

**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, FEBRUARY 29, 2012, AND THURSDAY, MARCH 1, 2012, RESPECTIVELY.

The San Antonio City Council convened in a Work Session at 2:00 pm Wednesday, **February 29, 2012**, Municipal Plaza Building, with the following Councilmembers present: Bernal, Taylor, Ozuna, Saldaña, D. Medina, C. Medina, Williams, Chan, Soules, and Mayor Castro. **ABSENT:** Lopez.

1. CITIZEN BOND OVERSIGHT COMMISSION BRIEFING ON THE CITY OF SAN ANTONIO'S 2007-2012 BOND PROGRAM TO INCLUDE: ANNUAL REPORT ON THE PROGRESS OF THE 2007-2012 BOND PROGRAM.

Mike Frisbie stated that the City Council had established the joint City-County Citizens Bond Oversight Commission (CBOC) on September 23, 2003 and appointed 10 members to serve as city representatives. He noted that the CBOC serves in an advisory capacity to the City Council and Bexar County Commissioners Court regarding bond projects. He reported that the creation of the CBOC has increased the level of communication and coordination for bond project implementation. He added that they have helped provide accountability and increased public confidence.

Mr. Frisbie indicated that the CBOC is comprised of 20 members of which 10 are appointed by each the City and Bexar County. He stated that appointees must be residents of Bexar County and each serve for a two-year term. He noted that the Chair and Vice-Chair are selected jointly by the Mayor and County Judge. He reported that the CBOC meets as often as necessary but no less than four times per year. He recognized Terrell McCombs, Chairman; Chris Corso, Vice-Chair; and the Members of the CBOC.

Mr. McCombs presented the 2011 CBOC Annual Report and highlighted the great accomplishments of the 2007-2012 Bond Program. He spoke of the success of the Dashboard Program that provides an electronic status report on all Bond Projects. He mentioned the Score Card that was implemented to rate and improve the performance of consultants and contractors. He outlined the projects completed and those that are in the design and construction phase within each of the five categories. He mentioned the success of utilizing community input to address drainage and infrastructure needs throughout the city. He stated that he was grateful to have served as the Chair of the CBOC and thanked the City Council for their support.

Mayor Castro thanked Mr. McCombs for his leadership and service noting that his leadership had provided confidence to the voters.

Mike Frisbie provided background information on the 2007 Bond Program and noted that it included 150 projects totaling \$550 million. He provided a status of the projects noting that 110 were completed; 35 were in construction; and 5 were in pre-construction or on hold. He referenced the Dashboard Program which provided electronic access to the status of all 2007 Bond Projects. He reported that \$47 million in Bond Savings was reprogrammed and utilized for 23 new projects and three existing projects. He stated that the program is under budget and on schedule to be substantially completed by June, 2012.

He provided a Small Business Economic Development Advocacy (SBEDA) Overview, noting that the city's goals were met or exceeded.

Mr. Frisbie spoke of the 2007 Bond Program and indicated that implementation had been delayed due to development of the CIMS Department and creation of a Design Guidance Manual. He noted that they had also updated the Construction Specifications and created new contract documents. He outlined the opportunities for the 2012 Bond Program in which a mass selection process would be utilized and additional coordination would occur among the utility companies. He thanked the City Council for their support.

Mayor Castro thanked staff for their work on the Bond Program and asked of the lessons learned from the 2007 Bond Program. Mr. Frisbie replied that it would be important to establish a plan and begin projects as soon as possible. He spoke of the success of the 2007 Bond Program due to the efficiencies that were achieved through utilization of a mass selection process. He mentioned the challenges with utility work due to the many entities involved and stated that staff will continue to coordinate with the utility companies. Mayor Castro mentioned the \$47 million savings and asked if any savings was estimated for the 2012 Bond Program. Mr. Frisbie stated that the construction costs were higher in 2006 and 2007 and had used an escalated percent of 6.5% per year for budgeting purposes. He noted beginning in 2008, there were many more bidders and prices became more competitive when the market dropped. He mentioned that for the 2012 Bond Program, staff utilized current unit prices and escalated them 5.5% per year.

Councilmember D. Medina thanked the CBOC and city staff that worked on the 2007 Bond Program. He stated that he was pleased with the communication provided to citizens and that the Dashboard Program was very much appreciated. He spoke of the \$47 million in Bond Savings and noted that he was pleased with the Park Project added in D5 that greatly benefitted the Palm Heights Neighborhood. He highlighted the partnership with the Military on the Walters Street Project.

Ms. Sculley reported that the 2012-2017 Bond Brochure was available and over 7,000 copies had been distributed throughout city facilities.

2. BRIEFING AND DISCUSSION ON PUBLIC-PRIVATE PARTNERSHIPS (P3S).

Item 2 was not addressed.

EXECUTIVE SESSION

Mayor Castro recessed the meeting at 2:45 pm to convene in Executive Session for the purpose of:

A. DELIBERATIONS REGARDING SMALL AND LOCAL BUSINESS DEVELOPMENT PROGRAMS AND DISCUSS RELATED LEGAL ISSUES PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY).

CITIZENS TO BE HEARD

Mayor Castro reconvened the meeting at 6:00 pm and announced that no action was taken in Executive Session. He called upon the individuals registered to speak.

Rhett Smith presented a video from a City Council Meeting that occurred in October, 2006. The video stated that the City Council had authorized the TPC Golf Course to have an Edwards Aquifer Well drilled for their use due to problems with fluoride salts in the Trinity Aquifer. Mr. Smith expressed concern that citizens were not aware of the toxins in the fluoride used in the water supply and noted that it was unsafe for infants under six months of age. He invited everyone to attend the International Women's Day March that would be held on Saturday, March 3, 2012.

George Alejos also expressed concerns with fluoride in the drinking water and referenced the harm in giving tap water to infants under six months old. He indicated that the residents of District 6 had voted in opposition to adding fluoride to the water supply.

Mark Perez expressed concern with the former Development Services Employee that had accepted bribes and noted that he had lost twin daughters while working at Tetco. He spoke of the lack of information provided by city staff in the following departments: Development Services, Fire, Offices of the City Clerk and City Attorney. He asked why the permit for NuStar Refinery was approved last year. He spoke of the businesses operating without the proper permits and violating City Ordinances.

Nazirite Ruben Flores Perez spoke of the Ten Commandments and the Book of Exodus in the Bible. He stated that the name of God should not be taken in vain and that he was a reformer. He noted that in the past, if any of the Ten Commandments were violated; an individual would be hung from a tree.

Theresa Berlanga stated that she had volunteered to work on education efforts with a politician and it was a risky decision. She noted that the driveway at her home was still being constructed and expressed concern that she receives a large CPS Energy Bill even though she is not living in the home. She indicated that she had been punished for reasons unknown and that there had been a conspiracy against her business.

