

**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, DECEMBER 14, 2011, AND THURSDAY, DECEMBER 15, 2011, RESPECTIVELY.

The San Antonio City Council convened in a Work Session at 2:00 pm Wednesday, **December 14, 2011**, Municipal Plaza Building, with the following Councilmembers present: Bernal, Taylor, Saldaña, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **ABSENT:** Ramos and D. Medina.

2011-12-14-0036R

1. A RESOLUTION CASTING THE CITY'S 1,005 VOTES FOR THE BEXAR APPRAISAL DISTRICT BOARD OF DIRECTORS FOR A TERM OF OFFICE TO BEGIN ON JANUARY 1, 2012, AND EXPIRE ON DECEMBER 31, 2013.

Councilmember Lopez moved to approve the Resolution casting 718 votes for Robert David Carpenter and 287 votes for Tomas Uresti for the Bexar Appraisal District Board of Directors. Councilmember Soules seconded the motion.

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

2. PRESENTATION AND BRIEFING ON THE DOWNTOWN FRAMEWORK PLAN.

Pat DiGiovanni, Deputy City Manager spoke of the creation of the Centro Partnership and reported that they had hired HR&A Advisors to create a Downtown Framework Plan. He introduced John Alschuler, Chairman of HR&A Advisors. Mr. Alschuler stated that an investment in the Center City was critical to the future of San Antonio. He referenced the SA2020 Initiative in which a vision and goals were developed and highlighted the work of the Centro Partnership. He outlined the assets and opportunities identified in the Downtown Area, noting the unique character, hospitality and charm of the area. He reported that San Antonio Tourism attracts 26 million annual visitors and has an economic impact of \$11 billion in the hospitality industry. He spoke of the challenges related to Downtown Retail Rent, noting the small population growth in the Central Business District from 1990-2010.

Mr. Alschuler outlined the process used to develop the Framework Plan and stated that input was solicited from stakeholders and the community. He noted that elements of a successful strategy included Geography; Product; and Investments. He mentioned the improvement projects including Convention Center/HemisFair, as well as construction of the Alamodome. He reported that key elements of development include: 1) Investment; 2) Predictable Housing Incentives; 3) Management; and 4) Planning and Regulation.

Mr. Alschuler spoke of the need to utilize a Housing First Approach and set a 7,500 housing unit growth target by 2020. He indicated that residential development would require incentives and that the incentives would help address the feasibility gap. He outlined the priority housing, primary growth, and long-term growth areas as identified by the community workshop. He stated that the Downtown Core should be an active destination for locals and visitors with a layered urban fabric. He mentioned various

challenges with the Riverwalk, noting that there is a lack of activity at the street level and a lack of River-Street Connections.

Mr. Alschuler outlined priorities for the Downtown Core; Midtown-River North; HemisFair/Cesar Chavez Street Corridor; and Near River South Areas. He spoke of the need to increase the investment in urban infrastructure to include River to Street Gateways, as well as Intersections and Wayfinding. He mentioned the importance of investment in public transit and new housing development with financial incentives. Lastly, he highlighted the efforts of the Centro Partnership that would support coordinated action for catalytic projects and provide a forum for strategic thinking and planning.

3. BRIEFING AND PRESENTATION ON THE HEMISFAIR FRAMEWORK PLAN.

Andres Andujar, CEO of the HemisFair Park Area Redevelopment Corporation (HPARC) spoke of the vision for the redevelopment of HemisFair Park that focuses on creating a mixed use area that connects to adjacent neighborhoods. He outlined the HPARC Guiding Principles: 1) Leadership; 2) Preservation; 3) Public Space; 4) Mixed Use; 5) Connectivity; 6) Balance; and 7) Sustainability. He provided current conditions at HemisFair Park, noting that it was disconnected from Downtown and had challenges with access and parking. He stated that it was critical to make HemisFair a 24/7 Living Place and highlighted the six big ideas based on public input. He reported that the ideas include expanding the Convention Center eastward and developing a minimum of 15 acres of open space. It was also recommended that a multi-use Amphitheater be added to the site and that water features be incorporated in the park. Furthermore, operation of a streetcar line through the park should be evaluated and retail should be developed at the Cesar Chavez/Alamo Street Corner.

Mr. Andujar spoke of the importance of preserving and protecting the site's historic structures and features. He provided examples of cultural, civic and residential opportunities and stressed the importance of establishing a strong portal to and from the Downtown Area. He indicated that HemisFair Park should be sustainable and that its elements should serve more than one purpose. He reported that the Framework Plan adopted by the City Council supports public uses toward Downtown and a parking district with a variety of shared parking opportunities.

Mr. Andujar outlined the HemisFair Park Master Plan and Park Guidelines. He spoke of the current funding sources that could be utilized including 2007 Bond Program Savings and 2008 Certificates of Obligation. He stated that future funding sources would include the 2012 Bond Program, Public/Private Partnerships, and Potential Lease Revenues.

4. CONSULTANT STUDY UPDATE BY THE POPULOUS, INC. ON RESULTS OF 2011 CONVENTION FACILITIES DEVELOPMENT STUDY – EXPANSION RECOMMENDATIONS.

Sandy Eeds, Senior Project Manager for Populous, Inc. outlined the rationale for the Convention Center Expansion. He reported that there was a strong market demand for space and that it would modernize the facility to meet future market needs. He provided a map of the existing Convention Center, as well as options for street realignment and expansion. He indicated that demolishing the West Building would create a more integrated Convention Center and provide an area for HemisFair Park Development. He compared the San Antonio Convention Center to other US Cities and noted that if expanded; it would move San Antonio's ranking from 23rd to 8th in regard to largest contiguous exhibit space.

Mr. Eeds stated that there were many advantages to expanding the Convention Center including a higher quality of rentable space; contiguous exhibit halls; and clearer circulation. Additionally, it would offer a better connection to the Alamodome and provide 12 acres of expansion opportunity for HemisFair Park.

Mr. DiGiovanni reported that next steps would include engaging a consultant to forecast Hotel Occupancy Taxes (HOT) to develop a financing plan. He noted that a Reimbursement Resolution would allow the city to reimburse itself out of bond financing for capital costs on the project prior to bond financing. He added that Market Street realignment was critical and that a Request for Proposals for Convention Center Design and Construction Services would be released in 2012. Sheryl Sculley reiterated that staff was only recommending the use of HOT Funds for the Convention Center Expansion.

Mayor Castro spoke of the Convention Center Expansion that would increase the square footage and create contiguous space. He asked of additional business that San Antonio could gain. Mr. Alschuler estimated that it would increase rental from 80% to 90% and expand the inventory of total space. Mayor Castro stated that he was supportive of the expansion as it would provide a signature area for HemisFair Park. Mike Sawaya, CSEF Director added that they would work on an economic model to determine the impact of the expansion. Mayor Castro asked of the enhancements that could be made through the expansion. Mr. Alschuler replied that they would have the ability to enhance the quality of the floors and improve the electrical areas and technology. He noted that they would look to enhance the meeting room space, as well as concessions. Mayor Castro spoke of the great significance of the HemisFair Park Master Plan and noted that work on the project would occur in phases. Mr. Andujar reported that the entire project would take a decade to complete but all would see activity in the area in the near future. Mayor Castro highlighted the priority of Downtown Development in SA2020 and recognized the work of the Centro Partnership. It was noted that San Diego, CA and Denver, CO have been successful in transforming their Downtown Areas through incentives and transportation improvements.

Councilmember Bernal commended HR&A Advisors for their great work. He spoke of the need to develop residential units in the Downtown Area and asked of the priority of jobs and housing. Mr. Alschuler stated that people wanted to live Downtown because there is a creative workforce in the area. He noted that it was important to lead with housing and that jobs would come to the area. Councilmember Bernal asked of the Centro Partnership. Mr. Alschuler stated that the Centro Partnership would bring advocacy and focus to the city, as well as create tools that could be used for private funding opportunities. Councilmember Bernal asked what individuals would see at HemisFair Park over the next three to five years. Mr. Andujar replied that they would focus on the development of the area in the Southwest corner of the property that they are calling "Children's Square." He noted that the area was already serving the young population through the Magik Theatre and playground. He spoke of a new recreational playground that would be created unlike any other playground in the city that would include educational components. Councilmember Bernal asked of the conventions that would be attracted through the expansion of the Convention Center. Mr. Sawaya stated that new markets and opportunities would be provided through reconfiguration of ballrooms and exhibit space. Ms. Sculley added that it was critical to update such facilities for maintenance and to attract new business.

Councilmember Lopez spoke of his work to develop the Downtown Area in Corpus Christi and the importance of developing a Strategic Framework Plan. He mentioned the need to educate the community about the investments in the Downtown Area funded by the Bond Program versus those funded by HOT Tax Funds. He noted that locals should be encouraged to come Downtown and that

transportation must be in place to accommodate same. He asked of the strategy of other cities to develop their Downtown Areas. Mr. Alschuler replied that it was important to send a message to the locals about how everyone will benefit from Downtown Development. He spoke of the need to communicate with the public and commended the efforts of SA2020.

Councilmember Saldaña spoke of the need for housing in the Downtown Area. Mr. Alschuler stated that an incentive policy should be in place so that the development community can be aware of what is available to them. He expressed concern that the current policy had many variables and made developers hesitant to invest. Mr. DiGiovanni explained that staff currently meets with developers on a case-by-case basis and they must show a financial gap to moving their project forward. Councilmember Saldaña asked of the current housing stock in Downtown. Mr. Alschuler replied that there was a great amount of underutilization due to the price of land and the greater use of the land for hotels. Councilmember Saldaña noted the importance of coordination between the Infrastructure Maintenance Plan and the Downtown Transportation Study so that there is no duplication of efforts in regard to street maintenance.

Councilmember Williams expressed concern that value would be taken from an individual's property if areas within Downtown are designated as "No Hotel Areas". He spoke in support of a more structured incentive policy and asked to see the models of other successful cities. He stressed the importance of developing transportation in the Downtown Area and the connection that needs to occur between Market and Commerce Streets. He mentioned the opportunity value that could be lost by giving up meeting space at the Convention Center and asked that staff include that in their projections.

Mayor Castro stated that he looked forward to progress in HemisFair Park and that it was important to create a vibrant, urban core in San Antonio. He thanked everyone for the presentation.

