

**State of Texas  
County of Bexar  
City of San Antonio**



**FINAL  
Meeting Minutes  
City Council A Session**

City Hall Complex  
114 W. Commerce  
San Antonio, Texas 78205

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Thursday, May 15, 2014

9:00 AM

Municipal Plaza Building

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The City Council convened in a Regular Meeting. The City Clerk took the Roll Call as follows:

**Present:** 11 - Mayor Castro, Bernal, Taylor, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

1. The Invocation was delivered by Pastor Chuck Humbert, Thousand Oaks Bible Church, guest of Councilmember Mike Gallagher, District 10.
2. Mayor Castro led the Pledge of Allegiance to the Flag of the United States of America.
3. Approval of Minutes for the April 2 - 3, 2014 City Council Meetings.

Councilmember Gallagher moved to approve the Minutes for the April 2-3, 2014 City Council Meeting. Councilmember Krier seconded the motion. The motion prevailed by the following vote:

**Aye:** 10 - Mayor Castro, Bernal, Taylor, Viagran, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

**Absent:** 1 - Saldaña

**POINT OF PERSONAL PRIVILEGE**

Mayor Castro presented a Certificate of Official Congratulations to Charline McCombs for the Empire Theatre in recognition of their 100th Anniversary. He commended Mrs. McCombs for her support of the Arts and Education in the community. Councilmember Nirenberg spoke of the work of the Las Casas Foundation and congratulated their 100th Anniversary of the Charline McCombs Empire Theatre. Mr. Frank Ruttenberg, Chairman of the Foundation spoke of the history of the organization noting that they were founded in 1988 as a Public/Private Joint Venture with the City of San Antonio. He stated that they operated the Majestic and Charline McCombs Empire Theatres without City or Taxpayer Funding and thanked the City Council for the recognition. Kevin Parman, President, spoke of their Scholarship Program in which \$500,000 has been awarded since inception in 2009. Ms. Charline McCombs thanked the City Council for the recognition and invited everyone to attend the Scholarship Competition on Sunday, May 18th in the Charline McCombs Empire Theatre. Councilmember Krier added his congratulations.

**CONSENT AGENDA ITEMS**

Items 6, 11, and 27 were pulled for Individual Consideration. Mayor Castro announced that Items 30A and 30B were pulled from the agenda by staff. Councilmember Lopez moved to approve the remaining Consent Agenda Items. Councilmember Taylor seconded the motion.

Mayor Castro called upon the individuals registered to speak.

Jack M. Finger spoke in opposition to the Chapter 380 Grant being provided to Oracle America, Inc. (Item 11) and the FY 2015 Annual Operating Budget for the Pre-K 4 SA Program (Item 24). He expressed concern that enough funding was not being provided toward Classroom Instruction and that expenses were double for FY 2015.

Fidel Castillo spoke in opposition to the grant from the Office of the Governor Criminal Justice Division to support the Cure Violence Project (Item 14). He noted concerns with Veterans suffering Post Traumatic Stress Disorder and the youth that are given antidepressants.

Faris Hodge, Jr. submitted written testimony in support of Items 4-8, 10-20, 22-24, and 27. He wrote in opposition to Items 9, 21, 25, 26, 28A-30B. He expressed concern with the

proposed SAWS and CPS Energy Rate Increases.

The motion to approve the remaining Consent Agenda Items prevailed by the following vote:

**Aye:** 10 - Mayor Castro, Bernal, Taylor, Viagran, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

**Absent:** 1 - Saldaña

**2014-05-15-0324**

4. An Ordinance authorizing a contract with Frio Nevado Corporation d/b/a Go Professional Environmental Management to provide custodial and supplemental conversion/labor services for the Alamodome for an estimated amount of \$1,042,000.00 annually through May 31, 2019 with one additional five-year renewal option for a total estimated contract amount of \$10,413,537.75, funded with the Hotel Occupancy Tax Alamodome Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

**2014-05-15-0325**

5. An Ordinance authorizing a contract with Frio Nevado Corporation d/b/a Go Professional Environmental Management to provide rigging services for the Alamodome for an estimated average amount of \$201,000.00 annually through May 31, 2019 with one additional five-year renewal option for a total estimated contract amount of \$2,006,750.00, funded with the Hotel Occupancy Tax Alamodome Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

**2014-05-15-0327**

7. An Ordinance accepting the lowest qualified bid and awarding a construction contract to J. Sanchez Contracting, Inc. in the amount of \$433,445.00 in connection with the Leon Creek Greenway - Cathedral Rock Park Site Improvements, a 2005 Proposition 2 Sales Tax Initiative funded project located in Council District 6. [Gloria Hurtado, Assistant City Manager; Xavier D. Urrutia, Director, Parks and Recreation]

**2014-05-15-0328**

8. An Ordinance accepting the lowest responsive bid and awarding a construction contract, for rehabilitation of the walking trails and development of general park improvements in Lou Kardon Park, including three additive alternates, in the amount of \$419,478.00 authorized payable to Crownhill Builders, Inc., a 2012-2017 Bond funded Project, located in Council District 2. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation and Capital Improvements]

**2014-05-15-0329**

9. An Ordinance authorizing, on behalf of CPS Energy, the negotiation and execution of an Advanced Funding Agreement with Texas Department of Transportation, authorizing CPS Energy to enter, design, construct and maintain street lighting improvements in the right of way located on Loop 368 (Broadway Street) at Humphrey Avenue, a roadway on the state highway system, necessary for completion of the San Antonio Children's Museum Project, a 2012 – 2017 Bond Project. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation and Capital Improvements]

