

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

The San Antonio City Council convened in a Work Session at 2:00 pm Wednesday, **October 19, 2011**, Municipal Plaza Building with the following Councilmembers present: Bernal, Taylor, Ramos, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **ABSENT:** None.

1. BRIEFING ON THE CHINA ADVISORY SUBCOMMITTEE ACTION PLAN FOR STRENGTHENING TRADE, INVESTMENT, AND CULTURAL TIES BETWEEN SAN ANTONIO AND CHINA.

Rene Dominguez, Economic Development Director stated that San Antonio's strategic focus has been to develop a strong foundation on which to build community relationships. He noted past examples of relationships with Japan and Mexico. He reported that San Antonio has continued to diversify its strategic relationships with emerging markets around the world and is focusing on China. He added that the City of Wuxi has indicated an interest in the Riverwalk and other investment opportunities.

Mr. Dominguez stated that San Antonio's commitment to form stronger bonds with China had culminated in San Antonio's participation in the Shanghai World Expo in May, 2010. He noted that the delegation that attended the Expo established two friendship city agreements with the Cities of Wuxi and Suzhou. This momentum in the community led to the creation of the China Ad Hoc Committee which in turn created the China Advisory Subcommittee.

Mr. Dominguez spoke of the China Advisory Subcommittee, noting that it was a 20-member group consisting of city leadership, industry, medical, and academic representatives. He stated that they meet monthly to define strategic direction and meet with members of inbound Chinese Delegations. He noted that they had organized and co-hosted the *Building Business Opportunities for San Antonio: A Shanghai World Expo Report Seminar* and coordinated and executed a Culinary Exchange. He said that the China Advisory Subcommittee Members created a Strategic Action Plan to focus on: 1) Foreign Investment; 2) Export of Services; and 3) Exchanges – Sister City, Cultural, Tourism, and Educational.

Mr. Dominguez stated that the Foreign Investment Goal would be to attract Chinese Investment to assist San Antonio expand and grow its targeted industries and promote inner-city redevelopment. He outlined the three-prong approach to Promote; Target; and Market San Antonio. He noted that the Committee believes that there should be a greater focus on exporting professional services such as architects, attorneys, and engineers. He spoke of the importance of defining current service providers who do business in China and showcasing the "Expand your business to San Antonio" Seminar. In regard to Exchanges, he reported that they would like to identify culinary, film, and visual/performing arts exchange opportunities. He stated that they would look to develop international tourism through Friendship City Relationships with Wuxi and Suzhou and leverage existing educational exchange programs. He noted that their hope was to grow and diversify relationships with key cities to include Shanghai to promote San Antonio as an ideal business and investment destination in the United States. He added that the next trip to China would take place from November 5-13, 2011.

Mayor Castro referenced their trip to China last year and stated that he was impressed with the growth and urbanization of the Chinese Economy. He spoke of the great opportunities for US Cities to raise their profile in China and thanked the China Advisory Committee for their work.

Councilmember Chan thanked Mr. Dominguez for the presentation and recognized city staff for their work on economic development initiatives. She stated that the China Advisory Committee was recommending that Wuxi be considered a Sister City and spoke of the great opportunities that would be created through the collaboration. She indicated that their goal on the next trip to China would be to focus on the industry level and negotiate Sister City Agreements.

Mayor Castro thanked staff for the presentation.

EXECUTIVE SESSION

Mayor Castro recessed the meeting at 2:38 pm to convene in Executive Session for the purposes of:

- A. DELIBERATE THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY AND DISCUSS RELATED LEGAL ISSUES PURSUANT TO TEXAS GOVERNMENT CODE SECTIONS 551.072 (REAL PROPERTY) AND 551.071 (CONSULTATION WITH ATTORNEY).**
- B. DISCUSS LEGAL ISSUES RELATED TO REDISTRICTING, PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY).**
- C. DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS AND DISCUSS RELATED ISSUES PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.087 (ECONOMIC DEVELOPMENT).**

Mayor Castro reconvened the meeting at 4:30 pm at which time it was noted that the City Council had been briefed on the above-styled matters but took no action. He recessed the meeting at 4:30 pm and announced that the meeting would resume at 5:00 pm for Ceremonials.

CEREMONIALS

The Martin Luther King, Jr. Commission presented the members of their honorary Blue Ribbon Committee for the 25th Anniversary of the Martin Luther King, Jr. March. It was noted that the MLK Commission organizes the March and leads the community effort on various events paying tribute to Dr. King. This year's Commission Chairman is Art A. Hall and the 25th Anniversary March Theme is: Journey Beyond the March...Live Beyond the Dream...

CITIZENS TO BE HEARD

Mayor Castro called upon the individuals registered to speak.

Evan Bohl spoke in opposition to the proposed changes to Section 5 of the City Code regarding dangerous dogs. He referenced Section 5-79 which explains the difference between aggression and defense and expressed concern that defense of an innocent dog would be eliminated. He requested that the burden of the determination of a dog be placed on an impartial panel and not the Animal Care Services Staff. He asked why animals were being punished and not their owners. He stated that Section

5 in its entirety was confusing and that eliminating Section 5-79 would harm the efforts of becoming a "No Kill" City.

Jim Cisneros stated that his brother Roy had received the Texas Legislative Medal of Honor. He noted that a school had been named in his brother's honor and expressed concern that the Mayor or Councilmembers had not been in attendance at the dedication ceremony. He invited Mayor Castro to attend a ceremony in February in which the Cisneros Family will donate the medal to the elementary school in the Edgewood School District.

Karl Hammerschmidt addressed the City Council in opposition to the proposed revisions to the Panhandling Ordinance and asked that homeless individuals not be fined. He noted that there were many individuals that had experienced losses during the challenging economic conditions. He asked the City Council to vote no to the changes to the City Code.

Angie Garcia expressed concern with the senior centers that were being closed in District 7 including the St. Jude Center that was very much needed. She asked why the city was not taking care of the elderly and asked that an Ad Hoc Committee be created to address said issue. She added that as a representative of LULAC, she was responsible for taking care of seniors.

Henrietta LaGrange stated that she was a member of the Westside AARP and also expressed concern with the closing of senior centers. She noted that she had spoken with the affected seniors and they were devastated. She noted that the Archdiocese, City Representatives, and the community should work together to find a solution to help the seniors.

ADJOURNMENT

There being no further discussion, Mayor Castro adjourned the meeting at 6:30 pm.

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

Item 1. The Invocation was delivered by Fr. Jim Rutkowski, Pastor, St. Ann Catholic Church, guest of Councilmember Diego Bernal, District 1.

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

Item 3. MINUTES

Councilmember Bernal moved to approve the Minutes for the August 31, 2011 and September 1, 2011 City Council Meetings. Councilmember Ramos seconded the motion.

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

City Clerk Leticia M. Vacek stated that Item 11A would be considered by the City Council in its capacity as the City of San Antonio, Texas Municipal Finance Corporation Board of Directors.

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2011-10-20-0845

Item 4. AN ORDINANCE AUTHORIZING THE SAN ANTONIO WATER SYSTEM TO ASSUME AND CONTINUE OPERATION OF THE BEXAR METROPOLITAN WATER DISTRICT IN THE EVENT THE VOTERS APPROVE OF THE DISSOLUTION OF THE DISTRICT.

Steve Clouse, San Antonio Water System (SAWS) Senior VP and Chief Operating Officer provided information on BexarMet, noting that they had 92,800 connections that serve over 250,000 people. He stated that 60% of BexarMet Customers reside within the City's corporate limits and 70% of them are SAWS Sewer Customers. He reported that the Department of Justice had precleared the method of conducting an election on November 8, 2011 to dissolve BexarMet.

Mr. Clouse stated that the SAWS Board had awarded a contract with three firms to study infrastructure integration opportunities between SAWS and BexarMet. He indicated that the studies were essentially complete and that \$90 million in avoided capital costs had been identified. He provided a map of the infrastructure integration study areas, noting that 30 BexarMet Facilities could be decommissioned. He spoke of SAWS planning efforts for a drought of record from 2012-2020 and mentioned that water supplies of both BexarMet and SAWS would reach their lowest point in 2018 if the worst drought on record started now.

