

**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, MAY 19, 2010 AND THURSDAY, MAY 20, 2010, RESPECTIVELY.

The San Antonio City Council convened in a Work Session at 2:00 pm Wednesday, May 19, 2010, Municipal Plaza Building with the following Councilmembers present: Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro.

1. BRIEFING ON THE STUDY RESULTS OF THE ORGANIZATIONAL AND OPERATIONAL REVIEW OF THE SAN ANTONIO POLICE DEPARTMENT COMPLETED BY THE MATRIX CONSULTING GROUP AND MORRIS AND MCDANIEL, INC.

Assistant City Manager Erik Walsh reported that the Matrix Consulting Group and Morris & McDaniel, Inc. had provided an organizational and operational review of the San Antonio Police Department (SAPD). He stated that the review was to utilize best practices in business processes and organizational culture. He noted that a Request for Proposals (RFP) had been issued in Fall 2009 to study: Organization; Staffing Utilization; Human Capital; Business Processes; and Technology. He spoke of the departmental efforts that had been made in regard to Accreditation, Racial Profiling Analysis, Command Staff changes, and new policies. He noted that Dr. David Morris of Morris & McDaniel, Inc. had been hired to study the Human Capital Element.

Dr. Morris thanked the individuals that had assisted with the study and stated that the city was taking steps in a positive direction. He reported that within the Performance Appraisal Category, a number of recommendations were made that fine tuned the Performance Appraisal System that SAPD had used in the past. He noted that if implemented with his recommendations, it would satisfy the Communications Assistance for Law Enforcement Act (CALEA) requirements for accreditation. He explained that for Recruitment and Selection, the existing selection program needed validating and professional documentation. He stated that the decision must consider more than those that make top scores on a multiple-choice test. He stated that character as well as abilities needed consideration. He added that the physical agilities test would be brought up to current standards.

Dr. Morris reported that SAPD exceeds the Texas Commission on Law Enforcement Standards and Education for Entry-Level and In-Service Training. He noted that SAPD has comparable instruction time with other Departments and has a high pass rate. In regard to Roll Call Training, SAPD has an excellent program but a recommendation has been made to increase staff to assist with program implementation. He spoke of the recommendation to move toward a formal career path for Police Officers on the Succession Planning Process. He noted that SAPD should develop and implement formal diagnostic assessment procedures and a Leadership Development Program. He stated that in order to have timely data, SAPD must move toward electronic records and document management. He spoke of the need to tie the Performance Appraisal to expectations and hold Supervisors accountable.

Dr. Morris explained that SAPD would revise the existing Field Training Officer Program. Additionally, he recommended that they bring all promotional procedures into compliance with Federal Enforcement procedures and increase study time to 90 days minimum with the goal of up to one year. He mentioned that SAPD should move away from relying on the score of a multiple-choice knowledge test as the primary factor in determining promotions and move toward a promotional system that recognizes past performance.

Mr. Richard Brady, President of Matrix Consulting Group stated that their scope of work was to provide an objective understanding of current law enforcement operations, services and management. They were tasked to report on five key areas: 1) Management Systems; 2) Organizational Structure; 3) Technology; 4) Business Practices; and 5) Staff Utilization. He reported that they interviewed over 100 SAPD Managers, Supervisors, and Line Staff and conducted Employee Focus Group Meetings. He spoke of key issues such as technology initiatives that will dramatically impact major processes and supervisory controls. He added that there were significant issues with the deployment of field staff and assignment of investigative cases.

Mr. Brady outlined the positive attributes of the SAPD, noting that they had a tradition of excellence in providing law enforcement to the City of San Antonio. Several of the findings and recommendations included the need to improve its outreach for civilian representatives on the Chief's Advisory Action Board and reducing the number of direct reports to the Police Chief. Chief McManus thanked Dr. Morris and Mr. Brady and stated that next steps included a fundamental restructuring of SAPD. He spoke of the need to develop measurable and result-focused standards. He recognized the individuals that served on the SAPD/Matrix Advisory Committee and noted that they would help monitor implementation of recommendations and progress.

Mayor Castro asked of the status of the SAPD Computer Aided Dispatch (CAD) System. Chief McManus replied that the CAD System was scheduled to Go-Live on June 27, 2010 and that the Automated Field Reporting (AFR) System would be implemented at the end of the year or early 2011. He noted that it would ensure that real-time data was available. Councilmember Cortez asked of revisions to the entry level Application Process. Chief McManus responded that under the new contract, additional points would be added to local applicants' scores. He noted that points were given to military applicants and for college education. Councilmember Cortez asked if the physical agility test was utilized for promotions. Chief McManus replied that the test was offered on an annual basis but was not required. Councilmember Lopez asked if Matrix Consulting had reviewed SAPD Performance Measures. Mr. Walsh replied that they had not reviewed them and that they were based on the Uniform Crime Rates (UCR) and Clearance Rates.

Councilmember Williams stated that he was pleased that IT Systems would be implemented and spoke of the importance of educating the public on all SAPD changes. He asked how SAPD would change public expectations. It was noted that there would be a public awareness campaign and that information would be provided to individuals calling the SAPD. Councilmember Williams asked of the recommendation for Sergeants to serve in the field. Chief McManus replied that he felt that it was feasible and that time management would be critical to its success. Councilmember Ramos asked of the Promotional System. Chief McManus confirmed that SAPD will bring all promotional procedures into compliance with Federal Enforcement Procedures. Councilmember Ramos asked if a physical agility test would be included. Dr. Morris replied that the physical test was not typically utilized for promotions and that performance based assessments included a structured oral exam with questions

relevant to the target job. Councilmember Ramos spoke in support of utilizing the physical agility test to encourage healthy activities and prevent illnesses.

Councilmember Clamp stated that he was in agreement with many of the recommendations. He asked of the effectiveness of the San Antonio Fear Free Environment (SAFFE) Officer Program. Dr. Morris replied that the program is not uniformly successful throughout the city. Councilmember Clamp asked how to make it more successful. It was noted that First Line Supervisors should ensure that the staff under their supervision are held accountable and that Management ensure that its policing strategies are the best use of personnel. Councilmember Clamp stated that it was important to apply SAFFE uniformly throughout the city.

Councilmember Chan thanked everyone involved in the process and asked of the recommendations regarding staffing levels. Mr. Brady replied that the Police Officers they had spoken to had requested equal amounts of time to handle calls for service. He stated that there should be better coordination among the various units, as uneven distribution of services affects response times. Councilmember Chan voiced her concern with a decreased level of service. Mr. Brady noted that once SAPD had better data, they should evaluate its response policies in terms of prioritizing certain calls and how they are responded to. Councilmember Chan asked and confirmed that there would be no decrease in the current service levels throughout the city once the recommendations are implemented.

Councilmember Medina asked of the SAFFE Program and their charge. Chief McManus stated that they typically work on solving crime problems in neighborhoods. He noted that many of them attend community meetings and address concerns. Councilmember Medina asked of the number of SAFFE Officers per substation. Chief McManus replied that there was an average of 14 per substation. Councilmember Medina spoke of the importance of training and advancing technology for SAPD.

Councilmember Clamp asked of the implementation of the recommendations. Chief McManus stated that some would be implemented immediately; some within 90 days; and would look at a timeline for the others. Councilmember Clamp asked of performance measurement and how it would be provided to the City Council. Chief McManus replied that some measures could be reported immediately and that they would also rely on the Advisory Board to assist with the implementation process. Councilmember Clamp requested that said item be discussed at a Public Safety Council Committee Meeting. Ms. Sculley stated that they would compile a report of measures and present it at a future B Session. Councilmember Cisneros expressed support for the implementation of a Leadership Development Program and spoke of the challenges with Domestic Violence throughout the community. She thanked everyone's involvement in the review.

