

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



**FINAL
Meeting Minutes
City Council A Session**

City Hall Complex
105 Main Plaza
San Antonio, Texas 78205

Thursday, September 1, 2016

9:00 AM

Municipal Plaza Building

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

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

1. The Invocation was delivered by Pastor Javier Galvan, Javier Galvan Ministries, guest of Councilmember Cris Medina, District 7.
2. Mayor Taylor led the Pledge of Allegiance to the Flag of the United States of America.
3. Approval of Minutes for the Regular City Council Meetings of August 3 - 4, 2016.

Councilmember Warrick moved to approve the Minutes for the Regular City Council Meetings of August 3-4, 2016. Councilmember Treviño seconded the motion. The motion prevailed by the following vote:

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

POINT OF PERSONAL PRIVILEGE

Councilmember Krier recognized David Drastata, Regional Manager for Wal-Mart and thanked him for the land donation for Hardberger Park (Item 14). Mr. Drastata stated that they were pleased to continue to facilitate the great relationship between Wal-Mart and the City of San Antonio.

CONSENT AGENDA ITEMS

Items 27 and 29 were pulled for Individual Consideration. Councilmember Warrick moved to approve the remaining Consent Agenda Items. Councilmember Treviño seconded the motion.

There were no citizens registered to speak on the Consent Agenda.

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

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

2016-09-01-0640

5. An Ordinance accepting the offers from KSAT 12, KENS TV, and Univision TV SA to provide advertising services promoting the City's "No Diapers in Blue Cart" campaign for a total cost of \$180,000.00, funded from the FY2016 Solid Waste Operating and Maintenance Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2016-09-01-0641

6. An Ordinance authorizing a contract with Southwest Solutions Group to deliver and install library shelving for the San Antonio Public Library Potranco Branch for a total cost of \$69,847.72, funded from the Potranco Branch Library Donation Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer]

2016-09-01-0642

7. An Ordinance authorizing a deductive change order in the amount of \$271,484.87 with SpawGlass Civil Construction, Inc. for the construction contract for the Terminal Area Taxiways Package 3 at the San Antonio International and incorporating revisions to the contract. [Carlos Contreras, Assistant City Manager;

Noel T. Jones, Director, Aviation]

2016-09-01-0643

8. An Ordinance for the 2016 – 2017 Task Order Contract for Traffic Signal Modifications accepting the lowest responsive bid and awarding a construction contract in an amount not to exceed \$1,422,062.50 payable to Signal Services Group Inc. for the installation of traffic signal equipment throughout the City for projects to be identified in the FY 2017 – FY 2021 IMP and additional projects that materialize throughout the term of the contract. [Peter Zanoni, Deputy City Manager, Mike Frisbie, Director, Transportation & Capital Improvements]

2016-09-01-0644

9. An Ordinance for Menger Creek Drainage Project authorizing a change order in the amount not to exceed \$143,220.00 to the existing \$7,407,861.70 construction contract with EZ-Bel Construction, LLC for electrical service and the construction of trail lighting, a Certificates of Obligation funded project, located in District 2. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

2016-09-01-0645

10. An Ordinance for the Piedras Storm Water Pipe Rehabilitation Project authorizing a ratification contract payable to Quadex, LLC in an amount not to exceed \$770,000.00 and appropriating funds from the Storm Water Operating Fund Balance, located in Council District 7. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

2016-09-01-0646

11. An Ordinance for the Downtown Streets Reconstruction at Main Avenue and Soledad Street Project awarding a construction contract to E-Z Bel Construction, LLC in the amount of \$9,561,830.31, a 2012 – 2017 General Obligation Bond funded project, located in Council District 1. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

12. Consideration of the following Ordinances related to the FY 2016 - FY 2021 Convention & Sports Facilities Capital Budget for projects related to the Army vs Notre Dame Football Game at the Alamodome: [Carlos Contreras, Assistant City Manager; Michael J. Sawaya, Director, Convention & Sports Facilities]

2016-09-01-0647

- 12A. An Ordinance amending the FY 2016 Convention & Sports Facilities Capital Budget

to include a new project for Alamodome Improvements including security, audio and signage for the Army vs Notre Dame Football Game, and appropriating funds in the amount of \$449,144.00 from the CSF State Reimbursement Fund.

2016-09-01-0648

- 12B.** An Ordinance authorizing the appropriation of \$385,000.00 from the CSF State Reimbursement Fund for expenses related to the installation of fiber at the Alamodome.

- 13.** Consideration of the following Task Order Contracts for Infrastructure Management Program, adopted through the Fiscal Years 2016 and 2017 Budget. [Peter Zaroni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

2016-09-01-0649

- 13A.** An Ordinance for the 2016-2017 Asphalt Overlay Task Order Contract - Package 8, accepting the lowest responsive bid and awarding a Task Order Contract to J&P Paving Co., Inc. in an amount not to exceed \$4,662,293.80, of which \$108,000.00 will be reimbursed by San Antonio Water Systems and \$9,450.00 will be reimbursed by CPS Energy for necessary adjustments to their existing infrastructure.

