

**State of Texas  
County of Bexar  
City of San Antonio**



**FINAL  
Meeting Minutes  
City Council A Session**

City Hall Complex  
105 Main Plaza  
San Antonio, Texas 78205

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Thursday, December 3, 2015

9:00 AM

Municipal Plaza Building

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The City Council of San Antonio convened in a Regular Council Meeting. City Clerk Leticia Vacek took the Roll Call with the following Councilmembers present:

**PRESENT:** 11 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

1. The Invocation was delivered by Dr. Steven Branson, Pastor, Village Parkway Baptist Church, guest of Councilmember Ray Lopez, District 6.
2. Mayor Taylor led the Pledge of Allegiance to the Flag of the United States of America.
3. Approval of Minutes for the Regular City Council Meetings of October 21 - 22, 2015.

Councilmember Warrick moved to approve the minutes of the Regular City Council Meetings of October 21-22, 2015. Councilmember Krier seconded the motion. The motion prevailed by the following vote:

**AYE:** 10 - Mayor Taylor, Treviño, Warrick, Viagran, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

**ABSENT:** 1 - Saldaña

**OATH OF OFFICE - MAYOR PRO TEM**

4. Councilmember Ray Lopez to be sworn-in as Mayor Pro-Tem, serving the term November 13, 2015 through January 22, 2016.

City Clerk Vacek administered the Oath of Office to Councilmember Ray Lopez serving as Mayor Pro Tem for the term of November 13, 2015 through January 22, 2016.

**CONSENT AGENDA ITEMS**

Items 15, 17, 18, 21, 22, and 24 were pulled for Individual Consideration. Councilmember Saldaña moved to approve the remaining Consent Agenda Items. Councilmember Viagran seconded the motion.

Mayor Taylor called upon Mr. Jack M. Finger to speak.

Mr. Jack M. Finger spoke in opposition to the authorization of the consumption of alcohol at the Northern Hills Golf Course (Item 18). He stated that he did not agree with the results of the Disparity Study (Item 21).

Faris Hodge, Jr. submitted written testimony in favor of Items 5-8, 10, 11, 14A, 15, 16, and 21-26. He wrote in opposition to Item 18.

The motion to approve the remaining Consent Agenda Items prevailed by the following vote:

**2015-12-03-1005**

5. An Ordinance authorizing the second extension of the external audit services contract with Padgett Stratemann & Co., L.L.P., to provide independent audit services to the City for Fiscal Year 2016, for a total fee not to exceed \$837,500.00. [Ben Gorzell, CPA, Chief Financial Officer; Troy Elliott, CPA, Director, Finance]

**2015-12-03-1006**

6. An Ordinance approving a professional services agreement with the Jenkins Agency to provide claims audit services to the City for a three year term beginning January 1,

2016 with two renewal terms of one year each at the City's option with total compensation not to exceed \$20,000.00 per year. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

**2015-12-03-1007**

7. An Ordinance authorizing the ratification of an interim contract with Upstage Center, Inc. to provide rigging services for the Convention and Sports Facilities Department for an estimated amount of \$201,000.00, funded from the Hotel Occupancy Tax Alamodome Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

**2015-12-03-1008**

8. An Ordinance authorizing the ratification of an interim contract with Selrico Services, Inc. to provide custodial and supplemental conversion/labor services for the Alamodome for an estimated amount of \$1,300,000.00 annually, funded from the FY2016 Convention and Sports Facilities Operating Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

**2015-12-03-1009**

9. An Ordinance authorizing a contract with Allied Barton Security Services, LLC to provide commissioned and non-commissioned security staffing services at various City facilities through September 30, 2018 for an estimated annual amount of \$4,600,000.00. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

**2015-12-03-1010**

10. An Ordinance accepting the offer from National Bus Sales and Leasing, Inc. to provide one replacement 23 passenger shuttle bus and one additional 23 passenger shuttle bus for the Department of Human Services for a total cost of \$238,223.56, funded from the Equipment Renewal and Replacement Fund and the FY16 General Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

**2015-12-03-1011**

11. An Ordinance accepting the offer from Two Way Communications, LLC to provide the Information Technology Services and Government and Public Affairs Departments with television broadcasting equipment for a total cost of \$81,785.00, funded from the Public, Education, and Government (PEG) Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

