

**STATE OF TEXAS
COUNTY OF BEXAR
CITY OF SAN ANTONIO**

A WORK SESSION AND REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO WERE HELD IN THE MUNICIPAL PLAZA BUILDING, WEDNESDAY, MAY 15, 2013, AND THURSDAY, MAY 16, 2013, RESPECTIVELY.

The San Antonio City Council convened in a Work Session at 2:00 pm Wednesday, **May 15, 2013**, Municipal Plaza Building, with the following Councilmembers present: Bernal, Taylor, Ozuna, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, and Soules. **ABSENT:** Mayor Castro.

In the absence of Mayor Castro, Mayor Pro Tem Soules presided over the meeting.

1. STAFF BRIEFING AND UPDATE ON THE STATUS OF THE CITY-WIDE FLEET UTILIZATION ASSESSMENT.

Jorge Perez, Building and Equipment Services Director presented the results of the FY 2013 City-Wide Fleet Utilization Assessment. He reported that the Assessment Panel Members included employees of the Office of Management and Budget, Solid Waste Management, Public Works and Building and Equipment Services Departments. He stated that the assessment objectives were to optimize the number of vehicles and equipment city-wide and to revalidate the use of take-home and satellite-parked vehicles. He noted that the evaluation process consisted of a 12-month review of utilization history compared to departments' operational needs and practices. He indicated that departments were required to justify retaining each assigned unit based on their business case. He mentioned that departments were able to appeal the panel's recommendation by providing further justification and clarification. He noted that Public Safety Vehicles and Non-Motorized Equipment were excluded from the assessment.

Mr. Perez outlined the evaluation criteria which included assessing the utilization: 1) Annual Mileage or engine hours per year; 2) Maintenance and repair costs; 3) Years in service; and 4) Fuel Transaction Activity. He noted that in relation to Take-Home and Satellite Parking; they looked to see if the vehicle was related to emergency response for direct support for Fire, Police, and Aviation. Additionally, they reviewed the use of the vehicle as a primary office or if it was dispatched from a parking location directly to a job site. He reported that since FY 2009; the fleet had been reduced by 276 vehicles. He provided an overview of the fleet composition and reported that there were a total of 4,214 vehicles. These include 1,412 units for the Police Department and 384 units for the Fire Department. Of the 2,418 remaining units, the assessment results indicate that 64 units could be reduced. Mr. Perez stated that the assessment further resulted in a recommendation that 59 of the 306 Take-Home and Satellite Parking Units be reduced. He reported an anticipated cost avoidance of \$859,921 through FY 2014. He added that Take-Home and Satellite Parking Vehicle Reductions would be implemented in May 2013 and that departments with underutilized units would turn them in during the month of June 2013. He added that the complete disposition of all reduced units would occur by September 2013.

Councilmember Williams thanked staff for their work and asked of the total number of vehicles. Mr. Perez replied that it was 4,214 as of December 1, 2012. Councilmember Williams requested data by department and type of unit. Mr. Perez replied that the information was available and he

would provide it to the City Council. Councilmember Williams stated that it was important to understand the data that was reviewed and not just the outcomes. He noted that he believed that there were some pieces of equipment that could be utilized by various departments for cost savings.

Mayor Pro Tem Soules asked of the age of the fleet. Mr. Perez replied that in general, it was a young fleet. He stated that as part of this process; they were able to identify units for replacement and upgrading. Mayor Pro Tem Soules asked of Satellite Parking. Mr. Perez replied that Satellite Parking included vehicles that were parked at a city facility; thus recommending a reduction of 59 Take-Home and Satellite Parking Vehicles. Ms. Sculley added that Satellite Parking was based on proximity from a job site. Mayor Pro Tem Soules asked of the 10.2% reduction in Carts/ATVs noting that many were used to patrol Linear Creekways. Mr. Perez responded that many of the units were being reduced from the Alamodome, Convention Center, and Aviation Departments. He stated that many of them were aged and the department determined that they would not be needed. Mayor Pro Tem Soules requested that more detailed information be provided at the next Infrastructure and Growth Council Committee Meeting.

Councilmember Saldaña asked of the justification provided by the departments. Mr. Perez outlined the review process that had occurred with the departments in regard to their vehicles and equipment. He noted that they reviewed performance measures each year and looked at potential improvements. He explained that they worked with all of the departmental fleet coordinators to ensure that there was no service impact due to the reductions.

Mayor Pro Tem Soules thanked staff for the presentation.

2. STAFF BRIEFING AND UPDATE TO CITY COUNCIL ON THE STATUS OF THE RECYCLING PROCESSING REQUEST FOR PROPOSALS ISSUED ON DECEMBER 7, 2012 FOR THE CITY'S NEW RECYCLING PROCESSING SERVICE CONTRACT, AN ESTIMATED \$50,000,000.00 CONTRACT OVER A 10-YEAR PERIOD, THAT WOULD COMMENCE ON AUGUST 1, 2014.

David McCary, Director of Solid Waste Management Services presented on the Recycling Processing Contract Request for Proposals (RFP). He stated that the city's current contract for residential recycling expires July 31, 2014. He reported that the city's management of residential recycling material over the last eight years has resulted in a net revenue payment to the city after processing costs. He noted that future revenues generated from recycling are anticipated to be lower than revenues from the current contract. He stated that staff would present a recommended vendor for City Council consideration of a multi-year contract on June 6, 2013.

Mr. McCary provided an overview of the tons of recycling collected from FY 2005 to present noting that it had increased three-fold since the beginning of the current contract. He highlighted the items accepted for recycling and reported that the recycling goal by 2025 was 60%. He outlined the current contract for recycling services with Greenstar that expires in 2014. He reported that in FY 2012; the city received net revenue totaling \$2.8 million. He explained that revenue was dependent on: 1) Market Price for Recyclable Materials; 2) Processing Fee; 3) Revenue Share; 4) Volume, Type and Quality of Materials. He mentioned that the type and amount of materials discarded changes as society changes noting that there are less newspapers generated for recycling now than in the past. Additionally, buyers have become more stringent about the quality of materials they purchase. He reported that a more diverse recycling stream for San Antonio has

increased recycling processing costs. He explained the process of commodity separation in which the city collects recycling in a single stream and a processor separates the material for marketing. He noted that more separation requires the processor to invest in additional labor and equipment.

Mr. McCary spoke of the RFP Pricing Structure and noted that the city pays a per-ton processing fee and receives a percentage of the recycling revenue. He stated that some commodities may have a floor or minimum revenue price that the city will receive regardless of the current commodity pricing. He noted that the processor chooses how to separate and market commingled materials to obtain the best pricing. He outlined the criteria in the RFP which includes expanded criteria for educating residents and the preference to provide plastic bag recycling. He indicated that Experience and Qualifications would account for 20 points; the Proposed Plan would account for 50 points; and the Pricing Structure would account for 30 points. He stated that the RFP was issued December 7, 2012 and that a panel had reviewed proposals from March through April. He reported that the City Council would consider the recommended vendor on June 6, 2013 and the new contract would begin on August 1, 2014. He reported that three proposals were received from the following: ReCommunity, Texas Disposal Systems, and Waste Management. He noted that restrictions on communications were in effect until the proposed contract was posted on the City Council Agenda for consideration.

