

**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, AUGUST 4, 2010 AND THURSDAY, AUGUST 5, 2010, RESPECTIVELY.

The San Antonio City Council convened in a Work Session at 2:00 pm Wednesday, **August 4, 2010**, Municipal Plaza Building with the following Councilmembers present: Cisneros, Taylor, Ramos, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **ABSENT:** Cortez.

1. PRESENTATION OF CITY OF SAN ANTONIO 2010 COMMUNITY SURVEY RESULTS.

City Manager Sheryl Sculley stated that the first Community Survey was conducted in 2008 and that the 2010 survey would be benchmarked with results from 2008 to identify areas for improvement. Di Galvan, Director of Communications and Public Affairs introduced Chris Tatham, Senior Vice-President of the ETC Institute that performed the City of San Antonio 2010 Community Survey. Mr. Tatham outlined the methodology utilized for the 2010 survey and noted that it included all of the questions that were asked in 2008. He reported that 1,013 surveys were completed with a minimum of 100 surveys in each Council District. He stated that the City of San Antonio is definitely moving in the right direction and setting the standard for other large cities. He added that Public Works, Police Safety, and Neighborhood Services should be the City's top overall priorities to realize a customer satisfaction rating increase over the next two years.

Mr. Tatham indicated that residents have a positive perception of the city and that fewer than 25% of those surveyed were dissatisfied with any of the major city services that were rated. He reported that the level of satisfaction with city services were generally the same throughout the city, noting high ratings in the overall quality of services provided by the city. He stated that benchmarking data indicates that satisfaction with city services has increased, while the national average has decreased. He noted that the category with a significant decrease in satisfaction was Online Payment Programs that could be attributed to high customer expectations.

Mr. Tatham explained that the satisfaction levels in the City of San Antonio were much higher than the national average, noting that Animal Care Services was the only service that rated below the national average. He reported that the City of San Antonio was setting the standard in all areas of Parks and Recreation, Police Safety, Solid Waste, and Fire/Emergency Medical Services, and provided comparisons of San Antonio and cities of similar size. He noted that the City of San Antonio was effectively addressing problems in the community and that the highest perceptions of potential problems in San Antonio were related to Obesity and Teenage Pregnancy. He recommended that to increase overall satisfaction with city services, the city should prioritize Public Works, Police Safety, and Neighborhood Services.

Mayor Castro stated that he was pleased with the survey results and spoke of the investments that have been made throughout the city. He asked and confirmed that the state and national comparisons utilized data based on surveys conducted by the ETC Institute. He asked of the overall comparison of Animal

Care Services from 2008 to 2010. Ms. Galvan responded that Animal Care Services had conducted a separate, independent study in 2008. Mayor Castro asked of the methodology utilized for each of the surveys. Mr. Tatham replied that they had utilized the same methodology but was unsure if the 2008 Survey had utilized cell phones. Ms. Galvan replied that she was not sure but would provide the information to the Council.

Councilmember Cisneros expressed appreciation for the positive survey results. She spoke of the many issues with stray animals in District 1 and expressed concern that the survey results were so positive in this area. Mr. Tatham replied that San Antonio's Animal Care Services rated below the national average and had a high dissatisfaction rating but was a good benchmark for future surveys. Councilmember Cisneros noted that this was a good opportunity to discuss a new Bond Program due to the many infrastructure needs throughout the city. She spoke of the importance of training for City Employees and thanked employees for performing well even without having received salary increases. Councilmember Williams referenced the ratings of Services for Special Populations on Page 26 of the Final Report and noted that there had been a good amount of investment in the Downtown Area. Councilmember Chan thanked city staff for their great work and asked of the comparison to other cities. Mr. Tatham replied that the questions asked were the same for all of the cities but the sample sizes varied.

Councilmember Medina stated that he was pleased with the positive survey findings and thanked city staff for their work. He referenced the 50% satisfaction rating of services for low-income individuals. Mr. Tatham replied that they had been rated on a scale of 1-5 and did not have many individual comments. Councilmember Medina asked of the rating for online payment programs. Ms. Sculley stated that there was still work to be done in regard to online payments and that there were high customer expectations. Councilmember Ramos also stated that she was pleased with the outstanding survey results and asked of the sample size for the 2008 Survey. Ms. Galvan replied that it was the same as that of 2010, and that the same questions had been asked and new questions were added. Councilmember Rodriguez stated that this was helpful information and commended city staff for their work. He asked of the issues residents felt were most important for the city to address over the next two years. Mr. Tatham replied that the list was compiled from information asked in 2008 with the addition of Teenage Pregnancy and Obesity. Councilmember Rodriguez stated that it would be helpful for the Councilmembers to provide input regarding survey questions. He wished Deputy City Manager AJ Rodriguez a Happy Birthday.

2. UPDATE ON THE MISSION VERDE SUSTAINABILITY PLAN AND REPORT FROM THE MAYOR'S GREEN JOBS LEADERSHIP COUNCIL.

Laurence Doxsey, Director of the Office of Environmental Policy stated that the Mission Verde Plan was originally presented to the City Council on January 28, 2009 to provide an economic approach to sustainability focused on energy. He outlined the 10 Mission Verde Initiatives that include the implementation of a Green Jobs Program and Green One-Stop Center. He noted that the Mission Verde Resolution that was approved on February 4, 2010 expanded the scope to incorporate items such as water conservation, waste reduction, and historic preservation. He mentioned that the implementation of Mission Verde was funded by grants, existing budgets, and leveraging with CPS Energy and San Antonio Water System (SAWS).

Mr. Doxsey stated that all city units participate in the implementation of Mission Verde Initiatives within resources available and oversight is provided by the Office of Environmental Policy. He explained that minimum use and maximum benefits were promoted for energy and water. He highlighted the Casa Verde Weatherization Assistance Program and the City Lights Small Business Lighting Efficiency Program. He spoke of the Mission Verde Center Solar Installation Program that demonstrates different solar panel and mounting technologies that will be installed in early 2011. He mentioned that the policies and initiatives for the Green Jobs and Markets Initiative were being led by the Mayor's Green Jobs Leadership Council. He stated that through the Sustainable Buildings and Neighborhoods Initiative, building code improvements would target net zero energy by 2030 and promote the rehabilitation and reuse of existing buildings.

Mr. Doxsey reported that the Sustainable Transportation and Land Use Initiative utilizes integrated, efficient, multi-modal transportation, and encourages transit-oriented development and walkable urban neighborhoods. He outlined Bicycle Implementation Activities that include the Downtown Bike Share Program, Bicycle Master Plan Update and Implementation, and Bike Bright SA Program. He spoke of the increased communication, education and outreach to the community to promote sustainability, and outlined the Mission Verde Center partners and activities. He mentioned that the Citizens' Environmental Advisory Committee serves as a conduit between the City Council and San Antonio citizens to ensure the advancement of the Mission Verde Plan. He stated that city departments were leading by example through programs such as Municipal Facility Tree Planting and Airport Solar Panels.

Mr. Doxsey stated that a Comprehensive Policy Approach addressed waste prevention, reduction, and recycling, and included the Fleet Environmental Acquisitions Policy and Safe Passing Ordinance. He provided estimates of the impact of grants and programs to the City of San Antonio. He concluded by noting that staff would continue to seek grant opportunities and enhance relationships with existing partners, while identifying new partners for further collaborative activities.

Larry Zinn, Chair of the Mayor's Green Jobs Leadership Council spoke of the population trend of the six largest Texas Cities from 1900-1940, and the importance of becoming a leader during times of opportunity. He reported that \$162 billion in investments in clean energy had been made in 2009 and that the clean technology market will be the third largest global industry by 2020. He noted the members of the Green Jobs Leadership Council and outlined the Green Job Council Initiatives. He mentioned that they were assessing current Green Jobs in San Antonio, and referenced the Opportunity Analysis conducted related to the future of Green Jobs for the city. He added that the definition of Green Jobs was subjective and that there were various shades of green.

Mr. Zinn spoke of the Opportunity Analysis Overview conducted, noting that the five industries profiled included: 1) Energy Storage; 2) Energy Sector Cyber Security; 3) Solar Hot Water; 4) Solar Photovoltaics; and 5) Electric Vehicles. He provided recommendations within each industry and outlined the components of a successful green economy. These include Investment and Capital, Marketing and Outreach, and Education and Workforce Development. He spoke of the importance of moving beyond old models and developing a dynamic, comprehensive strategy to bring together successful components for a sustainable green economy. Lastly, he mentioned the need to create a strategy entity to bring together strategy, action, and stakeholders, as well as manage the Mission Verde Center at Cooper.