Mr. Clouse outlined the Special Project Ordinance and stated that Senate Bill 341 specifically allows for the creation of a Special Project. He reported that pursuant to all bond ordinances since SAWS was created, a Special Project can: 1) Manage and operate an independent system based on its own revenues and expenses; and 2) Protect the city's General Fund and SAWS' System Revenue Fund. He indicated that if the election to dissolve BexarMet was successful; it would be integrated into SAWS within five years. He noted that the Special Project Ordinance would establish the operation of the District as a separate financial entity within SAWS. He mentioned that they would assume the rights, duties, obligations, assets and liabilities of the BexarMet District and that the SAWS Board of Trustees would provide management, control and governance.

Mr. Clouse reported that the Special Project Ordinance was developed in collaboration with the SAWS Legal Department and Fulbright and Jaworski. He stated that they worked with the SAWS Finance Department, City Attorney's Office, and the City Finance Department and Public Utilities Office. He noted that SAWS recommends that the City Council approve the Special Project Ordinance.

Mayor Castro confirmed that there would be a five-year integration period and asked for information regarding the transition. Mr. Clouse replied that SAWS would set up a separate financial entity within SAWS for the sole purpose of keeping the assets and revenues separated. He stated that they were not proposing to lower BexarMet Rates but hoped to lessen the amount of increases projected. He added

that BexarMet Revenues would be utilized to connect pipelines and for infrastructure needs. Mr. Puente added that they would make the transition as smooth as possible.

Mayor Castro called upon the individuals registered to speak.

Nikki Kuhns addressed the City Council and stated that she was concerned due to the lack of attendance at the Oversight Committee Meetings. She noted that SAWS President Robert Puente had made campaign contributions to various legislators that had initiated the legislation for the dissolution of BexarMet. She referenced a Resolution approved by the City Council in 2001 that supported improved cooperation and coordination between SAWS and BexarMet and asked why that had not occurred. She mentioned a SAWS Board Meeting that she attended in which hydrofluorosilicic acid was not discussed and expressed concern that it was contaminated with arsenic. She requested a review and investigation of SAWS.

Bob Martin added his concern that BexarMet liabilities exceed their assets and does not want SAWS Customers to be liable for same.

Ruben Espronceda spoke in opposition to the dissolution of BexarMet and transition to SAWS. He requested that the City Council support the BexarMet Customers and reminded all that the SAWS Board of Trustees are appointed.

Richard Perez of the Greater San Antonio Chamber of Commerce stated that their board had taken action and was in support of the dissolution of BexarMet and transition of their assets to SAWS. He noted that having one united water system to protect the citizens of the community was the right thing to do.

George Alejos stated that he was a LULAC Advocate and opposed to the dissolution of BexarMet. He noted that he had met with various BexarMet Ratepayers and they did not have any complaints regarding their service. He mentioned that dissolving BexarMet would create a monopoly and asked of the true cost of the transition. He asked that the employees of BexarMet be taken into consideration.

Mayor Castro stated that BexarMet users would be given the opportunity to vote on the decision on the dissolution of BexarMet. He noted that the action taken today would provide SAWS the opportunity to prepare for the transition if approved by the voters.

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

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

The City Clerk read the following Ordinance:

2011-10-20-0846

Item 5. AN ORDINANCE AUTHORIZING THE CITY MANAGER TO DEVELOP AND ENTER INTO AN INTERLOCAL AGREEMENT WITH VIA METROPOLITAN TRANSIT AND BEXAR COUNTY IN WHICH THE CITY WOULD COMMIT TO FUNDING IN AN AMOUNT NOT TO

EXCEED \$40,000,000.00 FOR THE DEVELOPMENT OF VIA'S 5-YEAR STREETCAR AND TRANSIT IMPROVEMENT PLAN CONTINGENT UPON: 1) APPROVAL AND IMPLEMENTATION OF THE CITY'S EAST-NORTH STREETCAR MOBILITY; 2) THE CREATION, ESTABLISHMENT, AND APPROVAL OF A SPECIAL ASSESSMENT DISTRICT AND/OR PRIVATE SECTOR CONTRIBUTIONS THAT WOULD TOTAL AT LEAST \$15,000,000.00; 3) THE FINANCIAL CONTRIBUTION TO VIA'S TRANSIT PLAN FROM THE COUNTY OF AT LEAST \$55,000,000.00; 4) APPROVAL AND IMPLEMENTATION OF A DOWNTOWN BUS CIRCULATOR ROUTE BETWEEN THE FUTURE WESTSIDE MULTIMODAL CENTER AND THE ROBERT THOMPSON TRANSIT CENTER; AND, 5) DEVELOPMENT AND APPROVAL OF AN INTERLOCAL AGREEMENT WITH THE CITY OF SAN ANTONIO, BEXAR COUNTY, VIA AND ANY OTHER FUNDING ENTITIES REGARDING IMPLEMENTATION AND MANAGEMENT OF THE MULTIMODAL PLAN DEFINED WITHIN ITEMS 1 THROUGH 4 LISTED ABOVE.

Pat DiGiovanni, Deputy City Manager presented the proposed city commitment for VIA's Five-Year Transit Improvement Plan. He stated that the Plan consisted of \$180 million for six projects: 1) Westside Multimodal Center; 2) US 281 Park and Ride; 3) East-West Streetcar; 4) Robert Thompson Transit Station; 5) Brooks Transit Center; and 6) Downtown Amenities. He noted that VIA had provided an overview of their Long Range Plan and Five-Year Transit Improvement Plan at a B Session on September 28, 2011. He reported that Mayor Castro had presented an East-North Alternate Route with East-West bus circulator between the Westside Multimodal Center and Robert Thompson Transit Station.

Mr. DiGiovanni reported that no City 2012 Bond Funds and no City Advanced Transportation District Funds would be utilized toward the street car project. He indicated that City Staff recommends support of VIA's Five-Year Transit Improvement Plan up to \$40 million contingent upon: 1) Approval and implementation of the City's East-North alternate streetcar route or comparable providing East-North mobility; 2) Creation, establishment and approval of a Special Assessment District and/or private sector contributions totaling \$15 million; 3) Bexar County contribution of \$55 million toward the Plan; 4) Approval and implementation of a downtown circulator route between the Westside Multimodal Center and Robert Thompson Transit Center; and 5) Development and approval of an interlocal agreement among the City of San Antonio, VIA, Bexar County, and any other partner funding entities regarding implementation and management.

Mr. DiGiovanni provided an overview of Mayor Castro's proposed East-North Route, noting that the city has made significant public investment through incentives for commercial and housing development in the North-South Corridor. These investments total \$17.5 million and could leverage greater private sector investment with a streetcar route. He stated that the East-North Route includes elements of VIA's original proposed starter system. He outlined the Preliminary City Funding Schedule totaling \$40 million through FY 2016. He spoke of the downtown circulator route that would provide connectivity between the Westside Multimodal Center and the Robert Thompson Transit Center. He mentioned that the Bus Circulator would remove the transfer activity in the urban downtown area and fits in with the Bus Rapid Transit Plan. He added that there was no city commitment for a possible future South-West Streetcar.

Mayor Castro called upon the individuals registered to speak.

Margaret Day, representing the Sierra Club spoke in favor of the transit proposal and asked that the City Council take into account the following transportation objectives for the region: 1) Maintain investment of existing highway infrastructure; 2) A complete network of transportation options to address diversity of need; 3) Alternative means to meet transportation needs; 4) Expand funding for rail, fix existing rail infrastructure and develop high speed intercity passenger rail corridors; 5) Public transportation that serves the public need; 6) Modernize and reform with improved accountability; and 7) Use clean and efficient vehicles.

George Rodriguez addressed the City Council and stated that he was supportive of the bus circulator but opposed to light rail. He noted that the Plan was too expensive and expressed concern with the campaign contributions made by Henry Muñoz. He added that the City Council should wait to vote on said item until transportation studies were completed.

Bert Stark stated that the City Council should represent the citizens that elected them and asked how many Councilmembers had been in recent contact with their constituents. He also asked if the Councilmembers had studied the concept of rail in San Antonio.

Bob Martin of the Homeowner Taxpayer Association stated that in 2000, the voters of San Antonio had opposed light rail by a three-to-one margin. He stated that street cars run on rail and are very expensive. He referenced the street car line that operated in San Antonio from 1900-1933 and noted that they were replaced by traditional buses due to their high cost. He expressed concern with potential conflicts of interest with the firm performing the city's transportation study and asked why the city would fund streetcars before the downtown transportation study is complete.

