

**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, MARCH 6, 2013, AND THURSDAY, MARCH 7, 2013, RESPECTIVELY.**

The San Antonio City Council convened in a Work Session at 2:00 pm Wednesday, **March 6, 2013**, Municipal Plaza Building, with the following Councilmembers present: Bernal, D. Medina, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **ABSENT:** Taylor, Ozuna, and Saldaña. Mrs. Vacek announced that Councilmembers Taylor, Ozuna, and Saldaña were in attendance of the SA to DC Trip.

Item 2 was addressed first.

**2. A BRIEFING REGARDING THE POTENTIAL IMPACT OF FEDERAL SEQUESTRATION ON THE CITY OF SAN ANTONIO BUDGET AND PROGRAMS.**

Maria Villagomez presented information regarding the impact of Federal Sequestration on the City of San Antonio Budget. She explained that sequestration was a series of automatic cuts that reduce the budgets of most federal agencies and programs. She stated that the Budget Control Act of 2011 mandated sequestration effective January 2, 2013 if Congress could not reduce the federal deficit by \$1.2 trillion over 10 years. She noted that on January 2, 2013, the American Taxpayer Relief Act of 2012 was approved and authorized a two-month delay of the sequestration deadline. She reported that on March 1, 2013, sequestration was signed into law approving \$85 billion in federal cuts annually over the next 10 years. She indicated that there would be \$42.5 billion in cuts to Discretionary Non-Defense Spending and \$42.5 billion in Discretionary Defense Funding.

Ms. Villagomez reported that the City of San Antonio could be negatively impacted through loss of funding in Federal Grants; Operational impact to International and Stinson Airports; and less Federal Subsidy for Build America Bonds (BABS). She stated that the city currently receives \$150 million in Federal Grants annually and \$140 million of that amount could be affected by sequestration. She noted that the majority of the impact would not be realized until the City's FY 2014 Budget with reductions totaling \$7-11 million in FY 2014. She indicated that most Discretionary Domestic Programs would realize a reduction from 5.1% to 8.2%. She mentioned that the amounts presented were based on the City's current allocation and known percentage reductions. She added that the final amounts would be determined by Federal and State Agencies and could result in higher or lower amounts.

Ms. Villagomez provided an overview of the impacted grants that include: Human Services, Health Services, Neighborhood Services, and Public Safety Programs. She indicated that the \$1.7 million reductions in FY 2013 would affect the City's Child Care and Development Block Grant (\$1.6 million) and Community Services Development Block Grant (\$0.1 million). She noted that staff had been informed to freeze enrollment and that there would be 340 less slots available. She explained FY 2014 Human Services Budget Impacts to the Head Start, Comprehensive Nutrition and Transportation Programs for Seniors, Emergency Solutions Grant, and Housing Opportunities for Persons with Aids (HOPWA) Programs. She stated that within Health Services, the Women, Infants and Children's (WIC)

Supplemental Nutrition Program and various Health Grants would be impacted. She noted that Community Development Block Grant (CDBG) and HOME Investment Partnership Grants (HOME) would be reduced within Neighborhood Services. She added that Homeland Security State and Local Programs, Department of Justice Enforcement Grants, and Public Health Emergency Preparedness Programs would be impacted.

Ms. Villagomez reported that the Federal Aviation Administration (FAA) is planning to reduce \$600 million through September 2013. She stated that the cuts could lead to full-time and night-time closures of traffic control towers and furloughs of FAA Staff including Security Screeners and Custom Officers. She explained that sequestration would cut funding for the Air Traffic Control Contract at Stinson Municipal Airport and require full utilization of the Universal Communication System (UNICOM). She noted that the Air Traffic Control Tower at Stinson was currently operated from 7:00 am to 10:00 pm and that pilots utilize the UNICOM System during non-staffed hours. She added that the reduction could be implemented April 1, 2013. She stated that effective March 1, 2013, subsidy payments to issuers of Build America Bonds (BABS) would be reduced by 8.7%. She indicated that the potential impact to San Antonio of \$166,000 in less Federal Subsidy in FY 2013.

Ms. Villagomez reported that not part of Sequestration, upcoming deficit reduction and tax reform discussions could impact the tax exempt status of Municipal Bond Interest. She stated that Municipal Bond Interest was currently exempt from Federal Taxation. She added that reduction or elimination of Tax Exempt Caps would result in higher interest rates and borrowing costs to the city.

Mayor Castro thanked staff for the presentation and asked of specific notification regarding the Airports. Ms. Villagomez replied that the impact to Stinson Airport would be effective April 1, 2013. Frank Miller stated that it was his understanding that a letter had been sent from the FAA to airports whose Air Traffic Control Towers would be closed. He noted that the tower at Stinson Airport would operate under a 24-hour UNICOM System in which pilots would announce their departures and arrivals. He added that in regard to San Antonio International, the FAA would not be able to pay overtime which could impact wait time for passengers. He added that regarding the FAA Tower at San Antonio International, there could be furloughs of one day every two weeks beginning in April. Mayor Castro asked of the impact to Childcare. Ms. Villagomez replied that they were advised to freeze new enrollments as of last Friday and the only way to meet the new target number of children served would be through attrition. She stated that currently, there are 7,800 children enrolled with a reduction of 340 slots. Mayor Castro asked of the impact to military missions. Carlos Contreras replied that they had not received specific information regarding the impact to military missions but believed that Civilian Employees would be furloughed one day per week.

Councilmember Lopez asked of the impact to Public Safety Grants. Ms. Villagomez replied that the grant that could be affected at the Emergency Operations Center was related to training and the impact was \$90,000-\$150,000 for FY 2014. Erik Walsh added that they were expecting reductions but would not know how much of an impact until mid-May. He stated that he was unsure if there would be a reduction of 5% across the board or if cities would be eliminated from funding. Chief McManus stated that much of the funds were utilized for technology and training at the Fusion Center. Councilmember Lopez spoke of the great amount of responsibility of the Fusion Center and expressed concern with Border Security. Chief McManus stated that he did not believe there would be a significant impact to Police Operations.

