

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



**Meeting Minutes
City Council A Session
City Hall Complex
105 Main Plaza
San Antonio, Texas 78205**

Thursday, October 3, 2019

9:00 AM

Municipal Plaza Building

ROLL CALL

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

PRESENT: 11 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Pelaez, Courage, and Perry.

1. The Invocation was delivered by Pastor Robert C. Arevalo, Grace Tabernacle Church, guest of Councilmember Rebecca Viagran, District 3.
2. Mayor Nirenberg led the Pledge of Allegiance to the Flag of the United States of America.
3. Approval of Minutes from the City Council Special Meeting of August 20, 2019 and the City Council Regular Meetings of August 21 - 22, 2019.

Councilmember Andrews-Sullivan moved to approve the August 20, 21, and 22 Minutes. Councilmember Treviño seconded the motion. The motion prevailed by the following vote:

AYE: 11 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Pelaez, Courage, and Perry.

POINTS OF PERSONAL PRIVILEGE

Mayor Nirenberg read a Proclamation recognizing Indigenous Peoples Day on October 14, 2019 and celebrates future dates on the second Monday of the Month of October. He added that the celebration was in recognition of past, present, and the future of San Antonio. Mayor Nirenberg noted that the Indigenous People were the earliest known inhabitants of our city and played a critical role in shaping the long rich history of San Antonio.

Councilmember Sandoval announced National Chiropractic Health Month and welcomed Dr. Tremble to the podium to receive the Proclamation. Mayor Nirenberg read a proclamation recognizing National Chiropractic Health Month.

Councilmember Rocha Garcia announced “Day of the Girl” on October 11, 2019. She added that as a result of youth advocacy around the world: the United Nations has declared “International Day of the Girl” with the mission to galvanize enthusiasm with goals of advancing girls’ lives and providing opportunity for leadership.

CONSENT AGENDA ITEMS

Items 18, 21, and 25 were pulled for Individual Consideration. Councilmember Andrews-Sullivan moved to approve the remaining Consent Agenda Items. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

AYE: 11 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Pelaez, Courage, and Perry

Mayor Nirenberg called upon the citizens registered to speak:

Olga Martinez spoke in opposition of Item 30 amending the Major Thoroughfare Plan to realign and redesign a segment of East and West Connector. She noted that she represents the District 3 Neighborhood Association. She added that the project affected the corner of 410 South and Roosevelt. Ms. Martinez stated that the proposed four-lane highway would enter Roosevelt which was experiencing problems with pedestrian safety with 23 fatalities at that location.

Jack M. Finger spoke in favor of Columbus Day, noting that he brought the Christian Religion to civilization. Mr. Finger spoke in opposition of Item 24 approving amendments to the City of San Antonio’s Federal Legislative Program for the 116th U.S. Congress.

2019-10-03-0796

5. Ordinance approving a contract with Mueller & Wilson, Inc., to provide on-call plumbing maintenance and repair services for the San Antonio Airport System for a total estimated annual cost of \$200,000.00. This contract is funded through the department’s Operating and Maintenance Fund. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2019-10-03-0797

6. Ordinance approving the purchase of 100 Zoll ResQCPR Systems and 10 Zoll Portable Ventilators for the San Antonio Fire Department Emergency Medical Service Division for a total cost of \$233,556.00, funded through the FY 2020 General Fund Budget. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2019-10-03-0798

7. Ordinance approving a contract with Mac Haik Dodge Chrysler Jeep to provide an estimated 24 replacement ambulances for a total cost of \$7,376,402.77 over a two year period. Funding in the amount of \$3,904,070.34 for 13 replacement ambulances is available from the FY 2020 Equipment Renewal and Replacement Fund Budget. Funding for subsequent years of the contract is subject to City Council approval of the annual budget. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2019-10-03-0799

8. Ordinance approving a contract with Siddons Martin Emergency Group to provide the San Antonio Fire Department with one Pierce Velocity Heavy Duty Rescue Truck for a total cost of \$1,153,684.81. Funds are available from the FY 2020 Equipment Renewal and Replacement Fund Budget. [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2019-10-03-0800

9. Ordinance approving the following contracts establishing unit prices for goods and services for an estimated annual cost of \$423,000 available and included in the respective departments' FY 2020 Adopted Budget:
- (A) Salt Exchange, Inc. for water softener preventive maintenance and solar salt;
 - (B) Grande Ford Truck Sales, Inc., dba Grande Truck Center for Sterling service parts; and
 - (C) Doggett Freightliner of South Texas for Cummins ISL G service parts.
- [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2019-10-03-0801

10. Ordinance approving a construction contract with L.C. Mosel Co., Ltd. dba L.C. Mosel Company in the amount of \$549,000.00 for HVAC system upgrades for Kennel A at the Animal Care Services facility, funded from previously authorized tax notes and included in the FY 2020 – FY 2025 Capital Improvement Program. [Roderick Sanchez, Assistant City Manager; Jorge A. Perez, Director, Building and Equipment Services]

2019-10-03-0802

11. Ordinance approving a contract with Clark Construction of Texas, Inc. for the 2019 Street Rehabilitation Task Order Contract Package 13 in an amount not to exceed \$6,321,082.50, of which \$73,270.00 will be reimbursed by San Antonio Water System and \$3,000.00 will be reimbursed by CPS Energy for necessary adjustments to existing infrastructure. Funds are available and included in the adopted FY 2019-2024 Capital Improvements Program Budget and

funded from various funding sources to include the General Fund, Advanced Transportation District Fund, debt proceeds, or other funding sources. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Interim Director, Transportation & Capital Improvements]

2019-10-03-0803

12. Ordinance approving a task order to a Job Order Contract with Belt Built Contracting LLC in an amount not to exceed \$195,077.12 for the Lackland Terrace Park project, a 2017 Bond funded project. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Interim Director, Transportation & Capital Improvements]

2019-10-03-0804

13. Ordinance approving six On-Call Civil Engineering Services Agreements with AECOM Technical Services, Inc., AJL Engineering, Inc., Civil Engineering Consultants, Gonzalez-De La Garza & Associates, LLC, Lockwood, Andrews, & Newnam, Inc. and RPS Infrastructure, Inc. each in an amount not to exceed \$450,000.00 to provide on-call civil engineering services for street improvement projects; each agreement is for a one-year term with an option to renew for an additional year. Funding is available and included in the FY 2020-2025 Capital Improvements Program. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Interim Director, Transportation & Capital Improvements]

2019-10-03-0805

14. Ordinance approving a construction contract with Clearfield Construction, LLC in the amount of \$686,292.20 of which \$197,773.00 will be reimbursed by San Antonio Water System for the Blossom Park (Lotus Blossom Street) project, a 2017 Bond funded drainage project. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Interim Director, Transportation & Capital Improvements]

