

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



**FINAL  
Meeting Minutes  
City Council A Session**

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

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Thursday, August 7, 2014

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 with the following Councilmembers present:

**Present:** 9 - Mayor Taylor, Bernal, Viagran, Saldaña, Gonzales, Lopez, Nirenberg, Krier and Gallagher

1. The Invocation was delivered by Pastor Danny Price, The Hills Church, guest of Councilmember Rey Saldaña, District 4.
2. Mayor Taylor led the Pledge of Allegiance to the Flag of the United States of America.
3. Approval of Minutes for the Special Meeting of May 21, 2014, City Council Goal Setting Session of May 27, 2014 and the Regular Meetings of May 28 - 29, 2014.

Councilmember Gallagher moved to approve the Minutes of the Special Meeting of May 21, 2014, City Council Goal Setting Session of May 27, 2014, and the Regular Meetings of May 28-29, 2014. Councilmember Saldaña seconded the motion. The motion prevailed by

the following vote:

**Aye:** 9 - Mayor Taylor, Bernal, Viagran, Saldaña, Gonzales, Lopez, Nirenberg, Krier and Gallagher

#### **ACTION ITEMS FOR STAFF BRIEFING**

The City Clerk read the caption for Item 4:

##### **2014-08-07-0519**

4. An Ordinance authorizing the withdrawal of City participation in VIA Metropolitan Transit Authority's streetcar program and the redirection of the \$32 million previously authorized for the streetcar program to center city projects to be identified at a later date; establishing the requirement for voter approval before participation in a streetcar or light rail program; and providing for the establishment of a Charter Review Commission. [Carlos Contreras, Assistant City Manager]

Carlos Contreras presented a Power Point and stated that in October 2011, the City Council had authorized funding in the amount of \$32 Million for the development of VIA's 5-Year Streetcar and Transit Improvement Plan and \$8 Million in 2007 Bond Savings allocated to Alamo Street. He reported that in January 2013, the City Council amended the agreement with VIA to remove the condition of establishment of a Public Improvement District (PID) that would contribute \$15 Million. He stated that there had been Community Opposition to the Streetcar Plan and they had submitted petitions calling for a Charter Amendment to require a public vote for several issues including Streetcar. He noted that the City Council acknowledged the concerns and directed staff to draft an Ordinance which: 1) Withdraws the funding commitment; 2) Redirects funds to Center City Projects; and 3) Establishes a Charter Review Commission. He indicated that a Multimodal Transit Option would be considered with the City's Comprehensive and Transportation Plans and that public input would be a priority in the development of the Plans. He stated that the Charter Review Commission would be charged with bringing forward language to require a vote prior to City Participation in any Streetcar or Light Rail System.

Mayor Taylor called upon the citizens registered to speak.

Nazirite Ruben Flores Perez stated that there were Streetcars in San Antonio when he was young and that the city needed change.

Frederick Magee expressed concern that the \$32 Million would only be allocated to projects in the Center City and spoke of other worthy causes that could use the funds.

Henry Rodriguez spoke in support of letting people vote on the Streetcar Project and asked for detailed information on how the \$32 Million would be allocated.

Jeff Judson, Member of the Streetcar Vote Coalition thanked the City Council for their responsiveness to the issue. He stated that the City Council could place the issue on the ballot and that the public should be allowed to vote.

Patrick Von Dohlen, Member of the Streetcar Vote Coalition stated that they did not believe that a Circulator Signature was required on the petitions they had submitted. He requested that the public be allowed to vote on the Streetcar Project.

Jack M. Finger stated that there was nothing in the City Charter that required a Circulator Signature on the petitions submitted and also asked that the public be allowed to vote on the Streetcar Project.

Madeline Nerio stated that she was one of the Circulator's of the petition submitted and had listened to many citizens that expressed concern in that they were not allowed to vote on the Streetcar Project.

Greg Brockhouse, Member of the Streetcar Vote Coalition stated that he would like to work with the city and believed they could find common ground. He noted that only 12% of the petitions submitted were mailed in and that people wanted the right to vote on the Streetcar Project.

Councilmember Saldaña asked what the City Council would be voting on. Mr. Contreras confirmed that they would be voting on the following: 1) Withdrawing the City's Funding Commitment for the Streetcar Project; 2) Redirecting the funds to Center City Projects; and 3) Establishing a Charter Review Commission. Councilmember Saldaña stated that the public would have the opportunity to vote on the project; however, there were concerns with the timing of the election. He spoke of the petitions submitted that lacked a Circulator Signature and noted the importance of setting a precedent for the future. He stated that they should take time to work on the appropriate language. He noted that due to future growth, it would be important to identify alternative means of transportation.

Councilmember Gallagher commended the Streetcar Vote Coalition for their efforts. He stated that the City Clerk had done her due diligence in requesting information from the Secretary of State on the validity of petition signatures without a Circulator Signature. He spoke in support of calling an election in November.

Councilmember Gallagher moved to approve said item with an amendment to Call the Election in November 2014 with the language agreed upon with the Streetcar Vote

Coalition. Councilmember Nirenberg seconded the motion.

Councilmember Krier spoke in support of a public vote on the Streetcar Project and stated that it was important to focus on other issues such as the FY 2015 Budget and Collective Bargaining. He felt that over 20,000 signatures were valid and requested to work on appropriate ballot language.

Councilmember Viagran asked of the \$32 Million. Mr. Contreras replied that the \$32 Million would be financed through the General Fund and that the City Council would have to approve Bonds over a period of time. He noted that the \$32 Million would be financed over 20 years. Councilmember Viagran commended City Clerk Vacek for her due diligence and thanked Mayor Taylor for bringing the issue forward so quickly.

Councilmember Nirenberg stated that it was important to move onto larger issues such as the FY 2015 Budget and Collective Bargaining. He expressed concern with the unsustainable funding for Roads and Highways and noted the need to implement a Comprehensive Transportation Plan. He recognized Mayor Taylor, City Clerk Vacek and City Attorney Greenblum for their work on the issue and stated that the citizens should be allowed to vote on the Streetcar Project.

Councilmember Gonzales stated that the City Council acknowledged the community concerns and directed staff to draft an Ordinance to withdraw funding from the Streetcar Project and redirect it to Center City Projects. Additionally, the Ordinance will establish a Charter Review Commission that will bring forward language to require a vote prior to city participation in any Streetcar or Light Rail System.

Councilmember Gonzales moved to approve the staff recommendation. Councilmember Saldaña seconded the motion.

Councilmember Bernal stated that people should have the right to vote on a Charter Amendment; however, he expressed concern with accepting petition signatures without a Circulator Signature. He noted that he did not want to lower the bar on amending the City Charter.

Councilmember Lopez stated that they should not lower standards or jeopardize future policy-making. He recognized the many individuals that signed the petition but noted that the language should be revised. He asked how the city would fund the recommendations of the Comprehensive Transportation Plan. Mrs. Sculley stated that they would consider it in future Budgets and Bond Programs. Councilmember Lopez spoke of ensuring the will of the people to make investments in the city that will continue growth and management.

Mayor Taylor thanked everyone involved in the process and stated that she appreciated the efforts made by citizens to have their voices heard. She noted that the staff recommendation provided an opportunity for people to vote on the Streetcar Project and acknowledged the effort of the petition drive. She spoke of the Charter Review Commission that would help address the Streetcar Project and other issues that may be necessary to improve the City Charter.

Councilmember Gallagher confirmed that his motion included the staff recommendation with the amendment that the election occur in November 2014.

Councilmember Saldaña expressed concern with the short period of time that the City Council would have to review the ballot language. Councilmember Gonzales stated that she had not seen the recommended ballot language and would like for it to be vetted by the City Attorney prior to being presented to the City Council.

Councilmember Bernal asked of the process to determine the ballot language. Mr. Greenblum stated that he would meet with Representatives of the Streetcar Vote Coalition to work through the language before presenting it to the City Council. He noted that language would have to be approved prior to August 18th as that was the last day to call the election.