**2015-12-03-1012**

12. An Ordinance authorizing the following contracts establishing unit prices for goods and services for an estimated annual cost of \$146,000.00: (A) Global ARFF Services, LLC for ARFF vehicle preventive maintenance, preventive maintenance inspections, diagnostics, repairs and parts for SAT, and (B) FirstWatch Solutions, Inc. for FirstWatch maintenance & support. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

**2015-12-03-1013**

13. An Ordinance for the Wilson Boulevard (Club Drive to Donaldson Avenue) & Thespian Island Project, authorizing a utility-driven change order to E-Z Bel Construction, LLC, in the amount of \$125,230.52 to be reimbursed by CPS Energy, a 2012-2017 General Obligation Bond Project, located in Council District 7. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]
14. Consideration of the following four task order contracts totaling \$25,322,203.28 of an available \$54 million for street maintenance projects for FY 2016 related to the FY 2016-2020 Infrastructure Management Program: [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation and Capital Improvements]

**2015-12-03-1014**

- 14A. An Ordinance awarding an Asphalt Overlay Contract to Clark Construction of Texas, Inc. in an amount not to exceed \$8,618,595.00 of which \$211,550.00 will be reimbursed by San Antonio Water Systems and \$29,250.00 by CPS Energy.

**2015-12-03-1015**

- 14B. An Ordinance awarding an Asphalt Overlay Contract to J&P Paving Company, Inc. in an amount not to exceed \$4,091,381.80 of which \$143,650.00 will be reimbursed by San Antonio Water Systems and \$9,550.00 by CPS Energy.

**2015-12-03-1016**

- 14C. An Ordinance awarding an Asphalt Overlay Contract to Clark Construction of Texas, Inc. in an amount not to exceed \$8,805,694.20 of which \$118,950.00 will be reimbursed by San Antonio Water Systems and \$36,300.00 by CPS Energy.

**2015-12-03-1017**

- 14D. An Ordinance awarding an Asphalt Overlay Contract to J&P Paving Company, Inc. in an amount not to exceed \$3,806,532.28 of which \$121,800.00 will be reimbursed

by San Antonio Water Systems and \$9,950.00 by CPS Energy.

**2015-12-03-1019**

16. An Ordinance authorizing a Lease Agreement with the Phil Hardberger Park Conservancy for use of the historic homestead structure at Phil Hardberger Park for a term commencing upon execution and terminating December 31, 2025, with one optional ten-year renewal period. [María D. Villagómez, Assistant City Manager; Xavier D. Urrutia, Director, Parks and Recreation]
19. Consideration of the following Board, Commission and Committee appointments for the remainder of unexpired terms of office to expire May 31, 2017, 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: [Leticia M. Vacek, City Clerk]
- A) Appointing Elizabeth A. Franklin (District 2) to the Parks and Recreation Board.
- B) Appointing Hollis MacDonald (District 2) to the Tax Increment Reinvestment Zone No. 11 - Inner City.
- C) Appointing Kent Brittain (District 6) and reappointing John R. Laffoon (District 10) to the Historic and Design Review Commission.
- D) Appointing Melessa C. Rodriguez (District 6) to the Mayor's Commission on the Status of Women.
- E) Appointing Rudolph F. Rodriguez and reappointing Ted E. Davis, Jr., Gabriel Farias, Jeff Harvey, Samuel E. Luna, Jr., and Michelle E. Pair to the Municipal Golf Association - San Antonio (MGA-SA) for the remainder of unexpired terms of office to expire May 2, 2017.

**2015-12-03-1022**

20. An Ordinance appointing Cynthia Lee, Tracy E. Hammer, Juan A. Landa and Cara D. DeAnda to the Hemisfair Park Area Redevelopment Corporation for their respective terms of office; and waiving the City Code Residency requirement in Chapter 2, Article IX, Sec. 2-529(B) for the appointment of Cara D. DeAnda. [Leticia M. Vacek, City Clerk]

**2015-12-03-1025**

23. An Ordinance authorizing a License Agreement between the City of San Antonio and Bexar County to allow the County to install fiber optic cable, conduit, and other facilities in City rights-of-way between designated County facilities. [Ben Gorzell, Chief Financial Officer; Hugh Miller, Director, Information Technology Services]

