

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



DRAFT

**Meeting Minutes
City Council A Session**

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

Thursday, October 3, 2013

9:00 AM

Municipal Plaza Building

The City Council shall hold its regular meetings in the Norma S. Rodriguez Council Chamber in the Municipal Plaza Building within the City Hall Complex beginning at 9:00 AM. After the meeting is convened, the City Council shall consider the following time certain items no sooner than the designated times, but may consider them at a later time.

Present: 11 - Castro, Bernal, Taylor, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Chan and Soules

1. Invocation by Dr. Rama K. Rao, Hindu Temple of San Antonio, guest of Mayor Julian Castro.

2. Pledge of Allegiance

3. Approval of Minutes for the City Council Budget Work Sessions of August 20-22, 2013.

Councilmember Viagran moved to approve the minutes for the City Council Budget Work Sessions of August 20-22, 2013. Councilmember Medina seconded the motion. The motion prevailed by the following vote:

Aye: 11 - Castro, Bernal, Taylor, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Chan and Soules

POINT OF PERSONAL PRIVILEGE

Councilmember Bernal recognized representatives from the San Fernando Health and Safety Fair and called upon Chris Alderete to speak. Mrs. Alderete stated that they had been hosting the Health Fair for 23 years and spoke of the great services that would be provided. She noted that they would be educating individuals regarding the Affordable Care Act and recognized the new Executive Director of the Health Fair, Diana Vasquez. She added that this year the Health Fair would be dedicated in memory of the 10-Year Coordinator, Sylvia Rodriguez. Mayor Castro presented a Proclamation in recognition of the San Fernando Health and Safety Fair and commended them for their work. The City Councilmembers thanked and congratulated representatives for hosting the San Fernando Health and Safety Fair.

ACTION ITEMS FOR STAFF BRIEFING

4. City Council Presentation on CPS Energy's Rate Design and the CPS Energy FY14 Rate Adjustments and other information requested by City Council. [Doyle Beneby, President and Chief Executive Officer, CPS Energy]

Doyle Beneby presented a PowerPoint relating to the CPS Energy FY 2014 Rate Adjustment. He provided a Rate Adjustment Timeline noting that the increased rate would be effective February 1, 2014. He outlined the plans for the 2014-2015 Rate Adjustment noting that they would utilize funds for investments such as the Spruce 1 Turbine Upgrade and Transmission Line Upgrades. He stated that CPS Energy designs rates to affordably, competitively, fairly and equitably recover the revenue requirements allocated to each customer category. He explained that the cost to serve CPS Energy Service Territory has multiple components and that Regulatory and Fuel Costs were components of the overall bill.

Mr. Beneby highlighted the various Electric Rate Categories: 1) Residential; 2) Commercial; 3) Industrial; and 4) Other which includes Streetlights, All Night Security Lights, and Traffic Signals. He indicated that although the Residential Category accounts for 88% of the customer base; they account for less than half of overall revenue. He added that the Commercial and Industrial Categories consistently use more of their capacity year round.

Mr. Beneby provided an overview of the Average Monthly Bill Impact by Electric and Gas totaling \$5.19. He outlined the Customer Assistance Programs and reported that they would be expanding the Affordability Discount Program. He mentioned the Customer Care Fairs, Public Input Session, and Presentations provided to the community regarding the rate adjustment. He stated that the City Council would vote on the rate increase on November 7, 2013.

Mayor Castro called upon the individuals registered to speak.

Meredith McGuire stated that she was a Professor at Trinity University and representing a Coalition of Environmental and Social Justice Organizations. She noted that they were opposed to the CPS Rate Increase as proposed due to the impact to working class families. She spoke of the importance of reducing energy consumption.

Margaret Day stated that she was speaking on behalf of the Sierra Club and they had developed a list of questions regarding the rate increase. She spoke of the importance of CPS Energy prioritizing energy conservation and efficiency. She stated that the rate increase should not unfairly burden residential and small business ratepayers.

Gabe Farias representing the West San Antonio Chamber of Commerce addressed the City Council and stated that they were fully supportive of the rate increase as proposed by CPS Energy.

