

**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, APRIL 20, 2011 AND THURSDAY, APRIL 21, 2011, RESPECTIVELY.

The San Antonio City Council convened in a Work Session at 2:00 pm Wednesday, **April 20, 2011**, Municipal Plaza Building with the following Councilmembers present: Cisneros, Taylor, Cortez, Medina, Lopez, Williams, Chan, Clamp, and Mayor Castro. **ABSENT:** Ramos and Rodriguez.

1. UPDATE ON POTENTIAL IMPACTS TO THE CITY OF SAN ANTONIO'S FY 2011 AND FY 2012 BUDGETS AS A RESULT OF THE PROPOSED TEXAS STATE FY 2012-2013 BIENNIAL BUDGET AND THE ADOPTED FEDERAL FY 2011 BUDGET AND UPCOMING FY 2012 FEDERAL BUDGET PROPOSALS.

Maria Villagomez presented an overview of the impact of the Federal and State Budgets on the City of San Antonio. She reported that the FY 2011 Federal Full-Year Continuing Appropriations Act was approved on April 15, 2011 and contained budget cuts of \$38.5 billion. She stated that the FY 2011 Federal Reductions would impact the City of San Antonio from \$4.7 to \$5.6 million and FY 2012 reductions would have a \$25.2 to \$39.8 million impact. She outlined the timetable for the Congressional Budget Process, noting that appropriations actions should be completed by September 30, 2011.

Ms. Villagomez spoke of the State Biennial Budget, noting a projected gap of \$15 to 27 billion. She reported that the House had approved the Appropriations Bill (HB 1) on April 3, 2011 and referred it to the Senate Finance Committee for consideration. She indicated that the proposed reductions would have an impact on the City of San Antonio from \$9 to 9.7 million.

Ms. Villagomez outlined the Federal Budget reductions by program, noting that they would impact numerous programs including: Women, Infants and Children's Supplemental Nutrition Program (WIC); Community Services Development Block Grant (CSBG); Community Development Block Grant (CDBG); State Homeland Security Program; and Preventive Health and Health Services Block Grant – Health Education. She noted that the House Budget Committee had released a budget blueprint on April 5, 2011 which proposed to reduce FY 2012 discretionary spending to 2008 levels.

In regard to the State Budget, Ms. Villagomez reported a potential reduction of \$1.2 million from the Mixed Beverage Tax Reimbursement. She stated that there were proposed reductions to the following programs: Auto Theft Prevention Grant; Tobacco Community Coalition; Homeless Programs – Haven for Hope; State Library Grants; and School Districts. She noted that the City's 6+6 Budget and Finance Report and Five Year Financial Forecast would be presented to the City Council on May 4, 2011.

Mayor Castro stated that any impact from the Federal and State Budgets would be significant to the City of San Antonio and spoke of the importance of identifying priorities going into this budget session. He asked of the property valuations. Ms. Sculley replied that staff met with the Bexar County Appraisal District and predicts a decline in base values. She noted that the City will receive the tax roll at the end of July. Councilmember Clamp asked of the communication plan for grant funded positions. Ms. Sculley replied that staff had not begun the communication process as the city was still receiving

information. She indicated that those in grant positions understand that they are grant funded. She noted that staff would develop a plan to communicate with the affected employees.

Councilmember Cortez asked of the timeline for the Senate regarding State Appropriations. Mr. Contreras replied that the Senate has been holding hearings. He indicated that they will modify HB 1 to add spending and identify a way to close the gap by bringing in additional revenue. He added that May 31st is when the session was scheduled to end but a Special Session could be called. Councilmember Cortez expressed concern with the potential elimination of the Auto Theft Prevention Grant.

The City Council thanked staff for the presentation.

EXECUTIVE SESSION

Mayor Castro recessed the meeting at 2:45 pm to convene in Executive Session for the purpose of:

A. Discuss legal issues related to the budget, pursuant to Texas Government Code Section 551.071 (consultation with attorney).

Mayor Castro reconvened the meeting at 3:01 pm at which time it was noted that the City Council had been briefed on the above-styled matter but took no action.

2. BRIEFING ON THE THREE CITY RECYCLING INITIATIVES TO INCLUDE THE PLASTIC BAG USE REDUCTION PROGRAM, THE CONSTRUCTION OF A BRUSH RECYCLING FACILITY ON THE SOUTH SIDE OF THE CITY, AND THE MULTI-FAMILY RECYCLING PROGRAM.

David McCary presented the strategic goals of the 10-Year Recycling and Resource Recovery Plan: 1) Ensure that all single and multi-family residents have access to recycling; 2) Improve recycling opportunities for businesses; and 3) Recycle 60% of the single family residential waste stream by 2020. He spoke of the goals of the Plastic Bag Use Reduction and Recycling Program that include decreasing the number of plastic bags distributed at the point of sale and increase the use of reusable bags. He reported that the Solid Waste Management Department had utilized input from local businesses and other stakeholders on the use of plastic bags and reviewed the policies of other cities. He spoke of the stakeholder meetings that had been facilitated over a four-month period to solicit input from local retailers that use plastic bags to package their products.

Mr. McCary stated that five area retailers had agreed to participate in the Citywide Plastic Bag Use Reduction and Recycling Program: 1) HEB; 2) Wal-Mart; 3) Target; 4) JC Penney; and 5) Walgreens. He noted that the city would partner with the agencies to develop an awareness and marketing campaign to encourage retailers and customers to decrease the use of plastic bags; increase the use of reusable bags; and increase the recycling of plastic bags. He outlined the Awareness and Marketing Campaign in which K. Fernandez & Associates was selected as the consultant. He indicated that the five retailers were involved in the selection process and that the contract would total \$219,922. He stated that a variety of media platforms would be utilized such as television, radio, print, electronic and social media, and bag swap events.

Mr. McCary provided an update on the construction of the Southside Brush Recycling Facility. He indicated that they had selected Pletz Construction, LLC as the contractor for an amount of \$1,268,949

and that construction would begin in May. He added that the facility would begin operations in December 2011.

Mr. McCary outlined the Multi-Family Recycling Program and stated that it required all multi-family complexes to provide recycling to their tenants. He spoke of the community outreach conducted that included the San Antonio Apartment Association, Multi-Family Property Owners, and Tenants. He provided an overview of the Multi-Family Recycling Compliance Report in which properties were required to begin providing recycling services three months after the recycling plans were due. He reported that 108 of 110 complexes have submitted their required plans and that city staff offers technical support for properties and education for tenants. He spoke of the educational support provided by the San Antonio Apartment Association, noting that they had published an article in their magazine and placed information on their website.

Mayor Castro commended staff for the enhanced work on Recycling Initiatives. Councilmember Williams asked of outreach regarding paper bags for leaves. Mr. McCary replied that staff had mailed a post card to all residences and provided paper bags at community meetings. He indicated that the bags were affordable at a cost of \$1.88 for five bags. He noted that staff would be launching an organics program in August that will provide another opportunity for the bags. Councilmember Williams asked of the equipment and operation at the Southside Brush Recycling Facility. Mr. McCary stated that the construction of the facility will be outsourced but the city will own and operate it. Councilmember Williams stated that apartment complexes were participating in the Multi-Family Recycling Program but were not pleased to do so. He asked of the costs to modify their facilities. Mr. McCary replied that the city did not have access to that data. Councilmember Williams stated that it would be helpful to determine the costs required for multi-family complexes and if new construction was necessary.

Councilmember Taylor asked of feedback from stakeholders regarding the implementation of a bag tax. Mr. McCary replied that they were not inclined to support a bag tax but would support a more aggressive Plastic Bag Recycling Program. Councilmember Taylor asked of the outreach by staff to encourage a change in behavior. Mr. McCary stated that the city would measure the success of the Recycling Program within 18 months and take inventory on the number of reusable bags provided by the five retailers. Ms. Sculley stated that based on the results of the pilot program, staff will analyze moving forward or going in a different direction. Councilmember Chan recognized staff for their outreach efforts and asked of San Antonio's Policy being the most aggressive as referenced on Slide 20. Mr. McCary replied that it referred to the Multi-Family Recycling Program and that San Antonio's Policy was inclusive of every resident. Councilmember Lopez asked of the durability of the paper bags. Mr. McCary stated that the bags were double-ply and durable in the rain.

The City Council thanked Mr. McCary for the presentation.

RECESSED

Councilmember Cortez recessed the meeting at 3:40 pm and announced that the meeting would resume at 6:00 pm for Citizens to be Heard.

CITIZENS TO BE HEARD

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

Abigail Antuna stated that she served as legal counsel for the Avenida Guadalupe Association and was opposed to the Landmark Designation of 1312 Guadalupe Street. She spoke of the high costs to bring the building up to code, noting that it would cost over \$500,000. She asked the City Council to vote no to Item 28 on the Regular Meeting City Council Agenda.

Oscar Ramirez, Marta Alaquez, and Teresa Hernandez representing the Avenida Guadalupe Association addressed the City Council in opposition to the Landmark Designation of 1312 Guadalupe Street. Mr. Ramirez spoke of the mission of the Avenida Guadalupe Association and stated that they work to transform the community. He noted that he was pleased that their 30-year planning document was coming to fruition through the Promesa Project and that they had purchased the property in 2004. He added that the building on the property was not architecturally significant and that its essence would be preserved. Ms. Alaquez stated that the Promesa Project was a vision directed toward economic development and that they had already completed 11 of 12 building components. She noted that they would create jobs and asked that the project not be delayed. Ms. Hernandez stated that the project was in its 5th year of development and should not be delayed. She noted that they had received \$3.3 million in federal, local, and private support and would be in danger of losing \$2.3 million if the facility was not completed as projected. She mentioned that 30 jobs had already been created by the project and that they would continue to train and educate participants in the program.

Isaac Cardenas stated that his family lives and works in the Westside and spoke of the importance of the Landmark Designation of 1312 Guadalupe Street. He noted that the area was in need of jobs and development but that it was also important to preserve the history of the area.