Mr. McCary stated that the city had conducted an 18-month pilot to promote recycling of plastic bags at area retailers. He noted that it had resulted in an increase to the amount of bags recycled but not a reduction in the amount of plastic bags distributed at the retailer's point of sale. He reported that they had worked with the retailers to develop a marketing program to promote plastic bag recycling and awareness. He indicated that the results of the Recycling RFP would have an impact on the staff recommendation for recycling plastic bags. He added that staff would present the City Council with a Plastic Bag Program Update in June. He concluded the presentation by noting that the cost to process recyclables is not expected to exceed the cost to landfill materials. He added that processing technologies continue to evolve that may allow the city to process additional materials or to process existing materials in a different manner.

Councilmember Williams asked of the tonnage of recycling for FY 2012. Mr. McCary replied that it totaled 90,000 tons and the city received \$6 million in gross recycling revenue. Councilmember Williams spoke of the importance of highlighting the revenue received from recycling and the cost avoidance to the landfill. He asked of the statement regarding the impact of the Recycling RFP on the recommendation for recycling plastic bags. Mr. McCary replied that if plastic bags could be recycled through the RFP; that could change the staff recommendation. He confirmed that all three proposals received included the ability to recycle plastic bags through the mixed stream process. Councilmember Williams stated that he was pleased to hear that and added that he was supportive of the length of the contract due to the large financial investment that would have to be made by the contractor.

Councilmember Taylor stated that she was also pleased to hear that all three respondents to the RFP included the recycling of plastic bags. She asked of the policy regarding plastic bags. Mrs. Sculley responded that even if plastic bags could be recycled through the mixed stream process; the City Council could still decide to ban plastic bags.

Councilmember Chan asked of the current contract process in which processing occurs at a facility in the city. Mr. McCary clarified that processing currently occurs at a facility in the city limits. The

new RFP is requesting that the processing occur in the city limits but does not require it. He confirmed that the processing is automated until it gets to a certain point and staff manually remove items that may not have been retrieved. Councilmember Chan asked of the preference for two recycling facilities. Mr. McCary replied that it would help productivity when delivering recyclable materials from the four Service Centers.

Mayor Pro Tem Soules asked of the volatility in the recycling revenue. Mr. McCary replied that it was a global market and revenues could be impacted by what is happening overseas. He stated that they utilized a Recycling Data Report created by the Southwest Houston Region which showed what commodities were worth. Matt Hobson of Solid Waste Management added that paper, metals, plastics and aluminum sold in the market for an average of \$150 per ton. Mayor Pro Tem Soules asked of the recycling of glass. Mr. McCary replied that there was no revenue received from glass but they continued to recycle it. He stated that there could be a market for glass in the future. Mayor Pro Tem Soules thanked staff for the presentation.

EXECUTIVE SESSION

Mayor Pro Tem Soules recessed the meeting at 3:22 pm to convene in Executive Session for the purposes of:

- A. DISCUSS LEGAL ISSUES RELATED TO *MIGUEL MONTEMAYOR, III V. SUSAN ATES V. CITY OF SAN ANTONIO* PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY).**
- B. DISCUSS LEGAL ISSUES RELATED TO *SAN JUANA SALAS V. CITY OF SAN ANTONIO* PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY).**
- C. 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).**
- D. DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS AND DISCUSS RELATED LEGAL ISSUES PURSUANT TO TEXAS GOVERNMENT CODE SECTIONS 551.087 (ECONOMIC DEVELOPMENT) AND 551.071 (CONSULTATION WITH ATTORNEY).**

Mayor Pro Tem Soules reconvened the meeting at 3:42 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 3:42 pm and announced that the meeting would resume at 5:15 pm for Ceremonials.

CEREMONIALS

Mayor Pro Tem Soules presented a Citation to Robert Zamora, Baseball Coach for the South San High School Bobcats for being selected to coach in the 2013 Texas High School Baseball Coaches Association (THSBICA) All-Star Game. It was noted that Mr. Zamora would coach the 4A-5A matchups on June 15, 2013 at Dell Diamond in Round Rock.

Mayor Pro Tem Soules presented a Proclamation to the Karate Kids of San Antonio. The Karate Kids of San Antonio presented the 2013 Winners of the Just Say No! Program. It was noted that the

campaign was founded by Eli Guerra, following the example of the national program created by Former First Lady Nancy Reagan. It was further noted that this city-wide contest invites student to write a letter in which they encourage their friends to "Just Say No" to drugs, alcohol and gangs.

The Martin Luther King, Jr. Scholarship Committee, in conjunction with the MLK Commission, announced the 2013 Scholarship Recipients. It was noted that the scholarships are funded by local businesses and community groups, as well as contributions from the City Councilmembers. Recipients received a \$2,000 Award, along with a certificate and commemorative medal.

CITIZENS TO BE HEARD

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

Mark Perez spoke of the explosion that occurred in West, Texas and noted the lack of building permits at 9514 Medlex in District 10. He expressed concern with the storage tanks on Dietrich Road in District 2 and asked why city staff had not addressed same. He mentioned the NuStar Refinery in District 3 and stated that all were public safety issues.

Artman Bland expressed concern that he was being harassed by Code Compliance Officers and stated that he had spoken with the Tax Office to try to address his issues. He noted that three houses owned by his aunt had been set on fire.

Pastor Gerald Ripley spoke of the opinion issued by the Office of the Attorney General on April 29, 2013 regarding Domestic Partner Benefits (DPB). He expressed concern that the City of San Antonio was in violation of the Texas Constitution for offering DPB. He noted that Archbishop Siller had expressed concern with DPB and that a poll showed that San Antonio Citizens did not believe DPB should be offered. He added that the governing board of the city had the obligation to adhere to the Texas Constitution.

Nick Calzoncit spoke of the lack of schools in San Antonio named for women and minorities. He requested that Stonewall Elementary in the Harlandale School District be re-named the Cesar Chavez School of Peace and that he had received 3,000 supporters for same. He asked the City Council for a letter expressing their support and highlighted his public television show.

Phil Sevilla, President of the Texas Leadership Coalition stated that he had lived and worked in the San Francisco Bay Area and Silicon Valley for 20 years. He noted that he believed that it was wrong for the community to pass laws to protect the self-identified homosexual in municipal statutes. He expressed concern with what he believed was out-of-control litigation initiated by homosexual activists in the US. He indicated that an anti-discrimination law based upon sexual orientation was wrong and would threaten civil and religious liberties of churches, schools, businesses and landlords.

