

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



**FINAL  
Meeting Minutes  
City Council A Session**

City Hall Complex  
105 Main Plaza  
San Antonio, Texas 78205

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Thursday, August 31, 2017

9:00 AM

Municipal Plaza Building

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The City Council convened in a Regular Meeting. City Clerk Leticia Vacek took the Roll Call noting the following Councilmembers present:

**PRESENT:** 11 - Mayor Nirenberg, Treviño, Shaw, Viagran, Saldaña, Gonzales, Brockhouse, Sandoval, Pelaez, Courage and Perry

1. The Invocation was delivered by Pastor David Brockhouse, Mt. Olive Lutheran Church, guest of Councilmember Greg Brockhouse, District 6.
2. Mayor Nirenberg led the Pledge of Allegiance to the Flag of the United States of America.
3. Approval of Minutes for the Special City Council Meetings of June 21 - 22, 2017, Special City Council Meeting of June 28, 2017 and the Regular City Council Meeting of June 29, 2017.

Councilmember Treviño moved to approve the Minutes for the Special City Council Meetings of June 21-22, 2017, Special City Council Meeting of June 28, 2017 and the

Regular City Council Meeting of June 29, 2017. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

**AYE:** 11 - Mayor Nirenberg, Treviño, Shaw, Viagran, Saldaña, Gonzales, Brockhouse, Sandoval, Pelaez, Courage and Perry

4. Councilmember Manny Peláez will be sworn-in as Mayor Pro-Tem, serving the term August 31, 2017-November 9, 2017.

City Clerk Vacek administered the Oath of Office to Councilmember Manny Pelaez who will be serving as Mayor Pro-Tem from August 31, 2017-November 9, 2017.

#### **CONSENT AGENDA ITEMS**

Items 6, 9, 14, 22, 23, 29, P1, Z-1, and 31 were pulled for Individual Consideration. Councilmember Treviño moved to approve the remaining Consent Agenda Items. Councilmember Courage seconded the motion.

Mayor Nirenberg called upon Mr. Jack M. Finger to speak on Consent Agenda Items.

Jack M. Finger spoke against the contracts for low income San Antonio Residents and Immigrants (Item 22). He expressed concern with the funding that would be provided to the Alameda Theater (Items 28A and B).

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

**AYE:** 11 - Mayor Nirenberg, Treviño, Shaw, Viagran, Saldaña, Gonzales, Brockhouse, Sandoval, Pelaez, Courage and Perry

**2017-08-31-0600**

7. An Ordinance accepting the offers from Four J Traffic Controls, LLC, Flasher Equipment Company and Short-Line Corporation dba American Signal Equipment Company for the rental, delivery and pickup of traffic barricade equipment for the Police, Transportation and Capital Improvements, Center City Development and Operations, and Convention and Sports Facilities Departments for an estimated annual cost of \$547,000.00, funded from the FY 2017 and FY 2018 Operating Budgets. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

**2017-08-31-0601**

8. An Ordinance authorizing contracts with The Akana Group, Inc., C&M Golf & Grounds Equipment, Holt Texas, LTD, Sageline, Inc., and Tuttle Motor Company to provide City departments with tractors and landscaping equipment for an estimated total cost of \$1,594,054.18 over a two year period, funded by the Equipment Renewal and Replacement Fund and the Storm Water Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

**2017-08-31-0603**

10. An Ordinance for the Lamar Street Reconstruction (Austin St to N. New Braunfels) Project, a 2017-2022 Bond and Community Development Block Grant funded project, accepting the lowest responsive bid and awarding a construction contract, including three additive alternates, to San Antonio Constructors, Ltd. in the amount of \$5,457,166.50, of which \$1,823,897.70 will be reimbursed by San Antonio Water System (SAWS) and \$475,692.00 will be reimbursed by CPS Energy, located in Council District 2. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

**2017-08-31-0604**

11. An Ordinance authorizing the execution of the Second Amendment and Extension to the Lease Agreement for 11,622 square feet of office space located at 215 S. San Saba Street for the San Antonio Fire Department Health and Wellness Program located in Council District 1. [Lori Houston, Assistant City Manager; John Jacks, Director, Center City Development & Operations]

**2017-08-31-0605**

12. An Ordinance authorizing a five-year extension of parking lease with the General Services Administration for the continued use of the parking lot at 727 East Cesar Chavez, beginning September 1, at an initial rate of \$50,103.36 annually. [Lori Houston, Assistant Manager; John Jacks, Director, Center City Development & Operations]

**2017-08-31-0606**

13. An Ordinance authorizing the closure, vacation and abandonment of an improved 0.6562 acre segment of Britney Circle Public Right of Way located at O'Connor Road in Council District 10 as requested by Rockport Family Partnership, Ltd., for a fee of \$21,500.00. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

**2017-08-31-0607**

15. An Ordinance authorizing the acceptance of an additional \$1,025.00 from the Office of National Drug Control Policy for the High Intensity Drug Trafficking Area grant to increase original fund award to the San Antonio HIDTA Initiative for the grant period January 1, 2017, through December 31, 2018. [Erik J. Walsh, Deputy City Manager; William P. McManus, Chief of Police]

**2017-08-31-0608**

16. An Ordinance authorizing the submission of a grant application in an amount up to \$272,594.00 to the U.S. Department of Justice to support the Child Welfare Strategic Alliance Program, and authorizing an interlocal agreement with Bexar County regarding the distribution of grant funds and the designation of Bexar County as the grant fiscal agent. [Erik Walsh, Deputy City Manager; William P. McManus, Chief of Police]