Councilmember Viagran confirmed that there would not be a Streetcar Project without a vote of the people. Mr. Greenblum confirmed same.

The motion by Councilmember Gallagher to approve said item with an amendment to Call the Election in November 2014 with the language agreed upon with the Streetcar Vote Coalition failed by the following vote:

**Aye:** 4 - Lopez, Nirenberg, Krier and Gallagher

**Nay:** 5 - Mayor Taylor, Bernal, Viagran, Saldaña and Gonzales

The motion by Councilmember Gonzales to approve the staff recommendation prevailed by the following vote:

**Aye:** 7 - Mayor Taylor, Bernal, Viagran, Saldaña, Gonzales, Lopez and Nirenberg

**Nay:** 2 - Krier and Gallagher

Items 5A and 5B were addressed jointly.

The City Clerk read the captions for Item 5A and 5B:

5. Presentation of the City of San Antonio 2015 Proposed Operating and Capital Budget for the Fiscal Year beginning October 1, 2014 and consideration of the following related Ordinances. [Sheryl Sculley, City Manager]

**2014-08-07-0520**

- 5A. An Ordinance setting the proposed tax rate for the Tax Year 2014.

**2014-08-07-0521**

- 5B. An Ordinance setting the public hearings on the proposed Budget for FY 2015 and on the proposed tax rate for Tax Year 2014.

City Manager Sheryl Sculley presented the FY 2015 Proposed Budget. She stated that the Budget adds \$15 Million for Street Maintenance and almost \$7 Million for Drainage. Additionally, it maintains service levels for Animal Care, Code Enforcement, and Economic Development. She noted that it maintains Public Safety at 66% of the General Fund Budget and implements the strong financial policies approved by the City Council. She reported that the Budget totaled \$2.4 Billion which includes the General Fund, Restricted Funds, and Capital Budget. She indicated that \$32 Million would be reserved to help cover FY 2016 Costs. She highlighted proposed General Fund Revenues which were projected to increase. She reported that the city would provide \$34 Million in Property Tax Exemptions for Seniors, Disabled, Homestead Exemptions and Frozen City Tax Payments.

Mrs. Sculley provided an overview of the Improvements that would be made including: 1) Additional \$15 Million for Street Maintenance and \$7 Million for Drainage; 2) \$561,000 for Maintenance of New Parks and Greenways and \$415,000 to maintain new improvements at HemisFair Park's Play Escape known as Yanaguana Garden; 3) \$300,000 to operate new District 9 Library, \$343,000 for Adult Literacy, and \$500,000 for Technology Improvements at the Library; 4) Adds funding to Code Enforcement to replace the Mainframe Case Management System with a Web-Based Portal to track violations; 5) Provides \$313,000 to maintain the 80% Live Release Rate in Animal Care Services; 6) Provides \$545,000 to support operations at new District 5 and 10 Senior Centers; and 7) Provides \$5.25 Million in Economic Development Incentives.

Mrs. Sculley spoke of the Public Safety Component of the Budget and reported that a 13-Member Task Force had been formed to review Public Safety Healthcare Benefits. She

stated that they recommended aligning Uniform Healthcare Benefits with Civilians and other Peer Cities, as well as requiring Uniform Employees to begin contributing a Monthly Premium. She proposed that the city pay \$10,000 per Uniform Employee in FY 2014 instead of the current \$12,758. She outlined proposed Employee Compensation which would include 1% Cost of Living Adjustment for all Civilian Employees. Additionally, Step Plan Employees would be eligible for 2-4% increase based on tenure, while Non-Step Employees would be eligible for 1-3% Performance Pay.

Mrs. Sculley stated that there was no proposed increase to the Storm Water Fee and that the Solid Waste Fee was proposed to increase by \$1.00 per month to support the Recycling Program and Equipment Costs. She noted the new funding added to the Capital Budget for: 1) East Point - CHOICE Neighborhoods; 2) Pedestrian Lighting in Inner City Neighborhoods; 3) Additional funding for Fire Stations 2 and 32; 4) De Zavala Design; 5) Witte Museum; 6) Harry Wurzbach at Austin Highway; and 7) Deferred Maintenance of City Facilities. She mentioned the key dates for the Budget including 5 Community Budget Meetings and Budget Adoption on September 18, 2014.

Mayor Taylor called upon Mr. Frederick Magee to speak.

Mr. Frederick Magee spoke in support of a Property Tax Increase noting that it would impact those with larger and multiple properties. He stated that there were many individuals on fixed incomes that needed assistance.

Mayor Taylor thanked City Staff for their work on the Budget. She stated that there were still many unmet needs in the community and that future discussions must be had in regard to increasing the Property Tax Rate.

Councilmember Nirenberg stated that he looked forward to Budget Discussions and noted that there were numerous ways for the public to provide input.

Councilmember Viagran stated that she would like to further discuss Employee Compensation and invited the community to attend the next Community Budget Hearing at St. Margaret Mary's on August 11, 2014.

Councilmember Gonzales stated that she was pleased with the funding for Pedestrian Lighting, Street Maintenance, and Parks Improvements. Councilmember Bernal recognized the Budget Staff and thanked them for their work.

Councilmember Saldaña spoke of the city's disciplined financial practices and the AAA Bond Rating. He stated that he looked forward to the Membership and Leadership of the Unions to provide a proposal that the city could work with.

Councilmember Krier stated that he was pleased that the Proposed Budget provides additional resources and a reasonable compromise on Public Safety Health Benefits. He mentioned the 1,200 positions that had been cut over the past few years and requested data on how much they would be costing the city if they were still employed. He also requested the amount it would cost the city if the Bond Rating was lowered by one notch. He asked how the Budget could be better managed over four or five years so that there is not a significant deficit every year. Mrs. Sculley replied that they would either have to cut more in the Budget or increase revenues.

Councilmember Nirenberg moved to adopt the proposed ordinances for Items 5A and 5B. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

**Aye:** 9 - Mayor Taylor, Bernal, Viagran, Saldaña, Gonzales, Lopez, Nirenberg, Krier and Gallagher

#### **CONSENT AGENDA ITEMS**

Items 10, 11, 14, and 20 were pulled for Individual Consideration. Councilmember Saldaña moved to approve the remainder of the Consent Agenda Items: 6, 7, 8, 9, 12, 13, 15, 16, 17A, 17B, 17C, 17D, 18, 19, 21, 22, 23, 24, 25, 26, and 27. Councilmember Viagran seconded the motion.

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

Mr. Jack M. Finger spoke in opposition to the lease with the Refugee and Immigrant Center for Education and Legal Services (Item 14). He asked of the employee responsible for the lawsuit settlement with Pletz Construction, Inc. (Item 25).

Faris Hodge, Jr. submitted written testimony in support of Items 5A, 5B, 6, 7, 9-17B, 18-20, 23, 24, 26, and 27. He wrote in opposition to Item 8 noting that the goods and services should not be estimated. He wrote against Items 17C and 17D. For Items 21 and 22, he wrote that he was not familiar with the Board Members. He asked of the lawsuit in Item 25.