2019-10-03-0806

15. Ordinance declaring an approximate 12.39 acre tract of land commonly referred to as the Southeast Service Center located at 7402 S. New Braunfels Ave. as Surplus Property; authorizing the sale of 9.38 acres of the tract and approving a Contract for the Sale of Land for Private Redevelopment by the City of San Antonio, doing business as the Office of Urban Redevelopment San Antonio (OUR SA), to Franklin Development Properties, Ltd. for a sales price of \$485,000.00; and authorizing reimbursement of eligible expenses in accordance with the Urban Renewal Plan for affordable/Workforce Housing in an amount of up to \$4,200,000.00 and other authorized expenses. This is a Neighborhood Improvements Bond Program Project funded by the 2017 General Obligation Bond. [Lori Houston, Assistant City Manager; Verónica R. Soto, AICP, Director, Neighborhood and Housing Services]
16. Appointing District 3 Councilmember Rebecca J. Viagran and District 4 Councilmember Dr. Adriana Rocha Garcia to the Tax Increment Reinvestment Zone No. 28 Verano as requested by Mayor Ron Nirenberg. [Leticia M. Vacek, City Clerk]

17. Approving the following Board, Commission and Committee appointments for the remainder of unexpired terms to expire May 31, 2021 or for the terms shown below. Appointments are effective immediately if eight affirmative votes received, or ten days after appointment if passed with less than eight affirmative votes. [Leticia M. Vacek, City Clerk]
- A) Appointing Marco Barros (District 9) to the Transportation Advisory Board
 - B) Appointing Forrest Cobb (District 3) to the Linear Creekway Parks Advisory Board
 - C) Appointing Leslie Provence (District 3) to the Citizens Environmental Advisory Board
 - D) Appointing Dr. Cynthia Teniente-Matson (District 4) to the Mayor’s Commission on the Status of Women
 - E) Reappointing Anita Ledbetter (Mayoral), Allison Cohen (Mayoral), Stephen Graham (Mayoral), and Ruben Guerrero (Mayoral) to the City Bond Oversight Commission
 - F) Reappointing John Kent (District 9) to the Linear Creekway Parks Advisory Board
 - G) Reappointing Susan Beldon (District 9) to the Animal Care Services Advisory Board
 - H) Reappointing Athalie D. Malone (Mayoral) to the Disability Access Advisory Committee
 - I) Appointing Susana M. Segura (District 4) to the Affirmative Action Advisory Committee

2019-10-03-0808

19. Ordinance approving a Donation Agreement providing a sculpture to the Sister City of Gwangju, South Korea; authorizing the City to take over long-term maintenance of the Pavilion located at Denman Estates Park; and approving payment to the City of Gwangju in the amount of \$17,000 for installation. [Lori Houston, Assistant City Manager; Debbie Racca-Sittre, Director, Arts & Culture]

2019-10-03-0809

20. Ordinance approving a Memorandum of Understanding with the Federal Aviation Administration to outline the roles and responsibilities of both parties at the Stinson Municipal Airport for the operation of the air traffic control tower. The agreement will automatically renew annually and no funds are obligated by the agreement. [Carlos Contreras, Assistant City Manager; Russell Handy, Director, Aviation]

2019-10-03-0810

22. Ordinance scheduling and rescheduling City Council Meetings in October and November 2019. [Leticia M. Vacek, City Clerk]

2019-10-03-0811

23. Ordinance approving the submission of a local contribution in the amount of \$41,824.00 to the Texas Governor’s Office in anticipation of reimbursement of up to \$303,223.00 from the Texas State Events Trust Fund for the American Association of Physicists 2019 Annual Meeting at the Henry B. Gonzalez Convention Center. Funding in the amount of \$41,824.00 is available in the Convention and Sports Facilities State Reimbursement Fund FY 2020 Adopted Budget. [Carlos Contreras, Assistant City Manager; Patricia Muzquiz Cantor, Director, Convention and Sports Facilities]

2019-10-03-0812

24. Ordinance approving amendments to the City of San Antonio's Federal Legislative Program for the 116th U.S. Congress. [Carlos Contreras, Assistant City Manager; Jeff Coyle, Director, Government & Public Affairs]

2019-10-03-0813

26. Ordinance approving a Development Agreement with Borden River Road, LP in an amount not to exceed \$4 million from the Midtown TIRZ for public improvements for the Borden Park redevelopment project located at 815 E. Ashby Place [Lori Houston, Assistant City Manager; Veronica Soto, Director, Neighborhood Housing Services]

2019-10-03-0814

27. Ordinance adopting the Medical Center Area Regional Center Plan as a component of the Comprehensive Master Plan of the City for a 9.8 square mile area generally bound by Huebner Road to the north; Interstate Highway 10 to the east; Loop 410 to the south; and the San Antonio/Leon Valley City Limit Lines and Evers Road to the west. There is no fiscal impact associated with the adoption of the Medical Center Area Regional Center Plan. [Lori Houston, Assistant City Manager; Bridgett White, Director, Planning]

2019-10-03-0815

28. Ordinance adopting the UTSA Area Regional Center Plan as a component of the Comprehensive Master Plan of the City, for a 15.8 square mile area generally bound by Camp Bullis Road, the City Limit Line, and Camp Bullis boundary to the north; Northwest Military Highway, Loop 1604, and the City Limit Line to the east; De Zavala Road and Babcock Road to the south; and Hausman Road, Loop 1604, and Babcock Road to the west. There is no fiscal impact associated with the adoption of the UTSA Area Regional Center Plan. [Lori Houston, Assistant City Manager; Bridgett White, Director, Planning]

2019-10-03-0816

29. Ordinance approving an Interlocal Agreement with the San Antonio River Authority for the implementation of green storm water infrastructure measures for select 2017 Bond Program projects. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Interim Director, Transportation & Capital Improvements]

2019-10-03-0817

30. Ordinance amending the Major Thoroughfare Plan, a component of the City of San Antonio Master Plan, by realigning and redesignating a proposed segment of the East & West Connector from an Enhanced Secondary Arterial (120' to 142' of right-of-way) to a Secondary Arterial Type A (86' of right-of-way) generally located in southern Bexar County, between Roosevelt Avenue and the San Antonio River. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Interim Director, Transportation & Capital Improvements]

31. Approving the following Ordinances relating to the financial matters of the City of San Antonio, Texas: [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer, Finance]

2019-10-03-0818

- 31A.** Ordinance approving, on the same terms and conditions, the first renewal term for the Financial Underwriting Pool from which Financial Underwriting Syndicates will be selected and approved by City Council for various financings for the period commencing October 3, 2019 and ending September 30, 2020.

2019-10-03-0819

- 31B.** Ordinance approving the selection of Frost Bank and M.E Allison & Co., Inc. for addition to the Financial Underwriting Pool from which Financial Underwriting Syndicates will be selected and approved by City Council for various financings for the period commencing October 3, 2019 and ending September 30, 2020.

2019-10-03-0820

- 32.** Ordinance approving the Financial Underwriter Syndicate selected from the Financial Underwriting Pool for financings of: Airport System Revenue Refunding Bonds, Series 2019 (AMT) and Passenger Facility Charge and Subordinate Lien Airport System Revenue Refunding Bonds, Series 2019 (AMT) [Ben Gorzell, Chief Financial Officer; Troy Elliott, Deputy Chief Financial Officer]
- 33.** Approving the following ordinances for revitalization activities at Sunset Station and St. Paul Square: [Lori Houston, Assistant City Manager; Verónica Soto, Director, Neighborhood and Housing Services]

2019-10-03-0821

- 33A.** Ordinance approving a Development Agreement with East Commerce Realty, LLC or affiliated entity in an amount not to exceed \$1,325,000.00 from the Inner City Tax Increment Reinvestment Zone #11 Fund for public improvements at Sunset Station and St. Paul’s Square.

