

**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, NOVEMBER 16, 2011 AND THURSDAY, NOVEMBER 17, 2011, RESPECTIVELY.**

The San Antonio City Council convened in a Work Session at 2:00 pm Wednesday, **November 16, 2011**, Municipal Plaza Building with the following Councilmembers present: Bernal, Taylor, Ramos, Saldaña, Lopez, C. Medina, Williams, Soules, and Mayor Castro. **ABSENT:** D. Medina and Chan. Mrs. Vacek announced that Councilmember Chan was in China.

**1. BRIEFING ON THE 2011 DESTINATION: SA UPDATE REPORT, WHICH FOCUSES ON LONG-RANGE STRATEGIES AND BENCHMARKS TO GROW THE DESTINATION'S TOURISM INDUSTRY.**

Casandra Matej, Director of the Convention and Visitors Bureau (CVB) provided an update on the Destination: SA Strategic Plan, noting that it was first presented to the City Council in 2006. She reported that at the request of the Convention and Visitors Commission (CVC), the CVB commissioned an update to the original Destination: SA to provide a framework to: 1) Enhance the attractiveness of the destination for visitors and residents; 2) Protect and intensify the unique cultural and historical characteristics of San Antonio; and 3) Heighten the ability of the visitor industry to create significant economic benefits for the residents of San Antonio.

Marise McDermott, Chair of the CVC recognized City Council Ex-Officios Councilmembers Bernal and Taylor, and all of the CVC Commissioners. She outlined the CVC Strategic Priorities for 2011-2012: a) Convention Center and Alamodome; b) CVB Sales and Marketing; c) Riverwalk; d) Visitor Experience to include Safety; Neighborhoods; Public Transit; and HemisFair Park; and e) Destination: SA.

John Kaatz of CSL, International spoke of the Strategic Vision for Visitor Industry Growth in San Antonio. He stated that over 70 stakeholder interviews had been conducted, as well as surveys of 74 travel writers and numerous concierge staff. He outlined recommendations that include improvements to Alamo Plaza and the need to improve Market Square and its linkage to the River. He indicated that street level improvements were necessary to relieve bus stop congestion and enhance the landscaping and cleanliness. He noted the importance of creating pockets of entertainment and leisure and improving the area surrounding Rivercenter Mall.

Mr. Kaatz stated that San Antonio should continue to pursue a Cultural Corridor Concept to ensure that a vibrant residential area is top priority; cultural treasure is second; and visitor amenity is third. He spoke of the need to ensure that signage and hours of operation for the urban rail/street car circulator support the visitor industry. He mentioned the potential to expand Luminaria, as it has proven to be a successful event for presenting and experiencing the city's arts.

Mr. Kaatz recommended the creation of a Downtown Gateway for the Southern Stretch of the River. Within the Northern River Stretch, he spoke of the possibility of creating one and two-day art cultural learning experiences unique to San Antonio and taking advantage of new transportation options to link the River North Area to Downtown. He highlighted the importance of making structural improvements

to the Riverwalk and assessing an appropriate annual funding amount and revenue source. He added that there were challenges at the Henry B. Gonzalez Convention Center that needed to be addressed that include the need for more exhibit, meeting, and ballroom space.

Mr. Kaatz stated that housing was critical to the Downtown Area and outlined the investments needed in St. Paul's Square. These include enhancements to the Alamodome; Ellis Alley; and access to Downtown. He indicated the need to support the Centro Partnership and efforts to help facilitate development of critical projects. He noted that the city should maximize visitor assets outside the Downtown Area such as SeaWorld San Antonio; Six Flags Fiesta Texas; and the JW Marriott San Antonio. He added that San Antonio should continue to pursue and evaluate major sports developments. Lastly, he stated that a 2% annual increase in visitation over five years equates to an added \$937 million to the hospitality industry.

Ms. Matej stated that Destination: SA was a roadmap for current and future stakeholders and represents an opportunity to sync with SA2020. She noted that next steps would include rollout and engagement and that Destination: SA would be revisited periodically to incorporate new development and trends in consumer travel. She highlighted the new Smartphone Application for visitors and residents that offers coupons for museums; attractions; and shopping.

Mayor Castro thanked everyone for the presentation and recognized the CVC for their work. He stated that the tourism industry was very important for San Antonio and spoke of the investments needed in the Downtown Area. He noted that San Antonio needed to stay competitive and he was pleased to see the proposed linkages with outer areas of the city. He mentioned the city's efforts to link hospitality to economic development by focusing on conferences within targeted industries. He added that staff should explore potential incentives and that he was pleased that the city was utilizing captive audiences through the visitors of the city.

Councilmember Soules thanked and recognized Ms. Matej and Rene Dominguez for their work while traveling to China.

Councilmember Bernal stated that the hospitality industry has a great economic benefit and provides opportunities for residents of the city. He noted that he was pleased that both tourists and residents will be able to enjoy the recommendations of Destination: SA.

Councilmember Ramos thanked everyone involved in the process and asked of the improvements that have been made on the Riverwalk over the past three years. Ms. Sculley replied that the city had spent \$8 million in the past three years. She spoke of the 5-year plan to improve the Riverwalk that is focused on ADA Improvements and emergency construction issues. She mentioned that staff is trying to create linkages from the River Level to the Street Level. Councilmember Ramos referenced Slide 21 and asked of the portal and improvements to the southern stretch of the River. Mr. Kaatz replied that the area would be unique due to canoes and kayaks that they were looking to add. He noted that there was a missing link from Blue Star through Nueva and that individuals should be able to access the River from Nueva through an open air visitor portal. Councilmember Ramos spoke of improving access to the southern route, noting that there are three million visitors to the Alamo each year that could also be visiting the Missions.

Councilmember Williams commended staff for their work while in China. He spoke of the importance of addressing mobility issues, noting that San Antonio has many assets and the city must get people to them.

Ms. Sculley recognized the CVC Board Members for their work and announced that Local Chef Johnny Hernandez would be featured on the show “Top Chef” this evening.

Mayor Castro thanked everyone for the presentation.

## **2. BRIEFING AND PRESENTATION ON DOWNTOWN INITIATIVES AND PROJECTS AND A PRESENTATION ON CENTRO PARTNERSHIP.**

Pat DiGiovanni provided an update on the Centro Partnership San Antonio, noting that it was created in July, 2010. He stated that their board is comprised of 30 public and private sector leaders and that their first meeting was held in December, 2010. He noted that a smaller committee of the board was meeting to determine the organizational structure and sustainable funding sources for the organization. He added that funding was anticipated from the renewed public improvement district, program funds, and a membership agreement with the Downtown Alliance.