**2017-08-31-0609**

17. An Ordinance authorizing amendments to Chapters 29 and 37 of the City's Municipal Code to provide an initial framework for the deployment of small cell network nodes and node support poles in the public right-of-way, authorized by SB 1004, which added Chapter 284 to the Texas Local Government Code; approving a design manual for network nodes and node support poles in accordance with SB 1004; and amending Chapter 29 to include San Antonio Water System's (SAWS) utility locate contact information. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

**2017-08-31-0610**

18. An Ordinance ratifying a Memorandum of Understanding between the Department of Homeland Security, acting through the Federal Emergency Management Agency, and the San Antonio Fire Department to establish terms and understanding for participation in the FEMA Personal Identity Verification-Interoperable Smart Card Beta Test. [Erik Walsh, Deputy City Manager; Charles Hood, Fire Chief]

**2017-08-31-0611**

19. An Ordinance authorizing Interlocal Agreements with the University of Texas Health Science Center at San Antonio to provide the San Antonio Fire Department with contracts for a period beginning October 1, 2017 and ending September 30, 2020, with two extensions of one year each for Emergency Medical Technician Training and Emergency Medical Services System oversight for an estimated cost for the first year of \$1,840.730, and EMS Medical Direction Services for an estimated cost for the first year of \$1,298,509, and amending the prior Interlocal Agreements between

the parties to provide for certain payments out of residual funds. [Erik Walsh, Deputy City Manager; Charles Hood, Fire Chief]

**2017-08-31-0612**

20. An Ordinance authorizing an agreement with Jennifer Meyer Bankler, D.D.S. for an amount up to \$120,000.00 for a term beginning October 1, 2017 and ending September 30, 2018 with options to renew for two, one-year terms for the San Antonio Metropolitan Health District's Oral Health Program. [Erik Walsh, Deputy City Manager; Colleen M. Bridger, MPH, PhD, Director of Health]

**2017-08-31-0613**

21. An Ordinance authorizing the execution of a Health Care Services Agreement with University of the Incarnate Word for the provision of health screening services for the City of San Antonio Head Start Program through July 31, 2018 with five one-year renewal options, for a total value not to exceed \$540,000.00. [María Villagómez, Assistant City Manager; Melody Woosley, Director, Human Services]

**2017-08-31-0616**

24. An Ordinance authorizing the purchase of Commercial Insurance Policies for City operations for a one year policy period, effective October 1, 2017, in the estimate amount of \$1,082,796.60 with two one-year renewal options for a total estimated cost of \$3,257,313.67. [Ben Gorzell, Chief Financial Officer; Debra Ojo, Director, Risk Management]

**2017-08-31-0617**

25. An Ordinance authorizing the one year renewal of the contract with Tetra Tech, Inc. for On-Call Debris Management Monitoring services, in amount not to exceed \$100,000.00, dependent on a Federal Emergency Management Administration (FEMA) declared disaster emergency. [Roderick J. Sanchez, Assistant City Manager; David W. McCary, Director, Solid Waste Management Department]

**2017-08-31-0618**

26. An Ordinance authorizing the one year renewal of the contract with DRC Emergency Services, LLC, for On-Call Debris Management services in amount not to exceed \$500,000.00, dependent on a Federal Emergency Management Administration (FEMA) declared disaster emergency. [Roderick J. Sanchez, Assistant City Manager; David W. McCary, Director, Solid Waste Management]

**2017-08-31-0619**

27. An Ordinance authorizing the execution of five On-Call Professional Landscape Architectural Consulting Services Agreements, with Bender, Inc., Dunaway Associates, L.P., MP Studio Landscape Architecture, LLC, Open Air Studios, LLC

and Terra Design Group, Inc., each in the amount not to exceed \$400,000.00 per year per firm, for a term of one year with the option to extend for one additional year, under the same terms and conditions, to provide as-needed professional landscape architectural consulting services for City-owned facilities and improvements, construction projects and planning projects located City-wide. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

28. Consideration of the following two items for the Alameda Theater Complex Restoration Project: [Lori Houston, Assistant City Manager; John Jacks, Director, Center City Development]

**2017-08-31-0620**

28A. An Ordinance authorizing a funding and development agreement among the City of San Antonio, Bexar County, Alameda Theater Conservancy and Texas Public Radio in an amount of \$9,200,000 which includes \$700,000 in tax increment and \$8,500,000 in certificate of obligation funding for the renovation of the Alameda Theater Complex; amending the Houston Street Tax Increment Reinvestment Zone (TIRZ) Project Plan and Finance Plan to include the Alameda Theater Restoration Project; and providing for a reimbursement from the Houston Street TIRZ of \$8,500,000 in principal amount and associated interest for the certificates of obligation.

**2017-08-31-0621**

28B. An Ordinance authorizing a Master Lease Agreement with the Alameda Theater Conservancy for city-owned property located at 318 W. Houston in City Council District 1 and known as the Alameda Theater and Annex Property.

**CONSENT ITEMS CONCLUDED**

**POINT OF PERSONAL PRIVILEGE**

Councilmember Treviño highlighted Items 28A and 28B regarding the renovation of the Alameda Theater Complex and recognized La Familia Cortez for their promotion of the West Side. Jorge Cortez addressed the City Council and stated that this was one of the best things that happened in his life. He added that this was a win-win situation and highlighted the impact and contributions of Latinos in performing arts. Councilmembers Sandoval, Gonzales, and Viagran expressed their support and thanked La Familia Cortez for their work.

Mayor Nirenberg announced that the pulled items would be addressed first.