Councilmember Williams asked of Stinson Airport. Mr. Miller replied that there would not be a controller in the tower and that they would communicate to others that they were arriving or departing from the Airport. Councilmember Williams asked of the impact to Stinson Operations. Mr. Miller replied that he did not believe that there would be a significant impact to Stinson and that it would be a manageable impact. Councilmember Williams asked if there was an impact to the subsidies for BABS. Ben Gorzell replied that there would be an impact to the amount of subsidies received this fiscal year. He stated that the city receives \$1.9 million of subsidy per year and there would be a reduction of \$166,000 for FY 2013. He noted that he was not aware of the impact for future fiscal years.

Councilmember D. Medina asked of the Air Traffic Controller at Stinson Airport. Mr. Miller replied that the Air Traffic Controller served as the conduit, speaking to all of the various pilots and sequencing them into flight pattern. He noted that under the UNICOM System, the pilots themselves would announce their arrival and departure to other pilots in the area. Councilmember D. Medina asked of the funding amount for an Air Traffic Controller. Mr. Miller replied that he was not sure since the contract was between a private company and the FAA but would provide that information to the City Council. Councilmember D. Medina asked of the impact to the Comprehensive Nutrition Transportation Program for Seniors. Melody Woosley stated that they did not have specific information yet on how much funding would be reduced. She noted that they believed they could manage to get through FY 2013 without a negative impact. She indicated that the impact was only to the grant portion of the program which was a small amount since most of the program was funded by General Fund. Councilmember D. Medina spoke of the need to identify creative ways to fund the Senior Nutrition Program.

Councilmember Bernal concurred with Councilmember D. Medina regarding the impact to Seniors and stated that this was a good opportunity to coordinate with partners that provide services to Seniors. He asked of potential military reductions. Mr. Contreras replied that there were 20,000 Civilian Employees at Joint Base San Antonio and that they were anticipating that each employee would be furloughed one day per week. He stated that this would generate \$5 billion and would only applied to civilian personnel; not military personnel. He added that Federal Employees would be subject to a one-day furlough every two weeks and that there would likely be a hiring freeze.

Mayor Castro thanked staff for the presentation.

## **1. STAFF BRIEFING AND UPDATE ON THE STATUS OF THE CITY OF SAN ANTONIO SERVICE CENTER STRATEGIC PLAN.**

Debbie Sittre, CIMS Assistant Director presented the Proposed Service Center Strategic Plan. She explained that Service Centers provided parking for garbage trucks, storm water equipment and light duty vehicles. She stated that they served as Crew Quarters and Administration Building, as well as a Vehicle Maintenance Building. She noted that they included fueling stations and wash bays and also served as Bulk Materials Yards. She indicated that there were six Service Centers; four Truck Service Centers and two Specialized Service Centers. She reported that Facility Programming and Consulting had been contracted to develop a Strategic Plan. She noted that the Scope of Work included reviewing the viability of the six existing centers and documenting the facility and operational needs identified at the centers. She stated that they would also review personnel improvements and overall functionality of the centers with City Staff. She added that they would document requirements and develop an Architectural Program for the Northwest Service Center.

Ms. Sittre spoke of the Southwest Service Center which was located at 4719 Zarzamora. She noted that it was built in 1960 and encompassed 11 acres. She indicated that \$2 million in upgrades were needed to include lighting, restrooms, and drainage. She mentioned that this center would be replaced with the Callaghan Service Center currently under construction. She reported that the Northwest Service Center located at 6802 Culebra Road was constructed in 1976 and encompassed 14 acres. She outlined the \$3.4 million in upgrades needed to include roof replacement, accessibility issues, and installation of a fire sprinkler system. She stated that the plan for this center was to lease the property to the Northside Independent School District. She added that due to population growth, it was not an ideal location to serve the Northwest Side and would be replaced by the site on Leslie Road. She indicated that the Southeast Service Center at 7402 S. New Braunfels Avenue was constructed in 1962 and encompassed 12.5 acres. She explained that \$1 million in upgrades were needed to address lighting, restrooms, and accessibility issues. She stated that the Strategic Plan called for replacement of the site and could be an economic development opportunity. She mentioned that a replacement site had not been identified.

Ms. Sittre highlighted the existing Specialized Service Centers and noted that the Heavy Equipment Center was located at Brooks City Base. She stated that 5.2 acres were leased from the Brooks Development Authority and the lease expires June 30, 2015. She noted that the proposed Leslie Road Site would accommodate the facility for \$9 million. She spoke of the Central Shop/Police Garage on 329 S. Frio Street which was built in 1990 totaling 5.5 acres. She indicated that they were reviewing the potential to decentralize services to the four Truck Service Centers which would cost \$10 million but would provide the potential to sell the Frio Street Property. She spoke of the Northeast Service Center at 10303 Tool Yard which was a 22-acre site built in 2002. She stated that it was in good condition but expansion was limited due to site constraints. She mentioned that the Strategic Plan noted consideration of purchasing adjacent property for future growth.

Ms. Sittre stated that the new Service Center at the corner of Commerce Street and Callaghan Road will replace the Zarzamora Center. She noted that the total project cost was \$23 million and was included in the 2010-2015 Capital Improvement Plan. She highlighted the project timeline noting that construction began in March 2012 and completion was scheduled for June 2013. She spoke of the immediate need for a new Service Center in the Northwest Quadrant of the city. She stated that the 10-year projected growth indicates an increase in the San Antonio Population by 12.1% and is anticipated on the Northwest and West Sides of San Antonio. She added that a new facility in the Northwest Quadrant would increase service efficiency and response times.