2. WRAPUP OF CITY COUNCIL GOAL SETTING FOR THE FY 2011 BUDGET AND FY 2012 BUDGET PLAN

Item 2 was not addressed.

EXECUTIVE SESSION

Mayor Castro recessed the meeting at 4:03 pm to convene in Executive Session for the purposes of:

A. DELIBERATE THE MANAGEMENT, PURCHASE, EXCHANGE, LEASE, OR VALUE OF CERTAIN REAL PROPERTIES AND DISCUSS RELATED LEGAL ISSUES PURSUANT TO TEXAS GOVERNMENT CODE SECTIONS 551.072 (REAL PROPERTY) AND 551.071 (CONSULTATION WITH ATTORNEY).

Item A was not addressed in Executive Session.

B. DISCUSS LEGAL ISSUES RELATED TO *CDC-BROAD L.P. V. CITY OF SAN ANTONIO*, PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY).

Mayor Castro reconvened the meeting at 4:24 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 4:24 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **May 20, 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, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **ABSENT:** None.

Item 1. The Invocation was delivered by Rev. Mark Ashier, Pastor, McArthur Park Church of Christ, guest of Councilmember John G. Clamp, District 10.

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

POINT OF PERSONAL PRIVILEGE

Councilmember Clamp recognized the Highlands High School Students participating in the Junior Achievement Job Shadow Day, as well as their Sponsor, Sandra Ojeda Medina. Councilmember Ramos also recognized the students and Ms. Medina for being in attendance. Mayor Castro welcomed the students to the City Council Meeting.

Item 3. MINUTES

Councilmember Cisneros moved to approve the Minutes for the May 6, 2010 City Council Meeting. 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. **NAYS:** None. **ABSENT:** None.

CONSENT AGENDA ITEMS 4-21

Consent Agenda Items 6, 9, 10, 12, 14, 15, 17, 20, and 21 were pulled for Individual Consideration. Mrs. Vacek read a correction in regard to Item 7 noting that the property was located in Council District 10.

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

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

Nazirite Ruben Flores Perez spoke in support of Item 17; the reallocation of funds from Positive Beginnings, Inc. to Boys and Girls Clubs of San Antonio and the Edgewood Independent School District.

Jack M. Finger spoke against Item 11, the expenditure of funds for the development of a mission and vision statement for the Spanish Governor's Palace. He expressed opposition to Item 16, the settlement of a lawsuit in the amount of \$490,000 and noted that the backup documentation for the Collective Bargaining Agreement with the San Antonio Police Officers' Association in Item 21 was vague.

Faris Hodge, Jr. submitted written testimony in opposition to Items 4 and 21, noting that the amounts in Item 4 should not be estimates. He wrote in favor of Items 5-20.

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. **NAYS:** None. **ABSENT:** None.

2010-05-20-0436

Item 4. AN ORDINANCE ACCEPTING BIDS FOR THE FOLLOWING CONTRACTS IN THE ESTIMATED ANNUAL AMOUNT OF \$1,344,000.00: (A) ESTRADA LANDSCAPE FOR GROUNDS MAINTENANCE FOR DOWNTOWN OPERATIONS' PARKS AND MEDIANS, (B) TW MEDICAL, PFIZER ANIMAL HEALTH, BUTLER ANIMAL HEALTH SUPPLY, LLC DBA BUTLER SCHEIN ANIMAL HEALTH SUPPLY, WEBSTER VET SUPPLY AND INTERVET SCHERING-PLOUGH FOR VARIOUS ANIMAL VACCINES AND MEDICATIONS, (C) TEXAS MEDICAL SCREENING FOR LEASE OF INTERACTIVE BLOOD PRESSURE AND HEALTH TESTING EQUIPMENT, (D) TEXAS SOFTWARE DEVELOPMENT CENTER, LLC FOR PSIT SOFTWARE MAINTENANCE, (E) FACTIVA, INC. FOR FACTIVA ACADEMIC SUBSCRIPTION AND (F) S.W. PUBLIC SAFETY FOR INSTALLS, REMOVALS & REPAIRS OF EQUIPMENT FOR POLICE VEHICLES.

2010-05-20-0437

Item 5. AN ORDINANCE ACCEPTING AN OFFER WITH CENTRELEARN SOLUTIONS, LLC TO PROVIDE AN INTERNET BASED TRAINING SYSTEM FOR THE FIRE DEPARTMENT FOR AN ANNUAL ESTIMATED COST OF \$52,000.00, FUNDED BY THE FY 2010 BUDGET.

2010-05-20-0439

Item 7. AN ORDINANCE ACCEPTING THE DEDICATION OF 7,205.10 SQUARE FEET OF PRIVATE PROPERTY ALONG A PORTION OF WOODBURY DRIVE (NCB 12101) LOCATED IN COUNCIL DISTRICT 9 FOR A SIDEWALK PROJECT TO ACCOMMODATE PEDESTRIAN ACCESS, AND AUTHORIZING AN EXPENDITURE OF \$500.00 FOR TITLE AND FILING FEES.

2010-05-20-0440

Item 8. AN ORDINANCE AUTHORIZING LEASE AGREEMENTS WITH LORENZA'S AND CHULERIAS, LOCATED IN FARMER'S MARKET STALLS S-1 AND S-3 RESPECTIVELY, IN MARKET SQUARE.

2010-05-20-0443

Item 11. AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF FUNDS FOR A MATCHING NATIONAL TRUST PRESERVATION FUND GRANT FROM THE FONDREN ENDOWED FUND IN THE AMOUNT OF \$1,250.00 TO SUPPORT THE DEVELOPMENT OF A MISSION AND VISION STATEMENT FOR THE SPANISH GOVERNOR'S PALACE; AND AUTHORIZING MATCHING FUNDS FROM THE GENERAL FUND.

2010-05-20-0445

Item 13. AN ORDINANCE AUTHORIZING THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO ACCEPT FUNDING IN THE AMOUNT OF \$74,415.00 FROM THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES TO PURCHASE CAPITAL EQUIPMENT AND TESTING SUPPLIES IN SUPPORT OF LABORATORY OPERATIONS.

2010-05-20-0447

Item 16. AN ORDINANCE AUTHORIZING THE SETTLEMENT OF A LAWSUIT STYLED *CDC-BROAD L.P. V. CITY OF SAN ANTONIO*, IN THE 408TH JUDICIAL DISTRICT COURT, CAUSE NO. 2008-CI-17487, FOR THE AMOUNT OF \$490,000.00.

2010-05-20-0449

Item 18. AN ORDINANCE APPROVING A LOCAL CONTRIBUTION IN THE AMOUNT OF \$205,372.00 TO THE EVENTS TRUST FUND IN ANTICIPATION OF REIMBURSEMENT FOR ELIGIBLE EXPENSES IN AN AMOUNT UP TO \$1,488,943.00 RELATED TO THE 2010 LAWSON CONFERENCE AND USER EXCHANGE, THE 2010 AMERICAN NEPHROLOGY NURSES' ASSOCIATION 41ST NATIONAL SYMPOSIUM, THE DISH NETWORK CORPORATION 2010 ANNUAL TEAM SUMMIT, AND THE 2010 AMERICAN TELEMEDICINE ASSOCIATION ANNUAL MEETING.

