

**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, NOVEMBER 3, 2010 AND THURSDAY, NOVEMBER 4, 2010, RESPECTIVELY.

The San Antonio City Council convened in a Work Session at 2:00 pm Wednesday, **November 3, 2010**, Municipal Plaza Building with the following Councilmembers present: Cisneros, Taylor, Ramos, Cortez, Medina, Rodriguez, Williams, Clamp, and Mayor Castro. **ABSENT:** Lopez and Chan.

1. UPDATE ON THE SAN ANTONIO CYBER ACTION PLAN – AN INITIATIVE OF THE GREATER SAN ANTONIO CHAMBER OF COMMERCE.

Robert Murdock stated that San Antonio had been successful in competing for the Cyber Command 24th Air Force Mission and that the Greater San Antonio Chamber of Commerce had created a Cyber Action Plan. He introduced Daniel Cruz representing the Greater Chamber.

Mr. Cruz stated that the Air Force had selected San Antonio due to its extensive military presence, specialized academic community, and mature cyber industrial base. He noted that national awareness regarding cyber operations had grown and San Antonio had the opportunity to produce more cyber-trained individuals and grow a new, well-paying industry. He spoke of the importance of creating a nationally recognized Cyber Operations and Security Center of Excellence, as well as spurring economic development through increased professional opportunities. He outlined five strategies to achieve same: 1) Enhance Cyber Awareness; 2) Coordinate Cyber Education; 3) Promote Cyber Business Investment; 4) Develop Cyber Talent; and 5) Facilitate Cyber Research and Development.

Mr. Cruz stated that San Antonio was well-equipped to lead the Cyber Industry due to its existing Cyber Missions and National Security Administration Centers of Excellence. He spoke of the excellent quality of life and the established foundation of Cyber Talent. He reported that outside of the Washington, DC Area, San Antonio had the largest concentration of Cyber Professionals in the nation. He stated that 10 years ago, a Cyber Innovation and Research Consortium had been created. That Consortium included the University of Texas at San Antonio, Our Lady of the Lake University, St. Mary's University School of Law, and would incorporate Texas A&M-San Antonio. He reported that more than 134,000 students were enrolled in Cyber-Related Studies throughout San Antonio and projected an economic impact of \$14 billion by 2013.

Mr. Cruz noted that constraints included standards, policies, law and resources. He stated that they were looking to establish best practices for others throughout the country and noted the key partners that include the Military, Academia, Public Utilities, Business Community, Government, and the Public. He reported that the phases would occur in parallel and included Awareness, Collaboration, Coordination, and Action.

Ms. Julie Walker provided an overview of the San Antonio Cyber Legislative Agenda, noting that the purpose was to support the vision of the San Antonio Cyber Action Plan. She reported that the Greater Chamber's IT Committee and Cyber Legislative Agenda Subcommittee would meet with local, state, and federal partners to increase awareness, coordinate topics, and request support. She stated that they

hoped to expand the Cyber Security related workforce and employment opportunities, as well as attract more Cyber Security Business. Lastly, she outlined the National Agenda that includes a request for support for the 24th Air Force, as well as the State/Local Agenda that provides support for a Texas Cyber Center.

Mr. Cruz requested that the City of San Antonio provide advocacy to the general public on the important role they play in Cyber Safety to promote a model city. He also asked that the city provide support through representation at conferences and in crafting national and state legislation. Lastly, he requested that the city create a website (CyberCityUSA.org) to promote capabilities, job opportunities, and commerce.

Mayor Castro stated that he was pleased that San Antonio was well-positioned for further investment and spoke of the importance of bringing awareness of the Cyber Industry. He noted that he was enthusiastic that the industry would bring good paying jobs to San Antonio. Councilmember Cisneros stated that she was proud of San Antonio's participation in the Cyber Industry and asked of the lead City Staff assigned to work on same. Ms. Sculley replied that Bob Murdock has been coordinating the effort and Hugh Miller will lead from a technology standpoint. Councilmember Cisneros spoke in support of the academic consortium. Mr. Cruz confirmed that they would work with Trinity University and the Alamo Colleges regarding designation. Councilmember Cisneros stated that she was pleased with the estimated \$14 billion economic impact by the year 2013 and that it would be important to direct resources toward same. She asked of the creation of a video to promote Cyber Awareness. Mr. Cruz replied that they did not have the resources to create a video at this time. Councilmember Rodriguez expressed his support and encouraged continued collaboration with the City's ITSD experts.

2. PRESENTATION BY THE PORT AUTHORITY ON ECONOMIC DEVELOPMENT ACTIVITY AT PORT SA TO INCLUDE RECENT ACCOMPLISHMENTS, ONGOING PARTNERSHIP INITIATIVES WITH THE CITY OF SAN ANTONIO, AND FUTURE PROJECTS.

Deputy City Manager AJ Rodriguez provided opening remarks and introduced Bruce Miller, President and CEO of Port San Antonio. Mr. Miller thanked the City Council for their support and introduced the Port San Antonio Board Members that were present. He stated that their mission was to transform the former Kelly Air Force Base to create jobs and generate economic growth. He mentioned that this year, they received final property transfer from the United States Air Force. He reported that the economic impact for FY 2010 was \$2.3 billion with 14,000 direct and 11,000 indirect jobs. He noted that they leased 7.5 million square feet of space at a 95% occupancy rate. He stated that their most important project was the 36th Street Extension Project that would create a new development corridor.

Mr. Miller stated that the Port was in need of \$125 million in transportation and training infrastructure. He reported that in 2007, Port San Antonio was granted self-permitting authority by the City of San Antonio and had issued 412 permits representing \$101 million in investment. He noted that the opportunity for partnerships continues and highlighted the Lindbergh Park Project. He stated that Lindbergh Park was a 45-acre office park adjacent to Building 171 focused on the specialized security, telecommunications, and proximity requirements of the military. He mentioned that they had entered into a teaming agreement with Pendulum, Hunt, and Zachry for land acquisition and the development of facilities at Lackland Air Force Base. He added that their top State Priority was to seek tax relief for the Boeing 787 Dreamliner, while the top Federal Priority was to secure \$12 million for Phase III-B of the

Trade Corridor. Lastly, he noted that 97% of their revenue consisted of real estate activity and Port San Antonio was a self-sustaining organization.

Councilmember Cisneros commended Mr. Bruce Miller in transforming the former Kelly Air Force Site and recognized the Port San Antonio Board of Directors for their service. She noted that she was pleased with the partnerships with academic institutions including St. Philip's College and asked of the Inventory Tax in the State of Texas. Mr. Miller replied that it was a special tax on inventory that includes planes. He added that if the tax was eliminated, San Antonio would become one of the most competitive locations for Aerospace. Councilmember Cisneros asked of the products that HEB received directly from China through the Port. Mr. Miller explained that the containers did not come into the Port but are placed from a boat onto a railcar through Laredo and come into San Antonio by truck. He noted that it was a seamless transfer of products.

Councilmember Medina expressed his support for infrastructure improvements to the Port and mentioned their inclusion in the next City Bond Program. He encouraged the Port to continue their economic development efforts and to solicit future funding. Councilmember Cortez congratulated the Port Authority Staff and Board Members for their work and recognized District 4 Board Representative Chris Alderete. He noted the infrastructure improvements occurring in the area and highlighted the good paying jobs that have been attracted to the area. He added that various companies have been retained at the Port and expanded their operations. Councilmember Cortez then asked of the potential partnership with Texas A&M-San Antonio. Mr. Miller replied that they were still in discussions regarding same. Mayor Castro expressed his support for the work of the Port San Antonio Board, noting that it was good place to locate a business and a terrific economic engine for the city.

ITEM 3 - PULLED FROM THE AGENDA

3. BRIEFING AND UPDATE ON THE POLICE AND FIRE PUBLIC SAFETY HEADQUARTERS PROJECT.

Mayor Castro reported that said item had been pulled from the agenda by staff.

ADJOURNMENT

There being no further discussion, Mayor Castro adjourned the meeting at 3:41 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **November 4, 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, Clamp, and Mayor Castro. **ABSENT:** Chan.

Item 1. The Invocation was delivered by Rev. Robert Clark, Pastor, Epworth United Methodist Church, guest of Councilmember Jennifer V. Ramos, District 3.

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

POINT OF PERSONAL PRIVILEGE

Councilmember Williams recognized the Development Services Department for receiving accreditation from the International Accreditation Service (IAS). He stated that the Department's Business Practices had been comprehensively reviewed in order to receive accreditation. He noted that this was a great accomplishment and that there were only 13 cities in the US and Canada that had received said accreditation.

Items 3 and 4. MINUTES

Councilmember Cisneros moved to approve the Minutes for the October 6, 2010 and October 7, 2010 City Council Meetings. Councilmember Williams seconded the motion.

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

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the captions for Items 5A and 5B:

Item 5. CONSIDERATION OF THE FOLLOWING ITEMS REGARDING SAN ANTONIO RIVER IMPROVEMENTS PROJECT (SARIP):

A. BRIEFING BY THE SAN ANTONIO RIVER AUTHORITY ON THE SAN ANTONIO RIVER IMPROVEMENTS PROJECT (SARIP).

2010-11-04-0049R

B. A RESOLUTION SUPPORTING THE RIVER SOUTH MANAGEMENT PLAN.

Suzanne Scott provided an update on the San Antonio River Improvements Project and outlined the project partners and \$358 million Project Budget. She stated that the San Antonio River Authority (SARA) was committed to operation and maintenance as construction phases are completed. She spoke of the Mission Reach Habitat Features of which eight miles in river length were aquatic, and 39 native tree and shrub species were incorporated. She added that there were over 15 miles of trails with eight street connections and six foot bridges. As she reported that the project would be completed in August 2013; photos were presented of the area. She indicated that a meeting to update progress on Phase 2 Construction would take place on November 17, 2010 and a construction kick-off meeting for Phase 3 would take place later that evening.