Ruben Espronceda asked that City Council honor the vote of the people, noting the vote against light rail in 2000. He added that he does not believe that there is a difference between light rail and street cars.

Paul Jimenez representing the SA Hispanic Chamber of Commerce spoke in support of the city's commitment to VIA's Five-Year Transit Plan. He stated that they believe that transit projects can foster development and provide valued connections within the community. He thanked the City Council for their leadership and commitment to moving the plan forward.

Linda Chavez Thompson, VIA Board Member, stated that she was speaking on behalf of Tom Cummings, President of the Central Labor Council in support of the city's commitment to VIA's Five-Year Transit Plan. She noted that she had spent two years working on the plan and spoke of the jobs that would be created at VIA and in the construction industry.

Jon Kaplan stated that he was a former builder and developer and was opposed to the transportation plan. He noted that he had contacted the CATO Institute and read a response from Randy O'Toole in which the benefits of the Transit Plan do not exceed the costs. He added that he believed that the investment was too risky.

Richard Perez of the Greater San Antonio Chamber of Commerce introduced Denise Green, Chair of the Streetcar Task Force. Ms. Green thanked the individuals that met with the Streetcar Task Force and read the statement of policy adopted by the Greater Chamber Board of Directors in support of a downtown circulator system that incorporates streetcars. She stated that as the City, County and VIA move forward, the Chamber recommends: 1) The portion that consists of streetcars and routes be based on the recommendation of the city's independent economic analysis and VIA's alternative analysis; 2)

Establishment of an Interlocal Agreement among the City, County, and VIA regarding implementation; 3) Funding sources must not include 2012 Bond Funds or any other funding committed by the voters; and 4) Maximize private investment through direct contributions, special assessment districts and other funding mechanisms.

George Alejos stated that he was a private citizen speaking as an advocate of LULAC. He expressed concern that the new streetcar system would not be utilized by low-income families. He asked why input had not been solicited from citizens and asked of the benefits of the new system. He also asked the City Council not to invest in a futuristic system that would not benefit the city as a whole.

Gwen Robinson representing the Alamo City Black Chamber of Commerce stated that part of their goal was to promote services that contribute to economic development and growth of small, minority, and women-owned businesses in San Antonio. She noted that VIA's Transportation Plan would reinvigorate the urban core and help build the local economy. She commended the City Council for their willingness to invest in a long-term study of transportation in the region.

Fidel Castillo addressed the City Council and stated that his family was Native American and had been in the city for many years. He spoke in opposition to the new streetcar system, noting that the money would be better invested in transportation that utilizes natural gas. He commended VIA for their work and asked the City Council to do the right thing.

Ben Brewer of the Downtown Alliance spoke in support of the city's commitment to VIA's Five-Year Streetcar and Transit Improvement Plan. He mentioned that the concept of the rail streetcar was initially introduced in the 2007 River North Master Plan. He referenced a study conducted regarding the viability of a streetcar for the center city, noting that an economic impact analysis was recommended. He indicated that the economic impact analysis studied four routes and all exhibited positive economic impacts due to potential development. He added that the Downtown Alliance firmly believes that a streetcar system in the center city will result in mixed-use development with an emphasis on residential development.

Rhett Smith referenced a video on YouTube entitled "SA Tax Paupers" featuring Jeff Judson, an Engineer from Chicago. Mr. Judson speaks of the economic drain on a community when developing a streetcar system and notes that the ridership declines.

Richard Gambitta stated that he served as Chair of the Intracity Rail and Streetcar Commission designed to study the transportation plan. He expressed support for the plan and thanked the City Council for their leadership and support. He referenced federal funds in the amount of \$100 million that could be solicited by VIA for the future development of a multimodal system in San Antonio. He spoke of the benefits including economic development; improved public transportation; and development of choice, with sustainable neighborhoods.

Captain James Turner, USAF RET expressed support for the city's commitment to VIA's Five-Year Transit Improvement Plan. He spoke of the many individuals coming to San Antonio and stated that Downtown Developers were allies. He noted that he had a Master's Degree in Urban Planning and believed that Texas was the number one state in which to conduct business.

Jack M. Finger addressed the City Council and stated that he was opposed to the Five-Year Transit Improvement Plan. He noted that the cost was too high at \$90 million per mile and referenced the

decrease in ridership for similar transit systems in Houston and Dallas. He added that the city already operated trolleys which worked well because their routes could be changed if needed.

Councilmember Williams referenced Slide 11 and confirmed that the bus circulator stays intact regardless of the future streetcar project. He also confirmed that there was no city commitment for a possible future South-West Streetcar Project. Mr. DiGiovanni confirmed same. Councilmember Williams asked if the bus circulator was a permanent solution to downtown mobility. Keith Parker, VIA President and CEO, replied that it would be a permanent solution and anticipates it to be implemented several years before any rail project. Councilmember Williams asked of the Westside Multimodal Center and timeline for redevelopment. Mr. Parker replied that they would finalize the agreements with the City and County and anticipate construction to begin in the spring. He stated that they expected the groundbreaking for the Westside Multi Modal Center to occur in December, 2012.

Councilmember Williams asked of the plan for the Robert Thompson Transit Center. Mr. Parker stated that new routes will also be implemented in December, 2012. He indicated that their goal for all facilities was to improve the rider experience to include pleasant waiting conditions and efficient transfers for customers. Councilmember Williams referenced the Hwy 281 Park and Ride and Brooks Transit Center and asked of the advantage for buses. Mr. Parker indicated that they were working with the Texas Department of Transportation and hoped to include a transit advantage in their road improvements. He added that they were working on State Legislation to allow buses to travel on the shoulder lanes and would continue looking at improved technologies. Councilmember Williams stated that he was not sure if streetcars would bring forth economic development but would support the project.

Councilmember Taylor thanked the individuals that spoke on said item and recognized the staff for their efforts. She noted that the circumstances had changed since the vote on light rail in 2000 and that the current system was not sustainable. She spoke of the importance of finding a balance and providing a diversity of travel options for the entire community. She asked of the public input solicited by VIA on their long range transportation plan. Mr. Parker replied that they had been working on the effort for over two years and public meetings were held in each of the council districts. Councilmember Taylor asked of the Downtown Transportation Study. Mr. DiGiovanni replied that the study was being conducted by Pape Dawson Engineers and was multifaceted. He stated that the goals were to improve access to and from the Downtown Area; improve connections to adjacent neighborhoods; and provide multimodal options. Mike Frisbie added that they hoped to identify a new design standard for each street in the Downtown Area and was not intended to define the streetcar project in any way. Councilmember Taylor stated that she was excited about moving forward and would be supportive of the item.

Councilmember Lopez thanked everyone that came to speak on said item and stated that he appreciated all views. He noted that education and transportation were two priorities that emerged from SA 2020 and that it was important to take action now. He asked of the connection to the deep Westside, specifically from the Park and Ride on Military Drive into the Downtown Area. Mr. Parker responded that they would be working on all of the connections once financial agreements were in place.

Councilmember C. Medina asked of the connection between the bus circulator and Bus Rapid Transit (BRT). Mr. Parker replied that they work hand in hand and that the BRT would travel along Fredericksburg Road; stop at the Westside Multimodal Center; and become the circulator service. He mentioned a \$3 million grant received to extend the BRT into Leon Valley. Councilmember C. Medina thanked everyone for their efforts.

Councilmember Bernal asked of the donations that will be made by the private sector. Mr. DiGiovanni replied that the plan was to create a Special Assessment District or expand the current boundaries of the Public Improvement District. He stated that they would also solicit private contributions toward the project. Councilmember Bernal expressed support for the plan noting that this was the right time to move forward. He indicated that the transportation plan provided options and connectivity and would make San Antonio a world class city.

Councilmember Soules stated that he was supportive of the downtown circulator but expressed concern with the streetcar plan. He asked if implementing the East-West Route was the best use of funds if it would be in competition with the bus circulator. He noted that he would like for the Broadway Route to reach the Witte Museum or University of the Incarnate Word as originally planned.

Councilmember Saldaña asked of the East-West Circulator. Mr. Parker explained that they hoped to implement Phase I of the Westside Multimodal and Robert Thompson Centers with connection to the Downtown Circulator by December, 2012. He reported that the vehicles had been ordered and would be awarding construction contracts for the centers within 60 days. He stated that individuals could park at the Westside Multimodal Center and catch a bus to downtown in an efficient manner. Councilmember Saldaña stated that he was pleased that there would be direct connectivity to downtown.