2010-05-20-0450

Item 19. AN ORDINANCE AUTHORIZING AND APPROVING THE TERMS AND CONDITIONS OF A TELECOMMUNICATIONS NON-EXCLUSIVE LICENSE AGREEMENT FOR THE INSTALLATION OF A DISTRIBUTED ANTENNA SYSTEM (DAS) ON MUNICIPAL RIGHTS-OF-WAY BETWEEN THE CITY OF SAN ANTONIO AND ATC OUTDOOR DAS, LLC.

[CONSENT AGENDA CONCLUDED]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2010-05-20-0438

Item 6. AN ORDINANCE AUTHORIZING THE ACQUISITION, THROUGH NEGOTIATION OR CONDEMNATION OF FEE SIMPLE TITLE, AND/OR EASEMENT INTEREST TO ALL OR PART OF, VARIOUS PARCELS OF PRIVATELY OWNED REAL PROPERTY LOCATED ALONG BLANCO ROAD FROM HILDEBRAND TO JACKSON KELLER IN COUNCIL DISTRICT 1 (NCBS 3111, 3939, 6400, 6540, 6545, 6886, 6895, 7173, 7212-7223, 7225-7230, 7263-7265, 8059, 8061, 8118, 8121, 8800, 9214-9223, 9225, 9674, 9683, 9710, 9736, 9737, 9762-9764, 9792, 9793, 9795-9797, 9843, 9865, 9866, 9895, 10210, 10353, 11692-11694, 11697, 11698, 12330, 12332, 12333 AND 12489) FOR THE BLANCO ROAD (HILDEBRAND TO JACKSON KELLER) PROJECT, A 2007-2012 BOND PROJECT; DECLARING IT TO BE A PUBLIC PROJECT; DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION; AND AUTHORIZING UP TO \$6,000,000.00 TO THE SELECTED TITLE COMPANY.

Councilmember Cisneros asked of the status of the project and issues due to Federal Funding. Mike Frisbie, CIMS Director stated that when the project was approved, it was anticipated that an additional \$5 million in Federal Funds would be added to the project. He explained that the funds did not materialize, as funding to all States was reduced. He noted that city funds were available and staff was moving forward with the project. He confirmed that there was a good amount of residential and commercial properties along this stretch of Blanco Road and would address drainage, sidewalk, and turning lane issues. He added that they would need to acquire 191 parcels of property and would begin negotiations once said item was approved.

Councilmember Cisneros moved to adopt the proposed Ordinance. Councilmember Clamp 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:

2010-05-20-0441

Item 9. AN ORDINANCE ACCEPTING THE AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) FUNDS AND AWARDING A CONSTRUCTION CONTRACT TO CHARLIE AND COMPANY IN THE AMOUNT OF \$403,073.56, ALL OF WHICH WILL BE REIMBURSED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, FOR THE EAGLELAND LINK TO MISSION TRAILS PROJECT, AN AUTHORIZED LOCAL AGENCY MANAGEMENT PROJECT, LOCATED IN COUNCIL DISTRICT 5 AND FUNDED BY ARRA FUNDS AND CERTIFICATES OF OBLIGATION.

Councilmember Medina asked of the project scope and timeline. Mike Frisbie replied that the project would provide an important link to the Mission Trails Project and include hike and bike trails and a pedestrian plaza. He noted that they had recently installed a hike and bike bridge by the Blue Star and this would create the plaza for pedestrians on the East side of the river. He stated that the project would

begin in June and was scheduled for completion in September. Councilmember Medina expressed his support and noted that the bridge was a great improvement for the community. He asked of the selection of the contractor. Mr. Frisbie responded that it was a low bid process and that Charlie and Company had done great work for the city in the past. Councilmember Medina asked of the impact to the community. Mr. Frisbie stated that there would be minimal impact due to the project being isolated from vehicular traffic.

Councilmember Ramos expressed her support and stated that she appreciated all of the work being performed along Mission Trails. She asked of the point of contact for the Mission Trails Project. Mr. Frisbie stated that a team had been developed to monitor Stimulus Funded Projects and David McBeth of CIMS was the Project Manager. He noted that the Parks and Recreation and Public Works Departments also addressed issues within the Mission Trails. Councilmember Ramos requested that one individual be assigned to address issues with the Mission Trails Project.

Councilmember Medina 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, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** Chan.

The City Clerk read the following Ordinance:

2010-05-20-0442

Item 10. AN ORDINANCE AUTHORIZING THE SUBMISSION OF GRANT APPLICATIONS TO ALAMO AREA COUNCIL OF GOVERNMENT FOR THE CONGREGATE SENIOR MEALS/NUTRITION PROGRAM, HOME DELIVERED MEAL SERVICES, AND ELDERLY TRANSPORTATION SERVICES TO MEDICAL APPOINTMENTS, IN THE AMOUNTS UP TO \$5,856,000.00, \$1,135,350.00, AND \$855,000.00, RESPECTIVELY, FOR THE PROVISION OF SENIOR SERVICES FROM FY 2011 THROUGH FY 2013.

Cindy Schoenmakers, Interim Director of the Department of Community Initiatives (DCI) stated that the ordinance would authorize submission of grant applications to the Alamo Area Council of Governments (AACOG) for senior services from FY 2011 to FY 2013. The services include the Congregate Nutrition Program, Home Delivered Senior Meals, and Elderly Transportation to medical appointments. She reported that the Request for Proposals (RFP) was due by June 3, 2010 and that the city would be requesting \$7,846,350. She noted that if awarded, the funds would be distributed over a three year period and that a 10% cash match was required.

Councilmember Ramos thanked staff for bringing the item forward and asked how it was related to the Comprehensive Study being conducted on Senior Services. Ms. Schoenmakers stated that the grants were part of the normal funding process and would continue working on the second phase of the study. She added that they serve 3,800 meals daily and provide services to 8,500 seniors annually. Councilmember Ramos requested the breakdown of funding received from AACOG over the past 10 years.

Councilmember Cortez stated that senior services were a priority and asked if these services were provided in other Texas Cities. Ms. Schoenmakers confirmed that they were provided in Austin, Dallas

and Houston. Councilmember Cortez asked of the number of meals delivered to homes. Ms. Schoenmakers replied that they served over 500 daily meals to homebound seniors. Councilmember Cortez asked how seniors could receive transportation services. Ms. Schoenmakers stated that they could call DCI at 207-7111 to schedule transportation. Councilmember Cortez asked that staff continue to seek grants for senior services. Councilmember Medina thanked staff for their support to seniors and stated that he was pleased with the turnout at the new District 5 Senior Multi-Service Center. He asked of the transportation services. Ms. Schoenmakers replied that seniors were transported to medical appointments including dialysis, and to pick up their prescriptions. Councilmember Cisneros inquired of a group that had approached the city in regard to a \$20,000 matching grant for senior transportation. Ms. Schoenmakers replied that they could not provide the funds from this funding source but would continue to work with them on other options.

Councilmember Ramos moved to adopt the proposed Ordinance. Councilmember Cortez 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.

The City Clerk read the following Ordinance:

2010-05-20-0444

Item 12. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION, AND THE ACCEPTANCE OF UP TO \$175,000.00, UPON AWARD, FOR A BROWNFIELDS AREA-WIDE PLANNING PILOT PROGRAM TO FACILITATE COMMUNITY INVOLVEMENT IN AREA-WIDE PLANNING APPROACHES CONCERNING BROWNFIELDS ASSESSMENT, CLEANUP, AND SUBSEQUENT REUSE.