Mayor Castro recessed the meeting at 4:12 pm and announced that the meeting would resume at 6:00 pm for Citizens to be Heard.

CITIZENS TO BE HEARD

Mayor Pro Tem Williams reconvened the meeting at 6:00 pm and called upon the individuals registered to speak.

Joe DeLaGarza, Rebecca Cervantez, Alma Reyes, and Patricia Garcia representing AVANCE San Antonio, Inc. addressed the City Council. Mr. DeLaGarza stated that he was the Chair of the AVANCE Board of Directors and thanked the City Council for supporting their program. He recognized various Board Members and parents that were present and spoke of the great work of AVANCE. He mentioned that the success of parents in the program led to the success of their children. Ms. Reyes stated that AVANCE has greatly impacted her and her family and that she was pleased to be able to attend school full-time. Ms. Garcia thanked the AVANCE Program for supporting and helping her become a good mother. Ms. Cervantez added her thanks to the City Council for their financial support and commitment to human development.

Local Pastors Michael Brown, Lester Gillespie, and Robert Jemerson addressed the City Council on behalf of the African American Coalition of Churches, Nonprofits and Partners. Mr. Brown stated that they had formed a coalition to improve the community and requested assistance from the city through a partnership. Mr. Gillespie read a letter from the Second Baptist Church requesting assistance through

the Inner City TIRZ or Empowerment Zone Fund for the construction of the Second Baptist Church Community Center. Mr. Jemerson added that they were sons of Pastors and hoped to improve the quality of life on the East Side.

Mark Perez stated that he and his family were mourning the death of twin daughters in 2005. He expressed concern with the businesses that were violating City Ordinances and asked why city employees were not enforcing same. He referenced the DPT Laboratories and NuStar Energy that were operating without the proper permits.

Stanley Mitchell expressed concern that he had not been provided with the prices that CPS Energy was paying for wind and solar power. He stated that the CPS Energy Bond Covenants only authorize four actions by the City Council when dealing with the entity. He noted that these actions were not effectual and referenced the high costs for wind and solar power. He asked why the CPS Energy Board was not subordinate to the City Council and expressed concern with the proposed rate increases, noting the great impact to low-income families.

Nazirite Ruben Flores Perez spoke of Christmas trees and noted that their tradition did not originate from Jesus. He referenced Jehovah speaking from the Book of Jeremiah in The King James Bible that indicated that trees are like a scarecrow of a cucumber field and cannot speak.

Jennifer Smith stated that she was a Librarian in the East Central School District in support of the District 2 Library Initiative as proposed through the Facilities and Community Initiatives Bond Committee. She noted that their community was greatly underserved and did not have access to resources that they need. She spoke of the many students that utilize the school library but noted that it was not available during the Summer. She indicated that the closest library to school was six miles away and was not easily accessible. She asked the City Council for their support of the new proposed library.

Antonio Diaz requested a Resolution to recognize October 12th as Indigenous Peoples Day in San Antonio. He stated that it was important to recognize the Indigenous Population and spoke of their contributions to the city.

Faris Hodge, Jr. submitted written testimony regarding the fireworks shows cancelled for July 4, 2011. He wrote that Check 'n Go was suing the city to obtain a permit to open a branch near the 1200 block of Austin Highway. He also wrote that Saint Mary's Hall was asking the public to help fund upgrades and referenced the election to dissolve BexarMet. He wrote of Proposition 6 that increases public school funding and noted that the U.S. Economy may be on an upward slope. He referenced the closure of the Huebner Oaks 24 Movieplex and noted that the San Antonio Food Bank feeds 58,000 individuals per week.

ADJOURNMENT

There being no further discussion, Mayor Pro Tem Williams adjourned the meeting at 6:37 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **December 15, 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, Chan, Soules, and Mayor Castro. **ABSENT:** None.

Item 1. The Invocation was delivered by Rene Maciel, President, Baptist University of the Americas, guest of Councilmember David Medina, Jr., District 5.

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

Item 3. MINUTES

Councilmember Bernal moved to approve the Minutes for the October 19-20, 2011 City Council Meetings. 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.

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the caption for Item 4:

2011-12-15-0037R

Item 4. A RESOLUTION ACKNOWLEDGING THE RESIGNATION OF COUNCILWOMAN JENNIFER V. RAMOS, DISTRICT 3; AND INITIATING PROCEDURES TO SELECT A REPLACEMENT COUNCILMEMBER.

City Clerk Vacek stated that the Office of the City Clerk would follow the notification process for the District 3 Vacancy as outlined in Ordinance Number 2010-05-06-0375. She indicated that a Notice of Vacancy would be posted online the following day and published in the Express-News and La Prensa on Sunday, December 18, 2011. She reported that applications would be received in the Office of the City Clerk through 5:00 pm on Friday, January 6, 2012; weekdays only. She reported that City Hall Offices would be closed from December 26-30, 2011 for the Winter Break and applications would not be accepted during that time. She stated that during the B Session on January 11, 2012, the City Council would review the applications and select up to three Applicants to interview. Lastly, she stated that the City Council would interview the Applicants and make an appointment at the City Council Meeting on January 12, 2012.

Mayor Castro thanked Mrs. Vacek for the presentation and called upon Nazirite Ruben Flores Perez to speak.

Mr. Perez stated that God's name was Yahweh and referenced Psalm 68 in The Bible. He spoke of the advancement of Councilmember Ramos and noted that her job was to conquer and to serve.

Mayor Castro thanked Councilmember Ramos for her service and recognized her for her experience and representation. He spoke of her numerous accomplishments including the development of the Mission Drive-In Library and improvements to the Roosevelt Corridor.

Councilmember Ramos thanked the Lord for granting her the wonderful opportunity to serve and recognized her family and friends for their support. She thanked Mayor Castro for his leadership and the City Councilmembers for their work and support. She highlighted various projects in District 3 and stated that she would continue to advocate on behalf of the district. She recognized city staff and District 3 staff for their work.

The City Council thanked Councilmember Ramos for her work and wished her well on her future endeavors.

Mayor Castro presented a plaque to Councilmember Ramos in recognition of her service to the City of San Antonio as the Councilmember for District 3.

Councilmember Williams moved to approve the Resolution. Councilmember Saldaña seconded the motion.

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

POINT OF PERSONAL PRIVILEGE

Mayor Castro recognized 43 students from the Rick Hawkins School of Excellence in attendance with Carol Harrel of the Texas Education Agency, and several of their teachers.

The City Clerk read the caption for Items 5A, 5B and 5C:

Item 5. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATED TO THE GOOD SAMARITAN PROJECT ACQUISITION BY NEGOTIATION AND/OR CONDEMNATION OF REAL PROPERTY LOCATED IN NCBS 1495, 1508, AND 1509 FOR THE PUBLIC USE OF PARKING RELATED TO THE PROJECT, AS WELL AS LEASE AND FUNDING AGREEMENTS WITH THE ALAMO COMMUNITY COLLEGE DISTRICT (ST. PHILIP'S COLLEGE) TO PROVIDE FOR A VETERANS OUTREACH AND TRANSITION CENTER AT THE FORMER GOOD SAMARITAN HOSPITAL ON THE CITY'S EASTSIDE IN CITY COUNCIL DISTRICT 2:

2011-12-15-1022

- A. AN ORDINANCE AUTHORIZING THE ACQUISITION BY NEGOTIATION AND/OR CONDEMNATION OF REAL PROPERTY LOCATED IN NCBS 1495, 1508, AND 1509 FOR THE PUBLIC USE OF PARKING RELATED TO THE PROJECT, AND ACQUISITION OF THE GOOD SAMARITAN HOSPITAL PROPERTY AND ASSOCIATED PROPERTIES, FUNDED THROUGH FY 2010 CERTIFICATES OF OBLIGATION AND INCLUDED IN THE FY2012-2017 CAPITAL IMPROVEMENT PROJECT.

2011-12-15-1023

- B. AN ORDINANCE APPROVING A FUNDING AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND THE ALAMO COMMUNITY COLLEGE DISTRICT UTILIZING CITY RESOURCES ON A REIMBURSEMENT BASIS FOR THE ALAMO COMMUNITY COLLEGE DISTRICT TO RENOVATE THE FORMER GOOD SAMARITAN HOSPITAL

BUILDING AND CONSTRUCTING ASSOCIATED PARKING. \$25,000.00 WILL BE PROVIDED TO CIMS TO MANAGE THE WORK BEING DONE BY THE ALAMO COMMUNITY COLLEGE DISTRICT. FUNDING IS INCLUDED IN THE FY 2012-2017 CAPITAL IMPROVEMENT PLAN THROUGH FY 2010 CERTIFICATES OF OBLIGATION.

2011-12-15-1024

- C. AN ORDINANCE AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH THE ALAMO COMMUNITY COLLEGE DISTRICT TO LEASE THE APPROXIMATELY 12,000 SQUARE FEET IN THE FORMER GOOD SAMARITAN HOSPITAL BUILDING LOCATED AT 1602 DAKOTA STREET. THE LEASED PREMISES ARE TO BE USED BY ST. PHILIP'S COLLEGE FOR THE PUBLIC USE AS A VETERANS OUTREACH AND TRANSITION CENTER. THE INITIAL TERM OF THIS LEASE AGREEMENT IS FOR A TWENTY-FIVE-YEAR PERIOD AT THE RATE OF \$1.00 ANNUALLY.

Pat DiGiovanni, Deputy City Manager presented Items 5A-5C and stated that staff was seeking approval of three components for the Good Samaritan Project. He noted that their intent was to acquire the Good Samaritan Building, along with a number of surrounding properties. He indicated that approval of a funding agreement would allow the city to reimburse the Alamo Community College District (ACCD) for costs associated with renovation of the Good Samaritan Building and construction of associated parking. He mentioned that the lease term would be 25 years at a cost of \$1 per year and that ACCD would pay operation and maintenance costs to operate the facility as a Veteran's Outreach and Transition Center (VOTC).

Mr. DiGiovanni reported that the facility was built in 1915 as the Corinth Baptist Church and converted to a hospital for African-Americans in 1948. He indicated that the building has been vacant for a number of years and the owner of the property is undergoing bankruptcy. He stated that the city is proposing to partner with ACCD to convert the building into the VOTC and St. Philip's College will operate the facility. He outlined the services that would be provided at the VOTC that include assisting Veterans and their dependents that are job-ready upon separation. He mentioned that they would also provide counseling and claims assistance services. He noted that staff was proposing to allocate the \$2 million of Certificates of Obligation approved as part of the City's 2010 Budget for Education and Workforce Development for property acquisition and renovation costs.