2016-09-01-0650

- 13B.** An Ordinance for the 2016-2017 Reconstruction Task Order Contract Package 9, accepting the lowest responsive bid and awarding a Task Order Contract to AJ Commercial Services in an amount not to exceed \$4,486,164.50, of which \$455.00 will be reimbursed by San Antonio Water System.

2016-09-01-0651

- 14.** An Ordinance authorizing the acceptance of approximately 16.353 acres at the corner of Wurzbach Parkway and Blanco Road from Wal-Mart Real Estate Business Trust for additional park land at Phil Hardberger Park located in Council District 9. [María Villagómez, Assistant City Manager; Xavier D. Urrutia, Director, Parks and Recreation]

2016-09-01-0652

- 15.** An Ordinance authorizing the closure, vacation and abandonment of a 0.9183 acre of an unimproved portion of Ackard Place between Oppenheimer Avenue and Pleasanton Road in Council District 3 as requested by Bexar County, and waiving the \$92,000.00 associated fee. [Peter Zaroni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

2016-09-01-0653

16. An Ordinance authorizing a lease agreement with Falcon Inspection, LLC for Building 660B and 36,833 square feet of ground space at Stinson Municipal Airport and generating \$24,382.33 in annual revenue. [Carlos Contreras, Assistant City Manager; Noel T. Jones, Director, Aviation]

2016-09-01-0654

17. An Ordinance authorizing a License Agreement with LaborFest, LLC to license a parcel of City-owned property surrounded by Tower of the Americas, Montana St., and Tower of the Americas driveway for a period of 9 days commencing on August 29, 2016 and terminating on September 6, 2016 to be used in association with LaborFest activities. [Carlos Contreras, Assistant City Manager; Michael Sawaya, Director, Convention & Sports Facilities]

2016-09-01-0655

18. An Ordinance closing, vacating and abandoning 0.041 acres of an alley Public Right of Way located between 421 and 425 Brees Boulevard in Council District 10 for a fee of \$10,688.00. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

2016-09-01-0656

19. An Ordinance authorizing the submission of a grant application to the Texas Facilities Commission for, and authorizing the acceptance of, aircraft emergency support equipment originally valued at approximately \$75,000.00 for the Aviation Department and available through the Federal Surplus Property Program. [Carlos Contreras, Assistant City Manager; Noel T. Jones, Director, Aviation]

2016-09-01-0657

20. An Ordinance awarding a City Council Project Fund grant allocation in an amount not to exceed \$12,337.11 to support the Northeast Corridor Improvement Partnership. [John Peterek, Assistant to the City Manager; Chris Callanen, Assistant to City Council]
21. 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 Louis A. Boffa (District 5) to the Disability Access Advisory Committee.

B) Appointing Henry Reyes (District 5) to the Capital Improvements Advisory Committee.

C) Appointing Alfred P. Rocha (District 5) to the Parks and Recreation Board.

D) Appointing Debra D. Perales (District 3), Bernadette Pena (District 3), and reappointing Arthur P. Garcia (District 3) to the Tax Increment Reinvestment Zone No. 32 - Mission Drive-In.

E) Appointing Lauren E. Dones (District 9) and Michael B. Aldrich (District 9) to the San Antonio Youth Commission.

F) Reappointing Margarita A. DeLeon (District 3), Lora Devlon Eckler (District 6), and Juspreet Kaur (District 8) to the San Antonio Public Library Board of Trustees effective October 1, 2016 for terms of office to expire September 30, 2018.

2016-09-01-0658

22. An Ordinance authorizing a contract in an amount up to \$150,000.00 with Dr. Courtney Bridgeman to provide veterinary in-house surgical services for a term of September 1, 2016 through September 30, 2017 with a one-year renewal option. [Maria Villagomez, Assistant City Manager; Xavier Urrutia, Interim Director, Animal Care Services]

2016-09-01-0659

23. An Ordinance authorizing a concession agreement with Tricopian, LLC for FuelRod Kiosks to dispense FuelRod kits for charging smartphones and tablets in the San Antonio International Airport. [Carlos Contreras, Assistant City Manager; Noel T. Jones, Director, Aviation]

2016-09-01-0660

24. An Ordinance authorizing a settlement of a lawsuit styled Kopplow Development, Inc. v. City of San Antonio, Cause Number 2004-CI-08167- A pending in the 285th Judicial District Court, Bexar County, Texas in an amount up to \$1,369,840.52 from the Self-Insured Liability Fund. [Andrew Segovia, City Attorney]

2016-09-01-0661

25. An Ordinance approving an Interlocal Agreement between the City of Olmos Park and the City of San Antonio regarding the enforcement of subdivision regulations

and construction permitting. [Erik Walsh, Deputy City Manager; Roderick Sanchez, Director, Development Services]

2016-09-01-0662

26. An Ordinance authorizing a Funding Agreement in the amount of \$100,000 with LiftFund to undergo an extensive and comprehensive rebrand initiative for Café Commerce. [Carlos Contreras, Assistant City Manager; Rene Dominguez, Director, Economic Development]