**2014-05-15-0330**

10. An Ordinance authorizing the closure, vacation and abandonment of 1.04 acre unimproved portion of Anchor Drive, a 0.6025 acre unimproved portion of Link Drive and a 1.264 acre unimproved portion of Lima Drive in Council District 9 to facilitate the construction of 72 infill housing units as requested by LDK Realty. [Peter Zanoni, Deputy City Manager; Mike Etienne, EastPoint and Real Estate Services]

**2014-05-15-0332**

12. An Ordinance authorizing the acceptance of a grant in an amount up to \$28,904.46 from the Southwest Texas Regional Advisory Council for Trauma for use by the Emergency Medical Services Division of the San Antonio Fire Department for training expenses and purchases of supplies and equipment. [Erik J. Walsh, Deputy City Manager; Charles N. Hood, Fire Chief]

**2014-05-15-0333**

13. An Ordinance authorizing the submission of a grant application in an amount up to \$1,986,276.00 to the Office of National Drug Control Policy for a High Intensity Drug Trafficking Area grant to fund the San Antonio HIDTA Initiative for the grant period January 1, 2015, through December 31, 2016; authorizing the acceptance of the funds, upon award; and establishing a budget and personnel complement. [Erik J. Walsh, Deputy City Manager; William P. McManus, Chief of Police]

**2014-05-15-0334**

14. An Ordinance accepting a grant in an amount up to \$2,000,000.00 from the Office of the Governor, Criminal Justice Division, to support the Cure Violence Project. [Erik Walsh, Deputy City Manager; William McManus, Chief of Police]

**2014-05-15-0335**

15. An Ordinance authorizing the acceptance of additional funds in the amount of \$285,876.23 from the Federal Highway Administration for the City's traffic signal

system. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation and Capital Improvements]

**2014-05-15-0336**

16. An Ordinance authorizing a Memorandum of Agreement with Joint Base San Antonio-Lackland and Ft. Sam Houston for the City to provide animal care services for a one year period with the option to renew for two one year terms. [Erik Walsh, Deputy City Manager; Kathy Davis, Director, Animal Care Services]

**2014-05-15-0337**

17. An Ordinance authorizing a \$147,003.50 reimbursement to Landry's Restaurants for repair to the Tower of the Americas. [Carlos Contreras, Assistant City Manager; Lori Houston, Director, Center City Development Office]

**2014-05-15-0338**

18. An Ordinance adjusting the salary of the City Clerk to provide for a performance pay increase. [Robert F. Greenblum, City Attorney]

**2014-05-15-0339**

19. An Ordinance approving a pre-qualified list of public artists whose services may be used to implement public art projects established by the public art plan in an amount not-to-exceed the eligible allocation; authorizing contracts for such projects; and authorizing payments subject to the availability of funds. [Ed Belmares, Assistant City Manager; Felix Padron, Director, Culture and Creative Development]

**2014-05-15-0340**

20. An Ordinance authorizing the extension of line-of-duty leave for Fire Engineer Eddie Douglas III. [Erik J. Walsh, Deputy City Manager; Charles N. Hood, Fire Chief]

**2014-05-15-0341**

21. An Ordinance amending the FY 2014 Adopted Annual Operating Budget based on actual revenues and expenditures for the first six months of FY 2014 (October 2013 to March 2014) and projections for the remaining six months of FY 2014 (April 2014 to September 2014) in the General Fund, various Restricted Funds, and the Capital Budget. [Sheryl Sculley, City Manager; Maria Villagomez, Director, Management and Budget]

**2014-05-15-0342**

22. An Ordinance authorizing the execution of an Amendment to the Bexar County Venue Tax Project License Agreement with Alamo City Youth Soccer Organization for the continuation of the term for a five year period beginning June 1, 2014 and amending reporting requirements. [Gloria Hurtado, Assistant City Manager; Xavier

D. Urrutia, Director, Parks & Recreation]

**2014-05-15-0343**

23. An Ordinance authorizing an amendment to the Cooperative Agreement between the City of San Antonio, Bexar County and the San Antonio River Authority for the San Antonio River Improvements Project located in Council District 3 increasing the project scope and committing an additional \$350,000.00 from the City's Proposition 2 (2010) Sales Tax Initiative Funds.[Gloria Hurtado, Assistant City Manager; Xavier Urrutia, Director, Parks and Recreation]

**2014-05-15-0344**

24. An Ordinance approving Fiscal Year 2015 annual operating budget for the “Pre-K 4 SA” program as adopted by the San Antonio Early Childhood Education Municipal Development Corporation in the amount of \$36,496,103. [Kathy Bruck, CEO, Pre-K 4 SA]

**2014-05-15-0345**

25. An Ordinance authorizing the negotiation and execution of a professional services agreement with Event Professional Services, LLC and Sams Contracting Consulting and Training, LLC, each in an amount up to \$75,000.00 per year to provide one-on-one management and technical assistance and training to enhance the capacity of targeted small construction businesses seeking to contract with the City as prime contractors or subcontractors. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation and Capital Improvements]

**2014-05-15-0346**

26. An Ordinance authorizing the renewal of eight On-Call Real Estate Appraisal Services contracts to provide real estate appraisal services for various City projects for one-year term contracts with Debra S. Runyan, MAI; Dugger, Canaday, Grafe, Inc.; Eckmann Groll, Inc.; Integra Realty Resources; McNeel, Weissler & Associates; Noble & Associates, Inc.; Paul Hornsby & Company and Sandison Appraisal, LLC., for a one-year term. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation and Capital Improvements]

28. Consideration of the following financial matters related to the San Antonio Water System: [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

**2014-05-15-0016R**

- 28A. A Resolution establishing the City’s intention to reimburse itself for the prior lawful capital expenditures of funds from the proceeds of tax-exempt obligations not to exceed \$75,955,000.

