

**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, MAY 4, 2011 AND THURSDAY, MAY 5, 2011, RESPECTIVELY.

The San Antonio City Council convened in a Work Session at 2:00 pm Wednesday, **May 4, 2011**, Municipal Plaza Building with the following Councilmembers present: Cisneros, Taylor, Ramos, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **ABSENT:** Cortez.

1. BRIEFING AND POSSIBLE ACTION ON THE FOLLOWING BUDGET AND FINANCIAL UPDATES:

A. FY 2011 SIX PLUS SIX BUDGET & FINANCE STATUS FOR THE FIRST SIX MONTHS, UPDATED ESTIMATES ON REVENUES AND EXPENDITURES FOR THE REMAINING SIX MONTHS.

B. FIVE YEAR FINANCIAL FORECAST COVERING FISCAL YEAR 2012 THROUGH FISCAL YEAR 2016.

Sheryl Sculley provided an overview of the FY 2011 6+6 Budget and projected expenditures and revenues. Mayor Castro recognized students from Rhodes Middle School that were present to observe the City Council Meeting and thanked them for their attendance.

Maria Villagomez reported that the FY 2011 financial update was positive for year-end and financial challenges exist for FY 2012 and beyond. She indicated that the recently adopted FY 2011 Federal Budget and proposals for the FY 2012 State/Federal Budgets may impact the City's FY 2012 Budget. She added that the 6+6 Report General Fund Annual Revenues for FY 2011 were projected at \$21.8 million over the FY 2011 Adopted Budget. This increase is due to increased Sales Tax and CPS Energy Revenues. She noted that Property Tax Revenue was projected at a loss of \$658,913. She spoke of the General Fund Expenditures in which a savings of \$2.4 million was projected. She noted that additional revenue and less spending would result in \$24.2 million added to the FY 2012 Beginning Balance.

Ms. Villagomez provided an update on the 2nd Quarter Financial Status of the Solid Waste Management Fund, noting that revenues were higher than projected by \$587,859. Expenditures were \$1 million below the budgeted amount. She indicated that staff anticipated ending FY 2011 in a positive financial position. Within the Development Services Fund, she reported that revenues were \$558,500 below budget. She stated that commercial permits were 14% higher than projected but the average permit valuation was 6.8% below last year. She noted that expenditures were under budget by \$534,000 due to vacancy savings and anticipated ending FY 2011 in a positive position. She spoke of the Hotel Occupancy Tax (HOT) Budget of \$47.8 million and stated that 2nd Quarter Revenue was \$305,663 above projections due to increased hotel demand and hotel room rates. She reported a negative variance of \$1.3 million in Airport Fund Revenues but added that expenditures would be decreased by \$2 million.

Ms. Villagomez outlined the FY 2011 Mid-Year Budget Adjustments within the General Fund in which Revenues would be increased to \$881.3 million and Expenditures decreased to \$924.4 million. She

stated that the Development Services Fund would be revised to reflect a decrease of \$1 million in Revenues and \$600,000 in Expenditures. She reported that the Employee Benefits Fund Expenditures would be decreased by \$4.5 million and that the Animal Care Services Facility had received a donation in the amount of \$25,000. She indicated that of the \$47 million in 2007-2012 Bond Savings; \$20.1 million would be directed toward Downtown Improvements and \$26.9 million would be utilized for Citywide Projects.

Ms. Villagomez presented the Five Year Financial Forecast, noting that a deficit was projected for FY 2012 from \$8.5-\$19.9 million. She reported the following projected deficits: FY 2013 - \$78-\$90 million; FY 2014 - \$91-\$102 million; FY 2015 - \$83-\$94 million; and FY 2016 - \$71-\$83 million. She indicated that all projections include an incremental amount to maintain the budgeted financial reserves at 9% and the reserves set aside for 50 Police Officers partially funded by Federal Stimulus Funds. She spoke of the Forecasted Sales Tax Revenue noting that the FY 2012 projection was 4.9% over the Adopted Budget. She added that staff projected decreases in Property Tax Revenue thus collecting less revenue in FY 2011. She stated that FY 2012 was the third consecutive year of a decrease in taxable property value.

Ms. Villagomez stated that the expenditure assumptions in the forecast period reflected funding to provide the current level of city services and funding Collective Bargaining Agreements. She indicated that it continues implementation of the Civilian Pay Plan, 5-Year Infrastructure Management Program in FY 2012 and beyond. She outlined the mandates that include maintenance and support for the Police and Fire Computer-Aided Dispatch System and operating costs for the Mission and Parman Libraries. She spoke of the additional policies included in the Forecast that total \$11.4 million that include a civilian cost of living adjustment of 1% and \$5 million for the Economic Development Incentive Fund.

Regarding the Five Year Financial Forecast it was reported that the FY 2012 Development Services Revenues were projected to be flat. It was also reported that the FY 2012-2016 Solid Waste Forecast supports current service delivery and programs to achieve the 60% recycling goal. Ms. Villagomez spoke of the Organics Recovery Program that would be collected weekly. Lastly, she mentioned that the next steps would include a Mid-Year Budget Adjustment Ordinance on May 19, 2011 and City Council Budget Goal Setting Session on June 22, 2011.

Mayor Castro referenced Slide 40 and questioned the \$4.5 million decrease in Employee Benefits Fund Expenditures. Ms. Villagomez replied that the city had experienced a number of health claims but at a lower value. Mayor Castro asked what the decrease was attributed to. Ms. Villagomez stated that the cost of claims was less and averaged \$70,000-\$80,000. Ms. Sculley added that staff was in the process of developing performance metrics on the City's Wellness Program. Mayor Castro asked of the Strategies to Reduce the Deficit in FY 2012 (slide 48). Ms. Sculley stated that there was an excess of 600 facilities owned or leased by city and staff was going to study efficiencies and consolidate services and departments. Ms. Villagomez added that the restructuring of the Texas Municipal Retirement System (TMRS) would save the city \$3 million. Mayor Castro requested the entire list of strategies. He asked of the projections for taxable property values. Ms. Villagomez replied that staff had projected a decrease of 1.75% on existing property and an increase of 1.75% in new property which would net zero.

Councilmember Williams stated that many residents were concerned with a potential property tax rate increase and referenced the Forecasted Property Tax Revenue on Slide 54. He noted that from FY 2011 to FY 2012, there was a slight decrease of \$1.9 million that accounted for a very small percentage of the budget. Ms. Sculley noted that the property tax rate has been lowered for the past three years and that

staff has not assumed a rate increase for next year. Councilmember Williams confirmed that the rate had been lowered when the city shifted health activities to Bexar County. Ms. Sculley stated that clinical services were transferred to Bexar County and reduced the tax rate equivalent to the expense over two years. Councilmember Williams referenced Slide 68 and asked if the General Fund All Expenses Forecast include the \$11.4 million in policy issues listed on the previously. Ms. Villagomez confirmed that they did include the \$11.4 million. Councilmember Williams stated that regarding the comparative analysis of other cities, it would be helpful to compare the mill rate to give citizens a frame of reference.

Councilmember Ramos stated that it sounds like positive news thus far and asked of the Mid-Year Budget Adjustment. Ms. Villagomez replied that there was a \$21.8 million favorable variance in Revenues and reduction of expenditures totaling \$2.4 million. Councilmember Ramos confirmed the estimated deficit for FY 2013 of \$70-\$90 million. Ms. Villagomez indicated that this was attributed to the fact that the city is not collecting sufficient revenues to balance expenditures and may not have a favorable beginning balance. Councilmember Ramos asked of the projections for the Reserve Fund. Ms. Sculley recommended that it be maintained at 9%. Councilmember Ramos spoke of the priorities and resources needed within the Library, Animal Care Services, and Parks and Recreation Departments. She added that there were many projects that could utilize Bond Project Savings in District 3.

Councilmember Medina asked of the proposed brush and bulky collections. Ms. Villagomez replied that they were looking to add a bulky collection to bring the total to four collections. Councilmember Medina asked of the 9 additional brush crews. David McCary replied that a crew consists of three pieces of equipment and confirmed that an increase of \$1.25 would be needed which also includes the implementation of an Organics Program.

Councilmember Clamp referenced noted a cumulative \$300 million loss over three years (slide 47). He asked of the plan to reduce recurring expenses over the next five years. Ms. Villagomez stated that the Forecast includes mandates, collective bargaining, and inflation costs. She added that they were reviewing the potential consolidation of departments and consolidation of same. Councilmember Clamp asked if that would amount to significant changes. Ms. Villagomez stated that staff would make efforts to reduce expenditures and limit the impact to FY 2013. Councilmember Clamp asked of any other big ticket items that could be reviewed. Ms. Villagomez stated that they would look for efficiencies within ITSD and Fleet, and will work with departments to review operations.