**2015-12-03-0064R**

25. A Resolution of No Objection for the Freedom Hills Ranch Apartments project application to the State's 4% Housing Tax Credit Program; located in Council District 4. [Peter Zanoni, Deputy City Manager; John Dugan, Director, Planning and Community Development]

**2015-12-03-1027**

26. An Ordinance authorizing an Advanced Funding Agreement between the City of San Antonio and Texas Department of Transportation and authorizing payment to TxDOT in the amount of \$60,110.00 for the City's portion of right-of-way costs associated with the expansion of Farm to Market 1560 from State Highway 16 to Loop 1604, located in Council District 8. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

**CONSENT ITEMS CONCLUDED****ITEMS PULLED FOR INDIVIDUAL CONSIDERATION**

City Clerk Vacek read the caption for Item 15:

**2015-12-03-1018**

15. An Ordinance, on behalf of SAWS, for the W2 Huebner Creek Eckhert to Bandera Project, authorizing the acquisition through negotiation or condemnation, of interests in land sufficient for project purposes, located in Council District 7, and declaring it to be a public use project. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

Councilmember Medina moved that the City of San Antonio authorize the use of the power of eminent domain to acquire property for the public use project for the SAWS Huebner Creek – Eckhert to Bandera Project by acquiring the following property described by the City Clerk and incorporated as part of this Motion. Councilmember Viagran seconded the motion.

City Clerk Vacek read the property description: The properties consist of 24 parcels of

approximately 9.1292 acres for permanent and temporary construction easement interests, out of County Blocks 4430 and 4432, as well as New City Blocks 13665 and 17349, Real Property Records of Bexar County, Texas. These properties are depicted and more particularly described in Exhibit A-3 attached to the Ordinance and incorporated as part of this Motion.

The motion prevailed by the following vote:

**AYE:** 11 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

City Clerk Vacek read the caption for Item 17:

**2015-12-03-1020**

17. An Ordinance amending Chapter 15 of the City Code of San Antonio, Texas, by adopting secondhand/refurbished mattress consumer protection regulations and providing for penalties, publication and an effective date. [Erik Walsh, Deputy City Manager; Roderick Sanchez, Director, Development Services]

Rod Sanchez provided an overview of the Used and Secondhand Mattress Ordinance. He stated that The State of Texas repealed the Health and Safety Code Section 345 effective September 1, 2015. He highlighted previous State Requirements that included License Registration, Labels, Records, Storage, and Treatment Method. He provided an overview of current Federal Guidelines and noted that staff was proposing to adopt an Ordinance requiring a Bi-Annual Registration and Permit to sell used mattresses and germicidally treat used mattresses. He added that existing staff would educate businesses on regulation and that Code Enforcement would respond to complaints.

Councilmember Warrick entered into the record a letter from the International Sleep Products Association in support of the Ordinance that will revive important protections for San Antonio Residents.

Councilmember Warrick moved to adopt the proposed Ordinance for Item 17. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

**AYE:** 11 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

City Clerk Vacek read the caption for Item 18:

**2015-12-03-1021**

- 18.** An Ordinance prohibiting the possession and consumption of alcohol from ten City parks located within Council District 5, authorizing the possession and consumption of alcohol at Northern Hills Golf Course and Northeast Golf Center, and amending Section 22-1 of the City Code to reflect those changes. [María D. Villagómez, Assistant City Manager; Xavier D. Urrutia, Director, Parks and Recreation]

Xavier Urrutia presented a Power Point and stated that in 2002, City Council approved an Ordinance establishing restrictions on alcohol in all City Parks. He noted that the majority of parks exempt from alcohol restrictions fall within one of three categories: 1) Designed or traditionally utilized for Large Groups; 2) Serve as a destination for Tourists or Conventions; or 3) Leased or licensed that allows alcohol to be served. He indicated that through City Council Action; parks may be added or deleted from the exemption list. He stated that Councilmember Gonzales had requested prohibiting alcohol in the following parks in District 5: 1) Amistad; 2) Father Albert Benavides; 3) Calderon Boys and Girls Club; 4) Cassiano; 5) Elmendorf Lake; 6) Kelly Area Park; 7) Morrill; 8) Roosevelt; 9) Juan Vidaurri; and 10) Escobar Field. He also recommended amending the City Code in order to permit alcohol sales, possession, consumption, and distribution at Northern Hills Golf Course and North East Golf Center.