Councilmember Ramos stated that she had been working on the Brooks Transit Center since 2005 and expressed concern with the length of time for the project to come to fruition. She asked of the inclusion of the Southside in the transportation plan. Mr. Parker replied that he would work with the VIA Board to identify funding for completion of the South-West Streetcar Plan which was a third of a mile in length. Councilmember Ramos asked of the rate increases that would be needed for the East-West Circulator. Mr. Parker responded that as it relates to fares, they assumed a 10-cent increase or the cost of inflation every two years. Councilmember Ramos stated that she would endorse the plan even though she had some reservations and requested that funding for the South-West Route be identified as soon as possible.

Mayor Castro stated that he was confident that the proposed plan for transit will be successful and recognized everyone that worked on the plan. He noted that mass transit was very important to the future of the city and that the multi-investment plan will meet the needs across the city. He mentioned that the proposed plan is balanced among the entities that will bear the funding responsibility and spoke of the great economic impact. He stated that investing in transit and revitalizing the urban core of the city were important elements of SA 2020. He added that VIA has been very efficient and that a balanced transportation plan is progress for the city.

Councilmember Williams moved to adopt the proposed Ordinance. Councilmember Taylor seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Ramos, Saldaña, Lopez, C. Medina, Williams, Chan, and Mayor Castro. **NAY:** Soules. **ABSENT:** D. Medina.

RECESSED

Mayor Castro recessed the meeting at 12:11 pm to break for lunch and announced that the meeting would resume at 2:00 pm.

RECONVENED

Mayor Castro reconvened the meeting at 2:00 pm and addressed the Zoning Items.

CONSENT ZONING ITEMS

Councilmember Ramos moved to approve the following Zoning Items: P-1(A-E), Z-1, Z-5, and Z-7 under Consent Zoning. Councilmember Bernal seconded the motion.

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

Jack M. Finger spoke in opposition to the request for an alcohol variance in Item 38 because of its close proximity to a school. He spoke against Items P-2 and Z-2, noting that the storage units were not compatible with the neighborhood and staff recommended denial.

Patricia Burton spoke in support of Item Z-5 and thanked the Westside Development Corporation for their assistance. She also recognized Councilmember Saldaña and city staff for their assistance with said item.

Written testimony was received from Gabriel Sanchez, President of the Tobin Hill Community Association in support of Item P-1(D).

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

Item P-1. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATED TO THE ADOPTION OF THE MIDTOWN BRACKENRIDGE PLAN AS A SUPPLEMENT TO FIVE EXISTING NEIGHBORHOOD PLANS.

2011-10-20-0877

- A. **PLAN AMENDMENT #11054 (District 2):** AN ORDINANCE AMENDING THE GOVERNMENT HILL NEIGHBORHOOD PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY ADDING THE MIDTOWN BRACKENRIDGE PLAN AS A SUPPLEMENT TO THE NEIGHBORHOOD PLAN AND AMENDING THE LAND USE PLAN BY CHANGING THE USE OF MULTIPLE PARCELS OF LAND LOCATED WITHIN AN AREA BOUND BY EAST JOSEPHINE STREET TO THE NORTH, IH-35 TO THE SOUTH, NORTH HACKBERRY STREET TO THE EAST, AND BROADWAY TO THE WEST FROM NEIGHBORHOOD COMMERCIAL LAND USE AND PUBLIC/ INSTITUTIONAL LAND USE TO MIXED USE LAND USE AND LOW DENSITY MIXED USE LAND USE. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL.

2011-10-20-0878

- B. **PLAN AMENDMENT #11055 (District 2, 9):** AN ORDINANCE AMENDING THE MAHNCKE PARK NEIGHBORHOOD PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY ADDING THE MIDTOWN BRACKENRIDGE PLAN AS A

SUPPLEMENT TO THE NEIGHBORHOOD PLAN AND AMENDING THE LAND USE PLAN BY ADDING A LOW DENSITY MIXED USE LAND USE CLASSIFICATION, UPDATING THE EXISTING TEXT IN THE LAND USE PLAN SECTION, AND CHANGING THE USE OF MULTIPLE PARCELS OF LAND LOCATED WITHIN AN AREA BOUND BY BURR ROAD TO THE NORTH, BRACKENRIDGE AVENUE TO THE SOUTH, NORTH NEW BRAUNFELS AVENUE, CATALPA, BELLVIEW, MILTON, MARGARET, AND NORTH PINE STREETS TO THE EAST, AND BROADWAY AND AVENUE B TO THE WEST FROM NEIGHBORHOOD COMMERCIAL LAND USE TO MIXED USE LAND USE AND LOW DENSITY MIXED USE LAND USE. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL.

2011-10-20-0879

- C. **PLAN AMENDMENT #11056 (District 2, 9):** AN ORDINANCE AMENDING THE RIVER ROAD NEIGHBORHOOD PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY ADDING THE MIDTOWN BRACKENRIDGE PLAN AS A SUPPLEMENT TO THE NEIGHBORHOOD PLAN. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL.

2011-10-20-0880

- D. **PLAN AMENDMENT #11057 (District 1, 2):** AN ORDINANCE AMENDING THE TOBIN HILL NEIGHBORHOOD PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY ADDING THE MIDTOWN BRACKENRIDGE PLAN AS A SUPPLEMENT TO THE NEIGHBORHOOD PLAN. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL.

2011-10-20-0881

- E. **PLAN AMENDMENT #11058 (District 2):** AN ORDINANCE AMENDING THE WESTFORT ALLIANCE NEIGHBORHOOD PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY ADDING THE MIDTOWN BRACKENRIDGE PLAN AS A SUPPLEMENT TO THE NEIGHBORHOOD PLAN AND AMENDING THE LAND USE PLAN BY ADDING A LOW DENSITY MIXED USE LAND USE CLASSIFICATION, UPDATING THE EXISTING TEXT IN THE LAND USE PLAN SECTION, AND CHANGING THE USE OF MULTIPLE PARCELS OF LAND LOCATED WITHIN AN AREA BOUND BY EAST MULBERRY AVENUE TO THE NORTH, BRAHAN BOULEVARD TO THE SOUTH, MARGARET STREET, NORTH PINE STREET, AND HAYWOOD AVENUE TO THE EAST, AND BROADWAY TO THE WEST FROM NEIGHBORHOOD COMMERCIAL LAND USE TO MIXED USE LAND USE AND LOW DENSITY MIXED USE LAND USE. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL.

2011-10-20-0882

Item Z-1. **ZONING CASE # Z2011184 (District 3):** An Ordinance amending the Zoning District Boundary from "C-2NA" Commercial Nonalcoholic Sales District to "R-6" Residential Single-Family District on Lot 1, Block 2, NCB 7521, save and except that portion conveyed to the City of San Antonio in Volume 4752, Page 172, Real Property Records of Bexar County located at 1702 Rigsby Avenue. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 1, BLOCK 2, NCB 7521, SAVE AND EXCEPT THAT PORTION CONVEYED TO THE CITY OF SAN ANTONIO IN VOLUME 4752, PAGE 172, REAL PROPERTY RECORDS OF BEXAR COUNTY TO WIT: FROM "C-2NA" COMMERCIAL NONALCOHOLIC SALES DISTRICT TO "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT.

2011-10-20-0885

Item Z-5. **ZONING CASE # Z2011124 S (District 6):** An Ordinance amending the Zoning District Boundary from "C-3R AHOD" General Commercial Restrictive Alcohol Sales Airport Hazard Overlay District to "C-3NA S AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Specific Use Authorization for a Contractor Facility on Lot 161, NCB 8237 located at 539 Old Highway 90 West. Staff recommends approval. Zoning Commission recommendation pending the October 18, 2011 public hearing.

