

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



**DRAFT**

**Meeting Minutes**

**City Council A Session**

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

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Thursday, October 15, 2015

9:00 AM

Municipal Plaza Building

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

**PRESENT:** 9 - Mayor Taylor, Treviño, Warrick, Viagran, Lopez, Medina, Nirenberg, Krier and Gallagher

**ABSENT:** 2 - Saldaña and Gonzales

Mrs. Vacek announced that Councilmember Saldaña was absent due to work related obligations and Councilmember Gonzales was absent due to death in the family.

**POINT OF PERSONAL PRIVILEGE**

Councilmember Treviño recognized Fred Chapa from his staff who helped feed a homeless family and paid for them to stay in a hotel out of his personal funds. He commended him for his good deed and great service to the community.

1. The Invocation was delivered by The Very Reverend Tony Vilano, JCL, San Fernando Cathedral, guest of Councilmember Roberto Treviño, District 1.

2. Mayor Taylor led the Pledge of Allegiance to the Flag of the United States of America.
3. Approval of Minutes for the City Council Budget Work Session of September 8, 2015 and the Regular City Council Meetings of September 9 - 10, 2015.

Councilmember Gallagher moved to approve the Minutes for the City Council Budget Work Session of September 8, 2015 and the Regular City Council Meetings of September 9-10, 2015. Councilmember Krier seconded the motion. The motion prevailed by the following vote:

**AYE:** 9 - Mayor Taylor, Treviño, Warrick, Viagran, Lopez, Medina, Nirenberg, Krier and Gallagher

**ABSENT:** 2 - Saldaña and Gonzales

#### **POINTS OF PERSONAL PRIVILEGE**

Mayor Taylor recognized Cyber Security Awareness Month and stated that San Antonio had the second largest cluster of Cyber Security Assets in the country. She noted that they would continue to foster, incentivize, and support the growth of this important industry in San Antonio. She presented a Proclamation to Will Garrett and John Dixon. Mr. Dixon thanked Mayor Taylor for the recognition and stated that they were pleased that San Antonio was a leader in Cyber Security throughout the U.S. He noted that they would continue to focus on Cyber Security as an Economic Development Industry in San Antonio.

Councilmember Krier recognized Congressman Lloyd Doggett and thanked him for his support of the City's Efforts on the Federal Courthouse. Congressman Doggett thanked the City Council for the recognition and stated that he would continue to work on Bipartisan Efforts such as the Federal Courthouse, Direct Air Service, World Heritage, and Alamo Plaza.

Councilmember Viagran invited everyone to attend the World Heritage Events that will be held this weekend to include a Light Event at Mission Concepcion on Friday Evening and Inscription Ceremony at Mission San Jose on Saturday Morning.

**ACTION ITEMS FOR STAFF BRIEFING**

City Clerk Vacek read the caption for Item 4:

**2015-10-15-0866**

4. An Ordinance authorizing the declaration as surplus and conveyance of 19 City owned real property interests, located in City Council District 1 along or near the existing San Pedro Creek, to the San Antonio River Authority. [Lori Houston, Assistant City Manager and Acting Director, Center City Development & Operations]

Lori Houston stated that they were requesting authorization for the declaration as surplus and conveyance of 19 City-Owned Real Property Interests and introduced Suzanne Scott, General Manager of the San Antonio River Authority.

Ms. Suzanne Scott presented a Power Point related to the San Pedro Creek Culture Park. She stated that their mission was to create a world class linear park that represents the cultural identity of the community and inspires the people of Bexar County. She highlighted the connections to Our Lady of the Lake University, San Antonio River, Mission Reach, Downtown, Brackenridge Park, and Missions. She provided background and history of the project and highlighted the design goals that include flood control, economic benefits, and providing a world class experience. She reported that the project included 22 areas of parkland and recreation amenities, 4 miles of paseo trail, a new amphitheater, and 6 new pedestrian bridges.

Ms. Scott spoke of the great amount of community input that had been received on the project and noted that a Project Subcommittee had been created consisting of a variety of community members. She stated that they had held workshops, events, and distributed a survey regarding the project, as well as coordinated with property owners and conducted media outreach. She reported that 70% of the design was complete and provided maps of the area. She stated that the 2013 Preliminary Engineering Report indicated a conceptual cost estimate of \$175 Million; however, after 70% Design Development, the project is estimated to cost \$206.8 Million. She noted that the project would be phased in and that a significant section of the project would be completed in 2018 in time for the City's 300th Year Anniversary. She thanked the City Council for their continued support.

Lori Houston presented a Power Point noting that they were authorizing the declaration as surplus and conveyance of 19 City-Owned Real Property Interests along or near the existing San Pedro Creek, to the San Antonio River Authority for the San Pedro Creek

Improvements Project. She stated that the total value of the property interests was \$4,153,010. She provided maps of the properties and noted that the Planning Commission had recommended approval on June 24, 2015.

Mayor Taylor called upon Mr. Nazirite Ruben Flores Perez to speak.

Mr. Nazirite Ruben Flores Perez addressed the City Council in support of the project that would greatly benefit the City of San Antonio.

Councilmember Treviño stated that this was a great project that would keep moving the city forward. He noted that he had dinner with Mr. Mario Schjetnan, Architect from Mexico City and asked him to come forward to address the City Council. Mr. Schjetnan thanked the City Council for the recognition and stated that he was honored to be in San Antonio. He noted that this was a great project that would attract investments to the city. Councilmember Treviño stated that he appreciated the vision and hard work that had gone into the project thus far and was pleased with the great level of connectivity.

Councilmember Warrick thanked everyone for moving the project forward and stated that he was pleased with the great amount of collaboration. He added that this would be one more reason to bring people to the Downtown Area.

Councilmember Krier expressed his support for the project and asked of the water flow from the creek. Project Engineer Russell Persyn stated that the water flow typically comes from the springs of San Pedro Park. Councilmember Krier asked if the springs were flowing today. Mr. Persyn replied that they flowed in the Spring. Councilmember Krier asked if there was a plan to maintain the flow at a constant level. Mr. Persyn stated that they did have a plan and estimated needing 300 acre-feet per year. Councilmember Krier asked of project maintenance. Mrs. Sculley replied that they were working on an agreement with the San Antonio River Authority to share the cost of maintenance. Mrs. Houston added that a portion of the creek was located within the Public Improvement District (PID) and once the area was more populated; they could possibly expand the PID. She stated that the area was also covered under the Houston Street Tax Increment Reinvestment Zone (TIRZ) and the increment could be used to further economic development or for public improvements. Councilmember Krier asked of additional lighting and security. Mrs. Houston replied that they were working on those issues and had recently hired a Landscape Architect to assist the team on lighting and safety.

Councilmember Viagran expressed support for the project and asked of the connectivity to the recently designated Zona Cultural. Mrs. Houston replied that there were several opportunities for the creek to interact at the Street Level and engage people at the Zona

Cultural. She stated that they would be adding an Amphitheater at the Alameda and that there were opportunities with the property adjacent to the Spanish Governor's Palace and the Continental Hotel Building that would soon be vacant. She added that the Zona Cultural would also provide a branding opportunity and they would work on same with the Architect. Councilmember Viagran stated that it was important to tell the story and links to the Creek.

