

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



**DRAFT  
Meeting Minutes  
City Council A Session**

City Hall Complex  
105 Main Plaza  
San Antonio, Texas 78205

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**Thursday, December 15, 2016**

**9:00 AM**

**Municipal Plaza Building**

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The City Council of San Antonio convened a Regular Council Meeting. City Clerk Leticia Vacek took the Roll Call and noted the following Councilmembers present:

**PRESENT:** 11 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

1. The Invocation was delivered by Pastor Charles Rodgers, Truth For Today Christian Church, guest of Councilmember Ray Lopez, District 6.
2. Mayor Taylor led the Pledge of Allegiance to the Flag of the United States of America.
3. Approval of Minutes for the Regular City Council Meetings of November 2 - 3, 2016

Councilmember Warrick moved to approve the Minutes for the Regular City Council Meetings of November 2-3, 2016. Councilmember Treviño seconded the motion. The motion prevailed by the following vote:

**AYE:** 11 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

**POINTS OF PERSONAL PRIVILEGE**

Mayor Taylor recognized the University of Texas at San Antonio (UTSA) Football Team who would be competing in their first Bowl Game on Saturday. She wished them good luck.

Councilmember Viagran recognized High School Students from East Central Independent School District (ISD) participating in the Let's Move! Outside Campaign. She stated that they were in Austin being recognized by U.S. Secretary of the Interior, Sally Jewell. She also recognized the Legacy and Heritage Middle School Students that were present and welcomed them to the Council Meeting.

**CONSENT AGENDA ITEMS**

Items 7, 11A, 11B, 21, 25, 28, and 29 were pulled for Individual Consideration. Councilmember Warrick moved to approve the remaining Consent Agenda Items. Councilmember Treviño seconded the motion.

Mayor Taylor called upon Mr. Jack M. Finger to speak.

Jack M. Finger spoke in opposition to the application to the Alamo Area Metropolitan Planning Organization for the Transportation Alternatives Program (Item 20). He noted concern with the option to issue a citation instead of an arrest in the new Article XI of the City Code entitled, "Social Host Underage Drinking Accountability"(Item 21). He spoke against the Tax Abatement Guidelines (Item 26).

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

**AYE:** 11 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

**2016-12-15-0979**

4. An Ordinance accepting the offer from Silsbee Ford to provide up to 200 Ford Explorer police interceptor utility vehicles annually to the City's Police Department for an estimated cost of \$10,582,472.00 over a two year period, funded from the Equipment Renewal and Replacement Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

**2016-12-15-0980**

5. An Ordinance accepting the bid from Industrial Disposal Supply Company, Ltd. to provide four street sweepers to the Transportation and Capital Improvements Department for a total cost of \$818,162.50, funded from the Equipment Renewal and Replacement Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

**2016-12-15-0981**

6. An Ordinance accepting the offers from Grande Truck Center and Rush Truck Center for the purchase of 24 replacement and one additional automated side load refuse collection trucks for the Solid Waste Management Department for a total cost of \$8,043,542.28, funded from the Equipment Renewal and Replacement Fund and the Solid Waste Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

**2016-12-15-0983**

8. An Ordinance authorizing the following contracts establishing unit prices for goods and services for an estimated annual cost of \$499,000.00: (A) Garces Enterprises, Inc. dba Garces Waterjet for park identification signs and logo plates, (B) Martin Marietta for aggregate for surface treatment, and (C) Ag-Pro Texas, LLC for John Deere Tractor parts and service. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

**2016-12-15-0984**

9. An Ordinance authorizing a Job Order Contract in an amount up to \$832,810.00 payable to Kencon Constructors/Construction Managers, LTD to provide renovations for the Metro Health Lab Texas Center for Infectious Disease Project located in Council District 3, with funds available in the FY 2017 Facilities Fund Adopted Budget, the FY 2017 General Fund Health Budget, and appropriating \$138,446.00 in Local Grant Contributions for the project. [Erik Walsh, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvement]

**2016-12-15-0985**

10. An Ordinance authorizing a task order for a Job Order Contract in the amount of \$229,215.72, payable to Alpha Building Corporation for Phase IV Project improvements at Miraflores Park located in Council District 2, with funds in the amount of \$108,934.92 available in the Parks and Recreation Department's adopted FY 2017 General Fund operating budget and appropriates \$120,280.00 from the Tree Canopy Preservation and Mitigation Fund for a total one-time capital improvement expenditure payment of \$229,215.72. [María D. Villagómez, Assistant City

Manager; Xavier D. Urrutia, Director, Parks & Recreation]

12. Consideration of the following three contracts for the FY 2017-2022 Infrastructure Management Program adopted through the Fiscal Year 2017 Budget: [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

**2016-12-15-0988**

- 12A. An Ordinance for the 2017 Asphalt Overlay Contract Package 4- accepting the lowest responsive bid and awarding a contract to J&P Paving Co., Inc. in an amount not to exceed \$3,769,450.25, of which \$98,500.00 will be reimbursed by San Antonio Water Systems and \$7,600.00 will be reimbursed by CPS Energy for necessary adjustments to its existing infrastructure.

**2016-12-15-0989**

- 12B. An Ordinance for the 2017-2018 Microsurface Task Order Package 10- accepting the lowest responsive bid and awarding a contract to Intermountain Slurry Seal, Inc. in an amount not to exceed \$640,434.00.