Rhett Smith stated that he concurred with Mr. Calzoncit regarding re-naming Stonewall Elementary and spoke of the need to change names of streets that were named for racists. He expressed concern with the candidate endorsements made by the San Antonio Police Officers Association.

Antonio Diaz spoke of the trolley system in San Antonio that he believed was a light rail system. He expressed concern that citizens were not allowed to vote on the trolley system. He stated that

the City and County had exchanged one pot of money for another and did not believe that the sales tax should fund same.

Faris Hodge, Jr. submitted written testimony expressing concern with trash cans being placed on sidewalks. He requested that the City Council be paid a living wage and that there be parking spaces for disabled individuals. He wrote that California Drivers were paying \$5.00 for a gallon of gas and that individuals should not text while driving. He wrote that acts of kindness were very important and that hope and love were best for children. He mentioned that Texas has lost their say over air quality and that jail overtime would cost Bexar County \$500,000.

ADJOURNMENT

There being no further discussion, Mayor Pro Tem Soules adjourned the meeting at 6:42 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **May 16, 2013**, at 9:00 am in the City Council Chambers.

ROLL CALL

City Clerk Leticia M. Vacek took the Roll Call and noted a quorum of the Council with the following present: Bernal, Taylor, Ozuna, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **ABSENT**: None. Mrs. Vacek announced that Mayor Castro would be absent for the morning portion of the meeting only.

Item 1. The Invocation was delivered by Pastor Ray Brown, Redland Oaks Community Church, guest of Councilmember Carlton Soules, District 10.

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

Item 3. MINUTES

Councilmember C. Medina moved to approve the Minutes for the May 1-2, 2013 City Council Meetings. Councilmember D. Medina seconded the motion.

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

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the caption for Item 4:

Item 4. A PUBLIC HEARING ON THE RE-ESTABLISHMENT OF THE DOWNTOWN PUBLIC IMPROVEMENT DISTRICT TO PROVIDE SUPPLEMENTAL SERVICES IN THE DOWNTOWN AREA FOR AN ADDITIONAL TEN YEARS BEGINNING OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2023 AND INCREASING THE BOUNDARIES OF THE DISTRICT.

Mayor Pro Tem Soules declared the Public Hearing Open.

Jim Mery presented information on the Public Improvement District (PID) noting that Chapter 372 of the Texas Local Government Code authorizes municipalities and counties to create a PID which can be used to finance infrastructure projects or supplement services. He stated that Texas State Law authorizes the creation of a PID through a petition process. He reported that the petition was sufficient if signed by property owners that represent over 50% of the area's value and one of the following: 1) Signed by property owners that own over 50% of the properties; or 2) Signed by property owners that own over 50% of the area. He indicated that through the PID, property owners are requesting that an additional assessment be levied to raise funds for projects or services.

Mr. Mery explained that the Downtown PID was created in 1999 for a five-year period and re-established for additional five-year periods in 2004 and 2009. He stated that the purpose was to supplement services in Downtown to enhance the overall appearance and quality of the Downtown Environment. He noted that the creation of the PID was initiated by the Downtown Alliance and that the city contracts with Centro San Antonio Management Corporation for the provision of services within the PID. He outlined the supplemental services that include street/sidewalk cleaning, landscaping, and visitor information. He reported that although the term of the current Downtown PID does not expire until September 30, 2014; Downtown Alliance has submitted a petition to the city to re-establish the PID Services for 10-year term beginning October 1, 2013. He stated that the petition was submitted to the Office of the City Clerk on April 25, 2013 and verified by Downtown Operations. He noted that the petition represents 56% of the record property owners and 68% of the property value within the PID. He mentioned that the petition further requests that the PID Boundaries be expanded and that Centro San Antonio continue to manage the delivery of services.

Mr. Mery stated that the re-authorization of the PID provides for an assessment rate not to exceed \$0.15 per \$100.00 valuation during the 10-year term. He reported that the Public Hearing was being held to solicit public comment on the proposed re-establishment of the Downtown PID. He added that the City Council would consider the creation of the PID at the May 30, 2013 City Council Meeting.

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

Don Frost of Frost Bank spoke in support of the PID. He stated that he believed that San Antonio's future was brighter than ever and noted the great investment in the community by the City, County and Private Property Owners. He spoke of the importance of recruitment and retention of businesses and residents to the Downtown Area and highlighted the tremendous assets of the city. He added that he was confident that others throughout the country would want to emulate the City of San Antonio.

Joanna W. Foster stated that she and her husband had relocated to San Antonio from Ohio following her husband's retirement from the Air Force. She noted that San Antonio was a great place to live and was supportive of the improvements that would be made by the PID.

Debbie Gonzalez stated that she was representing the St. Anthony Hotel in support of the PID. She spoke of the benefits that have been provided by the PID over the years and noted that it was an integral part of improving the guest experience.

Bill Lyons stated that his family has operated businesses in the Downtown Area for over 160 years and currently operate the oldest restaurant in San Antonio. He spoke of the importance of keeping Downtown clean and safe for everyone to enjoy. He asked the City Council to support the re-establishment of the PID.

Michael Cortez representing Mi Tierra Café spoke in support of the PID. He stated that they had operated the business in Market Square since 1941 and were pleased with the success of the PID. He noted that the PID helped improve Downtown for residents and visitors and greatly enhanced the Downtown Area.

Steve Sundby of AT&T stated that AT&T was well-invested in Downtown San Antonio and that they were founding members of the Downtown Alliance. He noted that the Downtown Alliance was making San Antonio a better place to live, work, shop, eat, and play. He added that they were grateful for the cleanliness, safety and services provided by the PID and were supportive of its re-authorization.

Dr. Frederick Preston stated that he was a Downtown Resident supportive of the PID. He noted that he had retired as Vice-President of a major university in New York and chose to relocate to San Antonio due to the great sense of community and the beauty and cleanliness of the city. He added that he had written a book entitled, "Historic Doorways of San Antonio" which includes the Downtown Area.

Dr. Marie Thurston stated that she was a Downtown Resident in support of the re-establishment of the PID. She commended The Amigos for their friendliness and noted the cleanliness in the Downtown Area.

Joan Korte stated that she lived in the Downtown Area and that her husband had retired from the United States Air Force. She noted that they had both fallen in love with Downtown and were pleased with the work of The Amigos. She mentioned that she was representing the Downtown Residents Association in support of the re-authorization of the PID.

Patrick Carrier, CEO of Christus Santa Rosa stated that they had been committed to the Downtown Area since 1868 and were in support of the renewal and expansion of the PID. He noted that even through they were a non-profit organization and not required to pay an assessment; they had offered to pay an annual assessment because they felt it was an important aspect of the Downtown Area.

June Reedy stated that she was a 20-year resident of Downtown San Antonio and was in favor of the PID. She noted that since 1999, it had greatly enriched the daily lives of those who work, live, and visit the Downtown Area. She added that the PID provided benefits for the entire city.