Phil Ross, Penelope Boyer, and David Benavides spoke in support of the saving of Persimmons Trees that would be cut due to the San Antonio Water System (SAWS) Medina River Sewer Outfall Project. Mr. Ross referenced the Tree Ordinance passed on May 6, 2010 and spoke of the four criteria for requesting a variance. He stated that when SAWS destroys trees, it is not pursuant to a valid permit and showed various photos of the area.

Imelda Arismendiz stated that she grew up in the Guadalupe Area and later moved away but still claims the community. She spoke of her commitment to the neighborhood and asked the City Council to vote in favor of Landmark Designation of the Maldonado House.

Gilbert Morales expressed concern that landmarks seem to be fading and requested that the pink house be designated historical. He stated that historic designation should not be a hurdle to funding opportunities. He noted that he was not opposed to jobs but there should be an emphasis on conservation.

Arturo Titian expressed concern that he had addressed the City Council the week before regarding the high cost of towing services charged to his son and had not been contacted. He stated that he had been assessed a fee of \$288 for his truck and \$288 for his boat and felt that he was overcharged. He noted that he had spoken to several San Antonio Police Department Representatives and they indicated that many individuals had complained of the high cost for towing services. He asked the City Council for assistance to recoup a portion of the fees.

Nazirite Ruben Flores Perez stated that he was saddened by the death of Councilmember Medina's brother, Michael Medina. He spoke of Easter and referenced Ezekiel 23 in The Bible.

Susana Segura stated that she was in support of the recommendation of the Historic Design and Review Commission for Landmark Designation of the building at 1312 Guadalupe Street. She noted that she had been involved in the process for quite some time and had lost trust in the Avenida Guadalupe Association. She indicated that she was not opposed to the Promesa Project but was in support of preserving the historic building.

Artman Bland stated that he was concerned with the harassment to senior citizens by the Code Enforcement Services Department regarding their properties. He noted that people with liens on their property are in need of assistance and thanked the City Council for helping him with his properties.

Dan Gonzalez stated that he was a former instructor at the University of Texas San Antonio and that his family was very involved in the Westside Community. He spoke of the importance of historic preservation and respecting the culture of a neighborhood. He noted that development was important but there should be a balance. He expressed support for Landmark Designation of 1312 Guadalupe Street.

Jessica Guerrero stated that she performs a great amount of work with the Westside Historic Preservation Group. She indicated that the Group had offered several ideas to the Avenida Guadalupe Association but they have been ignored. She noted that they would hold the Avenida Guadalupe Association accountable for their actions and asked that the building at 1312 Guadalupe Street be restored.

Molly Watt stated that she had taught at Lanier High School for 38 years and was very concerned that there were only a few historic structures in the area. She noted that she was in favor of Landmark Designation of 1312 Guadalupe Street and believes that it can be restored.

Graciela Sanchez, Lucy Perez, and Isabel Sanchez representing the Westside Historic Preservation Group addressed the City Council in support of the Landmark Designation of the Casa Maldonado. Ms. Sanchez stated that she was born and raised on the Westside and that their group represented authentic stakeholders of the area. Ms. Perez noted that she grew up one block away from the pink building. Isabel spoke of the work of the Esperanza Peace and Justice Center and noted that they had been trying to work with the Avenida Guadalupe Association. She requested that the Casa Maldonado be saved and referenced the Guadalupe Plan that promotes development but preserves historic structures. She added that once the building is rehabilitated, it will be an asset to the Avenida Guadalupe Association.

Gloria Ramirez stated that she was a retired educator and had served on many boards and commissions over the past 35 years. She noted that although she does not live in the area, she has a vested interest in the Westside. She asked that history be preserved through Landmark Designation of the Maldonado House at 1312 Guadalupe Street.

Mark Perez stated that he was an advocate for a clean environment and expressed concern with staff of the Fire Department, and Offices of the City Clerk and City Attorney. He referenced the toxic chemicals at the Age Refinery Building and Kimberly Clark Facility.

Faris Hodge, Jr. submitted written testimony and expressed concern that he was discriminated at a Budget Hearing because his name was called last to speak, even though he had signed up early. He wrote that the City Council was discriminating against non-union employee pay and benefits. He referenced the \$2.2 million donation by George and Kym Rapier to SAMMinistries. He wrote that free

cab rides during Fiesta would help people get home safely. He asked that the city advertise in newspapers other than the Express News. He wrote against the operation of strip clubs and noted that child support payments were getting out of hand. He wrote that Park and Airport Police Officers should receive the same pay as San Antonio Police Officers. He wrote in support of four additional Council Districts and referenced an article written about him in the Express News on January 12, 2000. He asked Time Warner to provide access to Channel 20 without the use of digital box.

ADJOURNMENT

There being no further discussion, Mayor Castro adjourned the meeting at 7:12 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **April 21, 2011** 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. Min, Texas Department of Criminal Justice, guest of Councilmember Ray Lopez, District 6.

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

POINT OF PERSONAL PRIVILEGE

Councilmember Lopez recognized Girl Scout Troop #1299 for the Silver Award received for their project to raise awareness to prevent animal abuse. He acknowledged Anna Maria Chavez, CEO of the Girl Scouts of Southwest Texas. He recognized Girl Scout, Hannah Richmond, for selling 3,258 boxes of cookies, noting that it was the most sold in the history of the Girl Scouts in Southwest Texas in 87 years. Councilmember Ramos recognized the Girl Scouts and stated that one of her first jobs out of college was with the Girl Scouts of San Antonio. She spoke of their mission and great career path and recognized her mentor Rose Gonzalez Perez. Mayor Castro congratulated Troop #1299 for their award and Hannah Richmond on her historic cookie sales.

Item 3. MINUTES

Councilmember Clamp moved to approve the Minutes for the April 6-7, 2011 City Council Meetings. 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.

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2011-04-21-0010R

Item 4. BRIEFING AND POSSIBLE ACTION ON LEGISLATION FILED IN THE 82ND REGULAR STATE LEGISLATIVE SESSION.

Carlos Contreras thanked the Mayor and Councilmembers which appeared in Austin for meetings and to testify. He presented an update on the 82nd Regular State Legislative Session, noting that 6,158 bills have been filed. He provided an overview of the status of the following bills: 1) SB 1164 regarding TMRS Amendments was recommended for the Local and Uncontested Calendar on April 20th; 2) HB 1089 related to Graffiti was set on the House Calendar for April 21st; 3) HB 99 in regard to Increased punishment for DWI Offenses was voted favorably from the House Criminal Jurisprudence on April 20th; 4) HB 1488 related to San Antonio Fire Department Recruitment was recommended for the Local and Consent Calendar on April 18th; 5) HB 2042 and 2043 regarding the Aircraft Inventory Tax was voted favorably from the House Defense and Veterans Affairs on April 14th; and 6) SB 18 in regard to Eminent Domain – Senate refuses to concur with House Amendments on April 19th.

Mr. Contreras spoke of pending issues and reported that SB 1741 related to Tree Mitigation would negatively impact the City's Ordinance and that Senators Wentworth, Van de Putte, Uresti, and Zaffirini were co-sponsoring an amendment to exclude San Antonio from the bill. He mentioned that Tree Ordinance Bills SB 732 & HB 1388 were still pending and SB 1442 related to Fair Notice for Vested Rights could result in litigation. He referenced SB 971 regarding the regulation of digital billboards and stated that the companion bill, HB 1765 had passed out of Committee. He indicated that SB 726 and HB 258 would increase traffic fines for the State in the amount of \$25. He mentioned that SB 100 included language that could affect Election Dates but due to amendments; would not affect Municipal Elections.

Mr. Contreras stated that staff recommended City Council Action on bills related to City South. For SB 1493: 1) Continue 15 Board Membership; 2) City and County would continue to appoint six members each, however; three appointments from each entity should be comprised of property owners or residents within the Authority's boundary; 3) City and County to appoint six members each to represent the following: a) An owner of stock of a corporate owner of property in the district; b) An owner of beneficial interest in a trust that owns property in district; or c) An agent representing a property owner, or an owner of corporate stock of property in the district, or an owner of beneficial interest in property in the district including Texas A&M University-San Antonio, Toyota, SAWS, City of San Antonio, Bexar County, etc.; and 4) The three Independent School Districts (Southside, Southwest, and East Central) would continue to appoint one representative each to the City South Management Authority (CSMA). He further recommended that the City Council oppose SB 1645 that would repeal the Act that created the Defense Adjustment Management Authority and abolish the CSMA, as well as oppose SB 1646 that would slightly modify the population brackets.

Mayor Castro called upon Jack M. Finger to speak.

Mr. Finger expressed concern with the bills authorizing additional municipal traffic fines to be collected for the State. He stated that he had attended the State Legislative Session the previous day to express his opposition to toll roads. He noted that he was opposed to HB 2432 that would authorize municipalities to charge a fee to persons utilizing city facilities such as City Hall, playgrounds, and parks. He mentioned that Mayor Castro had met with President Obama in Washington, D.C. regarding Immigration Reform and expressed concern with illegal immigration.

Councilmember Ramos asked of the bills related to City South. Mr. Contreras stated that a hearing had been requested for the following Wednesday in the Veteran Affairs Committee. Councilmember Ramos asked if Bexar County had taken a position on the bills related to City South. Mr. Contreras replied that he was unsure if they had the opportunity to take a position and would meet with County Representatives based on City Council recommendation today. Councilmember Ramos spoke of the concerns of property owners in the area and the need to determine the impediments to economic development.