**2016-12-15-0990**

- 12C. An Ordinance for the 2017-2018 Base Repair Task Order Package 11- accepting the lowest responsive bid and awarding a contract to J&P Paving Co., Inc. in an amount not to exceed \$896,775.45, of which \$17,903.50 will be reimbursed by San Antonio Water Systems for necessary adjustments to its existing infrastructure.

**2016-12-15-0991**

13. An Ordinance authorizing First Amendments to River Walk Lease Agreements with Macrode Holdings, LLC. d/b/a Tiendas del Rio, McGusta Fine Cigar Co. d/b/a Spirit of San Antonio, and Silversmith Inc. to extend leases through December 31, 2021. [Lori Houston, Assistant City Manager; John Jacks, Interim Director, Center City Development & Operations Department]

**2016-12-15-0992**

14. An Ordinance authorizing the execution of Amendment No. 6 to the lease with the San Antonio Museum Association d/b/a/ The Witte Museum transferring ownership interest of specific building improvements fully funded by the Witte and exercising two current 25-year lease extension options. [Erik Walsh, Deputy City Manager; Xavier D. Urrutia, Director, Parks and Recreation]

**2016-12-15-0993**

15. An Ordinance authorizing execution of Assignment, Assumption and Amendment of Ground Lease and Sublease Agreement with The Boys and Girls Clubs of San Antonio, authorizing the assignment to a newly created affiliated non-profit corporation for purposes of securing New Market Tax Credits financing for the Lone Star Recreational Facility located in Council District 5, a 2012-2017 Bond Project, and approving related documents. [María Villagómez, Assistant City Manager; Xavier D. Urrutia, Director, Parks and Recreation]

**2016-12-15-0994**

16. An Ordinance authorizing the closure, vacation and abandonment of a 0.038 acre unimproved segment of alley adjacent to Kalteyer Street in Council District 3 as requested by 210 Development Group, LLC for a fee of \$3,029.00. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

**2016-12-15-0995**

17. An Ordinance authorizing the acceptance of funds from the Department of Homeland Security in an amount not to exceed \$62,500.00 for the laboratory infrastructure support of the BioWatch Program. [Erik Walsh, Deputy City Manager; Vincent R. Nathan, PhD, MPH, Interim Health Director]

**2016-12-15-0996**

18. An Ordinance authorizing the submission of six applications to the Centers for Disease Control and Prevention Public Health Associate Program, and authorizing the assignment of up to six Public Health Associates in the San Antonio Metropolitan Health District for a two-year period beginning October 2017, and the execution of necessary documents. [Erik Walsh, Deputy City Manager; Vincent R. Nathan, PhD, MPH, Interim Director of Health]

**2016-12-15-0997**

19. An Ordinance authorizing the acceptance of funds in an amount up to \$100,000.00 from Urban Strategies, Inc. for violence prevention youth advocates to work in the community for a one year term beginning January 1, 2017. [Erik Walsh, Deputy City Manager; Vincent R. Nathan, PhD, MPH, Interim Health Director]

**2016-12-15-0998**

20. An Ordinance authorizing the submission of an application to the Alamo Area Metropolitan Planning Organization for funding consideration under the Transportation Alternatives Program. [Peter Zanoni, Deputy City Manager; Mike

Frisbie, Director, Transportation & Capital Improvements]

22. Consideration of the following Board, Commission and Committee appointments for the remainder of unexpired terms of office to expire May 31, 2017, 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) Appointing Joe Frank Nix (District 10) to the Zoning Commission.

**2016-12-15-1000**

23. An Ordinance authorizing the settlement of Rogelio Galvan, et al. vs. City of San Antonio, Cause No. 2014-CI-18935 pending in the 407th Judicial District Court, Bexar County, Texas in an amount up to \$190,000.00 paid from the Self-Insurance Liability Fund. [Andrew Segovia, City Attorney]

**2016-12-15-1001**

24. An Ordinance authorizing the settlement of Isabel Escobedo vs. City of San Antonio, Cause No. 2014-CI-05083 pending in the 150th Judicial District Court, Bexar County, Texas in an amount up to \$110,000.00 paid from the Self-Insurance Liability Fund. [Andrew Segovia, City Attorney]

**2016-12-15-1003**

26. An Ordinance adopting the City of San Antonio Tax Abatement Guidelines effective January 1, 2017 through December 31, 2018. [Carlos Contreras, Assistant City Manager; Rene Dominguez, Director, Economic Development]

**2016-12-15-1004**

27. An Ordinance authorizing a License and Services Agreement for support and maintenance from Tyler Technologies, Inc. for the San Antonio Municipal Court Case Management System for an indefinite term at a cost estimated to be \$604,291.00 each year. [John Bull, Presiding Judge, Municipal Court]

30. Consideration of the following items related to Chapter 380 Economic Development Agreements: [Carlos J. Contreras, Assistant City Manager, Rene Dominguez, Director, Economic Development]

**2016-12-15-1006**

- 30A. An Ordinance authorizing an amendment to the Chapter 380 Economic Development

Grant Agreement with Oracle America, Inc.

**2016-12-15-1007**

- 30B.** An Ordinance authorizing an amendment to the Chapter 380 Economic Development Grant and Loan Agreement with Site B Data Services, LLC.