Laurence Seiterle stated that they owned a commercial real estate company in Downtown San Antonio and were supportive of the re-authorization of the PID. He noted that they received many calls from businesses wanting to locate in the Downtown Area and added that it was a great place to conduct business.

Jack Specter, President of Hixon Properties spoke in favor of the re-authorization of the PID. He stated that he was born at the Downtown Nix Hospital and had the great honor of chairing a

Committee to study the re-authorization of the PID. He commended Mayor Castro and the City Council for prioritizing the revitalization of the Central Business District and highlighted the on-going projects in the area.

Nazirite Ruben Flores Perez spoke in support of the re-authorization of the PID and stated that the benefits were good for everyone.

Councilmember Bernal spoke in support of the re-authorization of the PID and thanked everyone that worked on same. He stated that the work could not be understated and he was pleased with the outcome. He noted that the Downtown Area was one of the fastest growing areas and that the PID produced great results. He added that the re-authorization and expansion of the PID was worthy of Council Support.

Councilmember Saldaña echoed the comments of Councilmember Bernal and thanked the property owners, residents, and businesses who stepped up to the plate.

Mayor Pro Tem Soules thanked everyone that came to speak and commended The Amigos for their work. He closed the Public Hearing and announced that no action was required for Item 4.

CONSENT AGENDA ITEMS 5-16

Consent Agenda Items 10 and 16 were pulled for Individual Consideration.

Councilmember Williams moved to approve the remaining Consent Agenda Items. Councilmember C. Medina seconded the motion.

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

Natalie Griffith, Ashley Marsh, and Regina Martinez representing Habitat Hand Up Homes addressed the City Council in support of the 27 affordable, single-family homes that would be built in District 5 (Item 10). Ms. Griffith thanked the City Council for their support of their previous development and asked for continued support for their new development. She commended Councilmember D. Medina and Peter Zaroni for their hands-on involvement noting that they had assisted with construction on a previous project. She spoke of their work in cleaning up blighted property and turning it into a beautiful development. She thanked the many volunteers that work on Habitat for Humanity Projects and commended Outgoing Councilmembers Ozuna and Williams for their service.

Councilmember D. Medina spoke of the process that had taken over one year for the Habitat for Humanity Project (Item 10). He thanked the many individuals that came together for a great cause and giving back to the community. He highlighted the great transformation that has been occurring in District 5 and stated that he was pleased to support the project.

Faris Hodge, Jr. submitted written testimony in favor of Items 4-16. He requested that backup information be provided for the City Manager's Report.

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

2013-05-09-0329

Item 5. AN ORDINANCE AUTHORIZING THE FOLLOWING CONTRACTS ESTABLISHING UNIT PRICES FOR GOODS AND SERVICES FOR AN ESTIMATED ANNUAL COST OF \$49,500.00: (A) INFOGROUP, INC. FOR REFERENCE USA DATABASE AMENDMENT.

2013-05-09-0330

Item 6. AN ORDINANCE AUTHORIZING A CONTRACT WITH DYNATEST CONSULTING, INC TO MODERNIZE THE AVIATION DEPARTMENT'S CURRENT AIRPORT RUNWAY FRICTION TESTER BY UPGRADING THE SOFTWARE AND HARDWARE, WATER TANK SENDING UNIT, AND CALIBRATION SYSTEM FOR A TOTAL COST OF \$61,900.00, FUNDING AVAILABLE THROUGH THE FY 2013 AVIATION OPERATIONS FUND.

2013-05-09-0331

Item 7. AN ORDINANCE ACCEPTING THE LOWEST RESPONSIVE BID AND AWARDED A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$1,223,453.90, AUTHORIZED PAYABLE TO R.L. JONES LP, FOR THE CONSTRUCTION OF ROOSEVELT AVENUE DRAINAGE AT MARCH AVENUE, A 2007-2012 BOND SAVINGS FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 3; OF THIS AMOUNT, \$198,863.40 WILL BE REIMBURSED BY THE SAN ANTONIO WATER SYSTEM AND \$66,408.50 WILL BE REIMBURSED BY CPS ENERGY.

2013-05-09-0332

Item 8. AN ORDINANCE AUTHORIZING A JOINT USE AGREEMENT WITH THE SAN ANTONIO WATER SYSTEM TO USE 3.659 ACRES (159,385 SQUARE FEET) OF VACANT CITY-OWNED PROPERTY LOCATED SOUTH OF TIMBER HILL DRIVE AND THE NORTHWEST CORNER OF INGRAM ROAD WITHIN NCBS 16931 AND 18083 FOR THE RELOCATION OF A 36-INCH WIDE MAIN RECYCLE WATER LINE AND TO INCREASE THE EXISTING SEWER MAIN LINE FROM 24 INCHES IN WIDTH TO 42 INCHES IN WIDTH IN COUNCIL DISTRICT 7 FOR A TOTAL FEE OF \$16,500.00.

2013-05-09-0333

Item 9. AN ORDINANCE AUTHORIZING THE DECLARATION AS SURPLUS AND DISPOSITION OF REAL PROPERTY OWNED BY THE SAN ANTONIO WATER SYSTEM LOCATED AT 2518 21ST STREET IN NCB 6777, IN COUNCIL DISTRICT 5.

2013-05-09-0335

Item 11. AN ORDINANCE AMENDING THE DOLOROSA STREET PARKING LOT LEASE AGREEMENT TO EXTEND THE AGREEMENT FOR FIVE YEARS BEGINNING JULY 1, 2013 AND ENDING JUNE 30, 2018.

2013-05-09-0336

Item 12. AN ORDINANCE AUTHORIZING THE CONTINUATION OF SPORTS LICENSE AGREEMENTS WITH EDGEWOOD SEMINOLES POP WARNER FOOTBALL LEAGUE AND THE EDGEWOOD YOUTH ATHLETIC ASSOCIATION D/B/A EDGEWOOD PONY LEAGUE AT CUELLAR PARK FOR TERMS OF FIVE YEARS COMMENCING ON MAY 1, 2013, IN COUNCIL DISTRICT 6.

2013-05-09-0337

Item 13. AN ORDINANCE AUTHORIZING THE APPLICATION AND ACCEPTANCE OF THE 2013 LEAD HAZARD REDUCTION DEMONSTRATION GRANT FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN AN AMOUNT UP TO \$3,000,000.00 FOR THE REDUCTION OF LEAD HAZARDS IN LOW INCOME HOUSING; AND AUTHORIZING THE ACCEPTANCE OF ANY ADDITIONAL MATCHING FUNDS ASSOCIATED WITH THE GRANT.

2013-05-09-0338

Item 14. AN ORDINANCE AUTHORIZING THE ADDITION OF A THIRD POSITION TO THE EXISTING PERSONNEL COMPLEMENT FOR THE FY 2013 TEXAS DEPARTMENT OF STATE HEALTH SERVICES HIV PREVENTION GRANT AS REQUESTED BY THE STATE AND INCREASING THE PROPOSED FULL-TIME POSITIONS FROM 2 TO 4 FOR FY 2014.