Mr. DiGiovanni outlined the Centro Collaborative Model in which the Centro Executive Council would provide oversight. He spoke of the SA2020 Final Report which includes a community vision for downtown and recommends 5,000 more housing units and 13,000 more jobs by the year 2020. He indicated that the Centro Partnership San Antonio had executed a contract with HR&A Advisors in April 2011 to create a Downtown Framework Plan. He highlighted draft summary recommendations that support a “Housing First” strategy and provide short and long term capital investment needs.

Mr. DiGiovanni stated that the Center City Development Office had been created in 2008 to promote redevelopment, and retention of commercial, retail, residential, and cultural opportunities in the Downtown Area. He mentioned the Inner City Reinvestment Infill Policy (ICRIP) that was adopted by the City Council to encourage reinvestment and development in the inner city. He reported that since June 2010, the city has executed incentive agreements for 12 projects that represent a total investment of \$236 million. He noted that incentives total approximately \$29 million and provided gap financing for 1,300 housing units. He presented maps highlighting Downtown Projects and outlined various Downtown Initiatives that include a Brownfield Program and Downtown Grocery Store.

Mr. DiGiovanni concluded the presentation by noting preliminary recommendations from the contract with HR&A that include: 1) Public Investment; 2) Housing Finance; 3) Management and Organization; and 4) Regulation. He mentioned policy questions that need to be addressed such as how to incentivize housing and funding capital needs.

Mayor Castro thanked staff for their work to help achieve the goals of SA2020 to revitalize the urban core. He stated that he was pleased with the many projects that are being implemented in the Downtown Area.

Councilmember Bernal also thanked staff for their work in the Downtown Area and stated that he was pleased with the level of activity in the district. He noted that there was a need to incorporate an education component when planning for the area and added that projects should be streamlined to achieve efficient and effective results.

Mayor Castro thanked staff for the presentation.

## **EXECUTIVE SESSION**

Mayor Castro recessed the meeting at 3:40 pm to convene in Executive Session for the purposes of:

- A. DELIBERATE COMPETITIVE MATTERS REGARDING CPS ENERGY AND DISCUSS RELATED LEGAL ISSUES PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.086 (COMPETITIVE MATTERS) AND TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY).**

Items B, C, D and E were not addressed.

- B. DELIBERATE THE APPOINTMENT, EMPLOYMENT AND EVALUATION OF PUBLIC OFFICERS OR EMPLOYEES AND DISCUSS RELATED LEGAL ISSUES PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.074 (PERSONNEL MATTERS) AND TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY).**
- C. DISCUSS LEGAL ISSUES RELATED TO *THE SAN ANTONIO CONSERVATION SOCIETY AND THE SAN ANTONIO CONSERVATION SOCIETY FOUNDATION V. CITY OF SAN ANTONIO*, PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY).**
- D. 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).**
- E. DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS AND DISCUSS RELATED ISSUES PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.087 (ECONOMIC DEVELOPMENT) AND TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY).**

Mayor Castro reconvened the meeting at 6:03 pm at which time it was noted that the City Council had been briefed on Item A but took no action. He added that the executive session would be continued tomorrow prior to 12:00 noon.

## **CITIZENS TO BE HEARD**

Mayor Castro called upon the individuals registered to speak.

Yolanda Hernandez stated that she lived at 1108 N. Flores Street and expressed concern with the condition of the sidewalks on both sides of the 1000 and 1100 blocks of N. Flores Street. She noted that there were two schools located nearby and that school children were forced to walk on the streets. She mentioned that there were no ramps for wheelchairs and added that this has been an issue for many years.

Mark Kellmann stated that he was an Architect and would be speaking on life in the virtual neighborhood. He noted that everyone has a virtual neighborhood in their mind and that all thoughts are

different. He referenced the swimming pool in Alamo Heights and asked that one asset in the neighborhood be kept in mind for Downtown.

Stanley Mitchell addressed the City Council and spoke on renewable energy. He referenced a progress report he had sent to the City Council and expressed concern that information regarding the cost of wind and solar energy was not provided by CPS Energy to Mayor Castro's Staff as requested. He stated that there would be a 26% increase in utility costs by 2020 due to converting from low-cost coal to higher cost renewables. He asked if the City Council was aware that solar energy costs 10 times more than that of coal and who was responsible for making City Council aware. He expressed concern with the CPS Energy investment in solar power that includes a fixed cost commitment for 25 years. He asked why the City Council was not involved and requested assistance in receiving information regarding renewable energy costs from CPS Energy.

Nazirite Ruben Flores Perez stated that Jesus is our brother and cited a verse from the Bible in the Book of John. He spoke of Jesus dying on the cross and noted that his body had been taken from the tomb.

Antonio Diaz distributed a draft resolution requesting that the City of San Antonio designate October 12, 2011 as Indigenous Peoples Day. He asked that the city move into a humanitarian mindset and requested staff assistance to move said resolution forward. Fidel Castillo asked that the Texas Indigenous Council be included in the Alamo Plaza Restoration Project.

Mark Perez stated that he had been performing research and stated that the way to solve the cancer issue is to address corporate panhandling. He mentioned the DPT Laboratory and AGE Refinery Building and expressed concern that ordinances were not being followed or enforced. He expressed concern that the AGE Refinery Building was operating without a certificate of occupancy and asked why city staff was not addressing same. He mentioned that there were issues at the following addresses 3410 E. Houston; 4702 Goldfield; and 7811 Presa Streets.

Faris Hodge, Jr. submitted written testimony and expressed concern that CPS Energy does not reconnect service for customers after 5:00 pm. He provided an article noting that residents were opposed to CPS Energy rate increases and requested that the Alamodome be named after him. He asked why Police Officers and Fire Fighters were given pay raises across the board but city employees were not provided longevity pay or early retirement. He wrote in opposition to the City Manager's Salary and expressed concern that the train in Brackenridge Park is too small for adults.

## **ADJOURNMENT**

There being no further discussion, Mayor Castro adjourned the meeting at 6:29 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **November 17, 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. Mrs. Vacek announced that Councilmember Chan was in China.

**Item 1.** The Invocation was delivered by Rev. Fredricc Brock, Staff Minister, Antioch Missionary Baptist Church, guest of Councilmember Ivy R. Taylor, District 2.

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

### **Item 3. MINUTES**

Councilmember Williams moved to approve the Minutes for the Special City Council Meeting of September 13, 2011 and the Regular City Council Meetings of September 14-15, 2011. Councilmember Bernal seconded the motion.

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

### **POINT OF PERSONAL PRIVILEGE**

Councilmember Taylor recognized members of the Omega Psi Phi Fraternity in honor of their 100<sup>th</sup> Anniversary. She thanked them for their community service and leadership. Mayor Castro also thanked Omega Psi Phi for their work in the community.