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

**Aye:** 9 - Mayor Taylor, Bernal, Viagran, Saldaña, Gonzales, Lopez, Nirenberg, Krier and Gallagher



**2014-08-07-0522**

6. An Ordinance authorizing an amendment to the Pet Registration Services contract with PetData, Inc., to extend the term of the contract for one year, funded by license fees collected by the City. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

**2014-08-07-0523**

7. An Ordinance authorizing a contract with National Bus Sales & Leasing, Inc. to provide the City of San Antonio with five 23 passenger shuttle buses for a total cost of \$578,240.07 of which \$346,944.04 will be paid from prior years Senior Nutrition Program Grant, \$141,296.03 from FY 2014 General Fund, and \$90,000 from Public Property Finance Contractual Obligation, Series 2013. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

**2014-08-07-0524**

8. An Ordinance authorizing the following contracts establishing unit prices for goods and services for an estimated annual cost of \$1,323,000.00: (A) Alamo Auto Glass for replacement of automotive glass, (B) VeriClean Janitorial Services, LLC. for aviation pressure washing services, (C) Genuine Parts Company for automotive ignition parts, wires, cable parts, and accessories, (D) Cinco J. Inc., d/b/a Johnson Oil Company for bulk diesel exhaust fluid, (E) Galaxie Body Works, Inc. for Ford Motor Company automotive & light duty pickup truck (including one ton) collision repair for City vehicles, (F) McAdams Group, LLC d/b/a Texas Alternator Starter Service for C.E. Niehoff parts, (G) Big Moe Automotive Rebuilders, Inc. for alternators & starters, (H) Casco Industries for Cairns & Brother helmets & repair parts, and (I) E.J. Ward, Inc. for E.J. Ward automated fuel management system. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

**2014-08-07-0525**

9. An Ordinance approving an Interlocal Agreement and authorizing the payment to Bexar County, in the amount not to exceed \$376,337.00, for Bexar County to incorporate the design and facilitate construction of the City's "Briarcrest Drainage Project" and the City's "Higgins and Classen Intersection Improvements" as part of the County's approved Flood Control Capital Project "Knoll Creek between Classen and Jung Road (SC-4)" located in Council District 10. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation and Capital Improvements]

**2014-08-07-0528**

12. An Ordinance authorizing an amendment to the lease agreement with Rivercenter Mall in order to accommodate mall improvements on the west side of the River Walk

lagoon. [Carlos Contreras, Assistant City Manager; Lori Houston, Director, Center City Development Office]

**2014-08-07-0529**

13. An Ordinance authorizing three antenna license agreements with San Antonio RadioWorks, LLC and Wildcatter Wireless, LLC for the purpose of operating and maintaining radio broadcast translators and associated equipment at the Tower of the Americas. [Carlos Contreras, Assistant City Manager; Lori Houston, Director, Center City Development]

**2014-08-07-0531**

15. An Ordinance consenting to the assignment and assumption of the lease agreement from San Antonio Air Charter, Inc. to Stinson Jet Center, LLC, at the Stinson Municipal Airport. [Ed Belmares, Assistant City Manager; Frank Miller, Director, Aviation]

**2014-08-07-0532**

16. An Ordinance authorizing a five-year lease agreement with Federal Express Corporation for 30,300 square feet of cargo, warehouse and building space and 285,029 square feet of apron space, generating \$482,287.44 in annual revenue. [Ed Belmares, Assistant City Manager; Frank Miller, Director, Aviation]

17. Consideration of the following items related to lease agreements at the San Antonio International Airport: [Ed Belmares, Assistant City Manager; Frank Miller, Director, Aviation]

**2014-08-07-0533**

- 17A. An Ordinance authorizing an amendment to a lease agreement with AM Hangar to redraw the boundaries of the leasehold while maintaining the same square footage.

**2014-08-07-0534**

- 17B. An Ordinance authorizing a five-year lease agreement with DAL Global Services, LLC for a total of 184 square feet of space generating \$17,371.44 in annual revenue.

**2014-08-07-0535**

- 17C. An Ordinance authorizing a five-year lease agreement with Air Serv Corporation for a total of 141 square feet of space generating \$13,311.81 in annual revenue.

**2014-08-07-0536**

- 17D. An Ordinance authorizing a five-year lease agreement with Primeflight Aviation Services, Inc for a total of 272 square feet of space generating \$21,906.88 in annual

revenue.

**2014-08-07-0537**

18. An Ordinance authorizing the acceptance of additional funding from the Texas Department of Housing and Community Affairs for the 2014 Community Services Block Grant Program in an amount up to \$269,222.00 for the period January 1, 2014 through December 31, 2014, and of one-time funds in an amount up to \$473,100.00 for the period April 1, 2014 through September 31, 2014; approving budgets and a personnel complement for the operation of programs funded through the grant. [Gloria Hurtado, Assistant City Manager,; Melody Woosley, Director, Human Services]

**2014-08-07-0538**

19. An Ordinance authorizing an amendment increasing the total amount to a grant with the Texas Department of Transportation for the construction for the Runway 14-32 Rehabilitation project at Stinson Municipal Airport to \$4,455,486.00 from \$3,851,000.00; increasing the local matching share from \$385,100.00 to \$460,198.00; and, appropriating funds from the Stinson Revolving Fund. [Ed Belmares, Assistant City Manager; Frank Miller, Director, Aviation]

21. Consideration of the following Board, Commission and Committee appointments for the remainder of unexpired terms of office to expire May 31, 2015, to be effective immediately upon the receipt of eight affirmative votes, or, in the event eight affirmative votes are not received, ten days after appointment; or for terms and effectiveness as otherwise indicated below: [Leticia M. Vacek, City Clerk]

A) Appointing Martin Gomez, Jr. (District 10) to the Small Business Advocacy Committee.

B) Reappointing Laura S. Martinez (District 5) to the San Antonio Housing Trust.

C) Appointing Elizabeth M. Greer (District 9) to the San Antonio Youth Commission.

D) Reappointing Albert Hinojosa (District 4) to the City Commission on Veteran Affairs.

E) Reappointing Cynthia M. Martinez (District 1) to the Animal Care Services Advisory Board.

F) Appointing Gerardo Gonzalez Noriega (District 5) to the Capital Improvements Advisory Committee.

22. Appointing Daniel King (San Antonio Hotel & Lodging Association Category) to the Convention and Visitors Commission, Roxanne Trevino Silva to the Goal Setting Committee for the remainder of unexpired terms of office to expire May 31, 2015; and Timothy J. Trevino (Alamo Area Council of Governments Category) to the Airport Advisory Commission for the remainder of an unexpired term of office to expire March 18, 2015. [Leticia M. Vacek, City Clerk]

**2014-08-07-0540**

23. An Ordinance authorizing a lease agreement with San Antonio MTA, L.P. d/b/a Verizon Wireless, a Delaware corporation, for a new wireless tower at the San Antonio International Airport with an annual revenue of \$50,000.00. [Ed Belmares, Assistant City Manager; Frank Miller, Director, Aviation]

**2014-08-07-0541**

24. An Ordinance approving the Downtown Carshare Pilot Permit Program- Phase II and authorizing appropriations in the amount of \$25,000.00 from the Energy Efficiency Fund for program incentives and project costs. [Carlos Contreras, Assistant City Manager; Lori Houston, Director, Center City Development]

**2014-08-07-0542**

25. An Ordinance authorizing a settlement of a lawsuit styled Pletz Construction, Inc. v. City of San Antonio, et al, Cause Number 2013-CI-17720, in the 408th Judicial District Court, for the amount of \$255,000.00. [Robert F. Greenblum, City Attorney]

**2014-08-07-0543**

26. An Ordinance scheduling Public Hearings for Delegate Agencies funded through the FY 2015 and FY 2016 Consolidated Funding Process for Human and Workforce Development Services for Tuesday, August 19, 2014 and Tuesday, August 26, 2014. [Leticia M. Vacek, City Clerk]

**2014-08-07-0544**

27. An Ordinance authorizing an Influenza Reagent Resource Agreement with the American Type Culture Collection to provide the San Antonio Metropolitan Health District's Bioterrorism and Influenza Surveillance Lab with free reagents for the benefit of the public health community from the Centers for Disease Control & Prevention. [Gloria Hurtado, Assistant City Manager; Dr. Thomas L. Schlenker, Public Health Director]

**ITEMS PULLED FOR INDIVIDUAL CONSIDERATION**

The City Clerk read the caption for Item 10:

**2014-08-07-0526**

- 10.** An Ordinance approving the Lackland Air Force Base Corridor Master Plan along the 3.5 mile stretch of SW Military Drive from U.S. Highway 90 to Old Pearsall Road located in Council District 4. [Peter Zaroni, Deputy City Manager; Mike Frisbie, Director, Transportation and Capital Improvements]

Councilmember Saldaña requested a brief presentation. Mr. Mike Frisbie highlighted the key stakeholders of the Lackland Air Force Base Corridor Master Plan and provided photos of the Lackland Corridor. He noted the importance of leaving a lasting first impression of the Base and presented opportunities for improvement to include a Gateway Monument at the Highway 90 Intersection and better Wayfinding. He indicated that they would provide Multimodal Travel and Median Landscape Improvements. He reported that the Highway 90/SW Military Drive Gateway Treatment was estimated at \$1.6 Million and included in the FY 2015 Budget. He added that they would determine implementation phasing and identify funding opportunities for future phases. Councilmember Saldaña expressed his support and stated that it was important for the Airmen to have the best impression of San Antonio. He recognized the Architects for their vision and stated that it was a great revitalization project for the area.