Ms. Sittre highlighted the site for the Culebra Center Replacement located on Leslie Road at Loop 1604 near Culebra. She stated that the 48-acre site would allow for future expansion and was owned by San Antonio Water System. She noted the accessibility to Loop 1604 but would need to be re-zoned. She indicated that a Phase I environmental, feasibility study and traffic impact analysis showed that the property would be good for a Service Center. She stated that the Leslie Road Truck Center would cost \$35 million and staff was evaluating funding alternatives for same. She outlined a conceptual timeline in which property would be acquired in FY 2013 with the new Service Center opening in the Fall of 2015.

Ms. Sittre stated that the Strategic Plan recommended construction of two new facilities: 1) Leslie Road Service Center and 2) Southeast Service Center (replacement site to be determined). She noted that the Callaghan Service Center would be substantially completed in March 2013. She mentioned that the

Strategic Plan further recommended the closure of the two Specialized Centers. She outlined the cost estimate for the next phases of the Service Center Strategic Plan totaling \$89 million.

Mayor Castro thanked staff for their work and stated that he understands the need for the facilities to be replaced.

Councilmember Williams stated that this was an important process and spoke of the need to identify funding to move forward with the Service Center Strategic Plan.

Councilmember Lopez spoke of the Leslie Road Center and highlighted the residential area to the north and apartment complex to the south. He stated that staff would move forward with the re-zoning of the property and that the surrounding neighborhoods would have the opportunity to provide input.

Councilmember D. Medina asked if staff had an estimate to clean the Zarzamora Site. Ms. Sittre replied that the disposition of the property would include clean-up. City Manager Sculley added that it was estimated to cost \$2 million to clean-up the property.

Mayor Castro thanked staff for the presentation.

### **EXECUTIVE SESSION**

Mayor Castro recessed the meeting at 2:59 pm to convene in Executive Session for the purposes of:

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

Mayor Castro reconvened the meeting at 4:34 pm at which time it was noted that the City Council had been briefed on the above-styled matters but took no action. He recessed the meeting at 4:34 pm and announced that the meeting would resume at 6:00 pm for Citizens to be Heard.

### **CITIZENS TO BE HEARD**

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

Hilario Hernandez, Jr. and Ernestina Hernandez addressed the City Council. Mr. Hernandez showed a video regarding an accident he was involved in when he fell in a hole along Military Drive while riding his bike. Mr. Hernandez stated that he was confined to a wheelchair due to the accident. He expressed concern with issues he was having with the Code Compliance Department regarding an eight-foot fence he wanted to build at his home. He noted that his neighbor had encroached on six inches of his property and that he had brought his concerns to city staff but no one was assisting him. Mrs. Hernandez expressed concern that they were unable to build their fence and requested assistance from the city.

Faris Hodge, Jr. submitted written testimony regarding the City Manager's Step Up to Wellness 5K Run/Walk. He expressed concern that the City's Youth Curfew was not working and wrote that the bike lanes also did not work due to the narrow streets. He wrote that the city should not buy any additional sedans. He requested that the City Council vote on one zoning case at a time. He wrote of the major rail hub planned for the Southside of San Antonio and highlighted the Animal Care Services Grant in the amount of \$100,000. He expressed concern that there were not enough Black Individuals being hired for the Park Police. He mentioned the Boarding Home Rules that require sprinklers and requested that the Alamodome be named after him. He asked that the sidewalks be washed down after each day of Fiesta.

### **ADJOURNMENT**

There being no further discussion, Mayor Castro adjourned the meeting at 6:08 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **March 7, 2013**, 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, D. Medina, Lopez, C. Medina, Williams, Chan, Soules, and Mayor Castro. **ABSENT:** Taylor, Ozuna, and Saldaña. Mrs. Vacek announced that Councilmembers Taylor, Ozuna, and Saldaña were in attendance of the SA to DC Trip.

**Item 1.** The Invocation was delivered by Bishop Arthur Barrymore, St. Edward the Confessor Holy Catholic Church, Western Rite Diocese of America, guest of Councilmember Carlton Soules, District 10.

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

### **Item 3. MINUTES**

Councilmember Soules moved to approve the Minutes for the February 6-7, 2013 City Council Meetings. Councilmember Bernal seconded the motion.

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

## **ITEM FOR INDIVIDUAL CONSIDERATION**

Item 5 was pulled from the agenda by staff and was not addressed.

### **PULLED BY STAFF**

Item 5. BRIEFING AND POSSIBLE ACTION ON LEGISLATION FILED IN THE 83RD REGULAR STATE LEGISLATIVE SESSION, AN UPDATE ON THE STATUS OF PROPOSED STATE LEGISLATION AND ITS IMPACT ON THE CITY OF SAN ANTONIO.

## **CONSENT AGENDA ITEMS 6-16**

Consent Agenda Items 10, 14, and 15 were pulled for Individual Consideration.

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

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

Jack M. Finger addressed the City Council in opposition to the English Literacy and Civics Education Project Grant Application (Item 11) and asked if the individuals attending classes were American Citizens. He spoke against the contract with the San Antonio Independent School District (SAISD) for renovation of SAISD Properties for increasing access to physical activity resources (Item 16). He asked why the city got involved in the education process and noted that there were plenty of streets and walkways for residents to get exercise.

Nazirite Ruben Flores Perez stated that there was division amongst the City and Bexar County and referenced Federal Budget Cuts.

Faris Hodge, Jr. submitted written testimony in opposition to Item 5. He wrote in favor of Items 6-12, and 14-16. He requested that backup documentation be provided for the City Manager's Report.

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

### **2013-03-07-0153**

Item 6. AN ORDINANCE AUTHORIZING A ONE-YEAR CONTRACT WITH CAPTION SOURCE, LLC TO PROVIDE THE DEPARTMENT OF COMMUNICATIONS AND PUBLIC AFFAIRS WITH CLOSED CAPTIONING SERVICES FOR AN ESTIMATED ANNUAL AMOUNT OF \$49,500.00, WITH FOUR ONE-YEAR OPTIONS TO EXTEND, WITH FUNDING FROM THE FY 2013 GENERAL FUND.