Councilmember Saldaña recognized Roger Morales regarding the Blue Santa Parade and thanked SAPD for supporting the event. Mr. Morales spoke of the Blue Santa Program and recognized SAPD for their assistance. He noted that many volunteers contribute to the program and that it continues to grow annually. Councilmember Saldaña stated that he was pleased to sponsor the event and invited everyone to attend the Parade on December 3, 2011. Mayor Castro thanked everyone for their work on the Blue Santa Parade and providing toys to children in the community.

### **CONSENT AGENDA ITEMS 4-38B**

Consent Agenda Items 12A, 13B, 13C, 13D, 15, 21, 23, and 30 were pulled for Individual Consideration.

Councilmember Saldaña moved to approve the remaining Consent Agenda Items. Councilmember Williams seconded the motion.

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

Nazirite Ruben Flores Perez addressed the City Council regarding Item 18 in connection with river improvements and stated that he was pleased that the city would be addressing issues with run-off water from the San Antonio Zoo. He noted that he was in support of the El Mercado Leases in Item 19. He expressed concern with the \$2 million that would be provided to Project Quest in Item 27 and with the religious connection in Items 28 and 29.

Betty Eckert stated that she was pleased to support Keep San Antonio Beautiful and their agreement with the city in Item 33. She thanked the City Council and staff for their efforts and added that she was excited to continue the partnership with the city. She recognized the new Executive Director Christina

Arhonnault. Ms. Arhonnault stated that she looked forward to working to working with a great group of individuals and thanked the City Council for their support.

Olga Kucerek representing the Downtown Residents Association stated that they were in support of the stricter Panhandling Ordinance in Item 23. She reported that they had conducted an online survey and had received 427 petition signatures in support of same. She indicated that this was a safety issue among the aggressive panhandlers and that there was a food and ride coupon to Haven for Hope available free of charge to those in need.

Milton Guess stated that he was the Chair of the Government Affairs Committee for the San Antonio Tourism Council and supportive of the Panhandling Ordinance as presented by city staff. He spoke of their work with Chief McManus to address issues with aggressive panhandling and referenced the great work of Haven for Hope. He mentioned various ordinances that had previously been implemented that had improved safety in the Downtown Area.

Debra Benditz stated that she was also in support of a stricter Panhandling Ordinance and spoke of her experiences in dealing with aggressive panhandlers while waiting for the bus and walking along Houston Street. She noted that individuals also entered her studio in La Villita to ask for money and expressed concern with the impact to tourism.

Faris Hodge, Jr. submitted written testimony in favor of Items 4-20, 22, 25-28, and 33-36. He wrote in opposition to the San Antonio Weatherization Assistance Program in Item 21, noting that he did not believe that the program was effective. He also wrote against the street renaming in Item 31.

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.

#### **2011-11-17-0925**

Item 4. AN ORDINANCE AUTHORIZING THE FOLLOWING CONTRACTS ESTABLISHING UNIT PRICES FOR ANNUAL GOODS AND SERVICES: (A) D & A TECHNOLOGY AND DEVELOPMENT, LLC FOR EMULSION AGGREGATE SLURRY SEAL MIX AND (B) USA MOBILITY WIRELESS, INC. FOR ANCILLARY PAGER SERVICES.

#### **2011-11-17-0926**

Item 5. AN ORDINANCE ACCEPTING THE BID FROM FREIGHTLINER OF SAN ANTONIO, LTD TO PROVIDE TWO SLURRY SEAL APPLICATOR TRUCKS FOR THE DEPARTMENT OF PUBLIC WORKS, STREET MAINTENANCE DIVISION FOR A TOTAL COST OF \$443,148.00 FUNDED BY THE EQUIPMENT RENEWAL AND REPLACEMENT FUND.

#### **2011-11-17-0927**

Item 6. AN ORDINANCE AUTHORIZING THE CITY TO AMEND ORDINANCE 2009-05-07-0346 FOR THE INFORMATION TECHNOLOGY SERVICES DEPARTMENT TO CONTINUE TO USE THE SOLE SOURCE CONTRACT WITH DAILEY & WELLS COMMUNICATIONS, INC. TO PURCHASE 700/800 MHZ RADIO SYSTEM EQUIPMENT, PORTABLE RADIOS, ACCESSORIES

AND OTHER RELATED ITEMS FOR AN ADDITIONAL AMOUNT OF UP TO \$7,500,000.00 THROUGH THE CONTRACT ENDING DATE OF MARCH 31, 2013.

**2011-11-17-0928**

Item 7. AN ORDINANCE AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH MIG, INC. TO PROVIDE COMPLETE STREET DESIGN AND RELATED URBAN PLANNING SERVICES FOR AN AMOUNT NOT TO EXCEED \$3,100,000.00 FOR THE HEMISFAIR PARK AREA STREETS PROJECT TO INCLUDE FULL DESIGN SERVICE FOR SOUTH ALAMO ST. AND CÉSAR CHÁVEZ BLVD. AND CONCEPTUAL DESIGN FOR THE MARKET STREET REALIGNMENT AND THE INTERNAL HEMISFAIR PARK STREET NETWORK, A 2007-2012 BOND SAVINGS PROJECT, LOCATED IN COUNCIL DISTRICT 1.

**2011-11-17-0929**

Item 8. AN ORDINANCE AUTHORIZING A CHANGE ORDER FOR FIELD SITE ALTERATIONS TO REDUCE OPERATIONAL COSTS AND IMPROVE CUSTOMER SERVICE IN THE INCREASED AMOUNT OF \$61,798.00 TO THE \$1,079,000.00 CONSTRUCTION CONTRACT WITH PLETZ CONSTRUCTION, LLC FOR THE NELSON ROAD BRUSH RECYCLING CENTER SITE PROJECT, AN AUTHORIZED SOLID WASTE MANAGEMENT FUNDED PROJECT LOCATED IN COUNCIL DISTRICT 4.

**2011-11-17-0930**

Item 9. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT TO H.L. ZUMWALT CONSTRUCTION, INC., IN THE AMOUNT OF \$4,602,891.00 TO CONSTRUCT STREET, DRAINAGE, TRAFFIC AND PEDESTRIAN ACCESS RELATED PROJECTS FOR THE 2011-2013 TASK ORDER CONTRACT FOR PUBLIC WORKS INFRASTRUCTURE MAINTENANCE AND CONSTRUCTION PKG. X.

**2011-11-17-0931**

Item 10. AN ORDINANCE ACCEPTING THE LOWEST RESPONSIVE BID AND AWARDED A CONSTRUCTION CONTRACT WITH ONE ADDITIVE ALTERNATE BID FOR ADDITIONAL SOIL EROSION CONTROL MATTING IN THE AMOUNT OF \$6,529,437.74 PAYABLE TO BALLENGER CONSTRUCTION COMPANY FOR THE CULEBRA 58F PHASE II (B) PROJECT, A 2007-2012 GENERAL OBLIGATION BOND PROJECT LOCATED IN COUNCIL DISTRICT 7; OF THE TOTAL CONTRACT AMOUNT, \$5,793,967.24 WILL BE FUNDED FROM 2007-2012 GENERAL OBLIGATION BOND PROGRAM AND \$735,470.50 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEM (SAWS).