Councilmember Viagran congratulated Councilmember Saldaña for his efforts on the project and stated that it was a great vision.

Councilmember Krier commended Councilmember Saldaña for his leadership and stated that it would help ensure that San Antonio was viewed as Military City USA for many years to come.

Councilmember Gallagher stated that he was a Retired Officer and had attended Lackland Air Force Base which was his first impression of San Antonio. He expressed support for revitalization of the corridor and noted that there were other such corridors throughout the city.

Councilmember Gonzales expressed her support and stated that she was pleased with the creativity of the project.

Mayor Taylor also thanked Councilmember Saldaña for his efforts and stated that this was a very important project.

Written testimony was received from Alexander I. Smith, Col, USAF in support of the proposed Joint Base San Antonio – Lackland Corridor Concept Master Plan.

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

**Aye:** 9 - Mayor Taylor, Bernal, Viagran, Saldaña, Gonzales, Lopez, Nirenberg, Krier and Gallagher

The City Clerk read the caption for Item 11:

**2014-08-07-0527**

- 11.** An Ordinance authorizing the acquisition, through negotiation or condemnation of 0.059 acres of an interest in land in a portion of one parcel of privately-owned real property located in NCB 17725 for the realignment of Bulverde Road and Classen Road, as part of the Developer Participation agreement, in connection with the 2012 General Obligation Bond-funded Project, located in Council District 10, and declaring it to be a public use project for the acquisition. [Peter Zaroni, Deputy City Manager; Mike Frisbie, Director, Transportation and Capital Improvements]

Councilmember Gallagher moved that the City of San Antonio authorize the use of the power of eminent domain to acquire property for the public use for the Bulverde Road and Classen Road Realignment Project by acquiring the following property described by the City Clerk and incorporated as part of this Motion. Councilmember Krier seconded the motion.

City Clerk Vacek read the property description: The property consists of 0.059 acre, approximately 2,571 square feet, located on a 4.074 acre tract, and out of the J. Goll Survey Number 395, Abstract 297, New City Block 17725, in the City of San Antonio, Bexar County, Texas. This property is specifically shown on the Site Map as Exhibit A and more particularly described by metes and bounds in Exhibit B, both attached to the Ordinance and part of this Motion.

The motion prevailed by the following vote:

**Aye:** 9 - Mayor Taylor, Bernal, Viagran, Saldaña, Gonzales, Lopez, Nirenberg, Krier and Gallagher

The City Clerk read the caption for Item 14:

**2014-08-07-0530**

- 14.** An Ordinance ratifying the execution of a short-term lease with the Refugee and Immigrant Center for Education and Legal Services (RAICES) non-profit organization for use of 7,337 square feet of property located at 515 Castroville Road in Council District 5. [Peter Zaroni, Deputy City Manager; Mike Etienne, EastPoint & Real Estate Services Office]

Councilmember Bernal stated that he had not meant to pull the item from the Consent Agenda and moved to adopt the proposed ordinance. Councilmember Nirenberg seconded the motion. The motion prevailed by the following vote:

**Aye:** 9 - Mayor Taylor, Bernal, Viagran, Saldaña, Gonzales, Lopez, Nirenberg, Krier and Gallagher

The City Clerk read the caption for Item 20:

**2014-08-07-0539**

- 20.** An Ordinance amending Chapter 13, "Food and Food Handlers" of the City Code of the City of San Antonio, Texas, pertaining to the regulation of mobile food establishments; amending fees; and providing for criminal penalties and publication. [Gloria Hurtado, Assistant City Manager; Dr. Thomas L. Schlenker, Director of Health]

Councilmember Gallagher asked why the background checks would no longer be required. Dr. Vincent Nathan stated that they had conversations with the San Antonio Mobile Food Vendors, San Antonio Restaurant Association, San Antonio Hotel/Motel Association and Chief McManus and determined that Ice Cream Vendors were most vulnerable toward children. He noted that background checks would only be applied to Ice Cream Vendors.

Councilmember Bernal added that the changes were widely supported by the Industry and found that they had been over over-regulating Mobile Food Vendors.

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

**Aye:** 9 - Mayor Taylor, Bernal, Viagran, Saldaña, Gonzales, Lopez, Nirenberg, Krier and Gallagher

**RECESSED**

Mayor Taylor recessed the meeting into Executive Session at 11:57 am to discuss the following item:

- A. Discuss legal issues related to collective bargaining pursuant to Texas Government Code Section 551.071 (consultation with attorney).

**RECONVENED**

Mayor Taylor reconvened the meeting at 2:05 pm and announced that no action was taken in Executive Session. She addressed the Consent Zoning Items.

**CONSENT ZONING ITEMS**

Items 28, 29, P-3, Z-5, Z-6, P-5, Z-9, P-6, Z-12, and Z-13 were pulled for Individual Consideration. Councilmember Gallagher moved to adopt the remaining items under Consent Zoning: P-1, Z-1, P-2, Z-2, Z-3, Z-4, P-4, Z-7, Z-8, Z-10, Z-11, Z-14, Z-15, Z-16, P-7, Z-17, P-8, Z-18, P-9, and Z-19. Councilmember Bernal seconded the motion.

Mayor Taylor called upon the citizens registered to speak.

Jack M. Finger spoke in opposition to the Alcohol Variance requested in Item 28 noting concern with Bonham Elementary located within 225 feet. He stated that he was against the rezoning in Item Z-5 as the Light Industrial Designation was too intense for the area.

Tina Gomez stated that she owned the business located next to the property being rezoned in Item Z-11. She asked how the property would be used.

Roger Martinez, Vice-President of the El Chapparal/Fertile Valley Neighborhood Association spoke in support of Items P-8 and Z-18.

Written Testimony was received in support of Item Z-15 from the Tanglewood Residents Association, Northside Neighbors for Organized Development, and the Dominion Homeowners Association.

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

**Aye:** 9 - Mayor Taylor, Bernal, Viagran, Saldaña, Gonzales, Lopez, Nirenberg, Krier and Gallagher



**2014-08-07-0547**

- P-1.** PLAN AMENDMENT #14045 (District 1): An Ordinance amending the future land use plan contained in the Tobin Hill Neighborhood Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use of Lot 5, the east part of Block 4, NCB 844 located at 617 East Euclid Avenue, from Low Density Residential to Medium Density Residential. Staff and Planning Commission recommend approval. (Associated Zoning Case # Z2014147)

**2014-08-07-0548**

- Z-1.** ZONING CASE # Z2014147 (District 1): 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 5, the east part of Block 4, NCB 844 located at 617 East Euclid Avenue. Staff and Zoning Commission recommend approval pending the plan amendment. (Associated Plan Amendment Case 14045)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BYCHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 5, THE EAST PART OF BLOCK 4, NCB 844 TO WIT: FROM "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "RM-4 AHOD" RESIDENTIAL MIXED AIRPORT HAZARD OVERLAY DISTRICT.