Councilmember Ramos moved to approve a Resolution to oppose SB 1645 and moved to add the following amendments to SB 1493: 1) Provide for a study of the impediments to development within a Defense Base Management Authority; 2) Continue with 15 Board Members for the City South Management Authority (CSMA); 3) City and County would continue to appoint six members each to the CSMA; of these appointments, the City and County would each appoint at least three Board Members comprised of property owners or residents within the CSMA's Boundary; 4) City and County to appoint the remaining six members (three each) to represent the following: a) An owner of stock of a corporate owner of property in the CSMA; b) An owner of beneficial interest in a trust that owns property in the CSMA; or c) An agent representing a property owner, an owner of corporate stock of property in the district, or an owner of beneficial interest in property in the district including Texas A&M University-San Antonio, Toyota, SAWS, City of San Antonio, Bexar County, etc.; and 5) The three Independent School Districts (Southside, Southwest, and East Central) would continue to appoint one representative each to the CSMA.

Councilmember Rodriguez asked if the CSMA had taken a position on the bills. Mr. Contreras replied that he was not aware of their formal position. Councilmember Rodriguez stated that he is in support of opposing SB 1645 which if passed, would abolish the CSMA. He noted that he would like to speak with Mayor Ed Garza who serves as the Chair of the CSMA to ensure that he is on the same page as the amendments presented to SB 1493. Mr. Contreras stated that under the current law; there is a 15-member board in which three individuals are representatives of the School Districts and six are appointed by each the City and Bexar County. Staff recommendation is that three representatives from each the City and Bexar County would be required to be property owners of the area.

Councilmember Rodriguez asked of the current status of the Tree Ordinance Bills. Mr. Contreras reported that SB 732 was still pending in the Senate and had not been scheduled for a vote. He noted that HB 1388 was heard in the House Committee and was not forwarded to the calendar until much later. He thanked Mayor Castro for meeting directly with both authors of the bills to express the city's opposition. In response to Councilmember Rodriguez, he stated that the additional traffic fines collected would be paid directly to the State. Councilmember Rodriguez asked if there was discussion regarding a portion of that increase to be kept by the city.

Councilmember Clamp asked of the strategy of both SB 1493 and 1645. Mr. Contreras stated that the intent to change the make-up would be that they would have more accountability among the property owners.

Councilmember Clamp seconded the motion. He asked that there be more discussion regarding the direction of City South in the future.

Councilmember Cortez spoke to the CSMA and thanked Mayor Ed Garza for his vision and being instrumental in creating the CSMA. He added that he supported the opposition to SB 1645 as well as the amendments stated for SB 1493. He asked if there would be opportunities for At-Large Appointments to the CSMA. Mr. Contreras confirmed that there could be At-Large Appointments in that representatives of stakeholder organizations would not be required to live in the area.

Councilmember Ramos stated that this is a compromise to be able to bring in development and spoke of the importance of the Board Representatives being stakeholders in the area. She added that she looks forward to more dialogue on said item.

The motion to approve the Resolution with conditions as stated by Councilmember Ramos prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **NAY:** None. **ABSENT:** None.

POINT OF PERSONAL PRIVILEGE

Councilmember Williams recognized San Antonio College Professor Wanda Lee Smith and her students that were present. He noted that several of her classes would be in attendance throughout the day and thanked them for their participation. Mayor Castro welcomed the students and stated that he was pleased that college students were engaging in and learning about municipal policy.

CONSENT AGENDA ITEMS 5-24

Consent Agenda Items 8, 9, 13, 17, and 20 were pulled for Individual Consideration.

Councilmember Cortez referenced the contract extension with Grant Thornton LLP in Item 19 and thanked the Audit Council Committee and City Staff for their work.

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

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

Mr. Finger expressed concern with the campaign contributions provided to the City Council from Raba Kistner in Item 10. He spoke in opposition to the Plastic Bags Marketing and Public Education Campaign in Item 20, noting that it could not be confirmed that plastic bags have a negative environmental impact.

Faris Hodge, Jr. submitted written testimony in opposition to Items 5, 16, and 17. He wrote in favor of Items 6-14, 18, 19, 23, and 24. For Item 15, he wrote that he did not know when the MGA-SA Meetings were held. He wrote in opposition to Item 20, noting that he did receive information he requested regarding the amount of money the city receives for recycling. He expressed concern that for Item 21, election information was only published in the Express News and asked that information be published in smaller newspapers. He wrote that the City Council should not reschedule meetings during the month of July.

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.

2011-04-21-0309

Item 5. AN ORDINANCE AUTHORIZING THE FOLLOWING CONTRACTS ESTABLISHING UNIT PRICES FOR ANNUAL GOODS AND SERVICES: (A) SA LEGAL NEWS, LLC, DBA THE HART BEAT FOR OFFICIAL & OTHER NEWSPAPER ADVERTISEMENTS, (B) FREIGHTLINER OF SAN ANTONIO, LTD. FOR CUMMINS ISL G (COMPRESSED NATURAL GAS ENGINES) PARTS & SERVICES AND (C) SPORT & SUPPLY GROUP, INC. DBA BSN SPORTS FOR RECREATIONAL GAMES AND SPORTS EQUIPMENT.

2011-04-21-0310

Item 6. AN ORDINANCE AUTHORIZING THE CITY TO AMEND A COOPERATIVE CONTRACT WITH FISK ELECTRIC COMPANY, INC. D/B/A FISK TECHNOLOGIES SECURITY INTEGRATION GROUP TO EXTEND A CONTRACT FOR MAINTENANCE AND BREAK-FIX SERVICES ON THE CITY'S ACCESS CONTROL, VIDEO SURVEILLANCE, AND INTRUSION ALARM SECURITY SYSTEMS FOR AN ESTIMATED COST OF \$2,500,000.00; FUNDING WILL BE FROM APPROVED CITY-WIDE CAPITAL AND OPERATING (INCLUDING GRANTS) BUDGETS AS APPROPRIATE.

Item 7. CONSIDERATION OF THE FOLLOWING COOPERATIVE CONTRACTS WITH RAMTECH BUILDING SYSTEMS, INC. FOR TWO PRE-FABRICATED MODULAR BUILDINGS FOR A TOTAL COST OF \$796,144.00, FUNDED BY THE SOLID WASTE OPERATING AND MAINTENANCE FUND AND THE GENERAL FUND:

2011-04-21-0311

- A. AN ORDINANCE ACCEPTING THE OFFER FROM RAMTECH BUILDING SYSTEMS, INC. FOR THE PURCHASE, DELIVERY AND INSTALLATION OF A MODULAR BUILDING FOR THE SOLID WASTE MANAGEMENT DEPARTMENT FOR THE COST OF \$398,072.00.

2011-04-21-0312

- B. AN ORDINANCE ACCEPTING THE OFFER FROM RAMTECH BUILDING SYSTEMS, INC. FOR THE PURCHASE, DELIVERY AND INSTALLATION OF A MODULAR BUILDING FOR THE DEPARTMENT OF PUBLIC WORKS FOR THE COST OF \$398,072.00.

2011-04-21-0315

Item 10. AN ORDINANCE AUTHORIZING EIGHT ON-CALL PROFESSIONAL SERVICES AGREEMENTS WITH RABA-KISTNER CONSULTANTS, INC.; ARIAS & ASSOCIATES, INC.; TERRACON CONSULTANTS, INC.; FUGRO CONSULTANTS, INC.; PROFESSIONAL SERVICE INDUSTRIES, INC.; INTEGRATED TESTING AND ENGINEERING COMPANY OF SAN ANTONIO, L.P.; ROCK ENGINEERING & TESTING LABORATORY, INC.; AND BURGE, MARTINEZ CONSULTING INC., EACH FOR A TWO YEAR TERM IN AN AMOUNT UP TO \$800,000.00 PER YEAR WITH TWO OPTIONAL TWO-YEAR EXTENSIONS, TO PROVIDE CONSTRUCTION MATERIALS TESTING AND PROFESSIONAL GEOTECHNICAL CONSULTING SERVICES FOR VARIOUS CITY CAPITAL IMPROVEMENT PROJECTS.

2011-04-21-0316

Item 11. AN ORDINANCE AUTHORIZING THE RENEWAL OF A LICENSE AGREEMENT WITH SAN ANTONIO PIPELINE CORPORATION FOR THE USE OF A PIPELINE IN THE RIGHT-OF-WAY OWNED BY THE SAN ANTONIO INTERNATIONAL AIRPORT FOR THE RATE OF \$0.45 PER SQUARE FOOT PER YEAR.

2011-04-21-0317

Item 12. AN ORDINANCE AUTHORIZING THE CLOSURE, VACATION, AND ABANDONMENT OF AN UNIMPROVED PORTION OF A 13-FOOT WIDE ALLEY ON PUBLIC RIGHT OF WAY, LOCATED BETWEEN THE UNION PACIFIC RAILROAD RIGHT OF WAY AND ST. ANN STREET ADJACENT TO NCB 2020 IN CITY COUNCIL DISTRICT 1, AS REQUESTED BY SAMUEL DEEN SHEET METAL, INC. FOR A FEE OF \$7,448.00.

2011-04-21-0319

Item 14. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND THE ACCEPTANCE, UPON AWARD, OF A \$40,000.00 GRANT FROM THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR "CLICK IT OR TICKET" SELECTIVE ENFORCEMENT PROGRAM'S SEAT BELT AND CHILD SAFETY SEAT ENFORCEMENT PROGRAM FOR THE GRANT PERIOD MAY 23, 2011 TO JUNE 5, 2011.

Item 15. REAPPOINTING GABE FARIAS, GEORGE I. FERNANDEZ, HENRY L. GALINDO, LOU MILLER, LOUIS P. TERRAZAS, AND RICARDO D. VILLASENOR (AT-LARGE) TO THE MUNICIPAL GOLF ASSOCIATION – SA (MGA-SA) FOR A TERM OF OFFICE TO COMMENCE MAY 3, 2011 AND TO EXPIRE MAY 2, 2013, 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.