Councilmember Chan asked of the increases to the Total Expenditures Line Item listed on Slide 47 for Federal and State Budget Impact on City of San Antonio. Ms. Villagomez replied that a most of the increase was due to employee compensation, medical inflation, workers compensation liability, fuel increases, and recurring cost of 22 new Police Officers and 3 Firefighters. Councilmember Chan requested a detailed list of expenditures for FY 2010 and FY 2011. Ms. Sculley added that new bond projects including Fire Stations and Libraries required new operating costs.

Councilmember Lopez asked of the Reserve Fund. Ms. Sculley stated that she was projecting that the reserve fund be maintained at 9% and recommended the same for future years.

The City Council thanked staff for the presentation.

EXECUTIVE SESSION

Mayor Castro recessed the meeting at 3:48 pm to convene in Executive Session for the purpose of:

A. DELIBERATE THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY AND DISCUSS RELATED LEGAL ISSUES PURSUANT TO TEXAS GOVERNMENT CODE SECTIONS 551.072 (REAL PROPERTY) AND 551.071 (CONSULTATION WITH ATTORNEY).

Mayor Castro reconvened the meeting at 4:37 pm at which time it was noted that the City Council had been briefed on the above-styled matter but took no action. He recessed the meeting at 4:37 pm and announced that the meeting would resume at 5:15 pm for Ceremonials.

CEREMONIALS

Mayor Pro Tem Lopez presented a Proclamation in recognition of Asian-Pacific Heritage Month which will be observed during the month of May 2011. The celebration will recognize Asians and Pacific Islanders in the United States. It was noted that the month of May was chosen to commemorate the immigration of the first Japanese to the United States on May 7, 1843 and the transcontinental railroad completion on May 10, 1869; of which a majority of workers who laid the tracks were Chinese Immigrants.

Mayor Pro Tem Lopez presented a Citation to Alexia Maldonado for placing 1st in the Kids Sparring Division at the 2011 US Open Taekwondo Tournament. The US Open Taekwondo Championship is limited to Black Belt ranking competitors, and is one of the highest rated International Tournaments. Alexia attends Hector Garcia Middle School in the Northside ISD.

Mayor Pro Tem Lopez presented a Proclamation to the San Antonio Conservation in recognition of Historic Preservation Month which will be celebrated during the month of May, 2011. It was noted that this year's theme is "Celebrating America's Treasures" which celebrates the significant places that have contributed to the American experience and tells the nation's story.

Mayor Pro Tem Lopez presented a Proclamation to the Karate Kids of San Antonio – Just Say No! Program and they presented their 1st Place Winners for 2011. It was noted that the program was founded by Eli Guerra, following the example of the national program.

CITIZENS TO BE HEARD

Mayor Pro Tem Lopez called upon the individuals registered to speak.

Shanna Salazar, Executive Director of the Society of St. Vincent de Paul and asked the City Council to approve their request for capital funds. She noted that they operated 75 food pantries and served over 1,000,000 meals last year. She spoke of their request for \$250,000 for a hot kitchen to be built at Haven for Hope, and \$150,000 to remodel St. Vinny's Value Thrift Store.

Mark Perez expressed concern with staff of the Fire, Development Services, and Offices of the City Attorney and City Clerk. He spoke of issues with the Age Refinery Building and asked why Storage

Tank Permit Applications were not being submitted. He expressed concern that the Kimberly Clark Facility was located in an I-1 Zoning and noted the Ethanol Facility in District 2.

Rowland Martin expressed concern with the unreasonable Code Compliance search that he had been conducted on his property, noting that he felt it was harassment. He stated that he had received a notice of overgrown vegetation left by Code Compliance Officer, Ms. Guajardo. He asked why she had not announced her presence and had been on his property without alerting him. He noted that he had contacted Ms. Guajardo to gather more information and she was non-responsive. He expressed concern with the short, two-week notice in which his case would be heard by the Dangerous Structure Determination Board on May 23, 2011.

Richard Garcia stated that he was a proud American that voted in every Election. He referenced a letter received from the Planning Department regarding his Neighborhood Association. He expressed concern that he had telephoned the contact employee to gather information and had not been contacted. He spoke of the graffiti in his neighborhood that he had reported a month ago which had not been cleaned. He stated that he was pleased with the streets that were reconstructed in District 5 and commended Councilmember Medina and Former Councilmember Radle for their leadership.

Nazirite Ruben Flores Perez referenced Ezekiel Chapter 23 in The Bible and noted that authorities in China had banned public Easter Services. He spoke of the seven-headed lion and dragon, and referenced an exhibit at the San Antonio Museum of Art.

Faris Hodge, Jr. submitted written testimony in opposition to the proposed sales tax increase. He expressed concern that CPS Energy did not reconnect power after 5:00 pm and that customers were overcharged for electric and gas in February. He asked of the binding and printing funds utilized by Councilmember Ramos for the production of a newsletter and requested that a wildlife biologist be hired to research the pigeon population in the Downtown Area. He wrote in support of a Regional Water District for Bexar County and noted that his television show was broadcast at 2:45 pm on Wednesdays and 7:30 pm on Saturdays. He expressed opposition to the proposed toll roads in Bexar County and with the operation of strip clubs.

ADJOURNMENT

There being no further discussion, Mayor Pro Tem Lopez adjourned the meeting at 6:30 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **May 5, 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 Rev. Albert J. Sanchez, Deacon, St. Paul Catholic Church, guest of Councilmember Justin Rodriguez, District 7.

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

POINT OF PERSONAL PRIVILEGE

Mayor Castro recognized Geethu Anna Jose, a basketball player from India and thanked her for being in attendance. He presented her with a gift on behalf of the City of San Antonio. Ms. Jose thanked the City Council for the recognition.

Councilmember Chan wished Ms. Jose luck on her tryouts for a professional basketball team and mentioned that Ms. Jose was from San Antonio's Sister City, Chennai.

Councilmember Chan recognized the Rolling Hills Academy Student Council that was in attendance and noted that they were 6th, 7th and 8th Graders elected by their peers. Mayor Castro thanked them for their attendance.

Councilmember Ramos thanked everyone for their support of the opening of the Mission Branch Library. Councilmember Rodriguez commended Councilmember Ramos for her leadership on the Mission Library and noted that it was a great asset for the entire city. Councilmember Chan also commended Councilmember Ramos for her work on the Mission Branch Library and stated that she was pleased with the outcome of the Library. She invited everyone to attend the grand opening of the Parman Branch Library that would be held on Saturday, May 7, 2011. Mayor Castro recognized Councilmembers Ramos and Chan for their leadership on the Mission and Parman Libraries.

Item 3. MINUTES

Councilmember Cisneros moved to approve the Minutes for the April 13-14, 2011 City Council Meetings. Councilmember Clamp seconded the motion.

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

ITEMS FOR INDIVIDUAL CONSIDERATION

2011-05-05-0013R

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

Carlos Contreras stated that as of May 4th; only two bills have been referred to the Conference Committee: SB 14 related to Voter Identification; and SB 18 related to Eminent Domain. He reported that the Senate passed CSHB 1 to a 3rd reading after adopting one floor amendment and it will be sent to the House for concurrence. He stated that May 30, 2011 was the last day of the 82nd Regular Session, subject to the Governor's call into special session(s). He thanked City Councilmembers and staff for their testimony in Austin.

Mr. Contreras provided an overview of the hearings and the status of bills, noting that HB 1089 by Martinez Fischer related to Graffiti was postponed for a 2nd reading and HB 1622 by Menendez relating to Gang Activity as Public Nuisance (Graffiti) was passed by the House. He stated that HB 2042 by Menendez related to the Aircraft Inventory Tax passed to a 3rd reading and HB 2043, also related to the

Aircraft Inventory Tax, was placed on the House Calendar for May 5th. He spoke of HB 1488 by Gutierrez related to San Antonio Fire Department Recruitment, noting that the bill had been referred to the Local and Uncontested Calendar. He mentioned that HB 37 and HB 287 regarding a Statewide Ban on Texting While Driving were left pending in House Transportation on March 9th, and HB 243 passed the House and was referred to Senate Transportation on April 28, 2011. He noted that SB 1741 by Fraser related to Tree Mitigation was set on the Senate Intent Calendar for April 20, 2011 but not heard.

Mr. Contreras outlined the pending issues related to City South Legislation. He stated that a Committee Substitute for SB 1493 by Uresti recommends the following: Board consists of 11 Directors - City to appoint four and Bexar County to appoint four; School Districts to appoint three. Staff recommends Council endorsement and a resolution of support of the proposed committee substitute to SB 1493 relative to the governance of the City South Management Authority (CSMA) Board Membership.