### **2013-03-07-0154**

Item 7. AN ORDINANCE AUTHORIZING A TASK ORDER CONSTRUCTION CONTRACT FOR ONE YEAR WITH SIEMENS INDUSTRY, INC. IN AN AMOUNT NOT TO EXCEED \$689,825.00

FOR CONSTRUCTION WORK ASSOCIATED WITH THE TRAFFIC AND PEDESTRIAN SIGNAL EQUIPMENT UPGRADE PROJECTS LOCATED CITY WIDE.

**2013-03-07-0155**

Item 8. AN ORDINANCE AUTHORIZING THE ACQUISITION OF FEE SIMPLE TITLE TO 5,683 SQUARE FEET (.1305 ACRES) OF PRIVATELY-OWNED REAL PROPERTY LOCATED AT 7424 CARRIAGE MIST IN NCB 17293 IN COUNCIL DISTRICT 8, FOR THE CARRIAGE MIST DRAINAGE IMPROVEMENT PROJECT, A 2007 STORMWATER REVENUE BOND FUNDED PROJECT; DECLARING IT TO BE A PUBLIC PROJECT AND AUTHORIZING EXPENDITURES NOT TO EXCEED \$210,000.00 PAYABLE TO THE SELECTED TITLE COMPANY FOR LAND AND ASSOCIATED CLOSING COSTS.

**2013-03-07-0156**

Item 9. AN ORDINANCE AUTHORIZING THE CLOSURE, VACATION AND ABANDONMENT OF 0.073 ACRES OF AN ALLEY PUBLIC RIGHT OF WAY, LOCATED BETWEEN IH 10 WEST AND FREDERICKSBURG ROAD AND ADJACENT TO NCB 1968, IN COUNCIL DISTRICT 1, AS REQUESTED BY FREDERICKSBURG POINT PARTNERS, LLC, FOR A FEE OF \$19,250.00.

**2013-03-07-0158**

Item 11. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND THE ACCEPTANCE OF FUNDS, UPON AWARD, IN AN AMOUNT UP TO \$119,000.00 FROM THE TEXAS EDUCATION AGENCY FOR THE ENGLISH LITERACY & CIVICS EDUCATION PROJECT FOR THE PERIOD OF JULY 1, 2013 THROUGH JUNE 30, 2014; AND APPROVING THE GRANT BUDGET AND PERSONNEL COMPLEMENT.

**2013-03-07-0159**

Item 12. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A FY 2013 HOUSING COUNSELING GRANT APPLICATION AND ACCEPTANCE OF FUNDS, UPON AWARD, OF UP TO \$25,000.00 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR THE PERIOD OF OCTOBER 1, 2012 TO SEPTEMBER 30, 2013; AND, APPROVING THE FY 2013 HOUSING COUNSELING BUDGET AND PERSONNEL COMPLEMENT.

Item 13. CONSIDERATION OF THE FOLLOWING BOARD, COMMISSION AND COMMITTEE APPOINTMENTS FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE MAY 31, 2013, TO BE EFFECTIVE IMMEDIATELY UPON THE RECEIPT OF EIGHT AFFIRMATIVE VOTES, OR, IN THE EVENT EIGHT AFFIRMATIVE VOTES ARE NOT RECEIVED, TEN DAYS AFTER APPOINTMENT; OR FOR TERMS AND EFFECTIVENESS AS OTHERWISE INDICATED BELOW:

- A. APPOINTING IVALIS M. GONZALEZ (DISTRICT 8) TO THE MAYOR'S COMMISSION ON THE STATUS OF WOMEN.

- B. APPOINTING MICHAEL R. HALL (DISTRICT 2) TO THE SMALL BUSINESS ADVOCACY COMMITTEE.
- C. APPOINTING MARISA BONO (MAYORAL) TO THE ETHICS REVIEW BOARD FOR THE REMAINDER OF A TERM OF OFFICE TO EXPIRE APRIL 25, 2014, EFFECTIVE UPON THE APPOINTMENT OF HER REPLACEMENT ON THE MAYOR'S COMMISSION ON THE STATUS OF WOMEN.
- D. APPOINTING BURKE C. MAROLD (DISTRICT 7) TO THE ETHICS REVIEW BOARD FOR THE REMAINDER OF A TERM OF OFFICE TO EXPIRE APRIL 25, 2014, EFFECTIVE UPON THE APPOINTMENT OF HIS REPLACEMENT ON THE TRANSPORTATION ADVISORY BOARD.
- E. APPOINTING RUBEN TORRES TO THE FIRE FIGHTERS' AND POLICE OFFICERS' CIVIL SERVICE COMMISSION, EFFECTIVE MARCH 12, 2013, FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE DECEMBER 19, 2015.

**2013-03-07-0161**

Item 16. AN ORDINANCE AUTHORIZING AN AMENDMENT TO AN AGREEMENT WITH THE SAN ANTONIO INDEPENDENT SCHOOL DISTRICT INCREASING THE AMOUNT OF THE AGREEMENT FROM \$206,924.00 TO AN AMOUNT NOT TO EXCEED \$229,424.00 FOR IMPROVEMENTS AND RENOVATION OF SCHOOL DISTRICT PROPERTIES TO BE USED FOR THE PURPOSE OF INCREASING ACCESS TO PHYSICAL ACTIVITY RESOURCES FOR RESIDENTS OF THE CITY OF SAN ANTONIO AND BEXAR COUNTY, FUNDED THROUGH AMERICAN REINVESTMENT AND RECOVERY ACT GRANT FUNDS FROM THE CENTERS FOR DISEASE CONTROL AND PREVENTION THROUGH MARCH 18, 2013.

