

**STATE OF TEXAS
COUNTY OF BEXAR
CITY OF SAN ANTONIO**

THE WORK SESSION AND CITIZENS TO BE HEARD PORTION OF THE CITY COUNCIL MEETING SCHEDULED FOR WEDNESDAY, AUGUST 3, 2011 WERE CANCELLED.

A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO WAS HELD IN THE MUNICIPAL PLAZA BUILDING, THURSDAY, AUGUST 4, 2011.

The San Antonio City Council convened in a Regular Meeting on Thursday, **August 4, 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: Bernal, Taylor, Ramos, Saldaña, D. Medina, Lopez, C. Medina, Williams, Soules, and Mayor Castro. **ABSENT:** Chan. Councilmember Chan was traveling with the China Overseas Delegation on city business.

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

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

Technical difficulties were experienced during the meeting and therefore; votes were taken manually and entered into the voting system. The voting system was online beginning with Item 27.

Item 3. MINUTES

Councilmember D. Medina moved to approve the Minutes for the Regular City Council Meetings of June 15-16, 2011 and the Special City Council Meeting of June 17, 2011. Councilmember Lopez seconded the motion.

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

CONSENT AGENDA ITEMS 4-27

Consent Agenda Items 5, 8, 17, 19, 21, 22, and 27 were pulled for Individual Consideration. Mayor Castro announced that Item 10 was pulled from the agenda by staff.

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

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

Bobby Ehrig stated that he was a 17-Year Army Veteran with burns on 40% of his body. He expressed concern that the \$60 credit was not adequate and that he lived with the air conditioner set at 68-70 degrees. He added that burned Veterans' CPS Energy bills were estimated at \$350-400 per month and requested a discount of \$100.

Hector Villarreal stated that he was a member of the Military Order of the Purple Heart and applauds the support of the City Council. He noted that there was more that needed to be done for burned Veterans and asked that a donation category for wounded, burned Veterans be added to the CPS Energy bills.

Nazirite Ruben Flores Perez spoke of Item 10 and stated that although the item was pulled from the agenda; he would be following up on the sale of the land. He referenced the seven-headed lion in Chapter 16 of the Book of Revelation in the Bible.

Michael Lage stated that he had served in the military for 17 years and 39% of his body had received 3rd degree burns while serving in Iraq. He noted that he concurred with Mr. Ehrig's recommendation and expressed concern with his high electric bills.

Mario Lopez stated that it was very hot in San Antonio and would appreciate any assistance that the City Council could provide.

Daniel Ribbentrop stated that he was wounded while serving in Iraq and can attest to what burned victims go through. He noted that he was in support of Mr. Ehrig's recommendations.

Adrian Lambert stated that he was in support of burned victims and their need to maintain cooler homes. He expressed concern with their high electric bills and noted that it was an injustice after having served the country. Mr. Bobby Ehrig spoke of the experiences of burned Veterans, noting that he has watched his daughter grow up by looking out a window.

Venasio Sele stated that he was a Staff Sergeant and that the skin was the body's heating and cooling system. He expressed support for Item 22.

Mr. Bobby Ehrig was allotted time from Mr. Paulk and noted that there were many individuals that dealt with burned Veterans' Injuries that were in support of the CPS Energy discount rate and could provide written documentation if needed.

Faris Hodge, Jr. submitted neutral written testimony for Items 4-7, 10-12, 16-21, 23, 25, and 26. He wrote in favor of Items 13-15, 24, and 27. For Item 8, he wrote that the Skate Park was a waste of money and should not be built. He wrote against Item 9 and asked why CPS Energy was incorporating into its tariffs a discount rate for burned Veterans (Item 22). He asked why backup information was not provided for the City Manager's Report.

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

2011-08-04-0598

Item 4. AN ORDINANCE AUTHORIZING THE FOLLOWING CONTRACTS, FOR AN ESTIMATED COST OF \$1,344,000.00, ESTABLISHING UNIT PRICES FOR ANNUAL GOODS AND SERVICES: (A) THE LEVY COMPANY, L.P. FOR HORIZONTAL DIRECTIONAL BORING, (B) CRAFTCO TEXAS, INC. FOR CRACK SEALANT, (C) MARTIN MARIETTA MATERIALS SOUTH DISTRICT FOR AGGREGATE FOR SURFACE TREATMENT AND (D) D & A TECHNOLOGY & DEVELOPMENT, LLC FOR TIRE RUBBER MODIFIED SURFACE SEAL (TRMSS).

2011-08-04-0600

Item 6. AN ORDINANCE AUTHORIZING AN AMENDMENT IN THE INCREASED AMOUNT UP TO \$700,000.00 TO THE \$25,900,000.00 CONSTRUCTION MANAGER AT RISK CONTRACT WITH TEXAS STERLING CONSTRUCTION, L.P. FOR SIDEWALK CONSTRUCTION ALONG THE NEWLY CONSTRUCTED BULVERDE ROAD FROM LOOP 1604 TO EVANS ROAD PROJECT, LOCATED IN COUNCIL DISTRICTS 9 AND 10, FUNDED BY AUTHORIZED 2007-2012 BONDS SAVINGS.

2011-08-04-0601

Item 7. AN ORDINANCE RATIFYING AN ERRORS AND OMISSIONS CHANGE ORDER, IN THE INCREASED AMOUNT OF \$40,276.77 TO THE \$982,746.94 CONSTRUCTION CONTRACT, WITH E-Z BEL CONSTRUCTION, LLC FOR THE VALLEY FORGE DRAINAGE SYSTEM PROJECT, AN AUTHORIZED 2007-2012 GENERAL OBLIGATION BOND FUNDED PROJECT LOCATED IN COUNCIL DISTRICT 10.

2011-08-04-0603

Item 9. AN ORDINANCE AUTHORIZING A CITY REQUESTED CHANGE ORDER, IN THE INCREASED AMOUNT OF \$43,601.16 TO THE \$5,192,323.78 CONSTRUCTION CONTRACT WITH BALLENGER CONSTRUCTION COMPANY FOR THE MEDINA BASE ROAD PHASE I PROJECT, AN AUTHORIZED 2007-2012 GENERAL OBLIGATION BOND FUNDED PROJECT LOCATED IN COUNCIL DISTRICT 4.

PULLED FROM THE AGENDA

Item 10. AN ORDINANCE DECLARING AS SURPLUS AND AUTHORIZING THE SALE OF AN UNIMPROVED 0.543 ACRE (23,668 SQUARE FOOT) TRACT OF LAND OUT OF LOT 42, BLOCK 1, NCB 2444 LOCATED AT 1310 GUADALUPE STREET IN COUNCIL DISTRICT 5 TO AVENIDA GUADALUPE ASSOCIATION FOR \$31,005.00; AND, AMENDING THE EXISTING LEASE BETWEEN AVENIDA GUADALUPE ASSOCIATION AND THE CITY OF SAN ANTONIO TO REMOVE THIS 0.543 ACRE TRACT OF LAND FROM THE LEASED PREMISES.

2011-08-04-0604

Item 11. AN ORDINANCE AUTHORIZING A 15 YEAR LEASE WITH MEXICAN MANHATTAN RESTAURANT TO OCCUPY RIVER WALK AIRSPACE WITH A PATIO BALCONY AND AUTHORIZING EXECUTION OF BOUNDARY LINE AGREEMENTS FOR NCB 106, LOTS 10, 11,

AND 12, ESTABLISHING THE PROPERTY LINE AT THE BASE OF THE RIVER WALK RETAINING WALL.

2011-08-04-0605

Item 12. AN ORDINANCE AUTHORIZING THE CLOSURE OF A 0.027 ACRE PORTION OF MACDONA STREET, NCB 8951 LOCATED IN COUNCIL DISTRICT 4, AS REQUESTED BY THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT.

2011-08-04-0606

Item 13. AN ORDINANCE AUTHORIZING THE OFFICE OF CULTURAL AFFAIRS (OCA) TO SUBMIT AND ACCEPT GRANT APPLICATIONS TO THE NATIONAL ENDOWMENT FOR THE ARTS (NEA) FOR THE "ART WORKS" DEADLINE OF AUGUST 11, 2011 AND THE "ARTS MEDIA" DEADLINE OF SEPTEMBER 1, 2011.