2016-09-01-0664

28. An Ordinance authorizing the execution of five on-call professional services agreements with Adams Environmental, Inc., Poznecki-Camarillo, Inc., Atkins North America, Inc., Pape Dawson Engineers and Zephyr Environmental Corporation, each in an amount not to exceed \$600,000.00 per contract year, for as-needed services to supplement the City's National Environmental Policy Act consulting resources for a term of one year with an option to renew each for two additional one year extensions. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]

CONSENT ITEMS CONCLUDED

ACTION ITEMS FOR STAFF BRIEFING

City Clerk Vacek read the caption for Item 4:

2016-09-01-0639

4. An Ordinance authorizing the execution of a Collective Bargaining Agreement with the San Antonio Police Officers' Association for a period from September 1, 2016 through September 30, 2021. [Sheryl Sculley, City Manager; Erik Walsh, Deputy City Manager]

City Manager Sculley stated that staff recommended the approval of an Ordinance authorizing the execution of a Collective Bargaining Agreement with the San Antonio Police Officers' Association (SAPOA). She reported that the contract expired two years ago in September 2014 and staff had begun preparing for negotiations in 2013. She noted that a Task Force was appointed by the Mayor and City Council to develop long and short term recommendations on the management of future Healthcare and Pension Costs for the City of San Antonio. She stated that in Spring 2016 after two years of unsuccessful negotiations; the City requested Court-Ordered Mediation from the Court of Appeals where the Evergreen Lawsuit was pending. She noted that after four Mediation Sessions, in June of this year, the City and SAPOA settled on terms for a new Collective Bargaining

Agreement. She highlighted terms of the Five-Year Mediated Settlement Agreement to include a 17% Pay Increase & Clothing Increase with no retroactivity and employees sharing the cost of Healthcare. She stated that the Legal Fund would be eliminated when negotiated out of the Fire Contract and that Public Safety Spending would remain under 66% for the first 3 years of the 5-Year Agreement. She reported \$87.5 Million in Healthcare Cost Avoidance over the term of the contract.

Mayor Taylor called upon the citizens registered to speak.

Carla Walker stated that she was in support of the SAPOA Contract.

Pastor Otis Mitchell stated that he was supportive of the SAPOA Contract and appreciative of the work of Uniform Personnel.

Richard Perez, President and CEO of the San Antonio Chamber of Commerce addressed the City Council in support of the SAPOA Contract. He stated that there should be continued dialogue on items such as Disciplinary Structure, Accountability, and Transparency.

Steven Branson, Pastor of Village Parkway Baptist Church stated that he was in support of the SAPOA Contract. He noted that he was Nate Murray's Pastor, one of the four Police Officers shot at Denny's in early 2000. He spoke of his difficult recovery efforts and how they were able to honor the four Officers at a Spurs Game.

Jeff Webster, Former Councilmember spoke in support of the SAPOA Contract. He thanked Police Officers for their great work and stated that this was a great compromise.

Cassandra Littlejohn addressed the City Council in support of the SAPOA Contract. She stated that she appreciated the position the city had taken on the contract and noted the good work of Law Enforcement.

Ronald Benson, Jerry Dailey, and Pastor Paul Stevens representing the Baptist Ministries Union addressed the City Council in support of the SAPOA Contract. Reverend Ronald Benson read a prepared statement noting that they represented over 75 churches and several thousands of members who are citizens of San Antonio. He stated that although it was not perfect; the contract would help foster a better working relationship among the rank and file members. He added that they welcomed a partnership with SAPOA to improve and change the Policing Environment throughout the city.

Zechariah Gonzales addressed the City Council in opposition to the SAPOA Contract noting concerns with the lack of accountability and transparency.

Kamala Platt stated that she was appreciative of the work of Police Officers but was opposed to the SAPOA Contract due to the lack of accountability.

Tomas Guadiana also spoke against the SAPOA Contract due to the lack of accountability.

Mike Helle, SAPOA President addressed the City Council in support of the SAPOA Contract. He spoke of the lengthy negotiation process and commended Mayor Taylor for her leadership. He noted that the SAPOA Members had approved the contract and would work with the Community Task Force to improve community relations.

Marisa Laufer stated that she was opposed to the SAPOA Contract due to the lack of accountability and transparency. She noted concerns with Police Misconduct and asked that the contract be re-negotiated.

Rhett Smith stated that he was opposed to the SAPOA Contract and that the lives of Police Officers did not matter more than others.

Mrs. Vacek stated that written testimony had been received in opposition to the SAPOA Contract from Marianne Kestenbaum.

Mayor Taylor thanked the citizens that spoke and everyone that worked on the SAPOA Agreement. She stated that the negotiated agreement would reduce the length of the Evergreen Clause and provide that Uniform Personnel contribute to the cost of Healthcare Coverage for themselves and their families. She noted the \$87.5 Million in cost avoidance over the five years of the contract. She mentioned that Union Leadership had agreed to participate in the Working Group on Community/Police Relationships. She stated that they should work to make San Antonio a model that other cities could look to. She extended her condolences to the families that have lost loved ones in an SAPD Officer-Involved Incident. She mentioned the names of various individuals that have accepted the invitation to serve on the Working Group on Community/Police Relationships. She added that she would continue to support San Antonio as a safe, sustainable city with greater transparency and accountability.