**CONSENT ITEMS CONCLUDED**

**ITEMS PULLED FOR INDIVIDUAL CONSIDERATION**

City Clerk Vacek read the caption for Item 7:

**2016-12-15-0982**

7. An Ordinance authorizing an agreement with Health Resources in Action, Inc., in an amount up to \$75,000.00 to provide implementation evaluation services for the Stand Up SA Violence Prevention Program for a period that will end on March 31, 2017. [Erik Walsh, Deputy City Manager; Vincent R. Nathan, PhD, MPH, Interim Health Director]

Councilmember Gonzales asked for an overview of the Stand Up SA Violence Prevention Program. Dr. Vincent Nathan stated that the Program was implemented in 2014 as a partnership between the San Antonio Police Department (SAPD) and Metropolitan Health Department. He noted that the goal was to prevent a second incidence of violence from occurring and that the Program was measured by SAPD Crime Statistics. Councilmember Gonzales asked of training for the Interrupters in the Program. Judith Vega, Program Manager for Stand Up SA stated that the Program was based on the Cure Violence Model, an evidence-based public health approach to reduce and prevent violence out of the University of Illinois. She noted that they conduct a 40-hour training that consists of outreach techniques and conflict resolution. Councilmember Gonzales asked if they received Counseling Services. Ms. Vega replied that they provide Counseling Services for participants and workers. Councilmember Gonzales asked of the funding for the Program. Dr. Nathan stated that they were funded by the Governor's Office, Office of Criminal Justice Division.

Councilmember Warrick asked how an incident was defined. Dr. Nathan replied that an incident occurred when a person was injured through violent activity. Councilmember Warrick requested that they work with neighborhoods where the most gunshots occur. He asked if there was new methodology utilized in Chicago. Ms. Vega stated that they were focusing on Psychological Trauma and that San Antonio would utilize Healing Circles in collaboration with the My Brother's Keeper Program.

Mayor Taylor stated that this was an innovative approach and recommended reaching out to the Faith-Based and Non-Profit Community to replicate the model.

Councilmember Gonzales moved to adopt the Ordinance for Item 7. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

**AYE:** 11 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

City Clerk Vacek read the captions for Items 11A and 11B:

- 11.** Consideration of the following two items related to the Downtown Streets Reconstruction - Main, San Pedro and Navarro Project, a 2012 - 2017 General Obligation Bond funded project, located in Council District 1: [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

**2016-12-15-0986**

- 11A.** An Ordinance for the Downtown Street Reconstruction - Main, San Pedro and Navarro Project accepting the lowest responsive bid and awarding a construction contract in the amount of \$5,448,793.58 to Jordan Foster Construction, LLC, a 2012-2017 General Obligation Bond-funded project, of which \$1,138,991.50 will be reimbursed by SAWS, and \$717,775.50 will be reimbursed by CPS Energy for joint-bid utility work associated with the construction of the Project.

**2016-12-15-0987**

- 11B.** An Ordinance amending Ordinance No. 2016-04-14-0277, approved by the City of San Antonio City Council on April 14, 2016, by increasing the closure, vacation, abandonment and transfer of public rights-of-way from a 0.171-acre segment to approximately 0.196-acres.

Councilmember Treviño stated that he wanted to highlight the project which would be a gateway to the Downtown Area. Razi Hosseini stated that the project would facilitate vehicular navigation, enhance pedestrian and bicycle safety, as well as provide green spaces. He noted that the project was part of the Downtown Transportation Master Plan Study Recommendations approved in 2012. He presented a project map and rendering and stated that the project was scheduled for completion in October 2017. He added that staff recommended approval of awarding a construction contract in the amount of \$5.4 Million to Jordan Foster Construction. Councilmember Treviño asked of the Public Art Piece that would be installed. Mr. Hosseini replied that they were working with various Artists to



determine the Art Piece and noted that there would be colored medians, sidewalks, and landscaping.

Councilmember Viagran asked of the conversion of Soledad to a two-way street and the outreach to the community. Mr. Hosseini stated that they had a number of meetings with stakeholders to gather input and that the two-way traffic would be a benefit for businesses. Mike Frisbie added that the traffic volume on Main and Soledad Streets was relatively low and that there would be more room for bikes and additional parking capabilities along Main Street by converting it to a two-way street.

Councilmember Treviño moved to adopt the Ordinances for Items 11A and 11B. Councilmember Warrick seconded the motion. The motion prevailed by the following vote:

**AYE:** 10 - Mayor Taylor, Treviño, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

**ABSENT:** 1 - Warrick

City Clerk Vacek read the caption for Item 21:

**2016-12-15-0999**

- 21.** An Ordinance amending Chapter 21 of the City of San Antonio, Texas to create a new Article XI entitled "Social Host Underage Drinking Accountability" related to underage consumption of alcohol, and creating a civil offense and penalties for violations. [Erik Walsh, Deputy City Manager; William McManus, Chief of Police]

Chief McManus presented an overview of the amendment to Chapter 21 of the City Code to create a new Article XI entitled, "Social Host Underage Drinking Accountability." He stated that Councilmember Saldaña had submitted a Council Consideration Request (CCR) requesting an Ordinance to hold Adult Property Owners accountable where underage drinking occurs. He stated that in the last four years, a total of 2,893 citations were issued for underage alcohol-related offenses. He outlined the purpose of the Ordinance: 1) Protect general welfare by reducing underage drinking; 2) Impose a Civil Fee to offset Emergency Services Costs; and 3) Provide Law Enforcement with an alternative to arrest individuals who knowingly promote underage drinking. He stated that the 1st Violation would have a \$300 fine while additional Violations would increase to \$500. He noted that they would also be held liable for the cost of Public Safety Services. He added that they recommended that the Ordinance become effective March 1, 2017 in order to educate the community before enforcement.

