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

**A BUDGET WORK SESSION AND REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO WERE HELD IN THE MUNICIPAL PLAZA BUILDING, WEDNESDAY, SEPTEMBER 4, 2013, AND THURSDAY, SEPTEMBER 5, 2013, RESPECTIVELY.**

The San Antonio City Council convened in a Budget Work Session at 2:00 pm Wednesday, **September 4, 2013,** Municipal Plaza Building, with the following Councilmembers present: Bernal, Taylor, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Chan, Soules, and Mayor Castro. **ABSENT:** None.

1. **STAFF PRESENTATION AND POSSIBLE CITY COUNCIL ACTION ON POTENTIAL CITY COUNCIL AMENDMENTS TO THE FY 2014 PROPOSED BUDGET.**

**OFFICE OF HISTORIC PRESERVATION**

Shanon Miller presented the FY 2014 Proposed Budget for the Office of Historic Preservation. She stated that the Strategic Historic Preservation Plan was adopted in 2009 and highlighted FY 2013 Accomplishments. These include the adoption of Citywide Historic District Design Guidelines by the City Council and 34 Landmark Designations. She outlined Public Education and Outreach Programs and highlighted the Students Together Achieving Revitalization (STAR) Program. She explained that STAR was a collaboration with the UTSA College of Architecture and the San Antonio College Department of Architecture to assist with the maintenance of Historic Homes.

Ms. Miller reported FY 2014 Programs and Initiatives which include a Historic Resources Survey and continued Public Education and Outreach. She stated that the FY 2014 Proposed Budget totaled $1.03 million and that they were proposing to eliminate one vacant Volunteer Services Coordinator Position. She indicated that they would work to reduce the number of days required to review Master Development Plans (MDP) from 30 to 18 days. She noted that they would add two new fees: 1) MDP Review Fee of $200; and 2) Plat Review Fee of $175. She reported that their priorities for FY 2014 were to support the World Heritage Nomination of the San Antonio Missions and conduct an Economic Impact Study.

Mayor Castro thanked staff for the presentation. He asked where San Antonio stands in terms of Historic Preservation. Ms. Miller replied that nationally, San Antonio has been as a leader in Historic Preservation but there are still some challenges. Mayor Castro asked of the focus on making other neighborhoods aware of the Historic Areas on the East and West Sides of the city. Ms. Miller stated that they were making progress and mentioned the West Side Cultural Resources Survey that was being conducted. Mayor Castro asked of the housing along the Mission Reach Corridor. Ms. Miller responded that much of the housing was located in the Mission Historic District and makes property owners eligible for incentives.

Councilmember Medina asked of education to homeowners regarding what they are allowed to change to their properties. Ms. Miller replied that they conduct a Realtor Continuing Education Training on an

annual basis and work closely with the San Antonio Board of Realtors (SABOR) on same. She explained that if something was changed without the approval; the homeowner could request approval from the Historic and Design Review Commission (HDRC).

Councilmember Bernal commended staff for their work. He spoke of challenges with a project being stalled due to differing opinions and asked how staff was addressing same. Ms. Miller stated that they tried to be proactive and work with communities regarding the important historic and cultural assets in their neighborhoods. She spoke of their work with the San Antonio Conservation Society, Westside Preservation Group, and others that are interested in designating resources.

Councilmember Viagran asked of the two new fees proposed. Ms. Miller replied that the MDP Review and Plan Review Fees would be assessed for all Plans and Plats; not just those for Historic Properties. Councilmember Viagran thanked staff for their work and spoke of the importance of educating the community.

Councilmember Gonzales commended staff for their efforts on West Side Historic Preservation.

Councilmember Lopez spoke of the World Heritage Designation and asked of coordination with the Hemisfair Park Area Redevelopment Corporation (HPARC). Ms. Miller replied that they work closely with HPARC but noted that the since the area is on the National Registry; they work with other stakeholders such as the Texas Historical Commission. Councilmember Lopez stated that there were many moving parts to World Heritage Designation and asked of the timeline. Ms. Miller replied that she was not sure and that it was being managed by HPARC.

**DEBT MANAGEMENT PLAN**

Chief Financial Officer City Manager Ben Gorzell presented the Debt Management Plan and outlined the types of debt issued by the city: 1) General Obligation Bonds; 2) Certificates of Obligation; 3) Tax Notes; and 4) Revenue Debt. He reported that the City Charter establishes limitations on General Obligation Debt supported by Ad Valorem Taxes not to exceed 10% of total assessed valuation. He provided an overview of the Outstanding Debt through September 30, 2013 noting that Outstanding Principal totaled $2.4 billion. He outlined the Bond Ratings by Fitch, Moody's, and Standard & Poors. He reported that since April 2012, the City has completed five refunding transactions for interest cost savings resulting in total gross savings of $39.9 million. He noted FY 2013 New Issuances and upcoming transactions to include the Airport Consolidated Car Rental Facility. He mentioned the multiple Debt Management Plans: 1) Ad Valorem; 2) Airport; 3) Convention Center; 4) Municipal Drainage Utility System; and 5) Other Transactions.

Mr. Gorzell outlined the Ad Valorem Debt Management Plan and mentioned that Key Variables include a 20-25 Year Fixed Rate Debt with Structuring. He highlighted the Actual and Potential Issuances from 1994 through 2022. He reported the proposed Tax Rate for FY 2014 of $0.56569 and stated that the planned draw down from FY 2013 through FY 2028 would target a balance of $25 to $30 million. He noted that a positive performance over the Ad Valorem Debt Management Plan would be utilized to provide further flexibility.

Mayor Castro thanked staff for the presentation and asked how San Antonio compares to other Texas Cities in terms of Debt Management. Mr. Gorzell replied that he believed that San Antonio fared well in comparison and referenced the City's AAA General Obligation Bond Rating.

Councilmember Nirenberg asked of San Antonio's Historic Grade over the last 10-15 years. Mrs. Sculley stated that the city was upgraded to AAA by Standard & Poors in 2008 and by the other two rating agencies in 2009. Mr. Gorzell added that prior to that; the city was in the AA Category and AA+ in the 1990's. Councilmember Nirenberg asked of a financial strategic plan. Mr. Gorzell stated that the Bond Rating Agencies looked at the Total Fund Balance as well as the Available Balance from year to year. He noted that they also look at the Budget Shortfall projected for the following year. Councilmember Nirenberg requested a financial outlook projected for 2015-2016 noting the great increase in Legacy Costs.

Councilmember Chan commended staff for their work and asked of the Fund Balance recommended by Moody's. Mr. Gorzell replied that they looked at a Total Fund Balance of 24% and an Available Balance of 15% of Total Revenues. Councilmember Chan asked of the issuance of Tax Notes. Mr. Gorzell responded that they review the useful life of projects for alignment and then use Tax Notes to create capacity.

Councilmember Lopez asked of the projections regarding the streets that the Texas Department of Transportation (TxDOT) may require cities to oversee. Mr. Gorzell replied that they had not run any scenarios related to TxDOT. Mrs. Sculley added that they were aware of the estimated costs but had not included them in the Budget Projections. Councilmember Lopez spoke of the importance of completing Bond Programs on time and within budget.

Mrs. Sculley provided the City Council with budget information requested at previous City Council Budget Work Sessions. She also provided a list of Potential Amendments for the FY 2014 Operating and Capital Budget.

## PARKS AND RECREATION

Xavier Urrutia presented an overview of the proposed $1 per month dedicated Parks Fee to be added to the Environmental Fee. He stated that the fee would be collected within the CPS Energy Monthly Bill and would be used for Sanitation, Mowing, Tree Trimming and Maintenance. He reported that the fee would generate $6.6 million in revenue and that $240,000 of that amount would used to pay for CPS Billing and Collection Services. He noted that funding of current eligible General Fund Parks Environmental Activities allows for: 1) $1.9 million to reinstate Parks Service Modification Reductions included in the FY 2014 Proposed Budget; 2) $545,000 to reduce Proposed Park Revenue Increases; 3) $1.45 million in Deferred Maintenance Projects currently included in the $5 million Deferred Maintenance Program; and 4) $2.5 million for Parks Deferred Maintenance, Park Upgrades, Community Center Renovations, and SPARK Projects.

Mr. Urrutia explained that if implemented, they would reinstate the Swimming Pool Hours and Open Play Center Hours of Operation that had been proposed for reduction. Additionally, they would eliminate the Swim Pass Fee, Community Center Membership Fee, and new Boxing Participation Fee, as well as reduce the increase to Summer Youth Program Fees. He stated that utilizing $1.45 million for Deferred Maintenance Projects would provide capacity in the Capital Improvement Plan. He outlined the recurring maintenance and general upgrades that would be funded and added that SPARK Projects would be implemented in Districts 5, 9, and 10.

Mayor Castro thanked staff for the presentation. He stated that he was supportive of dedicated revenue under two circumstances: 1) Must be distributed citywide; and 2) All funds generated should not be

shifted to replace General Fund Projects. Mayor Castro asked if the Crisis Response Team (CRT) and Library Hours that had been proposed for reduction were being fully restored through the Amendments presented today. Mrs. Sculley confirmed that the 10 Civilian Positions for the CRT and the reduced Library Hours were being fully restored. Mayor Castro asked of the Cloud Academy. Mrs. Sculley replied that it was a Workforce Development request through Project Quest to partner with the Cloud Academy, a sub-group of Rackspace. Mayor Castro expressed support for the Amendments presented.

Councilmember Bernal expressed support for the dedicated Parks Fee of $1 per month noting that he was pleased that the Open Play Centers and Swimming Pools would remain open. He spoke of the importance of the CRT and stated that he was pleased that the positions related to same were being reinstated.

Councilmember Nirenberg stated that the city should develop a long-term solution to Parks Issues such as Deferred Maintenance and Parks Programming. He noted that he was pleased that the Parks Programming and Hours proposed for reduction would be restored. He asked that staff review the $1 fee per month to see if it was a fixed amount or could be adjusted.

Councilmember Soules stated that he was supportive of having voters decide if an Enterprise Fund should be created for Parks Maintenance through the 1/8-cent Sales Tax currently being used for Aquifer Protection. He expressed concern with using a portion of the Dedicated Parks Fee for other General Fund Projects.