**ITEMS PULLED FOR INDIVIDUAL CONSIDERATION**

City Clerk Vacek read the caption for Item 6:

**2017-08-31-0599**

6. An Ordinance authorizing a contract with Midwest Tape, LLC to provide media, cataloging, and digital processing services for the San Antonio Public Library for an estimated annual cost of \$2,500,000.00, funded from the General Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

Councilmember Courage asked how the funds would be utilized. Dale McNeill replied that the funds would be used to purchase items such as DVD's, Blue Rays, and audio books.

Councilmember Courage moved to adopt the Ordinance for Item 6. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

**AYE:** 11 - Mayor Nirenberg, Treviño, Shaw, Viagran, Saldaña, Gonzales, Brockhouse, Sandoval, Pelaez, Courage and Perry

City Clerk Vacek read the caption for Item 9:

**2017-08-31-0602**

9. An Ordinance authorizing an amendment to the existing contract with Turner Construction increasing the contract amount by \$1,977,990.00 for a revised total contract value not to exceed \$142,592,316.00 and appropriating \$907,008.00 for additional specialized third party inspection services, unanticipated costs of IT network upgrades and system integrations, utility impact fees and other project support services for the CONRAC project. [Carlos Contreras, Assistant City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

Councilmember Courage asked of the cost increase to the CONRAC Project. Mike Frisbie replied that the cost had increased as the plan to use the old short-term parking garage had been revised. He stated that the structure would be demolished and a new facility would be built. He added that the amendment was necessary due to an error in design and that they were working to recoup the costs.

Councilmember Courage moved to adopt the Ordinance for Item 9. Councilmember Treviño seconded the motion. The motion prevailed by the following vote:

**AYE:** 11 - Mayor Nirenberg, Treviño, Shaw, Viagran, Saldaña, Gonzales, Brockhouse, Sandoval, Pelaez, Courage and Perry

City Clerk Vacek read the caption for Item 14:

**2017-08-31-0035R**

14. A Resolution of Support for the United Way of San Antonio application of the Westside Promise Neighborhood Grant and approval of a preliminary Memorandum of Understanding between the City of San Antonio, United Way of San Antonio, San Antonio Independent School District, San Antonio Housing Authority and Bethel Prevention Coalition for the Westside Promise Neighborhood Advisory Board; and commitment to provide In-Kind contributions, and prior funded municipal infrastructure enhancements should the grant be awarded. [Peter Zanoni, Deputy City Manager; Verónica R. Soto, Director, Neighborhood and Housing Services]

Councilmember Gonzales requested a brief presentation. Veronica Soto presented an overview of the United Way Application of the Westside Promise Neighborhood Grant and stated that the city would partner with the United Way, SAISD, San Antonio Housing Authority, and the Bethel Prevention Coalition. She noted that the application would provide for a Cradle to Career Continuum for over 3,000 students on the Westside. She added that if approved; the city would commit to enhance walkability, public transportation, and neighborhood sweeps. She stated that staff recommended approval.

Councilmember Gonzales expressed her support and stated that the project would be transformational for the neighborhood. She recognized Henrietta Munoz of the United Way. Ms. Munoz stated that this was a wonderful opportunity and spoke of the schools that would benefit from the grant. Councilmembers Treviño and Shaw expressed their support. Mayor Nirenberg stated that he looked forward to the development and a successful application.

Councilmember Gonzales moved to adopt the Ordinance for Item 14. Councilmember Treviño seconded the motion. The motion prevailed by the following vote:

**AYE:** 11 - Mayor Nirenberg, Treviño, Shaw, Viagran, Saldaña, Gonzales, Brockhouse, Sandoval, Pelaez, Courage and Perry

City Clerk Vacek read the caption for Item 22:

**2017-08-31-0614**

22. An Ordinance authorizing the execution of three legal services contracts for low income San Antonio residents as follows: 1) American Gateways in partnership with

Texas RioGrande Legal Aid in the amount of \$100,000.00; 2) Catholic Charities in the amount of \$75,000.00; and 3) Refugee & Immigrant Center for Education and Legal Services (RAICES) in the amount of \$75,000.00 for a period of one year, with 2 one-year renewal options if funding is made available; the yearly total amount for all contracts is \$250,000.00 funded by the City's General Fund in the amount of \$150,000.00 and a grant from the Vera Institute of Justice in the amount of \$100,000.00. [María Villagómez, Assistant City Manager; Melody Woosley, Director, Human Services]

Councilmember Brockhouse asked if this was a mid-year budget amendment. Maria Villagomez replied that it was. Councilmember Brockhouse asked if funds would be provided to undocumented individuals. Mrs. Villagomez replied yes, if the person was a parent of a U.S. Citizen who needed assistance to stay with their child in the United States. She presented a short power point outlining the three legal services contracts that were being recommended for award. Councilmember Brockhouse asked if this was as a result of SB 4. Mrs. Villagomez replied that it was requested by Councilmember Saldaña. Councilmember Brockhouse expressed concern with spending tax dollars on undocumented persons.

Councilmember Saldaña stated that it was important to do the right thing with regard to this issue and that this was not about politics. He spoke in support of the three agencies providing services and noted that he wanted to help people in the community.

Councilmember Saldaña moved to adopt the Ordinance for Item 22. Councilmember Viagran seconded the motion.

Councilmember Viagran thanked everyone for their work and stated that she was it was important to protect residents. Councilmember Gonzales expressed her support and highlighted examples that make San Antonio a compassionate city. Councilmember Treviño stated that this was about helping people and protecting basic human rights.

Councilmember Pelaez referenced a case from 1985 and stated that giving people information was not wrong. Councilmember Perry stated that he concurred with Councilmember Brockhouse regarding helping individuals but concerned with using tax dollars for undocumented individuals. Mayor Nirenberg stated that the City Council had made the decision to challenge a law viewed as unconstitutional which a court of law agreed with. He commended Mrs. Villagomez for her great work and compassion in helping others.