Mayor Taylor called upon the citizens registered to speak.

Tom Marino stated that he was passionate about the safety of the community and that the Ordinance would be a tool to help combat underage drinking.

Beatriz Torres stated that she was a Victim Service Specialist with Mothers Against Drunk Driving (MADD) and supportive of the Ordinance. She noted concerns with the high amount of Teen Alcohol Use and asked that adults who provide alcohol to minors be held accountable.

Sarah Roitz stated that she was the mother of a young daughter and promotes healthy social habits. She spoke in support of the Ordinance to help prevent underage drinking.

Maria Velasquez spoke in support of the Ordinance and stated that house parties are where many instances of underage drinking occur.

Pastor Keely Petty spoke of her personal experience with underage drinking and date rape. She stated that she has spent her life working to reduce alcohol and drug abuse.

Melissa Munoz with the Circles of San Antonio Community Coalition spoke in support of the Ordinance and stated that underage drinking was a big problem in her neighborhood.

Andrea Salazar stated that she had a 15-year-old daughter and spoke of the dangers of underage drinking. She noted that other adults did not have a right to provide alcohol to her daughter and asked the City Council to approve the Ordinance.

Melinda Cox stated that she was a Parent, PTA Member with the North East Independent School District, and Sponsor for the Smart Driving Club. She noted that she was in favor of the Ordinance that would enable Police Officers to ticket the adults responsible for providing alcohol to minors.

Sandra Ramos spoke of her son's experiences with underage drinking and having been released from the Military due to a Driving Under the Influence Arrest. She asked that adults be held accountable for providing alcohol to minors.

Yen Le stated that she was a Former UTSA Student and supportive of the Ordinance. She spoke of experiences with underage drinking and the importance of understanding risk factors associated with drinking alcohol.

Dan Martinez stated that he was in full support of the Ordinance that would provide another tool to support public safety.

Sayama Turner stated that she was a Nationally Certified Sexual Assault and Rape Advocate in support of the Ordinance. She spoke of the dangers associated with alcohol and noted the importance of addressing this serious problem.

Kayleigh Stubbs stated that she was a Junior in High School and danced with a group of teens called "Hype." She noted that their focus was to show teens that they can have fun without using drugs or alcohol and asked that the Ordinance be approved.

Matthew Sisk stated that he was the parent of a Teenager and supportive of the Ordinance. He noted that it would protect youth from the dangers of underage drinking.

Abigail Moore, Executive Director of the San Antonio Council on Alcohol and Drug Abuse, spoke in support of the Ordinance. She stated that it was important to make the community a safe place for young people and that they would work on implementation of an Educational Campaign with Circles of San Antonio.

Kristin Rosales stated that she was a Junior at UTSA and supportive of the Ordinance. She spoke of the challenges and pressures of the college environment and noted the negative consequences of underage drinking.

Mayor Taylor thanked Councilmember Saldaña for bringing the issue forward and recognized everyone that came to speak on the matter. She stated that this was a worthy conversation and dialogue and that there were ramifications and impacts far reaching beyond drinking and driving. She thanked Pastor Keely Petty for sharing her personal testimony.

Councilmember Saldaña recognized the community groups for their advocacy and the many people that came to share their thoughts and experiences. He noted that it was important to change attitudes and regulate behavior and added that this was another tool that Police Officers could utilize. He mentioned the importance of education and the need to hold adults accountable for providing alcohol to minors.

Councilmember Viagran thanked Councilmember Saldaña and the Criminal Justice, Public Safety and Services Council Committee for their work on the initiative. She recognized Pastor Petty for sharing her personal experience and all of the people that spoke. She stated that the Social Hosting Accountability Ordinance was a good example of all people working together for a safer San Antonio.

Councilmember Treviño expressed his support noting that the Ordinance would help curb

underage drinking. Councilmember Warrick expressed support for the Ordinance and recognized all of the speakers present. He asked of a case in which an adult was not aware that an underage individual was drinking in their home. Chief McManus replied that they would not be held liable for same. Councilmember Warrick asked of public education. Chief McManus stated that the Ordinance would not become effective until March and they would utilize that time to educate the community.

Councilmember Gonzales thanked everyone that spoke and noted that her step-daughter had experienced date rape due to underage drinking.

Councilmember Gallagher expressed his support and noted that underage drinking was a serious issue. He asked that staff work with Bexar County on this issue.

Councilmember Nirenberg expressed support and thanked everyone for their work. Councilmember Medina stated that he was pleased to support the Ordinance which would be very impactful.

Written testimony was received in support of Item 21 from Christina M. Guerra, Retired Lieutenant, Texas Alcoholic Beverage Commission.

Councilmember Saldaña moved to adopt the Ordinance for Item 21. Councilmember Gallagher seconded the motion. The motion prevailed by the following vote:

**AYE:** 11 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

City Clerk Vacek read the caption for Item 25:

**2016-12-15-1002**

- 25.** An Ordinance authorizing the settlement of Sharlene Lewis, et al. vs. City of San Antonio, et al., Civil Action No.: 5:16-CV-1014 in the U.S. District Court, Western District of Texas - San Antonio Division in an amount up to \$200,000.00 paid from the Self-Insurance Liability Fund. [Andrew Segovia, City Attorney]

Mayor Taylor recused herself from voting on Item 25 by exiting the Council Chambers and noting she submitted the recusal forms to the City Clerk.