Item 15. APPOINTING ANITA FERNANDEZ (DISTRICT 1) TO THE SA2020 COMMISSION ON EDUCATION EFFECTIVE JUNE 1, 2013 AND ENDING ON MAY 31, 2015.

[CONSENT ITEMS CONCLUDED]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the caption for Item 10:

2013-05-09-0334

Item 10. AN ORDINANCE DECLARING TWO VACANT CONTIGUOUS PARCELS TOTALING 5.19 ACRES OF CITY-OWNED REAL PROPERTY AS SURPLUS WITHIN NCB 6801 AND NCB 6679 IN COUNCIL DISTRICT 5 LOCATED BETWEEN THOMPSON PLACE AND CALLE DEL SOL ADJACENT TO GENERAL HUDNELL DRIVE AND AUTHORIZING ITS SALE TO HAND UP HOMES, LLC, A SUBSIDIARY OF HABITAT FOR HUMANITY, FOR \$100,000.00 FOR DEVELOPMENT OF 27 AFFORDABLE SINGLE FAMILY HOMES.

Councilmember D. Medina moved to adopt the proposed Ordinance. Councilmember Williams seconded the motion.

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

The City Clerk read the caption for Item 16:

2013-05-09-0339

Item 16. AN ORDINANCE AUTHORIZING AND APPROVING PUBLICATION OF NOTICE OF INTENTION TO ISSUE "CITY OF SAN ANTONIO, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2013" IN A MAXIMUM PRINCIPAL AMOUNT NOT TO EXCEED \$25,000,000; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Williams asked for a brief presentation on said item. Ben Gorzell stated that the City Council was being asked to approve a notice of intent to issue bonds and that they would come back for approval on June 20, 2013. He noted that there was not a lot of capacity or planned projects using Certificates of Obligation. Councilmember Williams stated that it was important for the public to understand that the city was moving to bonds approved through the voters as opposed to Certificates of Obligation. Mr. Gorzell stated that they utilized Certificates of Obligation to be more efficient when funding projects.

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

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

Item 17. CITY MANAGER'S REPORT

A. CONVENTION AND VISITORS BUREAU UPDATE

Mrs. Sculley reported that the San Antonio Convention Visitors Bureau (CVB) reached a significant milestone as the new VisitSanAntonio.com was officially launched to the public. She stated that it was done as part of the weeklong National Travel and Tourism Week Celebration that occurred last week from May 4th – May 12th. She noted that San Antonio is both a national and international destination welcoming 28 million visitors annually. She indicated that San Antonio is the number one leisure destination in the State helping to position Texas as the 3rd most visited State in the U.S. She mentioned that visitors have an annual economic impact of \$12 billion and VisitSanAntonio.com is a powerful tool utilized in marketing San Antonio. She highlighted the CVB's partnership with Proof Advertising, who led the overall effort and highlighted some of the key features of the new website. She stated that the new website was more graphic, easier to navigate and more conducive to booking rooms. She added that the new innovative approach would continue to place San Antonio in a leadership position amongst leisure and convention destinations.

B. OFFICE OF HISTORIC PRESERVATION UPDATE

Mrs. Sculley reported that May was National Preservation Month and the Office of Historic Preservation hosted several educational events to encourage San Antonio to “See, Save, Celebrate!” the city’s historic resources. She noted that the State of Preservation Announcement and Preservation Month Kick-off Event was held on Tuesday, April 30th, at Mission Concepcion. She stated that the third annual Amazing Preservation Race took place on Friday, May 10th, with nearly 100 people participating in a downtown urban scavenger hunt combining trivia and San Antonio History. She mentioned the Go! Historic SA Guided Tour of HemisFair Park and La Villita that promoted historic preservation and physical fitness. She highlighted the Amazing Preservation Race for Kids that would be held on Saturday, May 18th in partnership with the San Antonio Conservation Society and Villa Finale. She stated that the events help promote the importance of historic preservation and the significance of protecting the city’s pride of place, sense of community, and the rich history and culture of San Antonio.

POINT OF PERSONAL PRIVILEGE

Mayor Pro Tem Soules recognized City Manager Sculley who would celebrate her birthday on Monday, May 20th. The City Council sang Happy Birthday to Mrs. Sculley.

Councilmember Saldaña invited everyone to attend the District 4 Heroes 5K that would be held on Saturday, May 18th at 8:00 am at Port San Antonio.

RECESSED

Mayor Pro Tem Soules recessed the meeting at 10:15 am and announced that the meeting would resume at 2:00 pm.

RECONVENED

Mayor Castro reconvened the meeting at 2:05 pm and addressed Item 18.

INDIVIDUAL ITEM

The City Clerk read the caption for Item 18:

2013-05-09-0340

Item 18. AN ORDINANCE CANVASSING THE MAY 11, 2013 GENERAL ELECTION RESULTS AND, AS APPLICABLE, ESTABLISHING EARLY VOTING AND ELECTION DAY POLLING LOCATIONS FOR THE RUN-OFF ELECTION SCHEDULED FOR SATURDAY, JUNE 15, 2013.

Mrs. Vacek presented the total Votes Cast for each candidate in the May 11, 2013 General Election. She reported that the total number of votes cast, including 10 provisional ballots, was 46,427 and the total number of registered voters for the City of San Antonio was 610,456. She stated that the voter turnout for the City of San Antonio General Election was 7.61%.

In addition, Mrs. Vacek briefed the Council on the Run-Off Election scheduled for Council Districts 5 and 8 on Saturday, June 15, 2013 from 7:00 am to 7:00 pm. She informed the Council of the Early Voting Locations that would be utilized and outlined the Dates and Hours for Early Voting. She stated that anyone who did not vote in the Main Election that is registered to vote prior to May 14, 2013 in Districts 5 and 8 may vote in the Run-Off Election. She added that the Run-Off Election was estimated to cost \$300,000 and the contract would be presented to the City Council for approval on May 30, 2013.

FOR MEMBER OF COUNCIL, MAYOR:

Jesus G. Reyes	2,934 votes
Sergio Falcon	857 votes
Michael "Commander" Idrogo	2,298 votes
Julián Castro	29,454 votes (includes 5 Provisional Votes)
Raymond Zavala	1,472 votes
Rhett R. Smith	5,807 votes
Irma Rosas	1,461 votes

FOR MEMBER OF COUNCIL, PLACE NO. 1:

[Unopposed Candidate – Declared Elected]

Diego Bernal

Per HB 1970 from the 81st Legislative Session (2009), unopposed candidates shall be listed on the ballot under the heading "Unopposed Candidates Declared Elected."