Mayor Castro recognized the Green Jobs Leadership Council and thanked them for their work. He stated that it was important to maintain a competitive advantage that would be enhanced by coordinating efforts. He recognized the five industries that were profiled for the creation of Green Jobs and noted that they were on target. He mentioned that CPS Energy was integral to the success of the economic development in this sector and asked Cris Eugster of CPS Energy for a plan update. Mr. Eugster replied that CPS Energy recognized their key role in economic development and were in the process of identifying Green Jobs. He noted that had already implemented several programs that had created Green Jobs including the Solartricity and STEP Programs. He added that CPS Energy was reviewing a "Green" Procurement Policy and looking to own more green assets. He recognized the Green Jobs Leadership Council for their work and stated that CPS Energy was moving in the right direction. Mayor Castro spoke of the importance of allocating political will and resources to create Green Jobs.

Councilmember Ramos recognized the Green Jobs Leadership Council for their work and noted that it was important to stay engaged and move toward a targeted goal. She stated that she was pleased with the solar panels that were being implemented on the Blue Wing Road Project. She expressed disappointment that the library being built in District 3 was not LEED Certified and asked of the Bike Rental Program. Mr. Doxsey replied that members of the program would utilize a registration card and individuals could also use a debit card to access the bikes. He reported that each bicycle would be equipped with a GPS System. Councilmember Taylor stated that she was pleased with the progress on the Mission Verde Plan and commended Mayor Castro for his efforts on developing a Green Jobs Leadership Council. She stated that it was important for San Antonio to be a leader in Green Jobs and sustainability, and asked the Council to share the Green Economy Industry Opportunity Analysis with the community. Councilmember Clamp asked of the creation of a Green Economy. Mr. Zinn replied that this topic was being discussed throughout the world and San Antonio had the opportunity to be a leader. He noted that the goals could not be accomplished through volunteer efforts and hoped that the city would take a leadership role.

Councilmember Chan stated that this was a great opportunity for San Antonio to take advantage of and spoke in support of designating resources to accomplish the goals of Mission Verde. She recognized Mayor Castro for his leadership on this effort and noted the importance of the role of CPS Energy. Councilmember Lopez asked of the coordination of weatherization programs among various entities. Mr. Doxsey replied that the Alamo Area Council of Governments (AACOG) Programs utilized the same funding source and that information was shared so that there was not a duplication of services. He added that there was a designated pool of consultants that both entities utilized. Councilmember Cisneros thanked the members of the Green Jobs Leadership Council for their service. She noted that due to the State Deficit, there could be challenges in receiving grants and asked that staff solicit grants from the Federal Government. Ms. Sculley stated that the city would like to receive as much funding as possible but also have the ability to manage the funds.

The City Council thanked Messrs. Doxsey and Zinn for their presentations.

EXECUTIVE SESSION

Mayor Castro recessed the meeting at 5:06 pm to convene in Executive Session for the purposes of:

A. DELIBERATE THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY AND DISCUSS RELATED LEGAL ISSUES PURSUANT TO TEXAS

GOVERNMENT CODE SECTIONS 551.072 (REAL PROPERTY) AND 551.071 (CONSULTATION WITH ATTORNEY).

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

Mayor Castro recessed the meeting at 5:48 pm.

On Thursday, August 5, 2010 at 10:50 am, Mayor Castro reconvened the meeting specifically for the executive session items noted above. Mayor Castro reconvened the meeting at 11:30 am and stated that the above-styled matters had been addressed and that no action was taken.

The San Antonio City Council convened in a Regular Meeting on Thursday, **August 5, 2010** at 9:00 am in the City Council Chambers.

ROLL CALL

City Clerk, Leticia M. Vacek, took the Roll Call and noted a quorum of the Council with the following present: Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **ABSENT:** None.

Item 1. The Invocation was delivered by Chaplain James M. Hough, D. Ministry, Texas Department of Criminal Justice, guest of Councilmember Philip A. Cortez, District 4.

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

Item 3. MINUTES

Councilmember Cisneros moved to approve the Minutes for the June 10 and June 17, 2010 City Council meetings. Councilmember Ramos seconded the motion.

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

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read Ordinances for Items 4 and 5:

2010-08-05-0644

Item 4. AN ORDINANCE ADOPTING THE HUD FIVE YEAR CONSOLIDATED PLAN (FISCAL YEAR 2010-2014); AND AUTHORIZING THE SUBMISSION OF THE FIVE YEAR CONSOLIDATED CERTIFICATIONS AND OTHER INFORMATION AS REQUIRED TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD).

Item 5. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATING TO THE FY 2010-2011 CONSOLIDATED PLAN BUDGET:

2010-08-05-0645

- A. AN ORDINANCE ADOPTING THE 36TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) IN THE AMOUNT OF \$16,191,955.57 AS CONTAINED IN THE FY 2010-2011 CONSOLIDATED PLAN ANNUAL BUDGET; AUTHORIZING THE 36TH FISCAL YEAR CDBG PROGRAM; AND AUTHORIZING THE SUBMISSION OF THE CDBG GRANT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR FY 2010-2011 CONSOLIDATED PLAN ANNUAL BUDGET, CERTIFICATION AND OTHER INFORMATION AS REQUIRED BY HUD.

2010-08-05-0646

- B. AN ORDINANCE ADOPTING THE 19TH YEAR HOME PARTNERSHIP ENTITLEMENT GRANT (HOME) IN THE AMOUNT OF \$7,785,631.79 AS CONTAINED IN THE FY 2010-2011 CONSOLIDATED PLAN ANNUAL BUDGET; AUTHORIZING THE FY 2010-2011 HOME PROGRAM; AND AUTHORIZING THE SUBMISSION OF THE HOME GRANT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR FY 2010-2011 CONSOLIDATED PLAN ANNUAL BUDGET, CERTIFICATION AND OTHER INFORMATION AS REQUIRED BY HUD.

2010-08-05-0647

- C. AN ORDINANCE ADOPTING THE HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS ENTITLEMENT GRANT (HOPWA) IN THE AMOUNT OF \$1,151,125.00 AS CONTAINED IN THE FY 2010-2011 CONSOLIDATED PLAN ANNUAL BUDGET; AUTHORIZING THE FY 2010-2011 HOPWA PROGRAM; DESIGNATION OF FY 2010-2011 HOPWA PROGRAM FUNDS; AND AUTHORIZING THE SUBMISSION OF THE HOPWA GRANT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR FY 2010-2011 CONSOLIDATED PLAN ANNUAL BUDGET, CERTIFICATION AND OTHER INFORMATION AS REQUIRED BY HUD.

2010-08-05-0648

- D. AN ORDINANCE ADOPTING THE EMERGENCY SHELTER GRANT (ESG) IN THE AMOUNT OF \$641,524.00 [ENTITLEMENT] AND \$641,524.00 FROM IN-KIND MATCH IN THE FY 2010-2011 CONSOLIDATED PLAN ANNUAL BUDGET; AUTHORIZING THE FY 2010-2011 ESG PROGRAM; DESIGNATION OF FY 2010-2011 ESG PROGRAM FUNDS; AND AUTHORIZING THE SUBMISSION OF THE ESG GRANT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR FY 2010-2011 CONSOLIDATED PLAN ANNUAL BUDGET, CERTIFICATION AND OTHER INFORMATION AS REQUIRED BY HUD.

Nina Nixon-Mendez presented Items 4 and 5. She outlined the Housing and Urban Development (HUD) Consolidated Funding Budget and Plan schedule, noting that the HUD application was due on August 15, 2010. She explained that the Five-Year Plan was required by HUD to guide the use of HUD entitlement programs and would be effective from October 2010 through September 2015. She spoke of the housing issues that had been identified for San Antonio and stated that goals and objectives of the

program would include assisting 400 first-time homebuyers with down payment and closing cost assistance.

Ms. Nixon-Mendez outlined the 2010-2011 HUD Entitlement Allocations as follows: Community Development Block Grant (CDBG) - \$16,191,906; HOME - \$7,785,631; Emergency Shelter Grant (ESG)-\$641,524; Housing Opportunities for Persons with Aids (HOPWA) - \$1,151,125. She reported that staff had received requests for over \$42 million and provided staff recommendations within each of the funding categories.

Mayor Castro called upon those registered to speak:

Former Councilmember Mario Salas thanked the City Council for their support of the Transformation Coalition Projects.

Jack M. Finger spoke in opposition to the funding recommended for the Esperanza Peace and Justice Center. He expressed concern that their organization supported homosexuality, abortion, and was anti-religion.

Graciela Sanchez and Amanda Haas of the Esperanza Peace and Justice Center addressed the City Council in support of the CDBG funding recommendations. Ms. Sanchez spoke of their work in the community and noted that Emma Tenayuca had given her approval of Bill Sinkin's father who cared about the workers at his factory. She stated that it was important to continue the rich history of Mexican Americans and the West Side of San Antonio. She noted that they would renovate Ruben's Ice House that has been empty for many years and provide ADA accessibility and solar panels. Ms. Haas thanked Mayor Castro for visiting the Rinconcito de Esperanza and spoke of the environmental development that would be accessible to the poor and working community. She invited everyone to attend various events that would take place at the Esperanza Center and thanked the Council for their support.

