

**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, JUNE 15, 2011 AND THURSDAY, JUNE 16, 2011, RESPECTIVELY.

The San Antonio City Council convened in a Work Session at 2:00 pm Wednesday, **June 15, 2011**, Municipal Plaza Building, with the following Councilmembers present: Cisneros, Taylor, Ramos, Saldaña, Medina, Lopez, Rodriguez, Williams, Chan, Soules, and Mayor Castro. **ABSENT:** None.

1. STAFF BRIEFING AND UPDATE ON THE PROGRESS OF THE CITY OF SAN ANTONIO'S 2007-2012 BOND PROGRAM.

Mayor Castro recognized the 2012 Bond Tri-Chairs present: Mayor Emeritus Lila Cockrell, Carri Baker Wells, and Tessa Martinez Pollack.

Sheryl Sculley provided an overview of the 2007 Bond Program and stated that the program should be completed in May, 2012. She noted that the 2012 Bond Program would total \$596 million and be accomplished without a property tax increase.

Mike Frisbie reported that 56% of the 2007 Bond Program Projects were complete; 33% were under construction; and 11% were in the pre-construction phase. He outlined recently completed projects including Rainbow Hills Park and Market Square/El Mercado. He spoke of projects under construction that include Prue Road, Tom Slick Park, and Callaghan Road. He highlighted the Dashboard of Projects that is available online which provides a status of all of the Bond Projects.

Mr. Frisbie stated that \$47 million in Bond Savings were reprogrammed in May, 2011 with 23 new projects created and additional funds added to three projects. He provided a status of the projects, noting that two were under construction and four were under design.

Mr. Frisbie provided a 2007 Bond Recap and reported that 90% of the projects are complete or under construction. He indicated that substantial completion is scheduled for June, 2012. Lastly, he noted that 88 of the 97 projects implemented with the additional \$30 million identified in Bond Savings (account that earned interest) were completed in December, 2010 and nine were under construction.

2. STAFF BRIEFING AND UPDATE ON THE PROPOSED 2012-2017 CITY BOND PROGRAM DEVELOPMENT PROCESS.

Peter Zaroni reported that a Bond Election was being proposed for May 2012 for a Bond Program totaling \$596 million. He stated that potential propositions include: 1) Streets, Bridges, Sidewalks; 2) Drainage; 3) Parks; and 4) Municipal Facilities. He noted that they recommended that project selection follow the 2007 Bond Program Development Model. He outlined the current Bond Development Process, noting that meetings have been held with city departments for preliminary project lists and priorities. He added that a scoring model had been created for the Streets and Drainage Categories.

Mr. Zanoni stated that within the Streets and Drainage Propositions, project lists were created over the past five years. He indicated that a scoring model was created based on staff recommended guiding principles and the 2007 Bond Program Models. He noted that Public Works Staff would help score projects and prioritize the final lists that would be presented to the Bond Committees. He reported that a preliminary list of projects was also created over the last five years within the Parks Proposition. He mentioned that Parks Staff would work with the Parks Board on recommended projects based on the Parks Master Plan. He stated that Innovation and Reform Staff was conducting a facility study and would review and prioritize requests throughout the city. He added that the final list would be presented to the Bond Committees.

Mr. Zanoni provided an overview of the Recommended Project Selection Process, noting that city staff would make professional project recommendations to Community Bond Committees. The Bond Committees will discuss staff recommended projects and obtain citizen input on potential projects. The Bond Committee will finalize and adopt a list of projects and present them to the City Council for consideration. Mr. Zanoni stated that the City Council would approve the final list of projects for inclusion in the proposed Bond Program Election. He noted that staff would review the recommended guiding principles in a B Session.

Mr. Zanoni spoke of Rough Proportionality Principles and stated that areas of the city have different infrastructure needs based on geography and development patterns. He noted that project selection provides roughly equal improvement resources across the city. He indicated that needs could be addressed through various programs including the General Obligation Bond Program, 5-Year Infrastructure Management Program, and Parks Maintenance and Renovation Program.

Mr. Zanoni indicated that Mayor Castro would appoint Co-Chairs for each of the Community Bond Committees and that every Councilmember would appoint three members to each of the Committees. He stated that the Committee Meetings would begin in September and provided the City Council with a schedule through February, 2012.

Mayor Castro thanked staff for their work on the 2007 Bond Program that has been very successful. He noted that it was the largest Bond Program thus far and recognized the Bond Oversight Committee. He stated that the 2012 Bond Program would help improve infrastructure and spoke of the importance of ensuring that the needs of the entire community are addressed. He recognized Carri Baker Wells at this time.

Ms. Baker Wells stated that she was excited with this opportunity and hopes that they can replicate the success of the 2007 Bond Program. She noted that many individuals had expressed an interest in serving on the Community Bond Committees and she looked forward to engaging the community. Mayor Emeritus Lila Cockrell commended the City Council and City Staff and spoke of her experiences with the 1994 Bond Program.

Mayor Castro added that although basic streets and drainage will take up the majority of funds, it was also important to invest in Parks and Libraries.

Councilmember Williams asked of the difference between Municipal Facilities and Community Initiatives within the four potential propositions. Ms. Sculley confirmed that they were the same.

Councilmember Williams expressed concern with propositions being further broken out and asked that the number selected remain the same. Mayor Castro stated that he was inclined to move forward with four propositions.

Councilmember Taylor thanked all for their work and spoke of the great success of the 2007 Bond Program. She requested that the individuals serving on the Community Initiatives Committee be familiar with everything it encompasses. She noted that she was in support of following the 2007 Bond Program Model but that there were other areas where strategic investments could be made. She spoke of the potential of utilizing bond funds to address housing issues due to the limited amount of resources. She asked of the six areas ranked on Slide 15. Peter Zanoni replied that the ranking was completed after the voters approved the Bond Program and would again be completed once the new Bond Program was approved. Councilmember Taylor recommended that the Bond Committee Members selected be equipped with necessary information and asked how it would be conveyed. Ms. Sculley stated that staff would meet with each Councilmember prior to the Committee Meetings and provide a context to Committee Members based on feedback from the City Council. Councilmember Taylor spoke of clustering investment to maximize impact and improve coordination with school districts and other entities.

Councilmember Cisneros thanked the Tri-Chairs for their service and asked of the recommendations for Fire Stations. Mr. Zanoni replied that through the budget process, staff had identified the need for several replacement Fire Stations and potential additional Fire Stations. Councilmember Cisneros asked of the 90% of projects completed. Ms. Sculley replied that there is one more year left prior to the next Bond Election and all 2007 Bond Projects will be complete or under construction by that time. Councilmember Cisneros stated that she hopes that most projects will be completed before asking voters to approve a new Bond Program.

Councilmember Ramos spoke of the importance of the 2012 Bond Program and the great need for infrastructure improvements throughout the community. She stated that District 3 had received a great amount of funds from the 2007 Bond Program but had also realized a large amount of bond savings. She referenced the San Antonio River Improvements Project and spoke of the need to leverage Bond Funds with other entities including the Metropolitan Planning Organization (MPO).

Councilmember Soules asked of the process for determining how the Bond Funds will be assigned to each of the four propositions. Ms. Sculley replied that the City Council will make that determination. She stated that staff will continue to gather input over the Summer and make recommendations to the City Council in the Fall.

Councilmember Chan asked of the distribution of Bond Funds. Ms. Sculley reiterated that staff will meet with individual Councilmembers and utilize community input to recommend funding for each of the propositions. She noted that some projects have been implemented with the intent to utilize new Bond Funds to finish out the project. Councilmember Chan asked of rough proportionality and the affect due to redistricting. Ms. Sculley replied that staff will use current Council Districts for the 2012 Bond Program.

Councilmember Lopez spoke of his experiences with previous Bond Programs and stated that San Antonio was fortunate to have a receptive and supportive community. He noted that it was important to measure voter tolerance and asked if the city would perform outreach to identify what the

community will support. Mayor Castro replied that the city could not do so legally, but could be performed by another entity. Mayor Castro added that he does not foresee having major controversial projects and that there will be flexibility to address issues that may come up.

Councilmember Saldaña asked of citywide projects. Ms. Sculley outlined various citywide projects including the Medical Center Bridge and stated that they would provide recommendations to the City Council. Councilmember Saldaña asked of the scoring model created for streets and drainage referenced on Slide 3. Mr. Frisbie replied that for the 2007 Bond Program, they had developed a scoring model that took various factors into account and had enhanced it for the 2012 Bond Program. He stated that they looked at modes of transportation and that points were assigned for projects that included bike lanes. Ms. Sculley added that other factors include condition of the road, age of the road, and cost.

Mayor Castro thanked staff for the presentation.

3. BRIEFING AND UPDATE ON THE ANIMAL CARE SERVICES ADOPTION CENTER AT BRACKENRIDGE PARK PROJECT.

Erik Walsh provided background information on the Animal Care Facility Project, noting that the proposed Off-Site Adoption Facility was identified in the Animal Care Strategic Plan. He presented a photo of the project location. Mike Frisbie outlined the Project Goals in which they hoped to provide a centralized site for adoptions, spay/neuter, and education on being a responsible pet owner. He spoke of the Project Budget and indicated that donations in the amount of \$384,200 were being solicited to complete Phase I and that an additional \$1.7 million would be needed to complete the full build-out of the project. He noted the Project Schedule and provided a Site Plan for Phase I and the Full Build-Out.

Mayor Castro asked how many animals would be housed at the new facility. Mr. Frisbie replied that there would be capacity for 58 kennels with an adoption rate of 3,000 animals per year. Mayor Castro asked of the difference between the current and new facility. Mr. Frisbie stated that the new site would be very inviting to the public and that the animals would be ready for adoption. Mayor Castro asked of the use of the Internet or social media for animal adoption. Gary Hendel replied that the Animal Care Services Department utilized Facebook and Twitter on a small scale and sends an email blast to those that have requested to receive it every evening at 6:00 pm.

Councilmember Ramos referenced Slide 6 and asked of the additional \$384,200 needed. Ms. Sculley stated that donations would be solicited and that there could be additional discussions regarding same during the budget process. Councilmember Ramos recognized District 3 Animal Care Services Advisory Board Member Bill White and thanked him for his service.

Mayor Castro thanked Sallie Scott and Bill White for their service on the Animal Care Services Advisory Board.