Councilmember Rodriguez thanked staff for their work and asked of the key date of May 9, 2011. Mr. Contreras replied that in order for a bill to pass, it would have to be on the calendar to be heard by the Chamber that date. Councilmember Rodriguez asked of the Committee Substitute detail for SB 1493. Mr. Contreras stated that Senator Uresti had considered lowering the Board Membership to nine but city staff had expressed concern that the reduction would negatively impact the city's management. Councilmember Rodriguez asked of the status of SB 1645 related to the abolishment of the CSMA. Mr. Contreras replied that the bill was still an option and pending the Veteran Affairs Committee.

Councilmember Ramos spoke of the concerns that she receives related to City South and asked of Bexar County's position related to the Committee Substitute for SB 1493. Mr. Contreras replied that they did not take an official position. Councilmember Ramos asked of the requirements of the CSMA Board Members. Mr. Contreras stated that the three city and three Bexar County appointees must own property or reside within the CSMA. The fourth appointee from each entity must be an owner of stock, beneficial or otherwise of a corporate owner of property in the CSMA; an owner of beneficial interest in a trust that owns property in the CSMA; or an agent, employee, or tenant 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.

Councilmember Ramos asked of the affect of the CSMA being abolished. Jesus Garza added that the Sector Plans for the ETJ serve as a guide for development and if the CSMA was abolished; the city would not have zoning authority for the areas within the CSMA.

Mayor Castro stated that he spoke with Senator Uresti and would support the compromise of 11 Members of the CSMA and continue to oppose HB 1645.

Councilmember Cortez entered the meeting at this time.

Councilmember Chan asked of the city's position related to penalties for graffiti. Mr. Contreras stated that previously, the city had an Ordinance that required property owners to clean up their property. If the property owners did not do so by the deadline, the city would clean the graffiti and charge the property owner. He reported that in the last Session, a bill was passed requiring the city to offer property owners to clean the graffiti for free. He added that under current State Law, the city cannot require a property owner to clean graffiti. Councilmember Chan asked of the City Code. David Garza stated that currently, staff responds to calls of graffiti on public or private property. He indicated that on private property, staff works with the residents on a volunteer basis.

Councilmember Clamp asked of the role of the 15 member CSMA Board. Mr. Contreras replied that they were to provide economic development opportunities and manage the compatible land uses in the area. He stated that they function as a zoning board and apply the zoning ordinances and land use plans approved by the City Council. Councilmember Clamp asked what would be accomplished by reducing the membership of the CSMA Board. Mr. Contreras replied that the goal was to improve the representation and efficiency of the Board. Councilmember Clamp asked of the economic development occurring in the area. Mr. Contreras stated that there was a slow down in economic activity due to the recession. Councilmember Clamp asked if SB 1493 would help. Councilmember Ramos stated that the governance had the potential to help represent the property owners in the area.

Councilmember Clamp recognized Robyn Locke of the San Antonio Board of Realtors (SABOR) and asked of SABOR's position. Ms. Locke stated that they had taken a position in 2008 to dissolve City South and expressed concern that property owners were losing value in their property. She noted that they did not believe that SB 1493 was the solution and that they were supporting SB 1645. Councilmember Clamp asked of improving economic development in the area. Councilmember Ramos stated that the biggest challenge was representation and she would support the Committee Substitute for SB 1493. She added that this would be a pilot for the next two years and could address needed changes in the next legislative session.

Councilmember Williams confirmed that the CSMA was created by the State and asked of the city's authority in the ETJ. Mr. Contreras confirmed that the CSMA was created by the State. Jesus Garza stated that approximately 80% of City South was located in the ETJ and that the city had planning authority in the ETJ. Councilmember Williams asked of the affect on Toyota if City South was abolished. Ms. Sculley stated that staff believed that the practical application of land use and zoning issues would have a negative impact on Toyota.

In response to Councilmember Williams, Michael Bernard stated that front line control belongs to City South in the ETJ; part of City South is in the city limits and the city has control of that. He added that the city also has an overlay plan that provides parameters under which City South can operate and make decisions on land use. Councilmember Williams stated that he would like to identify ways to make City South more effective over the next couple of years.

Councilmember Ramos asked of the city's authority in the ETJ. Jesus Garza replied that the city had planning authority but did not have land use authority. Councilmember Ramos asked of the city's authority related to the CSMA Board. Mr. Bernard stated that he believed that the city could dissolve the CSMA Board but would have to confirm same. Councilmember Clamp stated that a study that address the concerns of the City Council and that recommendations regarding the study be brought back next week.

Councilmember Chan stated that she was in support of promoting economic development for the area and throughout the city. She encouraged staff to bring recommendations regarding the study back to the City Council.

Councilmember Cortez stated that this was a good opportunity to improve City South and the governance of the area. He asked for an update on the bills related to the Aircraft Inventory Tax. Mr. Contreras replied that HB 2042 was passed out of the House the previous day. Councilmember Cortez spoke of the importance of supporting Boeing and growing the industry at the Port Authority.

Mayor Castro called upon the individuals registered to speak.

Nazirite Ruben Flores Perez referenced an article entitled, “GOP Backs Away from Medicare Overhaul.” He expressed concern that Meet and Confer Legislation did not move forward and with the blood draws that would be performed on individuals suspected of Driving While Intoxicated. He stated that churches should be subject to State Taxes.

Michael Idrogo stated that he was a candidate for Mayor and expressed concern with the length of time that said item had been discussed. He expressed concern that the Councilmembers were not paying attention and requested that the item be removed from the City Council Agenda.

Jack M. Finger expressed concern that the City Council had not opposed toll roads in the State Legislature and noted his opposition to HB 2255 which would toll existing roads. He spoke against HB 2675 that would add personnel to the Texas Department of Transportation.

Councilmember Rodriguez moved to approve a Resolution of support for the CSMA Board Membership of 11 individuals: four appointed by the City; four appointed by Bexar County; and three from the school districts. 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.

CONSENT AGENDA ITEMS 5-21

Consent Agenda Items 7A, 7B, 11, 17, and 21 were pulled for Individual Consideration.

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

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

Michael Idrogo stated that all agenda items should be heard under Individual Consideration and expressed concern with excessive spending. He referenced the budget deficit and spoke of the need to reduce spending to include the City Manager’s Salary.

Jack M. Finger expressed concern with the waiving of residency requirements for Board Members in Items 18A and 18B.

Teri Bilby of the San Antonio Apartment Association stated that they were in support of the Building Standards Board that would replace the Dangerous Structures Determination Board in Item 17. She noted that they had been involved in the process and felt it would be good policy for the city.

Everett Ives stated that he had served on the City Code Review Task Force and was in support of Item 17. He noted that the process was well thought out and that there had been numerous meetings to allow input.

Faris Hodge, Jr. submitted written testimony in opposition to Item 5, noting that the city should not establish unit prices for goods and services. He wrote in favor of Items 6-8, 10-14, 16, 17, 19-21. He wrote against Items 15, 22, and 23. For Item 9, he wrote that there were no signs to inform individuals not to use elevators when there is a fire or when the elevator was inspected. He wrote in opposition to Item 18, noting that it was not right for certain individuals to receive tax breaks.

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

2011-05-05-0341

Item 5. AN ORDINANCE AUTHORIZING THE FOLLOWING CONTRACTS ESTABLISHING UNIT PRICES FOR ANNUAL GOODS AND SERVICES: (A) ACT PIPE & SUPPLY FOR CORRUGATED POLYETHYLENE PIPE, (B) TEXAS MEDICAL SCREENING FOR LEASING OF BLOOD PRESSURE KIOSKS, (C) S.W. PUBLIC SAFETY FOR INSTALLS, REMOVALS & REPAIRS OF EQUIPMENT FOR POLICE MOTORCYCLES AND (D) CITRIX SYSTEMS, INC. FOR CITRIX SOFTWARE MAINTENANCE & SUPPORT.

2011-05-05-0342

Item 6. AN ORDINANCE AUTHORIZING THE CITY TO UTILIZE A COOPERATIVE CONTRACT WITH CALDWELL COUNTRY CHEVROLET AND KINLOCH EQUIPMENT & SUPPLY, INC. TO PROVIDE THE DEPARTMENT OF PUBLIC WORKS, STORM WATER OPERATIONS DIVISION, WITH ONE (1) CAMERA TRUCK WHICH CONSISTS OF TWO (2) MAJOR COMPONENTS: CAB & CHASSIS (CUT-A-WAY VAN) AND THE BODY (STORM INSPECTION CAMERA SYSTEM) FOR A TOTAL COST OF \$368,676.00; FUNDED BY THE DEPARTMENT OF PUBLIC WORKS STORMWATER OPERATIONS FUND.

2011-05-05-0345

Item 8. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT TO E-Z BEL CONSTRUCTION LLC IN THE AMOUNT OF \$4,389,695.10 FOR THE DURANGO AND SANTA ROSA CORRIDOR IMPROVEMENTS THAT ARE A COMPONENT OF THE DOWNTOWN TRANSPORTATION INFRASTRUCTURE IMPROVEMENTS PROJECT, AN AUTHORIZED 2007-2012 GENERAL OBLIGATION BOND FUNDED PROJECT LOCATED IN COUNCIL DISTRICT 1.

