

**STATE OF TEXAS
COUNTY OF BEXAR
CITY OF SAN ANTONIO**

A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO WAS HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, WEDNESDAY, FEBRUARY 20, 2008 AND THURSDAY, FEBRUARY 21, 2008.

The San Antonio City Council convened in a Work Session at 3:00 pm Wednesday, **February 20, 2008**, Municipal Plaza Building with the following Councilmembers present: Cisneros, McNeil, Ramos, Cortez, Galvan, Herrera, Rodriguez, Cibrian, Rowe, Clamp, and Mayor Hardberger.

1. STAFF BRIEFING ON FY 2009 AND FY 2010 HUMAN SERVICES CONSOLIDATED FUNDING BALLOT RESULTS AND REQUEST FOR DIRECTION ON CITY COUNCIL INVESTMENT PRIORITIES.

Mr. Dennis Campa, Community Initiatives Director presented the ballots and provided background of the past and present processes for allocating funds to delegate agencies. He reviewed the benefits of the Consolidated Funding Process (CFP). Mr. Campa discussed the differences between Restricted and Unrestricted Funds and gave examples of the four Investment Priorities: 1) Family Strengthening, 2) Workforce Development, 3) After School and Youth Development, and 4) Community Safety Net. He outlined the Evaluation Process and criteria that staff reviews prior to making recommending same to the Quality of Life Council Committee. Mr. Campa highlighted the percentages of external funding required for agencies. He presented the ballot results and noted that the amounts came from the budget and did not include any one-time or special allocations. Lastly, he presented a timeline and requested Council direction.

Councilmember Cortez asked if the After School Care encompassed the Challenge Program. Mr. Campa replied that it did not because that program was funded with Restricted Funds. Councilmember Cortez stated that working families need programs to keep kids out of trouble and would like for his colleagues to re-evaluate the amount being spent. He also stated the need to keep costs for those programs low. He noted the increase in funding for seniors and asked what services would be provided to them. Mr. Campa stated that there would be various programs at the YMCA and computer classes available.

Ms. Sculley noted that the fee structure for after school care was created and voted on by the Councilmembers. In the past, all participants paid the same fee; now, there is a sliding scale.

Councilmember Clamp questioned the use of restricted funds. Mr. Campa noted that there was \$7.6 million in restricted funds and that those funds were mostly grants and federal monies that the City is required to use in a specific way by the agency that granted them. He added that the agencies would be asking for budget approval in May, but that it could be adjusted at any time. Councilmember Clamp noted the need for a senior center in his district.

Councilmember Cibrian asked how many children and families the after school program would be able to serve. She stated that she understood why they had changed the fees, but had some concerns. She asked the Council to consider increasing the amount spent on Family Strengthening, Financial Security, and Early Childhood Development. Mr. Campa stated that if one item was increased, another would

have to decrease, but that the negative impact could possibly be made up with other funding. He asked Council to refer anyone with concerns over the payment of fees to him and he would be happy to work with them. Councilmember Cibrian spoke in favor of the P16+ and VITA programs.

Councilmember Rodriguez stated that the amounts spent in Early Childhood and Youth Development would save money in the long run. Councilmember Galvan noted her concerns with the 8% decrease in strengthening families. She asked what was being done to impact education and how money was being spent on seniors. Mr. Campa noted that senior monies were being invested in wellness courses and other programs to keep seniors active.

Councilmember Ramos stated that the Council may want to look at balancing the super increases and decreases. She asked how money was allocated to different school districts. Mr. Campa stated that there are eight school districts that provide the after school programs and that the City leverages funds through those districts. Councilmember Ramos asked about the fees for the programs and if there was an enrollment cap. Mr. Campa explained that the purpose of the new fee structure was to eliminate the enrollment cap by increasing the funds available for the program. He reiterated that he would be willing to work with families on lower fees for the programs.

Councilmember Rowe asked of the return on investment and if the City was earning every dollar possible through matching funds. Mr. Campa stated that there are many more opportunities to match funds, but there are also cases where a City program does not have a matching federal or state program to benefit from.

2. BRIEFING ON THE RESULTS, FINDINGS, AND RECOMMENDATIONS OF THE DOWNTOWN PARKING MANAGEMENT STUDY CONDUCTED BY CARTER BURGESS.

Mr. Pat DiGiovanni, Deputy City Manager, presented the item and introduced opportunities to improve, challenges to overcome, and partnerships to enhance downtown parking. He noted that parking issues were not a significant deterrent to keep residents and tourists away from downtown and that parking has been viewed as an enterprise operation. He added that construction of parking garages could cost as much as \$15,000-20,000 per space.