Mayor Castro called upon the individuals registered to speak.

Dr. Adena Loston, President of St. Philip's College, with Dr. Erick Akins and Javier Barron addressed the City Council. Dr. Loston spoke in support of said item and stated that the partnership would have a great impact and provide outreach to Veterans. She mentioned the many Veterans that attend the Alamo Colleges and spoke of the support they currently provide to Veterans. She thanked the City Council for their support.

Jack M. Finger spoke in opposition to the project, stating that he did not believe that more services were needed for Veterans. He asked why the city was paying \$100,000 to acquire the building since it was only worth \$80,000. He applauded what Veterans were doing but did not believe this project was necessary.

Jackie Gorman, Executive Director for SAGE spoke in support of the Good Samaritan Project. She stated that this project would help revitalize the area and have a positive impact on the community. She noted that the project was a good example of collaboration among governmental entities and would bring jobs to the area.

Mayor Castro thanked Councilmember Taylor for her leadership on the project and stated that he appreciated the collaboration with St. Philip's College. He noted that the VOTC would provide an access point for Veterans coming home who want to pursue a higher education helping revitalize the East Side.

Councilmember Taylor stated that she was excited about the project and that it had been vacant for a very long time. She thanked Dr. Loston and St. Philip's College for the great partnership, as well as staff that worked on the project. She commended Mayor Castro and the City Council for their support of Eastside Initiatives.

Councilmember Lopez expressed his support and stated that this was a symbolic event in that today was the first day after the end of the Iraq War. He spoke of the importance of addressing the needs of Veterans and showing a commitment to Veterans.

Councilmember C. Medina commended everyone for their work on the project. He stated that the project was a good blend of revitalization, economic development, and workforce development and he was pleased with the opportunity to help Veterans coming home.

Councilmember D. Medina added his congratulations on the project and recognized the community leadership that helped bring the project to fruition. He stated that the project was good for the East Side but would also benefit Veterans throughout the city.

Councilmember Ramos expressed her support and congratulations on the project and recognized Mayor Castro and Councilmember Taylor for their efforts on the East Side.

Councilmember Williams stated that he was pleased with the partnership and thankful that Veterans were being taken care of.

Councilmember Taylor moved that the City of San Antonio authorize the use of the power of eminent domain to acquire property for the public use of parking related to the Veterans Outreach and Transition Center to be operated by St. Philip's College of the Alamo Community College District at the Good Samaritan Building located at 1602 Dakota, by acquiring the following property described by the City Clerk and incorporated as part of this Motion. Councilmember Ramos seconded the motion.

City Clerk Vacek read the following property description: The properties include the following: Lot 15, Block 3, NCB 1495; Lot 2A, Lot 3, Lot 3A, Lot 4 and Lot 7A, all out of Block 8, NCB 1508; Lot 12, Block 9, NCB 1509.

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

CONSENT AGENDA ITEMS 6-49C

Consent Agenda Items 9, 15A&B, 17, 24, 25, 30B, 31, 32, 47, and 49A-C were pulled for Individual Consideration. Councilmember Ramos moved to approve the remaining Consent Agenda Items. Councilmember Saldaña seconded the motion.

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

Luis Fernandez addressed the City Council on behalf of the Esperanza de Vida Church in support of the sale of former Fire Station No. 29 to Centro de Esperanza (Item 18). He stated that they were extremely grateful for the opportunity to purchase the facility for the church that would serve the community.

Alvaro Rodriguez, Jr. gave his time to Tomas Larralde of the Hispanic Contractors Association. Mr. Larralde thanked the City Council for their support of small, minority, and women-owned businesses. He expressed concern with the contract award in Item 49A that does not provide opportunities for small businesses. He referenced the scoring matrix and indicated that two of their members were heavily penalized in categories other than small business participation.

Marta Alonzo gave her time to Teresa Hernandez of the Avenida Guadalupe Association. Ms. Hernandez read a letter of support from Oscar Ramirez, President and CEO of the Avenida Guadalupe Association, for the funding agreement in Item 33. He thanked the City Council for their support of the Promesa Project and noted that the funding would rehabilitate the building at 1312 Guadalupe Street.

Graciela Sanchez, Susana Segura and Jessica Guerrero of the Esperanza Westside Historic Alliance addressed the City Council in support of Item 33. Ms. Sanchez spoke of the Maldonado House located at 1312 Guadalupe Street that honored the work of William Maldonado. She stated that she was pleased that funds were being allocated to preserve and rehabilitate Casa Maldonado and that the city was honoring the historic preservation of the West Side.

Molly Watt gave her time to Isabel Sanchez. Ms. Sanchez stated that she had lived in the West Side all her life and thanked the City Council for their support of Casa Maldonado (Item 33).

Gloria A. Ramirez addressed the City Council in support of Item 33. She stated that she was pleased that the City Council had listened to the residents of the West Side regarding the preservation of Casa Maldonado. She spoke of the importance of preserving other historical facilities throughout the city.

Jack M. Finger asked why the Casa Maldonado Building had fallen into disrepair and expressed his opposition to the funding agreement in the amount of \$550,000 (Item 33). He spoke in opposition to the tax abatement agreement and fee waiver for the South Flores Lofts Project (Item 35) and the pay increase for the City Manager (Item 36).

Faris Hodge, Jr. submitted written testimony in favor of Items 4-6, 9, 10, 16, 18, 19, 23-27, 36, 38-42, and 45-49. He thanked Councilmember Ramos for her great work (Item 4) and wrote that he was born in the Good Samaritan Hospital and was pleased that it would be renovated (Item 5). He thanked the City Council for the pay adjustments to the City Clerk and other managers (Item 36). He wrote in opposition to Items 11, 12, 14, 17, and 28-35. He wrote that the city did not need to purchase vehicles for various departments in Items 11 and 12. He asked of the name of the street that would be changed in Item 29 and noted that there should not be a Union Representative on the VIA Metropolitan Board (Item

30B). He wrote that the city spent too much money on construction for the Parking Revenue Control System (Item 31) and expressed concern with the 25-year lease agreement with Smart Traveling, Inc. (Item 32). He wrote that the city should not be closed for one week during the holidays.

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

2011-12-15-1025

Item 6. AN ORDINANCE AUTHORIZING A CONTRACT WITH GARLAND/DBS, INC. TO REPLACE THE ROOF AT FIRE STATION #36 FOR A TOTAL COST OF \$150,019.00 FUNDED BY THE FACILITY SERVICES FUND.

2011-12-15-1026

Item 7. AN ORDINANCE AUTHORIZING A CONTRACT WITH GRAYBAR ELECTRIC, CO., TO SUPPLY ENERGY SAVING LIGHTING AND ELECTRICAL PRODUCTS AND LIMITED ENERGY AUDITS TO PROVIDE ASSESSMENTS FOR CITY GREEN INITIATIVES AT AN ESTIMATED ANNUAL COST OF \$233,000.00.

2011-12-15-1027

Item 8. AN ORDINANCE ACCEPTING THE OFFER FROM SARTIN SERVICES, INC. TO PROVIDE THE SAN ANTONIO FIRE DEPARTMENT, OFFICE OF EMERGENCY MANAGEMENT WITH ONE MEDICAL AMBULANCE EVACUATION BUS FOR A TOTAL COST OF \$381,270.00 FUNDED WITH THE 2009 URBAN AREA SECURITY INITIATIVE GRANT.

2011-12-15-1029

Item 10. AN ORDINANCE AUTHORIZING THE CITY TO UTILIZE COOPERATIVE CONTRACTS WITH FREIGHTLINER OF SAN ANTONIO, LTD., WASTE SYSTEMS EQUIPMENT, INC., CHASTANG ENTERPRISES, INC., DBA CHASTANG BAYOU CITY AUTOCAR, HEIL OF TEXAS, AND VERMEER EQUIPMENT OF TEXAS, INC. TO PROVIDE THE SOLID WASTE MANAGEMENT DEPARTMENT WITH 35 VARIOUS REFUSE COLLECTION TRUCKS AND ONE SHREDDER GRINDER, FOR A TOTAL COST OF \$7,746,141.79 FUNDED WITH THE EQUIPMENT RENEWAL AND REPLACEMENT FUND, SOLID WASTE FUND AND A MUNICIPAL LEASE.

2011-12-15-1030

Item 11. AN ORDINANCE AUTHORIZING CONTRACTS WITH CALDWELL COUNTRY CHEVROLET AND PHILPOTT MOTORS FOR THE PURCHASE OF SIXTEEN EMERGENCY SERVICES ALL PURPOSE VEHICLES FOR THE POLICE, FIRE, DEVELOPMENT SERVICES, AND PARKS & RECREATION DEPARTMENTS FOR A TOTAL COST OF \$360,145.00, FROM THE EQUIPMENT RENEWAL AND REPLACEMENT FUND.

2011-12-15-1031

Item 12. AN ORDINANCE ACCEPTING THE BIDS FROM CALDWELL COUNTRY CHEVROLET AND CALDWELL COUNTRY FORD TO PROVIDE THE SAN ANTONIO POLICE DEPARTMENT WITH 138 POLICE PATROL ALL PURPOSE VEHICLES FOR A TOTAL COST OF \$3,693,504.00, FUNDED WITH THE EQUIPMENT RENEWAL & REPLACEMENT FUND.

2011-12-15-1032

Item 13. AN ORDINANCE AUTHORIZING AN OWNER REQUESTED CHANGE ORDER IN THE ADDITIVE AMOUNT OF \$118,736.00 TO THE \$3,098,000.00 CONTRACT WITH GUIDO BROTHERS CONSTRUCTION COMPANY FOR THE FIRE STATION #27 REPLACEMENT FACILITY PROJECT, A PREVIOUSLY AUTHORIZED CERTIFICATES OF OBLIGATION FUNDED PROJECT, LOCATED IN COUNCIL DISTRICT 7.

