

**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, JANUARY 19, 2011 AND THURSDAY, JANUARY 20, 2011, RESPECTIVELY.

The San Antonio City Council convened in a Work Session at 3:00 pm Wednesday, **January 19, 2011**, Municipal Plaza Building with the following Councilmembers present: Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **ABSENT:** None.

1. BRIEFING AND UPDATE ON IMPROVEMENTS TO THE BRUSH AND BULKY ITEM COLLECTION SERVICE PROVIDED TO RESIDENTIAL CUSTOMERS BY THE SOLID WASTE MANAGEMENT DEPARTMENT.

David McCary, Director, introduced Josephine Valencia, new Assistant Director of the Solid Waste Management Department and presented a "Recycling Do's and Don'ts" video. He noted that they would provide the video to 600 schools throughout the city. He outlined the Brush Recycling Program, noting that they would increase collection services to three times a year: two brush-only collections and one bulky-items-only collection. He stated that they would transition from a scattered to contiguous routing design with a seven-day notification process.

Mr. McCary stated that the City Council had approved a 10-Year Recycling and Resource Recovery Plan and noted that enhancement of the Brush Program would increase the city's recycling rate from 19% to 27%. He spoke of the challenges with the current Brush Program, noting that the items are mixed and sometimes unsightly. He provided a list of acceptable items for each the Brush and Bulky Piles. He stated that they would be communicating the collection schedule to the public via community meetings, door-to-door notification flyers, neighborhood associations, and a media blitz. He explained that Route Inspectors would scout the areas and provide outreach one week before collection. He noted that the week of collection, Route Inspectors would identify and mark mixed piles and that items set out illegally would not be serviced. He added that violators would be required to pay an out-of-cycle fee for pick up. Lastly, he outlined other city Brush/Bulky options that include an out-of-cycle collection, Dial-A-Trailer Program, and free landfill days.

Mayor Castro stated that he was pleased with the enhancements to the Brush Program and asked of the enforcement period. Mr. McCary replied that they would provide options during the first four months of program implementation and hoped to achieve 95% compliance due to the extended outreach. Mayor Castro spoke of the importance of communicating with the public and asked of the condition of the fund. Mr. McCary replied that there was a savings of 20% when brush is turned into mulch rather than depositing into the landfill. Mayor Castro asked of the piles that are placed on curbs out of cycle. Mr. McCary stated that the piles are picked up and residents are charged an out-of-cycle fee. Mayor Castro stated that he would like to see a leniency period and asked that staff be proactive in identifying piles placed out-of-cycle.

Councilmember Cortez asked of the status of the new Brush Facility. Mr. McCary replied that there was a Request for Proposals (RFP) for the construction and should have a final recommendation in August.

Councilmember Cortez asked of the Waste to Energy Project. Mr. McCary stated that CPS Energy was soliciting a Request for Qualifications (RFQ) to review the various Waste to Energy Applications and would provide an update to the City Council in the near future.

Councilmember Cisneros stated that she was pleased with the recycling video and asked of the cost to replicate the video. Mr. McCary replied that the cost for each video was \$1.80. Councilmember Cisneros asked of calls received regarding Christmas Tree Recycling. Mr. McCary replied that they had received numerous calls and provided information on the 21 Christmas Tree Drop-off Sites that were available. Councilmember Cisneros asked of the businesses that provide recycling for items such as mattresses and appliances. Mr. McCary replied that staff did not have that information available but could research their participation. Councilmember Cisneros recommended that staff look into and utilize best practices. She asked of the fee for out-of-cycle collections. Mr. McCary responded that the cost was \$50 for the first 8 cubic yards and \$25 for each additional 4 cubic yards. Councilmember Cisneros requested the dates for the Free Landfill Days for inclusion in the District 1 Newsletter.

Councilmember Williams thanked city staff for attending the District 8 Community Meeting and asked of the recycling rate. Mr. McCary replied that the cost for recycling was \$35.25/ton and received a return of \$70/ton. Councilmember Williams stated that it was important to convey the benefits of recycling to the public and thanked staff for their great work. Councilmember Ramos expressed concern that recycling information presented today had previously been provided to a neighborhood association. Mr. McCary replied that city staff met with the City Council Chiefs of Staff prior to meeting with the neighborhood associations and that the program was included in the FY 2011 Budget. Councilmember Ramos requested the amount of Christmas Trees that were dropped off at the 21 designated locations and asked of the RFQ for Waste to Energy. Ben Gorzell replied that CPS Energy would solicit an RFP or RFQ for a consultant to study the technology within the next several weeks.

Councilmember Medina thanked staff for the recycling video and asked of the construction and demolition materials not accepted in the bulky piles. Mr. McCary replied that it was the responsibility of the resident to dispose of these types of materials and issues with same would be enforced by the Code Compliance Department. Councilmember Medina asked if individuals making minor repairs to their homes would be able to take advantage of Free Landfill Days. Mr. McCary confirmed that they could but noted that contractors typically pay for proper disposal of building materials. Councilmember Medina asked how the quadrants for the contiguous collection schedule had been determined. Mr. McCary replied that staff had taken inventory of the amount of services being provided and balanced the routes. He noted that the focus was not on Council Districts but on quadrants of the city. Discussion ensued regarding the length of time between Brush and Bulky Collection. Ms. Sculley stated that staff would present budget options to provide additional Bulky Pick-ups. Mayor Castro thanked the Solid Waste Management Department for their presentation.

2. BRIEFING ON THE HIGH PROFILE FORECASTING REPORT.

Ben Gorzell, Chief Financial Officer presented an overview of Solicitation Types and Product Categories, noting that the three major solicitation types that comprise 85% of procurements include: Invitation for Bid (Low Bid); Request for Qualification (RFQ) and Request for Proposal (RFP). He spoke of the analysis conducted by the Purchasing and CIMS Departments based on bid type, noting that within the Small Business Economic Development Advocacy (SBEDA) category, the goals were determined by the Goal Setting Committees. He mentioned that the Local Knowledge and Experience

Category was a new criteria being developed by the CIMS Department worth 0-20 points. He outlined the Evaluation Criteria utilized including Experience, Proposed Plan, and Price Schedule.

Rene Dominguez, Director of International and Economic Development (IED) provided an overview of the new SBEDA Ordinance effective January 1, 2011. He reported that three Goal Setting Committees had been established and that over 170 staff had received training on the new Ordinance. He stated that the Centralized Vendor Registry (CVR) was three months ahead of schedule and that the SBEDA Manual would be released next month. He noted that a large community education campaign had been implemented and that work groups were meeting to provide final recommendations by June 2011.

Mr. Dominguez spoke of the three Goal Setting Committees: 1) Construction, Architecture and Engineering; 2) Professional Service; and 3) Goods, Supplies and Other Services. He noted that the Committees would review all contracts valued over \$50,000 to determine the tool that would be utilized. The Goal Setting Committees would vote on the application of Affirmative Procurement Initiatives (APIs) for contracts over \$10,000,000. He provided a summary of the SBEDA Process, noting that originating departments, Purchasing and CIMS Departments would be responsible for the preparation of documents. Subsequently, the Goal Setting Committees would review the solicitation and select the APIs. Lastly, the IED Department would verify that respondents met API requirements, award the evaluation of preference points when applicable, and determine responsiveness.

Mr. Dominguez presented a sample project within the Construction Category, Fire Station #9999, noting that the project was initiated with a Solicitation Review Cover Sheet. He provided a step-by-step overview of the solicitation process and stated that firms must be headquartered or demonstrate significant business presence in the San Antonio Metropolitan Statistical Area to receive the benefits of the SBEDA Program.

Mr. Gorzell provided a forecast of High Profile Contract Initiatives and noted that High Profile Contracts meet one of the following conditions: 1) Estimated value over \$1 million; 2) High level of community interest or other exceptional interest; or 3) Highly complex or technical in nature, contract terms or conditions that are non-standard or complex. He reviewed each contract, noting the scope, cost, and solicitation type.

Mayor Castro thanked staff for their work and stated that he believed the City Council could provide input at the beginning of the solicitation process. He expressed concern with the uncertainty related to SBEDA Scoring and spoke of the need for more predictability regarding scoring. Mr. Dominguez replied that over time, the Goal Setting Committees would become more familiar with the effectiveness of tools to reach Aspirational Goals. Mayor Castro stated that he was concerned with the potential negative affect on small businesses to register with the city due to the uncertainties and that there was a great amount of authority and discretion provided to the Goal Setting Committees. Ms. Sculley noted that there were legal requirements related to participation and that a certain level of availability had to be achieved to defend the goals. Mayor Castro asked of the specificity of a municipality in terms of the categorization of contracts and availability within subcategories when awarding contracts. Michael Bernard replied that it should be as specific as possible. Mayor Castro requested to see cases supporting the notion that the city would be held to the strictest standards. Mr. Bernard stated that he would provide that information to the City Council.

Mayor Castro stated that a range of points awarded for contracts should be identified since there were limited types of contracts. He asked of the Career Exploration for Youth Project. Mr. Zanoni replied that it was the Summer Youth Employment Program and had been budgeted in FY 2011. Mayor Castro spoke of the Privatization of Alarm Permits, noting that it was important to achieve efficiency but also to understand the impact to the San Antonio Police Department. Councilmember Cisneros asked of the contract for Consultant Services for the City Council Redistricting Process. Mr. Bernard replied that the RFQ would request billing information with a proposed budget and fee structure.

Councilmember Taylor asked of the availability of the vendors and the registration process. Mr. Dominguez stated that the CVR was tied to the E-Procurement System and would be implemented in February. He noted that vendors would be able to register online and that staff was performing outreach to those businesses that were already doing business with the city. Councilmember Taylor requested information on marketing efforts. Councilmember Clamp asked of the study regarding the Alarm Permit Process. Erik Walsh replied that a Council Consideration Request had been submitted regarding same but had been set aside until the conclusion of the Internal Audit of the Alarm Permit Function of the SAPD. Councilmember Rodriguez thanked staff for the information and requested further discussion regarding privatization of services.

Councilmember Chan requested that staff update the list of High Profile Contracts to include the Goal Setting Committee that would be assigned to each contract and asked of the data currently utilized by the Goal Setting Committees. Mr. Dominguez replied that they were provided SAP Vendor Data and MGT Data. Councilmember Chan asked of APIs. Mr. Dominguez stated that they included 13 different tools such as prime contracting and subcontracting. Councilmember Chan expressed concern that the Goal Setting Committees would only vote on the application of APIs for contracts over \$10 million, noting that there was a limited amount of Professional Services Contracts valued at that amount. Mr. Gorzell confirmed that the \$10 million was over the life of a contract. Councilmember Ramos spoke of the importance of outreach regarding the CVR and asked of the Summer Youth Employment Program. Ms. Sculley confirmed that staff would solicit proposals from agencies to provide services. Councilmember Ramos requested a comparison of other cities' practices regarding redistricting and asked of the Local Knowledge and Experience Criteria. Mr. Gorzell replied that it was a new category being developed by the CIMS Department that would take issues such as public awareness and the environmental community into consideration.