Councilmember Viagran expressed support for the Dedicated Monthly Parks Fee and stated that she was pleased with the reinstatement of Open Play Centers, Libraries and CRT Positions.

Councilmember Lopez spoke of the great investment and leveraging of funds through SPARK Parks and asked if any funding had been restored to the CIMS Department. Mrs. Sculley replied that they had not restored any CIMS Positions but could review same at the direction of the City Council. Councilmember Lopez stated that it was important for CIMS to have sufficient staff to ensure that the Bond Program is completed on time and within budget.

Councilmember Gonzales asked of the use of the $1 Dedicated Parks Fee. Mrs. Sculley replied that it would be used to fund a portion of the services that Parks is providing today, restore the proposed reductions, and expand Park Improvements to free up General Funds. Councilmember Gonzales expressed support for restoring Library and Swimming Pools Hours.

Councilmember Chan expressed concern that the $1 Dedicated Parks Monthly Fee would not be used solely for Parks and recommended a Parks Monthly Fee of $0.73.

Councilmember Nirenberg stated that Proposition 1 Aquifer Protection Program was very important for the community and cautioned the use of these dedicated funds toward Parks Programming.

Councilmember Taylor expressed support for the Budget Amendments presented by staff.

Councilmember Saldaña spoke of the many challenges in the FY 2014 Budget and expressed support for the $1 Monthly Parks Fee. He requested the curriculum for the Cloud Academy.

Mayor Castro thanked staff for the presentation.

## EXECUTIVE SESSION

Mayor Castro recessed the meeting at 4:44 pm to convene in Executive Session for the purposes of:

A. **DISCUSS LEGAL ISSUES RELATED TO COLLECTIVE BARGAINING AND MEET AND CONFER AGREEMENTS, PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY).**
B. **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).**
C. **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 6:00 pm at which time it was noted that the City Council had been briefed in Executive Session but took no action.

The City Clerk read the caption for Item 2:

**Item 2. PUBLIC HEARINGS ON THE CITY'S 2013 PROPOSED AD VALOREM TAX RATE FOR THE FY 2014 BUDGET AND THE FY 2014 PROPOSED BUDGET.**

Maria Villagomez stated that two Public Hearings on the City's Proposed Property Tax Rate were required by State Law. She reported that the FY 2014 Proposed Budget was presented to the City Council on August 8, 2013 and was balanced. She noted that there was no City Property Tax Rate Increase and that funding for sidewalks and drainage would be increased. She stated that the City's Consolidated Budget is 1% less than FY 2013 and that the FY 2014 General Fund Proposed Budget was less than 1% higher than FY 2013. She highlighted the $13 million in Budget Reductions which include the elimination of 279 Civilian Positions. She mentioned that $6.2 million was added for Service Improvements and that the FY 2014 General Fund Budget totaled $988,890,690.

Ms. Villagomez reported that the City Current Property Tax Rate was 56.569 cents per $100 taxable valuation and that Property Values had increased by 4.68%. She stated that the city continues its commitment to provide tax relief to Seniors and Disabled Property Owners. She spoke of the five community budget meetings that were held in August and noted that the Budget would be adopted on September 12, 2013.

Mayor Castro announced that: "The Second Combined FY 2014 Budget and 2013 Tax Rate Public Hearing is hereby opened. All persons wishing to express their views may do so. Comments must be limited to matters regarding the Budget, the Tax Rate, or both. Mention of any other matter or subject may result in termination of the speaker's time."

Mayor Castro called upon the individuals registered to speak.

Kelly Plessala expressed concern with the funding allocated to the Brooks Animal Care Facility noting that it had been approved as a temporary facility. She stated that the animals at the Brooks Facility were unseen and that too many had been killed.

Sofia Molinar-Kienlen addressed the City Council in opposition to the increase in Parks and Recreation Dance Class and Music Lesson Fees. She highlighted the benefits of music and dance lessons.

Debra Harlach gave her time to Kelly Plessala. Ms. Plessala expressed concern with the many animals being killed at the Brooks Animal Care Facility.

Stacey Doerschug expressed concern with the funding allocated to the Brooks Animal Care Facility. She noted that there was no public signage or access to the facility.

Andrea Kienlen stated that she was 9 years-old and takes Dance and Piano Lessons through the Parks and Recreation Department. She asked the City Council not to increase the participation fees for same.

Tina Kauppila addressed the City Council in opposition to the funding allocated to the Brooks Animal Care Facility. She spoke of concerns regarding the treatment and care of the animals.

Elva Trevino requested $800,000 in funding for Lerma's Nightclub and spoke of the repairs that were needed. She noted that the residents of the West Side of San Antonio deserved to have the building preserved.

Pajara Canestaro addressed the City Council and requested funding for Lerma's Nightclub. She stated that it was a Historic Landmark for the area.

Susana Segura, Graciela Sanchez, and Patrick Pineda representing the Esperanza Peace and Justice Center addressed the City Council in support of funding for Lerma's Nightclub. Ms. Sanchez requested that funding be restored for Parks, Libraries and the Arts.

Gloria Ramirez spoke in support of funding for Lerma's Nightclub and requested that funding be maintained for the Library System.

Melissa Rodriguez addressed the City Council in support of funding for Lerma's Nightclub. She stated that it was important to preserve the culture and history of the facility.

Imelda Arismendez also spoke in support of funding for Lerma's Nightclub. She stated that it represented the Working Class and believed it was historically important for the area.

Stacey Bryant expressed opposition to the proposed increase in fees for Parks and Recreation Dance Classes. She stated that she was a single mom and would not be able to afford to pay for the classes for her daughter.

Anzleigh Bryant stated that she was 8-years-old and spoke against increases to parks and recreation fees. She noted that her mom would not be able to afford to send her to dance classes if the fees were increased.

Rose Gonzalez Perez, Jackie Gorman, and Theodora Serterbo representing the Girl Scouts of Southwest Texas addressed the City Council. Ms. Gorman requested that the City Council continue to fund the Girl Scouts Organization noting that they needed to continue their important work in the community. Anzleigh Bryant stated that she was a Girl Scout and asked the City Council to continue to fund their organization.

Councilmember Nirenberg thanked Stacey and Anzleigh Bryant for staying late the previous week to express their opinion regarding the Parks and Recreation Fee Increase.

Jack M. Finger expressed concern with the negative impact on the budget if the Non-Discrimination Ordinance is approved by the City Council.

Mayor Castro thanked the individuals that spoke and stated, "The City Council will vote on the City of San Antonio Property Tax Rate for Tax Year 2013 at its meeting on Thursday, September 12, 2013, which will begin at 9:00 am and will be held in the City Council Chamber, 114 W. Commerce Street. Having heard all comments from the citizens wishing to be heard, the Second Combined FY 2014 Budget and 2013 Tax Rate Public Hearing is hereby closed." No action was required.

**CITIZENS TO BE HEARD**

Mayor Castro called upon the individuals registered to speak under Citizens to be Heard.

Pete Ortega addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Cimarron Gilson addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Kelly Walls addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Perla Grochowski addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Allen Parker addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Greg Fox addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Carlos Zaldivar addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Natalie Hardy addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Raven David addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Charles Flowers addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Matt Stedman addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Richard Grochowski addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

David Plylar addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Jonathan Salas addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Rudy Cavazos addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Justin Nichols addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Mario Quinn addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Stanley Culotta addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Rita Calvin addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Jon Kaplan addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Cynthia Larzabal addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Jazmin Medellin addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Philip Anderson addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Reverend Mick Hinson addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Greg Fowl addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Mary Jo Rinaldo addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Jerry Hamett addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Marc Longoria addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Rosalie Astran addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Alana Truitt addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Ernesto Rivas addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Ashley Williams addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Ian Cone addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Conrad Palacios Jr. addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Janice Flowers addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Lauren Zielenski addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Cezanne Enrique addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Michelle Cotman-El addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Imogene Gaines addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

**RECESSED**

Mayor Castro recessed the meeting at 8:10 pm.

**RECONVENED**

Mayor Castro reconvened the meeting at 8:30 pm and continued with Citizens to be Heard.

Eric Green addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Michael Sosso addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Mark Farris addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Peter Hyatt addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Kelli Maples addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Dolores Murff addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Felix Romo addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Jay Braymer addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Robert Deleon addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

James Wucinski addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

David Sisk addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Mark Gonzalez addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Marco Perez addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Naomi Garza addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Maria Ines Garzon addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Marlene Salcher addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Marty Gaines addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Jose A. Rodriguez addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Danielle Farris addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Weston Martinez addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Dee Villarrubia addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Jennifer Lela addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Amy Grunder Bonham addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Israel Perez addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Terelyn Santos addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Shia Perez addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Carlos Garzon addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Mark Luquire addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Pauline Colon addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Diana Romo addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Gerald Ripley addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Jonathan Saenz addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Zabrina Laughner addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Juan Gaona addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Tim Stoker addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Donald Vormelker addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Frank Montez addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Jon Bonham addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Andrew Cavazos addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Linda Diaz addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Kimberly Flowers addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Katy Stewart addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Thalia Heistand addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Joshua Wahl addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Brad Wheeler addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Phil Sevilla addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Derrick Hutchison addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Eliezar Bonilla addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Jarrell Flowers addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Gloria Rivas addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Gilbert Moreno addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Marsha Warren addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Jill Thrift addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Darlene Jimenez addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Rosanne Keinath addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Catherine Prazak addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Sylvia Villarreal addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Elena Guajardo, Mary Hiller and Carolee Moore addressed the City Council in favor of the Non-Discrimination Ordinance.

Sandra Tamez addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Rafael Gutierrez addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Sophia Parafina addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Alice Patterson addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

**RECESSED**

Mayor Castro recessed the meeting at 11:00 pm.

**RECONVENED**

Mayor Castro reconvened the meeting at 11:15 pm and continued with Citizens to be Heard.

