

**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 18, 2011 AND THURSDAY, MAY 19, 2011, RESPECTIVELY.

Councilmember Cisneros was not present for Item 1.

The San Antonio City Council convened in a Work Session at 2:00 pm Wednesday, **May 18, 2011**, Municipal Plaza Building with the following Councilmembers present: Cisneros, Taylor, Ramos, Cortez, Medina, Lopez, Rodriguez, Williams, Chan, Clamp, and Mayor Castro. **ABSENT:** None.

1. BRIEFING ON THE STATUS OF HEAD START PROGRAM ENROLLMENT SLOT ALLOCATIONS FOR THE SCHOOL YEAR BEGINNING AUGUST 2011 AND ASSOCIATED REVISIONS TO THE 2011-2012 GRANT APPLICATION.

Sheryl Sculley reported that the City of San Antonio receives \$48 million annually in Head Start Funds and contracts with service providers. She provided an overview of the challenges to providing services to all that are eligible. Gloria Hurtado, Director of the Department of Community Initiatives (DCI) introduced Kayla Curtis, Chair of the Head Start Policy Council. Ms. Hurtado stated that staff recommended the reallocation of slots and improvements to the staffing model for the Head Start Program. She noted that Head Start is an early childhood and family development program that serves 6,789 children and families in San Antonio and that there is shared governance with the Head Start Policy Council.

Ms. Hurtado stated that the Head Start Guidelines require a Community Assessment with annual updates and the city contracted with Dr. Lloyd Potter to conduct same. She noted that the assessment demonstrated growth in the eligible population and services were not being provided to those in greatest need. She indicated that the results of the assessment were presented to the Head Start Policy Council and Quality of Life (QOL) Council Committee, and that staff had conducted meetings with stakeholders. She mentioned that an Assessment Subcommittee of the Policy Council was convened to develop recommendations for slot reallocation. She reported that the Subcommittee held two meetings and requested that city staff review additional criteria: eligible population; single parent families; parents with less than a high school diploma; and currently enrolled over income families. She stated that the Subcommittee presented their recommendations to the Policy Council on May 3, 2011 and received approval. She added that the recommendations include slot reallocations, maintaining three and four-year-old classrooms, and maintaining services to current participants.

Ms. Hurtado reported that additional slots were recommended for Edgewood, Harlandale, and San Antonio Independent School Districts and outlined the school districts whose slots would be decreased. She noted that Medina Valley would be served by Region 20 and allocations for Alamo Heights would be phased out over a two-year period. She outlined the program improvements that include increasing the number of family and counseling support staff and improving contract compliance through redesigning the contractor staffing complement.

Mayor Castro thanked everyone for their work and asked of the data used for recommendations. Ms. Hurtado replied that staff had utilized population data and discussed it with the stakeholders. The stakeholders requested the utilization of additional data and brought recommendations to the Policy Council that were approved by 2/3 vote. She added that although not everyone agreed, there had been a good compromise to initiate the process. Mayor Castro spoke of the challenges with administration of the program in the past and asked of the slot reallocations. Ms. Hurtado replied that the process lacked strategic focus and that those that were willing to provide the services were given the opportunity. She stated that staff should have reviewed the community assessment to target resources to those in greatest need. Mayor Castro referenced the handout from staff and asked of the “Percent of eligible children served”. Ms. Hurtado stated that there had been a debate regarding the demographic information and that Dr. Potter had provided his expert opinion regarding the best available data.

Councilmember Cortez asked if the Head Start funding allocation had been reduced. Ms. Hurtado replied that there had been no reduction and the city would continue to receive \$48 million. Councilmember Cortez asked of the reason for the reallocation of slots. Ms. Hurtado stated that staff was bringing the Head Start Program into compliance and that the previous community assessment had not been utilized to make program decisions or target resources. Councilmember Cortez expressed concern with the proposed reductions to South San Antonio and Southwest ISD, noting the great need for services. He asked of the compilation of data under the category “Projected Age and Income Eligible Children.” Ms. Hurtado replied that Dr. Potter had utilized a combination of Census Data, American Community Survey, and data from those that receive Head Start Services. She noted that school districts provided information regarding students that qualify for free or reduced lunch but it had a large margin of error and was less reliable than the data utilized by Dr. Potter. Councilmember Cortez requested that city staff coordinate uniform reporting requirements among school districts and that the slot allocations remain the same until more uniform standards can be established.

Councilmember Ramos spoke of the long process that had been utilized and stated that she understood the concerns with the recommended slot allocations. She provided an overview of the data that was compiled by Dr. Potter and noted the importance of taking corrective action regarding noncompliance and deficiencies. She asked of the reduction strategy for Head Start slots. Ms. Hurtado replied that it was based on the eligible population; percentage of single families; parents with less than a high school diploma; and currently enrolled over income families.

Councilmember Lopez asked of the variables applied to the data utilized. Ms. Hurtado replied that the city collected the data from those that receive Head Start services. Peter Zanoni stated that their goal was to identify and serve areas with the highest concentration of poverty. Councilmember Lopez asked of other Head Start Programs throughout the State. Ms. Hurtado stated that she was not familiar with other cities and that Head Start required that programs be tailored to individual community needs. Councilmember Lopez requested that consideration be given toward consistency with our program and those of our neighbors. He asked of the recommended improvements to the staffing model. Ms. Hurtado replied that staff was being added to reduce caseloads, improve services to families, and comply with Head Start Standards.

Councilmember Rodriguez thanked everyone for their work on said item and asked of the variable of single parent families. Ms. Hurtado replied that they had reviewed data for single parent families with children under the age of five. Councilmember Rodriguez referenced the various percentages of eligible children served and asked of the city’s goal. Ms. Hurtado stated that the long-term goal was to serve

30% of the eligible population. Councilmember Rodriguez requested that dialogue continue with the school districts, noting that their input was critical.

Councilmember Clamp requested that the handout entitled "Slot Allocation Plan Adjustments" be updated to include columns with totals; percent increase from "2011-2012 Funded Enrollment" and "Projected Age and Income Eligible Children"; and percent decrease. He asked of the goal of the Head Start Program. Ms. Hurtado replied that the program targeted poor children and families impacted by poverty. Councilmember Clamp asked of program eligibility. Ms. Hurtado stated that it was based on 100% poverty level and that a child with a disability was eligible regardless of income. Councilmember Clamp asked of the goal of the Community Assessment. Ms. Hurtado replied that it was a needs assessment of the community. Councilmember Clamp requested a copy of the Head Start Waiting Lists by school district.

Councilmember Chan asked of the areas of non-compliance. Audrey Abed, Head Start Administrator noted that there were various areas of non-compliance including square footage; group size; and case management. Councilmember Chan asked if the reallocation of slots would affect the grant application. Ms. Abed replied that the reallocation of slots would help address issues with facilities but was not required for compliance. Councilmember Chan asked of the make-up of the Head Start Policy Council. Ms. Hurtado stated that there are 19 members on the Policy Council; 14 are parents of children enrolled in Head Start and five are community representatives. In response to Councilmember Chan, she confirmed that the slot allocation would only be utilized for the 2011-2012 School Year and may change based on future community assessments.

Councilmember Williams stated that staff was moving in the right direction but expressed concern with the data collection and terminology utilized. He encouraged staff to continue to improve the data. Councilmember Taylor reiterated that staff was being proactive and spoke of the need to address the areas of noncompliance. She stated that she did not want to risk the city's funding allocation and expressed concern that Edgewood, Harlandale, and SAISD would still serve less than 30% of those eligible. Councilmember Clamp asked of the measurement of success for the children enrolled in the Head Start Program. Ms. Hurtado replied that staff did not collect that data. Councilmember Medina recognized the work of the QOL Council Committee and city staff. He spoke of his experiences attending schools in SAISD and Northside ISD and his motivation to return to the Southside.

Mayor Castro thanked staff for the presentation.

2. UTILITY BRIEFING BY CPS ENERGY

Councilmember Cisneros entered the meeting at this time.

Doyle Beneby provided an update on the South Texas Project, noting that CPS Energy had indefinitely suspended discussions with NRG Energy in March and that had not changed. He spoke of the challenges in Japan due the previous earthquake and tsunami that included high amounts of radiation in the ocean. He noted that the future of nuclear power in the United States was uncertain and that he estimated a setback of 10-15 years. He outlined the Vision 2020 Goals of having 20% renewables and 65% low-carbon by 2020 and plan to retire coal use by 2018. He spoke of Clean Technology Alternatives that could be utilized including Solid Fuel; Natural Gas; and Solar Energy. He added that they were in discussion with four companies in an effort to leverage Clean Energy and Energy Efficiency Plans into economic development and educational opportunities. Lastly, he stated that CPS

Energy's net off-system margins would continue to be used to support its capital plan which would reduce borrowing levels and future base-rate requests. He noted that contracts for Wholesale Power include Central Texas Electric Coop-120 Megawatts; Seguin – 60 Megawatts; and Boerne – 30 Megawatts, and would be implemented in 2017.

Mayor Castro thanked CPS Energy for the presentation and work to create jobs and move San Antonio forward. Councilmember Williams recognized CPS Energy for their great work and asked of the plan to retire coal use. Mr. Beneby confirmed that it would be completed by 2018 and would eliminate the expenditure for scrubbers. Councilmember Williams asked of the terms of the contracts for Wholesale Power. Mr. Beneby replied that they were seven-year contracts that had options for renewal. Councilmember Williams asked of the progress regarding emergency notification to ratepayers. Mr. Beneby stated that they had implemented new processes that include adding circuits to minimize the impact. Additionally, electronic notification is available and key stakeholders have been identified for personal notification.

Councilmember Chan thanked CPS Energy for their work and asked of the investment in STP 3 and 4. Mr. Beneby stated that NRG was pursuing a loan guarantee but was not investing anymore funds in the ongoing process. He noted that Toshiba would assume funding for the next 120 days. He added that CPS Energy would not invest any additional funding and discussion with the CPS Energy Board on moving forward would occur once a decision had been made on the loan guarantee.

Councilmember Clamp asked of the purpose of the retirement of the coal plants. Mr. Beneby replied that coal plants had a life of 33 years and would retire them to divert capital funds to renewable energy. Councilmember Clamp confirmed that the scrubbers had been included in the previous rate increase. He spoke of a technology related to Carbon Dioxide and asked of the potential for CPS Energy to utilize same. Mr. Beneby stated that CPS Energy was exploring an opportunity through a project called Summit that utilized coal through zero emissions.

Councilmember Ramos asked of the solicitation for Solar Energy. Mr. Beneby replied that they intended to make an announcement by June 20, 2011 and that the amount of solar varied by proposer. He stated that CPS Energy would make a decision on the amount to purchase based on the price.

Mayor Castro thanked Mr. Beneby for the presentation.

EXECUTIVE SESSION

Mayor Castro recessed the meeting at 4:40 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 stated that the City Council had been briefed in Executive Session but had not taken any action. He declared the Public Hearing open at 6:08 pm.

3. A PUBLIC HEARING FOR THE SECOND OF TWO HOUSING AND URBAN DEVELOPMENT (HUD) REQUIRED CITYWIDE PUBLIC HEARINGS FOR THE

DEVELOPMENT OF THE FY 2012 FUNDING FOR FOUR HUD ENTITLEMENT GRANT PROGRAMS: COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIP GRANT (HOME), EMERGENCY SHELTER GRANT (ESG), AND HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA) PROGRAMS.

Mayor Castro called upon the individuals registered to speak.

Nettie Hinton stated that she was speaking on behalf of the San Antonio Branch of the National Association for the Advancement of Colored People (NAACP) and spoke of the importance of CDBG Funds for health and economic development. She expressed support for the University of the Incarnate Word (UIW) Eastside Eye Clinic and noted the great need for services in the area. She added that it was situated in a good location near St. Phillip's College and requested the support of the City Council.

Oscar Ramirez stated that he was the President of the Avenida Guadalupe Association. He noted that their mission was to economically transform the neighborhood and asked that funding in the amount of \$600,000 be provided for the Avenida Promesa Project Plaza de Heroes. He spoke of the economic benefits of the program and added that 31 jobs had already been created.

Mike Gilliam, President of the San Antonio Lighthouse for the Blind spoke of the planned new multipurpose facility and the benefits to the community. He stated that they were the second largest manufacturer in the city and that their new facility would be located near the Mission Reach. He noted that they would create over 100 jobs and requested the support of the City Council.

Cynthia Le Monds, Erin Figueroa and Isai Melgoza representing SA Youth addressed the City Council in support of funding for the Dan Cook Center Renovations Project. Ms. Le Monds stated that SA Youth served over 200 kids per day and that their programs were results-oriented. She spoke of the services they provide and expressed concern that funding for their program was cut from the recommendation. Ms. Lopez stated that she had two children that attend the Dan Cook Center and spoke of the great services they receive. She asked that funding be reconsidered for their project. A video was presented of the many individuals that support SA Youth.