2011-12-15-1033

Item 14. AN ORDINANCE AUTHORIZING THREE ON-CALL PROFESSIONAL SERVICES AGREEMENTS WITH SWS ENVIRONMENTAL SERVICES (SWS); GRUENE ENVIRONMENTAL CONSTRUCTION (GRUENE); AND GAINCO ENVIRONMENTAL REMEDIATION (GAINCO), EACH IN AN AMOUNT NOT TO EXCEED \$750,000.00 PER YEAR FOR A ONE-YEAR TERM WITH A POTENTIAL OF THREE ONE-YEAR EXTENSIONS AT THE CITY'S DISCRETION, TO PROVIDE ON-CALL ENVIRONMENTAL REMEDIATION SERVICES RELATED TO TRANSPORTATION PROJECTS, CAPITAL IMPROVEMENT BOND RELATED PROJECTS, AND OTHER CITY PROJECTS LOCATED CITY-WIDE.

2011-12-15-1036

Item 16. AN ORDINANCE AUTHORIZING THE ACQUISITION OF APPROXIMATELY 26 ACRES OF LAND LOCATED IN CITY COUNCIL DISTRICTS 3, 6, AND 9 ALONG THE MEDINA RIVER, LEON CREEK, AND SALADO CREEK FOR THE LINEAR CREEKWAYS DEVELOPMENT PROJECT.

2011-12-15-1038

Item 18. AN ORDINANCE DECLARING AS SURPLUS THE CITY'S FORMER FIRE STATION NO. 29 AT 3002 E. SOUTHCROSS BLVD., WITHIN BLOCK 24, NCB 10143 IN COUNCIL DISTRICT 3 AND AUTHORIZING ITS SALE TO CENTRO DE ESPERANZA FOR \$62,250.00 ALLOWING THE BUYER TO RESTORE AND REDEVELOP PROPERTY.

2011-12-15-1039

Item 19. AN ORDINANCE AUTHORIZING THE EXECUTION OF THREE JOINT USE AGREEMENTS BETWEEN THE CITY OF SAN ANTONIO AND VERANO LAND GROUP, LP FOR USE OF SUBSURFACE PROPERTY UNDER PUBLIC RIGHTS OF WAY NEAR TEXAS A&M SAN ANTONIO UNIVERSITY LOCATED WITHIN NCB 16456 IN COUNCIL DISTRICT 3.

2011-12-15-1040

Item 20. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT TO H.L. ZUMWALT CONSTRUCTION, INC., IN THE AMOUNT OF \$4,187,470.00 TO CONSTRUCT STREET, DRAINAGE, TRAFFIC AND PEDESTRIAN ACCESS RELATED PROJECTS FOR THE 2012-2014 TASK ORDER CONTRACT FOR PUBLIC WORKS PROJECTS PKG. B.

2011-12-15-1041

Item 21. AN ORDINANCE AUTHORIZING AVAILABLE PROJECT BUDGET FUNDING FOR A CHANGE ORDER TO THE \$47,950,000.00 DESIGN-BUILD SERVICES AGREEMENT WITH HENSEL PHELPS CONSTRUCTION CO. FOR SECURITY REQUIREMENTS (\$741,141.00) AND FIRE CODE REQUIREMENTS (\$416,259.00) FOR THE CITY'S PUBLIC SAFETY HEADQUARTERS PROJECT, LOCATED IN COUNCIL DISTRICT 1, A CERTIFICATE OF OBLIGATION FUNDED PROJECT.

2011-12-15-1042

Item 22. AN ORDINANCE AUTHORIZING THE CLOSURE, VACATION AND ABANDONMENT OF 0.029 ACRES OF AN UNIMPROVED 10 FOOT-WIDE ALLEY PUBLIC RIGHT OF WAY LOCATED BETWEEN NORTH MAIN AVENUE AND OGDEN STREET ADJACENT TO NCB 1729 IN COUNCIL DISTRICT 1, AS REQUESTED BY ALAMO COLLEGES, FOR A FEE OF \$13,850.00.

2011-12-15-1043

Item 23. AN ORDINANCE AUTHORIZING THE CLOSURE, VACATION AND ABANDONMENT OF AN UNIMPROVED PORTION OF SPILLER ROAD PUBLIC RIGHT-OF-WAY LOCATED BETWEEN BRAUN ROAD AND KOBORT CANYON ROAD ADJACENT TO COUNTY BLOCK 4470, NCBS 34470, 34471 AND 15663 IN COUNCIL DISTRICT 7, AS REQUESTED BY PRESTO NOVA BRAUN, LTD.

2011-12-15-1046

Item 26. AN ORDINANCE AUTHORIZING THE SUBMISSION OF THE 2012 COMMUNITY SERVICES BLOCK GRANT (CSBG) APPLICATION AND ACCEPTANCE OF FUNDS, UPON AWARD, OF UP TO \$1,863,066.00 FROM THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE PERIOD JANUARY 1, 2012 THROUGH DECEMBER 31, 2012; APPROPRIATING FUNDS AND APPROVING A BUDGET AND PERSONNEL COMPLEMENT OF 26 POSITIONS FOR THE OPERATION OF PROGRAMS FUNDED THROUGH THE CSBG.

2011-12-15-1047

Item 27. AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE INTERLOCAL AGREEMENT WITH THE BEXAR COUNTY HOSPITAL DISTRICT, D/B/A UNIVERSITY HEALTH SYSTEM (UHS) TO EXTEND THE TERM OF THE AGREEMENT AND AUTHORIZE THE ACCEPTANCE OF COMPENSATION FROM UHS IN THE AMOUNT OF \$63,589.00 FOR THE PERIOD JANUARY 1, 2012 THROUGH APRIL 30, 2012.

2011-12-15-1048

Item 28. AN ORDINANCE AMENDING CHAPTER 6, ARTICLE VIII, OF THE CITY CODE TO REVISE QUORUM REQUIREMENTS FOR THE BUILDING STANDARDS BOARD.

2011-12-15-1049

Item 29. AN ORDINANCE AUTHORIZING THE AMENDMENT TO CHAPTER 6, ARTICLE XVI, OF THE CITY CODE TO INCLUDE HISTORIC AND DESIGN REVIEW COMMISSION CONSIDERATION AND RECOMMENDATION FOR CERTAIN STREETS PRIOR TO CITY COUNCIL CONSIDERATION FOR A STREET NAME CHANGE REQUEST.

Item 30. 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 JOHN S. BEAUCHAMP (AT-LARGE, CATEGORY: BUSINESS OWNER / NOT A RIVERWALK LESSEE); WILLIAM F. GRINNAN (AT-LARGE, CATEGORY: RIVER BEND LESSEE) AND JOAN M. KORTE (AT-LARGE, CATEGORY: DOWNTOWN RESIDENT / NOT A LESSEE) TO THE RIVERWALK CAPITAL IMPROVEMENTS ADVISORY BOARD FOR A TERM OF OFFICE TO COMMENCE DECEMBER 20, 2011, AND TO EXPIRE DECEMBER 19, 2013.

2011-12-15-1052

Item 33. AN ORDINANCE AUTHORIZING A FUNDING AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND AVENIDA GUADALUPE ASSOCIATION, INC. UTILIZING CITY RESOURCES IN AN AMOUNT OF \$550,000.00 FOR THE REHABILITATION OF 1312 GUADALUPE STREET PROPERTY FOR THE PURPOSES OF HISTORIC PRESERVATION AND ECONOMIC DEVELOPMENT.

2011-12-15-1053

Item 34. AN ORDINANCE APPROVING THE AMENDMENT AND RENEWAL OF THE ADMINISTRATIVE SERVICES CONTRACT WITH THE FIRE AND POLICE PENSION FUND, SAN ANTONIO, UNDER WHICH THE CITY WILL RECEIVE \$16,000 FOR PROVIDING CERTAIN ADMINISTRATIVE SERVICES TO THE PENSION FUND, FOR A TWO-YEAR RENEWAL TERM ENDING SEPTEMBER 30, 2013.

2011-12-15-1054

Item 35. AN ORDINANCE AUTHORIZING A 10-YEAR, 100% TAX ABATEMENT AGREEMENT FOR REAL PROPERTY IMPROVEMENTS; A GRANT AGREEMENT FOR \$224,000; AND A SAWS FEE WAIVER FOR UP TO \$100,000 WITH ROCKY CREEK PARTNERS, LLC FOR THE

SOUTH FLORES LOFTS PROJECT LOCATED AT 1010 SOUTH FLORES IN COUNCIL DISTRICT 1.

2011-12-15-1055

Item 36. AN ORDINANCE ADJUSTING THE SALARIES OF THE INTERIM CITY AUDITOR, CITY CLERK, MUNICIPAL COURT JUDGES AND CITY MANAGER, TO PROVIDE ADJUSTMENTS SIMILAR TO THOSE PROVIDED TO CIVILIAN EXECUTIVE TEAM MEMBERS IN THE FY 2012 BUDGET.

2011-12-15-1056

Item 37. AN ORDINANCE AUTHORIZING THE SETTLEMENT OF A LAWSUIT STYLED *CITY OF SAN ANTONIO V. STEARNS, CONRAD, SCHMIDT CONSULTING ENGINEERS, INC., ET AL.* IN THE 57TH JUDICIAL DISTRICT COURT OF BEXAR COUNTY, TEXAS, CAUSE NO. 2010-CI-13066 FOR PAYMENT OF \$865,000.00 TO THE CITY.

2011-12-15-1057

Item 38. AN ORDINANCE APPROVING A LOCAL CONTRIBUTION IN THE AMOUNT OF UP TO \$827,915.00 TO THE EVENTS TRUST FUND TO QUALIFY FOR REIMBURSEMENT OF ELIGIBLE EXPENSES IN AN AMOUNT UP TO \$6,002,351.00 RELATED TO VARIOUS EVENTS HELD AT THE ALAMODOME AND HENRY B. GONZALEZ CONVENTION CENTER DURING THE MONTHS OF OCTOBER, NOVEMBER AND DECEMBER 2011 AND JANUARY 2012.

2011-12-15-1058

Item 39. AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE NIX HEALTH CARE SYSTEM LICENSE AGREEMENT FOR USE OF THE HOUSTON STREET PARKING GARAGE TO FORMALIZE A DISCOUNT-FOR-VALIDATED-TICKET PROGRAM AND PROVIDE FOR ADDITIONAL EXTENSIONS OF THE AGREEMENT TERM.

2011-12-15-1059

Item 40. AN ORDINANCE AUTHORIZING A FIVE YEAR LEASE WITH CHATHAM SAN ANTONIO LEASECO LLC DBA HOMEWOOD SUITES FOR 1,528 SQUARE FEET OF AIRSPACE OVER THE SAN ANTONIO RIVER WALK WITH \$101,871.76 PAYABLE TO THE CITY DURING THE INITIAL TERM.