**[CONSENT ITEMS CONCLUDED]**

**ITEMS PULLED FOR INDIVIDUAL CONSIDERATION**

The City Clerk read the caption for Item 10:

**2013-03-07-0157**

Item 10. A PUBLIC HEARING AND ORDINANCE AUTHORIZING THE REPROGRAMMING OF FY 2013 EMERGENCY SOLUTIONS GRANT FUNDS AND AMENDING THE FY 2013 CONSOLIDATED ANNUAL ACTION PLAN/BUDGET; AUTHORIZING REPROGRAMMING OF FY 2013 ESG FUNDS IN THE AMOUNT OF \$52,398.00 FROM SETON HOME TO SAN ANTONIO METROPOLITAN MINISTRIES (SAMMINISTRIES); AUTHORIZING REALLOCATION OF SAMMINISTRIES GENERAL FUND AND CONSOLIDATED FUNDING TO SETON HOME; AND AUTHORIZING RELATED CONTRACT AMENDMENTS.

Councilmember D. Medina requested additional information regarding the reprogramming of funds. Melody Woosley, Interim Human Services Director replied that Seton Home had been awarded Emergency Solutions Grant (ESG) Funds because they had indicated that they would be serving homeless teens. She stated that Seton Home Clients did not meet the Department of Housing and Urban

Development's (HUD) eligibility definition to be considered homeless. She noted that they would reprogram the ESG Funds to SAMMinistries and allocate General Funds and Consolidated Funding to Seton Home so that they could continue operating. She indicated that SAMMinistries had 18 months to utilize the funds and Seton Home had until September 30, 2013 to utilize the General Funds. Councilmember D. Medina asked of the number of teens that would be served. Ms. Woosley reported that the funds would be used to serve 40 teens. Councilmember D. Medina asked where underage teens could go if they could not stay at home. Ms. Woosley replied that there were various options that Police Officers could follow depending on the circumstance including several shelters where homeless youth could be dropped off. She added that she would follow up with the Police Department regarding other options and would provide a response to the City Council. Councilmember D. Medina requested to meet with staff regarding the options.

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

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

The City Clerk read the caption for Item 14:

**2013-03-07-0160**

Item 14. AN ORDINANCE AUTHORIZING THE RENEWAL AND EXTENSION OF THE SECURITIES LENDING AGREEMENT WITH FROST BANK FOR THE FIRST OF TWO ONE-YEAR RENEWAL TERMS, COMMENCING APRIL 1, 2013, UNDER THE SAME TERMS AND CONDITIONS.

Councilmember Williams requested a staff presentation regarding said item. Ben Gorzell presented an overview of the extension of the Securities Lending Agreement with Frost Bank. He provided an outline of the Total Investment Portfolio by Fund Group as of December 31, 2012. He stated that with Securities Lending, the City's Securities were made available to approved borrowers to meet their funding and liquidity needs. He noted that the loaned securities did not leave the effective control of the city and had a short duration. He reported that they were collateralized at 102% by cash or government securities and were monitored daily. He stated that the city and Frost Bank shared a portion of the income earned based on a 70/30 split. He explained that the Original Agreement had a term of three years which ended on March 31, 2013 and had two optional one-year extensions. He spoke of the benefits noting that investment securities earned income that would not otherwise be earned with no additional costs. He mentioned that the program was working well and was very transparent. He highlighted the Total Investment Portfolio Interest Earnings totaling \$16.2 million since inception in April 2010 and noted that the Securities Lending Program had added \$5.1 million. He stated that on November 13, 2012, the Investment Committee approved a one-year extension of the Securities Lending Agreement with Frost Bank. On February 19, 2013, the Investment Committee received an update on the Securities Lending Extension and they recommended said item be forwarded to the full City Council for approval.

Councilmember Williams commended city staff and the Investment Committee for their professionalism and efficiency. He stated that he was pleased with the additional \$5.1 million brought to the city

through the Securities Lending Program. He added that it was important to continue to be open to new ideas and programs.

Councilmember Bernal thanked Councilmember Williams, City Staff and the Investment Committee for their work. He stated that he was pleased to serve on the Committee and had learned a lot.

Councilmember Williams moved to adopt the proposed ordinance. Councilmember Bernal seconded the motion.

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

The City Clerk read the caption for Item 15:

**DENIED**

Item 15. AN ORDINANCE AUTHORIZING A CONTRACT WITH BLONDE CREATIVE, LLC IN AN AMOUNT UP TO \$255,000.00 TO FACILITATE A PUBLIC AWARENESS PLANNING PROCESS AND LEADING TO THE DEVELOPMENT OF A PUBLIC AWARENESS PLAN FOR THE SAN ANTONIO PUBLIC LIBRARY.

Councilmember Soules expressed concern with the Request for Proposal (RFP) Process and asked how many proposals were received. Ramiro Salazar, Library Director replied that seven companies responded to the RFP. He explained that after the initial evaluation, the top three firms were invited to present to the Evaluation Committee. He stated that the three firms included: Blonde Creative, esd Limited, and Mighty Studio Group. He noted that the top rated firm was esd Limited but during contract negotiations; they discovered that they could not deliver what they proposed for their quoted price.

Councilmember Soules asked of the amount of the top two proposals. Mr. Salazar responded that the cost for the esd Limited Contract totaled \$300,000 while the Blonde Creative Contract totaled \$205,000. Councilmember Soules spoke of the confusion among the bidders, noting that three addendums to the RFP had been issued. He asked of the metrics that would be accomplished by the contract. Mr. Salazar replied that their goal was for the contractor to create a branding of the Library System, as well as develop a communications plan for the public to learn of all the services the library has to offer. Councilmember Soules asked if there was a goal to increase the number of library users. Mr. Salazar responded that they would work with the selected firm to develop those types of metrics. He explained that there were some hard costs and some costs that were yet to be determined such as purchasing media. Councilmember Soules asked why the RFP was not re-issued. Mr. Salazar stated that he believed the remaining two firms were reliable in terms of the proposals they submitted. Councilmember Soules reiterated his concern with confusion on the RFP and stated that he believed that a better process could have been utilized.