The motion to approve Item 22 prevailed by the following vote:

**AYE:** 11 - Mayor Nirenberg, Treviño, Shaw, Viagran, Saldaña, Gonzales, Brockhouse, Sandoval, Pelaez, Courage and Perry

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City Clerk Vacek read the caption for Item 23:

**2017-08-31-0615**

23. An Ordinance authorizing a four year contract with SIP Creatives, LLC in an amount up to \$150,000.00 per year to develop and implement an advertising campaign intended to increase the number of applicants to the San Antonio Police Department. [Erik Walsh, Deputy City Manager; William McManus, Chief of Police]

Councilmember Brockhouse asked how the funds would be spent. Chief McManus replied that Sudden Impact Productions (SIP) Creatives would engineer an online application and perform other advertising services to recruit applicants to the San Antonio Police Department.

Councilmember Shaw asked if there was a strategy to bring in diversity through the contract. Chief McManus replied that it would and that they had a targeted recruiting process. Councilmember Shaw stated that it was important to diversify the police force to ensure communication with those they serve.

Councilmember Brockhouse moved to adopt the Ordinance for Item 23. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

**AYE:** 11 - Mayor Nirenberg, Treviño, Shaw, Viagran, Saldaña, Gonzales, Brockhouse, Sandoval, Pelaez, Courage and Perry

Items 29, P-1, and Z-1 were addressed jointly. City Clerk Vacek read the captions for Items 29, P-1, and Z-1:

**2017-08-31-0622**

29. An Ordinance providing for the extension of the City of San Antonio City limits by full purpose annexation of commercial corridors and enclaves constituting 19.05 square miles in Bexar County, Texas in the following areas and approving Development Agreements between the City of San Antonio and multiple property owners of property currently appraised for ad valorem tax purposes as agricultural, wildlife management, or timber purposes and removal from the aforementioned full purpose annexation areas to guarantee continued extraterritorial status for a period of ten years. [Peter Zanoni, Deputy City Manager; Bridgett White, Director, Department of Planning]

(A) Babcock Corridor,

- (B) Culebra Road - Alamo Ranch Corridor,
- (C) Wiseman Boulevard Corridor,
- (D) Potranco Road -West Loop 1604 Commercial Corridors,
- (E) Vance Jackson Road – North Loop 1604 West Tracts,
- (F) Foster Road Area and
- (G) IH 10 East Loop 1604 East Interchange

**2017-08-31-0623**

**P-1.** PLAN AMENDMENT CASE # 17063 (Council District 2, 4, 6, 8): An Ordinance amending future land use of the North Sector Plan, the West/Southwest Sector Plan, the Eastern Triangle Community Plan, and the IH-10 East Perimeter Plan for approximately 18.5 square miles in Bexar County, Texas in the annexation areas prescribed below. Staff recommends Approval. Planning Commission recommends Approval with the exception of Denial for the Portranco Road Annexation Area. (Associated Zoning Case Z2017206) [Roderick Sanchez, Assistant City Manager; Michael Shannon, Director, Development Services]

(A) Babcock Road Corridor Annexation Area (Council District 8)

To amend the North Sector Plan, by changing the future land use from “Natural Tier”, “Suburban Tier”, and “Rural Estate Tier” to “Country Tier”, “Rural Estate Tier”, “Natural Tier”, “Suburban Tier”, and “General Urban Tier” on approximately 1.82 square miles located in Bexar County, Texas, generally located north of North Loop 1604 W, east of Scenic Loop Road, south of Cielo Vista, bounded by western and northern San Antonio city limits

(B) The Culebra Road- Alamo Ranch Parkway Corridor Annexation Area (Council District 6)

To amend the West/Southwest Sector Plan, by changing the future land use from “Regional Center” and “Suburban Tier” to “Regional Center” and “Suburban Tier” on approximately 0.6 square miles located in Bexar County, Texas, generally located north of Wiseman Road, south of Culebra Road San Antonio city limits, to west of western city limits near West Loop 1604, south of Alamo Ranch Parkway and Alamo Parkway and Lone Star Parkway

(C) The Wiseman Boulevard Corridor Annexation Area (Council District 6)

To amend the West/Southwest Sector Plan, by changing the future land use from

“General Urban Tier”, “Suburban Tier”, “Mixed Use Center”, “Regional Center”, and “Civic Center” to “General Urban Tier”, “Suburban Tier”, “Regional Center”, and “Civic Center” on approximately 1.96 square miles located in Bexar County, Texas, generally located north of West Military Drive, from the western San Antonio city limits to the east of Talley Road, and south of Alamo Ranch Parkway

(D) The Potranco-West Loop 1604 North and South Corridors Annexation Area (Council District 4 and 6)

To amend the West/Southwest Sector Plan, by changing the future land use from “Suburban Tier”, “Regional Center”, “Agribusiness Tier”, “Natural Tier”, “Civic Center”, “General Urban Tier” and “Rural Estate Tier” to “Regional Center”, “Rural Estate Tier”, “Agribusiness Tier”, “Civic Center”, “General Urban Tier”, “Natural Tier” and “Suburban Tier” on approximately 8.27 square miles located in Bexar County, Texas, generally located north of Nelson Road, east of West Grosenbacher Road south of West Military Drive, west of western city limits, and near West Loop 1604

(E) The Vance Jackson - North Loop 1604 West Tracts Annexation Area (Council Disrtict 8)

To amend the North Sector Plan, by changing the future land use from “Regional Center” and “Mixed Use Center” on approximately 0.1 square miles located in Bexar County, Texas, generally located north of Loop 1604 West, east of Vance Jackson Road, south of the Quarry, west of northwest Military Highway