Item 11. CONSIDERATION OF THE FOLLOWING ORDINANCES AUTHORIZING JOINT USE AGREEMENTS BETWEEN THE CITY OF SAN ANTONIO AND SAN ANTONIO WATER SYSTEM FOR THE WESTERN WATERSHED RELIEF LINE PROJECT LOCATED IN COUNCIL DISTRICT 4:

**2011-11-17-0932**

- A. AN ORDINANCE AUTHORIZING THE USE OF 3.337 ACRES OF CITY-OWNED REAL PROPERTY ON MOREY ROAD LOCATED BETWEEN U.S. HIGHWAY 90 AND BILLY MITCHELL ROAD WEST OF GROWDEN ROAD.

**2011-11-17-0933**

- B. AN ORDINANCE AUTHORIZING THE USE OF A 0.268 ACRE TRACT OF CITY-OWNED REAL PROPERTY AT SOMERSET ROAD SOUTH OF IH-35 AND NORTH OF LEON CREEK.

**2011-11-17-0934**

- C. AN ORDINANCE AUTHORIZING THE USE OF A 0.586 ACRE TRACT OF CITY-OWNED REAL PROPERTY LOCATED NEAR PLUMNEAR AND NEW LAREDO HIGHWAY.

Item 12. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATED TO 2007-2012 BOND SAVING PROJECTS:

**2011-11-17-0936**

- B. AN ORDINANCE AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT FOR DESIGN SERVICES WITH AECOM TECHNICAL SERVICES, INC. FOR AN AMOUNT NOT TO EXCEED \$320,000.00 FOR UPPER WOODLAWN LAKE DRAINAGE PROJECT LOCATED IN COUNCIL DISTRICT 7.

Item 13. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATED TO 2007-2012 BOND SAVING PROJECTS:

**2011-11-17-0937**

- A. AN ORDINANCE AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CIVIL ENGINEERING SERVICES CONTRACT WITH BAIN MEDINA BAIN, INC. TO PROVIDE PROJECT DESIGN SERVICES FOR AN AMOUNT NOT TO EXCEED \$114,800.00 FOR THE LORD ROAD PROJECT LOCATED IN COUNCIL DISTRICT 2.

**2011-11-17-0941**

- E. AN ORDINANCE AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CIVIL ENGINEERING SERVICES CONTRACT WITH CIVIL ENGINEERING CONSULTANTS TO PROVIDE PROJECT DESIGN SERVICES FOR AN AMOUNT NOT TO EXCEED \$1,400,000.00 FOR THE HAUSMAN ROAD PROJECT LOCATED IN COUNCIL DISTRICT 8.

14. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATING TO FY 2012 STREET MAINTENANCE PROGRAM WITH REIMBURSEMENT BY SAN ANTONIO WATER SYSTEMS:

**2011-11-17-0942**

- A. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT FOR ASPHALT OVERLAY – PACKAGE I TO H.L. ZUMWALT CONSTRUCTION, INC., IN THE AMOUNT OF \$2,698,491.83, OF WHICH \$79,500.00 IS TO BE REIMBURSED BY SAN ANTONIO WATER SYSTEMS, FOR AUTHORIZED FY 2012 STREET MAINTENANCE PROGRAM ASPHALT OVERLAY PROJECTS LOCATED CITY-WIDE.

**2011-11-17-0943**

- B. AN ORDINANCE AUTHORIZING ASPHALT OVERLAY – PACKAGE I CONTRACT CHANGE ORDER NO. 1, TO A CONSTRUCTION CONTRACT WITH H.L. ZUMWALT CONSTRUCTION, INC., IN THE INCREASED AMOUNT OF \$268,910.04 FOR PROJECTS ADDED TO THE ORIGINAL SCOPE OF THE CONTRACT AS PART OF THE FY 2012 SMP.

**2011-11-17-0944**

- C. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT FOR ASPHALT OVERLAY WITH RUBBER– PACKAGE II TO CLARK CONSTRUCTION OF TEXAS, INC., IN THE AMOUNT OF \$5,172,968.66, OF WHICH \$73,000.00 IS TO BE REIMBURSED BY SAWS, FOR AUTHORIZED FY 2012 STREET MAINTENANCE PROGRAM ASPHALT OVERLAY WITH RUBBER PROJECTS LOCATED CITY-WIDE.

**2011-11-17-0945**

- D. AN ORDINANCE AUTHORIZING ASPHALT OVERLAY WITH RUBBER– PACKAGE II CONTRACT CHANGE ORDER NO. 1, TO A CONSTRUCTION CONTRACT WITH CLARK CONSTRUCTION OF TEXAS, INC., IN THE INCREASED AMOUNT OF \$218,155.90 FOR PROJECTS ADDED TO THE ORIGINAL SCOPE OF THE CONTRACT AS PART OF THE FY 2012 SMP.

**2011-11-17-0946**

- E. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT FOR ASPHALT OVERLAY WITH RUBBER– PACKAGE III TO CLARK CONSTRUCTION OF TEXAS, INC. IN THE AMOUNT OF \$5,103,638.29, OF WHICH \$79,000.00 WILL BE REIMBURSED BY SAWS, FOR AUTHORIZED FY 2012 STREET MAINTENANCE PROGRAM ASPHALT OVERLAY WITH RUBBER PROJECTS LOCATED CITY-WIDE.

**2011-11-17-0947**

- F. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT FOR HOT PAVER-LAID MICRO-SURFACE WITH RUBBER – PACKAGE IV TO CLARK CONSTRUCTION OF TEXAS, INC., IN THE AMOUNT OF \$3,013,027.24, OF WHICH \$66,800.00 IS TO BE REIMBURSED BY SAWS, FOR AUTHORIZED FY 2012 STREET MAINTENANCE PROGRAM ASPHALT OVERLAY WITH RUBBER PROJECTS LOCATED CITY-WIDE.

**2011-11-17-0948**

G. AN ORDINANCE AUTHORIZING HOT PAVER-LAID MICRO-SURFACE WITH RUBBER – PACKAGE IV CONTRACT CHANGE ORDER NO. 1, TO A CONSTRUCTION CONTRACT WITH CLARK CONSTRUCTION OF TEXAS, INC., IN THE DECREASED AMOUNT OF \$120,913.34 FOR THE REMOVAL OF ONE (1) PROJECT.