Councilmember Williams asked of the funding for the project. Mr. Salazar replied that funding was provided by the Library Foundation. Councilmember Williams asked if they had a representative on the Evaluation Committee. Mr. Salazar confirmed that a Library Foundation Representative had served on the Evaluation Committee. Councilmember Williams thanked the Library Foundation for the funding but spoke of other ways that the funds could be used. He expressed concern with the RFP Process and stated that he believed that the RFP should be re-issued.

Councilmember Bernal stated that he believed there may have been some confusion with the RFP and asked of the negotiation process. Mr. Salazar replied that he became uncomfortable with the negotiation process in terms of price and how items would be delivered and had consulted with the Purchasing and Legal Departments. He stated that he looked at the proposal in totality and seized negotiations when he believed that the firm would not provide the best value to the city. Councilmember Bernal stated that although there was a matrix and scoring system, a negative experience had occurred during the negotiation process which he believed was an important component.

Councilmember Chan asked if a budget was included in the RFP. Mr. Salazar replied that staff had not provided a budget in the RFP but had discussed expectations and scope of work during pre-proposal meetings. Councilmember Chan asked if esd Limited had reverted their commitment in terms of pricing. Mr. Salazar responded that they did not revert their commitment but that it was not made clear what they would deliver for the cost. He indicated that the selection was made on the proposed plan and associated costs. Councilmember Chan asked if there had been discussion with the Evaluation Committee regarding the challenges on the negotiation process. Mr. Salazar replied that he had consulted with the Purchasing and Legal Departments. Councilmember Chan stated that the Library System of today is very different than the one of 20 years ago and that was important to communicate to residents. She added that professional services cannot be viewed as a commodity.

Mayor Castro stated that it was important to ensure that there is a great public awareness of the Library System. He noted that it would be important to ensure that the firms are specific on the re-issued RFP.

Councilmember Soules moved to deny Item 15 and directed staff to re-issue the RFP. Councilmember Williams seconded the motion.

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

#### **Item 4. OATH OF OFFICE – MAYOR PRO TEM**

City Clerk Leticia M. Vacek administered the Oath of Office to Councilmember Carlton Soules to serve as Mayor Pro-Tem for the period beginning March 18, 2013 through May 31, 2013, or until such time as said City Councilmember's successor is elected and qualified for office.

#### **Item 17. CITY MANAGER'S REPORT**

##### **A. EMPLOYEE WELLNESS UPDATE**

Ms. Sculley reported that the city had focused on providing wellness initiatives for city employees over the last six years. She stated that the effort focuses on prevention and managing more than \$100 million spent on the Employee Benefits Program over the last year. She noted that more than 3,000 employees are participating in the Wellness Program this year compared to 750 participants last year. She highlighted various initiatives including biometric screenings and the Virgin Health Miles Program which tracks daily physical activity. She reported that the 6<sup>th</sup> Annual City Manager's Step Up to Wellness 5K was the most successful race to date with 2,100 participants completing the course.

## **B. WARRANTS ROUND-UP**

Ms. Sculley reported that San Antonio is one of more than 300 cities and law enforcement agencies participating in the 2013 Annual Great Texas Warrant Round-Up. She stated that cities are coordinating their efforts and had provided a grace period to individuals with outstanding warrants. She mentioned that the grace period ended on March 1, 2013 and reported that \$2 million was generated last year from the Warrant Round-Up. She stated that the Warrant Round-Up Enforcement would occur from March 2-8, 2013 and that the Municipal Court Marshal Unit would partner with the San Antonio Police Department to execute outstanding Municipal Court Warrants at violator's homes, offices, or other locations.

## **C. MUNICIPAL TRANSPARENCY**

Ms. Sculley stated that she had provided a memo to the City Council outlining Municipal Transparency Efforts. She noted that the memo illustrates efforts in financial reporting, agenda posting, community surveys, ethics training and bond program development and reporting. She indicated that as a public entity, the city is held to a high standard of ethics and provides employees with Ethics Training. She reported that Bi-Annual Ethics Refresher Training is completed with 99.8% of employees having completed same. She noted that the City's Ethics Code is available to all employees on the COSA Website along with the Ethics Employee Handbook as reference tools. She stated that over the last several years, the city has furthered efforts to reinvest in employees through the development of training programs for Executives, Managers, and Supervisors and 348 participants have graduated from said programs.

## **RECESSED**

Mayor Castro recessed the meeting at 10:20 am to break for lunch and announced that the meeting would resume at 2:00 pm for Zoning.

## **RECONVENED**

Mayor Pro Tem Bernal reconvened the meeting at 2:09 pm and addressed the Zoning Items.

## **CONSENT ZONING ITEMS**

Councilmember Lopez moved to approve Items Z-3, Z-5, and Z-7 under Consent Zoning. Councilmember Chan seconded the motion.

Mayor Pro Tem Bernal called upon Jack M. Finger to speak.

Mr. Jack M. Finger addressed the City Council and stated that he was opposed to the Auto Paint and Body Shop in Item Z-2 noting that staff indicated that it could disrupt the framework for potential neighborhood revitalization. He spoke in opposition to Items P-3 and Z-4 due to the amount of opposition received from the neighborhood. He expressed opposition to the Tattoo Parlor requested in Item Z-6.

Written testimony was received from Jim Reed, President of the San Antonio Medical Foundation in support of Item Z-3.

Faris Hodge, Jr. submitted written testimony in opposition to Item 18 noting that the city should not sell alcoholic beverages near the Agnes Cotton Elementary School. He wrote in favor of Items P-1 through Z-7.