**2014-08-07-0549**

- P-2.** PLAN AMENDMENT #14055 (District 1): An Ordinance amending the future land use plan contained in the Midtown Neighborhood Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use of Lots 1, 2, 9, and 10, Block 10, NCB 1890 save and except those portions of Lots 1, 9, and 10 conveyed to the City of San Antonio in Volume 1956, Page 74 of the Bexar County Deed Records located at 615 West Ashby Place and 626 West French Place from Public/Institutional To Neighborhood Commercial land use. Staff and Planning Commission recommend approval. (Associated Zoning Case # Z2014179)

**2014-08-07-0550**

- Z-2.** ZONING CASE # Z2014179 (District 1): An Ordinance amending the Zoning District Boundary from "MF-33 NCD-2 AHOD" Multi-Family Alta Vista Neighborhood Conservation Airport Hazard Overlay District to "IDZ NCD-2 AHOD" Infill Development Zone Alta Vista Neighborhood Conservation Airport Hazard Overlay District with uses permitted in "C-1" Light Commercial District and

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"RM-5" Residential Mixed District on Lots 1, 2, 9, and 10, Block 10, NCB 1890 save and except those portions of Lots 1, 9, and 10 conveyed to the City of San Antonio in Volume 1956, Page 74 of the Bexar County Deed Records, located at 615 West Ashby Place and 626 West French Place. Staff and Zoning Commission recommend approval pending the plan amendment. (Associated Plan Amendment Case 14055)

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 1, 2, 9, AND 10, BLOCK 10, NCB 1890 SAVE AND EXCEPT THOSE PORTIONS OF LOTS 1, 9, AND 10 CONVEYED TO THE CITY OF SAN ANTONIO IN VOLUME 1956, PAGE 74 OF THE BEXAR COUNTY DEED RECORDS TO WIT: FROM "MF-33 NCD-2 AHOD" MULTI-FAMILY ALTA VISTA NEIGHBORHOOD CONSERVATION AIRPORT HAZARD OVERLAY DISTRICT TO "IDZ NCD-2 AHOD" INFILL DEVELOPMENT ZONE ALTA VISTA NEIGHBORHOOD CONSERVATION AIRPORT HAZARD OVERLAY DISTRICT WITH USES PERMITTED IN "C-1" LIGHT COMMERCIAL DISTRICT AND "RM-5" RESIDENTIAL MIXED DISTRICT.

**2014-08-07-0551**

**Z-3.** ZONING CASE # Z2014154 HL (District 1): An Ordinance amending the Zoning District Boundary from "C-2 NCD-2 AHOD" Commercial Alta Vista Neighborhood Conservation Airport Hazard Overlay District and "RM-4 NCD-2 AHOD" Residential Mixed Alta Vista Neighborhood Conservation Airport Hazard Overlay District to "C-2 HL NCD-2 AHOD" Historic Landmark Commercial Alta Vista Neighborhood Conservation Airport Hazard Overlay District and "RM-4 HL NCD-2 AHOD" Historic Landmark Residential Mixed Alta Vista Neighborhood Conservation Airport Hazard Overlay District on Lots 1 and 2, Block 29, NCB 1841 save and except that portion of Lot 2 conveyed in Volume 2993, Page 314 of the Bexar County Deed Records located at 2822 North Flores Street. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOTS 1 AND 2, BLOCK 29, NCB 1841 SAVE AND EXCEPT THAT PORTION OF LOT 2 CONVEYED IN VOLUME 2993, PAGE 314 OF THE BEXAR COUNTY DEED RECORDS TO WIT: FROM "C-2 NCD-2 AHOD" COMMERCIAL ALTA VISTA NEIGHBORHOOD CONSERVATION AIRPORT HAZARD OVERLAY DISTRICT AND "RM-4 NCD-2 AHOD" RESIDENTIAL MIXED ALTA VISTA NEIGHBORHOOD CONSERVATION AIRPORT HAZARD OVERLAY

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DISTRICT TO "C-2 HL NCD-2 AHOD" HISTORIC LANDMARK COMMERCIAL ALTA VISTA NEIGHBORHOOD CONSERVATION AIRPORT HAZARD OVERLAY DISTRICT AND "RM-4 HL NCD-2 AHOD" HISTORIC LANDMARK RESIDENTIAL MIXED ALTA VISTA NEIGHBORHOOD CONSERVATION AIRPORT HAZARD OVERLAY DISTRICT.

**2014-08-07-0552**

**Z-4.** ZONING CASE # Z2014059 (District 1): An Ordinance amending the Zoning District Boundary from "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District and "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-2 IDZ AHOD" Commercial Infill Development Zone Airport Hazard Overlay District on 0.18 of an acre and to "MF-25 IDZ AHOD" Low Density Multi-Family Infill Development Zone Airport Hazard Overlay District all on 0.32 of an acre on 0.5 of an acre out of Lots A7 and 11, NCB 989 Located on portions of 811 and 815 South Flores Street and on 118 and 120 Guadalupe Street. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 0.5 OF AN ACRE OUT OF LOTS A7 AND 11, NCB 989 TO WIT: FROM "C-3NA AHOD" GENERAL COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT AND "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 IDZ AHOD" COMMERCIAL INFILL DEVELOPMENT ZONE AIRPORT HAZARD OVERLAY DISTRICT ON 0.18 OF AN ACRE AND "MF-25 IDZ AHOD" LOW DENSITY MULTI-FAMILY INFILL DEVELOPMENT ZONE AIRPORT HAZARD OVERLAY DISTRICT ON 0.32 OF AN ACRE.

**2014-08-07-0553**

**P-4.** PLAN AMENDMENT #14049 (District 3): An Ordinance amending the future land use plan contained in the South Central San Antonio Community Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use of approximately 11.132 acres of land out of NCB 7456 located at 2327 and 2343 Roosevelt Avenue from Low Density Residential to Medium Density Residential and to include "MHP" Manufacturing Housing Park District as a related zoning district for the Medium Density Residential land use classification. Staff and Planning Commission recommend approval. (Associated Zoning Case # Z2014136) (Continued from June 19, 2014)

**2014-08-07-0554**

**Z-7.** ZONING CASE #Z2014136 (District 3): An Ordinance amending the Zoning District Boundary from "R-6 H RIO-5 AHOD" Residential Single-Family Mission Historic River Improvement Overlay-5 Airport Hazard Overlay District and "R-6 H RIO-5 MC-1 AHOD" Residential Single-Family Mission Historic River Improvement Overlay-5 Roosevelt Avenue Metropolitan Corridor Airport Hazard Overlay District to "MHP H RIO-5 AHOD" Manufactured Housing Park Mission Historic River Improvement Overlay-5 Airport Hazard Overlay District and "MHP H RIO-5 MC-1 AHOD" Manufactured Housing Park Mission Historic River Improvement Overlay-5 Roosevelt Avenue Metropolitan Corridor Airport Hazard Overlay District on 11.132 acres out of NCB 7456 located at 2327 and 2343 Roosevelt Avenue. Staff and Zoning Commission recommend approval pending the plan amendment. (Associated Plan Amendment Case 14049) (Continued from June 19, 2014)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 11.132 ACRES OUT OF NCB 7456 TO WIT: FROM "R-6 H RIO-5 AHOD" RESIDENTIAL SINGLE-FAMILY MISSION HISTORIC RIVER IMPROVEMENT OVERLAY-5 AIRPORT HAZARD OVERLAY DISTRICT AND "R-6 H RIO-5 MC-1 AHOD" RESIDENTIAL SINGLE-FAMILY MISSION HISTORIC RIVER IMPROVEMENT OVERLAY-5 ROOSEVELT AVENUE METROPOLITAN CORRIDOR AIRPORT HAZARD OVERLAY DISTRICT TO "MHP H RIO-5 AHOD" MANUFACTURED HOUSING PARK MISSION HISTORIC RIVER IMPROVEMENT OVERLAY-5 AIRPORT HAZARD OVERLAY DISTRICT AND "MHP H RIO-5 MC-1 AHOD" MANUFACTURED HOUSING PARK MISSION HISTORIC RIVER IMPROVEMENT OVERLAY-5 ROOSEVELT AVENUE METROPOLITAN CORRIDOR AIRPORT HAZARD OVERLAY DISTRICT.