Jack M. Finger addressed the City Council in opposition to the rate increase. He expressed concern with the bonuses that CPS Energy Executives received and asked how many low-income families were receiving assistance.

Written testimony was received in opposition to the rate increase from Dr. James V. Spickard and Faris Hodge, Jr.

Mayor Castro thanked Mr. Beneby for the presentation and asked of the big ticket item due to the rate increase. Mr. Beneby replied that it was due to upgrading the Electric System which includes switches, wires, poles, and the network. Mayor Castro asked of the sales projections of natural gas. Mr. Beneby replied that prices had been very low this year and believed it would be the same over the next couple of years. Mayor Castro asked of the impact to CPS Energy due to new rules regarding emissions at Coal-Fired Plants. Mr. Beneby indicated that the impact would be minimal if at all since they were using ultra-low sulfur coal and had replaced a great amount of coal with natural gas.

Councilmember Medina spoke of the great work of CPS Energy and asked of the impact of cutting the rate increase in half. Mr. Beneby replied that it would be an operational risk to do so and spoke of the challenges that could occur within power plants that were not maintained. Councilmember Medina asked of the small business participation on Capital Projects. Jelynn Burley of CPS Energy responded that they have a very significant outreach program to encourage small businesses to do business with CPS Energy. Mayor Castro added that they had committed to the Hispanic Chamber to report the progress of Small, Minority Business participation and suggested providing the information to all of the Chambers. Councilmember Medina commended CPS Energy for their efforts and revisions to the Employee Incentive Program.

Councilmember Gonzales asked of the possibility of moving the location of poles when they are being replaced. Mr. Beneby replied that they would have to review each one on a case-by-case basis. Councilmember Gonzales stated that she was pleased with the increased Affordability Programs and asked if staff would also be increased. Mr. Beneby responded that they would review same.

Councilmember Saldaña asked if all of the funds allocated toward Assistance Programs are used. Mr. Beneby replied that they try to exhaust the funds each year that they are budgeted. He spoke of their outreach efforts to inform the community of the available programs. Councilmember Saldaña asked how CPS Energy was

communicating with ratepayers that have fallen behind on their bills. Mr. Beneby stated that they work on extensions with individuals that call CPS Energy and provide them with information on Assistance Programs. He noted that they have data available regarding those that have been consistently late paying their bill and would be more proactive on getting them information on Assistance Programs.

Councilmember Nirenberg asked of generation capacity and the need for the Capital Projects. Mr. Beneby stated that they were well positioned in terms of generation capacity and they have a slight excess of supply when all of their plants are operating. Councilmember Nirenberg asked of their diversification portfolio. Mr. Beneby replied that he believed they had a good balance and were able to keep rates low. He added that renewables did not use water and there was incredible value to shift toward those assets. Councilmember Nirenberg asked of the design of the Executive Incentive Plan. Mr. Beneby replied that it was designed to pay for performance and in a way where different categories of employees have different incentives. He added that Executive Bonuses were based on risk and their decisions more greatly impacted the utility's bottom line. Councilmember Nirenberg asked what was being done at the Call Center to address customer service issues. Mr. Beneby replied that they had made some changes in the leadership at the Call Center.

Councilmember Viagran stressed the customer service piece and stated that constituents want to know why their residential rates are higher than their small business. She also asked of the questions raised by the Sierra Club. Mr. Beneby stated that they would answer the questions and provide the information to the City Council. Councilmember Viagran asked of the outreach in Spanish. Maria Koudouris, Senior Vice President of Customer Service stated that they have Bilingual Customer Service Representatives on the phone and in the field. She indicated that they do not provide online information in a bilingual format but would work on same.

Councilmember Lopez mentioned air quality and asked of the impact that it is having on the rate increase. Mr. Beneby responded that in 2010 they had redirected funds from the scrubber toward a gas plant and had allowed CPS Energy to forego the previous 4.9% increase. He added that they had also reduced the number of employees and revised policies on overtime and automatic replacement of equipment.