Councilmember Ramos expressed her support for allocating funds for the Mission Drive-In Project and asked how the funds would be allocated if received. Laurence Doxsey, Director of the Office of Environmental Policy (OEP) stated that the funds were for a Planning Grant and that they would prioritize the sites that need to be assessed at a later stage. Councilmember Lopez spoke of the importance of developing a comprehensive approach and that a great amount of funding was available.

Councilmember Williams expressed his support and noted that it was important to have the planning done correctly due to the many areas in need throughout the community. Councilmember Rodriguez also expressed his support and noted that the Bandera/Woodlawn Corridor was a potential project. He asked that OEP Staff collaborate with the Intergovernmental Relations Department, noting that there was other potential funding that had not been tapped into. In response to Councilmember Ramos, Mr. Doxsey confirmed that the Planning Grant would help set priorities for potential sites and would hire a staff person who would assist in seeking additional grant funds. Councilmember Ramos recommended that staff advocate for additional funding through the Federal Lobby Team and Intergovernmental Relations Council Committee.

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 Item 14:

Item 14. 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. APPOINTING SHANE DAVIS AND TEAL L. HAUSMAN AND REAPPOINTING NICK R. DOMINGUEZ, LAURA I. HAUSMAN, AND GREGORY A. YOUNGS TO THE TAX INCREMENT REINVESTMENT ZONE NUMBER 12, KNOWN AS PLAZA FORTUNA.
- B. APPOINTING TEAL L. HAUSMAN AND REAPPOINTING NICK R. DOMINGUEZ, LAURA I. HAUSMAN, LORI D. WILTZ, AND GREGORY A. YOUNGS TO THE TAX INCREMENT REINVESTMENT ZONE NUMBER 14, KNOWN AS SKY HARBOR.
- C. APPOINTING SHANE DAVIS, LAURA I. HAUSMAN, SALVADOR F. RAMOS, LORI D. WILTZ, AND GREGORY A. YOUNGS, AND REAPPOINTING SALAH E. DIAB, LAZAR A. HAUSMAN, TEAL L. HAUSMAN, AND JANELLE A. SPENCER TO THE TAX INCREMENT REINVESTMENT ZONE NUMBER 17, KNOWN AS MISSION CREEK.
- D. APPOINTING TEAL L. HAUSMAN AND REAPPOINTING GUILLERMO CANO, SHANE DAVIS, SALVADOR F. RAMOS AND JANELLE A. SPENCER TO THE TAX INCREMENT REINVESTMENT ZONE NUMBER 19, KNOWN AS HALLIE HEIGHTS.
- E. APPOINTING LAURA I. HAUSMAN, LAZAR A. HAUSMAN, TEAL L. HAUSMAN, AND GREGORY A. YOUNGS, AND REAPPOINTING SHANE DAVIS, SALVADOR F. RAMOS AND LORI D. WILTZ TO THE TAX INCREMENT REINVESTMENT ZONE NUMBER 21, KNOWN AS HEATHERS COVE.
- F. APPOINTING SHANE DAVIS AND REAPPOINTING ROMELIA ESCAMILLA, LAZAR A. HAUSMAN, TEAL L. HAUSMAN AND RAMIRO S. MARTINEZ THE TAX INCREMENT REINVESTMENT ZONE NUMBER 25, KNOWN AS HUNTERS POND.
- G. APPOINTING ELLEN H. PFEIFFER (DISTRICT 8) TO THE MAYOR'S COMMISSION ON THE STATUS OF WOMEN.
- H. REAPPOINTING RICHARD E. BIRD (DISTRICT 6) TO THE ETHICS REVIEW BOARD FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE APRIL 25, 2012.

Councilmember Clamp asked of the appointment of individuals to various TIRZ Boards. Mrs. Vacek replied that the guidelines had been reviewed in the past and the limit of serving on only two boards had been removed. She added that the TIRZ Boards did not meet on a monthly basis.

Councilmember Clamp moved to approve Items 14A-14H. 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:

2010-05-20-0446

Item 15. AN ORDINANCE AMENDING AND EXTENDING THE AUDIT SERVICES CONTRACT WITH GRANT THORNTON L.L.P., TO PROVIDE INDEPENDENT AUDIT SERVICES TO THE CITY FOR FISCAL YEAR 2010, FOR A TOTAL FEE UP TO \$825,000.00 AND AUTHORIZING PAYMENT UPON COMPLETION OF SERVICES.

Councilmember Rodriguez asked of the Small Business Economic Development Advocacy (SBEDA) Contract Requirements. Ben Gorzell stated that SBEDA contract participation would remain at 50% in total but some shifting had occurred among the four firms. He noted the shifting was based on the capacity of those firms to perform the work. He reported that if the extension was approved, there was one additional one-year extension available. He added that they were pleased with the work of Grant Thornton and reported that they had completed the audit by March 31st. Councilmember Rodriguez stated that he hoped that the subcontractors were receiving substantive work experience from the contract and growing their businesses.

Councilmember Ramos expressed her support for the contract extension and stated that they had discussed the item at length at an Audit Council Committee Meeting. Councilmember Cortez also expressed his support of the extension of the contract and asked when the future Request for Proposals (RFP) would be released. Mr. Gorzell replied that the contract would be evaluated in one year and would then determine if the last one-year extension would be executed or solicit an RFP.

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, and Mayor Castro. **NAY:** None. **ABSENT:** Clamp.

The City Clerk read the following Ordinance:

2010-05-20-0448

Item 17. AN ORDINANCE REALLOCATING \$281,649.00 FROM POSITIVE BEGINNINGS, INC. TO BOYS AND GIRLS CLUBS OF SAN ANTONIO AND THE EDGEWOOD INDEPENDENT SCHOOL DISTRICT TO PROVIDE AFTER SCHOOL CHALLENGE PROGRAM SERVICES TO CHILDREN IN THE HARLANDALE AND EDGEWOOD INDEPENDENT SCHOOL DISTRICTS, FOR THE PERIOD OCTOBER 1, 2009 TO SEPTEMBER 30, 2010; AUTHORIZING CONTRACT AND BUDGET AMENDMENTS; AND AUTHORIZING A \$100,000.00 GRANT AGREEMENT WITH THE P16PLUS COUNCIL OF GREATER BEXAR COUNTY FOUNDATION, INC. FOR OPERATIONAL SUPPORT.

Councilmember Ramos asked of the partnership with the Boys and Girls Club. Cindy Schoenmakers stated that as a result of the closure of Positive Beginnings, staff had partnered with the Boys and Girls Club and Edgewood ISD to provide After School Challenge Program Services. Councilmember Ramos expressed her support and recognized Jim Watson, Executive Director of the Boys and Girls Club. Councilmember Medina recognized the Boys and Girls Club and Edgewood ISD for their partnership. He asked if the children would be transported to another facility. Ms. Schoenmakers replied that the children would remain at their school and that the Boys and Girls Club would send staff to operate the program.

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, and Mayor Castro. **NAY:** None. **ABSENT:** Clamp.

The City Clerk read the following Ordinance:

2010-05-20-0451

Item 20. AN ORDINANCE AUTHORIZING THE OFFICE OF THE CITY CLERK TO BE DESIGNATED AS A U.S. DEPARTMENT OF STATE PASSPORT ACCEPTANCE FACILITY (PAF).

