

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

THE WORK SESSION SCHEDULED FOR JULY 31, 2013 WAS CANCELLED.

A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO WAS HELD IN THE MUNICIPAL PLAZA BUILDING, THURSDAY, AUGUST 1, 2013.

The San Antonio City Council convened in a Regular Meeting on Thursday, **August 1, 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, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Chan, Soules, and Mayor Castro. **ABSENT:** Taylor. Mrs. Vacek announced that Councilmember Taylor was out of town on City Business.

Item 1. The Invocation was delivered by Reverend Dave Felps, Chapel Hill United Methodist Church, guest of Councilmember Rey Saldaña, District 4.

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

Item 3. MINUTES

Councilmember Medina moved to approve the Minutes for the June 12-13, 2013 City Council Meetings. Councilmember Bernal seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Chan, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** Taylor.

POINT OF PERSONAL PRIVILEGE

Councilmember Viagran recognized Miracle Ortegon and Susan Saleh, Interns with Joven Leaders for America that worked in her office this Summer. She thanked them for their great work. Mayor Castro thanked Miracle and Susan for their interest and work with the City of San Antonio.

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the caption for Item 4:

Item 4. STAFF BRIEFING ON THE CITY'S 'AAA' GENERAL OBLIGATION BOND RATING WHICH WAS AFFIRMED BY ALL THREE MAJOR BOND RATING AGENCIES FOR THE FOURTH CONSECUTIVE YEAR; RECENT BOND REFUNDING RESULTS; AND AN UPDATE ON THE CITY'S LATEST SALE OF BONDS AND CERTIFICATES OF OBLIGATION.

City Manager Sheryl Sculley reported that the City's 'AAA' General Obligation Bond Rating was affirmed by the three major Bond Rating Agencies: Standard & Poors, Fitch, and Moody's. She stated that this was the highest rating that an entity could receive. She indicated that the rationale cited for the affirmation of the rating included: 1) Strong and vibrant economy; 2) Strong financial management policies; and 3) Comprehensive long-term Financial and Capital Programs. She noted that since April 2012, the city has completed five refunding transactions for interest cost savings resulting in total gross savings of \$39.9 million and net present value savings of \$32.6 million. She explained the General Improvements Bonds, Series 2013, and Combination Tax and Revenue Certificates of Obligation, Series 2013 Transactions that were priced on July 16, 2013. She stated that the bonds were issued over a 20-Year Period and the Certificates were issued over a 15-Year Period at a Total Combined Par Amount of \$129,580,000. She outlined the General Improvement Bond Projects that include Streets, Bridges, Sidewalks, Drainage, and Flood Control. She noted that the Combination Tax and Revenue Certificates of Obligation Projects include the LED Streetlights Program and Fire Station Replacement. She highlighted the Underwriting Syndicates, Advisors, and Bond Counsel.

Mayor Castro called upon Nazirite Ruben Flores Perez to speak on Item 4.

Mr. Nazirite Ruben Flores Perez commended the City of San Antonio for their great financial performance.

Mayor Castro mentioned that in light of the news of other cities; this is good news for the City of San Antonio. He thanked Mrs. Sculley, Chief Financial Officer Ben Gorzell, and the Finance Team for their great work. He spoke of the importance of the upcoming Budget Process and maintaining a good financial position.

Councilmember Chan concurred with Mayor Castro and commended city staff on the great fiscal accomplishments. She noted that many businesses look to invest in a city that is performing well financially.

No action was required for Item 4.

CONSENT AGENDA ITEMS 5-19

Consent Agenda Items 8, 13, and 15 were pulled for Individual Consideration.

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

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

Mr. Jack M. Finger spoke in opposition to the Professional Services Agreement with Alicia Viera (Item 17). He expressed concern with the cost of the contract and asked how the citizens of San Antonio would benefit from the contract.

Faris Hodge, Jr. submitted written testimony in favor of Items 6, and 9-19.

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

2013-08-01-0491

Item 5. AN ORDINANCE AUTHORIZING THE FOLLOWING CONTRACTS ESTABLISHING UNIT PRICES FOR GOODS AND SERVICES FOR AN ESTIMATED ANNUAL COST OF \$5,222,000.00: (A) COOPER EQUIPMENT CO. FOR HAMM ROLLER PARTS & SERVICE, (B) E.J. WARD, INC. FOR E.J. WARD AUTOMATED FUEL MANAGEMENT SYSTEM, (C) HESSELBEIN TIRE SOUTHWEST, SOUTHERN TIRE MART, LLC, T & W TIRE AND O'REILLY AUTOMOTIVE STORES, INC. D/B/A O'REILLY AUTOPARTS FOR TIRES AND TIRE SERVICES AND (D) JACO INDUSTRIAL SUPPLY, INC. FOR ORANGE CITRUS SOLVENT DEGREASER.

2013-08-01-0492

Item 6. AN ORDINANCE AUTHORIZING A CHANGE ORDER IN THE INCREASED AMOUNT NOT TO EXCEED \$215,000.00 TO THE TASK ORDER CONTRACT FOR PAVEMENT MARKINGS WITH INTERSTATE BARRICADES AND MARKINGS, INC., FOR SCHEDULED FY 2013 INFRASTRUCTURE MANAGEMENT PROGRAM PROJECTS AND FOR AS-NEEDED SERVICES FOR THE INSTALLATION OF ADDITIONAL PAVEMENT MARKINGS CITY-WIDE.

2013-08-01-0493

Item 7. AN ORDINANCE AUTHORIZING A FUNDING AGREEMENT WITH THE HARMONY SCIENCE ACADEMY ACCEPTING FUNDS IN AN AMOUNT UP TO \$7,500.00 FOR THE CONSTRUCTION AND INSTALLATION OF TWO ROADSIDE MOUNTED SOLAR POWERED FLASHING BEACONS TO ALERT MOTORISTS OF THE HARMONY SCIENCE ACADEMY CAMPUS LOCATED IN COUNCIL DISTRICT 6.