(F) The Foster Road Annexation Area (Council District 2)

To amend the Eastern Triangle Community Plan and IH 10 East Perimeter Plan, by changing the future land use from “Community Commercial”, “Industrial”, “Low Density Residential”, “Neighborhood Commercial”, “Rural Living”, “Public Institutional”, “Medium Density Residential”, “Agricultural” and “Parks Open Space” to “Industrial”, “Public Institutional”, “Light Industrial”, “Low Density Residential”, “Heavy Industrial” and “Neighborhood Commercial” on approximately 3.94 square miles located in Bexar County, Texas, generally located along Foster Road, north of Rigsby-US 87, and east of Loop 410 East, south of IH-10 East, west of FM 1516

(G) The IH-10 East-Loop 1604 East Interchange Annexation Area (Council District 2)

To amend the IH-10 East Perimeter Plan, by changing the future land use from “Urban Living”, “Low-Density Residential”, “Parks/Open Space”, and “Regional Commercial” to “Low-Density Residential”, “Community Commercial”, “Regional

Commercial", "Heavy Industrial", "Urban Living" and "Industrial" on approximately 2.36 square miles located in Bexar County, Texas, generally located South of IH-10 East, west of Old Greytown Road, north of Greytown Road, east of FM 1516

**2017-08-31-0624**

**Z-1.** ZONING CASE # Z2017206 (Council District 2, 4, 6, 8): An Ordinance assigning and adopting zoning to areas considered for annexation from "OCL" Outside City Limits being approximately 18.5 square miles in Bexar County, Texas and amending City Code Chapter 35, Section 35-399.04 and 35-339.05. Staff recommends Approval, pending Plan Amendment. Zoning Commission recommends Approval and an Alternate Recommendation for the Culebra Road and Foster Road Annexation Areas. (Associated Plan Amendment 17063) [Roderick Sanchez, Assistant City Manager; Michael Shannon, Director, Development Services]

(A) The Babcock Road Corridor Annexation Area to "RE" Residential Estate District, "RP" Resource Protection District, "R-6" Residential Single-Family District, "C-2" Commercial District, "C-2 S" Commercial District with a Specific Use for a Wireless Communication System, "C-2 S" Specific Use Authorization for a Convenience Store (with gasoline and carwash), "MF-18" Limited Density Multi-Family District, "MF-33" Multi-Family District, "ED" Entertainment District, "MLOD-1" Camp Bullis Military Lighting Overlay District and "MSAO-1" Camp Bullis Military Sound Attenuation Overlay District and "ERZD" Edwards Recharge Zone District on certain properties generally located north of North Loop 1604 W, east of Scenic Loop Road, south of Cielo Vista, bounded by western and northern San Antonio city limits

(B) The Culebra Road-Alamo Ranch Parkway Corridor Annexation Area to "RP" Resource Protection District, "C-2" Commercial District, "C-3" General Commercial District, "MF-25" Multi-Family District, "MF-33" Multi-Family District, "MXD" Mixed Use District and "GC-2" Highway 151 Gateway Corridor Overlay District on certain properties generally located north of Wiseman Road, south of Culebra Road San Antonio city limits, to west of western city limits near West Loop 1604, south of Alamo Ranch Parkway and Alamo Parkway and Lone Star Parkway

(C) The Wiseman Boulevard Corridor Annexation Area to "R-4" Residential Single-Family District, "R-6" Residential Single-Family District, "C-2" Commercial District, and "MXD" Mixed Use District generally located north of West Military Drive, from the western San Antonio city limits to the east of Talley Road, and south of Alamo Ranch Parkway

(D) The Potranco-West Loop 1604 Corridors Annexation Area to "FR" Farm and

Ranch District, "RP" Resource Protection District, "RD" Rural Development District, "RE" Residential Estate District, "R-20" Residential Single-Family District, "NP-10" Neighborhood Preservation District, "R-6" Residential Single-Family District, "R-5" Residential Single-Family District, "MF-18" Limited Density Multi-Family District, "MF-33" Multi-Family District, "C-2" Commercial District, "C-3" General Commercial District, "L" Light Industrial District, "I-1" General Industrial District, "MXD" Mixed Use District, "C-2 CD" Specific Use Authorization for a Convenience Store (with gasoline and carwash), "C-3 CD" Conditional Use for Batch Plant, "C-2 CD S" Conditional Use for Outdoor Storage Under Roof and Screened, "C-2 CD" Conditional Use for a Carwash, and "C-2 CD" Auto and Light Truck Repair, "I-1 S" General Industrial District with a Specific Use for Outdoor Storage With No Screening Required, and creating and assigning the "MLOD-2" Medina Annex Military Lighting Overlay District and "MSAO-2" Medina Annex Military Sound Attenuation Overlay District and "AHOD" Airport Hazard Overlay District on certain properties, generally located north of Nelson Road, east of West Grosenbacher Road south of West Military Drive, west of western city limits, and near West Loop 1604

(E) The Vance Jackson Annexation Area to "C-2" Commercial District, "C-3" General Commercial District, "UC-1" IH-10/FM 1604 Urban Corridor Overlay District and "ERZD" Edwards Recharge Zone District generally located north of North Loop 1604 West, east of Vance Jackson Road, south of the Quarry, west of NW Military Highway