2011-05-05-0346

Item 9. AN ORDINANCE AUTHORIZING A FIVE-YEAR RENEWAL AND AMENDMENT OF A LEASE AGREEMENT WITH RIVERVIEW TOWERS PARTNERS, LTD. FOR CURRENT AND ADDITIONAL OFFICE SPACE LOCATED AT 111 SOLEDAD FOR USE BY THE CITY'S HUMAN RESOURCES DEPARTMENT AND THE LITIGATION DIVISION OF THE CITY ATTORNEY'S OFFICE FOR THE INITIAL MONTHLY RENTAL AMOUNT OF \$44,378.67.

2011-05-05-0347

Item 10. AN ORDINANCE AUTHORIZING A 6-YEAR RENEWAL OF THE LEASE AGREEMENT WITH THE FOTO CENTER, INC. D/B/A THE PINK GIRAFFE FOR RETAIL/OFFICE SPACE LOCATED AT THE HOUSTON STREET PARKING GARAGE FOR A TERM BEGINNING SEPTEMBER 1, 2011 AT AN ANNUAL BASE RENT OF \$19.50 PER SQUARE FOOT FOR THE FIRST YEAR.

2011-05-05-0349

Item 12. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION, AND THE ACCEPTANCE OF UP TO \$448,500.00, UPON AWARD, FROM THE U.S. DEPARTMENT OF TRANSPORTATION PAUL S. SARBANES TRANSIT IN PARKS GRANT PROGRAM, FOR THE DEVELOPMENT OF THE MISSION REACH B-CYCLE BIKE SHARE EXPANSION, FROM OCTOBER 1, 2011 THROUGH SEPTEMBER 30, 2012; AUTHORIZING THE EXECUTION OF ALL GRANT DOCUMENTS, PROVIDING FOR A PERSONNEL COMPLEMENT AND APPROVING A BUDGET; AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH SAN ANTONIO BIKE SHARE TO IMPLEMENT, FUND AND OPERATE THE MISSION REACH EXPANSION.

2011-05-05-0350

Item 13. AN ORDINANCE RATIFYING THE SUBMISSION OF A GRANT APPLICATION AND AUTHORIZING THE ACCEPTANCE OF FUNDS UP TO \$250,000.00, UPON AWARD, FROM THE U.S. CENTERS FOR DISEASE CONTROL AND PREVENTION, FOR THE TERM OF MAY 31, 2011 THROUGH SEPTEMBER 29, 2011.

2011-05-05-0351

Item 14. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION FOR THE PUBLIC HEALTH FUND IMMUNIZATION PROGRAM GRANT AND AUTHORIZING ACCEPTANCE OF UP TO \$600,000.00 FROM THE CENTERS FOR DISEASE CONTROL AND PREVENTION (CDC) THROUGH THE 2011 PREVENTION AND PUBLIC HEALTH FUND FOR A BUDGET PERIOD BEGINNING JUNE 1, 2011 THROUGH MAY 31, 2012 AND A PROJECT PERIOD OF JUNE 1, 2011 THROUGH MAY 31, 2013.

2011-05-05-0352

Item 15. AN ORDINANCE AUTHORIZING THE SUBMISSION OF GRANT APPLICATIONS AND THE ACCEPTANCE OF UP TO \$75,000.00 FROM THE TEXAS COMPTROLLER OF PUBLIC ACCOUNTS, FOR A TOBACCO COMPLIANCE GRANT AND ESTABLISHING A BUDGET FOR THE GRANT PERIOD SEPTEMBER 1, 2011 THROUGH AUGUST 31, 2012.

2011-05-05-0353

Item 16. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION, AND THE ACCEPTANCE OF UP TO \$1,603,622.00, UPON AWARD, FROM THE TEXAS AUTOMOBILE BURGLARY AND THEFT PREVENTION AUTHORITY FOR THE REGIONAL AUTO CRIMES TEAM PROJECT; AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE BEXAR COUNTY SHERIFF'S OFFICE RELATED TO THE GRANT APPLICATION; AND APPROVING A CASH MATCH CONTRIBUTION OF \$597,874.00 AND AN IN-KIND MATCH CONTRIBUTION OF \$1,855,702.00.

Item 18. 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:

2011-05-05-0355

- A. AN ORDINANCE APPOINTING HIPOLITO P.SALAS, III (AIRLINE REPRESENTATIVE); JOHN R. WALLACE (PASEO DEL RIO ASSOCIATION); AND CARYN HASSLOCHER (SAN ANTONIO AREA TOURISM COUNCIL); AND REAPPOINTING HENRY BRUN, MARISE MCDERMOTT (ARTS AND CULTURAL COMMUNITY); DIANA J. AREVALO, SHERRY M. CHAUDHRY, MARTIN F. KUSHNER, FRANK J. MICELI, DAVIS PHILLIPS (GENERAL COMMUNITY); MICHAEL D. CORTEZ (MARKET SQUARE ASSOCIATION); JOHNNY P. HERNANDEZ (MAYORAL); WILLIAM P. BRENDDEL, HENRY FELDMAN, SCOTT LARSEN, JIM D. QUINN, RONALD R. STINSON, ROBERT E. THRAILKILL (SAN ANTONIO HOTEL/MOTEL ASSOCIATION); LOUIS A. BARRIOS (SAN ANTONIO RESTAURANT ASSOCIATION); ROBERT W. RAYMOND (SAN ANTONIO SPORTS); DANIEL J. DECKER (SEA WORLD); MARTIN A. BOZER (SIX FLAGS FIESTA TEXAS); AND GEORGE D. ALVA (TAXICAB INDUSTRY) TO THE CONVENTION AND VISITORS COMMISSION FOR TERMS OF OFFICE TO COMMENCE JUNE 1, 2011 AND EXPIRE MAY 31, 2013 AND WAIVING THE CITY CODE RESIDENCY REQUIREMENT IN CHAPTER 2, ARTICLE IX, SEC. 2-529(B) FOR HENRY FELDMAN.

2011-05-05-0356

- B. AN ORDINANCE APPOINTING LEONARD AGUILAR (DISTRICT 7, CATEGORY: JOURNEYMAN PLUMBER, UNION) AND PERRY L. BEYER, JR. (DISTRICT 8, CATEGORY: MASTER PLUMBER, OPEN SHOP) TO THE PLUMBING AND FUEL GAS APPEALS AND ADVISORY BOARD AND WAIVING THE CITY CODE RESIDENCY REQUIREMENT FOR PERRY L. BEYER, JR. IN CHAPTER 2, ARTICLE IX, SEC. 2-529(B) FOR THIS APPOINTMENT.
- C. REAPPOINTING HENRY BRUN (DISTRICT 7, CATEGORY: CULTURAL ARTIST) TO THE ARTS AND CULTURAL ADVISORY COMMITTEE FOR A TERM OF OFFICE TO COMMENCE JUNE 1, 2011 AND TO EXPIRE MAY 31, 2013.
- D. APPOINTING GREGORY A. YOUNGS TO THE TAX INCREMENT REINVESTMENT ZONE NUMBER 17, KNOWN AS MISSION CREEK.
- E. APPOINTING LAZAR A. HAUSMAN TO THE TAX INCREMENT REINVESTMENT ZONE NUMBER 19, KNOWN AS HALLIE HEIGHTS.
- F. APPOINTING NICK R. DOMINGUEZ TO THE TAX INCREMENT REINVESTMENT ZONE NUMBER 21, KNOWN AS HEATHERS COVE.
- G. APPOINTING VICTORIA OUTLAW TO THE TAX INCREMENT REINVESTMENT ZONE NUMBER 4, KNOWN AS HIGHLAND HEIGHTS.
- H. REAPPOINTING STEVEN G. MARQUEZ (DISTRICT 1) TO THE ETHICS REVIEW BOARD FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE APRIL 25, 2013.

2011-05-05-0357

Item 19. AN ORDINANCE AUTHORIZING A REIMBURSEMENT BETWEEN THE CITY OF SAN ANTONIO AND SAN ANTONIO WATER SYSTEMS (SAWS) TO REPLACE STREET COVERS IN

THE CENTRAL BUSINESS DISTRICT FUNDED THROUGH THE STORM WATER OPERATING FUND IN AN AMOUNT UP TO \$79,240.00.

2011-05-05-0358

Item 20. AN ORDINANCE AUTHORIZING AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) ACCEPTING \$53,774.00 FOR THE COMPLETION OF INFRASTRUCTURE IMPROVEMENTS IN CONNECTION WITH THE HAVEN FOR HOPE QUIET ZONE LOCATED IN COUNCIL DISTRICT 5 AND APPROPRIATING FUNDS.