EXECUTIVE SESSION

A. DISCUSS LEGAL ISSUES RELATED TO THE FIRE COLLECTIVE BARGAINING AGREEMENT, PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY).

Mayor Castro announced that the Executive Session would be held prior to the City Council Meeting break the following day.

ADJOURNMENT

There being no further discussion, Mayor Castro adjourned the meeting at 5:00 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **January 20, 2011** 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. Randy Garcia, Senior Pastor, Fortress Church, guest of Councilmember W. Reed Williams, District 8.

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

Item 3. MINUTES

Councilmember Cisneros moved to approve the Minutes for the December 16, 2010 City Council Meeting. Councilmember Clamp seconded the motion.

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

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Resolution:

2011-01-20-0001R

Item 4. A RESOLUTION CONFIRMING THE FOLLOWING APPOINTMENTS TO THE CPS ENERGY BOARD AND THE SA ENERGY ACQUISITION PUBLIC FACILITY CORPORATION BOARD OF DIRECTORS:

- A. APPOINTMENT OF NORA W. CHAVEZ (NORTHEAST QUADRANT) AS TRUSTEE OF THE CPS ENERGY BOARD FOR A TERM OF OFFICE TO COMMENCE FEBRUARY 1, 2011 AND TO EXPIRE JANUARY 31, 2016; AND,

- B. APPOINTING NORA W. CHAVEZ (NORTHEAST QUADRANT) AND REAPPOINTING CHARLES E. FOSTER (NORTHWEST QUADRANT), DERRICK HOWARD (SOUTHEAST QUADRANT), DR. HOMER GUEVARA, JR. (SOUTHWEST QUADRANT), JULIÁN CASTRO (CITY OF SAN ANTONIO MAYOR), DOYLE BENEBY (CPS ENERGY GENERAL MANAGER AND CEO), AND PAULA GOLD-WILLIAMS (CPS ENERGY CHIEF FINANCIAL OFFICER) TO THE SA ENERGY ACQUISITION PUBLIC FACILITY CORPORATION BOARD OF DIRECTORS FOR TERMS OF OFFICE TO COMMENCE FEBRUARY 1, 2011 AND TO EXPIRE JANUARY 31, 2013.

Mayor Castro recognized CPS Energy Board Chair Derrick Howard and thanked Nora Chavez for her willingness to serve on the board. He spoke of her prior career with the City of San Antonio and her work in the private sector.

Mr. Howard stated that there had been 44 applicants for the Northeast Quadrant and that Ms. Chavez stood out due to her vast experience and knowledge. Ms. Chavez thanked the City Council for their support and stated that she was privileged to serve on the Board.

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

Jesse Hereford, Director of Government Relations and Business Development for S&B Infrastructure and representing the Hispanic Chamber of Commerce spoke in favor of the appointment of Nora W. Chavez to the Northeast Quadrant of the CPS Energy Board. He stated that she was an asset to the community and noted her 32 years of experience in Texas Municipal Finance. He spoke of her accomplishments and impressive history of service to the City of San Antonio.

Jack M. Finger wished Ms. Chavez good luck on her service. He expressed concern that CPS Energy Representatives had not stayed long enough to hear him speak and asked of the issues concerning the nuclear power plant. He further expressed his concerns with the high cost of renewable energy sources such as wind and solar power, and asked that Ms. Chavez help lower energy rates.

Faris Hodge, Jr. submitted written testimony in opposition to Item 4.

Councilmember Clamp stated that he was pleased to support the appointment of Nora Chavez to the CPS Energy Board and spoke of her many years of service to the city. He noted that although there were challenges ahead, Ms. Chavez would serve the Board well. Councilmember Cisneros stated that she was supportive of the appointment of Nora Chavez to the CPS Energy Board. She noted that Ms. Chavez would bring a fresh perspective to the board with her three decades of experience in the management of a public entity. Councilmember Rodriguez thanked Ms. Chavez for her willingness to serve and stated that she would be a great addition to the Board. He also recognized the service of former Board Member Steve Hennigan. Councilmember Ramos stated that she looked forward to working with Ms. Chavez and the Board to ensure that they move in the right direction.

Councilmember Medina stated that serving on the board provided a great opportunity to serve the ratepayers and looked forward to working with Ms. Chavez. Councilmember Clamp thanked Steve Hennigan for his service to the board and noted that he had done a fantastic job for the community. Councilmember Chan also offered her congratulations to Ms. Chavez and stated that she looked forward to working with her. She also thanked Steve Hennigan and Charles Foster for their leadership on the CPS Energy Board.

Councilmember Clamp moved to approve the Resolution for Item 4. 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. **NAYS:** None. **ABSENT:** None.

The City Clerk read the caption for Items 5A and 5B:

Item 5. CONSIDERATION OF THE FOLLOWING RELATED TO THE 2011 STATE LEGISLATIVE PROGRAM:

A. BRIEFING AND POSSIBLE ACTION ON LEGISLATION FILED IN THE 82ND REGULAR STATE LEGISLATIVE SESSION.

2011-01-20-0023

B. BRIEFING AND CONSIDERATION OF AN ORDINANCE APPROVING A SECOND ADDENDUM TO THE CITY'S 2011 STATE LEGISLATIVE PROGRAM.

Carlos Contreras reported that the State Legislature had convened on January 11, 2011 and that 1,068 bills had been filed. He stated that changes to the Land Bank Statute would be included as a City of San Antonio Initiative. He noted that the Land Bank Amendments include: 1) Allow land banks to acquire and sell property for both affordable housing and commercial uses; 2) Allow acquisition of improved and unimproved property; 3) Reduce foreclosure waiting period from 5 years to 2 years; 4) Allow governmental entities to convey property directly to the land bank without public bid process; 5) Allow governmental entities to dedicate future tax revenue to land bank by agreement; 6) Allow governmental entities to extinguish liens by agreement; and 7) Allow Urban Renewal Agency to serve as a land bank.

Mr. Contreras stated that sponsors had been identified for all city initiatives and that bills were in Legislative Council for drafting or have been drafted and are under staff review. He spoke of SB 341 filed by Senator Uresti related to dissolving Bexar Met. He mentioned that HB 431 and HJR 44 would allow for the creation of a County Charter and a vote of citizens for the possible consolidation of the City into Bexar County. He noted that at the Governance Council Committee Meeting, the Council had referred the City/County Consolidation Bill to the Intergovernmental Relations (IGR) Council Committee in order to submit recommendations. He reported that the Governor had designated two emergency items at the beginning of the session: 1) Eminent Domain; and 2) Sanctuary Cities.

Mayor Castro called upon the individuals registered to speak on Item 5.

Nazirite Ruben Flores Perez spoke to the bill filed on dissolving Bexar Met and adding that Bexar Met had been having numerous challenges. He referenced a meeting of the San Antonio River Authority in which federal cases were discussed regarding Corpus Christi.

Jack M. Finger expressed concern with various legislative initiatives including the 13th payment that would be provided to retirees. He spoke in opposition to Meet and Confer for civilian employees and noted that there was already a process to combine City and County Services. He referenced Transportation Initiatives and stated that he was opposed to toll roads and light rail.

Faris Hodge, Jr. submitted written testimony in opposition to Item 5.

There was no action required for Item 5A.

Councilmember Rodriguez stated that discussion had occurred regarding the Legislative Agenda during IGR Meetings. He noted that he had met with Mr. Bennett of the Texas Municipal League and that discussions had already begun on how to close the state's budget gap. He asked that staff monitor the

proposed fee that would be added to municipal court tickets and sent in to the State. He also asked that staff monitor a possible increase to the State's recovery with local sales tax revenue. Councilmember Cortez stated that he looked forward to working with the delegation on these very important issues, specifically the statewide ban on texting while driving. Councilmember Ramos requested that she be kept abreast of the bill filed by Representative Farias regarding payday loan agencies and asked for an update on the graffiti bill filed by Representative Fischer. She noted that the State would be increasing fees and asked IGR Staff to stay on top of same. She recognized Marc Rodriguez for his work and asked if other individuals would be hired to help represent the city's interests. Mr. Contreras replied that they were in the process of hiring additional consultants for the session.

Councilmember Clamp asked of properties within neighborhoods that were upside down on tax liens and the potential for the government to forgive the liens and put the property back on the market. Mr. Contreras replied that the intent of the Land Bank would be to take properties that are not generating taxes, vacant, or blighted. Councilmember Chan asked of the Land Bank Amendment that would allow governmental entities to convey property directly to the land bank without a public bid process. Adrian Lopez stated that staff researched land bank statutes in other states and that this was an effective method for land banks to have the first right of refusal. Councilmember Chan expressed concern with this method, noting that the private sector should be encouraged to fix or rehabilitate properties in need. She noted that the government should only step in when all options have been exhausted. Councilmember Taylor stated that she hoped that the private sector would get involved in revitalization but it may not be economically feasible for them to do so.

Councilmember Rodriguez moved to adopt the proposed Ordinance for Item 5B with a second addendum relating to the Land Bank Statute. Councilmember Clamp seconded the motion.

The motion to approve Item 5B prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **NAYS:** None. **ABSENT:** None.

The City Clerk read the following Ordinance:

2011-01-20-0024

Item 6. AN ORDINANCE ADOPTING A PROGRAM TO PLANT 1,000 TREES IN THE DOWNTOWN AREA; AND AUTHORIZING THE USE OF \$500,000.00 FROM THE PUBLIC WORKS FY 2011 ADOPTED GENERAL FUND BUDGET FOR REHABILITATION OF SIDEWALKS AND BOULEVARDS WHERE TREE PLANTING IS TO OCCUR.

Xavier Urrutia spoke of the Downtown Tree Planting Initiative in which 1,000 trees would be planted in the Downtown Central Business District. He stated that \$500,000 had been authorized in the Public Works FY 2011 Budget to rehabilitate streets, sidewalks, and boulevards where the tree planting will occur. He further stated that the Tree Mitigation Fund would provide funds for the trees and planting materials that would be utilized.

Mr. Urrutia reported that 6,047 trees have been planted in city parks since July 2010 utilizing the Tree Planting Initiative. He noted that site work would be performed from March-May and tree planting would be complete by the end of Summer 2011.

Mayor Castro called upon the individuals registered to speak on Item 6.

Angie Garcia expressed concern with the \$500,000 that would be spent on the Downtown Tree Planting Initiative, noting that the city was operating on a tight budget. She referenced palm trees that had been purchased at a high cost that had been planted in District 7 and had not been maintained.

Faris Hodge, Jr. submitted written testimony in opposition to Item 6, noting that additional trees were not needed in the Downtown Area.