2011-12-15-1060

Item 41. AN ORDINANCE AUTHORIZING LICENSE AGREEMENTS WITH THE SAN ANTONIO LIVING HISTORY ASSOCIATION AND THE DAUGHTERS OF THE REPUBLIC OF TEXAS TO CONDUCT HISTORICAL PROGRAMS ON ALAMO PLAZA.

2011-12-15-1061

Item 42. AN ORDINANCE APPROVING THE 2011-2012 ACTION PLAN BETWEEN THE CITY OF SAN ANTONIO AND THE SAN ANTONIO ECONOMIC DEVELOPMENT FOUNDATION.

2011-12-15-1062

Item 43. AN ORDINANCE APPROVING ROSCOE (ROCKY) B. MARSHALL, JR., OWNER/CEO/PRESIDENT, FRONTIER TRUCK GEAR TO THE WORKFORCE SOLUTIONS ALAMO BOARD OF DIRECTORS AS RECOMMENDED BY THE COMMITTEE OF SIX ON NOVEMBER 30, 2011 FOR SUBMISSION TO THE TEXAS WORKFORCE COMMISSION.

2011-12-15-1063

Item 44. AN ORDINANCE CONSENTING TO THE CONVEYANCE OF TITLE TO THE PROPERTY AT 818 LAMAR TO MERCED HOUSING FOR INCLUSION AND USE IN THE HISTORIC ACQUISITION/REHABILITATION/RESALE PROGRAM, WITH THE CITY'S CONSIDERATION BEING THE BENEFITS DERIVED FROM INVOLVEMENT OF THE PROPERTY IN THE PROJECT.

2011-12-15-1064

Item 45. AN ORDINANCE AUTHORIZING EXECUTION OF A CONTRACT WITH COCA-COLA REFRESHMENTS USA, INC. D/B/A SAN ANTONIO COCA-COLA BOTTLING COMPANY FOR BEVERAGE VENDING SERVICES, CONSISTING OF APPROXIMATELY 157 VENDING MACHINES, LOCATED IN CITY-OWNED AND LEASED FACILITIES FOR AN ANTICIPATED ANNUAL REVENUE OF \$68,500.00 WHICH WILL BE DEPOSITED INTO THE APPROPRIATE GENERAL FUND, SPECIAL REVENUE FUND OR ENTERPRISE FUND.

2011-12-15-1065

Item 46. AN ORDINANCE AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT FOR FIVE (5) YEARS WITH MEDICAL-DENTAL-HOSPITAL BUREAU OF SAN ANTONIO, INC, D/B/A BUSINESS AND PROFESSIONAL SERVICE, TO PROVIDE EMERGENCY MEDICAL SERVICE (EMS) BILLING AND COLLECTION SERVICES TO THE SAN ANTONIO FIRE AND FINANCE DEPARTMENTS FOR THE PERIOD BEGINNING JANUARY 1, 2012 AND ENDING ON SEPTEMBER 30, 2016, WITH AN EXTENSION OPTION OF ONE (1) ADDITIONAL TWO (2) YEAR PERIOD.

2011-12-15-1067

Item 48. AN ORDINANCE ADOPTING RULES OF CONDUCT AND TRAINING STANDARDS FOR MUNICIPAL COURT JUVENILE CASE MANAGERS.

[CONSENT ITEMS CONCLUDED]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

Mayor Castro addressed Item 30B at this time.

The City Clerk read the caption for Item 30B:

Item 30B. APPOINTING ONE MEMBER (AT-LARGE) FROM APPLICANTS KELLY BEEVERS, ISA FERNANDEZ, OR DOUGLAS A. PONECK AND ONE MEMBER (AT-LARGE; CATEGORY UNION REPRESENTATIVE) FROM APPLICANTS KATHERINE A. THOMPSON-GARCIA, GWENDOLYN J. MCMAHAN, OR MICHAEL A. MUNIZ TO THE VIA METROPOLITAN TRANSIT AUTHORITY BOARD OF TRUSTEES FOR TERMS OF OFFICE TO COMMENCE JANUARY 1, 2012, AND EXPIRE DECEMBER 31, 2013.

It was noted that Isa Fernandez withdrew her application from consideration to the VIA Metropolitan Transit Authority Board of Trustees. Councilmember Williams stated that the Infrastructure and Growth Council Committee met and it was the consensus of the Committee to delay the Union Representative Category until January, 2012 to have the opportunity to interview all applicants.

Councilmember Williams moved to appoint Douglas Poneck to the VIA Metropolitan Transit Authority Board of Trustees for the At-Large Category for terms of office to commence January 1, 2012 and expire December 31, 2013. Councilmember Chan seconded the motion.

Douglas Poneck addressed the City Council and stated that he was excited to serve on the VIA Board. He thanked the City Council for their support of his appointment.

Mayor Castro and the City Councilmembers thanked Mr. Poneck for his willingness to serve.

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

The City Clerk read the following Ordinance:

2011-12-15-1028

Item 9. AN ORDINANCE ACCEPTING THE BID FROM JOE HARRISON MOTORSPORTS TO PROVIDE THE SAN ANTONIO POLICE DEPARTMENT WITH 11 POLICE MOTORCYCLES FOR A TOTAL COST OF \$248,505.29, FUNDED WITH THE EQUIPMENT RENEWAL AND REPLACEMENT FUND.

Councilmember Chan stated that her questions were in regard to the Equipment Renewal and Replacement Fund. Ben Gorzell stated that the fund was established for the city's fleet and ranges from standard sedans to heavy duty equipment. He explained that a lease rate is charged to the department so that funds to replace the item are available once it has reached its life cycle. Councilmember Chan asked of vehicle maintenance. Mr. Gorzell replied that there was a rate that was charged for maintenance and that some maintenance work was covered under warranty. Councilmember Chan asked of the low bid process for vehicles. Mr. Gorzell indicated that most items are purchased through a low bid process and staff utilizes a cooperative contract when cost savings are identified.

Councilmember Saldaña asked of the mileage for Police Vehicles that have reached their life cycle. Chief McManus replied that it was 75,000 miles for patrol vehicles and three years for motorcycles. Ms.

Sculley added that the 75,000 mile replacement was negotiated in the Collective Bargaining Agreement and staff would like to see that changed in the future.

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

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

The City Clerk read the following Ordinances for Items 15A and 15B:

Item 15. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATED TO THE MISSION LIBRARY OUTDOOR PLAZA PROJECT LOCATED IN COUNCIL DISTRICT 3:

2011-12-15-1034

- A. AN ORDINANCE AUTHORIZING THE ISSUANCE OF AN AMOUNT UP TO \$251,068.00 IN COMMUNITIES PUTTING PREVENTION TO WORK GRANT FUNDS FOR A JOB ORDER CONTRACT WITH ALPHA BUILDING CORPORATION FOR A PLAYGROUND FACILITY ADJACENT TO THE MISSION BRANCH LIBRARY AS PART OF THE MISSION LIBRARY OUTDOOR PLAZA PROJECT.

2011-12-15-1035

- B. AN ORDINANCE AUTHORIZING THE EXPENDITURE OF \$24,333.00 FROM CITY COUNCIL DISTRICT 3 HUMAN DEVELOPMENT SERVICES FUNDS FOR THE PURCHASE OF TEN BENCHES TO BE PLACED IN THE COURTYARDS OF THE MISSION BRANCH LIBRARY.

Councilmember Ramos asked if Item 15A was funded by Community Development Block Grant (CDBG). Mike Frisbie, CIMS Director replied that funding was provided through the Communities Putting Prevention to Work Grant, a Federal Grant received by the Health Department. Councilmember Ramos asked of the responsibility for maintenance of the outdoor plaza. Ramiro Salazar, Library Director stated that they were partnering with the Parks and Recreation Department to provide maintenance and security. He added that the Library would take the lead for FY 2012 and that the project was scheduled for completion in April 2012. Councilmember Ramos referenced the ten benches that had been placed in the courtyard and thanked everyone that worked on the project.

Councilmember Ramos moved to adopt the proposed Ordinances for Items 15A and 15B. Councilmember Bernal seconded the motion.

The motion to approve Items 15A and 15B prevailed by the following vote: **AYES:** Bernal, Taylor, Ramos, Saldaña, D. Medina, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** None.

The City Clerk read the following Ordinance:

2011-12-15-1037

Item 17. AN ORDINANCE AUTHORIZING THE ACQUISITION THROUGH NEGOTIATION OF FEE SIMPLE TITLE TO 50 SQUARE FEET OF PRIVATELY OWNED REAL PROPERTY LOCATED WITHIN NCB 2396 LOT 19, BLOCK 5 IN COUNCIL DISTRICT 5 FOR THE ZARZAMORA STREET AND SAN FERNANDO STREET TRAFFIC SIGNAL PROJECT, AN INFRASTRUCTURE MANAGEMENT PROGRAM PROJECT; DECLARING IT TO BE A PUBLIC PROJECT AND AUTHORIZING EXPENDITURES NOT TO EXCEED \$1,500.00 PAYABLE TO THE SELECTED TITLE COMPANY FOR LAND AND ASSOCIATED CLOSING COSTS.

Councilmember D. Medina stated that there was a need for a traffic calming device in this area and he had received several requests from his constituents. He asked if a study was conducted and of the results. Majed Al-Ghafry, Public Works Director replied that they conduct a study when they receive requests for a signal installation. He indicated that the study includes a pedestrian count, volume counts, and turning/movement counts, and is based on the Manual of Uniform Traffic Control Devices. Councilmember D. Medina asked of the property acquisition. Mike Etienne, Assistant CIMS Director replied that the property in question was private property and they had contacted the owner and made an offer based on the appraisal. He added that they hoped to close on the property within one week and that the project was scheduled for completion in July, 2012.