Nazirite Ruben Flores Perez expressed concern with unemployment in the city and expressed concern with the funding provided to Haven for Hope. He stated that he was opposed to abortion.

Laura Thompson representing Sisters In Business stated that their organization supports the efforts of small, African-American, Women-Owned businesses. She noted that they had expressed interest in collaborating on the Good Samaritan Hospital Project and establish their headquarters within the hospital. She mentioned that the facility was of great historical significance to the African-American community in San Antonio would like to discuss opportunities to share the building with other occupants.

Councilmember Taylor thanked staff for their work on the five-year plan and noted that there had been a great amount of community outreach. She stated that she had met with officials from the University of the Incarnate Word (UIW) the previous day and they indicated that the East Side Eye Care Clinic would be delayed by a year or two. She noted that the recommended funding of \$725,000 for UIW would be re-allocated to several projects focused on Eastside revitalization. She added that some of the other projects included in the Transformation Coalition application could be funded by CDBG Public Service Funds in the future. She indicated that she was working with city staff on the redevelopment of the Good Samaritan Hospital.

Councilmember Taylor moved to adopt the Ordinances for Items 4 and 5 with the amendment that the recommended University of Incarnate Word East Side Eye Care Clinic Funds be disbursed as follows: Ella Austin Community Center at \$150,000; Myra Davis at \$125,000; George Gervin Youth Center at \$100,000; HIS Kids at \$100,000; Barbara Jordan Center at \$50,000; Government Hills sidewalks at \$200,000 and Davis Scott YMCA at \$34,665 for a total of \$759,665.00. Councilmember Williams seconded the motion.

Councilmember Williams also thanked city staff for their work and stated that it was important to continue work on the Eastside Eye Care Clinic. He noted that in connection with the UIW Optometry School in District 8, they had allocated \$200,000 to continue the effort until it can be transferred to the Eastside. Councilmember Ramos noted that staff had presented their recommendations to the Quality of Life (QOL) Council Committee and asked of the review process. Ms. Nixon-Mendez replied that there is a formal procurement process for applicants and that a staff committee reviews the applications to ensure that they meet the funding requirements. Councilmember Ramos requested that the QOL Council Committee be provided with the list of all agencies requesting funding and asked of a priority list. Ms. Nixon-Mendez noted that the Transformation Coalition had submitted 14 projects under one application and the recommended projects merited consideration. Councilmember Ramos stated that projects should be prioritized and would like for the process to be vetted if changes are needed.

Councilmember Cisneros thanked city staff for their work and stated that she appreciated Councilmembers Taylor and Williams staying committed to the Eastside Eye Care Clinic. She noted that she was pleased with the work of the non-profit housing providers and spoke of the importance of restoring historic properties. She asked of the amount of individuals that would receive primary medical care from HOPWA Funds. Cindy Schoenmakers, Interim Director of the Department of Community Initiatives stated that the San Antonio Area Aids Foundation had applied for funding to serve 1,500 individuals. Councilmember Medina thanked staff for their work and noted that they had been working on the recommendations through the QOL Council Committee. He stated that he was pleased with the improvements that would be made in District 5. Mayor Castro noted that it was a long and tedious process and commended staff for their professionalism.

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

CONSENT AGENDA ITEMS

Consent Agenda Items 7, 11, 12, 13A, 13B, 13C, 14, 26, and 27 were pulled for Individual Consideration. Mayor Castro noted that Item 28 was pulled from the agenda by staff. Councilmember Rodriguez moved to approve the remaining Consent Agenda Items. Councilmember Ramos seconded the motion.

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

Jack M. Finger spoke of the memorial for Toby Kaburski who served on the Keep San Antonio Beautiful Board. He stated that he was opposed to the agreement with Rural Electric, Inc. for \$540,000 in Item 22 and asked how the company was selected. For Item 25, he spoke of the Alcoholics

Anonymous Convention and asked of the profitability of the Tourism Industry if taxpayers pick up the tab for such events.

Written testimony was received from Faris Hodge, Jr. in support of Items 4, 5, and 7-25. For Item 6, he wrote that the city should not establish unit prices.

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

2010-08-05-0649

Item 6. AN ORDINANCE AUTHORIZING THE FOLLOWING CONTRACTS ESTABLISHING UNIT PRICES FOR ANNUAL GOODS AND SERVICES: (A) TRASTAR, INC. FOR NEW ILLUMINATED STREET SIGNS, (B) WESTERN STATES FIRE PROTECTION, INC. FOR INSPECTION AND MAINTENANCE OF FIRE ALARMS IN CITY FACILITIES, (C) INNOVATIVE INTERFACES FOR MILLENNIUM SOFTWARE MAINTENANCE FOR THE SAN ANTONIO PUBLIC LIBRARY AND (D) MULTI-CULTURAL BOOKS AND VIDEOS FOR SPANISH LANGUAGE BOOKS AND MEDIA FOR THE SAN ANTONIO PUBLIC LIBRARY AND THE ALAMO AREA LIBRARY SYSTEM.

2010-08-05-0650

Item 8. AN ORDINANCE AUTHORIZING COOPERATIVE CONTRACTS WITH FREIGHTLINER OF SAN ANTONIO, LTD. AND WASTE SYSTEMS EQUIPMENT, INC. TO PROVIDE THE SOLID WASTE MANAGEMENT AND PUBLIC WORKS DEPARTMENTS WITH 12 REPLACEMENT BRUSH COLLECTION TRUCKS WITH GRAPPLERS FOR A TOTAL COST OF \$1,775,985.22, FUNDED BY THE EQUIPMENT RENEWAL AND REPLACEMENT FUND.

Item 9. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATED TO THE RUNWAY SAFETY ASSESSMENT IMPROVEMENT PROJECT AT THE SAN ANTONIO INTERNATIONAL AIRPORT:

2010-08-05-0651

- A. AN ORDINANCE AUTHORIZING AN AMENDMENT IN THE INCREASED AMOUNT OF \$48,793.82 TO THE \$377,497.05 PROFESSIONAL SERVICES AGREEMENT WITH POST, BUCKLEY, SCHUH & JERNIGAN, INC. FOR ADDITIONAL ENGINEERING SERVICES.

2010-08-05-0652

- B. AN ORDINANCE AUTHORIZING A CHANGE ORDER IN THE INCREASED AMOUNT OF \$483,746.85 TO THE \$2,852,996.98 CONSTRUCTION CONTRACT WITH YANTIS COMPANY FOR CONSTRUCTION OF ELECTRICAL WORK AND CONTROL MODIFICATION.

2010-08-05-0653

Item 10. AN ORDINANCE ACCEPTING THE LOWEST RESPONSIVE BID AND AWARDING A CONSTRUCTION CONTRACT IN AN AMOUNT OF \$1,181,432.50 WITH YANTIS COMPANY

FOR THE CONSTRUCTION OF THE RUNWAY 3/21 EXTENSION – MASS GRADING PHASE 1B AT THE SAN ANTONIO INTERNATIONAL AIRPORT.

2010-08-05-0660

Item 15. AN ORDINANCE AUTHORIZING THE ACQUISITION THROUGH NEGOTIATION, DEDICATION OR CONDEMNATION OF FEE SIMPLE TITLE FOR TWO PARCELS OF PRIVATELY OWNED REAL PROPERTY LOCATED AT THE NORTHWEST CORNER OF STONE OAK PARKWAY AT CANYON GOLF ROAD IN NCB 18794 AS PART OF THE STONE OAK PARKWAY DECELERATION LANE PROJECT AND THREE PARCELS OF PRIVATELY OWNED REAL PROPERTY LOCATED AT THE SOUTHEAST CORNER OF STONE OAK PARKWAY AT SONTERRA IN NCB 16332 AS PART OF THE NORTH CENTRAL ARTERIAL STREET IMPROVEMENT PROJECT IN COUNCIL DISTRICT 9; DECLARING THEM TO BE A PUBLIC PROJECTS; DECLARING A PUBLIC NECESSITY FOR THE ACQUISITIONS; AND AUTHORIZING THE EXPENDITURES IN THE AMOUNT OF \$303,000.00 FROM 2009 TAX NOTES AND 2007 CERTIFICATES OF OBLIGATIONS FOR THE NECESSARY ACQUISITIONS.

2010-08-05-0661

Item 16. AN ORDINANCE AUTHORIZING THE TRANSFER OF A LEASE AGREEMENT FOR NUEVA STREET GALLERY FROM RICHARD CONN TO SUSAN CARLIN FOR THE CONTINUED USE OF BUILDING 22 AS AN ART GALLERY WITHIN THE LA VILLITA HISTORIC ARTS VILLAGE.

