

**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 COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, WEDNESDAY, AUGUST 5, 2009 AND THURSDAY, AUGUST 6, 2009, RESPECTIVELY.

The San Antonio City Council convened in a Work Session at 2:00 pm Wednesday, **August 5, 2009**, Municipal Plaza Building with the following Councilmembers present: Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro.

1. QUARTERLY UPDATE ON THE 2007-2012 BOND PROGRAM.

Mike Frisbie recognized the Joint City/County Citizens Bond Oversight Commission for their work and reported on the 2007-2012 Bond Program. He spoke of the 151 projects and noted that they would be substantially complete by June, 2012. He explained that the Capital Improvement Management Services (CIMS) Department had requested appropriation of the entire Bond Program to fully fund all projects for greater efficiency. He reported that CIMS had also conducted a consultant selection process and spent six months creating a Design Guidance Manual that outlines design standards.

Mr. Frisbie stated that the 2007-2012 Bond Program had the largest Small Business Economic Development Advocacy (SBEDA) participation in the City's history. He reported that of 104 prime design consultants, 72 were SBEDA certified. Additionally, of the 622 sub consultants, 502 were SBEDA certified. He reported that a database had been created to track subcontractor utilization of the Small Business Enterprise, Minority Business Enterprise, Women-Owned Business Enterprise, and African-American Business Enterprise Goals.

Mr. Frisbie provided a status of the Bond Projects as follows: A) 18 Projects Completed; B) 17 Projects in Construction and Approved Funding Agreements for three projects; C) 106 Projects are in the Design Phase; and D) Seven Projects are in Pre-Design Phase. He stated that there were five projects that may not be completed by June, 2012 due to a variety of issues. In regard to the Hildebrand to Jackson Keller Project, he explained that the project included federal funds and that the City would proceed with its portion. He reported that the Broadway Corridor Project could be delayed due to environmental issues and underground utility coordination. He reported that the Bulverde Road Project from Loop 1604 to Evans Road was three miles in length and the northern end had environmental issues. He stated that the project would begin one year sooner than anticipated due to the utilization of a Construction Manager at Risk delivery method. He reported that relating to the Arena Road Project; staff was working with all of the parties involved. He noted that the original scope of work on the Westwood Village Project would require a permit from the Army Corps of Engineers which is a lengthy process. Due to the required permit, the City will purchase a piece of property that will be utilized as a retention area and meter water into the existing drainage channel.

Mr. Frisbie spoke of the City's Bond Program Status Dashboard and showed a brief demonstration. He explained that individuals with Internet capability could access the Dashboard. He stated that an election for the next Bond Program could possibly be held in May, 2012. He noted that an article highlighting San Antonio's Bond Program had been published in *Construction Today Quarterly*, Summer 2009 edition and included information on the City's efforts.

Councilmember Cisneros recognized staff for their work on the Bond Program and asked of the Hildebrand to Jackson Keller Project. Mr. Frisbie stated that it was a \$30 million project of which the City would be responsible for \$22 million and staff would proceed with construction on the City's portion. Councilmember Clamp recognized the CIMS Department for the implementation of the Bond Program Status Dashboard.

Councilmember Lopez recognized staff regarding the management of the Bond Program and asked of the financial performance. Mr. Frisbie stated that all project budgets were adhered to with no additional funds allocated. He noted that CIMS Staff worked closely with the Finance Department on the sale of bonds in an effort to follow the project spending plan. Ms. Sculley reported that staff was moderately conservative in terms of growth projections and that the Bond Projects were within budget. She added that City Staff coordinated with CPS and SAWS during the design and construction phases to ensure minimum disruption. Councilmember Lopez spoke of the importance of coordinating with other entities regarding future bond programs in an effort to maximize the City's investment.

Councilmember Ramos thanked all involved in the Bond Program and expressed concern with the Mission Drive-In Project. She stated that it was important for the project to be completed on schedule and inquired of City operations without a City Architect. Mr. Frisbie stated that Betty Feldman had been hired as City Architect and had been familiarizing herself with the bond projects. He reported that she was coordinating design improvements as not to affect the project schedules. Councilmember Rodriguez thanked City Staff and the Joint City/County Citizens Bond Oversight Committee for their work on the Bond Program. He stated that outreach and education to the community was critical and that the success of a future Bond Program would be contingent on current Bond Program results. He spoke of the importance of project coordination with the Texas Department of Transportation and the utility companies. Mayor Castro thanked City Staff for their work on the projects and stated that he was pleased with the SBEDA participation.

2. BRIEFING ON PROPOSED STRATEGIC HISTORIC PRESERVATION PLAN.

Ms. Sculley stated that the City Council had approved a Historic Preservation Strategic Plan in December, 2008 and introduced Shannon Wasielewski, the City's Historic Preservation Officer. Ms. Wasielewski stated that the plan was critical in guiding the City's preservation efforts to capitalize on the unique assets of the past to enhance economic development, tourist appeal, and quality of life. She noted that the plan followed two major goals: 1) Protecting and preserving historical items; and 2) Strengthening the City's reputation as a special place of American History, Architecture, and Culture.

Ms. Wasielewski spoke of the City's first preservation ordinance for La Villita that passed in 1939. She stated that a second preservation ordinance had been approved in 1967 for the creation of historic districts and a Historic Board of Review. She reported that the City currently has 24 local historic districts; Six River Improvement Overlay Districts; over 2,000 individual local landmarks; and more than 1,900 recorded archaeological sites.

Ms. Wasielewski noted that a Request for Proposals for a preservation consultant had been issued in July, 2008 and the Lakota Group was selected to provide consulting services in December, 2008. She reported that the Lakota Group had made five visits from February through July, 2009 and met with City Staff, stakeholders, community-at-large, and the 31-member Preservation Plan Steering Committee. She spoke of the members that served on the Steering Committee and introduced Nick Kalogeresis of the Lakota Group.

Mr. Kalogeresis stated that a Strategic Plan was important for future preservation and to encourage historic preservation-based on economic development. He provided an overview of the Historic Preservation Plan that included: 1) State of the City; 2) Historic Preservation Planning Strategies; and 3) Implementation Actions. He spoke of the challenges and opportunities, noting that preservation should be integrated within projects and that the preservation code should be less complex. He noted that there was a need for additional incentives and that disincentives should be eliminated.