Councilmember Lopez stated that this was a great project that would be recognizable at the International Level. He noted that there had been a tremendous investment on flood control and economic development that would reap great rewards for the community in the future.

Mayor Taylor added her support and thanked everyone for their work and partnership. She stated that it would be a wonderful asset for the community and looked forward to the completion of the project.

Councilmember Treviño moved to adopt the proposed ordinance for Item 4. Councilmember Warrick seconded the motion. The motion prevailed by the following vote:

**AYE:** 9 - Mayor Taylor, Treviño, Warrick, Viagran, Lopez, Medina, Nirenberg, Krier and Gallagher

**ABSENT:** 2 - Saldaña and Gonzales

### **CONSENT AGENDA ITEMS**

Items 7, 14, 18, and 21 were pulled for Individual Consideration. Councilmember Gallagher moved to approve the remaining Consent Agenda Items. Councilmember Treviño seconded the motion.

Mayor Taylor stated that she would call upon the citizens registered to speak with their corresponding item.

Faris Hodge, Jr. submitted written testimony in favor of Items 7-14, 16-18, and 20-22B.

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

**AYE:** 9 - Mayor Taylor, Treviño, Warrick, Viagran, Lopez, Medina, Nirenberg, Krier and Gallagher

**ABSENT:** 2 - Saldaña and Gonzales

Please note: The Consent Vote was reconsidered (see Page 8).

**ITEMS PULLED FOR INDIVIDUAL CONSIDERATION**

Item 14 was addressed at this time.

City Clerk Vacek read the caption for Item 14:

**2015-10-15-0876**

- 14.** An Ordinance authorizing a Cooperative Agreement with the Texas General Land Office and Alamo Endowment Board, regarding development of a Master Plan for the Alamo Historic District and the Alamo Complex located in Council District 1. [Lori Houston, Assistant City Manager; Director, Center City Development & Operations Department]

Lori Houston presented a Power Point and stated that staff was requesting approval of a Cooperative Agreement between the Texas General Land Office (GLO), Alamo Endowment Board, and the City of San Antonio regarding the Master Plan for the Alamo Historic District and the Alamo Complex located in District 1. She stated that Commissioner Bush had appointed the Board Members of the Alamo Endowment and that the City and GLO had secured funding for the Master Plan Effort. She noted that UNESCO had designated the Five San Antonio Missions as a World Heritage, including The Alamo.

Mrs. Houston provided a map of the Master Plan Area and stated that their goal was to engage local residents and visitors in ways to personally connect to The Alamo Area Experience. She noted that their goal was to tell the in-depth History of The Alamo Area to the present day as a tribute to all who lived, fought, and died there. She highlighted the Guiding Principles that include Unified Leadership under management of a single steward with a sustainable business model. She reported that the Master Plan would be complete in Summer 2016 and that the City, GLO, and Endowment would fund the implementation of the Master Plan.

Becky Denman read a letter of support from Land Commissioner George P. Bush thanking the City of San Antonio for their leadership in the effort to join the Texas General Land Office on the preservation of The Alamo.

Mayor Taylor called upon the citizens registered to speak.

Fidel Castillo (Two Bears) stated that he was the Spiritual Leader of a small tribe of Native Americans on the cusp of extinction and represented millions of Native Americans that suffered genocide. He asked that the State of Texas acknowledge the role that Native Americans played in the fight for Texas Independence.

Lance Aaron addressed the City Council and expressed concern that there was an inaccurate boundary map of the Mission and with the exclusion of key Mission San Antonio Alamo Features and Historic Resources.

Mayor Taylor thanked everyone for their work and stated that she was pleased to have the opportunity to work on a project of this magnitude and scope. She noted that it would have a great impact on the City, State, and Nation. She added that she was excited about the partnership with the General Land Office and the esteemed Community Members participating through the Endowment Board.

Councilmember Treviño thanked everyone for their work thus far and called upon Gene Powell of the Alamo Endowment Board. Mr. Powell stated that they were pleased to work with the City of San Antonio and the General Land Office on this very important project. He noted that the Alamo Endowment Board Members would be responsible for raising money for the project and taking a key role in drafting a World Class Plan. He mentioned that they would be looking to other such Historical Projects throughout the U.S. to bring the brightest and greatest ideas to San Antonio. Councilmember Treviño thanked Mr. Powell and stated that this was one of the most important votes that the City Council would ever take. He stated that he was privileged and honored to be a part of the City Council moving this forward.

Councilmember Krier recognized Commissioner Bush for his support for the project and asked Mr. Powell if they would be able to raise the private money needed to supplement the Governmental Funding. Mr. Powell replied that they had not put a number to the project but would be bringing in the best Planners and Engineers to provide a Scope of Work. He noted that the Board was committed to raising any amount of funding necessary. He added that they were interested in receiving input from everyone and would maintain a log of same.

Councilmember Nirenberg expressed his support and stated that this was a significant day in which they would work together to create a new vision for the most significant historical site in Texas and the U.S. He commended Councilmember Treviño and the many other individuals that have worked on the project thus far.

Councilmember Viagran stated that she appreciated the remarks by Mr. Powell about including input from everyone and thanked everyone for their work thus far. She spoke of the importance of including the entire story of the Mission and World Heritage Site.

Councilmember Lopez stated that they were on a great path moving forward and spoke of the importance of telling an accurate story with a broad based perspective. He thanked everyone for their work thus far.

Councilmember Warrick stated that this was a momentous occasion and was pleased to play a role in it. He commended all of the partners on the project and stated that he looked forward to the new opportunities the project would bring.

Mayor Taylor reiterated the Historic Nature of the day and thanked everyone that has worked hard on the project.

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

**AYE:** 9 - Mayor Taylor, Treviño, Warrick, Viagran, Lopez, Medina, Nirenberg, Krier and Gallagher

**ABSENT:** 2 - Saldaña and Gonzales

#### **RECONSIDERATION OF CONSENT AGENDA ITEMS**

Councilmember Gallagher moved to reconsider the vote on the Consent Agenda Items. Councilmember Lopez seconded the motion. The motion prevailed by the following vote:

**AYE:** 9 - Mayor Taylor, Treviño, Warrick, Viagran, Lopez, Medina, Nirenberg, Krier and Gallagher

**ABSENT:** 2 - Saldaña and Gonzales

Mayor Taylor announced that Councilmember Krier would like to pull Item 13 for Individual Consideration and that Item 18 could be placed back on the Consent Agenda.