**2014-05-15-0017R**

- 28B.** A Resolution authorizing the submittal of an application requesting financial assistance from the Texas Water Development Board in an amount not to exceed \$75,955,000 through its Drinking Water State Revolving Fund for funding of certain qualified water projects.
- 29.** Consideration of the following financial matters related to CPS Energy: [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

**2014-05-15-0347**

- 29A.** An Ordinance authorizing the issuance of the City of San Antonio, Texas Electric and Gas Systems New Money Bonds, Series 2014 ("New Money Bonds"), in a principal amount not to exceed \$200 million, and other financial matters as necessary and the distribution of an Official Statement relating to the New Money Bonds.

**2014-05-15-0348**

- 29B.** An Ordinance authorizing the issuance of the City of San Antonio, Texas Electric and Gas Systems Revenue Refunding Bonds, Series 2014 ("Refunding Bonds"), in a principal amount not to exceed \$300 million, and other financial matters as necessary to refund certain maturities of the City of San Antonio, Texas Electric and Gas Systems Revenue Refunding Bonds, New Series 2005 ("Refunded Obligations") for debt service savings and the distribution of an Official Statement relating to the Refunding Bonds.
- 30.** Consideration of the following items related to the selection of Financial Underwriters: [Ben Gorzell, Jr., Chief Financial Officer; Troy Elliott, Director, Finance]

**PULLED FROM THE AGENDA BY STAFF**

- 30A.** An Ordinance authorizing and approving on the same terms and conditions for the first renewal term for the 2011 City of San Antonio Financial Underwriting Pool from which financial underwriting syndicates will be selected and approved by City Council for various financings for the period commencing October 1, 2014 and ending September 30, 2015.

**PULLED FROM THE AGENDA BY STAFF**

- 30B.** An Ordinance approving the Financial Underwriter Syndicates selected from the Financial Underwriting Pool for financings of General Improvement and Refunding Bonds, Series 2014, Combination Tax and Revenue Certificates of Obligation, Series

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2014; and Tax Notes, Series 2014; General Improvement Refunding Bonds, Series 2014; and Customer Facility Charge and Subordinate Lien Airport System Revenue Improvement Bonds, Series 2015.

## CONSENT ITEMS CONCLUDED

### ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the caption for Item 6:

#### **2014-05-15-0326**

6. An Ordinance accepting the lowest qualified bid and awarding a construction contract to CGC General Contractors, Inc. in the amount of \$719,805.00 in connection with the Olmos Basin Greenway Trail Project from Olmos Basin Park to Basse Road, a 2010 Proposition 2 Sales Tax Initiative funded project located in Council District 1. [Gloria Hurtado, Assistant City Manager; Xavier D. Urrutia, Director, Parks and Recreation]

Councilmember Bernal asked staff to highlight the project. Xavier Urrutia stated that the project was part of the Proposition 2 Sales Tax Initiative. He noted that they would be moving the Olmos Park Picnic Area North to Basse Road which would allow connectivity from the neighborhoods. He indicated that it would also connect an existing loop trail within the Olmos Sportsplex Area. Councilmember Bernal stated that he was pleased to bring the amenities closer to the public and felt it was a great use of the funds.

Councilmember Nirenberg expressed his support and asked of the remaining amount of funds. Mr. Urrutia replied that \$27 Million had been collected and \$15 Million had been utilized, leaving a balance of \$12 Million.

Councilmember Bernal moved to adopt the proposed ordinance. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

**Aye:** 9 - Mayor Castro, Bernal, Taylor, Viagran, Gonzales, Lopez, Medina, Nirenberg and Gallagher

**Absent:** 2 - Saldaña and Krier

The City Clerk read the caption for Item 11:

#### **2014-05-15-0331**

11. An Ordinance authorizing the City to enter into a Chapter 380 Economic Development Grant Agreement of the City of San Antonio with Oracle America, Inc.



[Carlos Contreras, Assistant City Manager; Rene Dominguez, Director, Economic Development]

Councilmember Bernal asked for a staff presentation. Rene Dominguez introduced Erik Pampel, Senior Real Estate Manager for Oracle America, Inc. Mr. Dominguez noted staff recommends that the city enter into a Chapter 380 Economic Development Grant Agreement with Oracle America, Inc. in an amount not to exceed \$1,000,000 over three years. He stated that Oracle America, Inc. had committed to create 200 new Information Technology Services and Business Process Support Jobs with minimum salaries of \$70,000. He indicated that the jobs must be retained for a minimum of 10 years. He mentioned that Oracle America, Inc. was founded in 1977 and headquartered in Redwood City, California. He added that Oracle America, Inc. is a Fortune 100 Company with a workforce of over 12,000 individuals in 145 countries. He spoke of the project benefits that include supporting the SA2020 Target Industry of Information Technology. He mentioned that the incentive represents an exception to the Economic Development Incentive Fund Guidelines by increasing the per job grant maximum to \$5,000 for a project locating within San Antonio but outside the Inner City Reinvestment Infill Policy (ICRIP) Area. He added that staff recommended the exception based on the 200 new high paying jobs in the SA2020 Targeted Industry of Information Technology due to minimum salaries exceeding the median income. Councilmember Bernal expressed his support and stated that he was pleased that Oracle America, Inc. had selected San Antonio.

Councilmember Nirenberg thanked staff for their work and stated that he was looking forward to Oracle America, Inc. being a part of the San Antonio Community.

Councilmember Medina expressed his support and stated that he was excited that Oracle America, Inc. was coming to San Antonio.

Councilmember Gonzales asked of the Chapter 380 Grant. Mr. Dominguez replied that Chapter 380 Grants are required to be used for Economic Development. Councilmember Gonzales asked of Marketing Efforts. Mr. Dominguez stated that they would work with Oracle America, Inc. to develop a program with Local Universities to host Job Fairs and expose them to opportunities.