EXECUTIVE SESSION

Mayor Castro recessed the meeting at 3:50 pm to convene in Executive Session for the purposes of:

- A. DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS, AND DISCUSS RELATED LEGAL ISSUES PURSUANT TO TEXAS GOVERNMENT CODE SECTIONS 551.087 (ECONOMIC DEVELOPMENT) AND 551.071 (CONSULTATION WITH ATTORNEY). NOT ADDRESSED**
- B. DISCUSS LEGAL ISSUES RELATED TO *DAVID ASH V. CITY OF SAN ANTONIO*, CIVIL ACTION NO. 339,208, IN THE COUNTY COURT NUMBER THREE, BEXAR COUNTY TEXAS, PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY).**
- C. DISCUSS LEGAL ISSUES RELATED TO CLAIM FILED BY ALEXANDER PEREZ, PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY).**

Mayor Castro reconvened the meeting at 6:00 pm at which time it was noted that the City Council had been briefed on Items B and C above but took no action. He announced that the executive session would resume on Thursday, June 16, 2011 at 11:00 am.

CITIZENS TO BE HEARD

Mayor Castro called upon the individuals registered to speak.

Oscar Ramirez, Vanessa Cruz and Nicolette Perez representing the Avenida Guadalupe Association addressed the City Council. Mr. Ramirez provided answers to the Avenida's 10 Frequently Asked Questions. He stated that the building at 1312 Guadalupe Street cannot be preserved due to the decayed roof structure, exposed exterior envelope and inadequate structural foundation. He reported that the building was not deemed historic by the Texas Historical Commission or historically and culturally significant by the Zoning Commission. He noted that the Avenida believed that there should be a balance between economic development and preservation efforts. He spoke of the corridor benefits to local businesses with tax incentives and outlined the funding sources that include \$2.36 million in Federal Funds. He indicated that many would benefit from the project and spoke of the extensive community engagement on the project over the past three years. He added that they would suffer undue economic hardship and loss of 43 jobs if the building at 1312 Guadalupe was designated as a Historical Landmark.

Robert Lopez of Lopez Salas Architects addressed the City Council in support of the Avenida's Promesa Project. He stated that he was the architect hired by the Avenida for the project and provided renderings of the current and proposed building at 1312 Guadalupe Street. He spoke of the challenges with the existing building and expressed concern with the roof condition. He mentioned that the building did not meet City Code Requirements and that there were issues with the structural foundation.

Hortencia DeLeon stated that she was in support of the Avenida's Promesa Project.

Marc Diaz stated that he was in support of the Avenida's Promesa Project and that the current building at 1312 Guadalupe Street was not historically significant. He noted that the building was considered a

dangerous structure and could not be utilized for retail or commercial use since it did not meet City Code Requirements. He indicated that the space would yield greater value if restored and added that the Zoning Commission had voted against historical designation by a vote of 7-1.

Adam DeLeon stated that he was in support of the Avenida's Promesa Project and that the area was in need of economic development.

Tertia Emerson stated that she was in support of the Avenida's Promesa Project and asked that the request for historic designation be denied. She asked that the City Council keep those in mind that will benefit from the project.

Armando Valdez spoke in support of the Avenida's Promesa Project and stated that they were very supportive of preservation efforts. He showed photos of various buildings that the Avenida Guadalupe Association had preserved and asked the City Council to vote against historic designation of 1312 Guadalupe Street.

Yolanda Sosa spoke in support of the Avenida's Promesa Project and expressed concern with the funding that could be lost if the project does not move forward. She asked the City Council to vote no to the historic designation of 1312 Guadalupe Street.

Adrian Reyes stated that he was in support of the Avenida's Promesa Project and spoke of the grants that they have received for the project. He indicated that they had leveraged \$3.3 million in funds and were in danger of losing \$2.6 million in Federal Funds.

Marta Alaquez stated that she is employed by the Avenida Guadalupe Association and is in support of the Promesa Project. She noted that she was opposed to the historic designation of 1312 Guadalupe Street.

Katy Garza spoke in support of the Avenida's Promesa Project and provided a list of the many individuals and stakeholders that also support the project.

Guadalupe Espinosa stated that he lives a block away from 1312 Guadalupe Street and is in support of the Avenida's Promesa Project. He spoke of the jobs and progress needed for the area and noted that Avenida helps the community.

Veronica Guerrero spoke in support of the Avenida's Promesa Project and asked that the request for historic designation of 1312 Guadalupe Street be denied.

Abigail Antuna stated that she was in support of the Avenida's Promesa Project and outlined the process they had utilized to select an Architectural Design Team. She spoke of the many community meetings held and asked that the request for historic designation of 1312 Guadalupe Street be denied.

Celina Lopez, Francisco Lopez, and Jessica Torres representing Lopez Architects spoke in opposition to the Historic Designation of 1312 Guadalupe Street. Mr. Lopez stated that he was one of the architects for the project and had worked to keep the spirit of the building intact. He indicated that he would like to significantly improve the building and was excited that it would be a LEED Silver

Certified Building. He added that the new building design was inspired by culture and history and would be reflective of the past, present, and future.

Armando Torres stated that he was in support of the Avenida's Promesa Project.

Suzanne Westrum stated that she was in support of the Avenida's Promesa Project.

Janice Kaples spoke in support of the Avenida's Promesa Project and stated that the grant funds they received could not be used for the reconstruction or preservation of the current building. She expressed concern with the funding and jobs that would be lost if the building was deemed historically significant. She asked the City Council to vote no to historic designation of the building at 1312 Guadalupe Street.

Teresa Hernandez stated that she was in support of the Avenida's Promesa Project due to the jobs, workforce development, and training that it would provide for the area.

Elvira Cisneros addressed the City Council in support of the Avenida's Promesa Project and spoke of the progress and development that was greatly needed in the Westside. She stated that her parents were very devoted to helping the Westside when they came from Mexico and had gotten Eleanor Roosevelt to visit the area. She indicated that they had cleaned up the Alazan Apache Courts and that is where the spirit of the Westside began. She asked why a structure that did not provide anything to the community was being saved. She added that she has worked with the Avenida Guadalupe Association and has witnessed their great work.

Gabriel Velasquez provided demographic information of the Westside, noting that a one-mile radius of 1312 Guadalupe Street has a \$10,000 per capita income. He expressed concern that 48% of housing units within a one-mile radius are rental units and noted that many individuals did not have a high school diploma. He mentioned the work to demolish the slums in the Westside and added that the Avenida Guadalupe Association had a record of past practices that yielded great results.

Leonor Garcia stated that she was in support of the Avenida's Promesa Project and that the project would provide jobs for teens.

Guadalupe Sanchez stated that she was in support of the Avenida Guadalupe Association.

Mary Lozano stated that she supports the Avenida's Promesa Project and that it would be good for the children in the area.

Victoria Lopez stated that she was in support of the Avenida's Promesa Project and that development was greatly needed in the area. She noted the many efforts that had been made to clean up the area but that the building at 1312 Guadalupe Street was deemed a dangerous structure and should be demolished.

Martin Ortiz stated that he was in support of the Avenida's Promesa Project.

Olga Tristan stated that she was born and raised on the Westside and spoke in support of the Westside becoming more green.

Humberto De La Vega stated that he had grown up in the Alazan Apache Courts on the Westside and was supportive of the Avenida's Promesa Project since improvements were needed in the area.

Faris Hodge, Jr. expressed concern with the prostitution occurring on Zarzamora Street between Culebra and Martin Streets and asked that the area be cleaned up. He stated that he had witnessed the Police Department taking a nail clipper away from a gentleman entering the Council Chambers and he felt they were being paranoid. He asked why individuals entering Municipal Court were forced to take their belts off and stated that individuals should buckle up for safety and to avoid fines. He expressed concern that the City Manager discriminated against him by calling him up last to speak at Budget Hearings, even though he signed up early. He quoted from an article that a Judge blasted the rezoning of Convent Street and that SAWS was hoping to delay water limits.

Leticia Vela stated that she was in support of the historic designation of the building at 1312 Guadalupe Street and showed various photographs of her mother, Lilia Vela. She noted that although she was a resident of District 7, she cared very deeply for the Westside. She added that she felt that individuals were more concerned with land development rather than human development.

Rita Vidaurri Eden stated that she was in support of historic designation of 1312 Guadalupe Street and spoke of the death of her husband and sons. She mentioned her singing career and noted that she continues to entertain and volunteer. She sang a song about San Antonio to the City Council.

Amanda Haas of the Westside Preservation Group stated that she was in support of the preservation of Casa Maldonado at 1312 Guadalupe Street. She indicated that preservation can cost less than new construction and provided a document showing their vision of what the preserved building can look like. She spoke of the importance of historic preservation within working class communities and added that they do not support demolition of the building.

Nazirite Ruben Flores Perez spoke of Ezekiel Chapter 23 in the Bible.

Ann McGlone spoke of the many years that she has worked on preservation in San Antonio and stated that she was very knowledgeable of the buildings on the Westside. She indicated that the question asked of the Texas Historic Commission was if the building was eligible for listing on the National Register and they had replied that it was not significant on the national level. She noted that it was important at the local level and that the Historic and Design Review Commission had stated that it was not architecturally significant. She stated that the building was vernacular and had significance on a cultural level. She noted that there should be progress and preservation and not one or the other. She requested additional time for a structural engineer to review the building and thanked the Avenida Guadalupe Association for their cooperation.

Jo Flores stated that she is a Veteran and in support of the historic designation of 1312 Guadalupe Street. She noted that she lived on the Westside and was offended by a statement made that the area is a slum. She added that preservation of the building was very important to the neighborhood.

Lucy Perez, Graciela Sanchez and Isabel Sanchez representing the Westside Historic Preservation Group addressed the City Council in support of Historic Designation for 1312 Guadalupe Street. Graciela Sanchez expressed concern that the La Gloria building was demolished in the past and that

the owner had not worked with the community. She stated that their group was dedicated to saving properties on the Westside. She spoke of the redevelopment of Southtown and Pearl Stables and asked why the same could not be done for Casa Maldonado. She noted that many buildings in the Westside had been demolished due to economic development and asked for additional time for the structural engineer to review the building.

Gloria Ramirez thanked the City Council for the opportunity to speak and stated that Casa Maldonado was very important to the Westside. She noted that the building has survived many ups and downs and asked that history not be demolished along with the building.

Jack M. Finger referenced an article entitled, "Leaders voice concerns about controversial play" and expressed concern with the play based out of Corpus Christi, Texas. He stated that it depicted Jesus and his disciples with disrespect and ridicule and was opposed to it being performed at the San Pedro Playhouse. He noted that the city had provided funds in the amount of \$136,000 to the San Pedro Playhouse and asked why the city would support the play that portrayed Jesus as a homosexual and used profanity.

Susana Segura, Project Manager for Lerma's Nightclub stated that she has attended many meetings with the Avenida Guadalupe Association and would like to continue mediation and work to identify funds for historic preservation. She spoke of the structural engineer that they hired to study Casa Maldonado and noted that she was opposed to demolition of 1312 Guadalupe Street.