Reverend Erika Forbes addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Joseph Tanasi addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Robert Wilson addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Kristi Caskey addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Yolanda Flores addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Jared Jaregui addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

James Escamilla addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Julian Gonzalez addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Ruben Espronceda addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Esther Patton addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Rick Lane addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

An individual addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

An individual addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Mike Knuffke addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Marjorie Petri addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

An individual addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

An individual addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Vanessa Sanchez addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

An individual addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Jeff Warren addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Martha Fernandez-Sardina addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Al Garza addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

An individual from District 2 addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Peter Kendrick addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Arthur Gonzalez addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Ruben Mendez addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Donna Guerra addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Ginger Clattenberg Hicks addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

An individual addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Mike Barajas addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

An individual addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Janet Grigsby addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Juan Rios addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Jamie Lewis addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Kathryn Jayne Isaacs addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Maria Salazar addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

An individual addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Tony Valek addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Dan Petri addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Patrick Van Dolen addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Catherine Negron addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

An individual from District 3 addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

An individual addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

William McCoy addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Erin Susan Jennings addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

An individual addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Gia Andrews addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Richard, George and Mary Helen Farias addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

An individual addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

An individual addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

John Rose addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Rachel Jennings addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Juan Macias addressed the City Council regarding concerns that there were no sidewalks in his neighborhood.

Tiffany Hall addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

An individual addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Patty Trevino addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

An individual addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Rhett Smith addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Hannah Beck addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

A group representing Equal Texas addressed the City Council in favor of the proposed Non-Discrimination Ordinance.

Antonio Diaz addressed the City Council regarding concerns that the Indigenous People had been removed from their land.

An individual addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

An individual addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Faris Hodge, Jr. submitted written testimony regarding UTSA Students collecting coats for foster youth. He expressed concern that the Police Contract takes advantage of other City Employees. He highlighted the new SAPD Service Building and the $100,000 Grant received by the Animal Care Services Department. He wrote that the blood bank is in need of donations and mentioned that students were preparing for the first day of school. He wrote of the $1.4 million that will be used to address deferred maintenance at Thousand Oaks, Forest Hills, Johnston, Brookhollow, and Guerra Libraries. He outlined various Executive Session Items.

**ADJOURNMENT**

There being no further discussion, Mayor Castro adjourned the meeting at 1:02 am.

The San Antonio City Council convened in a Regular Meeting on Thursday, **September 5, 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, Taylor, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Chan, Soules, and Mayor Castro. **ABSENT**: None.

**Item 1.** The Invocation was delivered by Reverend Ron Brown, Director, Haven for Hope, Guest of Councilmember Ron Nirenberg, District 8.

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

**Item 3. MINUTES**

Councilmember Saldaña moved to approve the Minutes for the August 7-8, 2013 City Council Meetings. Councilmember Taylor seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Chan, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** None.

## ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the caption for Item 4:

**2013-09-05-0577**

Item 4. AN ORDINANCE ADOPTING A CONSOLIDATED NON-DISCRIMINATION POLICY WITH EXPANDED PROTECTION INCLUDING SEXUAL ORIENTATION, GENDER IDENTITY AND VETERAN STATUS AND PROVIDING FOR PENALTIES.

Michael Bernard presented information regarding the proposed Non-Discrimination Ordinance (NDO). He explained that Councilmember Bernal had circulated a Discrimination-Free Workplace Initiative in a Council Consideration Request (CCR) in May. The Governance Committee considered the request on May 21, 2013 and requested a B Session Presentation. He stated that the City's current Non-Discrimination Provisions appear in various sections of the City Code, Ordinances, and Policies which include: City Employment, City Board and Commission Appointments, Public Accommodations, Housing, and City Contracting & Subcontracting. He noted that the proposed goal of the NDO would consolidate various Non-Discrimination Policies into one accessible chapter in the City Code, Chapter 2, Article X. Additionally, it would expand protections to include Sexual Orientation, Gender Identity, and Veteran Status. He indicated that it would require most City Contracts to include contractual assurances for policy compliance by vendors and contractors.

Mr. Bernard stated that, "Nothing in the NDO would be construed as supporting or advocating any particular lifestyle or religious view. To the contrary, it is the intention of the Ordinance that all persons be treated fairly and equally and it is the express intent of the Ordinance to guarantee to all of our citizens fair and equal treatment under the law." He highlighted the Proposed NDO Policy which prohibits discrimination against persons on the basis of Race, Color, Religion, National Origin, Sex, Sexual Orientation, Gender Identity, Veteran Status, Age, or Disability in the areas covered by the Ordinance, unless exempted by State or Federal Law. He added that it allows a religious entity or educational institution owned in whole or substantial party by a religious entity to limit employment or give an employment preference to members of the same religion.

Mr. Bernard explained that no city employee or applicant for employment with the city will be denied employment or promotion because of Race, Color, Religion, Disability, Sex, Sexual Orientation, Gender Identity, Veteran Status, Age or National Origin. He added that businesses may not deny advantages, facilities or services based on protected categories in places of Public Accommodation. He noted that exempt entities include a private club operating a hotel, motel, restaurant, or theater if facilities or services are restricted to its membership. He indicated that non-profit social, fraternal, educational, civic, political or religious organizations were also exempt. He stated that non-discrimination clauses in housing provisions are modeled after US and Texas Fair Housing Acts. He noted that the city prohibits what both the Federal and State Governments prohibits and adds Sexual Orientation, Gender Identity, and Veteran Status as protected categories. He explained that Fair Housing Regulations prohibit discrimination in the sale or rental of a home, as well as brokerage or appraisal services. He outlined exempted entities within Fair Housing noting that religious organizations may limit or give preference to members of the same religion.

Mr. Bernard reported that Non-Discrimination Provisions will apply to most City Contracts. He explained that there were exceptions such as the contracts exempted by the Small Business Economic Development Advocacy (SBEDA) Ordinance and Governmental Entities. He stated that the City

Council may not discriminate when making appointments to boards and Board Appointees may not discriminate while acting in his or her official capacity. He noted that the Title V Policy informally adopted previously for use by the city would be included for completeness. He outlined what the NDO would not do and noted that it would not attempt to legalize same sex marriage or require businesses to provide same sex benefits. He added that the Ordinance would not require business to have separate bathroom facilities or monitor use and would not regulate speech, religion, or political activity. He indicated that it would not create a new civil cause of action between parties.

Mayor Castro thanked Mr. Bernard for the presentation and called upon the individuals registered to speak.

Lupe Riojas addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Ruben Verastigui addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Rose Fox addressed the City Council in support of the proposed Non-Discrimination Ordinance.

Angela Salter addressed the City Council in support of the proposed Non-Discrimination Ordinance.

Nancy Goettman addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Annette Anderson addressed the City Council in support of the proposed Non-Discrimination Ordinance.

Ramiro Cavazos representing the San Antonio Hispanic Chamber of Commerce addressed the City Council in support of the proposed Non-Discrimination Ordinance.

Gerald Ripley addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Daniel Graney addressed the City Council in support of the proposed Non-Discrimination Ordinance.

Berta Brannstrom addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Richard Perez representing the San Antonio Greater Chamber of Commerce addressed the City Council in support of the proposed Non-Discrimination Ordinance.

Sister Elizabeth Riedschlaeger addressed the City Council in support of the proposed Non-Discrimination Ordinance.

Maria Antoinetta Berriozabal addressed the City Council in support of the proposed Non-Discrimination Ordinance.

Bob Comeaux addressed the City Council in support of the proposed Non-Discrimination Ordinance.

Frank Burney addressed the City Council in support of the proposed Non-Discrimination Ordinance.

Allan Parker addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Anel Flores addressed the City Council in support of the proposed Non-Discrimination Ordinance.

Justin Nichols addressed the City Council in support of the proposed Non-Discrimination Ordinance.

Mark Gonzales addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Gloria Rivas addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Marilyn Graham addressed the City Council in support of the proposed Non-Discrimination Ordinance.

Dee Villarrubia addressed the City Council in support of the proposed Non-Discrimination Ordinance.

Ana Gonzalez addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Eduardo Juarez addressed the City Council in support of the proposed Non-Discrimination Ordinance.

Pastor Charles Flowers addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Mike Knuffke addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Robert DeLeon addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Pete Ortega addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Marc Longoria addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Salvador Tovar addressed the City Council in support of the proposed Non-Discrimination Ordinance.

Elva Trevino addressed the City Council in support of the proposed Non-Discrimination Ordinance.

Marisol Cortez addressed the City Council in support of the proposed Non-Discrimination Ordinance.

Gloria Ramirez addressed the City Council in support of the proposed Non-Discrimination Ordinance.

Graciela Sanchez addressed the City Council in support of the proposed Non-Discrimination Ordinance.

Sylvia Villarreal addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Mark Camann addressed the City Council in support of the proposed Non-Discrimination Ordinance.

Vera Billingsley addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Jill Thrift addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Frank Montez addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Yolanda Speece addressed the City Council in support of the proposed Non-Discrimination Ordinance.

Katrina Stewart addressed the City Council in support of the proposed Non-Discrimination Ordinance.

Noemi Henriquez addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Natalie Hardy addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

David Zamora Casas addressed the City Council in support of the proposed Non-Discrimination Ordinance.

Imelda Arismendez addressed the City Council in support of the proposed Non-Discrimination Ordinance.

Mary Hiller addressed the City Council in support of the proposed Non-Discrimination Ordinance.

Patrick Von Dohlen addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Alice Canestaro-Garcia addressed the City Council in support of the proposed Non-Discrimination Ordinance.

Isabel Sanchez addressed the City Council in support of the proposed Non-Discrimination Ordinance.

Carlos Bonnaparg addressed the City Council in support of the proposed Non-Discrimination Ordinance.

Peter Kendrick addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Jimmie Scruggs addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Phil Sevilla addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Chad Reumann addressed the City Council in support of the proposed Non-Discrimination Ordinance.

Janice Flowers addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Gale Sayers addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Peter Onofre addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Betty Eckert addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Debra Parrish addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Mario Quinn addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Albert Lopez addressed the City Council in support of the proposed Non-Discrimination Ordinance.

Cynthia Medina addressed the City Council in support of the proposed Non-Discrimination Ordinance.