Councilmember Gonzales expressed her support and highlighted the connectivity among parks in District 5.

Councilmember Gonzales moved to adopt the proposed Ordinance for Item 18. Councilmember Medina seconded the motion. The motion prevailed by the following vote:

**AYE:** 11 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

City Clerk Vacek read the caption for Item 21:

**2015-12-03-1023**

- 21.** An Ordinance adopting the findings of the Disparity Study conducted by National Economic Research Associates, Inc. relating to the City's Small Business Economic Development Advocacy (SBEDA) Ordinance. [Lori Houston, Assistant City Manager; Rene Dominguez, Director, Economic Development]

Mayor Taylor called upon the citizens registered to speak on said item.

Dave Sanchez, Executive Director of the Hispanic Contractors Association addressed the

City Council in support of the Disparity Study. He stated that they were also supportive of continuing the City's Small Business Economic Development Advocacy (SBEDA) Program.

Julissa Carielo, Owner of Tejas Premier Building Contractors stated that she was a Member of the Small Business Advocacy Committee (SBAC) in support of the Disparity Study.

Jane Thomas, Chair of the SBAC addressed the City Council in support of the Disparity Study and commended the SBAC Board Members for their service.

Councilmember Viagran thanked the SBAC for their service. She stated that although they had made many strides; there was still more work to be done. She recognized Alex Lopez who would be leaving the City of San Antonio and thanked her for her work. Councilmember Warrick stated that he was pleased with the results thus far but agreed there was more work to be done.

Councilmember Lopez thanked Rene Dominguez and Alex Lopez for their work and stated that he was pleased with the input from the community. Councilmember Nirenberg stated that it had been a pleasure to work with Ms. Lopez and wished her well in her future endeavors.

Councilmember Gonzales thanked Jane Thomas and Julissa Carielo for speaking on said item and for their service on the SBAC. Councilmember Saldaña wished Ms. Lopez well in her future endeavors and was pleased with the results thus far. Ms. Lopez thanked the City Council for their support of the Disparity Study and was pleased that the SBEDA Program would continue. Councilmember Medina added his thanks to Ms. Lopez and wished her well.

Councilmember Viagran moved to adopt the proposed Ordinance for Item 21. Councilmember Saldaña seconded the motion. The motion prevailed by the following vote:

**AYE:** 11 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

City Clerk Vacek read the caption for Item 22:

**2015-12-03-1024**

- 22.** An Ordinance authorizing amendments to CPS Energy's Policy for Miscellaneous Customer Charges that would change the process to issue final notices from a door hanger to a mailed notice. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

Councilmember Viagran asked for additional information on the Policy. Ben Gorzell introduced Phyllis Batson, of CPS Energy. Ms. Batson provided an overview of CPS Energy's Policy for Miscellaneous Customer Service Charges. She stated that they were requesting to change the process to issue final notices by mail instead of a door hanger.

Councilmember Krier asked if they were authorizing changes in the procedures by which CPS Energy collected bills. Ms. Batson replied that they were requesting authorization to change the procedure by which customers were notified that a disconnection was due and a reduction in the fee for that notice. Councilmember Krier stated that he was pleased that they would no longer leave door hangers but expressed concern with CPS Energy Customer Response Times. Ms. Batson stated that they were focusing on systematic improvements within Customer Service and had been addressing billing issues. She noted that they had added web and online options for customers to pay and would continue to address concerns.

Councilmember Gallagher asked why they used door hangers as a method for notification. Ms. Batson replied that it had been a past practice in the industry for many years. Councilmember Gallagher asked of the \$4 charge to the customer. Ms. Batson replied that it was the cost for processing the disconnection notice. Mayor Taylor requested that CPS Energy present an update on Customer Service to the Transportation, Technology, and Utilities Council Committee.