**2014-08-07-0555**

**Z-8.** ZONING CASE # Z2014177 (District 3): An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District on the west 50 feet of Lot 82, NCB 9483 located at 483 West Harding Boulevard. Staff and Zoning Commission recommend approval.

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

DESCRIBED HEREIN AS: THE WEST 50 FEET OF LOT 82, NCB 9483 TO WIT: FROM "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT.

**2014-08-07-0558**

**Z-10.** ZONING CASE # Z2014169 (District 5): An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District on the west 50 feet of Lot 2, Block 2, NCB 3730 located on a portion of the 100 Block of Custer. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: THE WEST 50 FEET OF LOT 2, BLOCK 2, NCB 3730 TO WIT: FROM "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "R-5 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT.

**2014-08-07-0559**

**Z-11.** ZONING CASE # Z2014187 (District 5): An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-3 AHOD" General Commercial Airport Hazard Overlay District on Lots 40, 41, 42 and 43, Block 13, NCB 8252 located at 4633 West Commerce Street. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOTS 40, 41, 42 AND 43, BLOCK 13, NCB 8252 TO WIT: FROM "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-3 AHOD" GENERAL COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

**2014-08-07-0560**

**Z-14.** ZONING CASE # Z2014144 (District 8): An Ordinance amending the Zoning District Boundary from "MF-33" Multi-Family District to "C-2" Commercial District on 1.65 acres out of NCB 14862 located at 6435 Babcock Road. Staff and Zoning Commission recommend approval. (Continued from June 19, 2014)

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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: 1.65 ACRES OUT OF NCB 14862 TO WIT: FROM "MF-33" MULTI-FAMILY DISTRICT TO "C-2" COMMERCIAL DISTRICT.

**2014-08-07-0561**

**Z-15.** ZONING CASE # Z2014188 (District 8): An Ordinance amending the Zoning District Boundary from "R-4 AHOD MLOD-1" Residential Single-Family Airport Hazard Overlay Camp Bullis Military Lighting Overlay District, "MF-50 AHOD MLOD-1" Multi-Family Airport Hazard Overlay Camp Bullis Military Lighting Overlay District, "C-2 AHOD MLOD-1" Commercial Airport Hazard Overlay Camp Bullis Military Lighting Overlay District and "C-3 AHOD MLOD-1" General Commercial Airport Hazard Overlay Camp Bullis Military Lighting Overlay District to "MF-33 AHOD MLOD-1" Multi-Family Airport Hazard Overlay Camp Bullis Military Lighting Overlay District on 16.25 acres out of NCB 15825 located on a portion of the 14900 to 15200 Block of Vance Jackson. 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: 16.25 ACRES OUT OF NCB 15825 TO WIT: FROM "R-4 AHOD MLOD-1" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY CAMP BULLIS MILITARY LIGHTING OVERLAY DISTRICT, "MF-50 AHOD MLOD-1" MULTI-FAMILY AIRPORT HAZARD OVERLAY CAMP BULLIS MILITARY LIGHTING OVERLAY DISTRICT, "C-2 AHOD MLOD-1" COMMERCIAL AIRPORT HAZARD OVERLAY CAMP BULLIS MILITARY LIGHTING OVERLAY DISTRICT AND "C-3 AHOD MLOD-1" GENERAL COMMERCIAL AIRPORT HAZARD OVERLAY CAMP BULLIS MILITARY LIGHTING OVERLAY DISTRICT TO "MF-33 AHOD MLOD-1" MULTI-FAMILY AIRPORT HAZARD OVERLAY CAMP BULLIS MILITARY LIGHTING OVERLAY DISTRICT.

**2014-08-07-0562**

**Z-16.** ZONING CASE # Z2014181 (District 8): An Ordinance amending the Zoning District Boundary from "MF-25 PUD MSAO-1 MLOD-1" Low Density Multi-Family Planned Unit Development Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay District to "O-1 PUD MSAO-1 MLOD-1" Office Planned Unit Development Camp Bullis Military Sound Attenuation Overlay Camp Bullis Military Lighting Overlay District on 1.7851 acres out of NCB 34034 located on a portion of the 100 Block of Palmilla Court. 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: 1.7851 ACRES OUT OF NCB 34034 TO WIT: FROM "MF-25 PUD MSAO-1 MLOD-1" LOW DENSITY MULTI-FAMILY PLANNED UNIT DEVELOPMENT CAMP BULLIS MILITARY SOUND ATTENUATION OVERLAY CAMP BULLIS MILITARY LIGHTING OVERLAY DISTRICT TO "O-1 PUD MSAO-1 MLOD-1" OFFICE PLANNED UNIT DEVELOPMENT CAMP BULLIS MILITARY SOUND ATTENUATION OVERLAY CAMP BULLIS MILITARY LIGHTING OVERLAY DISTRICT.

**2014-08-07-0563**

**P-7.** PLAN AMENDMENT # 14057 (District 10): A Ordinance amending the future land use plan contained in the North Sector Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use of 4.337 acres out of Lot 21, NCB 14941 located on a portion of the 5300 Block of Leonhardt Road and the 4000 Block of Rail Drive from Suburban Tier to Specialized Center. Staff and Planning Commission recommend approval. (Associated Zoning Case # Z2014184)

**2014-08-07-0564**

**Z-17.** ZONING CASE # Z2014184 (District 10): An Ordinance amending the Zoning District Boundary from "C-3 AHOD" General Commercial Airport Hazard Overlay District and "I-1 AHOD" General Industrial Airport Hazard Overlay District to "I-1 AHOD" General Industrial Airport Hazard Overlay District on 3.329 acres out of Lot 21, NCB 14941 located on a portion of the 5300 Block of Leonhardt Road and the 4000 Block of Rail Drive. Staff and Zoning Commission recommend approval pending the plan amendment. (Associated Plan Amendment 14057)

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: 3.329 ACRES OUT OF LOT 21, NCB 14941 TO WIT: FROM "C-3 AHOD" GENERAL COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT AND "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT TO "I-1 AHOD" GENERAL INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT.

**2014-08-07-0565**

**P-8.** PLAN AMENDMENT #14039 (District 10): An Ordinance amending the future

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land use plan contained in the San Antonio International Airport Vicinity Land Use Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use of 1.313 acres of land out of Lot 1, Block A, NCB 15704 located on a portion of the 4600 Block of Stahl Road, from Low Density Residential land use to Community Commercial land use. Staff and Planning Commission recommend approval. (Associated Zoning Case # Z2014146)

**2014-08-07-0566**

- Z-18.** ZONING CASE # Z2014146 (District 10): An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-4 PUD AHOD" Residential Single-Family Planned Unit Development Airport Hazard Overlay District on Lots 2, 3, 4, 5, 6, 13, and 1.174 acres out of Lot 14; and to "C-2 AHOD" Commercial Airport Hazard Overlay District on 1.313 acres out of Lot 1, all on Block A, NCB 15704 located at 14615 Durham Drive and a portion of the 4600 Block of Stahl Road. Staff and Zoning Commission recommend approval pending the plan amendment. (Associated Plan Amendment 14039)

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 2, 3, 4, 5, 6, 13, 1.313 ACRES OUT OF LOT 1, AND 1.174 ACRES OUT OF LOT 14, BLOCK A, NCB 15704 TO WIT: FROM "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "R-4 PUD AHOD" RESIDENTIAL SINGLE-FAMILY PLANNED UNIT DEVELOPMENT AIRPORT HAZARD OVERLAY DISTRICT ON LOTS 2, 3, 4, 5, 6, 13, AND 1.174 ACRES OUT OF LOT 14; AND "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT ON 1.313 ACRES OUT OF LOT 1.