**2011-11-17-0949**

H. AN ORDINANCE AUTHORIZING HOT PAVER-LAID MICRO-SURFACE WITH RUBBER – PACKAGE IV CONTRACT CHANGE ORDER NO. 2, TO A CONSTRUCTION CONTRACT WITH CLARK CONSTRUCTION OF TEXAS, INC., IN THE INCREASED AMOUNT OF \$80,340.09 FOR THE ADDITION OF ONE (1) PROJECT FUNDED BY THE SOLID WASTE OPERATING AND MAINTENANCE FUND.

**2011-11-17-0951**

Item 16. AN ORDINANCE AUTHORIZING THE RENEWAL OF A LEASE AGREEMENT BETWEEN PARK OAKS, LTD. AND THE CITY OF SAN ANTONIO, FOR THE CONTINUED USE OF APPROXIMATELY 815 SQUARE FEET OF OFFICE SPACE LOCATED AT 16500 SAN PEDRO, SUITE 290, IN COUNCIL DISTRICT 9, FOR A TERM OF FOUR YEARS COMMENCING DECEMBER 1, 2011 FOR THE MONTHLY RENTAL AMOUNT OF \$1,630.00 DURING THE FIRST YEAR, ESCALATING TO \$1,901.67 MONTHLY DURING THE FOURTH YEAR OF THE RENEWAL TERM.

**2011-11-17-0952**

Item 17. AN ORDINANCE AUTHORIZING THE ACQUISITION BY DEDICATION FROM THE CARVER ACADEMY OF A SIDEWALK EASEMENT LOCATED IN NCB 592 AT 226 NORTH HACKBERRY STREET IN COUNCIL DISTRICT 2; DECLARING IT TO BE A PUBLIC PROJECT; AND AUTHORIZING EXPENDITURES NOT TO EXCEED \$290.00 PAYABLE TO THE SELECTED TITLE COMPANY FOR TITLE WORK AND FILING FEES.

**2011-11-17-0953**

Item 18. AN ORDINANCE AUTHORIZING THE ADDITION OF 429.55 SQUARE FEET OF RIVER WALK PATIO SPACE TO THE LEASED PREMISES OF MICHELINO'S RESTAURANT.

**2011-11-17-0954**

Item 19. AN ORDINANCE APPROVING THE ASSIGNMENT OF LEASES FOR OLD MEXICO IMPORTS II AND DULCE DULCE IN EL MERCADO.

**2011-11-17-0955**

Item 20. AN ORDINANCE AUTHORIZING THE ACQUISITION THROUGH DEDICATION FROM THE SAN ANTONIO HOUSING AUTHORITY FOR A 6,732.20 SQUARE FOOT DRAINAGE EASEMENT LOCATED IN NCB 1450, LOT 12, BLOCK 19 AT 2806 HARNEY IN COUNCIL DISTRICT 2 FOR THE HARNEY DRAINAGE IMPROVEMENT PROJECT; DECLARING IT TO

BE A PUBLIC PROJECT AND AUTHORIZING EXPENDITURES NOT TO EXCEED \$275.00 TO THE SELECTED TITLE COMPANY FOR TITLE WORK AND ASSOCIATED CLOSING COSTS.

**2011-11-17-0957**

Item 22. AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF 2011 JUSTICE ASSISTANCE GRANT FUNDS FROM THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE FOR THE CHILD WELFARE STRATEGIC ALLIANCE PROGRAM IN AN AMOUNT UP TO \$325,751.00; AND AUTHORIZING AN INTERLOCAL AGREEMENT WITH BEXAR COUNTY REGARDING THE DISTRIBUTION OF GRANT FUNDS.

Item 24. 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 STEPHEN H. KALE (DISTRICT 10) TO THE CITIZENS ENVIRONMENTAL ADVISORY COMMITTEE.
- B. REAPPOINTING JACK LEIFER (DISTRICT 7, CATEGORY: ACADEMIC INSTITUTION) TO THE BROOKS DEVELOPMENT AUTHORITY FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE NOVEMBER 4, 2013.
- C. REAPPOINTING DEBORAH E. SEABRON (DISTRICT 2) TO THE MAYOR'S COMMISSION ON THE STATUS OF WOMEN.
- D. APPOINTING EDNA D. GRIFFIN (DISTRICT 7) TO THE CITY/COUNTY JOINT COMMISSION ON ELDERLY AFFAIRS.
- E. APPOINTING BIANCA Y. ROSALES (DISTRICT 3) AND KELSI ALEXIS HERNANDEZ (DISTRICT 7) TO THE SAN ANTONIO YOUTH COMMISSION.

**2011-11-17-0959**

Item 25. AN ORDINANCE AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH INFRASTRUCTURE MANAGEMENT GROUP, INC. IN THE AMOUNT OF \$249,746.11 FOR STRATEGIC PLANNING & PERFORMANCE MANAGEMENT DEVELOPMENT SERVICES FOR THE SAN ANTONIO AIRPORT SYSTEM.

**2011-11-17-0960**

Item 26. AN ORDINANCE AUTHORIZING AMENDMENTS TO THE HEMISFAIR PARK AREA REDEVELOPMENT CORPORATION'S ARTICLES OF INCORPORATION AND FUNDING AGREEMENT.

**2011-11-17-0961**

Item 27. AN ORDINANCE AWARDDING A DELEGATE AGENCY CONTRACT IN THE NOT-TO-EXCEED AMOUNT OF \$2,000,000.00 TO PROJECT QUEST TO PROVIDE LONG-TERM OCCUPATIONAL SKILLS TRAINING, CASE MANAGEMENT, SUPPORTIVE SERVICES, AND JOB PLACEMENT SERVICES.

**2011-11-17-0962**

Item 28. AN ORDINANCE AUTHORIZING THE APPROVAL OF AN AGREEMENT WITH THE YMCA OF GREATER SAN ANTONIO TO PROVIDE FUNDING FROM THE COMMUNITIES PUTTING PREVENTION TO WORK GRANT PROGRAM IN AN AMOUNT NOT TO EXCEED \$80,000.00 FOR THE MAINTENANCE, SUPPORT AND CONTINUED OPERATION AND FUNCTIONALITY OF THE SA BALANCE WEB PORTAL AND SÍCLOVÍA WEBSITES FOR A PERIOD BEGINNING NOVEMBER 17, 2011 AND ENDING ON MARCH 31, 2015.

**2011-11-17-0963**

Item 29. AN ORDINANCE AUTHORIZING AN AMENDMENT TO AN AGREEMENT WITH CE GROUP, INC. TO DEVELOP AND MANAGE SÍCLOVÍA EVENTS RAISING THE TOTAL CUMULATIVE AMOUNT OF THE EXISTING AGREEMENT TO \$91,800.00, FOR A TERM THROUGH MARCH 18, 2012.

**2011-11-17-0965**

Item 31. AN ORDINANCE AUTHORIZING THE RENAMING OF LEGEND ROCK TO ROCK POND BETWEEN HARDY OAK AND PELICAN CREEK LOCATED IN CITY COUNCIL DISTRICT 9, SAN ANTONIO, TEXAS.