Councilmember Viagran moved to adopt the Ordinance for Item 25. Councilmember Gallagher seconded the motion. The motion prevailed by the following vote:

**AYE:** 10 - Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

**ABSTAIN:** 1 - Mayor Taylor

City Clerk Vacek read the caption for Item 28:

**2016-12-15-0037R**

- 28.** A Resolution making the necessary prerequisite declarations of areas to be included in a hereinafter City Council approved Urban Renewal Plan and associated with the 2017 proposed Neighborhood Improvements Bond Proposition. [Peter Zaroni, Deputy City Manager; Bridgett White, Director, Planning & Community Development]

Mayor Taylor called upon Carol Ross to speak.

Carol Ross read a letter from Michael Apolinar, President of the Greater Harmony Hills Neighborhood Association requesting that the Neighborhood Commercial District at West and Blanco be removed from Bond Consideration. He wrote that the area already had a significant amount of Multifamily Housing and Mixed Uses.

Councilmember Treviño asked if other sites could be considered after the vote today. Clay Binford replied that the Resolution would authorize publication of a Notice of Public Hearing. He stated that the general description of the areas that would be considered at that Public Hearing must be included in the publication and take place 30 days before the hearing. He noted that adding sites would require additional publication. Councilmember Treviño asked of safeguards to ensure that the funds would be spent in areas with the most impact. Peter Zaroni stated that the City Council along with the Housing Council Committee would be involved as well as Staff Recommendations provided. He noted that a Citizen Oversight Committee would provide additional oversight in the development of the program.

Councilmember Treviño moved to adopt the Ordinance with the condition that a Citizen Advisory Committee be appointed by the City Council to advise on Site Selection and Housing Development Activities. He noted that the number of Members to serve would be determined after staff confers with the Housing Council Committee. Councilmember Warrick seconded the motion.

Councilmember Krier asked if the area of concern noted by Ms. Carol Ross was included in the recommendation. Mr. Zaroni confirmed that the area would not be included.

Councilmember Nirenberg asked of the Housing Commission and if there would be guidelines for the Program. Mr. Zanoni replied that there would be guidelines and they would be available prior to the projects being placed on the ballot.

Councilmember Viagran asked of the property values increasing now that the City of San Antonio has identified the 13 Areas. Mr. Zanoni stated that it was a possibility but the sale of the property would be voluntary in an effort to keep prices down.

Councilmember Gonzales asked of the deadline for placing projects on the ballot. Mr. Zanoni stated that the City Council would adopt the Urban Renewal Plan on February 2, 2017 that would include a list of locations and conditions that regulate the program.

The motion to approve Item 28 with a condition prevailed by the following vote:

**AYE:** 11 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

City Clerk Vacek read the caption for Item 29:

**2016-12-15-1005**

- 29.** An Ordinance authorizing a one-time limited duration license agreement with Accu-Print for the use of the San Antonio Missions World Heritage Trademark for a 2017 Calendar featuring the City's five Spanish colonial missions. [Lori Houston, Assistant City Manager; Colleen Swain, Director, World Heritage Office]

Councilmember Viagran noted the Official Logo of the San Antonio Missions and stated that it had been trademarked by the City of San Antonio. She asked for clarification of why this was being done now. Colleen Swain stated that Bob Holland had taken a number of photographs as part of the nomination process. She noted that he donated them to the City and they needed to be trademarked in order to ensure that there was an inventory and process in place for review.

Councilmember Viagran moved to adopt the Ordinance for Item 29. Councilmember Nirenberg seconded the motion. The motion prevailed by the following vote:

**AYE:** 11 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

**POINT OF PERSONAL PRIVILEGE**

Councilmember Gallagher announced that he would not pursue an additional term in the

upcoming May General Election. He thanked the City Council, City Manager, and his District 10 Staff for their dedication in moving San Antonio forward. He added that it had been an honor for him to serve and he looked forward to what would be accomplished during the remainder of his term. Mayor Taylor and Councilmember Krier recognized Councilmember Gallagher for his service and noted that he would be greatly missed.

### **31. CITY MANAGER'S REPORT**

#### **FY 2016 PRELIMINARY YEAR END FINANCIAL REPORT OVERVIEW**

Mrs. Sculley provided a preliminary status of the City's Financial Position for Fiscal Year (FY) 2016. She stated that the report was an update since FY 2017 Budget Adoption and the figures were preliminary and unaudited. With regard to the General Fund, she reported that it ended \$7.2 Million better than projected. She noted that with this additional \$7.2 Million; the City would end with a 17% Balance. She mentioned that the Bond Rating Agencies had indicated that they wanted the City to maintain a minimum of 16% Ending Balance to maintain the "AAA" Bond Rating. She stated that although the FY 2016 was slightly better than estimated; the City was still faced with budget challenges as they begin to prepare the FY 2018 Budget. These include potential Revenue Caps being discussed in the upcoming Legislative Session, potential funding for VIA Metropolitan Transit, and some of the Budget Amendments that were deferred for consideration. She stated that because of these challenges, she recommended that the additional ending balance be reserved for the development of the City's Five-Year Financial Forecast that will be presented to the City Council in May 2017. Within the Restricted Funds, Mrs. Sculley reported that Hotel Occupancy Tax (HOT) Fund Tax Collections of \$63.6 Million exceeded last year's collections by 2.7%. She noted that the Development Services Department Enterprise Fund Fee Revenues of \$30.5 Million were 4% higher than last year, reflecting stronger Commercial Development. She stated that the Solid Waste Fund of \$102 Million ended FY 2016 in a positive financial position, with revenues exceeding projections by \$1.6 Million. She highlighted FY 2017 Budget Initiatives to include \$1.5 Million approved for the implementation of the SA Tomorrow Plan and \$64 Million for Street Maintenance. She mentioned that the City's Financial Position for the end of FY 2016 was strong and would be well-positioned for FY 2017.