2011-08-04-0607

Item 14. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT RENEWAL APPLICATION FOR THE NATIONAL CENTER FOR IMMUNIZATION AND RESPIRATORY DISEASE, CENTERS FOR DISEASE CONTROL AND PREVENTION (CDC) IMMUNIZATION AND VACCINES FOR CHILDREN (VFC) GRANT, FUNDED THROUGH THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (DHHS) AND AUTHORIZING THE ACCEPTANCE OF FUNDS UPON AWARD OF UP TO \$2,400,029.00 FOR A BUDGET PERIOD BEGINNING JANUARY 1, 2012 THROUGH DECEMBER 31, 2012.

2011-08-04-0608

Item 15. AN ORDINANCE AMENDING THREE OF THE CITY'S FY 2012 ADOPTED HUD ENTITLEMENT GRANT BUDGETS TO REFLECT THE FINAL NOTIFICATION OF AWARD RECEIVED FROM THE U.S. DEPARTMENT OF HOUSING & URBAN DEVELOPMENT (HUD) FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT, THE HOME GRANT, AND THE EMERGENCY SHELTER GRANT FOR THE FISCAL YEAR 2012 BUDGET BEGINNING ON OCTOBER 1, 2011.

2011-08-04-0609

Item 16. AN ORDINANCE ACCEPTING A GRANT AWARD FROM THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR A SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) IMPAIRED DRIVING MOBILIZATION GRANT IN THE AMOUNT OF \$30,000.00; AUTHORIZING AN IN-KIND MATCH OF \$10,595.00; AND ESTABLISHING A BUDGET FOR THE GRANT PERIOD AUGUST 19, 2011 THROUGH SEPTEMBER 5, 2011.

Item 18. 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. REAPPOINTING LEONARD AGUILAR (DISTRICT 7, CATEGORY: JOURNEYMAN PLUMBER, UNION) TO THE PLUMBING AND FUEL GAS APPEALS AND ADVISORY BOARD.
- B. APPOINTING RICHARD M. JONES (DISTRICT 8) TO THE CITY COMMISSION ON VETERANS AFFAIRS.
- C. APPOINTING MATTHEW J. MCCROSSEN (DISTRICT 8) TO THE SMALL BUSINESS ADVOCACY COMMITTEE.
- D. REAPPOINTING RANDOLPH E. MURDOCK (DISTRICT 7) TO THE ANIMAL CARE SERVICES ADVISORY BOARD.
- E. REAPPOINTING LISA G. ARMSTRONG (DISTRICT 7) TO THE CITIZENS' ENVIRONMENTAL ADVISORY COMMITTEE.
- F. REAPPOINTING ALEJANDRO SOTO (DISTRICT 7) TO THE PARKS AND RECREATION BOARD.
- G. APPOINTING MARK STANDEFORD (DISTRICT 8) AND REAPPOINTING RUBEN P. FLORES (DISTRICT 6) TO THE SAN ANTONIO COMMISSION ON LITERACY.
- H. REAPPOINTING RUBY M. JOHNSON (DISTRICT 6) TO THE CITY/COUNTY JOINT COMMISSION ON ELDERLY AFFAIRS.
- I. REAPPOINTING ESTHER LARES (DISTRICT 6) TO THE COMMISSION FOR CHILDREN AND FAMILIES.
- J. REAPPOINTING JESSE ZUNIGA, JR. (DISTRICT 6) TO THE ZONING BOARD OF ADJUSTMENT.

2011-08-04-0611

- K. AN ORDINANCE APPOINTING DELIA R. TRIMBLE (AT-LARGE COMMISSIONER) TO THE MUNICIPAL CIVIL SERVICE COMMISSION FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE MARCH 3, 2012.

2011-08-04-0613

Item 20. AN ORDINANCE RATIFYING A LOCAL CONTRIBUTION IN THE AMOUNT OF \$185,619.00 TO THE EVENTS TRUST FUND TO QUALIFY FOR REIMBURSEMENT OF ELIGIBLE EXPENSES IN AN AMOUNT UP TO \$1,345,724.00 RELATED TO VARIOUS EVENTS HELD AT THE HENRY B. GONZALEZ CONVENTION CENTER DURING THE MONTHS OF APRIL AND MAY 2011; AND APPROVING A LOCAL CONTRIBUTION IN THE AMOUNT OF \$966,383.00 TO THE EVENTS TRUST FUND TO QUALIFY FOR REIMBURSEMENT OF ELIGIBLE EXPENSES IN AN AMOUNT UP TO \$7,006,220.00 RELATED TO VARIOUS EVENTS

HELD AT THE HENRY B. GONZALEZ CONVENTION CENTER DURING THE MONTHS OF MAY – SEPTEMBER 2011.

2011-08-04-0615

Item 23. AN ORDINANCE AUTHORIZING TWO AGREEMENTS WITH THE UNIVERSITY OF TEXAS AT SAN ANTONIO (UTSA) FOR FOOD SHED AND PHYSICAL ACTIVITY RESOURCE ASSESSMENTS FUNDED BY THE AMERICAN REINVESTMENT AND RECOVERY ACT – COMMUNITIES PUTTING PREVENTION TO WORK (CPPW) PROGRAM IN A TOTAL CUMULATIVE AMOUNT OF \$100,000.00.

2011-08-04-0616

Item 24. AN ORDINANCE RATIFYING THE SUBMISSION OF AN APPLICATION TO THE CENTERS FOR DISEASE CONTROL AND PREVENTION (CDC) PUBLIC HEALTH ASSOCIATE PROGRAM, AND AUTHORIZING AN AGREEMENT ASSIGNING SAID CDC EMPLOYEE IN THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR A TWO-YEAR PERIOD BEGINNING AUGUST 4, 2011.

2011-08-04-0617

Item 25. AN ORDINANCE RATIFYING AN AMENDMENT OF THE PROFESSIONAL SERVICES AGREEMENT WITH INDUSTRIAL/ORGANIZATIONAL SOLUTIONS, INC., TO INCLUDE POLICE ENTRY-LEVEL FITNESS TEST DEVELOPMENT, FIRE AND POLICE NON-COGNITIVE TESTING AND LOCAL VALIDATION, STRUCTURED INTERVIEW DEVELOPMENT AND TRAINING, AND ENTRY-LEVEL CANDIDATE PREPARATION OPTIONS IN AN ESTIMATED AMOUNT OF \$93,555.00 FUNDED BY THE GENERAL FUND.

2011-08-04-0618

Item 26. AN ORDINANCE AUTHORIZING A TEMPORARY CLOSURE MULTI-YEAR AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) ALLOWING THE TEMPORARY STREET CLOSURE OF SPECIFIED STATE RIGHT OF WAY SURROUNDING HEROES STADIUM LOCATED IN COUNCIL DISTRICT 10.

[CONSENT ITEMS CONCLUDED]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2011-08-04-0599

Item 5. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT TO ABECO CONTRACTING INC. IN THE AMOUNT OF \$231,400.00 FOR THE FIRE STATION #11 STRUCTURAL STABILIZATION PROJECT, AN AUTHORIZED CERTIFICATES OF OBLIGATION FUNDED PROJECT LOCATED IN COUNCIL DISTRICT 5.

Councilmember D. Medina asked of the project scope and timeline. Mike Frisbie replied that the project would provide structural repair and stabilization for Fire Station #11. He stated that the project was

scheduled for completion in February, 2012. Councilmember D. Medina asked how the funds would be utilized. Mr. Frisbie indicated that they would be used to purchase materials and associated labor.

Councilmember D. Medina moved to adopt the proposed Ordinance. Councilmember Saldaña seconded the motion.