**2011-11-17-0966**

Item 32. AN ORDINANCE AUTHORIZING THE RENAMING OF INDUSTRY DRIVE TO GABRIEL'S PLACE BETWEEN SENTINEL DRIVE AND THE CUL-DE-SAC LOCATED IN CITY COUNCIL DISTRICT 10 SAN ANTONIO, TEXAS.

**2011-11-17-0967**

Item 33. AN ORDINANCE AUTHORIZING AN AGREEMENT WITH KEEP SAN ANTONIO BEAUTIFUL, INC. (KSAB) FOR A TOTAL AMOUNT NOT TO EXCEED \$180,000.00, FOR A THREE-YEAR TERM, TO PROVIDE FUNDING FOR THE MANAGEMENT OF KSAB, INCLUDING NEIGHBORHOOD CLEAN UP AND PUBLIC EDUCATION PROGRAMS THROUGHOUT THE CITY.

**2011-11-17-0968**

Item 34. A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE PROVIDING FOR THE CONTINUED TAXATION OF CERTAIN TANGIBLE PERSONAL PROPERTY STORED IN WAREHOUSES.

**2011-11-17-0969**

Item 35. AN ORDINANCE AUTHORIZING AN AMENDMENT IN AN INCREASED AMOUNT NOT TO EXCEED \$3,006,677.00 TO THE \$1,225,276.00 PROFESSIONAL SERVICE CONTRACT WITH REYNOLDS, SMITH AND HILLS, INC. TO PROVIDE DESIGN SERVICES FOR THE TERMINAL A RENOVATION PROJECT, AN AUTHORIZED GENERAL AVIATION REVENUE BOND FUNDED PROJECT, AT THE SAN ANTONIO INTERNATIONAL AIRPORT IN COUNCIL DISTRICT 9.

**2011-11-17-0970**

Item 36. AN ORDINANCE AUTHORIZING AN AMENDMENT TO THREE PROFESSIONAL SERVICE AGREEMENTS IN THE AMOUNT NOT TO EXCEED \$400,000.00 EACH WITH CIVIL DESIGN SERVICES, INC., DBA CDS/MUERY SERVICES, FOSTER CM GROUP, INC., AND SUNLAND GROUP, INC. TO PROVIDE ON-CALL, INDEFINITE DELIVERY RESIDENT INSPECTION SERVICES TO THE AVIATION DEPARTMENT ON AN AS-NEEDED BASIS AND TO EXTEND EACH CONTRACT TERM BY ONE ADDITIONAL YEAR.

Item 37. CONSIDERATION OF THE FOLLOWING ITEMS RELATING TO AIRLINES OPERATING AT THE SAN ANTONIO INTERNATIONAL AIRPORT:

**2011-11-17-0971**

A. AN ORDINANCE AUTHORIZING A STANDARD AIRLINE OPERATING AGREEMENT & TERMINAL BUILDING LEASE EFFECTIVE NOVEMBER 9, 2010 WITH A MAXIMUM TERM OF 10 YEARS.

**2011-11-17-0972**

B. AN ORDINANCE AUTHORIZING THE REVISION OF THE AIRLINE OPERATING PERMIT.

Item 38. CONSIDERATION OF THE FOLLOWING ORDINANCES FOR FACILITIES LOCATED AT 310-318 WEST HOUSTON STREET AND 118 NORTH LAREDO LOCATED IN COUNCIL DISTRICT 1.

**2011-11-17-0973**

A. AN ORDINANCE AUTHORIZING A 25-YEAR LEASE WITH ALAMEDA THEATER FOR THE ALAMEDA THEATER, CASA DE MEXICO BUILDING AND THE BASILA PHARMACY LOCATED IN COUNCIL DISTRICT 1, FOR AN ANNUAL RENTAL RATE OF \$1.00.

**2011-11-17-0974**

B. AN ORDINANCE AUTHORIZING A CAPITAL IMPROVEMENTS FUNDING AGREEMENT WITH ALAMEDA THEATER IN THE AMOUNT NOT TO EXCEED \$2,118,973.61 FOR ALAMEDA THEATER REPAIR AND RESTORATION PROJECT LOCATED IN COUNCIL DISTRICT 1.

**[CONSENT ITEMS CONCLUDED]**

**ITEMS PULLED FOR INDIVIDUAL CONSIDERATION**

The City Clerk read the following Ordinances for Items 12A, 13B, 13C and 13D:

**2011-11-17-0935**

12A. AN ORDINANCE AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT FOR DESIGN SERVICES WITH FREESE AND NICHOLS, INC. FOR AN AMOUNT NOT TO EXCEED \$400,000.00 FOR BELFORD AREA DRAINAGE PROJECT LOCATED IN COUNCIL DISTRICT 3.

**2011-11-17-0938**

13B. AN ORDINANCE AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CIVIL ENGINEERING SERVICES CONTRACT WITH PAPE DAWSON ENGINEERS, INC. TO PROVIDE PROJECT DESIGN SERVICES FOR AN AMOUNT NOT TO EXCEED \$600,000.00 FOR THE ESPADA ROAD PROJECT LOCATED IN COUNCIL DISTRICT 3.

**2011-11-17-0939**

13C. AN ORDINANCE AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CIVIL ENGINEERING SERVICES CONTRACT WITH CIVIL DESIGN SERVICES, INC. TO PROVIDE PROJECT DESIGN SERVICES FOR AN AMOUNT NOT TO EXCEED \$1,200,000.00 FOR THE GOLIAD DRAINAGE PROJECT LOCATED IN COUNCIL DISTRICT 3.

**2011-11-17-0940**

13D. AN ORDINANCE AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CIVIL ENGINEERING SERVICES CONTRACT WITH POZNECKI-CAMARILLO, INC. TO PROVIDE PROJECT DESIGN SERVICES FOR AN AMOUNT NOT TO EXCEED \$376,100.00 FOR THE ROOSEVELT DRAINAGE PROJECT LOCATED IN COUNCIL DISTRICT 3.

Councilmember Ramos asked of the infrastructure improvements noting that they were funded through 2007 Bond Savings. Mike Frisbie replied that funding for two projects would be utilized for drainage studies and funding for the other two contracts were for full street design. Councilmember Ramos requested to meet with staff regarding the projects that would need funding through the 2012 Bond Program. She stated that the constituents would be very pleased with the drainage improvements in the Belford Area.

Councilmember Ramos moved to adopt the proposed Ordinances for Items 12A, 13B, 13C, and 13D. 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:

**2011-11-17-0950**

Item 15. AN ORDINANCE AUTHORIZING A FIVE-YEAR LEASE AGREEMENT WITH BRASS CENTERVIEW HOLDING LLC. FOR APPROXIMATELY 1,108 SQUARE FEET OF OFFICE

SPACE, LOCATED AT 4414 CENTERVIEW DRIVE, FOR THE CITY COUNCIL DISTRICT 7 FIELD OFFICE, FOR THE MONTHLY RENTAL AMOUNT OF \$1,717.92 DURING THE FIRST YEAR INCREASING ANNUALLY TO \$1,933.53 IN THE FIFTH AND FINAL YEAR OF THE TERM.