2019-10-03-0822

- 33B.** Ordinance approving the sale and conveyance of five real properties owned by the City of San Antonio in the amount of \$1,758,080 to East Commerce Realty, LLC or affiliated entity, commonly known as 123 Heiman St., 121 Heiman St., 1154 E. Commerce St., 1164 E. Commerce St., and 1172 E. Commerce St., within the St. Paul Square Historic District. Proceeds from the sale of property will be utilized as program income identified as part of the FY 2020 Community Development Block Grant Action Plan and Budget.

CONSENT ITEMS CONCLUDED

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

City Clerk Vacek read the caption for Item 4:

2019-10-03-0795

- 4.** Ordinance amending Article XI, Chapter 15, of the City Code of San Antonio entitled “Earned Paid Sick Time”; and setting the effective date for December 1, 2019. [Colleen M. Bridger, MPH, PhD, Assistant City Manager; Jennifer Herriott, MPH, Interim Director, Health]

Colleen Bridger, Assistant City Manager provided a presentation on the recommended revisions of the San Antonio Paid Sick Leave (PSL) Ordinance approved by the City Council August 12, 2018. She reported that Mayor Nirenberg established an Ad-Hoc Committee to review options for revising the PSL. Ms. Bridger recognized Danielle L. Hardgrove Chairwoman of the PSL Ad-Hoc Committee.

Mrs. Laura Mays provided the public engagement summary reporting that surveys were open from September 16th through September 30, 2019; 2,652 respondents participated. Mrs. Mays stated that over 200 individuals participated in the public meetings conducted and 1,700 individuals viewed the live stream of the public meetings.

Mayor Nirenberg called upon the individuals registered to speak:

Christina Alderete, President of the North Chamber of Commerce spoke in opposition of the PSL Ordinance. She added that it was an overreach of municipal government. She stressed that private employers provide employee compensation and benefits to their employees and that the City should not mandate unfunded regulations to private businesses. She added that PSL was addressed by provisions contained within the Texas Labor Code.

Don Dixon spoke in opposition of the PSL Ordinance adding that he founded a company in 1962 and it has grown to 150 employees. He added that San Antonio was a great city for the manufacturing business but that would be tarnished if PSL was approved. He added that local government should not interfere in the relationship between employee and employer of private employment.

Jolene Garcia representing the Texas Organizing Project spoke in favor of the PSL Ordinance. She noted that 39% of individuals living in San Antonio had no access to paid time off to utilize when they become ill. She stated that approving PSL today would reaffirm the Council's commitment to safeguarding public health.

Kevin Lamelle spoke in favor of the PSL Ordinance noting that he worked in the sports and entertainment business. He added that he had to go to work sick because he did not have PSL. He stressed the importance of having the ability to stay home when sick so that his co-workers do not get sick.

Michelle Tremillo spoke in favor of the PSL Ordinance noting that her husband had a good job but he does not get paid when he was sick. She stated that PSL was needed to protect individuals that need to stay home and more importantly, that they will get paid utilizing PSL.

Linda Chavez-Thompson spoke in favor of the PSL Ordinance and thanked Councilmember Gonzales for appointing her to the PSL Commission. She added that she represented AFL-CIO Labor Council for a total of 26 unions and over 30,000 union members in Bexar County. She noted that individuals do not get paid when they become sick and have to stay home. She mentioned the PSL Commission members spent many hours creating draft recommendations for City Council. She urged that Council to approve the recommendations as presented.

Irene White spoke in favor of the PSL Ordinance noting that she is a community health worker with the Martinez Street Women's Center. She described their mission to provide access to vital health services, quality education, and advocacy. She added that their non-profit envisions a world where women and

girls achieve empowerment, equity, and justice. She stated that Martinez Street Women's Center supports PSL because it will allow women to not lose income when they need to take care of their health or their children's health.

William Gaskins spoke in favor of the PSL Ordinance adding that he owns a business with two employees. He noted that his two employees accrue paid time off and paid sick leave their first day of employment. He added that PSL was very important to the community and the right thing to do.

Drew Galloway, Director of Move Texas spoke in favor of the PSL Ordinance noting that PSL was a quality of life issue. He commended the PSL Commission for their time and effort. He added that the PSL Commission sought input from Business Owners, Chambers of Commerce, Business Executives, Community Organizers, Faith Leaders, Labor Organizations and Health experts.

Sharon Aguillen, President of San Antonio Tourism Council spoke in opposition of the PSL Ordinance noting that she represents approximately 120 small business owners. She added that small businesses were not against PSL and noted that several small businesses already provide PSL. She stressed their opposition to a government mandated benefit involuntarily enacted onto private business.

Judith Vega, representative with the Esperanza Peace and Justice Center spoke in favor of the PSL Ordinance. She noted that the passage of PSL will help break the cycle of poverty. She added that her spouse's employer did not offer PSL and that he had to go to work sick because they could not afford a day off without pay. She urged that Council to approve PSL.

Andres Cruz spoke in opposition of the PSL Ordinance noting that he has owned a business for the past 20 years and has 650 employees. He added that imposing PSL would place a financial burden on his business and would cost approximately \$252,000 annually.

Sean Vina, Medical Sociologist and Researcher at the Texas Health University spoke in favor of the PSL Ordinance. He added that Latinos have 40% lower odds to use their healthcare services with PSL. He noted that those below college education are 30% less likely to use healthcare services than those with a degree. He added that 75% of San Antonio had below a college education. He urged that Council determine the barriers to using PSL and create policy that specifically targets disadvantaged groups that need PSL.

Sarah Donaldson, Employment Attorney spoke in favor of the PSL Ordinance noting that the lawsuit filed by big business was meritless. She added that paying sick leave for hours not worked does not increase an employee's hourly wage. She urged that Council approve PSL.

Ellen Berky spoke in favor of the PSL Ordinance noting that this was an economic and racial justice issue that disproportionately affects women. She added that low wage workers were least likely to have paid time off for caregiving and must take unpaid time off from work. She stated that unequal access to paid leave exacerbates inequity and reinforces gender and racial stereotypes.

Christopher Herring, Chairman of the Small Business Advocacy Committee spoke in opposition of the PSL Ordinance. He noted that he has studied small, minority, women owned, veteran, and local business. He added that the passage of PSL would economically and negatively impact the small business bottom line.

Juanita Sepulveda stated that she was a minority women owned and disabled veteran and spoke in opposition of the PSL Ordinance. She added that she is the Vice Chair of the Small Business Advocacy Committee. She noted that there are 61,461 businesses in San Antonio. She stated that PSL was a federal issue and that the Sick Leave Act was in Federal Court now. She urged that Council to postpone the vote until the Federal Court resolves the case before their court.

Margaret Trevino spoke in favor of the PSL Ordinance and urged the Council to consider interns and temporary workers; adding that they need PSL and they did the equivalent work as full time workers.