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 161, NCB 8237 (0.4003 ACRES) TO WIT: FROM "C-3R AHOD" GENERAL COMMERCIAL RESTRICTIVE ALCOHOL SALES AIRPORT HAZARD OVERLAY DISTRICT TO "C-3NA S AHOD" GENERAL COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A CONTRACTOR FACILITY PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2011-10-20-0887

Item Z-7. **ZONING CASE # Z2011175 (District 8):** An Ordinance amending the Zoning District Boundary from "R-6 AHOD MSAO MLOD" Residential Single-Family Airport Hazard Overlay Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay District to "O-1 AHOD MSAO MLOD" Office Airport Hazard Overlay Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay District on Parcel 12, NCB 34725 located at 6912 Camp Bullis Road. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: PARCEL 12, NCB 34725 TO WIT: FROM "R-6 AHOD MSAO-1 MLOD-1" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY CAMP BULLIS MILITARY SOUND ATTENUATION OVERLAY CAMP BULLIS MILITARY LIGHTING OVERLAY DISTRICT TO "O-1 AHOD MSAO MLOD" OFFICE AIRPORT HAZARD OVERLAY CAMP BULLIS MILITARY SOUND ATTENUATION OVERLAY CAMP BULLIS MILITARY LIGHTING OVERLAY DISTRICT.

[CONSENT ZONING CONCLUDED]

INDIVIDUAL ZONING ITEMS

The City Clerk read the following Ordinance:

2011-10-20-0875

Item 38. AN ORDINANCE WAIVING THE REQUIREMENTS OF SECTIONS 4-6(C), 4-6 (D)(6), AND 4-6(E)(1) OF THE CITY CODE AND AUTHORIZING A VARIANCE REQUEST TO SELL ALCOHOLIC BEVERAGES WITHIN THREE HUNDRED FEET OF THE NORTH EAST ALTERNATIVE CENTER, A PUBLIC EDUCATIONAL INSTITUTION LOCATED IN COUNCIL DISTRICT 1.

John Jacks stated that they had received an application for a variance to sell alcohol within 300 feet of a school property line and waiver of the requirements of Sections 4-6(C), 4-6(D)(6), and 4-6(E)(1) of the City Code. He noted that the property was located at 126 W. Rector Street, Suite 136. He added that staff recommended approval with the following conditions: 1) The variance shall not transfer to future property owners or to different uses; 2) The variance shall terminate in the event of non-operation or non-use of the identified use for 12 or more successive calendar months; and 3) The variance shall apply only to 126 W. Rector Street, Suite 136.

Councilmember Bernal stated that the building was previously known as Bar 11 and located next to Joseph's Mens Store across from North Star Mall. He noted that this was not a new facility and that he had not received any concerns from the community.

Councilmember Bernal moved to adopt the proposed Ordinance. Councilmember Taylor seconded the motion.

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

2011-10-20-0876

Item 39. AN ORDINANCE CORRECTING THE FIELD NOTES PREVIOUSLY FILED WITH ORDINANCE NO. 42304, APPROVED JUNE 7, 1973, WHICH AMENDED CHAPTER 42 OF THE CITY CODE BY REZONING 12.482 ACRES OF LAND OUT OF NCB 11672 FROM TEMPORARY "R-1" SINGLE-FAMILY RESIDENCE DISTRICT TO "B-2" BUSINESS DISTRICT.

John Jacks reported that staff was correcting a mistake that was made in 1973 when incorrect field notes were attached to Ordinance No. 42304.

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

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

Items P-2 and Z-2 were addressed at this time.

2011-10-20-0883

Item P-2. **PLAN AMENDMENT #11032 (District 4):** AN ORDINANCE AMENDING THE LAND USE PLAN CONTAINED IN THE UNITED SOUTHWEST COMMUNITIES PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF A 9.066 ACRE TRACT OF LAND LOCATED AT 8331 SW LOOP 410 FROM LOW DENSITY RESIDENTIAL LAND USE AND COMMUNITY COMMERCIAL LAND USE TO REGIONAL COMMERCIAL LAND USE. STAFF RECOMMENDS DENIAL. PLANNING COMMISSION RECOMMENDS APPROVAL. (ASSOCIATED ZONING CASE: #Z2011117 S)

2011-10-20-0884

Item Z-2. **ZONING CASE # Z2011117 S (District 4):** An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-3 S AHOD" General Commercial Airport Hazard Overlay District with a Specific Use Authorization for Storage-Outside (Screening from Public ROWs and Adjacent Property Required) on Parcel 74D, NCB 15248 located at 8331 S. W. Loop 410. Staff recommends denial. Zoning Commission (8-0) recommends approval pending the plan amendment. (Continued from September 15, 2011)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: PARCEL 74D, NCB 15248 TO WIT: FROM "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "C-3 NA S AHOD" GENERAL COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR STORAGE-OUTSIDE (SCREENING FROM PUBLIC ROWS AND ADJACENT PROPERTY REQUIRED) PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

Chris Looney stated that Item P-2 would amend the land use plan contained in the United Southwest Communities Plan. He noted that staff recommended denial and the Planning Commission recommended approval. He indicated that for Item Z-2, staff recommended denial and the Zoning Commission recommended approval pending the Plan Amendment. He added that of 28 notices mailed; none were received in opposition and one was received in favor from the subject property owner.

Councilmember Saldaña moved to adopt Items P-2 and Z-2 with the amendment that it be designated for Non-Alcoholic Sales. Councilmember Bernal seconded the motion.

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

Items P-3, Z-3, and Z-4 were addressed concurrently at this time.

CONTINUED TO NOVEMBER 3, 2011

Item P-3. **PLAN AMENDMENT #11050 (District 1, 3, 4, 5):** 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 ADDING THE MIXED RESIDENTIAL DISTRICTS AND RESIDENTIAL SINGLE FAMILY DISTRICTS (EXCEPT R-5, R-

6, AND R-20), AS RECOMMENDED BASE ZONING DISTRICTS, TO THE MIXED USE AND TRANSIT ORIENTED DEVELOPMENT LAND USE CATEGORIES. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL. (ASSOCIATED ZONING CASE: #Z2011171)

CONTINUED TO NOVEMBER 3, 2011

Item Z-3. **ZONING CASE # Z2011171 (District 5):** An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-3 AHOD" Residential Single-Family Airport Hazard Overlay District on the south 75 feet of CIR 1 part of A8, NCB 2569 located at 301 Clay Street. Staff and Zoning Commission recommend approval, pending plan amendment.

CONTINUED TO NOVEMBER 3, 2011

Item Z-4. **ZONING CASE # Z2011187 (District 5):** An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 IDZ AHOD" Commercial Infill Development Zone Airport Hazard Overlay District on Lot 23, Block 10, NCB 2249 located at 407 North Zarzamora. Staff and Zoning Commission recommend approval.

Councilmember Ramos moved to continue Items P-3, Z-3, and Z-4 to November 3, 2011. Councilmember Bernal seconded the motion.

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

Item Z-6 was addressed at this time.

2011-10-20-0886

Item Z-6. **ZONING CASE # Z2011186 S (District 8):** An Ordinance amending the Zoning District Boundary from "MF-33 AHOD" Multi Family Airport Hazard Overlay District to "C-2NA S AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Specific Use Authorization for a Hospital on the southwest 315 feet of the west 310 feet of Lot 40, Block 1, NCB 12811 (also known as 2.241 acres out of NCB 12811) located at 1975 Babcock 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: THE SOUTHWEST 315 FEET OF THE WEST 310 FEET OF LOT 40, BLOCK 1, NCB 12811 (ALSO KNOWN AS 2.241 ACRES OUT OF NCB 12811) TO WIT: FROM "MF-33 AHOD" MULTI FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 NA S AHOD" COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A HOSPITAL PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

John Jacks stated that staff and the Zoning Commission recommended approval of Item Z-6. He reported that of 12 notices mailed; one was returned in favor and none were returned in opposition. He added that no response was received from the Dream Hill Estates Neighborhood Association.

Councilmember Williams moved to adopt the proposed Ordinance with an amendment to authorize an eight-foot tall fence along the side and rear property lines in accordance with Section 35-514(d)(2)D of the Unified Development Code. Councilmember Chan seconded the motion.

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

Item 37. CITY MANAGER'S REPORT

A. SAN ANTONIO POLICE DEPARTMENT UPDATE

Ms. Sculley reported that the grand opening for the new Foot and Bike Patrol Facility located in the Riverbend Garage on Commerce Street was held on October 13, 2011. She stated that the Downtown Bicycle Unit was staffed with 52 Officers and provided a safe and friendly environment in the Downtown Area. She provided a status on Officer Michael Thornton who was struck by a drunk driver in January. She noted that he had received a prosthetic leg and after rehabilitation; returned to duty last weekend. She thanked him for his dedication to the community.