Kamala Platt stated that she was a resident of District 5 and in support of the historic designation of 1312 Guadalupe Street. She noted that she was a low-income, high performance teacher, scholar and artist, and spoke of the importance of Casa Maldonado to the area. She added that the preservation of the building would shape the psychological understanding of the community's place in the city and in the world.

ADJOURNMENT

There being no further discussion, Mayor Castro adjourned the meeting at 8:12 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **June 16, 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, Saldaña, Medina, Lopez, Rodriguez, Williams, Chan, Soules, and Mayor Castro. **ABSENT:** None.

Item 1. The Invocation was delivered by Father Edward Hauf, OMI, St. Mary's Catholic Church, guest of Councilmember Mary Alice P. Cisneros, District 1.

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

Item 3. MINUTES

Councilmember Cisneros moved to approve the Minutes for the June 1-2, 2011 City Council Meetings. Councilmember Ramos seconded the motion.

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

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the caption for Item 4:

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

Carlos Contreras presented and stated that the 82nd Legislative Session concluded on May 31, 2011 with 6,300 bills and constitutional amendments filed. He noted that 1,410 bills were passed with 160 of those bills affecting cities. He recognized the City Council, Staff, and Legislative Consultants for their testimony and work, and spoke of the many entities that the City of San Antonio collaborated with. He reported that the major lobby focus was to protect Municipal Interests in three areas: 1) Authority to raise and collect revenue; 2) Maintain authority as a Home-Rule City to adopt and enforce ordinances; and 3) Unfunded mandates.

Mr. Contreras stated that the Legislature was faced with a budget deficit of \$15-27 billion and that HB 1, the State Budget Bill, passed totaling \$172.3 billion in All Funds Spending. He reported that Public Education Funds were reduced by \$4 billion and Higher Education was reduced by \$1 billion. He noted that the anticipated impact of cuts on Texas Cities totals \$154 million. He outlined the potential impact to the City of San Antonio totaling \$4.9 to \$5.6 million that includes a reduction of \$1.2 million on the Mixed Beverage Tax Reimbursement. He noted that there could be a \$1.25-\$2 million impact to the Prospect Courtyard and Inebriate Program, as well as a \$1 million impact to the City's After School Challenge Program.

Mr. Contreras outlined the Emergency Items Designated by the Governor including the Voter ID Bill (SB 14) and Eminent Domain Bill (SB 18). He stated that in regard to Redistricting, HB 150 and SB 31 were passed and sent to the Governor on May 24, 2011, while HB 4 & SB 4 were pending in the First Called Special Session. He provided an overview of the Major Agencies Under Sunset and Agencies Not Renewed.

Mr. Contreras spoke of the City of San Antonio Initiatives and indicated that the Graffiti Bills by Representative Martinez Fischer did not pass but HB 1622 that defines graffiti an act of gang activity passed and was sent to the Governor on May 30, 2011. He stated that SB 350 regarding fund restructuring for the Texas Municipal Retirement System (TMRS) passed and would save the City of San Antonio \$6 million annually. He reported that SB 510 to continue the Diabetes Mellitus Program passed and was sent to the Governor on May 21, 2011. He noted that HB 1488 related to the San Antonio Fire Department Recruitment passed and was sent to the Governor on May 20, 2011. He added that SB 341 relating to the appointment of a conservator for and authorizing the dissolution of the Bexar Metropolitan Water District passed and was sent to the Governor on May 31, 2011.

Mr. Contreras stated that SB 1741 and HB 2673 regarding Tree Mitigation did not pass, and that the City/County Consolidation Bill also was not passed. He added that five issues would be considered during the First Called Special Session: 1) School Formula Funding/Fiscal Matters; 2) Healthcare Services/Medicaid; 3) Congressional Redistricting; 4) Texas Windstorm Insurance Association; and 5) Sanctuary Cities.

Mayor Castro thanked staff and the City's Lobbyist Team for their work and stated that this had been a challenging session.

Councilmember Rodriguez thanked all for their work and stated that this legislative session was focused on minimizing impacts to the city. He asked of HB 1622 related to graffiti. Mr. Contreras replied that it did not increase penalties but would provide another tool to enjoin graffiti with gang activity that constitutes a public nuisance. Councilmember Rodriguez stated that it was never too early to begin planning for the next legislative session and identify items to improve and enhance the city. He asked of the bill filed by Representative Gutierrez to allow municipalities to further divide the sales tax. Mr. Contreras replied that HB 704 did not pass and was not scheduled for a hearing. Councilmember Rodriguez asked of the TMRS Bill that was passed. Mr. Contreras stated that SB 350 would reduce the city's contribution requirements by \$6 million. Councilmember Rodriguez asked of the Cost of Living Adjustment and retroactivity. Mr. Contreras responded that it was not addressed in SB 350. Councilmember Rodriguez acknowledged the work of the City's Lobby Team and the IGR Council Committee.

Mayor Castro recognized Councilmember Rodriguez for his work as Chair of the IGR Council Committee.

Councilmember Lopez spoke of the need to identify strategies for moving forward and mitigating negative impacts to the City of San Antonio for the next session. He stated that the IGR Council Committee had worked hard during this session and spoke of his experiences serving on the committee. He recognized the City's Lobby Team for their efforts and thanked Councilmember Rodriguez for his leadership.

Councilmember Ramos asked of HB 1488 regarding San Antonio Fire Department Recruitment. Mr. Contreras replied that it would allow municipalities to consider other items in addition to written cognitive exams for the selection of high caliber leaders for Fire Departments. It would also increase the diversity in the Firefighter Recruitment Class. Councilmember Ramos asked if the bill would conflict with the Fire Collective Bargaining Agreement that was recently passed. Michael Bernard confirmed that there was not a conflict. Councilmember Ramos asked how the passage of the Driving While Intoxicated (DWI) Bill would help the city. Mr. Contreras stated that HB 1199 would increase the penalty for a DWI to a Class A Misdemeanor if an individual has a .15 or higher blood alcohol content. The bill also makes it a 2nd Degree Felony if the results of a DWI-related accident leave the victim in a vegetative state. Additionally, SB 953 relates to ignition interlock for someone requesting an occupational license after being convicted of a DWI. Councilmember Ramos asked of the Statewide Ban on Texting. Mr. Contreras confirmed that the bill passed and appeared that there was no inconsistency with the city ordinance as passed. He stated that they would conduct further review and provide information to the City Council. She thanked all for their work on the legislative session.

Councilmember Chan thanked everyone for their work and asked of the election related to the dissolution of BexarMet. Mr. Contreras replied that the election could be held in November, 2011 or May, 2012 and would have to be pre-cleared by the Department of Justice. Councilmember Chan asked if language was included in the bill that dictated the representation of the new entity. Mr. Contreras stated that there were amendments that attempted to expand the board to consider the form of representation that BexarMet had but would provide additional information to the City Council.

Mayor Castro called upon the individuals registered to speak on Item 4.

Nazirite Ruben Flores Perez expressed concern that SAWS only checks for leaks and broken water mains once every other year and referenced Ezekiel Chapter 23 in the Bible. He stated that he was pleased that Bexar Met did not utilize fluoride.

Jack M. Finger stated that he was pleased that the Sonogram Bill passed that could save babies and that the bill regarding Eminent Domain was passed. He noted that he was also pleased that the Voter Identification Bill was passed and that the Sanctuary Cities Bill would be discussed in the Special Session. He added that he was pleased that the Meet and Confer Bill was not passed and asked why the City Council had not lobbied for school choice vouchers for parents of school children.

There was no action required for Item 4.

POINT OF PERSONAL PRIVILEGE

Councilmember Cisneros recognized Edward Garza and his nephew Adrian, a third grade student at Stonewall Flanders Elementary School. She stated that Mr. Garza was a Graduate of Fox Tech High School; Graduate of the 2010 Air Force United States Military Academy Prep School in Fort Mammoth, New Jersey; and a member of the West Point Class of 2014. She congratulated Mr. Garza for his accomplishments and noted that he was a resident of District 1. Mayor Castro congratulated Mr. Garza on his accomplishments and thanked him for his commitment to the country.

CONSENT AGENDA ITEMS 5-22B

Consent Agenda Items 7, 9, and 20 were pulled for Individual Consideration.

Councilmember Ramos moved to approve the remaining Consent Agenda Items. Councilmember Lopez seconded the motion.

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

Mr. Finger expressed concern with the public safety communications tower in Item 5 and asked if the residents of District 5 were aware of the project. He spoke in opposition to the professional services agreement with Kell Muñoz Architects, Inc. in Item 7, noting that they had made campaign contributions to the City Council. He expressed concern with the \$400,000 in budget amendments to the delegate agency contracts for the Homelessness Prevention and Rapid Re-Housing Program in Item 16 and asked of the associated jobs. He stated that there were still many issues with homelessness in the city. He noted that he was against Item 18 since it provided for bicycles and bike racks that he did not think were being well-utilized.

Faris Hodge, Jr. submitted written testimony for Items 5-22B.

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

2011-06-16-0495

Item 5. AN ORDINANCE AWARDDING A DESIGN/BUILD SERVICES AGREEMENT TO SABRE COMMUNICATIONS COMPANY IN AN AMOUNT UP TO \$1,500,000.00 FOR THE DESIGN, FABRICATION AND INSTALLATION OF THE PUBLIC SAFETY COMMUNICATIONS TOWER SITE PROJECT, A CERTIFICATES OF OBLIGATION FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 5.

2011-06-16-0496

Item 6. AN ORDINANCE AWARDDING A CONSTRUCTION CONTRACT TO SHANNON-MONK, INC. IN THE AMOUNT OF \$253,700.00 FOR THE BONNIE CONNOR PARK PHASE III (FORMERLY HAUSMAN ROAD PARK DEVELOPMENT) PROJECT, AN AUTHORIZED 2007-2012 GENERAL OBLIGATION BOND PROJECT LOCATED IN COUNCIL DISTRICT 8.

2011-06-16-0498

Item 8. AN ORDINANCE AUTHORIZING AN ADVANCED FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION AND AUTHORIZING PAYMENT IN THE AMOUNT UP TO \$761,121.00 FOR THE MEDICAL TO FREDERICKSBURG PROJECT, A 2007-2012 GENERAL OBLIGATION BOND PROJECT, LOCATED IN COUNCIL DISTRICT 8.

2011-06-16-0500

Item 10. AN ORDINANCE AWARDDING A TASK ORDER CONSTRUCTION CONTRACT TO AUSTIN CONSTRUCTORS, IN AN AMOUNT UP TO \$1,380,000.00, FOR THE CONSTRUCTION OF ADA CURB RAMPS AND SIDEWALK IMPROVEMENTS RELATED TO INFRASTRUCTURE MANAGEMENT PROGRAM PROJECTS LOCATED CITY-WIDE, FUNDED BY THE STREET MAINTENANCE PROGRAM, VIA, AND RE-PROGRAMMING FUNDS FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT.