#### **CONSENT AGENDA ITEMS**

Councilmember Warrick moved to approve the Consent Agenda Items with the exception of Items 7, 13, 14, and 21. Councilmember Treviño seconded the motion. The motion prevailed by the following vote:



**AYE:** 8 - Mayor Taylor, Treviño, Warrick, Lopez, Medina, Nirenberg, Krier and Gallagher

**ABSENT:** 3 - Viagran, Saldaña and Gonzales

**2015-10-15-0867**

5. An Ordinance authorizing a contract with Xerox Corporation to provide City Departments with leased multi function devices for an estimated cost of \$1,100,000.00 annually, with all expenditures in accordance with the City's adopted budget approved by City Council and no funds encumbered at this time. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

**2015-10-15-0868**

6. An Ordinance authorizing the following contracts establishing unit prices for goods and services for an estimated annual cost of \$2,110,000.00: (A) San Antonio Belting & Pulley Co., Inc. for hydraulic, air, water, fuel, & industrial hose & fittings, (B) Paradigm Traffic Systems, Inc. for type 170E controller assemblies & equipment, (C) Southwest Companies LTD. d/b/a Southwest Wheel and Genuine Parts Company for medium & heavy truck trailer drum & brake parts, (D) Deccan International, Inc. for Deccan computer aided dispatch (CAD) component maintenance and support to include additional software licenses, and (E) US Digital Designs, Inc. for fire station alerting system (FSAS) maintenance & support to include future build-out upgrades and computer aided dispatch (CAD) system component maintenance & support. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Director, Finance]

**2015-10-15-0870**

8. An Ordinance for the Cupples Road Project (Merida Street to Castroville Road) awarding a construction contract in the amount of \$6,313,852.35 to Jordan Foster Construction of which \$1,224,677.00 will be reimbursed by San Antonio Water Systems and \$1,648,422.50 will be reimbursed by CPS Energy, a 2012-2017 Bond-funded project, located in Council District 5. [Peter Zaroni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

**2015-10-15-0871**

9. An Ordinance for the Convention Center Garage Improvements, a FY 2016 Parking Improvement Contingency funded project located in Council District 1, authorizing a task order to a Job Order Contract with Jamail and Smith Construction an amount not to exceed \$259,475.40. [Lori Houston, Assistant City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

**2015-10-15-0872**

- 10.** An Ordinance authorizing the Second Amendment to the River Walk Lease Agreement with Riverton Suites, Ltd., d/b/a Hotel Contessa to extend the lease agreement term through November 31, 2020 and revise the lease rate calculation. [Lori Houston, Assistant City Manager and Acting Director; Center City Development & Operations]
- 11.** Consideration of items related to parking programs at the San Antonio International Airport: [Carlos J. Contreras III, Assistant City Manager; Frank Miller, Director, Aviation]

**2015-10-15-0873**

- 11A.** An Ordinance authorizing a new frequent parking program in the Parking Garage of the San Antonio International Airport.

**2015-10-15-0874**

- 11B.** An Ordinance authorizing the Aviation Director or his designee to set the rate for pilot parking programs for customers for up to 12 months.
- 12.** Consideration of the following Board, Commission and Committee appointments for the remainder of unexpired terms of office to expire May 31, 2017, to be effective immediately upon the receipt of eight affirmative votes, or, in the event eight affirmative votes are not received, ten days after appointment; or for terms and effectiveness as otherwise indicated below: [Leticia M. Vacek, City Clerk]

A) Appointing Melanie A. Tawil (District 7) to the Small Business Advocacy Committee.

B) Reappointing Guadalupe G. Ochoa (District 5) to the San Antonio Public Library Board of Trustees for the remainder of an unexpired term of office to expire September 30, 2016.

**2015-10-15-0877**

- 15.** An Ordinance authorizing the settlement of a lawsuit styled Anthony Ortega, et al v. City of San Antonio, Cause No. 2013-CI-15116 pending in the State District Court, Bexar County in the amount of \$245,000.00 from the Self-Insured Liability Fund. [Martha G. Sepeda, Acting City Attorney]

**2015-10-15-0878**

16. An Ordinance authorizing the execution of a one-year Professional Services Agreement with San Antonio Sports to assist the San Antonio Convention and Visitors Bureau in the solicitation of select amateur regional, national and international sporting events for a total amount not to exceed \$250,000.00. [Lori Houston, Assistant City Manager; Casandra Matej, Director, Convention & Visitors Bureau]

**2015-10-15-0879**

17. An Ordinance authorizing a three-year Professional Services Agreement with The Experience Institute for research services for San Antonio's Tourism and Meeting Industry in a total amount not to exceed \$124,800.00. [Lori Houston, Assistant City Manager; Casandra Matej, Director, Convention & Visitors Bureau]

**2015-10-15-0880**

18. An Ordinance approving the proposed FY 2016 Budget, and Amended and Restated Bylaws for the San Antonio Economic Development Corporation. [Lori Houston, Assistant City Manager; Rene Dominguez, Director, Economic Development]

**2015-10-15-0881**

19. Public Hearing and an Ordinance approving amendments to the Houston Street Tax Increment Reinvestment Zone #9 (TIRZ) Project and Finance Plans, to include participation in the TIRZ by the City of San Antonio and Bexar County, funding by the TIRZ of City and Bexar County Projects within the TIRZ, boundary and term extension of the TIRZ and authorizing the execution of an Interlocal Agreement with Bexar County. [Peter Zanoni, Deputy City Manager, John Dugan, Director, Planning and Community Development]

**2015-10-15-0882**

20. An Ordinance authorizing the voluntary annexation of approximately 36.123 acres on County Block 2915, located at 5710 East Evans Road, as requested by Fair Oaks Mosaic TBY, LLC. [Peter Zanoni, Deputy City Manager, John Dugan, Director, Planning and Community Development]
22. Consideration of the following in connection with the refinancing of certain Industrial Development Authority bonds: [Ben Gorzell, Jr., Chief Financial Officer; Troy Elliott, Director of Finance]

The City Council of the City of San Antonio recessed and convened as the Board of Directors of

the City of San Antonio, Industrial Development Authority to consider the following:

**IDA 2015-10-15-0001R**

- 22A.** A Resolution authorizing the issuance of \$7,300,000 “City of San Antonio Industrial Development Authority Tax-Exempt Revenue Refunding Bonds (Tindall Corporation Refunding Project), Series 2015A”, and \$1,300,000 “City of San Antonio Industrial Development Authority Taxable Revenue Refunding Bonds (Tindall Corporation Refunding Project), Series 2015B” to refund certain outstanding bonds issued in 2008 to finance a manufacturing facility located in the City of San Antonio for the Tindall Corporation (a South Carolina Corporation); authorizing the execution of a Loan Agreement and an Indenture of Trust; authorizing the redemption of such outstanding bonds; and approving other matters in connection therewith.

The Board of Directors of the City of San Antonio, Texas Industrial Development Authority adjourned and reconvened the City Council of the City of San Antonio to consider the following:

**2015-10-15-0057R**

- 22B.** A Resolution approving the issuance of \$7,300,000 “Tax-Exempt Revenue Refunding Bonds (Tindall Corporation Refunding Project), Series 2015A”, and \$1,300,000 “Taxable Revenue Refunding Bonds (Tindall Corporation Refunding Project), Series 2015B” by the City of San Antonio Industrial Development Authority for the Tindall Corporation, a South Carolina Corporation, and approving other matters related thereto.