Councilmember Viagran moved to adopt the proposed Ordinance for Item 22. Councilmember Warrick seconded the motion. The motion prevailed by the following vote:

**AYE:** 11 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

City Clerk Vacek read the caption for Item 24:

**2015-12-03-1026**

- 24.** An Ordinance authorizing a license agreement with SPORTi for soccer fields at Pearsall Park located in Council District 4 for a term of three years with two one-year renewals; no City funds are associated with this action. [María D. Villagómez, Assistant City Manager; Xavier D. Urrutia, Director, Parks & Recreation]

Councilmember Saldaña stated that he was excited to welcome soccer to San Antonio and asked for additional information. Mr. Xavier Urrutia highlighted the Lease Agreement with SPORTi for sports fields at Pearsall Park. He noted that the City had been contacted by the Free Trade Alliance on behalf of its member, SPORTi Dessarrollo Deportivo to develop

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and improve existing soccer fields for their use. He stated that the Parks Department had subsequently issued a public notice on October 23, 2015 with no responses submitted. He outlined the planned improvements that would include the installation of lighting, automatic irrigation, backstops, goals, bleachers, and related amenities. He noted that staff was requesting approval of a 3-year License Agreement with two, 1-year renewals. He indicated that the Tenant would have full responsibility for improvements, maintenance, and utilities. He added that the facility would be available for public access when not in use by SPORTi. He recognized Sandra Carrera of SPORTi. Ms. Carrera thanked the City Council for the opportunity to speak and stated that they were fully interested in promoting sports through a healthy, fun, and safe environment. She noted that they had been doing this in Mexico for 11 years and were expanding their Mission and Vision. Councilmember Saldaña asked what would occur if the economics did not work out. Mr. Urrutia confirmed that the City would keep the improvements and continue to own the property.

Councilmember Gonzales expressed her support and asked of the irrigation system. Mr. Urrutia replied that there were different variances on water restrictions for sports fields and they would have to follow those guidelines.

Councilmember Saldaña moved to adopt the proposed Ordinance for Item 24. Councilmember Gonzales seconded the motion. The motion prevailed by the following vote:

**AYE:** 10 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg and Gallagher

**ABSENT:** 1 - Krier

#### **POINTS OF PERSONAL PRIVILEGE**

Mayor Taylor recognized Councilmember Lopez who would be celebrating his birthday on December 5, 2015 and Councilmember Warrick who would be celebrating his birthday on December 7, 2015. The City Council wished Councilmembers Lopez and Warrick Happy Birthday.

Councilmember Viagran invited everyone to attend the Second World Heritage Symposium at that Harlandale's STEM High School on Saturday, December 5th from 9:00 am to 12:00 pm.

#### **RECESSED**

Mayor Taylor recessed the meeting at 10:20 am and announced that the meeting would resume at 2:00 pm for Zoning.

**RECONVENED**

Mayor Taylor reconvened the meeting at 2:03 pm and addressed the Consent Zoning Items.

**CONSENT ZONING ITEMS**

Zoning Items 27, Z-3, P-4, Z-6, and Z-7 were pulled for Individual Consideration. Councilmember Lopez moved to approve the remaining Consent Zoning Items. Councilmember Gallagher seconded the motion.

Mayor Taylor called upon Mr. Jack M. Finger to speak.

Mr. Jack M. Finger spoke in opposition to the Alcohol Variances (Items 27 and 28) and expressed concern that alcohol would be sold near Cornerstone School and at the San Antonio Zoo. He also spoke in opposition to the Construction Facility near Woodlawn Lake (Item Z-6).

A Letter of Support for the Alcohol Variance (Item 28) was received by Sandra H. Parker, Attorney for Global Evangelism d/b/a Cornerstone Church.

The motion to approve the remaining Consent Zoning Items prevailed by the following vote:

**AYE:** 9 - Mayor Taylor, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg and Gallagher

**ABSENT:** 2 - Treviño and Krier

**2015-12-03-1029**

- 28.** ALCOHOL VARIANCE # AV2016001 (Council District 9): An Ordinance granting a Variance to City Code Section 4-6 and waiving the requirements of Sections 4-6(c)(1), 4-6(c)(2), 4-6(c)(3), 4-6(c)(4), 4-6(d)(1), 4-6(d)(6) and 4-6(e)(1) of the City Code and authorizing the sale of alcoholic beverages on Lot 17, Block 1, NCB 16331 located at 125 North Loop 1604 West for on-premise and off-premise consumption within three-hundred (300) feet of Cornerstone Christian School Pre-K and Kindergarten, a private education institution.