Sergio Ramos spoke in support of funding for the SAY Si Program. He stated that he had received a full scholarship for college and that the 14 seniors currently enrolled in the program had been offered over \$600,000 in scholarships. He spoke of the great impact that SAY Si has on those they serve and added that 100% of their seniors graduate high school and attend college.

Gabriel Garcia, Ashley Sanchez, and Nicole Vasquez spoke in support of funding for the SAY Si Program. Ms. Vasquez stated that she was a graduate of the program and was now a senior at UTSA. She works for SAY Si and is proud of the many individuals that they serve. Ms. Sanchez stated that she too had graduated from the SAY Si Program and was the first in her family to attend college. She noted that SAY Si helped her graduate from high school and that she was now a role model for others. Mr. Garcia stated that he was an alumni of the SAY Si Program and spoke of the great services that they provide for youth. He thanked the City Council for their support.

Barbara Hawkins spoke in support of funding for the George Gervin Youth Center and introduced Dr. Delia Ibarra. Dr. Ibarra spoke of the new building they purchased and stated that they were requesting

funds for building upgrades to serve 200 high school students. She noted that they would create a minimum of 13 jobs and leverage \$2 million in funds.

Jackie Gorman-Johnson spoke in support of funding for the UIW Eastside Eye Clinic. She stated that the state-of-the-art clinic would help meet the Optometry needs of the Eastside and create 50 new jobs in the community.

Elizabeth Franklin representing the Dignowitty Hill Neighborhood Association expressed support for funding for the UIW Eastside Eye Clinic. She stated that there was only one eye doctor in the area and that services were greatly needed in the community.

Mayor Castro exited the meeting at this time and Councilmember Clamp presided over the meeting.

Sandy Morander, RoseAnn Barajas, and Nathaniel Davis spoke in support of funding for the YMCA of Greater San Antonio. Mr. Davis spoke of the importance of promoting family well-being on the Westside and noted that their program would focus on obesity and wellness. Ms. Barajas spoke of the great partnership with the City of San Antonio and reported that they serve over 8,400 individuals on the Westside. She spoke of her family's experiences with the YMCA and requested that the City Council support the staff recommendation for funding. Ms. Morander thanked the City Council for their support of the Westside YMCA.

Ronnie and Anabela Villela addressed the City Council in support of funding for the Bob and Jeanne Billa Learning Center. Mr. Villela spoke of the cracks in the walls and the need to address infrastructure issues. He asked that the building be repaired so that the students can continue to receive the much needed services.

Carrie Everson, Timothy Mick and Molly Thompson of Mt. Zion Community Group spoke in support of funding for the remaining phases of the Historic Gardens Project. Ms. Everson requested that the city complete the work that was initiated 18 years ago and expressed concern that the houses are falling apart and that children are in danger. Mr. Mick stated that he lives in the area and would like to see the project completed. Ms. Thompson added that they all wanted the project to be completed since it had been implemented 18 years ago.

Terri Williams, Womack Randle and Dorothy Collins, of Mount Zion First Baptist Church spoke in support of funding for their after school program. Ms. Collins spoke of the church's commitment to the betterment of San Antonio and their challenges with blight in the area. She stated that their new facility would provide educational services to at-risk youth and collaborate with Douglass Elementary and other schools in the area. Mr. Randle spoke of the necessity of their program and noted that they serve low-income students. He stated that they hoped to sponsor their after school program to assist with reading, writing, and other life skills. A student by the name of Isabel Valenzuela spoke in support of funding for the program and stated that she liked the program because it helped her to learn and play.

Jose Flores, Alejandro Valentin, Celestino Valentin and Marie Valentin spoke in support of funding for the Monte Cristo Center. Ms. Valentin stated that they served 1,000 individuals in a 900 square-foot facility and were in need of capital funds. She spoke of the services they provide and recognized the students that were present. A student named Jonathan spoke in French; Juan spoke in Spanish; and Stacy spoke in English. They spoke of the great services provided by the Monte Cristo Center. Ms. Valentin invited everyone to attend the Flips for Kids Event in which summer shoes would be provided

for children of economically disadvantaged families. Mr. Valentin stated that it was an honor to speak before the City Council and recognized the students that provide services to the needy. Mr. Flores stated that for every sandal they sold, one would be provided for free to a needy child. He added that they provide healthcare and education in Guatemala and Central America and thanked the City Council for their support.

Angie Mock expressed her support for funding for the Boys and Girls Club. She spoke of the many services they provide to 5,500 youth throughout the city and their work to promote healthy behaviors. She reported that they serve at-risk youth and was pleased that the Boys and Girls Clubs ranked number one in terms of average daily attendance per million dollars of funding. She added that 91% of their students remained in school and spoke of their many successes. She mentioned that the funds requested would be utilized for the Westside YMCA to upgrade the building and baseball fields.

Linda Tippins spoke in support of funding for San Antonio Fighting Back. She stated that the building was very old and was in need of upgrades to include a new air conditioner. She noted her support for their partners: George Gervin Youth Center, Boys and Girls Club, YMCA, and the Mt. Zion Baptist Church.

Manish Verma stated that he was the developer for the La Risa Project and requested funding for their renovation project. He noted that the property was over 40 years old and needed modernization. He mentioned that the program would provide affordable housing and that they had been awarded tax credits from the State. He added that in order to keep the award, they were in need of local funding support.

In the absence of Mayor Castro, Councilmember Clamp closed the Public Hearing at 7:21 pm and continued with Citizens to be Heard.

CITIZENS TO BE HEARD

Phillip Yochem stated that he was a tenant of Durango Boulevard and spoke in opposition to the renaming of Durango Street to Cesar E. Chavez Boulevard in the area between Frio and Hackberry Streets. He noted that there was a need to recognize Mr. Chavez but the cost to rename Durango Boulevard was too high. He spoke of other options to honor Mr. Chavez and added that providing such high exposure was not appropriate.

Ernestine Owings spoke in opposition to the renaming of Durango Boulevard to Cesar E. Chavez Boulevard, noting that Durango Boulevard had been changed to Judge HF Garcia Boulevard and then changed back. She stated that the street was dedicated to Judge HF Garcia and that Commerce Street was dedicated to Cesar E. Chavez. She noted that she was opposed to changing the street due to the high cost and number of individuals affected. She requested that Mr. Chavez be honored in some other way.

Bill Cogburn spoke in opposition to the renaming of Durango Boulevard to Cesar E. Chavez Boulevard, noting that he lived along Durango Boulevard. He expressed concern with the confusion to tourists, lost mail, and other challenges. He stated that the name Durango was historic and that Mr. Chavez should be honored in another way.

Naomi Nye spoke in opposition to the renaming of Durango Boulevard to Cesar E. Chavez Boulevard. She stated that she supports the honoring of Mr. Chavez but that it should be done in another manner. She spoke of the inconvenience that the name change would cause and noted that the name Durango honored the Mexican Culture. She added that she had conducted a survey of those near or affected by the street renaming and 59 of 68 were opposed.

Angela Menchaca-Hernandez, Epifanio Hernandez and Gloria Hernandez of the San Antonio River Missions Descendants addressed the City Council. Ms. Menchaca-Hernandez stated that their mission was to focus on the history of the Missions in San Antonio and to assist with genealogy. She noted that they were requesting funds for a Native American History Center and outlined services that would be provided including photos, gift shop, and café. She added that Epifanio Hernandez was a direct descendant of the Native American Indians that once lived inside the Mission walls.

Mark Perez expressed concern with the lack of enforcement of various city ordinances. He spoke of the AGE Refinery Building and asked why it was allowed to operate without a Certificate of Occupancy. He noted issues with the Development Services and Fire Departments and expressed concern with the City Manager's salary.

Heriberto Barrientes expressed concern that he was not allowed to place a second electrical meter on his property. He referenced the 1938 Zoning Districts and Reserved Use from the 2006 UDC Annual Amendments noting that he should be allowed to continue or establish the reserved use. He spoke of a letter that he received from the Director of Development Services and did not understand why he was not being provided assistance.

Marian Aitches stated that she was a History Professor and valued the history of Cesar E. Chavez but noted her opposition to the renaming of Durango Boulevard to Cesar E. Chavez Boulevard. She noted that it was fiscally irresponsible to rename the major thoroughfare and that the name Durango honored the fact that we were once part of Mexico. She stated that the funds could be better used by the agencies requesting CDBG Funding.

Faris Hodge, Jr. submitted written testimony. He wrote that the City of San Antonio's Written Testimony Form should have the option of stating whether individuals were For, Against, or Neutral. He expressed concern that child support is getting out of hand and that senior citizens did not receive enough canned food from the Food Bank. He asked why the building at 114 W. Commerce Street did not have water sprinklers and requested that the City Council add four Council Districts. He wrote that BexarMet and SAWS should consolidate to save money and expressed concern that the train in Brackenridge Park is too small for adults. He also wrote that garbage was not collected on Martin Luther King Day, but the ratepayers were still charged. He expressed concern with the Diabetes Rate that is projected to rise significantly in the U.S.

ADJOURNMENT

There being no further discussion, Councilmember Clamp adjourned the meeting at 7:49 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **May 19, 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 Msgr. Kevin E. Ryan, St. Mark the Evangelist Catholic Church, guest of Councilmember Elisa Chan, District 9.

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

Item 3. MINUTES

Councilmember Cisneros moved to approve the Minutes for the May 4-5, 2011 City Council Meetings. Councilmember Clamp seconded the motion.

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

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2011-05-19-0395

Item 4. AN ORDINANCE CANVASSING THE MAY 14, 2011 GENERAL ELECTION RESULTS AND, AS APPLICABLE, ESTABLISHING EARLY VOTING AND ELECTION DAY POLLING LOCATIONS FOR THE RUN-OFF ELECTION SCHEDULED FOR SATURDAY, JUNE 11, 2011.

Mrs. Vacek presented the total Votes Cast for each candidate in the May 14, 2011 General Election. She reported that the total number of votes cast, including one provisional ballot, was 43,628 and the total of registered voters for the City of San Antonio was 648,682.

In addition, Mrs. Vacek briefed the Council on the Run-off Election scheduled for Council Districts 1 and 7 on Saturday, June 11, 2011. She informed the Council of the Early Voting and Election Day sites to be utilized. She noted that there would be cost savings of at least \$325,000 due to not having a city-wide Run-off Election.

FOR MEMBER OF COUNCIL, MAYOR:

James Rodriguez	1,675 votes
Will McLeod	2,846 votes
Michael "Commander" Idrogo	1,145 votes
Julián Castro	34,309 votes
Rhett R. Smith	2,153 votes

FOR MEMBER OF COUNCIL, PLACE NO. 1:

Chris Forbrich	656 votes
Carolyn Kelley	837 votes
Diego Bernal	2,148 votes
Lauro A. Bustamante	150 votes
Ralph Medina	1,507 votes

FOR MEMBER OF COUNCIL, PLACE NO. 2:

Ivy R. Taylor	2,337 votes
Darrell Boyce	402 votes

FOR MEMBER OF COUNCIL, PLACE NO. 3:

Jennifer V. Ramos	3,209 votes
Elizabeth "Liz" Campos	958 votes
Ernest Zamora, Jr.	214 votes

FOR MEMBER OF COUNCIL, PLACE NO. 4:

Rey Saldaña	2,484 votes
Leticia Cantu	1,864 votes
Kathy Luna	419 votes

FOR MEMBER OF COUNCIL, PLACE NO. 5:

Raymond Zavala	59 votes
Andro Mendoza	86 votes
David Medina	2,631 votes
Lourdes Galvan	970 votes

FOR MEMBER OF COUNCIL, PLACE NO. 6:

Pete Galaviz	261 votes
Ray Lopez	1,880 votes
Steve Shamblen	267 votes

FOR MEMBER OF COUNCIL, PLACE NO. 7:

Ruben Cortez	125 votes
Cris Medina	2,773 votes
Fred A. Rangel	594 votes
Gloria Rodriguez	1,120 votes
Elena Guajardo	1,146 votes

FOR MEMBER OF COUNCIL, PLACE NO. 8:

Caron West	980 votes
Reed Williams	3,678 votes

FOR MEMBER OF COUNCIL, PLACE NO. 9:

Elisa Chan	3,061 votes
Jose Valdez, Jr.	646 votes

FOR MEMBER OF COUNCIL, PLACE NO. 10:

Isy Perez	143 votes
Laura Thompson	471 votes
Bud Little	2,079 votes
Carlton Soules	2,702 votes

SWEARING-IN

Mrs. Vacek administered the Statements of Elected Office and Oaths of Office to the 2011-2013 Mayor and Councilmembers from the Main Election.

Mayor Castro presented the Certificates of Election to the 2011-2013 Mayor and Councilmembers that were sworn-in.

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

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

POINT OF PERSONAL PRIVILEGE

Mayor Castro stated that the city was celebrating the first “College Week” this week and that the effort was being led by Generation TX and the San Antonio Education Partnership. He spoke of the importance of creating a college-going culture in the city and encouraged everyone to wear their favorite college t-shirt the following day.