Heriberto Barrientes expressed concern that his request for a second meter on his property was denied. He noted that he had been working on said item for many years and following the legal process. He asked why NuStar Energy had received a permit to operate but he could not receive a permit as a homeowner.

Antonio Diaz thanked the City Council for their consideration of his request for a Resolution to designate October 12th as Indigenous Peoples Day and stated that Indigenous People merit recognition.

Faris Hodge, Jr. submitted written testimony highlighting the foresight of the Office of the City Clerk hosting Passport Day in the USA on Saturday, March 10, 2012. He wrote that the San Antonio Livestock Show and Rodeo is fun but also raises millions of dollars for scholarships. He recognized Bexar County Commissioner Paul Elizondo and District Attorney Susan Reed for their 25 years of service. He noted that Mayor Emeritus Lila Cockrell turned 90 years old. He wrote that the blood bank is in need of donations and expressed concern that the Primary Ballot delays are costing Bexar County additional money. He noted that Alamo Plaza was in need of upgrading and referenced the \$20 million donation for the new Children's Museum that will be built on Broadway Street.

ADJOURNMENT

There being no further discussion, Mayor Castro adjourned the meeting at 6:25 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **March 1, 2012** 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: Bernal, Taylor, Ozuna, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, and Mayor Castro. **ABSENT:** Soules.

Item 1. The Invocation was delivered by Brandon Smith of the Office of the City Clerk, guest of Mayor Julián Castro.

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

Item 3. MINUTES

Councilmember Saldaña moved to approve the Minutes for the January 18-19, 2012 City Council Meetings. Councilmember Williams seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Ozuna, Saldaña, D. Medina, Lopez, Williams, Chan, and Mayor Castro. **NAY:** None. **ABSENT:** C. Medina and Soules.

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the caption for Item 4:

Item 4. CONSIDERATION OF THE FOLLOWING REIMBURSEMENT RESOLUTIONS IN AN AMOUNT NOT TO EXCEED \$14,000,000.00 IN CONNECTION WITH THE PROPOSED LED STREETLIGHT PROJECT:

2012-03-01-0005R

- A. A RESOLUTION APPROVING THE ESTABLISHMENT OF THE CITY'S INTENTION TO REIMBURSE ITSELF FOR THE PRIOR LAWFUL EXPENDITURE OF FUNDS RELATING TO ACQUIRING, PURCHASING, DESIGNING, CONSTRUCTING, AND INSTALLING ENERGY CONSERVATION EQUIPMENT AS PART OF A GREEN COMMUNITY PROGRAM FROM THE PROCEEDS OF ONE OR MORE SERIES OF OBLIGATIONS TO BE DESIGNATED AS QUALIFIED ENERGY CONSERVATION BONDS TO BE ISSUED BY THE CITY FOR AUTHORIZED PURPOSES; AUTHORIZING OTHER MATTERS INCIDENT AND RELATED THERETO; AND PROVIDING AN EFFECTIVE DATE.

2012-03-01-0006R

- B. A RESOLUTION APPROVING THE ESTABLISHMENT OF THE CITY'S INTENTION TO REIMBURSE ITSELF FOR THE PRIOR LAWFUL EXPENDITURE OF FUNDS RELATING TO ACQUIRING, PURCHASING, DESIGNING, CONSTRUCTING, AND INSTALLING ENERGY CONSERVATION EQUIPMENT FOR THE LED STREETLIGHT PROJECT FROM THE PROCEEDS OF TAX-EXEMPT OBLIGATIONS TO BE ISSUED BY THE CITY FOR AUTHORIZED PURPOSES; AUTHORIZING OTHER MATTERS INCIDENT AND RELATED THERETO; AND PROVIDING AN EFFECTIVE DATE.

Ben Gorzell presented information on the Light Emitting Diode (LED) Streetlight Replacement Project. He stated that the New Energy Economy was San Antonio's strategy for leveraging CPS Energy's need for low-carbon and renewable energy resources to stimulate job creation and economic/educational development. He reported that the FY 2012 Streetlight Budget is \$12,921,940 and that City and CPS Energy Staff had conducted an evaluation of the conversion of streetlights to LED Lights. They recommend replacing 25,000 streetlights with LED Lights; 1,500 in the Downtown Area and 23,500 along major thoroughfares throughout the city. He indicated that in September 2011, CPS Energy executed a contract with GreenStar to purchase 25,000 LED Streetlights. He mentioned that GreenStar was a worldwide supplier of technologically advanced lighting products that had moved its assembly facility and corporate headquarters to the Alamo Downs Business Park in San Antonio in June 2011.

Mr. Gorzell reported that LED light installation would begin in May/June 2012 and completed in 18 months. He stated that a Technology Adder is being evaluated which consists of wireless communication that monitors the operating status of lights. He indicated that it could allow for video streaming and a change in the illumination of light. He noted that they were evaluating the replacement of 922 poles in the Downtown Network System. He provided photos comparing the current High Pressure Sodium (HPS) Lighting to LED Lighting and streetlight poles. He stated that the conversion would cost \$14,544,000 with optional costs for pole replacement and Technology Adder of \$1,957,000 for a total project cost of \$16,501,000.

Mr. Gorzell spoke of the Save for Tomorrow Energy Plan (STEP) that was adopted to achieve 771 megawatts of energy savings by 2020. He noted that STEP offers incentives and rebates and that the LED Project qualifies for \$2.2 million in rebates. He outlined the benefits of the conversion to LED Lights that include utilizing less energy than HPS Lighting and less maintenance. He stated that debt would be issued to fund the project in the form of Qualified Energy Conservation Bonds (QECCB) and Tax Exempt Certificates of Obligation. He indicated that debt service would be paid through energy and maintenance savings and confirmed that they would not utilize property tax debt capacity. He added that implementation of the LED Lights would result in 5.1 megawatts of energy savings and help reach the STEP Goal of achieving 771 megawatts of energy savings by 2020.

Mayor Castro stated that he was supportive of the project and was confident that it would be a great transition for the city. He added that he was pleased with the energy savings and looked forward to the utilization of the Technology Adder that would provide more control of the network.

Councilmember C. Medina entered the meeting at this time.

Mayor Castro called upon the individuals registered to speak on Item 4.

Jack M. Finger spoke in opposition to the LED Streetlight Replacement Project and expressed concern with the potential video streaming. He asked that the cameras not be installed and asked what would happen if the funding was no longer available from the federal government.

Nazirite Ruben Flores Perez recommended that mercury be removed from street lights, noting that it was hazardous. He stated that he was supportive of streetlights that would be bright like daylight.