Mayor Castro thanked SARA for their work and recognized Bexar County for their leadership on the Mission Reach Project. Councilmember Ramos stated that she was excited about the project and thanked the City Council for their support of the Theo Street Realignment. She asked what the portal would entail. Ms. Scott replied that it would provide a walkway to reach the mission and include history of some of the connections as well as signage and benches. Councilmember Ramos recognized SARA Board Member Nazirite Ruben Flores Perez for his service. Lastly, she highlighted the Roosevelt Avenue Street Connection that would revitalize the Roosevelt Corridor and noted that she was pleased with the amount of green space in the area. With regard to security; Ms. Scott stated that it was the

responsibility of the City of San Antonio but would look at combining forces to maximize security for the area.

Councilmember Cisneros recognized Councilmember Ramos for her leadership on the SARA Project and for the work on the Mission Reach Project. She also commended Bexar County for their participation. Relating to the coordination with HPARC, Ms. Scott reported that they worked closely with neighborhoods along the River. Councilmember Cisneros spoke of the importance of keeping stakeholders involved in the project. Councilmember Williams commended Councilmember Ramos and SARA for their leadership and noted that it was a great project for the entire city.

Councilmember Medina expressed his support for the project and stated that he was pleased with the many improvements that had already been made. He thanked SARA for involving the neighborhood associations in District 5. Mayor Castro asked of the recreational activities that would be available. Ms. Scott replied that they have had discussions regarding kayaking and canoeing and were looking for an area to accommodate paddle boats. She noted that they would work with the city to learn about successful concessions on the Riverwalk. Mayor Castro stated that he hoped that there would not be an overreliance on a concessionaire model and that there should be a balanced perspective regarding concessions.

Mayor Castro called upon Nazirite Ruben Flores Perez.

Mr. Perez stated that he had learned a lot from other SARA Board Members and enjoyed working on water issues. He noted that many individuals had expressed concern with the construction on Theo Street. He added that he was also concerned that a portion of Concepcion Park would be destroyed.

No action was required for Item 5A.

At this time, Item 5B was addressed.

Lori Houston outlined the vision of the River South Management Plan, noting that it would protect the community's investment in the redeveloped River and maximize the return on investment. She spoke of the goal to restore and focus on improving the quality of life for River South Area residents. She outlined the Governance Structure, noting that it would be modeled after the San Antonio River Improvements Project (SARIP) Governance Structure. She mentioned that SARA would be designated as the local governmental coordinating agency to provide administration and support to meet the goals and objectives of the River South Plan. Lastly, she added that SARA and Bexar County had approved Resolutions of support for same.

Councilmember Ramos thanked everyone that worked on the River South Area Management Plan and stated that it was important to ensure economic development opportunities for small businesses. She recognized Bexar County for their commitment to the project.

Councilmember Ramos moved to approve the Resolution. Councilmember Cisneros seconded the motion.

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

CONSENT AGENDA ITEMS 6-16

Consent Agenda Items 11, 13, 21, 22, and 28 were pulled for Individual Consideration.

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

Jack M. Finger spoke in opposition to the Senior Nutrition Program budget and operating contracts in Item 22 and requested that a decision on the item be delayed in order to solicit additional comments from seniors. He expressed concern with the new Chapter 14 titled "Solid Waste" in Item 24, noting that there were fewer garbage collections at a higher cost for said service.

Nazirite Ruben Flores Perez requested that a senior nutrition center be opened in the area near Nogalitos and Zaramora Streets. He expressed support for the lease agreement with Greenfield Energy, LLC to collect and utilize landfill gas from the Nelson Gardens Landfill in Item 36.

Written testimony was received from Faris Hodge, Jr. in support of Items 7-13, 15-17, 19-24, 27-36. For Item 6, he wrote that the city should not establish unit prices. He expressed concern with the change order to the construction contract for the Exterior Improvements Project at the Convention Center (Item 14). He expressed opposition to the professional services agreement with Jackson and Ryan Architects for the Animal Care Adoption Facility and Spay/Neuter Clinic Project (Item 18).

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

2010-11-04-0937

Item 6. AN ORDINANCE AUTHORIZING THE FOLLOWING CONTRACTS ESTABLISHING UNIT PRICES FOR ANNUAL GOODS AND SERVICES: (A) UNIVERSAL LANDSCAPE SERVICES FOR LANDSCAPE MAINTENANCE FOR THE SAN ANTONIO INTERNATIONAL AIRPORT; (B) S.W. PUBLIC SAFETY FOR INSTALLS, REMOVALS & REPAIRS OF EQUIPMENT FOR POLICE VEHICLES AND (C) BRANDT FOR PREVENTIVE MAINTENANCE OF HVAC SYSTEM AT THE SAN ANTONIO INTERNATIONAL AIRPORT CENTRAL UTILITY PLANT.

2010-11-04-0938

Item 7. AN ORDINANCE AUTHORIZING THE CITY TO UTILIZE A COOPERATIVE CONTRACT WITH PHILPOTT MOTORS TO PROVIDE (3) F-350 PRIME MOVER COMMAND VEHICLES FOR THE OFFICE OF EMERGENCY MANAGEMENT IN CONJUNCTION WITH THE SAN ANTONIO FIRE DEPARTMENT FOR A TOTAL COST OF \$157,165.83, FUNDED THROUGH THE 2008 DEPARTMENT OF HOMELAND SECURITY GRANT AND THE 2008 URBAN AREA SECURITY INITIATIVE GRANT.

2010-11-04-0939

Item 8. AN ORDINANCE ACCEPTING THE BID FROM PROGRESSIVE EMERGENCY PRODUCTS TO PROVIDE THE POLICE DEPARTMENT WITH ONE COMMAND TRAILER INFLATABLE CANOPY FOR A TOTAL COST OF \$104,190.99, FUNDED WITH 2008 DEPARTMENT OF HOMELAND SECURITY GRANT.

2010-11-04-0940

Item 9. AN ORDINANCE AUTHORIZING THE CITY TO UTILIZE A COOPERATIVE CONTRACT WITH SMITHS DETECTION TO PROVIDE HAZARDOUS MATERIALS DETECTION EQUIPMENT FOR THE FIRE DEPARTMENT'S HAZARDOUS MATERIALS TEAM FOR A TOTAL COST OF \$104,219.14, AVAILABLE FROM THE 2008 STATE HOMELAND SECURITY GRANT PROGRAM.

2010-11-04-0941

Item 10. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT TO AMERICAN ROOFING AND METAL COMPANY IN THE AMOUNT OF \$1,264,866.00 FOR ROOF REPAIRS AT THE SAN ANTONIO INTERNATIONAL AIRPORT AS PART OF THE AIRPORT TERMINAL 1 ROOF REPAIRS PROJECT, AN AIRPORT REVENUE BOND FUNDED PROJECT.

2010-11-04-0943

Item 12. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT TO E-Z BEL CONSTRUCTION, L.L.C. IN THE AMOUNT OF UP TO \$1,430,799.49, OF WHICH \$102,064.10 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEMS AND \$34,550.00 WILL BE REIMBURSED BY CPS ENERGY, FOR THE CATALPA-PERSHING BRIDGE RECONSTRUCTION PROJECT, AN AUTHORIZED 2007-2012 GENERAL OBLIGATION BOND FUNDED PROJECT LOCATED IN COUNCIL DISTRICTS 1 AND 9.

2010-11-04-0945

Item 14. AN ORDINANCE AUTHORIZING A CITY REQUESTED CHANGE ORDER IN THE INCREASED AMOUNT OF \$442,230.00 TO THE \$2,983,422.00 CONSTRUCTION CONTRACT WITH GUIDO BROTHERS CONSTRUCTION CO., INC. FOR THE HENRY B. GONZALEZ CONVENTION CENTER, EXTERIOR IMPROVEMENTS PROJECT, AN AUTHORIZED HOTEL OCCUPANCY TAX SUBORDINATE LIEN REVENUE FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 1.

2010-11-04-0946

Item 15. AN ORDINANCE AUTHORIZING A CITY REQUESTED CHANGE ORDER IN THE INCREASED AMOUNT OF \$41,003.00 TO THE \$2,175,419.34 CONSTRUCTION CONTRACT WITH R.L. JONES COMPANY, INC. FOR THE NORTH HEIN ROAD (W.W. WHITE ROAD TO WEST HEIN ROAD) & WEST HEIN ROAD (RICE ROAD TO NORTH HEIN ROAD) PROJECT, AN AUTHORIZED 2007-2012 GENERAL OBLIGATION BOND FUNDED PROJECT LOCATED IN COUNCIL DISTRICT 2.