Councilmember Viagran thanked everyone and noted that this agreement today is a new beginning. She stated that the men and women who wear the uniform are important to the community. She thanked Chief McManus and Erik Walsh for their work and recognized various Police Officers who have worked hard in serving the community. She stated that they would work together with the community and Police Officers to improve the quality of safety and security of residents throughout the city. She thanked Mayor Taylor for moving

the community forward.

Councilmember Viagran moved to adopt the Ordinance for Item 4 approving the Collective Bargaining Agreement for Police Officers. Councilmember Warrick seconded the motion.

Councilmember Saldaña stated that they had come very far but he could not support the SAPOA Contract due to concerns with language in the contract. He noted that Police Officers had one of the toughest jobs in America but there should be protocols to ensure that bad behavior was not protected. He mentioned a Police Officer who is awaiting appeal on Arbitration and asked if the Arbitrator had full access to the Officer's Record. Andy Segovia replied that the Arbitrator did not have access to the entire record under the current agreement. Councilmember Saldaña stated that disciplinary changes have been discussed since 2014 but were rejected by SAPOA. He noted that the contract would not fix systemic issues in the city but sends a message that erodes public trust.

Councilmember Saldaña moved to deny the contract and offer an opportunity to vote on a second contract to strike Section 19. Councilmember Nirenberg seconded the motion.

Councilmember Gonzales stated that her priority was Public Safety and approval of the SAPOA Contract would allow for the hiring of additional Police Officers. She noted that she had a deep respect for First Responders and looked forward to continue working on accountability and transparency issues. She added that she wanted to ensure that Police Officers are well staffed and have the right equipment to do their jobs.

Councilmember Warrick thanked the Baptist Ministries Union and everyone else that spoke on the issue. He called on Chief McManus and asked of the number of Police Officers that have been fired since 2005. Chief McManus responded that 70 Police Officers had been terminated. Erik Walsh clarified that out of 70 terminated; 13 were pending Arbitration. He stated that 17 out of the 70 were re-instated. Councilmember Warrick asked if the Chief could fire any person he feels necessary. Mrs. Sculley replied that the Chief can fire someone but must go through a prescribed process. Councilmember Warrick asked if the Police Chief had full access to a person's file throughout their career. Chief McManus replied that he had full access but the Arbitrator did not. Mrs. Sculley added that the Chief can see everything in an Officer's File but he is limited in what he can use. Councilmember Warrick read the names of 99 people that have died from violence in San Antonio. He stated that he appreciated the work of Police Officers and that the contract was about protecting the city.

Councilmember Gallagher thanked all who have been involved in the negotiations and stated the importance of setting a road map to make changes for the future. He asked of the

financial consequence if the vote was delayed. Mrs. Sculley replied if they were in Evergreen for FY 2017; it would cost the city \$9.5 Million. Councilmember Gallagher stated that all Council Districts would be affected if cuts had to be made. He asked the Fire Union to come to the negotiating table.

Councilmember Medina stated that the negotiating process had not been easy but believed the contract was fair and balanced. However, he stated that there was still work to do and that they must improve relationships throughout the community. He noted that San Antonio was Military City USA and he would stand with Mayor Taylor in supporting the SAPOA Contract.

Councilmember Krier stated that he appreciated Councilmember Warrick's passionate comments. He stated that he would support the contract that would ensure that First Responders have the best equipment, pay and benefits. He noted that everyone wanted Police Reform when and where it was needed. He commended Mayor Taylor for her leadership and for establishing the Committee on Community/Police Relations. He highlighted the \$87 Million in cost avoidance that could be used throughout the city. He thanked the Baptist Ministries Union for being present and Mike Helle for his comments today.

Councilmember Treviño stated that this had been a discussion for a very long time and thanked everyone involved. He noted that many of the Councilmembers have raised important questions and that all deserve attention. However, he felt good about the decision being made today. He noted that the relationship between Law Enforcement and the Community was an important issue but must move forward with the contract that had been negotiated.

Councilmember Nirenberg expressed concern that the contract did not address issues of Public Safety Costs increasing to more than 66% of the General Fund Budget or significantly reduce the Evergreen Clause. He stated that by Year 5, the budget would be more than \$20 Million over budget which was roughly the equivalent of the Delegate Agency Budget. He noted that the City's share for Healthcare Costs would continue to grow significantly and was not fiscally responsible. He added that the Legal Fund would only be removed if the Fire Union agrees to that provision and he could not leave this issue to future Councils to fix.

Councilmember Saldaña noted that at some point; conversations among the Task Force on Police/Community Relations would become difficult. He asked that the Councilmembers take that into consideration when voting on the contract.