Councilmember Williams asked of the city's annual energy costs. Mr. Gorzell confirmed that it was \$12.9 million per year. Councilmember Williams asked of the cost savings that would be achieved

through the LED Streetlight Replacement Program. Mr. Gorzell replied that it would save the city \$17 million over 15 years. Councilmember Williams stated that it was important to highlight that LED Lights were not free and asked of the capital costs that would be avoided. Mr. Gorzell stated that he did not have the breakdown but that it would help CPS Energy achieve 771 megawatt savings.

Councilmember Chan asked of the term of the bonds and the life span of the LED Lights. Mr. Gorzell replied that they were aligned at 15 years. Councilmember Chan asked of a change in the environment for issuing QECB Bonds. Mr. Gorzell reported that they would issue the bonds in July and did not believe there would be a lot of movement in the market in the short time span. He added that the light pole replacement and technology adder would be funded through Certificates of Obligation paid for through the General Fund.

Councilmember D. Medina asked of the responsibility for pole replacement. Mr. Gorzell replied that CPS Energy paid for the poles and recovered the cost through the rates. He added that this transaction was different since a greater number of poles would be replaced at one time. Councilmember D. Medina asked of the annual savings for each household. Mr. Gorzell replied that it would not affect the customer bill and that the light replacement would help achieve the STEP Goal and avoid capital costs. Councilmember D. Medina asked how the lights being replaced were selected. Mr. Gorzell replied that the lights selected were those that would achieve a greater amount of energy savings to ensure that the savings could cover the project costs. He noted that they also selected the lights that were in the City's Major Thoroughfare Plan noting that residential lights with lower wattage did not achieve a great amount of savings. Councilmember D. Medina asked of decreasing the amount of proposed rate increases. Mr. Gorzell replied that he could not tie the savings into a future rate reduction.

Councilmember Ozuna asked of the cost savings for the streetlights within residential areas. Mr. Gorzell explained that many of the residential areas utilized 100-watt bulbs that did not achieve a great amount of energy savings. He stated that they would continue to monitor the technology and recommend the replacement of residential light bulbs when feasible.

Mayor Castro thanked staff for the presentation and stated that this was a great step for the City and CPS Energy. He noted that this would create a better and safe environment for citizens and was proud to support it.

Councilmember Williams moved to approve the Resolutions for Items 4A and 4B. Councilmember Lopez seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Ozuna, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan. and Mayor Castro. **NAY:** None. **ABSENT:** Soules.

CONSENT AGENDA ITEMS 5-21B

Consent Agenda Item 12 was pulled for Individual Consideration. Mayor Castro announced that Items 17, 21A and 21B were pulled from the agenda by staff.

City Clerk Vacek read a correction to the amount of the property sale in Item 14A, noting that it totaled \$66,000 and not \$69,000.

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

Jack M. Finger spoke in opposition to the appointments to the Tax Increment Reinvestment Zone Number 15 known as North East Crossing in Item 15G. He stated that he was against the funding of \$570,000 to the Eastside Christian Action Group (Item 18) and asked why the city had to assist with operations and management of the Wheatley Heights Sports Complex. He expressed concern that the person receiving the tax incentive in Item 19 did not repair the streets correctly and the city was requesting reimbursement for the repair work.

Nazirite Ruben Flores Perez stated that he was supportive of VIA Metropolitan. He referenced the San Antonio Water System (SAWS) in Item 12 and stated that it was important to protect the ratepayers. He noted that he was opposed to mixing water in the reservoir because the Scriptures were against it. He expressed concern with mixing religion (Item 18) and indicated his support for the work of Animal Care Services that would be addressed in the City Manager's Report.

Christopher Garcia stated that he was pleased to serve on the Building-Related and Fire Codes Appeals and Advisory Board (Item 15L) and thanked the City Council for their support.

Faris Hodge, Jr. submitted written testimony in opposition to the LED Streetlight Project (Item 4), noting that the lights were located too high off the sidewalk. He wrote in favor of Items 5-18, and 21, and against Item 19.

Councilmember Bernal moved to approve the remaining Consent Agenda Items. Councilmember Saldaña seconded the motion.

The motion to approve the remaining Consent Agenda Items prevailed by the following vote: **AYES:** Bernal, Taylor, Ozuna, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** None.

2012-03-01-0131

Item 5. AN ORDINANCE AUTHORIZING THE CITY TO UTILIZE A COOPERATIVE CONTRACT WITH SAFEWARE, INC. TO PROVIDE THE SAN ANTONIO POLICE DEPARTMENT TACTICAL SUPPORT UNIT WITH 70 MULTI-THREAT PROTECTIVE SUITS FOR A TOTAL COST OF \$92,000.10, FUNDED WITH THE 2009 STATE HOMELAND SECURITY PROGRAM GRANT FUND.

2012-03-01-0132

Item 6. AN ORDINANCE ACCEPTING THE BID FROM PROGRESSIVE EMERGENCY PRODUCTS TO PROVIDE THE SAN ANTONIO FIRE DEPARTMENT, OFFICE OF EMERGENCY MANAGEMENT, WITH 1 INCIDENT MANAGEMENT TEAM RESPONSE TRAILER FOR A TOTAL COST OF \$114,098.00, FUNDED FROM THE 2009 URBAN AREA SECURITY INITIATIVE (UASI) GRANT.

2012-03-01-0133

Item 7. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$5,776,496.37 PAYABLE TO CAPITAL EXCAVATION, FOR THE MEDICAL CENTER

INTERSECTION IMPROVEMENTS PHASE VIII PROJECT, A PREVIOUSLY AUTHORIZED CERTIFICATES OF OBLIGATION FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 8; OF WHICH, \$5,076,365.03 WILL BE PAID BY THE CITY, \$510,333.73 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM AND \$189,797.61 WILL BE REIMBURSED BY CPS ENERGY.

2012-03-01-0134

Item 8. AN ORDINANCE AUTHORIZING A TASK ORDER CONSTRUCTION CONTRACT WITH EZ BEL CONSTRUCTION, LLC, IN AN AMOUNT UP TO \$368,410.00 TO PERFORM CONSTRUCTION WORK ASSOCIATED WITH THE TASK ORDER CONTRACT FOR TRAFFIC SIGNAL EQUIPMENT MODIFICATIONS LOCATED CITY WIDE.

2012-03-01-0135

Item 9. AN ORDINANCE TO AUTHORIZE THE EXECUTION OF A TWO-YEAR LICENSE AGREEMENT WITH BROOKS DEVELOPMENT AUTHORITY FOR A WAREHOUSE LOCATED AT 8350 LASER DRIVE AT THE MONTHLY RATE OF \$210.00 FOR THE ENTIRE TERM.