Antonio Diaz spoke in support of the PSL Ordinance and noted that the people signed petitions for sick leave. He added that elected officials had tough jobs representing constituents and all the different views. He urged the Council to approve PSL and thanked them for listening to the voters.

Jack M. Finger spoke in opposition of the PSL Ordinance adding that a governmental body should not mandate businesses to provide PSL. He stated that PSL requires pay for work not done and added that people should not be paid when they are sick.

Mayor Nirenberg stated that paid sick leave petitioners gathered enough signatures to allow the City to consider PSL. He added that he created a PSL Commission to research and recommend a draft policy. He noted that several public meetings were conducted and online surveys were utilized to gather refinements to the PSL Ordinance. He noted that he was impressed and grateful for the thorough public process. He added that he was happy to recommend changes including provisions to protect those experiencing unsafe circumstances at home.

Additionally, Mayor Nirenberg mentioned that October was Domestic Violence Awareness Month and that the City approved \$1 million in the FY 2020 Budget to combat Domestic Violence. He added that the PSL Ordinance would serve as an extension to the Council's commitment to the community, to the well-being of all residents in San Antonio.

Councilmember Sandoval stated that their next vote was about changes to the current Ordinance that was approved August 16, 2018. City Attorney Andy Segovia reported that the proposed action before Council was draft revisions to the PSL Ordinance. He added that it included draft language provided by the Commission and by City Council during B Session. He noted that if nothing was changed or voted on today, the current PSL Ordinance would stay in place as approved August 16, 2018 with one caveat. He noted that the only caveat was from litigation in that the City agreed to postpone implementation until December 1, 2019.

Councilmember Sandoval thanked the people that brought forth the petitions for PSL and those that served on the PSL Commission. Councilmember Sandoval listed the biggest challenges residents face are low birth outcomes, amputees from diabetes, epidemic levels of domestic violence, and the poorest large metropolitan area in the nation. She reported that once the PSL Ordinance was implemented, it will be transformative for San Antonio.

Councilmember Sandoval asked if annual reporting was a requirement contained within the PSL Ordinance. Ms. Bridger reported that she did not have that answer but would report back. Councilmember Sandoval requested that annual reporting be included in the PSL Ordinance if not within the first year, to be included each year thereafter. Councilmember Sandoval requested the PSL Procedures being developed by the Health Department. Councilmember Sandoval also suggested that

the revised Procedures be reported before the Community Health and Equity Council Committee unless the Mayor preferred a full City Council briefing.

Councilmember Cabello Havrda asked if the original PSL Ordinance contained a delayed implementation for small businesses of less than five employees. Ms. Bridger replied that was one of the major changes the PSL Commission recommended was to do away with the delayed implementation for small businesses. Councilmember Cabello Havrda asked why that was not included in the iteration discussed today. Ms. Bridger reported that the one-size fit-all approach was utilized to eliminate any reference to business size and said all businesses regardless of the number of employees shall provide up to 56 hours of safe and sick leave time off.

Councilmember Andrews-Sullivan noted that District 2 was one of the most economically-segregated areas she has grown up in. She added that the PSL Ordinance would help someone with mental health when they need a moment to handle their situation. She thanked everyone involved with the PSL Ordinance for providing a voice for those that need it. Councilmember Andrews-Sullivan requested a quiet room/meditation room in the workplace that employees can gather their thoughts. Relative to Interns, she added that interns could help relieve that burden and provide a solution to small employers.

Councilmember Perry spoke in opposition of the PSL Ordinance adding that it will have a negative impact on small businesses. He added that if an employee was not happy with their compensation or benefits, they can leave and find another job. He noted that the City should not get involved with employee and employer issues. He asked Ms. Jalisa Carrillo address the Council. Ms. Carrillo stated that she was a small minority owned business owner. She noted that she was not against sick leave or paid time off. She added that the one-size fits-all approach was wrong for San Antonio. She urged Council to consider the small businesses.

Councilmember Rocha Garcia asked how grant funded programs might be affected by PSL. Mr. Contreras reported that nonprofit entities were considered a business regardless of their funding source and would be treated the same. He noted that there may be language in federally funded grants that would supersede any local ordinance.

Councilmember Gonzales asked if after a year of employment the employee utilized PSL and the employer pays PSL properly, can the employer still terminate employment. Ms. Bridger reported that an employer can terminate employment. Councilmember Gonzales asked if the PSL Ordinance had a requirement for businesses to have a handbook to inform employees of their benefits. Ms. Bridger reported that there was not a requirement for the employer to have a handbook. Ms. Bridger added that if the employer had a handbook, they must make reference to the PSL Ordinance.

Councilmember Gonzales asked if signage was required to inform employees of the PSL Ordinance. Ms. Bridger reported that employers must post signs in their business notifying employees that they have the right to earn Paid Sick and Safe Leave. Councilmember Gonzales requested that Ms. Bridger read the language contained within the PSL Ordinance regarding the Health Departments limitations regarding investigations for the record. Ms. Bridger stated “the department shall only investigate matters related to this Article and submitted complaints related to this Article.”

Councilmember Treviño noted that public trust was important and that the will of the people that gathered 144,000 Signatures truly shows the will of the people. He thanked a number of people that were instrumental in gathering signatures as well as those that served on the PSL Commission.

Councilmember Pelaez asked if the PSL Ordinance (including amendments) runs concurrently with FMLA Leave or Workers' Comp Leave. Mr. Guzman responded yes and further explained that those Federal requirements remain in place and that the PSL Ordinance does not supersede any of those requirements.

Councilmember Viagran asked what entities are not impacted by the PSL Ordinance. Ms. Bridger reported that the Ordinance did not apply to Political Subdivisions, School Districts, the City of San Antonio, Corporations wholly owned by the Government, State Agencies, and exclusions under the Railway Labor Act.

Councilmember Viagran asked if there was a differentiation between part time, full time, or temporary employees. Ms. Bridger reported that they are all eligible to earn 56 hours of PSL.

Councilmember Courage reminded all that the people gathered 144,000 Signatures and that the Council was obligated to follow the City Charter. He added that the City followed the process by creating a Commission which spent one year reviewing data to ensure a comprehensive holistic approach was taken. He noted that there was always room for improvement which the Council would consider. Councilmember Courage thanked all involved with bringing forth revisions to the PSL Ordinance. He asked how the PSL Ordinance would affect businesses in other municipalities. Mr. Guzman reported that the PSL Ordinance did not affect employees wholly employed in other municipalities. Mr. Guzman added that if that business had employees in a San Antonio branch office, employees of that branch office would be entitled to earn PSL. Mr. Guzman added the PSL Ordinance was not proactive, meaning someone must file a complaint to trigger review of a specific situation.

Mayor Nirenberg thanked Chairwoman Hardgrove in chairing the PSL Commission and thanked the commission members in reviewing and recommending revisions to the PSL Ordinance. He added that the goal was to support public health and the quality of life.

Mr. Segovia clarified that the City's official position was as articulated in documents, pleadings, or any arguments made before the court. He added our public and legal position remains that both the original Ordinance and any Ordinance as amended, proposed amendment today, is valid and not preemptive.