Councilmember Krier stated that Oracle America, Inc. was one of the premier companies in the world and was pleased that they would be in San Antonio.

Councilmember Lopez welcomed Oracle America, Inc. to San Antonio and stated that they would be a great addition to the city.

Mayor Castro expressed support and stated that he was pleased that San Antonio was

making progress within the Information Technology and Security Industries.

Councilmember Bernal moved to adopt the proposed ordinance. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

**Aye:** 11 - Mayor Castro, Bernal, Taylor, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

The City Clerk read the caption for Item 27:

**2014-05-15-0015R**

27. A Resolution in support of Senate Joint Resolution 1, a proposed constitutional amendment for the November 4, 2014 State ballot to increase State highway funding utilizing a dedicated portion of oil and gas production tax revenue. [Peter Zaroni, Deputy City Manager; Mike Frisbie, Director, Transportation and Capital Improvements]

Councilmember Lopez highlighted the Resolution and asked for a brief presentation. Mike Frisbie stated that they were requesting that the City Council approve a Resolution in support of the Proposed Constitutional Amendment on the November 4, 2014 State Ballot. He explained that if approved, half of the 75% of Oil and Gas Production Tax Revenue would be provided to the Rainy Day Fund and the other half would be provided to the Texas Department of Transportation (TxDOT) for Freeway & Highway Maintenance and Construction. Councilmember Lopez stated that Transportation Funding was critically important and noted that funding directly affects the City's Air Quality.

Councilmember Nirenberg expressed support for the Resolution and noted that Transportation Infrastructure would be critical due to the great amount of projected growth.

Councilmember Gallagher stated that this was a very important issue and noted the potential collapse of the Highway System.

Councilmember Gonzales expressed concern that the funds would not be used to invest in alternative forms of transportation other than Highways. She stated that more time and effort should be dedicated toward alternative forms of transportation throughout the State.

Councilmember Krier spoke of the deterioration of roads and great amount of projected growth. He asked if funding would be used for new Highway Construction. Mr. Frisbie replied that it could be used for new construction and maintenance.

Councilmember Medina expressed support for the Resolution.

Councilmember Lopez moved to approve the Resolution as recommended. Councilmember Medina seconded the motion. The motion prevailed by the following vote:

**Aye:** 10 - Mayor Castro, Bernal, Taylor, Viagran, Saldaña, Lopez, Medina, Nirenberg, Krier and Gallagher

**Nay:** 1 - Gonzales

### **31. City Manager's Report**

#### A. Parks & Recreation Update

#### B. VITA Update

A. Mrs. Sculley provided an update on the 2014 City Pool Season noting that the Parks and Recreation Department was providing an extended pool season at four regional pools: 1) Lincoln Pool in District 2; 2) Heritage in District 4; 3) Woodlawn in District 7; and 4) Lady Bird Johnson in District 10. She stated that these four pools opened on Saturday, May 3rd with 1,200 visitors using the pools on opening day. She mentioned that for the Memorial Day Weekend, the four regional pools would be open May 24th-26th from 1:00 pm to 7:00 pm. She indicated that all 24 outdoor pools would open on Saturday, June 14th. She mentioned that the Parks and Recreation Department would participate in the World's Largest Swimming Lesson, an International Event hosted by several organizations including the National Recreation & Parks Association, on June 20th. She stated that free swimming lessons would be offered at nine pool locations as part of an attempt to make the Guinness Book of World Records. She asked residents to contact the Parks and Recreation Department at 207-3000 for additional information.

B. Mrs. Sculley provided an update on the Volunteer Income Tax Assistance Program (VITA). She stated that the VITA Program was run by a coalition of more than 30 organizations including the City's Department of Human Services, IRS, Catholic Charities, United Way, and other nonprofits, financial institutions, businesses, and local colleges and universities. She noted that this year from January 22nd through April 15th, the Coalition operated 20 VITA Sites across the community, with the Department of Human Services operating 16 of these sites and a Mobile Team. She reported that the latest figures from last week show that VITA San Antonio served 32,500 taxpayers, compared to just under 30,000 returns processed at this time last year. She mentioned that the program returned more than \$58 Million in total refunds and \$33 Million in Earned Income Tax Credits to the community. She indicated that VITA saved Taxpayers an estimated \$7.8 Million in tax preparation fees, which represents a significant savings for VITA Families, who have an average annual income of \$21,000. She noted that the Local Coalition held an

end-of-season event to recognize the more than 300 volunteers who devoted time to preparing tax returns for fellow San Antonio Residents. She added that VITA's work would continue year-round to process current, prior year, and amended returns at the Frank Garrett VITA Office.

### **POINT OF PERSONAL PRIVILEGE**

Mayor Castro recognized City Manager Sheryl Sculley who would be celebrating her birthday on May 20th. The City Council sang Happy Birthday to Mrs. Sculley.

### **RECESSED**

Mayor Castro recessed the meeting at 10:18 am and announced that the meeting would resume at 2:00 pm for Zoning.

### **RECONVENED**

Mayor Castro reconvened the meeting at 2:05 pm and addressed the Consent Zoning Items.

### **CONSENT ZONING ITEMS**

Councilmember Lopez moved to approve the following items under Consent Zoning: 32, 33, Z-1, Z-2, P-1, Z-3, Z-5, Z-6, and Z-8. Councilmember Saldaña seconded the motion.

Faris Hodge, Jr. submitted written testimony in opposition to the Street Name Changes (Items 32 and 33). He wrote in opposition to Items Z-3 and Z-4. He wrote in favor of Items Z-1, Z-2, P-1, P-2, Z-5, Z-6, Z-7, and Z-8.