Mrs. Vacek recognized Jose Pedraza, Manager of the Houston Passport Agency. Mayor Castro thanked Mr. Pedraza for being in attendance. Councilmember Cortez asked of the new initiative. Mrs. Vacek stated that in April, she had contacted Mr. Pedraza in regard to the logistics of establishing a Passport Acceptance Facility at the City of San Antonio. She noted that the process required an application and employee training, which had occurred during the previous weeks. Councilmember Cortez asked of the projected revenue. Mrs. Vacek reported that \$240,000 was projected annually. She mentioned that existing staff would provide the application processing of new and renewal passport services. She stated that the services would be offered at City Hall and at the Municipal Archives and Records Facility located at 719 S. Santa Rosa Street. Councilmember Cortez asked of the benefit to the military. Mrs. Vacek replied that she had discussed the program with Generals Patrick and Rubenstein and they were interested in a partnership with the city. She noted that they had a great need for renewal and expedited services for the military service men and women and their extended families.

Councilmember Cortez asked of the collaboration with Congressman Cuellar. Mrs. Vacek stated that his office had expressed an interest in holding a Congressional Press Conference with the City Council on this issue. Councilmember Cortez recognized Mr. Pedraza and thanked him for training the staff. Mr. Pedraza stated that he was the Customer Service Manager of the Houston Passport Agency and responsible for all of the Passport Acceptance Facilities in the State of Texas. He noted that he was extremely pleased to receive the phone call from Mrs. Vacek as he had been looking for a Passport Acceptance Facility in the San Antonio Downtown Area for over two years. He added that the Office of the City Clerk would protect and safeguard the integrity of the passport, as well as serve the military and walk-in population that was in need of the services. Councilmember Cortez expressed his support and thanked Mrs. Vacek for bringing this new initiative forward.

Councilmember Williams also expressed his support and thanked Mrs. Vacek for the new initiative. He stated that he had spent a few days at the Houston Passport Agency and understood the importance of having a local facility. He noted that the facility would be provided at no extra cost to the city and that the community was in need of accessible services. Councilmember Clamp asked of the projected revenue. Mrs. Vacek reported projected revenues of \$240,000 annually. Councilmember Clamp asked of the utilization of Community Link Centers. Mrs. Vacek replied that it was something that she would explore in the future. Councilmember Clamp asked of additional resources that would be needed over the next five years. Mrs. Vacek stated that she was unsure at this time but would likely need additional staff if the demand was greater than projected. Councilmember Rodriguez thanked Mrs. Vacek for implementing the new initiative. He expressed appreciation for her leadership in identifying programs to bring in new revenue and serve the citizens more effectively.

Councilmember Medina also recognized Mrs. Vacek for implementing the new initiative and providing the needed services to the community. He stated that he was pleased with the location since many of his residents walked or utilized the bus for transportation. He noted that he would support the utilization of the Community Link Centers in the future. Mayor Castro thanked Mrs. Vacek for bringing the initiative forward. He stated that he looked forward to providing a convenient service to the residents and generating new revenue for the city.

Councilmember Cortez moved to adopt the proposed Ordinance. Councilmember Williams 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:

2010-05-20-0452

Item 21. AN ORDINANCE AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT WITH THE SAN ANTONIO POLICE OFFICERS' ASSOCIATION FOR A PERIOD THROUGH SEPTEMBER 30, 2014.

Assistant City Manager Erik Walsh reported that a tentative agreement had been reached with the San Antonio Police Officers Association (SAPOA) in April 2010 with an estimated cumulative cost of \$62.9 million through September 30, 2014. He stated that the total projected cost of the agreement for FY 2011 was \$4.85 million. He noted that the SAPOA votes had been counted on May 19, 2010 and had been approved by 84%. He provided a summary of the Tentative Agreement, noting that the number of citizens serving on the Chief's Advisory Action Board would be increased from 8 to 14 and that a 4th Shift-(Power Shift) would be created. He added that many of the recommendations of the Police Executive Research Forum Report of 2008 had been included in the agreement.

Mike Helle recognized the work of the negotiating team and city staff. He stated that he was proud to bring forth the agreement presented.

Councilmember Ramos thanked everyone that participated in the process and asked of the changes regarding promotions. Mr. Walsh replied that the department previously had assessment centers but would now have an assessment center portion for the promotion test for Sergeants, Lieutenants, and

Captains. He stated that the Police Chief would have the ability to promote Lieutenants to Deputy Chiefs, as well as promote Lieutenants and Captains to Assistant Chiefs. He noted that one Deputy Chief would be added. Councilmember Ramos asked of the creation of the 4th Shift. Chief McManus replied that the 4th Shift would help reduce response times and would be comprised of Police Officers taken from the B and C Shifts. He noted that they would be placed in an overlap time when it is most busy during the evening.

Councilmember Cortez thanked everyone for their work on the agreement and spoke of the great working relationship between staff and SAPOA. Councilmember Rodriguez expressed his support and asked of the Uniform Evidence Detective Initiatives. Mr. Walsh responded that it would convert up to 154 Patrol Officers to dual role positions. He explained that the positions would continue to respond to calls for service and also be available to handle cases requiring minor evidence collection. He added that it would decrease the amount of time that an Officer had to standby for evidence collection personnel and increase the Officer's availability. Councilmember Rodriguez stated that he was pleased that local Police Officer Candidates would be given additional points on their test scores.

Councilmember Medina expressed his support for the agreement and thanked everyone involved in the process. He stated that a safe environment was necessary to support economic development and job growth. Councilmember Clamp stated that the 5-Year Agreement showed a tremendous commitment by the city. Councilmember Lopez expressed support for the agreement and stated that from block walking in his community, he felt a sense of increased safety and good quality of life. Mayor Castro commended all of the parties involved in the process and stated that public safety was the most important aspect of a successful city. He spoke of the many Police Officers that had been added in recent years and noted that the contract would make a positive contribution toward making San Antonio safer. He added that the department would be more responsive due to the Power Shift and more efficient with the Uniform Evidence Detectives.

Councilmember Taylor thanked everyone involved in the process and stated that she was pleased with the revisions to the Chief's Advisory Action Board due to the importance of transparency and strengthening the public's confidence. Councilmember Williams stated that it was important to ensure that the citizens were made aware of the efforts and changes being made to make San Antonio a safer city. He noted that citizens also had a responsibility to have alarms and participate in programs such as Citizens on Patrol or Volunteers in Policing. Councilmember Cisneros expressed her support for the agreement and stated that she was proud of the Police Officers for their work. Councilmember Chan stated that she was pleased that all parties were working together as a team and spoke of the importance of a safe city noting that public safety was a Council priority. Lastly, Mayor Castro recognized Councilmember Cortez for his assistance in the process.

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.

Item 22. CITY MANAGER'S REPORT

A. FY 2011 GOAL SETTING SESSION RECAP

Ms. Sculley reported that the purpose of the previously held Goal Setting Session was to determine the priorities of the City Council. She stated that the financial position for FY 2011 was positive if current service levels were maintained. She noted that the consensus of the City Council was to maintain the current City Property Tax Rate and be flexible with a Two-Year Balanced Budget. She added that the emerging priorities of the City Council included Infrastructure Maintenance and Public Safety. She mentioned that the public would have the opportunity to provide input and staff would continue to work on the budget throughout the summer. She reported that the proposed budget would be presented on August 12, 2010. She said that she was pleased to report that the city's credit ratings had been recalibrated making San Antonio one of the few major US Cities with a "AAA" rating by all three rating agencies.

Mayor Castro and the Councilmembers wished City Manager Sculley a Happy Birthday.