(F) The Foster Road Annexation Area to "RP" Resource Protection District, "R-20" Residential Single-Family District, "RE" Residential Estate District, "NP-10" Neighborhood Preservation, "R-6" Residential Single-Family District, "C-1" Light Commercial District, "C-1 CD" Light Commercial District with Conditional Use for Live Entertainment with Cover Charge 3 or more days per Week, "C-2" Commercial District, "L" Light Industrial District, "I-1" General Industrial District, "I-2" Heavy Industrial District and "AHOD" Airport Hazard Overlay District on certain properties generally located along Foster Road, north of Rigsby-US 87, and east of Loop 410 East, south of IH-10 East, west of FM 1516

(G) The IH-10 East-Loop 1604 East Interchange Annexation Area to "R-4" Residential Single-Family District, "C-2" Commercial District, "C-3" General Commercial District, "MXD" Mixed Use District, "I-1" General Industrial District, "I-2" Heavy Industrial District and "AHOD" Airport Hazard Overlay District generally located South of IH-10 East, west of Old Greytown Road, north of Greytown Road, east of FM 1516

COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: APPROXIMATELY 7.67 SQUARE MILES (4,909 ACRES), GENERALLY LOCATED WITHIN THE BABCOCK ROAD CORRIDOR ANNEXATION AREA, VANCE JACKSON ANNEXATION AREA, THE FOSTER ROAD ANNEXATION AREA, AND THE IH-10 EAST -LOOP 1604 EAST INTERCHANGE ANNEXATION AREA TO WIT: FROM OUTSIDE CITY LIMITS (OCL) TO VARIOUS ZONING DISTRICTS AS FOLLOWS: (A) THE BABCOCK ROAD CORRIDOR ANNEXATION AREA: TO: "RE" RESIDENTIAL ESTATE DISTRICT, "RP" RESOURCE PROTECTION DISTRICT, "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT, "C-2" COMMERCIAL DISTRICT, "C-2 S" COMMERCIAL DISTRICT WITH A SPECIFIC USE FOR A WIRELESS COMMUNICATION SYSTEM, "C-2 S" SPECIFIC USE AUTHORIZATION FOR A CONVENIENCE STORE (WITH GASOLINE AND CARWASH), "MF-18" LIMITED DENSITY MULTI-FAMILY DISTRICT, "MF-33" MULTI-FAMILY DISTRICT, "ED" ENTERTAINMENT DISTRICT, "MLOD-1" CAMP BULLIS MILITARY LIGHTING OVERLAY DISTRICT AND "MSAO-1" CAMP BULLIS MILITARY SOUND ATTENUATION OVERLAY DISTRICT AND "ERZD" EDWARDS RECHARGE ZONE DISTRICT. (E) THE VANCE JACKSON -NORTH LOOP 1604 WEST TRACTS ANNEXATION AREA: TO: "C-2" COMMERCIAL DISTRICT, "C-3" GENERAL COMMERCIAL DISTRICT, "UC-1" IH-10/FM 1604 URBAN CORRIDOR OVERLAY DISTRICT AND "ERZD" EDWARDS RECHARGE ZONE DISTRICT. (F) THE FOSTER ROAD ANNEXATION AREA: TO: "DR" DEVELOPMENT RESERVE DISTRICT "RP" RESOURCE PROTECTION DISTRICT, "RE" RESIDENTIAL ESTATE DISTRICT, "NP-10" NEIGHBORHOOD PRESERVATION, "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT, "L" LIGHT INDUSTRIAL DISTRICT, "I-1" GENERAL INDUSTRIAL DISTRICT, AND "AHOD" AIRPORT HAZARD OVERLAY DISTRICT. (G) THE IH-10 EAST - LOOP 1604 EAST INTERCHANGE ANNEXATION AREA: TO: "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT, "C-2" COMMERCIAL DISTRICT, "C-3" GENERAL COMMERCIAL DISTRICT, "MXD" MIXED USE DISTRICT, "I-1" GENERAL INDUSTRIAL DISTRICT, "I-2" HEAVY INDUSTRIAL DISTRICT AND "AHOD" AIRPORT HAZARD OVERLAY DISTRICT.

Peter Zanoni presented an overview of the four commercial corridors and three enclave areas considered for annexation. He reported that only the Babcock Road Corridor and three enclave areas were recommended by staff to be annexed. He highlighted each area and spoke to their land use and zoning. He added that staff also recommended approval of 18 Development Agreements and that the annexation would become effective on November 27, 2017.

Mayor Nirenberg called upon William Edinger to speak.

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Mr. William Edinger spoke in opposition to the annexation for the Alamo Ranch Area noting that he was concerned that the Emergency Services District would not receive the tax benefits needed to operate.

Councilmember Brockhouse thanked staff for their work and spoke of the importance of protecting military missions. He stated that he would like to identify a way to engage builders in the Potranco Road Area to address lighting concerns to protect military installations.

Councilmember Saldaña asked of the authority granted by the State Legislature with regard to military installations. Mr. Zanoni replied that the city has authorization to impose land use control consistent with those identified in the Joint Land Use Study for that particular area. Councilmember Saldaña noted concerns with light attenuation due to the military training that occurs and ensuring that there is an agreement in place with developers. General Juan Ayala stated that the military wanted to ensure compatible land use and that their ability to train is not diminished.

Councilmember Gonzales stated that she was generally opposed to annexation and spoke of the underfunding for street maintenance. Councilmember Courage spoke of the importance of protecting military installations. Councilmember Pelaez stated that he had some concerns with not annexing the Potranco Road Area and spoke of the challenges of a Base Realignment and Closure (BRAC).

Councilmember Viagran asked of the current protections in the Potranco Road Area. Rod Sanchez replied that they could address issues such as drainage and traffic through a Master Development Plan but there was no land use control.

Councilmember Sandoval expressed support for incentivizing and facilitating lighting arrangements in the area near military bases and directed staff to begin exploring same. She asked how staff determined the financial impact of the annexation areas. Mr. Zanoni replied that they utilized a well-established financial model to determine annexation projections utilizing revenues, expenditures, property values, and commercial activity of an area.