2011-04-21-0320

Item 16. AN ORDINANCE AUTHORIZING AN AGREEMENT WITH AUDIOVISUAL SERVICES GROUP D/B/A PSAV PRESENTATION SERVICES ("PSAV") TO PROVIDE PREFERRED AUDIO VISUAL ("AV") AND EXCLUSIVE RIGGING SERVICES FOR THE HENRY B. GONZALEZ CONVENTION CENTER FOR AN INITIAL TERM OF FIVE YEARS WITH ONE THREE-YEAR RENEWAL OPTION.

Item 18. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATED TO THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009:

2011-04-21-0322

- A. AN ORDINANCE SELECTING SERVIDYNE SYSTEMS, LLC AND AWARDED A CONTRACT IN AN AMOUNT UP TO \$375,000.00 TO PERFORM COMMERCIAL AUDITING AND DEMAND RESPONSE SERVICES FOR THE BETTER BUILDINGS PROGRAM, FUNDED BY THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 THROUGH THE DEPARTMENT OF ENERGY.

2011-04-21-0323

- B. AN ORDINANCE SELECTING CLEARRESULT CONSULTING, INC. AND AWARDED A CONTRACT IN AN AMOUNT UP TO \$187,500.00 TO PROVIDE RETRO-

COMMISSIONING AND DEMAND RESPONSE SERVICES FOR THE BETTERBUILDINGS PROGRAM, FUNDED BY THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 THROUGH THE DEPARTMENT OF ENERGY.

2011-04-21-0324

- C. AN ORDINANCE SELECTING SERVIDYNE SYSTEMS, LLC AND AWARDED A CONTRACT IN AN AMOUNT UP TO \$187,500.00 TO PROVIDE RETRO-COMMISSIONING AND DEMAND RESPONSE SERVICES FOR THE BETTER BUILDINGS PROGRAM, FUNDED BY THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 THROUGH THE DEPARTMENT OF ENERGY.

2011-04-21-0325

Item 19. AN ORDINANCE AUTHORIZING THE FIFTH AMENDMENT AND THIRD AND FINAL EXTENSION OF THE AUDIT SERVICES CONTRACT WITH GRANT THORNTON LLP TO PROVIDE INDEPENDENT AUDIT SERVICES TO THE CITY FOR FISCAL YEAR 2011, FOR A TOTAL FEE UP TO \$922,500.00 AND AUTHORIZING PAYMENT UPON COMPLETION OF SERVICES.

2011-04-21-0327

Item 21. AN ORDINANCE AUTHORIZING AN AMOUNT OF \$644,146.24 FOR ELECTION SERVICES TO THE BEXAR COUNTY ELECTIONS ADMINISTRATOR FOR THE MAY 14, 2011 GENERAL ELECTION.

2011-04-21-0328

Item 22. AN ORDINANCE SCHEDULING CITY COUNCIL MEETINGS AS NECESSARY AND RESCHEDULING THE JULY 2011 CITY COUNCIL MEETINGS TO THE NEXT AVAILABLE DATE

2011-04-21-0329

Item 23. AN ORDINANCE AUTHORIZING AN AGREEMENT TO TRANSFER THE USE AND CONTROL OF CITY OWNED PROPERTY, LOCATED AT 3362 EAST COMMERCE, IN COUNCIL DISTRICT 2, TO THE SAN ANTONIO PUBLIC LIBRARY BOARD OF TRUSTEES TO BENEFIT THE CITY'S CARVER BRANCH LIBRARY FACILITY.

2011-04-21-0330

Item 24. AN ORDINANCE AUTHORIZING A PUBLIC ART DESIGN SERVICES AGREEMENT IN THE AMOUNT UP TO \$97,500.00 AND A FABRICATION AND INSTALLATION SERVICES AGREEMENT IN THE AMOUNT UP TO \$402,500.00, WITH STUDIO JEFRE, LLC, FOR THE CITY OF SAN ANTONIO'S PUBLIC SAFETY HEADQUARTERS PROJECT IN COUNCIL DISTRICT 1, FUNDED BY THE FY 2011-2016 CAPITAL IMPROVEMENTS PROGRAM BUDGET.

[CONSENT ITEMS CONCLUDED]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2011-04-21-0313

Item 8. AN ORDINANCE AUTHORIZING AN AMENDMENT IN THE INCREASED AMOUNT OF \$441,666.00 TO THE \$1,540,000.00 PROFESSIONAL SERVICES AGREEMENT WITH AECOM FOR THE SEELING DRAINAGE CHANNEL IMPROVEMENTS AND WOODLAWN LAKE PEDESTRIAN BRIDGE PROJECTS, WHICH ARE 2007-2012 BOND PROGRAM FUNDED PROJECTS, LOCATED IN COUNCIL DISTRICT 7.

Councilmember Chan recused herself from Item 8 by exiting the Council Chambers and noting that she submitted the recusal forms to the City Clerk.

Councilmember Rodriguez stated that he was pleased that the project would remove 100 properties from the flood plain. He noted that it would enhance the entrance to Woodlawn Lake and separate the vehicle traffic from the walkers and runners at Woodlawn Lake. He noted that there was unanimous consensus to move forward.

Councilmember Rodriguez 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. **NAY:** None. **ABSTAIN:** Chan.

The City Clerk read the following Ordinance:

2011-04-21-0314

Item 9. AN ORDINANCE AUTHORIZING A CONTRACT IN AN AMOUNT UP TO \$1,268,949.10, OF WHICH \$1,079,000.00 WILL BE FOR THE ORIGINAL BID AND AN ADDITION OF UP TO \$189,949.10 WILL BE INCLUDED FOR THE ADDED SCOPE OF TWO ADDITIONAL SCALES, WITH PLETZ CONSTRUCTION, LLC, FOR CONSTRUCTION OF THE NELSON ROAD BRUSH RECYCLING CENTER AT THE FORMER NELSON GARDENS LANDFILL, FUNDED WITH FUNDS FROM THE CITY'S SOLID WASTE MANAGEMENT ENTERPRISE FUND.

Councilmember Cortez asked staff to provide information on the new center for the benefit of citizens on the Southside of the city. David McCary showed a map of the new site and facility to be located at the former Nelson Gardens Landfill and denoted that the ground breaking ceremony would be held in May. He stated that the new facility would offer the same services as the Bitters Brush Site and would help increase the City's Recycling Rate. He added that the facility was scheduled to be open in December.

Councilmember Cortez 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:

2011-04-21-0318

Item 13. AN ORDINANCE AUTHORIZING THE SUBMISSION OF TWO GRANT APPLICATIONS TO KABOOM! AND THE ACCEPTANCE UPON AWARD OF TWO NEW PLAYSCAPES, AT AN ESTIMATED VALUE OF \$100,000.00 PER PARK, FOR SGT. MATTHEW E. MENDOZA, USMC PARK LOCATED IN COUNCIL DISTRICT 3 AND ESCOBAR PARK LOCATED IN COUNCIL DISTRICT 5.

Councilmember Ramos noted that the park was recently dedicated as the Sgt. Matthew E. Mendoza, USMC Park and asked of the grant application. Xavier Urrutia stated that if awarded such grant, the city would work with various entities to engage the neighborhood to build a playground. Councilmember Ramos asked when the city would be notified. Mr. Urrutia replied that they hoped to receive a response during the Summer. Councilmember Ramos stated that this was a good way to stretch the city's dollars and recognized KABOOM! for the funding they provide. Councilmember Medina added that he was pleased with the previous grant that had been received from KABOOM! for Martinez Park, noting that it improved the quality of life for the community.

Councilmember Ramos moved to adopt the proposed Ordinance. Councilmember Medina 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:

2011-04-21-0321

Item 17. AN ORDINANCE AUTHORIZING THE RENAMING OF A REALIGNED PORTION OF THEO AVENUE BETWEEN MISSION ROAD AND THE DEAD-END OF CONCEPCION PARK TO "THEO PARKWAY".

Councilmember Ramos asked of the process regarding the renaming of Theo Avenue. Rod Sanchez highlighted the public hearings held and noted that the name of "Theo Parkway" had ultimately been selected by the Committee. Councilmember Ramos asked how quickly the road would be closed. Xavier Urrutia stated that it would close in May after Theo Parkway was opened. He added that improvements are being made to Concepcion Park and final completion should occur in October. Councilmember Ramos expressed concern that the sidewalks did not include curbs. Mr. Urrutia stated that he was working with Public Works to address said concerns. Councilmember Ramos requested that a timeline for the project be provided to the community and thanked staff for their work.

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:

2011-04-21-0326

Item 20. AN ORDINANCE SELECTING K. FERNANDEZ AND ASSOCIATES, LLC AND AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT FOR 18 MONTHS, IN AN AMOUNT UP TO \$219,922.00 TO DEVELOP AND IMPLEMENT THE PLASTIC BAGS USE REDUCTION AND RECYCLING PROGRAM MARKETING AND PUBLIC EDUCATION CAMPAIGN.

Councilmember Ramos asked what the city was hoping to accomplish in the next 18 months. David McCary stated that staff was working with five retailers to reduce the use of plastic bags and would have access to their information. He spoke of the Marketing Campaign, and added that there are performance measures that will be reported back to City Council which include: encourage use of reusable bags; offer reusable bag swaps/free reusable bags to consumers; encourage retailers' employees to reduce the use of plastic bags; improve visibility and number of plastic bag recycling kiosks; and increase awareness of plastic bag litter. Councilmember Ramos stated that she was pleased to support recycling goals and asked what other cities in Texas had implemented. Mr. McCary replied that Brownsville had enacted a ban on plastic bags and that San Antonio's focus was on educating the public on reducing and recycling plastic bags.

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

Item 25. CITY MANAGER'S REPORT

A. SAPD ACCREDITATION UPDATE

Ms. Sculley reported that the San Antonio Police Department (SAPD) had begun the accreditation process in 2009. She stated that the purpose of accreditation was to study best practices in policing and measure SAPD against those standards. She noted that SAPD had completed the self-assessment phase in November 2010 and had received positive feedback and recommendations for the on-site assessment conducted by the Commission on Accreditation for Law Enforcement Agencies (CALEA) this month. She mentioned that they recommended full accreditation and that final approval would occur in July at the Annual Conference in Cincinnati, Ohio. She recognized Chief McManus and Assistant City Manager Erik Walsh for leading the effort.

