that the case had already been continued several times.

Councilmember Clamp moved to deny Item Z-6. Councilmember Cisneros seconded the motion.

The motion to deny prevailed by the following vote: **AYES:** Cisneros, Taylor, Medina, Lopez, Williams, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** Ramos, Cortez, Rodriguez, and Chan.

2010-11-18-1005

Item Z-4. **ZONING CASE # Z2010114 ERZD (District 10):** An Ordinance amending the Zoning District Boundary from "C-2 ERZD" Commercial Edwards Recharge Zone District and "C-2 PC-1 ERZD" Commercial Bulverde Road Preservation Corridor Edwards Recharge Zone District to "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District and "R-6 PC-1 ERZD" Residential Single-Family Bulverde Road Preservation Corridor Edwards Recharge Zone District on 48.652 acres out of NCB 17728 located on a portion of the 19000 Block of Bulverde Road. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 48.652 ACRES OUT OF NCB 17728 TO WIT: FROM "C-2 ERZD" COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT AND "C-2 PC-1 ERZD" COMMERCIAL BULVERDE ROAD PRESERVATION CORRIDOR EDWARDS RECHARGE ZONE DISTRICT TO "R-6 ERZD" RESIDENTIAL SINGLE-FAMILY EDWARDS RECHARGE ZONE DISTRICT AND "R-6 PC-1

ERZD" RESIDENTIAL SINGLE-FAMILY BULVERDE ROAD PRESERVATION CORRIDOR EDWARDS RECHARGE ZONE DISTRICT.

Chris Looney stated that staff and the Zoning Commission recommended approval of Item Z-4. He noted that of 46 notices mailed, one was received in favor and none in opposition.

Scott Halty of SAWS stated that they had reviewed the zoning case and had conducted a geological assessment and found no sensitive features on the property. He noted that they were required to treat the stormwater runoff and were using new technology for same. He mentioned that they were working with the manufacturer and engineer on the new system and sampling. He requested that the following condition be included: "Below grade basins, Stormceptors, and Vortech Systems shall not be allowed to be constructed on the site."

Councilmember Clamp stated that the developer was utilizing a new vortech system for water filtration and if not approved by SAWS; they would utilize an alternate system approved by SAWS. He recognized developer Andrew Guerrero.

Mr. Guerrero stated that the property would be down-zoned to single-family and that there would be 5.5 acres of open space within the development. He added that they were working with the city to dedicate land for a linear park.

Councilmember Williams asked of SAWS' concern regarding the vortech system. Mr. Halty replied that they were reviewing the system for efficiency to ensure that the Aquifer will not be degraded. He noted that they would be reviewing data from various studies conducted.

Councilmember Clamp moved to adopt the proposed Ordinance with the conditions as stated by Mr. Halty of SAWS. Councilmember Cisneros seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, Taylor, Medina, Lopez, Williams, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** Ramos, Cortez, Rodriguez, and Chan.

2010-11-18-1006

Item Z-7. **ZONING CASE # Z2011010 (District 1 & 7):** An Ordinance amending the Zoning District Boundary from multiple zoning districts to multiple zoning districts with the application of the Woodlawn Lake Area Neighborhood Conservation District Overlay (NCD-8) on multiple lots generally bound by Woodlawn Street to the north; Zarzamora Street to the east; Culebra Road to the south; and Bandera Road and St. Cloud Road to the west; and to adopt the Woodlawn Lake Area Neighborhood Conservation Plan. Staff recommends approval. Zoning Commission recommendation pending November 16, 2010 public hearing.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: MULTIPLE LOTS GENERALLY BOUND BY WOODLAWN STREET TO THE NORTH; ZARZAMORA STREET TO THE EAST; CULEBRA STREET TO THE SOUTH; AND BANDERA ROAD AND SAINT CLOUD TO THE WEST. TO WIT: TO CREATE A NEIGHBORHOOD CONSERVATION DISTRICT (WOODLAWN LAKE AREA NCD-8).

Andrea Gilles presented Item Z-7 and stated that staff and the Zoning Commission recommended approval. She noted that 1,704 notices were mailed that included the Jefferson, Woodlawn Lake, Prospect Hill, Monticello Park, and University Park Neighborhood Associations. She reported that 26 notices were received in favor and 15 were received in opposition.

Councilmember Cisneros stated that the action would help preserve the residential character of the area around Woodlawn Lake that encompasses Districts 1 and 7. She asked of the public process utilized. Ms. Gilles replied that they had been working on the case for over a year and had held numerous Planning Team and Neighborhood Input meetings.

Mayor Castro called upon Alejandro Soto, President of the Woodlawn Lake Community Association. Mr. Soto stated that they had presented the petition to preserve the character of the area around Woodlawn Lake and requested approval of said item.

Councilmember Cisneros read a letter of support for Item Z-7 from Councilmember Rodriguez. He wrote that he was in full support of the adoption of the Woodlawn Lake Neighborhood Conservation District. He noted that it would provide design standards that encourage, promote, and facilitate compatible development within an area. He added that it would serve as a planning tool to guide future development by promoting the desired elements of the existing neighborhood character. Mayor Castro expressed his support and thanked the Woodlawn Lake Community Association for their work.

Councilmember Cisneros moved to adopt the proposed Ordinance. Councilmember Lopez seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, Taylor, Medina, Lopez, Williams, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** Ramos, Cortez, Rodriguez, and Chan.