2013-08-01-0495

Item 9. AN ORDINANCE AUTHORIZING A TWO YEAR EXTENSION OF THE EXISTING LEASES FOR THE 23 LA VILLITA TENANTS.

2013-08-01-0496

Item 10. AN ORDINANCE AUTHORIZING A TEN-YEAR LICENSE AGREEMENT WITH MICHAEL LITOFKY FOR BUILDING-FEATURE ENCROACHMENTS OVER PRODUCE ROW AND A NEARBY ALLEY IN DISTRICT 1, IN EXCHANGE FOR A \$2,000.00 FEE.

2013-08-01-0497

Item 11. AN ORDINANCE AUTHORIZING A TEN-YEAR LICENSE AGREEMENT WITH ROBERT SAN MIGUEL FOR BUILDING-FEATURE ENCROACHMENTS OVER PRODUCE ROW IN DISTRICT 1, IN EXCHANGE FOR A \$1,000 FEE.

2013-08-01-0498

Item 12. AN ORDINANCE AMENDING THE LEASE AGREEMENTS WITH TEXAS REPUBLIC AND J.B. LEATHER IN MARKET SQUARE.

2013-08-01-0500

Item 14. AN ORDINANCE RATIFYING THE ACCEPTANCE OF FUNDS FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, HEALTH RESOURCES & SERVICES ADMINISTRATION FOR THE ANNUAL HEALTHY START INITIATIVE GRANT FOR AN AMOUNT UP TO \$710,400.00 FOR A ONE-YEAR PERIOD BEGINNING JUNE 1, 2013 THROUGH MAY 31, 2014.

Item 16. CONSIDERATION OF THE FOLLOWING BOARD, COMMISSION AND COMMITTEE APPOINTMENTS FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE MAY 31, 2015, TO BE EFFECTIVE IMMEDIATELY UPON THE RECEIPT OF EIGHT AFFIRMATIVE VOTES, OR, IN THE EVENT EIGHT AFFIRMATIVE VOTES ARE NOT RECEIVED, TEN DAYS AFTER APPOINTMENT; OR FOR TERMS AND EFFECTIVENESS AS OTHERWISE INDICATED BELOW:

- A. REAPPOINTING INIGO ARZAC (MAYORAL), MANUEL VILLA (DISTRICT 6), AND MANUEL PELAEZ-PRADA (DISTRICT 7) TO THE BROOKS DEVELOPMENT AUTHORITY.
- B. REAPPOINTING AMY HARDBERGER (MAYORAL) TO THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE.
- C. REAPPOINTING ANDREA N. NOCITO (MAYORAL) TO THE CITIZENS' ENVIRONMENTAL ADVISORY COMMITTEE.
- D. APPOINTING CLARISSA PEREZ (DISTRICT 4) TO THE SMALL BUSINESS ADVOCACY COMMITTEE.
- E. APPOINTING DENISSE BERMEA (DISTRICT 4), PRESLEY PRICE (DISTRICT 8), STEPHANIE LUNDSTROM (DISTRICT 8) AND REAPPOINTING DAVON NUNN (DISTRICT 6) AND ANDREW SALAZAR (DISTRICT 6) TO THE SAN ANTONIO YOUTH COMMISSION.
- F. APPOINTING ERICKA BARRERA (DISTRICT 6) TO THE MAYOR'S COMMISSION ON THE STATUS OF WOMEN.
- G. REAPPOINTING JESUS ZUNIGA, JR. (DISTRICT 6) TO THE BUILDING STANDARDS BOARD AND TO THE ZONING BOARD OF ADJUSTMENT.

- H. REAPPOINTING RICHARD L. LAPAGLIA (DISTRICT 6) TO THE ARTS AND CULTURAL ADVISORY COMMITTEE.
- I. REAPPOINTING VICTOR LANDA (DISTRICT 6) TO THE PORT AUTHORITY OF SAN ANTONIO.
- J. REAPPOINTING CARL HANEL (DISTRICT 6) TO THE AFFIRMATIVE ACTION ADVISORY COMMITTEE.
- K. REAPPOINTING PATRICK ABSHER (DISTRICT 6) AND APPOINTING AMANDA GARCIA (DISTRICT 10) TO THE TRANSPORTATION ADVISORY BOARD.
- L. APPOINTING DR. FRANCINE ROMERO (DISTRICT 8) TO THE ZONING COMMISSION.
- M. APPOINTING JACK JUDSON (DISTRICT 10) TO THE HISTORIC AND DESIGN REVIEW COMMISSION.

2013-08-01-0502

Item 17. AN ORDINANCE AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH ALICIA VIERA IN AN AMOUNT NOT TO EXCEED \$67,184.00 PER YEAR FOR CULTURAL PROGRAMS DIRECTOR SERVICES ASSOCIATED WITH THE EDUCATIONAL & CULTURAL ARTS CENTER AND AMENDING THE SERVICE CONTRACT BETWEEN THE CITY AND TEXAS A&M UNIVERSITY - SAN ANTONIO APPROVED BY ORDINANCE 2012-08-30-0645 BY EXTENDING THE TERM OF THE AGREEMENT BY ONE YEAR.

2013-08-01-0023R

Item 18. A RESOLUTION TO PROCEED WITH LANDMARK DESIGNATION FOR 3203 S. PRESA (FIRE STATION #13) AND 649 DELMAR (FIRE STATION #9).