The motion to approve the Consent Zoning Items prevailed by the following vote:

**Aye:** 10 - Mayor Castro, Bernal, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

**Absent:** 1 - Taylor

#### **2014-05-15-0349**

- 32.** An Ordinance authorizing a street name change from "Walzem Road" to "Branching Court" between the intersections of Walzem Road (FM1976) and Gibbs Sprawl Road in City Council District 2. [Erik Walsh, Deputy City Manager; Roderick Sanchez, Director, Development Services]

#### **2014-05-15-0350**

- 33.** An Ordinance authorizing the street name change of "Classen Road" to "Classen Spur" between the new alignment of Classen Road and Bulverde Road in City Council District 10. [Erik Walsh, Deputy City Manager; Roderick Sanchez, Director,

Development Services]

**2014-05-15-0351**

- Z-1.** ZONING CASE # Z2014133 (District 1): An Ordinance amending the Zoning District Boundary from "C-3R AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District to "C-1 AHOD" Light Commercial Airport Hazard Overlay District on 0.134 of an acre out of Lots 9 and 10, Block 4, NCB 2997 located at 2327 North St. Mary's 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: 0.134 OF AN ACRE OUT OF LOTS 9 AND 10, BLOCK 4, NCB 2997 TO WIT: FROM "C-3R AHOD" GENERAL COMMERCIAL RESTRICTIVE ALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT TO "C-1 AHOD" LIGHT COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

**2014-05-15-0352**

- Z-2.** ZONING CASE # Z2014065 CD (District 2): An Ordinance amending the Zoning District Boundary from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Parking and Transient Vehicle Storage on Lot 10, Block 1, NCB 13801 located at 5234 Sherri Ann Road. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 10, BLOCK 1, NCB 13801 TO WIT: FROM "R-5 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 CD AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR PARKING AND TRANSIENT VEHICLE STORAGE PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

**2014-05-15-0353**

- P-1.** PLAN AMENDMENT #14035 (District 3): An Ordinance amending the future land use plan contained in the Stinson Airport Vicinity Land Use Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use of approximately 2.9 acres of land out of NCB 9483, located on a portion of the 6900

Block of South Flores Street from Low Density Residential and Neighborhood Commercial land use to Public Institutional land use. Staff and Planning Commission recommend approval. (Associated Zoning Case #Z2014069)

**2014-05-15-0354**

- Z-3.** ZONING CASE # Z2014069 (District 3): An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District on Lot 90 and 1.899 acres out of Lot 106, NCB 9483, located on a portion of the 6900 Block of South Flores Street. Staff and Zoning Commission recommend approval pending the plan amendment. (Associated Plan Amendment Case # 14035)

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 90 AND 1.899 ACRES OUT OF LOT 106, NCB 9483 TO WIT: FROM "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-2NA AHOD" COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT.

**2014-05-15-0357**

- Z-5.** ZONING CASE # Z2014130 CD (District 6): An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Self Service Storage allowing a solid screen fence up to eight (8) feet in height along the side and rear property lines in accordance with Section 35-514 (d) (2)(D) of the Unified Development Code on 3.253 acres out of Lot 1, Block 14, NCB 17647 located on a portion of 1907 West Loop 1604 North. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 3.253 ACRES OUT OF LOT 1, BLOCK 14, NCB 17647 TO WIT: FROM "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 CD AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR SELF SERVICE STORAGE PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

**2014-05-15-0358**

**Z-6.** ZONING CASE # Z2014063 (District 10): An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "O-1 AHOD" Office Airport Hazard Overlay District on Lots 4 and 5, Block 1, NCB 14947 located at 5623 Randolph Boulevard. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOTS 4 AND 5, BLOCK 1, NCB 14947 TO WIT: FROM "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "O-1 AHOD" OFFICE AIRPORT HAZARD OVERLAY DISTRICT.

**2014-05-15-0360**

**Z-8.** ZONING CASE # Z2014128 S (District 10): An Ordinance amending the Zoning District Boundary from "C-3 AHOD" General Commercial Airport Hazard Overlay District to "C-3 S AHOD" General Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Specified Financial Institution on 0.041 of an acre out of Lot 27, NCB 15689 located on a portion of 12311 Nacogdoches 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: 0.041 OF AN ACRE OUT OF LOT 27, NCB 15689 TO WIT: FROM "C-3 AHOD" GENERAL COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-3 S AHOD" GENERAL COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A SPECIFIED FINANCIAL INSTITUTION PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

**INDIVIDUAL ZONING ITEMS****2014-05-15-0359**

**Z-7.** ZONING CASE # Z2014064 CD (District 10): An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Parking Lot - Noncommercial on Lot 15, Block 1, NCB 14947 located at 106 Goforth 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: LOT 15, BLOCK 1, NCB 14947 TO WIT: FROM "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "R-6 CD AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR A PARKING LOT – NONCOMMERCIAL PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

John Jacks presented Item Z-7 and stated that staff and the Zoning Commission recommended approval with the following conditions in lieu of the Unified Development Code Section 35-422(e)(3): 1) All on-site lighting shall be directed onto the site and point away from any residential zoning or uses; 2) 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; and 3) Hours of operation for the noncommercial parking lot shall be limited to the hours of operation of the facility served. He reported that of 23 notices mailed; none were received in opposition and six were returned in favor from the Property Owner.

Councilmember Gallagher moved to approve the proposed ordinance for Item Z-7 with the conditions stated above by Mr. Jacks. Councilmember Krier seconded the motion. The motion to approve prevailed by the following vote:

**Aye:** 10 - Mayor Castro, Bernal, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

**Absent:** 1 - Taylor

Items P-2 and Z-4 were considered jointly.