RECESSED

Mayor Castro recessed the meeting at 2:45 pm and announced that the meeting would resume at 6:00 pm for Citizens to be Heard.

CITIZENS TO BE HEARD

Mayor Castro reconvened the meeting at 6:00 pm and called upon the individuals registered to speak.

Nazirite Ruben Flores Perez referenced Matthew Chapter 22 Verse 32 in the Bible and expressed concern with the many celebrations of Dia de los Muertos. He also expressed concern with the haunted house sponsored by the Salvation Army and the headlines and skulls printed in the La Prensa Newspaper.

Leticia Vela expressed concern with noise issues in her neighborhood and with the quality of life on the West Side of the city. She stated that she was pleased to participate in SA 2020. She noted that she had reported concerns with the loud music played by her neighbor on outdoor speakers to the San Antonio Police Department and they had not responded.

Mark Kellman presented photos of the Corpus Christi Museum of Art and noted the green space next door that was donated by Architect Phillip Johnson. He spoke of the fountain that had been incorporated within the green space that helped to increase the number of visitors to the museum.

Mark Perez stated that he had been speaking on environmental issues for a long time and was concerned by the lack of response by city staff. He noted that he had lost twin daughters while working at Tetco and spoke of their storage of hazardous chemicals. He mentioned that the facility on Goldfield Road had not obtained the proper permits and was releasing toxic chemicals. He expressed concern that Age Refinery was operating without a Certificate of Occupancy and that the City's Ethics Code was being violated by city staff.

Damon Mason spoke of a cart that he utilized to haul a television and was asked to unload it on the VIA Bus. He expressed concern that he had been reprimanded for carrying a drink with a lid on it on the bus yet other individuals with drinks were not reprimanded.

Jose A. Perez stated that he had served a year in jail for using an acronym when crying out for help. He noted that he had not threatened anyone at the Courthouse and was a non-violent person. He requested that Mayor Castro respond to his concerns.

Faris Hodge, Jr. expressed concern with the large number of zoning cases that were approved under one zoning case in the Government Hill Neighborhood on the City Council Agenda of November 4, 2010. He stated that the seat belt campaign should continue and expressed concern that seniors were not being provided with enough canned food from the Food Bank. He requested that Channels 20 and 21 be aired on regular television and stated that he was pleased that Item 4 regarding the Citizen Advisory Action Board had been pulled from the agenda. He asked why Park and Airport Police Officers were not paid the same as San Antonio Police Officers and when the sprinklers would be installed in the Municipal Plaza Building. He mentioned that Pope Benedict had called on Catholics not to cast stones and requested that the Citizens to be Heard portion of the City Council Meeting be televised.

Adelee Lisboa stated that she was pleased to live in the United States and was here speaking as a voice for animals. She expressed concern with the large number of dead animals in the streets and noted that the new Animal Care Facility was not helping save animals. She stated that she wants justice for animals and requested action and education by the city.

Raoul Enriquez stated that he lived at the Sorento Apartments and expressed concern that the San Antonio Housing Authority (SAHA) was dropping that location from their Subsidy Program. He noted that the holiday season was not a good time to have people move from their homes and requested assistance from the City Council.

Rhett Smith stated that he was concerned with the amount of violence in the city and asked Nick Calzoncit to read a statement on his behalf. Mr. Calzoncit expressed concern that only four Councilmembers were present. He requested that the city create a Department of Peace in coordination with the Harlandale and Northside Independent School Districts. He expressed concern with the killing of a 14-year-old student and asked that a further investigation on his death be conducted. He referenced a School Board Meeting he attended in which he felt the setting was inappropriate due the laughing and joking that was occurring among Board Members. He stated that he was pleased with a recent event sponsored by the YWCA that honored 10 women including Emma Tenayuca.

George Alejos thanked the Councilmembers that were present and stated that he was representing LULAC District 15. He expressed concern with the 36 families living at the Sorento Apartments that were being displaced by SAHA and had only been given 12 days notice. He referenced a complaint that had been made by an individual in which a great amount of city time and resources were utilized. He requested the assistance of Councilmember Cisneros, noting that these families should not be displaced during the holidays. He mentioned that a meeting would be held with SAHA on November 23, 2010 at 4:00 pm to determine the fate of the 36 families.

Henry Rodriguez representing LULAC Concilio Zapatista 4383 addressed the City Council regarding the displacement of 36 families living at the Sorento Apartments. He expressed concern that the families were being faced with this situation and noted that they wanted to continue living in their homes. He stated that this was a very serious issue that warrants further investigation and requested assistance from the City Council.

Rita Lopez stated that she has lived at the Sorento Apartments for five years and that her health has been affected by recent actions. She noted that she does not have the money to pay deposits and bills at a new home especially with the upcoming holidays. She mentioned that her granddaughter has also been affected because she considers this her home too. She expressed concern that they were only given 12 days to vacate the property due to a complaint made by Christina Mesa. She stated that she was also concerned that Ms. Mesa was related to an employee of Council District 1.

Susan Zavala stated that she was also a resident of the Sorento Apartments and expressed concern that she was being displaced from her home. She noted her concerns with the staff member in Council District 1 that was related to the complainant. She added that they were a small community that wanted to stay in their homes.

ADJOURNMENT

There being no further discussion, Mayor Castro adjourned the meeting at 6:50 pm.

APPROVED



**JULIÁN CASTRO
MAYOR**

Attest:



LETICIA M. VACEK, TRMC/CMC
City Clerk