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

The City Clerk read the following Ordinance:

2011-08-04-0602

Item 8. AN ORDINANCE AUTHORIZING A CITY REQUESTED CHANGE ORDER IN THE INCREASED AMOUNT OF \$32,746.83 TO THE \$996,727.00 DESIGN-BUILD CONTRACT WITH GRINDLINE SKATEPARKS, INC. FOR THE SKATEPARKS DESIGN-BUILD PACKAGE FOR NANI FALCONE PARK, AN AUTHORIZED 2007-2012 GENERAL OBLIGATION BOND FUNDED AND UNIFORM DEVELOPMENT CODE FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 7.

Councilmember C. Medina asked of the change order. Mike Frisbie replied that savings had been identified within the project budget that would be utilized for additional skate components. He stated that it would not impact the schedule and that the project would be completed in September. Councilmember C. Medina thanked staff for their work on the project and stated that he looked forward to the ribbon cutting.

Councilmember C. Medina moved to adopt the proposed Ordinance. Councilmember Lopez seconded the motion.

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

The City Clerk read the following Ordinance:

2011-08-04-0610

Item 17. AN ORDINANCE RATIFYING THE SUBMISSION OF A GRANT APPLICATION AND ACCEPTANCE OF FUNDS IN AN AMOUNT UP TO \$520,439.00 FROM THE ENVIRONMENTAL PROTECTION AGENCY FROM THE DATE OF AGREEMENT, AUGUST 2011, TO AUGUST 31, 2014; AND AUTHORIZING FUNDS IN THE AMOUNT OF \$20,000.00 FROM THE STORM WATER OPERATING FUND FOR ONGOING PARTICIPATION IN THE TCEQ'S NONPOINT SOURCE POLLUTION PROGRAM (319 GRANT).

Councilmember Ramos requested background information on the grant and impact to the Mission Drive-In Project. Mr. Frisbie stated that the grant funds would be utilized for Low Impact Development (LID) concepts at the site that would lower bacteria loads to the San Antonio River. He added that the Loop Road would be completed by the end of the year and staff was working on the schedule for the plaza and walking trails. Councilmember Ramos stated that it was a wonderful development and expressed her

support for the grant. She asked of the materials for the Loop Road. Nefi Garza replied that the road would be constructed with a permeable surface so that water can flow through the swale and be treated through a grass filter to reduce bacteria. Councilmember Ramos requested that the project remain on schedule and confirmed that the Loop Road would be completed prior to the plaza.

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

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

The City Clerk read the following Ordinance:

2011-08-04-0612

Item 19. AN ORDINANCE AUTHORIZING THE FIRST EXTENSION OF SIX ON-CALL PROFESSIONAL SERVICES AGREEMENTS FOR ENVIRONMENTAL CONSULTING SERVICES WITH ATKINS (FORMERLY POST, BUCKLEY, SCHUH, & JERNIGAN, INC. (PBS&J)); GEOSTRATA ENVIRONMENTAL CONSULTANTS, INC.; PAPE-DAWSON ENGINEERS, INC.; RABA-KISTNER CONSULTANTS, INC. (RABA-KISTNER); URS CORPORATION; AND WESTON SOLUTIONS, INC., IN AN AMOUNT UP TO \$750,000.00 PER CONTRACT YEAR, TO PROVIDE AS-NEEDED SERVICES TO SUPPLEMENT CITY OF SAN ANTONIO ENVIRONMENTAL CONSULTING SERVICES IN CONNECTION WITH 2007-2012 BOND PROJECTS AND OTHER CAPITAL IMPROVEMENT PROJECTS.

Councilmember Saldaña asked of the agreements and environmental consulting services. Mike Frisbie replied that due diligence was conducted and that the slate of consultants was approved one year ago for on-call environmental services. He indicated that the consultants are experts in the field and assist with environmental services for city projects.

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

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

The City Clerk read the following Ordinance:

2011-08-04-0614

Item 21. AN ORDINANCE AUTHORIZING A CONTRACT WITH MERCURY ASSOCIATES, INC. IN AN AMOUNT UP TO \$95,000.00 FOR A FLEET ALTERNATIVE FUELS ACQUISITION STRATEGY STUDY, FUNDED BY THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 THROUGH THE DEPARTMENT OF ENERGY THROUGH FEBRUARY 29, 2012.

Councilmember Soules asked of the purpose of the study. Laurence Doxsey replied that the city has made advances in introducing alternative fuels within its fleet but has focused on the sedan and light-duty vehicles. He indicated that there was a range of vehicles within the city's fleet in which there was not

enough information related to utilization of alternative fuels. He stated that they would like the opportunity to understand operational characteristics of different classes of vehicles to include heavy duty vehicles.

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

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

The City Clerk read the following Ordinance:

CONTINUED

Item 22. AN ORDINANCE AUTHORIZING CPS ENERGY TO ADD RIDER E18, WHICH WILL INCORPORATE INTO ITS TARIFFS A DISCOUNT RATE FOR BURNED VETERANS THAT MEET CERTAIN MEDICAL CRITERIA.

Councilmember C. Medina thanked all of the Veterans that came to speak and recognized them for their service to the country. He commended CPS Energy for initiating a policy to help meet the needs of burned Veterans. He noted that he would like to explore the potential of expanding the program in the future. He asked when the policy would be effective. Ben Gorzell replied that the applications would be reviewed and approved by CPS Energy and would be effective on the next billing cycle. He stated that the discounts would be provided annually from April through October.

Mayor Castro asked of the discount relative to the average bill. Mr. Gorzell replied that the discount was calculated based on the differential between the CPS Energy recommended temperature setting of 78 degrees and the 68 degrees needed by households of burned Veterans. He stated that an 1,800 square-foot home was assumed in the calculations. Mayor Castro asked the City Manager to further review the policy to ensure that the discount was effective. Ms. Sculley replied that staff would work with CPS Energy over the next week to address same.

Councilmember Williams requested that staff look at utilizing a percentage rather than a fixed dollar amount for the discount rate.

Councilmember C. Medina moved to continue Item Z-22 for one week. Councilmember Williams seconded the motion.

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

The City Clerk read the following Ordinance:

2011-08-04-0619

Item 27. AN ORDINANCE AUTHORIZING THE SECOND AMENDMENT TO AN INTERLOCAL AGREEMENT WITH THE ALAMO REGIONAL MOBILITY AUTHORITY ALLOWING THE CITY

OF SAN ANTONIO TO EXTEND THE TERM OF LOAN REPAYMENT OF \$500,000.00 PLUS INTEREST FOR AN ADDITIONAL ONE-YEAR TERM TO SEPTEMBER 1, 2012.

Majed Al-Ghafry presented a second amendment to the Interlocal Agreement with the Alamo Regional Mobility Authority (ARMA) noting that this would extend the term of the loan repayment to the city for an additional one-year period. He reported that the 2005 Interlocal Agreement provided a \$500,000 loan from the city to the ARMA to assist with start-up expenses. He stated that the loan was to be repaid, with interest, no later than September 1, 2010 at an annual compounded interest of 2.97%. He noted that in 2010, the Interlocal Agreement was extended for one year and the loan payment due on September 1, 2011 would be \$599,087.25. He mentioned that the ARMA requested that the loan repayment date be extended until such time as it has available revenues for repayment. He added that the new due date would be September 1, 2012 and that interest will continue to accrue in the interim.

Mayor Castro called upon the individuals registered to speak on Item 27.

Jack M. Finger spoke in opposition to the loan extension and expressed concern that existing roads and right-of-way would be taxed. He stated that these had already been paid for with gas tax dollars and provided a handout showing areas throughout the city that would be tolled.

Terri Hall, Founder and Director of the Texas Uniting for Reform and Freedom, spoke in opposition to the loan extension and stated that taxpayers were tired of bailouts. She expressed concern that the ARMA was \$51 million in debt and that the \$1.2 million in salaries was a waste of money. She noted that tolls would be charged to drive on existing roads in the community and requested that the ARMA be abolished. She spoke of abuses committed by the ARMA including hiring a contractor with a criminal history and leasing office space from their attorney's brother. She expressed concern with the eight Regional Mobility Authority agencies across the state that utilize the same consultants on their projects. She added that individuals did not want to pay toll taxes to get to work and spoke of the challenging economic conditions.