**CONSENT ITEMS CONCLUDED**

**ITEMS PULLED FOR INDIVIDUAL CONSIDERATION (CONT.)**

City Clerk Vacek read the caption for Item 7:

**2015-10-15-0869**

- 7.** An Ordinance in partnership with Bexar County for the Menger Creek Drainage Project awarding a construction contract including ten additive alternates to EZ-Bel Construction, LLC. in the amount of \$7,407,861.70, of which \$845,751.00 will be reimbursed by San Antonio Water Systems and \$49,905.00 will be reimbursed by CPS Energy, and amending the interlocal agreement with Bexar County to accept \$2,800,000.00 from the Bexar County Flood Control Program, a 2012-2017 Bond-funded Project, located in Council District 2. [Peter Zaroni, Deputy City

Manager; Mike Frisbie, Director Transportation and Capital Improvements]

Councilmember Warrick highlighted the benefits and asked for a brief presentation. Mike Frisbie stated that the project was part of the 2012 Bond Program that began as a Drainage Project. He noted that they had coordinated with Bexar County on a more holistic approach and they would be contributing \$2.8 Million. He stated that the funds would be used to create park amenities and remove 50 homes from the floodplain. Councilmember Warrick asked if the Agricultural Features would be included. Mr. Frisbie replied that they were not a part of the project at this time but could be included in the adjacent property that Bexar County was exploring. Councilmember Warrick recognized Mayor Taylor for her efforts in moving the project forward.

Mayor Taylor thanked Councilmember Warrick for his work and stated that it was an exciting unexpected development that would make a great impact on the community.

Councilmember Warrick moved to adopt the proposed Ordinance for Item 7. Councilmember Medina seconded the motion. The motion prevailed by the following vote:

**AYE:** 9 - Mayor Taylor, Treviño, Warrick, Viagran, Lopez, Medina, Nirenberg, Krier and Gallagher

**ABSENT:** 2 - Saldaña and Gonzales

City Clerk Vacek read the caption for Item 13:

**2015-10-15-0875**

- 13.** An Ordinance amending the adopted Fiscal Year 2016 General Fund Budget and increasing appropriations in several city departments. (Maria Villagomez, Assistant City Manager; Chad Tustison, Interim Budget Director)

Councilmember Krier asked for a summary of said action. Ms. Maria Villagomez stated that City Council had adopted the Fiscal Year (FY) 2016 Budget on September 10, 2015 and that the adoption of the Budget Amendments had been deferred due to the negotiation of the Collective Bargaining Agreement with the Police Union. She noted that since negotiations had halted as of September 30, 2015; they were bringing the Budget Amendments for approval at this time. She added that there were 28 expenditure amendments to the General Fund Budget totaling \$3.7 Million based on input received from the City Council. Councilmember Krier asked how the funds would have been utilized. Mrs. Sculley replied that they had been reserved for Lump Sum Payments for Police Wages but the Collective Bargaining Agreement had not been finalized. She stated that they had also received more revenue than estimated from CPS Energy. Councilmember Krier asked

of the loss of savings for taxpayers of not having an Agreement to adjust Healthcare Benefits. Mrs. Sculley replied that she did not have that information but would provide it to the City Council. Councilmember Krier asked if the increase in property tax base due to Annexation would fund additional Police and Fire Personnel in future years. Mrs. Sculley confirmed that it would and that annexing the five proposed areas would have a net positive impact to the City.

Councilmember Lopez asked if the Budget Amendments would change the 65.8% of the Budget allocated for Public Safety. Mrs. Sculley replied that the Budget would remain below 66% of the General Fund for Police and Fire. Councilmember Lopez asked why the approval of the Budget Amendments was delayed for a month. Mrs. Sculley stated that they were hopeful that they would have reached an agreement and may have needed some of the funding to settle the contract. She added that by not approving the contract; they have increased slightly above the 66% General Fund allocation due to the increased cost of healthcare. Councilmember Lopez stated that they must do what is best for the community and would like to remove some of the roadblocks keeping them from negotiating a contract.

Councilmember Warrick stated that not having a stable understanding of the Benefits Package could be a direct correlation to issues with recruiting new Police Officers. He noted that it was important to grow the force, especially when looking toward considerations of Annexation. He highlighted various programs that would be funded through the Budget Amendments to include My Brother's Keeper, EastPoint Childcare, and the Wheatley Heights Sports Complex.

Mayor Taylor stated that she would like to finalize the Collective Bargaining Negotiations and was hopeful that could be accomplished.

Councilmember Krier moved to adopt the proposed Ordinance for Item 13. Councilmember Gallagher seconded the motion. The motion prevailed by the following vote:

**AYE:** 9 - Mayor Taylor, Treviño, Warrick, Viagran, Lopez, Medina, Nirenberg, Krier and Gallagher

**ABSENT:** 2 - Saldaña and Gonzales

City Clerk Vacek read the caption for Item 21:

**CONTINUED UNTIL APRIL 14, 2016**

**21.** A Resolution to proceed with landmark designation for 1201 S Flores located in Council District 1. [Lori Houston, Assistant City Manager; Shanon Shea Miller,

Director, Office of Historic Preservation]

Councilmember Treviño stated that he had spoken with the property owners and they requested a continuance.

Councilmember Treviño moved to continue Item 21 until April 14, 2016. Councilmember Krier seconded the motion. The motion prevailed by the following vote:

**AYE:** 8 - Mayor Taylor, Treviño, Warrick, Viagran, Lopez, Medina, Krier and Gallagher

**ABSENT:** 3 - Saldaña, Gonzales and Nirenberg

### **CITY MANAGER'S REPORT**

23. A. Solid Waste Department Update  
B. Center City Development Update

A. City Manager Sculley provided an update on the Solid Waste Variable Rate Pricing Program that was implemented this month across all 10 City Council Districts to approximately 30,000 residents. She stated that the Pay as You Throw Program was one of the initiatives in the City Council Approved Recycling Plan that will help reach the 60% Residential Recycling Rate by 2025. She reported that today; the City's Recycling Rate was 31%. She noted that with Pay as You Throw, residents would have the opportunity to choose between three brown carts; a small 48-gallon cart, a medium 64-gallon cart, or a large 96-gallon cart. She noted that the Monthly Solid Waste Fee would be based solely upon the size of the Brown Cart. She added that as part of the program, residents would be offered a Green Organics Recycling Cart at no charge. She stated that residents that did not want the Green Cart could opt out of the program. She indicated that residents would receive several forms of educational materials to better understand the programs over the next 18 months. She mentioned that all educational materials would be provided in both English and Spanish. She added that the program would be implemented in phases and that the program would be completely rolled out by Spring 2017.

B. Mrs. Sculley reported that on December 3, 2013, the City of San Antonio in partnership with private property owners launched the OPEN Downtown Pop Up Shop Retail Program to activate vacant storefronts by offering retailers a short-term no-cost lease during the Holiday Season. She stated that since its inception; the program has temporarily activated 14 vacant storefronts with over 60 local vendors. She noted that the program has been successful in creating activity and engaging the community along Houston Street and in St.

Paul Square. She stated that cities around the nation had inquired about the program to implement in their Center City. She reported that this Summer, the program was expanded to City-Owned Spaces in an effort to further reduce retail vacancies in the Downtown Area. She noted that the OPEN Program has two active Pop-Up Tenants operating under 90-Day Temporary Leases – Eye Candy Boutique and Kandi Factory. She stated that they would continue expansion of the program during the Holiday Season with additional Pop-Up Shops at La Villita, Houston Street, Travis Street, and other potential locations.