B. ANIMAL CARE SERVICES UPDATE

Ms. Sculley spoke of the improvements that had been made within the Animal Care Services (ACS) Department including a partnership with the Humane Society to increase the live release rate. She reported that since the Pilot Program was implemented on October 1, 2011, the Humane Society had taken in 100 animals. She mentioned the Pet Ex Program that would be launched by ACS which would deliver animals to their rescuers on Sunday afternoons. She added that the program will get animals out of the facility faster which will free up kennel space for more animals.

C. LIGHT THE NIGHT EVENT

Ms. Sculley also reported that the city would be participating in the Leukemia and Lymphoma Society's Light the Night Walk on October 22, 2011 for the first time. She noted that the event would be held at HemisFair Park and included a two-mile walk through the park. She added that 21 city teams had collected more than \$15,000 and anticipated more than 10,000 individuals to participate in the event. She recognized Chris Callanen, Assistant to the City Council for serving as Chair of the event for City Employees.

Mayor Castro thanked Ms. Sculley for the updates and stated that he was appreciative of Officer Thornton's efforts in the community.

CONSENT AGENDA ITEMS 6-21

Consent Agenda Items 13, 14, 24, and 36 were pulled for Individual Consideration. Mayor Castro announced that Items 11A, 11B, 19A, 19B, 25, 26A and 26B were pulled from the agenda by staff.

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

Mayor Castro called upon Jack M. Finger to speak on the Consent Agenda.

Jack Finger stated that he was opposed to the City Code Chapter 5 Amendments in Item 24. He asked how mistakes by Animal Care Officers would be addressed and noted that people had property rights. He expressed concern with the lawsuit settlements in Items 29 and 30, noting that the city was not at fault in Item 29.

Written testimony was received in opposition to the City Code Chapter 5 Amendments in Item 24 from the following individuals: Venetia DuBose, Deanna Lee, Jan Suche Nevitt, John Bachman, and Evan A. Bohl.

Faris Hodge, Jr. submitted written testimony in favor of Items 4, 6-8, 12-17, 20-22, 27, 28, and 33-36. He wrote that the ergonomic task chairs in Item 11 were a waste of money and that the city should not give any more money to the Alameda (Item 19). He wrote in opposition to Items 23, 25, and 26 and submitted neutral testimony for Items 5, 9, 10, 18, 24, 30, and 32. He asked of the composition of the San Antonio Martin Luther King, Jr. Commission and how the bylaws were approved.

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

2011-10-20-0847

Item 6. AN ORDINANCE AUTHORIZING THE CITY TO UTILIZE A COOPERATIVE CONTRACT WITH MUSCO SPORTS LIGHTING, LLC, TO PROVIDE THE CAPITAL IMPROVEMENTS MANAGEMENT SERVICES DEPARTMENT WITH INSTALLATION OF AN ENERGY SAVING LIGHTING SYSTEM FOR THE EDISON HIGH SCHOOL WALKING TRAIL FOR A TOTAL COST OF \$155,500.00; FUNDING IS AVAILABLE FROM THE HOUSING AND URBAN DEVELOPMENT (HUD) 108 GRANT.

2011-10-20-0848

Item 7. AN ORDINANCE ACCEPTING THE BID FROM COOPER EQUIPMENT COMPANY, FREIGHTLINER OF SAN ANTONIO, LTD., GRANDE TRUCK CENTER, AND RDO EQUIPMENT COMPANY TO PROVIDE THE PARKS AND RECREATION, PUBLIC WORKS, AND SOLID WASTE MANAGEMENT DEPARTMENTS WITH 30 MEDIUM AND HEAVY DUTY TRUCKS AND TRAILERS FOR A TOTAL COST OF \$3,061,540.29, FUNDED BY THE EQUIPMENT RENEWAL AND REPLACEMENT FUND.

2011-10-20-0849

Item 8. AN ORDINANCE ACCEPTING THE BID FROM LABOIT INC. TO PROVIDE A MOBILE PET ADOPTION VEHICLE TO SUPPORT THE ANIMAL CARE SERVICES DEPARTMENT (ACS) AND THE CITY-WIDE MOBILE ADOPTION INITIATIVE FOR A TOTAL COST OF

\$112,700.00, FUNDED WITH THE 2011 PETCO FOUNDATION GRANT OF \$55,000.00 AND THE ANIMAL CARE SERVICES DONATION FUND.

2011-10-20-0850

Item 9. AN ORDINANCE AUTHORIZING THE FOLLOWING CONTRACTS ESTABLISHING UNIT PRICES FOR ANNUAL GOODS AND SERVICES: (A) POPPE AUTOMOTIVE WAREHOUSE, INC. FOR AUTO & LIGHT DUTY TRUCK DRUMS & BRAKE PARTS, (B) VERICLEAN JANITORIAL SERVICES FOR JANITORIAL SERVICES FOR MARKET SQUARE AND (C) GLOBAL TECHNOLOGY SYSTEMS, DBA HONEYWELL BATTERIES FOR TWO-WAY RADIO BATTERIES AND CHARGERS.

2011-10-20-0851

Item 10. AN ORDINANCE AUTHORIZING THE CITY TO AMEND ORDINANCE 2009-11-19-0904 TO CONTINUE TO UTILIZE THE STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR) CONTRACTS TO PROVIDE THE CITY WITH THE FOLLOWING TECHNOLOGY SERVICES AND EQUIPMENT FOR AN ADDITIONAL AMOUNT OF UP TO \$28.9 MILLION FOR COMPUTERS, NETWORK EQUIPMENT, PROFESSIONAL AND TECHNICAL SERVICES, SOFTWARE, TELECOMMUNICATION SERVICES, AS WELL AS MAINTENANCE AND SUPPORT.

ITEMS 11A AND 11B – PULLED FROM THE AGENDA BY STAFF

Item 11. CONSIDERATION OF THE FOLLOWING ITEMS RELATING TO THE CITY'S FIRE AND POLICE EMERGENCY DISPATCH CENTER FACILITY, A MUNICIPAL FACILITIES CORPORATION REVENUE BOND FUNDED PROJECT:

- A. A RESOLUTION OF THE CITY OF SAN ANTONIO TEXAS MUNICIPAL FACILITIES CORPORATION AUTHORIZING THE CITY TO UTILIZE A COOPERATIVE CONTRACT WITH ERGOGENESIS, LLC TO PROVIDE AND INSTALL 100 ERGONOMIC TASK CHAIRS FOR THE NEWLY CONSTRUCTED CITY OF SAN ANTONIO EMERGENCY DISPATCH CENTER FOR A TOTAL COST OF \$72,098.31.

- B. AN ORDINANCE AUTHORIZING THE CITY TO UTILIZE A COOPERATIVE CONTRACT WITH ERGOGENESIS, LLC TO PROVIDE AND INSTALL 100 ERGONOMIC TASK CHAIRS FOR THE NEWLY CONSTRUCTED CITY OF SAN ANTONIO EMERGENCY DISPATCH CENTER FOR A TOTAL COST OF \$72,098.31.

2011-10-20-0852

Item 12. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT IN AN AMOUNT OF \$6,545,449.80 WITH YANTIS COMPANY FOR PHASE III OF THE RUNWAY 03/21 PROJECT, AN AUTHORIZED FEDERAL AVIATION ADMINISTRATION GRANT AND PASSENGER

FACILITY CHARGES FUNDED PROJECT, AT THE SAN ANTONIO INTERNATIONAL AIRPORT.

2011-10-20-0855

Item 15. AN ORDINANCE AUTHORIZING THE ACQUISITION OF FEE SIMPLE TITLE TO A PARCEL OF PRIVATELY OWNED REAL PROPERTY LOCATED IN COUNTY BLOCK 4303 IN CONNECTION WITH THE INDIAN CREEK PHASE II PROJECT, A STORM WATER FACILITY AND U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) 108 LOAN FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 4; AND PROVIDING FOR PAYMENT.

2011-10-20-0856

Item 16. AN ORDINANCE AUTHORIZING A FIVE-YEAR LEASE AGREEMENT WITH CATHOLIC LIFE INSURANCE, FOR APPROXIMATELY 1,033 SQUARE FEET OF OFFICE SPACE, LOCATED AT 1635 N.E. LOOP 410, SUITE 604, IN COUNCIL DISTRICT 10, FOR THE MONTHLY RENTAL AMOUNT OF \$1,484.00 DURING THE FIRST TWO YEARS INCREASING TO \$1,550.00 DURING YEARS THREE THROUGH FIVE.