FOR MEMBER OF COUNCIL, PLACE NO. 2:

Norris Tyrone Darden	825 votes (includes 3 Provisional Votes)
Antonio Díaz	148 votes
Ivy R. Taylor	2,229 votes (includes 1 Provisional Vote)
Hector Medina	354 votes

FOR MEMBER OF COUNCIL, PLACE NO. 3:

Gabriel Q. Velasquez	507 votes
Rebecca Viagran	2,473 votes (includes 1 Provisional Vote)
Leticia Ozuna	1,835 votes

FOR MEMBER OF COUNCIL, PLACE NO. 4:

Joseph "JoeJo" Savage	393 votes
Rey Saldaña	2,115 votes

FOR MEMBER OF COUNCIL, PLACE NO. 5:

Richard Cardenas	348 votes
Shirley Gonzales	1,554 votes (includes 1 Provisional Vote)
David Medina	1,911 votes
John Carlos Garcia	273 votes
Ricardo Briones	832 votes (includes 1 Provisional Vote)
Frank Ramirez	40 votes

FOR MEMBER OF COUNCIL, PLACE NO. 6:

Ray López	2,080 votes
John Barfield	114 votes
Greg Brockhouse	1,405 votes
Steve Shamblen	59 votes

FOR MEMBER OF COUNCIL, PLACE NO. 7:

Carlos Zaldivar	615 votes
Michael A. Gonzales	181 votes
Cris Medina	3,006 votes
Gloria Rodriguez	1,422 votes

FOR MEMBER OF COUNCIL, PLACE NO. 8:

Mike Kueber	382 votes
Ron Nirenberg	3,552 votes
Rolando Briones	3,238 votes (includes 1 Provisional Vote)

FOR MEMBER OF COUNCIL, PLACE NO. 9:

Jason F. Salinas	1,304 votes
Elisa Chan	4,791 votes (includes 1 Provisional Vote)

FOR MEMBER OF COUNCIL, PLACE NO. 10:

Celeste Montez-Tidwell	595 votes
Arthur M. Thomas, IV	580 votes
Carlton Soules	3,655 votes (includes 1 Provisional Vote)

SWEARING-IN

Mrs. Vacek administered the Statements of Elected Office and Oaths of Office to newly elected Mayor Castro and Councilmembers Diego Bernal, Ivy R. Taylor, Rebecca Viagran, Rey Saldaña, Ray López, Cris Medina, Elisa Chan, and Carlton Soules.

Mayor Castro presented the Certificates of Election to Councilmembers Diego Bernal, Ivy R. Taylor, Rebecca Viagran, Rey Saldaña, Ray López, Cris Medina, Elisa Chan, and Carlton Soules for the 2013-2015 Term.

Councilmember Saldaña moved to adopt the proposed Ordinance canvassing the Election Results. Councilmember Bernal seconded the motion.

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

CONSENT ZONING ITEMS

Councilmember Taylor moved to approve the following Zoning Items: Z-4, Z-5, Z-6, Z-7, P-1, Z-8, and P-3 under Consent Zoning. Councilmember Saldaña seconded the motion.

Mayor Castro called upon the citizens registered to speak.

Mr. Jack M. Finger spoke in opposition to the medical clinic proposed in Item Z-4 and asked if abortions would be performed at the location.

Mr. James Boldt commended the City Council for their service.

Faris Hodge, Jr. submitted written testimony in support of all zoning items with the exception of Item P-2.

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

2013-05-09-0343

Item Z-4. **ZONING CASE # Z2013102 (District 2):** An Ordinance amending the Zoning District Boundary from "MF-33 HS RIO-2 UC-2 AHOD" Multi-Family Historic Significant River Improvement Overlay-2 Broadway Urban Corridor Overlay Airport Hazard Overlay District and "MF-33 HS RIO-2 AHOD" Multi-Family Historic Significant River Improvement Overlay-2 Airport Hazard Overlay District to "C-1 HS RIO-2 UC-2 AHOD" Light Commercial Historic Significant River Improvement Overlay-2 Broadway Urban Corridor Overlay Airport Hazard Overlay District and "C-1 HS RIO-2 AHOD" Light Commercial Historic Significant River Improvement Overlay-2 Airport Hazard Overlay District on Lot 14, NCB 965 located at 1611 North Alamo 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, NCB 965 TO WIT: FROM "MF-33 HS RIO-2 UC-2 AHOD" MULTI-FAMILY HISTORIC SIGNIFICANT RIVER IMPROVEMENT OVERLAY-2 BROADWAY URBAN CORRIDOR OVERLAY AIRPORT HAZARD OVERLAY DISTRICT AND "MF-33 HS RIO-2 AHOD" MULTI-FAMILY HISTORIC SIGNIFICANT RIVER

IMPROVEMENT OVERLAY-2 AIRPORT HAZARD OVERLAY DISTRICT TO "C-1 HS RIO-2 UC-2 AHOD" LIGHT COMMERCIAL HISTORIC SIGNIFICANT RIVER IMPROVEMENT OVERLAY-2 BROADWAY URBAN CORRIDOR OVERLAY AIRPORT HAZARD OVERLAY DISTRICT AND "C-1 HS RIO-2 AHOD" LIGHT COMMERCIAL HISTORIC SIGNIFICANT RIVER IMPROVEMENT OVERLAY-2 AIRPORT HAZARD OVERLAY DISTRICT.

2013-05-09-0344

Item Z-5. **ZONING CASE # Z2013090 (District 2):** An Ordinance amending the Zoning District Boundary from "UD AHOD" Urban Development Airport Hazard Overlay District and "MF-33 AHOD" Multi-Family Airport Hazard Overlay District to "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District on 114.938 acres, "C-2 AHOD" Commercial Airport Hazard Overlay District on 2.8 acres, and "L AHOD" Light Industrial Airport Hazard Overlay District on 558.522 acres on 676.26 acres out of NCB 12867, NCB 17992, NCB 17993, NCB 17322, and NCB 35098 located on portions of the 6000-6100 Blocks of Interstate Highway 10 East, the 1100 Block of North Foster Road, and the 6100 Block of FM 1346. 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: 676.26 ACRES OUT OF NCB 12867, NCB 17992, NCB 17993, NCB 17322, AND NCB 35098 TO WIT: FROM "UD AHOD" URBAN DEVELOPMENT AIRPORT HAZARD OVERLAY DISTRICT AND "MF-33 AHOD" MULTI-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "RM-4 AHOD" RESIDENTIAL MIXED AIRPORT HAZARD OVERLAY DISTRICT ON 114.938 ACRES, "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT ON 2.8 ACRES, AND "L AHOD" LIGHT INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT ON 558.522 ACRES.