Councilmember Perry moved to amend the proposed Paid Sick and Safe Leave Ordinance by excluding Small Businesses with 49 or fewer employees as defined by the Family Medical Leave Act from the requirement to provide Sick and Safe Leave and to also include language that excludes family members in calculating the number of employees for an employer. Councilmember Rocha Garcia seconded the motion. The motion failed as follows:

AYE: 2 - Viagran and Perry

NAY: 9 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Rocha Garcia, Gonzales, Cabello
Havrda, Sandoval, Pelaez, and Courage

Councilmember Rocha Garcia moved to amend the proposed Paid Sick and Safe Leave Ordinance by excluding Small Businesses with five or fewer employees from the requirement to provide Sick and Safe

Leave and to also include language that excludes family members in calculating the number of employees for an employer. Councilmember Perry seconded the motion. The motion failed as follows:

AYE: 3 - Viagran, Rocha Garcia, and Perry

NAY: 8 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Gonzales, Cabello Havrda, Sandoval, Pelaez, and Courage

Councilmember Rocha Garcia moved for the division regarding two areas which are transit workers and internship workers to vote on them separately. Councilmember Viagran seconded the motion. The motion failed as follows:

AYE: 3 - Viagran, Rocha Garcia, and Perry

NAY: 8 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Gonzales, Cabello Havrda, Sandoval, Pelaez, and Courage

Councilmember Sandoval moved to recommend the revisions to Chapter 13, Article 11 Unpaid Sick Time as set out in the red lined document to the City Council with the following amendment, the definition of employee in Section 15-269 should be revised to delete reference to interns. Councilmember Treviño seconded the motion. The motion prevailed as follows:

AYE: 8 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, and Courage

NAY: 3 - Viagran, Pelaez, and Perry

City Clerk Vacek read the caption for Item 18:

2019-10-03-0807

- 18.** An Ordinance authorizing the City Manager or designee to enter into a lease agreement with the Animal Defense League of Texas (ADL) to operate and manage the Paul Jolly Center for Pet Adoptions and PETCO Pavilion located at 210 Tuleta in Brackenridge Park for a one-year term with an automatic extension of two years if performance requirements are met, plus the option to renew the lease for one additional three-year term if performance requirements are met. Funding in the amount of \$475,000 for the first year of the contract is included in FY 2020 General Fund Adopted Budget. [María Villagómez, Deputy City Manager; Heber Lefgren, Director, Animal Care Services]

Mayor Nirenberg called upon the individuals registered to speak:

Joel McLellan, Executive Director of the Animal Defense League (ADL) of Texas spoke in favor of Item 18. He noted that the ADL was fortunate to have 240 medical housing spaces available to treat a wide variety of diseases. He added they have a two-prong policy for occupant management resulting in

the rehabilitation and treatment of sick or injured rescue animals.

Chelsea Payne, lead Veterinarian Manager of ADL spoke in favor of Item 18. She noted that the ADL has been able to increase the inflow and outflow of animals from the shelter by 25%. She added that they have been able to accomplish the advanced medical cases due to in-house blood work capability to include urinalysis and digital ultrasound capabilities. Ms. Payne added that their foster program has also increased by 50%.

John Bachman noted that the ADL was a wonderful organization and that 2,000 animals would be rescued at the Paul Jolly Center. He added that the 2,000 number was lower than previous years. He stated that the \$475,000 allocated to this program would be better spent spaying and neutering animals.

Mr. Heber Lefgren provided a Power Point presentation. He noted that Animal Care Services (ACS) impounded approximately 31,000 cats and dogs per year. He added that ACS built the Paul Jolly Adoption Center in 2010. He noted that the Center was located at Brackenridge Park and was operated by partners of ACS. He added that the current contract would expire at the end of October.

Councilmember Viagran moved to approve Item 18. Councilmember Treviño seconded the motion. The motion prevailed by the following vote:

AYE: 11 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Pelaez, Courage, and Perry

Mayor Nirenberg excused himself from the meeting. Mayor Pro-Tem Gonzales presided over the meeting.

City Clerk Vacek read the caption for Item 21:

2019-10-03-0058R

21. Resolution nominating Roberto C. Treviño as the City's candidate to serve on the Bexar Appraisal District Board of Directors for a term of office to expire December 31, 2021. [Leticia M. Vacek, City Clerk]

Councilmember Andrews-Sullivan made a motion to approve Item 21. Councilmember Viagran seconded the motion. The motion prevailed by the following vote:

AYE: 9 - Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Pelaez, Courage, and Perry

ABSENT: 1 - Mayor Nirenberg

ABSTAIN: 1 - Treviño

Mayor Nirenberg returned to preside over the meeting.

City Clerk Vacek read the caption for Item 25:

CONTINUED UNTIL OCTOBER 17, 2019

25. Ordinance approving a contract with the Center for Common Concerns/HomeBase in the amount of \$128,898.00 to conduct a comprehensive Homeless Strategic Plan for the period of October 3, 2019 through September 30, 2019. Funds for this contract are included in the FY 2020 General Fund Adopted Budget. [Colleen M. Bridger, MPH, PhD, Assistant City Manager; Melody Woosley, Director, Human Services]

Ms. Woosley provided a Power Point presentation and noted that a midyear budget adjustment was made allocating \$200,000 from the Operating Contingency Fund for the assessment of the Local Homeless Response System. She added that the System includes identifying gaps in services and prioritizing improvements.

Ms. Woosley noted that an RFP for services was issued in June 2019 and proposals were evaluated in August. She added that six firms responded to the RFP and that the Evaluation Committee interviewed all six firms and unanimously scored the Center for Common Concerns dba Home Base as the highest ranking applicant. Ms. Woosley noted that Home Base was headquartered in San Francisco, California and that they have extensive experience conducting homeless plans and capacity building for homeless providers across the country.

Councilmember Perry asked if Home Base conducted homeless plans for San Francisco, Los Angeles, or Seattle. Ms. Woosley reported that those three cities were not on her list. Councilmember Perry noted that he had a problem approving funding for a company in San Francisco because San Francisco had a severe homeless problem and they are not a model to emulate.

City Manager Walsh reported that this effort was a result of City Council direction at the end of 2018 because the strategic plan had not been updated for a number of years. He added that the RFP was designed to reevaluate the environment, community partners, Haven for Hope, Non-Profits, the City, and the County to identify where the gaps are. City Manager Walsh reported that \$500,000 was set aside as a result of the .50 cent adjustment on tower and river barge rides. He added that Ms. Woosley was scheduled to report back to Council in March or April and make recommendations on where the gaps are.

Councilmember Perry asked who would be included in the Strategic Plan. Ms. Woosley reported that the effort would be led by the City and would include the South Texas Regional Alliance for Homeless. She added that they were the federally mandated continuum of care. She added that stakeholders would be engaged communitywide to include non-profits, business community, and neighborhood associations. Councilmember Perry requested a list of all entities involved and asked that the County and District Attorney's Office be included. Councilmember Perry added that homeless issues were the number one problem in District 10 and his constituents want a solution.