#### **2014-05-15-0355**

**P-2.** PLAN AMENDMENT #14023 (District 3): An Ordinance amending the future land use plan contained in the South Central San Antonio Community Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use of approximately 20.763 acres of land out of Lots 20, 22D and 37, NCB 20 (also known as NCB A-20) and out of Parcel 100A, NCB 24 located at 1515 Mission Road from Low Density Residential land use to Mixed Use and to include "IDZ" Infill Development Zone as a related zoning district for the Mixed Use land use classification. Staff and Planning Commission recommend approval. (Associated



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Zoning Case # Z2014085) (Continued from April 17, 2014)

**2014-05-15-0356**

**Z-4.** ZONING CASE #Z2014085 (District 3): An Ordinance amending the Zoning District Boundary from "MH H RIO-4 AHOD" Manufactured Housing Mission Historic River Improvement Overlay-4 Airport Hazard Overlay District to "IDZ H RIO-4 AHOD" Infill Development Zone Mission Historic River Improvement Overlay-4 Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and Multi-Family residential uses not to exceed 33 units per acre on 13.1 acres and "IDZ H RIO-4 AHOD" Infill Development Zone Mission Historic River Improvement Overlay-4 Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and Multi-Family residential uses not to exceed 50 units per acre on 7.67 acres, and allowing a fence up to eight (8) feet in height along the northern property line in accordance with Section 35-514(d)(2)(D) of the Unified Development Code, all on 20.763 acres out of NCB 20 (also known as NCB A-20) and NCB 24 located at 1515 Mission Road. Staff recommends approval pending Plan Amendment. The Zoning Commission has twice held a public hearing and was unable to reach a majority vote; such action shall be deemed as a recommendation of denial. (Associated Plan Amendment Case # 14023) (Continued from March 17, 2014)

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: 20.763 ACRES OUT OF NCB 20 (ALSO KNOWN AS NCB A-20) AND NCB 24 TO WIT: FROM "MH H RIO-4 AHOD" MANUFACTURED HOUSING MISSION HISTORIC RIVER IMPROVEMENT OVERLAY-4 AIRPORT HAZARD OVERLAY DISTRICT TO "IDZ H RIO-4 AHOD" INFILL DEVELOPMENT ZONE MISSION HISTORIC RIVER IMPROVEMENT OVERLAY-4 AIRPORT HAZARD OVERLAY DISTRICT WITH USES PERMITTED IN "C-2" COMMERCIAL DISTRICT AND MULTI-FAMILY RESIDENTIAL USES NOT TO EXCEED 33 UNITS PER ACRE ON 13.1 ACRES AND "IDZ H RIO-4 AHOD" INFILL DEVELOPMENT ZONE MISSION HISTORIC RIVER IMPROVEMENT OVERLAY-4 AIRPORT HAZARD OVERLAY DISTRICT WITH USES PERMITTED IN "C-2" COMMERCIAL DISTRICT AND MULTI-FAMILY RESIDENTIAL USES NOT TO EXCEED 50 UNITS PER ACRE ON 7.67 ACRES.

Mayor Castro announced that individuals would receive two minutes to speak and groups would receive six minutes. He called upon the individuals registered to speak.

Nelson Orta addressed the City Council in opposition to the rezoning. He stated that the

process had not been transparent and was concerned for the Residents of Mission Trails Mobile Home Park.

Jose A. Lopez addressed the City Council in opposition to the rezoning. He expressed concern with the children that would have to switch schools and that the Residents would lose their homes.

Manuel De La O addressed the City Council in opposition to the rezoning. He stated that he was a Vietnam Veteran and did not want to move from his home.

Brady Alexander addressed the City Council in opposition to the rezoning. He stated that the South Side was saturated with rental units and expressed concern with the negative impact to the Residents of Mission Trails.

Carol Thompson addressed the City Council in opposition to the rezoning. She stated that she did not want to move from her home and spoke of the stress this issue has caused her.

Linda Martinez addressed the City Council in opposition to the rezoning. She stated that she lives in Mission Trails with her 85-Year-Old Mother and moving would cause a great hardship for them.

Sherry Posey addressed the City Council in opposition to the rezoning. She stated that she was able to live in Mission Trails with her animals and did not want to move from her home.

Amanda Haas stated that she was supportive of the Mission Trails Residents. She spoke of her work as a Case Manager and noted the limited resources available to the Residents.

Elida Contreras addressed the City Council in opposition to the rezoning. She stated that she and other Mission Trails Residents were getting sick over said issue and did not have a place to move to.

Adriana Amador addressed the City Council in opposition to the rezoning. She expressed concern that limited information had been provided to the Residents of Mission Trails and stated that she did not want to move from her home.

Luis Robles addressed the City Council in opposition to the rezoning. He stated that he was supportive of development but did not want it to occur on their property. He added that human beings were more important than money and that the Residents pay taxes to the city.

Carla Tellez and her children addressed the City Council in opposition to the rezoning.

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They stated that they did not want to move from their home or their schools.

Christian Amador stated that he was a DREAMER and did not want to move from his home. He stated that he worked to assist his family and would have to stop attending college if they were forced to move.

Liseila Bonilla addressed the City Council in opposition to the rezoning. She spoke of the many individuals that were getting sick and expressed concern that her children would have to move to another school.

Dalia Perez addressed the City Council in opposition to the rezoning. She stated that she was a single mother with four children and had many medical issues. She noted that she had worked hard for their Mobile Home and did not have any other place to go.

Ana Cortez addressed the City Council in opposition to the rezoning. She stated that she did not want to move from her home and expressed concern that her children would have to attend a different school.

Jennifer Vanwagenen stated that she had been learning about Mobile Home Ownership and expressed concern with the poor treatment of the Mission Trails Residents. She noted that the incentives that would be provided to them were not sufficient and asked that the case be continued.

