

**Infrastructure & Growth Council Committee
Meeting Minutes**

Wednesday, April 15, 2009

1:30 p.m.

Municipal Plaza B Room

Members Present: Councilmember Diane Cibrian, *District 8*
Councilmember Jennifer Ramos, *District 3*
Councilmember Philip Cortez, *District 4*
Councilmember Lourdes Galvan, *District 5*

Members Absent: *None*

Staff Present: Penny Postoak-Ferguson, *Assistant City Manager*; T.C. Broadnax, *Assistant City Manager*; Majed Al-Ghafry, *Public Works Director*; Laurence Doxsey, *Environmental Policy Director*; Richard Mendoza, *Public Works Assistant Director*; Bill Mattox, *Public Utilities Assistant Director*; Chris Hebner, *Assistant City Attorney*; Susan Guinn, *Assistant City Attorney*; Griselda Sanchez, *Assistant City Attorney*; Brandon Smith, *Office of the City Clerk*

Others Present: Rob Killen, *Kaufman & Killen*; G.X. Garcia, *Express News*; Nefi Garza, *SA River Authority*; John Leal, *CPS Energy*; Ashley Fammond, *Kaufman & Killen*; Mireya Villarreal, *WOAI*; Hector Colunga; Esther Colunga

1. Call to Order

Councilmember Ramos called the meeting to order.

At this time, the Committee addressed Item 3.

3. Approval of Minutes for the March 18, 2009 Infrastructure & Growth Council Committee Meeting

Brandon Smith noted the name correction of Steve Bartley in the "Others Present" column. Councilmember Cortez moved to approve the Minutes of the March 18, 2009 Infrastructure & Growth Council Committee Meeting with correction. Councilmember Galvan seconded the motion. Motion carried unanimously.

2. Citizens to be Heard

Wade McGinnis spoke in opposition to HB 1835 and outlined the consequences that would occur with the adoption of the language to the Unified Development Code regarding retail development.

Chairperson Cibrian entered the meeting at this time.

Councilmember Ramos acknowledged the entrance of Chairperson Cibrian to the meeting and noted Councilmember Cortez's request to move Item 4 to the end of the Agenda.

At this time, the Committee addressed Item 5.

5. Live Entertainment Zoning Changes

Presented by Rod Sanchez, Director, Planning & Development Services Department

Rod Sanchez reported that all uses classified as "Live Entertainment" would require a specific use authorization and noted that the Downtown Zoning District would be exempt from said requirements. He added that the proposed ordinance would allow the City Council to consider authorization through a zoning case and the ability to place conditions on a use that were compatible to surrounding land uses.

He reiterated that on March 18, 2009, said item was forwarded to the full Council for consideration with direction to return to the Committee with an update on the remaining briefings. He noted that the proposed ordinance was presented to the following entities: 1) City South Management Authority (CSMA) Board on March 24, 2009; 2) Planning Commission Work-Session on March 24, 2009; however, the Chair was not satisfied and requested a briefing to the entire Planning Commission in an open session; 3) Presentation to the entire Planning Commission last week. He noted that the proposed ordinance was scheduled for Council consideration on April 30, 2009 and that staff recommended approval.

Discussion ensued regarding grandfathered establishments. Mr. Sanchez outlined the criteria and options for new and existing uses. Councilmember Galvan asked how many Inspectors were available for enforcement. Mr. Sanchez stated that there were six Inspectors assigned for investigations and that a total of 60 Inspectors were available to utilize if necessary. He noted that he preferred not to exercise that option.

Councilmember Cortez asked of the fees associated with a zoning change. Mr. Sanchez stated that fees could range from \$770 to \$10,000 based on the size of the property. Councilmember Cortez expressed concern with possible loopholes and asked if Mr. Sanchez could provide additional options. Mr. Sanchez replied that he was unable to confirm additional options without a legal opinion.

Councilmember Ramos stated that she had received calls from individuals representing the Bar and Tavern Association that expressed concern with the proposed ordinance and noted that they were not given opportunity to provide input. She expressed concern that the appropriate stakeholders were not properly included in the process.

Chairperson Cibrian stated that she had not received any opposing calls regarding the proposed ordinance and requested that said item move forward without delay. She added that any loopholes in the future could be addressed with a new ordinance.

Councilmember Ramos moved to hold the proposed ordinance for 30 days to provide appropriate stakeholder outreach; close any known loopholes; and address the concerns of the Committee.

Councilmember Cortez spoke in support of the motion made by Councilmember Ramos. Councilmember Galvan also spoke in support of the motion made by Councilmember Ramos and expressed concern with the appropriate outreach and stakeholder input.

Councilmember Ramos moved to forward said item to the full Council for consideration no sooner than May 7, 2009 to allow for appropriate stakeholder outreach and address Committee concerns. There was no second. Motion failed.

Penny Post oak Ferguson recommended that due to time constraints, the remaining Items be addressed at a Special Committee Meeting.

Councilmember Cortez moved to continue said item to the next regularly scheduled Committee Meeting. Councilmember Galvan seconded the motion. Motion carried unanimously.

6. HB 1835 (Rough Proportionality)

Presented by Rod Sanchez, Director, Planning & Development Services

7. Golf Course Zoning Districts Modification

Presented by Rod Sanchez, Director, Planning & Development Services

8. Leon Creek Master Plan

Presented by Richard Mendoza, Assistant Director of Public Works

9. CPS Energy Solar Incentives

Presented by Bruce Evans, Director of Customer Solutions & Delivery, CPS Energy

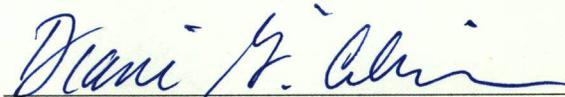
4. Certain CPS Energy expenses related to nuclear energy and other related information

Presented by Jim Campbell, Senior Director of Governmental Relations, CPS Energy

Items 4,6,7,8 and 9 will be addressed at a Special Infrastructure and Growth Council Committee meeting.

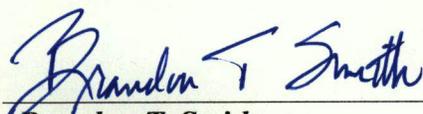
10. Adjourn

There being no further discussion, the meeting was adjourned at 2:59 p.m.



Diane Cibrian, Chairperson

Respectfully Submitted,



Brandon T. Smith

Office of the City Clerk