2010-08-05-0662

Item 17. AN ORDINANCE AUTHORIZING A TWO (2) YEAR AND TEN (10) MONTH LEASE AGREEMENT WITH CLAUDIA P. NEGRETE D/B/A CASA CLASAL INTERNATIONAL, INC. FOR RETAIL SPACE LOCATED WITHIN THE LA VILLITA HISTORIC DISTRICT FOR TOTAL ANNUAL RENTALS OF \$73,540.32.

2010-08-05-0663

Item 18. AN ORDINANCE AUTHORIZING THE SUBMISSION OF TWO GRANT APPLICATIONS AND THE ACCEPTANCE OF FUNDS UPON AWARD FOR PUBLIC HEALTH GRANTS FROM THE U.S. CENTERS FOR DISEASE CONTROL AND PREVENTION FOR UP TO \$14,500,000.00 FOR A 5-YEAR TERM BEGINNING SEPTEMBER 30, 2010.

2010-08-05-0664

Item 19. AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A PERFORMANCE SUPPORT GRANT FROM THE TEXAS COMMISSION ON THE ARTS IN THE AMOUNT OF \$1,386.00 FOR THE SAN ANTONIO PUBLIC LIBRARY 2010 SUMMER READING PROGRAM.

Item 20. CONSIDERATION OF THE FOLLOWING BOARD, COMMISSION AND COMMITTEE APPOINTMENTS FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE MAY 31, 2011. 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. APPOINTING JUDY A. CRUZ (MAYORAL), ESTHER LARES (DISTRICT 6), AND GINA MONTEMAYOR (DISTRICT 7) TO THE COMMISSION FOR CHILDREN AND FAMILIES.
- B. APPOINTING DONALD M. RATTAN (AT-LARGE, CATEGORY: SMALL BUSINESS) TO THE WESTSIDE DEVELOPMENT CORPORATION FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE NOVEMBER 28, 2011.
- C. APPOINTING ETIENNE J. WILLIAMS, II (DISTRICT 2) AND SELINA A. ROSALES (DISTRICT 6) TO THE SAN ANTONIO YOUTH COMMISSION.
- D. APPOINTING MICHAEL S. GUARINO (MAYORAL) TO THE HISTORIC DESIGN AND REVIEW COMMISSION FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE OCTOBER 31, 2011.

2010-08-05-0665

Item 21. AN ORDINANCE AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE OF THE CITY CODE OF SAN ANTONIO, TEXAS BY AMENDING FORM BASED DEVELOPMENT ZONING DISTRICT REGULATIONS.

2010-08-05-0666

Item 22. AN ORDINANCE AUTHORIZING A SETTLEMENT AGREEMENT WITH RURAL ELECTRIC, INC. FOR \$540,000.00, ASSOCIATED WITH THE AIRFIELD LIGHTING UPGRADE PROJECT AT THE SAN ANTONIO INTERNATIONAL AIRPORT.

2010-08-05-0667

Item 23. AN ORDINANCE AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH BARICH, INC. IN THE AMOUNT OF \$203,998.12 FOR THE FULL DESIGN OF PHASE 1 OF THE COMMUNICATIONS INFRASTRUCTURE MODERNIZATION PROGRAM PROJECT AT THE SAN ANTONIO INTERNATIONAL AIRPORT, AVAILABLE FROM CAPITAL IMPROVEMENT FUNDS.

2010-08-05-0668

Item 24. AN ORDINANCE AUTHORIZING THE FIRST ONE-YEAR EXTENSION OF A PROFESSIONAL SERVICES AGREEMENT WITH TLI & ENVIRONMENTAL SERVICES, INC., FOR STANDBY ASBESTOS ABATEMENT AND RELATED CONSTRUCTION SERVICES FOR UP TO \$330,000.00.

2010-08-05-0669

Item 25. AN ORDINANCE APPROVING A LOCAL CONTRIBUTION IN THE AMOUNT OF \$616,544.00 TO THE EVENTS TRUST FUND TO QUALIFY FOR REIMBURSEMENT OF ELIGIBLE EXPENSES RELATED TO THE 2010 INTERNATIONAL CONVENTION OF ALCOHOLICS ANONYMOUS.

PULLED BY STAFF

Item 28. AN ORDINANCE AUTHORIZING AN INTERLOCAL AGREEMENT WITH BEXAR COUNTY FOR THE ADMINISTRATION OF THE COUNTY'S COMMUNITY INFRASTRUCTURE AND ECONOMIC DEVELOPMENT (CIED) FUNDS.

[CONSENT ITEMS CONCLUDED]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

CONTINUED

Item 7. AN ORDINANCE ACCEPTING THE BID FROM ZWHEELZ, LLC TO PROVIDE AND INSTALL CONVERSION KITS TO CONVERT 5 EXISTING CITY-OWNED PRIUS AUTOMOBILES FROM HYBRID VEHICLES TO ALL ELECTRIC VEHICLES FOR A TOTAL COST OF \$62,500.00, FUNDED BY THE STATE ENERGY CONSERVATION OFFICE GRANT FUNDS WITH A MATCH BY CPS ENERGY.

Councilmember Ramos asked of moving forward with the Mission Verde Plan. Laurence Doxsey, Director of the Office of Environmental Policy stated that local green jobs would be created and the city's fleet would become more green. Councilmember Ramos expressed support and thanked staff for their work.

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

Councilmember Clamp asked of the contract with ZWHEELZ, LLC. Mr. Doxsey replied that they were a small business and member of a local electric vehicle club that converts vehicles from hybrid to all electric. He noted that this was an opportunity for them to partner with a battery supplier out of Massachusetts to offer this type of conversion. Councilmember Clamp expressed concern that the business address was a residence and that the company was not in good standing with the State in terms of sales tax. Janie Cantu, Purchasing and General Services Director stated that the requirement of the bid was to provide five references that were checked by staff and that no other factors were reviewed. Councilmember Clamp stated that it was important to spend Federal Funds in a prudent manner.

After due discussion, Councilmember Ramos withdrew her original motion and moved to continue said item for one week. Councilmember Chan seconded the motion.

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

The City Clerk read the following Ordinance:

2010-08-05-0654

Item 11. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT TO SAN ANTONIO CONSTRUCTORS, LTD. FOR RECONSTRUCTION OF SOUTHCROSS FROM COMMERCIAL TO MARNEY IN THE AMOUNT OF \$3,453,488.51, OF WHICH \$332,070.76 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM, \$558,232.34 WILL BE REIMBURSED BY BEXAR MET WATER DISTRICT AND \$303,254.00 WILL BE REIMBURSED BY CPS ENERGY, FOR THE RIP RAP 69, PHASE IIC PART 4 PROJECT, AN AUTHORIZED 2007-2012 GENERAL OBLIGATION BOND FUNDED PROJECT LOCATED IN COUNCIL DISTRICT 3.

Councilmember Ramos requested a timeline and information on San Antonio Constructors, LTD. Mike Frisbie, CIMS Director, stated that the project would begin next month and scheduled for completion in 18 months. He noted that the contractor was a local company that had done great work for the city in the past. Councilmember Ramos asked of the bid. Mr. Frisbie replied that the bid had come in under budget and that the funds would be reserved to expand the project area or provide other improvements.

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

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

The City Clerk read the following Ordinance:

2010-08-05-0655

Item 12. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT TO SALINAS CONSTRUCTION TECHNOLOGIES, LTD. IN THE AMOUNT OF \$3,485,246.40, OF WHICH \$671,314.45 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM AND \$161,449.10 WILL BE REIMBURSED BY CPS ENERGY, FOR THE W.W. WHITE AREA STREETS, PHASE II PROJECT, AN AUTHORIZED 2007-2012 GENERAL OBLIGATION BOND FUNDED PROJECT LOCATED IN COUNCIL DISTRICT 2.

Councilmember Taylor requested an update on the project. Mike Frisbie stated that the project provided for the reconstruction of a number of streets in the area, as well as drainage improvements. He noted that construction would begin next month and was scheduled for completion in February, 2012. Councilmember Taylor stated that she was pleased with the level of investment in the area.

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

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

The City Clerk read the following Ordinances for Items 13A-13C:

Item 13. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATED TO THE CONSTRUCTION OF THE WALTERS STREET – IH 35 TO FT. SAM MAIN GATE PROJECT, AN AUTHORIZED LOCAL AGENCY MANAGED PROJECT LOCATED IN COUNCIL DISTRICT 2 FUNDED THROUGH THE METROPOLITAN PLANNING ORGANIZATION AND 2007-2012 GENERAL OBLIGATION BONDS.