No action was required for Item 4.

CONSENT AGENDA

Items 10, 14, and 20 were pulled for individual consideration.

APPROVAL OF THE CONSENT AGENDA

Councilmember Nirenberg moved to approve the remaining Consent Agenda Items. Councilmember Lopez seconded the motion. The motion prevailed by the following vote:

Aye: 11 - Castro, Bernal, Taylor, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Chan and Soules

Mayor Castro called upon Jack M. Finger to speak on the Consent Items.

Mr. Jack M. Finger spoke in opposition to the reimbursement of funds to Rental Car Agencies for an Industry Technical Representative during the design and construction of the Consolidated Car Rental Facility (Item 14). He expressed concern with the settlement of the lawsuit in the amount of \$225,000 (Item 17).

Faris Hodge, Jr. submitted written testimony in favor of Items 5-9, and 13-20. He wrote in opposition to Items 10 and 11 and noted that Board Members should be interviewed on television.

5. An Ordinance accepting the lowest responsive bid and awarding a construction contract in the amount of \$ 748,040.44, authorized payable to CRG, for construction of the Salado Creek Bicycle Paths (Wurzbach Parkway) Project, a Metropolitan Planning Organization (MPO) and General Obligation Bond funded Project, located in Council District 9. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

ORD/RES No: 2013-10-03-0675

6. An Ordinance authorizing the acquisition of fee simple title, by

negotiation, to Lot 13, Block 4, NCB 17638 (5632 Mt. Helen Drive), a parcel of privately-owned real property containing approximately 26,611.00 square feet (0.6109 acres) located in Council District 6, for the Mountain View Estates Phase III Drainage Project, a 2012-2017 Bond Program Project funded with 2012 General Obligation Drainage Improvement Bonds; declaring it to be a public project and authorizing expenditures in the amount of \$50,000.00. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

ORD/RES No: 2013-10-03-0676

7. An Ordinance for the Carver Community Cultural Center, a 2012-2017 Bond Program Project, in Council District 2 authorizing the acquisition of fee simple title, through negotiation, to nine parcels of privately-owned real property containing approximately 57,412 square feet (1.318 acres), located in NCB 584, declaring it to be a public use project and authorizing expenditures not to exceed \$400,000.00. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Capital Improvements Management Services]

ORD/RES No: 2013-10-03-0677

8. An Ordinance authorizing the City to lease from TCP Las Palmas Partners, LTD, approximately 1,309 square feet of office space for a Council District 5 constituent field office located at 803 Castroville Road, Suite 218 in Council District 5 for a four-year lease term with an annual rental rate of \$9,000.00. [Peter Zanoni, Deputy City Manager; Jorge Perez, Director, Building and Equipment Services]

ORD/RES No: 2013-10-03-0678

9. An Ordinance authorizing the reimbursement of up to \$50,000.00 for a grant from the Texas Department of Transportation as part of the Routine Airport Maintenance Program for hangar and airport repairs at Stinson Municipal Airport. [Ed Belmares, Assistant City Manager; Frank Miller, Director, Aviation]

ORD/RES No: 2013-10-03-0679

11. 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: [Leticia M. Vacek, City Clerk]

A) Reappointing Antoniette Moorhouse (District 3) to the City/County Joint Commission on Elderly Affairs.

B) Reappointing Jesse Zuniga, III (District 6) to the Historic and Design Review Commission.

C) Appointing Brian Buchanan (District 9) and reappointing Lisa G. Armstrong (District 7) to the Citizens' Environmental Advisory Committee.

D) Reappointing Alejandro Soto (District 7) to the Parks and Recreation Board.

E) Reappointing Grace R. Gonzales (District 7) and Julissa C. Cariello (District 9) to the Small Business Advocacy Committee.

F) Reappointing Mary E. Rogers (District 7) and John E. Kuderer (District 9) to the Zoning Board of Adjustment.

G) Appointing Marianne Z. Kestenbaum (District 8) and Michelle Dionne-Vahalik (District 9) to the SA2020 Commission on Strengthening Family Well-being.