Mrs. Sculley also reported that Hemisfair celebrated the Grand Opening of Yanaguana Garden earlier in the month with a weekend-long schedule of activities. She stated that Yanaguana Garden features 4.1 acres of active play environment designed for all ages and ability levels. She noted that it was designed by Susan Goldsman of MIG, and featured water play, sand play, climbing structures, swings, and an infant play area. She indicated that Hemisfair served a dual purpose to provide education and recreation opportunities to the community. She reported that 22,000 people attended the Grand Opening Weekend Celebration which was free to the public. She noted that Hemisfair would soon feature five permanent tenants including a Coffee Shop, Paeteria, Local Brewery, Café, and B-Cycle. She added that the next phase of development at Hemisfair would be a Civic Park that would replace the Western Edge of the Convention Center.

### **RECESSED**

Mayor Taylor recessed the meeting at 11:27 am and announced that the meeting would resume at 2:00 pm for Zoning.

### **RECONVENED**

Mayor Pro Tem Krier reconvened the meeting at 2:25 pm and presided in the absence of Mayor Taylor who was attending a CPS Energy Board Meeting. He addressed the Consent Zoning Items.

### **CONSENT ZONING ITEMS**

Zoning Items Z-1, Z-2, P-2, Z-4, Z-6, Z-11, P-5, and Z-13 were pulled for Individual Consideration. Councilmember Lopez moved to approve the remaining Consent Zoning Items. Councilmember Gallagher seconded the motion.

Mayor Pro Tem Krier announced that there were no citizens registered to speak on Consent Agenda Items.

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



vote:

**AYE:** 8 - Treviño, Warrick, Viagran, Lopez, Medina, Nirenberg, Krier and Gallagher

**ABSENT:** 3 - Mayor Taylor, Saldaña and Gonzales

**2015-10-15-0883**

**P-1.** PLAN AMENDMENT # 15071 (Council District 3): 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 future land use of approximately 283.27 acres of land out of CB 4006, located in the 16700 Block of South US Highway 281, from "County Tier" to "Suburban Tier". Staff and Planning Commission recommend Approval. (Associated Zoning Case Z2015254)

**2015-10-15-0884**

**Z-3.** ZONING CASE # Z2015254 (Council District 3): An Ordinance amending the Zoning District Boundary from "FR" Farm and Ranch District to "R-5" Residential Single-Family District on 283.27 acres of land out of CB 4006 located in the 16700 Block of South US Highway 281. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment 15071)

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: 283.27 ACRES OF LAND OUT OF CB 4006 TO WIT: FROM "FR" FARM AND RANCH DISTRICT TO "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT.

**2015-10-15-0887**

**Z-5.** ZONING CASE # Z2015275 (Council District 3): An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District and "C-3 AHOD " General Commercial Airport Hazard Overlay District to "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District on approximately 41.693 acres out of NCB 11166 located on a portion of the 12000 Block of Highway 281 South and 1200 Block of Mission Grande. 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: 41.693 ACRES OUT OF NCB 11166 TO WIT: FROM "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT AND "C-3 AHOD" GENERAL COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT TO "R-4 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT.

**2015-10-15-0889**

**Z-7.** ZONING CASE # Z2015262 (Council District 4): An Ordinance amending the Zoning District Boundary from "UD AHOD" Urban Development Airport Hazard Overlay District to "R-3 AHOD" Single-Family Residential Airport Hazard Overlay District on 0.204 acres of land out of NCB 14552 and "R-4 AHOD" Single-Family Residential Airport Hazard Overlay District on 16.725 acres of land out of NCB 14552, generally located South of Loop 410 on State Highway 16 South. 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: 16.929 ACRES OUT OF NCB 14552 TO WIT: FROM "UD AHOD" URBAN DEVELOPMENT AIRPORT HAZARD OVERLAY DISTRICT TO "R-3 AHOD" SINGLE-FAMILY RESIDENTIAL AIRPORT HAZARD OVERLAY DISTRICT ON 0.204 ACRES OF LAND OUT OF NCB 14552 AND "R-4 AHOD" SINGLE-FAMILY RESIDENTIAL AIRPORT HAZARD OVERLAY DISTRICT ON 16.725 ACRES OF LAND OUT OF NCB 14552 ON 16.929 ACRES OUT OF NCB 14552.

**2015-10-15-0890**

**Z-8.** ZONING CASE # Z2015276 S (Council District 6): An Ordinance amending the Zoning District Boundary from "C-2" Commercial District to "C-2 S" Commercial District with Specific Use Authorization for a Convenience Store with Carwash and Gasoline on Lot 54, Block 179, NCB 18296, located at 13323 Culebra Road. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 54, BLOCK 179, NCB 18296 TO WIT: FROM "C-2" COMMERCIAL DISTRICT TO "C2-S" COMMERCIAL DISTRICT WITH SPECIFIC USE AUTHORIZATION FOR A CONVENIENCE STORE WITH CAR WASH AND GASOLINE.

**2015-10-15-0891**

- Z-9.** ZONING CASE # Z2015278 (Council District 6): An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District on Lot 18, Block 2, NCB 15587, located at 7011 West Plaza. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 18, BLOCK 2, NCB 15587 TO WIT: FROM "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "C-2NA AHOD" COMMERCIAL NONALCOHOLIC SALES AIRPORT HAZARD OVERLAY DISTRICT.

**2015-10-15-0892**

- Z-10.** ZONING CASE # Z2015280 (Council District 6): An Ordinance amending the Zoning District Boundary from "C-1 GC-2 AHOD" Light Commercial Highway 151 Gateway Corridor Airport Hazard Overlay District to "C-2 GC-2 AHOD" Commercial Highway 151 Gateway Corridor Airport Hazard Overlay District on Lot 27, Block 48, NCB 15382 located at 8303 West Military Drive. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 2.191 ACRES OF LAND OUT OF NCB 15382 TO WIT: FROM "C-1 GC-2 AHOD" LIGHT COMMERCIAL HIGHWAY 151 GATEWAY CORRIDOR AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 GC-2 AHOD" COMMERCIAL HIGHWAY 151 GATEWAY CORRIDOR AIRPORT HAZARD OVERLAY DISTRICT.