#### **FAIR CHANCE HIRING/ "BAN THE BOX"**

Mrs. Sculley reported that last week, a memo was sent to the City Council regarding that change made by the Human Resources Department in support of a National "Fair Chance Hiring" Movement. She stated that with the support of the Governance Council Committee, staff has removed all questions about criminal history from Civilian Job Applications. She noted that Criminal Background Reviews would continue to be processed for every Civilian

hired but would only take place after a Conditional Offer of Employment has been made. She noted that this change came as the result of a Council Consideration Request submitted by Councilmember Saldaña. She indicated that the Background Check Process would not change and that results would be evaluated by Human Resources and the City Attorney's Office. She stated that Criminal History Questions would continue to be asked as part of the Uniform Fire and Police Academy Applications.

### **HEALTH DEPARTMENT DIRECTOR**

Mrs. Sculley reported that after conducting a National Search and interviewing several strong candidates, she was pleased to announce the appointment of Dr. Colleen Bridger as the new Director of Metro Health. She stated that Dr. Bridger joined the City of San Antonio from the Orange County Health Department in North Carolina where she served as Director for the past five years. She noted that Dr. Bridger has more than 25 years of Public Health Experience; holds a PhD in Health Services Research from the University of North Carolina-Charlotte and a Master of Public Health from UNC-Chapel Hill. She thanked Dr. Vincent Nathan for leading the Health Department in an Interim Capacity. She added that Dr. Bridger would officially begin as Metro Health Director on March 6, 2017.

### **EXECUTIVE SESSION**

Mayor Taylor recessed the meeting at 11:45 am to continue discussing the items not reached in Executive Session yesterday:

- A. 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).**
- B. Deliberate the purchase, exchange, lease or value of real property and discuss related legal issues pursuant to Texas Government Code Sections 551.072 (real property) and 551.071 (consultation with attorney).**
- C. Discuss legal issues related to collective bargaining pursuant to Texas Government code Section 551.071 (consultation with attorney).**
- D. Discuss legal issues related to the San Antonio Public Safety Radio System pursuant to Texas Government Code Section 551.076 (security devices and audits) and 551.071 (consultation with attorney).**
- E. Discuss legal issues related to the Fair Labor Standards Act pursuant to Texas Government Code Section 551.071 (consultation with attorney).**
- F. Discuss legal issues relating to an interlocal agreement with the City of Converse**



**pursuant to Texas Government Code Section 551.071 (consultation with attorney).**

### **RECONVENED**

Mayor Taylor reconvened the meeting at 2:07 pm and announced that no action was taken in Executive Session. She addressed the Consent Zoning Items.

### **CONSENT ZONING ITEMS**

Zoning Items Z-2, Z-4, Z-6, P-2, Z-7, and Z-8 were pulled for Individual Consideration. Councilmember Warrick moved to approve the remaining Consent Zoning Items. Councilmember Treviño seconded the motion.

Mayor Taylor called upon Mr. Jack M. Finger to speak.

Jack M. Finger spoke in opposition to the Tattoo Parlor requested in Item Z-2 and the four units requested in Item Z-6. He also spoke against the Used Car Lot requested in Item Z-8.

Councilmember Viagran highlighted Owner Cathy Bettencourt on Item Z-5 and thanked her for her investment in the South Side.

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

**AYE:** 11 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

### **2016-12-15-1008**

**Z-1.** ZONING CASE # Z2016282 (Council District 1): An Ordinance amending the Zoning District Boundary from "IDZ RIO-2 AHOD" Infill Development Zone River Improvement Overlay Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and a Bar and/or Tavern without Cover Charge 3 or more days per week and "I-1 RIO-2 AHOD" General Industrial River Improvement Overlay Airport Hazard Overlay District to "IDZ RIO-2 AHOD" Infill Development Zone River Improvement Overlay Airport Hazard Overlay District with uses permitted in "O-2" High-Rise Office District, "C-2" Commercial District, "MF-40" Multi-Family District and a Bar on 3.127 acres out of NCB 969 and NCB 970, located at 1801 Broadway Avenue. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY

DESCRIBED HEREIN AS: 3.127 ACRES OUT OF NCB 969 AND NCB 970 TO WIT: FROM "IDZ RIO-2 AHOD" INFILL DEVELOPMENT ZONE RIVER IMPROVEMENT OVERLAY AIRPORT HAZARD OVERLAY DISTRICT AND "I-1 RIO-2 AHOD" GENERAL INDUSTRIAL RIVER IMPROVEMENT OVERLAY AIRPORT HAZARD OVERLAY DISTRICT TO "IDZ RIO-2 AHOD" INFILL DEVELOPMENT ZONE RIVER IMPROVEMENT OVERLAY AIRPORT HAZARD OVERLAY DISTRICT WITH USES IN "O-2" HIGH-RISE OFFICE DISTRICT, "C-2" COMMERCIAL DISTRICT, "MF-40" MULTI-FAMILY DISTRICT AND BAR.