[CONSENT ITEMS CONCLUDED]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinances for Items 7A and 7B:

Item 7. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATED TO THE 24TH STREET IMPROVEMENTS PROJECT AT OUR LADY OF THE LAKE UNIVERSITY, A CERTIFICATE OF OBLIGATION AND 2007 BOND FUNDED PROJECT LOCATED IN COUNCIL DISTRICTS 5:

2011-05-05-0343

A. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT TO E-Z BEL CONSTRUCTION LLC IN THE AMOUNT OF \$2,375,099.44, OF WHICH \$479,722.09 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM AND \$331,954.50 WILL BE REIMBURSED BY CPS ENERGY; AMENDING A FUNDING AGREEMENT WITH OUR LADY OF THE LAKE UNIVERSITY TO ACCEPT AN ADDITIONAL \$170,000.00 AND APPROPRIATING THESE FUNDS TO THE PROJECT; AND, AMENDING THE FY 2011-2016 CAPITAL BUDGET TO ALLOCATE \$400,000.00 FROM 2007 BOND PROJECT SAVINGS THAT CITY COUNCIL HAS APPROVED USING ON THIS PROJECT.

2011-05-05-0344

B. AN ORDINANCE AUTHORIZING FUNDING AGREEMENTS WITH AT&T AND TIME WARNER CABLE IN THE AMOUNT UP TO \$197,000.00 AND AUTHORIZING PAYMENT TO THE INDIVIDUAL CABLE/TELECOMM PROVIDERS RELATED TO THE UNDERGROUND CONVERSION, A \$1,347,000.00 OVERHEAD UTILITY CONVERSION PROJECT WHICH INCLUDES CPS UTILITY CONVERSIONS.

Councilmember Medina stated that the project would enhance the quality of life for the area and asked of the timeline. Mike Frisbie stated that the groundbreaking ceremony for this construction project would be held tomorrow. He noted that the project would make the area more pedestrian friendly within the university setting and include bike lanes. Councilmember Medina stated that he was pleased with the city's partnership with Our Lady of the Lake University and invited everyone to attend the groundbreaking ceremony.

Councilmember Medina moved to adopt the proposed Ordinances for Items 7A and 7B. Councilmember Cisneros seconded the motion.

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

The City Clerk read the following Ordinance:

2011-05-05-0348

Item 11. AN ORDINANCE AUTHORIZING THE ACCEPTANCE AND ALLOCATION OF ADDITIONAL GRANT FUNDING IN AN AMOUNT UP TO \$2,000,000.00 FROM THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE SAN ANTONIO WEATHERIZATION ASSISTANCE PROGRAM, A COMPONENT OF THE AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) OF 2009, TO IMPROVE THE ENERGY EFFICIENCY IN THE DWELLINGS OF LOW-INCOME PERSONS THROUGH DECEMBER 31, 2011; AUTHORIZING THE OFFICE OF ENVIRONMENTAL POLICY TO TRANSFER FUNDS TO CPS ENERGY; AND APPROVING THE TERMS AND CONDITIONS OF AN AMENDMENT TO THE INTERAGENCY PARTICIPATION AGREEMENT BETWEEN THE CITY AND CPS ENERGY.

Councilmember Ramos asked of the funds received. Lawrence Doxsey stated that this was an additional \$2 million and that a total of \$12.4 million in Stimulus Funds had been received. He noted that this was a continuation of the Case Verde Program and that applications for the \$2 million were already in process. He indicated that just fewer than 2,200 units have been completed to date and a total of 3,100 units would be completed with the funding. Councilmember Ramos requested a breakdown of the homes that have been completed and those that are in process by Council District.

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

The City Clerk read the following Ordinance:

2011-05-05-0354

Item 17. AN ORDINANCE REPEALING CHAPTER 6, ARTICLE X "COMMERCIAL AND INDUSTRIAL BUILDING" AND AMENDING ARTICLE IV ENTITLED "HOUSING CODE" OF THE CITY CODE OF SAN ANTONIO, TEXAS BY ADOPTING THE SAN ANTONIO PROPERTY MAINTENANCE CODE AND AMENDING CHAPTER 6, ARTICLE VIII, "DANGEROUS BUILDINGS AND DISTRESSED PROPERTIES" CHANGING THE MEMBERSHIP OF THE DANGEROUS STRUCTURES DETERMINATION BOARD (DSDB) TO 14 CITIZEN MEMBERS, EXPANDING THE DSDB'S AUTHORITY TO ALLOW FOR THE QUASI-JUDICIAL ADJUDICATION OF VIOLATIONS OF THE SAN ANTONIO PROPERTY MAINTENANCE CODE, RENAMING THE DSDB THE "BUILDING STANDARDS BOARD" AND AUTHORIZING A LICENSING AGREEMENT TO SELL COPIES OF THE SAN ANTONIO PROPERTY MAINTENANCE CODE.

Councilmember Williams asked for a presentation on said item and stated that he was very appreciative of making this an independent board. He thanked staff for their work.

David Garza stated that the city's current minimum property maintenance standards had not been updated since 2001. He noted that staff has reviewed the 2009 International Property Maintenance Code

with stakeholders and utilized their input regarding the citizen board to hear minimum property maintenance code appeals.

Mr. Garza outlined the key changes to minimum property maintenance that will require electrical service in dwelling units and restrictions on items stored outside. He spoke of the reconstitution of the DSDB, noting that it would become a 14-member, citizen Building Standards Board. He stated that 10 members would be appointed by City Council District and four appointed at-large within categories to include the Mayor's Appointee. He noted that staff recommended that revisions be adopted to the City Code; approval of a \$5,000 four-year licensing agreement with the International Code Council; and amending Chapter 6 to allow for a fee of \$16.98 per copy of the San Antonio Property Maintenance Code.

Councilmembers Cisneros, Ramos, Chan, Medina, and Taylor thanked everyone for their work on said item, noting the great amount of time and effort on the process.

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

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

The City Clerk read the following Ordinance:

2011-05-05-0359

Item 21. AN ORDINANCE AUTHORIZING THE FIRST ONE-YEAR EXTENSION OF A PROFESSIONAL SERVICES AGREEMENT WITH GREENSTAR, NA., FOR RESIDENTIAL RECYCLING PROCESSING SERVICES TO ACCEPT, PROCESS, AND MARKET RECYCLABLE MATERIALS COLLECTED BY THE CITY'S CURBSIDE RECYCLING PROGRAM IN ALL COUNCIL DISTRICTS.

Councilmember Williams asked what the city is committing to in this extension. David McCary stated that they were committing to an additional year of services with Greenstar and would release a new Request for Proposals (RFP) in the Summer or early Fall. Councilmember Williams spoke of the growth in volume and stated that he would like to see technology that could handle plastic bags.

Mayor Castro thanked staff for the great work and noted that enhanced recycling efforts have been a great revenue generator for the city.

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

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

Item 22. REPORT BY CITY CLERK ON OUTSTANDING FINANCIAL DISCLOSURE REPORTS AND VACATED POSITIONS BY BOARD MEMBERS.

Mrs. Vacek reported that of the 628 board members, only Mr. Juan Gonzalez, of the TIRZ #32 Board did not submit the required electronic Financial Disclosure Report, thus was removed from the Board.

Item 23. CITY MANAGER'S REPORT

A. ECONOMIC STIMULUS UPDATE

Ms. Sculley reported that the city received 23 Stimulus Grants and staff is directly managing \$135 million over a multi-year period. She highlighted how the monies are being spent within Streets and Infrastructure; Energy Efficiency; Health and Social Services; and Public Safety. She noted that staff was progressing with the use of funds and on schedule with the program.

B. \$30 MILLION BOND BALANCE PROGRAM UPDATE

Ms. Sculley also reported that as of March 31, 2011, the Bond Program was substantially complete. She stated that 88 of the 97 project were complete; six projects were under construction; and three were in the design phase. She recognized the CIMS Department for their work.

POINT OF PERSONAL PRIVILEGE

Councilmember Cortez recognized Arthur Cavazos of the University of Texas (UT) and spoke of their donation from the sales of the first UT Longhorns Fiesta Medal. Mr. Cavazos thanked the City Council for their support and introduced Brian Jewell, Vice-President of Marketing for the University Co-op out of Austin. Mr. Jewell reported that they sold 4,400 medals and would be donating an amount of \$35,000 to Family Services Association. Mayor Castro recognized Family Services Association for their work in the community and thanked the UT Co-op for the donation. He challenged Texas A&M Alumni to create a Fiesta Medal next year.

Councilmember Cortez recognized the men and women of the US Military that participated in and planned the important mission of eliminating the #1 Terrorist, Osama Bin Laden. Mayor Castro also expressed his appreciation for the US Military and their great accomplishment.