Conrad Palacios addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Jody Sherrill addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Eugene Ramirez addressed the City Council in support of the proposed Non-Discrimination Ordinance.

Edwin Morales addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Gina Castaneda addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Kelly Walls addressed the City Council in support of the proposed Non-Discrimination Ordinance.

Josie Merla Martin addressed the City Council in support of the proposed Non-Discrimination Ordinance.

Shelly Hendry addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Lupita Montiel addressed the City Council in opposition to the proposed Non-Discrimination Ordinance.

Mrs. Vacek announced that written testimony was received in support of the Non-Discrimination Ordinance from the following: Catherine Prazak, Michael R. Phillips, Marisa B. Perez, David Medina, and Mary Esther Escobedo. She noted that written testimony was received in opposition to the Non-Discrimination Ordinance from Tandy E. and Joy Bartay.

**RECESSED**

Mayor Castro recessed the meeting at 11:52 am to break for lunch and announced that the meeting would resume at 1:00 pm.

**RECONVENED**

Mayor Castro reconvened the meeting at 1:00 pm and continued with Item 4.

Mayor Castro thanked everyone that spoke on the Non-Discrimination Ordinance (NDO).

Councilmember Bernal moved to adopt the proposed Non-Discrimination Ordinance. Councilmember Lopez seconded the motion.

Councilmember Lopez commended Councilmember Bernal for his leadership on the NDO and spoke of the great amount of dialogue that had occurred on both sides of the issue. He spoke of his service in the military and noted that Veterans deserved the proposed protections.

Councilmember Lopez moved to vote on the Veteran Status separately. Councilmember Bernal seconded the motion.

Councilmember Saldaña thanked everyone that participated in the NDO Process. He stated that it had been a very difficult issue to address and spoke of the misinformation and confusion that there had been. He asked if there was a change to the Restroom Policy. Mr. Bernard confirmed that there was not a change to the Restroom Policy. Councilmember Saldaña asked that a friendly amendment be accepted to remove the following language in Sec. 2-594 that reads: "Nothing herein shall be construed as directing any policy or practice regarding the use of restrooms, shower rooms, or similar facilities which have been designated for use by persons of the opposite sex," and replace it with the following language: "Nothing in Division 5 shall be construed as allowing any person to enter any sex-segregated space for any unlawful purpose." The friendly amendment was accepted by Councilmembers Bernal and Lopez.

Councilmember Medina thanked everyone that had been involved in the NDO Process and noted his support for the protection of Veteran Status. He stated that he was opposed to discrimination in any form and hoped that the city could heal and reunite in the future.

Councilmember Taylor stated that she was opposed to discrimination of all forms and believed that all human beings should be treated with respect. She noted that although she felt that no one should endure harassment for any reason; she could not support the NDO. She stated that the city should lead by example and that the Ordinance should only impact the city organization. She expressed concern regarding the impact the NDO would have on the ability of religious individuals to act in accordance with their faith. She requested that city staff work with small businesses to communicate the impact of

the NDO to their business if the Ordinance is approved. She commended Councilmember Bernal for his work on the issue.

Councilmember Chan thanked everyone who participated in the NDO Process. She noted her disappointment with various aspects of the process and expressed concern that the draft NDO was released without ample time for review. She stated that the NDO was confusing and could be interpreted in many different ways.

Councilmember Chan moved to table the Ordinance. Councilmember Soules seconded the motion.

Councilmember Gonzales thanked everyone that participated in the NDO Process. She stated that she was supportive of the NDO and asked that it be approved today so that the City Council could focus efforts on the budget.

Councilmember Viagran thanked the many individuals that participated in the NDO Process and spoke of the many hours that had been spent discussing the issue. She stated that the Ordinance did not take away any rights but protected the vulnerable individuals in the community. She expressed her support for the NDO and added that she hoped for healing and reconciliation throughout the community.

Councilmember Nirenberg stated that he was voting in favor of the NDO for San Antonio. He spoke of the great amount of discussion that had occurred on the issue and believed that this was the right thing to do. He noted that the NDO exempted religious organizations and most non-profits and that religious liberties and individual rights would be protected.

Councilmember Soules stated that his staff had contacted the Equal Employment Opportunity Commission (EEOC) and they indicated that they only investigate workplace discrimination that violates Federal Law. Mr. Bernard stated that the EEOC would investigate any violation of Title VII. Councilmember Soules expressed concern that the issue related to Restrooms was still unclear and that the issue of appointing Board and Commission Members could cause unintended consequences. He asked why the City Commission on Veteran's Affairs was not involved in the process since Veteran Status was being included in the NDO. He stated that he could not support the NDO which was poorly written and lacks due process.

Councilmember Bernal stated that a draft of the NDO had been public for many months and spoke of the great amount of time that he spent working on same. He noted that he had begun working on the NDO to represent the community and especially those most vulnerable. He spoke of his experiences in high school and college with LGBT Individuals. He stated that he had discussed the issue with religious leaders throughout the city and had included many of their recommendations.

Mayor Castro thanked Councilmember Bernal, City Councilmembers, and the citizens for their comments on the NDO. He stated that the Ordinance took into account the views of different people and had significant support from all sectors of the community. He noted that the Ordinance would not infringe on anyone's religious beliefs and that he would like for everyone to be treated equally.

The motion by Councilmember Chan to Table the proposed Non-Discrimination Ordinance was voted on first.

The motion failed by the following vote: **AYES:** Taylor, Chan, and Soules. **NAYS:** Bernal, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, and Mayor Castro. **ABSENT:** None.

The motion by Councilmember Lopez for approval of the Veteran Status was voted on next.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, and Mayor Castro. **NAYS:** Chan and Soules. **ABSENT:** None.

The main motion as amended was voted on at this time.

The motion prevailed by the following vote: **AYES:** Bernal, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, and Mayor Castro. **NAYS:** Taylor, Chan, and Soules. **ABSENT:** None.

Mayor Castro addressed the Zoning Items at this time.

**CONSENT ZONING ITEMS**

John Jacks read the following staff-recommended conditions into the record for Item Z-3:

Staff and Zoning Commission recommend approval with the following conditions, in lieu of those listed in Section 35-422: 1) A 15 foot Type B landscape buffer shall be provided along property boundaries abutting single family residential zoning or uses; 2) All on-site lighting shall be directed onto the site and point away from any residential zoning or uses; 3) The parking lot shall be provided with a gate or other sufficient barrier against vehicle entry during the hours the facility served is closed; 4) No advertising signs shall be permitted on the parking lot other than signs indicating the owner or lessee of the lot and to provide parking instructions; 5) Ingress and egress shall be prohibited along West Villaret Boulevard.

Mr. Jacks stated that the Zoning Commission recommended approval of Item Z-9 and provided a copy of the Zoning Commission minutes for the case.

Councilmember Lopez moved to approve the following Zoning Items: 29, Z-2, Z-3, P-1, Z-4, Z-5, Z-7, Z-8, P-2, Z-9, Z-11, and Z-13 under Consent Zoning. Councilmember Taylor seconded the motion.

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

**2013-09-05-0027R**

Item 29. A RESOLUTION TO INITIATE A CHANGE IN THE ZONING DISTRICT BOUNDARY OF APPROXIMATELY 6.5 ACRES OUT OF NCB 14513, NCB 14514, NCB 14515 AND NCB 14516; GENERALLY LOCATED ON BOTH SIDES OF GREYROCK DRIVE, BAKERSFIELD, AND DULCE ROAD.

**2013-09-05-0615**

Item Z-2. **ZONING CASE # Z2013147 CD (District 1):** An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 CD

AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for Four Dwelling Units on Lot 5, Block 6, NCB 2201 located at 1606 Leal 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 5, BLOCK 6, NCB 2201 TO WIT: FROM "R-4 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "R-4 CD AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR FOUR DWELLING UNITS PROVIDED ANY CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

**2013-09-05-0616**

Item Z-3. **ZONING CASE # Z2013129 CD (District 3):** An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Noncommercial Parking Lot on Lot 304, the south 544.6 feet of the west 65 feet of Lot 303 or Lot 303F, the east 192 feet of south 340 feet of Lot 303 or Lot 303A, and the west 70 feet of the south 498.32 feet of Lot 302, Block 29, NCB 11128 located at 358 and portions of 320 and 340 West Villaret Boulevard and 331 West Buchanan Boulevard. Staff and Zoning Commission recommend 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: LOT 304, THE SOUTH 544.6 FEET OF THE WEST 65 FEET OF LOT 303 OR LOT 303F, THE EAST 192 FEET OF SOUTH 340 FEET OF LOT 303 OR LOT 303A, AND THE WEST 70 FEET OF THE SOUTH 498.32 FEET OF LOT 302, BLOCK 29, NCB 11128 TO WIT: FROM "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "R-4 CD AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR A NON-COMMERCIAL PARKING LOT PROVIDED ANY CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

**2013-09-05-0617**

Item P-1. **PLAN AMENDMENT #13039 (District 4):** AN ORDINANCE AMENDING THE FUTURE LAND USE PLAN CONTAINED IN THE WEST/SOUTHWEST SECTOR PLAN, A COMPONENT OF THE COMPREHENSIVE MASTER PLAN OF THE CITY, BY CHANGING THE FUTURE LAND USE OF A 17.28 ACRE TRACT OF LAND LOCATED AT 7500 U.S. HIGHWAY 90 WEST FROM MIXED USE CENTER TO CIVIC CENTER. STAFF AND PLANNING COMMISSION RECOMMEND APPROVAL. (ASSOCIATED ZONING CASE: #Z2013166 S)

**2013-09-05-0618**

Item Z-4. **ZONING CASE # Z2013166 S (District 4):** An Ordinance amending the Zoning District Boundary from "MF-33 AHOD" Multi-Family Airport Hazard Overlay District and "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District to "C-3NA S AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District with a Specific Use Authorization for a Human Services Campus on Parcel 43B, Lot 57, and the remaining portion of Lot 55, NCB 15602 located at 7404 and 7500 US Highway 90 West. Staff and Zoning Commission recommend approval, pending plan amendment. (Associated Plan Amendment Case # 13039)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: PARCEL 43B, LOT 57, AND THE REMAINING PORTION OF LOT 55, NCB 15602 TO WIT: FROM "MF-33 AHOD" MULTI-FAMILY AIRPORT HAZARD OVERLAY DISTRICT AND "C-3NA AHOD" GENERAL COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT TO "C-3NA S AHOD" GENERAL COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A HUMAN SERVICES CAMPUS PROVIDED ANY CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