**2015-10-15-0894**

- P-3.** PLAN AMENDMENT # 15069 (Council District 9/ ETJ): An 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 approximately 18.977 acres out of CB 4926 located in the 25500 Block of Overlook Parkway, from "Suburban Tier" to "General Urban Tier." Staff and Planning Commission recommend Approval. (No Associated Zoning Case)

**2015-10-15-0895**

**P-4.** PLAN AMENDMENT #15021 (Council 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 approximately 15.531 acres of land out of NCB 14945 generally located at the Southwest corner of the intersection of Thousand Oaks Drive and Wurzbach Parkway from "Mixed Use" to "High Density Residential" and "Regional Commercial". Staff and Planning Commission recommend Approval. (Associated Zoning Case Z2015095) (Continued from September 3, 2015)

**2015-10-15-0896**

**Z-12.** ZONING CASE # Z2015095 (Council District 10): An Ordinance amending the Zoning District Boundary from "I-2 S AHOD" Heavy Industrial Airport Hazard Overlay District with a Specific Use Authorization for a Quarry to "MF-33 AHOD" Multi-Family Airport Hazard Overlay District on 13.007 acres out of NCB 14945 and "C-3 AHOD" General Commercial Airport Hazard Overlay District on 2.524 acres out of NCB 14945 located on a portion of the 5300 Block of Thousand Oaks Boulevard. Staff and Zoning Commission recommend approval pending Plan Amendment. (Associated Plan Amendment 15021) (Continued from September 3, 2015)

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: 15.531 ACRES OUT OF NCB 14945 TO WIT: FROM "I-2 S AHOD" HEAVY INDUSTRIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A QUARRY TO "MF-33 AHOD" MULTI-FAMILY AIRPORT HAZARD OVERLAY DISTRICT ON 13.007 ACRES AND "C-3 AHOD" GENERAL COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT ON 2.524 ACRES.

**2015-10-15-0899**

**P-6.** PLAN AMENDMENT # 15068 (Council District 10/ETJ): An 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 approximately 35.739 acres out of CB 4864, generally located in the 27100 Block of North US Highway 281 from "Suburban Tier" to "General Urban Tier." Staff and Planning Commission recommend Approval. (No Associated Zoning Case)

**CONSENT ZONING CONCLUDED**

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**ZONING ITEMS PULLED FOR INDIVIDUAL CONSIDERATION****DENIED**

**Z-1.** ZONING CASE # Z2015261 CD (Council District 2): An Ordinance amending the Zoning District Boundary from "R-6 H AHOD" Residential Single-Family Government Hill Historic Airport Hazard Overlay District to "R-6 CD H AHOD" Residential Single-Family Government Hill Historic Airport Hazard Overlay District with Conditional Use for Four (4) Dwelling Units on 0.2032 acres out of NCB 1264, located at 630 East Carson Street. Staff recommends Approval. Zoning Commission recommends Denial.

John Jacks presented Item Z-1 and stated that staff recommended approval and the Zoning Commission recommended denial. He reported that of 26 notices mailed; none were received in favor and 21 were returned in opposition. He noted that the Government Hill Neighborhood Association was opposed to the request. He added that due to the amount of opposition; the case would require nine votes for approval.

Mayor Pro Tem Krier called upon the citizens registered to speak.

Cyndi Tower stated that she was a resident of Government Hill and opposed to the request. She indicated that growth should occur at major intersections as identified in the Master Plan.

Steven Cross stated that he owned a business near the property in question and expressed concern with Spot Zoning. He further noted concerns with the loss of homes in Government Hill due to Commercial Encroachment.

Raymundo Rivera stated that he was opposed to the zoning request and that they should uphold the Master Plan. He noted that the Government Hill Alliance, Zoning Commission, and a number of residents were also opposed to the request.

JoAnn Murillo stated that she served on the Board of the Government Hill Neighborhood Association and was opposed to the request. She requested that the Master Plan be honored and that the property revert back to a Single Family Home.

Rose Hill, President of the Government Hill Alliance, addressed the City Council in opposition to the request. She requested assistance from the City Council with regard to their Master Plan

Don Shin, Applicant, addressed the City Council and stated that he purchased the property as an investment and was not aware of the Master Plan. He noted that there was confusion about how long the property had been vacant and had attempted to clean up the property. He stated that he hoped to add affordable housing to the area which was greatly needed.

Councilmember Warrick asked of the responses received from property owners within 200 feet. Mr. Jacks replied that 26 notices were mailed with 21 being returned in opposition. He stated that no notices were returned in favor and that the Government Hill Neighborhood Association was opposed. Councilmember Warrick stated that although their goal was to reduce the number of vacant homes; they felt the property should remain a Single-Family Residence.

Councilmember Warrick moved to deny Item Z-1. Councilmember Treviño seconded the motion. The motion to deny prevailed by the following vote:

**AYE:** 8 - Treviño, Warrick, Viagran, Lopez, Medina, Nirenberg, Krier and Gallagher

**ABSENT:** 3 - Mayor Taylor, Saldaña and Gonzales

**CONTINUED UNTIL NOVEMBER 19, 2015**

**Z-2.** ZONING CASE # Z2015227 (Council District 2): An Ordinance amending the Zoning District Boundary from "RM-4 H AHOD" Residential Mixed Dignowity Hill Historic Airport Hazard Overlay District to "IDZ H AHOD" Infill Development Zone Dignowity Hill Historic Airport Hazard Overlay District for four (4) single-family residential units on 0.185 acres out of NCB 568, located at 532 Dawson Street and 417 North Mesquite Street. Staff and Zoning Commission recommend Approval.

John Jacks presented Item Z-2 and stated that staff and the Zoning Commission recommended approval. He reported that of 35 notices mailed; none were returned in favor or in opposition. He added that the Dignowity Hill Neighborhood Association was opposed to the request.

Councilmember Warrick moved to continue Item Z-2 until November 19, 2015. Councilmember Treviño seconded the motion. The motion prevailed by the following vote:

**AYE:** 8 - Treviño, Warrick, Viagran, Lopez, Medina, Nirenberg, Krier and Gallagher

**ABSENT:** 3 - Mayor Taylor, Saldaña and Gonzales

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

**2015-10-15-0885**

**P-2.** PLAN AMENDMENT # 15077 (Council 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 6.094 acres of land out of NCB 3975, located in the 200 Block of East Mitchell Street, from "Parks/Open Space" to "High Density Residential." Staff and Planning Commission recommend Approval. (Associated Zoning Case Z2015273)

**2015-10-15-0886**

**Z-4.** ZONING CASE # Z2015273 (Council District 3): An Ordinance amending the Zoning District Boundary from "R-6 H RIO-4 MPOD-1 AHOD" Residential Single-Family Mission Historic River Improvement Overlay Mission Concepción Protection Overlay Airport Hazard Overlay District, "C-2 H RIO-4 MPOD-1 AHOD" Commercial Mission Historic River Improvement Overlay Mission Concepción Protection Overlay Airport Hazard Overlay District and "R-6 H MPOD-1 AHOD" Residential Single-Family Mission Historic Mission Concepción Protection Overlay Airport Hazard Overlay District to "MF-33 H RIO-4 MPOD-1 AHOD" Multi-Family Mission Historic River Improvement Overlay Mission Concepción Protection Overlay Airport Hazard Overlay District on 5.4552 acres of land out of NCB 3975 and "MF-33 H MPOD-1 AHOD" Multi-Family Mission Historic Mission Concepción Protection Overlay Airport Hazard Overlay on 0.6388 acres of land out of NCB 3975 located in the 200 Block of East Mitchell Street. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment 15077)