Mayor Castro stated that the effort to plant 1,000 trees in the Downtown Area was part of a larger effort to plant 9,000 trees throughout the city. He noted that this effort was important in that it would beautify the city and enhance the look of neighborhoods. He added that he believed that the cost was worth the investment and was environmentally friendly. Councilmember Cisneros expressed her support for the Downtown Tree Planting Initiative, noting the positive impact of trees to the environment including air quality, energy efficiency, and conservation. Councilmember Williams asked for clarification of the expenditures. Mr. Urrutia replied that the \$500,000 in the Public Works Budget would be utilized to excavate sidewalk areas and create the size parameter needed for tree planting. He added that the Tree Mitigation Fund would be used for trees and materials. Councilmember Medina stated that he was pleased with the Tree Planting Initiative and thanked staff for their work.

Mayor Castro recognized Ben Brewer of the Downtown Alliance. Mr. Brewer expressed his support for the Downtown Tree Planting Initiative and noted that they had worked with city staff to identify opportunities for planting trees.

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

CONSENT AGENDA ITEMS 7-35

Consent Agenda Items 12, 13, 14, 17, 18, 24, 26, 32, and 35 were pulled for Individual Consideration.

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

Nazirite Ruben Flores Perez expressed concern with SAWS and referenced Item 20. He spoke of the date change for Ceremonials and Citizens to be Heard in Item 26 and asked if a memo had been distributed regarding same. He thanked Councilmember Medina for honoring him with two awards.

Ed Ferris representing Jani-King requested the support of the City Council on Item 7E. He stated that they were a small, locally-owned business and their services would be provided throughout the city.

Jack M. Finger stated that conflicts of interest existed regarding the agreement with Pape-Dawson Engineers, Inc. in Item 17 since all of the City Council had received campaign finance contributions from the business. He expressed concern that Item 26 related to moving the Citizens to be Heard portion of the City Council Meeting to Wednesdays was not deliberated prior to bringing it before the

City Council and that it was placed on the Consent Agenda. He also expressed concern with the \$46,000 that would be provided to the City of Alamo Heights for sidewalk improvements in Item 31, noting that he had waited for over three years for sidewalk improvements in his neighborhood.

Faris Hodge Jr. submitted written testimony in opposition to Items 7 and 8, noting that the city should not establish unit prices and that the Convention Center did not need to purchase additional tables, respectively. He wrote that the purchase of 16 Portable Weighing Devices for SAPD in Item 9 and the Convention Center Improvements in Item 14 were a waste of money. He wrote in support of Items 10-13, 15, 16, 18-23, 25, and 27-35 and in opposition to Items 14, 17, 24, and 26.

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

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.

2011-01-20-0025

Item 7. AN ORDINANCE AUTHORIZING THE FOLLOWING CONTRACTS ESTABLISHING UNIT PRICES FOR ANNUAL GOODS AND SERVICES: (A) EAN HOLDINGS, INC. FOR RENTAL OF PASSENGER VANS; (B) SIDDON'S FIRE APPARATUS AND FRAZER, LTD. FOR EMERGENCY VEHICLE TRUCK PARTS AND SERVICE; (C) ALLIED TUBE AND CONDUIT FOR TRAFFIC POSTS AND HARDWARE; (D) CENTERLINE SUPPLY, LTD. FOR THERMOPLASTIC PAVEMENT MARKING MATERIAL (E) CBT PARTNERS DBA JANI-KING OF SAN ANTONIO; (F) ZAMORANO ENTERPRISES, INC. FOR RECYCLE TRASH RECEPTACLES AND (G) HOSPITAL KLEEN OF TEXAS, INC., SELRICO SERVICES, INC. AND PLAN B MAINTENANCE FOR JANITORIAL SERVICES FOR LA VILLITA, MARKET SQUARE AND CENTRO INFORMATION CENTER.

2011-01-20-0026

Item 8. AN ORDINANCE ACCEPTING THE BID FROM SOUTHERN ALUMINUM MANUFACTURING, INC. TO PROVIDE 1,200 EIGHT FOOT TABLES FOR THE CONVENTION, SPORTS AND ENTERTAINMENT FACILITIES DEPARTMENT IN THE AMOUNT OF \$365,912.00, FUNDED BY THE CONVENTION CENTER FACILITY EQUIPMENT PROJECT FUND IN ANTICIPATION OF REIMBURSEMENT FROM THE STATE UNDER THE EVENTS TRUST FUND LEGISLATION.

2011-01-20-0027

Item 9. AN ORDINANCE ACCEPTING AN OFFER FROM LOADOMETER CORPORATION TO PROVIDE THE SAN ANTONIO POLICE DEPARTMENT WITH 16 PORTABLE WEIGHING DEVICES FOR A TOTAL COST OF \$70,320.00, FUNDED BY THE CONFISCATED PROPERTY FUND.

2011-01-20-0028

Item 10. AN ORDINANCE ACCEPTING THE BID FROM CATO ELECTRIC COMPANY, INC. TO PROVIDE AND INSTALL ONE NEW CATERPILLAR C15 DIESEL POWERED STANDBY GENERATOR AND THE CONCRETE SLAB NEEDED FOR A TURNKEY INSTALLATION FOR

THE SOLID WASTE MANAGEMENT DEPARTMENT FOR A TOTAL COST OF \$158,100.00 FROM THE FY 2011 ADOPTED SOLID WASTE OPERATING AND MAINTENANCE FUND BUDGET.

2011-01-20-0029

Item 11. AN ORDINANCE ACCEPTING THE OFFER FROM MASIMO, INC. TO PROVIDE THE FIRE DEPARTMENT'S EMERGENCY MEDICAL SERVICES DIVISION WITH THE PURCHASE OF TWENTY-FIVE (25) PORTABLE CARBON MONOXIDE METERS AND REPLACEMENT SENSORS FOR A TOTAL COST OF \$87,783.00, FUNDED BY THE 2009 URBAN AREA SECURITY INITIATIVE AND THE 2008 METROPOLITAN MEDICAL RESPONSE SYSTEM GRANT FUNDS.

2011-01-20-0033

Item 15. AN ORDINANCE AUTHORIZING A CHANGE ORDER IN THE INCREASED AMOUNT OF \$74,998.80 TO THE \$2,487,837.87 CONSTRUCTION CONTRACT WITH YANTIS FOR THE INDIAN CREEK CHANNEL IMPROVEMENTS PROJECT, AN AUTHORIZED 2007-2012 GENERAL OBLIGATION BOND FUNDED PROJECT LOCATED IN COUNCIL DISTRICT 4.

2011-01-20-0034

Item 16. AN ORDINANCE AUTHORIZING A CHANGE ORDER IN THE INCREASED AMOUNT OF \$995,000.00 TO THE \$5,349,020.00 FY 2010-2011 INDEFINITE DELIVERY CONTRACT (IDC) WITH J3 EXCAVATION COMPANY, LLC.

Item 19. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATED TO TWO LEASE AGREEMENTS AT THE SAN ANTONIO INTERNATIONAL AIRPORT:

2011-01-20-0037

- A. AN ORDINANCE AUTHORIZING A THREE-YEAR LEASE AGREEMENT WITH PRIMEFLIGHT FOR 240 SQUARE FEET OF OFFICE SPACE IN TERMINAL B TO SUPPORT THEIR AIRLINE PASSENGER WHEELCHAIR SERVICES AND ASSOCIATED OFFICE FUNCTIONS COMMENCING ON JANUARY 1, 2011.

2011-01-20-0038

- B. AN ORDINANCE AUTHORIZING A LEASE AGREEMENT WITH CLEAR CHANNEL/INTERSPACE IN TERMINAL A FOR 97 SQUARE FEET OF STORAGE SPACE EFFECTIVE AUGUST 1, 2010 THROUGH MAY 31, 2017.

Item 20. CONSIDERATION OF THE FOLLOWING ORDINANCES AUTHORIZING JOINT USE AGREEMENTS BETWEEN THE CITY OF SAN ANTONIO AND THE SAN ANTONIO WATER SYSTEM:

2011-01-20-0039

- A. AN ORDINANCE AUTHORIZING THE USE OF 0.211 ACRE OF CITY PROPERTY FOR TWO PARALLEL 30-INCH SANITARY SEWER SIPHON MAINS AND ONE 24-INCH DIAMETER AIR JUMPER MAIN CROSSING SIX-MILE CREEK JUST SOUTH OF THE INTERSECTION OF ASHLEY ROAD AND MOURSUND BOULEVARD IN NCB 11107 IN COUNCIL DISTRICT 3.

2011-01-20-0040

- B. AN ORDINANCE AUTHORIZING THE USE OF 0.336 ACRE OF CITY PROPERTY TO INSTALL AN 8-INCH SEWER MAIN OFF OF CULEBRA ROAD, IN BETWEEN CALLAGHAN RD AND EL CENTRO DRIVE IN NCB 11493 IN COUNCIL DISTRICT 7.

2011-01-20-0041

Item 21. AN ORDINANCE AUTHORIZING THE USE OF 2,875 SQUARE FEET OF CITY-OWNED PROPERTY IN NCB 34362 IN CARACOL CREEK PARK LOCATED IN COUNCIL DISTRICT 4 BY LAMBETH BUILDING COMPANY FOR A SANITARY SEWER EASEMENT FOR A ONE-TIME FEE OF \$5,000.00.

2011-01-20-0042

Item 22. AN ORDINANCE AUTHORIZING THE CLOSURE, VACATION AND ABANDONMENT OF PART OF AN UNIMPROVED 16 FOOT-WIDE ALLEY LOCATED BETWEEN 12TH AND ROY SMITH STREETS ADJACENT TO NCB 466, LOCATED IN COUNCIL DISTRICT 1, AS REQUESTED BY BROADWAY LOFTS, L.P.

2011-01-20-0043

Item 23. AN ORDINANCE AUTHORIZING THE CLOSURE, VACATION AND ABANDONMENT OF AN UNIMPROVED 15 FOOT-WIDE ALLEY LOCATED BETWEEN ADDAX AND MINK STREETS ADJACENT TO NCB 10184, LOCATED IN COUNCIL DISTRICT 1, AS REQUESTED BY LA FOGATA RESTAURANT FOR A FEE OF \$6,050.00.

2011-01-20-0045

Item 25. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND ACCEPTANCE OF FUNDS UPON AWARD, UP TO \$200,000.00, FROM THE U.S. DEPARTMENT OF JUSTICE (DOJ), OFFICE OF JUSTICE PROGRAMS (OJP), NATIONAL INSTITUTE OF JUSTICE (NIJ) TO PROCESS SEXUAL ASSAULT KITS.

2011-01-20-0047

Item 27. AN ORDINANCE ADJUSTING THE PARKING FEE RATE FOR COMMUTERS UTILIZING THE EMPLOYEE PARKING LOT AT THE SAN ANTONIO INTERNATIONAL AIRPORT FROM \$50.00 PER MONTH TO \$35.00 BEGINNING FEBRUARY 2011 AND INCREASING THE RATE TO \$50.00 PER MONTH BEGINNING DECEMBER 2011.