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

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

The City Clerk read the following Ordinance:

2011-12-15-1044

Item 24. AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A SENIOR NUTRITION PROGRAM GRANT IN THE AMOUNT OF \$1,780,126.00 FROM ALAMO AREA COUNCIL OF GOVERNMENTS (AACOG) AND A TOTAL PROGRAM BUDGET OF \$5,427,959.00 WHICH INCLUDES THE GRANT FUNDS FROM AACOG, GENERAL FUND MONIES AND CLIENT DONATIONS FOR OCTOBER 1, 2011 THROUGH SEPTEMBER 30, 2012; APPROPRIATING \$310,770.00 FROM THE GENERAL FUND FUND BALANCE TO OFFSET A REDUCTION IN FEDERAL FUNDS FOR THE SENIOR NUTRITION PROGRAM; AUTHORIZING A MONTH-TO-MONTH RENEWAL OF SENIOR NUTRITION SITE OPERATING CONTRACTS AND A PERSONNEL COMPLEMENT OF 50 POSITIONS IN THE DEPARTMENT OF HUMAN SERVICES.

Councilmember D. Medina asked of the grant funds. Gloria Hurtado, Human Services Director replied that the federal funds were provided to area agencies and provided to the city from the Alamo Area Council of Governments (AACOG). She indicated that the grant funds were slightly less than the amount received last year but the program would be supplemented with General Funds to ensure that there were no reductions. Councilmember D. Medina spoke of the importance of maintaining the level

of services to seniors and asked of the 50 positions. Ms. Hurtado replied that these were current positions and that no new positions were being added.

Councilmember Ramos if the funds would be used for food or transportation. Ms. Hurtado responded that most of the funds would be utilized for the nutrition program but a small amount would be used for transportation. Councilmember Ramos asked of the status of the reevaluation of the nutrition program. Ms. Hurtado replied that they were working with the food service provider on the quality and delivery of food and had noticed some improvements. Councilmember Ramos expressed concern with the reduction in funding. Ms. Hurtado stated that there was a potential to receive mid-year adjustments from AACOG. Ms. Sculley added that the \$310,000 in reduced funds would be taken from the General Fund Balance.

Councilmember C. Medina asked of the homebound meals provided through said funding. Ms. Hurtado replied that \$5,000 was used for homebound meals and that the majority of homebound meals were provided by Christian Senior Services. Councilmember C. Medina requested a list of homebound meals to seniors from the Holy Family Center.

Councilmember D. Medina asked of the revenues received by the city. Ms. Sculley reported that the city was in a positive position in relation to revenues.

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

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

The City Clerk read the following Ordinance:

2011-12-15-1045

Item 25. AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A CONTINUATION GRANT FROM THE ALAMO AREA COUNCIL OF GOVERNMENTS (AACOG) AND AUTHORIZING A SENIOR TRANSPORTATION PROGRAM BUDGET OF \$421,735.00 WHICH INCLUDES \$275,000.00 IN GRANT FUNDS FROM AACOG, \$143,235.00 IN MATCHING FUNDS FROM THE GENERAL FUNDS AND \$3,500.00 IN CLIENT DONATIONS FOR SENIOR TRANSPORTATION SERVICES FROM OCTOBER 1, 2011 THROUGH SEPTEMBER 30, 2012; AND AUTHORIZING A PERSONNEL COMPLEMENT OF 10 POSITIONS IN THE DEPARTMENT OF HUMAN SERVICES.

Councilmember D. Medina asked of the 10 positions. Gloria Hurtado replied that they were current positions.

Councilmember Chan asked of the Senior Transportation Program. Ms. Hurtado stated that clients were able to make a reservation for medial appointments on a first come, first serve basis. Councilmember Chan requested additional information on the program.

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

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

Councilmember Lopez excused himself from the meeting at this time.

The City Clerk read the following Ordinance:

2011-12-15-1050

Item 31. AN ORDINANCE AUTHORIZING AN AMENDMENT TO A PROFESSIONAL SERVICES CONTRACT WITH KIMLEY-HORN AND ASSOCIATES, INC. IN THE AMOUNT OF \$100,632.00 FOR ADDITIONAL DESIGN WORK AND ASSOCIATED CONSTRUCTION ADMINISTRATION SERVICES RELATED TO THE PARKING REVENUE CONTROL SYSTEM PROJECT AT THE SAN ANTONIO INTERNATIONAL AIRPORT.

Councilmember Chan asked of the amendment to the contract. Frank Miller, Aviation Director stated that parallel to the design work of Kimley Horn on the Revenue Control System, it was determined through a separate study that a certain portion of the 15-year old network would likely not support the new control system for parking operations. He stated that the additional funds would be used for design work and replacement of aging infrastructure. He added that the current contract was being amended for timing and efficiency purposes.

Councilmember Chan 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, Chan, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** Lopez.

The City Clerk read the following Ordinance:

2011-12-15-1051

Item 32. AN ORDINANCE AUTHORIZING A LEASE AGREEMENT WITH SMART TRAVELING, INC. FOR A TERM OF 25 YEARS AT THE SAN ANTONIO INTERNATIONAL AIRPORT.

Councilmember Chan asked of the lease agreement and 25-year term. Frank Miller stated that Smart Traveling, Inc. (STI) had acquired the leasehold at 1770 Skyplace Boulevard from Emivest Corporation in April, 2011 through a bankruptcy proceeding. He noted that STI would like to expand the property to be able to repair, modify, and maintain large aircraft. Councilmember Chan asked of STI. Mr. Miller replied that they are a group of Mexican Businessmen whose intent is to service the growing International General Aviation Market into San Antonio. He noted that they would sub-lease a portion of their facility to the company that acquired the rights to develop and manufacture the SA-30 Aircraft. He explained that they were requesting a 25-year lease due to the investments they would be making in the facility and that most Airport lease terms were 20-25 years. Councilmember Chan stated that she would like to discuss long-term leases at length in the future.

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

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

Councilmember Ramos excused herself from the meeting at this time.

The City Clerk read the following Ordinance:

2011-12-15-1066

Item 47. AN ORDINANCE AUTHORIZING THE ACCEPTANCE AND APPROPRIATION OF \$258,000.00 FROM THE SAN ANTONIO WATER SYSTEM (SAWS) TO ADMINISTER UP TO \$100,000.00 IN PROJECT AGUA UTILITY ASSISTANCE CREDITS AND UP TO \$1.75 MILLION IN AFFORDABILITY DISCOUNT PROGRAM WATER METER DISCOUNTS FOR THE PERIOD JANUARY 1, 2012 THROUGH DECEMBER 31, 2012; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A FIVE YEAR AGREEMENT THROUGH DECEMBER 2016, WITH TWO FIVE-YEAR RENEWAL OPTIONS WITH SAWS FOR ONGOING ADMINISTRATION OF BOTH PROGRAMS; AND APPROVING A BUDGET AND PERSONNEL COMPLEMENT OF FOUR POSITIONS.

City Clerk Vacek read a correction to the caption noting that the Affordability Discount Program Discounts totaled \$1.75 million instead of the posted caption of \$1.6 million.

Councilmember Soules asked if the largest portion of the SAWS Rate Increase was related to wastewater. Dan Crowley of SAWS confirmed that was correct. Councilmember Soules asked of the Winter Averaging Period. Mr. Crowley replied that the 90-day period began at the end of November and was used to determine how much water was being placed in the sewer and how much a customer would be charged for the remainder of the year. He stated that average Winter and Summer Usage was 7,788 gallons per month and that most ratepayer bills fell within the first two rate blocks. Councilmember Soules asked of the number of customers that utilized the Affordability Discount Program. Mr. Crowley reported that 17,000-20,000 customers were assisted through the program on a monthly basis and that \$1.5 million had been made available last year. Councilmember Soules asked of the amount of ratepayers that were eligible for the program. Mr. Crowley stated that there were 80,000 households eligible for the program and SAWS was assisting 20% of those customers. Councilmember Soules asked of the amount of money that would be generated from the rate increase for the households not receiving assistance through the Affordability Discount Program. Mr. Crowley replied that he did not have that information but would provide it to the City Council. Councilmember Soules stated that he would be supportive of the item today but that the program should be improved to address the great need.

Councilmember Chan asked of the increase to the Affordability Program. Mr. Crowley replied that they had allocated \$1.6 million in the program this year but increased it to \$1.75 million based on the direction of the City Council. Councilmember Chan expressed concern that the additional \$150,000 was a reduction in revenue estimates and felt that changes to the model rate calculations should be approved by the City Council. She asked of the Project AGUA and Affordability Discount Programs. Gloria Hurtado explained that Project AGUA provided bill assistance twice per year in an amount up to \$115 and the Affordability Discount Program offered ongoing discounts throughout the year. Ben Gorzell stated that the \$150,000 did not change the rate calculation of 7.9%. Councilmember Chan stated that policy decisions should be made by the City Council.

Councilmember Saldaña confirmed that the city would be accepting funds from SAWS for the Project AGUA and Affordability Discount Programs. Ben Gorzell confirmed same. Councilmember Saldaña stated that he was pleased that additional staff and funds were being allocated for the assistance programs.

Councilmember Bernal stated that he was also pleased with the additional staff and funding for the assistance programs and spoke of the need to increase the amount of individuals enrolled.

Councilmember C. Medina asked of the outreach for the assistance programs. Ms. Hurtado replied that SAWS is the lead on community outreach. Allison Greer of SAWS stated that they have increased their visits to the Senior Centers and continue to educate the community through block-walking efforts.

Councilmember D. Medina expressed his support for the additional funding for assistance programs and the outreach efforts to Senior Centers and block-walking.

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

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

The City Clerk read the caption for Items 49A, 49B and 49C:

Item 49. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATED TO THE MUNICIPAL FACILITIES RETROFIT PROGRAM, AN AUTHORIZED AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT (EECBG) PROGRAM:

CONTINUED TO JANUARY 12, 2012

- A. AN ORDINANCE SELECTING SERVIDYNE SYSTEMS, LLC, DBA SCIENERGY, INC. AND AWARDING A CONTRACT IN AN AMOUNT UP TO \$3,000,000.00 FOR A TERM THROUGH SEPTEMBER 30, 2012, TO PROVIDE LIGHTING ASSESSMENTS, LIGHTING RETROFITS, AND SOLAR WINDOW FILM INSTALLATION IN ORDER TO IMPROVE ENERGY EFFICIENCY OF ONE HUNDRED AND THREE CITY-OWNED FACILITIES, PAYABLE FOR UP TO \$2,800,000.00 IN FACILITY IMPROVEMENTS AND PROVIDING FOR INCENTIVE PAY FOR EARLY COMPLETION.

Councilmember D. Medina stated that he had additional questions on Item 49A and would like more time to discuss with staff.

Councilmember D. Medina moved to continue Item 49A until January 12, 2012. Councilmember C. Medina seconded the motion.