Mr. Kalogeresis outlined the following Historic Preservation Planning Strategies: 1) Planning; 2) Zoning; 3) Historic Resources; 4) Economic Development; 5) Incentives; and 6) Education and Advocacy. He stated that within Planning and Zoning, priorities for implementation should include the integration of preservation elements in planning activities and the identification and protection of key historic areas. Within Historic Resources, he noted that an early warning system should be implemented and enforcement strategies should be enforced. He explained that in the Economic Development and Incentives category, preservation-based economic development initiatives should be implemented and existing incentives should be assessed. Lastly, he noted that within Education and Advocacy, outreach and education materials should be updated and revised.

Ms. Wasielewski provided a summary and noted that the Strategic Historic Preservation Plan encourages good development and supports preservation through incentives for reinvestment in the urban core. She stated that there were specific strategies in working with other departments regarding economic development and sustainability. She added that the Plan provides concrete recommendations and strategies to enhance overall historic preservation in the community.

Councilmember Cisneros thanked all for their work on the project and asked of the inventory of the River North area. Ms. Wasielewski stated that structures had been identified during the River North planning process and Historic Preservation Staff would continue to work with the Planning and Development Services Department on the public meetings regarding Form-Based Zoning. In response to Councilmember Cisneros, she stated that Historic Designations were approved by the City Council. Councilmember Rodriguez noted the importance of the role of neighborhoods in preservation and enforcement. Ms. Wasielewski stated that enforcement was a major issue and that staff relied on Neighborhood Associations.

Councilmember Taylor stated that she was excited about the Plan and thanked all that worked on it. She noted that historic preservation was not just about buildings but also about people. She spoke of the importance to ensuring that stories that make buildings and homes special are passed along. Specifically, she spoke to preserving African-American History on the East Side of San Antonio. She added that staff should strengthen coordination with entities in the community that are willing to help with preservation efforts. Councilmember Clamp expressed his support for the Plan and asked of the incentives. Ms. Wasielewski stated that there were several local and federal incentives available. Councilmember Clamp noted that the historic preservation process should be more user-friendly to encourage community participation.

In response to Mayor Castro, Ms. Wasielewski stated that there was a Rehabilitation Tax Incentive. She noted that there were minimal fees to waive and that some items were approved administratively. Mayor Castro expressed support for residential and commercial property incentives to include possible waivers and fast-tracked permits. He spoke of enhanced collaboration with the Dangerous Structure Determination Board and emphasized the importance of the city's heritage and cultural tourism. Mayor Castro thanked everyone for their work.

Mayor Castro recessed the meeting at 3:49 pm to convene in Executive Session for the purpose of:

A. Deliberate competitive matters regarding CPS Energy's Strategic Energy Plan and discuss related legal issues pursuant to Texas Government Code Section 551.086 (competitive matters) and Texas Government Code Section 551.071 (consultation with attorney).

Mayor Castro reconvened the B Session at 5:17 pm at which time it was noted that the City Council had been briefed on the above-styled matter but took no action. There being no further discussion, Mayor Castro adjourned the meeting at 5:17 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **August 6, 2009** at 9:00 am in the City Council Chambers.

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

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

City Clerk, Leticia M. Vacek, took the Roll Call and noted a quorum of the Council with the following present: Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro.

Item 3. MINUTES

Councilmember Ramos made a motion to approve the Minutes for the June 17, 2009 City Council Worksession and June 18, 2009 Regular City Council Meeting. Councilmember Cisneros seconded the motion.

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

CONSENT AGENDA: Items 5-24

Consent Agenda Items 9, 16, 19 and 24 were pulled for Individual Consideration. Councilmember Cortez moved to approve the remaining Consent Agenda Items. Councilmember Ramos seconded the motion.

June Kachtik of the Brackenridge Park Conservancy spoke in support of the Memorandum of Understanding with the Brackenridge Park Conservancy (Item 24) and noted the many uses of Brackenridge Park.

Nazirite Ruben Flores Perez stated that he previously worked in the Purchasing Department and expressed support for Janie Cantu, Purchasing Director. He spoke of low morale within the Purchasing Department.

Faris Hodge, Jr. submitted various written testimonies. For Item 5, he wrote that he was concerned with the contract estimates. He wrote that the purchases in Items 6, 10 and 11 should be delayed due to the budget shortfall. He wrote in support of the purchase of the vacuum rider sweeper (Item 7) because it would help clean Downtown Sidewalks. He wrote in opposition to Item 22, the CPS Energy South Texas Nuclear Project.

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

2009-08-06-0602

Item 5. AN ORDINANCE ACCEPTING THE FOLLOWING BIDS TO PROVIDE THE CITY WITH THE FOLLOWING COMMODITIES AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR FY 2009-2010 FOR A COMBINED ESTIMATED COST OF \$707,000.00, INCLUDING: (A) FULL SERVICE AUTO PARTS (ITEM 1), GENUINE PARTS COMPANY (ITEMS: 2 AND 4) AND POPPE AUTOMOTIVE WAREHOUSE (ITEM 3) FOR SPARK PLUGS, (B) OCLC ONLINE COMPUTER LIBRARY CENTER, INC. FOR AUTOMATED CATALOGING; (C) CENVEO SAN ANTONIO FOR PRINTING OF PUBLICATIONS FOR AVIATION DEPARTMENT; (D) VULCAN ALUMINUM FOR ALUMINUM SIGN BLANKS; (E) TEXAS HIGHWAY PRODUCTS FOR TRAFFIC SIGNAL HEADS; (F) EXCELLENCE OPTO, INC. FOR PEDESTRIAN COUNTDOWN TIMERS; (G) SAT RADIO COMMUNICATIONS, LTD. DBA INDUSTRIAL COMMUNICATIONS FOR FIRE DECAL STRIPING; (H) GRAEBEL MOVERS FOR MOVING SERVICES; (I)

CONTINENTAL BATTERIES FOR POLICE AUTOMOTIVE BATTERIES,
APPROPRIATED IN THE FY 2009 - 2010 BUDGET.