2010-11-04-0947

Item 16. AN ORDINANCE AUTHORIZING A CITY REQUESTED CHANGE ORDER IN THE INCREASED AMOUNT OF \$182,692.00 TO THE \$790,000.00 CONSTRUCTION CONTRACT WITH THE SABINAL GROUP FOR ADDITIONAL CONSTRUCTION WORK AS PART OF THE CAFÉ COLLEGE PROJECT, LOCATED AT 131 EL PASO IN COUNCIL DISTRICT 1, A CERTIFICATES OF OBLIGATION AND COMMUNITY DEVELOPMENT BLOCK GRANT - RECOVERY FUNDED PROJECT.

2010-11-04-0948

Item 17. AN ORDINANCE AUTHORIZING A CITY REQUESTED CHANGE ORDER IN THE INCREASED AMOUNT OF \$71,805.99, OF WHICH \$36,475.60 WILL BE REIMBURSED BY THE

TEXAS DEPARTMENT OF TRANSPORTATION, TO THE \$3,228,079.93 CONSTRUCTION CONTRACT WITH JERDON ENTERPRISE, L.P. FOR THE EAGLELAND RIVERWALK LINK-PEDESTRIAN PHASE PROJECT, AN AUTHORIZED LOCAL AGENCY MANAGEMENT (LAM) PROJECT LOCATED IN COUNCIL DISTRICT 5 AND FUNDED BY FEDERAL FUNDS THROUGH THE METROPOLITAN PLANNING ORGANIZATION (MPO) AND CERTIFICATES OF OBLIGATION.

2010-11-04-0949

Item 18. AN ORDINANCE AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH JACKSON & RYAN ARCHITECTS IN AN AMOUNT UP TO \$216,390.00 FOR DESIGN SERVICES AND COMMUNITY OUTREACH FOR AN ANIMAL CARE ADOPTION FACILITY AND SPAY & NEUTER CLINIC PROJECT, A CERTIFICATE OF OBLIGATION FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 9.

2010-11-04-0950

Item 19. AN ORDINANCE AUTHORIZING THE FIRST AMENDMENT TO A LEASE AGREEMENT FROM RIVERVIEW TOWER PARTNERS, LTD. TO REDUCE THE RENTAL COSTS BY \$31,278.00 IN FY 2011, EXTEND THE LEASE AT RIVERVIEW TOWERS, LOCATED AT 111 SOLEDAD STREET IN COUNCIL DISTRICT 1, THROUGH SEPTEMBER 30, 2014, AND DELAY THE CITY'S TERMINATION RIGHTS TO SEPTEMBER 30, 2012, FOR THE PURCHASING, INTERGOVERNMENTAL RELATIONS AND 311/CUSTOMER SERVICE DEPARTMENT SPACE.

2010-11-04-0951

Item 20. AN ORDINANCE AUTHORIZING THE SALE OF A VACANT FIVE ACRE PARCEL OF LAND LOCATED WITHIN THE SOUTHWEST BUSINESS AND TECHNOLOGY PARK, SOUTH OF 5301 W. OLD HIGHWAY 90 BETWEEN S. CALLAGHAN ROAD AND STATE HIGHWAY 151 IN CITY COUNCIL DISTRICT 6 TO BAY VALLEY FOODS, LLC FOR \$161,172.00 AND APPROVING AN OPTION TO PURCHASE AN ADDITIONAL 10 ACRES OF VACANT CITY-OWNED PROPERTY FOR A PERIOD OF ONE-YEAR AT \$0.74 A SQUARE FOOT AT THE SOUTHWEST BUSINESS AND TECHNOLOGY PARK.

2010-11-04-0954

Item 23. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND ACCEPTANCE OF FUNDS UPON AWARD UP TO \$1,000,000.00 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE GREEN AND HEALTHY HOMES INITIATIVE (GHHI) OFFICE OF HEALTHY HOMES.

2010-11-04-0955

Item 24. AN ORDINANCE REPEALING CHAPTER 14, TITLED "SOLID WASTE," OF THE CITY CODE OF THE CITY OF SAN ANTONIO, TEXAS AND ENACTING A NEW CHAPTER 14, PROVIDING FOR A PENALTY, PUBLICATION AND AN EFFECTIVE DATE.

Item 25. 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. REAPPOINTING LYNDA BILLA-BURKE, JOSE R. LIMON, MARCELLO D. MARTINEZ, AND ANDREA F. RODRIGUEZ (AT-LARGE) TO THE PLANNING COMMISSION FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE OCTOBER 12, 2012.
- B. REAPPOINTING DEBRA A. GUERRERO (DISTRICT 3) AND LORA DEVLON ECKLER (DISTRICT 6) TO THE SAN ANTONIO PUBLIC LIBRARY BOARD OF TRUSTEES FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE SEPTEMBER 30, 2012.
- C. APPOINTING JANET KNUTSON (DISTRICT 10) TO THE SAN ANTONIO COMMISSION ON LITERACY.
- D. REAPPOINTING JEFFREY E. KANTOR (DISTRICT 6, CATEGORY: TECHNOLOGY AND RESEARCH) TO THE BROOKS DEVELOPMENT AUTHORITY FOR A TERM OF OFFICE TO EXPIRE NOVEMBER 4, 2012.

2010-11-04-0050R

Item 26. A RESOLUTION APPOINTING DOYLE BENEBY TO THE SAN ANTONIO ACQUISITION PUBLIC FACILITY CORPORATION BOARD OF DIRECTORS FOR AN UNEXPIRED TERM OF OFFICE TO EXPIRE JANUARY 31, 2011.

2010-11-04-0956

Item 27. AN ORDINANCE APPROVING SAWS IMPACT FEE WAIVERS FOR THE UNIVERSITY HEALTH SYSTEM, BROOKS DEVELOPMENT AUTHORITY, GLAZER'S WHOLESALE DRUG COMPANY, BAY VALLEY FOODS, AND MCSP, INC.

2010-11-04-0957

Item 29. AN ORDINANCE AUTHORIZING AN AGREEMENT WITH TEXANS STANDING TALL IN AN AMOUNT UP TO \$73,499.00 FOR COALITION DEVELOPMENT AND RECRUITMENT SERVICES FOR THE TERM OF NOVEMBER 4, 2010 TO AUGUST 31, 2011.

2010-11-04-0958

Item 30. AN ORDINANCE AUTHORIZING AGREEMENTS WITH BEXAR COUNTY INDEPENDENT SCHOOL DISTRICTS IN A CUMULATIVE AMOUNT UP TO \$160,000.00 TO CONDUCT THE YOUTH RISK BEHAVIOR SURVEY FOR THE TERM NOVEMBER 4, 2010 TO APRIL 1, 2012.

2010-11-04-0959

Item 31. AN ORDINANCE AUTHORIZING AN AGREEMENT WITH COURTNEY DENTON IN AN AMOUNT UP TO \$60,000.00 FOR TOBACCO PROGRAM EVALUATION SERVICES FOR THE TERM OF NOVEMBER 4, 2010 TO AUGUST 31, 2011.

2010-11-04-0960

Item 32. AN ORDINANCE AUTHORIZING AN AGREEMENT WITH THE WESTSIDE FAMILY YMCA TO IMPLEMENT THE "RIDE TO OWN" BICYCLE PROGRAM FOR A TERM BEGINNING ON NOVEMBER 4, 2010 AND ENDING ON MARCH 18, 2012.

2010-11-04-0961

Item 33. AN ORDINANCE AUTHORIZING A ONE-YEAR EXTENSION OF THE CITY'S PROFESSIONAL SERVICES CONTRACT WITH SEDGWICK CMS, INC., FOR THIRD-PARTY ADMINISTRATOR SERVICES FOR THE OPERATION OF THE CITY OF SAN ANTONIO'S LIABILITY AND WORKERS' COMPENSATION SELF-INSURANCE PROGRAMS AT A COST OF \$1,633,512.50, FOR A TERM BEGINNING JANUARY 1, 2011, AND ENDING DECEMBER 31, 2011, FUNDED FROM THE FY 2011 BUDGET, ALLOCATED TO THE LIABILITY SELF-INSURANCE FUND AND THE WORKERS' COMPENSATION FUND.

2010-11-04-0962

Item 34. AN ORDINANCE AUTHORIZING A RISK MANAGEMENT CONSULTING AND INSURANCE BROKER OF RECORD SERVICES CONTRACT FOR THE CITY OF SAN ANTONIO WITH MARSH USA, INC., FOR A PERIOD OF THREE YEARS BEGINNING DECEMBER 1, 2010 AT AN ANNUAL COST OF \$110,000.00 FUNDED FROM THE FY 2011 BUDGET AND ALLOCATED TO THE LIABILITY SELF-INSURANCE FUND.

2010-11-04-0963

Item 35. AN ORDINANCE AUTHORIZING A TEMPORARY CLOSURE AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) ALLOWING THE TEMPORARY STREET CLOSURE OF SPECIFIED STATE RIGHT OF WAY SURROUNDING HEROES STADIUM LOCATED IN COUNCIL DISTRICT 10.

2010-11-04-0964

Item 36. AN ORDINANCE APPROVING AN AMENDMENT TO A LEASE AGREEMENT WITH GREENFIELD ENERGY, LLC TO COLLECT AND UTILIZE LANDFILL GAS FROM THE NELSON GARDENS LANDFILL THAT INCLUDES EXTENDING THE INITIAL TERM TO 15 YEARS BEGINNING WITH THE INITIAL SALE OF POWER TO CPS ENERGY AND TRANSFERRING THE CONTRACT TO NELSON GARDENS ENERGY, LLC.