2011-10-20-0857

Item 17. AN ORDINANCE AUTHORIZING A FIVE (5)-YEAR LEASE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND LANDRY'S SEAFOOD HOUSE FOR 1550 SQUARE FEET OF RIVER WALK PATIO SPACE.

2011-10-20-0858

Item 18. AN ORDINANCE AUTHORIZING A LEASE EXTENSION BETWEEN THE CITY OF SAN ANTONIO AND DHBO, INC. DBA GUADALAJARA GRILL TO OPERATE A RESTAURANT IN BUILDING 16, LOCATED IN THE LA VILLITA HISTORIC DISTRICT FOR A TERM OF JANUARY 1, 2012 THROUGH JUNE 30, 2016.

ITEMS 19A AND 19B - PULLED FROM THE AGENDA BY STAFF

Item 19. CONSIDERATION OF THE FOLLOWING ORDINANCES FOR FACILITIES LOCATED AT 310-318 WEST HOUSTON STREET AND 118 NORTH LAREDO LOCATED IN COUNCIL DISTRICT 1.

- A. AN ORDINANCE AUTHORIZING A 25-YEAR LEASE WITH ALAMEDA THEATER FOR THE ALAMEDA THEATER, CASA DE MEXICO BUILDING AND THE BASILA PHARMACY LOCATED IN COUNCIL DISTRICT 1, FOR AN ANNUAL RENTAL RATE OF \$1.00.
- B. AN ORDINANCE AUTHORIZING A CAPITAL IMPROVEMENTS FUNDING AGREEMENT WITH ALAMEDA THEATER IN THE AMOUNT NOT TO EXCEED \$2,118,973.61 FOR ALAMEDA THEATER REPAIR AND RESTORATION PROJECT LOCATED IN COUNCIL DISTRICT 1.

2011-10-20-0859

Item 20. AN ORDINANCE AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH THE EASTSIDE PROMISE NEIGHBORHOOD COLLABORATING AGENCIES OUTLINING THE CITY'S PARTICIPATION IN A UNITED STATES DEPARTMENT OF EDUCATION PROMISE IMPLEMENTATION GRANT, UPON AWARD, FOR THE PERIOD BEGINNING SEPTEMBER 1, 2011.

2011-10-20-0860

Item 21. AN ORDINANCE PERTAINING TO THE HEAD START PROGRAM AUTHORIZING: (A) THE CITY'S SUBMISSION OF A GRANT APPLICATION TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) AND ACCEPTANCE UPON AWARD OF AN AMOUNT UP TO \$48,800,199.00 FOR THE FEBRUARY 1, 2012 THROUGH JANUARY 31, 2013 HEAD START PROGRAM; (B) A BUDGET, INCLUDING AN IN-KIND MATCH OF UP TO \$12,200,050.00 AND A PERSONNEL COMPLEMENT OF 38 POSITIONS FOR THE DEPARTMENT OF HUMAN SERVICES; AND (C) THE NEGOTIATION AND EXECUTION OF EIGHT SERVICE PROVIDER CONTRACTS IN THE COMBINED AMOUNT OF \$45,405,388.00, AND MEMORANDUMS OF UNDERSTANDING WITH LOCAL EDUCATION AND EARLY CHILDHOOD INTERVENTION AGENCIES TO COLLABORATE AS REQUIRED BY THE HEAD START ACT; AND DELEGATING SPECIFIED PROGRAM OPERATIONS TO THE CITY COUNCIL EDUCATIONAL EXCELLENCE COMMITTEE.

2011-10-20-0861

Item 22. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND THE ACCEPTANCE OF FUNDS UPON AWARD FOR A CONTINUATION GRANT IN THE AMOUNT OF \$41,320.00 FROM THE UNITED WAY OF SAN ANTONIO AND BEXAR COUNTY FOR COMPUTER TRAINING CLASSES CONDUCTED IN SPANISH FOR CALENDAR YEAR 2012; AND AUTHORIZING THE NEGOTIATION AND EXECUTION OF A GRANT AGREEMENT.

2011-10-20-0862

Item 23. AN ORDINANCE AMENDING THE CITY OF SAN ANTONIO CODE CHAPTER 21, ARTICLE VIII, SECTION 21-17L, TREE MAINTENANCE LICENSE.

PULLED FROM THE AGENDA BY STAFF

Item 25. AN ORDINANCE AMENDING CHAPTER 11, FIRE PREVENTION, OF THE CITY CODE OF SAN ANTONIO, TEXAS, RELATED TO FIREWORKS DISPLAYS.

ITEMS 26A AND 26B - PULLED FROM THE AGENDA BY STAFF

Item 26. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATED TO AGGRESSIVE SOLICITATION AND SOLICITATION FROM THE OCCUPANTS OF VEHICLES ON THE ROADWAY.

- A. AN ORDINANCE AMENDING CHAPTER 21, SECTION 21-29, OF THE CITY CODE OF SAN ANTONIO, TEXAS TO PROHIBIT AGGRESSIVE SOLICITATION IN PUBLIC AREAS AND CERTAIN BUSINESSES; AND PROVIDING FOR A CRIMINAL PENALTY IN AN AMOUNT UP TO \$500.00.

- B. AN ORDINANCE AMENDING SECTION 19-8 OF CHAPTER 19, ARTICLE I, OF THE CITY CODE OF SAN ANTONIO, TEXAS, WHICH PROHIBITS SOLICITING THE OCCUPANTS OF A MOTOR VEHICLE TO INCREASE THE PENALTY TO \$500.00.

2011-10-20-0864

Item 27. AN ORDINANCE AUTHORIZING THE EXECUTION OF A ONE-YEAR PROFESSIONAL SERVICES AGREEMENT, IN AN ANNUAL AMOUNT UP TO \$155,000.00, WITH SAN ANTONIO SPORTS TO ASSIST THE SAN ANTONIO CONVENTION & VISITORS BUREAU IN THE SOLICITATION OF SELECT AMATEUR REGIONAL, NATIONAL, AND INTERNATIONAL SPORTING EVENTS.

2011-10-20-0865

Item 28. AN ORDINANCE APPROVING A LOCAL CONTRIBUTION IN AN AMOUNT UP TO \$12,421.00 TO THE EVENTS TRUST FUND IN ANTICIPATION OF REIMBURSEMENT OF UP TO \$90,055.00; AND AUTHORIZING A REIMBURSEMENT AGREEMENT WITH SAN ANTONIO SPORTS TOTALING UP TO \$77,634.00 RELATED TO THE 2011 U.S. TRAMPOLINE AND TUMBLING JUNIOR OLYMPIC NATIONAL CHAMPIONSHIPS.

2011-10-20-0866

Item 29. AN ORDINANCE AUTHORIZING THE SETTLEMENT OF A LAWSUIT STYLED *JOANN PONCE V. CITY OF SAN ANTONIO*; IN THE 131ST DISTRICT COURT OF BEXAR COUNTY, TEXAS, CAUSE NO. 2010-CI-18152 FOR THE AMOUNT OF \$65,000.00, PAID FROM THE SELF-INSURANCE LIABILITY FUND.

2011-10-20-0867

Item 30. AN ORDINANCE AUTHORIZING THE SETTLEMENT OF A LAWSUIT STYLED *NOHEMI DIAZ V. CITY OF SAN ANTONIO*; IN THE 407TH DISTRICT COURT OF BEXAR COUNTY, TEXAS, CAUSE NO. 2010-CI-11760 FOR THE AMOUNT OF \$68,500.00, PAID FROM THE SELF-INSURANCE LIABILITY FUND.

2011-10-20-0868

Item 31. AN ORDINANCE AUTHORIZING THE RENEWAL OF INTERLOCAL AGREEMENTS WITH THE FOLLOWING INDEPENDENT SCHOOL DISTRICTS: SAN ANTONIO, EDGEWOOD, SOUTHSIDE, NORTHSIDE, SOUTH SAN, NORTH EAST, JUDSON, EAST CENTRAL, SOUTHWEST, ALAMO HEIGHTS, AND HARLANDALE, TO USE THEIR FACILITIES FOR THE PURPOSE OF IMMUNIZING AND PROVIDING MEDICATIONS TO THE RESIDENTS OF BEXAR COUNTY IN THE EVENT OF A PUBLIC HEALTH EMERGENCY.