2009-08-06-0603

Item 6. AN ORDINANCE AUTHORIZING THE CITY TO UTILIZE A STATE COOPERATIVE CONTRACT FOR THE PURCHASE AND INSTALLATION OF SCOREBOARDS AND VIDEO DISPLAYS FROM DAKTRONICS, INC., FOR THE ALAMODOME, FOR A COST OF \$2,079,450.00, FUNDED BY THE HOTEL RENEWAL IMPROVEMENT CONTINGENCY FUND.

ITEM PULLED BY STAFF

Item 7. AN ORDINANCE AUTHORIZING THE CITY TO UTILIZE A STATE COOPERATIVE CONTRACT FOR THE PURCHASE OF A VACUUM RIDER SWEEPER FROM NILFISK-ADVANCE, INC., FOR THE DOWNTOWN OPERATIONS DEPARTMENT, FOR A COST OF \$56,354.00, FUNDED FROM THE FY 2009 BUDGET.

2009-08-06-0604

Item 8. AN ORDINANCE AUTHORIZING A CONSTRUCTION CONTRACT WITH YANTIS COMPANY IN THE AMOUNT OF \$978,852.50 FOR THE RUNWAY 3/21 EXTENSION – MASS GRADING PROJECT AT THE SAN ANTONIO INTERNATIONAL AIRPORT; AND AUTHORIZING ACCEPTANCE, UPON AWARD, OF A FEDERAL AVIATION ADMINISTRATION GRANT FOR 75% OF THE PROJECT'S EXPENSES.

2009-08-06-0606

Item 10. AN ORDINANCE AUTHORIZING A LEASE WITH INTEGRATION INNOVATION, INC. FOR OFFICE SPACE AT THE STINSON MUNICIPAL AIRPORT TERMINAL FOR A ONE-YEAR TERM COMMENCING ON AUGUST 14, 2009 FOR ANNUAL RENTALS OF \$22,102.69.

2009-08-06-0607

Item 11. AN ORDINANCE AUTHORIZING A LEASE WITH HOST INTERNATIONAL FOR OFFICE SPACE AT SAN ANTONIO INTERNATIONAL AIRPORT FOR A 54-MONTH TERM AND ANNUAL RENTALS OF \$56,137.00.

2009-08-06-0608

Item 12. AN ORDINANCE ASSIGNING AND AMENDING THE CONCESSION AGREEMENT WITH SIMPLY WHEELZ D.B.A. ADVANTAGE RENT A CAR TO ADJUST THE MINIMUM ANNUAL GUARANTEE AND RELOCATE THE CUSTOMER SERVICE COUNTER IN TERMINAL 1 OF SAN ANTONIO INTERNATIONAL AIRPORT.

2009-08-06-0609

Item 13. AN ORDINANCE AMENDING THE LIST OF TERMINAL 1 AIRPORT CONCESSIONAIRES TO INCLUDE HOST INTERNATIONAL, D.B.A. STARBUCKS AND FRESQUEZ CONCESSIONS TEXAS, INC. D.B.A. ALAMO MICROBREWERY & GRILL AND EXTENDING THESE CONTRACTS THROUGH NOVEMBER 2011.

2009-08-06-0610

Item 14. AN ORDINANCE AUTHORIZING A TEN-YEAR LICENSE AGREEMENT WITH LAZY G RANCH, INC. FOR \$7,500.00 FOR CURRENT STRUCTURE ENCROACHMENTS ON MOCKERT AND STRIBLING STREETS, LOCATED IN COUNCIL DISTRICT 5.

2009-08-06-0611

Item 15. AN ORDINANCE AUTHORIZING THE SALE OF TWO VACANT, UNIMPROVED TRACTS OF REAL PROPERTY OUT OF THE CHRIS A. YOACUM SURVEY NUMBER 39, ABSTRACT 823, COUNTY BLOCK 4191, LOCATED IN COUNCIL DISTRICT 4 NEAR LEON CREEK AND BETWEEN FEST AND JETT ROADS, THE TRACTS HAVING FORMERLY BEEN UNDER THE CONTROL OF SAWS.

2009-08-06-0613

Item 17. AN ORDINANCE AUTHORIZING A DEED WITHOUT WARRANTY AND BOUNDARY AGREEMENT WITH SERVICE LLOYDS INSURANCE COMPANY FOR ITS PROPERTY ADJACENT TO THE RIVER WALK IN THE 100 BLOCK OF SOLEDAD, LOCATED IN COUNCIL DISTRICT 1.

2009-08-06-0614

Item 18. AN ORDINANCE RATIFYING THE SUBMISSION OF AN APPLICATION, AND ACCEPTANCE OF FUNDS UPON AWARD, FOR A GRANT FROM THE HUD OFFICE OF HEALTHY HOMES AND LEAD HAZARD CONTROL, LEAD HAZARD REDUCTION AND DEMONSTRATION GRANT PROGRAM, IN THE AMOUNT OF \$4,000,000.00 TO CONTINUE THE CITY'S LEAD-BASED PAINT HAZARD CONTROL PROGRAM FOR A THREE-YEAR PERIOD.

2009-08-06-0616

Item 20. AN ORDINANCE RATIFYING AN AMENDMENT TO A GRANT CONTRACT FROM THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES, WHICH REALLOCATES THE USE OF SURPLUS FUNDS IN THE AMOUNT OF \$221,668.00 FROM THE TOBACCO COMMUNITY COALITION GRANT, AS REQUESTED BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT.

Item 21. CONSIDERATION OF BOARD, COMMISSION AND COMMITTEE APPOINTMENTS, 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:

- A. APPOINTING BILLY J. TILLER (DISTRICT 8) TO THE ZONING COMMISSION FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE MAY 31, 2011.
- B. APPOINTING MARIA A. RUIZ (DISTRICT 1) AND FRANCINE S. ROMERO (DISTRICT 8) AND REAPPOINTING ALEJANDRO SOTO (DISTRICT 7) TO THE PARKS AND RECREATION BOARD FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE MAY 31, 2011.