Councilmember Pelaez recognized District Attorney Joe Gonzales and invited him to the podium to say a few words. Mr. Gonzales reported that homelessness was a city and countywide problem that has existed for many years. He added that under the Texas Penal Code, being homeless was not a crime. Mr. Gonzales added that the homeless population frequently commits criminal trespass and that his office personally reviews each case for prosecution if necessary.

Councilmember Rocha Garcia asked if this item went through the high-profile contract process. Ms. Woosley reported no and added that the RFP was not a high-profile contract.

Councilmember Rocha Garcia made a motion to continue Item 25 until October 17, 2019. Councilmember Andrews-Sullivan seconded the motion. The motion to continue prevailed by the following vote:

AYE: 9 - Mayor Nirenberg, Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, and Perry

NAY: 2 - Pelaez and Courage

City Manager's Report

34. City Manager's Report

City Manager Walsh reported that the National Procurement Institute (NPI) has awarded the City's Purchasing Division in the Finance Department with the prestigious 24th Annual Achievement of Excellence in Procurement (AEP) Award for 2019. He added that the AEP Award is earned by organizations that demonstrate excellence in innovation, professionalism, productivity, e-procurement, and leadership attributes of the procurement organization.

City Manager Walsh reported that TML begins next week on October 9, 2019 and over 3,000 City Officials from across Texas are registered. He added that donations of clothing, toiletries, and Halloween Costumes will be accepted and will benefit Family Violence Prevention Services and the Battered Women & Children Shelter in San Antonio.

The Mayor and City Council sang Happy Birthday to Councilmember Perry and wished him a Happy Birthday.

Mayor Nirenberg recessed the meeting until 2:55 pm.

Mayor Pro-Tem Gonzales reconvened the meeting at 3:10 pm.

CONSENT ZONING ITEMS

Zoning Items Z-1, Z-2, Z-3, P-2, Z-6, P-4, Z-9, Z-10 and Z-13 were pulled for Individual Consideration.

Mayor Pro-Tem called upon Jack M. Finger to speak on Zoning Consent Items:

Jack M. Finger spoke in opposition of Z-1 regarding a used car lot in District 1. He added that the Zoning Commission thought it was a bad idea and urged the Council to deny the used car lot. He also spoke in opposition of Z-10 another request for a used car lot in District 5. He added there was a saturation of used car lots in San Antonio. Mr. Finger spoke in opposition of Z-2 adding the idea of putting in a three unit dwelling on East Euclid was a bad idea due to the excessive density. He also spoke in opposition of Z-5 which was a request for a four unit dwelling on South Cherry Street. He added that was another example of excessive density.

Councilmember Andrews-Sullivan moved to approve the remaining Consent Zoning Items.
Councilmember Courage seconded the motion.

AYE: 8 - Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Courage, and Perry

ABSENT: 2 - Mayor Nirenberg and Pelaez

2019-10-03-0824

Z-4. ZONING CASE Z-2019-10700182 S (Council District 2): Ordinance amending the Zoning District Boundary from "C-2 MLOD-3 MLR-1" Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District to "C-2 S MLOD-3 MLR-1" Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District with Specific Use Authorization for a Carwash on Lot 14, NCB 10757, located at 1845 South WW 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 14, NCB 10757. TO WIT: From "C-2 MLOD-3 MLR-1" Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District to "C-2 S MLOD-3 MLR-1" Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 1 District with Specific Use Authorization for a Carwash.

2019-10-03-0825

P-1. PLAN AMENDMENT CASE PA-2019-11600053 (Council District 2): Ordinance amending the Arena District/Eastside Community Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use from "Light Industrial" to "Medium Density Residential" on Lot 10, Block 17, NCB 664, located at 1101 South Cherry Street. Staff and Planning Commission recommend Approval. (Associated Zoning Case Z-2019-10700188)

2019-10-03-0826

Z-5. ZONING CASE Z-2019-10700188 (Council District 2): Ordinance amending the Zoning District Boundary from "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District to "IDZ-2 AHOD" Medium Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted for four (4) dwelling units on Lot 10, Block 17, NCB 664, located at 1101 South Cherry Street. Staff and Zoning Commission recommend Approval, pending Plan Amendment.

(Associated Plan Amendment Case PA-2019-11600053)

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 17, NCB 664. TO WIT: From "RM-4 AHOD" Residential Mixed Airport Hazard Overlay District to "IDZ-2 AHOD" Medium Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted for four (4) dwelling units.

2019-10-03-0827

P-3. PLAN AMENDMENT CASE # PA-2019-11600049 (Council District 3): Ordinance amending the Highlands Community Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use from "Neighborhood Commercial" to "Community Commercial" on Lots 29-31, the south 116 feet of Lot 14, Lot 15, and Lot 16, Block 9, NCB 2947, located at 3201 S Gevers Street. Staff and Planning Commission recommend Approval. (Associated Zoning Case Z2019-10700140)

2019-10-03-0828

Z-7. ZONING CASE Z-2019-10700140 (Council District 3): Ordinance amending the Zoning District Boundary from "O-2 AHOD" High Rise Office Airport Hazard Overlay District to "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District on Lots 29-31, the south 116 feet of Lot 14, Lot 15, and Lot 16, Block 9, NCB 2947, located at 3201 South Gevers Street. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment PA2019-11600049)

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: Lots 29-31, and the south 116 feet of Lot 14, Lot 15, and Lot 16, Block 9, NCB 2947. TO WIT: From "O-2 AHOD" High Rise Office Airport Hazard Overlay District to "C-2NA AHOD" Commercial Nonalcoholic Sales Airport Hazard Overlay District

2019-10-03-0829

Z-8. ZONING CASE Z-2019-10700179 (Council District 3): Ordinance amending the Zoning District Boundary from "R-6 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "C-2 MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on Lot Track A, NCB 7791, located at 804 Pleasanton 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 Track A, NCB 7791. TO WIT: From "R-6 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "C-2 MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District.

2019-10-03-0833

- Z-11.** ZONING CASE Z-2019-10700176 (Council District 5): Ordinance amending the Zoning District Boundary from "R-4 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "IDZ-1 MLOD-2 MLR-2 AHOD" Limited Intensity Infill Development Zone Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted in "C-1" Light Commercial District and "R-4" Residential Single Family District on West 26 feet of Lot 20, 21, east 12 feet of 20, south 23 feet of 14, west 1 foot of south 23 feet of 15, Block 5, NCB 2396, located at 2415 and 2417 San Fernando 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: on the West 26 feet of Lot 20, 21, east 12 feet of 20, south 23 feet of 14, west 1 foot of south 23 feet of 15, Block 5, NCB 2396. TO WIT: From "R-4 MLOD-2 MLR-2 AHOD" Residential Single-Family Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "IDZ-1 MLOD-2 MLR-2 AHOD" Limited Intensity Infill Development Zone Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted in "C-1" Light Commercial District and "R-4" Residential Single Family District.