2013-08-01-0503

Item 19. AN ORDINANCE AUTHORIZING THE FIRST ONE YEAR RENEWAL OF THE STAND-BY PROFESSIONAL SERVICES AGREEMENT FOR LANDFILL COMPLIANCE, ENVIRONMENTAL REMEDIATION AND CONSULTING SERVICES WITH HARTNETT ENGINEERED SOLUTIONS, INC., IN AN AMOUNT NOT TO EXCEED \$505,000.00 FOR THE TERM OF THE RENEWAL, FUNDED BY THE SOLID WASTE OPERATING AND MAINTENANCE FUND.

[CONSENT ITEMS CONCLUDED]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the caption for Item 8:

2013-08-01-0494

Item 8. AN ORDINANCE AUTHORIZING THE EXECUTION OF A TEN YEAR LEASE WITH HACKBERRY INVESTORS, LTD AND THE CITY OF SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR 12,251 SQUARE FEET OF CLINIC SPACE LOCATED AT 512 EAST HIGHLAND AVENUE IN COUNCIL DISTRICT 3, FOR THE PURPOSE OF ESTABLISHING A SEXUALLY TRANSMITTED DISEASE CLINIC FOR AN ANNUAL RENTAL AMOUNT OF \$210,000.00 DURING THE FIRST YEAR OF THE TERM, EVENTUALLY ADJUSTING TO \$231,767.41.00 DURING THE FINAL YEAR OF THE TERM.

Councilmember Viagran asked why the clinic move was necessary. Dr. Tom Schlenker stated that the current building was located in the Downtown Area and that there were challenges with parking and the waiting room. He noted that patients sometimes had to wait outside due to the small facility and that patient privacy could easily be compromised. He mentioned that the new facility would be twice the size, offered free parking, and would be configured in a more humane and appropriate setting. Councilmember Viagran asked of the medical waste. Dr. Schlenker replied that the clinic generates very little medical waste and what is generated is disposed of at the City's Public Health Lab. He stated that it was regulated by the Texas Center for Environmental Quality and a sanctioned medical waste disposal facility.

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

The motion prevailed by the following vote: **AYES:** Bernal, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Chan, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** Taylor.

The City Clerk read the caption for Item 13:

2013-08-01-0499

Item 13. A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE ADOPTING THE 39TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT IN THE TOTAL AMOUNT OF \$12,090,427.00; THE 22ND YEAR HOME INVESTMENT PARTNERSHIPS PROGRAM ENTITLEMENT GRANT IN THE TOTAL AMOUNT OF \$4,292,605.00; THE HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS ENTITLEMENT GRANT IN THE TOTAL AMOUNT OF \$1,138,748.00; AND THE EMERGENCY SOLUTIONS GRANT IN THE TOTAL AMOUNT OF \$843,303.00 AS EACH GRANT IS CONTAINED IN THE FY 2013-2014 CONSOLIDATED ANNUAL ACTION PLAN/BUDGET; AUTHORIZING THE REPROGRAMMING AND REALLOCATION OF \$108,387.00 IN CDBG FUNDS, INCLUDED IN THE TOTAL AMOUNT; THE ALLOCATION OF PROGRAM INCOME IN THE AMOUNT OF \$210,000.00 IN CDBG FUNDS AND \$547,200.00 IN HOME FUNDS, INCLUDED IN THE TOTAL AMOUNT; AUTHORIZING THE SUBMISSION OF THE GRANTS TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND AUTHORIZING A PERSONNEL COMPLEMENT OF FORTY-FIVE POSITIONS.

Mayor Castro opened the public hearing and stated that no one was registered to speak on said item. He asked staff for a presentation. Mr. John Dugan presented a Power Point outlining the FY 2014 Budget recommendations for Housing and Urban Development (HUD) Grant Programs. These include:

Community Development Block Grant (CDBG), Home Investment Partnerships Program (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA). He reported that in March 2013, the Quality of Life (QOL) Council Committee had adopted a funding strategy for CDBG and HOME Funds. He stated that the QOL Committee endorsed place-based efforts in Target Areas throughout the city's core, consistent with the Council-Adopted Strategic Plan for Community Development. He noted that the Target Areas were based on various factors such as the ability to leverage existing or planned public investment and demonstrated community need. He highlighted the five Target Areas: 1) Edgewood; 2) University Park West/Blueridge; 3) Wheatley; 4) Palm Heights; and 5) Harlandale. He provided an overview of the FY 2014 Entitlement Budget in which \$18,365,083 was estimated and noted that it was a decrease of \$1,132,760 from FY 2013. He indicated that the Action Plan Administrative Budget would re-align staff resources to shift the focus from city program delivery to grant contract and oversight and reported that there were 45 Authorized Positions.

Councilmember Bernal thanked staff for their work and asked if there was other funding that could replenish the decreased HUD Funds. Mr. Dugan replied that reprogrammed funds could be available after the first of the year when projects are completed. Councilmember Bernal stated that he was pleased with the five target areas but would also like to address the target areas identified earlier in the year.

Councilmember Lopez asked how the allocations were coordinated with other agencies. Mr. Dugan replied that each agency receives a separate entitlement and that they must work within the budget. He spoke of the importance of strategy and focus and mentioned the five Target Areas. Councilmember Lopez noted that at times; the city is able to fill a gap through coordination with other organizations. He asked when the specific projects would be identified. Mr. Dugan responded that many of the projects had been identified and that some had an open application process such as the First Time Homebuyer Program. Councilmember Lopez asked of outreach to the community. Mr. Dugan replied that a press release had gone out and that they would work on a marketing strategy with the QOL Committee.

Councilmember Medina stated that he would like to ensure that a specific portion of the University Park West/Blue Ridge Target Area is included, noting the great amount of work that had been completed near St. Mary's University. Mr. Dugan replied that the areas were identified by Census Tract but could be adjusted if necessary.