Elena Guajardo expressed concern that there was not a plan in place for transferring people and communities in zoning cases. She stated that there should be minimum conditions and open disclosure and requested that a policy be implemented.

Marisa Laufer stated that this was an unnecessary displacement of the Mission Trails Community. She asked the City Council to work with the Residents to finalize the purchase of the property through Cooperative Housing, a Third Party Loaner. She expressed concern that there would be more homelessness if the zoning case was approved.

Luissana Sentibanez stated that she lived in District 2 but worked on the Southeast and East Sides of the city as a Community Health Worker for the Martinez Street Women's Center. She expressed concern that the City Council was not listening to the pleas of the Mission Trails Residents in opposition to the rezoning.

Mary Flores stated that she and her husband had lived in Mission Trails for 37 years and did not want to move from their home. She asked that the Developer be responsible for the cost of displacing the Residents if the zoning case was approved.

Petra Mata, Viola Casarez, and Jessica Guerrero addressed the City Council in opposition to the rezoning. Ms. Casarez asked that the decision be postponed until the Mission Trails Residents received offers in writing that met their needs. Ms. Mata expressed concern with the manner in which the Residents had been treated and asked the City Council to listen to the Residents. Ms. Guerrero stated that she lived in District 3 and spoke of the importance of places to people. She asked the City Council to consider the gravity of the decision and the concerns of the Residents.

Maria Davilo Salinas, Marian Ramos, and Mildred Hilbred addressed the City Council in opposition to the rezoning. Ms. Salinas stated that she was the President of the Mission Democrats of Bexar County and read a letter of support for the Mission Trails Residents from Manuel Medina, Bexar County Democratic Party Chair. Ms. Salinas spoke of the medical issues that the Residents are enduring due to the zoning request and expressed concern with the lack of information provided to the Residents.

Graciela Sanchez, Marisol Cortez, and Susana Segura of the Esperanza Peace and Justice Center addressed the City Council in opposition to the rezoning. Ms. Segura stated that she was saddened to see what the Mission Trails Residents were going through but was impressed by their unity, strength and courage. Ms. Cortez spoke of viable alternatives for the Mission Trails Residents including the option of Resident Ownership. She asked the City Council to develop a policy for development without displacement in the future. Ms. Sanchez spoke of costs that the Developer would not assist with and expressed concern with increased homelessness and psychological trauma due to forced relocation.

Brenda Reyna addressed the City Council in opposition to the rezoning. She stated that she had lived in Mission Trails for eight years and did not want to move.

Marissa Salazar stated that she was the Original Counsel for the Civil Rights Legal Defense and Educational Fund and they were teaming up with Nicole Elizalde to support the Residents of Mission Trails Mobile Home Park. She expressed concern that the proposed Mobile Home Parks for Residents to relocate to were not viable.

Nicole Elizalde stated that she represented the majority of the Residents at the Mission Trails Mobile Home Park. She expressed concern with the Housing Market in terms of Affordable Housing for the most vulnerable citizens. She noted that there was not a plan for Displaced Residents and asked that they work on solutions for these individuals. She referenced a Mobile Home Owner's Addendum to their Lease Agreement that noted that the Mobile Home could not be moved from its current lot until 9 years after the balance is zero.

Maria Berriozabal expressed concern with the health of the Mission Trails Residents and noted that a friend that spoke limited English was just transported to the hospital. She

asked the City Council to care about the people.

Antonio Diaz and Diana Uriegas addressed the City Council. Mr. Diaz stated that he studied History because of his Indigenous Heritage and expressed concern that they had been removed and relocated from place to place. He asked that the city develop a plan to adequately care for the District 3 Residents. Ms. Uriegas added that she was concerned that people were being removed from their homes.

Sarah Salinas stated that she had grown up on the North Side of the City and attended Southwestern University in Georgetown. She noted that she chose to come back to San Antonio because of its potential future. She expressed concern with the displacement of the Mission Trails Residents and the negative impact it would have on children's education.

Brady Alexander stated that renters should have the same rights to a nice place to live as landowners do. He spoke of the beauty of the South Side and hoped the Mission Trails Residents would not be forced to move.

A Group of Southwest Workers United spoke against the rezoning. Alejandro stated that he was a Senior at Edison High School asked the City Council to deny the zoning request. Another individual stated that they hoped to stay in their schools with their friends. Another individual spoke of the negative health effects on the young people affected by the move.

Jorge Luis Lopez, Jr. stated that he had lived at Mission Trails for 10 years and had raised his children in the community. He expressed concern that they would have to move to other schools and with the added financial impact of relocating.

Linda Reyna addressed the City Council in opposition to the rezoning. She stated that she had lived in the community for 12 years and had bought the Mobile Home for her children. She noted that her home was appraised for much less than she paid for it and did not want it taken away from her family.

Written testimony was received from Marianne Kestenbaum and Rachel Delgado in opposition to the rezoning.

Mayor Castro recessed the meeting into Executive Session at 4:32 pm to discuss legal issues related to the Lease Agreements.

Mayor Castro reconvened the meeting at 5:12 pm and announced that no action was taken in Executive Session.

Councilmember Viagran thanked everyone that spoke and stated that this had been a very

difficult case. She noted that she wanted everyone to be clear on the facts and explained the series of events that occurred leading to today. She indicated that the current Property Owner had agreed to sell the property to White-Conlee due to their plan to take care of the Residents. She submitted an email from Scott Van Ramshorst, Founder/CEO of American Family Communities outlining same. She mentioned that various meetings had been held since the time the case was originally presented to the City Council to determine individual needs and connect people with services. She presented a Timeline of Actions related to the Mission Trails Mobile Home Park prepared by the Department of Human Services. She stated that she had received six letters of support from Blessed Sacrament Academy, Roosevelt Park Neighborhood Association, Robert Cruz, Terry Boyd, Seton Home, and the South Central Alliance of Neighborhoods (SCAN). She noted that Deed Restrictions had been executed with the Blessed Sacrament Academy that included height and lighting restrictions.