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

**2013-03-07-0163**

Item Z-3. **ZONING CASE # Z2013028 S (District 8):** An Ordinance amending the Zoning District Boundary from "C-1 AHOD" Light Commercial Airport Hazard Overlay District and "C-3 AHOD" General Commercial Airport Hazard Overlay District to "C-3 S AHOD" General Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Hospital not to exceed 175 feet in height on Lots 3 and 5, Block 4, NCB 12814 located at 7700 and 7702 Floyd Curl Drive, 4410 and 4450 Medical 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: LOTS 3 AND 5, BLOCK 4, NCB 12814 TO WIT: FROM "C-1 AHOD" LIGHT COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT AND "C-3 AHOD" GENERAL COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-3 S AHOD" GENERAL COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A HOSPITAL NOT TO EXCEED 175 FEET IN HEIGHT PROVIDED ANY CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

**2013-03-07-0164**

Item Z-5. **ZONING CASE # Z2013040 CD (District 10):** An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Air Conditioning Service and Repair on Lot 3, NCB 15687 located at 4197 Stahl Road. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 3, NCB 15687 TO WIT: FROM "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 CD AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR AIR CONDITIONING SERVICE AND REPAIR PROVIDED ANY CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

**2013-03-07-0166**

Item Z-7. **ZONING CASE # Z2013058 (District 10):** An Ordinance amending the Zoning District Boundary from "I-1 IH-1 AHOD" General Industrial Northeast Gateway Corridor Overlay Airport Hazard Overlay District to "C-3NA IH-1 AHOD" General Commercial Nonalcoholic Sales Northeast Gateway Corridor Overlay Airport Hazard Overlay District on Lot 16, Block 1, NCB 16450 located at 5349 Brewster. 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 16, BLOCK 1, NCB 16450 TO WIT: FROM "I-1 IH-1 AHOD" GENERAL INDUSTRIAL NORTHEAST GATEWAY CORRIDOR OVERLAY AIRPORT HAZARD OVERLAY DISTRICT TO "C-3NA IH-1 AHOD" GENERAL COMMERCIAL NONALCOHOLIC SALES NORTHEAST GATEWAY CORRIDOR OVERLAY AIRPORT HAZARD OVERLAY DISTRICT.

**[CONSENT ZONING CONCLUDED]**

**ZONING ITEMS PULLED FOR INDIVIDUAL CONSIDERATION**

**2013-03-07-0162**

Item 18. AN ORDINANCE WAIVING THE REQUIREMENTS OF SECTIONS 4-6(C) (1), 4-6(C) (3), AND 4-6(D) (1) OF THE CITY CODE AND AUTHORIZING A VARIANCE REQUEST TO SELL ALCOHOLIC BEVERAGES AT 1719 BLANCO ROAD FOR ON-PREMISE CONSUMPTION WITHIN THREE-HUNDRED (300) FEET OF AGNES COTTON ELEMENTARY SCHOOL, A PUBLIC EDUCATIONAL INSTITUTION LOCATED IN COUNCIL DISTRICT 1.

Chris Looney presented Item 18 and stated that a request to sell alcoholic beverages had been received from Casbeers located at 1719 Blanco Road. He noted that the facility was located within 300 feet of Agnes Cotton Elementary School. He indicated that the Development Services Department approved of the request with the condition that the sale of alcoholic beverages shall not transfer to future proprietors, future property owners, or to different land uses; and that the variance shall terminate in the event of non-operation or non-use of the identified establishment for a period of 12 or more successive calendar months. He stated that the San Antonio Independent School District had submitted written opposition to the request.

Mayor Pro Tem Bernal stated that Casbeers was a gem for the city and that the applicants had worked closely with the neighboring community regarding the request.

Councilmember Lopez moved to adopt the proposed ordinance approving the Alcohol Variance Request. Councilmember Williams seconded the motion.

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

Items P-1 and Z-1 were addressed jointly.

**CONTINUED UNTIL MARCH 21, 2013**

Item P-1. **PLAN AMENDMENT #13011 (District 2):** AN ORDINANCE AMENDING THE FUTURE LAND USE PLAN CONTAINED IN THE SAN ANTONIO INTERNATIONAL AIRPORT VICINITY LAND USE PLAN, A COMPONENT OF THE COMPREHENSIVE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF APPROXIMATELY 0.1653 ACRES OF LAND AT 4530 WALZEM ROAD FROM LOW DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL. (ASSOCIATED ZONING CASE: #Z2013054)

**CONTINUED UNTIL MARCH 21, 2013**

Item Z-1. **ZONING CASE # Z2013054 (District 2):** An Ordinance amending the Zoning District Boundary from "O-2 AHOD" High-Rise Office Airport Hazard Overlay District to "NC AHOD" Neighborhood Commercial Airport Hazard Overlay District on Lot 8, Block 2, NCB 11901 located at 4530 Walzem. Staff and Zoning Commission recommend approval. (Associated Plan Amendment Case # 13011)

Chris Looney presented Item P-1 and stated that it would amend the future land use plan contained in the San Antonio International Airport Vicinity Land Use Plan. He noted that staff and the Planning Commission recommended approval. For Item Z-1, he stated that staff and the Zoning Commission recommended approval of the zoning request. He reported that of 20 notices mailed; none were returned in favor or in opposition.

Councilmember Lopez moved to continue Items P-1 and Z-1 until March 21, 2013. Councilmember Chan seconded the motion.

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

Items P-2 and Z-2 were addressed jointly.