2010-08-05-0656

A. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT TO YANTIS COMPANY IN THE AMOUNT OF \$4,185,031.75, OF WHICH \$2,963,035.00 WILL BE REIMBURSED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, \$452,307.00 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEMS, AND \$28,931.00 WILL BE REIMBURSED BY CPS ENERGY.

2010-08-05-0657

- B. AN ORDINANCE AUTHORIZING AN AMENDMENT IN THE INCREASED AMOUNT OF \$313,000.00 TO THE \$5,695,413.00 PROFESSIONAL SERVICES AGREEMENT WITH CH2M HILL FOR PROJECT MANAGEMENT SERVICES NEEDED FOR THE WALTERS STREET PROJECT.

2010-08-05-0658

- C. AN ORDINANCE AUTHORIZING AGREEMENTS WITH SAWS AND CPS AS REQUIRED BY TXDOT FOR LOCAL AGENCY MANAGED PROJECTS TO ENSURE THAT ALL UTILITY RELATED CONSTRUCTION AND OVERHEAD COSTS ARE REIMBURSED TO THE CITY BY THE APPROPRIATE UTILITY COMPANY.

Councilmember Taylor noted that this was a high profile project and asked of the status. Mike Frisbie stated that the project had great significance due to the Base Realignment and Closure (BRAC) activity that would create 11,000 jobs. He noted that the project was being completed in conjunction with the Fort Sam Houston Gate Reconstruction Project. He added that it would create a new corridor, both aesthetically and in relation to traffic.

Councilmember Taylor moved to adopt the proposed Ordinances for Items 13A-13C. Councilmember Cisneros seconded the motion.

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

The City Clerk read the following Ordinance:

2010-08-05-0659

- Item 14. AN ORDINANCE AUTHORIZING A 25-YEAR LEASE AGREEMENT WITH THE TEXAS WING OF CIVIL AIR PATROL FOR GROUND SPACE AT STINSON MUNICIPAL AIRPORT AT NO COST.

Councilmember Ramos mentioned that this is a celebratory item and asked for a briefing. Frank Miller, Aviation Director noted that the Civil Air Patrol (CAP) was a non-profit agency of the Federal Government that provides auxiliary services and performs search and rescue activities. He stated that they were relocating from Waco and requested to be housed at Stinson Airport. He reported that staff has been working with them for the last few months and they will be making all necessary improvements. He mentioned that three employees would be relocating to Stinson and that the CAP had requested a long-term lease due to the improvements they would provide. He added that the Federal Aviation Administration allowed the airport to lease space to the CAP at no cost. Councilmember Ramos asked of the size of their facility. Mr. Miller replied that they would be leasing 93,000 square feet of space. Councilmember Ramos expressed support and noted that the project would help continue the economic growth occurring on the Southside.

Councilmember Williams recognized Councilmember Ramos for her leadership on said item. He spoke of the sophisticated aircraft of the CAP and noted that they provide a great amount of help during natural disasters. He recognized Jack Calhoun representing the CAP.

Mr. Calhoun thanked the Council for their support; specifically, Councilmembers Ramos and Williams. He also thanked city staff for their work with the CAP and stated that they looked forward to coming to San Antonio.

Councilmember Lopez mentioned that he was a former cadet and thanked the CAP for their work.

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

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

The City Clerk read the following Ordinance:

2010-08-05-0670

Item 26. AN ORDINANCE AUTHORIZING AN AGREEMENT WITH UNION PACIFIC RAILROAD (UP) FOR A PILOT GRAFFITI ABATEMENT PROGRAM AND PROVIDING FOR REIMBURSEMENT OF EXPENSES TO THE CITY BY UP IN AN AMOUNT UP TO \$32,000.00.

Councilmember Medina asked staff to provide a briefing on said item. David Garza, Director of Housing and Neighborhood Services stated that the current law does not require Union Pacific or the Texas Department of Transportation to abate graffiti on their property. He noted that through the agreement, the city will perform graffiti abatement on Union Pacific property on a quarterly basis and they will pay the city \$32,000 per year. He added that Union Pacific staff would provide assistance to city staff and that the agreement could be expanded in the future. Councilmember Medina expressed support and spoke of the many graffiti issues throughout the community. He asked how the funds would be utilized. Mr. Garza replied that they would be used for reimbursement of paint, supplies, and equipment and provided a list of the 12 sites that had been identified for abatement.

Councilmember Lopez also expressed support and asked how the amount of funding was determined. Mr. Garza replied that it was done on square foot basis and that a final report on the pilot graffiti project would be provided soon. Councilmember Lopez requested that staff compile a list of potential partners to assist with graffiti abatement. Councilmember Cisneros thanked staff for working with Union Pacific and offered to provide volunteers for the District 1 projects. Councilmember Rodriguez thanked staff for their work and asked that graffiti issues be coordinated with the Intergovernmental Relations Department. Mayor Castro also thanked staff for their work on the project and noted that it would help beautify various neighborhoods throughout the city.

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

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

The City Clerk read the following Ordinance:

2010-08-05-0671

Item 27. AN ORDINANCE ESTABLISHING A HISTORIC PROPERTY PLAQUE PROGRAM AS PART OF THE SAN ANTONIO HISTORIC PRESERVATION ACADEMY AND THE HISTORIC PRESERVATION EDUCATION FUND.

Councilmember Cisneros noted the 45th Anniversary of the Voting Rights Act of August 6, 1965 which was signed into effect by President Lyndon B. Johnson. She commended Library Staff for their work on the grant received in Item 19, and Convention, Sports, and Entertainment Facilities Staff for their work on the local contribution to the Events Trust Fund in Item 25. She requested information on the historic property plaque program.

Shanon Wasielewski, Historic Preservation Officer stated that the purpose of the program was to visually identify designated structures and landmarks within historic districts. She noted that the plaques would be sold to property owners and the Preservation Academy would provide oversight of the program. Councilmember Cisneros expressed support and recognized Marty Kushner.

Mr. Kushner of 405 E. Myrtle Street in Tobin Hill spoke of the fact that there was not a historic property plaque program in place when he purchased his home. He noticed that there was such a program when he visited the State of Alaska and had inquired about same for San Antonio. He stated that he was pleased that the program was being implemented and hoped to be the first to purchase a plaque.

Mayor Castro stated that this was an excellent way to inform the public of the value of historic spaces to the City of San Antonio.

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

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

Item 29. CITY MANAGER'S REPORT

A. 2010 COMMUNITY SURVEY RESULTS.

Ms. Sculley noted that the 2010 Community Survey results were available on-line for those that wanted to access them and that the city had maintained high satisfaction levels. She stated that the goal was to use the results to improve services to the community by benchmarking the previous survey results.

B. CONVENTION CENTER UPDATE ON ECONOMIC IMPACT OF RECENT CONVENTIONS AND AWARDS.

Ms. Sculley spoke of the great amount of activity at the Convention Center and Alamodome over the summer. She noted that the Alcoholics Anonymous Conference held during the July 4, 2010 weekend was the largest convention in San Antonio. She mentioned that the event produced 43,000 hotel room nights; 58,000 registered attendees; and an economic impact of \$66 million. She added that the Henry B. Gonzalez Convention Center had been named one of the top three finalists in the Texas Meetings and Events Magazine Best of Industry Readers Choice Awards for the Southern Region. Additionally, the

Convention Center and Convention and Visitors Bureau were awarded the Association Meetings Magazine Inner Circle Award for 2009.

C. COMPUTER AIDED DISPATCH SYSTEM (CAD) UPDATE

Ms. Sculley stated that the Computer Aided Dispatch (CAD) Project has been in the works for over a year and the project is now being implemented. She thanked the Bexar Met 9-1-1 District and Bexar County for working in partnership with the City on same and noted that the Fire Department's portion went live on July 28, 2010. She reported that the Police Department will go live on August 9, 2010. She mentioned that dispatchers would take less time taking 9-1-1 calls, and would have more information available to deploy resources appropriately. She added that dispatchers will be able to deploy the closest vehicle needed to handle the emergency; thus, improve response times. She spoke of next steps which include implementation of the new Electronic Records Management System and the Police Automated Field Reporting System in the Fall.

RECESSED

Mayor Castro recessed the meeting at 10:52 am and announced the following executive session item would be addressed:

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).

Mayor Castro reconvened the meeting at 11:30 am and stated that Item A had been addressed and that no action was taken. At this time, Mayor Castro recessed the meeting for lunch and announced that the meeting would resume at 2:00 pm for Zoning.

RECONVENED

Mayor Castro reconvened the meeting at 2:09 pm and addressed the Consent Zoning Items.

CONSENT ZONING ITEMS

Councilmember Clamp moved to approve the following rezoning cases, noting that Staff and Zoning Commission recommendation were to approve and that no citizens had registered to speak against: P-1, Z-1, Z-4, Z-6, and Z-9. Councilmember Cisneros seconded the motion.

Mayor Castro called upon the citizens registered to speak.