H) Reappointing Michael R. Howard (District 9) to the Building Standards Board.

I) Reappointing John F. Kent (District 9) to the Linear Creekway Parks Advisory Board.

J) Reappointing Amy L. Middleton (District 9) to the Mayor's Commission on the Status of Women for the remainder of an unexpired term of office to expire May 31, 2015.

K) Appointing LaTanya D. Carraway (District 9) to the Affirmative Action Advisory Committee.

L) Appointing Leezia Dhalla (District 9) to the SA2020 Commission on Education.

M) Appointing Kathryn Farley (District 9) to the San Antonio Youth Commission.

N) Appointing James Garcia (District 9) to the Capital Improvements Advisory Committee.

12.

Consideration of the following appointments to boards, commissions and committees, as requested by Mayor Julian Castro: [Leticia M. Vacek, City Clerk]

A) Appointing Councilmember Ron Nirenberg (District 8) and Councilmember Carlton Soules (District 10) to the Alamo Area Council of Governments (AACOG).

B) Appointing Councilmember Carlton Soules (District 10) to the Air Improvement Resources Committee (AIRCo) of the Alamo Area Council of Governments (AACOG).

C) Appointing Councilmember Cris Medina (District 7) and Councilmember Carlton Soules (District 10) to the Bexar Regional Watershed Management Committee of Seven.

D) Appointing Councilmember Diego Bernal (District 1) and

Councilmember Rebecca Viagran (District 3) to the Convention and Visitors Commission.

E) Appointing Councilmember Ivy Taylor (District 2) to the Military Transformation Task Force.

F) Appointing Councilmember Ivy Taylor (District 2), Councilmember Rebecca Viagran (District 3), Councilmember Shirley Gonzales (District 5), and Councilmember Ray Lopez (District 6) to the Community Action Advisory Board.

G) Appointing Councilmember Diego Bernal (District 1), Councilmember Shirley Gonzales (District 5), Councilmember Ray Lopez, Chair (District 6), and Councilmember Ron Nirenberg (District 9) to the San Antonio-Bexar County Metropolitan Planning Organization (MPO).

H) Appointing Councilmember Rey Saldaña (District 4) and Ron Nirenberg (District 8) to the San Antonio Education Partnership Board of Directors.

I) Appointing Councilmember Diego Bernal (District 1), Councilmember Ivy Taylor (District 2), Councilmember Rebecca Viagran (District 3), Councilmember Shirley Gonzales (District 5), and Councilmember Elisa Chan (District 9) to the San Antonio Housing Trust Public Facility Corporation.

J) Appointing Councilmember Ron Nirenberg (District 8) to the San Antonio Mobility Coalition (SAMCo).

- 13.** An Ordinance authorizing a five-year contract with Global Resource Management in a total amount of \$183,000.00, funded by the Airport Operating and Maintenance fund, for semi-annual passenger surveys services at the San Antonio International Airport. [Ed Belmares, Assistant City Manager; Frank Miller, Director, Aviation]

ORD/RES No: 2013-10-03-0681

15. An Ordinance authorizing a three-year Agreement with UTP Productions, Inc. for theatrical production labor for the Carver Community Cultural Center, with two one-year renewal options, for a total cost not to exceed \$100,000.00 for the full term on the Agreement. [Ed Belmares, Assistant City Manager; Michael Sawaya, Director, Convention & Sports Facilities]

ORD/RES No: 2013-10-03-0682

16. An Ordinance approving an interlocal agreement with the Texas A&M Engineering Extension Service for use by the San Antonio Fire Department of a swift water and flood rescue boat and associated rescue equipment. [Erik J. Walsh, Deputy City Manager; Charles N. Hood, Fire Chief]

ORD/RES No: 2013-10-03-0683

17. An Ordinance authorizing the settlement of a lawsuit styled Russell Martin v City of San Antonio, Civil Action Number SA-11-CV-00768-DAE pending in the U.S. District Court, Western District of Texas, San Antonio Division for payment in the amount of \$225,000.00 from the Self-Insurance Liability Fund. [Michael D. Bernard, City Attorney]