Councilmember Saldaña asked of the previous budgets and reductions. Mr. Dugan replied that the 5% across the board reduction this year was due to Sequestration. He mentioned the 20% reduction within ESG and stated that over the last five years; there had been almost a 50% reduction in CDBG and HOME Funds. Councilmember Saldaña asked of the 20% Administrative Expense Budget. Mr. Dugan replied that 20% was the maximum allowed which was used to fund staff. He mentioned that HUD was asking the city to adjust staffing levels to have more oversight on the various projects. Mrs. Sculley added that as the budget was reduced over the past few years; the staffing was also reduced.

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

The motion prevailed by the following vote: **AYES:** Bernal, Viagran, Saldaña, Gonzales, Lopez, Nirenberg, and Mayor Castro. **NAY:** None. **ABSENT:** Taylor, Medina, Chan and Soules.

The City Clerk read the caption for Item 15:

2013-08-01-0501

Item 15. AN ORDINANCE AMENDING ARTICLE I (GENERAL PROCEDURES), ARTICLE IV (HORSE DRAWN CARRIAGES), ARTICLE V (LIMOUSINE SERVICES), ARTICLE VI (PEDICAB SERVICE), ARTICLE VII (TOUR AND CHARTER SERVICE) AND ARTICLE VIII (TAXICABS) OF CHAPTER 33 OF THE SAN ANTONIO CITY CODE TO MEET THE NEEDS FOR EACH INDUSTRY AND TO MAINTAIN PUBLIC SAFETY.

Chief McManus presented a Power Point outlining the revisions to Chapter 33 of the City Code. He reported that no comprehensive revisions had been made to Chapter 33 in 20 years with a few exceptions such as the Taxicab Rate Increase in 2011 and Pedicab Revisions in 2012. He stated that staff held 14 Stakeholder Meetings in April and that there had been 168 participants from all industries in attendance. On May 1, 2013, the Transportation Advisory Board (TAB) recommended approval of the revisions to Chapter 33 and the Public Safety Committee recommended approval of same on May 22, 2013.

Chief McManus explained that the revisions were presented to the City Council on June 20, 2013 and returned to staff to further study. He noted that on July 16, 2013, San Antonio Police Department (SAPD) Staff, Animal Care Services (ACS) Staff and the City-Contracted Equine Expert Dr. Espy, met to review changes and develop revisions. He reported that the TAB had reviewed the revisions and recommended approval. He highlighted proposed changes to each Industry that include a Uniform \$15 Driver License Fee; Increasing the Vehicle Age Requirement from 5 to 8 Years for all vehicles; Lottery Drawing for Horse Carriage Permits; and Amending Rate Study Provisions for Taxicabs. He added that staff would be conducting a Rate Study in the 4th Quarter of FY 2013.

Mayor Castro called upon the citizens registered to speak.

Luis E. Garcia, Taxicab Driver and Member of the Alamo City Driver's Association addressed the City Council in opposition to the Chapter 33 Revisions. He expressed concern that the changes would benefit 95% of the Taxicab Companies and only 5% of the Taxicab Drivers.

Diana Blinn, MD spoke against the practice of utilizing Horse Drawn Carriages. She stated that they were an outdated form of transportation and believed they were unsanitary. She expressed concern that the Ordinance relating to Horse Drawn Carriages could not be monitored or enforced.

Hector Garcia, Pete Medina and Mike Stark representing the Alamo City Driver's Association spoke against the amendments to Chapter 33 of the City Code related to Taxicabs. Mr. Garcia noted his concerns that Taxicab Drivers are classified as Independent Contractors by Taxicab Companies and no longer receive benefits such as sick leave and health coverage. He stated that there were many issues that needed to be resolved with the Taxicab Industry and encouraged the City Council to approve the recommended Chapter 33 Revisions with the exception of Article VIII related to Taxicabs.

Cruz Chavira addressed the City Council in opposition to the proposed revisions to Chapter 33 of the City Code. He spoke of a change to Chapter 33 that occurred in 1999 which disallowed the transferring

of Taxicab Permits if they had not been held for longer than four years. He expressed concern that there were only five Hispanic-Owned Taxicab Companies left out of more than 24 in the past.

Cheryl Shaw, Chair of the TAB addressed the City Council in support of the Chapter 33 Revisions. She spoke of the many hours that had been spent on the revisions by City Staff, TAB Board and highlighted the benefits.

Kathryn Stephens stated that she works for Bluebonnet Carriage Company and was supportive of the revisions to Chapter 33. She noted that the changes would benefit the drivers and horses and that changes had not occurred since 1995.

Placido Salazar stated that he was a Veteran and speaking on behalf of the Veteran Taxicab Drivers in opposition to the revisions to Chapter 33. He expressed concern with the challenges of Veteran Taxicab Drivers that begin each day in debt before earning any money. He noted that smaller Taxicab Companies were being forced out by larger companies and asked the City Council to help repair issues with the Taxicab Industry.

John Bouloubasis, President of Greater San Antonio Transportation and Yellow Cab addressed the City Council in support of the proposed revisions to Chapter 33. He spoke of the countless hours spent working on the revisions and highlighted the benefits for Taxicab Drivers. He stated that the revisions were suggested by drivers and asked the City Council for their support.

Noah Tillman-Young stated that he worked for Yellow Rose and HRH Carriage Company and was supportive of the proposed revisions to Chapter 33. He provided an issue of The Horse Gazette and referenced an article regarding neglected horses. He noted that their drivers took great care of their horses and that they had a good track record in San Antonio. He asked the City Council to vote in support of the revisions.

George Alva, Vice-President of the TAB addressed the City Council in favor of the proposed revisions to Chapter 33. He spoke of the great amount of time that they had spent working on the recommendations and highlighted the benefits that would help support the Tourism Industry. He added that the needs of many outweigh the wants of a few.