2019-10-03-0834

- Z-12.** ZONING CASE Z-2019-10700178 (Council District 5): Ordinance amending the Zoning District Boundary from "I-1 MLOD-2 MLR-2 AHOD" General Industrial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District and "C-3NA MLOD-2 MLR-2 AHOD" General Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "IDZ-2 MLOD-2 MLR-2 AHOD" Medium Intensity Infill Development Zone Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted in "C-2" Commercial District on Lot 16, NCB A 36, located at 1310 South Brazos 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 16, NCB A 36. TO WIT: From "I-1 MLOD-2 MLR-2 AHOD" General Industrial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District and "C-3NA MLOD-2 MLR-2 AHOD" General Commercial Nonalcoholic Sales Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "IDZ-2 MLOD-2 MLR-2 AHOD" Medium Intensity Infill Development Zone Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with uses permitted in "C-2" Commercial District.

2019-10-03-0836

- P-5.** PLAN AMENDMENT CASE PA-2019-11600050 (Council District 7): Ordinance amending the North Sector Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use from "Suburban Tier" to "Regional Center" on Lot 1, Block 4, NCB 13722, located at 5603 Kenwick Street. Staff and Planning Commission recommend Approval. (Associated Zoning Case Z-2019-10700177).

2019-10-03-0837

- Z-14.** ZONING CASE Z-2019-10700177 (Council District 7): Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-3 R AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District on Lot 1, Block 4, NCB 13722, located at 5603 Kenwick Street. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment Case PA-2019-11600050).

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 1, Block 4, NCB 13722. TO WIT: From "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-3 R AHOD" General Commercial Restrictive Alcoholic Sales Airport Hazard Overlay District.

2019-10-03-0838

- Z-15.** ZONING CASE Z-2019-10700157 S ERZD (Council District 9): Ordinance amending the Zoning District Boundary from "C-3 GC-3 MLOD-1 MLR-2 ERZD" General Commercial US 281 North Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District to "C-3 S GC-3 MLOD-1 MLR-2 ERZD" General Commercial US 281 North Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District with a Specific Use Authorization for a Carwash on the west 34.72 feet of Lot 11, Block 7, NCB 649, 26480 US Highway 281 North. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: the west 34.72 feet of Lot 11, Block 7, NCB 649. TO WIT: From "C-3 GC-3 MLOD-1 MLR-2 ERZD" General Commercial US 281 North Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District to "C-3 S GC-3 MLOD-1 MLR-2 ERZD" General Commercial US 281 North Gateway Corridor Camp Bullis Military Lighting Overlay Military Lighting Region 2 Edwards Recharge Zone District with a Specific Use Authorization for a Carwash.

2019-10-03-0839

- Z-16.** ZONING CASE Z-2019-10700185 CD (Council District 10): Ordinance amending the Zoning District Boundary from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-5 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a Conditional Use for Animal and Pet Services (No Outdoor Training, Boarding, Runs, Pens or Paddocks) on Lot 50, Block 12, NCB 17365, located at 14403 Briarmall. 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 50, Block 12, NCB 17365. TO WIT: From "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "R-5 CD AHOD" Residential Single-Family Airport Hazard Overlay District with a

Conditional Use for Animal and Pet Services (No Outdoor Training, Boarding, Runs, Pens or Paddocks).

CONSENT ZONING CONCLUDED

ZONING ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

Melissa Ramirez read the caption for Item Z-1:

CONTINUED UNTIL OCTOBER 17, 2019

Z-1. ZONING CASE Z-2019-10700151 CD (Council District 1): Ordinance amending the Zoning District Boundary from "C-2 MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "C-2 CD MLOD-2 MLR-2 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District with a Conditional Use for Motor Vehicle Sales on Lots 1 and 2, Block 1, NCB 2817, located at 2701 West Martin Street. Staff recommends Approval. Zoning Commission recommends Denial.

Ms. Ramirez noted that 53 notices were mailed, zero returned in favor and three opposed.

Written Testimony was submitted by It's the Climb Ventures they purchased the property to use as a childcare center. In order to create a childcare center, the property must be rezoned to C-2.

Councilmember Treviño made a motion to continue Z-1 until October 17, 2019. Councilmember Courage seconded the motion to continue. The motion to continue prevailed by the following vote:

AYE: 9 - Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Courage, and Perry

ABSENT: 2 - Mayor Nirenberg and Pelaez

Melissa Ramirez read the caption for Item Z-2:

2019-10-03-0823

Z-2. ZONING CASE Z-2019-10700180 (Council District 1): Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "IDZ-1 AHOD" Limited Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted for three (3) dwelling units on Lot 2, Block 3, NCB 829, located at 804 East Euclid Avenue. Staff recommends Denial. Zoning Commission recommends 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 2, Block 3, NCB 829. TO WIT: From "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "IDZ-1 AHOD" Limited Intensity Infill Development Zone Airport Hazard Overlay District with uses permitted for three (3) dwelling units.

Ms. Ramirez noted that 34 notices were mailed, 12 returned in favor and 2 opposed.

Mayor Pro-Tem called upon Tony Cortez to speak:

Tony Cortez noted that he was the applicant and added that he met with the neighborhood association and spoke with neighbors regarding his plans for the re-zoning case. He added that they were all supportive and thanked the Council for considering his request.

Councilmember Treviño made a motion to approve Z-2. Councilmember Andrews-Sullivan seconded the motion. The motion to approve prevailed by the following vote:

AYE: 9 - Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Courage, and Perry

ABSENT: 2 - Mayor Nirenberg and Pelaez

Melissa Ramirez read the caption for Item Z-3:

DENY

Z-3. ZONING CASE Z-2019-10700133 S (Council District 2): Ordinance amending the Zoning District Boundary from "C-1 AHOD" Light Commercial Airport Hazard Overlay District to "C-2 S AHOD" Commercial Airport Hazard Overlay District with Specific Use Authorization for a Bar and/or Tavern Without Cover Charge 3 or more days per week on Lot 36, NCB 984, located at 217 Casa Blanca. Staff and Zoning Commission recommend Approval. (Continued from September 19, 2019)

Councilmember Andrews-Sullivan made a motion to deny Z-3. Councilmember Treviño seconded the motion to deny. The motion to deny prevailed by the following vote:

AYE: 8 - Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Sandoval, Courage, and Perry

NAY: 1 - Cabello Havrda

ABSENT: 2 - Mayor Nirenberg and Pelaez

RECONSIDER

Z-3. ZONING CASE Z-2019-10700133 S (Council District 2): Ordinance amending the Zoning District Boundary from "C-1 AHOD" Light Commercial Airport Hazard Overlay District to "C-2 S AHOD" Commercial Airport Hazard Overlay District with Specific Use Authorization for a Bar and/or Tavern Without Cover Charge 3 or more days per week on Lot 36, NCB 984, located at 217 Casa Blanca. Staff and Zoning Commission recommend Approval. (Continued from September 19, 2019)

Councilmember Sandoval moved to reconsider Z-3. Councilmember Treviño seconded the motion to reconsider. The motion to reconsider Z-3 prevailed by the following vote:

AYE: 9 - Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda,

Sandoval, Courage, and Perry

ABSENT: 2 - Mayor Nirenberg and Pelaez

DENY

Z-3. ZONING CASE Z-2019-10700133 S (Council District 2): Ordinance amending the Zoning District Boundary from "C-1 AHOD" Light Commercial Airport Hazard Overlay District to "C-2 S AHOD" Commercial Airport Hazard Overlay District with Specific Use Authorization for a Bar and/or Tavern Without Cover Charge 3 or more days per week on Lot 36, NCB 984, located at 217 Casa Blanca. Staff and Zoning Commission recommend Approval. (Continued from September 19, 2019)