ORD/RES No: 2013-10-03-0684

18. An Ordinance approving the proposed FY 2014 Budget for the San Antonio Economic Development Corporation. [Carlos Contreras, Assistant City Manager; Rene Dominguez, Director, Economic Development]

ORD/RES No: 2013-10-03-0685

- 19.** An Ordinance authorizing a contract with the Texas Department of State Health Services to allow the Office of the City Clerk continued on-line access to birth records for a term of September 1, 2013 through August 31, 2015. [Leticia M. Vacek, City Clerk]

ORD/RES No: 2013-10-03-0686

CONSENT ITEMS CONCLUDED

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

- 10.** An Ordinance amending Article VI of the Unified Development Code and approving the addition of the School of Aerospace Medicine Historic District Design Guidelines and Master Plan as an appendix to the City of San Antonio Historic Design Guidelines. [David Ellison, Assistant City Manager; Shanon Miller, Historic Preservation Officer, Office of Historic Preservation]

Councilmember Viagran requested an overview of Item 10. Shanon Miller explained that the proposed Unified Development Code Amendments would provide clarity and consistency in the interpretation of design guidelines when reviewing a Certificate of Appropriateness Application. She highlighted the School of Aerospace Medicine Historic Design Guidelines and Master Plan, noting that there were 15 buildings associated with Local and National Significant Events. She reported that the Brooks Development Authority had initiated the Design Guidelines and they had been approved by the Historic Design Review Commission and the Zoning Commission. Councilmember Viagran stated that she wanted to highlight said item since it was historic for the entire city.

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

Aye: 9 - Castro, Bernal, Taylor, Viagran, Lopez, Medina, Nirenberg, Chan and Soules

Absent: 2 - Saldaña and Gonzales

ORD/RES No: 2013-10-03-0680

14.

An Ordinance authorizing the reimbursement of funds not-to-exceed \$92,000 for pre-design phase services; not-to-exceed \$245,500 for design phase services; not-to-exceed \$502,000 for construction phase and project close-out services; and, not-to-exceed \$160,500 for reimbursables and project contingency from Customer Facility Charge funds to the rental car agencies for an industry technical representative during the design and construction of the Consolidated Rental Car Facility located at the San Antonio International Airport. [Ed Belmares, Assistant City Manager; Frank Miller, Director, Aviation]

Councilmember Soules noted that said item had previously been brought before the City Council and asked if the Rental Car Companies would still not contribute to the project. Frank Miller confirmed that they would not contribute to the project. Councilmember Soules stated that he could not support the project as presented.

Councilmember Chan stated that this work should be part of the Program Management and asked why it did not follow the City's Procurement Process. Mr. Miller stated that he had recommended the process that was being utilized by the Industry. Councilmember Chan expressed concern with the cost and stated that she was not supportive of said item.

Mayor Castro asked what had changed since the last meeting. Mr. Miller responded that there had not been any changes and had only tried to clarify the approach. Mayor Castro asked if the Council

needed to use this method in order to achieve the outcome. Mr. Miller replied that it was the preferred method utilized in the Industry and spoke of the cost and time savings that could be accomplished through said approach. Mayor Castro expressed concern that the Rental Car Agencies had selected the Representative but the City would be paying for same. He asked that the project be completed on time and budget. Mr. Miller indicated that they could go back and look at another process and amend the contract.

Mayor Castro confirmed that the project would be paid from the Customer Facility Charge and asked of the performance measures. Mr. Miller replied that they would work with staff to conduct value engineering throughout the design and construction phases. He noted that they would also help with conflicts that may arise among the Rental Car Agencies. Mayor Castro asked what type of vetting took place to select the firm. Mr. Miller indicated that they had reviewed their experience, benefits and working relationships and believed they would perform well. Mayor Castro asked of the impact to the timeline if the item was delayed. Mr. Miller replied that they would continue moving forward with the project and there would not be a delay.

Councilmember Soules mentioned that this would meet the criteria of a high profile contract and asked that the rental car agencies pay for half of the contract cost.