Mayor Castro addressed Items 20A and 20B at this time.

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the caption for Items 20A and 20B:

Item 20. A RESOLUTION CONFIRMING THE FOLLOWING APPOINTMENTS TO THE CPS ENERGY BOARD OF TRUSTEES AND THE SA ENERGY ACQUISITION PUBLIC FACILITY CORPORATION BOARD OF DIRECTORS:

2011-05-19-0015R

A. APPOINTMENT OF EDWARD B. KELLEY (NORTHWEST QUADRANT) AS TRUSTEE OF THE CPS ENERGY BOARD OF TRUSTEES FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE JANUARY 31, 2012; AND

2011-05-19-0016R

B. APPOINTING EDWARD B. KELLEY (NORTHWEST QUADRANT) TO THE SA ENERGY ACQUISITION PUBLIC FACILITY CORPORATION BOARD OF DIRECTORS FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE JANUARY 31, 2013.

CPS Board Chair Derrick Howard stated that he was pleased to present their selection of Edward B. Kelley to the CPS Energy Board of Trustees for the Northwest Quadrant. Mr. Kelley thanked the City Council for their support and stated that he was honored to serve in this capacity.

Mayor Castro recognized Mr. Howard for his leadership on the Board and thanked Mr. Kelley for offering to serve on the Board. Councilmember Rodriguez thanked Mr. Kelley for his willingness to serve and recognized Councilmember Williams for his leadership on the solicitation of applicants. Councilmember Williams recognized Councilmember Rodriguez for his work in the Northwest Quadrant and thanked Mr. Kelley for his commitment to serve on the Board. Councilmember Clamp stated that he had the opportunity to work with Mr. Kelley in the past and he would be a great asset to the CPS Energy Board.

Councilmember Rodriguez moved to approve the Resolutions for Items 20A and 20B. Councilmember Williams seconded the motion.

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

ITEMS FOR INDIVIDUAL CONSIDERATION (CONTINUED)

The City Clerk read the following Ordinance:

2011-05-19-0396

Item 5. AN ORDINANCE RENAMING DURANGO BOULEVARD, FROM SW 36TH STREET TO SOUTH HACKBERRY STREET, TO "CESAR E. CHAVEZ BOULEVARD".

Rod Sanchez presented and stated that a Council Consideration Request (CCR) had been received by Councilmember Cortez to rename Durango Boulevard to Cesar E. Chavez Boulevard. He stated that the name change would extend to the full length of East and West Durango and that the honorary designation as Judge H. F. Garcia Memorial Boulevard would be retained. He noted that the honorary street markers of Cesar E. Chavez on East and West Commerce Street would be eliminated.

Mr. Sanchez outlined the process in which notices were sent to numerous agencies and property owners along and adjacent to the subject street. He stated that notice was also posted on the Development Services Department website. He noted that the Planning Commission held a public hearing on April 27, 2011 and an additional notice was sent to property owners on May 4, 2011. He outlined the fiscal impact totaling \$99,321.00 for city and Texas Department of Transportation signage. He added that staff recommended approval.

Mayor Castro called upon the individuals registered to speak.

Jaime P. Martinez thanked the City Council for their leadership and stated that a US Navy Ship in San Diego had been named after Cesar E. Chavez. He spoke of Mr. Chavez's service in the military and his work for civil rights. He noted that he had the privilege of working alongside Mr. Chavez and had witnessed his non-violent struggle for justice in the field. He added that he was proud that Mr. Chavez had been recognized on the cover of Time Magazine in 1969 and that his legacy should be honored.

Former Councilmember Bernardo Eureste addressed the City Council in support of the name change. He stated that he had the opportunity to meet Cesar E. Chavez and spoke of his fond memories of him. He noted that Mr. Chavez had fought for the rights of farm workers and Mexican-Americans throughout the United States.

Captain James Turner, USAF Retired spoke of the discrimination that he witnessed while growing up in Michigan and his work in the fields. He stated that he had become an activist at 14 years old and urged the City Council to vote in favor of the street name change.

Maria Lopez stated that the legacy of Cesar E. Chavez lived in her and spoke of her family's experiences working in the labor fields. She asked the City Council to vote in favor of the street name change.

Rita Heck spoke of the great work of Cesar E. Chavez but stated that she was opposed to renaming a major thoroughfare in his honor. She noted that there were many other ways to recognize Mr. Chavez for his efforts.

Joan Korte, President of the Downtown Residents Association spoke in opposition to the street name change. She stated that their policy was not to change the names of historic streets and recommended that a school be named after Cesar E. Chavez. She also mentioned the possibility of donating the funds to the poorest school district. She added that there should be more deliberation prior to implementing something so meaningful.

Rollette Schreckenghost, President of the San Antonio Conservation Society stated that they were in opposition to the street renaming. She noted that Durango Boulevard was an important part of the history of San Antonio and was named after a town in Mexico. She mentioned that in January 2003, the Conservation Society passed a Resolution to oppose historic street names within the original 36 square miles of San Antonio. She expressed concern that all procedures had not been met and requested a review by the City Attorney.

Nazirite Ruben Flores Perez spoke in support of the street name change and noted the great work of Cesar E. Chavez.

Ben Brewer, President of the Downtown Alliance spoke in support of the renaming of Durango Boulevard to Cesar E. Chavez Boulevard. He stated that their Board believed that Mr. Chavez should be recognized for this leadership in advocating for the rights of laborers in the United States. He noted that the City of San Antonio should make every effort to compensate businesses located on Durango Boulevard for costs associated with the changes.

Pedro Ruiz, Antonio Diaz, and Diane Uriegas presented a video documenting the struggles of farm workers and highlighting the work of Cesar E. Chavez. Mr. Diaz stated that he was pleased that the renaming was moving forward but did not approve of Durango Boulevard. He spoke in support of renaming Commerce Street in honor of Mr. Chavez.

Ernest J. Martinez stated that he had grown up as the son of a labor organizer and understood the importance of labor in society. He noted that he had learned about the struggles of farm workers early on in life and had the honor of meeting Cesar E. Chavez as a young boy. He added that the street renaming was long overdue and asked the City Council to vote in favor.

Martha Von Ellenrieder stated that as a child, she was a farm worker and spoke of the great work of Cesar E. Chavez. She noted that it was important to recognize Mr. Chavez and that many owe their health to him.

Maria Pfeiffer spoke in opposition to the street name change. She stated that she believed that Cesar E. Chavez should be honored but in another manner such as a memorial. She spoke of her experiences documenting the history of the city and noted that many individuals that would be affected by the street name change were in favor of keeping the name Durango Boulevard. She expressed concern with the direct and indirect costs that would be incurred by those that live and work along Durango Boulevard.

Fred Pfeiffer addressed the City Council in opposition to the street name change. He stated that the issue was not in honoring Cesar E. Chavez but did not feel that changing a historic street name was the best way to do so. He noted that many signs, maps, and addresses would have to be changed and expressed concern that the process had not been followed. He asked that the action be postponed in order to identify a better way to honor Mr. Chavez.

Eleazar Guajardo stated that he was a former migrant worker and appreciated the efforts of Cesar E. Chavez. He spoke in opposition to the renaming of Durango Boulevard and recommended that Zarzamora Street be renamed in honor of Mr. Chavez.

Joe Martinez stated that he lived on Durango Boulevard and was opposed to the street renaming. He spoke of the financial burden that he and others along Durango would incur.

Chief – Apostle Bishop Rosita L. Wilson representing the Cesar E. Chavez Justice Foundation spoke in support of the street renaming. She referenced the overlay that she was wearing, noting the many things it symbolized. She requested that the City Council approve the street name change. Barbara Ruiz added that she believed that the street renaming was the ultimate honor to the legacy of Cesar E. Chavez.

Jesse Hereford representing the San Antonio Hispanic Chamber of Commerce stated that they were in full support of the renaming of Durango Boulevard to Cesar E. Chavez Boulevard. He noted that Mr. Chavez was an iconic figure in the Hispanic Culture and widely recognized as a great American that fought for civil liberties and equal rights. He added that the costs associated with the name change should not unduly burden the businesses and residents along the proposed thoroughfare.

Debra Benditz stated that the City Council should be fiscally responsible and not approve the street renaming. She spoke of the economic impact and noted that the money could be better spent. She asked that the city identify a more appropriate way to honor Cesar E. Chavez.

Joe Gonzalez spoke of the importance of renaming Durango Boulevard to Cesar E. Chavez Boulevard, noting his work for the rights of farm workers. He stated that he was once a farm worker and that the street renaming would be powerful and meaningful.

Sylvia Don stated that the recognition of Cesar E. Chavez for his efforts for social justice through non-violence was long overdue. She noted that she had the honor of meeting Mr. Chavez and asked the City Council to approve the renaming of Durango Boulevard to Cesar E. Chavez Boulevard.

Claudia Sanchez stated that she was a graduate of UTSA and in support of the renaming of Durango Boulevard to Cesar E. Chavez Boulevard. She noted that Mr. Chavez was one of her role models and spoke of the importance of honoring him.

Jesse L. Lara stated that he was in support of the renaming of Durango Boulevard to Cesar E. Chavez Boulevard. He noted that he had moved many times and the only cost he incurred was to change his driver's license. He spoke of the change of a portion of Crockett Street to Tower of the Americas Way and added that the US Navy was spending millions of dollars to name a ship after Mr. Chavez.

Proud Democrats of San Antonio, Anjelita Cadena, Joe Espinoza, and Joseph Nazaroff spoke in support of the street name change. Ms. Cadena stated that she came from a family of farm workers and that Cesar E. Chavez had fought for their rights. She noted that it was important to honor Mr. Chavez and that many succeeded due to his motto "Si se puede." Mr. Espinoza stated that he was proud to speak in support of the street name change and their organization would be happy to assist with the cost to those affected by sponsoring fundraisers.

Former Councilmember Mario Salas addressed the City Council in support of the street name change. He stated that life was full of changes and referenced several ways to recoup the \$100,000 cost. He noted that he had supported the street name change in the past and was pleased to honor Mr. Chavez today.

Abraham Charnichart stated that he was a student at St. Phillip's College and that Cesar E. Chavez had inspired him. He noted that Mr. Chavez was a hero for the Hispanic Population and that it was important to keep his memory alive.

Cynthia Rodriguez stated that although change was difficult, it was time for change. She noted that Cesar E. Chavez was a hero and deserved to have Durango Boulevard renamed in his honor.

Teresa Velasquez stated that she was speaking on behalf of Gabriel Velasquez in support of renaming Durango Boulevard to Cesar E. Chavez Boulevard. She spoke of Mr. Chavez's legacy and sacrifices for the working class in America.

Roger Z. Guevara stated that he was in favor of renaming Durango Boulevard to Cesar E. Chavez Boulevard. He noted that this action was long overdue and that the cost was a small price to pay to honor Mr. Chavez.

Betty Burks representing San Antonio Independent School District (SAISD) spoke in support of the renaming of Durango Boulevard to Cesar E. Chavez Boulevard. She stated that Mr. Chavez had played a significant role in the civil rights of the Latino Culture and was a role model for those served by

SAISD. She added that as a resident of Durango Boulevard, SAISD would be proud to have Cesar E. Chavez Boulevard as their new address.

Mayor Castro stated that Chris Forbrich had to leave but left a written testimony in opposition to the street name change with the City Clerk and it will be on file for the record.

Steve Huerta stated that he was in support of the street name change and referenced the US Navy Ship that had been named in honor of Cesar E. Chavez. He spoke of the work of Mr. Chavez to eliminate the degrading label of the word “minorities.”

Jack M. Finger spoke in opposition to the street name change due to the costs and stated that taxpayers should not have to bear the burden. He referenced the US Navy Ship named after Cesar E. Chavez and expressed concern that Mr. Chavez was not a military hero and had not died for his country.

Patrick Conroy spoke in opposition to the street name change. He stated that there was consensus that Cesar E. Chavez and his legacy deserve a permanent and prominent memorial in the city but expressed concern with the related costs. He noted that there was a significant difference in changing addresses and telephone numbers and that there would be no economic benefit to changing the street name. He added that there was 87% opposition and approving the change would not be considered good government.

Mrs. Vacek stated that written testimony was received from Paul F. Chavez, President of the Board of Directors of the Cesar Chavez Foundation in support of the renaming of Durango Boulevard to Cesar E. Chavez Boulevard. Mr. Chavez wrote that commemorations of his father’s life, work and values were occurring in hundreds of communities across the nation and thanked everyone for their efforts.

Mrs. Vacek stated that written testimony in opposition to the street name change was received from Faris Hodge, Jr., Don Noble, Retired Sgt. Jose and Mary Martinez, Richard J. Jauregui, and Phillip A. Yochem, Jr.