**2015-12-03-1030**

- Z-1.** ZONING CASE # Z2015301 CD (Council District 1): 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 Conditional Use for Motor Vehicle Sales on Lot 2A, NCB 10114 located at 5939 San Pedro Avenue. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 2A, NCB 10114 TO WIT: FROM "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 CD AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH CONDITIONAL USE FOR MOTOR VEHICLE SALES.

**2015-12-03-1031**

- P-1.** PLAN AMENDMENT # 16001 (Council District 4): An Ordinance amending the future land use plan contained in the United Southwest Communities Plan, a component of the Comprehensive Master Plan of the City, with a text amendment to create a "Heavy Industrial" land use category with a corresponding amendment to include an "I-2" Heavy Industrial zoning district and by changing the future land use classification of approximately 89.816 acres of land out of NCB 18045 located at 8189 Nelson Road from "Agricultural" to "Heavy Industrial." Staff and Planning Commission recommend Approval. (Associated Zoning Case Z2016007)

**2015-12-03-1032**

- Z-2.** ZONING CASE # Z2016007 (Council District 4): An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "I-2 AHOD" Heavy Industrial Airport Hazard Overlay District on 89.816 acres out of NCB 18045 located at 8189 Nelson Road. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment 16001)

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: 89.816 ACRES OUT OF NCB 18045 TO WIT: FROM "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "I-2 AHOD" HEAVY INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT.

**2015-12-03-1034**

- P-2** PLAN AMENDMENT #15085 (Council District 6): An Ordinance amending the future land use plan contained in the West/Southwest Sector Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use of 18.117 acres out of NCB 11379, generally located in the 400 Block of South Acme Road from "Specialized Center" to "General Urban Tier." Staff and Planning Commission recommend Approval. (Associated Zoning Case Z2015302)

**2015-12-03-1035**

- Z-4.** ZONING CASE # Z2015302 (Council District 6): An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District and "C-3NA AHOD" General Commercial Non-Alcoholic Sales Airport Hazard Overlay District to "MF-25 AHOD" Low Density Multi-Family Airport Hazard Overlay District on 18.117 acres of land out of NCB 11379, located in the 400 Block of South Acme Road. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment 15085)

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: 18.117 ACRES OF LAND OUT OF NCB 11379 TO WIT: FROM "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT AND "C-3 NA AHOD" GENERAL COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT TO "MF-25 AHOD" LOW DENSITY MULTI-FAMILY AIRPORT HAZARD OVERLAY DISTRICT.

**2015-12-03-1036**

- P-3.** PLAN AMENDMENT # 15090 (Council 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 1.387 acres of land being out of NCB 17636 located in the 7400 Block of West Loop 1604 North from "High Density Residential" to "Regional Commercial." Staff and Planning Commission recommend Approval. (Associated Zoning Case Z2015312)

**2015-12-03-1037**

- Z-5.** ZONING CASE # Z2015312 (Council District 6): An Ordinance amending the Zoning District Boundary from "MF-33" Multi-Family District to "C-3" General Commercial District on 1.387 acres of land out of NCB 17636, located in the 7400 Block of West Loop 1604 North. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment 15090)

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: 1.387 ACRES OUT OF NCB 17636 TO WIT: FROM "MF-33" MULTI-FAMILY DISTRICT TO "C-3" GENERAL COMMERCIAL DISTRICT.

**2015-12-03-1038**

**Z-8.** ZONING CASE # Z2016002 S (Council District 10): An Ordinance amending the Zoning District Boundary from "C-3 IH-1 AHOD" General Commercial Northeast Gateway Corridor Airport Hazard Overlay District to "I-1 IH-1 AHOD" General Industrial Northeast Gateway Corridor Airport Hazard Overlay District on 3.921 acres out of NCB 14952 and "I-1 S IH-1 AHOD" General Industrial Northeast Gateway Corridor Airport Hazard Overlay District with Specific Use Authorization for Plastic Manufacturing or Processing on 4.0 acres out of NCB 14952 located at 11442 Wayland Way. 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: 7.921 ACRES OF LAND OUT OF NCB 14952 TO WIT: FROM "C-3 IH-1 AHOD" GENERAL COMMERCIAL NORTHEAST GATEWAY CORRIDOR AIRPORT HAZARD OVERLAY DISTRICT TO "I-1 S IH-1 AHOD" GENERAL INDUSTRIAL NORTHEAST GATEWAY CORRIDOR AIRPORT HAZARD OVERLAY DISTRICT WITH SPECIFIC USE AUTHORIZATION FOR PLASTIC MANUFACTURING OR PROCESSING.