Councilmember Soules moved to send the proposed contract to the High Profile Contract Committee. Councilmember Bernal seconded the motion. The motion prevailed by the following vote:

Aye: 11 - Castro, Bernal, Taylor, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Chan and Soules

20.

An Ordinance ratifying services provided by Hay Group, Inc. in connection with the Benefit Plan Consultant contract, and amending the contract to increase the authorized expenditure for fiscal year 2013 by \$85,986.58 to pay for services rendered through June 14, 2013, funded by the Employee Benefits Self-Insurance Fund. [Ben Gorzell, Chief Financial Officer; Joe Angelo, Chief Human Resources Officer]

Councilmember Chan requested additional information on said item. Joe Angelo explained that there had been a significant increase in the cost of claims, medical inflation and the Affordable Care Act. He stated that they had utilized the consultant to get a better understanding of the reasons for the significant increases and to ensure the City was being compliant with key components of the Affordable Care Act. He noted that there were available funds in the FY 2013 Budget to pay for the contract and would not impact FY 2014.

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

Aye: 11 - Castro, Bernal, Taylor, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Chan and Soules
ORD/RES No: 2013-10-03-0687

21.

City Manager's Report

A. Communications and Public Affairs Update

Mrs. Sculley reported that Public Technology, Inc. a nonprofit technology organization of the National League of Cities, would announce that San Antonio is designated a Citizen-Engaged Community for 2013-2015. She stated that Public Technology, Inc. challenges local government to achieve high standards in citizen participation, seamless service delivery and democratic accountability. She noted that the designation focuses on best practices and standards in three key areas for call centers: 1) Citizen Participation Processes; 2) Integrated Communication Channels and Technology; and 3) Reporting of Performance measures. She indicated that this year, the City implemented the following 311 improvements which resulted in the award designation: 1) 311 Call Center Performance Measures posted on the website and updated monthly; 2) Open 311 System with mapping of all service requests; and 3) Mobile app for top service requests. She reported that the announcement would be made at the PTI 2013 Technology Leadership Conference, October 13-15 in Philadelphia. She added that the logo would be the City's website later this month to promote this designation.

POINT OF PERSONAL PRIVILEGE

Mayor Castro recognized City Clerk Leticia M. Vacek who would be celebrating her birthday on October 7, 2013. The City Council sang Happy Birthday to Mrs. Vacek.

RECESSED

Mayor Castro recessed the meeting into Executive Session at 11:30 am to discuss the following items:

A. Deliberate competitive matters regarding CPS Energy and discuss related legal issues pursuant to Texas Government Code Section 551.086 (competitive matters) and Texas Government Code Section 551.071.

B. 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).

C. Deliberate the purchase, exchange, lease or value of real property and discuss related legal issues pursuant to Texas Government Code Sections 551.072 (real property) and 551.071 (consultation with attorney).

RECONVENED

Mayor Castro reconvened the meeting at 2:04 pm and announced that no action was taken in Executive Session. He addressed the Zoning Items.

APPROVAL OF THE CONSENT ZONING ITEMS

Councilmember Nirenberg moved to approve the following Zoning Items: P-1, Z-1, Z-2, Z-4, Z-5, P-3, Z-7, Z-8, Z-9, Z-10, and Z-11 under Consent Zoning. Councilmember Lopez seconded the motion. The motion to approve the Consent Zoning Items prevailed by the following vote:

Aye: 10 - Castro, Bernal, Taylor, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg and Chan

Absent: 1 - Soules

P-1 PLAN AMENDMENT #13043 (District 2): An Ordinance amending the future land use plan contained in the Eastern Triangle Community Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use of a 16.434 acre tract of land located at intersection of Southwest Loop 410 and Texcon Road from Community Commercial, Urban Living, and Parks/Open Space to Business Park. Staff and Planning Commission recommend approval. (Associated Zoning Case: #Z2013185)