Councilmember Lopez stated that he looked forward to improving Police/Community Relations and asked of plans moving forward to fill the gaps. Mrs. Sculley replied that this year's budget included full funding for all of the vacancies as well as an additional 32 Police Officers. She noted that they graduated a class one week ago and had another 150 Cadets in the Academy. She added that they were not having any issues with recruitment. She noted that Chief McManus has begun expanded training to help Officers focus on Community Policing and improve skills to work positively with residents. Councilmember Lopez stated that he was confident they were doing the right thing and would be supporting the contract.

Mayor Taylor stated that a base had been established on Police Reforms. She thanked the Faith Leaders present and asked for continued prayer on this issue and for unity in the city.

The motion to deny Item 4 failed by the following vote:

AYE: 2 - Saldaña and Nirenberg

NAY: 9 - Mayor Taylor, Treviño, Warrick, Viagran, Gonzales, Lopez, Medina, Krier and Gallagher

The motion to approve Item 4 prevailed by the following vote:

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

NAY: 2 - Saldaña and Nirenberg

RECESSED

Mayor Taylor recessed the meeting at 11:20 am and announced that the meeting would resume at 2:00 pm.

RECONVENED

Mayor Taylor reconvened the meeting at 2:00 pm and addressed Items 27 and 29.

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

City Clerk Vacek read the caption for Item 27:

2016-09-01-0663

27. An Ordinance approving the City's State Legislative Program for the 85th State Legislative Session. [Carlos Contreras, Assistant City Manager; Jeff Coyle, Director,

Government & Public Affairs]

Jeff Coyle presented an overview of the 85th State Legislative Program. He stated that the Council-Approved State Legislative Program guides staff and consultants to advocate on behalf of the City of San Antonio (COSA). He spoke of the structure of the 85th State Legislative Program which would include: I. Priorities; II. Endorsements; III. Protection of Community Interests; and IV. Partnerships. He highlighted priorities to include Revenue Caps, Annexation Authority, Local Control, Alamo Funding, Military Protection, Economic Competitiveness, and Transportation Funding. He presented a timeline in which June 18, 2017 was the last day that the Governor could sign or veto bills. He stated that Amendments to the State Program would be presented to the Intergovernmental Relations Council Subcommittee and they would make recommendations to the full City Council for consideration. He added that during Session; the Subcommittee would meet weekly to discuss priority and/or time sensitive issues.

Councilmember Saldaña mentioned House Bill 1840 from the previous Legislative Session which allowed appointing a Special Prosecutor in the event of Officer-Involved Shootings and asked of its status. Mr. Coyle replied that the bill would have appointed a Special Prosecutor from outside the area to prosecute criminal allegations against Police Officers. However, the bill did not pass and was left pending Committee. He noted that the bill was not addressed in the City's 2017 Legislative Program. Councilmember Saldaña stated that there was an opportunity for City of San Antonio Priorities to address issues of accountability and discipline for Police Officers within the Legislative Session. He noted the potential to add this to the City Priorities and asked that he be briefed throughout the process.

Councilmember Krier stated that he was interested in the recommendations that would be made by the Committee on Community/Police Relations. He noted that if Legislative Changes were requested; they would work diligently on a vote by the City Council to amend its priorities.

Councilmember Krier moved to adopt the Ordinance for Item 27. Councilmember Gallagher seconded the motion. The motion prevailed by the following vote:

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

City Clerk Vacek read the caption for Item 29:

2016-09-01-0665

29. Public Hearing and consideration of an Ordinance approving the levy of a Special

Assessment for the Downtown Public Improvement District; levying an assessment rate for the Fiscal Year 2017 at \$0.15 per \$100 value of real property in the Downtown Public Improvement District & \$0.09 per \$100 value of residential condominiums, and approving the Fiscal Year 2017 Service & Assessment Plan for the Downtown Public Improvement District. [Lori Houston, Assistant City Manager; John Jacks, Interim Director, Center City Development & Operations Department]

Mayor Taylor opened the Public Hearing on the levy of a Special Assessment for the Downtown Public Improvement District (PID) for Fiscal Year 2017 and the Fiscal Year 2017 Service and Assessment Plan for the PID.

Mayor Taylor called upon Mr. Pat DiGiovanni to speak.

Mr. Pat DiGiovanni, President of Centro San Antonio, thanked the Mayor and Council for their support of the Downtown PID. He also thanked the property owners in the Downtown Area that voluntarily tax themselves with assessments. He noted that Centro San Antonio had a contract with the PID to provide Management and Administrative Services outlined in a Service Plan. He mentioned core services that Centro provides to include Maintenance, Landscaping, and Hospitality. He spoke of their work with the San Antonio Police regarding Homelessness and Aggressive Panhandling, as well as additional Bike Patrol Service. He noted that they encourage more businesses to the Downtown Area and residents to consider Downtown as a viable place to live. He mentioned that they would launch the new Downtown Brand on September 22nd.

City Clerk Vacek announced that Letters of Support for the PID Service and Assessment Plan were received from David M. Adelman and Diane J. Coliz. She stated that a Letter of Opposition was received from Eugenia Y. Bertetti.