Councilmember Viagran outlined the incentives that would be provided by White-Conlee to the Mission Trails Residents to include assistance from other Mobile Home Parks and Financial Assistance from White-Conlee. She noted that they had worked with other Mobile Home Parks to loosen restrictions on pets, window air conditioning units, and other concerns of the Residents. She provided letters from six Mobile Home Parks indicating their agreement to work with White-Conlee to relocate Mission Trails Mobile Home Park Residents. She stated that she was doing what she felt was best for the Residents and would support the zoning case. She asked Bill Kaufman representing White-Conlee to confirm the Incentives. Mr. Kaufman stated that other Mobile Home Parks had agreed to pay \$1,600 in moving costs and \$1,000 for block and utility hookups. He noted that White-Conlee would provide \$2,500 value of rental assistance to other parks or \$2,100 cash directly to the tenant. He stated that they would also provide \$2,500 to those that moved prior to August 15, 2014. He indicated that \$1,000 would be provided to Residents that moved between August 16, 2014 and September 15, 2014. He added that trailers that could not be moved would receive a buyout from White-Conlee at the 2014 Bexar County Appraisal District Appraised Value. Scott Weems, Representative for the Buyer, confirmed that they agreed to the incentives as outlined by Mr. Kaufman. Councilmember Viagran confirmed that the incentive funds would be placed in escrow at a Title Company. Mr. Kaufman confirmed that was correct.

Councilmember Viagran moved to adopt the ordinances for Items P-2 and Z-4. Councilmember Nirenberg seconded the motion.

Mrs. Vacek read a letter into the record from Councilmember Taylor stating that she strongly supported the rezoning. She stated that Market Rate Housing Options should be available throughout the city and that the area in question had been long overlooked. She noted that she was confident in the work of Councilmember Viagran on the project and

asked the City Council to support the request.

Councilmember Gonzales asked for clarification of the incentives. Mr. Kaufman re-stated the incentives and noted that the appraisal for the Mobile Homes would be conducted by the Bexar Appraisal District. Councilmember Gonzales expressed concern with the low appraisals and asked of the individual cases in which trailers could not be moved. Mr. Kaufman responded that White-Conlee had hired Implicity Management to work directly with the Residents. Councilmember Gonzales asked if the terms in the Incentive Summary were legally enforceable. Norbert Hart stated that they were not enforceable by the city. Councilmember Gonzales stated that she had originally supported the zoning case since she was in favor of Inner City Redevelopment. However, she stated that she did not feel that the Residents had been well-represented.

Councilmember Bernal commended Councilmember Viagran for her work on the case but expressed concern that the package was put together with only two options. He expressed concern with the Addendum to Lease Agreement presented by Ms. Nicole Elizalde and noted that some Residents may have the right to stay. He stated that he could not support the zoning case as there were still many questions to be answered.

Councilmember Gallagher expressed concern that the Residents would be hurt if the zoning case was not approved. He stated that Councilmember Viagran had worked hard on the deal and that the Developer could not back out of the public promises made.

Councilmember Saldaña stated that this issue would continue to occur and that the city should create a policy to address same. He spoke of the importance of investment and revitalization of the South Side and stated that those that have lived there for many years should be able to take advantage of the investments. He commended Councilmember Viagran for her work and added that this was a very difficult decision.

Councilmember Nirenberg commended Councilmember Viagran for her work and stated that they had an opportunity as policymakers to intervene on behalf of a neighborhood. He noted that although this may not be the best solution, he felt it was the best compromise that could be made.

Councilmember Viagran submitted the Incentive Summary for the record. She stated that she was from the South Side and cared about the Residents.

Councilmember Krier spoke in support of quality housing on the South Side and stated that he felt the proposed development was a quality investment. He further stated that he had been impressed by Councilmember Viagran's commitment to her constituents and her hard work on the zoning case.

Mayor Castro thanked everyone that spoke and commended Councilmember Viagran for her work. However, he stated that they had a difference of opinion and felt that with the great amount of growth occurring; the South Side would be redeveloped. He expressed concern with making zoning decisions that may not be in the best long term interest of the community. He stated that he would like for a Task Force to be established to include Councilmembers Bernal, Taylor, Viagran, Saldaña and Gonzales, as well as citizens to formulate a policy to preserve and strengthen economically diverse communities. He asked of the legal issue regarding the Addendum to Lease Agreement presented at the meeting. Mr. Kaufman replied that it had not been brought to his attention until now and that he did not have a copy of the full Agreement. Mayor Castro asked if the Seller was present. Mr. Kaufman replied that he was not; however, a letter had been sent to the City Council from the Seller stating that he would work with the Residents. Mayor Castro expressed concern that new information was provided to the City Council only a few hours before the vote. He added that there were too many concerns and could not support the request.

The motion to adopt the ordinances for Items P-2 and Z-4 prevailed by the following vote:

**Aye:** 6 - Viagran, Lopez, Medina, Nirenberg, Krier and Gallagher

**Nay:** 4 - Mayor Castro, Bernal, Saldaña and Gonzales

**Absent:** 1 - Taylor

### **ADJOURNMENT**

There being no further discussion, Mayor Castro adjourned the meeting at 6:40 pm.

APPROVED

JULIÁN CASTRO  
MAYOR

ATTEST:

LETICIA M. VACEK, TRMC/MMC  
CITY CLERK