**2013-09-05-0619**

Item Z-5. **ZONING CASE # Z2013163 S (District 5):** An Ordinance amending the Zoning District Boundary from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-1 S AHOD" Light Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Noncommercial Parking Lot on the north 115 feet of Lot 7, Block 6, NCB 7656 located at 739 Division Avenue. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: THE NORTH 115 FEET OF LOT 7, BLOCK 6, NCB 7656 TO WIT: FROM "R-5 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "C-1 S AHOD" LIGHT COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A NON-COMMERCIAL PARKING LOT PROVIDED ANY CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

**2013-09-05-0620**

Item Z-7. **ZONING CASE # Z2013164 (District 6):** An Ordinance amending the Zoning District Boundary from "C-2" Commercial District and "C-3R" General Commercial Restrictive Alcohol Sales District to "C-3" General Commercial District on Parcel 18 and Parcel 18A, NCB 17635 located at 6927 and 6931 Leslie 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: PARCEL 18 AND PARCEL 18A, NCB 17635 TO WIT: FROM "C-2" COMMERCIAL DISTRICT

AND "C-3R" GENERAL COMMERCIAL RESTRICTIVE ALCOHOL SALES DISTRICT TO "C-3" GENERAL COMMERCIAL DISTRICT.

**2013-09-05-0621**

Item Z-8. **ZONING CASE # Z2013165 (District 6):** An Ordinance amending the Zoning District Boundary from "MF-25 AHOD" Low Density Multi-Family Airport Hazard Overlay District to "MF-33 AHOD" Multi-Family Airport Hazard Overlay District on 5.8 acres out of Lot 8, Block 30, NCB 18080 located at 7770 Pipers Lane. 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: 5.8 ACRES OUT OF LOT 8, BLOCK 30, NCB 18080 TO WIT: FROM "MF-25 AHOD" LOW DENSITY MULTI-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "MF-33 AHOD" MULTI-FAMILY AIRPORT HAZARD OVERLAY DISTRICT.

**2013-09-05-0622**

Item P-2. **PLAN AMENDMENT #13042:** AN ORDINANCE AMENDING THE FUTURE LAND USE PLAN CONTAINED IN THE HUEBNER/LEON CREEKS COMMUNITY PLAN, A COMPONENT OF THE COMPREHENSIVE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF A 3.485 ACRE TRACT OF LAND LOCATED AT 10438 EAST BANDERA ROAD FROM COMMUNITY COMMERCIAL TO HIGH DENSITY RESIDENTIAL. STAFF RECOMMENDS APPROVAL. PLANNING COMMISSION RECOMMENDATION IS PENDING ON THE PUBLIC HEARING ON AUGUST 28, 2013. (ASSOCIATED ZONING CASE: Z1013184)

**2013-09-05-0623**

Item Z-9. **ZONING CASE # Z2013184 (District 8):** An Ordinance amending the Zoning District Boundary from "R-6" Residential Single-Family District to "MF-33" Multi-Family District on 3.491 acres out of Lot 3, Block 2, NCB 19142 located on a portion of the 10,000 Block of Bandera Road. Staff recommends approval pending the plan amendment. Zoning Commission recommendation pending the September 3, 2013 public hearing. (Associated Plan Amendment Case # 13042)

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: 3.491 ACRE OUT OF LOT 3, BLOCK 2, NCB 19142 TO WIT: FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "MF-33" MULTI-FAMILY DISTRICT.

**2013-09-05-0625**

Item Z-11. **ZONING CASE # Z2013160 (District 10):** An Ordinance amending the Zoning District Boundary from "MF-25 AHOD" Low Density Multi-Family Airport Hazard Overlay District to "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard on 3.758 acres out of Parcel 43, NCB 14049 located on a portion of 13665 Toepperwein 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: 3.758 ACRES OUT PARCEL 43, NCB 14049 TO WIT: FROM "MF-25 AHOD" LOW DENSITY MULTI-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "C-2NA AHOD" COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT.

**2013-09-05-0626**

Item Z-13. **ZONING CASE # Z2013162 (District 10):** An Ordinance amending the Zoning District Boundary from "C-3R AHOD" General Commercial Restrictive Alcohol Sales Airport Hazard Overlay District to "C-3 AHOD" General Commercial Airport Hazard Overlay District on 0.0811 of an acre out of Lot 8, Block 1, NCB 15678 located on a portion of 3633 Metro Parkway. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 0.0811 OF AN ACRE OUT OF LOT 8, BLOCK 1, NCB 15678 TO WIT: FROM "C-3R AHOD" GENERAL COMMERCIAL RESTRICTIVE ALCOHOL SALES AIRPORT HAZARD OVERLAY DISTRICT TO "C-3 AHOD" GENERAL COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

**[CONSENT ZONING CONCLUDED]**

**ZONING ITEMS PULLED FOR INDIVIDUAL CONSIDERATION**

**DENIED**

Item Z-1. **ZONING CASE # Z2012225 (District 1):** An Ordinance amending the Zoning District Boundary from "MF-33 AHOD" Multi-Family Airport Hazard Overlay District to "C-1 AHOD" Light Commercial Airport Hazard Overlay District on Lots 33A and 34A, the east 10 feet of the north 92.8 feet of Lot 32A, and the north 29 feet of Lot 35A, Block 19, NCB 2083 aka Lots 32-35, Block 19, NCB 2083 located at 1623 North Sabinas. Staff recommends denial. Zoning Commission recommends approval. (Continued from August 1, 2013)

John Jacks presented Item Z-1 and stated that staff recommended denial and the Zoning Commission recommended approval. He reported that of 29 notices mailed; two were returned in opposition and none were received in favor.

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

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Chan, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** Viagran.

**DENIED**

Item Z-6. **ZONING CASE # Z2013143 (District 6):** An Ordinance amending the Zoning District Boundary from "C-3 AHOD" General Commercial Airport Hazard Overlay District and "C-3 GC-2 AHOD" General Commercial Highway 151 Gateway Corridor Overlay Airport Hazard Overlay District to "MF-25 AHOD" Low Density Multi-Family Airport Hazard Overlay District and "MF-25 GC-2 AHOD" Low Density Multi-Family Highway 151 Gateway Corridor Overlay Airport Hazard Overlay District allowing a fence up to 8 feet in height on the rear (north side) of the subject property in accordance with Section 35-514 (d)(2)(D) of the Unified Development Code on Lot 4, Block 31, NCB 17643 located on a portion of the 8800 Block of Potranco Road. Staff and Zoning Commission recommend approval.

John Jacks presented Item Z-6 and stated that staff and the Zoning Commission recommended approval. He reported that of 33 notices mailed; three were returned in favor and 14 were received in opposition.

Mayor Castro called upon the individuals registered to speak.

Sara White expressed opposition to the zoning request noting her concerns with safety for children. She spoke of traffic issues and overcrowding in the nearby schools.

Jeremiah White spoke in opposition to the zoning request and showed photos of traffic congestion in the area. He also expressed concerns with child safety due to the nearby school.

Henry Flores representing the proposed development spoke in support of the zoning request. He stated that they had received a recommendation for approval from city staff and the Zoning Commission. He outlined the amenities that would be offered at the apartment complex including a pool and business center. He mentioned that they had received Federal Tax Credits for the project which would result in lower operating costs and rent.

Lydia Garcia stated that she had lived in the area for 18 years and was opposed to the zoning request. She expressed concern with safety and traffic in the area.

Walter Martinez spoke in support of the zoning request. He stated that there was a great need throughout the city for quality, affordable housing. He noted that traffic concerns should not deter growth and development.

Zulema Codello addressed the City Council in support of the zoning request noting that she had taught in the District and Area for 42 Years. She stated that the developer was addressing traffic concerns and that the development would be an asset to the community.

Henry Rodriguez read a letter of support for the zoning request from the American GI Forum Veterans Outreach Program. He stated that the project would help working people and felt it would benefit the community.

Rebecca Olague stated that she lived within 200 feet of the requested zoning change and was in opposition. She expressed concerns with traffic and noted that the development was not in the best interest of the neighborhood.

Zulema Guerra stated that she lived in the area and was opposed to the zoning request. She noted that there were already many apartment complexes within a two-mile radius of the development.

Shannon Cotton addressed the City Council in opposition to the zoning request. She spoke of the crime that occurs at apartment complexes and provided maps showing the crime density in the area. She added that the community did not want their property values to decrease due to the development.

Kevin Chandler, Owner of Pilot Cove Car Washes addressed the City Council in support of the zoning request. He stated that he had met with the developer and felt the apartments would be beneficial for the area.

Jerry Arredondo addressed the City Council in support of the zoning request. He stated that they would be down zoning the property and had met with city staff regarding alleviating traffic concerns. He noted that the development would provide affordable housing in the area and was a Tax Credit Development.

Councilmember Lopez stated that the development was proposed at the corner of Potranco and Richland Hills which was a high-traffic area. He noted that it was in an area experiencing a high amount of growth and asked of the traffic circulation pattern. Christina De La Cruz of Public Works stated that they were working with a consultant to perform a Comprehensive Traffic Study of the cumulative development occurring in the area. She indicated that currently, Richland Hills was being used as a connector during peak times. Councilmember Lopez spoke of the importance of a Data Driven Study to manage growth throughout the city.

Councilmember Gonzales asked of the traffic analysis. Ms. De La Cruz replied that for this particular development; they had utilized a work sheet that determined that only 55 trips would be created which would have minimal impact to transportation. She noted that development creating more than 75 trips would require a Traffic Study.

Councilmember Lopez moved to deny the proposed Ordinance. Councilmember Medina seconded the motion.