The motion to continue Item 49A prevailed by the following vote: **AYES:** Bernal, Taylor, Saldaña, D. Medina, C. Medina, Williams, Chan, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** Ramos and Lopez.

2011-12-15-1068

- B. AN ORDINANCE AUTHORIZING THE ISSUANCE OF TWO JOB ORDER CONTRACTS IN AMOUNTS UP TO \$212,103.99 WITH DAVILA CONSTRUCTION, INC. AND UP TO \$257,617.54 WITH CONCOR, INC. FOR REPLACEMENT OF HEATING, VENTILATION, AND AIR-CONDITIONING UNITS IN ORDER TO IMPROVE THE ENERGY EFFICIENCY OF EIGHT CITY-OWNED FACILITIES.

2011-12-15-1069

- C. AN ORDINANCE ACCEPTING AND APPROPRIATING \$97,505.43 IN REBATE MONIES RECEIVED FROM CPS ENERGY TO BE APPLIED TO PROJECT COSTS FROM THE ENERGY EFFICIENCY FUND.

Councilmember D. Medina moved to adopt the proposed Ordinances for Items 49B and 49C. Councilmember Bernal seconded the motion.

The motion to approve Items 49B and 49C prevailed by the following vote: **AYES:** Bernal, Taylor, Saldaña, D. Medina, C. Medina, Williams, Chan, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** Ramos and Lopez.

Item 50. CITY MANAGER'S REPORT

A. PRELIMINARY FY 2011 FINANCIAL REPORT

Ms. Sculley provided the City Council a preliminary FY 2011 Financial Report that showed a positive fiscal position. She stated that the data was unaudited and could change once the Comprehensive Annual Financial Report is finalized. She reported that favorable revenue and expenditure variances had resulted in \$18.8 million added to the FY 2011 Ending Fund Balance that would help reduce the FY 2013 Budget Challenge. Within the Restricted Funds, she indicated that the Development Services, Hotel Occupancy Tax, Airport, and Solid Waste Funds ended in a positive financial position.

B. CITY OF SAN ANTONIO HOLIDAY CLOSURES

Ms. Sculley stated that the city would be closed from December 24, 2011 through January 1, 2012 in observation of the Winter Break. She noted that departments had analyzed their customer service needs and adjusted staffing levels as necessary. She added that a complete list of closures and modified schedule of services was available on the City's Website.

RECESSED

Mayor Castro recessed the meeting at 12:28 pm to break for lunch and announced that the meeting would resume at 2:00 pm.

RECONVENED

Mayor Castro reconvened the meeting at 2:09 pm and addressed the Individual Zoning Items.

ZONING ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

Items P-4 and Z-10 were considered together.

2011-12-15-1082

Item P-4. **PLAN AMENDMENT #12002 (District 10):** AN ORDINANCE AMENDING THE LAND USE PLAN CONTAINED IN THE SAN ANTONIO INTERNATIONAL AIRPORT VICINITY LAND USE PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF APPROXIMATELY 19.095 ACRES GENERALLY LOCATED AT THE SOUTHEAST CORNER OF UHR LANE AND THOUSAND OAKS DRIVE, AND FURTHER DESCRIBED AS NCB 15689 LOT NW IRR 447.80 FT OF 11, NCB 15689 P-100, AND NCB 15689 LOTS 6 AND P-12C, FROM PUBLIC/INSTITUTIONAL LAND USE AND COMMUNITY COMMERCIAL LAND USE TO REGIONAL COMMERCIAL LAND USE. STAFF RECOMMENDS APPROVAL. PLANNING COMMISSION RECOMMENDATION PENDING NOVEMBER 23, 2011 PUBLIC HEARING. (ASSOCIATED ZONING CASE: #Z2012009)

2011-12-15-1083

Item Z-10. **ZONING CASE # Z2012009 (District 10):** An Ordinance amending the Zoning District Boundary from "PUD MF-33 AHOD" Planned Unit Development Multi-Family Airport Hazard Overlay District to "C-3 AHOD" General Commercial Airport Hazard Overlay District on 9.7137 acres out of NCB 15689 located northeast of the intersection of Thousand Oaks and Nacogdoches Road abutting Uhr Lane. 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: 9.7137 ACRES OUT OF NCB 15689 TO WIT: FROM "PUD MF-33 AHOD" PLANNED UNIT DEVELOPMENT MULTI FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "C-3 AHOD" GENERAL COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

Mayor Castro called upon the individuals registered to speak.

Mark Granados addressed the City Council in support of Items P-4 and Z-10 and stated that he had strived to redevelop areas of San Antonio that have not been developed or overlooked. He noted that they intend to deliver a quality project and had visited with the neighbors in the area.

Councilmember Soules recognized Walter Boerner.

Mr. Boerner stated that he was the President of the Northern Hills Country Village Owners Association and owned the property closest to the proposed zoning in question. He noted that they were in support of the zoning request and believed that this would mark the beginning of good changes for the area. He thanked everyone that worked on the process.

Councilmember Soules stated that this would be good for the district since the area had been in a state of decline for the past 20 years. He noted that it would represent the first major development on Perrin-Beitel Road and that the developer had involved the neighborhood in the process.

Mayor Castro called upon Jack M. Finger to speak.

Jack M. Finger spoke in opposition to Items 52 and expressed concern with the large sign that would be placed on the property. He asked why the variance was being considered since it did not meet any of the four criteria for granting a variance. He added that he was concerned with the 65% impervious cover that would be authorized. He stated that he was opposed to the variance to sell alcoholic beverages within 300 feet of Hawthorne Academy in Item 53.

Councilmember Soules recognized Roger Martinez and Bob Wilmore for their work on the zoning case.

Councilmember Soules moved to approve staff recommendation including authorization for a fence along the property boundary where it abuts single-family or multi-family residential zoning districts or uses to be erected or altered up to a height of eight feet. Councilmember Lopez seconded the motion.

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

The City Clerk read the following caption:

2011-12-15-1070

Item 51. AN ORDINANCE RECOMMENDING THE DISANNEXATION OF APPROXIMATELY 22.86 ACRES OF LAND GENERALLY LOCATED NEAR THE INTERSECTION OF IH35 AND LOOP 1604 AND SOUTH OF THE MEDINA RIVER, IN SOUTHWEST BEXAR COUNTY, FROM THE CITY SOUTH MANAGEMENT AUTHORITY.

Chris Looney presented Item 51 and stated that it was a recommendation for disannexation from the City South Management Authority (CSMA). He noted that staff and the CSMA Board recommend approval as the release of land would eliminate confusion. He added that it would eliminate the need for an Interlocal Agreement between the CSMA and the City of Von Ormy to address zoning and subdivision regulations since Von Ormy has incorporated.

Mayor Castro announced that there were no individuals registered to speak.

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

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

The City Clerk read the following caption:

Item 52. CONSIDERATION OF AN APPEAL OF THE BOARD OF ADJUSTMENT'S DECISION TO DENY A 10 FOOT VARIANCE FROM THE 40 FOOT MAXIMUM SIGN HEIGHT LIMIT FOR PROPERTIES LOCATED WITHIN THE "UC-1" IH-10/LOOP 1604 URBAN CORRIDOR, IN ORDER TO ALLOW A 50 FOOT TALL FREESTANDING SIGN AT 5602 UTSA BLVD LOCATED IN COUNCIL DISTRICT 8. Item 52 did not require an Ordinance; thus, Ordinance Number 2011-12-15-1071 has been voided.

John Jacks stated that the applicant was requesting an appeal to the Board of Adjustment's Decision and would like authorization for a 50-foot tall sign. He noted that the Board of Adjustment denied the request on November 14, 2011 and city staff supports the decision of the Board of Adjustment.

Councilmember Williams stated that this has been a long process with Valero and they had been very accommodating to the city. He noted that they had downzoned from C2 to C3 and have agreed to keep more trees than required. He added that although they were located on a hill; it was difficult for individuals to see the signage.

Councilmember Williams moved to grant a variance from Section 28-223 of the City Code to the applicant to allow their sign located at 5602 UTSA Blvd, within the IH-10/FM 1604 urban corridor, to be 10 feet taller than the limit of 40 feet. He stated that such variance is necessary because strict enforcement of Article 7 of the City Code regarding sign height restrictions in an urban corridor prohibits any reasonable opportunity to provide adequate signs on the site. He further stated that granting the variance does not provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated; and granting the variance will not have a substantially adverse impact upon neighboring properties; and granting the variance will not substantially conflict with the purposes of Article 7 of the City Code regarding Urban Corridors. Councilmember Lopez seconded the motion.

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

The City Clerk read the following caption:

CONTINUED TO FEBRUARY 16, 2012

Item 53. AN ORDINANCE WAIVING THE REQUIREMENTS OF SECTION 4-6(C), SECTION 4-6(D)(1), SECTION 4-6(D)(6), AND SECTION 4-6(E)(1) OF THE CITY CODE AND AUTHORIZING A VARIANCE TO SELL ALCOHOLIC BEVERAGES AT 102 WEST JOSEPHINE STREET, WITHIN THREE HUNDRED FEET OF HAWTHORNE ACADEMY, A PUBLIC EDUCATIONAL INSTITUTION LOCATED IN COUNCIL DISTRICT 1.

Councilmember Bernal explained that an outfit wanted to sell alcohol across the street of an elementary school. He stated that due to the sensitive nature of the request; he would like to postpone the item to further communicate with the parents.

Councilmember Bernal moved to continue Item 53 to February 16, 2012. Councilmember C. Medina seconded the motion.

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

Items P-2 and Z-8 were addressed together.

CONTINUED TO JANUARY 19, 2012

Item P-2. **PLAN AMENDMENT #12003 (District 5):** AN ORDINANCE AMENDING THE LAND USE PLAN CONTAINED IN THE NOGALITOS/SOUTH ZARZAMORA COMMUNITY PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF A 0.1481 ACRE TRACT OF LAND LOCATED AT 616 AND 618 SOUTH PARK BOULEVARD FROM LOW DENSITY RESIDENTIAL LAND USE TO MEDIUM DENSITY RESIDENTIAL LAND USE. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL. (ASSOCIATED ZONING CASE: #Z2011212)

CONTINUED TO JANUARY 19, 2012

Item Z-8. **ZONING CASE # Z2011212 (District 5):** An Ordinance amending the Zoning District Boundary from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "RM-6 AHOD" Residential Mixed Airport Hazard Overlay District on Lot 5, Block 38, NCB 6281 located at 618 South Park Boulevard. Staff and Zoning Commission recommend approval, pending plan amendment.