Mr. Mike McAnelly, Jacobs Carter Burgess, noted that no other large Texas City had anything like San Antonio's transit system in that other cities have partnerships with private entities. He added that one's perception of parking varies by individual. He gave a history of San Antonio's Parking System, which was implemented in 1965. Mr. McAnelly stated that although parking is not a reason for development or for visitors to come downtown, it may prevent those things from happening. He provided a 10-year plan with five goals: 1) effectively manage assets, 2) make parking financially self-sustaining, 3) stimulate economic development, 4) promote parking utilization, and 5) encourage Downtown Patronage.

Mr. Mike McAnelly addressed public involvement including meetings with 2,000 people, interviews, surveys, luncheons, workshops, and the Parking Rate Structure Task Force. He presented several charts and graphs depicting the percentages of public and private usage of parking spaces, parking supply versus demand for city garages, and a breakdown of trip purpose comparing weekdays to Saturdays. Mr. McAnelly provided a list of guiding principles and stated the need to upgrade parking technology, signage, and offered examples throughout San Antonio. He outlined two proposed City Garages to be

built in 2010 and 2015 and presented the 10-year Capital Plan and Pro Forma Financial Model. Mr. McAnelly suggested that San Antonio increase parking rates, citing rates in comparable cities. Lastly, he highlighted the Parking Rate Structure Task Force's recommendations and implementation schedule.

Mr. DiGiovanni reviewed the next steps and requested direction to present the recommendations to the Infrastructure and Growth Council Committee.

Councilmember Galvan stated that she was very impressed with the report and that it painted a very clear and comprehensive picture. She also expressed her enthusiasm for new technology and signage. Councilmember Cibrian reiterated the need for parking to be self-sustaining and suggested mixed use development for future lots.

There being no further discussion, Mayor Hardberger adjourned the meeting at 5:15 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **February 21, 2008** at 9:00 am in the City Council Chambers. City Clerk, Leticia M. Vacek, took the Roll Call and noted a quorum of the Council with the following present: Cisneros, McNeil, Ramos, Cortez, Galvan, Herrera, Rodriguez, Cibrian, Rowe, Clamp, and Mayor Hardberger.

The Invocation was delivered by Rev. Courtney Evans, Pastor, God's Property Baptist Church, guest of Councilmember Sheila McNeil, District 2.

Mayor Hardberger led the Pledge of Allegiance to the Flag of the United States.

MINUTES

Councilmember Clamp made a motion to approve the Minutes for the January 31, 2008 City Council Meeting. Councilmember Ramos seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, McNeil, Ramos, Herrera, Rodriguez, Cibrian, Rowe, Clamp, and Mayor Hardberger. **NAY:** None. **ABSENT:** Cortez and Galvan.

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Resolution:

2008-02-21-0012R

Item 4. A RESOLUTION APPROVING THE RELOCATION OF THE FIESTA CARNIVAL FROM DOLOROSA AND SANTA ROSA STREETS AND ADJACENT PARKING LOTS TO THE ALAMODOME PARKING LOT C.

Ms. Penny Postoak Ferguson, Assistant City Manager, presented said item and noted that this was the first of three Fiesta-related items on the Council Agenda. Ms. Ferguson stated that it was Staff's recommendation, along with the Fiesta Commission, that the Fiesta Carnival be relocated to the Alamodome C Parking Lot. She noted that the relocation was necessary due to new developments related to the closing of streets and other traffic issues. Ms. Ferguson added that seven sites had been considered but that ultimately, the Alamodome C Parking Lot was the most feasible since it was not

subject to development, did not require any street closures, and did not inhibit access to public transportation, hospitals, or public offices.

Ms. Ferguson stated that there were several issues raised regarding the new proposed location, including its close proximity to a residential neighborhood. She noted that a community meeting was held on December 11, 2007 to provide the residents and community an opportunity to voice their opinions. Some of the concerns included security, traffic, parking and noise. Ms. Ferguson stated that security and traffic would be improved, and that parking would be offered at no more than \$5.00. Lastly, she added that Carnival hours would be reduced to alleviate noise issues.

Members of the Fiesta Commission addressed the Council at this time. Mr. John Steen stated that there had been a lot of negotiation but in the end, the agreement was fair to both sides. He provided background information on the Fiesta Commission and noted that Commission would be celebrating their 117th Fiesta San Antonio, this year. He explained that this year's Fiesta Pin of 10=284 represented 10 days of Fiesta and the economic impact of \$284 million to the City of San Antonio. Lastly, Mr. Steen urged the Council to support the item. Ms. Vangie Flores added her support of said item and asked that the Council also support the ten-year contract with the Fiesta Commission to coordinate and oversee all Fiesta Events.