The motion to deny prevailed by the following vote: **AYES:** Bernal, Taylor, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, and Mayor Castro. **NAY:** None. **ABSENT:** Chan and Soules.

**2013-09-05-0624**

Item Z-10. **ZONING CASE # Z2013158 CD (District 8):** An Ordinance amending the Zoning District Boundary from "R-6 MLOD-1" Residential Single-Family Camp Bullis Military Lighting Overlay District to "R-6 CD MLOD-1" Residential Single-Family Camp Bullis Military Lighting Overlay District with a Conditional Use for a Professional Office on Lots 6 and 7, Block 2, NCB 14712 located at 4203 and 4211 Honeycomb Drive. Staff and Zoning Commission recommend 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: LOTS 6 AND 7, BLOCK 2, NCB 14712 TO WIT: FROM "R-6 MLOD-1" RESIDENTIAL SINGLE-

FAMILY CAMP BULLIS MILITARY LIGHTING OVERLAY DISTRICT TO "R-6 CD MLOD-1" RESIDENTIAL SINGLE-FAMILY CAMP BULLIS MILITARY LIGHTING OVERLAY DISTRICT WITH A CONDITIONAL USE FOR A PROFESSIONAL OFFICE PROVIDED ANY CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

John Jacks presented Item Z-10 and stated that staff and the Zoning Commission recommended approval with the following conditions: A) There shall be no exterior display or sign with the exception that a nameplate, not exceeding three (3) square feet in area, may be permitted when attached to the front of the main structure; B) No construction features shall be permitted which would place the structure out of character with the surrounding residential neighborhood; and C) Business hours of operation shall not be permitted before 7:00 am or after 6:00 pm. He added that the Vance Jackson Neighborhood Association was opposed to the request.

Mayor Castro called upon the individuals registered to speak.

Winnifred Murnin stated that she was the only homeowner adjacent to the property under consideration that would be negatively affected. She expressed concern with landscaping and parking but stated that she would not be in opposition if the issues could be positively addressed.

Frank Korte stated that they have worked with the neighborhood association on various issues and that all of the conditions were acceptable.

Councilmember Nirenberg stated that he was pleased that the community members and applicant had worked together on the request. He asked of the landscape buffer and the reduction of parking spaces. Mr. Jacks replied that the landscape buffer requirement could be addressed today. However; the reduction in the number of parking spaces would be considered a variance and could only be approved by the Zoning Board of Adjustment. He noted that one space could be reduced administratively.

Councilmember Nirenberg moved to adopt the proposed Ordinance with city staff recommendation with a revised site plan and the following condition: The Type A Landscape Buffer shall be required along Rustic Lane and Honeycomb Drive except any portion that would violate clear vision standards. Councilmember Saldaña seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** Taylor and Chan.

**CONTINUED TO SEPTEMBER 19, 2013**

Item Z-12. **ZONING CASE # Z2013167 S (District 10):** An Ordinance amending the Zoning District Boundary from "C-2 MC-3 AHOD" Commercial Austin Highway/Harry Wurzbach Metropolitan Corridor Overlay Airport Hazard Overlay District to "C-2 S MC-3 AHOD" Commercial Austin Highway/Harry Wurzbach Metropolitan Corridor Overlay Airport Hazard Overlay District with a Specific Use Authorization for a Carwash on 0.779 of an acre out of Lots 31 and 32, Block A, NCB 8695 located on a portion of the 1300 block of Austin Highway. Staff and Zoning Commission recommend approval.

John Jacks presented Item Z-12 and stated that staff and the Zoning Commission recommended approval. He reported that of 14 notices mailed; four were returned in favor and none were received in

opposition. He added that the applicant needed to amend their Site Plan which required an amendment to the field notes which had not yet been received. He stated that the case would have to be continued in order for the applicant to submit the information.

Councilmember Soules moved to continue Item Z-12 to September 19, 2013. Councilmember Bernal seconded the motion.

The motion prevailed by the following vote: **AYES:** Bernal, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** Taylor and Chan.

Mayor Castro addressed the Consent Agenda Items at this time.

**CONSENT AGENDA ITEMS 5-28C**

Consent Agenda Items 6 and 7 were pulled for Individual Consideration.

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

Mayor Castro announced that no citizens were registered to speak on the Consent Agenda.

Faris Hodge, Jr. submitted written testimony in opposition to Items 4, 5, 9, and 11. He expressed concern that the playground would be placed next to open drainage (Item 9). He wrote that he was opposed to the Guadalupe Cultural Arts Center was only paying $1.00 in rent per year (Item 11). He wrote in favor of Items 6, 7, 8, 10, 12-28C.

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

Item 5. CONSIDERATION OF THE FOLLOWING ACTIONS RELATED TO GUADALUPE AREA STREETS PROJECT, A 2007 BOND SAVINGS FUNDED PROJECT LOCATED IN COUNCIL DISTRICT 5:

**2013-09-05-0578**

A. AN ORDINANCE ACCEPTING THE LOWEST RESPONSIVE BID AND AWARDING A CONSTRUCTION CONTRACT, INCLUDING TWO ADDITIVE ALTERNATES, IN THE AMOUNT OF $1,470,007.60, AUTHORIZED PAYABLE TO EZ BEL CONSTRUCTION LLC, FOR CONSTRUCTION OF THE GUADALUPE AREA STREETS PROJECT, OF WHICH $3,000.00 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEMS FOR ITS WORK.

**2013-09-05-0579**

B. AN ORDINANCE ACCEPTING A PROPOSAL AND AUTHORIZING THE EXECUTION OF A JOB ORDER CONTRACT IN AN AMOUNT NOT TO EXCEED $255,000.00, PAYABLE TO DAVILA CONSTRUCTION, INC., FOR THE FABRICATION AND INSTALLATION OF THREE (3) PUBLIC ART BUS SHELTERS IN THE WESTSIDE CULTURAL DISTRICT, IN CONNECTION WITH GUADALUPE AREA STREETS

PROJECT; AND, AMENDING THE FY 2013 – 2018 CAPITAL IMPROVEMENT PROGRAM BUDGET WITH THE ALLOCATION OF $215,000.00 IN PREVIOUSLY AUTHORIZED COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS.

**2013-09-05-0582**

Item 8. AN ORDINANCE FOR THE VIEWCREST AT HIGGINS ROAD CUL-DE-SAC PROJECT AUTHORIZING THE ACQUISITION OF FEE SIMPLE TITLE TO ONE PARCEL OF PRIVATELY-OWNED REAL PROPERTY CONTAINING APPROXIMATELY 8,346 SQUARE FEET (.190 ACRES) LOCATED AT THE INTERSECTION OF VIEWCREST ROAD AND HIGGINS ROAD IN NCB 15708 IN COUNCIL DISTRICT 10 FOR THE CREATION OF A CUL-DE-SAC, A CERTIFICATES OF OBLIGATION FUNDED PROJECT; DECLARING IT TO BE A PUBLIC USE PROJECT AND AUTHORIZING EXPENDITURES IN AN AMOUNT NOT TO EXCEED $25,000.00 PAYABLE TO THE SELECTED TITLE COMPANY FOR LAND AND ASSOCIATED TITLE FEES.

**2013-09-05-0583**

Item 9. AN ORDINANCE AUTHORIZING THE ACQUISITION OF APPROXIMATELY 0.60 ACRES OF PROPERTY, LOCATED WITHIN A LARGER PORTION OF PROPERTY LOCATED AT 650 VFW BOULEVARD, FOR THE REDEVELOPMENT OF THE MISSION DRIVE-IN.

**2013-09-05-0584**

Item 10. AN ORDINANCE AUTHORIZING AN AMENDMENT TO AN EXISTING LEASE AGREEMENT WITH SERENE LODGING, INC. FOR THE USE OF A 13,146 SQUARE FOOT CITY OWNED LOT LOCATED AT 302 WEST HOUSTON STREET IN COUNCIL DISTRICT 1 TO FACILITATE THE HOLIDAY INN EXPRESS LOCATED AT 120 CAMARON STREET USE OF THE PROPERTY FOR PARKING PURPOSES.

**2013-09-05-0585**

Item 11. AN ORDINANCE AUTHORIZING A FUNDING AGREEMENT WITH THE GUADALUPE CULTURAL ARTS CENTER FOR THE PHARMACY BUILDING PROJECT, A 2012 – 2017 BOND PROGRAM PROJECT, IN AN AMOUNT NOT TO EXCEED $845,000.00, AUTHORIZING PAYMENT SUBJECT TO THE AVAILABILITY OF FUNDS, AND AUTHORIZING A LEASE AGREEMENT OF THE PROPERTY, LOCATED AT 1300 GUADALUPE STREET, TO THE CITY FROM GUADALUPE CULTURAL ARTS CENTER AND A SUB-LEASE AGREEMENT OF THE SAME PROPERTY BACK TO GUADALUPE CULTURAL ARTS CENTER WITH BOTH LEASES HAVING A RATE OF $1.00 PER YEAR AND A TERM OF TWENTY YEARS.

**2013-09-05-0586**

Item 12. AN ORDINANCE AUTHORIZING THE CONTINUATION OF SPORTS LICENSE AGREEMENTS WITH HIGHLAND HAWKS SAN ANTONIO POP WARNER FOOTBALL CONFERENCE AND SAN ANTONIO INDEPENDENT SCHOOL DISTRICT AT SOUTHSIDE

LIONS PARK FOR TERMS OF FIVE YEARS COMMENCING ON OCTOBER 1, 2013, IN CITY COUNCIL DISTRICT 3.

**2013-09-05-0587**

Item 13. AN ORDINANCE AUTHORIZING THE CLOSURE, VACATION AND ABANDONMENT OF AN UNIMPROVED PORTION OF EAGLELAND STREET PUBLIC RIGHT OF WAY CONSISTING OF 0.017 OF AN ACRE LOCATED AT THE NORTHWEST CORNER OF EAGLELAND AND E. GUENTHER STREETS ADJACENT TO NCB 2917 IN COUNCIL DISTRICT 5.