Councilmember C. Medina thanked staff for moving the project forward in a timely manner and stated that the field office would provide increased access for the constituents in District 7.

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:

**2011-11-17-0956**

Item 21. AN ORDINANCE AUTHORIZING THE ACCEPTANCE AND ALLOCATION OF ADDITIONAL GRANT FUNDING IN AN AMOUNT UP TO \$800,000.00 FROM THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE SAN ANTONIO WEATHERIZATION ASSISTANCE PROGRAM, A COMPONENT OF THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009, TO IMPROVE THE ENERGY EFFICIENCY IN THE DWELLINGS OF LOW-INCOME PERSONS THROUGH FEBRUARY 28, 2012; AUTHORIZING THE OFFICE OF ENVIRONMENTAL POLICY TO TRANSFER FUNDS TO CPS ENERGY; AND ACCEPTING AMENDMENT NO. 6 TO THE AGREEMENT BETWEEN THE CITY AND THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS.

Councilmember D. Medina asked how many homes had been weatherized and the timeline. Laurence Doxsey replied that a total of 3,500 will be weatherized and that all work would be completed by January, 2012. Councilmember D. Medina asked of the cost to weatherize each home and of the average savings after the weatherization of a home. Mr. Doxsey stated that the cost was \$4,000 per home and that homeowners would realize savings ranging from \$100-\$1,000 annually.

Councilmember Saldaña asked of the waiting list. Mr. Doxsey replied that individuals on the waiting list may not have been selected for the program and would be enrolled in the CPS Energy Case Verde Program.

Mayor Castro thanked staff for their work on the Weatherization Program noting that it would help lower energy bills for many residents.

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:

**2011-11-17-0958**

Item 23. AN ORDINANCE AMENDING CHAPTER 21, SECTION 29 OF THE CITY CODE OF SAN ANTONIO, TEXAS TO PROHIBIT AGGRESSIVE SOLICITATION IN PUBLIC AREAS AND CERTAIN BUSINESSES.

Councilmember Bernal stated that he would not make any amendments but wanted to find a good balance and be thoughtful of those that would be affected. He indicated that there would be a six month review of the ordinance and had requested a copy of training materials from the San Antonio Police Department. He conveyed the importance of Municipal Court exercising discretion and being mindful when administering punishment. He added that he was pleased that the bus and meal voucher program will be re-instated. He mentioned that he is more comfortable with the ordinance now and looked forward to seeing it develop.

Councilmember D. Medina thanked all of the citizens that attended the Public Safety Meetings. He stated that the Police Department will be enforcing this new law in an effort to provide safety to the community residents but at the same time; be considerate and compassionate to those affected. He asked of the effective date and training of Police Officers. Erik Walsh responded that the Ordinance will become effective in 10 days and that a training bulletin would be provided on Monday at the Police Department.

Councilmember Ramos thanked everyone that worked on said item and stated that it would help address aggressive panhandling throughout the city. She recognized Councilmember Bernal for his efforts to ensure that potential negative effects of the Ordinance are addressed.

Mayor Castro stated that he appreciated all of the efforts on the Ordinance and recognized Councilmember Bernal for helping achieve a good balance between safety and compassion.

Councilmember D. Medina moved to adopt the proposed Ordinance. Councilmember Soules 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:

**2011-11-17-0964**

Item 30. AN ORDINANCE AUTHORIZING AN AMENDMENT TO CITY ORDINANCE 94468 TO MODIFY THE POWERS DELEGATED TO ALL TIRZ BOARDS IN RELATION TO THE COLLECTION OF ADMINISTRATIVE FEES.

Councilmember C. Medina asked of the purpose of the Ordinance. Adrian Lopez of the Planning Department stated that said item was related to the administrative fees that were paid to the city and other participating taxing entities. He indicated that payment to developers was required to be completed within 30-45 days and that any payment delays were due to compliance or legal issues.

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.

### **Item 39. CITY MANAGER'S REPORT**

#### **A. ANIMAL CARE SERVICES UPDATE**

Ms. Sculley reported that the Animal Care Services Live Release Rate was at a record high of 44% in October 2011, compared to 28% in October 2010. She spoke of the success of the pilot program with the Humane Society and rescues from Austin's PetsAlive. She mentioned the sweeps performed by staff in Districts 5, 6 and 7 and noted that they had resulted in 127 impounded animals and 354 spay/neuter surgeries. She stated that the next sweeps would occur in Districts 4 and 5 and thanked everyone for their participation.

#### **B. 4TH ANNUAL ROCK N ROLL MARATHON**

Ms. Sculley stated that the 4<sup>th</sup> Annual Rock N Roll Marathon was a great success and commended Councilmembers Rey Saldaña and David Medina for their participation. She reported that 30,495 individuals registered for a variety of events including the Kids Rock Event. She spoke of the great economic impact of the Rock N Roll Marathon, noting that all 50 states were represented. She recognized Deputy City Manager Erik Walsh for running his first Half Marathon and Chris Callanen, Assistant to the City Council for participating in the event for the past four years. She added that this year's national charity was the Susan B. Komen Race for the Cure and thanked all that helped make the event a success.

#### **C. RIVERWALK CAPITAL IMPROVEMENTS AND LED HOLIDAY LIGHTING PROGRAM**

Ms. Sculley stated that a list of priority capital projects along the Riverwalk had been finalized in 2008 totaling \$15 million over a five-year period. She spoke of the improvements that have been made along the Riverwalk that include sidewalks, stairs, and lighting upgrades. She noted that the Riverwalk is ADA Accessible from South Alamo to the Museum Reach and that Phase II was scheduled for completion in May, 2012. She mentioned the Holiday Lighting Improvements on the Riverwalk that would replace 85,000 incandescent bulbs with 1.8 million LED mini bulbs. She reported that the LED conversion features 20 times more lights and uses less than half the energy of incandescent lighting.

Councilmember D. Medina stated that a team from District 5 had participated in the Rock N Roll Marathon and they enjoyed it. He commended Mayor Castro for his leadership in prioritizing health and wellness.

Councilmember Saldaña stated that he was pleased to participate in the Animal Care Services Block Walk this coming weekend. He congratulated City Clerk Leticia M. Vacek's daughter, Valerie Vacek, for running the Half Marathon in a hot dog costume.

Mayor Castro stated that he looked forward to the lighting of the Riverwalk with new LED lights and was pleased with the infrastructure improvements made along the Riverwalk. He also commended Councilmembers Saldaña and D. Medina, as well as Valerie Vacek, for their participation in the Half Marathon.