[CONSENT ITEMS CONCLUDED]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2010-11-04-0942

Item 11. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT TO SAN ANTONIO CONSTRUCTORS, LTD. IN THE AMOUNT OF \$597,788.92, OF WHICH \$178,774.21 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM AND \$33,795.00 WILL BE REIMBURSED BY CPS ENERGY, FOR THE MONTEZUMA STREET, PHASE I PROJECT (SABINAS STREET TO TRINITY STREET), AN AUTHORIZED 2007-2012 GENERAL OBLIGATION BOND FUNDED PROJECT LOCATED IN COUNCIL DISTRICT 5 AND AMENDING THE FY 2011-2016 CAPITAL IMPROVEMENT PROGRAM BUDGET TO REALLOCATE FUNDS IN THE AMOUNT OF

\$177,221.11 FROM THE WALLACE STREET PROJECT (26TH STREET TO INCA STREET) LOCATED IN COUNCIL DISTRICT 5 TO THE MONTEZUMA STREET, PHASE I PROJECT.

Councilmember Medina asked of the transfer of funds from one project to another and the timeline. Mr. Frisbie stated that the projects were funded through the 2007 Bond Program and that the Montezuma Street Project was in need of an additional \$180,000. He noted that staff was transferring funds from the Wallace Street Project, also in District 5, that had come in under bid. Councilmember Medina stated that this was a very important project that would have a great impact in the area.

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, Clamp, and Mayor Castro. **NAYS:** None. **ABSENT:** Chan.

The City Clerk read the following Ordinance:

2010-11-04-0944

Item 13. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT TO CAPITAL EXCAVATION COMPANY IN THE AMOUNT OF \$10,271,854.62, OF WHICH \$1,904,988.79 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM, \$491,659.91 WILL BE REIMBURSED BY BEXARMET WATER DISTRICT AND \$190,708.65 WILL BE REIMBURSED BY CPS ENERGY, FOR THE COMMERCIAL TRIBUTARY DRAINAGE CHANNEL RECONSTRUCTION, PHASE II PROJECT (PETALUMA BOULEVARD TO IH-35), AN AUTHORIZED 2007-2012 GENERAL OBLIGATION BOND FUNDED PROJECT LOCATED IN COUNCIL DISTRICTS 3 AND 4.

Councilmember Ramos asked of the timeline for said project. Mr. Frisbie stated that construction would begin later this month and scheduled for completion in June of 2012. He noted that the reimbursement aspect would not cause any delays in the project and confirmed that this was the final phase of the project. Councilmember Cortez asked of the scope of the project. Mr. Frisbie replied that it was a complete channel reconstruction from Petaluma Boulevard to IH-35 and would incorporate lateral connections to address drainage issues.

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, Clamp, and Mayor Castro. **NAYS:** None. **ABSENT:** Chan.

The City Clerk read the following Ordinances for Items 21 and 22:

2010-11-04-0952

Item 21. AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A CONTINUATION GRANT FROM ALAMO AREA COUNCIL OF GOVERNMENTS (AACOG) AND AUTHORIZING A SENIOR TRANSPORTATION PROGRAM BUDGET OF \$421,237.00 WHICH INCLUDES \$275,250.00 IN GRANT FUNDS FROM AACOG, \$140,987.00 FROM THE GENERAL FUND AND \$5,000.00 IN CLIENT DONATIONS FOR SENIOR TRANSPORTATION SERVICES FROM

OCTOBER 1, 2010 THROUGH SEPTEMBER 31, 2011; AND AUTHORIZING A PERSONNEL COMPLEMENT OF 10 POSITIONS IN THE DEPARTMENT OF COMMUNITY INITIATIVES.

2010-11-04-0953

Item 22. AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A CONTINUATION GRANT FROM ALAMO AREA COUNCIL OF GOVERNMENTS (AACOG) AND AUTHORIZING A TOTAL SENIOR NUTRITION PROGRAM BUDGET OF \$5,305,304.00 WHICH INCLUDES \$1,968,241.00 IN GRANT FUNDS FROM AACOG, \$3,144,506.00 FROM THE GENERAL FUND AND \$192,557.00 IN CLIENT DONATIONS OCTOBER 1, 2010 THROUGH SEPTEMBER 31, 2011; AUTHORIZING A MONTH-TO-MONTH RENEWAL OF SENIOR CENTER OPERATING CONTRACTS FOR THE VENDOR MODEL, LEASE-SITE MODEL, AND THE VOLUNTEER SITE MODEL; AND AUTHORIZING A PERSONNEL COMPLEMENT OF 50 POSITIONS IN THE DEPARTMENT OF COMMUNITY INITIATIVES.

Peter Zanoni presented both Items 21 and 22 noting that they would approve routine annual contracts for services for seniors and that the staff positions were the same as in the previous years. He mentioned that the Comprehensive Senior Study was on hold in order to gather additional input from the community with the assistance of a facilitator. He added that staff would provide a recommendation in the Spring or Summer of 2011.

Mayor Castro stated that the only change being made was that the annual contracts for the Senior Nutrition Program would include a month-to-month provision in which services could be terminated with a 30-day notice. Councilmember Ramos added that the Comprehensive Study results were considered by the Quality of Life Council Committee and due to various concerns; the Committee had requested that staff bring the item back after additional community input was solicited. She noted that the issues were challenging but seniors were a priority for the City Council.

Wayne Sova addressed the Council as the Co-Chair of the Senior Task Force and stated that he understood that there was a lot of frustration regarding said items due to their sensitive nature. He indicated that this would be a very slow process with much meaning so that the right decisions are made in the best interest of the seniors. He expressed concern with the month-to-month revision to the vendor contracts and that they be given more than a 30-day termination notice.

George Lynn Britton, Chair of the City/County Joint Commission on Elderly Affairs stated that there were inconsistencies in the level of services provided to seniors due to the large number of sites and were challenging for city staff to manage. He expressed concern due to the various service delivery models, some costs of services were relatively high. He provided recommendations from the Commission that include support for the citywide assessment of current sites, senior demographics, and population projections. He added that meal ordering could be improved and paper sign-in sheets should be eliminated. Lastly, he noted the importance of effective communication and an education plan to inform impacted seniors of any changes to services.

Roy R. Botello stated that he was 88-years-old and attended the Senior Center on Presa Street. He spoke in support of the many programs and services they offered and noted that it should be used as a model site.

Irma Garcia expressed concern that the vendor contracts were being revised to a month-to-month basis. She stated that multi-service centers were not accessible to all seniors; therefore, more services should be added to the vendor sites.

Betty Eckert stated that there were 237,000 seniors in San Antonio and spoke of the need to develop a strategic plan to address same. She noted that food was very important to seniors and that better food should be provided at the nutrition centers. She expressed that the elimination of nutrition centers would hinder many seniors from receiving services due to lack of transportation. She stated that the current amount of transportation was not adequate and requested that these issues be addressed in January 2011 along with the results of the Comprehensive Senior Study. Lastly, she requested that the grant be accepted without any revisions.

Veronica Arriaga requested that the Senior Task Force continue their efforts as the process has already been delayed. She stated that she was advocating on behalf of her 90-year-old grandmother and 70-year-old parents that utilized the Senior Centers.

Sharon Baughman, Celeste Carpenter and Bill Mahoney representing Christian Senior Services addressed the City Council and spoke of their work in the community. Ms. Baughman stated that their hope was to work with the city in providing home-delivered meals to seniors. She noted that their mission was to help older adults to continue to live independently in their homes and spoke of their partnerships with local churches and businesses to help deliver meals. She mentioned that they have over 2,000 volunteers and utilized their own kitchen without contracting out for food services.

Ethel Garrett, Mary Margaret Baez, and Jo Ann Ramirez representing West End Park addressed the City Council. Ms. Garrett stated that she serves on the Senior Task Force and thanked the City Council for postponing the vote regarding closing the vendor sites. She expressed concern with the lack of transportation and the quality of the food served at the nutrition center. She noted the need for a full-time custodian and additional hours of operation.

Barbara Rieson spoke in support of said items and stated that she had served on the Senior Task Force. She stated that she was a retired business person and had the opportunity to visit many nutrition sites throughout the city. She commended city staff that manage the centers and noted that they had been excellent resources.

Edmund Keeley spoke in support of Item 22 but recommended that the contracts be implemented on a quarterly rather than monthly basis. He stated that he had served on the Senior Task Force and that many recommendations had been made to improve the quality of life for seniors. He requested that they be implemented as a slow pace and that there be more efficiency when delivering meals to homebound seniors.

Don Gabriel stated that he was an active participant in the Northeast Senior Center and President of their Senior Council. He expressed his support for the items and noted that he had served on the Senior Task Force. He stated that he was aware that there were some issues with the quality of the food but that was understood due to the great amount of meals served. He mentioned that many seniors were just happy to have a meal.

Gloria Molina stated that she was concerned with what was happening to seniors and asked that the contracts be read very carefully.

Frank Ramos stated that he was a member of the Senior Task Force and commended city staff for providing all of the information that they needed. He noted that approval of the items would enhance the quality of life for all seniors. He expressed concern that their time is running out and items need to be implemented accordingly with the time that they have. He thanked the Council for their support.