Ms. Sculley thanked the City Council and recognized Assistant City Manager Penny Postoak Ferguson who served the City of San Antonio for 3 ½ years and would be relocating to the state of Kansas. She reported that Ms. Postoak Ferguson accepted the position of Assistant County Administrator for Johnson County and would be closer to family. Mayor Castro and Councilmembers thanked Ms. Postoak Ferguson for her service to the City of San Antonio.

EXECUTIVE SESSION

Mayor Castro recessed the meeting at 11:16 am to convene in Executive Session for the purposes of:

- A. DELIBERATE THE MANAGEMENT, PURCHASE, EXCHANGE, LEASE, OR VALUE OF CERTAIN REAL PROPERTIES AND DISCUSS RELATED LEGAL ISSUES PURSUANT TO TEXAS GOVERNMENT CODE SECTIONS 551.072 (REAL PROPERTY) AND 551.071 (CONSULTATION WITH ATTORNEY).**

- B. DISCUSS LEGAL ISSUES RELATED TO *CDC-BROAD L.P. V. CITY OF SAN ANTONIO*, PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY).**

Mayor Castro reconvened the meeting at 12:46 pm at which time it was noted that the City Council had been briefed on the above-styled matters but took no action.

RECESSED

Mayor Castro recessed the meeting at 12:46 pm to break for lunch and announced that the meeting would reconvene 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 Cortez 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-5, Z-6, Z-7, Z-8, Z-9, P-2, Z-10, Z-11, P-3, and Z-12. Councilmember Cisneros seconded the motion.

Mayor Castro called upon Jack M. Finger to speak.

Mr. Finger addressed the Council in opposition to Item Z-1 (the beauty salon) which he stated would increase traffic. He also opposed Item Z-2, the bar/tavern, noting that Former Councilmember Helen Dutmer and the Highland Park Neighborhood Association had expressed opposition. He expressed concern with the Payday Loan Agencies in Items Z-3 and Z-5, and noted that the Jefferson Neighborhood Association was opposed to Item Z-10 due to the commercial uses.

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

2010-05-20-0455

Item Z-5. **ZONING CASE # Z2010079 S (District 6):** An Ordinance amending the Zoning District Boundary from "C-3 R" General Commercial Restrictive Alcohol Sales District to "C-3 R S" General Commercial Restrictive Alcohol Sales District with a Specific Use Authorization for a Pay Day Loan Agency on a 0.471 of an acre out of Parcel 22, NCB 15098 located on the 10100 Block of Culebra 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: 0.471 OF AN ACRE OUT OF PARCEL 22, NCB 15098 TO WIT: FROM "C-3R" GENERAL COMMERCIAL RESTRICTIVE ALCOHOL SALES DISTRICT TO "C-3R S" GENERAL COMMERCIAL RESTRICTIVE ALCOHOL SALES DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A PAY DAY LOAN AGENCY PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2010-05-20-0456

Item Z-6. **ZONING CASE # Z2010083 CD (District 7):** An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for a Veterinary Hospital - Small Animals (No outside Runs, Pens and Paddocks permitted) on 0.922 acres out of NCB 14113 located at 5739 Callaghan 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: 0.922 ACRES OUT OF NCB 14113 TO WIT: FROM "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 CD AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR A VETERINARY HOSPITAL - SMALL ANIMALS

(NO OUTSIDE RUNS, PENS AND PADDOCKS PERMITTED) PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2010-05-20-0457

Item Z-7. **ZONING CASE # Z2010087 (District 7):** An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-3 AHOD" General Commercial Airport Hazard Overlay District on 0.874 of an acre out of Lot 3, Block 1, NCB 13300 located at 4918, 4920, 4922, and 4924 Fredericksburg 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: 0.874 OF AN ACRE OUT OF LOT 3, BLOCK 1, NCB 13300 TO WIT: FROM "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-3 AHOD" GENERAL COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

2010-05-20-0458

Item Z-8. **ZONING CASE # Z2010086 (District 8):** An Ordinance amending the Zoning District Boundary from "R-20 GC-1 MLOD-1" Residential Single-Family Hill Country Gateway Corridor Military Lighting Overlay District to "C-1 GC-1 MLOD-1" Light Commercial Hill Country Gateway Corridor Military Lighting Overlay District on 2.432 acres out of NCB 35733 located at 21650 Milsa Drive. 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: 2.432 ACRES OUT OF NCB 35733 TO WIT: FROM "R-20 GC-1 MLOD-1" RESIDENTIAL SINGLE-FAMILY HILL COUNTRY- GATEWAY CORRIDOR MILITARY LIGHTING OVERLAY DISTRICT TO "C-1 GC-1 MLOD-1" LIGHT COMMERCIAL HILL COUNTRY GATEWAY CORRIDOR MILITARY LIGHTING OVERLAY DISTRICT.

2010-05-20-0459

Item Z-9. **ZONING CASE # Z2010084 (District 10):** An Ordinance amending the Zoning District Boundary from "C-3 AHOD" General Commercial Airport Hazard Overlay District to "QD AHOD" Quarry Airport Hazard Overlay District on 26.358 acres out of NCB 15683 located on a portion of 12065 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: 26.358 ACRES OUT OF NCB 15683 TO WIT: FROM "C-3 AHOD" GENERAL COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT TO "QD AHOD" QUARRY AIRPORT HAZARD OVERLAY DISTRICT.

2010-05-20-0460

Item P-2. **PLAN AMENDMENT #10015 (District 1):** An Ordinance amending the land use plan contained in the Near Northwest Community Plan, a component of the Master Plan of the City, by changing the use of an 0.1377 acre tract of land located at 1606 Fulton Avenue from Medium Density Residential to Neighborhood Commercial land use. Staff and Planning Commission recommend approval. (Associated Zoning Case: #Z2010074)

2010-05-20-0461

Item Z-10. **ZONING CASE # Z2010074 (District 1):** An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-1 AHOD" Light Commercial Airport Hazard Overlay District on the southwest 50 feet of Lots 1 and 2, Block 50, NCB 2744, located at 1606 Fulton Avenue. Staff and Zoning Commission recommend approval pending the plan amendment.

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 SOUTHWEST 50 FEET OF LOTS 1 AND 2, BLOCK 50, NCB 2744 TO WIT: FROM "R-4 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "C-1 AHOD" LIGHT COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

2010-05-20-0462

Item Z-11. **ZONING CASE # Z2010094 CD (District 1):** An Ordinance amending the Zoning District Boundary from "C-3 R AHOD" General Commercial Restrictive Alcohol Sales Airport Hazard Overlay District to "C-2 P CD AHOD" Commercial Pedestrian Airport Hazard Overlay District with a Conditional Use for a Veterinary Hospital – Small Animal (No Outside Runs, Pens and Paddocks Permitted) on Lot 19 and the South Irregular 40.01 feet of Lot 20, Block 239, NCB 8802, located at 804 West Avenue; from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Auto Paint and Body – Repair With Outside Storage Of Vehicles and Parts Permitted But Totally Screened From View Of Adjacent Property Owners and Public Roadways on Lots 18 through 22, Block 139, NCB 8814, located at 2014 West Avenue and 1831 West Wildwood. 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 19 AND THE SOUTH IRREGULAR 40.01 FEET OF LOT 20, BLOCK 239, NCB 8802, 804 WEST AVENUE; LOTS 18 THROUGH 22, BLOCK 139, NCB 8814, 2014 WEST AVENUE AND 1831 WEST WILDWOOD TO WIT: FROM "C-3 R AHOD" GENERAL COMMERCIAL RESTRICTIVE ALCOHOL SALES AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 P CD AHOD" COMMERCIAL PEDESTRIAN AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR A VETERINARY HOSPITAL - SMALL ANIMAL (NO OUTSIDE RUNS, PENS AND PADDOCKS PERMITTED) ON LOT 19 AND THE SOUTH IRREGULAR 40.01 FEET OF LOT 20, BLOCK 239, NCB 8802 AND FROM "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 CD AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR AUTO PAINT AND BODY - REPAIR WITH OUTSIDE STORAGE OF VEHICLES AND PARTS PERMITTED BUT TOTALLY