### **RECESSED**

Mayor Castro recessed the meeting at 10:47 am to convene in Executive Session for the purposes of:

- B. DELIBERATE THE APPOINTMENT, EMPLOYMENT AND EVALUATION OF PUBLIC OFFICERS OR EMPLOYEES AND DISCUSS RELATED LEGAL ISSUES PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.074 (PERSONNEL MATTERS) AND TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY).**
- C. DISCUSS LEGAL ISSUES RELATED TO *THE SAN ANTONIO CONSERVATION SOCIETY AND THE SAN ANTONIO CONSERVATION SOCIETY FOUNDATION V. CITY OF SAN ANTONIO*, PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY).**
- D. 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).**
- E. DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS AND DISCUSS RELATED ISSUES PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.087 (ECONOMIC DEVELOPMENT) AND TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY).**

Mayor Castro announced that the City Council would reconvene at 2:00 pm for Zoning.

### **RECONVENED**

Mayor Pro Tem Williams reconvened the meeting at 2:12 pm and addressed the Consent Zoning Items. He announced that no action was taken during the Executive Session.

### **CONSENT ZONING ITEMS**

Councilmember Ramos moved to approve the following Zoning Items: P-1, Z-1, Z-2, P-2, and Z-4 under Consent Zoning. Councilmember Bernal seconded the motion.

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

#### **2011-11-17-0034R**

Item P-1. A RESOLUTION DIRECTING THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT TO INITIATE A MASTER PLAN AMENDMENT FOR PROPERTIES LOCATED ALONG THE NORTHEAST SIDE OF THOUSAND OAKS DRIVE BETWEEN COUNTRY

MORNING STREET AND WETMORE ROAD WITHIN THE SAN ANTONIO INTERNATIONAL AIRPORT VICINITY LAND USE PLAN, AS REQUESTED BY COUNCILMAN CARLTON SOULES, DISTRICT 10.

**2011-11-17-0976**

Item Z-1. **ZONING CASE # Z2011206 (District 2):** An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District on 0.064 of an acre out of Lot 4, NCB 12168 located on a portion of 2800 NE Loop 410. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 0.064 OF AN ACRE OUT OF LOT 4, NCB 12168 TO WIT: FROM "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-3NA AHOD" GENERAL COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT.

**2011-11-17-0977**

Item Z-2. **ZONING CASE # Z2011198 (District 6):** An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single Family Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Lot 25, Block 4, NCB 15597 located at 6912 to 6938 West 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 25, BLOCK 4, NCB 15597 TO WIT: FROM "R-6 AHOD" RESIDENTIAL SINGLE FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

**2011-11-17-0978**

Item P-2. **PLAN AMENDMENT # 11059 (DISTRICT 10):** AN ORDINANCE AMENDING THE LAND USE PLAN CONTAINED IN THE NORTHEAST INNER LOOP NEIGHBORHOOD PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF A 8.093 ACRE TRACT OF LAND LOCATED AT 6310 AND 6446 NORTH NEW BRAUNFELS AVENUE FROM NEIGHBORHOOD COMMERCIAL LAND USE TO COMMUNITY COMMERCIAL LAND USE. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL. (ASSOCIATED ZONING CASE: #Z2011202 CD)

**2011-11-17-0979**

Item Z-4. **ZONING CASE # Z2011202 (District 10):** An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District and "MF-33 AHOD" Multi-Family Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay

District on Lots 1 and 2, Block 5, NCB 8699 located at 6310 and 6446 North New Braunfels Avenue. 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: LOTS 1 AND 2, BLOCK 5, NCB 8699 TO WIT: FROM "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT AND "MF-33 AHOD" MULTI-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

**[CONSENT ZONING ITEMS CONCLUDED]**

**INDIVIDUAL ZONING ITEMS**

The City Clerk read the following Ordinance:

**2011-11-17-0975**

Item 40. AN ORDINANCE WAIVING THE REQUIREMENTS OF SECTION 4-6(C) OF THE CITY CODE AND THE LANGUAGE CITING SALES FOR OFF-PREMISE CONSUMPTION AS A VIOLATION IN SECTION 4-6(E)(1) OF THE CITY CODE, AND AUTHORIZING A VARIANCE REQUEST TO ALLOW RICH-LIN PROPERTIES, LLC, D/B/A WALGREENS, LOCATED AT 2425 THOUSAND OAKS DRIVE, TO SELL ALCOHOLIC BEVERAGES FOR OFF-PREMISE CONSUMPTION WITHIN THREE HUNDRED (300) FEET OF THE THOUSAND OAKS ELEMENTARY SCHOOL, A PUBLIC EDUCATIONAL INSTITUTION LOCATED IN COUNCIL DISTRICT 10.

John Jacks stated that staff recommended approval of the Alcohol Sales Variance with the following conditions: 1) The authorization for the sale of alcoholic beverages shall not transfer to future property owners or to different land uses; and 2) The authorization shall terminate in the event of non-operation or non-use of the identified establishment for a period of twelve or more successive calendar months.

Mayor Pro Tem Williams called upon Miguel Ordonez, Jr. to speak.

Mr. Ordonez stated that he was in support of the Alcohol Sales Variance, noting that customers of Walgreens had requested same. He noted that Walgreens had complied with all regulations and took the sale of beer and wine very seriously. He added that Walgreens Store Clerks were required to request identification from any customer that appears to be under the age of 40 when purchasing beer or wine and are provided extensive training regarding same.

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, C. Medina, Williams, and Soules. **NAY:** None. **ABSENT:** Lopez, Chan, and Mayor Castro.

**CONTINUED TO DECEMBER 1, 2011**

Item Z-3. **ZONING CASE # Z2011182 CD (District 7):** An Ordinance amending the Zoning District Boundary from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-5 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for an Assisted Living Facility with no more than 16 residents on Lot 8, Block 1, NCB 11500 located at 208 Hope Drive. Staff and Zoning Commission recommend denial.

John Jacks stated that for Item Z-3, staff and the Zoning Commission recommended denial. He noted that of 16 notices mailed; one was returned in favor and two were returned in opposition. He added that the Woodlawn Hills Neighborhood Association was in opposition.

Councilmember C. Medina moved to continue Item Z-3 to December 1, 2011. Councilmember Saldaña seconded the motion.

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

**ADJOURNMENT**

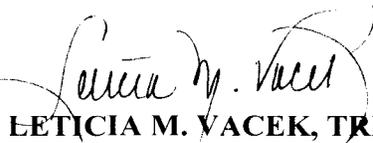
There being no further discussion, Mayor Pro Tem Williams adjourned the meeting at 2:20 pm.

**APPROVED**



**JULIAN CASTRO**  
MAYOR

Attest:



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