Councilmember Cortez stated that a month-to-month contract would allow time for the staff to cancel if needed. Mr. Zaroni stated that even if staff had to exercise that option; they would provide more than a 30-day notice to the vendors. Councilmember Cortez stated that his concern was that the vendors are aware of the terms. He thanked staff for their work and noted that the City Council was very committed to senior citizens. He mentioned that funding for senior services had been increased by 18% in the FY 2011 Budget and showed the Council's commitment to seniors.

Councilmember Ramos referenced the concerns conveyed by Ms. Betty Eckert and asked of staff recommendation. Mr. Zaroni stated that staff recommended that the grant funds be accepted and that the associated budgets, personnel complements, and senior center contracts for three service models. Councilmember Ramos asked what would trigger the cancellation clause in the vendor contracts. Mr. Zaroni replied that it could be issues of services not being provided or not ordering enough meals. He added that if the vendor is non-compliant after being made aware of any issues; that would trigger a termination. Councilmember Ramos asked if removal of services would be an item that would come before the Council for approval. Mr. Zaroni replied that was correct. Councilmember Ramos asked of the budget amount for the Bob Ross Center. Mr. Zaroni replied that said budget was \$530,000. Councilmember Ramos stated that this was a very sensitive issue and thanked all the seniors who came to the meeting today to address their concerns.

Councilmember Lopez stated that the Council wanted to improve the services and programs provided to seniors. He noted that transportation was key to getting the seniors out to socialize and looked forward to on-going reports. Councilmember Medina thanked all the seniors that came out today to ensure that the best services are provided to them. He stated that he was supporting said item and that District 5 has a large senior population and stressed the importance of transportation for some seniors. Councilmember Taylor thanked her appointees to the Senior Task Force and noted that they are on the right path in moving forward. She stated that she had spoken to some of the Senior Task Force Members regarding the process thus far and encouraged practical methods for conducting outreach, noting that many did not have transportation. She expressed concern with the set-up of the Task Force Meetings, stating that many did not feel that they had a genuine opportunity to participate. She requested that better quality of food be served and that staff identify other ways of conducting outreach.

Councilmember Cisneros thanked the seniors that were present and stated that she was supportive of said items. She added that she looked forward to addressing issues with input from the seniors. Councilmember Clamp recognized the District 10 Representatives that were present and noted that there were many challenges ahead. He asked of the duties of transportation staff. Mr. Zaroni replied that they would transport seniors to and from medical appointments. Councilmember Clamp stated that he was pleased that staff was working with the vendors and would give them time to prepare for changes to their contract. Mayor Castro thanked everyone for their work on said items.

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

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

The City Clerk read the following Resolution:

2010-11-04-0051R

Item 28. A RESOLUTION APPROVING THE FORM, CONTENT, AND DISTRIBUTION OF THE PRELIMINARY OFFICIAL STATEMENT PERTAINING TO THE ISSUANCE, SALE AND DELIVERY OF (I) APPROXIMATELY \$41,155,000.00 IN PRINCIPAL AMOUNT OF CITY OF SAN ANTONIO, TEXAS AIRPORT SYSTEM REVENUE IMPROVEMENT AND REFUNDING BONDS, SERIES 2010A, (II) APPROXIMATELY \$22,525,000.00 IN PRINCIPAL AMOUNT OF CITY OF SAN ANTONIO, TEXAS AIRPORT SYSTEM REVENUE REFUNDING BONDS, TAXABLE SERIES 2010B, AND (III) APPROXIMATELY \$38,145,000.00 IN PRINCIPAL AMOUNT OF "CITY OF SAN ANTONIO, TEXAS PASSENGER FACILITY CHARGE AND SUBORDINATE LIEN AIRPORT SYSTEM REVENUE IMPROVEMENT AND REFUNDING BONDS, SERIES 2010"; COMPLYING WITH THE REQUIREMENTS CONTAINED IN SECURITIES AND EXCHANGE COMMISSION RULE 15C2-12; AUTHORIZING THE CITY'S STAFF, CO-FINANCIAL ADVISORS AND CO-BOND COUNSEL TO TAKE ALL ACTIONS DEEMED NECESSARY IN CONNECTION WITH THE SALE OF SUCH BONDS; AND AUTHORIZING A PUBLIC HEARING.

Councilmember Cisneros recused herself on Item 28 by exiting the Council Chambers and noting she submitted the recusal forms to the City Clerk.

Councilmember Cortez moved to approve the Resolution. Councilmember Ramos seconded the motion.

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

POINT OF PERSONAL PRIVILEGE

Councilmember Cisneros recognized the 2nd Annual Diwali Festival of Lights that would take place in HemisFair Park on Saturday, November 6, 2010. She stated that since the signing of the Sister City Agreement with Chennai, India, the city was committed to strengthening the relationship with the Indian Community living in San Antonio. She recognized representatives hosting the Diwali Festival. They stated that it was their tradition to personally invite VIP's to special events in the community and would like for the City Council to attend a VIP Dinner on Saturday at the Tower of the Americas. They spoke of the great diversity in the city and were pleased to note that San Antonio was the first city in the country to officially celebrate Diwali in 2009.

RECESSED

Mayor Castro recessed the meeting at 11:58 am and announced that the meeting would resume at 2:00 pm for Zoning.

CONSENT ZONING ITEMS

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

Councilmember Clamp moved to approve Items Z-8 and Z-10, noting that Staff and Zoning Commission recommendation were to approve and that no citizens had registered to speak against said items. Councilmember Cisneros seconded the motion.

Written testimony was received from Michele Ross of Koontz McCombs Development in favor of Item Z-10.

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

2010-11-04-0968

Item Z-8. **ZONING CASE # Z2010143 (District 10):** An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Parcel 7A and Parcel 7C, NCB 17801(1.7824 Acres) located at 14839 Toepperwein Road. Staff and Zoning Commission recommend approval. (Continued from October 21, 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: PARCEL 7A AND PARCEL 7C, NCB 17801(1.7824 ACRES) TO WIT: FROM "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

2010-11-04-0969

Item Z-10. **ZONING CASE # Z2010132 (District 1):** An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on 0.371 of an acre out of NCB 8704 and 0.02 of an acre out of NCB 13032 located at 202 Recoleta 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: 0.371 OF AN ACRE OUT OF NCB 8704 AND 0.02 OF AN ACRE OUT OF NCB 13032 TO WIT: FROM "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

[CONSENT ZONING CONCLUDED]

INDIVIDUAL ZONING ITEMS

CONTINUED TO NOVEMBER 18, 2010

Item Z-1. **ZONING CASE # Z2010151 (District 4):** An Ordinance amending the Zoning District Boundary from "I-2 AHOD" Heavy Industrial Airport Hazard Overlay District to "I-1 AHOD" General

Industrial Airport Hazard Overlay District on 0.913 of an acre out of Lot 1, Block 1, NCB 17550 located on a portion of 2658 Southwest Military Drive. Staff and Zoning Commission recommend approval.

Chris Looney stated that staff and the Zoning Commission recommended approval of Item Z-1. He reported that of seven notices mailed, only one response had been received in opposition. He noted that there had been no response from the Tierra Linda Neighborhood Association.

Councilmember Cortez moved to continue Item Z-1 to November 18, 2010. Councilmember Clamp seconded the motion.

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

CONTINUED TO DECEMBER 9, 2010

Item Z-2. **ZONING CASE #Z2009165 HL (District 7):** An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "HL C-2 AHOD" Historic Landmark Commercial Airport Hazard Overlay District (previously known as Historic Significant) on the northeast 522 feet of Lot 6, NCB 8349 located at 3031 West Woodlawn Avenue. Staff and Zoning Commission recommend approval. (Continued from October 21, 2010)

Chris Looney stated that staff and the Zoning Commission recommended approval of Item Z-2. He reported that of 10 notices mailed, one had been received in opposition and no response had been received from the Jefferson/Woodlawn Lake Association. He added that because the subject property owner was in opposition, it would require nine votes for approval.

Councilmember Rodriguez moved to continue Item Z-2 to December 9, 2010. Councilmember Clamp seconded the motion.

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

Mayor Castro addressed Items Z-6, Z-7, and Z-9 at this time.

CONTINUED TO NOVEMBER 18, 2010

Item Z-6. **ZONING CASE # Z2010009 (District 10):** An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District and "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Tract 1A and 0.937 Acres out of Tract 2, NCB 16587 located at 15602 and 15700 Nacogdoches Road. Staff and Zoning Commission recommend approval. (Continued from September 16, 2010)

CONTINUED TO NOVEMBER 18, 2010

Item Z-7. **ZONING CASE # Z2010125 S ERZD (District 10):** An Ordinance amending the Zoning District Boundary from "C-2 ERZD" Commercial Edwards Recharge Zone District to "C-2 S ERZD" Commercial Edwards Recharge Zone District with a Specific Use Authorization to allow a Wireless

Communication System on 0.037 of an acre out of CB 5014 (NCB 17194) located at 15943 Bulverde Road. Staff and Zoning Commission recommend approval.

CONTINUED TO NOVEMBER 18, 2010

Item Z-9. **ZONING CASE # Z2010153 S (District 10):** An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 AHOD S" Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Bingo Parlor on 0.3143 of an acre out of NCB 12103 located at 3143 and 3147 Nacogdoches Road. Staff and Zoning Commission recommend approval.

Councilmember Clamp moved to continue Items Z-6, Z-7 and Z-9 to November 18, 2010. Councilmember Ramos seconded the motion.