Mayor Castro thanked Ms. Sculley, Chief McManus and Erik Walsh for their work.

B. DRESDEN ALLIANCE CITY UPDATE

Ms. Sculley stated that Dresden had been selected as one of San Antonio's Alliance Cities in 2009, and that a Cultural Exchange would occur during the month of May. Beth Costello reported that the relationship was an Alliance rather than a Sister City and that the City of Dresden was chosen due to its cultural richness. She spoke of the glass blown chandelier gift that would be provided to Dresden from the City of San Antonio, noting that the Garcia Design Team had researched and created the gift that would be placed in the Lingner Castle on the Elbe River.

Mayor Castro stated that it was a great gift and that the city would continue to foster the relationship with the City of Dresden.

RECESSED

Mayor Castro recessed the meeting at 10:50 am to break for lunch and announced that the meeting would resume at 2:00 pm for Zoning.

RECONVENED

Mayor Castro reconvened the meeting at 2:16 pm and addressed the Zoning Items.

INDIVIDUAL ZONING ITEMS

Mayor Castro addressed Item Z-6 at this time.

2011-04-21-0338

Item Z-6. **ZONING CASE # Z2011099 CD (District 8):** An Ordinance amending the Zoning District Boundary from "R-20 GC-1 MSAO-1 MLOD-1" Residential Single-Family Hill Country Gateway Corridor Overlay Military Sound Attenuation Overlay Military Lighting Overlay District and "C-2 CD GC-1 MSAO-1 MLOD-1" Commercial Hill Country Gateway Corridor Overlay Military Sound Attenuation Overlay Military Lighting Overlay District with a Conditional Use for Motor Vehicles Sales - Full Service to "C-2 CD GC-1 MSAO-1 MLOD-1" Commercial Hill Country Gateway Corridor Overlay Military Sound Attenuation Overlay Military Lighting Overlay District with a Conditional Use for a Motor Vehicles Sales - Full Service on 4.573 acres of land out of NCB 18337 located at 6925 Oak Drive and 6955 Oak Drive. Staff recommends approval. The Zoning Commission recommendation is pending the April 19, 2011 public hearing.

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: BEING 4.573 ACRES OF LAND OUT OF NCB 18337 AND NCB 35733 TO WIT: FROM "R-20 GC-1 MSAO-1 MLOD-1" RESIDENTIAL SINGLE FAMILY HILL COUNTRY GATEWAY CORRIDOR OVERLAY MILITARY SOUND ATTENUATION OVERLAY MILITARY LIGHTING OVERLAY DISTRICT AND "C-2 CD GC-1 MSAO-1 MLOD-1" COMMERCIAL HILL COUNTRY GATEWAY CORRIDOR OVERLAY MILITARY SOUND ATTENUATION OVERLAY MILITARY LIGHTING OVERLAY DISTRICT WITH A CONDITIONAL USE FOR MOTOR VEHICLES SALES - FULL SERVICE TO C-2CD GC-1 MSAO-1 MLOD-1" COMMERCIAL HILL COUNTRY GATEWAY CORRIDOR OVERLAY MILITARY SOUND ATTENUATION OVERLAY MILITARY LIGHTING OVERLAY DISTRICT WITH A CONDITIONAL USE FOR MOTOR VEHICLES SALES - FULL SERVICE PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

Chris Looney presented said item noting that the property occupies 4.573 acres and that staff and the Zoning Commission recommended approval.

Councilmember Williams noted this is the second time that said item has come before the City Council and asked if a representative for the applicant was present.

James Griffin with Brown and Ortiz addressed the City Council and provided letters of support with conditions from the Dominion Homeowners Association (HOA) and Friends of Friedrich Wilderness Park. He read the following eight provisions that they would like to add to the staff recommendation:

- 1) The front façade and other exterior walls that are visible from IH-10 shall collectively consist of a minimum of 60% of stone materials.
- 2) Parking lot screening on the IH-10 frontage shall, at the time of planting, consist of five-gallon minimum landscaping materials. In accordance with the Hill Country Gateway Corridor Overlay Standards, such landscaping shall reach a minimum height of four feet at maturity.
- 3) All on-site pole signage shall not exceed 25 feet in height and shall be internally illuminated.
- 4) No animated, moving, flashing, or other digital signs may be erected on the property.
- 5) Final tree canopy coverage for the property, as defined by Section 35-523 of the Unified Development Code, shall be a minimum of 35%.
- 6) The square footage of buildings on the property may be reduced by any amount from the square footage stated on the site plans. The parking areas and other features shown on such site plans may be reduced accordingly in the event the square footage of a building is reduced beyond what is stated on the site plans.
- 7) No outdoor speakers shall be permitted on the property except those required by law or necessary for emergency and/or safety purposes.
- 8) Strict compliance with the City of San Antonio's Military Lighting Overlay District standards will occur.

He noted that the applicant further agreed to provide copies of all building plans to the Dominion HOA for review within 30 days of submittal to the City of San Antonio Plans Review Department for building permit purposes.

Councilmember Williams moved to adopt the proposed Ordinance with the conditions as read by Mr. Griffin. Councilmember Chan seconded the motion.

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

Mayor Castro addressed Items P-3, P-4, Z-9 and Z-10 together.

CONTINUED

Item P-3. **PLAN AMENDMENT #11016 (District 3):** An Ordinance amending the land use plan contained in the South Central San Antonio Community Plan, a component of the Master Plan of the City, by changing the use of approximately 8.8 acres of land located at 1.) 2926 South Presa Street from Low Density Residential land use and Mixed Use land use to Public Institutional land use, and located at 2.) 502 Riverside and abutting 4 acres to the south from Mixed Use land use to Business Park land use. (Associated Zoning Case: #Z2011076.

CONTINUED

Item P-4. **PLAN AMENDMENT #11017 (District 3):** An Ordinance amending the land use plan contained in the Stinson Airport Vicinity Land Use Plan, a component of the Master Plan of the City, as follows: by changing the use from Parks/Open Space land use, Public/Institutional land use, Low Density Residential land use, High Density Residential land use, and Mixed Use land use to Low

Density Residential land use, Neighborhood Commercial land use, Community Commercial land use, and Public/Institutional land use for an area approximately 92.89 acres located at: 8648 and 8711 Graf Road; 8237, 8510, 8703, and 8707 Old Corpus Christi Road and 9011 Old Corpus Christi Road more specifically described as NCB 10920 Lot P-4 and Lot 1; 7622, 8314, 8343, 8367, 8439, 8441, 8531, 8750, 8888, 8902, 8920, 9015, 9059, 9077, 9087, 9137, 9145, 9149, 9151, and 9210 South Presa Street; NCB 10922 Block 3 Lots 7 and 8; and property generally located at the southeast corner of Graf Road and South Presa Street (Associated Zoning Case: #Z2011076)

CONTINUED

Item Z-9. **ZONING CASE #Z2011076 (District 3):** An Ordinance amending the Zoning District Boundary from “C-2 AHOD” Commercial Airport Hazard Overlay District, “C-2 NA AHOD RIO-5” Commercial Non-Alcoholic Sales Airport Hazard Overlay River Improvement Overlay District-5, “C-2 AHOD RIO-6” Commercial Airport Hazard Overlay River Improvement Overlay District-6, “C-3 AHOD” General Commercial Airport Hazard Overlay District, “C-3 H AHOD” General Commercial Mission Historic Airport Hazard Overlay District, “C-3 H AHOD RIO-5” General Commercial Mission Historic Airport Hazard Overlay River Improvement Overlay District-5, “C-3 H AHOD RIO-6” General Commercial Mission Historic Airport Hazard Overlay River Improvement Overlay District-6, “C-3 NA AHOD” General Commercial Non-Alcoholic Sales Airport Hazard Overlay District, “C-3 NA H AHOD” General Commercial Non-Alcoholic Sales Mission Historic Airport Hazard Overlay District, “C-3 NA H AHOD RIO-6” General Commercial Non-Alcoholic Sales Mission Historic Airport Hazard Overlay River Improvement Overlay District-6, “C-3 R AHOD” Restrictive Commercial Airport Hazard Overlay District, “C-3 AHOD RIO-5” General Commercial Airport Hazard Overlay River Improvement Overlay District-5, “C-3 AHOD RIO-6” General Commercial Airport Hazard Overlay River Improvement Overlay District-6, “I-1 AHOD” General Industrial Airport Hazard Overlay District, “I-1 H AHOD” General Industrial Mission Historic Airport Hazard Overlay District, “I-1 H AHOD RIO-5” General Industrial Mission Historic Airport Hazard Overlay River Improvement Overlay District-5, “I-1 H AHOD RIO-6” General Industrial Mission Historic Airport Hazard Overlay River Improvement Overlay District-6, “I-1 HS AHOD” Historic Significant General Industrial Airport Hazard Overlay District, “I-1 AHOD RIO-5” General Industrial Airport Hazard Overlay River Improvement Overlay District-5, “I-1 AHOD RIO-6” General Industrial Airport Hazard Overlay River Improvement Overlay District-6, “I-2 AHOD RIO-5” Heavy Industrial Airport Hazard Overlay River Improvement Overlay District-5, “I-2 H AHOD RIO-6” Heavy Industrial Mission Historic Airport Hazard Overlay River Improvement Overlay District-6, “MF-25 AHOD” Low Density Multi-family Airport Hazard Overlay District, “MF-33 AHOD” Multi-family Airport Hazard Overlay District, “MF-33 AHOD RIO-5” Multi-family Airport Hazard Overlay River Improvement Overlay District-5, “NP-10 H AHOD” Neighborhood Preservation Mission Historic Airport Hazard Overlay District, “R-4 AHOD” Residential Single-Family Airport Hazard Overlay District, “R-6 H AHOD” Residential Single-Family Mission Historic Airport Hazard Overlay District, “R-6 H RIO-6” Residential Single-Family Mission Historic Airport Hazard Overlay River Improvement Overlay District-6, “RM-4 AHOD” Residential Mixed Airport Hazard Overlay District, and “RM-4 H AHOD” Residential Mixed Mission Historic Airport Hazard Overlay District to “BP H AHOD RIO-6” Business Park Mission Historic Airport Hazard Overlay River Improvement Overlay District-6, “BP AHOD RIO-5” Business Park Airport Hazard Overlay River Improvement Overlay District-5, “C-1 AHOD” Light Commercial Airport Hazard Overlay District, “C-1 H AHOD RIO-6” Light Commercial Mission Historic Airport Hazard Overlay River Improvement Overlay District-6, “C-1 AHOD RIO-5” Light Commercial Airport Hazard Overlay River Improvement Overlay District-5, “C-2 AHOD” Commercial Airport Hazard Overlay District, “C-2 H AHOD” Commercial Mission Historic Airport Hazard Overlay District, “C-2 H AHOD RIO-6” Commercial Mission Historic Airport Hazard Overlay River Improvement Overlay District-6, “C-2