There being no other citizens registered to speak, Mayor Taylor closed the Public Hearing on the Downtown Public Improvement District's Special Assessment and Service and Assessment Plan.

Councilmember Treviño stated that he appreciated the outreach efforts to address the issue of Homelessness and thanked all of the partners. He spoke of the benefits of the PID and stated that it was good to work collaboratively to help move things forward for a great Downtown.

Councilmember Viagran asked of the Centro Budget. John Jacks replied that the Centro Budget for FY 2017 was \$5,783,900. Mr. DiGiovanni noted that the Management Fee charged to the PID was \$740,000. Councilmember Viagran asked of the new branding. Mr.

DiGiovanni stated that they had been working with a Creative Agency for the past 18 months and held many focus groups. He noted that they would be launching the new identity which will capture the essence of San Antonio. Councilmember Treviño added that they would provide a copy of the new branding to the City Council.

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

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

ABSENT: 1 - Lopez

30. City Manager's Report
A. Health Department Update

Mrs. Sculley provided a status of the Zika Virus and Vector Control in San Antonio and Bexar County. She reported that since January 2016, Metro Health has investigated 150 Zika Cases in Bexar County. To date, 9 cases have been confirmed as Zika. She noted that in all 9 cases; the virus was acquired while traveling abroad and there have no indications of local transmission of Zika. She noted that Metro Health has the necessary resources to address Zika under current conditions. She spoke of their efforts to control mosquitoes, noting that applying mosquito larvicide in standing water on parks properties, right of ways and other public lands, combined with educating the public to prevent standing water, was the best way to control the mosquito population. She reported that there were 36 Sanitariums in Metro Health, and all could apply Larvicide "Dunks" in standing water. She stated that Metro Health also has 2 Licensed Vector Technicians who are equipped to conduct targeted spraying. She mentioned that to multiply forces; Metro Health cross-trained 80 Code Inspectors and 50 Parks & Recreation and TCI Personnel to apply Larvicide. In total, over 130 City of San Antonio Personnel are actively involved in Vector Control. She spoke of the coordination with partners in response to Zika including: The State of Texas, Bexar County; the 26 municipalities within Bexar County; Local Military Facilities; Hospitals; and Medical Professionals. She noted that Bexar County Public Works has a Licensed Technician and equipment to treat the unincorporated Bexar County Area. She mentioned that the Department of State Health Services has identified and trained "Strike Teams" that can deploy to the local jurisdiction to assist in the local response. She stated that Metro Health expected the Federal Government to provide supplemental funding to address Zika; however, this support is dependent on Congressional Appropriation. She noted that staff meets monthly with partners to discuss prevention and control measures, such as surveillance, testing, and mosquito control. Additionally, Metro Health and the Office of

Emergency Management are coordinating with Bexar County, Joint Base San Antonio, Texas Department of State Health Services–Region 8 for a Table Top Exercise. During this time there will be a development of Guidelines and Plans for Zika Cases in San Antonio. The exercise is tentatively scheduled for Tuesday, September 13th. She mentioned that Metro Health continues to focus on informing and educating the public regarding the Zika Virus. She added that the moment Metro Health has evidence of a case due to local transmission; they will notify and work with the State to investigate and coordinate all response activities with the Office of Emergency Management and Bexar County. She added that Metro Health Staff, in coordination with other City Departments, the State, County, and other Local Partners, would continue to be proactive in addressing Zika locally and in preventing an escalated county-wide incident.

Councilmember Krier requested that City Staff provide information to the City Councilmembers that they could use in their newsletters.

CONSENT ZONING ITEMS

Zoning Items Z-2, Z-3, Z-6, and Z-7 were pulled for Individual Consideration.

Councilmember Treviño moved to approve the remaining Consent Zoning Items. Councilmember Krier seconded the motion.

There were no citizens registered to speak on the Consent Zoning Items.

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

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

2016-09-01-0666

- 31.** ALCOHOL VARIANCE AV #2016-009 (Council District 2): An Ordinance granting a Variance to City Code Section 4-6 and waiving the requirements of Sections 4-6(c)(1), 4-6(c)(2), 4-6(c)(3), 4-6(d)(1), 4-6(d)(6) and 4-6(e)(1) of the City Code and authorizing the sale of alcoholic beverages on NCB A-52, located at 3853 North Saint Mary's Street for on-premise consumption within three-hundred (300) feet of Alamo Stadium, a public education facility in the San Antonio Independent School District.

2016-09-01-0667

- Z-1.** ZONING CASE # Z2016195 S (Council District 1): An Ordinance amending the Zoning District Boundary from "MF-33 HS AHOD" Multi-Family Historic

Significant Airport Hazard Overlay District to "MF-33 S HS AHOD" Multi-Family Historic Significant Airport Hazard Overlay District with a Specific Use Authorization for a Wireless Communication System on Lot 11, Block A, NCB 715, located at 411 Barrera 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: LOT 11, BLOCK A, NCB 715 TO WIT: FROM "MF-33 HS AHOD" MULTI-FAMILY HISTORIC SIGNIFICANT AIRPORT HAZARD OVERLAY DISTRICT TO "MF-33 S HS AHOD" MULTI-FAMILY HISTORIC SIGNIFICANT AIRPORT HAZARD OVERLAY DISTRICT WITH A SPECIFIC USE AUTHORIZATION FOR A WIRELESS COMMUNICATION SYSTEM.