Edita Bir, New York Director for Friends of Animals stated that they manage Primarily Primates in San Antonio and were opposed to the proposed revisions to Chapter 33. She noted that animal abuse was not an appropriate tourist attraction. She read a letter from Dr. Holly Cheever, an Equine Veterinarian who wrote that Horse Drawn Carriages and motor vehicles should not share the same roadways. Ms. Bir expressed concern with the operation of the Horse Drawn Carriage Industry in San Antonio and noted that horses were in danger due to the extreme heat. She provided a letter in opposition to the revisions from Dr. John G. Hynes, a Veterinarian in New Jersey.

Stephen Tello of Primarily Primates stated that he was opposed to the proposed revisions to Chapter 33. He noted that the Ordinance should be a safety issue for horses due to the heat and expressed concern with unsanitary working conditions. He asked the City Council to table the issue for additional discussion.

Robert Gonzales stated that he had been in the Taxicab Industry for 33 years and was opposed to the proposed revisions to Chapter 33. He spoke of the great care that horses working in the Carriage Industry receive but noted that the operators were in business to make a profit. He expressed concern that he and Mr. Cruz Chavira had served on the TAB and Subcommittee to review Chapter 33 Revisions but had been unfairly removed. He stated that the smaller Taxicab Companies had been left out of the process and could go out of business. He added that Section 33.016 had been eliminated which had allowed for the transfer of permits.

George Mery of the Limousine Industry stated that he was in support of the proposed revisions to Chapter 33. He commended the TAB for their work noting that they had been careful and productive in their meetings.

Michael Khadem stated that he was a permit holder for AAA Taxi/Limousine and served on the TAB. He noted that he was supportive of the proposed revisions to Chapter 33 that would greatly benefit the Ground Transportation Industry. He added that the majority of the Industry were supportive of the changes.

Adrian Gonzalez addressed the City Council in support of the proposed revisions to Chapter 33. He stated that he had worked for Yellow Cab for nine years and did not believe that a small minority should influence the majority. He added that the revisions were good for Taxicab Drivers and that drivers would save \$8,000 per year by extending the vehicle life of their taxicabs.

Alex El Halim, Taxicab Driver stated that he and many other drivers that he had spoken to were in support of the proposed revisions to Chapter 33. He noted that the changes were needed to improve the Taxicab Industry.

Abdu Abdelgyoum stated that he had been a Taxicab Driver for 10 years and was supportive of the proposed revisions to Chapter 33.

Francine Dalros addressed the City Council in support of the proposed revisions to Chapter 33. She stated that she was a permit holder for Lollipop Carriage Company and spoke of the benefits of the changes to their horses. She noted that they took great care of their horses and that they had a great track record in San Antonio. She commended the many individuals that participated in the process to revise Chapter 33.

John Bachman, Director of Voice for Animals addressed the City Council in opposition to the proposed revisions to Chapter 33. He expressed concern that issues with the Horse Drawn Carriage Industry have not been addressed properly. He stated that he did not believe meeting notices had been posted accordingly and that Animal Advocates had not had the opportunity to speak.

Brooke Chavez stated that she worked at a Sanctuary for Equines and was opposed to the proposed revisions to Chapter 33. She noted that she would like to stop the use of Horse Drawn Carriages on city streets and spoke of the issues with horses sharing the roadway with vehicles and bicycles.

Darlene Regalbuto addressed the City Council in opposition to the proposed revisions to Chapter 33. She expressed concern that 14 people would be allowed in a Horse Drawn Carriage and also noted the extreme heat that horses worked in.

Marisela Martinez stated that she was a Horse Drawn Carriage Driver and spoke in support of the proposed revisions to Chapter 33. She noted that she took great care of her horse and spoke of Tourists that enjoyed seeing the city by carriage. She mentioned that the Industry in San Antonio has a great track record and that they rarely carry the maximum amount of persons allowed.

Devia Jordan stated that she had been a Horse Drawn Carriage Driver for 10 Years and was supportive of the proposed revisions to Chapter 33. She noted that she takes great care of her horses and believed that they were Ambassadors of the City. She spoke of the great service they provide for Tourists and asked the City Council for their support.

Mayor Castro asked of the issues with the Taxicab Industry. Steven Baum of SAPD responded that they had issues that were not under the purview of Chapter 33 that were Employer/Employee Concerns. He noted that they included items such as being treated as Independent Contractors and Escrow Accounts required for Taxicab Maintenance. Mayor Castro asked of the age of the vehicles and the standard in other cities. Mr. Baum stated that they looked at the safety and mentioned that the cabs are mechanically and physically inspected in order to meet the standards. Mayor Castro asked of the concerns regarding Section 33.016 related to the transfer of permits. Mr. Baum replied that it had been an issue for several decades and that they had removed the ability to transfer permits. He stated that they would revisit the issue as well as the incentives for environmentally-friendly vehicles and review rates. Mayor Castro expressed concern with extending the taxi life from five to eight years. Mr. Baum indicated that most of the vehicles were Ford Crown Victorias and their body style did not change much from one year to another. He stated that they were most concerned with safety and security and noted that the vehicles were inspected annually.

Mayor Castro asked of the signage at the Airport and the ease of travelers getting a cab. Mr. Baum replied that they would follow up with the Aviation Director who had assured the Taxicab Industry that they would work to improve their concerns. Mayor Castro asked of the working shift allowed for horses. Chief McManus replied that horses will be limited to an 8-hour work shift and must have at least 16 hours off before working again. He added that horses were also required to have a 10-minute break after every trip. Mayor Castro asked of the temperature requirement for horses and enforcement. Chief McManus responded that the temperature must not exceed 95 degrees and that Inspectors reviewed work logs. Mayor Castro asked if horse illnesses were reported. Chief McManus responded that ACS was responsible for inspection of the horses and their conditioning record. Vincent Medley added that they stay in close contact with the Horse Carriage Drivers and sometimes utilize the same Veterinarian. If a horse has an illness; it is pulled from service and must be seen by a Veterinarian. Mayor Castro stated that he would like staff to follow up and be vigilant regarding the health and safety of the animals.