ORD/RES No: 2013-10-03-0688

Z-1 ZONING CASE # Z2013185 (District 2): An Ordinance amending the Zoning District Boundary from "I-1" General Industrial District, "C-3NA" General Commercial Nonalcoholic Sales District and "NP-10" Neighborhood Preservation District to "L" Light Industrial District on Parcel 7B, NCB 12886 and Lot 2, Block 1, NCB 17295 located at 1620 Southeast Loop 410 and a portion of the 5300 and 5400 Blocks of Tex-Con Road. Staff and Zoning Commission recommend approval pending the plan amendment. (Associated Plan Amendment Case # 13043)

ORD/RES No: 2013-10-03-0689

Z-2 ZONING CASE #Z2013176 (District 2): An Ordinance amending the Zoning District Boundary from "RM-4 EP-1 AHOD" Residential Mixed Facility Parking/Traffic Control Overlay Airport Hazard Overlay District to "NC IDZ EP-1 AHOD" Neighborhood Commercial Infill Development Zone Facility Parking/Traffic Control Overlay Airport Hazard Overlay District on the south 80 feet of Lot 15, Block 4, NCB 1524 located at 630 South Walters Street.

Staff and Zoning Commission recommend approval.

ORD/RES No: 2013-10-03-0690

Z-4

ZONING CASE # Z2013182 (District 3): An Ordinance amending the Zoning District Boundary from "I-2 S AHOD" Heavy Industrial Airport Hazard Overlay District with Specific Use Authorization for Auto Salvage to "I-1 AHOD" General Industrial Airport Hazard Overlay District on Lot 9, Block 1, NCB 17364 located at 8518 New Laredo Highway. Staff and Zoning Commission recommend approval.

ORD/RES No: 2013-10-03-0692

Z-5

ZONING CASE # Z2013187 (District 4): An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single Family Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on 6.021 acres out of NCB 11186 located on a portion of the 8800 and 8900 Blocks of Poteet Jourdanton Freeway. Staff and Zoning Commission recommend approval.

ORD/RES No: 2013-10-03-0693

P-3

PLAN AMENDMENT #13041 (District 5): An Ordinance amending the future land use plan contained in the Kelly/South San PUEBLO Community Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use of an 2.554 acre tract of land located at 2518 SW 21st Street from Parks/Open Space to Low Density Residential. Staff and Planning Commission recommend approval. (Associated Zoning Case # Z2013179)

ORD/RES No: 2013-10-03-0696

Z-7

ZONING CASE # Z2013179 (District 5): An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District on 2.554 acres out of Lots B and D, Block 3, NCB 6777 located on a portion of the 2500 Block of Southwest 21st Street. Staff and Zoning Commission recommend approval pending the plan amendment. (Associated Plan Amendment Case # 13041)

ORD/RES No: 2013-10-03-0697

Z-8

ZONING CASE # Z2013188 (District 5): An Ordinance amending the Zoning District Boundary from "I-2 AHOD" Heavy Industrial Airport Hazard Overlay District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District, a Machine Shop, Warehousing and a Microbrewery on Parcel 106, NCB A-30; 1.4034 acres out of Lot A-1, NCB A-30 (also known as NCB 30); and 0.407 of an acre out of Lot A19, NCB 6392. 2000 and 2008 South Presa Street and 410 West Boyer. Staff and Zoning Commission recommend approval.

ORD/RES No: 2013-10-03-0698

Z-9

ZONING CASE #Z2013181 (District 6): An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Lot 31, NCB 10179 located on a portion of the 6100 Block of West Commerce Street. Staff and Zoning Commission recommend approval.

ORD/RES No: 2013-10-03-0699

Z-10

ZONING CASE # Z2013178 (District 7): An Ordinance amending the Zoning District Boundary from "I-1" General Industrial District to "C-2" Commercial District on 0.8875 of an acre out of Parcel 1H, NCB 15663 located on a portion of the 9900 Block of Braun Road. Staff and Zoning Commission recommend approval.