2011-06-16-0501

Item 11. AN ORDINANCE AUTHORIZING THE CLOSURE, VACATION AND ABANDONMENT OF AN UNIMPROVED 7,340 SQUARE FOOT SECTION OF PUBLIC RIGHT OF WAY LOCATED AT 3915 WEST AVENUE BETWEEN WAYSIDE DRIVE AND AMNON DRIVE IN NCB 11684 LOCATED IN COUNCIL DISTRICT 1, AS REQUESTED BY NORTH EAST INDEPENDENT SCHOOL DISTRICT.

2011-06-16-0502

Item 12. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION FOR THE COMMUNITY TRANSFORMATION GRANT TO THE CENTERS FOR DISEASE CONTROL AND PREVENTION (CDC) FUNDED THROUGH THE PUBLIC PREVENTION HEALTH FUND FOR A PROJECT PERIOD BEGINNING SEPTEMBER 15, 2011 THROUGH SEPTEMBER 14, 2016 FOR AN AMOUNT UP TO \$20,000,000.00.

2011-06-16-0503

Item 13. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND THE ACCEPTANCE OF UP TO \$305,777.00, UPON AWARD, FROM THE BALLISTIC VEST PARTNERSHIP PROGRAM, U.S. DEPARTMENT OF JUSTICE FOR THE GRANT PERIOD APRIL 1, 2011, TO MARCH 31, 2013.

2011-06-16-0504

Item 14. AN ORDINANCE AMENDING THE TRAFFIC CONTROL DEVICES SCHEDULES FOR THE CITY OF SAN ANTONIO, ESTABLISHED IN CHAPTER 19, SECTION 68 OF THE CITY CODE, TO INCLUDE NEW TRAFFIC CONTROL DEVICES AND DELETE PREVIOUS ENTRIES FROM THE SCHEDULES THAT ARE IN CONFLICT WITH CURRENT TRAFFIC CODE REGULATIONS AND AMENDS THE TITLE OF SCHEDULE M (A THROUGH F) TO INCLUDE "CELL PHONE USE PROHIBITED" AND DELETES SCHEDULE M (G); PROVIDING FOR CRIMINAL AND CIVIL PENALTIES FOR VIOLATIONS.

Item 15. CONSIDERATION OF THE FOLLOWING BOARD, COMMISSION AND COMMITTEE APPOINTMENTS FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE MAY 31, 2013. TO BE EFFECTIVE IMMEDIATELY UPON THE RECEIPT OF EIGHT AFFIRMATIVE VOTES, OR, IN THE EVENT EIGHT AFFIRMATIVE VOTES ARE NOT RECEIVED, TEN DAYS AFTER APPOINTMENT; OR FOR TERMS AND EFFECTIVENESS AS OTHERWISE INDICATED BELOW:

- A. APPOINTING GABRIEL Q. VASQUEZ (DISTRICT 3, CATEGORY: ARTS EDUCATION) TO THE ARTS AND CULTURAL ADVISORY COMMITTEE.
- B. REAPPOINTING BURKE C. MAROLD (DISTRICT 3, CATEGORY: CONSUMER) TO THE TRANSPORTATION ADVISORY BOARD.
- C. REAPPOINTING THOMAS A. TOMPKINS (DISTRICT 3) TO THE COMMISSION FOR CHILDREN AND FAMILIES.
- D. REAPPOINTING ALBERT HERNANDEZ (DISTRICT 3, CATEGORY: FIRE PREVENTION EXPERT) TO THE BUILDING AND FIRE CODE BOARD OF APPEALS.
- E. REAPPOINTING JOHN A. RODRIGUEZ (DISTRICT 3) TO THE CITY COMMISSION ON VETERANS AFFAIRS.
- F. APPOINTING ROD J. RADLE (MAYORAL, CATEGORY: DOWNTOWN BUSINESS) TO THE HEMISFAIR PARK AREA REDEVELOPMENT CORPORATION FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE AUGUST 13, 2011.

2011-06-16-0505

Item 16. AN ORDINANCE AUTHORIZING \$400,000.00 IN BUDGET AMENDMENTS TO DELEGATE AGENCY CONTRACTS ASSOCIATED WITH THE FEDERAL ECONOMIC

STIMULUS FUNDED HOMELESSNESS PREVENTION AND RAPID RE-HOUSING PROGRAM (HPRP).

2011-06-16-0506

Item 17. AN ORDINANCE AUTHORIZING AN AGREEMENT WITH THE SAN ANTONIO FOOD BANK TO ESTABLISH COMMUNITY GARDENS AT FOUR (4) SAN ANTONIO HOUSING AUTHORITY (SAHA) RESIDENTIAL PROPERTIES AND PROVIDE TECHNICAL ASSISTANCE ON THE PLANTING AND MAINTENANCE OF GARDENS FOR AN AMOUNT UP TO \$8,000.00.

Item 18. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATED TO THE PROVISION OF BICYCLES, BICYCLE RACKS, AND ACCESSORIES TO THE SAN ANTONIO HOUSING AUTHORITY BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT'S COMMUNITIES PUTTING PREVENTION TO WORK PROGRAM, FUNDED BY THE AMERICAN RECOVERY AND REINVESTMENT ACT, FOR AN AMOUNT UP TO \$375,633.57.

2011-06-16-0507

- A. AN ORDINANCE AUTHORIZING THE CITY TO UTILIZE A COOPERATIVE CONTRACT WITH SPORTS SUPPLY GROUP, INC. TO PROVIDE BICYCLES, BICYCLE RACKS, AND RELATED ACCESSORIES TO SUPPORT RIDE TO OWN PROGRAMS FOR A TOTAL COST OF \$375,633.57 WHICH WILL BE FUNDED BY THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT'S (METRO HEALTH) COMMUNITIES PUTTING PREVENTION TO WORK (CPPW) PROGRAM.

2011-06-16-0508

- B. AN ORDINANCE AUTHORIZING AN AGREEMENT WITH THE SAN ANTONIO HOUSING AUTHORITY (SAHA) TO HOST AND MANAGE A RIDE TO OWN BICYCLE DISTRIBUTION PROGRAM AND PROVIDE BICYCLES, BICYCLE RACKS AND RELATED ACCESSORIES THROUGH SAHA COMMUNITIES TO PARTICIPATING RESIDENTS. THE DISTRIBUTION OF THESE INCENTIVES WILL OCCUR DURING A TERM BEGINNING ON JUNE 23, 2011 AND ENDING MARCH 18, 2012.

2011-06-16-0509

Item 19. AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE HIGHLAND HEIGHTS TIRZ LEGAL DOCUMENTS TO ADJUST THE CONSTRUCTION SCHEDULE AND APPROVAL OF THE ASSUMPTION OF THE HIGHLAND HEIGHTS DEVELOPMENT AGREEMENT BY SAN ANTONIO HIGHLAND HEIGHTS DEVELOPMENT, LLC.

2011-06-16-0511

Item 21. A PUBLIC HEARING AND ORDINANCE AUTHORIZING THE REPROGRAMMING OF HOUSING AND URBAN DEVELOPMENT (HUD) SECTION 108 LOAN FUNDS AND COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS FOR TWO SEPARATE PROJECTS AS FOLLOWS: A) REPROGRAM HUD SECTION 108 LOAN FUNDS IN AN

AMOUNT OF \$268,089.00 TO THE FRANK GARRETT COMMUNITY CENTER FACILITY IMPROVEMENT PROJECT; B) REPROGRAM CDBG FUNDS IN THE AMOUNT OF \$280,000.00 TO THE BLESSED SACRAMENT ACADEMY SCHOOL CAFETERIA FACILITY IMPROVEMENT PROJECT AND APPROVING AN AMENDMENT TO THE FY 2011 ANNUAL ACTION PLAN/BUDGET.

Item 22. CONSIDERATION OF THE FOLLOWING ORDINANCES AUTHORIZING A RENEWAL AGREEMENT FOR STATE REPRESENTATION SERVICES & FEDERAL REPRESENTATION SERVICES:

2011-06-16-0512

- A. AN ORDINANCE AUTHORIZING A RENEWAL AGREEMENT FOR STATE REPRESENTATION SERVICES WITH MARC A. RODRIGUEZ FOR A TOTAL MONTHLY AMOUNT OF \$5,555.00, BEGINNING OCTOBER 1, 2011 AND ENDING SEPTEMBER 30, 2013.

2011-06-16-0513

- B. AN ORDINANCE AUTHORIZING A FIRST AMENDMENT AND RENEWAL AGREEMENT FOR FEDERAL REPRESENTATION SERVICES WITH PATTON BOGGS A TOTAL MONTHLY AMOUNT OF \$16,666.00 BEGINNING OCTOBER 1, 2011 AND ENDING DECEMBER 31, 2012.

[CONSENT ITEMS CONCLUDED]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2011-06-16-0497

Item 7. AN ORDINANCE AUTHORIZING AN AMENDMENT IN THE INCREASED AMOUNT OF \$121,955.50 TO THE \$680,588.60 PROFESSIONAL SERVICES AGREEMENT WITH KELL MUNOZ ARCHITECTS, INC. FOR THE MISSION MARQUEE OUTDOOR PLAZA PROJECT AND MISSION SITE PLAYGROUND IMPROVEMENTS, AN AUTHORIZED HOUSING AND URBAN DEVELOPMENT (HUD) 108 LOAN FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 3.

Councilmember Ramos highlighted said item and asked of the need for the change order. Mike Frisbie stated that Kell Muñoz Architects were hired as the design consultant for the site work and that a separate design architect had been hired to restore the Mission Marquee. He reported that HUD Funds were available for a plaza project near the marquee and that the design had to be completed by December. He stated that due to Kell Muñoz's knowledge of the project area, the city was asking to amend their contract to get the new project designed quickly. Councilmember Ramos stated that she was pleased that the plaza and additional playground areas would be added to expand the Site Master Plan. She asked why it was being called a Plaza rather than an Amphitheatre. Mr. Frisbie explained

that a Plaza was better suited for the area and did not have the same Code Requirements as an Amphitheatre.

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

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

The City Clerk read the following Ordinance:

2011-06-16-0499

Item 9. AN ORDINANCE AUTHORIZING A CITY REQUESTED CHANGE ORDER IN THE INCREASED AMOUNT OF \$208,656.30 TO THE \$2,484,575.25 CONSTRUCTION CONTRACT WITH YANTIS COMPANY FOR THE INDIAN CREEK CHANNEL IMPROVEMENTS PROJECT, AN AUTHORIZED 2007-2012 GENERAL OBLIGATION BOND FUNDED PROJECT AND THE WAR CLOUD PROJECT, AN AUTHORIZED HOUSING AND URBAN DEVELOPMENT 108 FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 4.