Councilmember Bernal thanked Chief McManus in speaking to him relating to the proposed revisions to Chapter 33. He noted that issues related to fares, permits, environmentally-friendly vehicles, and the Airport would be discussed by the Committee this term.

Councilmember Nirenberg thanked everyone for their work on the Chapter 33 Revisions. He stated that Chapter 33 addresses very specific things and that it was important to come up with good solutions related to consumer protection, safety, and effectiveness of Ground Transportation.

Councilmember Nirenberg moved to adopt the proposed Ordinance. Councilmember Medina seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Chan, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** Taylor.

Item 20. CITY MANAGER'S REPORT

A. PRE-K 4 SA UPDATE

Mrs. Sculley reported that the City of San Antonio along with the Pre-K 4 SA Board of Directors and seven participating School Districts continues implementation of the Pre-K 4 SA Initiative. She stated that staff was working diligently to ensure that the Pre-K 4 SA Centers open on August 26, 2013. She highlighted successes to date that include hiring 44 Master Teachers and 44 Teacher Assistants, as well as the majority of administrative and support staff. She reported that all hired education staff reported for work today and that of the 44 Master Teachers; 16 are certified in Bilingual Education and nine are certified in Special Education. She stated that Pre-K 4 SA Staff held a Back to School Fair sponsored by CentroMed on Saturday, July 27th at the CentroMed on Walzem Road in which students and their siblings received wellness checks and immunizations, dental checks, school supplies, and hair cuts. She reported that staff would hold another Back to School Fair on August 3rd at CentroMed on Commercial Avenue. She stated that Pre-K Staff would hold a Convocation for all Teachers and Teacher Assistants at the South Education Center on August 12th. She noted that each Education Center would hold Open Houses on Friday, August 23rd and Saturday, August 24th. She spoke of the free transportation that would be provided to students by Star Shuttle from the 10 Depots located at area Libraries and Community Centers. She reported that construction was complete at both the North and South Education Centers and that the East and West Education Centers had been approved by the Board. She indicated that classes would begin on August 26, 2013 and end on June 5, 2014. She noted that a more in-depth briefing would occur at the B Session the following week.

Mayor Castro thanked everyone for their work on Pre-K 4 SA and stated that he looked forward to the opening of the Education Centers.

EXECUTIVE SESSION

Mayor Castro announced that the Executive Session would not be held and recessed the meeting at 11:55 am.

- 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. 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).**

RECONVENED

Mayor Castro reconvened the meeting at 2:05 pm. He addressed the Consent Zoning Items.

CONSENT ZONING ITEMS

Councilmember Lopez moved to approve the following Zoning Items: Z-1, Z-4, Z-6, P-1, Z-7, Z-8, P-2, Z-10, P-3, and Z-12 under Consent Zoning. Councilmember Bernal seconded the motion.

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

Francille L. Radmann addressed the City Council in support of the Historic Landmark designation of her property (Item Z-6) and thanked the Council for their consideration. She referenced the Maguera Family and the Hensley Family that had lived in the home. She noted that the Hensley Son was a World War II Aviation War Hero and youngest person in Texas to pass the State Bar.

Jack M. Finger addressed the Council in opposition to Item Z-3 noting that staff had recommended denial and that two people had spoken against said item during the Zoning Commission Meeting. He stated that he was opposed to the Bingo Parlor requested in Items P-1 and Z-7.

Mrs. Vacek announced that she had received letters of support for Items P-1 and Z-7 from Rebecca Cardona, Ernest Hernandez, and Victoria Garcia.

Faris Hodge, Jr. submitted written testimony in favor of Items Z-1, Z-2, Z-4, Z-5, Z-6, P-1, Z-7, Z-8, Z-9, Z-10, and Z-12.

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

2013-08-01-0504

Item Z-1. **ZONING CASE # Z2013119 (District 1):** An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "MF-40 AHOD" Multi-Family Airport Hazard Overlay District on Lots 33, 34, 35, 36, 37, 38, 39, 40, 41 and 42, Block 1, NCB 9001 located at 1515 West Contour Drive. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOTS 33, 34, 35, 36, 37, 38, 39, 40, 41 AND 42, BLOCK 1, NCB 9001 TO WIT: FROM "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT TO "MF-40 AHOD" MULTI-FAMILY AIRPORT HAZARD OVERLAY DISTRICT.

2013-08-01-0505

Item Z-4. **ZONING CASE # Z2013133 (District 1):** An Ordinance amending the Zoning District Boundary from "MF-33 AHOD" Multi-Family Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Lots 14, 15, 16, 17, 18, 19, 20 and 21, Block 1, NCB 1924 located at 125, 127, 131, 135, 139, 141, 143, 147, 155 Carter and 1614 North Elmendorf. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOTS 14, 15, 16, 17, 18, 19, 20 AND 21, BLOCK 1, NCB 1924 TO WIT: FROM "MF-33 AHOD" MULTI-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

2013-08-01-0506

Item Z-6. **ZONING CASE # Z2013142 HL (District 2):** An Ordinance amending the Zoning District Boundary from "R-4 NCD-6" Residential Single-Family Mahncke Park Neighborhood Conservation District to "HL R-4 NCD-6" Historic Landmark Residential Single-Family Mahncke Park Neighborhood Conservation District on the north 150 feet of Lot 23, NCB 6569 located at 310 Elmhurst Avenue. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: THE NORTH 150 FEET OF LOT 23, NCB 6569 TO WIT: FROM "R-4 NCD-6" RESIDENTIAL SINGLE-FAMILY MAHNCKE PARK NEIGHBORHOOD CONSERVATION DISTRICT TO "HL R-4 NCD-6" HISTORIC LANDMARK RESIDENTIAL SINGLE-FAMILY MAHNCKE PARK NEIGHBORHOOD CONSERVATION DISTRICT.