Councilmember Rodriguez recognized the US Military for their mission accomplished. He recognized JD Salinas, GSA Regional Administrator and thanked him for his advocacy of South and Central Texas. Mr. Salinas, a former Hidalgo County Judge thanked the City Council for the recognition and stated that he had been appointed to the position by President Obama in November, 2009. He noted that a contract had been signed for design services for the Federal Courthouse Project and would continue to assist San Antonio to move projects forward. Mayor Castro commended Mr. Salinas for his work as Regional Administrator and his long track record of public service.

Mayor Castro recognized Councilmember Chan who celebrated her birthday on May 3, 2011 and all joined in signing Happy Birthday.

RECESSED

Mayor Castro recessed the meeting at 11:57 am to break for lunch and stated that the meeting would resume at 2:00 pm for Zoning.

RECONVENED

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

CONSENT ZONING ITEMS

The following items: Z-3, Z-5, Z-6, Z-8, Z-9, Z-11, P-1, P-10, P-2, P-3, Z-12, and Z-13 were pulled for Individual Consideration.

Councilmember Cisneros moved to approve the remaining items: Z-1, Z-2, Z-4, Z-7, and Z-14 under Consent Zoning. Councilmember Ramos seconded the motion.

Mayor Castro called upon the individuals registered to speak.

Jack M. Finger expressed opposition to Item Z-6, noting that two individuals had spoken against the item at the Zoning Commission Meeting due to issues with commercial encroachment, effect on property values, and increased traffic. He spoke against the approval of alcohol sales in Item Z-7 and stated that the professional office building in Item Z-9 had been operating without a certificate of occupancy. He noted his opposition to the proposed used car lot in Item Z-10.

Faris Hodge, Jr. submitted written testimony in opposition to Items Z-3 and Z-12, noting that there should not be more than 50 cases combined into one case.

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

2011-05-05-0360

Item Z-1. **ZONING CASE # Z2011082 S (District 5):** An Ordinance amending the Zoning District Boundary from "MF-33 AHOD" Multi-Family Airport Hazard Overlay District to "NC IDZ S AHOD" Neighborhood Commercial Infill Development Zone Airport Hazard Overlay District with a Specific Use Authorization for a Caretaker's Facility on Lot 20, NCB 6881 located at 201 Brady Boulevard. 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 20, NCB 6881 TO WIT: FROM "MF-33 AHOD" MULTI FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "NC IDZ S AHOD NEIGHBORHOOD COMMERCIAL INFILL DEVELOPMENT ZONE AIRPORT HAZARD OVERLAY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A CARETAKER'S FACILITY PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2011-05-05-0361

Item Z-2. **ZONING CASE # Z2011078 (District 6):** An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-3R AHOD"

General Commercial Restrictive Alcohol Sales Airport Hazard Overlay District on Lot 3, Block 50, NCB 15329 located at 306 Richland Hills Drive. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 3, BLOCK 50, NCB 15329 TO WIT: FROM "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-3R AHOD" GENERAL COMMERCIAL RESTRICTIVE ALCOHOL SALES AIRPORT HAZARD OVERLAY DISTRICT.

2011-05-05-0363

Item Z-4. **ZONING CASE # Z2011085 (District 7):** An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "RM-6 AHOD" Residential Mixed Airport Hazard Overlay District on Lot 4, Block 14, NCB 8385 located at 924 and 926 John Page Drive. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 4, BLOCK 14, NCB 8385 TO WIT: FROM "R-4 AHOD" RESIDENTIAL SINGLE FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "RM-6 AHOD" RESIDENTIAL MIXED AIRPORT HAZARD OVERLAY DISTRICT.

2011-05-05-0365

Item Z-7. **ZONING CASE # Z2011079 (District 10):** An Ordinance amending the Zoning District Boundary from "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Lot 28, Block 2, NCB 12572 located at 1039 N. E. Loop 410. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 28, BLOCK 2, NCB 12572 TO WIT: FROM "C-2NA AHOD" COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

2011-05-05-0369

Item Z-14. **ZONING CASE # Z2011080 (District 3):** An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "MF-18 AHOD" Limited Density Multi-Family Airport Hazard Overlay District on Parcel 46, NCB 11166 located at the northwest corner of Club House Boulevard and Mission Grande. 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 46, NCB 11166 TO WIT: FROM "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY

AIRPORT HAZARD OVERLAY DISTRICT TO "MF-18 AHOD" LIMITED DENSITY MULTI-FAMILY AIRPORT HAZARD OVERLAY DISTRICT.

[CONSENT ZONING CONCLUDED]

INDIVIDUAL ZONING ITEMS

Mayor Castro addressed Item Z-9 at this time.

2011-05-05-0367

Item Z-9 **ZONING CASE #Z2011069CD (District 1):** An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Professional Office on the north 132.5 feet of Lot 16, Block 62, NCB 7217 located at 923 Fresno. 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: THE NORTH 132.5 FEET OF LOT 16, BLOCK 62, NCB 7217 TO WIT: FROM "R-4 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "R-4 CD AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR A PROFESSIONAL OFFICE PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

Chris Looney presented and stated that staff and the Zoning Commission recommended approval with the following conditions: 1) There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure; 2) No construction features shall be permitted which would place the structure out of character with the surrounding residential neighborhood; and 3) Business or office hours of operations shall not be permitted before 7:00 a.m. or after 6:00 p.m. He reported that of 30 notices mailed; two were received in favor and none in opposition. He added that no response was received from the Greater Dellview Neighborhood Association.

Councilmember Cisneros recognized Jerry Arredondo, applicant for the zoning case. Mr. Arredondo confirmed that he had met with neighborhood association leadership regarding his request and had discussed the extended hours or operation. He stated that due to the business being utilized for tax preparation, the hours of operation were extended to 9:00 pm from January 1st through the end of the tax season.

Councilmember Cisneros moved to adopt the proposed Ordinance as recommended by staff with the following conditions: 1) The attached sign shall be no larger than 4 ½ square feet x 6 square feet; and 2) The hours of operation shall be extended until 9:00 pm from January 1st-May 1st. Councilmember Rodriguez 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.

Mayor Castro addressed Items P-2, P-3, Z-12, and Z-13 together.

CONTINUED

Item P-2. **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 from April 21, 2011)

CONTINUED

Item P-3. **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 from April 21, 2011)

CONTINUED

Item Z-12. **ZONING CASE #Z2011076 (District 3):** An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial District, "C-2 NA AHOD RIO-5" Commercial Non-Alcoholic Sales District, "C-2 AHOD RIO-6" Commercial District, "C-3 AHOD" General Commercial District, "C-3 H AHOD" General Commercial Mission Historic District, "C-3 H AHOD RIO-5" General Commercial Mission Historic District, "C-3 H AHOD RIO-6" General Commercial Mission Historic District, "C-3 NA AHOD" General Commercial Non-Alcoholic Sales District, "C-3 NA H AHOD" General Commercial Non-Alcoholic Sales Mission Historic District, "C-3 NA H AHOD RIO-6" General Commercial Non-Alcoholic Sales Mission Historic District, "C-3 R AHOD" Restrictive Commercial District, "C-3 AHOD RIO-5" General Commercial District, "C-3 AHOD RIO-6" General Commercial District, "I-1 AHOD" General Industrial District, "I-1 H AHOD" General Industrial Mission Historic District, "I-1 H AHOD RIO-5" General Industrial Mission Historic District, "I-1 H AHOD RIO-6" General Industrial Mission Historic District, "I-1 HS AHOD" Historic Significant General Industrial District, "I-1 AHOD RIO-5" General Industrial District, "I-1 AHOD RIO-6" General Industrial District, "I-2 AHOD RIO-5" Heavy Industrial District, "I-2 H AHOD RIO-6" Heavy Industrial Mission Historic District, "MF-25 AHOD" Low Density Multi-family District, "MF-33 AHOD" Multi-family District, "MF-33 AHOD RIO-5" Multi-family District, "NP-10 H AHOD" Neighborhood Preservation Mission Historic District, "R-4 AHOD" Residential Single-Family District, "R-6 H AHOD" Residential Single-Family Mission Historic District, "R-6 H RIO-6" Residential Single-Family Mission Historic District, "RM-4 AHOD" Residential Mixed District, and "RM-4 H AHOD" Residential Mixed Mission Historic District to "BP H AHOD RIO-6" Business Park Mission Historic District, "BP AHOD RIO-5" Business Park District, "C-1 AHOD" Light Commercial District, "C-1 H AHOD RIO-6" Light Commercial Mission Historic District, "C-1 AHOD RIO-5" Light Commercial District, "C-2 AHOD" Commercial District, "C-2 H AHOD" Commercial Mission Historic District, "C-2 H AHOD RIO-6" Commercial Mission Historic District, "C-2 AHOD RIO-5" Commercial District, "C-2 AHOD RIO-6" Commercial District, "C-3 H AHOD RIO-5" General Commercial Mission

Historic District, "IDZ AHOD" Infill Development Zone District with uses permitted in "C-1" Light Commercial District and "RM-4" Residential Mixed District, "IDZ HL AHOD" Historic Landmark Infill Development Zone District with uses permitted in "C-1" Light Commercial District and "RM-4" Residential Mixed District, "MF-18 AHOD" Limited Density Multi-family District, "MF-25 AHOD RIO-6" Low Density Multi-family District, "MF-33 H AHOD RIO-5" Multi-family Mission Historic District, "NP-10 H AHOD" Neighborhood Preservation Mission Historic District, "R-4 AHOD" Residential Single-Family District, "R-4 AHOD RIO-5" Residential Single-Family District, "R-6 AHOD" Residential Single-Family District, "R-6 H AHOD RIO-6" Residential Single-Family Mission Historic District, "RM-4 H AHOD" Residential Mixed Mission Historic District, and "RM-4 AHOD RIO-5" Residential Mixed District 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. All Airport Hazard Overlay Districts, "AHOD", River Improvement Overlay Districts-5 "RIO-5", and River Improvement Overlay Districts-6 "RIO-6", designations will remain unchanged. Staff and Zoning Commission recommend approval. (Continued from April 21, 2011)

CONTINUED

Item Z-13. **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. (Continued from April 21, 2011)

Councilmember Ramos moved to continue Items P-2, P-3, Z-12, and Z-13 to May 19, 2011. 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.