2011-01-20-0048

Item 28. AN ORDINANCE APPROVING THE UPDATE TO THE RULES AND REGULATIONS DOCUMENT FOR THE SAN ANTONIO AIRPORT SYSTEM.

2011-01-20-0049

Item 29. AN ORDINANCE APPROVING AN AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT WITH BARICH, INC. FOR DESIGN SERVICES TO TAKE THE DESIGN OF THE COMMUNICATIONS INFRASTRUCTURE MODERNIZATION PROGRAM PROJECT FROM 30% TO 100% DESIGN PHASE AS WELL AS PROVIDING SOLICITATION SUPPORT AND APPROPRIATING \$449,925.00 FROM 2010 AIRPORT TAX NOTES FOR THIS WORK AT THE SAN ANTONIO INTERNATIONAL AIRPORT.

Item 30. CONSIDERATION OF TWO ORDINANCES CONCERNING THE RELOCATION OF A 24 INCH CPS ENERGY NATURAL GAS PIPELINE NECESSITATED BY THE RUNWAY 3/21 EXTENSION PROJECT AT SAN ANTONIO INTERNATIONAL AIRPORT LOCATED IN COUNCIL DISTRICT 9:

2011-01-20-0050

- A. AN ORDINANCE AUTHORIZING AN INTRAJURISDICTIONAL AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND CPS ENERGY FOR THE RELOCATION, INSTALLATION AND MAINTENANCE OF GAS TRANSMISSION AND DISTRIBUTION LINES AND TO GRANT PERMISSION TO CPS ENERGY FOR THE JOINT-USE AND BENEFIT OF THE REAL PROPERTY FOR THE RELOCATION OF A GAS PIPELINE WITHIN THE AIRPORT OPERATIONS AREA.

2011-01-20-0051

- B. AN ORDINANCE AUTHORIZING A FUNDING AGREEMENT FOR UP TO \$345,612.80 TO BE PAID TO CPS ENERGY FOR ENGINEERING SERVICES, INTERNAL COSTS AND MATERIALS ASSOCIATED WITH THE RELOCATIONS OF THE GAS PIPELINE.

2011-01-20-0052

Item 31. AN ORDINANCE AUTHORIZING AN AMENDMENT IN THE INCREASED AMOUNT OF \$46,828.38 TO THE \$152,000.00 INTERLOCAL AGREEMENT WITH THE CITY OF ALAMO HEIGHTS FOR SIDEWALK IMPROVEMENTS THAT ARE CONTIGUOUS AND ARE OF INTEREST TO THE CITY OF SAN ANTONIO AND ALAMO HEIGHTS AS PART OF THE NORTH NEW BRAUNFELS SIDEWALKS PROJECT, A 2007-2012 GENERAL OBLIGATION BOND PROJECT LOCATED IN COUNCIL DISTRICTS 9 AND 10.

2011-01-20-0054

Item 33. AN ORDINANCE AUTHORIZING A PURCHASE AGREEMENT WITH TIME WARNER CABLE IN THE AMOUNT OF \$122,989.00 TO UPGRADE THE ALAMODOME VIDEO DISTRIBUTION SYSTEM FROM ANALOG TO DIGITAL, AND AUTHORIZING THE EXPENDITURE FROM THE CONVENTION, SPORTS, AND ENTERTAINMENT FACILITIES STATE REIMBURSEMENT FUND IN ANTICIPATION OF REIMBURSEMENT FROM THE STATE UNDER THE EVENTS TRUST FUND LEGISLATION.

2011-01-20-0055

Item 34. AN ORDINANCE AUTHORIZING AN AMENDMENT TO AN AGREEMENT WITH PARENT/CHILD INCORPORATED PROVIDING AN AMOUNT UP TO \$11,000.00 FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT TO PROVIDE ORAL HEALTH EVALUATIONS, PREVENTIVE CARE AND DENTAL CASE MANAGEMENT SERVICES ON A FEE-FOR-SERVICE BASIS FOR CHILDREN FROM BIRTH TO AGE THREE YEARS AND EXPECTANT MOTHERS ENROLLED IN THE PCI EARLY HEAD START PROGRAM FOR THE TERM FEBRUARY 1, 2011 THROUGH JANUARY 31, 2012.

[CONSENT ITEMS CONCLUDED]

At this time, Mayor Castro addressed the pulled items for Individual Consideration beginning with Item 26.

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2011-01-20-0046

Item 26. AN ORDINANCE AMENDING CHAPTER 2 OF THE CITY CODE OF SAN ANTONIO, TEXAS TO MOVE THE "CEREMONIAL RECOGNITIONS" AND "CITIZENS TO BE HEARD" PORTIONS OF THE THURSDAY REGULAR CITY COUNCIL MEETING TO THE WEDNESDAY CITY COUNCIL WORK SESSION; AND MAKING OTHER CHANGES CONSISTENT WITH THE OPEN MEETINGS ACT.

Mayor Castro stated that this change was in the best interest of the citizens and the City Council in that it would provide citizens two opportunities to address the City Council prior to the voting on items at the Thursday Regular Meetings. He stated that it would also help with efficiency in that the B Sessions are held on Wednesdays at 2:00 pm and more Councilmembers would be able to participate in the Citizens to be Heard portion of the meeting. He called upon the individuals registered to speak on Item 26.

Nikki Kuhns stated that she was opposed to the change and felt that moving the date for Citizens to be Heard and Ceremonials marginalizes these portions of the meeting. She noted that it was important for citizens to make public recorded statements and that she was in support of changes, but only those that give citizens more influence. She added that she would have liked additional time to discuss the change prior to it being placed on the agenda.

Janet Ahmad expressed concern that said item was placed on the Consent Agenda and stated that moving the date lessens the impact of the events. She noted that the B Session was not as official as the Regular Meeting and asked that the City Council reconsider the change.

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

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

Mayor Castro announced that said changes would take place beginning February 2, 2011.

At this time, Mayor Castro addressed Item 12.

The City Clerk read the following Ordinance:

2011-01-20-0030

Item 12. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT TO ALL 1 CONTRACTING, LLC IN THE AMOUNT OF \$118,783.00 FOR THE JIM MATTOX PARK, AN AUTHORIZED 2007-2012 BOND PROJECT, LOCATED IN COUNCIL DISTRICT 3.

Councilmember Ramos recognized Jim Mattox for his contribution to the area and asked of the improvements that would be made. Mike Frisbie replied that tennis courts and sidewalks would be

constructed, as well as upgrades to ADA improvements in the parking lot. Councilmember Ramos asked if lighting would be included. Mr. Frisbie stated that he would follow up on the potential for lighting.

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

The City Clerk read the following Ordinance:

2011-01-20-0031

Item 13. AN ORDINANCE AWARDING A CONSTRUCTION CONTRACT TO SPAWGLASS CONSTRUCTION CORPORATION IN THE AMOUNT OF \$5,995,000.00 FOR THE DEMOLITION OF TERMINAL 2, THE CONSTRUCTION OF APRON PAVEMENT AND SITE IMPROVEMENTS TO TERMINAL B AT THE SAN ANTONIO INTERNATIONAL AIRPORT AND AUTHORIZING PAYMENT UP TO \$30,000.00 TO CPS ENERGY FOR THE REMOVAL OF CPS-OWNED EQUIPMENT AND CABLING, AS PART OF THE AIRPORT EXPANSION PROGRAM FUNDED THROUGH AIRPORT REVENUE BONDS AND 2010 TAX NOTES.

Councilmember Cisneros asked of the bid process utilized for the demolition. Mike Frisbie stated that they had utilized the standard low-bid process and had evaluated the bids to ensure that they were responsive. Councilmember Cisneros clarified that SpawGlass was headquartered in San Antonio. Mr. Frisbie confirmed same and noted that they were well-respected for their work. Councilmember Cisneros asked of the \$30,000 payment to CPS Energy. Mr. Frisbie responded that it was standard on all city projects which accounts for the relocation of poles or wiring.

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

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

The City Clerk read the following Ordinance:

2011-01-20-0032

Item 14. AN ORDINANCE SELECTING SPAWGLASS CONSTRUCTION CORPORATION AS CONSTRUCTION MANAGER AT RISK AND AWARDING A CONTRACT IN AN AMOUNT UP TO \$9,300,000.00 FOR THE HENRY B. GONZALEZ CONVENTION CENTER IMPROVEMENTS PROJECT, AN AUTHORIZED HOTEL OCCUPANCY TAX SUBORDINATE LIEN REVENUE AND REFUNDING BOND SERIES 2004B; HOTEL OCCUPANCY TAX RENEWAL & IMPROVEMENT CONTINGENCY FUND AND CONVENTION, SPORTS, AND ENTERTAINMENT FACILITIES STATE REIMBURSEMENT FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 1.

Councilmember Cisneros highlighted the fact that SpawGlass is a local company and partners with the San Antonio United Way, Wounded Warrior Center at Fort Sam Houston, and the Food Bank. She stated that they had also donated a Greenhouse to Harlandale ISD for children with special needs and thanked them for providing great support to the community.

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

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

The City Clerk read the following Ordinance:

2011-01-20-0035

Item 17. AN ORDINANCE AUTHORIZING ON-CALL PROFESSIONAL SERVICES AGREEMENTS WITH PAPE-DAWSON ENGINEERS, INC. AND POZNECKI-CAMARILLO, INC., EACH IN AN AMOUNT UP TO \$250,000.00, FOR A PERIOD OF 18 MONTHS, TO PROVIDE SCOPING AND ESTIMATING SERVICES FOR CAPITAL IMPROVEMENT, 2012 BOND-RELATED PROJECTS; AND APPROPRIATING FUNDS UP TO \$500,000.00 FROM PROJECT SAVINGS REALIZED IN THE \$30 MILLION BOND BALANCE PROGRAM APPROVED BY CITY COUNCIL ON FEBRUARY 19, 2009, FOR THESE AGREEMENTS.

Councilmember Cortez requested additional information regarding the professional service agreements. Mike Frisbie responded that staff was initiating the process in anticipation of a 2012 Bond Election and said item would authorize hiring local consultants to identify potential projects. Councilmember Cortez asked of the \$500,000 that would be utilized. Mr. Frisbie replied that each team would receive \$250,000 for their services and that savings from the \$30 Million Bond Balance would be utilized for payment. Councilmember Ramos clarified that the contribution she received from Raba-Kistner was \$500, and not \$5,000 as indicated on their Discretionary Disclosure Form.

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

The City Clerk read the following Ordinance:

2011-01-20-0036

Item 18. AN ORDINANCE AUTHORIZING A ONE-YEAR LEASE AGREEMENT WITH INTEGRATION INNOVATION, INC. FOR FOUR OFFICE SUITES INSIDE THE TERMINAL BUILDING AT STINSON MUNICIPAL AIRPORT FOR \$35,654.19 IN ANNUAL RENTAL.