ORD/RES No: 2013-10-03-0700

Z-11

ZONING CASE # Z2013149 (District 8): An Ordinance amending the Zoning District Boundary from "R-6 GC-1 MSAO-1 MLOD-1 UC-1 AHOD" Residential Single-Family Hill Country Gateway Corridor Overlay Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay IH-10/FM 1604 Urban Corridor Overlay Airport Hazard Overlay District to "C-1 GC-1 MSAO-1 MLOD-1 UC-1 AHOD" Light Commercial Hill Country Gateway Corridor Overlay Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay IH-10/FM 1604 Urban Corridor Overlay Airport Hazard Overlay District on 0.4407 of an acre out of Lots 1, 2 and 37, Block A, NCB 34760A (previously County Block 4760A) located at 19785 (also known as 19815) Shady Lane Drive. Staff and Zoning Commission recommend approval.

ORD/RES No: 2013-10-03-0701

CONSENT ZONING ITEMS CONCLUDED

ZONING ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

Items P-2 and Z-6 were addressed jointly:

P-2 PLAN AMENDMENT #13044 (District 5): 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 use of approximately 0.2399 acres of land out of NCB 7902, addressed at 637 Chalmers, from "Low Density Residential" to "Community Commercial". Staff and Planning Commission recommend approval. (Associated Zoning Case # Z2013186)

ORD/RES No: 2013-10-03-0694

Z-6 ZONING CASE # Z2013186 CD (District 5): An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single Family Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District (0.188 of an acre out of Lot 22, NCB 7902) and "R-6 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for a Non-Commercial Parking Lot (on 0.355 acres out of 19A, NCB 7903) on 0.188 of an acre out of Lot 22, NCB 7902 and 0.355 of an acre out of Lot 19A, NCB 7903 located at 637 and 642 Chalmers Avenue. Staff and Zoning Commission recommend approval, with conditions, pending the plan amendment. (Associated Plan Amendment Case # 13044)

ORD/RES No: 2013-10-03-0695

John Jacks presented Item P-2 and stated that the request had been decreased to 0.1888 acres. He reported that staff and the Planning Commission recommended approval. For Item Z-6, he stated that staff and the Zoning Commission recommended approval with the following conditions: 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. He noted that of 31 notices mailed; none were received in opposition and three were received in favor.

Councilmember Gonzales moved to adopt the proposed Ordinances for Items P-2 and Z-6 with a waiver of the fence requirement for 642 Chalmers, with staff's conditions, and with the following additional condition: The hours of operation shall be limited to no earlier than 6 am and no later than 7 pm. Councilmember Saldaña seconded the motion. The motion prevailed by the following vote:

Aye: 9 - Castro, Bernal, Taylor, Viagran, Saldaña, Gonzales, Lopez, Medina and Nirenberg

Absent: 2 - Chan and Soules

Z-3

ZONING CASE #Z2013174 (District 3): An Ordinance amending the Zoning District Boundary from "C-3" General Commercial District, "C-1" Light Commercial District, and "R-5" Residential Single-Family District to "C-2" Commercial District on Lots 20 & 21, Block 1, NCB 12466 and Lot A, NCB 10838 located at 3223 South WW White Road and 4363 and 4343 Chandler Road. Staff and Zoning Commission recommend approval.

John Jacks presented Item Z-3 and stated that staff and the Zoning Commission recommended approval. He reported that of 70 notices mailed; one was received in opposition and none were returned in favor.

Councilmember Viagran asked of the Traffic Mitigation Improvements. Christina De La Cruz stated that a right turn lane was

required on W W White Road, as well as right turn and left turn lanes on Chandler Road. She noted that widening Chandler Road would be part of the mitigation efforts and that the Developer would be making more improvements than were required by the City Code.

Patrick Christiansen representing Jubilee Academy stated that they had sent over 400 letters to the neighborhood to the North as well as to the South.

A letter of support was received from Ebony Shakoor who stated that she had been a member of District 3 for four years and had seen the impact of Jubilee Academy on the community.

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

Aye: 10 - Castro, Bernal, Taylor, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg and Chan

Absent: 1 - Soules

ORD/RES No: 2013-10-03-0691

ADJOURNMENT

There being no further discussion, Mayor Castro adjourned the meeting at 2:11 pm.