Don Dixon stated that he was a Mechanical Engineer and that San Antonio was a great town to start a business. He spoke in opposition to the loan extension, noting that the City Council should cut their losses. He indicated that the Texas Department of Transportation (TxDOT) had received funding in the amount of \$19.8 billion and that San Antonio had only received a small portion of the funds.

Nikki Kuhns provided a handout referencing Article 3 of the Texas Constitution, Section 52-b entitled "Loan of State's Credit or Grant of Public Money for Toll Road Purposes" and stated that the city did not have the authority to provide a loan to the ARMA. She expressed concern that the city was unable to collect the debt and asked if an audit had been conducted on the ARMA. She requested that the ARMA be investigated and that it be dissolved.

Bob Martin, President of the Homeowner Taxpayer Association spoke in opposition to the loan extension. He stated that he was concerned with the deal and asked why ordinary citizens were treated differently when they did not pay their taxes. He recommended that a portion of the salaries of the employees of the ARMA be utilized to pay the interest on the loan and that the ARMA be closed down.

Bob Thompson, ARMA Board Member spoke of the creation of the ARMA. He stated that they were created to give local options to counties to operate toll facilities and retain funds within the county. He

noted that they have not had to utilize tolls thus far and that funding has been spent judiciously and effectively. He indicated that the ARMA does not have funds for future road expansion and construction.

Councilmember Williams asked Mr. Dixon of the amount utilized for Austin Roads. Mr. Dixon replied that it was between \$700-900 million in 2010. Discussion ensued regarding the repayment of the loan to the city by the ARMA. Michael Bernard stated that not renewing was not the same as collecting and spoke of the challenges with initiating collection efforts. Councilmember Williams asked if it was a collectible debt. Mr. Bernard stated that it was a collectible debt but would also be an arduous, expensive process. Councilmember Williams asked of the ARMA's plan to repay the debt. Terry Brechtel, ARMA Executive Director, stated that they fully intend to repay the note upon the first project financing. She noted that they had a Request for Qualifications for Investment Bankers in which proposals were due in September. Councilmember Williams asked of the first financing project. Ms. Brechtel indicated that the first project to be financed would likely be the 35-mile corridor on Loop 1604 from Highway 90 to I-35.

Councilmember Williams asked of the functions that could be performed by the ARMA versus TxDOT. Ms. Brechtel stated that the ARMA has received environmental clearance for the Hwy 281 and Loop 1604 Corridors. She added that a design/build agreement had been executed to build the interchange at Hwy 281 and Loop 1604. She noted that they had lobbied TxDOT to implement the Super Street Project which was a new concept that had never been done before. In response to Councilmember Williams, she spoke of their loans from TxDOT and the work product they submit to TxDOT to reduce their debt. Councilmember Williams asked of the financial status of other Regional Mobility Authorities. Ms. Brechtel replied that there were eight Regional Mobility Authorities operating throughout the state and many had received start-up funds in the form of grants from cities and counties. She indicated that three of the eight entities were receiving operating revenue through toll collection. Councilmember Williams requested that staff develop a repayment plan to move forward over the next year.

Councilmember Lopez stated that he concurred with Councilmember Williams' recommendation and asked if there was a process in place for the ARMA to pay the city back within one year. Ms. Sculley stated that she was uncertain and that it would depend on their approval to move forward with the Loop 1604-Hwy 281 Toll Road Project.

Councilmember Ramos stated that this was a very difficult issue and expressed concern that the city was in the same situation one year ago. She requested that a realistic renewal date for the loan repayment be identified due to the ARMA's lack of funding. She asked if an audit had been conducted of the ARMA. Ms. Brechtel replied that an annual audit was conducted and also provided the city with quarterly reports.

Councilmember Soules spoke of the studies of corridors that had been conducted by the ARMA that included significant demographic and growth information. He asked if they would be willing to share the data with the city. Ms. Brechtel replied that they would be happy to provide the data to the city.

Councilmember D. Medina expressed his support for Councilmember Williams' recommendation to develop a plan and timeline for recovering the debt from the ARMA. He asked of the initial \$500,000 provided by the city. Mr. Al-Ghafry replied that the funding was provided through the General Fund.

Councilmember Taylor stated that she was interested in identifying a realistic resolution and that oversight should be provided through one of the Council Committees.

Mayor Castro thanked everyone for the presentation. He expressed concern with the funds owed to the city and spoke of the challenges related to transportation. He stated that the city had grown tremendously over the last decade and there were more demands on roads. He noted that toll roads should be a local effort and only utilized for new roadways. He spoke of the need for transparency and addressing the transportation needs of the city. He added that a plan should be outlined to remedy the debt situation and looked forward to it being presented to the Governance Committee.

Councilmember Williams moved to adopt the proposed Ordinance with the condition that staff develop a Committee to evaluate the structure of the Alamo Regional Mobility Authority (ARMA) and bring forth recommendations for proposed policy. Councilmember Lopez seconded the motion.

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

Item 28. CITY MANAGER'S REPORT

A. 2012 BUDGET CALENDAR UPDATE

Ms. Sculley outlined the upcoming budget calendar that includes Budget Worksessions and Community Meetings. She stated that a Budget Public Hearing was scheduled on August 31, 2011 at 6:00 pm in the Council Chambers and encouraged the community to attend. She added that the budget was scheduled for adoption on September 15, 2011.

B. AIRPORT SOLAR UPDATE

Ms. Sculley reported that Stimulus Funds had been received to install solar panels at the top level of the Airport Parking Garage and had been operational for one year. She stated that the power generated was being utilized at the airport and that the panels provided shade for the vehicles parked on the top level. She indicated that over \$20,000 has been saved year-to-date and that the city receives rebates from CPS Energy which are being used to maintain the system.

C. PERSONNEL RECOGNITION

Ms. Sculley stated that the Rotary Club of San Antonio Northwest recognized Fire Engineer, Charles Cantu, as their Firefighter of the Year. She reported that Mr. Cantu had instructed the grandmother of a two-year old drowning victim on the use of CPR. Due to his efforts, the child is alive and well. Ms. Sculley noted that Mr. Cantu was an Army Veteran who joined the Fire Department in 1984. She recognized him for his great work.

Mayor Castro thanked staff for their work on the budget and commended Firefighter Cantu for his bravery and exemplary public service.

POINT OF PERSONAL PRIVILEGE

Councilmember Taylor recognized Vivian Phillips, a nine-year old student at St. Luke's School, who was job shadowing her today.

EXECUTIVE SESSION

Mayor Castro recessed the meeting at 11:30 am to convene in Executive Session for the purposes of:

- A. DISCUSS LEGAL ISSUES RELATED TO REDISTRICTING, PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY).**
- B. DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS AND DISCUSS RELATED ISSUES PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.087 (ECONOMIC DEVELOPMENT).**
- C. DELIBERATE THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY AND DISCUSS RELATED LEGAL ISSUES PURSUANT TO TEXAS GOVERNMENT CODE SECTIONS 551.072 (REAL PROPERTY) AND 551.071 (CONSULTATION WITH ATTORNEY).**

RECONVENED

Mayor Pro Tem D. Medina reconvened the meeting at 2:10 pm and noted that the City Council had been briefed on Item A and took no action. He added that Items B and C would be addressed after the Zoning portion of the agenda.

CONSENT ZONING ITEMS

Councilmember Soules moved to approve the following items: Z-2, Z-4, P-1, Z-5, P-2, Z-6, Z-7, Z-8, Z-10, Z-12, Z-13, Z-14, Z-15, Z-16, Z-17, Z-18, P-6, Z-19, P-7, Z-20, Z-22, Z-23, and Z-24 under Consent Zoning. Councilmember Lopez seconded the motion.

Mayor Pro Tem D. Medina called upon Jack M. Finger to speak.