Councilmember D. Medina stated that he would like additional time to discuss the zoning case with staff.

Councilmember D. Medina moved to continue Items P-2 and Z-8 to January 19, 2012. Councilmember Chan seconded the motion.

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

Items P-3 and Z-9 were considered jointly.

2011-12-15-1080

Item P-3. **PLAN AMENDMENT #11051 (District 8):** AN ORDINANCE AMENDING THE LAND USE PLAN CONTAINED IN THE NORTH SECTOR PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF A 2.8 ACRE TRACT OF LAND OUT OF LOT 3, BLOCK 20, NCB 16883 LOCATED NORTHEAST OF THE INTERSECTION OF LOOP 1604 AND HAUSMAN ROAD FROM SUBURBAN TIER LAND USE TO REGIONAL CENTER LAND USE. STAFF RECOMMENDS APPROVAL. PLANNING COMMISSION RECOMMENDATION PENDING DECEMBER 14, 2011 PUBLIC HEARING. (ASSOCIATED ZONING CASE: #Z2011181 S ERZD)

2011-12-15-1081

Item Z-9. **ZONING CASE # Z2011181 S ERZD (District 8):** An Ordinance amending the Zoning District Boundary from "C-3 ERZD" General Commercial Edwards Recharge Zone District to "C-3 S ERZD" General Commercial Edwards Recharge Zone District with a Specific Use Authorization for a Hospital on 2.8 acres out of Lot 3, Block 20, NCB 16883 located in the 8200 Block of Hausman Road. Staff recommends approval, pending plan amendment. Zoning Commission recommends approval, pending plan amendment, with one condition.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 2.8 ACRES OUT OF LOT 3, BLOCK 20, NCB 16883 TO WIT: FROM "C-3 ERZD" GENERAL COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT TO "C-3 S ERZD" GENERAL COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A HOSPITAL PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

Chris Looney stated that Item P-3 would amend the land use plan in the North Sector Plan and that staff and the Planning Commission recommended approval. He reported that for Item Z-9, staff recommended approval and the Zoning Commission recommended approval with the condition that structures shall not exceed a maximum height of 40 feet when applying the provisions for increased height in the Unified Development Code. He mentioned that of 10 notices mailed; none were received in opposition and two were received in favor from the subject property owner.

Councilmember Williams stated that the property was a hospital and the applicant was willing to accept the height restriction. He noted that the plan submitted included a request for impervious cover of 65.313% which was an exception to the 65% authorized.

Councilmember Williams moved to approve C-3 S ERZD with Site Plan B with an increase in the impervious cover limit to 65.313% in accordance with City Code Section 34-390(f) which provides for an increased impervious cover limit within 1,000 feet of a major arterial to highway intersection node, and with the condition that structures shall not exceed a maximum height of 40 feet when applying the provisions for increased height in Section 35-517(d)(1) in the Unified Development Code. Councilmember Chan seconded the motion.

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

CONSENT ZONING ITEMS

Councilmember Saldaña moved to approve the following Zoning items: 54, Z-1, Z-2, Z-3, Z-4, P-1, Z-5, Z-6, Z-7, P-5, and Z-11 under Consent Zoning. Councilmember Taylor seconded the motion.

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

2011-12-15-0038R

Item 54. A RESOLUTION DIRECTING THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT TO INITIATE A CHANGE IN THE ZONING DISTRICT BOUNDARY FOR AN AREA APPROXIMATELY 641 ACRES GENERALLY BOUND BY: IH-37, CHESTNUT, LIVE OAK, AND AUSTIN TO THE WEST; SHERMAN AND NOLAN TO THE NORTH; NORTH NEW BRAUNFELS AND ST. JAMES TO THE EAST; HOUSTON, CENTER, CROCKETT AND COMMERCE TO THE SOUTH TO APPROPRIATE ZONING DISTRICTS CONSISTENT WITH

THE DIGNOWITY HILL NEIGHBORHOOD PLAN AS REQUESTED BY COUNCILWOMAN IVY R. TAYLOR, DISTRICT 2.

2011-12-15-1072

Item Z-1. **ZONING CASE # Z2012001 (District 1):** An Ordinance amending the Zoning District Boundary from "H HS RM-4 AHOD" Historic Significant Residential Mixed King William Historic Airport Hazard Overlay District to "H HS IDZ AHOD" Historic Significant Infill Development Zone King William Historic Airport Hazard Overlay District with Residential Mixed uses on the northwest 121 feet of Lots 1 and 2, Block 9, NCB 750 located at 500, 502 and 504 Madison and 306 East Johnson. Staff and Zoning Commission recommend approval

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: A PORTION OF LOTS 1 AND 2, BLOCK 9, NCB 750 TO WIT: FROM "H HS RM-4 AHOD" HISTORIC SIGNIFICANT RESIDENTIAL MIXED KING WILLIAM HISTORIC AIRPORT HAZARD OVERLAY DISTRICT TO "H HS IDZ AHOD" HISTORIC SIGNIFICANT INFILL DEVELOPMENT ZONE KING WILLIAM HISTORIC AIRPORT HAZARD OVERLAY DISTRICT WITH MIXED RESIDENTIAL USES.

2011-12-15-1073

Item Z-2. **ZONING CASE # Z2012008 (District 2):** An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "L AHOD" Light Industrial Airport Hazard Overlay District on a 3.823 acre tract of land out of Lot 31, Block 7, NCB 15883 located at 5550 Rittiman 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: A 3.823 ACRE TRACT OF LAND OUT OF LOT 31, BLOCK 7, NCB 15883 TO WIT: FROM "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "L AHOD" LIGHT INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT.

2011-12-15-1074

Item Z-3. **ZONING CASE # Z2012006 (District 3):** 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 4.724 acres out of Block 26 and Block 27, NCB 10146 located at 2920 East Southcross Boulevard and 102 Prestwick 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: 4.724 ACRES OUT OF BLOCK 26 AND BLOCK 27, NCB 10146 TO WIT: FROM "I-1 AHOD"

GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 AHOD"
COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

2011-12-15-1075

Item Z-4. **ZONING CASE #Z2012002 (District 3):** An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District on Lot 48, Block 10, NCB 1698, located at 2819 South Pine 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 48, BLOCK 10, NCB 1698 TO WIT: FROM "R-4 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "RM-4 AHOD" RESIDENTIAL MIXED AIRPORT HAZARD OVERLAY DISTRICT.

2011-12-15-1076

Item P-1. **PLAN AMENDMENT #11064 (District 3):** AN ORDINANCE AMENDING THE LAND USE PLAN CONTAINED IN THE HERITAGE SOUTH SECTOR PLAN, A COMPONENT OF THE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF A 72.546 ACRE TRACT OF LAND OUT OF NCB 10915, GENERALLY LOCATED SOUTH OF SOUTHEAST LOOP 410 BETWEEN SOUTHTON ROAD AND SOUTH PRESA STREET (US HIGHWAY 181) FROM SUBURBAN TIER LAND USE TO AGRIBUSINESS/RIMSE (RESEARCH, INDUSTRIAL, MANUFACTURING, SPORT AND ENTERTAINMENT) TIER LAND USE. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL. (ASSOCIATED ZONING CASE: Z2011214) (CONTINUED FROM DECEMBER 1, 2011.)

2011-12-15-1077

Item Z-5. **ZONING CASE # Z2011214 (District 3):** An Ordinance amending the Zoning District Boundary from "UD AHOD" Urban Development Airport Hazard Overlay District to "MI-1 AHOD" Mixed Light Industrial Airport Hazard Overlay District on 72.546 acres out of NCB 10915 located on the south side of Southeast Loop 410, between Southton Road and US Highway 181 South. Staff and Zoning Commission recommend approval, pending plan amendment. (Continued from December 1, 2011.)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 72.546 ACRES OUT OF NCB 10915 TO WIT: FROM "UD AHOD" URBAN DEVELOPMENT AIRPORT HAZARD OVERLAY DISTRICT TO "MI-1 AHOD" MIXED LIGHT INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT.

2011-12-15-1078

Item Z-6. **ZONING CASE # Z2012011 (District 4):** An Ordinance amending the Zoning District Boundary from "I-2 AHOD" Heavy Industrial Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Lot 1, NCB 12334 located at 2002 Southwest 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 1, NCB 12334 TO WIT: FROM "I-2 AHOD" HEAVY INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

2011-12-15-1079

Item Z-7. **ZONING CASE # Z2011207 (District 5):** 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 39 and Lot 40, Block 14, NCB 8253 located at 4527 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 39 AND LOT 40, BLOCK 14, NCB 8253 TO WIT: FROM "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-3 AHOD" GENERAL COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

2011-12-15-1084

Item P-5. **PLAN AMENDMENT #11065 (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 0.77 ACRE TRACT OF LAND LOCATED AT 1107 AUSTIN HIGHWAY FROM HIGH DENSITY RESIDENTIAL LAND USE TO MEDIUM DENSITY MIXED USE LAND USE. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL. (ASSOCIATED ZONING CASE: #Z2011210)

2011-12-15-1085

Item Z-11. **ZONING CASE # Z2011210 (District 10):** An Ordinance amending the Zoning District Boundary from "MF-50 AHOD" Multi-Family Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on a 0.771 acre tract of land out of NCB 8692 located at 1107 Austin Highway. 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: A 0.771 ACRE TRACT OF LAND OUT OF NCB 8692 TO WIT: FROM "MF-50 AHOD" MULTI-

FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

[CONSENT ZONING CONCLUDED]

POINT OF PERSONAL PRIVILEGE

Mayor Castro recognized Councilmember David Medina who celebrates a birthday on December 26th. Everyone joined in singing Happy Birthday to Councilmember David Medina.

ADJOURNMENT

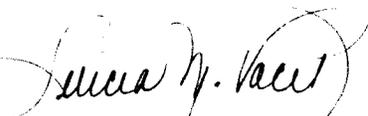
There being no further discussion, Mayor Castro adjourned the meeting at 2:36 pm.

APPROVED



**JULIÁN CASTRO
MAYOR**

Attest:



LETICIA M. VACEK, TRMC/MMC
City Clerk