Item 14. CONSIDERATION OF THE FOLLOWING ACTIONS RELATED TO VARIOUS CAPITAL IMPROVEMENT PROJECTS, LOCATED IN COUNCIL DISTRICTS 3 AND 9:

**2013-09-05-0588**

A. AN ORDINANCE ACCEPTING THE DEDICATION OF EASEMENT TITLE TO ONE PARCEL OF PRIVATELY-OWNED DONATED REAL PROPERTY CONTAINING APPROXIMATELY 510 SQUARE FEET (0.012 ACRES) LOCATED AT THE INTERSECTION OF PLEASANTON ROAD AND FORMOSA BOULEVARD IN NCB 9470, LOCATED IN COUNCIL DISTRICT 3, FOR THE POTENTIAL FUTURE EXPANSION OF PLEASANTON ROAD. THIS DONATION WILL HAVE NO COST CONSIDERATION TO THE CITY AND WILL HAVE NO FISCAL IMPACT.

**2013-09-05-0589**

B. AN ORDINANCE ACCEPTING THE DEDICATION OF EASEMENT TITLE TO TWO PARCELS OF PRIVATELY-OWNED DONATED REAL PROPERTY CONTAINING APPROXIMATELY 26,056 SQUARE FEET (0.5982 ACRES) LOCATED AT THE INTERSECTION OF NORTH LOOP 1604 AND GOLD CANYON ROAD IN NCB 15671, IN COUNCIL DISTRICT 9, FOR THE INSTALLATION OF DRAINAGE FACILITIES TO PROVIDE DRAINAGE CONVEYANCE INTO MUD CREEK. THIS DONATION WILL HAVE NO COST CONSIDERATION TO THE CITY AND WILL HAVE NO FISCAL IMPACT.

**2013-09-05-0590**

C. AN ORDINANCE ACCEPTING THE DEDICATION OF FEE SIMPLE TITLE TO ONE PARCEL OF PRIVATELY-OWNED DONATED REAL PROPERTY CONTAINING A TOTAL OF APPROXIMATELY 479 SQUARE FEET (0.0110 ACRES) LOCATED NEAR THE INTERSECTION OF TURBO DRIVE AND REVERIE LANE IN NCB 13847, IN COUNCIL DISTRICT 9, TO ENSURE FEE SIMPLE OWNERSHIP OF ALL PORTIONS OF TURBO DRIVE. THIS DONATION WILL HAVE NO COST CONSIDERATION TO THE CITY AND WILL HAVE NO FISCAL IMPACT.

Item 15. CONSIDERATION OF THE FOLLOWING ORDINANCES AUTHORIZING THE DECLARATION AS SURPLUS AND DISPOSITION OF SEVEN REAL PROPERTIES OWNED BY THE SAN ANTONIO WATER SYSTEM:

**2013-09-05-0591**

A. AN ORDINANCE DECLARING AS SURPLUS AND AUTHORIZING THE DISPOSITION OF AN APPROXIMATE 13.09 ACRE TRACT OF LAND, INCLUDING AN APPROXIMATE 2.017 ACRE INGRESS/EGRESS EASEMENT ON BLUE WING ROAD MORE COMMONLY KNOWN AS THE OTILLO DAM SITE, LOCATED WITHIN THE EXTRATERRITORIAL JURISDICTION LINE.

**2013-09-05-0592**

B. AN ORDINANCE DECLARING AS SURPLUS AND AUTHORIZING THE DISPOSITION OF AN APPROXIMATE 19 ACRE TRACT OF LAND LOCATED AT 6305 CAGNON ROAD WITHIN THE EXTRATERRITORIAL JURISDICTION LINE.

**2013-09-05-0593**

C. AN ORDINANCE DECLARING AS SURPLUS AND AUTHORIZING THE DISPOSITION OF AN APPROXIMATE 0.032 ACRE TRACT OF LAND LOCATED AT 15309 CULEBRA ROAD WITHIN THE EXTRATERRITORIAL JURISDICTION LINE.

**2013-09-05-0594**

D. AN ORDINANCE DECLARING AS SURPLUS AND AUTHORIZING THE DISPOSITION OF AN APPROXIMATE 0.9642 ACRE TRACT OF LAND LOCATED AT 8604 GERONIMO DRIVE WITHIN THE EXTRATERRITORIAL JURISDICTION LINE.

**2013-09-05-0595**

E. AN ORDINANCE DECLARING AS SURPLUS AND AUTHORIZING THE DISPOSITION OF AN APPROXIMATE 268.132 ACRE TRACT OF LAND (KYE MASK FARM) LOCATED NORTHEAST OF LYTLE, TEXAS IN BEXAR AND ATASCOSA COUNTIES WITH I.H. 35 ACCESS WITHIN THE EXTRATERRITORIAL JURISDICTION LINE.

**2013-09-05-0596**

F. AN ORDINANCE DECLARING AS SURPLUS AND AUTHORIZING THE DISPOSITION OF AN APPROXIMATE 5.02 ACRE TRACT LOCATED AT 9823 MARBACH ROAD, WITHIN COUNCIL DISTRICT 4.

**2013-09-05-0597**

G. AN ORDINANCE DECLARING AS SURPLUS AND AUTHORIZING THE DISPOSITION OF AN APPROXIMATE 723.65 ACRE TRACT OF LAND LOCATED ON WT MONTGOMERY ROAD SOUTH OF U.S. HWY. 90 (STRAUS RANCH), WITHIN THE EXTRATERRITORIAL JURISDICTION LINE.

**2013-09-05-0598**

Item 16. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION IN THE AMOUNT OF $26,500.00 FROM THE TEXAS DIVISION OF EMERGENCY MANAGEMENT FOR A HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS GRANT TO FUND A HAZARDOUS MATERIALS COMMODITY FLOW STUDY; AUTHORIZING AN IN-KIND MATCHING CONTRIBUTION; AND AUTHORIZING THE ACCEPTANCE OF FUNDS, UPON AWARD OF THE GRANT.

**2013-09-05-0599**

Item 17. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION IN AN AMOUNT UP TO $1,000,000.00 TO THE STATE ADMINISTRATIVE AGENCY FOR GRANT FUNDS FROM THE 2013 HOMELAND SECURITY GRANT PROGRAM TO PREVENT, RESPOND TO, AND RECOVER FROM ACTS OF TERRORISM AND NATURAL DISASTERS; AND AUTHORIZING THE ACCEPTANCE OF THE FUNDS, UPON AWARD.

**2013-09-05-0600**

Item 18. AN ORDINANCE RATIFYING THE SUBMISSION OF A GRANT APPLICATION AND AUTHORIZING THE ACCEPTANCE OF FUNDS FROM THE CENTERS FOR DISEASE CONTROL AND PREVENTION FOR THE SODIUM REDUCTION IN COMMUNITIES GRANT IN AN AMOUNT UP TO $240,982.00 FOR YEAR ONE OF A THREE-YEAR GRANT TO SUPPORT THE CHRONIC DISEASE PROGRAM OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT IN IMPLEMENTING COMMUNITY-WIDE EFFORTS TO REDUCE SODIUM INTAKE FOR THE PERIOD BEGINNING SEPTEMBER 30, 2013 THROUGH SEPTEMBER 29, 2014.

**2013-09-05-0601**

Item 19. AN ORDINANCE AMENDING CHAPTER 5 OF THE CITY CODE ENTITLED "ANIMALS" TO DESIGNATE THE ANIMAL CARE SERVICES DEPARTMENT THE DESIGNATED CARETAKER OF IMPOUNDED ANIMALS IN ORDER TO PROVIDE PROTECTIVE VACCINATIONS AND ANY NEEDED MEDICAL CARE FOR ANIMALS OR PETS BROUGHT INTO THE ACS FACILITY.

Item 20. CONSIDERATION OF THE FOLLOWING BOARD, COMMISSION AND COMMITTEE APPOINTMENTS FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE MAY 31, 2015, 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 KAREN L. SPEER (DISTRICT 5) AND SALLIE F. SCOTT (DISTRICT 10) TO THE ANIMAL CARE SERVICES ADVISORY BOARD.

B. REAPPOINTING R. MARK ROGERS (DISTRICT 10) TO THE ARTS AND CULTURAL ADVISORY COMMITTEE.

C. REAPPOINTING ELLEN H. PFEIFFER (DISTRICT 8) TO THE CITY/COUNTY JOINT COMMISSION ON ELDERLY AFFAIRS.

D. REAPPOINTING STEPHEN H. KALE (DISTRICT 10) TO THE CITIZENS' ENVIRONMENTAL ADVISORY COMMITTEE.

E. REAPPOINTING IVALIS M. GONZALEZ (DISTRICT 8) TO THE MAYOR'S COMMISSION ON THE STATUS OF WOMEN.

F. APPOINTING LESTER BRYANT (DISTRICT 2) TO THE SA2020 COMMISSION ON EDUCATION.

G. APPOINTING ROLAND F. GONZALES (DISTRICT 8) TO THE SMALL BUSINESS ADVISORY COMMITTEE.

H. REAPPOINTING AISHA J. COUNTS (DISTRICT 10) TO THE SAN ANTONIO YOUTH COMMISSION.

I. REAPPOINTING MICHAEL R. GALLAGHER (DISTRICT 10) TO THE ZONING BOARD OF ADJUSTMENT.

J. APPOINTING MICHELLE R. KRUPA (DISTRICT 3) TO THE BROOKS DEVELOPMENT AUTHORITY.

**2013-09-05-0602**

K. AN ORDINANCE APPOINTING JUAN F. SOLIS, III (DISTRICT 5) TO THE PORT AUTHORITY OF SAN ANTONIO AND WAIVING THE RESIDENCY REQUIREMENT OF CITY CODE CHAPTER 2, ARTICLE XI, FOR THE THIS APPOINTMENT.

**2013-09-05-0603**

Item 21. AN ORDINANCE AUTHORIZING THE NEGOTIATION AND EXECUTION OF A MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND UNITED STATES ARMY CORP OF ENGINEERS, FORT WORTH DISTRICT, IN THE AMOUNT NOT TO EXCEED $500,000.00 FOR A PERIOD OF FIVE YEARS FOR THE EXPEDITED REVIEW OF SECTION 404 PERMITS FOR CITY PRIORITY PROJECTS UNDER THE CLEAN WATER ACT, FOR DESIGNATED CITY IMPROVEMENT AND TRANSPORTATION PROJECTS LOCATED CITY-WIDE.