2013-08-01-0507

Item P-1. **PLAN AMENDMENT #13036 (District 3):** AN ORDINANCE AMENDING THE FUTURE LAND USE PLAN CONTAINED IN THE SOUTH CENTRAL SAN ANTONIO COMMUNITY PLAN, A COMPONENT OF THE COMPREHENSIVE MASTER PLAN OF THE CITY, BY CHANGING THE FUTURE LAND USE OF AN 11.79 ACRE TRACT OF LAND LOCATED AT 1135 MISSION ROAD FROM PUBLIC/INSTITUTIONAL TO MIXED USE. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL. (ASSOCIATED ZONING CASE # Z2013135 CD S)

2013-08-01-0508

Item Z-7. **ZONING CASE # Z2013135 CD S (District 3):** An Ordinance amending the Zoning District Boundary from "MF-33 H RIO-4 AHOD" Multi-Family Mission Historic River Improvement Overlay-4 Airport Hazard Overlay District to "C-2 S H RIO-4 AHOD" Commercial Mission Historic River Improvement Overlay-4 Airport Hazard Overlay District with a Specific Use Authorization for a Bingo Parlor on 0.138 of an acre and "C-2 CD H RIO-4 AHOD" Commercial Mission Historic River

Improvement Overlay-4 Airport Hazard Overlay District with a Conditional Use for Paintball Hide and Seek Games - Outdoors Permitted on 1.516 acres on 1.654 acres out of Lot 51, NCB A-20 located on portions of 1135 Mission Road. Staff and Zoning Commission recommend approval. (Associated Plan Amendment Case # 13036)

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: 1.654 ACRES OUT OF LOT 51, NCB A-20 TO WIT: FROM "MF-33 H RIO-4 AHOD" MULTI-FAMILY MISSION HISTORIC RIVER IMPROVEMENT OVERLAY-4 AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 S H RIO-4 AHOD" COMMERCIAL MISSION HISTORIC RIVER IMPROVEMENT OVERLAY-4 AIRPORT HAZARD OVERLAY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A BINGO PARLOR ON 0.138 OF AN ACRE AND "C-2 CD H RIO-4 AHOD" COMMERCIAL MISSION HISTORIC RIVER IMPROVEMENT OVERLAY-4 AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR PAINTBALL HIDE AND SEEK GAMES - OUTDOORS PERMITTED ON 1.516 ACRES PROVIDED ANY CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2013-08-01-0509

Item Z-8. **ZONING CASE # Z2013141 (District 4):** An Ordinance amending the Zoning District Boundary from "I-2 AHOD" Heavy Industrial Airport Hazard Overlay District to "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District on Lot 3, Block 2, NCB 17550 located at 2600 Southwest Military Drive. 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 3, BLOCK 2, NCB 17550 TO WIT: FROM "I-2 AHOD" HEAVY INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-2NA AHOD" COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT.

2013-08-01-0511

Item P-2. **PLAN AMENDMENT #13034 (District 6):** AN ORDINANCE AMENDING THE FUTURE LAND USE PLAN CONTAINED IN THE NORTHWEST COMMUNITY PLAN, A COMPONENT OF THE COMPREHENSIVE MASTER PLAN OF THE CITY, BY CHANGING THE FUTURE LAND USE OF APPROXIMATELY 4.333 ACRES OF LAND OUT OF NCB 18698, LOCATED IMMEDIATELY EAST OF 8715 GRISSOM ROAD FROM HIGH DENSITY RESIDENTIAL TO COMMUNITY COMMERCIAL. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL. (ASSOCIATED ZONING CASE: #Z2013134 CD)

2013-08-01-0512

Item Z-10. **ZONING CASE # Z2013134 CD (District 6):** An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Auto and Light Truck Repair

on 1.771 acres out of Lot 3, Block 28, NCB 18698 located on a portion of the 8700 Block of Grissom Road. Staff and Zoning Commission recommend approval, pending the plan amendment. (Associated Plan Amendment Case # 13034)

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: 1.771 ACRES OUT OF LOT 3, BLOCK 28, NCB 18698 TO WIT: FROM "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 CD AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR AUTO AND LIGHT TRUCK REPAIR PROVIDED ANY CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2013-08-01-0513

Item P-3. **PLAN AMENDMENT #13035 (District 10):** AN ORDINANCE AMENDING THE FUTURE LAND USE PLAN CONTAINED IN THE SAN ANTONIO INTERNATIONAL AIRPORT VICINITY LAND USE PLAN, A COMPONENT OF THE COMPREHENSIVE MASTER PLAN OF THE CITY, BY CHANGING THE FUTURE LAND USE OF AN 8.875 ACRE TRACT OF LAND LOCATED WEST/SOUTHWEST OF THE INTERSECTION OF THOUSAND OAKS DRIVE AND WETMORE ROAD FROM BUSINESS PARK TO LIGHT INDUSTRIAL. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL. (ASSOCIATED ZONING CASE: #Z2013137)

2013-08-01-0514

Item Z-12. **ZONING CASE # Z2013137 (District 10):** An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "L AHOD" Light Industrial Airport Hazard Overlay District on 8.875 acres out of NCB 15678 located on a portion of the 12900 and 13000 Block of Wetmore Road. Staff and Zoning Commission recommend approval, pending the plan amendment. (Associated Plan Amendment Case # 13035)

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: 8.875 ACRES OUT OF NCB 15678 TO WIT: FROM "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "L AHOD" LIGHT INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT.

[CONSENT ZONING CONCLUDED]

ZONING ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

CONTINUED TO AUGUST 15, 2013

Item Z-2. **ZONING CASE # Z2013127 (District 1):** An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "R-4 AHOD"

Residential Single-Family Airport Hazard Overlay District on Lots 11 and 12, Block 3, NCB 3029 located at 234 West Grayson Street. Staff and Zoning Commission recommend approval.