**2016-12-15-1010**

- P-1.** PLAN AMENDMENT # 16088 (Council District 2): An Ordinance amending the Arena District/Eastside Community Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use of the East 172 Feet of Lot 12, Block 9, NCB 12865 from "Medium Density Residential" to "Light Industrial", located at 1231 Eddie Road. Staff and Planning Commission recommend Approval. (Associated Zoning Case Z2016285 S)

**2016-12-15-1011**

- Z-3.** ZONING CASE # Z2016285 S (Council District 2): An Ordinance amending the Zoning District Boundary from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "L S AHOD" Light Industrial Airport Hazard Overlay District with a Specific Use Authorization for Manufactured Homes / Oversized Vehicle Sales, Service and Storage on the East 172 FT of Lot 12, Block 9, NCB 12865, located at 1231 Eddie Road. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment 16088)

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: NCB 12865, BLOCK 9, LOT EAST 172 FT OF 12 TO WIT: FROM "R-5 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "L S AHOD" LIGHT INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR MANUFACTURED HOMES/OVERSIDED VEHICLE SALES, SERVICE AND STORAGE.

**2016-12-15-1013**

- Z-5.** ZONING CASE # Z2017001 (Council District 3): An Ordinance amending the Zoning District Boundary from "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on Lots 77 and 78, Block 9, NCB 9309, located at 1440 SW Military

Drive. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOTS 77 AND 78, BLOCK 9, NCB 9309 TO WIT: FROM "C-3NA AHOD" GENERAL COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

### **CONSENT ZONING CONCLUDED**

### **ZONING ITEMS PULLED FOR INDIVIDUAL CONSIDERATION**

**2016-12-15-1009**

**Z-2.** ZONING CASE # Z2017002 CD (Council District 1): An Ordinance amending the Zoning District Boundary from "C-2 NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District to "C-1 CD AHOD" Light Commercial Airport Hazard Overlay District with Conditional Use for a Tattoo Parlor on Lot 26, Block 50, NCB 2744, located at 1620 Fredericksburg Road. 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 26, BLOCK 50, NCB 2744 TO WIT: FROM "C2 NA AHOD" COMMERCIAL NON-ALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT TO "C-1 CD AHOD" LIGHT COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH CONDITIONAL USE FOR A TATTOO PARLOR.

Catherine Hernandez presented Item Z-2 and stated that staff and the Zoning Commission recommended approval with the following conditions: 1) All on-site lighting shall be directed onto the site and point away from any residential zoning or uses using 90-degree or less cut-off fixtures; 2) Hours of Operation shall be from 9 am to 10 pm; 3) All garbage service must be screened from residential uses; and 4) No temporary signage shall be allowed. She reported that of 32 notices mailed; two were returned in favor and none in opposition. She noted that the Keystone and Jefferson Neighborhood Associations were supportive of the request.

Mayor Taylor called upon the citizens registered to speak.

Bianca Maldonado representing the Monticello Neighborhood Association addressed the City Council in support of the request. She noted that they were originally opposed but had spoken to the Applicant and he accepted their recommended conditions.

Benjamin Upton stated that he was the Applicant and thanked the Monticello Neighborhood Association for their support. He noted that their business was a High Tier One Body Piercing and Custom Tattoo Studio focused on Custom Artwork.

Miro Hernandez stated that he was one of the Business Partners and they had been established for many years. He noted that Health, Safety, and Customer Service were their priorities and they looked forward to being a part of the Deco District.

Michael Starnes, Realtor for the Applicant, spoke of their efforts to find a location for the business. He noted that the Applicant would become a Property Owner and not a Tenant which would be great for the area.

Councilmember Treviño thanked the Applicants for working with the Neighborhood Associations. Councilmember Medina thanked everyone for their collaboration on the zoning case and stated that he welcomed more businesses to the Deco District.

Councilmember Treviño moved to adopt the Ordinance with the four conditions read by Ms. Hernandez. Councilmember Warrick seconded the motion. The motion prevailed by the following vote:

**AYE:** 11 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

#### **2016-12-15-1012**

**Z-4.** ZONING CASE # Z2016272 (Council District 2): An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District and "AE-1 AHOD" Arts and Entertainment Airport Hazard Overlay District to "IDZ AHOD" Infill Development Zone Airport Hazard Overlay District with uses permitted in "C-2" Commercial District and "MF-18" Limited Density Multi-Family District on Lots 8, 9, 10, 11, and 27, Block 7, NCB 1440, located at 2231, 2235, 2243 E. Commerce and 128 and 132 Belmont Street. Staff recommends Denial with Alternate Recommendation. Zoning Commission recommends Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY

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CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOTS 8, 9, 10, 11, 27, BLOCK 7, NCB 1440 TO WIT: FROM "R-4 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT AND "AE-1 AHOD" ARTS AND ENTERTAINMENT AIRPORT HAZARD OVERLAY DISTRICT TO "IDZ AHOD" INFILL DEVELOPMENT ZONE AIRPORT HAZARD OVERLAY DISTRICT WITH USES PERMITTED IN "C-2" COMMERCIAL DISTRICT AND "MF-65" MULTI-FAMILY DISTRICT.