2016-09-01-0669

Z-4. ZONING CASE # Z2016201 (Council District 6): An Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-3 AHOD" General Commercial Airport Hazard Overlay District on 22.96 acres out of NCB 15329, located in the 8200 Block of Potranco 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: 22.96 ACRES OUT OF NCB 15329 TO WIT: FROM "R-6 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "C-3 AHOD" GENERAL COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT.

2016-09-01-0670

P-1. PLAN AMENDMENT # 16051 (Council District 7): An Ordinance amending the future land use plan contained in the Near Northwest Community Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use of Lots 2 and West 23 feet of Lot 3, Block 1, NCB 9201, located at 133 Westminister Avenue from "Neighborhood Commercial" to "Medium Density Residential". Staff and Planning Commission recommend Approval. (Associated Zoning Case Z2016183)

2016-09-01-0671

Z-5. ZONING CASE # Z2016183 (Council District 7): An Ordinance amending the

Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District on Lot 2 and West 23 feet of Lot 3, Block 1, NCB 9201, located at 133 Westminster Avenue. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment 16051)

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 2 AND WEST 23 FEET OF LOT 3, BLOCK 1, NCB 9201 TO WIT: FROM "R-4 AHOD" RESIDENTIAL SINGLE-FAMILY AIRPORT HAZARD OVERLAY DISTRICT TO "RM-4 AHOD" RESIDENTIAL MIXED AIRPORT HAZARD OVERLAY DISTRICT.

CONSENT ZONING CONCLUDED

ZONING ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

2016-09-01-0668

Z-2. ZONING CASE # Z2016200 CD (Council District 1): An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales (Full Service) on 0.408 acres out of NCB 11715, located at 9823 San Pedro Avenue. Staff and Zoning Commission recommend Approval with conditions.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 0.408 ACRES OF LAND OUT OF NCB 11715 TO WIT: FROM "C-2 AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT TO "C-2 CD AHOD" COMMERCIAL AIRPORT HAZARD OVERLAY DISTRICT WITH A CONDITIONAL USE FOR MOTOR VEHICLE SALES (FULL SERVICE).

Catherine Hernandez presented Item Z-2 and stated that staff and the Zoning Commission recommended approval with the following conditions: 1) All on-site lighting shall be directed onto the site and point away from any surrounding residential uses; 2) Must include a five-foot Landscape Buffer along the front of the property; and 3) No temporary signage allowed. She reported that of 13 notices mailed; none were returned in favor or opposition.

Councilmember Treviño moved to adopt Item Z-2 with the conditions read by Mrs. Hernandez. Councilmember Saldaña seconded the motion. The motion prevailed by the following vote:

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

ABSENT: 1 - Viagran

CONTINUED UNTIL OCTOBER 6, 2016

Z-3. ZONING CASE # Z2016073 (Council District 5): An Ordinance amending the Zoning District Boundary from "R-4 AHOD" Residential Single-Family Airport Hazard Overlay District to "NC AHOD" Neighborhood Commercial Airport Hazard Overlay District on Lot 7, Block 41, NCB 3640, located at 2602 Leal Street. Staff recommends Approval. Zoning Commission recommends Denial.

Catherine Hernandez presented Item Z-3 and stated that staff recommended approval while the Zoning Commission recommended denial. She reported that of 23 notices mailed; none were received in favor and four were returned in opposition.

Mayor Taylor called upon the citizens registered to speak.

Moses Garcia stated that he lived across the street from the property in question and was opposed to the request. He stated that there were already plenty of restaurants in the area and expressed concern with an altercation that occurred with the property owner.

Bertha I. Hernandez stated that she lives at 2619 Leal Street and was opposed to the request. She noted that there were already many beauty shops, convenience stores, and restaurants in the area. She added that they were concerned with the behavior of the property owner during the altercation with Mr. Garcia.

Fidencio Villa stated that he lived at 2606 Leal Street and spoke against the request. He noted that his fence had already been hit several times and could happen again if a business was allowed in the area. He added that many others in the area were also opposed.

Melecio Villa stated that they began having many problems in the neighborhood after the property owner purchased the property in question. He noted that there was not sufficient space for a business and that there were already many businesses and traffic in the area.

Suzette Valles stated that she lived at 2611 Leal Street and was opposed to the request. She

noted that the area was a small residential neighborhood without sufficient parking for a business.

Antoinette Valles stated that she was opposed to the zoning request.

Anthony Valles stated that he was also opposed to the zoning request that would bring more traffic to the area.