Councilmember Ramos asked of the one-year lease. Frank Miller stated that Integration Innovation, Inc. had requested a one-year lease and staff would be meeting with them to review their long-term plan. He noted that all four office suites that they leased would be incorporated into one agreement. Councilmember Ramos requested an update on the Palo Alto Program located at Stinson and asked of

the implementation of the Stinson Master Plan. Mr. Miller stated that he intended to provide a recommendation to the City Council in March. Councilmember Ramos noted that Former Councilmember Toni Moorhouse was interested in serving on the Committee that would provide oversight of the Master Plan and asked that staff reach out to her regarding same.

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

The City Clerk read the following Ordinance:

2011-01-20-0044

Item 24. AN ORDINANCE AUTHORIZING AN OPTION CONTRACT BETWEEN THE CITY OF SAN ANTONIO AND FRIEDRICH LOFTS, LTD. FOR AN OPTION TO ACQUIRE THE FRIEDRICH PROPERTY.

Councilmember Williams asked if staff had a price that could be publicly disclosed. Pat DiGiovanni stated that the price was \$5.68 million. Mr. DiGiovanni reviewed the option agreement in which the Friedrich Building would be taken off the market and the city's position as primary buyer would be secured. He noted that the first option on the property was 120 days at a cost of \$50,000, with 2 one-month extensions for an additional \$50,000. He reported that if the city agreed to acquire the property, earnest money in the amount of \$100,000 would be required. Councilmember Williams stated that his concerns were not related to Eastside Development and recognized everyone involved in the Eastside Initiatives. He expressed concern that a public entity was arbitraging a private price and could artificially increase the price of other nearby properties and slow redevelopment in the area. He also expressed concern with unfair competition against the private sector and the debt capacity that the city would utilize. He noted that there would ultimately be an unfair public-private partnership and added that he was concerned with the land transaction that would have to occur.

Councilmember Taylor thanked staff for their work and referenced the redevelopment project occurring at the former Butterkrust Building. She stated that the project had been vacant for a long period of time but a private entity had endured the five-year process for redevelopment. She noted that an entity had not stepped forward to redevelop the Friedrich Building and viewed the project as a catalyst to spur economic development in the area. She added that approval of the option contract was consistent with prior Council Action supporting the Memorandum of Understanding with SAISD. She mentioned that the six-month option period would allow the city to perform its due diligence and determine if it would be a good investment. She added that General Funds would not be utilized and that \$100,000 had been authorized by the TIRZ #11 Board. Councilmember Ramos acknowledged the great work that had been accomplished on the Eastside but noted that she had concerns with the project. She confirmed that General Funds would not be utilized and that the item would be brought back to the City Council prior to the 180-day deadline. Mr. DiGiovanni confirmed same.

Councilmember Taylor 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, Rodriguez, Chan, and Mayor Castro. **NAYS:** Williams and Clamp. **ABSENT:** None.

The City Clerk read the following Ordinance:

2011-01-20-0053

Item 32. AN ORDINANCE AUTHORIZING FOUR ON-CALL, ONE-YEAR CONTRACTS WITH THE OPTION TO RENEW FOR THREE, ONE-YEAR EXTENSIONS WITH ALPHA BUILDING CORPORATION, WILLIAM & THOMAS, LP DBA JAMAIL & SMITH CONSTRUCTION, KELLOGG BROWN & ROOT, LLC AND THE SABINAL GROUP FOR THE PROVISION OF JOB ORDER CONTRACTING AS AN ALTERNATIVE PROJECT DELIVERY METHOD FOR CONSTRUCTION, RENOVATION, REHABILITATION AND MAINTENANCE PROJECTS IN CITY FACILITIES AND AUTHORIZING THE DIRECTOR OF CAPITAL IMPROVEMENTS MANAGEMENT SERVICES TO HAVE THE DISCRETION TO ADMINISTRATIVELY APPROVE THIS ALTERNATIVE PROJECT DELIVERY METHOD AS NECESSARY FOR PROJECTS WITH BUDGETS LESS THAN \$100,000.00.

Councilmember Lopez asked of the number of bidders. Mike Frisbie replied that 17 companies had bid on the contracts and stated that the job order contracts would allow for smaller scale projects to be completed in a timely manner. He noted that said item would renew the current four contracts. Councilmember Lopez asked of the low scores on the Small Business Economic Development Advocacy (SBEDA) Experience and Utilization categories. Mr. Frisbie stated that many of the firms do not perform work for the city and do not have experience in developing a diverse team that would provide them a greater amount of points. Councilmember Lopez stated that this would be an opportunity to include small, local firms to manage larger projects and have them gain experience for future large projects.

Councilmember Lopez moved to adopt the proposed Ordinance with the condition to increase the number of contractors to the first 10 on the bidders list. Councilmember Chan seconded the motion.

Councilmember Rodriguez stated that adding more firms would not cause the city to incur additional costs and would open the pool of qualified firms for projects. Councilmember Chan stated that increasing the number of bidders would provide an opportunity for more firms to participate and asked how work would be assigned. Mr. Frisbie replied that staff reviewed the type of work of the contractor and compared it to the scope of work of a project. He noted that if a contractor was not available, they negotiated with the next available contractor. Councilmember Chan stated she looked forward to a more detailed discussion regarding City Council input on contracts.

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

The City Clerk read the following Ordinance:

2011-01-20-0056

Item 35. AN ORDINANCE AUTHORIZING A FUNDING AGREEMENT AND ACCEPTING \$103,213.28 FROM ALAMO CONCRETE PRODUCTS TO PROVIDE FOR THE COMPLETION OF

A NEW TRAFFIC SIGNAL AT THE INTERSECTION OF S.W. MILITARY AND YARROW BLVD LOCATED IN COUNCIL DISTRICT 4; AND APPROPRIATING FUNDS.

Councilmember Cortez stated that he requested a traffic device for the area due to the heavy traffic and accidents that have occurred due to the growth and development. He asked when the traffic device would be installed. Majed Al-Ghafry replied that it would take 10 weeks to install and work would begin at the end of January.

Councilmember Cortez 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. **NAYS:** None. **ABSENT:** None.

RECESSED

Mayor Castro recessed the meeting at 11:45 am to break for lunch and announced that the meeting would resume at 2:00 pm for Zoning.

RECONVENED

Mayor Castro reconvened the meeting at 2:00 pm and addressed Item Z-1.

INDIVIDUAL ZONING ITEMS

CONTINUED

Item Z-1. **ZONING CASE # Z2010009 (District 10):** An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District and "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Tract 1A and 0.937 Acres out of Tract 2, NCB 16587 located at 15602 and 15700 Nacogdoches Road. Staff and Zoning Commission recommend approval. (Continued from December 16, 2010)

Chris Looney stated that staff and the Zoning Commission recommended approval. He reported that of 11 notices mailed, only one had been received in favor. He noted that no response had been received from the Fox Run Neighborhood Association.

Councilmember Clamp moved to continue Item Z-1 to February 17, 2011. Councilmember Chan seconded the motion.

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

CONSENT ZONING ITEMS

Councilmember Cisneros 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-3, P-1, Z-4, Z-7, Z-8, Z-9, Z-10, P-2, Z-11, Z-12, P-3, Z-13, Z-14, Z-16, Z-17, Z-18, Z-19, and Z-21. Councilmember Clamp seconded the motion.

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

Tony Silva spoke in support of Item Z-9 and stated that he was requesting to rezone his two properties to a single residence, manufactured home. He noted that staff and the Zoning Commission recommended approval. He added that he had lived in the neighborhood for 26 years and would like to continue to be an active and productive resident of the area.

Jack M. Finger spoke of the Golf Designation in Item Z-2, noting that the owner would like the opportunity to develop multi-family units but the citizens surrounding the golf course were not in support of the additional housing. He expressed concern with the tattoo parlor in Item Z-18 located in District 5, noting that the Roosevelt Park Neighborhood Association was in opposition. He stated that he was against the medical clinic in Item Z-22 since the staff recommendation was for denial and the area was surrounded by single family residential.

Emil Moncivais thanked the City Council for their approval of Item Z-16.

Jesse Borrego thanked Mayor Castro and Councilmember Medina for their leadership and support of Item Z-18.

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

2011-01-20-0058

Item Z-3. **ZONING CASE # Z2011014 CD (District 1):** An Ordinance amending the Zoning District Boundary from "HS C-3NA AHOD" Historic Significant General Commercial Nonalcoholic Sales Airport Hazard Overlay District to "HS C-2 CD AHOD" Historic Significant Commercial Airport Hazard Overlay District with a Conditional Use for a Veterinary Clinic-Small Animals (Outside Runs, Pens and Paddocks Permitted) on Lots J, K, L (also known as Lot 4), M (also known as Lot 5), N (also known as a portion of Lot 6), O (also known as the east portion of Lot 6) and P (also known as Lot 7), Block 5, NCB 310 located at 937, 1005 and 1019 South Laredo 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: LOTS J, K, L (ALSO KNOWN AS LOT 4), M (ALSO KNOWN AS LOT 5), N (ALSO KNOWN AS A PORTION OF LOT 6), O (ALSO KNOWN AS THE EAST PORTION OF LOT 6) AND P (ALSO KNOWN AS LOT 7), BLOCK 5, NCB 310 TO WIT: FROM "C-3NA HS AHOD" HISTORIC SIGNIFICANT GENERAL COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD

OVERLAY DISTRICT TO "C-2 CD HS AHOD" HISTORIC SIGNIFICANT COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR A VETERINARY CLINIC-SMALL ANIMALS (OUTSIDE RUNS, PENS AND PADDOCKS PERMITTED) PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2011-01-20-0059

Item P-1. **PLAN AMENDMENT #11002 (District 1):** An Ordinance amending the land use plan contained in the Lavaca Neighborhood Plan, a component of the Master Plan of the City, by changing the use of a 0.2701 acre tract of land located at 126 Lavaca Street from Public/Institutional land use and Low Density Residential land use to Mixed Use land use. Staff and Planning Commission recommend approval. (Associated Zoning Case: Z2011017S)

2011-01-20-0060

Item Z-4. **ZONING CASE # Z2011017 S (District 1):** An Ordinance amending the Zoning District Boundary from "H O-2 HS AHOD" Lavaca Historic High-Rise Office Historic Significant Airport Hazard Overlay District to "H IDZ HS AHOD" Lavaca Historic Infill Development Zone Historic Significant Airport Hazard Overlay District with uses permitted in "RM-4" Residential Mixed District and "O-1.5 S" Mid-Rise Office District with a Specific Use Authorization for an Art Studio on 0.271 of an acre being a portion of Lot 11 and all of Lot 12, Block 9, NCB 712 located at 126 Lavaca Street. 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: 0.271 ACRES BEING A PORTION OF LOT 11 AND ALL OF LOT 12, BLOCK 9, NCB 712 TO WIT: FROM "H HS O-2 AHOD" LAVACA HISTORIC HISTORIC SIGNIFICANT HIGH-RISE OFFICE AIRPORT HAZARD OVERLAY DISTRICT TO "H HS IDZ AHOD" LAVACA HISTORIC HISTORIC SIGNIFICANT INFILL DEVELOPMENT AIRPORT HAZARD OVERLAY DISTRICT WITH USES PERMITTED IN "RM-4" RESIDENTIAL MIXED DISTRICT AND "O-1.5 S" MID-RISE OFFICE DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A ART STUDIO PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2011-01-20-0062

Item Z-7. **ZONING CASE # Z2011001 (District 3):** An Ordinance amending the Zoning District Boundary from "MR AHOD" Military Reserve Airport Hazard Overlay District to "C-2 NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District on Lots 1 and 2, Block 6, NCB 10879 located at 3803 and 3839 Lyster Road. Staff and Zoning Commission recommend approval. (Continued from December 16, 2010)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOTS 1 AND 2, BLOCK 6, NCB 10879 TO WIT: FROM "MR AHOD" MILITARY RESERVE AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 NA AHOD" COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT.