2012-03-01-0136

Item 10. AN ORDINANCE AUTHORIZING A 10-YEAR LICENSE AGREEMENT WITH NUSTAR LOGISTICS, L.P. FOR USE OF PUBLIC RIGHT-OF-WAY, LOCATED UNDER SOUTHTON ROAD (BETWEEN NCB 10917 AND NCB 10915) TO INSTALL PIPING UNDER THE ROADWAY FOR ITS SAN ANTONIO REFINERY CRUDE PIPELINE PROJECT LOCATED IN CITY COUNCIL DISTRICT 3.

2012-03-01-0137

Item 11. AN ORDINANCE RELATING TO INTERSECTION IMPROVEMENTS AT THE STREETS OF QUARRY PARK AND THOUSANDS OAKS DRIVE AUTHORIZING THE ACQUISITION THROUGH DEDICATION OF FEE SIMPLE TITLE TO PORTIONS OF PRIVATELY OWNED REAL PROPERTY LOCATED IN NCB 14945 AND OUT OF AN UNPLATTED PORTION OF THE 433.341 ACRE ALAMO GARDEN, INC. TRACT IN COUNCIL DISTRICT 10, A 2007 GENERAL OBLIGATION BOND SAVINGS PROJECT; DECLARING IT TO BE A PUBLIC PROJECT; AND AUTHORIZING EXPENDITURES UP TO \$2,000.00 PAYABLE TO THE SELECTED TITLE COMPANY FOR ACQUISITION-RELATED COSTS.

2012-03-01-0139

Item 13. AN ORDINANCE AUTHORIZING THE CLOSURE, VACATION, AND ABANDONMENT OF AN UNIMPROVED 16-FOOT WIDE ALLEY PUBLIC RIGHT OF WAY CONSISTING OF 0.055 OF AN ACRE, LOCATED SOUTH OF 12TH STREET BETWEEN AVENUE A AND AVENUE B STREETS ADJACENT TO NCB 465 IN CITY COUNCIL DISTRICT 1, AS REQUESTED BY A.A. SEELIGSON, JR. RIVER NORTH, LTD. FOR A FEE OF \$21,572.00.

Item 14. CONSIDERATION OF THE FOLLOWING ORDINANCES AUTHORIZING THE SALE OF CITY-OWNED REAL PROPERTIES:

2012-03-01-0140

- A. AN ORDINANCE DECLARING AS SURPLUS FORMER FIRE STATION 25 LOCATED AT 2242 WEST SOUTHCROSS BOULEVARD WITHIN NCB 8736 IN COUNCIL DISTRICT 5 AND AUTHORIZING ITS SALE TO DAVID G. LEIBOLD FOR \$66,000.00.

2012-03-01-0141

- B. AN ORDINANCE DECLARING AS SURPLUS A SINGLE FAMILY HOUSE LOCATED AT 10907 MAUNA KEA WITHIN NCB 13635 IN COUNCIL DISTRICT 9 AND AUTHORIZING ITS SALE TO GREGORY BALITSOS FOR \$129,000.00.

2012-03-01-0142

- C. AN ORDINANCE DECLARING AS SURPLUS A FORMER HEAD START FACILITY LOCATED AT 3510 NORTH MAIN IN COUNCIL DISTRICT 1 AND AUTHORIZING ITS SALE TO OPUSKANE FOR \$300,000.00.

Item 15. CONSIDERATION OF THE FOLLOWING BOARD, COMMISSION AND COMMITTEE APPOINTMENTS FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE MAY 31, 2013, TO BE EFFECTIVE IMMEDIATELY UPON THE RECEIPT OF EIGHT AFFIRMATIVE VOTES, OR, IN THE EVENT EIGHT AFFIRMATIVE VOTES ARE NOT RECEIVED, TEN DAYS AFTER APPOINTMENT; OR FOR TERMS AND EFFECTIVENESS AS OTHERWISE INDICATED BELOW:

- A. APPOINTING ROBERT W. PIATT, III (DISTRICT 10) TO THE ETHICS REVIEW BOARD FOR THE REMAINDER OF A TERM OF OFFICE TO EXPIRE APRIL 25, 2013.
- B. REAPPOINTING ANITA C. LIBBY (DISTRICT 5) TO THE SAN ANTONIO YOUTH COMMISSION.
- C. REAPPOINTING PETE A. BENAVIDES, JAMES S. MATTOX, VIRGINIA B. ROGERS, AND RYAN G. WILSON TO THE TAX INCREMENT REINVESTMENT ZONE NUMBER 6, KNOWN AS MISSION DEL LAGO.
- D. REAPPOINTING CHAD P. CAREY, JAMES L. KANE, BAY RAJABI, AND ROBERT D. RICHARDSON TO THE TAX INCREMENT REINVESTMENT ZONE NUMBER 10, KNOWN AS STABLEWOOD FARMS.
- E. APPOINTING LAZAR HAUSMAN AND REAPPOINTING SHANE DAVIS, NICK R. DOMINGUEZ, LAURA I. HAUSMAN, TEAL L. HAUSMAN, AND GREGORY A. YOUNGS TO THE TAX INCREMENT REINVESTMENT ZONE NUMBER 12, KNOWN AS PLAZA FORTUNA.

- F. REAPPOINTING SALAH E. DIAB, CLYDE J. JOHNSON, ELENITA C. MORENO, FRANK S. MORENO, JOE D. MORENO, AND GORDON A. WOODS TO THE TAX INCREMENT REINVESTMENT ZONE NUMBER 13, KNOWN AS LACKLAND HILLS.
- G. REAPPOINTING RAOUL E. BERLANGA, MARGARET M. HARTMAN, JAIME L. JOHNSON, SHERRY L. MOSIER, AND BECKY PENCE-THOMAS TO THE TAX INCREMENT REINVESTMENT ZONE NUMBER 15, KNOWN AS NORTH EAST CROSSING.
- H. APPOINTING SHA-RONE V. CAFFIE-REYES AND REAPPOINTING JERRY GRAEBER, KIRKLAN W. KING, BARTOLO N. SANCHEZ, AND ANDREW ZAPATA TO THE TAX INCREMENT REINVESTMENT ZONE NUMBER 16, KNOWN AS BROOKS CITY-BASE.
- I. APPOINTING GREGORY A. YOUNGS AND REAPPOINTING SHANE DAVIS, NICK R. DOMINGUEZ, LAURA I. HAUSMAN, LAZAR A. HAUSMAN, TEAL L. HAUSMAN, AND LORI D. WILTZ TO THE TAX INCREMENT REINVESTMENT ZONE NUMBER 21, KNOWN AS HEATHER'S COVE.
- J. APPOINTING JOHN F. KENT (DISTRICT 9) TO THE LINEAR CREEKWAY PARKS ADVISORY BOARD.