SCREENED FROM VIEW OF ADJACENT PROPERTY OWNERS AND PUBLIC ROADWAYS ON LOTS 18 THROUGH 22, BLOCK 139, NCB 8814 PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2010-05-20-0463

Item P-3. **PLAN AMENDMENT CASE #10012 (District 2):** An Ordinance amending the land use plan contained in the Arena District/Eastside Community Plan, a component of the Master Plan of the City, by changing the use of an 8.997 acre tract of land located at 3700 Belgium Lane from High Density Residential land use to Mixed Use land use. Staff and Planning Commission recommend approval. (Associated Zoning Case: #Z2010073)

2010-05-20-0464

Item Z-12. **ZONING CASE # Z2010073 (District 2):** An Ordinance amending the Zoning District Boundary from "I-2 EP-1" Heavy Industrial Facility Parking/Traffic Control District-1 to "C-2 EP-1" Commercial Facility Parking/Traffic Control District-1 on Lot 18, Block 3, NCB 16532 located at 3700 Belgium. Staff and Zoning Commission recommend approval pending the plan amendment.

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 18, BLOCK 3, NCB 16532 TO WIT: FROM "I-2 EP-1" HEAVY INDUSTRIAL FACILITY PARKING/TRAFFIC CONTROL DISTRICT-1 TO "C-2 EP-1" COMMERCIAL FACILITY PARKING/TRAFFIC CONTROL DISTRICT-1.

[CONSENT ZONING ITEMS CONCLUDED]

INDIVIDUAL ZONING ITEMS

The City Clerk read the following Resolution:

2010-05-20-0023R

Item 23. A RESOLUTION DIRECTING THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT TO INITIATE A CHANGE IN THE ZONING DISTRICT BOUNDARY FOR THE PROPERTY LOCATED AT 1039 NE LOOP 410 FROM "C-2 CD AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR A NIGHTCLUB TO "C-2 NA AHOD" COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT, AS REQUESTED BY COUNCILMAN CLAMP, DISTRICT 10.

Councilmember Chan stated that Councilmember Clamp had requested support for Item 23. Councilmember Chan moved to approve the Resolution. Councilmember Cisneros seconded the motion.

Mayor Castro called upon Nazirite Ruben Flores Perez to speak. Mr. Perez stated that he was in support of the changes and protections.

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

2010-05-20-0453

Item P-1. **PLAN AMENDMENT (Districts 1,2,8,9 & 10):** An Ordinance adopting the San Antonio International Airport Vicinity Land Use Plan, a 45.5 square mile area within the City of San Antonio generally bounded on the north by Loop 1604; on the east by O'Connor Road and Interstate Highway 35; on the south by South Petroleum Dr., Rittiman Road, and NE Loop 410; and on the west by Holbrook, Harry Wurzbach Road, Blanco Road, Lockhill Selma Road, 500 feet north of and along Huebner Road, and Salado Creek; also including a second area generally bounded on the north by NE Loop 410; on the east by Broadway; on the south by the northern limit of Olmos Basin Park and the northern limit of the City of Alamo Heights; and on the west by Highway US 281, as a component of the City's Comprehensive Master Plan, as it conforms to the approval criteria set forth in the Unified Development Code, §35-420, pertaining to "Comprehensive, Neighborhood, Community and Perimeter Plans.

Patrick Howard presented Item P-1 and stated that it was the long-awaited San Antonio International Airport Vicinity Land Use Plan. He noted that upon adoption, the plan would become a component of the City's Comprehensive Master Plan. He reported that the Federal Aviation Administration requires municipalities to adopt land use plans to avoid encroachment of incompatible uses around airports for the safety of both the airport operations and surrounding neighborhoods. He stated that there had been a large public participation process with extensive community involvement. He added that Staff and the Zoning Commission recommend approval.

Councilmember Cortez 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, Rodriguez, Williams, Chan, and Mayor Castro. **NAY:** None. **ABSENT:** Clamp.

CONTINUED TO AUGUST 5, 2010

Item Z-1. **ZONING CASE # Z2010055 (District 3):** An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "NC AHOD" Neighborhood Commercial Airport Hazard Overlay District on Lots 6 and 7, save and except a portion conveyed to the City of San Antonio recorded in Volume 3341, Page 462, Deed Records of Bexar County, Block 1, NCB 3381 located at 2011 Probandt Street. Staff and Zoning Commission recommend approval.

Chris Looney presented Item Z-1 and stated that staff and the Zoning Commission recommended approval. He noted that they had received 15 responses in opposition that accounted for more than 20% of the property owners within 200 feet and would require nine votes for approval.

Mayor Castro called upon the individuals registered to speak on Item Z-1.

Joan Coy addressed the Council in opposition to Item Z-1. She submitted a petition signed by many of her neighbors that were in opposition to the beauty shop and gift shop. She noted that their street is a dead end. She expressed concern with the lack of signage in the area and asked who would cover the costs for additional signage. She added that this area is not suited for a business and that a child had lost their life in an accident which was due to speeding.

Alfredo Coy addressed the Council and stated that he was concerned about business encroachment. He added that this is an area for neighborhoods and that most of the people that live there are against it.

Councilmember Ramos stated that she had received petitions in favor and in opposition and would like additional time to meet with neighbors in the area. She noted that they had been through a long process and appreciated the work that has been done thus far.

Councilmember Ramos moved to continue Item Z-1 to August 5, 2010. Councilmember Cortez seconded the motion.

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

2010-05-20-0454

Item Z-2. **ZONING CASE # Z2010058 S (District 3):** An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "NC S AHOD" Neighborhood Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Bar/Tavern on Lot 13, Block 62, NCB 3330 located at 2205 South Gevers Street. Staff and Zoning Commission recommend approval of "NC AHOD" Neighborhood Commercial Airport Hazard Overlay District and denial of the Specific Use Authorization for a Bar/Tavern.

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 13, BLOCK 62, NCB 3330 TO WIT: FROM "R-4 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "NC AHOD" NEIGHBORHOOD COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

Chris Looney presented Item Z-2 and stated that staff and the Zoning Commission recommended approval of the "NC AHOD" designation but denial of the Specific Use Authorization for a Bar/Tavern. He noted that the Highland Park Neighborhood Association was in opposition.

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

Eddie Caldera stated that he was the property owner and referenced a petition of individuals in favor of the rezoning. He noted that the bar had not caused any problems in the past and had always helped with community fundraisers. He expressed concern that he had not received notice of the previous rezoning and had been grandfathered for one year.

Virginia Lee Lozano addressed the Council in favor of the rezoning. She stated that the neighborhood had not encountered any problems and the area was always kept clean. She noted that they were a family-oriented business and had helped with fundraisers for the community.

Councilmember Ramos asked of the previous rezoning and grandfather clause. Mr. Looney stated that the property had not been rezoned but the previous use was registered as a non-conforming use. He explained that it was utilized as a drive-through ice house establishment that was grandfathered. Due to being closed for a period of one year, they lost their non-conforming use rights. He added that the

Neighborhood Commercial designation would limit the size of the structure and could operate a variety of service and retail uses.