- C. REAPPOINTING MARIA ELENA TORRALVA-ALONSO (DISTRICT 1) TO THE PORT AUTHORITY OF SAN ANTONIO FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE NOVEMBER 30, 2010.
- D. REAPPOINTING TIMOTHY B. CONE (DISTRICT 1, CATEGORY: ARCHITECTURAL HISTORY) AND XAVIER E. GONZALEZ (DISTRICT 8, CATEGORY: PLANNING) TO THE HISTORIC AND DESIGN REVIEW COMMISSION FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE OCTOBER 31, 2010.
- E. REAPPOINTING JOSE A. CALDERON (DISTRICT 1) AND PHILLIP R. CALDERON (DISTRICT 7) TO THE SMALL BUSINESS ADVOCACY COMMITTEE FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE MAY 31, 2011.
- F. APPOINTING NICOLE S. GREENBERG (DISTRICT 1) AND MELISSA M. MARTINEZ-CARRASCO (DISTRICT 8) TO THE MAYOR'S COMMISSION ON THE STATUS OF WOMEN FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE MAY 31, 2011.
- G. APPOINTING JAMES SMYLE (DISTRICT 1) AND LISA G. ARMSTRONG (DISTRICT 7) TO THE CITIZENS' ENVIRONMENTAL ADVISORY COMMITTEE FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE MAY 31, 2011.
- H. REAPPOINTING JESUS MORENO (DISTRICT 7, CATEGORY: CONSUMER OF HANDICAPPED SERVICES) AND LEO G. RAMOS, JR. (DISTRICT 8, CATEGORY: CONSUMER OF HANDICAPPED SERVICES) TO THE DISABILITY ACCESS ADVISORY COMMITTEE FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE MAY 31, 2011.
- I. APPOINTING DEBRA D. NICHOLAS (DISTRICT 8, CATEGORY: PATRON OF THE ARTS) TO THE ARTS AND CULTURAL ADVISORY COMMITTEE FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE MAY 31, 2011.
- J. REAPPOINTING HELEN K. DUTMER (DISTRICT 3) AND MARY E. ROGERS (DISTRICT 7) TO THE ZONING BOARD OF ADJUSTMENT FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE MAY 31, 2011.
- K. APPOINTING RYNE J. MEDINA (DISTRICT 8) TO THE SAN ANTONIO YOUTH COMMISSION FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE MAY 31, 2011.
- L. APPOINTING JAMES R. JOHNSON (DISTRICT 1) TO THE TAX INCREMENT REINVESTMENT ZONE NUMBER 27, KNOWN AS RIVER NORTH FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE MAY 31, 2011.

- M. REAPPOINTING ANTONIA I. CASTANEDA (DISTRICT 1) AND NANCY O'MALLEY (DISTRICT 8) TO THE SAN ANTONIO COMMISSION ON LITERACY FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE MAY 31, 2011.
- N. REAPPOINTING MANUEL S. PEREZ (DISTRICT 8) TO THE CITY COMMISSION ON VETERANS AFFAIRS FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE MAY 31, 2011.
- O. APPOINTING TERRY CLARK (DISTRICT 8) TO THE LINEAR CREEKWAYS PARKS ADVISORY BOARD FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE MAY 31, 2011.
- P. APPOINTING BRIDGETT BRUMBAUGH (DISTRICT 8) TO THE AFFIRMATIVE ACTION ADVISORY COMMITTEE FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE MAY 31, 2011.
- Q. REAPPOINTING ANTONIETTE (TONI) R. MOORHOUSE (DISTRICT 3) TO THE JOINT CITY/COUNTY COMMISSION ON ELDERLY AFFAIRS FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE MAY 31, 2011.
- R. REAPPOINTING ANDY MIRELES (DISTRICT 7) TO THE COMMISSION FOR CHILDREN AND FAMILIES FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE MAY 31, 2011.

2009-08-06-0617

- S. AN ORDINANCE REAPPOINTING SCOTT HALTY (SAN ANTONIO WATER SYSTEM), JOHN P. DODSON (UVALDE COUNTY), JAMES L. BLAIR (SAN ANTONIO RIVER AUTHORITY), DEIRDRE E. HISLER (TEXAS PARKS AND WILDLIFE DEPARTMENT), BONNIE CONNER (PARKS AND RECREATION ADVISORY BOARD), AND JOHN R. HOYT (EDWARDS AQUIFER AUTHORITY) TO THE CONSERVATION ADVISORY BOARD FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE MAY 31, 2011, AND WAIVING THE RESIDENCY REQUIREMENT OF CITY CODE CHAPTER 2, ARTICLE XI, FOR JOHN HOYT AND SCOTT HALTY.

2009-08-06-0618

Item 22. AN ORDINANCE SCHEDULING A SPECIAL CITY COUNCIL MEETING ON AUGUST 10, 2009 FOR PUBLIC INPUT ON THE PROPOSED EXPANSION OF THE CPS ENERGY SOUTH TEXAS NUCLEAR PROJECT.

2009-08-06-0619

Item 23. AN ORDINANCE AUTHORIZING A CONTRACT IN THE AMOUNT OF \$131,328.00 WITH SAN ANTONIO HOUSING AUTHORITY TO PROVIDE SIXTEEN TRANSITIONAL HOUSING UNITS AT THE WOODHILL APARTMENTS FOR A ONE-YEAR PERIOD BEGINNING JUNE 1, 2009.

[CONSENT ITEMS CONCLUDED]

POINT OF PERSONAL PRIVILEGE

Councilmember Cortez stated that District 4 would be hosting a Back to School Health Fair on Saturday, August 8, 2009 at the CentroMed Palo Alto Clinic to prepare students for a successful school year. He recognized the sponsors and staff that worked on the event and invited all to attend.

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2009-08-06-0605

Item 9. AN ORDINANCE AUTHORIZING A CHANGE ORDER IN THE INCREASED AMOUNT OF \$41,784.84 TO THE \$11,292,194.78 CONSTRUCTION CONTRACT WITH TEXAS STERLING CONSTRUCTION, LP, OF WHICH \$33,427.87 WILL BE REIMBURSED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, FOR THE INSTALLATION OF WHEEL-CHAIR RAMPS FOR THE WOODLAWN - BANDERA TO MAIDEN PROJECT, AN AUTHORIZED CERTIFICATES OF OBLIGATION AND U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) 108 FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 7.