AHOD RIO-5" Commercial Airport Hazard Overlay River Improvement Overlay District-5, "C-2 AHOD RIO-6" Commercial Airport Hazard Overlay River Improvement Overlay District-6, "C-3 H AHOD RIO-5" General Commercial Mission Historic Airport Hazard Overlay River Improvement Overlay District-5. "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-1" Light Commercial District and "RM-4" Residential Mixed District, "IDZ HL AHOD" Historic Landmark Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-1" Light Commercial District and "RM-4" Residential Mixed District, "MF-18 AHOD" Limited Density Multi-family Airport Hazard Overlay District, "MF-25 AHOD RIO-6" Low Density Multi-family Airport Hazard Overlay River Improvement Overlay District-6, "MF-33 H AHOD RIO-5" Multi-family Mission Historic Airport Hazard Overlay River Improvement Overlay District-5, "NP-10 H AHOD" Neighborhood Preservation Mission Historic Airport Hazard Overlay District, "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District, "R-4 AHOD RIO-5" Residential Single-Family Airport Hazard Overlay River Improvement Overlay District-5, "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District, "R-6 H AHOD RIO-6" Residential Single-Family Mission Historic Airport Hazard Overlay River Improvement Overlay District-6, "RM-4 H AHOD" Residential Mixed Mission Historic Airport Hazard Overlay District, and "RM-4 AHOD RIO-5" Residential Mixed Airport Hazard Overlay River Improvement Overlay District-5 on multiple properties generally located within 200 feet of the centerline of South Presa Street between IH-10 and Southeast Military Drive and within 300 feet of the centerline of South Presa Street between Southeast Military Drive and Southeast Loop 410 and remaining portions of said property located outside of said distance from South Presa Street. Staff and Zoning Commission recommend approval.

CONTINUED

Item Z-10. **ZONING CASE #Z2011077 (District 3):** An Ordinance amending the Zoning District Boundary from multiple zoning districts to multiple zoning districts with the adoption and application of the South Presa Metropolitan Corridor Overlay District (MC-2) on multiple lots located within 200 feet of the centerline of South Presa Street between IH-10 and Southeast Military Drive and 300 feet of the centerline of South Presa Street between Southeast Military Drive and Southeast Loop 410. Staff and Zoning Commission recommend approval.

Mayor Castro called upon the residents registered to speak.

Jack M. Finger expressed opposition to Item Z-10 in that it covered multiple zoning districts. He spoke of the negative impact to affected residents, noting requirements for resident's fences, front yards, and plants.

Roy Leslie spoke with regard to the plan and noted that it was his understanding that properties would be grandfathered. He stated that he was a property owner in the area and thanked staff for their work. He added that Brooks City Base should be included in the plan.

Councilmember Ramos moved to continue Items P-3, P-4, Z-9 and Z-10 for two weeks. 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.

At this time, Mayor Castro addressed the Consent Zoning Items.

CONSENT ZONING ITEMS

Consent Zoning Items P-1, Z-2, Z-6, P-3, P-4, Z-9, and Z-10 were pulled for Individual Consideration.

Councilmember Chan moved to approve the remaining Consent Zoning Items. Councilmember Cisneros seconded the motion.

Faris Hodge, Jr. submitted written testimony in opposition to Item Z-9, noting that over 100 zoning cases should not be combined into one item.

The motion to approve the remaining 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.

2011-04-21-0332

Item Z-1. **ZONING CASE # Z2011013 S (District 4):** An Ordinance amending the Zoning District Boundary from "C-2 NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District to "C-2 AHOD S" Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Reception Hall on Lot 58, Block 4, NCB 11264 located at 7402 New Laredo Highway. 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 58, BLOCK 4, NCB 11264 TO WIT: FROM "C-2 NA AHOD" COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 S AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A RECEPTION HALL PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2011-04-21-0334

Item P-2. **PLAN AMENDMENT #11013 (District 5):** AN ORDINANCE AMENDING THE LAND USE PLAN CONTAINED IN THE DOWNTOWN NEIGHBORHOOD PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF APPROXIMATELY 4.03 ACRES LOCATED AT 800 BUENA VISTA AND 826 MONTEREY, MORE SPECIFICALLY DESCRIBED AS NCB 227 BLOCK 120 LOT 26 (TOUDOUZE WAREHOUSE UT-1), NCB 225 BLOCK 118, LOT 7 THROUGH 15, AND A 0.426 ACRE PORTION OF MONTEREY STREET FROM THE WESTERN RIGHT OF WAY OF SOUTH SALADO STREET TO THE EASTERN RIGHT OF WAY LINE OF SOUTH COMAL STREET, FROM RESIDENTIAL LAND USE TO GOVERNMENT/EDUCATIONAL LAND USE. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL. (ASSOCIATED ZONING CASE: #Z2011066S)

2011-04-21-0335

Item Z-3. **ZONING CASE # Z2011066 S (District 5):** An Ordinance amending the Zoning District Boundary from "I-2 AHOD" Heavy Industrial Airport Hazard Overlay District to "C-3 S IDZ AHOD" General Commercial Infill Development Zone Airport Hazard Overlay District with a Specific Use Authorization for a Correctional Institution on Lot 26, Block 120, NCB 227 and Lots 7 through 15, Block 118, NCB 228 located at 800 Buena Vista Street and 826 Monterrey Street. Staff and Zoning Commission recommend approval, with one condition, pending plan amendment.

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 26, BLOCK 120, NCB 227 AND LOTS 7 THROUGH 15, BLOCK 118, NCB 228 TO WIT: FROM "I-2 AHOD" HEAVY INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-3 S IDZ AHOD" GENERAL COMMERCIAL INFILL DEVELOPMENT ZONE AIRPORT HAZARD OVERLAY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A CORRECTIONAL INSTITUTION PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2011-04-21-0336

Item Z-4. **ZONING CASE # Z2011073 (District 5):** An Ordinance amending the Zoning District Boundary from "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "NC" Neighborhood Commercial District and "R-4" Residential Single Family District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "MF-33" Multi-Family District on 0.204 of an acre out of Lots 3 and 4, Block 5, NCB 2569 located at 250 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: 0.204 OF AN ACRE OUT OF LOTS 3 AND 4, BLOCK 5, NCB 2569 TO WIT: FROM "IDZ AHOD" INFILL DEVELOPMENT ZONE AIRPORT HAZARD OVERLAY DISTRICT WITH USES PERMITTED IN "NC" NEIGHBORHOOD COMMERCIAL DISTRICT AND "R-4" RESIDENTIAL SINGLE FAMILY DISTRICT TO "IDZ AHOD" INFILL DEVELOPMENT ZONE AIRPORT HAZARD OVERLAY DISTRICT WITH USES PERMITTED IN "MF-33" MULTI-FAMILY DISTRICT.

2011-04-21-0337

Item Z-5. **ZONING CASE # Z2011070 (District 7):** An Ordinance amending the Zoning District Boundary from "C-2" Commercial District to "R-5" Residential Single-Family District on Parcel 124, NCB 18313 located on the 7500 Block of Tezel 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: PARCEL 124, NCB 18313 TO WIT: FROM "C-2" COMMERCIAL DISTRICT TO "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT.

2011-04-21-0339

Item Z-7. **ZONING CASE # Z2011059 (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 Lots 1 through 4 and Lots 18 through 21, Block 7, NCB 2113, also known as Lot 35, Block 7, NCB 2113 (as recorded in volume 9620, page 172) located at 2059 West Poplar Street and 256, 260, 264 and 268 Albert 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 1 THROUGH 4 AND LOTS 18 THROUGH 21, BLOCK 7, NCB 2113, ALSO KNOWN AS LOT 35, BLOCK 7, NCB 2113 (AS RECORDED IN VOLUME 9620, PAGE 172) TO WIT: FROM "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

2011-04-21-0340

Item Z-8. **ZONING CASE # Z2011065 CD (District 3):** An Ordinance amending the Zoning District Boundary from "R-4" Residential Single-Family District to "R-4 CD" Residential Single-Family District with a Conditional Use for an Assisted Living Facility with six (6) or more residents on the north 62.5 feet of Lot 4 and Lot 5, Block 14, NCB 10794 located at 214 Talisman 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: THE NORTH 62.5 FEET OF LOT 4 AND LOT 5, BLOCK 14, NCB 10794 TO WIT: FROM "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "R-4 CD" RESIDENTIAL SINGLE-FAMILY DISTRICT WITH A CONDITIONAL USE FOR AN ASSISTED LIVING FACILITY WITH SIX (6) OR MORE RESIDENTS PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

[CONSENT ZONING ITEMS CONCLUDED]

INDIVIDUAL ZONING ITEMS CONTINUED

2011-04-21-0331

Item P-1. **PLAN AMENDMENT (Districts 3, 4, 5, 6, and 7):** AN ORDINANCE ADOPTING THE WEST/SOUTHWEST SECTOR PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, FOR AN AREA BOUNDED BY: HIGHWAY 16, LOOP 1604, CULEBRA ROAD, GRISSOM ROAD, AND BANDERA ROAD TO THE NORTH; GENERAL MCMULLEN, THE NORTH AND EAST BOUNDARY OF PORT SAN ANTONIO, MILITARY DR. SW, AND PLEASANTON ROAD TO THE EAST; LOOP 410 AND IH-35 TO THE SOUTH; AND A MEANDERING LINE FOLLOWING THE CITY OF SAN ANTONIO'S EXTRATERRITORIAL JURISDICTION WESTERN BOUNDARY TO THE WEST. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL.