**2013-09-05-0604**

Item 22. AN ORDINANCE AUTHORIZING THE FIRST AMENDMENT OF THE CHAPTER 380 ECONOMIC DEVELOPMENT PROGRAM GRANT AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND SIGMA SOLUTIONS, INC. TO REPLACE THE NAME SIGMA SOLUTIONS, INC WITH SIGMA TECHNOLOGY SOLUTIONS, INC.; AMENDING THE DATE OF EXECUTION OF A LEASE AGREEMENT IN THE CENTRAL BUSINESS DISTRICT AND; CHANGING THE DATE BY WHICH SIGMA MUST CREATE AND RETAIN A TOTAL OF 60 JOBS.

**2013-09-05-0605**

Item 23. AN ORDINANCE AUTHORIZING THE LEASE OF A 2013 FORD F550 CREW CAB 4X4 PRIME MOVER TO THE SOUTHWEST TEXAS REGIONAL ADVISORY COUNCIL FOR A TERM OF 15 YEARS TO BE USED AS A DEPLOYABLE RESOURCE TO PROVIDE EMERGENCY RESPONSE TO DISASTER AREAS IN SOUTH TEXAS AT NO COST.

**2013-09-05-0606**

Item 24. AN ORDINANCE REVISING THE QUALIFICATIONS FOR APPOINTMENT TO THE DISABILITY ACCESS ADVISORY COMMITTEE.

**2013-09-05-0607**

Item 25. AN ORDINANCE RATIFYING THE SUBMISSION OF AN APPLICATION TO THE CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLIC HEALTH ASSOCIATE PROGRAM AND THE ASSIGNMENT OF A PUBLIC HEALTH ASSOCIATE IN METRO HEALTH FOR A TWO YEAR PERIOD BEGINNING IN JULY 2013, AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS.

Item 26. PUBLIC HEARING AND CONSIDERATION OF THE FOLLOWING ORDINANCES RELATING TO ECONOMIC DEVELOPMENT INCENTIVES FOR CYRUSONE LLC.

**2013-09-05-0608**

A. A PUBLIC HEARING AND ORDINANCE DESIGNATING THE CYRUSONE REINVESTMENT ZONE LOCATED OFF OF WESTOVER HILLS BLVD BETWEEN RABA DRIVE AND PORTOLA BLVD, SAN ANTONIO, TEXAS IN COUNCIL DISTRICT 6.

**2013-09-05-0609**

B. AN ORDINANCE APPROVING A 6-YEAR, 50% TAX ABATEMENT AGREEMENT WITH CYRUSONE LLC ON ITS PLANNED INVESTMENT OF APPROXIMATELY $120 MILLION IN REAL AND PERSONAL PROPERTY IMPROVEMENTS AND THE CREATION OF 15 FULL-TIME JOBS.

Item 27. CONSIDERATION OF THE FOLLOWING ITEMS RELATING TO THE PROVISION OF POST-DISASTER DEBRIS REMOVAL SERVICES:

**2013-09-05-0610**

A. AN ORDINANCE SELECTING DRC EMERGENCY SERVICES, LLC., AND AWARDING A CONTRACT FOR ON-CALL DEBRIS MANAGEMENT SERVICES, FOR AN INITIAL TERM OF FOUR YEARS WITH ONE ONE-YEAR RENEWAL OPTION.

**2013-09-05-0611**

B. AN ORDINANCE SELECTING SCIENCE APPLICATIONS INTERNATIONAL CORPORATION, AND AWARDING A CONTRACT FOR ON-CALL DEBRIS MANAGEMENT MONITORING SERVICES, FOR AN INITIAL TERM OF FOUR YEARS WITH A ONE-YEAR RENEWAL OPTION.

Item 28. PUBLIC HEARING AND CONSIDERATION OF THE FOLLOWING ORDINANCES RELATED TO THE DOWNTOWN PUBLIC IMPROVEMENT DISTRICT:

**2013-09-05-0612**

A. AN ORDINANCE APPROVING THE LEVY OF A SPECIAL ASSESSMENT FOR THE DOWNTOWN IMPROVEMENT DISTRICT; LEVYING AN ASSESSMENT RATE FOR FY 2014 AT $0.15 PER $100 VALUE OF COMMERCIAL REAL PROPERTY AND $0.09 PER $100 VALUE OF RESIDENTIAL CONDOMINIUMS IN THE PID; AND APPROVING THE FY 2014 SERVICES AND ASSESSMENT PLAN FOR THE PID.

**2013-09-05-0613**

B. AN ORDINANCE AUTHORIZING AN AMENDED AND RESTATED CONTRACT FOR IMPROVEMENTS AND/OR SERVICES IN THE SAN ANTONIO PUBLIC IMPROVEMENT DISTRICT WITH CENTRO PUBLIC IMPROVEMENT DISTRICT, A NON-PROFIT ENTITY, TO PROVIDE SPECIFIED SERVICES AND DEVELOP ANNUAL SERVICE AND ASSESSMENT PLANS FOR THE DOWNTOWN PUBLIC IMPROVEMENT DISTRICT FOR A TEN-YEAR PERIOD ENDING SEPTEMBER 30, 2023.

**2013-09-05-0614**

C. AN ORDINANCE AUTHORIZING THE FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT WITH VIA METROPOLITAN TRANSIT AUTHORITY FOR PARTICIPATION IN THE DOWNTOWN PUBLIC IMPROVEMENT DISTRICT THROUGH SEPTEMBER 30, 2023.

**[CONSENT ITEMS CONCLUDED]**

**ITEMS PULLED FOR INDIVIDUAL CONSIDERATION**

The City Clerk read the caption for Item 6:

**2013-09-05-0580**

Item 6. AN ORDINANCE AUTHORIZING THE ACQUISITION BY DEDICATION, NEGOTIATION OR CONDEMNATION OF PERMANENT EASEMENT INTERESTS IN PRIVATELY-OWNED REAL PROPERTY CONTAINING APPROXIMATELY 9,100 SQUARE FEET ALONG THE SOUTH SIDE OF WEST SOUTHCROSS BOULEVARD FROM SOUTH ZARZAMORA TO APPROXIMATELY 300 FEET EAST OF HURON STREET, LOCATED IN N.C.B.S 7990-7996 AND 8548 IN COUNCIL DISTRICT 5, FOR THE SOUTHCROSS SIDEWALKS F(ZARZAMORA TO SHELBY) PROJECT, A TAX NOTES FUNDED PROJECT; DECLARING IT TO BE A PUBLIC USE PROJECT AND A PUBLIC NECESSITY; AND AUTHORIZING EXPENDITURES NOT TO EXCEED $85,000.00 FOR LAND, SURVEY, TITLE AND RECORDING COSTS.

Councilmember Saldaña moved that the City of San Antonio authorize the use of the power of eminent domain to acquire property for the public use for the Southcross Sidewalks Zarzamora to Shelby Project by acquiring the following property described by the City Clerk and incorporated as part of this Motion. Councilmember Gonzales seconded the motion.

The City Clerk read the property description:

The property consists of the following: Portions of parcels along the southside of West Southcross Boulevard, between South Zarzamora and 300 feet east of Huron Street in NCBs 7990 through 7996 and NCB 8548. The properties are more particularly described and depicted in Exhibits A and B1 through B42 attached to the Ordinance and incorporated as part of this Motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** Chan.

The City Clerk read the caption for Item 7:

**2013-09-05-0581**

Item 7. AN ORDINANCE, ON BEHALF OF SAWS, AUTHORIZING THE ACQUISITION THROUGH NEGOTIATION OR CONDEMNATION, OF INTERESTS IN LAND SUFFICIENT FOR PROJECT PURPOSES, IN APPROXIMATELY 180 PARCELS OF PRIVATELY-OWNED REAL PROPERTY LOCATED IN COUNTY BLOCKS 4011-4014, 4122, 4124, 4128, 4139, 4140, 4142, 4143, 4152, 4167, 4181, 4187-4191A, 4200, 4202, 4206, 4207, 4210, 4301, 4311, 4312, 4317, 4334-4336, 4361, 4363, 4363A, 4367, 4385, 4387, 4390, 4390B, 4400, 4400M, 5177, 5196 AND 5197 AND NCB 15268, 17634, 18045, 18162, AND 34400, FOR THE WATER RESOURCES INTEGRATION PROGRAM PROJECT, LOCATED IN COUNCIL DISTRICTS 4 AND 6; DECLARING IT TO BE A PUBLIC PROJECT AND A PUBLIC NECESSITY FOR THE ACQUISITION.

Councilmember Lopez moved that the City of San Antonio authorize the use of the power of eminent domain to acquire property for the public use for the Saws Water Resources Integration Program by acquiring the following property described by the City Clerk and incorporated as part of this Motion. Councilmember Medina seconded the motion.

The City Clerk read the property description:

The properties consist of the following: One Hundred Eighty parcels for permanent easement interests of privately-owned real property in the following:

County Blocks 4011-4014; 4122; 4124; 4128; 4139; 4140; 4142; 4143; 4152; 4167; 4181; 4187-4191A; 4200; 4202; 4206; 4207; 4210; 4301; 4311; 4312; 4317; 4334-4336; 4361; 4363; 4363A; 4367; 4385; 4387; 4390; 4390B; 4400; 4400M; 5177; 5196; 5197 ; AND
New City Blocks: NCB 15268; 17634; 18045; 18162; and 34400.

These properties are more particularly described in Exhibit A-I attached to the Ordinance and incorporated as part of this Motion.

The motion prevailed by the following vote: **AYES:** Bernal, Taylor, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Chan, Soules, and Mayor Castro. **NAY:** None. **ABSENT:** None.

## ADJOURNMENT

There being no further discussion, Mayor Castro adjourned the meeting at 4:15 pm.

**APPROVED**

**JULIÁN CASTRO**
MAYOR

Attest:

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