Councilmember Rodriguez asked of the installation of wheel chair ramps in future submittals and of a plan for remediation of damage to parallel streets due to construction. Mike Frisbie stated that CIMS Staff was working with Public Works Staff to ensure coordination of construction and Infrastructure Management Program projects.

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

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

The City Clerk read the following Ordinance:

2009-08-06-0612

Item 16. AN ORDINANCE AUTHORIZING THE ACQUISITION, THROUGH NEGOTIATION AND/OR CONDEMNATION BY SAWS OF PRIVATELY OWNED REAL PROPERTY AND TEMPORARY EASEMENTS LOCATED IN COUNTY BLOCK 4008 ALONG THE WESTERLY SIDE OF US HIGHWAY 281 SOUTH APPROXIMATELY 3.5 MILES SOUTH OF INTERSTATE LOOP 410 IN COUNCIL DISTRICT 3 FOR THE SAWS MISSION DEL LAGO ELEVATED STORAGE TANK PROJECT; DECLARING IT TO BE A PUBLIC PROJECT; AND DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION.

Councilmember Ramos asked of the process for acquiring said property. Bruce Haby of San Antonio Water System stated that they had been negotiating with the property owner since January, 2007 but had exhausted all negotiations and would seek condemnation.

Councilmember Ramos asked of the coordination of the developers and residents of Mission del Lago. Mr. Haby stated that the project was located two miles south of Mission del Lago and would not affect development.

Councilmember Ramos moved to adopt the proposed ordinance. Councilmember Cisneros seconded the motion.

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

The City Clerk read the following Ordinance:

2009-08-06-0615

Item 19. AN ORDINANCE RATIFYING AN AMENDMENT TO A GRANT CONTRACT FROM THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES WHICH REALLOCATES THE USE OF SURPLUS FUNDS IN THE AMOUNT OF \$70,000.00 FROM THE HEALTH SERVICES/EDUCATION GRANT AS REQUESTED BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT (METRO HEALTH).

Councilmember Ramos asked of the surplus of funds and how they would be utilized. Dr. Fernando Guerra stated that they would utilize the funds to acquire laboratory equipment that would help expedite lab procedures. He added that they would also be utilized for rapid testing for Tuberculosis. In response to Councilmember Cisneros, Dr. Guerra spoke of the new immunization requirements for students.

Councilmember Ramos moved to adopt the proposed ordinance. Councilmember Cisneros seconded the motion.

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

The City Clerk read the following Ordinance:

2009-08-06-0620

Item 24. AN ORDINANCE AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH THE BRACKENRIDGE PARK CONSERVANCY AND APPROVING A TWO-YEAR LEASE FOR USE BY THE CONSERVANCY OF ONE OFFICE LOCATED IN BRACKENRIDGE PARK.

Councilmember Cisneros recognized the Brackenridge Park Conservancy and expressed her support for the initiative. She requested that Parks and Recreation Staff continue to work closely with the Tobin Hill and River Road Neighborhoods in the area.

Councilmember Cisneros moved to adopt the proposed ordinance. Councilmember Chan seconded the motion.

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

ITEM 25. CITY MANAGER'S REPORT

- A. FY 2010 Budget Calendar Update
- B. Parks and Recreation Municipal Swimming Pools Extension
- C. "Today Show" Broadcast from San Antonio

Ms. Sculley provided an overview of the Budget Schedule and noted that the Fiscal Year (FY) 2010 Proposed Budget would be presented on August 13, 2009. She stated that the proposed budget would include reductions and redirections for FY 2010 and recommendations for FY 2011. She noted that no reductions would be recommended for the Police and Fire Departments. She outlined the City Council budget work sessions and community budget hearings that would be held in August and September. She stated that the FY 2010 Budget would be adopted on September 17, 2009 and recognized the Budget Staff for their work.

She spoke of the "Today Show" Broadcast from the San Antonio River and shared a video of the broadcast. She recognized staff and JoAnn Boone of Rio San Antonio Cruises, for their work on the broadcast. She reported that the editorial value of the broadcast was \$1.8 million.

Mayor Castro stated that he was pleased that the swimming pool hours of operation had been extended. He reported that all 23 outdoor pools would be open until August 16th; Nine pools would remain open until August 23rd; and four pools would remain open until September 7th.

Councilmember Rodriguez expressed support for the extension of the swimming pool hours of operation and asked of the impact on city contracts due to the current economic conditions. Ms. Sculley stated that staff would review the contracting process and explained that the Request for Proposals for the Airport Concession Contracts was for the new terminal that would be online next year.

POINT OF PERSONAL PRIVILEGE

Education Service Center Region 20 Representatives Terry Smith, Executive Director, and Frederick E. Maples, Jr., Board Chairman, presented a plaque to Councilmember Lopez in recognition and appreciation of his service to Region 20. Councilmember Lopez thanked Messrs. Smith and Maples for the recognition and noted the importance of education in the community.

Mayor Castro recessed the meeting at 10:21 am and stated that the Council Meeting would resume at 2:00 pm.

INDIVIDUAL ZONING ITEMS

Mayor Castro reconvened the meeting at 2:05 pm and addressed the Zoning Items.

CONTINUED FOR TWO WEEKS

Item 26. A RESOLUTION DIRECTING THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT TO INITIATE A CHANGE IN THE ZONING DISTRICT BOUNDARY OF APPROXIMATELY 1.3 ACRES LOCATED AT 6735 LENDELL DR AND 6676 UTSA BOULEVARD TO A USE COMPATIBLE WITH THE EXISTING SURROUNDING LAND AS REQUESTED BY COUNCILMAN REED WILLIAMS, DISTRICT 8.

Councilmember Williams moved to continue said item for two weeks. Councilmember Clamp seconded the motion.

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

CONSENT ZONING

Councilmember Ramos made a motion to approve the following re-zoning cases, noting that Staff and Zoning Commission recommendation were to approve and that no Citizens had registered to speak: Z-2, Z-4, Z-5, Z-6, Z-7, Z-9, Z-10, and Z-12. Councilmember Cisneros seconded the motion.