Patrick Howard reported that the West/Southwest Sector Plan had been heard by the Planning Commission on April 13, 2011 and they recommended approval.

Mayor Castro called upon the residents registered to speak.

Emil Moncivais spoke of the plan in terms of land use. He stated that he would like to add two strategies of developing a financial incentive program to promote pedestrian oriented development and providing pedestrian linkages from schools, open spaces and existing residential development to the

pedestrian oriented development. He showed photos of various areas along Culebra and Tezel Roads that were not pedestrian friendly.

Kyle Denning stated that he was a property owner in the area and had participated as a member of the Planning Group since September. He noted that he was pleased that the plan incorporated a variety of land uses and recognized staff for their efforts.

Councilmember Lopez asked of funding for pedestrian oriented development. Mr. Howard stated that there were several references to pedestrian oriented development within the proposed plan including the Economic Development Goal that proposes using existing incentives. Councilmember Lopez asked of the process to modify the plan in the future. Mr. Howard replied that an application for a land use change could be submitted at any time and would be forwarded to the Planning Commission and City Council for approval. Councilmember Ramos asked of the extraterritorial jurisdiction (ETJ). Mr. Howard replied that land use designations for the ETJ had been removed from the plan, noting that the city did not have land use authority within the ETJ.

Councilmember Lopez moved to adopt the proposed Ordinance for the West/Southwest Sector Plan with an amendment to include a change to the future land use plan for the following properties: Tract 1 located at 13158 FM 1957 and 13080 Potranco Road from the proposed Rural Estate Tier to the Suburban Tier and Tract 2 consisting of Lots 13, 14, 15, 16, and 17 of the Camel Canyon Subdivision Plat Number 0147 from the proposed General Urban Tier to the Regional Center. Councilmember Cisneros seconded the motion.

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

2011-04-21-0333

Item Z-2. **ZONING CASE # Z2011056 CD (District 4):** An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-1 CD AHOD" Light Commercial Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales on the south 216 feet of Lot 440, NCB 7850 located at 363 West Mayfield. Staff recommends Approval of "C-1 AHOD"; denial of "CD" Conditional Use for Auto Sales; with conditions should the "CD" be approved. Zoning Commission recommends approval of "C-1 CD AHOD" 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: THE SOUTH 216 FEET OF LOT 440, NCB 7850 TO WIT: FROM "R-4 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "C-1 CD AHOD" LIGHT COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR MOTOR VEHICLE SALES PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

Chris Looney presented Item Z-2 and stated that staff recommended approval of the C-1 designation but denial of the Conditional Use for Motor Vehicle Sales. He reported that the Zoning Commission recommended approval of C-1 and Conditional Use for Motor Vehicle Sales with the following conditions: 1) A Type C Landscape Buffer is required where the subject property abuts residential zoning districts or uses and that the buffer requirement is not eligible for reduction or waiver; 2) No

additional ingress or egress be permitted from West Mayfield; 3) All exterior lighting must be directed downward and away from surrounding residential properties; and 4) Any speakers or paging systems with volumes audible from neighboring properties are prohibited. He noted that of 13 notices mailed; six were received in favor and none were received in opposition.

Councilmember Cortez moved to adopt the proposed Ordinance with the conditions as stated by Mr. Looney. Councilmember Cisneros seconded the motion.

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

PULLED BY STAFF

Item 26. A RESOLUTION TO PROCEED WITH LANDMARK DESIGNATION FOR 810 FLORIDA, LOCATED IN COUNCIL DISTRICT 2.

2011-04-21-0011R

Item 27. A RESOLUTION TO PROCEED WITH LANDMARK DESIGNATION FOR 2119 EL PASO, LOCATED IN COUNCIL DISTRICT 5.

Shanon Wasielewski presented that the structure represents an intact example of a 1920's neighborhood commercial structure with store space on the street façade and living space for the owner in the back. She reported that the Historic Design Review Commission (HDRC) had recommended a finding of historic significant and outlined the criteria for Landmark Designation from the Unified Development Code (UDC).

Mayor Castro called upon the residents registered to speak.

Oscar Ramirez stated that he is the President/CEO of Avenida Guadalupe and opposed to a Landmark Designation. He expressed concern with the process by which these types of Resolutions are brought to the City Council, noting that they are not inclusive. He stated that the Office of Historic Preservation (OHP) had found little historical information on this property and that OHP should do their due diligence prior to proceeding.

Graciela Sanchez, Susana Segura and Jessica Guerrero representing the Westside Historic Preservation Group addressed the City Council in support of Landmark Designation. Ms. Sanchez stated that they were excited that OHP was looking at Westside buildings and had conducted a Westside Cultural Survey in which community members were invited to participate. She added that the Avenida Guadalupe had created the Westside Community Plan that supports the preservation of deteriorated, historic buildings. Ms. Segura stated that she was a community organizer that volunteered in District 5. She noted that San Anto Cultural Arts had purchased the building across the street and were in support of saving the building from demolition.

Councilmember Medina thanked everyone for their work in preserving historic structures and buildings in the community. He recognized city staff for their efforts and stated that the item should move forward for additional discussion and dialogue.

Councilmember Medina moved to approve the Resolution which provides for a process to initiate the historic designation process. 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.

2011-04-21-0012R

Item 28. A RESOLUTION TO PROCEED WITH LANDMARK DESIGNATION FOR 1312 GUADALUPE STREET, LOCATED IN COUNCIL DISTRICT 5.

Shanon Wasielewski presented and stated that the Westside Historic Preservation Group had submitted an application for Landmark Designation for the property at 1312 Guadalupe Street on January 31, 2011. Subsequently, the current owner, Avenida Guadalupe Association, Inc. submitted an application for demolition on February 10, 2011 and met with OHP and the Demolition Commission of the HDRC to assess the existing condition of the building. The Demolition Committee determined that the structure was not eligible for designation based on architectural significance but may be eligible for designation based on cultural significance. The applicant submitted additional material regarding the historic and cultural significance of the building and OHP Staff conducted research. On March 16, 2011, the HDRC recommended a finding of historic significance. Ms. Wasielewski further stated that the Resolution merely allows staff to proceed with the process for Landmark Designation.

Mayor Castro called upon the residents registered to speak.

Virginia Van Cleave presented a statement to the City Council from the San Antonio Conservation Society in support of Landmark Designation. She stated that the pink building was an important architectural and cultural asset to the City's Westside and expressed concern with the amount of historic buildings that have been demolished in the area. She added that the Conservation Society is not opposed to economic development but opposed to the demolition of historic properties.

Gabriel Velasquez stated that he was opposed to the historic designation and wanted to do what was best for the Avenida Guadalupe Association.

Leticia Vela addressed the Council and stated that she had lived in District 5 for many years and had participated in the development of the Community Plan. She noted that she was in support of the historic designation and spoke of the importance of preservation in the area.

Terry Hartman representing the Avenida Guadalupe Association spoke of the \$3.3 million that they had leveraged for the Promesa Project. She spoke of the great investment for the area that included 30 new jobs. She asked the City Council to vote no to Landmark Designation.

Marta Alaquinez stated that she was an employee of the Avenida Guadalupe Association and read a letter from Irma Ibarra in opposition to Landmark Designation. She wrote that she was a longtime resident of the area and supports the Avenida Guadalupe's Investment in the severely blighted area on the Westside. She indicated that the vacant structure did not serve a purpose and that the new building would fit with the character of the area and encourage other development.

Millette Gomez stated that she was also employed by the Avenida Guadalupe Association and read a letter from Board Member Janice Kaples in opposition to Landmark Designation. Ms. Kaples wrote that \$1.75 million had been received from the Economic Development Administration and \$610,000 from the US Health and Human Services Department. She expressed concern that they would lose the

funding if they were not able to move forward with the project. She referenced the job training that they would provide and expressed concern that they would not be able to carry out their promise to the community.

Veronica Guerrero read a letter from Elvira Cisneros in opposition to Landmark Designation. Ms. Cisneros wrote that she had lived on the Westside for many years and that the pink building was run down and would cost too much to repair. She wrote that it did not historically honor her culture and that a new building would mean more hope, jobs, and a better future for the residents of the area.

Armando Valdez stated that he was an employee of the Avenida Guadalupe Association and expressed concern that the building was an eyesore that would eventually be condemned. He noted that the Avenida Guadalupe's plans would have a positive effect on the community and that local residents in the area would not be served by Landmark Designation.

Oscar Ramirez stated that he would focus on the SA 2020 Motto of "Dream It, Map It, Do It." He noted that they had developed a comprehensive plan to make their dream a reality. He spoke of the training and education services that would be provided through the Promesa Project at 1312 Guadalupe Street. He indicated that the building was an eyesore and not architecturally significant. He stated that the new building represented a renewed vision of hope and economic opportunity and asked that they not be burdened by the historic designation that would create undue economic hardship. He expressed concern with the potential loss of funding and asked the City Council to oppose the nomination for Landmark Designation.