Councilmember Cortez thanked all that spoke and presented a video of Dolores Huerta, Co-Founder and First Vice-President of the United Farm Workers expressing her support for the street renaming. She spoke of Mr. Chavez’s work for the betterment of the community through nonviolent efforts. Councilmember Cortez asked of the street renaming process. Rod Sanchez replied that the process had been revised in April and that the new process was much more transparent. He stated that the new process involves the review of many departments and organizations and is heard by the Planning Commission. Councilmember Cortez stated that he was pleased that residents were provided the opportunity for input through the Planning Commission. He asked of the CCR for the process. Michael Bernard outlined the CCR Process, noting that it was a mechanism for items to be placed on the City Council Agenda with the concurrence of five Councilmembers. Councilmember Cortez spoke of his work, along with Councilmembers Cisneros and Medina, reaching out to stakeholder groups to solicit input. He mentioned that city staff in the Department of Community Initiatives would be available to assist individuals affected by the street name change.

Councilmember Cortez asked of the historical significance of Durango Street. Shanon Peterson replied that they had researched the history of the street and stated that the Downtown portion of Durango Boulevard did not exist prior to HemisFair. She confirmed that the street was named for a State in Mexico. Councilmember Cortez referenced a book entitled, “The Streets of San Antonio,” a historical

perspective of 19th Century Immigrants and the street names in San Antonio that honor their legacy and noted that Durango Boulevard was not included.

Councilmember Cortez asked of the percentage of the cost relative to the General Fund. Ms. Sculley replied that it was .0001% of the \$927 million General Fund Budget. Councilmember Cortez asked of the impact of mail and correspondence to those that live or work on Durango Boulevard. Mr. Sanchez replied that the Post Office would continue to deliver mail to their current address for one year. Councilmember Cortez asked of the number of street name changes over the past 10 years. Mr. Sanchez stated that 249 applications had been received and approximately 90% had gone through the process and been approved. Councilmember Cortez stated that this was a great opportunity to honor Cesar E. Chavez and presented a petition of support signed by 130 residents and businesses located on Durango Boulevard.

Councilmember Rodriguez thanked Councilmember Cortez for his leadership in bringing the item forward and spoke of the great work of Cesar E. Chavez. He stated that Mr. Chavez was an American Hero of Latino descent and was proud to honor his legacy. Councilmember Lopez thanked the individuals that have kept the legacy of Cesar E. Chavez alive and shared a story about how Mr. Chavez touched his life as a young man in the 1950's. He stated that the cost was a small price to pay to honor a worthy individual. Councilmember Cisneros expressed her support for the renaming of Durango Boulevard to Cesar E. Chavez Boulevard, noting that said action was long overdue. She stated that San Antonio would join the ranks of other cities in honoring Mr. Chavez with a street name and that he was very worthy of the recognition.

Councilmember Taylor recognized Councilmember Cortez for his leadership on this issue. She stated that Cesar E. Chavez's legacy was not the concern but it was important to honor him in the most appropriate way. She noted that she was not comfortable with the proposal today due to the cost and the feedback from those that would be affected by the name change. She recommended that there be an opportunity for more dialogue and requested that those committed to the process identify funding from other sources. She added that she did not want to diminish the life and legacy of Mr. Chavez in any way.

Councilmember Williams concurred that something should be done to honor the legacy of Cesar E. Chavez but expressed concern with the method being utilized. He stated that the process should be inclusive and not politically motivated.

Councilmember Medina thanked everyone that participated in the process and stated that he understood the fiscal concerns that were expressed. He spoke of the great impact that Cesar E. Chavez had on the lives of many Americans and noted various organizations in District 5 that had expressed support for the street name change including the Prospect Hill Neighborhood Association and Avenida Guadalupe Association. He stated that he was pleased with the process and recognized Councilmember Cortez for his leadership on the issue.

Councilmember Chan asked of the \$25,000 being utilized from the Public Works Budget. Ms. Sculley replied that the Public Works Budget totaled \$65 million and \$25,000 accounted for .015% of that budget. Councilmember Chan asked of the city's commitment to assist those affected by the name change. Ms. Sculley stated that the city was not pledging any funds but would provide staff resources to assist with the transition. Councilmember Chan asked of the impact to tourism. Mr. Sanchez stated that they had not conducted that analysis. Councilmember Chan asked of the notices mailed. Mr. Sanchez

reported that of 392 notices mailed; 76 were returned in opposition and 11 were returned in favor. Councilmember Chan asked of the businesses affected by the name change for Tower of the Americas Way. Mr. Sanchez replied that Landry's was the only business affected and the other properties were owned by the city. He stated that 55 businesses would be affected by the renaming of Durango Boulevard. Councilmember Chan stated that she believed that Mr. Chavez should be honored but that it could be accomplished in a more prominent way. She spoke of the challenging economic conditions and the impact that the name change would have on business owners and residents.

Councilmember Ramos thanked everyone that participated in the process and asked how street name changes had been initiated over the past 10 years. Mr. Sanchez replied that he had data from the past two years and that 22 of the 30 street name changes were initiated by the city. Councilmember Ramos stated that there had been a public process and that the Planning Commission had voted in favor of the street name change. She recognized Arturo Rodriguez, President of the United Farm Workers and his wife Linda Chavez, daughter of Cesar E. Chavez.

Councilmember Clamp stated that he appreciated Councilmember Cortez's passion for the street name change but could not support the item at this time. He asked of the percentage of support. Mr. Sanchez replied that he could only report that 76 responses were received in opposition out of 392 notices mailed. Councilmember Clamp expressed concern that the City Council was moving forward without a great consensus to honor Cesar E. Chavez in this manner. He stated that the cost could not be minimized due to the budget shortfall and the City Council should be cognizant of same.

Mayor Castro thanked everyone for their participation in the process and stated that he was supportive of the renaming of Durango Boulevard to Cesar E. Chavez Boulevard. He spoke of the revised process for street name changes that was more stringent and transparent. He indicated that many street name changes were initiated by the city over the past 10 years and that there was a budget allocated for the replacement of street signs. He noted that the City Council had been good fiscal stewards and the citizens had seen the results of that. He stated that the legacy of Mr. Chavez was significant enough to change the name of Durango Boulevard. He mentioned that he did not believe that only developers and generations past should have the opportunity to name major streets in a community. He added that he was pleased with the support of SAISD as Lanier High School and Tafolla Middle School would be affected by the street name change.

Councilmember Cortez moved to adopt the proposed Ordinance. Councilmember Rodriguez seconded the motion. Councilmember Clamp made a Friendly Amendment to revoke "Cesar Chavez Memorial Way" upon passage. Councilmembers Cortez and Rodriguez accepted the Friendly Amendment.

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

RECESSED

Mayor Castro recessed the meeting at 1:07 pm to break for lunch and stated that the meeting would reconvene at 2:00 pm.

RECONVENED

Mayor Castro reconvened the meeting at 2:13 pm and addressed the Zoning portion of the agenda.

CONSENT ZONING ITEMS

The following Zoning Items were pulled for Individual Consideration Z-3, Z-4, Z-5, Z-6, Z-7, P-1, P-2, Z-8, Z-9, Z-10, and Z-12.

Councilmember Cortez moved to approve the remaining Zoning Items: 33, Z-1, Z-2, and Z-11 under Consent Zoning. Councilmember Ramos seconded the motion.

Mayor Castro called upon Jack M. Finger to speak.

Mr. Finger expressed concern that an oil refinery was being authorized over the River Improvement Overlay District in Item 33. He spoke in opposition to the 30% impervious cover authorized in Item Z-4 and the check cashing store authorized in Item Z-7. He noted that he was opposed to the 800 dwelling units that would be placed near the Mitchell Lake Bird Species Migratory Route in Item Z-10.

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

2011-05-19-0418

Item 33. AN ORDINANCE AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE OF THE CITY CODE OF SAN ANTONIO, TEXAS REGARDING REGULATION OF USES WITHIN THE RIVER IMPROVEMENT OVERLAY DISTRICTS TO ALLOW AN EXISTING USE TO BE CONFORMING.

2011-05-19-0419

Item Z-1. **ZONING CASE # Z2011091 (District 6):** An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-3 AHOD" General Commercial Airport Hazard Overlay District on Lot 8, Block 29, NCB 18076 located at 8349 Culebra Road. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 8, BLOCK 29, NCB 18076 TO WIT: FROM "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "C-3 AHOD" GENERAL COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

2011-05-19-0420

Item Z-2. **ZONING CASE # Z2011074 (District 7):** An Ordinance amending the Zoning District Boundary from "MF-33 AHOD" Multi-Family Airport Hazard Overlay District to "C-1 AHOD" Light Commercial Airport Hazard Overlay District on Lot 28, Lot 29, Lot 30, Lot 31 and Lot 32, Block 16, NCB 7502 located at 4040 Culebra Road. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 28, LOT 29, LOT 30, LOT 31 AND LOT 32, BLOCK 16, NCB 7502 TO WIT: FROM "MF-33 AHOD" MULTI-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "C-1 AHOD" LIGHT COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

2011-05-19-0428

Item Z-11. **ZONING CASE # Z2011120 (District 3):** An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-1 AHOD" Light Commercial Airport Hazard Overlay District on the south irregular 96.5 feet of Lot 13, Block 31, NCB 3299 located at 107 Rigsby Avenue. Staff recommends approval. Zoning Commission recommendation pending the May 17, 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: THE SOUTH IRREGULAR 96.5 FEET OF LOT 13, BLOCK 31, NCB 3299 TO WIT: FROM "I-1AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-1 AHOD" LIGHT COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

[CONSENT ZONING CONCLUDED]

POINT OF PERSONAL PRIVILEGE

Councilmember Chan recognized the delegation from Taizhou, China that was visiting San Antonio to explore business opportunities for trade and collaboration. Mayor Castro thanked the Taizhou Representatives that were present and stated that he was honored that they had chosen to visit San Antonio.

Councilmember Clamp stated that this week was College Week and recognized Rob Killen representing the University of Texas at San Antonio (UTSA) Alumni Association. Mr. Killen spoke of the many individuals with ties to UTSA and thanked the City Council for their support. He presented the City Council with UTSA T-Shirts. Councilmember Cortez noted that the UTSA Scholarship Endowment has reached \$1 million.

INDIVIDUAL ZONING ITEMS

2011-05-19-0421

Item Z-3. **ZONING CASE # Z2011035 S (District 8):** An Ordinance amending the Zoning District Boundary from "R-6 MLOD" Residential Single-Family Military Lighting Overlay District to "C-2 S MLOD" Commercial Military Lighting Overlay District with a Specific Use Authorization for a Gasoline Filling Station with a Carwash on 2.111 acres out of NCB 14890; a portion of the 13600 Block of Interstate Highway 10 West, located at the southwest corner of the intersection at UTSA 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: 2.111

ACRES OUT OF NCB 14890 TO WIT: FROM "R-6 MLOD" RESIDENTIAL SINGLE-FAMILY MILITARY LIGHTING OVERLAY DISTRICT TO "C-2 S MLOD" COMMERCIAL MILITARY LIGHTING OVERLAY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A GASOLINE FILLING STATION WITH A CAR WASH PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

Chris Looney presented and stated that staff and the Zoning Commission recommended approval. He noted that of five notices mailed; two were received in favor and none received in opposition. He added that staff and the Zoning Commission were also in support of the two site plans submitted by the applicant.

Councilmember Williams asked of staff recommendation regarding the applicant's request to exempt the residential protection fencing. Mr. Looney replied that staff concurred with the exemption. Councilmember Williams confirmed that only one site plan would be selected. Mr. Looney stated that one of the site plans required a variance from the Board of Adjustment. If the request is denied, they will proceed with the second site plan.

Councilmember Williams moved to adopt the proposed Ordinance and read into the record that the residential protecting fencing requirement will be waived per staff recommendation. Councilmember Chan 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.

2011-05-19-0422

Item Z-4. **ZONING CASE # Z2011089 ERZD (District 8):** An Ordinance amending the Zoning District Boundary from "O-1 MLOD ERZD" Office Military Lighting Overlay Edwards Recharge Zone District to "R-6 MLOD ERZD" Residential Single-Family Military Lighting Overlay Edwards Recharge Zone District on Lot 6, Block 18, NCB 14728 located at 12037 Huebner Road. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 6, BLOCK 18, NCB 14728 TO WIT: FROM "O-1 MLOD ERZD" OFFICE MILITARY LIGHTING OVERLAY EDWARDS RECHARGE ZONE DISTRICT TO "R-6 MLOD ERZD" RESIDENTIAL SINGLE-FAMILY MILITARY LIGHTING OVERLAY EDWARDS RECHARGE ZONE DISTRICT.

Chris Looney presented and stated that staff and the Zoning Commission recommended approval. He noted that of nine notices mailed; none were received in favor and four were received in opposition. He added that due to more than 20% opposition from the property owners within 200 feet; the item would require nine votes for approval.

Councilmember Williams confirmed that the four properties in opposition to the zoning were vacant. Mr. Looney confirmed same. Councilmember Williams stated that the change from Office to Residential would likely result in less impervious cover and that San Antonio Water System (SAWS) had approved same.