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

2009-08-06-0623

Item Z-2. **ZONING CASE # Z2009114 CD (District 1):** An Ordinance amending the Zoning District Boundary from "MF-33" Multi-Family District to "MF-33 CD" Multi-Family District with a Conditional Use for a Fruit Stand (Food Service Establishment) on the east 80.7 feet of Lot 1, Block 8, NCB 768 located at 403 Jackson Street. Staff and Zoning Commission recommend Approval with conditions.

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: THE EAST 80.7 FEET OF LOT 1, BLOCK 8, NCB 768 TO WIT: FROM "MF-33" MULTI-FAMILY DISTRICT TO "MF-33 CD" MULTI-FAMILY DISTRICT WITH A CONDITIONAL USE FOR A FRUIT STAND (FOOD SERVICE ESTABLISHMENT) PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2009-08-06-0624

Item Z-4. **ZONING CASE # Z2009107 (District 3):** An Ordinance amending the Zoning District Boundary from "H I-1" General Industrial Mission Historic District to "H C-2NA" Commercial Nonalcoholic Sales Mission Historic District on 5.159 acres of land out of NCB

7665 located at 952 and 974 East Southcross Boulevard. 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: 5.159 ACRES OF LAND OUT OF NCB 7665 TO WIT: FROM "H I-1" GENERAL INDUSTRIAL MISSION HISTORIC DISTRICT TO "H C-2NA" COMMERCIAL NONALCOHOLIC SALES MISSION HISTORIC DISTRICT.

2009-08-06-0625

Item Z-5. **ZONING CASE # Z2009022 S (District 4):** An Ordinance amending the Zoning District Boundary from "C-3" General Commercial District and "MH" Manufactured Housing District to "I-1 S" General Industrial District with a Specific Use Authorization for Millwork and Wood Products Manufacturing on Parcel 52 and Parcel 52a, NCB 15613 located at 8664 Quintana 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: PARCEL 52 AND PARCEL 52A, NCB 15613 TO WIT: FROM "C-3" GENERAL COMMERCIAL DISTRICT AND "MH" MANUFACTURED HOUSING DISTRICT TO "I-1 S" GENERAL INDUSTRIAL DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR MILLWORK AND WOOD PRODUCTS MANUFACTURING PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2009-08-06-0626

Item Z-6. **ZONING CASE # Z2009094 (District 5):** An Ordinance amending the Zoning District Boundary from "R-4" Residential Single-Family District and "I-1" General Industrial District to "C-2" Commercial District on Lots 42, 43, 44, 87 and 88, Block 9, NCB 3128 and Lot A-15, NCB 3852 located at 2701 South Presa Street. Staff recommends Approval and Zoning Commission recommends Approval of "C-2NA" Commercial District, Nonalcoholic Sales.

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 42, 43, 44, 87 AND 88, BLOCK 9, NCB 3128 AND LOT A-15, NCB 3852 TO WIT: FROM "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT AND "I-1" GENERAL INDUSTRIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT.

2009-08-06-0627

Item Z-7. **ZONING CASE # Z2009105 (District 5):** An Ordinance amending the Zoning District Boundary from "R-4" Residential Single-Family District to "C-2 NA" Commercial District, Nonalcoholic Sales on Lot 22, Block 3, NCB 2210 located at 811 Perez. 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 22, BLOCK 3, NCB 2210 TO WIT: FROM "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-2NA" COMMERCIAL DISTRICT, NONALCOHOLIC SALES.

2009-08-06-0628

Item Z-9. **ZONING CASE # Z2008256 (District 8):** An Ordinance amending the Zoning District Boundary from "C-2" Commercial District, "C-3" General Commercial District and "I-1" General Industrial District to "C-3 NA" General Commercial District, Nonalcoholic Sales on 5.133 acres out of NCB 17402 located at 5119 and 5131 Beckwith Boulevard. 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: 5.133 ACRES OUT OF NCB 17402 TO WIT: FROM "C-2" COMMERCIAL DISTRICT, "C-3" GENERAL COMMERCIAL DISTRICT AND "I-1" GENERAL INDUSTRIAL DISTRICT TO "C-3 NA" GENERAL COMMERCIAL DISTRICT, NONALCOHOLIC SALES.

2009-08-06-0629

Item Z-10. **ZONING CASE # Z2009111 (District 8):** An Ordinance amending the Zoning District Boundary from "C-3NA" General Commercial District, Nonalcoholic Sales to "C-2NA" Commercial District, Nonalcoholic Sales on Lot 5, Block 12, NCB 14696 located in the 8800 Block of Oakland 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 5, BLOCK 12, NCB 14696 TO WIT: FROM "C-3NA" GENERAL COMMERCIAL DISTRICT, NONALCOHOLIC SALES TO "C-2NA" COMMERCIAL DISTRICT, NONALCOHOLIC SALES.

2009-08-06-0630

Item Z-12. **ZONING CASE # Z2009113 (District 9):** An Ordinance amending the Zoning District Boundary from "I-1" General Industrial District to "C-2" Commercial District on Lot 12, Block 2, NCB 15853 located at 12446 West Avenue. 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 12, BLOCK 2, NCB 15853 TO WIT: FROM "I-1" GENERAL INDUSTRIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT.

[ZONING CONSENT ITEMS CONCLUDED]

INDIVIDUAL ZONING ITEMS (continued)

2009-08-06-0621

Item P-1. **PLAN AMENDMENT (District 1):** An Ordinance amending the Five Points Neighborhood Plan, a component of the Master Plan of the City, for approximately 151 acres in an area generally bound by West Laurel to the north, San Pedro Ave. to the east, IH 35 to the south, and San Pedro Creek and IH 10 to the west. Staff and Planning Commission recommend Approval.

Nina Nixon-Mendez presented the Plan Amendment.

Councilmember Cisneros recognized and thanked individuals from the Five Points Neighborhood, Business Owners, Affordable Housing Providers, and City Staff for their work on said item.

Councilmember Cisneros moved to approve said item. Councilmember Cortez seconded the motion.