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: 6.094 ACRES OF LAND OUT OF NCB 3975 TO WIT: FROM A REQUEST FOR A CHANGE IN ZONING FROM "R-6 H RIO-4 MPOD-1 AHOD" RESIDENTIAL SINGLE-FAMILY MISSION HISTORIC RIVER IMPROVEMENT OVERLAY CONCEPCIÓN MISSION PROTECTION OVERLAY AIRPORT HAZARD OVERLAY DISTRICT AND "C-2 H RIO-4 MPOD-1 AHOD" COMMERCIAL MISSION HISTORIC RIVER IMPROVEMENT OVERLAY CONCEPCIÓN MISSION PROTECTION OVERLAY AIRPORT HAZARD OVERLAY DISTRICT AND "R-6 H MPOD-1 AHOD," RESIDENTIAL SINGLE-FAMILY MISSION HISTORIC CONCEPCIÓN MISSION PROTECTION OVERLAY AIRPORT

HAZARD OVERLAY DISTRICT TO "MF-33 H RIO-4 MPOD-1 AHOD"  
MULTI-FAMILY MISSION HISTORIC RIVER IMPROVEMENT OVERLAY  
CONCEPCIÓN MISSION PROTECTION OVERLAY AIRPORT HAZARD OVERLAY  
DISTRICT (ON 5.4552 ACRES) AND "MF-33 H MPOD-1 AHOD" MULTI-FAMILY  
MISSION HISTORIC CONCEPCIÓN MISSION PROTECTION OVERLAY AIRPORT  
HAZARD OVERLAY DISTRICT (ON 0.6388 ACRES).

John Jacks presented Item P-2 and stated that it would amend the future land use contained in the South Central San Antonio Community Plan. He noted that staff and the Planning Commission recommended approval.

For Item Z-4, he stated that staff and the Zoning Commission recommended approval. He reported that of 47 notices mailed; two were returned in favor and none were received in opposition.

Mayor Pro Tem Krier called upon the citizens registered to speak.

Theresa Ybanez addressed the City Council in opposition to the request. She stated that it was not an appropriate development next to the Missions and expressed concern that the residents had not been better informed.

Margaret Johnson stated that she was representing the Alliance for the San Antonio Missions in opposition to the request. She noted that they welcomed the increase and attention due to the recent UNESCO World Heritage Designation; however, they had a responsibility to preserve the heritage for everyone. She requested that additional dialogue and information be shared with the community.

Brady Alexander stated that they were concerned about inappropriate structures around Mission Concepcion. He expressed concern that positive steps being taken at The Alamo were being countered by negative steps at this equally important site.

Vincent Huizar stated that his family had been here for 244 years and that his Great-Grandfather had laid the cornerstone for Mission San Jose in 1768. He expressed support for the zoning request for apartments and stated that the development was allowed within the Master Plan.

Al Arreola, Jr., CEO of the South San Antonio Chamber of Commerce, addressed the City Council in support of the zoning request. He stated that many of their members had participated in the Stakeholder Process that explored the idea of World Heritage Designation and that the Development had been determined as an appropriate Land Use.



Edward Huizar stated that he was a Seventh Generation San Antonian and that his ancestors had lived, baptized, shed blood, and died on the land in question. He expressed support for the zoning request noting that the improvements were greatly needed.

Andres Holliday expressed support for the zoning request that had been approved by the Zoning Commission. He spoke of the importance of the South Side as an Economic Generator and stated that it was important for development to occur in the area.

Ben Saenz addressed the City Council in opposition to the zoning request. He stated that many individuals had already been forced out of the area and did not want that to occur again due to the requested development.

Victor Miramontes stated that he had been very active in the South Side Community and that the zoning request had been initiated by the Archdiocese through an extensive process. He noted that Father David Garcia had submitted a letter of support and that the project was needed to revitalize and preserve the heritage of the South Side.

Maria Rosales stated that she lived across the street from Mission Concepcion and was in support of the zoning request. She expressed concern that the area had been deteriorating for the last six years and felt that the project would improve the neighborhood.

Councilmember Viagran stated that the conversation on the project had been lengthy and thorough over the past two years. She noted that there had been a great amount of consideration and input from the surrounding residents and Parish Members of Mission Concepcion. She called upon Daniel Ortiz, Representative for the Applicant and asked of the changes that had been made to the preliminary site plan. Mr. Daniel Ortiz stated that the Archdiocese was the property owner and would continue as same through a Ground Lease with the Developers. He noted that they were requesting to re-zone six acres to complement the existing five acres owned by the Archdiocese. He stated that they had vetted the project through two hearings with the Historic Design and Review Commission (HDRC), as well as hearings with the Planning and Zoning Commissions. He indicated that that if the case was approved; they would not remove any of the overlays that exist on the property. Michael Waybrock added that they had revised the Site Plan six times before approval by the Office of Historic Preservation. He noted that the changes were based on input from the Stakeholders, World Heritage Community, Neighborhood, Office of Historic Preservation, and Councilmember Viagran. He added that they would utilize a Courtyard Architecture Style that would be unique to San Antonio. Councilmember Viagran confirmed that meetings were held to ensure there was not a negative impact to the World Heritage Designation. Mr. Waybrock confirmed that they met with the World Heritage

Committee and the UNESCO Inspector.

Councilmember Viagran asked of the Restrictive Covenants. Mr. Ortiz replied that they had been provided information from an adjacent resident referencing two Restrictive Covenants; one was in connection with the transfer of the property to the Archdiocese from the State dating 1841 and the other was a more recent document dated in 2006. He explained that they were not sure if they were valid or binding and that the City would not be able to enforce the Restrictive Covenants that were private documents. He added that there was nothing in the document that stated that the Archdiocese could not develop the property in a way that creates a gain for them to sustain the church in its religious purposes on a different part of the property. Councilmember Viagran asked of the Mission Protection Overlay. Mrs. Shanon Miller replied that the Mission Protection Overlay was a height restriction based on the distance that a building is from the point in front of each of the Missions. She noted that it did not have anything to do with the use of the property and that the development would have to comply with the Mission Protection Overlay.

Councilmember Viagran spoke of the Commemoration Activities that would be occurring over the weekend regarding the UNESCO World Heritage Designation. She stated that the Missions were a jewel that must be protected and preserved and that development surrounding them would have to be evaluated and vetted to ensure respect for the World Heritage Designation. She noted that the development would enhance the neighborhood and submitted letters of support from Father David Garcia, Administrator of Mission Concepcion; Candie Beltran; San Antonio Conservation Society; and Henry G. Cisneros representing City View. She also submitted signatures from 30 community members from the area surrounding St. John's Seminary in support of the zoning request.

Councilmember Viagran moved to adopt the proposed Ordinances for Items P-2 and Z-4. Councilmember Gallagher seconded the motion. The motion prevailed by the following vote:

**AYE:** 8 - Treviño, Warrick, Viagran, Lopez, Medina, Nirenberg, Krier and Gallagher

**ABSENT:** 3 - Mayor Taylor, Saldaña and Gonzales

#### **2015-10-15-0888**

**Z-6.** ZONING CASE # Z2015277 CD (Council District 3): An Ordinance amending the Zoning District Boundary from "C-1" Light Commercial District to "C-1 CD" Light Commercial District with Conditional Use for Auto Sales on Lot 22 and 23, NCB 10849, located at 2812 and 2814 South W.W. White Road. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 22 AND 23, NCB 10849 TO WIT: FROM "C-1" LIGHT COMMERCIAL DISTRICT TO "C-1 CD" LIGHT COMMERCIAL DISTRICT WITH CONDITIONAL USE FOR AUTO SALES.