Charlotte Kahl stated that the North Sector Plan was drafted by a great cross-section of the community, as there had been a great turnout of individuals at the public meetings. She mentioned that she would like for the City South Plan to be created so that Downtown becomes the center of the city and that the East Side Plan should embrace BRAC. She asked the City Council to continue the valuable sector planning processes by providing Planning Staff with the necessary personnel and monetary resources.

Phil Reidinger expressed his support for Item P-1 and thanked city staff for their work on the North Sector Plan. He noted that there had been a great amount of community participation and spoke of the importance of the plan due to traffic and growth issues. He recognized Councilmembers Williams and Chan for their leadership and support.

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

2010-08-05-0672

Item P-1. **PLAN AMENDMENT (Districts 6, 7, 8, 9, and 10):** An Ordinance adopting the North Sector Plan, a component of the Master Plan of the City, for an area bound by: Loop 410, Grissom Road, and Culebra Road to the south; Loop 1604 and Texas Highway 16/ Bandera Road to the west; a meandering line following the City of San Antonio Extra-territorial Jurisdiction northern boundary to the north; and a meandering line following the City of San Antonio Extra-territorial Jurisdiction eastern boundary, IH-35, and Toepperwein Road to the east. Staff and Planning Commission recommend approval.

2010-08-05-0673

Item Z-1. **ZONING CASE # Z2010120 (District 5):** An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single Family Airport Hazard Overlay District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "MF-25" Multi-Family District and "C-2NA" Commercial Nonalcoholic Sales District on Lot Cir 2, NCB 2569 located at 232 East Cevallos. 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 CIR 2, NCB 2569 TO WIT:FROM "R-4 AHOD" RESIDENTIAL SINGLE FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "IDZ AHOD" INFILL DEVELOPMENT ZONE AIRPORT HAZARD OVERLAY DISTRICT WITH USES PERMITTED IN "MF-25" MULTI-FAMILY DISTRICT AND "C-2NA" COMMERCIAL NONALCOHOLIC SALES DISTRICT.

POSTPONED BY APPLICANT

Item Z-2. **ZONING CASE # Z2010096 CD (District 8):** An Ordinance amending the Zoning District Boundary from "O-1 GC-1 MLOD-1" Office Hill Country Gateway Corridor Overlay Military Lighting Overlay District, "C-2 GC-1 MLOD-1" Commercial Hill Country Gateway Corridor Overlay Military Lighting Overlay District, "C-2 CD GC-1 MLOD-1" Commercial Hill Country Gateway Corridor Overlay Military Lighting Overlay District with a Conditional Use for a Office Warehouse and Motel and "C-1 S GC-1 MLOD-1" Light Commercial Hill Country Gateway Corridor Overlay Military Lighting Overlay District with a Specific Use Authorization for a restaurant, theater, and sales of alcoholic beverages incidental to consumption of food sales to "C-2 CD GC-1 MLOD-1" Commercial Hill Country Gateway Corridor Overlay Military Lighting Overlay District with a Conditional Use for Motor Vehicles Sales - Full Service on a 8.902 acre tract of land out of NCB 35733 and NCB 18337 located on a portion of the 21400 Block of Interstate Highway 10 West. Staff and Zoning Commission recommend approval.

Chris Looney noted that Item Z-2 had been postponed by the applicant and that no action was necessary.

2010-08-05-0675

Item Z-4. **ZONING CASE # Z2010068 (District 10):** An Ordinance amending the Zoning District Boundary from "I-1 IH-1 AHOD" General Industrial Northeast Gateway Corridor Overlay Airport Hazard Overlay District to "C-3 IH-1 AHOD" General Commercial Northeast Gateway Corridor Overlay Airport Hazard Overlay District on 0.7170 acres out of NCB 15724 located at 11723 IH 35 North. Staff and Zoning Commission recommend approval. (Continued from June 17, 2010)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 0.7170 ACRES OUT OF NCB 15724 TO WIT: FROM "I-1 IH-1 AHOD" GENERAL INDUSTRIAL NORTHEAST GATEWAY CORRIDOR OVERLAY AIRPORT HAZARD OVERLAY DISTRICT TO "C-3 IH-1 AHOD" GENERAL COMMERCIAL NORTHEAST GATEWAY CORRIDOR OVERLAY AIRPORT HAZARD OVERLAY DISTRICT.

2010-08-05-0677

Item Z-6. **ZONING CASE # Z2010118 (District 10):** An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single Family Airport Hazard Overlay District and "MF-33 AHOD" Multi-Family Airport Hazard Overlay District to "C-2" Commercial Airport Hazard Overlay District on Lot 2, NCB 15723 located at 14526 Nacogdoches 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: LOT 2, NCB 15723 TO WIT: FROM "R-6 AHOD" RESIDENTIAL SINGLE FAMILY AIRPORT HAZARD OVERLAY DISTRICT AND "MF-33 AHOD" MULTI-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

2010-08-05-0680

Item Z-9. **ZONING CASE Z2010103 (District 1 and 2):** 1) Adopting a Master Development Pattern Plan to include an approved zoning site plan, site conditions plan, transportation design plan, civic functions plan, transit network plan, residential and non-residential functions plan, the transect zone summary table, master tree canopy/preservation plan, and master storm water management plan for the River North site plan area generally bound by IH-35 to the north; Lexington and 4th Street to the southwest; and Bonham, Elm Street, and IH-37 to the southeast and 2) a change in zoning district within the River North area, from "FBZ T4-1" Form Based Zoning District Transect Zone 4-1 and "FBZ T5-1" Form Based Zoning District Transect Zone 5-1 to "FBZ SD-1" Form Based Zoning District Specialized District 1 for multiple properties generally bound by Camden St. to the north, St. Mary's St. to the east and south, and Brooklyn St. to the southwest and west; from "FBZ T6-2" Form Based Zoning District Transect Zone 6-2 to "FBZ T6-2 S" Form Based Zoning District Transect Zone 6-2 S Specific Use authorization for a hotel with no room limit located at 103 W 9th St.; and from "FBZ T5-1" Form Based Zoning District Transect Zone 5-1 to "FBZ T6-1" Form Based Zoning District Transect Zone 6-1 for an area generally bound by McCullough St. to the north and northeast, Bonham St. to the southeast, 4th St.

to the south and southwest, and Broadway to the northwest, with all existing overlay districts including "H" Historic Districts, "HS" Historic Significant, "HE" Historic Exceptional, "RIO-2" River Improvement Overlay District-2, and "AHOD" Airport Hazard Overlay District remaining unchanged, more specifically for an area generally bound by IH-35 to the north; Lexington and 4th Street to the southwest; and Bonham, Elm Street, and IH-37 to the southeast. 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: MULTIPLE PROPERTIES GENERALLY BOUND BY IH-35 TO THE NORTH; LEXINGTON AND 4TH STREET TO THE SOUTHWEST; AND BONHAM, ELM STREET, AND IH-37 TO THE SOUTHEAST TO WIT: FROM "FBZ T4-1" FORM BASED ZONING DISTRICT TRANSECT ZONE 4-1 AND "FBZ T5-1" FORM BASED ZONING DISTRICT TRANSECT ZONE 5-1; "FBZ T6-2" FORM BASED ZONING DISTRICT TRANSECT ZONE 6-2; AND "FBZ T5-1" FORM BASED ZONING DISTRICT TRANSECT ZONE 5-1 TO "FBZ SD-1" FORM BASED ZONING DISTRICT SPECIALIZED DISTRICT 1; "FBZ T6-2 S" FORM BASED ZONING DISTRICT TRANSECT ZONE 6-2 S SPECIFIC USE AUTHORIZATION FOR A HOTEL WITH NO ROOM LIMIT; AND "FBZ T6-1" FORM BASED ZONING DISTRICT TRANSECT ZONE 6-1 WITH ALL EXISTING OVERLAY DISTRICTS INCLUDING "H" HISTORIC DISTRICTS, "HS" HISTORIC SIGNIFICANT, "HE" HISTORIC EXCEPTIONAL, "RIO-2" RIVER IMPROVEMENT OVERLAY DISTRICT-2, AND "AHOD" AIRPORT HAZARD OVERLAY DISTRICT REMAINING UNCHANGED.

[CONSENT ZONING CONCLUDED]

INDIVIDUAL ZONING ITEMS

2010-08-05-0674

Item Z-3. **ZONING CASE # Z2010117 S (District 8):** An Ordinance amending the Zoning District Boundary from "C-3 AHOD" General Commercial Airport Hazard Overlay District to "C-3 NA S AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Specific Use Authorization for a Pay Day Loan Agency on 0.2155 of an acre out of Lot 24, NCB 11625 located at 8203 IH 10 West. 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: 0.2155 OF AN ACRE OUT OF LOT 24, NCB 11625 TO WIT: FROM "C-3 AHOD" GENERAL COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-3 NA S AHOD" GENERAL COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A PAY DAY LOAN AGENCY PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

Chris Looney presented Item Z-3 and stated that staff recommended denial and the Zoning Commission recommended approval. He reported that of the four notices mailed to property owners within 200 feet, three had been returned in favor by the property owners. He added that the Vance Jackson Neighborhood Association was in support.