2011-01-20-0063

Item Z-8. **ZONING CASE # Z2011009 (District 3):** An Ordinance amending the Zoning District Boundary from "H MF-33 RIO-4 AHOD" Multi-Family Mission Historic River Improvement Overlay Airport Hazard Overlay District to "H C-3NA RIO-4 AHOD" General Commercial Nonalcoholic Sales Mission Historic River Improvement Overlay Airport Hazard Overlay District on a 55.132 acre tract of land out of NCB A-20 located on a portion of the 1100 Block of Mission 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: 55.132 ACRE TRACT OF LAND OUT OF NCB A-20 TO WIT: FROM "H MF-33 RIO-4 AHOD" MISSION HISTORIC MULTI-FAMILY RIO IMPROVEMENT OVERLAY AIRPORT HAZARD OVERLAY DISTRICT TO "H C-3NA RIO-4 AHOD" MISSION HISTORIC GENERAL COMMERCIAL NONALCOHOLIC SALES RIO IMPROVEMENT OVERLAY AIRPORT HAZARD OVERLAY DISTRICT.

2011-01-20-0064

Item Z-9. **ZONING CASE # Z2011023 (District 3):** An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "MH AHOD" Manufactured Housing Airport Hazard Overlay District on Lot 5 and Lot 6, Block 25, NCB 10907 located at 410 and 412 Esma 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 5 AND LOT 6, BLOCK 25, NCB 10907 TO WIT: FROM "R-4 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "MH AHOD" MANUFACTURED HOUSING AIRPORT HAZARD OVERLAY DISTRICT.

2011-01-20-0065

Item Z-10. **ZONING CASE # Z2011024 (District 3):** An Ordinance amending the Zoning District Boundary from "C-3" General Commercial District, "C-2" Commercial District, "MF-33" Multi-Family District and "PUD RM-4" Planned Unit Development Residential Mixed District to "RM-4" Residential Mixed District on 61.79 acres out of NCB 10847 located northwest of the intersection of Southeast Loop 410 and South WW White 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: 61.79 ACRES OUT OF NCB 10847 TO WIT: FROM "C-3" GENERAL COMMERCIAL DISTRICT, "C-2" COMMERCIAL DISTRICT, "MF-33" MULTI-FAMILY DISTRICT AND "PUD RM-4" PLANNED UNIT DEVELOPMENT RESIDENTIAL MIXED DISTRICT TO "RM-4" RESIDENTIAL MIXED DISTRICT.

2011-01-20-0066

Item P-2. **PLAN AMENDMENT #11006 (District 3):** An Ordinance amending the land use plan contained in the South Central San Antonio Community Plan, a component of the Master Plan of the City, by changing the use of a 1.4144 acre tract of land located at 431 and 507 East Mayfield Street from Low Density Residential land use to Public/Institutional land use. Staff and Planning Commission recommend approval. (Associated Zoning Case : Z2011026)

2011-01-20-0067

Item Z-11. **ZONING CASE # Z2011026 (District 3):** An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-1 AHOD" Light Commercial Airport Hazard Overlay District on Lots 12, 13, 14 and 15, Block 2, NCB 7830 and 0.731 of an acre out of NCB 8578 located at 431 and 507 East Mayfield. 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 12, 13, 14 AND 15, BLOCK 2, NCB 7830 AND 0.731 OF AN ACRE OUT OF NCB 8578 TO WIT: FROM "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "C-1 AHOD" LIGHT COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

2011-01-20-0068

Item Z-12. **ZONING CASE # Z2011029 CD (District 3):** An Ordinance amending the Zoning District Boundary 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 a Funeral Home or Undertaking Parlor on Lots 1, 2, 15, 20 and 21, Block 19, NCB 7685 located at 6108-6112 South Flores 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: LOTS 1, 2, 15, 20 AND 21, BLOCK 19, NCB 7685 TO WIT: 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 A FUNERAL HOME OR UNDERTAKING PARLOR PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2011-01-20-0069

Item P-3. **PLAN AMENDMENT #11004 (District 4):** An Ordinance amending the land use plan contained in the South Central San Antonio Community Plan, a component of the Master Plan of the City, by changing the use of a 0.5008 acre tract of land located at 363 West Mayfield Boulevard from Low Density Residential land use to Neighborhood Commercial land use. Staff recommends denial, Planning Commission recommends approval.

2011-01-20-0070

Item Z-13. **ZONING CASE # Z2011008 (District 4):** An Ordinance amending the Zoning District Boundary from "C-1 AHOD" Light Commercial Airport Hazard Overlay District to "MF-18 AHOD"

Multi-Family Airport Hazard Overlay District on 0.430 of an acre out of NCB 11268 located on the 7600 Block of Somerset 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: 0.430 OF AN ACRE OUT OF NCB 11268 TO WIT: FROM "C-1 AHOD" LIGHT COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT TO "MF-18 AHOD" MULTI-FAMILY AIRPORT HAZARD OVERLAY DISTRICT.

2011-01-20-0071

Item Z-14. **ZONING CASE # Z2011015 (District 5):** An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Lot 14 and the north 48.8 feet of Lot 2, Block 14, NCB 3883 located at 1102 Nogalitos 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 14 AND THE NORTH 48.8 FEET OF LOT 2, BLOCK 14, NCB 3883 TO WIT: FROM "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

2011-01-20-0072

Item Z-16. **ZONING CASE # Z2011025 (District 5):** An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-2 NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District on the north 89.3 feet of Lot 73 and Lot 74, Block 3, NCB 6389 located at 1124 North Zarzamora 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: THE NORTH 89.3 FEET OF LOT 73 AND LOT 74, BLOCK 3, NCB 6389 TO WIT: FROM "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 NA AHOD" COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT.

2011-01-20-0073

Item Z-17. **ZONING CASE # Z2011028 (District 5):** An Ordinance amending the Zoning District Boundary from "C-3 R AHOD" General Commercial Restrictive Alcohol Sales Airport Hazard Overlay District to "MF-18 AHOD" Multi-Family Airport Hazard Overlay District on Lots 7 and 8 and the South 62 feet of Lots 5 and 6, Block A, NCB 8651, save and except that part of Lots 5 and 6 conveyed to the State of Texas in Volume 1397, Page 356, Deed Records, Bexar County, Texas located at 4406 West Commerce 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: LOTS 7 AND 8 AND THE SOUTH 62 FEET OF LOTS 5 AND 6, BLOCK A, NCB 8651, SAVE AND EXCEPT THAT PART OF LOTS 5 AND 6 CONVEYED TO THE STATE OF TEXAS IN VOLUME 1397, PAGE 356, DEED RECORDS, BEXAR COUNTY, TEXAS TO WIT: FROM "C-3 R AHOD" GENERAL COMMERCIAL RESTRICTIVE ALCOHOL SALES AIRPORT HAZARD OVERLAY DISTRICT TO "MF-18 AHOD" MULTI-FAMILY AIRPORT HAZARD OVERLAY DISTRICT.

2011-01-20-0074

Item Z-18. **ZONING CASE # Z2011032 CD (District 5):** An Ordinance amending the Zoning District Boundary from "HS IDZ AHOD" Historic Significant Infill Development Zone Airport Hazard Overlay District with uses permitted in "MF-33" Multi-Family District and "NC" Neighborhood Commercial District to "HL IDZ AHOD" Historic Landmark Infill Development Zone Airport Hazard Overlay District with uses permitted in "MF-33" Multi-Family District and "C-2 CD" Commercial District with a Conditional Use for a Tattoo Parlor on Lot 6, Block 5, NCB 1675 located at 2340 South Presa 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 5, NCB 1675 TO WIT: FROM "HS IDZ AHOD" HISTORIC SIGNIFICANT INFILL DEVELOPMENT ZONE AIRPORT HAZARD OVERLAY DISTRICT WITH USES PERMITTED IN "MF-33" MULTI-FAMILY DISTRICT AND "NC" NEIGHBORHOOD COMMERCIAL DISTRICT TO "HL IDZ AHOD" HISTORIC LANDMARK INFILL DEVELOPMENT ZONE AIRPORT HAZARD OVERLAY DISTRICT WITH USES PERMITTED IN "MF-33" MULTI-FAMILY DISTRICT AND "C-2 CD" COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR A TATTOO PARLOR PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2011-01-20-0075

Item Z-19. **ZONING CASE # Z2011011 (District 6):** An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Lots 26, 27, 28, 29 and 30, NCB 10179 located on the 6100 Block of West Commerce 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: LOTS 26, 27, 28, 29 AND 30, NCB 10179 TO WIT: FROM "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

2011-01-20-0076

Item Z-21. **ZONING CASE # Z2011012 (District 7):** An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District on the east 34 feet of Lot 18 and the west 40 feet of Lot 19, Block 40, NCB 9600 located at 2607 and 2609 Cincinnati 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 EAST 34 FEET OF LOT 18 AND WEST 40 FEET OF LOT 19, BLOCK 40, NCB 9600 TO WIT: FROM "R-4 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "RM-4 AHOD" RESIDENTIAL MIXED AIRPORT HAZARD OVERLAY DISTRICT.

[CONSENT ZONING CONCLUDED]

INDIVIDUAL ZONING ITEMS (CONT.)