Catherine Hernandez presented Item Z-4 and stated that staff recommended Denial with an Alternate Recommendation to keep the "AE-1" District while the Zoning Commission recommended approval. She reported that of 61 notices mailed; one was returned in favor and none in opposition. She noted that the Jefferson Heights Neighborhood Association was supportive of the request.

Councilmember Warrick moved to approve Item Z-4 as submitted by the Applicant. Councilmember Gallagher seconded the motion. The motion prevailed by the following vote:

**AYE:** 11 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

#### **DENIED**

**Z-6.** ZONING CASE # Z2016284 (Council District 3): An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District on Lot 12, Block 80, NCB 9362, located at 507 Clovis Place. Staff and Zoning Commission recommend Denial.

Catherine Hernandez presented Item Z-6 and stated that staff and the Zoning Commission recommended denial. She reported that of 22 notices mailed; three were returned in favor and none in opposition.

Mayor Taylor called upon the citizens registered to speak.

Jose Luis Aguilar spoke in opposition to the request and noted that many robberies had occurred in the area. He stated that the neighborhood was best suited for Single Family Housing.

Roberto Guajardo stated that he lived across the street from the property in question and was opposed to the request. He noted concern with having too many people on one small piece of property.

Councilmember Viagran thanked Messrs. Aguilar and Guajardo for speaking on the request and noted that they had shared photos of their concerns. She noted that staff and the Zoning Commission recommended denial and she was supportive of their recommendation.

Councilmember Viagran moved to deny Item Z-6. Councilmember Gallagher seconded the motion. The motion prevailed by the following vote:

**AYE:** 11 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

Items P-2 and Z-7 were addressed jointly.

**2016-12-15-1014**

**P-2.** PLAN AMENDMENT # 16083 (Council District 5): An Ordinance amending the Guadalupe Westside Community Plan, a component of the Comprehensive Master Plan of the City, by adding the Heavy Industrial Future Land Use Category that allows for "I-1" General Industrial District and "I-2" Heavy Industrial District zoning categories and by changing the future land use of Lots 8 and 9, Block 1, NCB 6439, located at 313 and 315 Frio City Road, from "Low Density Mixed Use" to "Light Industrial". Staff and Planning Commission recommend Approval. (Associated Zoning Case Z2016271 S)

**2016-12-15-1015**

**Z-7.** ZONING CASE # Z2016271 S (Council District 5): An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District and "I-1 AHOD" General Industrial Airport Hazard Overlay District to "I-1 S AHOD" Light Industrial Airport Hazard Overlay District with Specific Use Authorization for Metal Recycling Entity without Outside Storage and/or Processing on Lots 8 and 9, Block 1, NCB 6439, located 313 and 315 Frio City Road. Staff and Zoning Commission recommend Approval with Conditions. (Associated Plan Amendment 16083)

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 8 AND 9, BLOCK 1, NCB 6439 TO WIT: FROM "R-4 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT AND "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "I-1 S AHOD" LIGHT INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT WITH SPECIFIC USE AUTHORIZATION FOR METAL RECYCLING

**ENTITY WITH INDOOR STORAGE AND/OR PROCESSING.**

Catherine Hernandez presented Item P-2 and stated that it would amend the Guadalupe Westside Community Plan. She reported that staff and the Planning Commission recommended approval.

For Item Z-7, she stated that staff and the Zoning Commission recommended approval with the following conditions: 1) Business hours of operation for the general public shall not be permitted before 7:00 am or after 6:00 pm; and 2) Require solid screen fencing adjacent to residential zoning and uses. She reported that of 35 notices mailed; none were returned in favor or opposition.

Councilmember Gonzales moved to approve Items P-2 and Z-7 with the conditions read by Ms. Hernandez. Councilmember Saldaña seconded the motion. The motion prevailed by the following vote:

**AYE:** 11 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

**DENIED**

**Z-8.** ZONING CASE # Z2016262 (Council District 5): An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District and "MF-33 AHOD" Multi-Family Airport Hazard Overlay District to "C-3 AHOD" General Commercial Airport Hazard Overlay District on N. 50 Feet of Lots 7, 8, 9, 10 & 11, Block 11, NCB 2250, located at 323 North Zarzamora Street. Staff and Zoning Commission recommend Denial.

Catherine Hernandez presented Item Z-8 and stated that staff and the Zoning Commission recommended denial. She reported that of 33 notices mailed; none were returned in favor or opposition.

Mayor Taylor called upon Josefina Moreno to speak.

Josefina Moreno spoke in opposition to the request noting concerns with too many vehicles on the property. She also expressed concern with increased traffic and robberies occurring in the area.

Councilmember Gonzales moved to deny Item Z-8. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

**AYE:** 11 - Mayor Taylor, Treviño, Warrick, Viagran, Saldaña, Gonzales, Lopez, Medina, Nirenberg, Krier and Gallagher

**ADJOURNMENT**

There being no further discussion, Mayor Taylor adjourned the meeting at 2:37 pm.

APPROVED

IVY R. TAYLOR  
MAYOR

ATTEST:  
LETICIA M. VACEK, TRMC/CMC/MMC  
CITY CLERK