Mr. Jack M. Finger expressed concern with the Wireless Communication Tower that would be installed (Item Z-7) and asked that the zoning case be denied. He spoke in opposition to the Bingo Parlor being requested (Item Z-9) and the Truck Repair and Maintenance Shop (Item Z-12). He noted that the Eastgate Neighborhood Association was also opposed to Item Z-12.

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

2010-11-04-0965

Item Z-3. **ZONING CASE # Z2010152 S (District 7):** An Ordinance amending the Zoning District Boundary from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-5" AHOD S" Residential Single-Family Airport Hazard Overlay District with a Specific Use Authorization for Licensed Child Care on Lot 12, Block 6, NCB 11446 located at 5023 Ivanhoe Street. Staff and Zoning Commission recommend approval with conditions.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 12, BLOCK 6, NCB 11446 TO WIT: FROM "R-5 AHOD" RESIDENTIAL SINGLE FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "R-5" AHOD S" RESIDENTIAL SINGLE FAMILY AIRPORT HAZARD OVERLAY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A LICENSED CHILD CARE FACILITY PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

Chris Looney stated that staff and the Zoning Commission recommended approval with the following conditions: 1) There can be no exterior display or sign with the exception that a name plate that is not greater than one square foot in area be permitted attached to the front of the structure; 2) No construction features are permitted that would place the structure out of character with the surrounding neighborhood; and 3) Hours of operation must be 7:00 am to 6:00 pm. He reported that of 31 notices mailed, nine had been received in favor and none in opposition. He added that the Thunderbird Hills and Culebra Park Neighborhood Associations were both in favor.

Councilmember Rodriguez moved to adopt the proposed Ordinance with staff's conditions. Councilmember Clamp seconded the motion.

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

Mayor Castro addressed Items Z-4 and Z-5 jointly.

2010-11-04-0966

Item Z-4. **ZONING CASE # Z2010154 S (District 8):** An Ordinance amending the Zoning District Boundary from "C-3 AHOD" General Commercial Airport Hazard Overlay District to "I-1 S AHOD" General Industrial Airport Hazard Overlay District with a Specific Use Authorization for a Heliport on 0.902 of an acre out of Lot 4, Block 6, NCB 12816 located on a portion of 4502 Medical Drive. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 0.902 OF AN ACRE OUT OF LOT 4, BLOCK 6, NCB 12816 TO WIT: FROM "C-3 AHOD" GENERAL COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT TO "I-1 S AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A HELIPORT PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2010-11-04-0967

Item Z-5. **ZONING CASE # Z2010155 S (District 8):** An Ordinance amending the Zoning District Boundary from "C-3 AHOD" General Commercial Airport Hazard Overlay District to "I-1 S AHOD" General Industrial Airport Hazard Overlay District with a Specific Use Authorization for a Heliport on 2.482 of an acre out of Lot 4, Block 6, NCB 12816 located on a portion of 4502 Medical Drive. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 2.482 ACRES OUT OF LOT 4, BLOCK 6, NCB 12816 TO WIT: FROM "C-3 AHOD" GENERAL COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT TO "I-1 S AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A HELIPORT PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

Chris Looney stated that staff and the Zoning Commission recommended approval of Items Z-4 and Z-5. He reported that for Item Z-4, three notices were mailed with three notices returned in favor. He added that there had been no response from the Dream Hill Estates Neighborhood Association for Items Z-4 and Z-5. Regarding Item Z-5, he noted that 163 notices were mailed with two received in favor and one received in opposition.

Councilmember Williams moved to adopt the proposed Ordinances for Items Z-4 and Z-5 in order to conform with the action of the Zoning Commission and read the following stipulation into the record: "Per Section 3-223 of the City Code, we request the minimum distance requirement be reduced from 500 feet to not less than 250 feet." Councilmember Clamp seconded the motion.

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

Mayor Castro addressed Items P-1 and Z-11 jointly.

2010-11-04-0970

Item P-1. **PLAN UPDATE CASE NUMBER 09009 (District 2):** An Ordinance updating the Land Use Plan and amending the text of the land use section of the Government Hill Neighborhood Plan as a component of the City's Master Plan as it conforms to the approval criteria set forth in the Unified Development Code §35-420, pertaining to "Comprehensive, Neighborhood, Community, and Perimeter Plans" for the area generally bounded by Fort Sam Houston and East Josephine Street to the north, Fort Sam Houston and a railroad right-of-way to the east, a railroad right-of-way and Duval Street to the south, and IH-37 South and Broadway Street to the west. Staff and Planning Commission recommend approval. (Associated Zoning Case Z2009077S)

2010-11-04-0971

Item Z-11. **ZONING CASE # Z2009077 S (District 2):** An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District, "H I-1 AHOD" Government Hill Historic, General Industrial Airport Hazard Overlay District, "H C-2 AHOD" Government Hill Historic, Commercial Airport Hazard Overlay District, "H HS I-1 AHOD" Government Hill Historic, Historic Significant, General Industrial Airport Hazard Overlay District, "C-3 AHOD" General Commercial Airport Hazard Overlay District, "C-3R AHOD" General Commercial Restrictive Alcohol Sales Airport Hazard Overlay District, "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District, "C-2 AHOD" Commercial Airport Hazard Overlay District, "C-2 P AHOD" Commercial Pedestrian Airport Hazard Overlay District, "HS C-2 P AHOD" Historic Significant, Commercial Pedestrian Airport Hazard Overlay District, "C-1 AHOD" Light Commercial Airport Hazard Overlay District, "O-2 AHOD" High-Rise Office Airport Hazard Overlay District, "H O-2 AHOD" Government Hill Historic, Office Airport Hazard Overlay District, "H HS O-2 AHOD" Government Hill Historic, Historic Significant, High-Rise Office Airport Hazard Overlay District, "MF-33 AHOD" Multi-Family Airport Hazard Overlay District, "H MF-33 AHOD" Government Hill Historic, Multi-Family Airport Hazard Overlay District, "HS MF-33 AHOD" Historic Significant, Multi-Family Airport Hazard Overlay District, "H HS MF-33 AHOD" Government Hill Historic, Historic Significant, Multi-Family Airport Hazard Overlay District, "H HS RM-4 AHOD" Government Hill Historic, Historic Significant, Residential Mixed Airport Hazard Overlay District and "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District, "C-1 AHOD" Light Commercial Airport Hazard Overlay District, "RM-6 AHOD" Residential Mixed Airport Hazard Overlay District, "H C-2 AHOD" Government Hill Historic, Commercial Airport Hazard Overlay District, "H C-2 IDZ AHOD CD" Government Hill Historic, Commercial Infill Development Zone Airport Hazard Overlay District with a Conditional Use for an Auto Paint and Body Shop, "H C-2 IDZ AHOD" Government Hill Historic, Commercial Infill Development Zone Airport Hazard Overlay District, "H HS C-2 IDZ AHOD" Government Hill Historic, Historic Significant, Commercial Infill Development Zone Airport Hazard Overlay District, "H C-1 AHOD" Government Hill Historic, Light Commercial Airport Hazard Overlay District, "H R-6 AHOD" Government Hill Historic, Residential Single-Family Airport Hazard Overlay District, "H R-5 AHOD" Government Hill Historic, Residential Single-Family Airport Hazard Overlay District, "NC AHOD" Neighborhood Commercial Airport Hazard Overlay District, "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District, "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District, "C-2 IDZ AHOD" Commercial Infill Development Zone Airport Hazard Overlay District, "HS

C-2 IDZ AHOD" Historic Significant, Commercial Infill Development Zone Airport Hazard Overlay District, "O-1 AHOD" Office Airport Hazard Overlay District, "MF-25 AHOD" Multi-Family Airport Hazard Overlay District, "MF-18 AHOD" Multi-Family Airport Hazard Overlay District, "RM-5 AHOD" Residential Mixed Airport Hazard Overlay District, "H C-2 AHOD S" Government Hill Historic, Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Hotel, "HS R-6 AHOD" Historic Significant, Residential Single-Family Airport Hazard Overlay District, "H HS R-6 AHOD" Government Hill Historic, Historic Significant, Residential Single-Family Airport Hazard Overlay District, "H RM-5 AHOD" Government Hill Historic, Residential Mixed Airport Hazard Overlay District, and "H HS RM-5 AHOD" Government Hill Historic, Historic Significant, Residential Mixed Airport Hazard Overlay District located on properties bound by Fort Sam Houston to the north, Austin Street and North Hackberry Street to the west, North New Braunfels Avenue to the east and Duval Street to the south. 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 BOUNDED BY FORT SAM HOUSTON TO THE NORTH, AUSTIN STREET AND NORTH HACKBERRY STREET TO THE WEST, NORTH NEW BRAUNFELS AVENUE TO THE EAST AND DUVAL STREET TO THE SOUTH. TO WIT: FROM "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT, "H I-1 AHOD" GOVERNMENT HILL HISTORIC, GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT, "H C-2 AHOD" GOVERNMENT HILL HISTORIC, COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT, "H HS I-1 AHOD" GOVERNMENT HILL HISTORIC, HISTORIC SIGNIFICANT, GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT, "C-3 AHOD" GENERAL COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT, "C-3R AHOD" GENERAL COMMERCIAL RESTRICTIVE ALCOHOL SALES AIRPORT HAZARD OVERLAY DISTRICT, "C-3NA AHOD" GENERAL COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT, "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT, "C-2 P AHOD" COMMERCIAL PEDESTRIAN AIRPORT HAZARD OVERLAY DISTRICT, "HS C-2 P AHOD" HISTORIC SIGNIFICANT, COMMERCIAL PEDESTRIAN AIRPORT HAZARD OVERLAY DISTRICT, "C-1 AHOD" LIGHT COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT, "O-2 AHOD" HIGH-RISE OFFICE AIRPORT HAZARD OVERLAY DISTRICT, "H O-2 AHOD" GOVERNMENT HILL HISTORIC, OFFICE AIRPORT HAZARD OVERLAY DISTRICT, "H HS O-2 AHOD" GOVERNMENT HILL HISTORIC, HISTORIC SIGNIFICANT, HIGH-RISE OFFICE AIRPORT HAZARD OVERLAY DISTRICT, "MF-33 AHOD" MULTI-FAMILY AIRPORT HAZARD OVERLAY DISTRICT, "H MF-33 AHOD" GOVERNMENT HILL HISTORIC, MULTI-FAMILY AIRPORT HAZARD OVERLAY DISTRICT, "HS MF-33 AHOD" HISTORIC SIGNIFICANT, MULTI-FAMILY AIRPORT HAZARD OVERLAY DISTRICT, "H HS MF-33 AHOD" GOVERNMENT HILL HISTORIC, HISTORIC SIGNIFICANT, MULTI-FAMILY AIRPORT HAZARD OVERLAY DISTRICT, "H HS RM-4 AHOD" GOVERNMENT HILL HISTORIC, HISTORIC SIGNIFICANT, RESIDENTIAL MIXED AIRPORT HAZARD OVERLAY DISTRICT AND "R-5 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT, "C-1 AHOD" LIGHT COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT, "RM-6 AHOD" RESIDENTIAL MIXED AIRPORT HAZARD OVERLAY DISTRICT, "H C-2 AHOD" GOVERNMENT HILL HISTORIC, COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT, "H C-2 IDZ AHOD CD" GOVERNMENT HILL HISTORIC, COMMERCIAL INFILL DEVELOPMENT ZONE AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL

USE FOR AN AUTO PAINT AND BODY SHOP, "H C-2 IDZ AHOD" GOVERNMENT HILL HISTORIC, COMMERCIAL INFILL DEVELOPMENT ZONE AIRPORT HAZARD OVERLAY DISTRICT, "H HS C-2 IDZ AHOD" GOVERNMENT HILL HISTORIC, HISTORIC SIGNIFICANT, COMMERCIAL INFILL DEVELOPMENT ZONE AIRPORT HAZARD OVERLAY DISTRICT, "H C-1 AHOD" GOVERNMENT HILL HISTORIC, LIGHT COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT, "H R-6 AHOD" GOVERNMENT HILL HISTORIC, RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT, "H R-5 AHOD" GOVERNMENT HILL HISTORIC, RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT, "NC AHOD" NEIGHBORHOOD COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT, "R-5 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT, "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT, "C-2 IDZ AHOD" COMMERCIAL INFILL DEVELOPMENT ZONE AIRPORT HAZARD OVERLAY DISTRICT, "HS C-2 IDZ AHOD" HISTORIC SIGNIFICANT, COMMERCIAL INFILL DEVELOPMENT ZONE AIRPORT HAZARD OVERLAY DISTRICT, "O-1 AHOD" OFFICE AIRPORT HAZARD OVERLAY DISTRICT, "MF-25 AHOD" MULTI-FAMILY AIRPORT HAZARD OVERLAY DISTRICT, "MF-18 AHOD" MULTI-FAMILY AIRPORT HAZARD OVERLAY DISTRICT, "RM-5 AHOD" RESIDENTIAL MIXED AIRPORT HAZARD OVERLAY DISTRICT, "H C-2 AHOD S" GOVERNMENT HILL HISTORIC, COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A HOTEL, "HS R-6 AHOD" HISTORIC SIGNIFICANT, RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT, "H HS R-6 AHOD" GOVERNMENT HILL HISTORIC, HISTORIC SIGNIFICANT, RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT, "H RM-5 AHOD" GOVERNMENT HILL HISTORIC, RESIDENTIAL MIXED AIRPORT HAZARD OVERLAY DISTRICT, AND "H HS RM-5 AHOD" GOVERNMENT HILL HISTORIC, HISTORIC SIGNIFICANT, RESIDENTIAL MIXED AIRPORT HAZARD OVERLAY DISTRICT PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

Patrick Howard presented the Government Hill Neighborhood Plan Amendment and Comprehensive Rezoning, noting the Plan Boundaries. He stated that it was city policy to conduct rezoning efforts in areas where the land uses are not compatible with the current zoning. He noted that the amendments included the Low Density Mixed Use Land Use Category, as well as updates to the Introduction to the Land Use Plan Section. He mentioned that four public meetings were held regarding the updates and rezoning. Lastly, he noted that staff recommended approval of the Plan Update and Comprehensive Rezoning for the Government Hill Area save and except one parcel located at 1423 N. Olive Street.

Mayor Castro called upon the individuals registered to speak.

John Yoggerst stated that an alternative had been prepared by the Development Services Department at the request of Councilmember Taylor that was consistent with the zoning for Walters Street in 2009 and included infill mixed use zoning. He expressed concern that the north IH-35 frontage road is infill development that permits neighborhood commercial development. He noted that many of the frontage tracts were vacant and that it was important to allow businesses to operate that would create jobs in Government Hill. He stated that single family homes on major freeways were not attractive to new buyers and requested that mixed use zoning be allowed as opposed to residential.

Marie Stout stated that she had lived in the historic section of Government Hill since 2004 and did not intend to move from the area. She noted that she did not want commercial zoning to be allowed in the residential areas.

Gilbert Murillo stated that he was a resident of Government Hill and thanked Councilmember Taylor for working with them. He stated that the area had been neglected for a long time and that it was important to bring development back into the inner city. He spoke of the many creative opportunities that could be implemented including the opening of the gates at Fort Sam Houston.

JoAnn Murillo stated that she was proud to have lived in Government Hill for over 46 years. She noted that of 90 individuals that had attended the public meeting, 85 were in favor of the staff recommendation.

Councilmember Taylor stated that it had been a long process but felt that they had reached an agreeable decision. She thanked staff for their work and also expressed appreciation for the residents of Government Hill. She reported that the consensus of those that had attended the public meeting were in favor of maintaining single family zoning and that there were other commercial opportunities nearby.

Councilmember Taylor moved to adopt the proposed Ordinances with one stipulation stated by staff to exclude the property at 1423 N. Olive Street. Councilmember Cortez seconded the motion.

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

DENIED

Item Z-12. **ZONING CASE # Z2010056 S (District 2):** An Ordinance amending the Zoning District Boundary from "C-3 NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District to "C-3 NA S AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Specific Use Authorization for Truck Repair and Maintenance on Lots 21 and 22, Block 2, NCB 12869 located at 801 Stutts Drive. Staff recommends approval with conditions. Zoning Commission failed to pass a motion for this case; therefore it moves forward to City Council as a recommendation for denial.

Chris Looney stated that staff recommended approval with the following conditions: 1) Hours of operation must be from 9:00 am to 5:00 pm; 2) No ingress or egress is permitted from Stutts Drive; and 3) No storage of junk vehicles or trucks. He noted that the Zoning Commission had failed to pass a motion for the case; and therefore, moved forward to City Council as a recommendation for denial. He reported that of 16 notices mailed, one had been received in opposition and five had been received in favor. He added that the East Gate Neighborhood Association was opposed.

Mayor Castro called upon the individuals registered to speak.

Sylvia Elguezabal stated that she was speaking on behalf of the East Gate Neighborhood Association in opposition to the rezoning. She noted that they were working to clean up their neighborhood and spoke of the lighting improvements and landscaping that had been added.

Dan Martinez, Chair of the Eastern Triangle Neighborhood Association stated that he was opposed to the zoning change.

Councilmember Taylor stated that she had visited the site and met with the owner and that there was not an appropriate buffer between the businesses and the neighborhood. She noted that the owners in the

neighborhood took pride in their properties and would work to address the challenges of nonconforming businesses in the area.

Elizabeth Cantu addressed the Council at this time and stated that she owned the property in question and she and her husband were trying to make a living. She added that they would keep the area clean.

Councilmember Taylor stated that the current zoning would provide numerous opportunities and that she would work to ensure equal treatment of other business owners in the area.

Mrs. Vacek read written testimony received from Jerelyn Castleberry Williams in opposition to Item Z-12. She stated that approving the zoning case would erode property values and bring discomfort to their small community.

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

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

Mayor Castro addressed Items P-2 and Z-13 jointly.