2011-01-20-0057

Item Z-2. **ZONING CASE # Z2011019 (District 10):** An Ordinance amending the Zoning District Boundary from "C-3 AHOD" General Commercial Airport Hazard Overly District, "MF-33 AHOD" Multi-Family Airport Hazard Overly District and "R-5 AHOD" Residential Single-Family Airport Hazard Overly District to "G AHOD" Golf Course Airport Hazard Overly District on 139.771 acres out of NCB 15837, NCB 15688, NCB 16738 (Northern Hills Country Club Subdivision), save and except Lots 1 through 15, Blk 1, NCB 15688; P-80 and P-81, NCB 15837; Lot 48, Blk 31, NCB 16738; and Lot 15, Blk 51, NCB 17193 located at 13202 Scarsdale. 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: 139.771 ACRES OUT OF NCB 15837, NCB 15688, NCB 16738 (NORTHERN HILLS COUNTRY CLUB SUBDIVISION), SAVE AND EXCEPT LOTS 1 THROUGH 15, BLK 1, NCB 15688; P-80 AND P-81. NCB 15837; LOT 48, BLK 31, NCB 16738; AND LOT 15, BLK 51, NCB 17193 TO WIT: FROM "C-3 AHOD" GENERAL COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT, "MF-33 AHOD" MULTI-FAMILY AIRPORT HAZARD OVERLAY DISTRICT AND "R-5 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "G AHOD" GOLF COURSE AIRPORT HAZARD OVERLAY DISTRICT.

Chris Looney stated that staff and the Zoning Commission recommended approval of Item Z-2. He reported that notices were sent to property owners within 200 feet, as well as the subject property owners. He noted that of 456 notices mailed, 50 responses had been returned in favor and 7 were returned in opposition. He added that the Northern Hills Homeowners Association was in favor of the zoning.

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

Paul Flaman, President of Northern Hills Management Corporation stated that he was opposed to the zoning and spoke of the importance of property rights and free enterprise. He noted that the Golf Designation was a downzoning and that only 1% of the residents were members of the Golf Club. He expressed concern that they had not been included in the process to create the new zoning and asked that the City Council deny the zoning request.

Ken Cooper, Attorney representing the Northern Hills Management Corporation spoke in opposition to the zoning. He expressed concern with the lack of notification and asked why the city could not work with the developer on lot sizes and requirements for multi-family development. He requested that the item be continued so that discussion can occur between the city and the developer.

Bebb Francis, Special Counsel to the Northern Hills Management Corporation also spoke in opposition to the zoning. He stated that the golf course had been zoned MF-33 for many years and expressed concern that the G Zoning had only been designed for this particular case. He further expressed concern with the notification process and asked that the City Council deny the request or continue it so that the developer can work with the city.

Mike Gallagher, President of the Northern Hills Homeowners Association stated that they were in support of the zoning and wanted to ensure that the golf course remained as such. He spoke of the importance of green space and expressed concern with the redevelopment of golf courses into industrial and commercial uses. He further expressed concern with the decrease in property values that would occur if the new zoning was not implemented. He noted that they had met with CPS Energy and the area could not handle additional utility requirements.

Bud Little expressed his support for the zoning change and stated that it was vital to keep the golf course as is since it was the only golf course located in District 10.

Carlton Soules spoke in support of the zoning change and expressed concern that the owner was intending to sell the property for multi-family use. He spoke of the issues it could cause for the school districts that would have to accommodate an increase in students.

Robert Wilmore spoke in support of the zoning and stated that golf courses were assets that raise property value. He noted that he pays higher property taxes by living on a golf course and that the zoning is not considered a downgrade.

Roger Martinez stated that he was a resident of Northern Hills and owned property adjacent to the golf course. He noted that he was aware that the club had lost a great amount of membership and he felt it was due to the limited uses of the facility. He mentioned that the golf course was a tremendous asset to District 10 and requested that the City Council approve the zoning request.

Jan Kirby stated that she and her husband had lived in the area for 10 years and she did not want her home to face apartments. She noted that she was a teacher and expressed concern with the negative impact that the schools would incur due to an increase of children that would move to the neighborhood. She mentioned that there were no funds to build additional schools or hire more teachers.

Ed Weitz spoke in favor of the zoning and stated that he had been a resident of Northern Hills for over 25 years. He added that he never envisioned that the deed restrictions that had been in place would expire. He noted that sufficient notice had been given to the residents and that the issue had been discussed at several meetings.

Anthony Atchens, representing Northeast Independent School District Superintendent, Dr. Middleton, spoke in support of the zoning. He stated that they were concerned with the potential impact to student enrollment if the property was converted to multi-family zoning.

John Corby stated that he was a resident of Northern Hills and had purchased numerous properties in the area due to the location of the golf course. He noted that developers should only develop multi-family units on those areas designated for same and not change the current use.

City Clerk Leticia M. Vacek reported that 15 written testimonies had been received in favor of the item.

Councilmember Clamp thanked everyone that came to speak on the item and asked if due process had occurred on the zoning case. City Attorney Michael Bernard stated that it was his understanding that notices had been sent in conformity with state statute and that requirements had been met. Councilmember Clamp asked of spot zoning. Mr. Bernard stated that this case would not be considered same since it was being designated as a golf course and had been used as such for many years. Councilmember Clamp stated that this should not come as a surprise to anyone that lives in Northern Hills or owns the Golf Course, and had been an issue before he became a Councilmember. He noted that preservation of neighborhoods was important to the City of San Antonio and that zoning was a right conferred by the city. He mentioned that revitalization would keep Northern Hills strong and vibrant and would do what was right for the over 5,000 residents and 1,700 homes. He added that the rezoning was needed so that residents can live and work in the area without fear of multi-family developments in their backyards.

Councilmember Clamp 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, Clamp, and Mayor Castro. **NAYS:** None. **ABSENT:** None.

Mayor Castro addressed Item Z-22 at this time.

2011-01-20-0077

Item Z-22. **ZONING CASE # Z2011004 ERZD (District 8):** An Ordinance amending the Zoning District Boundary from "R-6 MLOD-1" Residential Single-Family Military Lighting Overlay District and "R-6 ERZD MLOD-1" Residential Single-Family Edwards Recharge Zone Military Lighting Overlay District to "O-1 MLOD-1" Office Military Lighting Overlay District and "O-1 ERZD MLOD-1" Office Edwards Recharge Zone Military Lighting Overlay District on 2.243 acres out of P-26, NCB 14861 located on a portion of the 6900 block of West Hausman Road. Staff recommends denial. Zoning Commission recommends 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: 2.243 ACRES OUT OF P-26, NCB 14861 TO WIT: FROM "R-6 MLOD-1" RESIDENTIAL SINGLE-FAMILY MILITARY LIGHTING OVERLAY DISTRICT AND "R-6 ERZD MLOD-1" RESIDENTIAL SINGLE-FAMILY EDWARDS RECHARGE ZONE MILITARY LIGHTING OVERLAY DISTRICT TO "O-1 MLOD-1" OFFICE MILITARY LIGHTING OVERLAY DISTRICT AND "O-1 ERZD MLOD-1" OFFICE EDWARDS RECHARGE ZONE MILITARY LIGHTING OVERLAY DISTRICT.

Chris Looney presented Item Z-22 and stated that staff recommended denial while the Zoning Commission recommended approval. He reported that 10 notices had been mailed with three returned in favor and five returned in opposition. He noted that the Maverick Creek Homeowners Association was in support. He added that due to more than 20% opposition from the surrounding property owners, it would require nine votes for approval.

Mayor Castro called upon the individuals registered to speak.

Dr. Moises Rodriguez spoke in favor of the zoning request for his office and stated that it was challenging to find property in the area that met his requirements. He noted that he would be constructing a small, one-story office to continue treating children that was consistent with the Master Plan and North Sector Plan.

Michael DeNuccio spoke in opposition to the zoning request and stated that this was a small tract of land and primarily a residential area. He expressed concern that the area would not be cohesively developed and requested that the City Council deny same.

K. Grace Ramos addressed the Council and noted that she was the realtor for the parcel of land. She asked the City Council to support the rezoning.

Councilmember Williams stated that the rezoning request had been through a long process and asked if Mr. DeNuccio and his client had changed their support prior to the vote by the Zoning Commission. Mr. Looney replied that he was not aware of the exact time that their position changed but was aware that it had changed several times. Councilmember Williams confirmed that several properties in the surrounding area were designated as agricultural and that the two adjoining properties were vacant. Mr. Looney confirmed same. Councilmember Williams asked of the property being encompassed by substantial flood plain area. Mr. Looney replied that the flood plain issue was not significant to the specific nature of this property. Councilmember Williams spoke of the many apartments built along Hausman Road and asked if a traffic study had been performed. Mr. Looney stated that a traffic study was not required at this stage of the zoning. He noted that staff was concerned with the great amount of traffic along Hausman Road. Councilmember Williams stated that the Maverick Creek HOA and Woodthorn Subdivision HOA had submitted letters of support for the zoning.

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

Mayor Castro addressed Item Z-5 at this time.

2011-01-20-0061

Item Z-5. **ZONING CASE # Z2011022 HL (Districts 1 and 2):** An Ordinance amending the Zoning District Boundary to apply the "HL" Historic Landmark designation to all existing zoning districts on 31 properties generally bound by Interstate 35 to the north and northwest; Interstate 37 to the east and northeast; and Richmond Avenue, Auditorium Circle, Jefferson Street, and East Houston Street to the southwest. Staff and Zoning Commission recommend approval.

ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: TO WIT: FROM "D AHOD RIO-3" DOWNTOWN AIRPORT HAZARD OVERLAY RIVER IMPROVEMENT OVERLAY DISTRICT-3, "HE D AHOD RIO-3" HISTORIC EXCEPTIONAL DOWNTOWN AIRPORT HAZARD OVERLAY RIVER IMPROVEMENT OVERLAY DISTRICT-3, "FBZ T4-1 AHOD" FORM BASE ZONE TRANSECT ZONE 4-1 AIRPORT HAZARD OVERLAY DISTRICT, "FBZ T4-2 AHOD" FORM BASE ZONE TRANSECT ZONE 4-2 AIRPORT HAZARD OVERLAY DISTRICT, "FBZ T5-1 AHOD" FORM BASE ZONE TRANSECT ZONE 5-1 AIRPORT HAZARD OVERLAY DISTRICT, "FBZ T6-1 AHOD RIO-2" FORM BASE ZONE TRANSECT ZONE 6-1 AIRPORT HAZARD OVERLAY RIVER IMPROVEMENT OVERLAY DISTRICT-2, "FBZ T6-2 AHOD RIO-2" FORM BASE ZONE TRANSECT ZONE 6-2 AIRPORT HAZARD OVERLAY RIVER IMPROVEMENT OVERLAY DISTRICT-2, "FBZ SD-1 AHOD" FORM BASE ZONE SPECIALIZED DISTRICT-1 AIRPORT HAZARD OVERLAY DISTRICT, AND "FBZ SD-1 AHOD RIO-2" FORM BASE ZONE SPECIALIZED DISTRICT-1 AIRPORT HAZARD OVERLAY RIVER IMPROVEMENT OVERLAY DISTRICT-2 TO "HL D AHOD RIO-3" HISTORIC LANDMARK DOWNTOWN AIRPORT HAZARD OVERLAY RIVER IMPROVEMENT OVERLAY DISTRICT-3, "HL D AHOD RIO-3" HISTORIC LANDMARK DOWNTOWN AIRPORT HAZARD OVERLAY RIVER IMPROVEMENT OVERLAY DISTRICT-3, "HL FBZ T4-1 AHOD" HISTORIC LANDMARK FORM BASE ZONE TRANSECT ZONE 4-1 AIRPORT HAZARD OVERLAY DISTRICT, "HL FBZ T4-2 AHOD" HISTORIC LANDMARK FORM BASE ZONE TRANSECT ZONE 4-2 AIRPORT HAZARD OVERLAY DISTRICT, "HL FBZ T5-1 AHOD" HISTORIC LANDMARK FORM BASE ZONE TRANSECT ZONE 5-1 AIRPORT HAZARD OVERLAY DISTRICT, "HL FBZ T6-1 AHOD RIO-2" HISTORIC LANDMARK FORM BASE ZONE TRANSECT ZONE 6-1 AIRPORT HAZARD OVERLAY RIVER IMPROVEMENT OVERLAY DISTRICT-2, "HL FBZ T6-2 AHOD RIO-2" HISTORIC LANDMARK FORM BASE ZONE TRANSECT ZONE 6-2 AIRPORT HAZARD OVERLAY RIVER IMPROVEMENT OVERLAY DISTRICT-2, "HL FBZ SD-1 AHOD" HISTORIC LANDMARK FORM BASE ZONE SPECIALIZED DISTRICT-1 AIRPORT HAZARD OVERLAY DISTRICT, AND "HL FBZ SD-1 AHOD RIO-2" HISTORIC LANDMARK FORM BASE ZONE SPECIALIZED DISTRICT-1 AIRPORT HAZARD OVERLAY RIVER IMPROVEMENT OVERLAY DISTRICT-2.