**CONSENT ZONING CONCLUDED**

**ZONING ITEMS PULLED FOR INDIVIDUAL CONSIDERATION**

City Clerk Vacek read the caption for Item 27:

**2015-12-03-1028**

**27.** ALCOHOL VARIANCE # AV2015010 (Council District 2): An Ordinance granting a Variance to City Code Section 4-6 and waiving the requirements of Sections 4-6(c) (1), 4-6(c)(2), 4-6(c)(3), 4-6(c)(4), 4-6(d)(1), 4-6(d)(6) and 4-6(e)(1) of the City Code and authorizing the sale of alcoholic beverages at the San Antonio Zoo properties on 42.500 acres of land out of NCB A-52, generally located at 3903 North

Saint Mary's Street for on-premise consumption within three-hundred (300) feet of The University of the Incarnate Word, Incarnate Word High School, private education institutions, and Kipp-Camino Academy, a public education institution in the San Antonio Independent School District.

Councilmember Saldaña recused himself on Item 27 by exiting the Council Chambers and noting that he had submitted the recusal forms to the City Clerk.

Catherine Hernandez stated that the request for on-premise consumption of alcohol had been received from the San Antonio Zoo and was located within three-hundred (300) feet of The University of the Incarnate Word, Incarnate Word High School, and Kipp-Camino Academy. She stated that staff recommended approval with the following conditions: 1) That the sale of alcoholic beverages be limited to the San Antonio Zoo Properties; 2) Alcohol sales are not to exceed 30% of total revenues of the established business; 3) All alcohol sales are for on-premise consumption; 4) That the alcohol sales not be permitted between the hours of 2:00 am and 6 am; 5) That the authorization for the sale of alcoholic beverages shall not transfer to different owners or land uses; and 6) That such authorization shall terminate in the event of non-operation or non-use of the identified establishment for a period of 12 or more successive calendar months. She reported that Letters of Non-Opposition were received from KIPP Academy and the University of the Incarnate Word.

Mayor Taylor called upon the citizens registered to speak.

Tim Morrow of the San Antonio Zoo spoke in support of the request and stated that they had legally and responsibly been selling/offering alcohol for decades. He noted that they had never had a Texas Alcoholic Beverage Commission infraction and wanted to provide guests the option to responsibly consume alcohol. He highlighted other Zoological Family Friendly Locations that sold alcohol and thanked the City Council for their support.

Louis Barrios, Chair of the Tourism Council spoke in support of the request and noted that Sea World and Fiesta Texas offered alcohol in a family friendly environment.

Virginia Nell Duncan stated that she was a Veterinarian that served on the Board of Directors of the San Antonio Zoo and was supportive of the request.

Councilmember Viagran asked of the locations where alcohol would be sold. Mr. Morrow replied that the request was for the entire property and explained the current process in which they must request approval from the City for special events.

Councilmember Warrick moved to adopt the proposed Ordinance for Item 27. Councilmember Lopez seconded the motion. The motion prevailed by the following vote:

**AYE:** 8 - Mayor Taylor, Warrick, Viagran, Gonzales, Lopez, Medina, Nirenberg and Gallagher

**ABSENT:** 2 - Treviño and Krier

**ABSTAIN:** 1 - Saldaña

**2015-12-03-1033**

**Z-3.** ZONING CASE # Z2015316 (Council District 5): An Ordinance amending the Zoning District Boundary from "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and "R-4" Residential Single-Family District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District, "R-4" Residential Single-Family District, and for a Bail Bond Agency on South 112.9 Feet of Lot 13, Block 4, NCB 2231 located at 1621 West Martin Street. Staff recommends Denial. Zoning Commission recommends Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: SOUTH 112.9 FEET OF LOT 13, BLOCK 4, NCB 2231 TO WIT: FROM "IDZ AHOD" INFILL DEVELOPMENT ZONE AIRPORT HAZARD OVERLAY DISTRICT WITH USES PERMITTED IN "C-2" COMMERCIAL DISTRICT, "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "IDZ AHOD" INFILL DEVELOPMENT ZONE AIRPORT HAZARD OVERLAY DISTRICT WITH USES PERMITTED IN "C-2" COMMERCIAL DISTRICT, "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT, AND FOR A BAIL BOND AGENCY.