Councilmember Williams moved to adopt the proposed Ordinance. Councilmember Chan 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.

CONTINUED

Item Z-5. **ZONING CASE # Z2011097 S (District 1):** An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 S AHOD" Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Carwash on Lot 17, Block 83, NCB 3256 located at 1102 and 1104 Fredericksburg Road. Staff and Zoning Commission recommend approval.

Chris Looney presented and stated that staff and the Zoning Commission recommended approval. He noted that of 15 notices mailed; two were received in favor and one was received in opposition. He added that the Keystone and Jefferson Neighborhood Associations were opposed to the rezoning.

Mayor Castro called upon the citizens registered to speak.

John B. Davis stated that it was his understanding that the item would be continued and would reserve his comments for a later time.

Patricia Doria stated that she was the President of the Keystone Neighborhood Association and would reserve her comments for a later time.

Councilmember Cisneros moved to continue Item Z-5 until June 2, 2011. Councilmember Rodriguez seconded the motion.

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

CONTINUED

Item Z-6. **ZONING CASE # Z2011100 (District 1):** An Ordinance amending the Zoning District Boundary from "MF-33 AHOD" Multi-Family Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Lot 35 and 36, Block 2, NCB 6389, save and except the east 3.5 feet of Lot 36 located at 1934 West Poplar Street. Staff and Zoning Commission recommend denial.

Chris Looney presented and stated that staff and the Zoning Commission recommended denial. He noted that of 41 notices mailed; five responses were received in opposition and none were received in favor. He added that no response was received from the Gardendale Neighborhood Association.

Councilmember Cisneros moved to continue Item Z-6 for 30 days. Councilmember Rodriguez seconded the motion.

Mayor Castro called upon the individuals registered to speak.

Mark Hamilton stated that he lived adjacent to the property in question and spoke in opposition to the zoning request due to the noise. He stated that he would like to sleep in peace and that the area was zoned as residential. He asked the City Council to vote no to the zoning request.

David Lara stated that he concurred with Mr. Hamilton and was concerned for the safety of his family and neighbors. He spoke of the traffic that would be created and asked the City Council to oppose the zoning request.

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

CONTINUED

Item Z-7. **ZONING CASE # Z2011053 S (District 2):** An Ordinance amending the Zoning District Boundary from "C-2" Commercial District to "C-2 S" Commercial District with a Specific Use Authorization for a Specified Financial Institution on Lot 78, NCB 10754 located at 1264 South W. W. White. Staff and Zoning Commission recommend denial.

Chris Looney presented and stated that staff and the Zoning Commission recommended denial. He noted that of 11 notices mailed; four were received in opposition and none were received in favor. He added that due to more than 20% opposition from the property owners within 200 feet; the item would require nine votes for approval.

Councilmember Taylor moved to continue Item Z-7 for 30 days. Councilmember Cisneros seconded the motion.

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

Items P-1, P-2, and Z-9 were addressed together.

2011-05-19-0423

Item P-1. **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 MAY 5, 2011.)

2011-05-19-0424

Item P-2. **PLAN AMENDMENT #11017 and #11017-A (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, BY AMENDING THE TEXT TO ADD A HEAVY INDUSTRIAL LAND USE CLASSIFICATION AND BY CHANGING THE USE FROM PARKS/OPEN SPACE LAND USE, PUBLIC/INSTITUTIONAL LAND USE, LOW DENSITY RESIDENTIAL LAND USE, HIGH DENSITY RESIDENTIAL LAND USE, MIXED USE LAND USE, AND BUSINESS PARK LAND USE TO LOW DENSITY RESIDENTIAL LAND USE,

NEIGHBORHOOD COMMERCIAL LAND USE, COMMUNITY COMMERCIAL LAND USE, PUBLIC/INSTITUTIONAL LAND USE, AND HEAVY INDUSTRIAL LAND USE FOR AN AREA APPROXIMATELY 110.505 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, 7811, 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 AND #Z2011076-A) (CONTINUED FROM APRIL 21, 2011 AND MAY 5, 2011.)

2011-05-19-0426

Item Z-9. **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 May 5, 2011.)

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 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 TO WIT: FROM MULTIPLE ZONING DISTRICTS TO MULTIPLE ZONING DISTRICTS WITH THE ADOPTION AND APPLICATION OF THE SOUTH PRESA METROPOLITAN CORRIDOR OVERLAY DISTRICT (MC-2).

Mark Perez submitted written testimony in opposition to Item Z-9. He wrote that the property was in violation of the Chapter 35 Certificate of Occupancy Ordinance and that they were operating under and I-2 status which was also a violation. He requested that the zoning request be denied until all applicable laws have been reviewed.

Councilmember Ramos moved to adopt the proposed Ordinances for Items P-1, P-2, and Z-9. Councilmember Cortez 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.

2011-05-19-0425

Item Z-8. **ZONING CASE #Z2011076 and #Z2011076-A (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 River Improvement Overlay District-5, "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 River Improvement Overlay District-5, "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 River Improvement Overlay District-5, "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 River Improvement Overlay District-5, "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 River Improvement Overlay District-5, "I-1 AHOD RIO-6" General Industrial District, "I-2 AHOD RIO-5" Heavy Industrial River Improvement Overlay District-5, "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 River Improvement Overlay District-5, "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 AHOD RIO-6" 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 River Improvement Overlay District-5. "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 River Improvement Overlay District-5, "C-2 AHOD RIO-6" Commercial District, "C-3 H AHOD RIO-5" General Commercial Mission Historic River Improvement Overlay District-5, "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 River Improvement Overlay District-5, "NP-10 H AHOD" Neighborhood Preservation Mission Historic District, "R-4 AHOD" Residential Single-Family District, "R-4 AHOD RIO-5" Residential Single-Family River Improvement Overlay District-5, "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, "RM-4 AHOD RIO-5" Residential Mixed River Improvement Overlay District-5, and "H I-2 S AHOD RIO-6" Heavy Industrial Mission Historic District with a Specific Use Authorization for Petroleum - Manufacturing or Processing 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 "AHOD" Airport Hazard Overlay District and "RIO-6" River Improvement Overlay District-6 designations will remain unchanged. Staff and Zoning Commission recommend approval for Z2011076. Staff recommends approval for Z2011076-A. Zoning Commission recommendation for Z2011076-A pending May 17, 2011 public hearing. (Continued from April 21, 2011 and May 5, 2011.)

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 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. TO WIT: 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 DISTRICT, "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 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, "H I-2 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, "R-4 AHOD" RESIDENTIAL SINGLE-FAMILY 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 AHOD RIO-5" BUSINESS PARK AIRPORT HAZARD OVERLAY DISTRICT 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-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT, "C-2 H AHOD CD" COMMERCIAL MISSION HISTORIC AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR FLEA MARKET – INDOOR, "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-2" COMMERCIAL DISTRICT AND "RM-4" RESIDENTIAL MIXED DISTRICT, "IDZ AHOD" INFILL DEVELOPMENT ZONE AIRPORT HAZARD OVERLAY DISTRICT WITH USES PERMITTED IN "C-2" COMMERCIAL DISTRICT, "RM-4" RESIDENTIAL MIXED DISTRICT, AND AUTO AND LIGHT TRUCK REPAIR USE, "IDZ HL AHOD" HISTORIC LANDMARK INFILL DEVELOPMENT ZONE AIRPORT HAZARD OVERLAY DISTRICT WITH USES PERMITTED IN "C-2" COMMERCIAL DISTRICT AND "RM-4" RESIDENTIAL MIXED DISTRICT, "H I-2 S AHOD RIO-6" HEAVY INDUSTRIAL MISSION HISTORIC AIRPORT HAZARD OVERLAY RIVER IMPROVEMENT OVERLAY DISTRICT-6 WITH A SPECIFIC USE AUTHORIZATION FOR PETROLEUM MANUFACTURING OR PROCESSING, "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, "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, "RM-4 AHOD RIO-5" RESIDENTIAL MIXED AIRPORT HAZARD OVERLAY RIVER IMPROVEMENT OVERLAY DISTRICT-5.

Chris Looney presented and stated that general down zoning of the South Presa Street Corridor was intended to address the further development of incompatible, industrial, and intense commercial zoning. He noted that the proposal would establish zoning that is compatible with the adopted land use plans, established residential neighborhoods, San Antonio River, and historic properties.

Councilmember Ramos spoke of the many challenges along the Presa Corridor and referenced similar issues along the Roosevelt Corridor due to the high intensive industrial concentration of commercial uses. She stated that they were working with NuStar Energy on the AGE Refinery Building and would approve their specific use for a refinery so that they could clean up the area.

Councilmember Williams commended Councilmember Ramos for her work on said item and spoke of the improvements and economic benefits that would be realized in the area.

Councilmember Ramos moved to adopt the proposed Ordinance with the following conditions:

1. For properties recommended for a base rezoning to "IDZ" Infill Development Zone District, rezone these parcels to include the uses permitted in "C-2" Commercial District and "RM-4" Residential Mixed District retaining all overlay zoning recommendations.
2. For properties bound by Webb to the north and Story Lane to the south recommended for a base rezoning of "C-1" Light Commercial District, rezone the base zoning district for these properties to "C-2" Commercial District retaining all overlay zoning recommendations.
3. Rezone property addressed at 3217 and 3219 South Presa Street to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay Zone District with uses permitted in "C-2"

Commercial District and "RM-4" Residential Mixed District and Auto and Light Truck Repair use.

4. Rezone properties addressed at 9159 and 9211 South Presa Street to "C-2 H AHOD CD" Commercial Mission Historic Airport Hazard Overlay District with a Conditional Use for Flea Market – Indoor.
5. Save and except property addressed at 2044 SE Military Drive.
6. Direct staff to develop an alternate zoning proposal and necessary plan amendments for City Council consideration for the following properties: 108 Glenwood; 103 and 108 Mount Vernon; 125 and 136 Monticello Court; 116 Clifford Court; 9440 Villamain; 2926, 4214, 4534, 5000, 5316, 9015, 9059, 9077, 9087, 9093, 9137, 9145, 9149, 9151, and 9425 South Presa Street; and for the properties legally described as P102D NCB 10917, P102A NCB 10918, and East 50 feet of Lot 33 and East 50 feet North 27.6 feet of Lot 34 Block 7 NCB 7609 addressed at 4902 South Presa Street.

Councilmember Cortez seconded the motion.

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

2011-05-19-0427

Item Z-10. **ZONING CASE # Z2011081 (District 3):** An Ordinance amending the Zoning District Boundary from "NP-10 AHOD" Neighborhood Preservation Airport Hazard Overlay District and "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District on Parcels 2B, 2C, 2D, 3, 3B, 4, 42, 42C and 43A, NCB 11166 located on 12100 and 12200 South US Highway 281 between Mitchell Lake and Mission Del Lago Golf Course. Staff and Zoning Commission recommend 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: PARCELS 2B, 2C, 2D, 3, 3B, 4, 42, 42C AND 43A, NCB 11166 TO WIT: FROM "NP-10 AHOD" NEIGHBORHOOD PRESERVATION AIRPORT HAZARD OVERLAY DISTRICT AND "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "R-5 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT.

Chris Looney presented and stated that staff and the Zoning Commission recommended denial. He noted that of 52 notices mailed; 38 were received in favor from the subject property owner and one was received in opposition.

Mayor Castro called upon the individuals registered to speak.

Mike Denuccio stated that he was representing the applicant and that they were proposing to change the area from R-6 to R-5. He noted that there was a large buffer between their development and Mitchell Lake and that no portion of their property touched Mitchell Lake. He spoke of their 50-foot buffer that was also a linear earthen detention system that would add features and benefits to the development.

Susan Albert stated that she was representing the Mitchell Lake Audubon Center and spoke of the services that they provide and the students they serve. She noted that the site had been declared a refuge for shore birds and water fowl by the City of San Antonio in 1973. She mentioned that they were a

significantly sized property with important migratory bird habitat, abundant wildlife, and diverse eco systems. She referenced the preservation of the Heritage South Sector Plan and stated that they were not opposed to development but that it should be conducted in a thoughtful manner. She expressed concern that the Homeowners Association would be responsible for the buffer and detention area and could be a financial burden.

Dr. Deirdre Malone stated that her back door looks to Mitchell Lake and she enjoys the wildlife in the area. She spoke of the industrial development in the area and noted that she would like to see high end homes in the neighborhood.

Anne Parish stated that she had been volunteering at Mitchell Lake for over 20 years and spoke in support of the National Audubon Society that manages the Audubon Center. She referenced the Tax Increment Refinancing Zone (TIRZ) in which the city would pay for the infrastructure placed on the property by the developer. She noted that Mitchell Lake was permitted by the Texas Commission on Environmental Quality and no additional water could flow into the lake. She expressed concern that water would flow from the rooftops into the lake.