Mayor Nirenberg spoke of the challenges in protecting military bases due to the limited tools to protect land use and development. He referenced the five-mile buffer around military bases approved in the legislative session and stated that he would support the staff recommendations.

Councilmember Shaw moved to adopt the Ordinances for Items 29A, P-1A, and Z-1A. Councilmember Treviño seconded the motion. The motion prevailed by the following vote:

**AYE:** 10 - Mayor Nirenberg, Treviño, Shaw, Viagran, Saldaña, Brockhouse, Sandoval, Pelaez, Courage and Perry

**NAY:** 1 - Gonzales

Councilmember Shaw moved to deny Items 29B, P-1B, and Z-1B. Councilmember Treviño seconded the motion. The motion to deny prevailed by the following vote:

**AYE:** 11 - Mayor Nirenberg, Treviño, Shaw, Viagran, Saldaña, Gonzales, Brockhouse, Sandoval, Pelaez, Courage and Perry

Councilmember Shaw moved to deny Items 29C, P-1C, and Z-1C. Councilmember Treviño seconded the motion. The motion to deny prevailed by the following vote:

**AYE:** 11 - Mayor Nirenberg, Treviño, Shaw, Viagran, Saldaña, Gonzales, Brockhouse, Sandoval, Pelaez, Courage and Perry

Councilmember Shaw moved to deny Items 29D, P-1D, and Z-1D. Councilmember Treviño seconded the motion. The motion to deny prevailed by the following vote:

**AYE:** 10 - Mayor Nirenberg, Treviño, Shaw, Saldaña, Gonzales, Brockhouse, Sandoval, Pelaez, Courage and Perry

**NAY:** 1 - Viagran

Councilmember Shaw moved to adopt the Ordinances for Items 29E, P-1E, and Z-1E. Councilmember Treviño seconded the motion. The motion prevailed by the following vote:

**AYE:** 11 - Mayor Nirenberg, Treviño, Shaw, Viagran, Saldaña, Gonzales, Brockhouse, Sandoval, Pelaez, Courage and Perry

Councilmember Shaw moved to adopt the Ordinances for Items 29F, P-1F, and Z-1F. Councilmember Treviño seconded the motion. The motion prevailed by the following vote:

**AYE:** 8 - Treviño, Shaw, Viagran, Brockhouse, Sandoval, Pelaez, Courage and Perry

**NAY:** 1 - Gonzales

**ABSTAIN:** 2 - Mayor Nirenberg and Saldaña

Councilmember Shaw moved to adopt the Ordinances for Items 29G, P-1G, and Z-1G. Councilmember Treviño seconded the motion. The motion prevailed by the following vote:

**AYE:** 10 - Mayor Nirenberg, Treviño, Shaw, Viagran, Saldaña, Brockhouse, Sandoval, Pelaez, Courage and Perry

**NAY:** 1 - Gonzales

City Clerk Vacek read the caption for Item 31:

**2017-08-31-0625**

31. An Ordinance extending the local state of disaster and authorizing the City Manager to take such actions and spend such identifiable funds as may be necessary to provide emergency relief to those impacted by Hurricane Harvey.

Councilmember Pelaez noted concerns from the San Antonio Board of Realtors and Real Estate Community that the extension of the disaster declaration is impeding the ability to close on the sale of properties. Erik Walsh stated that the disaster declaration was not due to any damage in San Antonio and would follow up with the State Emergency Management Department.

Councilmember Treviño moved to adopt the Ordinance for Item 31. Councilmember Shaw seconded the motion.

**AYE:** 11 - Mayor Nirenberg, Treviño, Shaw, Viagran, Saldaña, Gonzales, Brockhouse, Sandoval, Pelaez, Courage and Perry

**INDIVIDUAL ITEM FOR STAFF BRIEFING**

City Clerk Vacek read the caption for Item 5:

**2017-08-31-0598**

5. An Ordinance authorizing: A) the removal and storage of the Confederate Soldier monument and two cannons located in Travis Park; B) the City to enter into contracts for the removal, transportation, and storage of the Confederate Soldier monument and two cannons in an amount not to exceed \$150,000.00; C) the City to enter into a donation agreement with a nonprofit involved in historic preservation or education for the acceptance of the Confederate Soldier Monument and two cannons; and D) a modification to Chapter 35-640 and 35-803 of the Unified Development Code to allow for the above. [Lori Houston, Assistant City Manager; John Jacks, Director, Center City Development & Operations]

Lori Houston presented background information on the Travis Park Confederate Monument. She stated that staff recommended that the Confederate Monument and cannons be removed and relocated which was a modification to the process outlined in Chapter 35-640 and 35-803 of the Unified Development Code (UDC). She noted that staff was also requesting approval of \$150,000 for the removal, transportation and logistical support to include the execution of a professional services contract with a contractor for the removal and relocation of the monument and cannons. Additionally, she asked that staff be authorized to negotiate and execute a donation agreement with a non-profit involved in historic preservation or education for the acceptance of the monument and two cannons.

Mayor Nirenberg called upon the citizens registered to speak.

Daniel Bee spoke in opposition to the removal of the Confederate Statue from Travis Park.

Mario Salas spoke in favor of the removal of the Confederate Statue from Travis Park and noted that he had over 21,000 names from individuals in support of its removal.

Jack M. Finger spoke in opposition to the removal of the Confederate Statue from Travis Park.

Eagle Mendoza spoke in favor of the removal of the Confederate Statue from Travis Park.