Mr. Finger expressed concern with Items P-4 and Z-9 and stated that several individuals had noted their opposition during the Zoning Commission Meeting and that city staff recommended denial. He spoke in opposition to Items P-5 and Z-11, noting that they would extend a Pawn Shop and that city staff had recommended denial. He requested that an amendment be made to Item Z-19 to specify that there will be no payday loan agencies in the future.

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

2011-08-04-0620

Item Z-2. **ZONING CASE # Z2011129 (District 1):** An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on 0.052 of an acre out of Lots 18, 19 and 20, Block 1, NCB 2100 located at 1414 North Zarzamora. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 0.052 OF AN ACRE OUT OF LOTS 18, 19 AND 20, BLOCK 1, NCB 2100 TO WIT: FROM "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

2011-08-04-0622

Item Z-4. **ZONING CASE # Z2011144 (District 1):** An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Single-Family Residential Airport Hazard Overlay District to "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District on Lots 1, 2 and the west 10 feet of Lot 3, Block 2, NCB 6556 located at 241 West Norwood. 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, 2 AND THE WEST 10 FEET OF LOT 3, BLOCK 2, NCB 6556 TO WIT: FROM "R-4 AHOD" SINGLE-FAMILY RESIDENTIAL AIRPORT HAZARD OVERLAY DISTRICT TO "RM-4 AHOD" RESIDENTIAL MIXED AIRPORT HAZARD OVERLAY DISTRICT.

2011-08-04-0623

Item P-1. **PLAN AMENDMENT #11033 (District 1):** AN ORDINANCE AMENDING THE LAND USE PLAN CONTAINED IN THE LAVACA NEIGHBORHOOD PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF A 0.1889 ACRE TRACT OF LAND LOCATED AT 115 DEVINE STREET FROM MIXED USE LAND USE AND LOW DENSITY RESIDENTIAL LAND USE TO MIXED USE LAND USE. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL. (ASSOCIATED ZONING CASE: #Z2011092)

2011-08-04-0624

Item Z-5. **ZONING CASE # Z2011092 (District 1):** An Ordinance amending the Zoning District Boundary from "H R-6 CD AHOD" Lavaca Historic Residential Single-Family Airport Hazard Overlay District with a Conditional Use for multi-family not to exceed three units to "H IDZ AHOD" Lavaca Historic Infill Development Zone Airport Hazard Overlay District with uses permitted in "MF-33" Multi-Family District and "C-1" Light Commercial District on Lot 23, Block 5, NCB 723 located at 115 Devine Street. Staff and Zoning Commission recommend approval, pending plan amendment.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 23, BLOCK 5, NCB 723 TO WIT: FROM "H R-6 CD AHOD" RESIDENTIAL SINGLE-FAMILY LAVACA HISTORIC AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR MULTI-FAMILY NOT TO EXCEED THREE UNITS TO "H IDZ AHOD" INFILL DEVELOPMENT ZONE LAVACA HISTORIC AIRPORT HAZARD OVERLAY DISTRICT WITH USES PERMITTED IN "MF-33" MULTI-FAMILY DISTRICT AND "C-1" LIGHT COMMERCIAL DISTRICT.

2011-08-04-0625

Item P-2. **PLAN AMENDMENT #11018 (District 1):** AN ORDINANCE AMENDING THE LAND USE PLAN CONTAINED IN THE TOBIN HILL NEIGHBORHOOD PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF 0.4049 ACRES OF LAND LOCATED AT 910 AND 914 EAST MISTLETOE STREET FROM LOW DENSITY RESIDENTIAL LAND USE TO LOW DENSITY MIXED USE LAND USE. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL. (ASSOCIATED ZONING CASE: #Z2011126)

2011-08-04-0626

Item Z-6. **ZONING CASE # Z2011126 (District 1):** An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-1 AHOD" Light Commercial Airport Hazard Overlay District on Lot 42, NCB 6461 located at 914 East Mistletoe. Staff and Zoning Commission recommend approval, pending plan amendment.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 42, NCB 6461 TO WIT: FROM "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "C-1 AHOD" LIGHT COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

2011-08-04-0627

Item Z-7. **ZONING CASE # Z2011132 (District 3):** An Ordinance amending the Zoning District Boundary from "H C-2 MC-1 RIO-5 AHOD" Mission Historic Commercial Metropolitan Corridor Overlay River Improvement Overlay Airport Hazard Overlay District and "H C-2NA MC-1 RIO-5 AHOD" Mission Historic Commercial, Nonalcoholic Sales Metropolitan Corridor Overlay River Improvement Overlay Airport Hazard Overlay District to "H MF-18 MC-1 RIO-5 AHOD" Mission Historic Limited Density Multi-Family Metropolitan Corridor Overlay River Improvement Overlay Airport Hazard Overlay District on Lot 9 and the northwest 10 feet by 157.4 feet of Lot 26, Block 22, NCB 3577 located at 2126 Roosevelt 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 9 AND NORTHWEST 10 FEET BY 157.4 FEET OF LOT 26, BLOCK 22, NCB 3577 TO WIT: FROM "H C-2 MC-1 RIO-5 AHOD" MISSION HISTORIC COMMERCIAL METROPOLITAN CORRIDOR OVERLAY RIVER IMPROVEMENT OVERLAY AIRPORT HAZARD OVERLAY DISTRICT AND "H C-2NA MC-1 RIO-5 AHOD" MISSION HISTORIC COMMERCIAL, NONALCOHOLIC SALES METROPOLITAN CORRIDOR OVERLAY RIVER IMPROVEMENT OVERLAY AIRPORT HAZARD OVERLAY DISTRICT TO "H MF-18 MC-1 RIO-5 AHOD" MISSION HISTORIC LIMITED DENSITY MULTI-FAMILY METROPOLITAN CORRIDOR OVERLAY RIVER IMPROVEMENT OVERLAY AIRPORT HAZARD OVERLAY DISTRICT.

2011-08-04-0628

Item Z-8. **ZONING CASE # Z2011128 (District 3):** An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-3 AHOD" General Commercial Airport Hazard Overlay District on Lot 21, Block 40, NCB 8666 located at 823 - 827 Southeast Military Drive. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 21, BLOCK 40, NCB 8666 TO WIT: FROM "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-3 AHOD" GENERAL COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

2011-08-04-0629

Item Z-10. **ZONING CASE # Z2011146 (District 4):** An Ordinance amending the Zoning District Boundary from "MI-2 S AHOD" Mixed Heavy Industrial Airport Hazard Overlay District with a Specific Use Authorization for an Airport, Non-Governmental and "C-3 AHOD" General Commercial Airport Hazard Overlay District to "L AHOD" Light Industrial Airport Hazard Overlay District on 53.9 acres of land out of Lot 1, Block 2, NCB 12608 located on the 800 and 900 Block of Billy Mitchell Boulevard. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 53.9 ACRES OF LAND OUT OF LOT 1, BLOCK 2, NCB 12608 TO WIT: FROM "MI-2 S AHOD" MIXED HEAVY INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR AN AIRPORT, NON-GOVERNMENTAL AND "C-3 AHOD" GENERAL COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT TO "L AHOD" LIGHT INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT.

2011-08-04-0632

Item Z-12. **ZONING CASE # Z2011137 HL (District 5):** An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "HL R-4 AHOD" Historic Landmark Residential Single-Family Airport Hazard Overlay District on Lot 8C and the west 8.33 feet of Lot 8D, Block 4, NCB 2424 located at 2119 El Paso 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: LOT 8C AND WEST 8.33 FEET OF LOT 8D, BLOCK 4, NCB 2424 TO WIT: FROM "R-4 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "HL R-4 AHOD" HISTORIC LANDMARK RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT.