2012-03-01-0143

- K. AN ORDINANCE APPOINTING RENE P. BARILLEAUX (MAYORAL) AND JESSICA R. SANCHEZ (MAYORAL) AND REAPPOINTING ALICE CARRINGTON FOULTZ (MAYORAL), EDUARDO GARCIA (MAYORAL), GUILLERMO C. NICOLAS (MAYORAL), PATTY ORTIZ (MAYORAL), AND KENT T. RUSH (MAYORAL) TO THE PUBLIC ART BOARD AND WAIVING THE CITY CODE RESIDENCY REQUIREMENT IN CHAPTER 2, ARTICLE IX, SEC. 2-529(B) FOR ALICE CARRINGTON FOULTZ AND GUILLERMO C. NICOLAS.

2012-03-01-0144

- L. AN ORDINANCE APPOINTING AT-LARGE PRIMARY MEMBERS DAVY BEICKER (STRUCTURAL ENGINEER), AMIN TOHMAZ (FIRE PROTECTION ENGINEER), RODNEY C. OLIVIER (ELECTRICAL ENGINEER) CHRISTOPHER GARCIA (PLUMBING OR MECHANICAL ENGINEER), PAUL KINNISON (ARCHITECT), JACK UPTMORE (REGISTERED BUILDING CONTRACTOR), BRYAN SMITH (REGISTERED BUILDING CONTRACTOR), JAMES R. CACCAMESE (MASTER ELECTRICIAN- ORGANIZED LABOR/UNION), TIMOTHY D. KERLEY (MASTER ELECTRICIAN - OPEN SHOP/NON-UNION), JIMMY HURLEY (AIR CONDITIONING AND REFRIGERATION CONTRACTOR - ORGANIZED LABOR/UNION), MICHAEL O'DAY (MASTER PLUMBER - ORGANIZED LABOR/UNION), ROBERT F. JALNOS (MASTER PLUMBER - OPEN SHOP/NON-UNION), MIKE LEONARD (COMMERCIAL BUILDING CONTRACTOR), PETER S. SITTERLE, III (MASTER SIGN ELECTRICIAN), NANCY JACKSON (COMMERCIAL BUILDING OWNER OR REPRESENTATIVE), AND MICHAEL J. RUST (RESIDENTIAL GROUP R-2 MULTIFAMILY BUILDING OWNER OR REPRESENTATIVE) TO THE BUILDING-RELATED AND FIRE CODES APPEALS AND ADVISORY BOARD AND WAIVING THE CITY CODE RESIDENCY REQUIREMENT IN

CHAPTER 2, ARTICLE IX, SEC. 2-529(B) FOR MR. CACCAMESE, MR. HURLEY, MR. O'DAY, MR. JALNOS, MR. LEONARD, MR. SITTERLE AND MR. RUST.

2012-03-01-0145

Item 16. AN ORDINANCE AUTHORIZING A FIVE YEAR ANTENNA LICENSE AGREEMENT WITH CARLOS LOPEZ AND CLEAR CHANNEL RADIO FOR THE PURPOSE OF OPERATING AND MAINTAINING A RADIO BROADCAST TRANSLATOR AND ASSOCIATED EQUIPMENT AT THE TOWER OF THE AMERICAS.

PULLED FROM THE AGENDA BY STAFF

Item 17. AN ORDINANCE AMENDING THE MASTER ECONOMIC INCENTIVES AGREEMENT AMONG THE CITY OF WINDCREST, THE WINDCREST ECONOMIC DEVELOPMENT CORPORATION, BEXAR COUNTY, THE CITY OF SAN ANTONIO AND RACKSPACE BY REMOVING THE WINDCREST ECONOMIC DEVELOPMENT COMPANY, LLC AS THE "DEVELOPER" AND REPLACING WITH SLF IV - EISENHAUER POINT, L.P. (STRATFORD LAND).

2012-03-01-0146

Item 18. AN ORDINANCE AUTHORIZING A FUNDING AGREEMENT WITH EASTSIDE CHRISTIAN ACTION GROUP FOR THE EXPENDITURE OF UP TO \$570,000.00 OVER TWO FISCAL YEARS FROM THE GENERAL FUND FOR OPERATION AND MANAGEMENT OF THE WHEATLEY HEIGHTS SPORTS COMPLEX LOCATED IN CITY COUNCIL DISTRICT 2.

2012-03-01-0147

Item 19. AN ORDINANCE EXTENDING THE TERM OF TAX INCREMENT REINVESTMENT ZONE NUMBER FIFTEEN ("NORTH EAST CROSSING TIRZ") FOR UP TO TWO YEARS, THROUGH SEPTEMBER 30, 2028, AND AMENDING THE DEVELOPMENT AGREEMENT BETWEEN THE CITY, NEIGHBORHOOD REVITALIZATION INITIATIVE, LTD. AND THE BOARD OF DIRECTORS FOR THE NORTH EAST CROSSING TIRZ TO PROVIDE FOR REIMBURSEMENT TO THE CITY FOR NECESSARY STREET REPAIRS.

Item 20. CONSIDERATION OF THE FOLLOWING MATTERS IN CONNECTION WITH THE SALE OF CITY OF SAN ANTONIO, TEXAS GENERAL IMPROVEMENT REFUNDING BONDS, SERIES 2012:

2012-03-01-0007R

- A. A RESOLUTION APPROVING THE CITY'S PRELIMINARY OFFICIAL STATEMENT PERTAINING TO THE SALE OF "CITY OF SAN ANTONIO, TEXAS GENERAL IMPROVEMENT REFUNDING BONDS, SERIES 2012"; COMPLYING WITH THE REQUIREMENTS CONTAINED IN THE UNITED STATES SECURITIES AND EXCHANGE COMMISSION'S RULE 15C2-12; AND APPROVING OTHER MATTERS IN CONNECTION THEREWITH.

2012-03-01-0148

- B. AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$50,000,000.00 "CITY OF SAN ANTONIO, TEXAS GENERAL IMPROVEMENT REFUNDING BONDS, SERIES 2012". LEVYING AN ANNUAL AD VALOREM TAX, WITHIN THE LIMITATIONS PRESCRIBED BY LAW, FOR THE PAYMENT OF THE BONDS; PRESCRIBING THE FORM, TERMS, CONDITIONS, AND RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, AND DELIVERY OF THE BONDS, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, A PURCHASE CONTRACT, AND AN ESCROW AND TRUST AGREEMENT; COMPLYING WITH THE LETTER OF REPRESENTATIONS ON FILE WITH THE DEPOSITORY TRUST COMPANY; DELEGATING THE AUTHORITY TO CERTAIN MEMBERS OF THE CITY STAFF TO EXECUTE CERTAIN DOCUMENTS RELATING TO THE SALE OF THE BONDS AND PROVIDING AN EFFECTIVE DATE.