Jessica Torres addressed the Council and stated that they had received 300 signatures in opposition to Landmark Designation from individuals that would be directly impacted. She showed a photo of what the area would look like and spoke of the need to clean up the neighborhood and enhance the quality of life.

Suzanne Westrum with the Avenida Guadalupe Association read a statement from Dr. Roger Campos, Dentist. Dr. Campos wrote that he was born and raised with seven brothers and sisters in the Downtown Area and that one of his clinics served the people of the corridor. He wrote that he was aware of the fears and emotion toward modernization and improvements. He also wrote that workforce development was more than just jobs and referenced the need to mentor high school students into dental and health professions.

Teresa Hernandez focused on the efforts of the Avenida Guadalupe Association and noted the benefits of the Promesa Project. She spoke of the great amount of time that they had taken to plan the project and stated that they had provided many opportunities for public input. She asked the City Council to oppose Landmark Designation.

Gabriella Gallego stated that she was a former student of the Care Program and spoke in opposition to Landmark Designation. She expressed support for the development proposed by the Avenida Guadalupe and referenced the opportunities that they would provide for the residents of the community. She noted that the new building would be LEED Silver Certified and would encourage other development.

Valerie Perez stated that she was opposed to Landmark Designation and that the new building proposed by the Avenida Guadalupe would bring jobs and training to the neighborhood.

Catherine Dunn stated that she was a student with the Care Program and spoke of her positive experiences. She noted that the programs offered by the Avenida Guadalupe provided many opportunities for the neighborhood and greatly impacted the lives of those served.

Maria Aranda stated that she was grateful to the Avenida Guadalupe for the assistance they had provided to her. She thanked them for the training and help to find employment.

Adam DeLeon stated that he had served in the US Army for 25 years and had been born and raised on the Westside. He spoke in opposition to Landmark Designation, noting that he did not believe that the building was historically significant. He indicated that he had worked hard to make a better life for his family and they deserve more opportunities.

Jessica Guerrero stated that she worked with the Westside Historic Preservation Group and that they had gained a great amount of trust from the community. She spoke of their many efforts on the Westside and their work on the Guadalupe Community Development Plan. She expressed concern with the demolition of the pink building, noting that it was an old structure located on a crucial block in the neighborhood.

Molly Watt stated that she had taught at Lanier High School for 38 years and was very concerned that there were only a few historic structures in the area. She noted that she was in favor of Landmark Designation of 1312 Guadalupe Street and believes that it can be restored.

Imelda Arizmendez stated that she grew up in the neighborhood and spoke of the importance of the historic structure. She noted that the area could be revitalized without a new building and she did not want to see more offices built. She indicated that she was in support of jobs but also supported the preservation of historic structures. She provided a copy of 1,200 signatures that they had received from residents of the area in opposition to Landmark Designation.

Roger T. Carrillo stated that previously, he had served as the Executive Director of the Avenida Guadalupe Association for 10 years. He noted that this project served as a milestone in the development and revitalization of the poorest Hispanic Community in the nation. He spoke of the need to address crime, blight and delinquent behavior in the area and thanked the many sponsors that support the Avenida Guadalupe Association.

Gloria A. Ramirez spoke in support of Landmark Designation and showed photos of other buildings that have been preserved. She stated that it was important to do what was best for the neighborhood and to preserve the building due to its historic significance.

Kathleen Samms stated that she was born and raised on the Westside and was in favor of preservation and restoration of the pink building.

Susana Segura stated that she was raised on the Southside but her heart was on the Westside. She noted that she had worked with the Westside Community for 22 years and had seen many historic buildings demolished. She asked the City Council to vote in favor of Landmark Designation as she considered the building community property. She added that they would work alongside the Avenida Guadalupe Association to identify funds to preserve the structural asset.

Amanda Haas, Beatriz Llamas and Carmen Elpidia Lopez representing the Esperanza Peace and Justice Center spoke in support of Landmark Designation. Ms. Haas stated that they work to bring justice for the community and referenced the individuals that worked to solicit signatures in support of saving the historic pink building. She indicated that they had conducted research and spoke of the importance of preserving history. They showed a video of La Gloria that was torn down in 2002.

Graciela Sanchez, Juanita Gallardo and Gustavo Sanchez representing the Westside Historic Preservation Group spoke in support of Landmark Designation. Ms. Sanchez presented a Power Point and spoke of the many buildings that had been demolished in the name of economic development. She stated that the Maldonado Building was a reminder and landmark of the Westside and the only two-story wood frame structure built in the 1920's on Guadalupe Street. She spoke of the many uses of the building throughout the years and asked that history be preserved.

Rita Vidaurri Eden, John Aguilar and Chepe Solis addressed the City Council in support of Landmark Designation. Ms. Vidaurri stated that she would be pleased to show the historic structure to her grandchildren. Along with the music of Trio San Antonio, she sang a song to the City Council regarding historic preservation of the building.

Brenda Davis stated that she was a member of the Westside Historic Preservation Group and the Esperanza Peace and Justice Center. She spoke of an incident that occurred to her family in which their home was demolished due to economic development. She asked that the City Council vote in favor of Landmark Designation.

Isabel Sanchez stated that she had lived in the area all of her life and she and her husband had raised six children. She expressed concern with the reputation of the Westside.

Former Councilmember Maria Antonietta Berriozabal stated that although she lived in District 1, the Guadalupe also belonged to her. She spoke in support of Landmark Designation and expressed concern with the valuable history that would be lost if the building was demolished. She noted the need for revitalization and development to utilize and preserve existing structures.

Enrique Sanchez stated that he had served as a Board Member of the Avenida Guadalupe Association for 10 years and had seen a great amount of progress in the area. He asked the City Council to save the Maldonado House.

Mary Agnes Rodriguez stated that she was born and raised on the Westside and read a letter of support for Landmark Designation from San Anto Cultural Arts. They wrote of the need to preserve historic structures in the area for the younger generation and noted that keeping the integrity of the building would not hinder progress. They further wrote that the area could not afford to lose another historic building.

Ray Perez stated that he was born and raised on the Westside and in support of Landmark Designation.

Samuel Rodriguez stated that he was born and raised on the Westside and was active in the community. He spoke of the signatures that he had received in support of Landmark Designation and noted that many individuals had shared their personal memories of the pink house.

Robert Lopez, Francisco Mata Lopez, Jay Fleming and Emilee Keith representing Lopez Salas Architects spoke in opposition to Landmark Designation. Robert Lopez stated that he served as President of their group and had been blessed to work on the project with the Avenida Guadalupe Association. He spoke of the great amount of time and work that had been spent on the project and expressed concern with the high costs associated with rehabilitation of the building. He requested that they be allowed to continue their project and bring jobs and opportunities to the area. A gentleman spoke of sustainable communities and indicated that they were preserving the culture of the area through the architecture and materials they would utilize for the new building. Jose Luis Noriega stated that he was a product of the Westside and owned a business on Guadalupe Street. He spoke of the importance of providing the area with hope for a better future.

Mary Jenkins stated that she was a trained historian and member of the Westside Historic Preservation Group in support of Landmark Designation. She spoke of the importance of the history of the Westside and preserving the Casa Maldonado.

Mariana Vasquez, Veronica Castillo and Humberto Salas representing Arte Es Vida spoke in support of Landmark Designation. Ms. Castillo asked the City Council to listen to the voices of the community and save Casa Maldonado. She stated that it was important to preserve the culture and historic structures in the area. Ms. Vasquez stated that they were not opposed to progress and were open to compromise. They showed a video of other residents in favor of Landmark Designation.

Destiny Mata and Leda Garcia stated that they were in support of Landmark Designation and showed a video entitled, "Working for Mi Gente" that they produced.

Jim Garcia stated that he was opposed to Landmark Designation and expressed concern that the Avenida Guadalupe Association would bear the cost burden. He spoke of the Federal Funding that they would lose if they did not move forward with their project and noted that the building was not historically significant and considered a dangerous structure.

Dan Gonzalez stated that he was a former instructor at the UTSA School of Architecture and HDRC Board Member. He noted that over the past 10-15 years, economic development and urban planning have evolved into a multi-layered process in which historic preservation was a strong component. He spoke of the importance of respecting the culture of the area.

Daniel Gonzalez thanked the Westside Historic Preservation Group for their work and stated that he was in support of Landmark Designation. He spoke of his memories growing up on the Westside and asked that the Casa Maldonado be saved.

Written testimony was submitted by Former Councilmember Patti Radle in support of the Resolution for Landmark Designation of 1312 Guadalupe Street. Ms. Radle wrote that the City Council's support for the designation would be greatly appreciated by community members and would serve as a signal of hope for the community that their neighborhood history was being respected. She added that the job opportunities needed to fulfill the grant will still be there if the building is preserved.

Written testimony was submitted by Janice Kaples in opposition to Item 28.

Councilmember Medina thanked everyone that participated in the process and recognized the Avenida Guadalupe Association for the great amount of work that they had put into their project. He stated that

economic development was important but understood the concerns regarding the cultural and historic significance of the building. He noted that approval of the Resolution will allow the continuation of the process to gather more input and would not necessarily mean that it is the direction that will be taken in the end. Mayor Castro thanked everyone that was present and stated that there would be additional opportunities to perform research and present information. He asked that exact numbers regarding the cost of rehabilitation be provided to the City Council.

Councilmember Medina moved to approve the Resolution which provides for a process to initiate the historic designation process. 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.

ADJOURNMENT

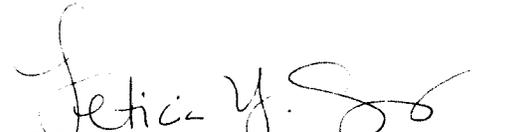
There being no further discussion, Mayor Castro adjourned the meeting at 4:58 pm.

APPROVED



JULIAN CASTRO
MAYOR

Attest:


LETICIA M. VACEK, TRMC/CMC
City Clerk