John Jacks presented Item Z-2 and stated that staff and the Zoning Commission recommended approval. He reported that of 23 notices mailed; one was received in favor and two were returned in opposition. He added that due to the opposition; the case would require nine votes for approval.

Councilmember Bernal stated that the owner of the adjoining property and businesses was opposed to the zoning request and he would like more time to find out why they were in opposition.

Councilmember Bernal moved to continue Item Z-2 for two weeks. Councilmember Medina seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Chan, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** Taylor.

CONTINUED TO SEPTEMBER 5, 2013

Item Z-3. **ZONING CASE # Z2012225 (District 1):** An Ordinance amending the Zoning District Boundary from "MF-33 AHOD" Multi-Family Airport Hazard Overlay District to "C-1 AHOD" Light Commercial Airport Hazard Overlay District on Lots 33A and 34A, the east 10 feet of the north 92.8 feet of Lot 32A, and the north 29 feet of Lot 35A, Block 19, NCB 2083 aka Lots 32-35, Block 19, NCB 2083 located at 1623 North Sabinas. Staff recommends denial. Zoning Commission recommends approval. (Continued from June 20, 2013)

John Jacks presented Item Z-3 and stated that staff recommended denial and the Zoning Commission recommended approval. He reported that of 29 notices mailed; none were returned in favor and two were received in opposition.

Councilmember Bernal stated that the zoning case had been postponed several times but understood that the applicant wanted to do something with the property. He asked if the applicant could be encouraged to withdraw their request rather than deny it since it would not be able to come back for two years if denied. Mr. Jacks replied that they would sit with the applicant to discuss their options.

Councilmember Bernal moved to continue Item Z-3 until September 5, 2013. Councilmember Saldaña seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Chan, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** Taylor.

CONTINUED TO AUGUST 15, 2013

Item Z-5. **ZONING CASE # Z2013144 (District 2):** An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "L AHOD" Light Industrial Airport Hazard Overlay District on Lot 32A, Block 2, NCB 15732, located at 230 Remount Drive. Staff and Zoning Commission recommend approval.

John Jacks presented Item Z-5 and stated that staff and the Zoning Commission recommended approval. He reported that of 17 notices mailed; four were received in favor and none were returned in opposition.

In the absence of Councilmember Taylor, Councilmember Soules moved to continue Item Z-5 until August 15, 2013. Councilmember Lopez seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Chan, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** Taylor.

2013-08-01-0510

Item Z-9. **ZONING CASE # Z2013111 (District 5):** An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Lot 7 & Parcel 108, NCB 8267 located at 4343 West Commerce Street. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 7 & PARCEL 108, NCB 8267 TO WIT: FROM "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

Councilmember Saldaña recused himself from Item Z-9 by submitting the recusal forms to the City Clerk and exiting the Council Chambers.

John Jacks presented Item Z-9 and stated that staff and the Zoning Commission recommended approval. He reported that of 40 notices mailed; one was returned in favor and none were received in opposition.

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

The motion prevailed by the following vote: **AYES:** Bernal, Viagran, Gonzales, Lopez, Medina, Nirenberg, Chan, Soules, and Mayor Castro. **NAY:** None. **ABSTAIN:** Saldaña. **ABSENT:** Taylor.

CONTINUED UNTIL SEPTEMBER 5, 2013

Item Z-11. **ZONING CASE # Z2013109 (District 7):** An Ordinance amending the Zoning District Boundary from "C-3 AHOD" General Commercial Airport Hazard Overlay District to "MF-25 AHOD" Low Density Multi-Family Airport Hazard Overlay District on the southwest 51 feet of the northeast 221.6 feet of Lot 33 and the southwest 94 feet of the northeast 315.6 feet of Lot 33, Block B, NCB 11514 located on a portion of the 4100 Block of Willard Drive. Staff recommends approval. Zoning Commission recommends denial.

John Jacks presented Item Z-11 and stated that staff recommended approval and the Zoning Commission recommended denial. He reported that of 12 notices mailed; none were received in favor and three were returned in opposition.

Mayor Castro called upon the individuals registered to speak on Item Z-11.

Ruben Sanchez, President of the Woodlawn Hills Association addressed the City Council in opposition to the zoning request. He stated that he had met with many property owners that were affected by the zoning and they were opposed to the request. He noted that they were concerned with the many apartment complexes and crime in the area.

Daniel Urrutia stated that he was the Pastor at the adjacent church and they were opposed to the zoning request. He expressed concern with safety, traffic, and noise in the area.

Andrew Wilburn addressed the City Council in opposition to the zoning request. He stated that he had lived on his property behind the church for 51 years and spoke of the many challenges with crime and vagrants. He asked the City Council to oppose the request.

Councilmember Medina stated that they were trying to strike a balance so that the property would not remain vacant. He noted that he would like additional time for the applicant to meet with the surrounding neighborhood.

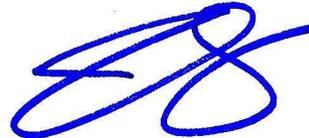
Councilmember Medina moved to continue Item Z-11 until September 5, 2013. Councilmember Bernal seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Chan, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** Taylor.

ADJOURNMENT

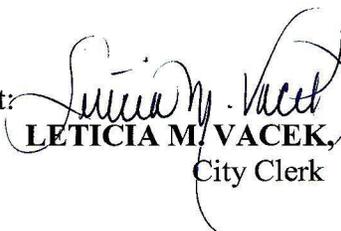
There being no further discussion, Mayor Castro adjourned the meeting at 2:27 pm.

APPROVED



**JULIÁN CASTRO
MAYOR**

Attest:



LETICIA M. VACEK, TRMC/MMC
City Clerk