**2014-08-07-0567**

- P-9.** PLAN AMENDMENT #14048 (District 10): An Ordinance amending the future land use plan contained in the San Antonio International Airport Vicinity Land Use Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use of Lot 32, NCB 12097 located at 2523 MacArthur View from Business Park and Public Institutional land use to Light Industrial land use. Staff and Planning Commission recommend approval. (Associated Zoning Case # Z2014166)

**2014-08-07-0568**

- Z-19.** ZONING CASE # Z2014166 (District 10): An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District and "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard



Overlay District to "L AHOD" Light Industrial Airport Hazard Overlay District on Lot 32, NCB 12097 located at 2523 Mac Arthur View. Staff and Zoning Commission recommend approval pending the plan amendment.

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 32, NCB 12097 TO WIT: FROM "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT AND "C-3NA AHOD" GENERAL COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT TO "L AHOD" LIGHT INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT.

### **INDIVIDUAL ZONING ITEMS**

The City Clerk read the caption for Item 28:

**2014-08-07-0545**

- 28.** An Ordinance waiving the requirements of Sections 4-6(c), 4-6(d)(6) and 4-6(e)(1) of the City Code and authorizing the sale of alcoholic beverages at 611 South Presa Street, 812 South Alamo Street, and 910 South St. Mary's Street for off-premise consumption at a "Drugstore – Apothecary" within three-hundred (300) feet of Bonham Academy, a Public Educational Institution in the San Antonio Independent School District, located in Council District 1.

Councilmember Bernal stated that the owners had gone through the effort of talking to the community, school and neighborhood and would support the request with conditions.

John Jacks read the conditions for approval: 1) The variance for the sale of alcohol beverages shall not transfer to a different land use; and 2) The variance shall terminate in the event of non-operation or non-use of the identified use which is a drugstore for a period of 12 or more successive calendar months.

Councilmember Bernal moved to adopt the proposed ordinance with the two conditions read by Mr. Jacks. Councilmember Saldaña seconded the motion. The motion prevailed by the following vote:

**Aye:** 9 - Mayor Taylor, Bernal, Viagran, Saldaña, Gonzales, Lopez, Nirenberg, Krier and Gallagher

The City Clerk read the caption for Item 29:

**2014-08-07-0546**

- 29.** An Ordinance waiving the requirements of Sections 4-6(c), 4-6(d)(6) and 4-6(e)(1) of the City Code and authorizing the sale of alcoholic beverages at 2235 Thousand Oaks Drive Suite # 105 for off-premise consumption at a “Beverage Retail Sales – Liquor Store” within three-hundred (300) feet of Thousand Oaks Elementary, a public education institution in the North East Independent School District, and The Foundation School for Autism (Charter School), a Responsive Education Solutions public educational institution, located in Council District 10.

Councilmember Gallagher stated that he had received support for the request from the Elementary School with conditions.

John Jacks read the conditions for approval: 1) The authorization shall apply only to the proposed Beverage Retail Sales Liquor Store and shall not transfer to a different land use; 2) The authorization shall terminate in the event of non-operation or non-use for a period of 12 or more successive calendar months; and 3) The authorization shall apply only to Suite 105.

Councilmember Gallagher moved to adopt the proposed ordinance with the conditions read by Mr. Jacks. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

**Aye:** 9 - Mayor Taylor, Bernal, Viagran, Saldaña, Gonzales, Lopez, Nirenberg, Krier and Gallagher

Items P-3, Z-5, and Z-6 were addressed jointly.

**CONTINUED TO AUGUST 21, 2014**

- P-3.** PLAN AMENDMENT #14047 (District 2): An Ordinance amending the future land use plan contained in the San Antonio International Airport Vicinity Land Use Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use of a Lots 8 and 9, Block 1, NCB 16374 located at 5835 and 5911 Rittman Plaza from Community Commercial land use to Light Industrial land use. Staff and Planning Commission recommend approval. (Associated Zoning Case # Z2014162)

**CONTINUED TO AUGUST 21, 2014**

- Z-5.** ZONING CASE # Z2014162 (District 2): An Ordinance amending the Zoning District Boundary from "C-3 AHOD" General Commercial Airport Hazard Overlay District to "L AHOD" Light Industrial Airport Hazard Overlay District on Lots 8 and 9, Block 1, NCB 16374 located at 5835 and 5911 Rittman Plaza. Staff and Zoning

Commission recommend approval pending the plan amendment. (Associated Plan Amendment 14047)

**CONTINUED TO AUGUST 21, 2014**

**Z-6.** ZONING CASE # Z2014165 (District 2): An Ordinance amending the Zoning District Boundary from "MH AHOD" Manufactured Housing Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on 3.653 acres out of Lot 23 and 1.85 acres out of Lot 25, NCB 13811 located at 5315, 5319 & 5331 Sherri Ann Road. Staff and Zoning Commission recommend approval.

Councilmember Krier moved to continue Items P-3, Z-5, and Z-6 until August 21, 2014. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

**Aye:** 9 - Mayor Taylor, Bernal, Viagran, Saldaña, Gonzales, Lopez, Nirenberg, Krier and Gallagher

Items P-5 and Z-9 were addressed jointly.

**2014-08-07-0556**

**P-5.** PLAN AMENDMENT #14050 (Districts 3 & 4): An Ordinance amending the future land use plan contained in the Heritage South Sector Plan a component of the Comprehensive Master Plan of the City, by changing the use of approximately 1,580 acres of land located east of IH-35, south of Loop 410, west of IH-37, north of Loop 1604, and portions of the 4200, 4300, and 4400 Blocks of South Flores Road from Suburban Tier, Country Tier, Agribusiness/RIMSE Tier, Civic Center, and Regional Center to Suburban Tier, Specialized Center, Mixed Use Center, General Urban Tier, and Agribusiness/RIMSE Tier. Staff and Planning Commission recommend approval. (Associated Zoning Case # Z2014171 CD S)

**2014-08-07-0557**

**Z-9.** ZONING CASE # Z2014171 CD S (Council District 3 & 4): An Ordinance amending the Zoning District Boundaries – from 12 zoning districts to 33 zoning districts as listed below consistent with the South San Antonio Limited Purpose Annexation and City South Management Authority Effectiveness Study and Economic Strategic Plan – on multiple properties located on approximately 6,000 acres of land generally located east of IH-35, south of Loop 410, west of IH-37, north of South Loop 1604, portions of the 4200, 4300, and 4400 blocks of South Flores Road, 17.51 acres out of CB 4007 & 4007A located in the 11100 & 11200 blocks of South U.S. Highway 181, and 2.5 acres out of NCB 11156 located in the in the 12000 block of Southeast Loop 410; amending the Zoning District Boundaries from "UD" Urban Development District, "RD" Rural Development District, "FR"

Farm and Ranch District, "RP" Resource Protection District, "C-3NA" General Commercial Nonalcoholic Sales District, "BP" Business Park District, "C-2" Commercial District, "DR" Development Reserve District, "RE" Residential Estate District, "MI-1" Mixed Light Industrial District, "R-20" Residential Single-Family District, and "C-3 CD" General Commercial District with a Conditional Use for Long Term Parking & Storage to "C-2" Commercial District, "C-3 CD" General Commercial District with a Conditional Use for a Truck Stop or Laundry - Tire Repair Permitted, "I-2 S" Heavy Industrial District with a Specific Use Authorization for a Bulk Plant or Terminal, "MI-1" Mixed Light Industrial District, "NP-8" Neighborhood Preservation District, "R-6" Residential Single-Family District, "BP" Business Park District, "C-1" Light Commercial District, "C-2 CD" Commercial District with a Conditional Use for Parking and Transient Vehicle Storage -Related to a Delivery, "R-20" Residential Single-Family District, "R-4" Residential Single-Family District, "RE" Residential Estate District, "RP" Resource Protection District, "RP S" Resource Protection District with a Specific Use Authorization for a Cemetery, "FR" Farm and Ranch District, "C-2 CD" Commercial District with a Conditional Use for Truck Repair and Maintenance, "C-2 CD" Commercial District with a Conditional Use for Auto and Light Truck Repair, "C-2 CD" Commercial District with a Conditional Use for Manufactured Home/Oversize Vehicle Sales, Service or Storage, "L" Light Industrial District, "C-3" General Commercial District, "O-1 S" Office District with a Specific Use Authorization for Athletic Fields-Commercial, "RM-6" Residential Mixed District, "C-2 CD" Commercial District with a Conditional Use for Self Service Storage, "C-2 CD" Commercial District with a Conditional Use for Construction Trades Contractors, "C-2 S" Commercial District with a Specific Use Authorization for a Hotel, "C-2 P" Commercial Pedestrian District, "MF-18" Limited Density Multi-Family District, "MF-25" Low Density Multi-Family District, "MF-33" Multi-Family District, "MF-40" Multi-Family District, "O-1.5" Mid-Rise Office District, "MI-1 S" Mixed Light Industrial District with a Specific Use Authorization for Rifle and Pistol Range-Outdoor Permitted, and "R-3" Residential Single-Family District.