Councilmember Saldaña asked of the increased change order. Mike Frisbie stated that there has been an increase in the amount of excavation needed and was pleased that the contractor held their unit pricing. He added that the project remained within budget.

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

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

The City Clerk read the following Ordinance:

2011-06-16-0510

Item 20. ORDINANCE AUTHORIZING THE SAN ANTONIO HOUSING TRUST PUBLIC FACILITY CORPORATION'S PARTICIPATION IN AND FINANCING FOR THE WOODLAWN RANCH APARTMENTS PROJECT, AS REQUIRED BY ITS ORGANIZATIONAL DOCUMENTS.

Councilmember Chan noted that the project was a good one but asked about the San Antonio Housing Trust Public Facility Corporation. John Kenny first thanked Councilmembers Cisneros, Ramos, Taylor, Lopez, and former Councilmember Cortez who are serving or have served on the board. He stated that the Finance Corporation is set up to issue single-family and multi-family bonds and the Public Facility Corporation develops affordable and mixed-income housing. He indicated that the Public Facility Corporation would own the property and work with developers on the project. He noted that they had been working on the project for two years and had recently received a 9% tax credit from the State but there was still a funding gap. He added that this would bridge the gap due to the fact that the Public Facility Corporation is tax-exempt. In response to Councilmember Chan, he

indicated that they were working on two projects. Councilmember Chan asked if there was an issue with capacity. Mr. Kenny replied that there was not.

Councilmember Rodriguez stated that he was pleased that the project would help with the St. Mary's Revitalization and was a great investment inside Loop 410.

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

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

Item 23. CITY MANAGER'S REPORT

A. STAFF INTRODUCTION

Ms. Sculley introduced new Convention and Visitors Bureau (CVB) Director Casandra Matej, noting that Ms. Matej had over 17 years of experience in the tourism industry. She stated that Ms. Matej most recently served as the Senior Vice-President of Sales and Services for the Dallas CVB. She noted that the hospitality industry has an \$11 billion impact on San Antonio and employs 100,000 individuals locally.

Ms. Matej stated that she was excited to be in San Antonio and thanked the City Council for the opportunity to work in this great city.

B. SOLID WASTE MANAGEMENT INITIATIVES UPDATE

Ms. Sculley reported that the city's goal for recycling was 60% by 2020 and outlined recycling initiatives. She stated that the Multi-Family Recycling Program was being implemented in phases and that all multi-family complexes would be completed by April, 2012. She spoke of the city's work with five major retailers on the Plastic Bag Reduction and Recycling Program to reduce the amount of plastic bags and increase the usage of reusable bags. Lastly, she provided an update on the Organics Recycling Program that will provide residents an opportunity to recycle food scraps and yard brush trimmings. She stated that the program would be implemented in August and help the city reach its recycling goal.

Mayor Castro welcomed Ms. Matej to San Antonio and stated that he was pleased with the recycling initiatives.

Councilmember Ramos stated that she was pleased with the recycling initiatives and requested that staff continue to update the City Council on the Plastic Bag Reduction and Recycling Program. She recognized the five District 3 Board Appointees on the Council Agenda and thanked them for their service.

Councilmember Soules asked if the current brush pickup would change due to the Organic Recycling Program. David McCary replied that they would continue twice a year collection and that residents

could also call 3-1-1 to schedule additional brush pickups. Councilmember Soules asked how the Organics Program would be measured. Mr. McCary stated that they would measure the amount of waste being collected and also survey the individuals participating in the pilot program.

Councilmember Rodriguez welcomed Ms. Matej to San Antonio.

EXECUTIVE SESSION

Mayor Castro recessed the meeting at 11:00 am to convene in Executive Session for the purpose of:

A. DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS, AND DISCUSS RELATED LEGAL ISSUES PURSUANT TO TEXAS GOVERNMENT CODE SECTIONS 551.087 (ECONOMIC DEVELOPMENT) AND 551.071 (CONSULTATION WITH ATTORNEY).

Mayor Castro announced that the meeting would resume at 2:00 pm for Zoning.

RECONVENED

Mayor Castro reconvened the meeting at 2:06 pm and noted that no action had been taken in Executive Session.

POINT OF PERSONAL PRIVILEGE

Councilmember Taylor recognized the upcoming Juneteenth Holiday known as Freedom Day or Emancipation Day that honors the African American Heritage by commemorating the announcement of the abolition of slavery in the United States.

INDIVIDUAL ZONING ITEMS

Mayor Castro addressed Items P-6 and Z-12 at this time.

CONTINUED

Item P-6. **PLAN AMENDMENT #11020 (District 4):** AN ORDINANCE AMENDING THE LAND USE PLAN CONTAINED IN THE UNITED SOUTHWEST COMMUNITY PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF APPROXIMATELY 4.995 ACRES LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF LAKE VALLEY DRIVE AND SOUTHWEST LOOP 410, FURTHER DESCRIBED BY LEGAL DESCRIPTION NCB 15172 P-3H ABS 323 FROM COMMUNITY COMMERCIAL LAND USE TO REGIONAL COMMERCIAL LAND USE. STAFF RECOMMENDS DENIAL. PLANNING COMMISSION RECOMMENDS APPROVAL. (ASSOCIATED ZONING CASE: #Z2011068 S)

CONTINUED

Item Z-12. **ZONING CASE # Z2011068 S (District 4):** An Ordinance amending the Zoning District Boundary from "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District to "C-3NA S AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay

District with a Specific Use Authorization for Machinery, Tools and Construction Equipment Sales and Service on 4.893 acres out of NCB 15172 located on the 6600 Block of Southwest Loop 410. Staff recommends denial. Zoning Commission failed to pass a motion for this case; therefore it moves forward to City Council as a recommendation for denial.

Chris Looney presented Items P-6 and Z-12 and stated that the Ordinance for Item P-6 would amend the land use plan contained in the United Southwest Community Plan. He noted that staff recommended denial of the plan, while the Planning Commission recommended approval. For Item Z-12, he reported that staff recommended denial and that Zoning Commission failed to pass a motion on the case and therefore; moves forward as a recommendation for denial. He stated that of the 15 notices mailed; one response was received in favor from the property owner and no responses were received in opposition. He added that the Pace Community Association was in opposition to the zoning.

Councilmember Saldaña moved to continue Items P-6 and Z-12 until August 4, 2011. Councilmember Taylor seconded the motion.

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

At this time, Item 24 was addressed.

2011-06-16-0514

Item 24. AN ORDINANCE APPROVING A REQUEST FOR A VARIANCE TO SELL ALCOHOLIC BEVERAGES AT 2123 CULEBRA ROAD (D/B/A ASADERO DE JALISCO RESTAURANT) THAT IS LOCATED WITHIN THREE HUNDRED (300) FEET OF FENWICK ELEMENTARY SCHOOL, A PUBLIC SCHOOL LOCATED IN COUNCIL DISTRICT 7.

Rod Sanchez presented and stated that a request for a variance to sell alcoholic beverages had been received from the Asadero de Jalisco Restaurant located at 2123 Culebra. He stated that the restaurant was located within 300 feet of Fenwick Elementary School.

Mayor Castro called upon Jack M. Finger to speak.

Mr. Finger addressed the City Council in opposition to the variance due to its close proximity to an elementary school. He spoke of the historic designation for 1312 Guadalupe Street in Item Z-13 and noted that many were opposed to it including the Avenida Guadalupe Association and the Zoning Commission. He stated that those that were in support of the historic designation should identify funding to preserve the building.

Councilmember Rodriguez confirmed that staff had received letters from the Principal of Fenwick Elementary School and the President of the Woodlawn Lake Community Association that they were not opposed to the variance. Councilmember Rodriguez stated that he had spoken with the applicant and they had agreed to sell alcohol during the hours of 4:00 pm and 11:00 pm.

Councilmember Rodriguez moved to waive the criteria of City Code Section 4-6C and D1-5 and authorize a variance for the sale of alcoholic beverages for on-premise consumption constituting no

more than 30% of the establishment's annual gross revenues within 300 feet of a school with the following three conditions: 1) The variance shall not transfer to future property owners or to different land uses; 2) The variance shall terminate in the event of non-operation or non-use for 12 or more months; and 3) Alcohol sales authorized between the hours of 4:00 pm and 11:00 pm only. Councilmember Cisneros seconded the motion.

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

At this time, Item Z-5 was addressed.

DENIED

Item Z-5. **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. (Continued from May 19, 2011.)

Chris Looney presented Item Z-5 and stated that staff and the Zoning Commission recommended denial. He noted that of 41 notices mailed; five were received in opposition and none were received in favor. He added that there was no response from the Gardendale Neighborhood Association.

Councilmember Cisneros moved to deny Item Z-5. Councilmember Rodriguez seconded the motion.

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

At this time, Item Z-8 was addressed.

DENIED

Item Z-8. **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. (Continued from May 19, 2011.)

Chris Looney presented Item Z-8 and stated that staff and the Zoning Commission recommended denial. He reported that of 11 notices mailed; four were received in opposition and none were received in favor. He noted that no response had been received from the Hein-Orchard Association and the Dellcrest Area Neighborhood Association was in favor. He added that due to more than 20% opposition from the property owners within 200 feet; the case would require nine votes for approval.

Mayor Castro called upon Patrick Christensen.

Mr. Christensen addressed the Council in support of the zoning. He stated that he understood that car title businesses were controversial but had received non-opposition from the Dellcrest Area

Neighborhood Association and the Eastern Triangle Umbrella Community Organization. He noted that it was a small building with limited parking and felt it would be a good use of the property.

Councilmember Taylor reiterated that staff and the Zoning Commission recommended denial and noted that special use authorizations were required for what she would call predatory lending institutions. She stated that it was important to remain consistent with the direction to revitalize W.W. White Road as a key corridor. She added that there were already five institutions of this type within two to three blocks and would work closely with the property owner to identify another use.

Councilmember Taylor moved to deny Item Z-8. Councilmember Cisneros seconded the motion.

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

Mayor Castro excused himself from the meeting at this time and Mayor Pro Tem Lopez presided over the meeting.

At this time, Items P-4 and Z-10 were addressed.