Iliana Pena stated that she was the State Director of Conservation for the National Audubon Society and spoke of the challenges to managing the refuge and wildlife in the urban rural environment. She noted that one of their management goals was to reduce the levels of nitrogen and phosphorous in the system so that their refuge will continue to support the wildlife. She expressed concern that the rezoning would add 600-800 homes and lessen the impervious cover which would make their job impossible.

Marta Maddox expressed her support for the rezoning and stated that her husband was the late Jim Maddox who had a long-term vision for this Master Plan Community to revitalize the Southside of San Antonio. She noted that they had worked closely with the neighborhood and Mitchell Lake, and that they care for the environment.

Roger Gray stated that he was in support of the zoning request. He noted that there would be development in the area and that the key issue was the density of the development. He added that it was in the city's best interest to start seeing active development in the area.

Councilmember Ramos spoke of the many issues and concerns that have been addressed and stated that the developer had recorded restrictive covenants on the property. She noted that they had committed to adding 1,750 homes and asked of the drainage. Nefi Garza replied that the area required mandatory detention and that the detention ponds are normally constructed of concrete and concentrate water at one point. He stated that the developer was proposing to construct a linear detention pond with multiple discharge points and would filter water prior to release into Mitchell Lake. Councilmember Ramos stated that many of the residents of District 3 were in support of development in the area.

Councilmember Chan asked of the enforcement of the restrictive covenants. Mr. Denuccio stated that there was an irrevocable covenant included and that anyone living within Mitchell Lake or with an interest could enforce same. Rod Sanchez confirmed that the city did not enforce covenants and that it would be up to the property owners surrounding the development. Councilmember Chan asked of any safety issues with the entrance area. Mr. Sanchez stated that the Code required a second entrance due to the number of lots and that would be reviewed during the platting process. Councilmember Chan asked of the change to R-5. Mr. Denuccio replied that the request was being made due to economic and general site layout issues. He spoke of the many meetings that have been held with the Audubon

Society, SAWS, and the Public Works Department. Councilmember Chan requested that they continue to work with the community regarding their concerns to ensure that there is good development in the area.

Councilmember Williams asked of the density. Mr. Denuccio replied that they were limited to 1,750 dwelling units through the restrictive covenants and that the overall density would not exceed seven units per acre. He noted that the R-5 designation would permit flexibility in some areas to place lots of less than 6,000 square feet. Councilmember Williams asked of the timing of the execution of the restrictive covenants. Mr. Denuccio replied that they had been executed after the Zoning Commission Meeting and had added language and details regarding the detention system. Councilmember Williams stated that Mitchell Lake was a precious resource and that it was important not to increase the density.

Councilmember Ramos recognized Virginia Rogers with the Mission del Lago Group and encouraged them to get more involved with the Audubon Society.

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

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

2011-05-19-0429

Item Z-12. **ZONING CASE # Z2011096 CD (District 5):** 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 "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "MF-18" Multi-Family District and "C-2 CD" Commercial District with a Conditional Use for an Auto and Light Truck Repair Facility on a 2.28 acre tract of land out Lot 19, NCB 2597 located at 2600 South Flores 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: A 2.28 ACRE TRACT OF LAND OUT OF LOT 19, NCB 2597 TO WIT: FROM "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT AND "C-3 AHOD" GENERAL COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT TO "IDZ" INFILL DEVELOPMENT DISTRICT WITH USES PERMITTED IN "MF-18 AHOD" MULTI-FAMILY AIRPORT HAZARD OVERLAY DISTRICT AND "C-2 CD AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR AUTO AND LIGHT TRUCK REPAIR PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

Councilmember Cisneros recused herself from Item Z-12 by exiting the Council Chambers and noting she submitted the recusal forms to the City Clerk.

Chris Looney presented and stated that staff and the Zoning Commission recommended approval. He noted that of 43 notices mailed; zero responses were received in opposition and one response was received in favor from the property owner.

Councilmember Medina stated that he had met with the neighborhood association, residents, and the property owner and all had come to an agreement.

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

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

[ZONING ITEMS CONCLUDED]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION (CONTINUED)

Mayor Castro addressed Item 17 at this time.

The City Clerk read the following Ordinance:

2011-05-19-0406

Item 17. AN ORDINANCE AUTHORIZING A REVISED 2011–2012 SCHOOL YEAR ENROLLMENT SLOT ALLOCATION PLAN AND SUBMISSION OF AN ASSOCIATED REVISED 2011 – 2012 GRANT APPLICATION TO THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) FOR THE SAN ANTONIO AND BEXAR COUNTY HEAD START PROGRAM.

Gloria Hurtado presented and stated that the city receives a Head Start Grant in the amount of \$48 million and serves 6,789 children. She reported that there was a much greater need for services and that Harlandale, Edgewood, and San Antonio ISDs were only providing services to 20% of the children in need. She noted that they had worked with the community to develop a plan to reallocate Head Start services and that the recommended plan maintains services to current participants.

Ms. Hurtado stated that Head Start Regulations require each grantee to complete a Community Assessment and that the city's results had been provided to the Policy Council in January 2011 and subsequently, to the Quality of Life Council Committee (QOL). She reported that the recommendations included two and three-year slot reallocation plans. She indicated that meetings were held with stakeholders and that an Assessment Subcommittee of the Policy Council was convened. She noted that the slot reallocation recommendations were developed by the Assessment Subcommittee and approved by the Policy Council and QOL in May. She introduced Dr. Lloyd Potter who was contracted to conduct the Community Assessment.

Dr. Potter outlined the data sources utilized for the Community Assessment that include: Texas Data Center; Texas Education Agency (TEA); Historical Head Start Enrollment Data; Census Data; and the American Community Survey. He provided examples of the data sources and stated that they had conducted additional data analysis at the city's request using PEIMS Data on Other Economically Disadvantaged; PEIMS-Other Economically Disadvantaged supplemented with historical Head Start Enrollment Data; PEIMS – Free Lunch + Other Economically Disadvantaged; and American Community Survey 5-Year. He indicated that although there were slight variations with the various data sets, the overall proportion of need by district remains relatively the same with a few exceptions. He mentioned that in developing the final slot allocation, the city used demographics of currently enrolled families and estimates calculated by using PEIMS Other Economically Disadvantaged, Historical Head Start Enrollment, and American Community Survey Data. He stated that they had looked at a number of

data sources to identify the most accurate and reliable information but there were challenges with every source. He added that he believed that the data included in the community assessment and delivered to the Head Start Program was the best available data.

Ms. Hurtado stated that the slot allocations were being adjusted based on the results of the Community Assessment and that the goal was to target resources to achieve the greatest results. She outlined the reallocation recommended for each of the school districts for 2011-2012.

Councilmember Lopez entered the meeting at this time.

Mayor Castro called upon the individuals registered to speak.

Susan Goudge, President of the Alamo Heights School Board addressed the Council and stated that Alamo Heights wanted a fair distribution of Head Start slots. She noted that Alamo Heights had an impressive track record of 96-98% graduation. Mr. Dan Bolen, Principal of the Early Childhood Center at Alamo Heights stated that they were very confident about their Pre-K Head Start Program which has been proven successful through assessment evaluations and testing. He noted that they did not have any compliance issues and expressed concern that if slots are cut, those families would be at a disadvantage in starting school. Alfred Gutierrez stated that he was a parent representing the Alamo Heights Head Start Program and spoke of the benefits of the program to the community. He expressed concern that without the assistance of Head Start, some parents will have to quit working to take care of their children.

Lloyd Verstuf representing Southwest Independent School District stated that the data used for the Community Assessment was inaccurate and included inconsistent data sets. He spoke of the great work of Dr. Potter but expressed concern with the conclusions that resulted from the study. He noted that the Head Start Program was very important to ensuring a successful transition of students into elementary school. He added that he was speaking to ensure equity, quality and fairness of the system and expressed concern with the impact of the loss of slots.

Jack M. Finger expressed concern with the Head Start Program, noting that he did not believe that it was a worthy program. He spoke in opposition to the Collective Bargaining Agreement with the San Antonio Professional Fire Fighter's Association in Item 29 due to the salary increases.

Dr. Robert Duron, Superintendent of the San Antonio Independent School District addressed the City Council and stated that early childhood education and preparing children for kindergarten was very important. He spoke of the 93% of students in the district that were economically disadvantaged and in great need of the services.

Councilmember Ramos stated that understood that change was difficult but noted that they had worked on the process for a great amount of time. Ms. Hurtado noted that the process was implemented last year and the results of the study were provided in January. She spoke of the numerous meetings with stakeholders, parents, and the Policy Council to solicit input. Councilmember Ramos thanked Dr. Potter and the QOL Council Committee for their work on said item. She added that she felt comfortable moving the item forward since there was a high concentration of low-income individuals that needed assistance.

Councilmember Cortez thanked Dr. Potter for his efforts and asked of the data set utilized for South San and Southwest Independent School Districts. Dr. Potter replied that there was a challenge in gathering accurate data regarding poverty and outlined the various sources utilized. Councilmember Cortez asked of the concerns expressed by the school districts. Dr. Potter stated that they had met extensively with the school districts and been responsive in terms of looking at other sources of data. Councilmember Cortez asked of recommendations for the future. Dr. Potter stated that moving forward, it would be important to identify ways to collect data consistently across school districts. He noted that it would be helpful to have consistent Head Start reporting among the school districts. Councilmember Cortez asked of the timeline. Ms. Hurtado replied that their goal was to include this information in the Head Start Application for the 2011-2012 School Year and would continue working with the school districts on future recommendations. Councilmember Cortez expressed concern with the cuts to school districts and the impact it would have on children. He added that he did not feel that the best system was in place and could not support the proposal at this time.

Councilmember Clamp asked of the definition of greatest need. Ms. Hurtado replied that this consisted of an area with the greatest concentration of poverty. Councilmember Clamp asked if it was based on income. Ms. Hurtado replied that poverty was an income factor and that all children that live at 100% poverty were eligible for the program. Councilmember Clamp asked of the criteria for allocation of slots. Ms. Hurtado stated that they utilized the exact population and projection of the poverty rate per school district that indicates the concentration of poverty. She noted that they were making adjustments for the inequity that the central districts with the highest concentration were experiencing today. Councilmember Clamp expressed concern that at some point in time, the Policy Council will create policy to move Head Start to the greatest need based on density map. Ms. Sculley added that it was a federal requirement that the Policy Council be in agreement with the City Council and encourage the city to focus Federal Funds in the areas of concentrated poverty.

Councilmember Clamp asked of issues with compliance. Ms. Hurtado replied that there were eight areas of noncompliance and one deficiency. Audrey Abed stated the eight areas: Screening for developmental and behavioral concerns did not occur by the 45th day of the program; Determination of child health status screenings were not completed by the 90th day of the program; 35 square feet of usable indoor space per child was not provided at 42 out of 390 classrooms; Class size for three year old children did not meet standards; Class size for four year old children did not meet standards; Information from ongoing observations was not used to individualize services; Ongoing developmental assessments of children were not consistently carried out throughout the year; and Interagency agreements with ISDs did not include specific requirements regarding disability services. Councilmember Clamp stated that the criteria utilized was fluid and he could not support the item.

Councilmember Medina thanked everyone that participated in the process and spoke of the successes of the program. He stated that there had been many opportunities for individuals to provide input but would have liked to receive input from the community members earlier in the process. He noted the need for the program to become compliant and not risk loss of funding.

Mayor Castro called upon Connie Prado, Linda Zeigler and Mourette Hodge.

Ms. Prado stated that she was the President of the Board for the South San Antonio Independent School District and was requesting fairness in the Head Start Allocation process. She noted that demographics were a tool utilized in making recommendations but there were other tools that could provide a more defined, accurate assessment. She added that they were not asking for more services; they wanted to

maintain their current level of services. Ms. Hodge stated that she was responsible for oversight of the Pre-K Program and expressed concern with the realignment of Head Start slots. She noted that she understood the challenges with establishing areas of greatest need but felt that they should maintain their current number of slots. Ms. Ziegler, South San ISD Superintendent expressed concern that they had not been invited to participate in the process at the district level and was not aware of the name of their parent representative. She requested that the item be continued so that they can work with city staff to develop consensus.

Councilmember Taylor stated that staff should continue to refine the data analysis and spoke of the need to be strategic with the funding. She noted that there were not enough resources to help all in need and that it was challenging to determine how to best utilize the funds. She mentioned that some areas have more risk factors than others and that the data utilized was the best available. She added that this was not a program operated by the school districts but believed there was an opportunity for collaboration.

Councilmember Chan asked if the plan would be reviewed next year. Ms. Hurtado replied that another Community Assessment would be conducted this year and a recommendation would be brought to the City Council for approval. Councilmember Chan stated that she understood the merits related to the allocation of resources but asked that staff continue to refine the data. She expressed concern that additional conditions were placed on the program that were not required by Federal Law. Ms. Hurtado stated that Head Start Performance Standards directed programs to look at all of the demographics for families that are eligible for Head Start. Councilmember Chan stated that she would like for issues to be addressed individually and did not believe that slot allocation should be addressed in relation to compliance.