Chris Looney presented Item Z-5 and stated that staff and the Zoning Commission recommended approval of the Historic Designations. He noted that they had mailed a total of 291 notices with 6 returned in opposition and none returned in favor.

Mayor Castro called upon the individuals registered to speak on Item Z-5.

Brother Peter Pontolillo stated that he was President of Central Catholic High School and requested that the City Council consider removing the St. Joseph Credit Union from the group being presented for historic designation. He noted that they intended to purchase the property as part of their Master Plan and this would create concerns in purchasing the property.

Councilmember Cisneros stated that she understood the concerns of Central Catholic and asked of the concerns brought forth by property owners when the Resolution for Historic Designation was approved in October. Shanon Wasielewski replied that anyone who spoke in opposition during the Resolution Phase was removed from the list. Councilmember Cisneros asked of the benefits of Historic

Designation. Ms. Wasielewski replied that there were local tax incentives associated with the Historic Designation. Councilmember Cisneros stated the exceptions by address to the Historic Landmark Designation as follows:

- 1100 Broadway
- 802 Brooklyn
- 515 Erie
- 702 Quincy

Councilmember Chan referred to the list in the Council packet that did not match the exceptions denoted by Councilmember Cisneros. Ms. Wasielewski stated that the process had occurred over the past year and that in some cases, there was opposition early on but had not received opposition since the public hearing process began. Councilmember Chan expressed concern that the most up-to-date attachment was not provided to the City Council. She also noted that the property located at 911 Quincy had previously expressed opposition.

Councilmember Cisneros moved to adopt the proposed Ordinance with the exception of the addresses listed above. Councilmember Cortez seconded the motion.

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

CONTINUED

Item Z-6. **ZONING CASE # Z2011027 (District 2):** An Ordinance amending the Zoning District Boundary from "I-2 EP-1 AHOD" Heavy Industrial Facility Parking/Traffic Control Airport Hazard Overlay District to "L EP-1 AHOD" Light Industrial Facility Parking/Traffic Control Airport Hazard Overlay District on Lots 1, 2, 3, 5 and 6, Block 7, NCB 1200 and Lots 10, 11, 12 and 13 and the south 60 feet of Lot 9, Block 1, NCB 1199 located at 2403, 2407, 2411, 2415, 2419, 2402, 2406, 2410, 2418 and 2422 Dignowity Street. Staff and Zoning Commission recommend approval.

Chris Looney presented Item Z-6 and stated that staff and the Zoning Commission recommended approval. He noted that of 35 notices mailed, 6 had been received in opposition and 11 responses were received in favor. He mentioned that no response had been received from the Government Hill Neighborhood Association. He added that due to 20% opposition from property owners within 200 feet, the case would require nine votes for approval.

Councilmember Taylor moved to continue Item Z-6 to February 17, 2011. Councilmember Chan seconded the motion.

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

CONTINUED

Item Z-15. **ZONING CASE # Z2011016 CD (District 5):** An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "MF-25" Multi-Family District and "C-2 CD"

Commercial District with a Conditional Use for a Auto and Light Truck Repair Facility on a 2.28 acre tract of land out Lot 19, NCB 2597 located at 2600 South Flores Street. Staff and Zoning Commission recommend approval.

Chris Looney presented Item Z-15 and stated that staff and the Zoning Commission recommended approval. He noted that of 45 notices mailed, 11 were returned in opposition and two were returned in favor. He mentioned that no response had been received from the Lone Star Neighborhood Association. He added that due to 20% opposition from property owners within 200 feet, the case would require nine votes for approval.

Councilmember Medina moved to continue Item Z-15 to February 17, 2011. Councilmember Rodriguez seconded the motion.

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

CONTINUED

Item Z-20. **ZONING CASE #Z2009165 HL (District 7):** An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "HL C-2 AHOD" Historic Landmark Commercial Airport Hazard Overlay District (previously known as Historic Significant) on the northeast 522 feet of Lot 6, NCB 8349 located at 3031 West Woodlawn Avenue. Staff and Zoning Commission recommend approval. (Continued from December 9, 2010.

Chris Looney presented Item Z-20 and stated that staff and the Zoning Commission recommended approval. He noted that of 10 notices mailed, one was received in opposition from the property owner and would require nine votes to approve.

Councilmember Rodriguez moved to continue Item Z-20 to February 17, 2011. Councilmember Cisneros seconded the motion.

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

Item 36. CITY MANAGER'S REPORT

A. VOLUNTEER INCOME TAX ASSISTANCE (VITA) PROGRAM

Assistant City Manager TC Broadnax reported on the VITA Program, noting that the City of San Antonio in collaboration with over 30 community organizations operated the program. He noted that free tax preparation was provided to families earning less than \$55,000 annual income. He reported that last year, \$73 million in refunds were provided to residents. He added that all 26 VITA Sites would be open beginning January 24, 2011 through April 18, 2011, with five mobile sites also operating this year.

B. FIRE DEPARTMENT UPDATE

Mr. Broadnax also reported that the Fire Department had implemented a Wellness Program to monitor the health and wellness of uniformed employees throughout their careers. He noted that the program would also help with the early detection of serious medical conditions. He outlined the staff of the program including a Dietician and Medical Technician and added that participation in the program was mandatory.

Mayor Castro stated that he was pleased that the VITA Program would again be operated in the city and commended the Fire Department on the Wellness Initiative. Councilmember Cisneros requested a complete list of VITA Sites and spoke of the great economic impact of the program. She also commended the Fire Department on the Wellness Initiative.

RECESSED

Mayor Castro recessed the meeting at 3:52 pm and announced that the meeting would resume at 5:30 pm for Ceremonials.

RECONVENED

Mayor Castro reconvened the meeting at 5:30 pm and addressed the Ceremonial Items.

CEREMONIALS

Mayor Castro presented a Proclamation in recognition of the 62nd Annual San Antonio Stock Show & Rodeo that will be held February 3-20, 2011, at the Freeman Coliseum/AT&T Center. It was noted that the San Antonio Livestock Exhibition, Inc. sponsors the event and provides scholarships, grants, endowments and other financial assistance to Texas Youth in agriculture programs.

Mayor Castro presented a Proclamation to the Cowboy Breakfast Foundation for their 33rd Annual Cowboy Breakfast that will be held on Friday, January 28, 2011 in the parking lot of Cowboys Dance Hall. It was noted that the Breakfast is the kickoff event for the rodeo season and is expected to draw over 40,000 people. It was also noted that the proceeds from the event will provide scholarships for students in the Culinary Art Program at St. Phillip's College.

Mayor Castro presented a Proclamation in honor of African American History Month which is celebrated around the world during the month of February to honor the history, accomplishments and contributions of African Americans. It was mentioned that during this month-long observance, public libraries, universities, military bases and places of worship will hold events and activities to remember how great the struggle for racial justice has been.

CITIZENS TO BE HEARD

Mayor Castro called upon the individuals registered to speak.

Nazirite Ruben Flores Perez addressed the Council and referenced several Bible passages.

Mark Perez addressed the Council and expressed concern with several businesses that were polluting the environment. He stated that said contamination would result in a higher prevalence of Diabetes in the community and asked why the City was not enforcing ordinances or following the proper permitting processes.

Rev. Richard Dukes addressed the Council and noted the unfairness in having John Sanders escorted out of the MLK, Jr. Festivities by law enforcement. He stated that Mr. Sanders should have been treated better, as he played a pivotal role in coordinating said event. He noted that he was embarrassed by the treatment toward Mr. Sanders and requested that Mr. Sanders be provided an apology.

Theresa Berlanga addressed the Council and spoke of the negative impact that payroll tax cuts would have on Social Security. She stated that the 2% cut would result in Social Security becoming dependent on General Fund Revenue and ultimately result in the demise of Social Security.

Eduardo Rodriguez addressed the Council and spoke on the Texas Veterans Leadership Program. He highlighted the history of the program, its goals, and service area. Lastly, Mr. Rodriguez requested support from the Council for said initiative.

Faris Hodge, Jr. expressed concern with Item #26 on the agenda related to changing the date of Ceremonial Recognitions and Citizens to be Heard. He noted that a Council Consideration Request Memo was not submitted. He stated that Airport and Park Police Officers were not being paid the same as San Antonio Police Officers and requested that City Employees be paid longevity pay. He noted that the Fire Department needed to hire more Blacks and that CPS Energy should stay open later to allow individuals to reconnect their utilities.

Nick Calzoncit spoke in opposition to changing Citizens to be Heard to Wednesdays and stated that he would submit an Open Records Request for notices informing individuals of said change. He spoke of the shooting tragedy that occurred in Arizona and reiterated the need for the City to create a Department on Peace. Lastly, he stated that he planned on submitting an Open Records Request seeking information regarding public channel access programming. He stated that he wanted to be sure that citizens were aware and subsequently receive everything they are entitled to receive.

ADJOURNMENT

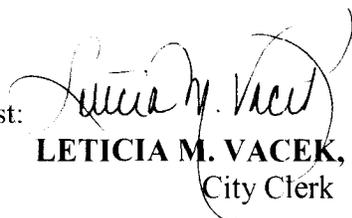
There being no further discussion, Mayor Castro adjourned the meeting at 6:29 pm.

APPROVED



JULIÁN CASTRO
MAYOR

Attest:



LETICIA M. VACEK, TRMC/CMC
City Clerk