2011-05-05-0362

Item Z-3. **ZONING CASE # Z2011088 CD S (District 6):** An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District, "C-3 R AHOD" General Commercial Restrictive Alcohol Sales Airport Hazard Overlay District, "C-3 R GC-2 AHOD" General Commercial Restrictive Alcohol Sales Highway 151 Gateway Corridor Overlay Airport Hazard Overlay District, "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District, "C-3 R S AHOD" General Commercial Restrictive Alcohol Sales Airport Hazard Overlay District with a Specific Use Authorization for a Communications Transmission Tower, "C-2 AHOD" Commercial Airport Hazard Overlay District, "O-2 CD AHOD" High-Rise Office Airport Hazard Overlay District with a Conditional use for a Shoe Repair Shop, "MF-33 AHOD" Multi-Family Airport Hazard Overlay District, "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District, "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District and "R-4 GC-2 AHOD" Residential Single-Family Highway 151 Gateway Corridor Overlay Airport Hazard Overlay District to "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District, "C-2NA GC-2 AHOD" Commercial Nonalcoholic Sales Highway 151 Gateway Corridor Overlay District, "C-2NA S AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Specific Use Authorization for Housing - Hotel, "C-2NA CD AHOD" Commercial Nonalcoholic Sales Airport

Hazard Overlay District with a Conditional Use for Auto and Light Truck Repair, "C-2NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales, "C-2NA CD GC-2 AHOD" Commercial Nonalcoholic Sales Highway 151 Gateway Corridor Overlay Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales, "C-2 NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Conditional Use for a Pawn Shop, "C-2NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Conditional Use for Parking and/or Storage - Long Term, "C-2NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Conditional Use for a Tattoo Parlor, "C-2NA S AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Specific Use Authorization for a Wireless Communication System, "C-2NA S AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Specific Use Authorization for a Car Wash, "C-2NA S AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Specific Use Authorization for Telephone Equipment Infrastructure, "C-1 AHOD" Light Commercial Airport Hazard Overlay District, "C-1 CD AHOD" Light Commercial Airport Hazard Overlay District with a Conditional Use for Auto and Light Truck Repair, "C-1 CD GC-2 AHOD" Light Commercial Highway 151 Gateway Corridor Overlay Airport Hazard Overlay District with a Conditional Use for Auto and Light Truck Repair, "C-1 CD AHOD" Light Commercial Airport Hazard Overlay District with a Conditional Use for a Billiard or Pool Hall, "C-1 S AHOD" Light Commercial Airport Hazard Overlay District with a Specific Use Authorization for Parking, "NC AHOD" Neighborhood Commercial Airport Hazard Overlay District, "O-1 AHOD" Office Airport Hazard Overlay District, "MF-33 AHOD" Multi-Family Airport Hazard Overlay District, "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District, "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for Shoe - Repair, "R-4 GC-2 AHOD" Residential Single-Family Highway 151 Gateway Corridor Overlay Airport Hazard Overlay District and "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District on multiple properties generally located along Old Highway 90, bound by Acme Road to the west and South San Joaquin to the east; properties located along the south side of West Commerce Street, bound by NW 36th Street to the west and South San Augustine to the east; properties located on the east side of Acme Road, bound by Old Highway 90 to the north and Ardmore 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 GENERALLY LOCATED ALONG OLD HIGHWAY 90, BOUND BY ACME ROAD TO THE WEST AND SOUTH SAN JOAQUIN TO THE EAST; PROPERTIES LOCATED ALONG THE SOUTH SIDE OF WEST COMMERCE STREET, BOUND BY NW 36TH STREET TO THE WEST AND SOUTH SAN AUGUSTINE TO THE EAST; PROPERTIES LOCATED ON THE EAST SIDE OF ACME ROAD, TO WIT: FROM "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT, "C-3 R AHOD" GENERAL COMMERCIAL RESTRICTIVE ALCOHOL SALES AIRPORT HAZARD OVERLAY DISTRICT, "C-3 R GC-2 AHOD" GENERAL COMMERCIAL RESTRICTIVE ALCOHOL SALES HIGHWAY 151 GATEWAY CORRIDOR OVERLAY AIRPORT HAZARD OVERLAY DISTRICT, "C-3NA AHOD" GENERAL COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT, "C-3 R S AHOD" GENERAL COMMERCIAL RESTRICTIVE ALCOHOL SALES AIRPORT HAZARD OVERLAY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A COMMUNICATIONS TRANSMISSION TOWER, "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT, "O-2 CD AHOD" HIGH-RISE OFFICE AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR A SHOE REPAIR SHOP, "MF-33

AHOD" MULTI-FAMILY AIRPORT HAZARD OVERLAY DISTRICT, "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT, "R-4 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT AND "R-4 GC-2 AHOD" RESIDENTIAL SINGLE-FAMILY HIGHWAY 151 GATEWAY CORRIDOR OVERLAY AIRPORT HAZARD OVERLAY DISTRICT TO "C-2NA AHOD" COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT, "C-2NA GC-2 AHOD" COMMERCIAL NONALCOHOLIC SALES HIGHWAY 151 GATEWAY CORRIDOR OVERLAY DISTRICT, "C-2NA S AHOD" COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR HOUSING - HOTEL, "C-2NA CD AHOD" COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR AUTO AND LIGHT TRUCK REPAIR, "C-2NA CD AHOD" COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR MOTOR VEHICLE SALES, "C-2NA CD GC-2 AHOD" COMMERCIAL NONALCOHOLIC SALES HIGHWAY 151 GATEWAY CORRIDOR OVERLAY AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR MOTOR VEHICLE SALES, "C-2 NA CD AHOD" COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR A PAWN SHOP, "C-2NA CD AHOD" COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR PARKING AND/OR STORAGE - LONG TERM, "C-2NA CD AHOD" COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR A TATTOO PARLOR, "C-2NA S AHOD" COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A WIRELESS COMMUNICATION SYSTEM, "C-2NA S AHOD" COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A CAR WASH, "C-2NA S AHOD" COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR TELEPHONE EQUIPMENT INFRASTRUCTURE, "C-1 AHOD" LIGHT COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT, "C-1 CD AHOD" LIGHT COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR AUTO AND LIGHT TRUCK REPAIR, "C-1 CD GC-2 AHOD" LIGHT COMMERCIAL HIGHWAY 151 GATEWAY CORRIDOR OVERLAY AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR AUTO AND LIGHT TRUCK REPAIR, "C-1 CD AHOD" LIGHT COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR A BILLIARD OR POOL HALL, "C-1 S AHOD" LIGHT COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A NON-COMMERCIAL PARKING LOT, "NC AHOD" NEIGHBORHOOD COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT, "O-1 AHOD" OFFICE AIRPORT HAZARD OVERLAY DISTRICT, "MF-33 AHOD" MULTI-FAMILY AIRPORT HAZARD OVERLAY DISTRICT, "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT, "R-4 CD AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR SHOE - REPAIR, "R-4 GC-2 AHOD" RESIDENTIAL SINGLE-FAMILY HIGHWAY 151 GATEWAY CORRIDOR OVERLAY AIRPORT HAZARD OVERLAY DISTRICT AND "R-4 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

Chris Looney presented and stated that two properties located at 236 Guthrie Street and 246 Guthrie Street would be excluded and brought back at a later date. He noted that the zoning case was intended to offer a better transition along the corridor from the interior residential neighborhoods and staff and the

Zoning Commission recommended approval. He reported that of 600 notices mailed; one response was received in favor and three were received in opposition. He added that the Memorial Heights Neighborhood Association was in favor of the request and that no response had been received from the Community Workers Council or the Los Jardines Neighborhood Association.