2013-05-09-0345

Item Z-6. **ZONING CASE # Z2013076 (District 6):** An Ordinance amending the Zoning District Boundary from "C-2NA CD" Commercial Nonalcoholic Sales District with a Conditional Use for a Mini Warehouse exceeding 2.5 acres to "MF-18" Limited Density Multi-Family District on 15.07 acres out of NCB 17635, NCB 34449, and NCB 34450 located north of Culebra Road at Lone Star Parkway. 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: 15.07 ACRES OUT OF NCB 17635, NCB 34449, AND NCB 34450 TO WIT: FROM "C-2NA CD" COMMERCIAL NONALCOHOLIC SALES DISTRICT WITH A CONDITIONAL USE FOR A MINI WAREHOUSE EXCEEDING 2.5 ACRES TO "MF-18" LIMITED DENSITY MULTI-FAMILY DISTRICT.

2013-05-09-0346

Item Z-7. **ZONING CASE # Z2013042 CD (District 7):** An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Storage - Outside (Under Roof and Screened) on 2.8876 acres out of Lot 7, NCB 17946 located at 8590 Bandera 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: 2.8876 ACRES OUT OF LOT 7, NCB 17946 TO WIT: FROM "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 CD AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR STORAGE - OUTSIDE (UNDER ROOF AND SCREENED) PROVIDED ANY CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2013-05-09-0347

Item P-1. **PLAN AMENDMENT #13030 (District 8):** AN ORDINANCE AMENDING THE FUTURE LAND USE PLAN CONTAINED IN THE NORTH SECTOR PLAN, A COMPONENT OF THE COMPREHENSIVE MASTER PLAN OF THE CITY, BY CHANGING THE FUTURE LAND USE OF 14.564 ACRES OUT OF NCB 14858 AND NCB 15825, LOCATED SOUTHEAST OF THE INTERSECTION OF PRESIDIO PARKWAY AND THE IH-10 WEST ACCESS ROAD SOUTH OF PRESIDIO PARKWAY, FROM MIXED USE CENTER TO GENERAL URBAN TIER. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL. (ASSOCIATED ZONING CASE: #Z2013099)

2013-05-09-0348

Item Z-8. **ZONING CASE # Z2013099 (District 8):** An Ordinance amending the Zoning District Boundary from "MF-50 CD MLOD-1" Multi-Family Camp Bullis Military Lighting Overlay District with a Conditional Use for multi-family dwellings not to exceed 100 units per acre, "MF-50 CD GC-1 MLOD-1" Multi-Family Hill Country Gateway Corridor Overlay Camp Bullis Military Lighting Overlay District with a Conditional Use for multi-family dwellings not to exceed 100 units per acre, "C-3 MLOD-1" General Commercial Camp Bullis Military Lighting Overlay District, "C-3 GC-1 MLOD-1" General Commercial Hill Country Gateway Corridor Overlay Camp Bullis Military Lighting Overlay District, "MPCD MLOD-1" Master Planned Community Camp Bullis Military Lighting Overlay District, and "MPCD GC-1 MLOD-1" Master Planned Community Hill Country Gateway Corridor Overlay Camp Bullis Military Lighting Overlay District to "MF-33 MLOD-1" Multi-Family Camp Bullis Military Lighting Overlay District and "MF-33 GC-1 MLOD-1" Multi-Family Hill Country Gateway Corridor Overlay Camp Bullis Military Lighting Overlay District on 14.564 acres out of NCB 14858 and NCB 15825 located on a portion of the 15000 Block of Interstate Highway 10. Staff and Zoning recommend approval pending the plan amendment. (Associated Plan Amendment Case # 13030)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY

DESCRIBED HEREIN AS: 14.564 ACRES OUT OF NCB 14858 AND NCB 15825 TO WIT: FROM "MF-50 CD MLOD-1" MULTI-FAMILY CAMP BULLIS MILITARY LIGHTING OVERLAY DISTRICT WITH A CONDITIONAL USE FOR MULTI-FAMILY DWELLINGS NOT TO EXCEED 100 UNITS PER ACRE, "MF-50 CD GC-1 MLOD-1" MULTI-FAMILY HILL COUNTRY GATEWAY CORRIDOR OVERLAY CAMP BULLIS MILITARY LIGHTING OVERLAY DISTRICT, "C-3 MLOD-1" GENERAL COMMERCIAL CAMP BULLIS MILITARY LIGHTING OVERLAY DISTRICT, "C-3 GC-1 MLOD-1" GENERAL COMMERCIAL HILL COUNTRY GATEWAY CORRIDOR OVERLAY CAMP BULLIS MILITARY LIGHTING OVERLAY DISTRICT, "MPCD MLOD-1" MASTER PLANNED COMMUNITY CAMP BULLIS MILITARY LIGHTING OVERLAY DISTRICT, AND "MPCD GC-1 MLOD-1" MASTER PLANNED COMMUNITY HILL COUNTRY GATEWAY CORRIDOR OVERLAY CAMP BULLIS MILITARY LIGHTING OVERLAY DISTRICT TO "MF-33 MLOD-1" MULTI-FAMILY CAMP BULLIS MILITARY LIGHTING OVERLAY DISTRICT AND "MF-33 GC-1 MLOD-1" MULTI-FAMILY HILL COUNTRY GATEWAY CORRIDOR OVERLAY CAMP BULLIS MILITARY LIGHTING OVERLAY DISTRICT.

2013-05-09-0349

Item P-3. **PLAN AMENDMENT #13028 (District 8):** AN ORDINANCE AMENDING THE FUTURE LAND USE PLAN CONTAINED IN THE NORTH SECTOR PLAN, A COMPONENT OF THE COMPREHENSIVE MASTER PLAN OF THE CITY, BY CHANGING THE FUTURE LAND USE OF A 16.884 ACRE TRACT OF LAND LOCATED BETWEEN HUEBNER ROAD AND WOODSTONE DRIVE, EAST OF IH-10 FROM MIXED USE CENTER TO GENERAL URBAN TIER. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL.

[CONSENT ZONING CONCLUDED]

ZONING ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

2013-05-09-0341

Item Z-1. **ZONING CASE # Z2013018 CD (District 1):** An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Professional Office on Lot 32, Block 2, NCB 9666 located at 2419 Basse Road. Staff and Zoning Commission recommend approval with conditions.

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 32, BLOCK 2, NCB 9666 TO WIT: FROM "R-4 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "R-4 CD AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR A PROFESSIONAL OFFICE PROVIDED ANY CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

John Jacks presented Item Z-1 and stated that staff and the Zoning Commission recommended approval with the following conditions: 1) There shall be no exterior display or sign with the exception that a nameplate, not exceeding three square feet in area, may be permitted when attached to the front of the main structure; 2) No construction features shall be permitted which would place the structure out of character with the surrounding residential neighborhood; 3) Business hours of operation shall not be permitted before 7:00 am or after 6:00 pm; 4) Office uses shall be limited to a single unit; and 5) Any outside lighting shall be directed onto the site and away from surrounding residential uses. He reported that of 19 notices mailed; none were returned in favor or in opposition.

Councilmember Bernal moved to approve Item Z-1 with the noted conditions above. Councilmember Saldaña seconded the motion.