2011-10-20-0869

Item 32. AN ORDINANCE RENAMING THE MARTIN LUTHER KING, JR. MEMORIAL CITY-COUNTY COMMISSION THE "SAN ANTONIO MARTIN LUTHER KING, JR. COMMISSION"; AND APPROVING THE BYLAWS OF THE COMMISSION.

Item 33. CONSIDERATION OF THE FOLLOWING RELATED TO THE ALAMO BOWL:

2011-10-20-0870

A. AN ORDINANCE AUTHORIZING A LICENSE AGREEMENT WITH THE SAN ANTONIO BOWL ASSOCIATION TO HOST THE 2011 – 2013 ALAMO BOWL GAMES AT THE ALAMODOME.

2011-10-20-0871

B. AN ORDINANCE AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH THE SAN ANTONIO BOWL ASSOCIATION IN AN AMOUNT UP TO \$200,000.00 FOR HOSTING OBLIGATIONS ASSOCIATED WITH THE 2011 VALERO ALAMO BOWL, AUTHORIZING THE EXPENDITURE FROM THE FY 2012 ADOPTED BUDGET IN ANTICIPATION OF REIMBURSEMENT FROM THE STATE UNDER THE EVENTS TRUST FUND LEGISLATION, AND APPROVING A LOCAL CONTRIBUTION IN THE AMOUNT OF \$95,457.00 TO THE EVENTS TRUST FUND TO QUALIFY FOR REIMBURSEMENT OF ELIGIBLE EXPENSES RELATED TO THE 2011 VALERO ALAMO BOWL.

2011-10-20-0872

Item 34. APPROVAL OF THE WORKFORCE SOLUTIONS ALAMO 2011-2012 BUDGET AND THE APPOINTMENTS AND REAPPOINTMENTS TO THE WSA BOARD OF DIRECTORS AS RECOMMENDED BY THE COMMITTEE OF SIX.

2011-10-20-0873

Item 35. AN ORDINANCE AUTHORIZING A LICENSE AGREEMENT WITH SOUTH CENTRAL COUGARS POP WARNER FOOTBALL ASSOCIATION AT STINSON PARK IN CITY COUNCIL DISTRICT 3.

[CONSENT ITEMS CONCLUDED]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2011-10-20-0853

Item 13. AN ORDINANCE AUTHORIZING TWO CHANGE ORDERS IN THE ADDITIVE TOTAL AMOUNT OF \$255,716.48 TO THE \$10,271,854.62 CONSTRUCTION CONTRACT WITH CAPITAL EXCAVATION COMPANY FOR THE COMMERCIAL TRIBUTARY DRAINAGE

CHANNEL RECONSTRUCTION PHASE II PROJECT (PETALUMA BOULEVARD TO IH-35), AN AUTHORIZED 2007-2012 GENERAL OBLIGATION BOND FUNDED PROJECT LOCATED IN COUNCIL DISTRICTS 3 AND 4; OF WHICH \$89,266.48 WILL BE REIMBURSED BY THE SAN ANTONIO WATER SYSTEM.

Councilmember Ramos expressed concern with the change orders and asked for additional information. Mike Frisbie replied that the first change order was related to culvert crossings of streets and the design consultant estimated an incorrect amount of concrete materials needed. He stated that the contractor was holding their unit price and all bidders would have had to address the oversight. He noted that the second change order would provide SAWS an opportunity to install new sewer lines in the area. Councilmember Ramos asked of the project timeline. Mr. Frisbie indicated that the project was scheduled for completion in September, 2012.

Councilmember Saldaña asked of the error by the design consultant. Mr. Frisbie replied that they had miscalculated the amount of concrete needed for headwalls associated with the project.

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

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

The City Clerk read the following Ordinance:

2011-10-20-0854

Item 14. AN ORDINANCE AUTHORIZING AN UNFORESEEN CONDITIONS CHANGE ORDER IN THE ADDITIVE AMOUNT OF \$60,257.38 TO THE \$8,785,301.41 CONSTRUCTION CONTRACT WITH JAMES CONSTRUCTION GROUP, LLC FOR THE CALLAGHAN ROAD PROJECT, AN AUTHORIZED 2007-2012 GENERAL OBLIGATION BOND FUNDED PROJECT LOCATED IN COUNCIL DISTRICTS 6 AND 7.

Councilmember C. Medina asked for the need of the change order. Mike Frisbie stated that upon excavation, they identified that one of the two existing box culverts for drainage was filled with concrete. He noted that the change order would authorize the removal and hauling of the concrete and would not delay the project timeline.

Councilmember C. Medina moved to adopt the proposed Ordinance. Councilmember Saldaña seconded the motion.

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

The City Clerk read the following Ordinance:

2011-10-20-0863

Item 24. AN ORDINANCE AMENDING CHAPTER 5 OF THE CITY CODE ENTITLED "ANIMALS," RELATING TO DANGEROUS DOGS DETERMINATION BY THE DIRECTOR OF THE ANIMAL CARE SERVICES DEPARTMENT AND PROVIDING APPEAL TO THE MUNICIPAL COURT'S ANIMAL COURT; PROVIDING FOR CRIMINAL PENALTIES AND PUBLICATION.

Joe Angelo presented the proposed changes to Chapter 5 of the City Code regarding the Dangerous Dog Designation Process. He reported that the changes would eliminate the need for formal hearings to designate a dog as "Dangerous," and streamlines the process for citizens and the city. He stated that the dog owner retains the right to appeal the decision to Municipal Court. He provided definitions for Dangerous Dogs and Aggressive Dogs, and outlined the designation process if a bite event occurred. He mentioned that there had been 3,388 dog bites reported in FY 2011 in San Antonio and showed photos of victims.

Mr. Angelo indicated that the proposed revision would allow the Animal Care Services (ACS) Director to review the case and make a determination of the dog. He stated that a hearing was not necessary because the opinion of ACS was already documented in the investigation and that the burden of proof should reside with the ACS Investigator. He outlined the benefits that include a simplified process, and elimination of a formal hearing which will save resources and time.

Councilmember Saldaña thanked staff for their work and stated that the revisions would address issues with dangerous dogs that were owned. He asked of the process for owners to keep their dogs after having bitten someone. Mr. Angelo replied that if the dog had left the owner's property and bit or threatened to bite someone, he would have the designation of a Dangerous Dog. He stated that ACS would hold the dog for 10 days and issue a determination. If the owner was not in agreement, they could appeal the case to Municipal Court. He indicated that if the dog bites or threatens to bite while on the owner's property, it is considered an Aggressive Dog. He added that dogs that were deemed Dangerous would have additional requirements to be kept as pets.

Councilmember Williams thanked Councilmember Saldaña for his work on said item and asked of the three levels of Aggressive Dogs. Mr. Angelo responded that the levels were based on severity of the bite and each had their own criteria for designation.

Councilmember Soules spoke of an incident that occurred in District 10 in which a female was attacked by three Rottweilers that were owned. He stated that the burden of proof was on the victim and appreciated the fact that this would no longer be the case.

Councilmember Saldaña moved to adopt the proposed Ordinance. Councilmember Williams seconded the motion.

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

The City Clerk read the following Ordinance:

2011-10-20-0874

Item 36. AMENDMENTS TO THE BROOKSIDE TIRZ #7 INTERLOCAL AND DEVELOPMENT AGREEMENTS ALLOWING THE CITY TO BE COMPENSATED FOR PARK IMPROVEMENTS.

Councilmember Ramos asked of the status of the Brookside TIRZ. Brian James responded that the Brookside TIRZ was created in 1999 and driven by the developer. He stated that the developer had built everything that was required with the exception of the park facility. He reported that the developer had become bankrupt and that the amendment would allow for the transfer of \$315,000 remaining in the TIRZ to the City of San Antonio to complete the park. He added that once the park improvements are made, the TIRZ will end and the TIRZ Board will be dissolved. Councilmember Ramos asked of the acreage of the park. Xavier Urrutia, Parks Director, stated that he did not have that information but would provide it and noted that it was known as the Brooks Park. Councilmember Ramos requested that a public hearing be held with the neighborhood to discuss the plans for the park.

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

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

ADJOURNMENT

There being no further discussion, Mayor Castro adjourned the meeting at 3:05 pm.

APPROVED



**JULIÁN CASTRO
MAYOR**

Attest:



LETICIA M. YACEK, TRMC/CMC
City Clerk