ITEMS 21A AND 21B – PULLED FROM THE AGENDA BY STAFF

Item 21. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATED TO THE ELLIS ALLEY PROJECT:

PULLED FROM THE AGENDA BY STAFF

- A. AN ORDINANCE AMENDING THE PROJECT PLAN AND FINANCE PLAN OF THE CITY'S TAX INCREMENT REINVESTMENT ZONE NUMBER 11 TO INCLUDE THE ELLIS ALLEY PROJECT.

PULLED FROM THE AGENDA BY STAFF

- B. AN ORDINANCE APPROVING A CHAPTER 380 ECONOMIC DEVELOPMENT GRANT AND LOAN AGREEMENT WITH VIA METROPOLITAN TRANSIT FOR A GRANT IN THE AMOUNT OF \$375,000.00 AND A LOAN IN THE AMOUNT OF \$185,000.00.

[CONSENT ITEMS CONCLUDED]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2012-03-01-0138

Item 12. AN ORDINANCE, ON BEHALF OF SAWS, AUTHORIZING THE ACQUISITION, THROUGH NEGOTIATION OR CONDEMNATION, OF 50 PERMANENT EASEMENT AND 52 TEMPORARY EASEMENT INTERESTS TO PRIVATELY-OWNED REAL PROPERTY, LOCATED IN NORTHEAST BEXAR COUNTY (IN COUNTY BLOCKS 5019, 5038, 5039, 5041 AND 5042, THE NM WILLIAMS SURVEY #304, THE JOHN NEIL WILLIAMS SURVEY #303 AND THE VICENTE MICHELI SURVEY #114), SOUTHWEST GUADALUPE COUNTY (LOCATED IN T. HERRERA SURVEY #68 AND G. MALPAZ SURVEY #67) AND SOUTHEAST COMAL COUNTY (LOCATED IN VICENTE MICHELI SURVEY #114) FOR THE REGIONAL

CARRIZO PROGRAM, WATER DELIVERY PIPELINE PROJECT; AND, DECLARING IT TO BE A PUBLIC PROJECT AND A PUBLIC NECESSITY FOR THE ACQUISITION.

Councilmember Lopez moved that the City of San Antonio authorize the use of the power of eminent domain to acquire property for the public use of a permanent easements and temporary construction easements for the SAWS Regional Carrizo Program by acquiring the following property described by the City Clerk and incorporated as part of this Motion. Councilmember Bernal seconded the motion.

City Clerk Vacek read the property description:

The properties are in Northeastern Bexar County and out of County Blocks 5019, 5038, 5039, 5041, 5042; out of the Vicente Micheli Survey #114, the John Neil Williams Survey #303; and the N.M. Williams Survey #304 all in Bexar County; and the T. Herrera Survey #68 and the G. Malpaz Survey #67, both in Guadalupe County; and the Vicente Micheli Survey #114 in Comal County. These properties are more particularly described in Exhibits A-1 through A-103.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Ozuna, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, and Mayor Castro. **NAY:** None. **ABSENT:** Soules.

Item 22. CITY MANAGER'S REPORT

A. ANIMAL CARE SERVICES MARKETING PLAN

Ms. Sculley reported that the FY 2012 Animal Care Services Marketing Plan includes three strategic priorities: 1) Enhanced Enforcement; 2) Controlling the Stray Population; and 3) Increasing the Live Release Rate. She stated that the FY 2012 Budget includes \$100,000 to increase communication of the goals through a comprehensive marketing campaign. She noted that a company by the name of Amazing Marketing had been hired to assist in the creation and execution of the multi-pronged, bilingual campaign. She referenced the First Quarter Report which notes the great progress made by staff in the key priority areas including the record breaking Live Release Rates in November and December, 2011.

B. 2012 SICLOVIA

Ms. Sculley stated that the Second Siclovía Event would be held on Sunday, March 4, 2012 along Broadway Street from 10:00 am to 3:00 pm. She reported that the event was funded through the Communities Putting Prevention to Work (CPPW) Federal Grant and was endorsed by the Mayor's Fitness Council. She noted that the YMCA of San Antonio was co-sponsoring the event and would organize the event when the grant ends. She encouraged people to come out and play in the street and hoped to increase participation to 30,000 attendees. She indicated that Siclovía was a Pre-Fiesta Event and that a Better Block would be developed at East Jones and Broadway Street to highlight the potential for revitalization.

C. FORTUNE MAGAZINE'S 100 BEST COMPANIES TO WORK FOR IN 2012

Ms. Sculley reported three employers that were recognized in Fortune Magazine's Best Companies to work for in 2012: 1) NuStar Energy; 2) USAA; and 3) Rackspace Hosting, Inc. She stated that San

Antonio was fortunate to have a diverse economy and congratulated the companies for their financial and employee contributions.

Mayor Castro congratulated the companies that were recognized by Fortune Magazine and thanked staff for their work on Animal Care Services and Siclovia.

RECESSED

Mayor Castro recessed the meeting at 10:27 am to break for lunch and announced that the meeting would resume at 2:00 pm.

RECONVENED

Mayor Pro Tem Taylor reconvened the meeting at 2:00 pm and addressed the Zoning Items.

CONSENT ZONING ITEMS

Councilmember Bernal moved to approve Zoning Items P-1, Z-1, Z-3, Z-5, P-4, Z-6 and Z-7 under Consent Zoning. Councilmember Williams seconded the motion.

The motion to approve the Consent Zoning Items prevailed by the following vote: **AYES:** Bernal, Taylor, Ozuna, Lopez, C. Medina, Williams, and Chan. **NAY:** None. **ABSENT:** Saldaña, D. Medina, Soules and Mayor Castro.