2011-06-16-0523

Item P-4. **PLAN AMENDMENT #11024 (District 2):** AN ORDINANCE AMENDING THE LAND USE PLAN CONTAINED IN THE **IH-10 EAST CORRIDOR PERIMETER PLAN**, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF A 7.41 ACRE TRACT OF LAND LOCATED AT 11095 GRAYTOWN ROAD, MORE SPECIFICALLY DESCRIBED AS NCB 16554 LOT P-1A ABS 678, FROM **NEIGHBORHOOD COMMERCIAL LAND USE TO LOW DENSITY RESIDENTIAL LAND USE**. (ASSOCIATED ZONING CASE: #Z2011116)

2011-06-16-0524

Item Z-10. **ZONING CASE # Z2011116 (District 2):** An Ordinance amending the Zoning District Boundary from "C-3 AHOD" General Commercial Airport Hazard Overlay District and "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for a Mini Warehouse to "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District on a 13.69 acre tract of land out of NCB 16554 located at 11095 North Graytown Road. Staff recommends denial. Zoning Commission recommends approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: A 13.69 ACRE TRACT OF LAND OUT OF NCB 16554 TO WIT: FROM "C-3 AHOD" GENERAL COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT AND "C-2 AHOD CD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR A MINI WAREHOUSE TO "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT.

Chris Looney presented Item P-4 and stated that it would amend the land use plan contained in the IH-10 East Corridor Perimeter Plan. He noted that staff recommended denial and the Planning

Commission recommended approval. He indicated that Item Z-10 was the associated zoning case and that staff recommended denial while the Zoning Commission recommended approval. He reported that of six notices mailed; three were received in favor from the subject property owner and none were received in opposition.

Councilmember Taylor stated that she was excited with the opportunity for development in this particular area of District 2.

Councilmember Taylor moved to adopt the proposed Ordinances for Items P-4 and Z-10. Councilmember Cisneros seconded the motion.

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

At this time, Item Z-13 was addressed.

DENIED

Item Z-13. **ZONING CASE # Z2011138 HL (District 5):** An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "HL C-2 AHOD" Historic Landmark Commercial Airport Hazard Overlay District on Lot 16, Block 1, NCB 2444 located at 1312 Guadalupe Street. Staff recommends approval. Zoning Commission recommends denial.

Chris Looney presented Item Z-13 and stated that staff recommended approval and the Zoning Commission recommended denial. He noted that of 15 notices mailed; no responses were received in favor and one response was received in opposition from the subject property owner. He added that due to opposition from the property owner, the case would require nine votes for approval.

Mayor Pro Tem Lopez called upon those registered to speak.

Rollette Schreckenghost, President of the Conservation Society stated that they were in support of historic landmark designation for 1312 Guadalupe Street due to its architectural and cultural contribution to the city's Westside. She noted that they were in support of economic development but against the demolition of historic buildings.

Councilmember Medina entered the meeting at this time.

Gabriel Velasquez spoke in opposition to the historic designation of 1312 Guadalupe Street and expressed concern with the process for the historic designation of properties. He stated that the group that applied for historic designation was not incurring any costs, while the property owner immediately began incurring costs. He noted that he owned property next to the Esperanza Peace and Justice Center's Rinconcito Project and could not understand why their Master Plan included the use of his property.

Oscar Ramirez, Vanessa Cruz and Nicolette Perez representing the Avenida Guadalupe Association addressed the City Council. Mr. Ramirez provided answers to the Avenida's 10 Frequently Asked

Questions. He stated that the building at 1312 Guadalupe Street cannot be preserved due to the decayed roof structure, exposed exterior envelope and inadequate structural foundation. He reported that the building was not deemed historic by the Texas Historical Commission or historically and culturally significant by the Zoning Commission. He noted that the Avenida believed that there should be a balance between economic development and preservation efforts. He spoke of the corridor benefits to local businesses with tax incentives and outlined the funding sources that include \$2.36 million in Federal Funds. He indicated that many would benefit from the project and spoke of the extensive community engagement on the project over the past three years. He added that they would suffer undue economic hardship and loss of 43 jobs if the building at 1312 Guadalupe was designated as a Historical Landmark.

Robert Lopez, Architect, showed photos of the existing structure and stated that he did not feel that there was a lot to save in the building. He outlined portions of the building that were in need of repair and noted the deterioration and decay of the walls.

Francisco M. Lopez, Architect, stated that they had developed the plan for the new building through ideas from the community and had attempted to culturally preserve the structure. He noted that the new building was sustainable and that it was inspired by culture, history, honor and pride.

Jim Garcia stated that he was a representative of the Avenida Guadalupe Association and opposed to historic designation of 1312 Guadalupe Street. He expressed concern with the funds that would be lost if the Promesa Project did not move forward. He added that the building was in poor shape and in need of major renovations.

Jessica Torres representing the Avenida Guadalupe Association read a letter from Connie Garcia in opposition to historic designation. She stated that she was in favor of a nice, new building being erected in the neighborhood that would improve the community. She noted that it was good for future generations and would increase property values in the area.

Suzanne Westrum stated that she supported the Avenida Guadalupe Association and was opposed to historic designation of 1312 Guadalupe Street. She referenced articles published by the Esperanza Peace and Justice Center that she felt did not provide accurate information and asked the City Council to deny historic designation.

Marta Alaquinez stated that she was in support of the Avenida Guadalupe Association and opposed to historic designation of 1312 Guadalupe Street. She indicated that they had received a great amount of support from the community and stakeholders, and spoke of the jobs that would be created.

Veronica Guerrero stated that she supports the Avenida's Promesa Project and spoke of the great amount of community input they had received for the project.

Venessa Cruz stated that she was a resident of the Westside and in support of the Avenida's Promesa Project. She read a statement from Isaac Cardenas, a Veteran who has lived in the neighborhood his entire life and looks forward to progress in the neighborhood.

Nicolette Perez stated that she was in support of the Avenida's Promesa Project and read a statement from Dr. Roger Campos. Dr. Campos wrote that he planned to expand the clinic that serves this

neighborhood and understood the fear and emotion toward modernization and improvements. He asked that the City Council vote against the historic designation.

Teresa Hernandez stated that she supports the Avenida's Promesa Project and asked the City Council to oppose the historic designation of 1312 Guadalupe Street. She read a statement of support from Joe Aguilar. Mr. Aguilar wrote that in order for the community to be viable, it needed to take advantage of expansion and growth. He added that it was important to move forward with the project in order to stay progressive and keep pace with other communities in the city.

Terry Hartman stated that he supports the Avenida's Promesa Project and read a letter of support from Mark Diaz. Mr. Diaz wrote that the new building and project would help develop the neighborhood in a very significant way and that the future of young persons should be considered.

Rodolfo Rosales stated that he was a Professor at UTSA and in support of the historical designation of 1312 Guadalupe Street. He noted that he was been connected to the Westside all of his life and understands the importance of historic landmarks. He added that he is in favor of progress but not at the expense of a historic legacy.

Kamala Platt stated that she was dedicated to environmental justice and felt that it was more important to save the pink building rather than destroy it.

Sylvia Lopez stated that she lives on the Westside and supports the Avenida's Promesa Project. She noted that the historic culture is not one of a Pink Building and that past heroes and leaders should be honored.

Terry Rodriguez stated that she was a Loan Officer at Compass Bank and supportive of the Avenida's Promesa Project. She expressed concern with the funds that would be lost if the building at 1312 Guadalupe Street is deemed historic.

Veronica Castillo, Humberto Salas and Alfonsina Salas addressed the City Council in support of the historic designation of 1312 Guadalupe Street. Ms. Castillo spoke of her experiences with the Mujer Artes Program and asked that the culture and beauty of the Westside be maintained. She stated that progress was important but that the structure should be maintained and restored.

Susana Segura, Project Manager for Lerma's Nightclub stated that she has attended many meetings with the Avenida Guadalupe Association and would like to continue mediation and work to identify funds for historic preservation. She spoke of the structural engineer that they hired to study Casa Maldonado and noted that she was opposed to demolition of 1312 Guadalupe Street.

Gloria A. Ramirez stated that she is a Retired Educator and spoke of the importance of historic designation. She showed photos of dilapidated buildings throughout the city that had been restored.

Rita Vidaurri Eden stated that she was in support of historic designation of 1312 Guadalupe Street and that the building was historic for those that lived in the area. She asked that the building be preserved and sang a song about San Antonio to the City Council.

Marisol Cortez stated that her roots lie in the Westside and spoke in support of historic designation for 1312 Guadalupe Street. She noted that preservation and progress could occur together and asked that the roots of the Westside be maintained.

Mary Agnes Rodriguez stated that she expresses her thoughts through paintings and showed murals that represent culture and tradition. She asked the City Council to save the Pink Building.

Eugenio Macias stated that he had co-founded the Avenida Guadalupe Association and had long ago proposed the revitalization of the Westside. He asked that the City Council allow the Avenida to move forward with the Promesa Project.

Graciela Sanchez, Amy Kastley and Hilda Ruiz addressed the City Council in support of the historic designation of 1312 Guadalupe Street. Ms. Sanchez spoke of the Westside Community Plan and expressed concern that the Avenida Guadalupe Association had purchased the building with the intention of demolishing it. She stated that the Avenida claimed that they would lose funding if they did not move forward with the Promesa Project but had not substantiated their claims. She noted that the critical factor was determining if the building could be restored and referenced a grant they just received for a structural engineer to study the building. She added that the Westside Historic Preservation Group was passionate about historic preservation and that it was critical to nurture a positive self-image in the young people of the community.

Amanda Haas quoted a pamphlet developed by the San Antonio Conservation Society regarding saving historic buildings. She expressed concern with the decision of the Zoning Commission in opposition to historic designation and did not feel that they had demonstrated a lack of knowledge regarding historic preservation. She highlighted the importance of preserving the building for the community.

Cynthia Spielman stated that her family and her roots were from the Westside and she is in support of the historic designation of 1312 Guadalupe. She noted that she was a teacher and concerned that Casa Maldonado would be torn down after being in existence for 90 years. She added that it was only one of two remaining two-story buildings built in the era and asked that visual history not be demolished.

Isabel Sanchez stated that she was raised on the Westside and still lives there by choice. She expressed concern with the portrayal of her community and asked the City Council to help preserve the Pink Building.

Enrique Sanchez stated that he has lived in the neighborhood for 64 years and loves the area. He noted that he had been a part of the Avenida Guadalupe Association for 10 years in the past and is disappointed with the leadership that is not concerned with the community.

Jo Flores spoke in support of the historic designation of 1312 Guadalupe Street and asked to see the petitions that had been acquired by the Avenida Guadalupe Association. She stated that she had served in the United States Army and spoke of her experiences while serving during the war. She expressed concern with the parking spaces that would be lost due to the new building and added that she was proud of her Mexican Culture.

Sam Rodriguez stated that he had spoken to many individuals that lived near the Pink Building and they were in support of historic designation. He added that they did not want to drive across town to visit a historical building and would like to have a historic structure in their neighborhood that their grandchildren could enjoy.

Imelda Arismendez asked that the Pink Building be preserved and stated that they had received 500 signatures in support of historic designation from individuals that lived in District 5. She noted that she was proud to be Mexican-American and that you could not replace the building with a replica.