2010-11-04-0972

Item P-2. **PLAN AMENDMENT #10019 (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 land use of 1) approximately 12.083 acres located at the 4600 block of Media Meadow Street, the 6000 and 6100 blocks of Channel View Street, the 3600 block of Foster Meadows, the 4600 block of La Route Street, the 4600 block of Le Villas Street, the 4600 block of Airstream Street, and 4602, 4603, 4607, 4611, 4614, 4615, 4618, and 4619 Red Heeler Street from Agriculture land use to Low Density Residential Land Use; and 2) approximately 0.547 acres located at 4606 and 4610 Red Heeler Street from Agriculture land use and Parks/Open Space land use to Low Density Residential land use. Staff and Planning Commission recommend approval. (Associated Zoning Case: Z2010116) (Continued from October 7, 2010)

2010-11-04-0973

Item Z-13. **ZONING CASE # Z2010116 (District 2):** An Ordinance amending the Zoning District Boundary from "R-6" Residential Single-Family District to "R-5" Residential Single Family District on 5.959 acres and "R-4" Residential Single-Family District on 6.68 acres, all on 12.639 acres out of NCB 18279 located on multiple properties located along Foster Meadow Drive, Channel View, Media Meadow, Le Villas, La Route, Airstream, and Red Heeler streets. Staff and Zoning Commission recommend approval pending the plan amendment. (Continued from October 7, 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: 12.639 ACRES OUT OF NCB 18279 TO WIT: FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "R-5" RESIDENTIAL SINGLE FAMILY DISTRICT ON 5.959 ACRES AND "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT ON 6.68 ACRES.

Chris Looney stated that staff and the Planning Commission recommended approval of the Plan Amendment and that staff and the Zoning Commission recommended approval of the Zoning Case. He noted that 167 notices were mailed with one received in opposition and none in favor. He added that the Crest Lake Neighborhood Association was in support of the request.

Mayor Castro called upon the individuals registered to speak.

Dan Martinez of the Eastern Triangle Neighborhood Association addressed the Council and stated that he was in support of the Plan Amendment and Zoning. He noted that he had met with Harry Jewett and they agreed that the Planning Department should review the infrastructure to accommodate increased traffic in the area.

Harry Jewett stated that he was representing the developer of the Foster Meadows Subdivision that is north and adjacent to the property in question. He noted that the subdivision had in excess of 500 lots that are platted or have been approved for platting. He expressed concern that the situation was not realistic since the properties would be vacated in the future and there would be a great increase in vehicular traffic. He spoke of the horrendous traffic situation that would occur in the future and would harm their investment.

In response to Councilmember Taylor, Mr. Looney stated that from a staff perspective, any infrastructure requirements for the development would be addressed at the platting stage. Bobby Perez stated that he was speaking on behalf of the applicant and provided a brief history on said site plan. He mentioned that they had reduced the overall density and would create a neighborhood association along with restrictive covenants.

Councilmember Taylor stated that there had been quite a bit of groundwork between the developer and the neighborhood and was comfortable with the plan that had been developed through that dialogue.

Councilmember Taylor moved to adopt the proposed Ordinance for Items P-2 and Z-13. Councilmember Ramos seconded the motion.

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

Item 37. CITY MANAGER'S REPORT

A. JONES MALTSBERGER FEDERAL STIMULUS PROJECT UPDATE

Ms. Sculley reported that Jones Maltzberger Reconstruction Project from Hwy 281 to the Quarry Market was almost complete. She stated that it would help reduce traffic congestion in the area and that Jones Maltzberger had been expanded to four lanes with sidewalks and drainage issues also addressed.

B. DEVELOPMENT SERVICES DEPARTMENT ACCREDITATION FROM IAS

Ms. Sculley spoke of the application process that had begun over one year ago and stated that the IAS had reviewed the Development Services Department in a number of categories. She reported that best practices identified included the call center, fast-track permits, and enhanced website. She recognized Director Rod Sanchez and staff for implementing department enhancements and improvements.

C. ROCK 'N' ROLL MARATHON

Ms. Sculley reported that the Third Annual Rock 'N' Roll Marathon would take place on Sunday, November 14, 2010 and that a new route would be utilized. She stated that almost 29,000 individuals had registered for the event and that Mayor Castro and five Councilmembers were also registered.

Mayor Castro thanked city staff for their work and stated that he looked forward to participating in the Half-Marathon.

POINT OF PERSONAL PRIVILEGE

Councilmember Ramos recognized city staff for their work on the Legislative Luncheon that was held earlier in the day and thanked Councilmember Rodriguez for his work as Chair of the Intergovernmental Relations Council Committee. She recognized District 3 Representatives Lynda Billa Burke, Jose Limon, and Marcello Martinez for their service on the Planning Commission, as well as Debra Guerrero for her service on the San Antonio Public Library Board of Trustees.

RECESSED

Mayor Castro recessed the meeting at 3:07 pm and announced that the meeting would resume at 5:30 pm for Ceremonials.

RECONVENED

Mayor Castro reconvened the meeting at 5:30 pm and addressed the Ceremonial Items.

CEREMONIALS

Mayor Castro presented a Proclamation in recognition of the 40th Annual Celebrate America's Military (CAM) Event. The goal of CAM is to recognize the contributions and sacrifices of the men and women of the Armed Forces and thank them for their dedication and service. Events for this year include Air Shows, Spirit of America Dinner, Wreath Laying Ceremony, Concerts and many more activities for the entire family to enjoy.

Mayor Castro presented a Proclamation for the 11th Annual Veterans Day Parade that will be held on Saturday, November 6, 2010 at 12:00 pm beginning at Avenue E and Third Street. The event is being organized by the U.S. Military Veterans Parade Association, a group of citizens formed to honor veterans that have served in all military branches.

Mayor Castro presented a Proclamation in recognition of the Texas Committee for Employer Support of the Guard and Reserve (ESGR) for their observance of ESGR Week November 7-13, 2010, to honor military personnel that serve in the National Guard and Reserves. While on duty, the service members leave their families and jobs to serve our nation, and their civilian employers sacrifice to provide leave of absence, job security and health benefits.

Mayor Castro presented official congratulations to the Community Leadership Institute (CLI) who will host its 10th Anniversary Graduation Gala on November 5, 2010 at the Bright Shawl. CLI is an annual,

tuition-free program for men and women who live, work or volunteer in low-income neighborhoods in San Antonio. The program builds on the individuals' gifts and passion for improving conditions in their communities. CLI participants collectively organize a project before graduation. This year, CLI will honor its founding members: Laura Calderon, Rosie Castro, Romelia Escamilla, David Garza, and Carol Rodriguez.

CITIZENS TO BE HEARD

Mayor Castro addressed the Citizens to be Heard portion of the meeting and called upon the individuals registered to speak.

Nazirite Ruben Flores Perez showed a photo of a tattoo being covered up on a resident of Haven for Hope that was published in the San Antonio Express News on October 24, 2010. He also showed a photo of birds surrounding a plane that was published in the newspaper on October 30, 2010 and noted that they had attacked the plane. He referenced Chapter 11 Verse 35 from the Book of John in the Bible.

Mark Kellman spoke of public art and showed a photo of a garden in a small town located next to the City of Rome. He also showed a photo of a waterfall in the garden and another photo of a line of fountains with a Gargoyle Head attached to each fountain. He noted that the fountains had been maintained for over 600 years and that they symbolized a victory was for Christianity. He asked that these types of projects be kept in mind when planning Downtown Development.

Mark Perez stated that he had been trying to address environmental issues for quite some time without receiving a response from city staff. He referenced 10 violations that were occurring at facilities throughout the city including Tetco, Kimberly Clark, and the Age Refinery Company that were not being addressed by the Development Services Department and City Attorney's Office. He asked why the Age Refinery Building had never been inspected.

Nick Calzoncit requested that the city create a Department of Peace and Non-Violence to work with the Independent School Districts (ISD) and spoke in support of the work of Harlandale ISD Superintendent Robert Jacklich. He stated that he enjoyed the broadcasts of KAHN Radio due to the variety of music. He expressed concern that only six city parks were named after females and stated that there should be a transfer of basic authority from males to females. He spoke of the importance of teaching and learning about female role models.

Heriberto Barrientes stated that he had a concern but did not want to provide it at this time. He noted that he and his wife Erlinda were present to introduce themselves to the City Council.

Faris Hodge, Jr. stated that the Pope had talked and prayed with sex abuse victims and expressed concern with the salary being paid to the City Manager. He referenced the Seat Belt Campaign and the decrease to CPS Energy Bills. He noted that the city was violating the Hill Law and asked that the Alamodome be named after him. He asked why a sprinkler system had not been installed in the Municipal Plaza Building and why Citizens to be Heard was not broadcast on television. He expressed concern with the amount of properties listed for Item Z-11 on the Council Agenda and stated that he would be filing a complaint with the Attorney General's Office.

Antonio Diaz spoke in support of proclaiming October 12th as Indigenous Human Rights Day and expressed concern with the lack of response from city staff. He stated that he believed that it was the right thing to do and merited a Proclamation from the city.

Kelly Anderson, Carri Kern and Erin Vandenberg representing One World Conservation addressed the City Council. Ms. Anderson thanked the City Manager for the many city employees that had recently visited the San Antonio Zoo and recommended that school children also be given the opportunity to attend. Ms. Anderson stated that they had branched out and were no longer recognized as the Zimbabwe Conservation Task Force. She spoke of the animals that have died at the San Antonio Zoo and the complaints that she would be filing due to the many deaths that had occurred. She showed a video of the Elephants Boo and Lucky and asked that the Councilmembers help in any way possible. She stated that they had been monitoring Boo and Lucky and that they were not bonding as had been indicated by the San Antonio Zoo. She mentioned that the conditions of the exhibits were a contributing factor to the animals' deaths and asked why nothing had been done over the past three years that she had been bringing these issues before the City Council.

ADJOURNMENT

There being no further discussion, Mayor Castro adjourned the meeting at 6:51 pm.

APPROVED



**JULIÁN CASTRO
MAYOR**

Attest:



LETICIA M. VACEK, TRMC/CMC
City Clerk