2012-03-01-0149

Item P-1. **PLAN AMENDMENT #12019 (District 1):** AN ORDINANCE AMENDING THE LAND USE PLAN CONTAINED IN THE MIDTOWN NEIGHBORHOOD PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF A 0.3036 ACRE TRACT OF LAND LOCATED AT 402 WEST GRAMERCY PLACE FROM MEDIUM DENSITY RESIDENTIAL AND LOW DENSITY RESIDENTIAL LAND USE TO NEIGHBORHOOD COMMERCIAL LAND USE. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL. (ASSOCIATED ZONING CASE: #Z2012013)

2012-03-01-0150

Item Z-1. **ZONING CASE # Z2012013 (District 1):** An Ordinance amending the Zoning District Boundary from "MF-33 CD NCD-2 AHOD" Multi-Family Alta Vista Neighborhood Conservation Airport Hazard Overlay District with a Conditional Use for an Office to "O-1 NCD-2 AHOD" Office Alta Vista Neighborhood Conservation Airport Hazard Overlay District on Lots 16, 17, 18, 19 and 20, Block 13, NCB 6435 located at 402 West Gramercy Place aka 2611 San Pedro 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 16, 17, 18, 19 AND 20, BLOCK 13, NCB 6435 TO WIT: FROM "MF-33 CD NCD-2 AHOD" MULTI-FAMILY ALTA VISTA NEIGHBORHOOD CONSERVATION AIRPORT HAZARD

OVERLAY DISTRICT WITH A CONDITIONAL USE FOR AN OFFICE TO "O-1 NCD-2 AHOD" OFFICE ALTA VISTA NEIGHBORHOOD CONSERVATION AIRPORT HAZARD OVERLAY DISTRICT.

2012-03-01-0153

Item Z-3. **ZONING CASE # Z2012054 (District 1):** An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "NC AHOD" Neighborhood Commercial Airport Hazard Overlay District on the south 93 feet of Lot 4, Block 219, NCB 3946 located at 1827 West Hildebrand 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: THE SOUTH 93 FEET OF LOT 4, BLOCK 219, NCB 3946 TO WIT: FROM "R-4 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "NC AHOD" NEIGHBORHOOD COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

2012-03-01-0155

Item Z-5. **ZONING CASE # Z2012050 (District 3):** An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District on Lot 1 except the northeast triangular 10 feet and the east 15 feet of Lot 2, Block 3, NCB 7866 located at 602 Fitch Street. 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 1 EXCEPT THE NORTHEAST TRIANGULAR 10 FEET AND THE EAST 15 FEET OF LOT 2, BLOCK 3, NCB 7866 TO WIT: FROM "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "R-4 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT.

2012-03-01-0156

Item P-4. **PLAN AMENDMENT (District 4):** AN ORDINANCE TO AMEND THE MAJOR THOROUGHFARE PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY DESIGNATING A SEGMENT OF 36TH STREET AS A SECONDARY ARTERIAL TYPE A (86 FEET RIGHT-OF-WAY), GENERALLY LOCATED WITHIN PORT SAN ANTONIO, SOUTH OF HIGHWAY 90 AND NORTH OF SW MILITARY DRIVE. STAFF RECOMMENDS APPROVAL. TECHNICAL ADVISORY COMMITTEE AND PLANNING COMMISSION RECOMMEND APPROVAL.

2012-03-01-0157

Item Z-6. **ZONING CASE # Z2012043 (District 4):** An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District and "NP-10 AHOD" Neighborhood Preservation Airport Hazard Overlay District to "L AHOD" Light Industrial Airport Hazard Overlay District on a 14.82 acre tract of land out of NCB 14494 and CB 4301 located at Southwest Loop 410 and Freeport 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: 14.82 ACRE TRACT OF LAND OUT OF NCB 14494 AND/OR CB 4301 TO WIT: FROM "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT AND "NP-10 AHOD" NEIGHBORHOOD PRESERVATION AIRPORT HAZARD OVERLAY DISTRICT TO "L AHOD" LIGHT INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT.

2012-03-01-0158

Item Z-7. **ZONING CASE # Z2012044 (District 4):** An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District and "NP-10 AHOD" Neighborhood Preservation Airport Hazard Overlay District to "L AHOD" Light Industrial Airport Hazard Overlay District on a 24.89 acre tract of land out of NCB 14492 and NCB 14494 and CB 4301, located at Southwest Loop 410 and Freeport 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: 24.89 ACRE TRACT OF LAND OUT OF, NCB 14492 AND NCB 14494 AND/OR CB 4301 TO WIT: FROM "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT AND "NP-10 AHOD" NEIGHBORHOOD PRESERVATION AIRPORT HAZARD OVERLAY DISTRICT TO "L AHOD" LIGHT INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT.

[CONSENT ZONING CONCLUDED]

ZONING ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

Items P-2 and Z-2 were addressed jointly.

2012-03-01-0151

Item P-2. **PLAN AMENDMENT CASE #12009 (District 1):** AN ORDINANCE AMENDING THE LAND USE PLAN CONTAINED IN THE NORTH SECTOR PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF A 3.83 ACRE TRACT OF LAND LOCATED AT 4330 VANCE JACKSON STREET FROM SUBURBAN TIER LAND USE TO REGIONAL CENTER LAND USE. STAFF RECOMMENDS DENIAL. PLANNING COMMISSION RECOMMENDS APPROVAL. (ASSOCIATED ZONING CASE: #Z2011197) (CONTINUED FROM FEBRUARY 16, 2012.)

2012-03-01-0152

Item Z-2. **ZONING CASE # Z2011197 (District 1):** An Ordinance amending the Zoning District Boundary from "'C-1" Light Commercial District and "C-1 S" Light Commercial District with a Specific Use Authorization for a Hospital to "C-3" General Commercial District on 3.83 acres out of Lots 11 and 14, NCB 11687 located at 4330 Vance Jackson. Staff recommends denial, with an alternate recommendation of "C-2 S" Commercial District with a Specific Use Authorization for a Hospital. Zoning Commission recommends approval, pending plan amendment. (Continued from February 16, 2012.)

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: 3.83 ACRES OUT OF LOTS 11 AND 14, NCB 11687 TO WIT: FROM "C-1" LIGHT COMMERCIAL DISTRICT AND "C-1 S" LIGHT COMMERCIAL DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A HOSPITAL TO "C-3" GENERAL COMMERCIAL DISTRICT.

Chris Looney stated that Item P-2 would amend the land use contained in the North Sector Plan. He reported that staff recommended denial and the Planning Commission recommended approval. For Item Z-2, he noted that staff recommended denial of C-3 with an alternate recommendation of C-2 S and the Zoning Commission recommended approval of the applicant's request.

Councilmember Bernal moved to approve the applicant's request for Item P-2 to amend the land use plan contained in the North Sector Plan by changing the use of a 3.83 acre tract of land located at 4330 Vance Jackson Street from Suburban Tier Land Use to Regional Center Land Use and Item Z-2 to amend the zoning from "C-1" Light Commercial District and "C-1 S" Light Commercial District with a Specific Use Authorization for a Hospital to "C-3" General Commercial District. Councilmember Lopez seconded the motion.

The motion to approve Items P-2 and Z-2 prevailed by the following vote: **AYES:** Bernal, Taylor, Ozuna, Lopez, C. Medina, Williams, and Chan. **NAY:** None. **ABSENT:** Saldaña, D. Medina, Soules and Mayor Castro.