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: MULTIPLE PROPERTIES LOCATED ON APPROXIMATELY 6,000 ACRES OF LAND GENERALLY LOCATED EAST OF IH-35, SOUTH OF LOOP 410, WEST OF IH-37, NORTH OF SOUTH LOOP 1604, PORTIONS OF THE 4200, 4300, AND 4400 BLOCKS OF SOUTH FLORES ROAD, 17.51 ACRES OUT OF CB 4007 & 4007A LOCATED IN THE 11100 & 11200 BLOCKS OF SOUTH U.S. HIGHWAY 181, AND 2.5 ACRES OUT OF NCB 11156 LOCATED IN THE IN THE 12000 BLOCK OF SOUTHEAST LOOP 410 TO WIT: "UD" URBAN

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DEVELOPMENT DISTRICT, "RD" RURAL DEVELOPMENT DISTRICT, "FR" FARM AND RANCH DISTRICT, "RP" RESOURCE PROTECTION DISTRICT, "C-3NA" GENERAL COMMERCIAL NONALCOHOLIC SALES DISTRICT, "BP" BUSINESS PARK DISTRICT, "C-2" COMMERCIAL DISTRICT, "DR" DEVELOPMENT RESERVE DISTRICT, "RE" RESIDENTIAL ESTATE DISTRICT, "MI-1" MIXED LIGHT INDUSTRIAL DISTRICT, "R-20" RESIDENTIAL SINGLE-FAMILY DISTRICT, AND "C-3 CD" GENERAL COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR LONG TERM PARKING & STORAGE TO "C-2" COMMERCIAL DISTRICT, "C-3 CD" GENERAL COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR A TRUCK STOP OR LAUNDRY - TIRE REPAIR PERMITTED, "I-2 S" HEAVY INDUSTRIAL DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A BULK PLANT OR TERMINAL, "MI-1" MIXED LIGHT INDUSTRIAL DISTRICT, "NP-8" NEIGHBORHOOD PRESERVATION DISTRICT, "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT, "BP" BUSINESS PARK DISTRICT, "C-1" LIGHT COMMERCIAL DISTRICT, "C-2 CD" COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR PARKING AND TRANSIENT VEHICLE STORAGE -RELATED TO A DELIVERY, "R-20" RESIDENTIAL SINGLE-FAMILY DISTRICT, "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT, "RE" RESIDENTIAL ESTATE DISTRICT, "RP" RESOURCE PROTECTION DISTRICT, "RP S" RESOURCE PROTECTION DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A CEMETERY, "FR" FARM AND RANCH DISTRICT, "C-2 CD" COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR TRUCK REPAIR AND MAINTENANCE, "C-2 CD" COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR AUTO AND LIGHT TRUCK REPAIR, "C-2 CD" COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR MANUFACTURED HOME/OVERSIZE VEHICLE SALES, SERVICE OR STORAGE, "L" LIGHT INDUSTRIAL DISTRICT, "C-3" GENERAL COMMERCIAL DISTRICT, "O-1 S" OFFICE DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR ATHLETIC FIELDS-COMMERCIAL, "RM-6" RESIDENTIAL MIXED DISTRICT, "C-2 CD" COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR SELF SERVICE STORAGE, "C-2 CD" COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR CONSTRUCTION TRADES CONTRACTORS, "C-2 S" COMMERCIAL DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A HOTEL, "C-2 P" COMMERCIAL PEDESTRIAN DISTRICT, "MF-18" LIMITED DENSITY MULTI-FAMILY DISTRICT, "MF-25" LOW DENSITY MULTI-FAMILY DISTRICT, "MF-33" MULTI-FAMILY DISTRICT, "MF-40" MULTI-FAMILY DISTRICT, "O-1.5" MID-RISE OFFICE DISTRICT, "MI-1 S" MIXED LIGHT INDUSTRIAL DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR RIFLE AND PISTOL RANGE-OUTDOOR PERMITTED, AND "R-3" RESIDENTIAL SINGLE-FAMILY DISTRICT; ALL OVERLAY DISTRICTS REMAINING UNCHANGED.

Councilmember Viagran thanked everyone for their work. She requested that future rezoning of this magnitude be done in phases.

Mayor Taylor called upon the citizens registered to speak.

John Reed stated that he was representing Copark Landowner and Business Owner on Applewhite Road. He noted that they were located adjacent to a parcel being recommended for Residential Multi-Family Use and they were concerned with the industrial nature of their operations.

Ernest Chacon noted that he lived on Jett Road in the Toyota Buffer Zone and expressed concern with property rights within the Zone. He stated that he was living in fear of Government and that every letter he received from the city was negative and intimidating. He added that his property represented his life savings and asked the City Council to help him.

Councilmember Viagran asked of the total number of parcels. Mr. Rudy Niño stated that there were 1,000 parcels.

Councilmember Viagran moved to adopt the proposed ordinances for Items P-5 and Z-9 save and except the property legally described as Parcel P-2, New City Block 11150; Parcel P-100, New City Block 11150; and Parcel P-3, New City Block 11150, which is remanded back to the Planning and Zoning Commissions for reconsideration of the Agribusiness/RIMSE Tier Future Land Use Classification and the “MI-1” Mixed Light Industrial Zoning District, respectively. Councilmember Saldaña seconded the motion. The motion prevailed by the following vote:

**Aye:** 9 - Mayor Taylor, Bernal, Viagran, Saldaña, Gonzales, Lopez, Nirenberg, Krier and Gallagher

Items P-6, Z-12, and Z-13 were addressed jointly.

#### **CONTINUED TO AUGUST 21, 2014**

**P-6.** PLAN AMENDMENT # 14051 (District 7): An Ordinance amending the future land use plan contained in the West/Southwest Sector Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use of Lot 12, NCB 11635 located at 5033 Callaghan Road from General Urban Tier Land Use to Agribusiness Tier Land Use. Staff and Planning Commission recommend approval. (Associated Zoning Case # Z2014168)

**CONTINUED TO AUGUST 21, 2014**

**Z-12.** ZONING CASE # Z2014168 (District 7): An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "L AHOD" Light Industrial Airport Hazard Overlay District on Lot 12, NCB 11635 located at 5033 Callaghan Road. Staff and Zoning Commission recommend approval pending the plan amendment. (Associated Plan Amendment Case 14051)

**CONTINUED TO AUGUST 21, 2014**

**Z-13.** ZONING CASE # Z2014175 (District 7): An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District on Lots 70 and 71, Block 22, NCB 7508 located at 4738 Pettus Street. Staff and Zoning Commission recommend approval.

Councilmember Gallagher moved to continue Items P-6, Z-12, and Z-13 until August 21, 2014. Councilmember Bernal seconded the motion. The motion prevailed by the following vote:

**Aye:** 9 - Mayor Taylor, Bernal, Viagran, Saldaña, Gonzales, Lopez, Nirenberg, Krier and Gallagher

**ADJOURNMENT**

There being no further discussion, Mayor Taylor adjourned the meeting at 2:28 pm.

APPROVED

IVY R. TAYLOR  
MAYOR

ATTEST:

LETICIA M. VACEK, TRMC/MMC  
CITY CLERK