Councilmember Gonzales asked of the zoning request. Mrs. Hernandez stated that the applicant was requesting Neighborhood Commercial Use that allowed for small retail services provided to a neighborhood. She noted that the applicant had spoken at the Zoning Commission and would be opening a restaurant. Ron Hernandez stated that the application was for a small coffee shop that would sell items such as sandwiches. He indicated that there was a great amount of misinformation and requested a continuance.

Councilmember Gonzales moved to continue Item Z-3 until October 6, 2016. Councilmember Warrick seconded the motion. The motion prevailed by the following vote:

AYE: 9 - Mayor Taylor, Treviño, Warrick, Saldaña, Gonzales, Lopez, Nirenberg, Krier and Gallagher

ABSENT: 2 - Viagran and Medina

2016-09-01-0672

Z-6. ZONING CASE # Z2016158 S ERZD (Council District 8): An Ordinance amending the Zoning District Boundary from "MPCD GC-1 UC-1 MLOD AHOD ERZD" Master Planned Community Hill Country Gateway Corridor Loop 1604 Urban Corridor Camp Bullis Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District to "MPCD S GC-1 UC-1 MLOD AHOD ERZD" Master Planned Community Hill Country Gateway Corridor Loop 1604 Urban Corridor Camp Bullis Military Lighting Overlay Airport Hazard Overlay Edwards Recharge Zone District with Specific Use Authorization for Motor Vehicle Sales on Lot 10, Block 6, NCB 14747, located at 5700 North Loop 1604 West. 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 10, BLOCK 6, NCB 14747 TO WIT: FROM "MPCD GC-1 UC-1 MLOD AHOD ERZD" MASTER PLANNED COMMUNITY HILL COUNTRY GATEWAY CORRIDOR LOOP 1604 URBAN CORRIDOR CAMP BULLIS

MILITARY LIGHTING OVERLAY AIRPORT HAZARD OVERLAY EDWARDS RECHARGE ZONE DISTRICT TO "MPCD S GC-1 UC-1 MLOD AHOD ERZD" MASTER PLANNED COMMUNITY HILL COUNTRY GATEWAY CORRIDOR LOOP 1604 URBAN CORRIDOR CAMP BULLIS MILITARY LIGHTING OVERLAY AIRPORT HAZARD OVERLAY EDWARDS RECHARGE ZONE DISTRICT WITH SPECIFIC USE AUTHORIZATION FOR MOTOR VEHICLE SALES.

Catherine Hernandez presented Item Z-6 and stated that staff and the Zoning Commission recommended approval. She reported that of 11 notices mailed; 1 was returned in favor and none in opposition.

Councilmember Nirenberg moved to approve Item Z-6 with an 85% minimum water recapture for the car wash process. Councilmember Warrick seconded the motion. The motion prevailed by the following vote:

AYE: 9 - Mayor Taylor, Treviño, Warrick, Saldaña, Gonzales, Lopez, Nirenberg, Krier and Gallagher

ABSENT: 2 - Viagran and Medina

2016-09-01-0673

Z-7. ZONING CASE # Z2016199 CD (Council District 8): An Ordinance amending the Zoning District Boundary from "R-6 MLOD AHOD" Residential Single-Family Camp Bullis Military Lighting Overlay Airport Hazard Overlay District to "R-6 CD MLOD AHOD" Residential Single-Family Camp Bullis Military Lighting Overlay Airport Hazard Overlay District with Conditional Use for a Medical Office on 3.03 acres out of NCB 17844, located at 13409 and 13411 George Road. Staff and Zoning Commission recommend Approval with conditions.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 3.03 ACRES OUT OF NCB 17844 TO WIT: FROM "R-6 MLOD AHOD" RESIDENTIAL SINGLE-FAMILY CAMP BULLIS MILITARY LIGHTING OVERLAY AIRPORT HAZARD OVERLAY DISTRICT TO "R-6 CD MLOD AHOD" RESIDENTIAL SINGLE-FAMILY CAMP BULLIS MILITARY LIGHTING OVERLAY AIRPORT HAZARD OVERLAY DISTRICT WITH CONDITIONAL USE FOR A MEDICAL OFFICE.

Catherine Hernandez presented Item Z-7 and stated that staff and the Zoning Commission recommended approval with the following conditions: 1) No construction features shall be

permitted which would place the structure out of character with the surrounding residential neighborhood; and 2) Business hours of operation for the general public shall be limited to Monday through Friday 7:00 am to 6:00 pm. She reported that of 19 notices mailed; none were returned in favor or in opposition.

Councilmember Nirenberg moved to approve Item Z-7 with the conditions read by Mrs. Hernandez. Councilmember Warrick seconded the motion. The motion prevailed by the following vote:

AYE: 9 - Mayor Taylor, Treviño, Warrick, Saldaña, Gonzales, Lopez, Nirenberg, Krier and Gallagher

ABSENT: 2 - Viagran and Medina

ADJOURNMENT

There being no further discussion, Mayor Taylor adjourned the meeting at 3:05 pm.

APPROVED

IVY R. TAYLOR
MAYOR

ATTEST:

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