2011-08-04-0633

Item Z-13. **ZONING CASE # Z2011165 (District 5):** An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Lots 3 and 4, NCB 2587 and Lots 1 and 2, NCB 6288 located at 2008, 2012 and 2018 South Flores Street. Staff recommends approval. Zoning Commission recommendation pending the August 2, 2011 public hearing.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOTS 3 AND 4, NCB 2587; AND LOTS 1 AND 2, NCB 6288 TO WIT: FROM "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

2011-08-04-0634

Item Z-14. **ZONING CASE # Z2011123 (District 5):** An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-1 AHOD" Light Commercial Airport Hazard Overlay District on Lot 14, Block 4, NCB 2313 located at 2006 West Commerce 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: LOT 14, BLOCK 4, NCB 2313 TO WIT: FROM "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-1 AHOD" LIGHT COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

2011-08-04-0635

Item Z-15. **ZONING CASE # Z2011088 B (District 6):** An Ordinance amending the Zoning District Boundary from "C-3 R GC-2 AHOD" General Commercial Restrictive Alcohol Sales Highway 151 Gateway Corridor Overlay Airport Hazard Overlay District, "R-4 GC-2 AHOD" Residential Single-Family Highway 151 Gateway Corridor Overlay Airport Hazard Overlay District and "C-3 GC-2 AHOD" General Commercial Highway 151 Gateway Corridor Overlay Airport Hazard Overlay District to "C-1 GC-2 AHOD" Light Commercial Highway 151 Gateway Corridor Overlay Airport Hazard Overlay District on the south 120 feet of Lots 7 through 9 and the south 120 feet of Lots 12 through 13, Block 12, NCB 8997. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: THE SOUTH 120 FEET OF LOTS 7 THROUGH 9 AND THE SOUTH 120 FEET OF LOTS 12 THROUGH 13, BLOCK 12, NCB 8997 TO WIT: FROM "C-3R GC-2 AHOD" GENERAL COMMERCIAL RESTRICTIVE ALCOHOL SALES HIGHWAY 151 GATEWAY CORRIDOR OVERLAY AIRPORT HAZARD OVERLAY DISTRICT, "R-4 GC-2 AHOD" RESIDENTIAL SINGLE-FAMILY HIGHWAY 151 GATEWAY CORRIDOR OVERLAY AIRPORT HAZARD OVERLAY DISTRICT AND "C-3 GC-2 AHOD" GENERAL COMMERCIAL HIGHWAY 151 GATEWAY CORRIDOR OVERLAY

AIRPORT HAZARD OVERLAY DISTRICT TO "C-1 GC-2 AHOD" LIGHT COMMERCIAL HIGHWAY 151 GATEWAY CORRIDOR OVERLAY AIRPORT HAZARD OVERLAY DISTRICT.

2011-08-04-0636

Item Z-16. **ZONING CASE # Z2011125 (District 6):** An Ordinance amending the Zoning District Boundary from "C-3 R AHOD" General Commercial Restrictive Alcohol Sales Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Lot 1, NCB 18289 Save and Except that 0.039 acre tract conveyed by Deed to the State of Texas recorded in Volume 4495, Page 1611, Real Property Records of Bexar County, Texas located at 8085 Potranco Road. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 1, NCB 18289 SAVE AND EXCEPT THAT 0.039 ACRE TRACT CONVEYED BY DEED TO THE STATE OF TEXAS RECORDED IN VOLUME 4495, PAGE 1611, REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS. TO WIT: FROM "C-3R AHOD" GENERAL COMMERCIAL RESTRICTIVE ALCOHOL SALES AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

2011-08-04-0637

Item Z-17. **ZONING CASE # Z2011106 (District 6):** An Ordinance amending the Zoning District Boundary from "C-2" Commercial District and "C-3" General Commercial District to "MF-33" Multi-Family District on 29.56 acres out of NCB 17636 located on the east side of West Loop 1604 North, northeast of the intersection of West Loop 1604 and Culebra Road. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 29.56 ACRES OUT OF NCB 17636 TO WIT: FROM "C-2" COMMERCIAL DISTRICT AND "C-3" GENERAL COMMERCIAL DISTRICT TO "MF-33" MULTI-FAMILY DISTRICT.

2011-08-04-0638

Item Z-18. **ZONING CASE # Z2011102 (District 6):** An Ordinance amending the Zoning District Boundary from "C-3 AHOD" General Commercial Airport Hazard Overlay District and "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-3 CD AHOD" General Commercial Airport Hazard Overlay District with a Conditional Use for Parking And/Or Storage - Long Term on 4.393 acres of land out of Lot 9, NCB 18288 located at 8233 Potranco Road. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 4.393 ACRES OF LAND OUT OF LOT 9, NCB 18288 TO WIT: FROM "C-3 AHOD" GENERAL

COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT AND "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-3 CD AHOD" GENERAL COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR PARKING AND/OR STORAGE - LONG TERM PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2011-08-04-0639

Item P-6. **PLAN AMENDMENT #11036 (District 7):** 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 APPROXIMATELY 0.3133 ACRES LOCATED AT 2647 CULEBRA ROAD FROM LOW DENSITY RESIDENTIAL LAND USE TO COMMUNITY COMMERCIAL LAND USE. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL. (ASSOCIATED ZONING CASE: #Z2011133 S)

2011-08-04-0640

Item Z-19. **ZONING CASE # Z2011133 S (District 7):** An Ordinance amending the Zoning District Boundary from "C-3 AHOD" General 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 Lot 24, Block 8, NCB 9208 located at 2647 Culebra Road. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 24, BLOCK 8, NCB 9208 TO WIT: FROM "C-3 AHOD" GENERAL COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 AHOD S" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A SPECIFIED FINANCIAL INSTITUTION PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2011-08-04-0641

Item P-7. **PLAN AMENDMENT #11035 (District 7):** 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 0.3260 ACRE TRACT OF LAND LOCATED NORTH OF THE INTERSECTION OF DONALDSON AVENUE AND MABRY STREET, MORE SPECIFICALLY DESCRIBED AS LOTS 73 THROUGH 76, BLOCK 19, NCB 7023 FROM URBAN LOW DENSITY RESIDENTIAL LAND USE TO NEIGHBORHOOD COMMERCIAL LAND USE. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL. (ASSOCIATED ZONING CASE: #Z2011136)

2011-08-04-0642

Item Z-20. **ZONING CASE # Z2011136 (District 7):** An Ordinance amending the Zoning District Boundary from "R-6 NCD-7 AHOD" Residential Single-Family Jefferson Neighborhood Conservation Airport Hazard Overlay District to "C-1 NCD-7 AHOD" Light Commercial Jefferson Neighborhood

Conservation Airport Hazard Overlay District on Lot 73, Lot 74, Lot 75 and Lot 76, Block 19, NCB 7023 located on the 1000 Block of Donaldson 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 73, LOT 74, LOT 75 AND LOT 76, BLOCK 19, NCB 7023 TO WIT: FROM "R-6 NCD-7 AHOD" RESIDENTIAL SINGLE-FAMILY JEFFERSON NEIGHBORHOOD CONSERVATION AIRPORT HAZARD OVERLAY DISTRICT TO "C-1 NCD-7 AHOD" LIGHT COMMERCIAL JEFFERSON NEIGHBORHOOD CONSERVATION AIRPORT HAZARD OVERLAY DISTRICT.