Catherine Hernandez presented Item Z-3 and stated that staff recommended denial while the Zoning Commission recommended approval. She reported that of 31 notices mailed; none were received in favor or in opposition.

Mayor Taylor called upon Ms. Lourdes Galvan to speak.

Ms. Lourdes Galvan spoke in support of the request and stated that it would provide economic opportunities and jobs in the area.

Councilmember Gonzales thanked Ms. Galvan and others that were present to support the zoning case.

Councilmember Gonzales moved to adopt the proposed Ordinance for Item Z-3. Councilmember Warrick seconded the motion. The motion prevailed by the following vote:

**AYE:** 9 - Mayor Taylor, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg and Gallagher

**ABSENT:** 2 - Treviño and Krier

Items P-4 and Z-6 were addressed jointly.

**CONTINUED UNTIL JANUARY 21, 2016**

**P-4.** PLAN AMENDMENT #15060 (Council District 7): An Ordinance amending the future land use plan contained in the Near Northwest Community Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use of southern approximate 44 feet of Lots 25 and 26, Block 28, NCB 1989 located at 2327 North Zarzamora from "Neighborhood Commercial" to "Community Commercial". Staff recommends Denial. Planning Commission recommends Approval. (Associated Zoning Case Z2015294 CD)

**CONTINUED UNTIL JANUARY 21, 2016**

**Z-6.** ZONING CASE # Z2015294 CD (Council District 7): An Ordinance amending the Zoning District Boundary from "C-2 NCD-8 AHOD" Commercial Woodlawn Lake Area Neighborhood Conservation Airport Hazard Overlay District to "C-2 CD NCD-8 AHOD" Commercial Woodlawn Lake Area Neighborhood Conservation Airport Hazard Overlay District with Conditional Use for a Construction Trade Contractor Facility on the southern approximate 44 feet of Lots 25 and 26, Block 28, NCB 1989 located at 2327 North Zarzamora. Staff recommends Denial. Zoning Commission recommends Approval with a condition, pending Plan Amendment. (Associated Plan Amendment 15060)

Catherine Hernandez presented Item P-4 and stated that it would amend the future Land Use Plan contained in the Near Northwest Community Plan. She noted that staff recommended denial while the Planning Commission recommended approval.

For Item Z-6, she stated that staff recommended denial while the Zoning Commission recommended approval with the condition that screening be placed around the perimeter of

the property along the rear and sides. She reported that of 42 notices mailed; none were received in favor or opposition.

Councilmember Medina moved to continue Items P-4 and Z-6 until January 21, 2016. Councilmember Gallagher seconded the motion. The motion prevailed by the following vote:

**AYE:** 9 - Mayor Taylor, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg and Gallagher

**ABSENT:** 2 - Treviño and Krier

**DENIED**

**Z-7.** ZONING CASE # Z2015309 CD (Council District 7): An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with Conditional Use for Motor Vehicle Sales (Full Service) on Lot 15, Block 3, NCB 16364 located 4843 Callaghan Road. Staff and Zoning Commission recommend Approval with Conditions. (Continued from November 19, 2015)

Catherine Hernandez presented Item Z-7 and stated that staff and the Zoning Commission recommended approval with the following conditions: 1) A six-foot tall, solid screen fence shall be maintained where the subject property abuts residential zoning or uses; 2) A 15-foot, Type B landscape buffer shall be required along the rear and side property line where the property abuts residential zoning or uses; 3) All on-site lighting shall be directed onto the site and shall point away from any residential zoning or uses using 90-degree or less cut-off fixtures; and 4) No outdoor speaker or amplification systems shall be permitted. She reported that of 13 notices mailed; none were received in favor or in opposition.

Councilmember Medina moved to deny Item Z-7. Councilmember Warrick seconded the motion. The motion to deny prevailed by the following vote:

**AYE:** 9 - Mayor Taylor, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg and Gallagher

**ABSENT:** 2 - Treviño and Krier