Diana Lopez of the Southwest Workers Union spoke in favor of the removal of the Confederate Statue from Travis Park.

Jedidiah Valdez spoke in favor of the removal of the Confederate Statue from Travis Park and asked that it be preserved and relocated.

Oliver Hill stated that he was the President of the San Antonio Branch of the National Association for the Advancement of Colored People (NAACP) and supportive of the removal of the Confederate Statue from Travis Park.

Nita Shaver spoke in support of the removal of the Confederate Statue from Travis Park

Elizabeth Sutherland spoke in opposition to the removal of the Confederate Statue from Travis Park.

Gavin Rogers spoke in favor of the removal of the Confederate Statue from Travis Park and relocating it to a place agreed upon through dialogue.

Pastor Jerry Dailey of Macedonia Baptist Church spoke in favor of the removal of the Confederate Statue from Travis Park and stated that anyone who goes anywhere in the city should feel they are part of something inclusive.

Jonathan David Jones spoke in favor of the removal of the Confederate Statue from Travis Park.

Pharaoh Clark spoke in favor of the removal of the Confederate Statue from Travis Park and thanked the City Council for moving swiftly on the issue.

Chance Hilbrandt spoke in favor of the removal of the Confederate Statue from Travis Park.

Antonio Diaz spoke in favor of the removal of the Confederate Statue from Travis Park and also asked that the statue of Christopher Columbus be removed from Columbus Park.

Rusty Mahan spoke in opposition to the removal of the Confederate Statue from Travis Park.

Mike Lowe spoke in favor of the removal of the Confederate Statue from Travis Park.

Mayor Nirenberg acknowledged two written testimonies were received from Carol Ann Aguero in favor of the removal of the Confederate Statue and Seth Deason against the removal of the Confederate Statue.

Councilmember Treviño thanked Councilmember Shaw for co-authoring the Council Consideration Request (CCR) and Mayor Nirenberg for accelerating the process. He stated that this was an important matter and that the city must seize opportunities to grow inclusivity and knowledge within the community. He noted that symbols of institutionalized racism must be removed from public spaces in order to become a more inclusive city.

Councilmember Treviño moved to adopt the Ordinance for Item 5. Councilmember Shaw seconded the motion.

Councilmember Pelaez expressed concern that people continue to die in the year 2017 at the hands of people that want to litigate the Civil War. He stated that he had spoken with many individuals that advocated for keeping the Confederate Statue in Travis Park and they were good, honest people. However, he would be supporting the removal of the statue due to the relocation element and requested that it be placed in a safe, respectful, and publicly accessible place. He asked of the potential to use Hotel Occupancy Taxes for relocation efforts. City Manager Sculley stated that staff recommended that General Funds be utilized

but would move forward as directed by the City Council.

Councilmember Gonzales stated that it was important to take action and that it was an example of a way that San Antonio is compassionate. Councilmember Courage stated that he was supportive of removing and relocating the Confederate Statue at Travis Park.

Councilmember Perry asked if the city had confirmed that it had the legal authority to remove the statue and relocate it. Andy Segovia replied that they were confident that the city had the authority for same. Councilmember Perry asked if the Historic and Design Review Commission (HDRC) supported the UDC waiver to remove the authority for the item. Rod Sanchez replied that the item was not presented to the HDRC. Councilmember Perry thanked Councilmembers Treviño and Shaw for bringing the item forward but expressed concern that it did not follow the full process.

Councilmember Perry moved to continue Item 5 to allow for the entire process to occur and to vet the details in a B Session. Councilmember Brockhouse seconded the motion.

Councilmember Sandoval stated that this was different from a typical HDRC process and felt that more dialogue should occur on the relocation of the statue. She noted that if they did not take a vote today; the Councilmembers would be at risk. She added that she understood both sides but was supportive of removing and relocating the statue to a place more appropriate for its context.

Councilmember Brockhouse stated that he seconded the motion to continue in order for additional discussion to occur and expressed concern that the normal process was not followed. He noted that due to his conversation with Councilmember Shaw and the comments by a young black woman named Evangelista adopted by white parents had moved him to vote in support of the removal and relocation of the statue. Councilmember Saldaña stated that he was supportive of removing and relocating the statue which was a necessary action.

Councilmember Shaw spoke of his personal experiences with racism and discrimination and noted that he had received numerous threats throughout this process. He stated that removing the statue was the right thing for San Antonio and applauded all that spoke on both sides of the issue. He thanked Mayor Nirenberg for moving forward expediently and Councilmember Treviño for his support.

Councilmember Viagran commended Councilmember Shaw for sharing his personal experiences and spoke of the need to eradicate racism. She added that moving the statue was the only way to put this part of history in its proper environment and context.

Mayor Nirenberg thanked all that made their voice heard noting that it had fostered real conversations. He stated that he was supportive of the removal and relocation of the statue and commended Councilmembers Shaw and Treviño for initiating the action that resulted in today's vote.

The motion to continue Item 5 failed by the following vote:

**AYE:** 2 - Brockhouse and Perry

**NAY:** 9 - Mayor Nirenberg, Treviño, Shaw, Viagran, Saldaña, Gonzales, Sandoval, Pelaez and Courage

The motion to adopt the Ordinance for Item 5 prevailed by the following vote:

**AYE:** 10 - Mayor Nirenberg, Treviño, Shaw, Viagran, Saldaña, Gonzales, Brockhouse, Sandoval, Pelaez and Courage

**NAY:** 1 - Perry

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

There was no City Manager's Report.

### **ADJOURNMENT**

There being no further discussion, Mayor Nirenberg adjourned the meeting at 2:06 pm.

APPROVED

RON NIRENBERG  
MAYOR

### **ATTEST:**

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