Mayor Castro thanked everyone for their work and stated that it was challenging to address the issue due to the system not being operated as well as it should have for the past several decades. He added that he believed this was a good start in improving the program.

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

The motion prevailed by the following vote: **AYES:** Cisneros, Taylor, Ramos, Medina, Lopez, Williams, Chan, and Mayor Castro. **NAYS:** Cortez and Clamp. **ABSENT:** Rodriguez.

ITEMS FOR INDIVIDUAL CONSIDERATION (CONTINUED)

Mayor Castro addressed Item 8 at this time.

The City Clerk read the following Ordinance:

2011-05-19-0399

Item 8. AN ORDINANCE ADOPTING THE 37TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) IN THE AMOUNT OF \$13,865,681.00; THE 20TH YEAR HOME PARTNERSHIP ENTITLEMENT GRANT (HOME) IN THE AMOUNT OF \$7,527,714.00; THE HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS ENTITLEMENT GRANT (HOPWA) IN THE AMOUNT OF \$1,168,601.00; AND THE EMERGENCY SHELTER GRANT (ESG) IN THE AMOUNT OF \$890,756.00 AS EACH GRANT IS CONTAINED IN THE FY 2011-2012 CONSOLIDATED PLAN ANNUAL BUDGET.

Peter Zaroni presented and stated that the Federal Budget for FY 2011 approved on April 15, 2011 had reduced the city's Community Development Block Grant (CDBG) and HOME Budgets for FY 2012. He reported that due to the reduction in funds, 25 positions were proposed for elimination to include 11 vacant and 14 filled positions.

Mr. Zaroni spoke of the Request for Application Process, noting that it was implemented in February and staff received 49 applications totaling \$37 million. He stated that two application workshops and two public hearings were conducted prior to the funding recommendations. He noted that the recommendations were based on City Council Policy Direction; Input from the QOL Council Committee; Community Input; and Staff Recommendation. He outlined the FY 2012 Proposed CDBG Budget totaling \$13,865,681. He indicated that the city funds 70 agencies through the Consolidated Human Development Services Fund process and issues Request for Proposals (RFP) biannually. He stated that potential funding reduction alternatives could include: 1) Across the board reductions to all 70 agencies; 2) Reductions based on City Council Budget Priorities for FY 2012; or 3) Reductions based on agency or program performance.

Mr. Zaroni provided an overview of the FY 2012 Proposed CDBG and HOME Budget Recommendations. He noted that the FY 2012 Proposed Emergency Shelter Grant (ESG) and Housing Opportunities for Persons with Aids (HOPWA) Budget recommendations would be presented within the FY 2012 City's Annual Operating Budget.

Mayor Castro called upon the individuals registered to speak.

Ida Brown spoke in support of the San Antonio Thurman Walker Project and stated that 50 members of the Antioch Baptist Church had expressed their support for the project. She noted that the project had been designated by the Inner City TIRZ in the year 2000 and was finally moving forward. She added that they looked forward to receiving Tax Credits from the Department of Housing and Urban Development (HUD) in July. She spoke in support of funding for the SA Youth Empowerment Zone and the services they would provide to revitalize District 2. She referenced the various partners that had come together to provide services and were interested in utilizing and revitalizing the building located at 185 Coca Cola Street. Francine Prosser-Johnson representing the South Texas Center for Pediatric Care stated that they were focused on the health and wellness component of Eastside Revitalization. She noted that they were looking for an opportunity to expand on the Eastside of San Antonio and become more involved in economic development of the area.

Cynthia La Monds spoke in support of funding for the SA Youth Dan Cook Center. She expressed concern that they were recommended for funding and later withdrawn from the recommendations. She spoke of her experience growing up in poverty and stated that she had come to San Antonio in hope of a better life. She noted that she had been volunteering to work with inner city youth for over 17 years to help them stay in school and get out of poverty.

Taj Mathews representing the Claude and Zernona Black Foundation expressed concern that their organization had been removed from the list of funding two days ago and was not provided the criteria used to make that determination. He spoke of the services they provide to youth dealing with probation and other issues and stated that the Eastside had a great need for their services.

Councilmember Ramos asked of the number of applications received. Maria Villagomez replied that 49 applications were received totaling \$37 million but only \$11 million was available for funding. Councilmember Ramos expressed concern with the reduction in funds and the 25 positions recommended for elimination. Ms. Villagomez stated that they would assist the individuals in the 14 filled positions with resumes and interview skills to apply for other positions within the city organization.

Councilmember Taylor stated that there were challenges with funding recommendations due to the reduction in federal funds. She noted that the recommendations would allow the city to reach strategic goals related to reinvestment and revitalization in key areas of the city. She added that there was a potential for projects that were not funded to be considered within Neighborhood and Economic Development Funds. Councilmember Taylor thanked staff for their work and for the new approach to set aside matching funds for State Funds with the HOME Grant. She added that she had received a letter of support from Zernona Black, widow of the Late Reverend Claude Black, in support of the project in honor of her husband.

Councilmember Rodriguez recognized the QOL Council Committee for their work and stated that he was pleased with the funding for the La Risa Project and commitment to Single Family Rehabilitation through Neighborhood Housing Services.

Councilmember Ramos moved to adopt the Ordinance as recommended by staff with the exception of San Antonio Fighting Back. 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.

Councilmember Rodriguez moved to adopt the funding for San Antonio Fighting Back. Councilmember Cisneros seconded the motion.

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

The City Clerk read the following Ordinance:

2011-05-19-0397

Item 6. AN ORDINANCE AUTHORIZING UPDATES AND AMENDMENTS TO THE LAND USE ASSUMPTIONS PLAN; CAPITAL IMPROVEMENTS PLAN; AND SAWS IMPACT FEES BY SERVICE CATEGORY.

Ben Gorzell presented and stated that today's action would authorize an update to the Land Use Assumption Plan (LUAP); Capital Improvements Plan (CIP); and Proposed SAWS Impact Fees by Service Category. He noted that the LUAP and CIP were required to be adopted and updated every five years and that Red Oak Consulting had been hired to assist in their development. He reported that the Capital Improvements Advisory Committee (CIAC) had provided a report to SAWS and the City Council and that the SAWS Board had approved a Resolution recommending approval of the LUAP, CIP, and Impact Fees.

Mr. Gorzell outlined the Recovery of Costs, noting existing capacity value of \$2,302,994,789; excess capacity for 2011-2020 customers at \$157,828,379, and financial cost for excess capacity of \$72,238,427. He spoke of new CIP value of \$1,532,695,547 and capacity for 2011-2020 customers of \$274,582,906. He indicated that the two primary differences between the CIAC and SAWS Board were related to the separation of the current lower Dos Rios/Leon Creek Wastewater Collection Area into a proposed lower middle collection area; and a 24-month freeze on the implementation of the proposed wastewater impact fees.

Mr. Gorzell spoke of the analysis on the Wastewater Collection Service Area, noting that city staff supports the separation of the lower collection area into the lower and middle collection areas. He stated that each of the areas were based upon the projected costs to serve development and that it was not administratively burdensome to add one service area. He outlined the Proposed Impact Fees by Service Area Category and noted that city staff did not recommend the 24-month freeze on implementation of the Proposed Wastewater Impact Fees. He indicated an impact of \$14.2 million if a freeze was implemented, and noted that the costs would be shifted to existing ratepayers. He added that any uncommitted portion of Impact Fee Waivers would be carried over to the next year with a cap of \$5 million per year.

Sam Mills of SAWS presented and stated that impact fees support growth and are not assessed to existing ratepayers. He provided an overview of the timeline utilized to determine the Proposed Impact Fees and outlined the Impact Fee Formula. He spoke of the projected growth for 2011-2020 totaling 80,343 for New Water EDUs and 107,075 for New Wastewater EDUs. He noted the Proposed Impact Fees by category and indicated their commitment to waive up to \$2 million per year and allow for a carryover of unused waiver commitments.

Mayor Castro called upon Mike Hogan to speak.

Mr. Hogan stated that he was speaking on behalf of the CIAC and that their decisions had been unanimous. He spoke of their concerns related to the large increase within Wastewater Fees and recommend a 24-month freeze on the incremental increase on the Wastewater Fee. He noted that they were also concerned with the inclusion of a third service area in the Dos Rios/Leon Creek Wastewater Area.

Councilmember Williams thanked the CIAC Members for their service and referenced the aggressive increases within Wastewater Collection. Mr. Gorzell stated that the estimated impact of a 24-month freeze on Wastewater Fee Increases was \$14.2 million. Councilmember Williams asked if the middle band would still be created even if the fees were frozen. Mr. Gorzell confirmed that the middle band would be added.

Councilmember Clamp asked of financial analysis on recovery of the \$14.2 million. Mr. Hogan stated that it was not a matter of recovery and that higher fees tend to slow development while lower fees stimulate development. Councilmember Clamp asked city staff of how the \$14.2 million would be recouped. Mr. Gorzell replied that SAWS was watching growth and that if there was no growth; the projects could be delayed and costs would be avoided.

Mayor Castro thanked staff and the CIAC for their work.

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

The City Clerk read the following Ordinance:

2011-05-19-0398

Item 7. AN ORDINANCE AMENDING THE FY 2011 ANNUAL OPERATING BUDGET AND THE SIX YEAR CAPITAL BUDGET TO ADJUST REVENUE AND APPROPRIATION LEVELS IN CERTAIN FUNDS BASED UPON THE RECENTLY COMPLETED MID-YEAR REVIEW OF REVENUES AND EXPENDITURES.

Maria Villagomez presented and stated that the FY 2011 General Fund financial position was positive. She noted that the city had received \$21.8 million more than projected revenue from CPS Energy and Sales Tax and saved \$2.4 million in expenditures. She indicated that \$24.2 million would be added to the FY 2012 Beginning Balance to offset the projected shortfall. She noted that Federal and State Budgets could impact the City's FY 2012 service levels by up to \$43 million.

Ms. Villagomez stated that the FY 2011 Mid-Year Budget Ordinance would revise the General Fund; Animal Care Services Facility Donation Fund; Development Services Fund; and Six Year Capital Budget. She noted that adjustments to the Capital Budget reflected the City Council approved use of \$47 million in 2007 Bond Program savings in which \$20.1 million would be utilized for Downtown Investment and \$26.9 million would be used citywide.

Mayor Castro thanked Ms. Villagomez for the presentation and noted that the City Council had received a detailed briefing on said item during a B Session. Councilmember Ramos highlighted projects within District 3 that were receiving additional funds from Bond Savings, and stated that many were requesting support for the Espada Road Drainage Project.

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 caption for Item 9:

Item 9. BRIEFING AND POSSIBLE ACTION ON LEGISLATION FILED IN THE 82ND REGULAR STATE LEGISLATIVE SESSION.

Mayor Castro stated that a full briefing would be provided during the next Council Meeting and that Carlos Contreras was in Austin and could not be in attendance. Mayor Castro asked of the Tree Preservation Ordinance Bill. Ms. Sculley stated that it would be considered the next day and that Mr. Contreras was working to preserve the Council's right to manage trees within the extraterritorial jurisdiction. She provided a written update to the City Council.

CONSENT AGENDA ITEMS 10-32

Consent Agenda Items 10, 11, 13, 18, and 25 were pulled for Individual Consideration. Items 15 and 30 were pulled from the agenda by staff.

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

Councilmember Cortez thanked the Professional Fire Fighters Association and city staff for their work on the Collective Bargaining Agreement (Item 29).

Councilmember Cisneros recognized representatives from the Chamber Orchestra of San Antonio, Paul Montalvo and JD English regarding Item 14. Mr. Montalvo thanked the City Council for their support and reported that San Antonio has joined the top ten cities that have a secondary major orchestra in the United States.

Faris Hodge, Jr. submitted written testimony in opposition to Items 19A and 19B. For Items 20A and 20B, he expressed concern that CPS Energy did not have Citizens to be Heard and asked why he could not serve on that board. He wrote that the citizens were not provided enough information about the lease agreements with Pinnacle Public Finance in Items 24A and 24B. He expressed concern that citizens did not have the opportunity to read the Collective Bargaining Agreement with the San Antonio Fire Fighter's Association in Item 29.

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.

2011-05-19-0402

Item 12. AN ORDINANCE AUTHORIZING A CONTRACT WITH PHILIPS HEALTHCARE TO PROVIDE THE SAN ANTONIO FIRE DEPARTMENT, EMS DIVISION WITH 5 HEARTSTART MRX MONITORS FOR A TOTAL COST OF \$122,316.75; FUNDED BY THE 2011 EQUIPMENT ACQUISITION FUND.

2011-05-19-0404

Item 14. AN ORDINANCE AUTHORIZING AN OCCUPANCY AGREEMENT OF \$200.00 PER MONTH WITH THE CHAMBER ORCHESTRA OF SAN ANTONIO FOR USE OF OFFICE SPACE AT THE ST. MARY'S GARAGE, LOCATED IN COUNCIL DISTRICT 1, FOR A TERM OF NOT MORE THAN 24 MONTHS COMMENCING JUNE 1, 2011.