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

2009-08-06-0622

Item Z-1. **ZONING CASE # Z2009103 H (District 1):** An Ordinance amending the Zoning District Boundary from "R-4" Residential Single-Family District to "H R-4" Residential Single-Family, Los Angeles Heights/Keystone Historic District on multiple addresses located along the 1400 block and the 1500 block of West Rosewood Avenue and the 1400 block and the 1500 block of West Lynwood Avenue. 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, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, AND 12, BLOCK 64, NCB 2758; LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 AND 14, BLOCK 65, NCB 2759; ALL OF NCB 2762; ALL OF NCB 2763; LOTS 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, AND 24, BLOCK 71, NCB 2766 AND LOTS 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 AND 28, BLOCK 72, NCB 2767 TO WIT: FROM "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "H R-4" RESIDENTIAL SINGLE-FAMILY, KEYSTONE PARK HISTORIC DISTRICT.

Chris Looney presented the proposed Zoning Case.

Councilmember Cisneros stated that said item would be the City's 25th Historic Designation and expressed her support. She noted that her office had received support from Patricia Doria, President of Los Angeles Heights/Keystone Neighborhood Association and recognized her efforts.

Patricia Doria, President of Los Angeles Heights/Keystone Neighborhood Association thanked Councilmember Cisneros for her support.

Councilmember Cisneros moved to approve said item with the condition that it be named the Keystone Park Historic Area. Councilmember Ramos seconded the motion.

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

POSTPONED/CONTINUED

Item Z-3. **ZONING CASE # Z2009025 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 Pay Day Loan Agency on the north 75 feet of Lots 13A through 16A and the north 75 feet of Lots 13B through 16B, Block 3, NCB 6337 located at 316 North New Braunfels Avenue. Staff and Zoning Commission recommend Approval.

Jack M. Finger addressed the City Council and spoke of red flags that should be carefully reviewed when considering a zoning item. He stated that zoning cases for used car lots, bars and taverns, and payday loan agencies should not be approved. He noted that there should be concern with an item if the Zoning or Planning Commission recommended denial, or if more than 10% of notices were returned in opposition. He spoke against the Pay Day Loan Agency (Item Z-3) and the Military Lighting Overlay District (Item Z-8).

Councilmember Taylor moved to continue said item for two weeks. Councilmember Cisneros seconded the motion.

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

POSTPONED/CONTINUED

Item Z-8. **ZONING CASE # Z2009088 (District 8):** An Ordinance amending the Zoning District Boundary From "R-6 MLOD-1" Residential Single-Family Military Lighting Overlay District-1 and "R-6 GC-1 MLOD-1" Residential Single-Family Hill Country Gateway Corridor Overlay Military Lighting Overlay District-1 to "C-3 MLOD-1" General Commercial Military Lighting Overlay District-1 and "C-3 GC-1 MLOD-1" General Commercial Hill Country Gateway Corridor Overlay Military Lighting Overlay District-1 on 3.584 acres out of NCB 34761 also known as CB 4761 and 0.29 of an acre out of NCB 34780 also known as CB 4780, and 0.104 of an acre out of CB 4761 all located at 6194 Old Camp Bullis Road. Staff and Zoning Commission recommend Denial. **APPLICANT REQUESTS ITEM BE POSTPONED.**

Councilmember Williams moved to postpone said item. Councilmember Cisneros seconded the motion.

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

NO ACTION

Item Z-11. **ZONING CASE # Z2009076 ERZD (District 9):** An Ordinance amending the Zoning District Boundary from "NP-10 ERZD MLOD-1" Neighborhood Preservation Edwards Recharge Zone Camp Bullis Military Lighting Overlay District-1 and "QD S ERZD MLOD-1" Quarry Edwards Recharge Zone Camp Bullis Military Lighting Overlay District-1 with a Specific Use Authorization for Blasting to "MPCD ERZD MLOD-1" Master Planned Community Edwards Recharge Zone Camp Bullis Military Lighting Overlay District-1 on 389.53 acres out of NCB 19221 located at 19101 North US Highway 281 and 19300 Classen Crest. Staff and Zoning Commission recommend Approval.

Councilmember Chan stated that the zoning case had generated numerous concerns among the surrounding neighborhoods and noted that staff had been working with the property owner to address the concerns through deed restrictions. She reported that due to collaborative efforts, 160 acres had been dedicated as green space; multi-family density had been reduced; and buffers between single family residential and commercial area had been increased.

She explained that there were still two concerns regarding traffic and the Military that needed to be addressed and no action would be taken at this time.

2009-08-06-0631

Item Z-13. **ZONING CASE # Z2009108 (District 10):** An Ordinance amending the Zoning District Boundary from "C-2" Commercial District to "C-3" General Commercial District on Lot 28, Block 2, NCB 12572 located at 1039 NE Loop 410. 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 28, BLOCK 2, NCB 12572 TO WIT: FROM "C-2" COMMERCIAL DISTRICT TO "C-2 CD" COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR A NIGHTCLUB PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

Chris Looney presented the proposed Zoning Case.

Patrick Christensen of Brown and Ortiz stated that the applicant had requested an amendment to a C2-CD for a nightclub. He reported that at the request of the neighborhood association and adjoining property owner, they had entered into a Letter of Agreement to make modifications to the existing building to address their concerns.

Jack M. Finger voiced opposition to said item noting that at least one person had spoken against it at the zoning hearing. He added that the zoning request (Item Z-14) was too intense for the neighborhood.

Councilmember Clamp stated that all interested parties had come to an agreement regarding said item and moved to approve said item as amended (C2-CD) by the applicant for a nightclub with the following conditions:

- A. In accordance with Section 35-514(d)(2)E of the Unified Development Code, the City Council authorizes a fence to be erected or altered of up to a height of eight (8) feet along the rear portion of the eastern property line; and
- B. A four-foot tall wrought iron fence shall be maintained along the front portion of the eastern property line; and
- C. Signage prohibiting customer parking on adjacent properties shall be posted on the required fencing; and
- D. New outdoor lighting shall be limited in height to twelve feet, with the exception of landscape lighting and signage. All new lighting which is located within six feet of the eastern property line and which is more than eight feet in height shall be directed onto the site and point away from the adjoining property using 90 degree or less cut-off fixtures. This shall not prohibit illumination of any primary structure up to its maximum height except along the eastern side of the building.