2011-08-04-0644

Item Z-22. **ZONING CASE # Z2011149 S (District 7):** An Ordinance amending the Zoning District Boundary from "C-3NA" General Commercial Nonalcoholic Sales District and "R-5" Residential Single-Family District to "C-3NA S" General Commercial Nonalcoholic Sales District with a Specific Use Authorization for Boat and Marine - Storage (Outside Permitted) on Parcel 2 and Parcel 4, NCB 18199 located at 10490 West Loop 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: PARCEL 2 AND PARCEL 4, NCB 18199 TO WIT: FROM "C-3NA" GENERAL COMMERCIAL NONALCOHOLIC SALES DISTRICT AND "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-3NA S" GENERAL COMMERCIAL NONALCOHOLIC SALES DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR BOAT AND MARINE - STORAGE (OUTSIDE PERMITTED) PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2011-08-04-0645

Item Z-23. **ZONING CASE # Z2011143 (District 8):** An Ordinance amending the Zoning District Boundary from "R-4 MLOD-1" Residential Single-Family Military Lighting Overlay District, "R-4 MLOD-1 AHOD" Residential Single-Family Military Lighting Overlay Airport Hazard Overlay District and "C-3 MLOD-1" General Commercial Military Lighting Overlay District to "MF-18 MLOD-1" Limited Density Multi-Family Military Lighting Overlay District and "MF-18 MLOD-1 AHOD" Limited Density Multi-Family Military Lighting Overlay Airport Hazard Overlay District on 9.81 acres out of NCB 15825 located at northeast of the intersection of UTSA Boulevard and Vance Jackson. 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: 9.81 ACRES OUT OF NCB 15825 TO WIT: FROM "R-4 MLOD-1" RESIDENTIAL SINGLE-FAMILY MILITARY LIGHTING OVERLAY DISTRICT, "R-4 MLOD-1 AHOD" RESIDENTIAL SINGLE-FAMILY MILITARY LIGHTING OVERLAY AIRPORT HAZARD OVERLAY DISTRICT AND "C-3 MLOD-1" GENERAL COMMERCIAL MILITARY LIGHTING OVERLAY DISTRICT TO "MF-18 MLOD-1" LIMITED DENSITY MULTI-FAMILY MILITARY LIGHTING OVERLAY DISTRICT

AND "MF-18 MLOD-1 AHOD" LIMITED DENSITY MULTI-FAMILY MILITARY LIGHTING OVERLAY AIRPORT HAZARD OVERLAY DISTRICT.

2011-08-04-0646

Item Z-24. **ZONING CASE # Z2011151 (District 8):** An Ordinance amending the Zoning District Boundary from "C-3 MLOD-1" General Commercial Military Lighting Overlay District, "C-3 MLOD-1 AHOD" General Commercial Military Lighting Overlay Airport Hazard Overlay District and "R-4 MLOD-1 AHOD" Residential Single-Family Military Lighting Overlay Airport Hazard Overlay District to "MF-33 MLOD-1" Multi-Family Military Lighting Overlay District and "MF-33 MLOD-1 AHOD" Multi-Family Military Lighting Overlay Airport Hazard Overlay District on 8.04 acres out of NCB 15825 located northeast of the intersection of UTSA Boulevard and Vance Jackson Road. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 8.04 ACRES OUT OF NCB 15825 TO WIT: FROM "C-3 MLOD-1" GENERAL COMMERCIAL MILITARY LIGHTING OVERLAY DISTRICT, "C-3 MLOD-1 AHOD" GENERAL COMMERCIAL MILITARY LIGHTING OVERLAY AIRPORT HAZARD OVERLAY DISTRICT AND "R-4 MLOD-1 AHOD" RESIDENTIAL SINGLE-FAMILY MILITARY LIGHTING OVERLAY AIRPORT HAZARD OVERLAY DISTRICT TO "MF-33 MLOD-1" MULTI-FAMILY MILITARY LIGHTING OVERLAY DISTRICT AND "MF-33 MLOD-1 AHOD" MULTI-FAMILY MILITARY LIGHTING OVERLAY AIRPORT HAZARD OVERLAY DISTRICT.

[CONSENT ZONING CONCLUDED]

INDIVIDUAL ZONING ITEMS

The City Clerk read the following Resolution:

2011-08-04-0022R

Item 29. A RESOLUTION TO INITIATE ZONING CHANGE TO HISTORIC LANDMARK (HL) FOR 823 OGDEN (DISTRICT 1).

Shanon Peterson stated that the home located at 823 Ogden was in the Tobin Hill Neighborhood on a prominent corner lot. She outlined the features of the home that include a hipped roof with brackets and wood shingles on the second floor and porch skirting. She indicated that it remains an intact example of an early-twentieth century residence in what was once a premier San Antonio Neighborhood. She provided a schedule of the process in which the property was identified by Code Compliance with a recommendation for repair in April, 2010. She noted that the Historic and Design Review Commission had found it historically significant in July, 2010. She mentioned that Office of Historic Preservation Staff was working with the property owner regarding the potential historic designation. She added that landmark designation would make the property eligible for tax incentives for substantial rehabilitation.

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

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

Mayor Pro Tem D. Medina addressed Item Z-1 at this time.

DENIED

Item Z-1. **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 16, 2011)

Chris Looney presented Item Z-1 and stated that staff and the Zoning Commission recommended approval. He reported that of 15 notices mailed; two were received in favor and one was received in opposition. He noted that the Keystone and Jefferson Neighborhood Associations were opposed to the request.

Mayor Pro Tem D. Medina called upon the individuals registered to speak on Item Z-1.

John Davis stated that he lives in the Keystone Neighborhood and opposed the request due to the traffic congestion it would cause. He spoke of traffic concerns with another car wash located on Fredericksburg Road and added that he did not want the same to occur at this intersection.

Patricia Doria, President of the Keystone Neighborhood Association stated that she was opposed to the request for a car wash due to the location. She also referenced the other car wash located on Fredericksburg Road and spoke of the traffic challenges.

Andrew Guerrero stated that he was representing the applicant on the case and that this car wash was different than the one referenced by Mr. Davis and Ms. Doria. He indicated that this car wash would operate as an Express Car Wash and take approximately three minutes. He noted that they would employ 8-9 individuals and pay them a living wage. He added that they had met with the Keystone and Jefferson Neighborhood Associations and were willing to work with them to address their concerns.

Councilmember Bernal stated that although staff and the Zoning Commission recommend approval; the District 1 Zoning Commissioner voted against the request. He noted that residents were overwhelmingly against the development due to the location which is a gateway to Districts 1 and 7.

Councilmember Bernal moved to deny the proposed zoning. Councilmember Taylor seconded the motion.

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

Mayor Pro Tem D. Medina addressed Item Z-3 at this time.

2011-08-04-0621

Item Z-3. **ZONING CASE # Z2011141 HL (District 1):** An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single Family Airport Hazard Overlay District to "HL R-4 AHOD" Historic Landmark Residential Single Family Airport Hazard Overlay District on Lot 12, Block

1, NCB 2275; save and except that portion deeded out in Volume 7191, Pages 546 Deed and Plat Records, Bexar County, Texas located at 2103 West Houston 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: LOT 12, BLOCK 1, NCB 2275, SAVE & EXCEPT THAT PORTION DEEDED OUT IN VOLUME 7191 PAGE 546 TO WIT: FROM "R-4 AHOD" RESIDENTIAL SINGLE FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "HL R-4 AHOD" HISTORIC LANDMARK RESIDENTIAL SINGLE FAMILY AIRPORT HAZARD OVERLAY DISTRICT.

Chris Looney presented Item Z-3 and stated that staff and the Zoning Commission recommended approval. He reported that of 26 notices mailed; three were received in favor and 10 were received in opposition. He noted that due to more than 20% opposition, said item would require nine votes for approval.

Mayor Pro Tem D. Medina called upon the individuals registered to speak.

Robert Enriquez stated that he was the property owner and had purchased the property with the intent to demolish the structure. He noted that Office of Historic Preservation staff had convinced him not to follow his original plan due to the significance of the structure and tax incentives. He spoke of the need to stop the trend of tearing down buildings that are in need of repair.

Regina Hall spoke in opposition to the request for historic designation, noting that many other homeowners in the area were also in opposition. She stated that another nearby property was not granted historic designation due to opposition from the neighborhood but was fixed up by the property owner. She expressed concern that the historic designation would increase property values and taxes. She requested that the property owner repair the structure with the assistance of Code Compliance and without Historic Designation.

Councilmember Bernal asked of the affect to neighboring properties. Ms. Peterson replied that the city was not directly involved in assessing property values but evidence shows that when a historic district is created; the property values will either stabilize or increase due to improvements. She stated that individual landmarks do not have the same impact. Councilmember Bernal asked Mr. Enriquez if he was in support of beginning the process for historic designation. Mr. Enriquez confirmed same.

Councilmember Bernal moved to adopt the proposed Ordinance. Councilmember Taylor seconded the motion.

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

Mayor Pro Tem D. Medina addressed Item P-3 at this time.