Councilmember Ramos moved to adopt the staff recommendation of "NC AHOD" Neighborhood Commercial Airport Hazard Overlay District and denial of the Specific Use Authorization for a Bar/Tavern. Councilmember Taylor 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 TO JUNE 3, 2010

Item Z-3. **ZONING CASE # Z2010059 S (District 5):** An Ordinance amending the Zoning District Boundary from "C-3 AHOD" General Commercial Airport Hazard Overlay District to "C-3 S AHOD" General Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Pay Day Loan Agency on 2,103 square feet out of Lot 2, Block 6, NCB 9039 located at 3606 South Zarzamora Street. Staff and Zoning Commission recommend denial.

Chris Looney presented Item Z-3 and stated that staff and the Zoning Commission recommended denial. Councilmember Medina moved to postpone Item Z-3 to June 3, 2010. Councilmember Clamp seconded the motion.

Allen Townsend addressed the Council and stated that he was the President of the Nogalitos/Zarzamora Coalition. He noted that their mission was to defend the Nogalitos/Zarzamora Neighborhood Plan and would like for the area to be developed correctly. He added that they would never support a Payday Loan Agency that operates predatory lending practices.

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

WITHDRAWN BY APPLICANT

Item Z-4. **ZONING CASE # Z2010078 CD (District 5):** An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for a Bar/Tavern on Lots 8, 9, 10, 11 and 12, Block 1, NCB 6679 located at 2007 Frio City Road. Staff recommends approval. Zoning Commission recommends denial.

Chris Looney confirmed that the zoning request for Item Z-4 had been withdrawn by the applicant. No action was necessary.

RECESSED

Mayor Castro recessed the meeting at 2:50 pm and noted that the meeting would resume at 6:00 pm for Citizens to be Heard.

CITIZENS TO BE HEARD

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

Patsy Cheyney stated that she worked with a small non-profit program called Home Comforts Inc. that works with mentally ill individuals in independent living. She requested that City Council contact Haven for Hope to set aside a small area within their warehouse to accommodate furniture donated for the Home Comforts Inc. participants. She referenced a federal grant program called PATH for individuals that have not received approval for disability benefits. She also spoke of the nuisance of mattresses that are being dumped in the city landfill.

Nazirite Ruben Flores Perez spoke of Revelations and referenced the seven-headed lion that represents the United Nations. He noted that the time was coming and he would be communicating with President Obama.

Dee Villarrubia expressed concern that there were only three Councilmembers present for the Citizens to be Heard portion of the Council Meeting. She thanked the Council and City Staff that worked on the San Antonio Police Officers Collective Bargaining Contract. She stated that she usually attended the Council Meeting to complain but was present to say thank you.

Theresa Berlanga addressed the Council and also expressed concern that there were only a few Councilmembers present. She spoke of an issue she encountered with Code Compliance in regard to her property on Santa Monica Street. She expressed concern that the city had not helped her with her property and was being harassed by city staff. She spoke of the garbage that had been dumped in her lot by others in the neighborhood.

Nick Calzoncit also expressed concern that there were only a few Councilmembers present. He requested that the City create a Department of Peace and spoke of the high drop out rate throughout the city. He expressed concern with the anti-immigration law passed in Arizona and spoke of the Texas Rangers that had killed many Mexicans. He asked the City Council to take action against Arizona, noting the high population of Hispanics in San Antonio.

Rodolfo Macias, Rhett Smith and Genaro Solis addressed the City Council in regard to immigration issues. Mr. Smith asked that the City Council pass a Resolution in opposition to the anti-immigration law in Arizona. Mr. Solis stated that there were many individuals opposed to immigration reform and that he and Mr. Macias had spent three weeks traveling to Washington, DC. He stated that he was born in San Antonio and felt the need to stop the war. Mr. Macias stated that he was not born in San Antonio but has lived here for 20 years. He referenced a small United States Flag that he had given to Congressman Luis Gutierrez in front of the White House and noted that it represents the people that were not born in the United States but live here. He mentioned that he had just returned to San Antonio from Washington, DC and would be heading to Arizona. Mr. Macias expressed concern that he had two children that were not able to drive or work and added that San Antonio was very important to Mexicans.

Fidel Castillo stated that he had spoken before the State Board of Education the previous day and that he was from Ohio but had come to San Antonio to start a business. He noted that he had learned a lot about

Texas Independence and expressed concern that the Alamo was being promoted. He referenced the Texas Film Commission and their support for a film called "Machete" and expressed concern that it would fuel race riots.

Nathan Guzman stated that he was a lifelong resident of District 4 and expressed concern with the individuals that did not obey warnings at low water crossings. He expressed concern with the individuals that send text messages and talk on cell phones while driving. He spoke in opposition to the smoking ban and noted that prostitution had not occurred in the Roosevelt Area. He stated that he had been assaulted on March 18, 2010 and would be in support of funding for additional Police Officers.

Faris Hodge, Jr. expressed concern that the SAWS Public Hearing was not publicized. He asked that the City Council provide city employees with a 10% pay raise and spoke in support of Hardberger Park. He asked that the Alamodome be renamed after him. He stated that the smoking ban would be a big issue and expressed concern that banning smoking in bars would have a negative effect on the individuals that work there. He mentioned that Pope Benedict had called on Catholics not to cast stones and spoke in support of the Post-Accident Alcohol and Drug Testing for all City Employees. He referenced the Martin Luther King, Jr. "I Have a Dream" Speech and noted that Rosa Parks had not given up her seat on a bus in 1955. He expressed concern that there was not a quorum present.

Damon Mason referenced the following articles: "Money College: One Student's Losing Battle with Private Student Loans," "College Grads' Outlook Grim," and "Meet the Unemployable Man." He expressed concern that Sallie Mae was preying on high school graduates and that he was threatened over being in default for not repaying his student loans. He noted that the last article spoke of males age 25-54 that were unfit to be part of the local macro economy.

Fred Spangler expressed concern with the acoustics in the Council Chambers and spoke of the obstacles that the city puts up for the driving public. He referenced signage issues along Southwest Military Drive. He noted that Churchill Estates was a good example of the correct placement of speed bumps. He spoke of the median along Southwest Military Drive that had been removed and then re-installed. He expressed concern with a dump truck that had tipped a sign and caused \$3,000 worth of damage to his vehicle.

Antonio Diaz thanked the Councilmembers that were present and expressed concern that the Citizens to be Heard portion of the agenda was not televised. He recognized Assistant City Manager Erik Walsh and noted that he had met with him and was able to address his concern regarding human rights issues. He stated that all was not perfect with the Police Collective Bargaining Agreement but was pleased that some of the citizen's concerns had been addressed. He asked why the San Antonio Police Officers Association could dictate the civilians that serve on the Citizen Advisory Action Board and spoke in opposition to the anti-immigration legislation passed in Arizona.

Bill Henderson stated that his organization, Change Solutions, was providing affordable housing for Veterans and people in need and had applied for CDBG Funds from the city. He spoke of two projects they were working on and asked for support from the City Council. He referenced their website and asked that everyone visit the site to learn more about their organization.

ADJOURNMENT

There being no further discussion, Councilmember Cortez adjourned the meeting at 6:52 pm.

APPROVED



**JULIÁN CASTRO
MAYOR**

Attest: 
LETICIA M. VACEK, TRMC/CMC
City Clerk