**CONTINUED UNTIL MARCH 21, 2013**

Item P-2. **PLAN AMENDMENT #13012 (District 5):** AN ORDINANCE AMENDING THE FUTURE LAND USE PLAN CONTAINED IN THE KELLY/SOUTH SAN PUEBLO NEIGHBORHOOD PLAN, A COMPONENT OF THE COMPREHENSIVE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF APPROXIMATELY 0.3819 ACRES OF LAND AT 503 NEW LAREDO HIGHWAY FROM COMMUNITY COMMERCIAL TO BUSINESS PARK. STAFF RECOMMENDS DENIAL. PLANNING COMMISSION RECOMMENDS APPROVAL. (ASSOCIATED ZONING CASE: #Z2013055 S)

**CONTINUED UNTIL MARCH 21, 2013**

Item Z-2. **ZONING CASE # Z2013055 S (District 5):** An Ordinance amending the Zoning District Boundary from "C-3 AHOD" General Commercial Airport Hazard Overlay District to "C-3 S AHOD" General Commercial Airport Hazard Overlay District with a Specific Use Authorization for Auto Paint and Body on Lot 32, Block 8, NCB 8736 located at 503 New Laredo Highway. Staff recommends

denial. Zoning Commission recommends approval, pending the plan amendment. (Associated Plan Amendment Case # 13012)

Chris Looney presented Item P-2 and stated that it would amend the future land use plan contained in the Kelly/South San PUEBLO Neighborhood Plan. He noted that staff recommended denial while the Planning Commission recommended approval. For Item Z-2, he stated that staff recommended denial and the Zoning Commission recommended approval pending approval of the Plan Amendment. He reported that of 13 notices mailed; three were received in opposition and one was received in favor. He added that the Quintana Neighborhood Association was supportive of the request.

Mayor Pro Tem Bernal called upon Socorro Alvarado to speak.

Ms. Socorro Alvarado spoke in opposition to the request and stated that she had lived in the area for many years. She noted that she had worked very hard to revitalize the neighborhood and did not understand why progress was being hindered. She expressed concern with the limited space for an auto paint and body shop and added that the fumes would affect the children in the nearby school and parishioners of the church.

Councilmember D. Medina stated that he would like additional time to meet with the neighborhood association and other stakeholders in the area.

Councilmember D. Medina moved to continue Items P-2 and Z-2 until March 21, 2013. Councilmember Chan seconded the motion.

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

Items P-3 and Z-4 were addressed jointly.

#### **CONTINUED TO MARCH 21, 2013**

Item P-3. **PLAN AMENDMENT #13010 (District 9):** AN ORDINANCE AMENDING THE FUTURE LAND USE PLAN CONTAINED IN THE MAHNCKE PARK NEIGHBORHOOD PLAN, A COMPONENT OF THE COMPREHENSIVE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF APPROXIMATELY 0.4018 ACRES LOCATED AT 149 PERRY COURT, 153 PERRY COURT, 152 BURR ROAD, AND 156 BURR ROAD FROM URBAN SINGLE FAMILY RESIDENTIAL TO COMPACT MULTI FAMILY RESIDENTIAL. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL. ASSOCIATED ZONING CASE: #Z2012172) (CONTINUED FROM FEBRUARY 21, 2013)

#### **CONTINUED TO MARCH 21, 2013**

Item Z-4. **ZONING CASE # Z2012172 (District 9):** An Ordinance amending the Zoning District Boundary from "R-4 NCD-6" Residential Single-Family Mahncke Park Neighborhood Conservation District to "MF-25 NCD-6" Low Density Multi-Family Mahncke Park Neighborhood Conservation District on Lots 27, 28, 29 and 30, Block 3, NCB 6229 located at 149 and 153 Perry Court and 152 and 156 Burr Road. Staff and Zoning Commission recommend approval pending the plan amendment. (Associated Plan Amendment Case # 13010) (Continued from February 21, 2013)

Chris Looney presented Item P-3 and stated that it would amend the future land use plan contained in the Mahncke Park Neighborhood Plan. He noted that staff and the Planning Commission recommended approval. For Item Z-4, he stated that staff and the Zoning Commission recommended approval. He reported that of 27 notices mailed; 13 responses were received in opposition and 7 were returned in favor. He added that due to more than 20% opposition, the case would require nine votes for approval.

Councilmember Chan moved to continue Items P-3 and Z-4 until March 21, 2013. Councilmember Williams seconded the motion.

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

#### 2013-03-07-0165

Item Z-6. **ZONING CASE # Z2013056 CD (District 10):** An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for a Tattoo Parlor on 0.014 of an acre out of Lot 5, NCB 12104 located at 1321 Northeast Loop 410. Staff recommends approval. Zoning Commission recommends approval with conditions.

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: 0.014 OF AN ACRE OUT OF LOT 5, NCB 12104 TO WIT: FROM "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 CD AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR A TATTOO PARLOR PROVIDED ANY CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

Chris Looney presented Item Z-6 and stated that staff recommended approval and the Zoning Commission recommended approval with the following conditions: 1) Hours of operation shall not be prior to 9 am or after 9 pm; 2) Signage on Loop 410 shall be changed to eliminate the word "tattoo"; and 3) Signage on the building will include no more than one sign that includes the word "tattoo", limited to 10-inch size lettering. He reported that of seven notices mailed; none were returned in favor or in opposition.

Mayor Pro Tem Bernal called upon Rebecca Roberts to speak.

Ms. Rebecca Roberts stated that the business had been in operation for a few years and the owner was not aware of the zoning requirements. She noted that they were aware of the conditions and agreed to adhere to them.

Councilmember Soules stated that they had worked with the neighborhood association regarding informal and formal agreements. He asked of the signage along 410. Ms. Roberts replied that it would be completed within one week.

Councilmember Soules moved to approve C-2 CD Zoning with a conditional use for a Tattoo Parlor with the following conditions: 1) Hours of operation shall not be before 9 am or after 9 pm; and 2) Signage on the building shall be no more than one sign including the word "tattoo" and shall be limited to 10-inch sized lettering. Councilmember Williams seconded the motion.

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

**ADJOURNMENT**

There being no further discussion, Mayor Pro Tem Bernal adjourned the meeting at 2:25 pm.

**APPROVED**



**JULIÁN CASTRO**  
MAYOR

Attest:



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