PULLED FROM THE AGENDA BY STAFF

Item 15. AN ORDINANCE AUTHORIZING THE FOURTH RENEWAL OF A 2-YEAR LEASE AGREEMENT WITH FNFS, LTD. DBA B&W FINANCE FOR RETAIL SPACE AT THE HOUSTON STREET PARKING GARAGE.

2011-05-19-0405

Item 16. AN ORDINANCE AUTHORIZING A LEASE AMENDMENT BETWEEN THE CITY OF SAN ANTONIO AND RIVER BANK LTD. DBA THE LANDING TO EXTEND THE LEASE TERM, INCREASE THE SIZE OF THE LEASED SPACE, AND REDUCE THE RENTAL RATE.

Item 19. CONSIDERATION OF THE FOLLOWING BOARD, COMMISSION AND COMMITTEE APPOINTMENTS FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE MAY 31, 2011, TO BE EFFECTIVE IMMEDIATELY UPON THE RECEIPT OF EIGHT AFFIRMATIVE VOTES, OR, IN THE EVENT EIGHT AFFIRMATIVE VOTES ARE NOT RECEIVED, TEN DAYS AFTER APPOINTMENT; OR FOR TERMS AND EFFECTIVENESS AS OTHERWISE INDICATED BELOW:

A. APPOINTING THERESA DE LA HAYA (AT-LARGE, CATEGORY: UNIVERSITY HEALTH SYSTEM) TO THE WESTSIDE DEVELOPMENT CORPORATION FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE NOVEMBER 28, 2012.

B. APPOINTING SCOTT W. LESTER AND DALE E. SLINKARD TO THE TAX INCREMENT REINVESTMENT ZONE NUMBER 24, KNOWN AS PALO ALTO.

2011-05-19-0407

Item 21. AN ORDINANCE APPROVING A WAIVER OF \$151,080.00 IN SAWS IMPACT FEES FOR EASTSIDE CHRISTIAN ACTION GROUP'S WHEATLEY HEIGHTS SPORTS COMPLEX AS AN EXCEPTION TO THE INNER CITY REINVESTMENT/INFILL POLICY.

2011-05-19-0408

Item 22. AN ORDINANCE APPROVING THE HOSTING OBLIGATION CONTRACT FOR THE AMERICANS FOR THE ARTS NATIONAL CONFERENCE IN SAN ANTONIO, JUNE 2012.

2011-05-19-0409

Item 23. AN ORDINANCE AUTHORIZING AN AMENDMENT TO A MULTIPLE USE AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION TO RELEASE 56 PARKING SPACES FOR USE BY COMFORT SUITES ALAMO/RIVERWALK.

Item 24. CONSIDERATION OF THE FOLLOWING IN CONNECTION WITH THE 2011 MASTER EQUIPMENT LEASE/PURCHASE AGREEMENT WITH PINNACLE PUBLIC FINANCE, INC.:

2011-05-19-0410

A. AN ORDINANCE APPROVING THE MASTER EQUIPMENT LEASE/PURCHASE AGREEMENT WITH PINNACLE PUBLIC FINANCE, INC. AND AN ESCROW AND ACCOUNT CONTROL AGREEMENT WITH PINNACLE PUBLIC FINANCE, INC. AND THE FROST NATIONAL BANK, SAN ANTONIO, TEXAS; APPROVING EXHIBITS AND RELATED SCHEDULES TO THE MASTER EQUIPMENT LEASE/PURCHASE AGREEMENT IN THE AMOUNT OF \$5,935,348.41, FOR THE ACQUISITION OF POLICE DEPARTMENT EQUIPMENT AND FIRE DEPARTMENT EQUIPMENT.

2011-05-19-0017R

B. A RESOLUTION AUTHORIZING THE REIMBURSEMENT OF FUNDS PREVIOUSLY EXPENDED FROM THE PROCEEDS OF THE 2011 MASTER EQUIPMENT LEASE/PURCHASE AGREEMENT ENTERED INTO BETWEEN THE CITY OF SAN ANTONIO AND PINNACLE PUBLIC FINANCE, INC.

2011-05-19-0412

Item 26. AN ORDINANCE AUTHORIZING AND APPROVING PUBLICATION OF THE NOTICE OF INTENTION TO ISSUE "CITY OF SAN ANTONIO, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2011" IN A MAXIMUM PRINCIPAL AMOUNT UP TO \$94,000,000; AND PROVIDING FOR AN EFFECTIVE DATE.

2011-05-19-0413

Item 27. AN ORDINANCE EXTENDING THE LINE-OF-DUTY (LOD) LEAVE FOR FIREFIGHTER ARMANDO ACOSTA.

2011-05-19-0414

Item 28. AN ORDINANCE AUTHORIZING A COLLECTION SERVICES AGREEMENT WITH PUBLIC CONSULTING GROUP, INC. TO CREATE AND IMPLEMENT A MEDICAID SUPPLEMENTAL PAYMENT PROGRAM FOR 12% OF THE MEDICAID SUPPLEMENTAL ANNUAL REVENUES ACTUALLY COLLECTED FOR A THREE-YEAR TERM, WITH EXTENSION OPTIONS.

2011-05-19-0415

Item 29. An ORDINANCE AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT WITH THE SAN ANTONIO PROFESSIONAL FIRE FIGHTER'S ASSOCIATION FOR A PERIOD THROUGH SEPTEMBER 30, 2014.

PULLED FROM THE AGENDA BY STAFF

Item 30. AN ORDINANCE APPROVING A FIVE-YEAR NON-ANNEXATION AGREEMENT WITH BAKER-HUGHES, INCORPORATED.

2011-05-19-0416

Item 31. AN ORDINANCE AMENDING RESOLUTION NO. 2011-03-10-0008R IN SUPPORT OF MONTEBELLA SENIOR APARTMENTS FOR THE LOW INCOME HOUSING TAX CREDIT APPLICATION PROCESS AS REQUIRED BY THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS.

2011-05-19-0417

Item 32. AN ORDINANCE AUTHORIZING THE CITY MANAGER, UPON THE CONSENT AND DIRECTION OF THE WESTSIDE TIRZ BOARD OF DIRECTORS, TO NEGOTIATE AND EXECUTE AN AMENDMENT TO THE CHAPTER 380 ECONOMIC DEVELOPMENT GRANT AGREEMENT WITH STEEL HOUSE LOFTS, L.L.C. TO ADD AN ADDITIONAL AMOUNT OF \$719,962.00, IN WHICH THE WESTSIDE TAX INCREMENT REINVESTMENT ZONE ("TIRZ") WILL BE A PARTY TO THE AGREEMENT AND SHALL BE PAID FROM THE TIRZ FUND.

[CONSENT ITEMS CONCLUDED]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION (CONTINUED)

The City Clerk read the following Ordinances for Items 10 and 11:

2011-05-19-0400

Item 10. AN ORDINANCE ACCEPTING AN OFFER WITH MIDWEST MEDICAL SUPPLY CO., LLC TO PROVIDE THE SAN ANTONIO FIRE DEPARTMENT, EMS DIVISION WITH 58 INFUSOMAT INFUSION PUMPS FOR A TOTAL COST OF \$143,202.00; FUNDED BY THE 2011 EQUIPMENT ACQUISITION FUND AND THE GENERAL FUND.

2011-05-19-0401

Item 11. AN ORDINANCE AUTHORIZING A CONTRACT WITH BOUND TREE MEDICAL, LLC TO PROVIDE THE SAN ANTONIO FIRE DEPARTMENT, EMS DIVISION (FIRE DEPARTMENT) WITH 58 PENTAX AIRWAY SCOPE SYSTEMS FOR A TOTAL COST OF \$478,329.48; FUNDED BY THE 2011 EQUIPMENT ACQUISITION FUND.

Councilmember Chan asked for the rationale for purchasing the extra equipment. Mr. Walsh replied that the equipment was being purchased as backup and that if it was not available; it would be pulled from front line EMS Units.

Councilmember Chan moved to adopt the proposed Ordinances for Items 10 and 11. Councilmember Clamp seconded the motion.

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

The City Clerk read the following Ordinance:

2011-05-19-0403

Item 13. AN ORDINANCE AUTHORIZING A CHANGE ORDER IN AN INCREASED AMOUNT UP TO \$775,000.00 TO THE \$47,175,000.00 DESIGN-BUILD SERVICES AGREEMENT WITH HENSEL PHELPS CONSTRUCTION CO. FOR ADDITIONAL SCOPE ITEMS FOR THE CITY'S PUBLIC SAFETY HEADQUARTERS PROJECT LOCATED IN COUNCIL DISTRICT 1, A CERTIFICATE OF OBLIGATION FUNDED PROJECT.

Councilmember Chan asked staff to expand on the change order. Mike Frisbie stated that piers had to be re-sized due to the soil conditions at a cost of \$3,100 per pier. He noted that it was an unforeseen condition that could not have been predicted. He mentioned that there was an error in the bridging documents regarding the limestone exterior treatment and what was bid on at the time was a lesser product. He added that \$50,000 would be utilized for the design of a solar panel array. Councilmember Williams confirmed that the contractor was not responsible for any component of the change order. Mr. Frisbie confirmed same.

Councilmember Chan 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:

CONTINUED

Item 18. AN ORDINANCE REMOVING THE “PUBLIC ART SAN ANTONIO” PROGRAM FROM CHAPTER 35 OF THE CITY CODE (UNIFIED DEVELOPMENT CODE).

Councilmember Clamp asked for additional information on said item. Felix Padron replied that the Public Art Program was being removed as recommended by the Planning Commission and Infrastructure and Growth Council Committee. He stated that they met with the Public Art Board on enhancing the Public Art Guidelines and reviewed national trends. He spoke of the need to address the issue by project which could equate to 1%; more than 1%; or less than 1%. Ms. Sculley added that 1% would be the minimum utilized for public art projects. Councilmember Clamp stated that more discussion was needed on said item.

Councilmember Clamp moved to continue Item 18 until June 2, 2011. Councilmember Williams seconded the motion.

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

The City Clerk read the following Ordinance:

2011-05-19-0411

Item 25. AN ORDINANCE APPROVING THE SELECTION OF A FINANCIAL UNDERWRITING POOL FROM WHICH FINANCIAL UNDERWRITING SYNDICATES WILL BE SELECTED AND APPROVED BY CITY COUNCIL FOR VARIOUS FINANCINGS FOR A TERM BEGINNING MAY 20, 2011 AND ENDING SEPTEMBER 30, 2014, WITH THE CITY’S OPTION TO RENEW FOR TWO (2) ADDITIONAL ONE (1) YEAR PERIODS UNDER THE SAME TERMS AND CONDITIONS.

Councilmembers Cisneros and Rodriguez recused themselves from Item 25 by exiting the Council Chambers and noting they submitted the recusal forms to the City Clerk.

Ben Gorzell summarized the selection of a Financial Underwriting Pool, noting that they had utilized various criteria to score the Requests for Qualifications (RFQ). He indicated that 34 proposals were received and 17 were recommended for the pool. He stated that 16 of the 17 firms had local offices with a professional licensed investment banker specializing in municipal finance. He noted that there were two firms with investment bankers located in San Antonio that were not being recommended for inclusion in the pool. In response to Councilmember Cortez, he stated that there would be no additional cost to add the two firms to the pool but staff did not recommended doing so.

Councilmember Chan stated that she was a strong advocate for small businesses but expressed concern with changing the process. Ben Gorzell noted that if the two firms with a local investment banker were added, a firm that scored higher would be overlooked.

Councilmember Cortez moved to adopt the proposed Ordinance to include Sterne Agee & Leach, Inc. and Raymond James and Associates, the two local firms with investment bankers, into the pool. Councilmember Lopez seconded the motion.

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

Councilmember Chan moved to adopt the proposed Ordinance as recommended by staff. Councilmember Williams seconded the motion.

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

POINT OF PERSONAL PRIVILEGE

Mayor Castro recognized Outgoing Councilmembers Cortez and Clamp for their service over the past four years. Councilmember Clamp thanked city staff for their professionalism and stated that he had enjoyed working with everyone. He recognized his staff, family, and everyone that supported him. Councilmember Cortez thanked Mayor Castro for his leadership and stated that he has enjoyed working with city staff. He recognized his family for their support and the residents of District 4 for allowing him to serve. Councilmember Rodriguez thanked Councilmembers Cortez and Rodriguez for their service to the City of San Antonio.

Mayor Castro recognized Sheryl Sculley who would be celebrating her birthday the next day, May 20th.

ADJOURNMENT

There being no further discussion, Mayor Castro adjourned the meeting at 7:24 pm.

APPROVED



**JULIAN CASTRO
MAYOR**

Attest:



LETICIA M. VACEK, TRMC/CMC
City Clerk