Councilmember Rodriguez seconded the motion.

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

POSTPONED/CONTINUED

Item Z-14. **ZONING CASE # Z2009115 (District 10):** An Ordinance amending the Zoning District Boundary from "R-6" Residential Single-Family District to "C-2 NA" Commercial District, Nonalcoholic Sales (on 1.081 acres) and "C-3 R" General Commercial District, Restrictive Alcohol Sales (on 0.784 of an acre) on Parcel 30-C, NCB 15680 (0.0352 of an acre) and the south 61.72 feet of Lot 29, Block 5, NCB 17365; 1.081 acres out of NCB 15680 and NCB 17365 (CB 5014); and 0.559 of an acre out of NCB 15680 (CB 5014) located in the 13000 and 14000 blocks of Bulverde Road. Staff recommends Denial of "C-3 R" on 0.784 of an acre, Approval of "C-2" on 1.081 acres; with an alternate recommendation of "C-2" on the entire subject property. Zoning Commission recommends Approval of "C-3 R" for Parcel 30-C, NCB 15680 (0.0352 of an acre) and the south 61.72 feet of Lot 29, Block 5, NCB 17365; and Approval of "C-2 NA" for the remainder of the subject property.

Councilmember Clamp moved to continue said item for two weeks. Councilmember Cisneros seconded the motion.

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

POINT OF PERSONAL PRIVILEGE

Councilmember Medina recognized Boy Scout Troop #130 and stated that they were observing the meeting to receive their Communications Merit Badge. The Mayor and Council welcomed the troop.

Mayor Castro recessed the meeting at 2:40 pm and stated that the meeting would resume at 6:00 pm for Citizens to be Heard.

CITIZENS TO BE HEARD

Mayor Castro reconvened the meeting at 6:05 pm and called upon citizens registered to speak.

Mark Kellman stated that he was an Architect and had served as Chair of a team that conducted a study of the area now known as River North in 1996. He spoke of the Maverick Park Extension located at Broadway and Jones Streets and noted the narrow walk and green space along the Riverwalk heading north from Downtown. He spoke of a setback for green space located 150 feet from the center of the river and suggested various ways to acquire the property.

Nazirite Ruben Flores Perez spoke of the low morale within the Purchasing and General Services Department and expressed concern with a Manager in the Building Maintenance Division and his treatment of employees.

Rhett Smith expressed concern with the recent murder of a baby by his mother and noted that the State and Bexar County should be held responsible because the mother had requested assistance and did not receive it.

Damon Mason expressed concern with the traffic issues in the city and with the VIA Metropolitan Transit System. He outlined his recommendations for utilizing rail street cars in San Antonio.

Nick Calzoncit expressed concern with the murder of Baby Scotty and also with the former Harlandale student that had planned a mass execution at Harlandale High School earlier this year. He recognized the student's mother who contacted local authorities and prevented a tragedy from occurring. He spoke of the many issues with gangs in the Harlandale School District and bribes accepted by Harlandale School Board Members. He noted that although the Edgewood School District had similar demographics, there were not as many issues within that district.

Raymond Zavala expressed concern with the CPS Energy Public Meetings that he had attended regarding the proposed expansion of the South Texas Project Nuclear Power Plant. He asked the City Council to vote against the Project and to listen to the community as they express their opposition. He voiced concern with the monetary bonus provided to an outgoing CPS Energy

Executive and expressed support for alternative energy sources including geothermal, solar and wind.

Faris Hodge, Jr. expressed concern with racial profiling by San Antonio Police Officers assigned to City Hall and the City Council Chambers. He spoke in opposition to nuclear energy and the bonus provided to Milton Lee, CEO of CPS Energy. He noted his support for Solar Energy. He also expressed concern with the surveillance cameras placed throughout the city.

Anna Roberts stated that she encountered a situation in her neighborhood where three female dogs were abandoned that had not been spayed. She noted that this had caused a multitude of male dogs to congregate in the area and that the City's Animal Care Services Department took three months to respond to the situation. She expressed concern with the limited space at the Animal Care Services Facility.

Isaac Harrington stated that he is an attorney in Austin and spoke of a Domestic Abuse occurrence on June 27, 2009. He expressed concern with the behavior of San Antonio Police Officer Nash. He stated that Officer Nash aggressively questioned a distraught victim and threatened him and others that were providing assistance to the victim. He noted that Officer Nash had become irate and threatened to arrest him when he attempted to speak to the victim. He added that he was impressed with the quick response by law enforcement and emergency services, but shocked by the unprofessionalism of Officer Nash.

Kati Guimbarada stated that she was a teacher in Austin, Texas and a former volunteer at Safe Place, an entity that offers services to victims of Domestic Violence. She also spoke of the Domestic Abuse incident that occurred on June 27, 2009 and expressed concern with the abrasive behavior of Officer Nash. She noted that it was important for Police Officers to appropriately respond to situations of Domestic Violence and to work with the community to address said issue.

Jim Harrington stated that he was the Director of the Texas Civil Rights Project and also spoke of the Domestic Abuse incident that occurred on June 27, 2009. He expressed concern with the behavior exhibited by Officer Nash and noted that it was unacceptable. He spoke of the harsh manner that Officer Nash treated the individuals that were attempting to assist the victim and expressed concern that this behavior could be condoned within the San Antonio Police Department. He stated that two years ago, the voters of Texas had passed a Crime Victim's Amendment to the Bill of Rights to treat victims with respect and dignity and to assist them.

Patricia Castillo of the P.E.A.C.E. Initiative stated that they had been working on changing the systemic response to family violence within the city for many years. She noted that they worked closely with the San Antonio Police Department and had made progress in the areas of policy and practice. She commended Chief McManus for making changes but noted that the information needed to be filtered to the Police Officers at the grass roots level.

ADJOURNMENT

There being no further business to discuss, Mayor Castro adjourned the meeting at 6:42 pm.

A P P R O V E D



JULIÁN CASTRO
MAYOR

Attest:



LETICIA M. VACEK
City Clerk