CONTINUED TO SEPTEMBER 15, 2011

Item P-3. **PLAN AMENDMENT #11014 (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 APPROXIMATELY 9.54 ACRES LOCATED AT 7304 AND 7380 IH-10 EAST FROM COMMUNITY COMMERCIAL LAND USE TO INDUSTRIAL LAND USE. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL. (NO ASSOCIATED ZONING CASE)

Chris Looney presented Item P-3 and stated that the Ordinance would amend the land use plan contained in the IH-10 East Corridor Perimeter Plan. He noted that staff and the Planning Commission recommended approval.

Mayor Pro Tem D. Medina called upon the individuals registered to speak.

Rufus Lott spoke in opposition to the Plan Amendment and referenced a previous zoning case that had been approved in District 2 without support from the neighboring residents.

Lloyd Foster spoke in opposition to the Plan Amendment and also referenced the previous zoning case regarding the Cross Point Facility. He expressed concern that the City Council was not following the desires of the residents.

Former Councilmember Dolores Lott spoke in opposition to the Plan Amendment. She also referenced the Cross Point Zoning Case and asked why the residents of District 2 did not have their voices heard. She stated that the industrial land use was too intense for the area and should be reserved for highways.

Leon Thomas stated that he was opposed to the Plan Amendment and expressed concern that decisions were being made that were not in the best interest of the residents. He referenced the Cross Point Zoning Case, noting that there was no logical reason for its approval.

Mrs. Vacek stated that written testimony was received in opposition to the Plan Amendment from Former Councilmember Sheila McNeil.

Councilmember Taylor thanked the individuals that came to speak. She stated that the Plan Amendment had an associated zoning case that had not made its way through the process and would like additional time to dialogue with the citizens regarding their concerns.

Councilmember Taylor moved to continue Item P-3 to September 15, 2011. Councilmember Soules seconded the motion.

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

Mayor Pro Tem D. Medina addressed Items P-4 and Z-9 at this time.

POSTPONED BY APPLICANT

Item P-4. **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 FROM JUNE 16, 2011.)

POSTPONED BY APPLICANT

Item Z-9. **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. (Continued from June 16, 2011.)

Chris Looney stated that Item P-4 would amend the land use plan contained in the United Southwest Community Plan and that staff recommended denial while the Planning Commission recommended approval. He reported that for Item Z-9, staff recommended denial and the Zoning Commission failed to pass a motion for this case; therefore it moves forward to City Council as a recommendation for denial.

Jerry Arredondo, Applicant, requested that Items P-4 and Z-9 be continued. Mr. Looney indicated that the applicant had six months to bring the case forward to the City Council.

No Council action was necessary on Items P-4 and Z-9 as the applicant asked for postponement.

Mayor Pro Tem D. Medina addressed Items P-5 and Z-11 at this time.

2011-08-04-0630

Item P-5. **PLAN AMENDMENT #11026 (District 5):** AN ORDINANCE AMENDING THE LAND USE PLAN CONTAINED IN THE GUADALUPE WESTSIDE COMMUNITY PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF A 0.74 ACRE TRACT OF LAND LOCATED AT 105 SOUTH ZARZAMORA STREET AND 2918 WEST COMMERCE STREET FROM COMMUNITY COMMERCIAL LAND USE TO LIGHT INDUSTRIAL LAND USE. STAFF RECOMMENDS DENIAL. PLANNING COMMISSION RECOMMENDS APPROVAL. (ASSOCIATED ZONING CASE NUMBER: #Z2011071) (POSTPONED FROM JUNE 2, 2011.)

2011-08-04-0631

Item Z-11. **ZONING CASE # Z2011071 (District 5):** An Ordinance amending the Zoning District Boundary from "C-3 AHOD" General Commercial Airport Hazard Overlay District to "C-3 IDZ AHOD" General Commercial Infill Development Zone Airport Hazard Overlay District on the south 50 feet of Lot 1 and all of Lot 2, Lot 3, Lot 4 and Lot 5, Block 1, NCB 2322 located at 105 South Zarzamora Street and 2918 West Commerce Street. 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: SOUTH 50 FEET OF LOT 1 AND ALL OF LOT 2, LOT 3, LOT 4 AND LOT 5, BLOCK 1, NCB 2322 TO WIT: FROM "C-3 AHOD" GENERAL COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-

3 IDZ AHOD" GENERAL COMMERCIAL INFILL DEVELOPMENT ZONE AIRPORT HAZARD OVERLAY DISTRICT.

Chris Looney stated that Item P-5 would amend the land use plan contained in the Guadalupe Westside Community Plan and that staff recommended denial while the Planning Commission recommended approval. He reported that for Item Z-11, staff recommended denial and the Zoning Commission recommended approval.

Councilmember Bernal moved to adopt the proposed Ordinances for both Items P-5 and Z-11. Councilmember Saldaña seconded the motion.

The motion to approve Items P-5 and Z-11 prevailed by the following vote: **AYES:** Bernal, Taylor, Ramos, Saldaña, D. Medina, Lopez, C. Medina, Williams, and Soules. **NAY:** None. **ABSENT:** Chan and Mayor Castro.

CONTINUED – REFER TO PAGE 27 FOR RECONSIDERATION AND APPROVAL

Item Z-21. **ZONING CASE # Z2011114 (District 7):** An Ordinance amending the Zoning District Boundary from "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for Townhomes at a Density of 11 units per acre with a Maximum of 33 Townhomes to "MF-25 AHOD" Multi-Family Airport Hazard Overlay District on Parcel 72C, NCB 18557 located at 7585 Mainland Drive. Staff and Zoning Commission recommend approval.

Chris Looney presented Item Z-21 and stated that staff and the Zoning Commission recommended approval. He reported that of 23 notices mailed; none were received in favor and seven were received in opposition. He noted that due to more than 20% opposition, said item would require nine votes for approval.

Councilmember C. Medina moved to continue Item Z-21 to August 18, 2011. Councilmember Lopez seconded the motion.

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

Refer below (Ordinance No. 2011-08-04-0643) for reconsideration and approval of Item Z-21.

EXECUTIVE SESSION

Mayor Pro Tem D. Medina recessed the meeting at 3:08 pm to convene in Executive Session for the purposes of:

B. DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS AND DISCUSS RELATED ISSUES PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.087 (ECONOMIC DEVELOPMENT).

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

RECONVENED

Mayor Castro reconvened the meeting at 4:26 pm at which time it was noted that the City Council had been briefed on Items B and C but took no action.

RECONSIDERATION OF ITEM Z-21

Councilmember C. Medina moved to reconsider Item Z-21. Councilmember Ramos seconded the motion.

The motion to reconsider Item Z-21 prevailed by the following vote: **AYES:** Bernal, Taylor, Ramos, Saldaña, Lopez, C. Medina, Williams, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** D. Medina and Chan.

2011-08-04-0643

Item Z-21. **ZONING CASE # Z2011114 (District 7):** An Ordinance amending the Zoning District Boundary from "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with Conditional Use for Townhomes at a Density of 11 units per acre with a Maximum of 33 Townhomes to "MF-25 AHOD" Multi-Family Airport Hazard Overlay District on Parcel 72C, NCB 18557 located at 7585 Mainland Drive. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: PARCEL 72C, NCB 18557 TO WIT: FROM "R-6 CD AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT WITH CONDITIONAL USE FOR TOWNHOMES AT A DENSITY OF 11 UNITS PER ACRE WITH A MAXIMUM OF 33 TOWNHOMES TO "MF-25 AHOD" MULTI-FAMILY AIRPORT HAZARD OVERLAY DISTRICT.

Councilmember C. Medina moved to approve Item Z-21. Councilmember Lopez seconded the motion.

The motion to approve Item Z-21 prevailed by the following vote: **AYES:** Bernal, Taylor, Ramos, Saldaña, Lopez, C. Medina, Williams, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** D. Medina and Chan.

ADJOURNMENT

There being no further discussion, Mayor Castro adjourned the meeting at 4:30 pm.

APPROVED



**JULIAN CASTRO
MAYOR**

Attest.



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