Mayor Castro called upon the individuals registered to speak.

Jack M. Finger expressed opposition to the payday loan agency in Item Z-3. He spoke in opposition to Items P-2, P-3, Z-7, and Z-10 due to the staff and Planning Commission recommendations for denial. He stated that he would like to continue the residential single-family designation in Item Z-8.

Jack Nelson, CEO of Propel Financial Services, Applicant, stated what their company was a private lender and not a payday loan agency. He noted that they have been operating in the area for three years and employ 45 individuals. He mentioned that they were moving 100 feet from their current location into a building that had been vacant for seven years. He indicated that they provide commercial loans and do not cash checks.

Councilmember Williams thanked the applicant for their work and stated that they had been operating in an acceptable manner. He reiterated that the Vance Jackson Neighborhood Homeowners Association was in favor.

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

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

2010-08-05-0676

Item Z-5. **ZONING CASE # Z2010113 (District 10):** An Ordinance amending the Zoning District Boundary from "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for a Nightclub to "C-2 NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District on Lot 28, Block 2, NCB 12572 located at 1039 NE Loop 410. 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 28, BLOCK 2, NCB 12572 TO WIT: FROM "C-2 CD AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR A NIGHTCLUB TO "C-2 NA AHOD" COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT.

Chris Looney presented Item Z-5 and stated that staff and the Zoning Commission recommended approval. He reported that they mailed 11 notices, with three responses returned in opposition and one in favor of the zoning. He noted that there had been no response from the Oak Park Northwood Neighborhood Association. He added that the property owner was in opposition and, therefore; would require nine votes for approval.

John Lane Jr. representing the property owner stated that said item should be tabled or denied. He provided history of the property, noting that it had been vacant for a number of months and his clients had found a tenant that had indicated they would operate a sports bar. They began to install poles within the building and the city closed the facility due to violation of the code. He reported that the tenant was in default and had been provided a notice of eviction.

Larry Murphy of the Crowne Plaza Hotel spoke in favor of the zoning. He stated that they were located within 100 feet of the property and did not want the business to impact his hotel. He expressed concern that the previous owners have not done their due diligence to maintain the proper type of business in that location.

Councilmember Clamp stated that said item had been challenging but was a good opportunity for the community and businesses in the area to develop a plan for the best use of the lot. He noted that he had committed to the current owners to work diligently on a plan that would work for everybody.

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

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

Items P-2 and Z-7 were addressed jointly.

2010-08-05-0678

Item P-2. **PLAN AMENDMENT #10014 (District 1):** An Ordinance amending the land use plan contained in the Near Northwest Community Plan, a component of the Master Plan of the City, by changing the use of approximately 0.1377 acres located at 1402 West Olmos Drive from Urban Low Density Residential land use to Neighborhood Commercial land use. Staff and Planning Commission recommend denial. (Associated Zoning Case Number: Z2010090)

2010-08-05-0679

Item Z-7. **ZONING CASE # Z2010090 (District 1):** An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "NC AHOD" Neighborhood Commercial Airport Hazard Overlay District on Lot 10, Block 46, NCB 7106 located at 1402 West Olmos Drive. 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: LOT 10, BLOCK 46, NCB 7106 TO WIT: FROM "R-4 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "NC AHOD" NEIGHBORHOOD COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

Andrea Gilles presented Item P-2 and stated that it would amend the land use plan contained in the Near Northwest Community Plan. She reported that staff and the Planning Commission recommended denial. Chris Looney presented Item Z-7 and stated that staff recommended denial and the Zoning Commission recommended approval. He noted that they had mailed 22 notices with four returned in favor and none in opposition. He added that no response had been received from the Northwest Los Angeles Neighborhood Association.

Mayor Castro called upon those individuals registered to speak.

Jerry Arredondo provided photos of the area and stated that the neighbors were in favor of the zoning. He mentioned that they would like to see the property occupied and that the neighborhood commercial designation would maintain the character of the neighborhood.

Janie Brock stated that she lived at 1402 W. Olmos and was in favor of the zoning.

Councilmember Cisneros asked and confirmed that no letters of opposition had been received and that the neighborhood commercial designation was the least intense. Mr. Looney confirmed same.

Councilmember Cisneros moved to adopt the proposed Ordinances for Items P-2 and Z-7. Councilmember Chan seconded the motion.

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

DENIED

Item Z-8. **ZONING CASE # Z2010104 (District 1):** An Ordinance amending the Zoning District Boundary from "R-4 NCD-5 AHOD" Residential Single-Family Beacon Hill Area Neighborhood Conservation Airport Hazard Overlay District to "MF-18 NCD-5 AHOD" Multi-Family Beacon Hill Area Neighborhood Conservation Airport Hazard Overlay District on the west 16.5 feet of the north 88 feet of Lot 44 and the north 88 feet of Lots 45 and 46, Block 2, NCB 3103 located at 1042 West Lynwood. Staff recommends approval. Zoning Commission recommends denial.

Chris Looney presented Item Z-8 and stated that staff recommended approval and the Zoning Commission recommended denial. He reported that 30 notices were mailed with one response received in opposition and no responses in favor. He added that the Beacon Hill Neighborhood Association was against the rezoning.

Mayor Castro called upon Arturo Bermea to speak.

Mr. Bermea stated that his intention is to buy and renovate property in the area and restore it to its original state as a duplex. He noted that he was requesting another meter to be placed on the property in order for it to meet the multi-family zoning. He expressed concern that he was not aware of the property having to be re-zoned prior to purchasing it and would affect his investment.

Councilmember Cisneros read a letter from the Beacon Hill Neighborhood against the rezoning and it was entered into the record. She stated that she was in support of maintaining the existing single-family nature of the area.

Councilmember Cisneros moved to deny the proposed Ordinance. Councilmember Clamp seconded the motion.

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

Items P-3 and Z-10 were addressed jointly.

2010-08-05-0681

Item P-3. **PLAN AMENDMENT #10010 (District 2):** An Ordinance amending the land use plan contained in the Eastern Triangle Community Plan, a component of the Master Plan of the City, by changing the use of 1.2053 acres of land located at 1815 and 1835 Hammond Avenue from Medium Density Residential land use to Community Commercial land use. Staff and Planning Commission recommend denial. (Associated Zoning Case: #Z2010051)

2010-08-05-0682

Item Z-10. **ZONING CASE # Z2010051 (District 2):** An Ordinance amending the Zoning District Boundary from "R-4" Residential Single-Family District to "C-2" Commercial District on Lots 13, 14, 15, 23, 24, 25, 28, Block 28, NCB 10329 located at 1815 and 1835 Hammond Avenue. Staff and Zoning Commission recommend denial. (Continued from June 3, 2010)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOTS 13, 14, 15, 23, 24, 25, AND 28, BLOCK 28, NCB 10329 TO WIT: FROM "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-2" COMMERCIAL DISTRICT.

Andrea Gilles presented Item P-3 and stated that staff and the Planning Commission recommended denial. Chris Looney presented Item Z-10 and stated that staff and the Zoning Commission also recommended denial. He noted that 44 notices were mailed with one returned in opposition and two in favor. He added that no response had been received from the Artesia Community Guild.

Mayor Castro called upon Dan Martinez to address the City Council.

Mr. Martinez stated that he was the Chair of the Eastern Triangle and in support of the Plan Amendment and zoning change. He noted that expansion of the tire shop was appropriate for the area.

Councilmember Taylor stated that although she appreciated the recommendations of staff and the Zoning and Planning Commissions, she disagreed with the recommendations. She noted that she had driven out to the site and was doubtful that new residential structures would be placed on the vacant lot across the street. She added that some of the properties adjacent to the vacant lot were small, older, residential structures owned by the applicant that would be moved to expand the tire shop.

Councilmember Taylor moved to adopt the proposed Ordinances for Items P-3 and Z-10. Councilmember Cisneros seconded the motion.

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

2010-08-05-0683

Item Z-11. **ZONING CASE # Z2010109 CD (District 2):** An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "RM-6 CD AHOD" Residential Mixed Airport Hazard Overlay District with a Conditional Use for a Non-Commercial

Parking Lot on Lots 4A and 4B, Block 4, NCB 6338 located at 1615 East Crockett Street. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOTS 4A AND 4B, BLOCK 4, NCB 6338 TO WIT: FROM "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "RM-6 CD AHOD" RESIDENTIAL MIXED AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR A NON-COMMERCIAL PARKING LOT PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

Chris Looney presented Item Z-11 and stated that Staff and the Zoning Commission recommended approval and the Jefferson Heights Neighborhood Association was in opposition to the zoning change.