Councilmember Lopez stated that the corridor led directly to the Westside and would support the needed revitalization in the area.

Councilmember Lopez moved to adopt the proposed Ordinance with the exclusion of the properties located at 236 Guthrie Street, 246 Guthrie Street, and 127 Old Highway 90. Councilmember Rodriguez 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.

CONTINUED

Item Z-5. **ZONING CASE # Z2011061 (District 9):** An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District to "C-3 AHOD" General Commercial Airport Hazard Overlay District on Lot 21 and Lot 22, Block 2, NCB 11966 located at 9911 McCullough Avenue and 774 Isom Road. Staff and Zoning Commission recommend approval. (Continued from April 7, 2011).

Chris Looney presented and stated that staff and the Zoning Commission recommended approval. He noted that of 14 notices mailed; two were received in favor from the subject property owner and none were received in opposition. He added that 54 notices were mailed to San Antonio International Airport Vicinity Plan Members.

Councilmember Chan moved to continue Item Z-5 to June 2, 2011. Councilmember Clamp seconded the motion.

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

2011-05-05-0364

Item Z-6. **ZONING CASE # Z2010156 CD (District 10):** An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Professional Office on Parcel 100, Parcel 126 and Parcel 126A, NCB 17365 (2.8030 acres) located at 4144 Jung Road. 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: PARCEL 100, PARCEL 126 AND PARCEL 126A, NCB 17365 (2.8030 ACRES) TO WIT: FROM "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "R-6 CD AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT WITH

A CONDITIONAL USE FOR A PROFESSIONAL OFFICE PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

Chris Looney presented and stated that staff and the Zoning Commission recommended approval with the following conditions: 1) No exterior display or sign with the exception that a nameplate, not exceeding 3 square feet in area, shall be permitted when attached to the front of the main structure; 2) No construction features shall be permitted which would place the structure out of character with the surrounding neighborhood; and 3) Business or office hours of operations shall not be permitted before 7 a.m. or after 6 p.m. He reported that of nine notices mailed; none were received in opposition or in favor. He added that 54 notices were mailed to San Antonio International Airport Vicinity Plan Members and 42 notices were mailed to North Sector Plan Members.

James Griffin with Brown and Ortiz stated that they were imposing three additional conditions: 1) Any lighting installed on the property shall be directed downward and away from the residences and residential property adjacent to the property and shall be of a type normally known as “dark sky” or “90 degree cut off” light fixtures, where affecting such residential property; 2) Noise from the property shall be kept at a minimum, considering the business located on the property. Unreasonable noises such as loud outdoor music or excessive animal noise will be prohibited; and 3) A six foot tall, wooden privacy fence will be constructed along a portion of the northern property line of the property where the main structure and future parking areas are located. He noted that construction of the fence would begin within 60 days of the date the declaration is recorded.

Councilmember Clamp moved to adopt the proposed Ordinance with the conditions as recommended by staff and read into the record by Mr. Griffin. 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.

2011-05-05-0366

Item Z-8. **ZONING CASE # Z2011086 CD (District 10):** An Ordinance amending the Zoning District Boundary from "C-1 CD AHOD" Light Commercial Airport Hazard Overlay District with a Conditional Use for a Laboratory – Testing Facility to “C-2NA CD AHOD” Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Conditional Use for a Laboratory – Testing Facility on 2.422 acres out of NCB 17306 located at 3330 Oakwell Court. Staff recommends approval. Zoning Commission recommends 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: 2.422 ACRES OUT OF NCB 17306 TO WIT: FROM "C-1 CD AHOD" LIGHT COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR A LABORATORY - TESTING FACILITY TO "C-2NA CD AHOD" COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR A LABORATORY - TESTING FACILITY PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

Chris Looney presented and stated that staff recommended approval and the Zoning Commission recommended approval with the following conditions: 1) All on-site lighting shall be directed onto the

site using 90 degree or less cut-off fixtures; 2) The architectural design of the proposed expansion of the existing structure shall be done in a manner generally consistent with the look and style of the existing building; and 3) A Type C landscape buffer shall be installed prior to the expansion of the building. He reported that of 16 notices mailed, two were received in opposition and one was received in favor.

Councilmember Clamp moved to adopt the proposed Ordinance with the following conditions: 1) Any new lighting installed on the property shall keep with the general lighting theme existing on the property and shall utilize "dark sky" 90-degree cutoff fixtures. In no event shall new light fixtures be aimed directly toward the adjacent residential neighborhood; 2) The architectural design of the proposed expansion of the existing structure shall be done in a manner generally consistent with the look and style of the existing building; 3) A landscape buffer shall be installed prior to construction of the building expansion in the area between the expansion and the adjacent residential neighborhood. The buffer shall be a minimum of 15 feet wide and shall contain the following number of trees and shrubs for each 100 feet in length: a) Two canopy and four understory trees. Each canopy tree shall be a minimum of four inches in diameter, measured at six inches from grade, shall reach at least 30 feet in height at full maturity, and shall be of a hardwood variety. Each understory tree shall reach a height of 15 to 25 feet at full maturity; b) Nine large shrubs and eight medium shrubs. A large shrub shall reach a height of 25 feet at full maturity and a medium shrub shall reach a height of 5 to 10 feet at full maturity. 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.

DENIED

Item P-1. **PLAN AMENDMENT #11003 (District 2):** An Ordinance amending the land use plan contained in the IH-10 East Perimeter Plan, a component of the Master Plan of the City, by changing the use of approximately 1.05 acres located at 7388 IH-10, 7390 IH-10, and 7392 IH-10 from Community Commercial land use to Regional Commercial land use. Staff and Planning Commission recommend denial. (Associated Zoning Case: #Z2011020)

Chris Looney presented and stated that today's action would amend the land use plan contained in the IH-10 East Perimeter Plan and that staff and the Planning Commission recommended denial. He noted that the Plan Amendment was associated with the zoning request in Item Z-10.

Councilmember Taylor moved to deny Item P-1. 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.

2011-05-05-0368

Item Z-10. **ZONING CASE # Z2011020 (District 2):** An Ordinance amending the Zoning District Boundary from "NP-10 AHOD" Neighborhood Preservation Airport Hazard Overlay District and "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-3 AHOD" General Commercial Airport Hazard Overlay District on 1.001 acres out of Tract 17 (also known as Arb 17A, 17B, and 17C), NCB 17994 located at 7388, 7390 and 7392 IH 10 East. Staff recommends denial of "C-3 AHOD" General Commercial Airport Hazard Overlay District; with an alternate recommendation of "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales. Zoning Commission recommends denial.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 1.001 ACRES OUT OF TRACT 17 (ALSO KNOWN AS ARB 17A, 17B, AND 17C), NCB 17994 TO WIT: FROM "NP-10 AHOD" NEIGHBORHOOD PRESERVATION AIRPORT HAZARD OVERLAY DISTRICT AND "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 CD AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR MOTOR VEHICLE SALES PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

Councilmember Taylor moved to adopt the proposed Ordinance with the alternate staff recommendation of "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales with the condition of requiring privacy fencing. 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.

CONTINUED

Item Z-11. **ZONING CASE # Z2011084 (District 2):** An Ordinance amending the Zoning District Boundary from "R-4" Residential Single Family District to "RM-4" Residential Mixed District on Lot 6, Block 26, NCB 10327 located at 1620 Peck Avenue. Staff and Zoning Commission recommend approval.

Chris Looney presented and stated that staff and the Zoning Commission recommended approval. He reported that of 22 notices: no responses had been received in support or in opposition.

Mayor Castro called upon Marrece Dean to speak. Mr. Dean stated that he was speaking on behalf of Dr. L J Gillespie, Sr. of the Greater Love Missionary Baptist Church. He requested additional information on the change from R-4 to RM-4 and asked if there would be an impact to the church and the surrounding properties.

Councilmember Taylor stated that she would set up a meeting with the church to provide additional information on the zoning case.

Councilmember Taylor moved to continue Item Z-11 to June 2, 2011. Councilmember Clamp seconded the motion.

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

POINT OF PERSONAL PRIVILEGE

Councilmember Cortez recognized Patrick Howard, Interim Planning and Community Development Director for his military service. He noted that Lieutenant Colonel Howard was being deployed to Afghanistan for one year and wished him good luck. Mayor Castro also wished Mr. Howard well while

in Afghanistan and for his sacrifice on behalf of the country. Councilmember Williams recognized Mr. Howard for his great work to the city and wished him well.

ADJOURNMENT

There being no further discussion, Mayor Castro adjourned the meeting at 2:35 pm.

APPROVED



**JULIAN CASTRO
MAYOR**

Attest:



**LETICIA M. VACEK, TRMC/CMC
City Clerk**