Councilmember Andrews-Sullivan made a motion to deny Z-3. Councilmember Treviño seconded the motion to deny. The motion to deny prevailed by the following vote:

AYE: 9 - Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Courage, and Perry

ABSENT: 2 - Mayor Nirenberg and Pelaez

Melissa Ramirez read the caption for Items P-2 and Z-6:

CONTINUED UNTIL OCTOBER 17, 2019

P-2. PLAN AMENDMENT CASE PA-2019-11600055 (Council District 2): Ordinance amending the Camelot 1 Neighborhood Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use from "Business Park" to "Medium Density Residential" on Lots 2, 3, 5, 6, and 7, Block 2, NCB 16927 and Lots 2, 3, 4, and 5, Block 3, NCB 16927, generally located west of Walzem Road and Dial Ike Drive. Staff and Planning Commission recommend Approval. (Associated Zoning Case Z-2019-10700192)

CONTINUED UNTIL OCTOBER 17, 2019

Z-6. ZONING CASE Z-2019-10700192 (Council District 2): Ordinance amending the Zoning District from "C-3 MLOD-3 MLR-2 AHOD" General Commercial Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District to "MF-18 MLOD-3 MLR-2 AHOD" Limited Density Multi-Family Martindale Army Airfield Military Lighting Overlay Military Lighting Region 2 Airport Hazard Overlay District on Lots 2, 3, 5, 6, and 7, Block 2, NCB 16927 and Lots 2, 3, 4, and 5, Block 3, NCB 16927, generally located west of Walzem Road and Dial Ike Drive. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment PA-2019-11600055)

Ms. Ramirez noted that 11 notices were mailed, one returned in favor and zero opposed.

Councilmember Andrews-Sullivan made a motion to continue P-2 and Z-6 until October 17, 2019. Councilmember Treviño seconded the motion to continue. The motion to continue prevailed by the following vote:

AYE: 9 - Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda,

Sandoval, Courage, and Perry

ABSENT: 2 - Mayor Nirenberg and Pelaez

Melissa Ramirez read the caption for Items P-4 and Z-9:

2019-10-03-0830

P-4. PLAN AMENDMENT CASE PA-2019-11600061 (Council District 3): Ordinance amending the Heritage South Sector Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use from “Country Tier” to “Specialized Center” on 426.472 acres out of NCB 15665, located at 15770 South US Highway 281. Staff and Planning Commission recommend Approval. (Associated Zoning Case Z-2019-10700211)

2019-10-03-0831

Z-9. ZONING CASE Z-2019-10700211 (Council District 3): Ordinance amending the Zoning District Boundary from “FR AHOD” Farm and Ranch Airport Hazard Overlay District and “FR” Farm and Ranch District to “I-2 AHOD” Heavy Industrial Airport Hazard Overlay District and “I-2” Heavy Industrial District on 426.472 acres out of NCB 15665, located at 15770 South US Highway 281. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment Case PA-2019-11600061)

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: 404.586 acres out of NCB 15665. TO WIT: From “FR AHOD” Farm and Ranch Airport Hazard Overlay District and “FR” Farm and Ranch District to “I-2 AHOD” Heavy Industrial Airport Hazard Overlay District and “I-2” Heavy Industrial District.

Ms. Ramirez noted that 20 notices were mailed, one returned in favor and zero opposed. She added that the applicant had amended their request to reduce the acreage from 426 to 404 and has submitted field notes.

Councilmember Viagran made a motion to approve staff recommendation with conditions. Councilmember Andrews-Sullivan seconded the motion. The motion to approve with conditions prevailed by the following vote:

AYE: 7 - Andrews-Sullivan, Viagran, Gonzales, Cabello Havrda, Sandoval, Courage, and Perry

ABSENT: 4 - Mayor Nirenberg, Treviño, Rocha Garcia, and Pelaez

Melissa Ramirez read the caption for Item Z-10:

2019-10-03-0832

Z-10. ZONING CASE Z-2019-10700152 CD (Council District 5): Ordinance amending the Zoning

District Boundary from "C-2 MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "C-1 CD MLOD-2 MLR-1 AHOD" Light Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with Conditional Use for Motor Vehicle Sales (Full Service) on Lot 353, NCB 8524, located at 1448 Somerset Road. Staff and Zoning Commission recommend Denial.

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 353, NCB 8524. TO WIT: From "C-2 MLOD-2 MLR-1 AHOD" Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District to "C-1 CD MLOD-2 MLR-1 AHOD" Light Commercial Lackland Military Lighting Overlay Military Lighting Region 1 Airport Hazard Overlay District with Conditional Use for Motor Vehicle Sales.

Ms. Ramirez noted that 30 notices were mailed, zero returned in favor and zero opposed.

Mayor Pro-Tem Gonzales called upon Eli Marroquin to speak:

Mr. Eli Marroquin noted that when he purchased the property, three tenants lived there. He added that the three tenants refused to leave and he had to spend a lot of time and money to remove the tenants. He added that the property was filled with junk and old cars. He noted that Code Compliance came out on a number of occasions demanding that the property be cleaned up. He stated that the tenants refused to clean up the property. He added that after 7 months they finally left the property and he was able to clean up the property.

Councilmember Gonzales made a motion to approve Z-10. Councilmember Sandoval seconded the motion. The motion to approve prevailed by the following vote:

AYE: 9 - Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Courage, and Perry

ABSENT: 2 - Mayor Nirenberg and Pelaez

Melissa Ramirez read the caption for Item Z-13:

2019-10-03-0835

Z-13. ZONING CASE Z-2019-10700153 CD (Council District 7): 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 Live Entertainment without cover charge for 3 or more days a week on 0.5779 acres out of NCB 14160, located at 5455 Evers Road. Staff and Zoning Commission recommend Approval with Conditions. (Continued from September 19, 2019).

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: 0.5779 acres out of NCB 14160. 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 Live Entertainment without cover charge for 3 or more days a week.

Ms. Ramirez noted that 22 notices were mailed, zero returned in favor and one opposed.

Councilmember Sandoval made a motion to approve with an additional condition of "no temporary plastic, digital, or blade signage. Councilmember Andrews-Sullivan seconded the motion to approve with the conditions as stated. The motion to approve with conditions prevailed by the following vote:

AYE: 9 - Treviño, Andrews-Sullivan, Viagran, Rocha Garcia, Gonzales, Cabello Havrda, Sandoval, Courage, and Perry

ABSENT: 2 - Mayor Nirenberg and Pelaez

Mayor Pro-Tem announced City Clerk, Leticia M. Vacek's Birthday. They all sang Happy Birthday to Mrs. Vacek.

ADJOURNMENT

There being no further discussion, Mayor Pro-Tem adjourned the meeting at 4:30 pm.

APPROVED

RON NIRENBERG
MAYOR

Attest:

LETICIA M. VACEK, TRMC/CMCMMC
City Clerk