Mayor Castro recognized William Harper.

Mr. Harper stated that he represented the Jefferson Heights Neighborhood Association and that the Association was opposed to the zoning request. He expressed concern that they had not been contacted due to miscommunication regarding the inactive status of their Association. He noted that he was concerned for the 100 year-old tree on the property and recommended that the case be postponed.

Councilmember Taylor noted that this is a key property and spoke of the Wachovia Bank project that fell through due to being bought out by Wells Fargo Bank. She stated that a Dollar General Store will be developed and that most of the zoning was already in place and that is the reason that notification was not necessary. She asked why the applicant was making the request. Mr. Looney stated that they needed additional access and had requested to downzone the property to accommodate parking. Councilmember Taylor requested assurance that the tree in question would be preserved. Mr. Looney replied that a site plan was required and illustrated the required buffer that includes trees.

Councilmember Taylor moved to adopt the proposed Ordinance with the condition that the site plan would include keeping the tree that is in question. Councilmember Clamp seconded the motion.

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

2010-08-05-0684

Item Z-12. **ZONING CASE # Z2010055 (District 3):** An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "NC AHOD" Neighborhood Commercial Airport Hazard Overlay District on Lots 6 and 7, save and except a portion conveyed to the City of San Antonio recorded in Volume 3341, Page 462, Deed Records of Bexar County, Block 1, NCB 3381 located at 2011 Probandt Street. Staff and Zoning Commission recommend approval. (Continued from May 20, 2010)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE

CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOTS 6 AND 7, SAVE AND EXCEPT A PORTION CONVEYED TO THE CITY OF SAN ANTONIO RECORDED IN VOLUME 3341, PAGE 462, DEED RECORDS OF BEXAR COUNTY, BLOCK 1, NCB 3381 TO WIT: FROM "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "NC AHOD" NEIGHBORHOOD COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

Chris Looney presented Item Z-12 and stated that staff and the Zoning Commission recommended approval. He noted that 29 notices had been mailed with 15 responses received in opposition and two in favor. He mentioned that since the opposition represented more than 20% of the property within 200 feet, nine votes of the City Council would be required for approval.

Mayor Castro called upon the individuals registered to speak.

Veronica Ortiz stated that she was in support of the zoning and had been a friend of the applicant for many years. She added that the business would be good for the area and noted her address was 1830 Brighton.

Virginia Chapa also stated that she was in support of the zoning. She noted that she had worked for the applicant for the past six years and she was a hard worker.

Yolanda Rodriguez, Applicant, stated that she lived at 2007 Probandt and was requesting the City Council's approval to open a beauty shop. She noted that she had spoken with many of the neighbors within 200 feet of the property and they were in support of the zoning change. She spoke of the long process that she had been through and mentioned that she had received support from staff and the Zoning Commission. She provided a map of the area, noting that there were many residences and businesses around her property.

Louis Davis stated that he was a real estate agent and lives within five minutes of the property in question. He noted that he had reviewed the case and the best use of the property would be commercial. He indicated that the property was surrounded by other commercial uses and that traffic was already existent. He added that he had received a letter from Jose Gonzalez, Pastor of New Hope Ministries Church, and Sister Martha Ruiz of the Institute of Guadalupanos in support of the zoning.

Joan Araujo Coy spoke in opposition to the zoning and the long process it had gone through. She presented a video of a previous City Council Meeting in which the zoning case had been discussed and she was unable to attend due to her job. She expressed concern with safety issues and referenced the death of a child in the area due to speeding. She spoke of the lack of signage in the area and stated that she had received many signatures against the zoning from property owners within 200 feet.

Daniel A. Coy also spoke in opposition to the zoning and noted the traffic issues in the area. He mentioned that many vehicles cut through the car wash parking lot and expressed concern with safety. He stated that they were not against the beauty shop but would prefer that it be located elsewhere. He noted that many of the signatures on the petition provided by Ms. Gonzalez were not verified.

Councilmember Ramos thanked everyone that spoke on said item and asked of the lot and building sizes. Mr. Looney confirmed that the lot was 3/10th of an acre and that neighborhood commercial

zoning limits buildings to no more than 3,000 square feet. Councilmember Ramos asked of the option of designating the property as “R-6 with Specific Use for a Beauty Shop.” Mr. Looney replied that it was not possible because the Land Use Plan has changed and that zoning would not be in conformance. He added that neighborhood commercial was the lowest intensity zoning and designed to be compatible with a residential area. Councilmember Ramos asked of Probandt Street. Majed Al-Ghafry, Public Works Director replied that Probandt was considered a secondary arterial street at a “C” Level of Service which includes 18,000 trips per day. He noted that the impact of the beauty shop would generate 100 trips per day.

Councilmember Ramos asked of the additional signage and improvements in the area. Mr. Al-Ghafry stated that the improvements were separate from the zoning case and that staff was in the process of installing curb warning signs and two additional speed limit signs. They are also installing an exclusive left turn signal at the intersection of Probandt and South Flores. Councilmember Ramos asked of the required buffer. Mr. Looney replied that a Type B Landscape Buffer would be required which consists of a 15-foot width but no requirement along the street. Councilmember Ramos asked of the required curb and sidewalk. Mr. Al-Ghafry stated that a minimum 5-foot sidewalk would have to be installed. Mr. Looney noted that four parking spaces would be required for a building of 800-1,000 square feet in size.

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

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

RECESSED

Mayor Castro recessed the meeting at 3:31 pm and announced that the meeting would resume at 6:00 pm for Citizens to be Heard.

CITIZENS TO BE HEARD

Mayor Pro Tem Rodriguez reconvened the meeting at 6:00 pm and called upon the individuals registered to speak.

Nazirite Ruben Flores Perez referenced the Bible and Psalms 34:14. He stated that smoking was not healthy. He mentioned the book of Corinthians and noted that there were 12 Apostles.

Mayor Castro entered the meeting at this time and assumed the chair.

Rhett Smith spoke of the shooting that occurred at Commerce and Hackberry Streets last Sunday morning. He expressed concern that an individual had been shot in the back and noted that the Police had determined that it was gang-related and the wrong house had been targeted. He spoke of the arrest of Rodolfo Macias, a citizen of Mexico, at a City Council Meeting and asked what crime he had committed.

Henry Rodriguez stated that he was speaking on behalf of LULAC. He expressed concern with the proposed smoking ban in bars, noting that it would greatly affect small bar owners. He spoke of numerous issues throughout the city including unemployment, abandoned houses, and murders. He mentioned that his friend Richard was a bar owner who would no longer be able to smoke in his own business. He asked the City Council to work with small businesses throughout the community, as they could not afford to relocate their businesses outside of the city limits.

Mark Perez expressed concern with the hazardous chemicals being stored in facilities that do not have Certificates of Occupancy including the Kimberly-Clark Facility at 4702 Goldfield. He asked of the storage tank permit applications that were not being submitted and spoke of the lack of response to his request for information from the Planning and Development Services Department.

Larry Reddell stated that he was conducting research on the proposed Smoking Ban and referenced numerous headlines that he had read online. He expressed concern with road rage, beatings, and the CAD System of the San Antonio Police Department.

Faris Hodge, Jr. expressed concern with the proposed Smoking Ban, noting that individuals should be able to smoke out in the open. He spoke of the increased CPS Energy bills and noted that the Pope called on Catholics not to cast stones. He expressed concern that the City Manager had removed junk food from the vending machines and should not tell people what to eat. He noted that there should be more Fire Inspectors and that a sprinkler system should be installed in the Council Chambers. He asked that Police Officers cite more individuals for not wearing their seatbelts and stated that Airport and Park Police Officers should make the same salary as San Antonio Police Officers. He expressed concern that African Americans are being excluded from the San Antonio Fire Department and that Bexar County is violating the Open Meetings Act.

Charles English expressed concern with the division among the Jefferson Heights Neighborhood Association and Eastside Revitalization efforts. He referenced the zoning case that was passed earlier at 1615 E. Crockett Street and thanked Councilmember Taylor for saving the tree on the property. He expressed concern that a Dollar General would be built on the property.

ADJOURNMENT

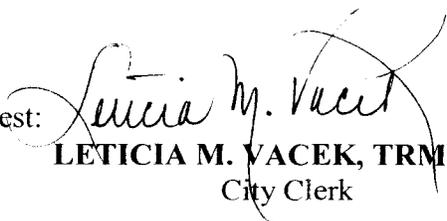
There being no further discussion, Mayor Castro adjourned the meeting at 6:32 pm.

APPROVED



**JULIÁN CASTRO
MAYOR**

Attest:


LETICIA M. VACEK, TRMC/CMC
City Clerk