John Jacks presented Item Z-6 and stated that staff and the Zoning Commission recommended approval with the following conditions: 1) Hours of Operation shall be limited to 7:00 am to 7:00 pm, Monday through Friday and 7:00 am to 4:00 pm, Saturday; 2) Downward lighting shall be pointed away from surrounding uses; 3) No outdoor speaker or amplification systems shall be permitted; and 4) Solid Screen Fence will be provided adjacent to the residential use to the east. He reported that of 18 notices mailed; none were returned in favor and one was received in opposition. He added that the Southeast Side Neighborhood Association was in support of the request.

Councilmember Viagran moved to approve Item Z-6 with a Conditional Use for Auto Sales with the four conditions read by Mr. Jacks. Councilmember Warrick seconded the motion. The motion prevailed by the following vote:

**AYE:** 7 - Treviño, Warrick, Viagran, Lopez, Nirenberg, Krier and Gallagher

**ABSENT:** 4 - Mayor Taylor, Saldaña, Gonzales and Medina

Items P-5 and Z-13 were addressed jointly.

**2015-10-15-0897**

**P-5.** PLAN AMENDMENT # 15049 (Council District 10/ETJ): An 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 36.123 acres out of CB 4915 and CB 4917 generally located in the 5710 Block of East Evans Road from "Country Tier" to "Suburban Tier." Staff and Planning Commission recommend Approval. (Associated Zoning Case Z2015200 ERZD)

**2015-10-15-0898**

**Z-13.** ZONING CASE # Z2015200 ERZD (Council District 10): An Ordinance adopting the Zoning District Boundary "PUD R-6 AHOD ERZD" Planned Unit Development Residential Single-Family Airport Hazard Overlay Edwards Recharge Zone District for newly annexed property on 36.123 acres of land out of CB 4915 and CB 4917 located at 5710 East Evans Road. Staff and Zoning Commission recommend

Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 36.123 ACRES OF LAND OUT OF CB 4915 AND CB 4917 TO WIT: FROM "OCL" OUTSIDE CITY LIMIT TO "PUD R-6 AHOD ERZD" PLANNED UNIT DEVELOPMENT RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY EDWARDS RECHARGE ZONE DISTRICT.

John Jacks presented Item P-5 and stated that it would amend the future Land Use Plan contained in the North Sector Plan. He noted that staff and the Planning Commission recommended approval.

For Item Z-13, he stated that staff and the Zoning Recommended approval. He reported that of 11 notices mailed; three were returned in favor and none were received in opposition.

Councilmember Gallagher moved to adopt the proposed Ordinances for Items P-5 and Z-13. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

**AYE:** 8 - Treviño, Warrick, Viagran, Lopez, Medina, Nirenberg, Krier and Gallagher

**ABSENT:** 3 - Mayor Taylor, Saldaña and Gonzales

Item Z-11 was addressed at this time.

#### **2015-10-15-0893**

**Z-11.** ZONING CASE # Z2015114 (Council District 8): An Ordinance amending the Zoning District Boundary from "R-20 MSAO-1 MLOD-1" Residential Single-Family Military Sound Attenuation Military Lighting Overlay District, "O-1 MSAO-1 MLOD-1" Office Military Sound Attenuation Military Lighting Overlay District, "O-1 GC-1 MSAO-1 MLOD-1" Office Hill Country Gateway Corridor Military Sound Attenuation Military Lighting Overlay District, "C-2 CD MSAO-1 MLOD-1" Commercial Military Sound Attenuation Military Lighting Overlay District with a Conditional Use for Office Warehouse and "C-2 CD GC-1 MSAO-1 MLOD" Commercial Hill Country Gateway Corridor Military Sound Attenuation Military Lighting Overlay District with a Conditional Use for Office Warehouse to "MF-18 MSAO-1 MLOD-1" Limited Density Multi-Family Military Sound

Attenuation Military Lighting Overlay District and "MF-18 GC-1 MSAO-1 MLOD-1" Limited Density Multi-Family Hill Country Gateway Corridor Military Sound Attenuation Military Lighting Overlay District on approximately 14.152 acres out of NCB 35733 located at the 7000-7100 Block of Oak Drive. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 14.152 ACRES OUT OF NCB 35733 TO WIT: FROM "R-20 MSAO-1 MLOD-1" RESIDENTIAL SINGLE-FAMILY MILITARY SOUND ATTENUATION MILITARY LIGHTING OVERLAY DISTRICT, "O-1 MSAO-1 MLOD-1" OFFICE MILITARY SOUND ATTENUATION MILITARY LIGHTING OVERLAY DISTRICT, "O-1 GC-1 MSAO-1 MLOD-1" OFFICE HILL COUNTRY GATEWAY CORRIDOR MILITARY SOUND ATTENUATION MILITARY LIGHTING OVERLAY DISTRICT,"C-2 CD MSAO-1 MLOD-1" COMMERCIAL MILITARY SOUND ATTENUATION MILITARY LIGHTING OVERLAY DISTRICT WITH A CONDITIONAL USE FOR OFFICE WAREHOUSE AND "C-2 CD GC-1 MSAO-1 MLOD" COMMERCIAL HILL COUNTRY GATEWAY CORRIDOR MILITARY SOUND ATTENUATION MILITARY LIGHTING OVERLAY DISTRICT WITH A CONDITIONAL USE FOR OFFICE WAREHOUSE TO "MF-18 MSAO-1 MLOD-1" LIMITED DENSITY MULTI-FAMILY MILITARY SOUND ATTENUATION MILITARY LIGHTING OVERLAY DISTRICT AND "MF-18 GC-1 MSAO-1 MLOD-1" LIMITED DENSITY MULTI-FAMILY HILL COUNTRY GATEWAY CORRIDOR MILITARY SOUND ATTENUATION MILITARY LIGHTING OVERLAY DISTRICT.

John Jacks presented Item Z-11 and stated that staff and the Zoning Commission recommended approval. He reported that of 13 notices mailed; two were returned in favor and one was received in opposition. He added that the Friedrich Wilderness Area had submitted a letter taking a neutral position.

Councilmember Nirenberg stated that this was one of the types of issues that would be faced with the Comprehensive Plan and Annexation and was located in an area growing faster than the infrastructure allows. He noted that the Developer had agreed to impervious cover restrictions, in addition to 56% green space and low impact development features. He added that a Tree Service would be contracted to work on Oak Wilt Issues. He added that the Developer and Friends of Friedrich Wilderness Park had agreed to Restrictive Covenants.

Councilmember Nirenberg moved to adopt the proposed Ordinance for Item Z-11.

Councilmember Gallagher seconded the motion. The motion prevailed by the following vote:

**AYE:** 8 - Treviño, Warrick, Viagran, Lopez, Medina, Nirenberg, Krier and Gallagher

**ABSENT:** 3 - Mayor Taylor, Saldaña and Gonzales

**ADJOURNMENT**

There being no further discussion, Mayor Pro Tem Krier adjourned the meeting at 3:30 pm.

APPROVED

IVY R. TAYLOR  
MAYOR

ATTEST:

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