Mayor Castro entered the meeting at this time.

Molly Watt stated that she had taught a few blocks from the Pink Building and had vivid memories of families who had inspired her throughout the years. She noted that saving Casa Maldonado was important for the community and wanted her students to experience the rich culture and heritage of the area.

Leticia Vela stated that she was in support of the historic designation of 1312 Guadalupe Street and expressed concern with the process that had been utilized. She asked of the types of jobs that would be created due to the Avenida's Promesa Project and expressed concern with the partnership that exists between the city and the Avenida Guadalupe Association.

Jessica Guerrero stated that she works with the Esperanza Peace and Justice Center and the Westside Historic Preservation Group and spoke of the petitions that had been signed and collected in support of preserving the Pink Building.

Abigail Antuna stated that she was legal counsel for the Avenida Guadalupe Association and spoke of the Ad Hoc Committee that had developed the model for the Promesa Project. She indicated that six community-wide meetings were held to gather input and had met with individuals of the Esperanza Peace and Justice Center. She added that they would continue working with the Esperanza and asked that the City Council vote no to historic designation of the Pink Building.

Councilmember Medina thanked all that had come to speak and asked of the historic designation process that had been utilized. Shanon Peterson of the Office of Historic Preservation (OHP) presented a Power Point and stated that an application for landmark designation was submitted by the Westside Historic Preservation Group on January 31, 2011. She provided a timeline that included a recommended finding of historic significance by the Historic and Design Review Commission (HDRC) on March 16, 2011. She noted that the Zoning Commission had subsequently recommended a denial of request for finding of historic significance on June 7, 2011. Councilmember Medina asked of other historic preservation projects on the Westside that OHP was working on. Ms. Peterson replied that they had been involved in the survey of the original 36 square miles of San Antonio and had recently initiated a Westside Cultural Resources Survey.

Councilmember Medina asked of the history of the Avenida Guadalupe Association Project. Oscar Ramirez replied that the project was initiated in 2003 and indicated that the community had been made aware that they intended to demolish the Pink Building. He indicated that over the past two years, they had hosted numerous community meetings to gather input on the project. Councilmember Medina asked of the amount of funds that the Avenida Guadalupe Association had already spent on the project.

Mr. Ramirez stated that they had invested \$383,000 thus far. Councilmember Medina asked of the grant requirements. Mr. Ramirez replied that the grant funds that they had received required them to: redevelop the commercial kitchen at the Guadalupe Street Coffee House; create a management company for the three low-income senior housing units; develop a minimum 15,600 square-foot commercial building at 1312 Guadalupe Street to create 43 jobs; and continue working with the Westside Development Corporation on economic development efforts for the Westside.

Councilmember Medina stated that he understood the efforts toward preservation but also supports progress for the Westside. He spoke of the challenges related to income levels in the district and the impact of creating new jobs in the area. He noted that the Promesa Project should move forward in order to utilize the grant funds received but the Avenida should work with the community to ensure that the structure is representative of the history and culture of the area.

Councilmember Saldaña stated that it was not the goal of the City Council to remove historic or culturally significant buildings. He spoke of the two sides but one vision to ensure economic development and prosperity for the area and noted that prosperity did not mean forgetting our history. He added that he hoped that both sides could work together.

Mayor Castro stated that job creation and the preservation of our history are not mutually exclusive. He noted that as the Avenida Guadalupe Association moves forward, he hopes that they will pursue the project in a way that reflects the history of the building. He asked Oscar Ramirez about the potential re-design and noted the importance of keeping the history of the building in mind. Mr. Ramirez replied that they have gone through an elaborate process that includes community input and decisions were made based on information they had. He stated that they had created a model that incorporated every detail possible to maximize the space and that he felt the Board would continue to be open. He added that they would continue to receive input and work with the community. Mayor Castro asked of the structural engineer that was hired by the Westside Historic Preservation Group. Mr. Ramirez stated that it had been a difficult process and that there were various steps that both organizations had agreed to. He expressed concern that some processes have not been followed and that some of the drawings that the Westside Historic Preservation Group had distributed were copies of what the Avenida had paid to develop.

Mayor Castro stated that he believed in the vision of the Avenida Guadalupe Association and that their credibility moving forward was on the line. He noted that the City Council is giving them the flexibility to do what is necessary but also needed to see a commitment to some alteration from the current plan. He added that there needs to be some meeting in the middle in a timely manner and that the City Council will monitor the progress made.

Councilmember Ramos thanked everyone that was present and asked of the grant received for a structural engineer. Graciela Sanchez replied that they had applied for a National Trust for Historic Preservation Grant and that a representative will be in San Antonio next week to study the building. Councilmember Ramos asked Mr. Ramirez of their timeline for demolition. Mr. Ramirez stated that he did not have a date at this time. Councilmember Ramos asked if the project architects had been selected through a competitive bid process. Mr. Ramirez confirmed that they had and that a committee was convened for the selection process. Councilmember Taylor stated that she would be supportive but noted the importance of the Avenida Guadalupe Association meeting others halfway and reviewing the design.

Councilmember Medina moved to deny the recommendation for Historic Landmark Designation. Councilmember Saldaña seconded the motion.

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

Item Z-14 was addressed at this time.

2011-06-16-0527

Item Z-14. **ZONING CASE # Z2011101 (District 6):** An Ordinance amending the Zoning District Boundary from "C-3" General Commercial District and "C-3 GC-2" General Commercial Highway 151 Gateway Corridor Overlay District to "MF-33" Multi-Family District and "MF-33 GC-2" Multi-Family Highway 151 Gateway Corridor Overlay District on 20.557 acres out of NCB 17642 located along Highway 151 between Wiseman and West 1604 North. 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: 20.557 ACRES OUT OF NCB 17642 TO WIT: FROM "C-3" GENERAL COMMERCIAL DISTRICT AND "C-3 GC-2" GENERAL COMMERCIAL HIGHWAY 151 GATEWAY CORRIDOR OVERLAY DISTRICT TO "MF-33" MULTI-FAMILY DISTRICT AND "MF-33 GC-2" MULTI-FAMILY HIGHWAY 151 GATEWAY CORRIDOR DISTRICT.

Chris Looney presented Item Z-14 and stated that staff and the Zoning Commission recommended approval. He noted that of seven notices mailed; three responses were received in favor and none were received in opposition.

Mayor Castro called upon those registered to speak.

Jan Wells addressed the Council in opposition to the zoning and stated that the two neighborhoods closest to the development were not in favor. She indicated that she had received an e-mail from the Westover Valley Neighborhood Association in opposition to the zoning case. She expressed concern with the placement of the apartment complex in the heart of a new medical center and added that it was not good planning for the future of San Antonio.

Rebecca Flores Perez stated that she lived in the Mountainview Acres Neighborhood and was in support of the apartment complex. She noted that the apartments would be a positive development and good fit for the neighborhood.

Kevin Fletcher stated that he also owns various properties in the neighborhood and is in favor of the apartment complex. He noted that it was a suitable use of the land and a good fit for the area.

Councilmember Lopez asked of the discussions related to a well. James Griffin stated that a nearby resident had expressed concern with the possible damage to her well system during construction. He indicated that they had taken steps to prevent that from occurring including the installation of bollards close to her well. Additionally, the construction company will have insurance and cover any damage to her well. Councilmember Lopez asked why an MF-33 Designation was needed. Mr. Griffin replied that they needed an MF-33 Designation for height purposes and that they had deed restrictions in place that would limit the density to 20 units per acre. Councilmember Lopez asked how drainage issues were being addressed in the area. Nefi Garza replied that there were sectors in the city designated as mandatory detention areas and that development within those areas must comply with the requirement to detain their water. He stated that there was also a project in place that would look at constructing a channel through the neighborhood and would continue to work with the neighborhood on a good solution for all. Councilmember Lopez asked of the enforcement of deed restrictions. Mr. Looney replied that the city could not enforce deed restrictions but they were filed at the Courthouse.

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

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

At this time, Item Z-4 was addressed.

CONTINUED

Item Z-4. **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. (Continued from June 2, 2011.)

Chris Looney presented Item Z-4 and stated that staff and Zoning Commission recommended approval. He reported 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 zoning request.

Andrew Guerrero stated that he was present to answer any questions.

Councilmember Cisneros stated that there were still some unresolved issues with the neighborhood.

Councilmember Cisneros moved to continue Item Z-4 to August 4, 2011. Councilmember Chan seconded the motion.

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

At this time, the Consent Zoning Items were addressed.

CONSENT ZONING ITEMS

Councilmember Cisneros moved to approve the remaining items: P-1, Z-1, P-2, Z-2, Z-3, P-3, Z-6, Z-7, Z-11, and P-7 under Consent Zoning. Councilmember Rodriguez seconded the motion.

Written testimony was received in support of Items P-1 and Z-1 from the following: Chuck Saxer, Northside Neighborhoods for Organized Development; James V. Cannizzo, Administrative and Civil Law Advisor for the US Army; Valerie C. Liebold, President of the Stage Run Homeowners Association; and Alfred Gonzalez, General Manager of the Dominion Homeowners Association, Inc.

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

2011-06-16-0515

Item P-1. **PLAN AMENDMENT #11030 (District 8):** AN ORDINANCE AMENDING THE LAND USE PLAN CONTAINED IN THE NORTH SECTOR PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF A 2.8306 ACRE TRACT OF LAND LOCATED WEST OF THE INTERSECTION OF IH-10 WEST AND CALLE RIALTO, MORE SPECIFICALLY DESCRIBED AS LOT 11 AND PORTIONS OF LOTS 9, 10, AND 12 BLOCK 3 NCB 16390 FROM RURAL ESTATE TIER LAND USE TO SUBURBAN TIER LAND USE. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL. (ASSOCIATED ZONING CASE: #Z2011119.)

2011-06-16-0516

Item Z-1. **ZONING CASE # Z2011119 (District 8):** An Ordinance amending the Zoning District Boundary from "PUD MF-33 GC-1 MLOD" Planned Unit Development Multi-Family Hill Country Gateway Corridor Overlay Military Lighting Overlay District and "PUD C-3 GC-1 MLOD" Planned Unit Development General Commercial Hill Country Gateway Corridor Overlay Military Lighting Overlay District to "PUD C-2 GC-1 MLOD" Planned Unit Development Commercial Hill Country Gateway Corridor Overlay Military Lighting Overlay District on 2.8306 acres out of NCB 16390 located on the 25000 Block of IH 10 West. Staff and Zoning Commission recommend approval pending the plan amendment.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 2.8306 ACRES OUT OF NCB 16390 TO WIT: FROM "PUD MF-33 GC-1 MLOD" PLANNED UNIT DEVELOPMENT MULTI-FAMILY HILL COUNTRY GATEWAY CORRIDOR OVERLAY MILITARY LIGHTING OVERLAY DISTRICT AND "PUD C-3 GC-1 MLOD" PLANNED UNIT DEVELOPMENT GENERAL COMMERCIAL HILL COUNTRY GATEWAY CORRIDOR OVERLAY MILITARY LIGHTING OVERLAY DISTRICT TO "PUD C-2 GC-1 MLOD" PLANNED UNIT DEVELOPMENT COMMERCIAL HILL COUNTRY GATEWAY CORRIDOR OVERLAY MILITARY LIGHTING OVERLAY DISTRICT.