DENIED

Item P-3. **PLAN AMENDMENT #12005 (District 2):** AN ORDINANCE AMENDING THE LAND USE PLAN CONTAINED IN THE GOVERNMENT HILL NEIGHBORHOOD PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF A 0.2662 ACRE TRACT OF LAND LOCATED 2111 NORTH PAN AM EXPRESSWAY FROM MEDIUM DENSITY RESIDENTIAL LAND USE TO MIXED USE LAND USE. STAFF AND PLANNING COMMISSION RECOMMEND DENIAL. (ASSOCIATED ZONING CASE: NO ZONING CHANGE CASE HAS BEEN FILED.)

Chris Looney stated that Item P-3 would amend the land use plan contained in the Government Hill Neighborhood Plan. He reported that staff and the Planning Commission recommended denial.

Mayor Pro Tem Taylor called upon the individuals registered to speak on Item P-3.

Gil Murillo stated that he was speaking as a Board Member of Government Hill in opposition to the Plan Amendment. He noted that this was a quality of life issue and expressed concern with the development. He indicated that they were looking for mixed-uses in Government Hill that improved walkability for the neighborhood. He thanked staff for conveying the vision of the neighborhood through the Neighborhood Plan.

Marie Stout stated that she lives in the historic Government Hill Area and is opposed to commercial development in the neighborhood. She noted that the area is zoned residential and would like for it to remain as same.

JoAnn Murillo stated that she lives in the Government Hill Neighborhood and is opposed to the Plan Amendment. She noted that she loves the neighborhood and expressed concern with commercial encroachment into the residential area. She read a portion of a letter written by Father Andre of St. Patrick's Church, in opposition to the Plan Amendment.

Stephen Mazurek stated that he was representing the Board of Directors of Government Hill in opposition to the Plan Amendment. He noted that they would like for the area to remain residential and that the change in use would only benefit the developer.

Alane Rivera stated that she was a resident of Government Hill opposed to the land use change. She stated that she did not want commercial encroachment into a residential neighborhood and that the lot was not appropriately sized for commercial development. She noted that it did not comply with the Master Plan and that the Planning Commission recommended denial.

Ed Markwardt stated that he lived at 200 Alameda Circle and was very familiar with the neighborhood. He noted that he owns the lot in question and expressed concern that development is not occurring along IH-35. He mentioned that the vacant single-family lots in the neighborhood would not be developed and that the last time a lot was developed was in 1947. He provided history of the area and indicated that the property was located in a commercial corridor. He indicated that the cost to develop a new building was very expensive and that he did not believe that someone would want to live along IH-35. He spoke of another lot two doors down from the property in question that was approved to operate as a restaurant which he felt was too intense for the area.

Marlene Hawkins stated that she was the President of the Government Hill Community Association and they were in strong support of the land use change. She expressed concern with the negative business atmosphere in the neighborhood and noted that many of the houses were vacant and boarded up.

John Yoggerst stated that he supports the change in the land use plan and that quality of life and economic development go hand in hand. He noted that the government does not create jobs but that the private sector does. He mentioned that the property in question would be utilized as a residence upstairs and a dental office on the first floor. He expressed concern with the vacant lots in the neighborhood that breed vermin and other rodents. He spoke of other successful mixed uses in the city and that many businesses maintain their property better than single-family houses.

Rose Hill stated that she and her mother live in Government Hill and they are opposed to the Plan Amendment. She noted that the lots had been vacant for a long time because they had been bought by developers at a very low cost and Government Hill had since become a Historic District. She added that

they were opposed to commercial development in the area and recognized Councilmember Taylor for her leadership.

Raymundo Rivera stated that he was speaking on behalf of Joe Ashcraft, President of Government Hill Alliance in opposition to the Plan Amendment. He spoke of the Master Plan for the area that was approved in 2010 and noted that they were supportive of residential development. He added that there were several businesses opposed to the Plan Amendment that could not be present today. He noted that the Government Hill Alliance was in support of Item Z-4.

Jack M. Finger spoke in opposition to the Plan Amendment and noted that the Planning Commission recommended denial. He stated that this would significantly alter the Government Hill Neighborhood Plan and that the Government Hill Neighborhood Association was also opposed to the change. He added that he was in support of businesses that operate in an appropriate area and did not support commercial encroachment into a residential area.

Councilmember Taylor thanked everyone that spoke and recognized the groups from Government Hill that worked hard on behalf of their neighborhood. She stated that although she agreed that change should occur in the area; it was important to protect the quality of life. She noted that there was a potential negative impact to the neighborhood and would follow the lead of the Planning Commission.

Councilmember Taylor moved to deny the proposed Ordinance for Item P-3. Councilmember Bernal seconded the motion.

The motion to deny prevailed by the following vote: **AYES:** Bernal, Taylor, Ozuna, Lopez, C. Medina, Williams, and Chan. **NAY:** None. **ABSENT:** Saldaña, D. Medina, Soules and Mayor Castro.

2012-03-01-0154

Item Z-4. **ZONING CASE # Z2012055 (District 2):** An Ordinance amending the Zoning District Boundary from "I-1 EP-1" General Industrial Facility Parking/Traffic Control Overlay District to "C-2 EP-1" Commercial Facility Parking/Traffic Control Overlay District on Lot 6, Block 11, NCB 1186 located at 623 Seguin Street. 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 6, BLOCK 11, NCB 1186 TO WIT: FROM "I-1 EP-1" GENERAL INDUSTRIAL FACILITY PARKING/TRAFFIC CONTROL OVERLAY DISTRICT TO "C-2NA EP-1" COMMERCIAL NONALCOHOLIC SALES FACILITY PARKING/TRAFFIC CONTROL OVERLAY DISTRICT.

Mr. John Jacks stated that staff and the Zoning Commission recommended approval of Item Z-4. He noted that of 20 notices mailed; four were returned in favor and none were returned in opposition.

Mayor Pro Tem Taylor called upon the individuals registered to speak.

Raymond Rivera spoke in support of Item Z-4 and noted that businesses operated on all four corners of the intersection.

Marlene Hawkins stated that the Government Hill Community Association strongly supported the zoning request.

Councilmember Taylor moved to approve a zoning of C-2NA EP-1, Commercial Nonalcoholic Sales. Councilmember Bernal seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Ozuna, Lopez, C. Medina, Williams, and Chan. **NAY:** None. **ABSENT:** Saldaña, D. Medina, Soules, and Mayor Castro.

ADJOURNMENT

There being no further discussion, Mayor Pro Tem Taylor adjourned the meeting at 2:56 pm.

APPROVED



JULIÁN CASTRO
MAYOR

Attest:



LÉTICIA M. VACEK, TRMC/MMC
City Clerk