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

2013-05-09-0342

Item Z-2. **ZONING CASE # Z2013059 (District 1):** An Ordinance amending the Zoning District Boundary from "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and a Microbrewery on 0.47 of an acre out of Lots 85 and 86, Block 2, NCB 3099 located at 2806 North St. Mary's Street. Staff recommends approval of "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and denial of the request for a Microbrewery. 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: 0.47 OF AN ACRE OUT OF LOTS 85 AND 86, BLOCK 2, NCB 3099 TO WIT: FROM "C-3NA AHOD" GENERAL COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT TO "IDZ AHOD" INFILL DEVELOPMENT ZONE AIRPORT HAZARD OVERLAY DISTRICT WITH USES PERMITTED IN "C-2" COMMERCIAL DISTRICT AND A MICROBREWERY.

John Jacks presented Item Z-2 and stated that staff recommended approval of IDZ AHOD Infill Development Zone Airport Hazard Overlay District with uses permitted in C-2 Commercial District and denial of the request for a Microbrewery. He noted that the Zoning Commission recommended approval and that the Tobin Hill Community Association was supportive of the request. He reported that of 30 notices mailed; five were returned in favor and one was received in opposition.

Mayor Castro called upon Ms. Esther Chalk to speak.

Ms. Esther Chalk addressed the City Council in opposition to the zoning request. She stated that she had lived in the neighborhood for 42 years and spoke of her experiences living there. She noted that the neighborhood had become more stable over the years and she would like to keep it that way. She mentioned that there were already many places in the neighborhood that provided

alcoholic beverages. She requested that there be adequate parking if the zoning is approved. She added that she had received 55 signatures from neighbors in opposition to the request.

Councilmember Bernal stated that he understood the changes that had occurred over the years. He expressed concern with businesses that have closed down and stayed closed. He noted that the businesses that were moving into the area that serve alcohol do so in a respectful and dignified way and provided the example of Tycoon Flats. He stated that the owner of the property in question had provided assurances to him regarding operation of the microbrewery. He added that they hoped to get with all of the businesses in the area to have them pay for mobile security.

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

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

CONTINUED TO JUNE 6, 2013

Item Z-3. **ZONING CASE # Z2013035 (District 2):** An Ordinance amending the Zoning District Boundary from "MF-33 AHOD" Multi-Family Airport Hazard Overlay District to "C-3 AHOD" General Commercial Airport Hazard Overlay District on Lot 1, Block 1, NCB 14057 located at the northwest corner of Interstate Highway 10 and Roland Avenue. Staff and Zoning Commission recommend approval.

John Jacks presented Item Z-3 and stated that staff and the Zoning Commission recommended approval. He reported that of 15 notices mailed; one was received in favor and none were returned in opposition.

Councilmember Taylor stated that additional time was needed to meet with the Neighborhood Association and moved to continue Item Z-3 until June 6, 2013. Councilmember Chan seconded the motion.

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

Items P-2 and Z-9 were addressed jointly.

CONTINUED TO JUNE 20, 2013

Item P-2. **PLAN AMENDMENT #12053 (District 8):** AN ORDINANCE AMENDING THE LAND USE PLAN CONTAINED IN THE NORTH SECTOR PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF A 5.513 ACRE TRACT OF LAND LOCATED AT 24165 WEST INTERSTATE HIGHWAY 10 FROM RURAL ESTATE TIER TO SUBURBAN TIER. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL. (ASSOCIATED ZONING CASE #Z2012137) (CONTINUED FROM OCTOBER 4, 2012)

CONTINUED TO JUNE 20, 2013

Item Z-9. **ZONING CASE # Z2012137 (District 8):** An Ordinance amending the Zoning District Boundary from "C-1 PUD GC-1 MSAO-1 MLOD" Planned Unit Development Light Commercial Hill Country Gateway Corridor Overlay Camp Bullis Military Sound Attenuation Overlay Military Lighting Overlay District to "C-2 GC-1 MSAO-1 MLOD" Commercial Hill Country Gateway Corridor Overlay Camp Bullis Military Sound Attenuation Overlay Military Lighting Overlay District on Parcel 5, NCB 34754 located at 24165 West IH 10. Staff and Zoning Commission recommend approval, pending the plan amendment. (Associated Plan Amendment Case # 12053)

Chris Looney presented Item P-2 and stated that it would amend the land use plan contained in the North Sector Plan. He reported that staff and the Planning Commission recommended approval. For Item Z-9, he noted that staff and the Zoning Commission recommended approval.

Councilmember Williams stated that they were still working on said items and needed additional time.

Councilmember Williams moved to continue Items P-2 and Z-9 until June 20, 2013. Councilmember Chan seconded the motion.

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

CONTINUED TO JUNE 6, 2013

Item Z-10. **ZONING CASE # Z2013081 ERZD (District 8):** An Ordinance amending the Zoning District Boundary from "C-3 ERZD MLOD-1" General Commercial Edwards Recharge Zone Camp Bullis Military Lighting Overlay District and "C-3 ERZD MLOD-1 UC-1" General Commercial Edwards Recharge Zone Camp Bullis Military Lighting Overlay IH-10/FM 1604 Urban Corridor District to "MF-33 ERZD MLOD-1" Multi-Family Edwards Recharge Zone Camp Bullis Military Lighting Overlay District and "MF-33 ERZD MLOD-1 UC-1" Multi-Family Edwards Recharge Zone Camp Bullis Military Lighting Overlay IH-10/FM 1604 Urban Corridor District on 16.07 acres out of NCB 14859 located at 15502 Babcock Road. Staff and Zoning Commission recommend approval.

John Jacks presented Item Z-10 and stated that staff and the Zoning Commission recommended approval with the SAWS recommendation that the impervious cover not exceed 62%. He reported that of 20 notices mailed; one was returned in favor and none were received in opposition.

Mayor Castro called upon Mr. Mark Center to speak.

Mr. Mark Center stated that he was a resident of the Hills and Dales Neighborhood and spoke in opposition to the request. He noted that he did not believe that there was a need for another student housing community in the UTSA Area or that it would bring any advantage to the community. He spoke of the traffic issues that would be caused due to the development and added that a traffic study should not be deferred.

Councilmember Williams stated that they had worked very hard on the case and that a lot of concessions had been made. He noted that there were still items that needed to be worked on to include a traffic study and deed restrictions.

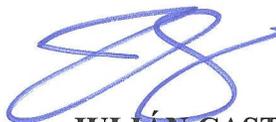
Councilmember Williams moved to continue Item Z-10 until June 6, 2013. Councilmember Chan seconded the motion.

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

ADJOURNMENT

There being no further discussion, Mayor Castro adjourned the meeting at 2:45 pm.

APPROVED



JULIÁN CASTRO
MAYOR

Attest:



LETICIA M. VACEK, TRMC/MMC
City Clerk