2011-06-16-0517

Item P-2. **PLAN AMENDMENT #11027 (District 9):** AN ORDINANCE AMENDING THE LAND USE PLAN CONTAINED IN THE MAHNCKE PARK NEIGHBORHOOD PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF A 0.1839 ACRE TRACT OF LAND LOCATED AT 116 ELMHURST AVENUE FROM URBAN MULTIFAMILY RESIDENTIAL LAND USE TO NEIGHBORHOOD COMMERCIAL LAND USE. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL. (ASSOCIATED ZONING CASE NUMBER: Z2011108.)

2011-06-16-0518

Item Z-2. **ZONING CASE # Z2011108 (District 9):** An Ordinance amending the Zoning District Boundary from "MF-33 AHOD NCD-6" Multi-Family Airport Hazard Overlay Mahncke Park Neighborhood Conservation District to "NC AHOD NCD-6" Neighborhood Commercial Airport Hazard Overlay Mahncke Park Neighborhood Conservation District on Lot 5 and the southwest triangle 50 feet of Lot 6, NCB 6144 located at 116 Elmhurst Avenue. 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 5 AND SOUTHWEST TRIANGLE 50 FEET OF LOT 6, NCB 6144 TO WIT: FROM "MF-33 AHOD NCD-6" MULTI-FAMILY AIRPORT HAZARD OVERLAY MAHNCKE PARK NEIGHBORHOOD CONSERVATION DISTRICT TO "NC AHOD NCD-6" NEIGHBORHOOD COMMERCIAL AIRPORT HAZARD OVERLAY MAHNCKE PARK NEIGHBORHOOD CONSERVATION DISTRICT.

2011-06-16-0519

Item Z-3. **ZONING CASE # Z2011127 CD (District 10):** An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-2 NA CD AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Conditional Use for Auto and Light Truck Repair on Lot 21, Block 2, NCB 14052 located at 6611 Topper Ridge. 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 21, BLOCK 2, NCB 14052 TO WIT: FROM "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 NA CD AHOD" COMMERCIAL NONALCOHOLIC SALES 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.

2011-06-16-0520

Item P-3. **PLAN AMENDMENT #11031 (District 1):** AN ORDINANCE AMENDING THE LAND USE PLAN CONTAINED IN THE NEAR NORTHWEST COMMUNITY PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF AN 0.089 ACRE TRACT OF LAND LOCATED AT 1407 WEST OLMOS FROM URBAN LOW DENSITY

RESIDENTIAL LAND USE TO NEIGHBORHOOD COMMERCIAL LAND USE. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL. (NO ASSOCIATED ZONING REQUEST.)

2011-06-16-0521

Item Z-6. **ZONING CASE # Z2011110 S (District 1):** An Ordinance amending the Zoning District Boundary from "C-2 S AHOD" Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Medical-Hospital to "C-2 S AHOD" Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Medical-Hospital with a maximum height of 111.53 feet on a 0.061 acre tract of land out of Lot 9, Block 9, NCB 842 located at 1310 McCullough Avenue. 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 0.061 ACRE TRACT OF LAND OUT OF LOT 9, BLOCK 9, NCB 842 TO WIT: FROM "C-2 AHOD S" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A MEDICAL-HOSPITAL TO "C-2 AHOD S" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A MEDICAL-HOSPITAL WITH A MAXIMUM HEIGHT OF 111.53 FEET PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2011-06-16-0522

Item Z-7. **ZONING CASE # Z2011121 S (District 1):** An Ordinance amending the Zoning District Boundary from "C-2 AHOD NCD-1" Commercial Airport Hazard Overlay South Presa/South St. Mary's Streets Neighborhood Conservation District to "C-2 S AHOD NCD-1" Commercial Airport Hazard Overlay South Presa/South St. Mary's Streets Neighborhood Conservation District with a Specific Use Authorization for a Bar And/Or Tavern Without Cover Change 3 or More Days Per Week on a 0.0283 acre tract of land out of Lot 1, Block 4, NCB 732 located at 1014 South Presa 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 0.0283 ACRE TRACT OF LAND OUT OF LOT 1, BLOCK 4, NCB 732 TO WIT: FROM "C-2 AHOD NCD-1" COMMERCIAL AIRPORT HAZARD OVERLAY SOUTH PRESA/SOUTH ST. MARY'S STREETS NEIGHBORHOOD CONSERVATION DISTRICT TO "C-2 AHOD NCD-1 S" COMMERCIAL AIRPORT HAZARD OVERLAY SOUTH PRESA/SOUTH ST. MARY'S STREETS NEIGHBORHOOD CONSERVATION DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A BAR AND/OR TAVERN WITHOUT COVER CHANGE 3 OR MORE DAYS PER WEEK PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2011-06-16-0525

Item Z-11. **ZONING CASE # Z2011115 (District 3):** An Ordinance amending the Zoning District Boundary from "UD AHOD" Urban Development Airport Hazard Overlay District to "C-2 AHOD"

Commercial Airport Hazard Overlay District on Lots 1 and 2, Block 3, NCB 18087 located at 9903 Hunters Pond. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOTS 1 AND 2, BLOCK 3, NCB 18087 TO WIT: FROM "UD AHOD" URBAN DEVELOPMENT AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

2011-06-16-0528

Item P-7. **PLAN UPDATE U11001 (Districts 6, 7, and 8):** AN ORDINANCE AMENDING THE NORTHWEST COMMUNITY PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, FOR AN AREA OF APPROXIMATELY 14.36 SQUARE MILES OF LAND BOUND BY BANDERA ROAD TO THE NORTH AND EAST, CITY OF LEON VALLEY TO THE SOUTHEAST, GRISSOM AND CULEBRA ROADS TO THE SOUTH, AND LOOP 1604 TO THE WEST. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL.

[CONSENT ZONING CONCLUDED]

At this time, Item Z-9 was addressed.

DENIED

Item Z-9. **ZONING CASE # Z2011105 S (District 2):** 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 Specified Financial Institution on 0.040 of an acre out of NCB 8694 located at 1248 Austin Highway, #202B. Staff recommends denial. Zoning Commission recommends approval. (Continued from June 2, 2011.)

Chris Looney presented Item Z-9 and stated that staff recommended denial and the Zoning Commission recommended approval. He reported that out of two notices mailed; no responses were received in support or opposition. He added that no response was received from the Wilshire Village Neighborhood Association.

Mayor Castro called upon Pamela Madere.

Ms. Madere stated that she represented Check and Go and they were a responsible lender that participates in the local community. She stated that this business has been at their current location for nine years and were being forced to relocate due to renovations. She noted that the zoning is compatible with adjacent zoning and land uses and consistent with the future Land Use Plan. She mentioned that the move would not add to the number of specified financial institutions in the area and that the neighborhood had not expressed opposition.

Councilmember Taylor stated that the subject property was located in District 2 but along the Austin Highway Corridor that is shared with District 10. She spoke of the efforts of the Austin Highway

Revitalization Group and the significant upgrades in the area. She noted that District 2 Staff had met with representatives of the Wilshire Village Neighborhood Association and they were not interested in having the business relocate to the other side of Austin Highway. She mentioned that there were already many of these types of businesses in the area.

Councilmember Soules stated that he had participated in the Austin Highway Revitalization Project that had brought over \$130 million of new investment over the past 10 years. He spoke of the good development that has been brought to the area and reiterated that there were a number of these types of businesses in the area.

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

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

At this time, Item P-5 was addressed.

2011-06-16-0526

Item P-5. **PLAN UPDATE U11002 (District 4): AN ORDINANCE AMENDING THE UNITED SOUTHWEST COMMUNITIES PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, FOR AN AREA OF APPROXIMATELY 22.48 SQUARE MILES GENERALLY BOUND BY: VALLEY HI DRIVE, MEDINA BASE ROAD, SW MILITARY DRIVE, AND LACKLAND AIR FORCE BASE TO THE NORTH; QUINTANA ROAD AND INTERSTATE 35 TO THE EAST; LOOP 1604 TO THE SOUTH; AND THE CITY LIMITS AND THE LACKLAND AIR FORCE BASE ANNEX TO THE WEST. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL.**

Chris Looney presented Item P-5 and stated that the Ordinance would amend the United Southwest Communities Plan. He noted that this was part of the routine 5-Year Update Program and that the update would reflect boundary changes since the original plan adoption in 2005. He added that it would also provide land use classifications consistent with other community plans adopted in San Antonio. He reported that staff and the Planning Commission recommended approval.

Councilmember Saldaña moved to adopt the proposed Ordinance and recognized that 14 acres were subject to a Plan Amendment and would come back before the City Council. He asked that no determination be made regarding those tracts and directed city staff to work with the applicants on the requests. Councilmember Cisneros seconded the motion.

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

At this time, Item Z-15 was addressed.

CONTINUED

Item Z-15. **ZONING CASE # Z2011112 S (District 6):** An Ordinance amending the Zoning District Boundary from "C-3" General Commercial District to "C-3 S" General Commercial District with a Specific Use Authorization for an Auto Paint and Body Facility on a 3.417 acre tract of land out of NCB 17636 located at 7511 North Loop 1604 West. Staff and Zoning Commission recommend approval. (Continued from June 2, 2011)

Councilmember Lopez moved to continue Item Z-15 to August 4, 2011. Councilmember Rodriguez seconded the motion.

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

POINT OF PERSONAL PRIVILEGE

Mayor Castro and the City Councilmembers recognized Councilmembers Cisneros and Rodriguez for their service to the City of San Antonio and stated that they will be greatly missed. Mayor Castro presented Councilmembers Cisneros and Rodriguez with Appreciation Plaques.

Councilmember Cisneros stated that it had been a pleasure serving on the City Council and thanked everyone that helped and supported her.

Councilmember Rodriguez stated that it was a privilege to have served on this City Council and also thanked everyone that helped and supported him. He recognized his wife Victoria and his children that were in the audience and thanked them for their love and support.

ADJOURNMENT

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

APPROVED



**JULIÁN CASTRO
MAYOR**

Attest:


LÉTICIA M. VACEK, TRMC/CMC
City Clerk