District Attorney Susan Reed stated her support for said item and thanked all who worked on it. She noted that they had looked at various sites for the Carnival relocation and the Alamodome was the best location. She added that if the new location did not work out, the agreement allowed for a change. She urged the Council to support said item.

Ms. Barbara McDonald spoke in opposition to said item and noted that many of her neighbors opposed the item too. She submitted a petition for the record with signatures against the relocation of the Carnival. She stated that the Carnival would not bring growth and redevelopment to the area and added that the streets and parking lots were packed with cars anytime there were large events and this caused a problem for emergency vehicles. She noted that the current decal program was not working and strongly urged the Council to vote against the item.

Ms. Nettie Hinton stated her opposition to said item noting the added crime, noise, traffic and trash that the Carnival would bring to the area. She asked the Council to vote against the item.

Mr. Jack M. Finger spoke against the item and noted that on Item 6, nine out of eleven Councilmembers had received Campaign Finance Contributions from the Fiesta Commission and their lobbyists. He asked that those who received contributions abstain from voting.

Mrs. Vacek read the following three written testimonies:

Mr. Faris Hodge, Jr. wrote in reference to Item 4 that the Alamodome should be named after him and that buildings should be named for people while they are still alive. He added that it was important to recognize people for their achievements to help the city and the community before they passed on. On Item 17, he wrote that small businesses should be allowed to sell to big businesses, stating that not allowing this was against the concept of free enterprise. He added that although the Riverwalk was a landmark of the city, it was small businesses that contributed to its success. He concluded by writing that businesses should be allowed to make decisions regarding their properties.

Mr. Jesse Lara wrote in opposition to Item 4. He wrote that citizens had not been given sufficient opportunity to express their opinion regarding moving the Fiesta Carnival from Downtown to the Alamodome Parking Lot. He stated that moving the carnival would hide it from view and give the impression that it was a private event and not a city event. He added that the current downtown location was within walking distance of the Police Station, Jail, and Hospital. Lastly, he suggested that the ideal location was on Travis Street between Camaron Street and Main Street.

Councilmember McNeil stated her support for said item and asked for her colleagues' support. Councilmember Rodriguez asked if the school district had been involved and Ms. Ferguson stated that they had. He also asked about the possible impact that the relocation would have on Market Square. Councilmember Ramos asked that the City conduct an evaluation of the new location after the event and if the hours of the Carnival could be adjusted to open after school is out.

Councilmember Clamp moved to approve the proposed Resolution. Councilmember Ramos seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, McNeil, Ramos, Cortez, Herrera, Rodriguez, Cibrian, Rowe, Clamp, and Mayor Hardberger. **NAY:** None. **ABSENT:** Galvan.

The City Clerk read the following Ordinance:

2008-02-21-0125

Item 5. AN ORDINANCE APPROVING A TEN-YEAR CONTRACT WITH THE SAN ANTONIO FIESTA COMMISSION, INC. (FIESTA COMMISSION) TO COORDINATE AND OVERSEE FIESTA EVENTS INCLUDING THE PROCESS FOR A CARNIVAL OPERATOR AND PARADES CONCESSIONS.

Ms. Penny Postoak Ferguson presented said item stating the contract would authorize a ten-year commitment with the Fiesta Commission to coordinate and oversee Fiesta Events. The contract would be in effect from 2009-2018 and would include selection of a Carnival Operator and the Parade Concessions. She noted that in regard to revenue, the Fiesta Commission would receive the first \$500,000, the City would receive the next \$150,000 and then the revenue above \$650,000 would be shared equally among the Fiesta Commission and the City. She added that the agreement included provisions to make changes to any event to ensure public health, safety and welfare.

Councilmember Cortez asked that the Fiesta Commission keep families in mind when setting concession prices. Councilmember Cisneros thanked the Fiesta Commission for all their work

Councilmember Cisneros moved to adopt the proposed Ordinance. Councilmember Cibrian seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, McNeil, Ramos, Cortez, Herrera, Rodriguez, Cibrian, Rowe, Clamp, and Mayor Hardberger. **NAY:** None. **ABSENT:** Galvan.

The City Clerk read the following Ordinance:

2008-02-21-0126

Item 6. AN ORDINANCE APPROVING A SECOND AMENDMENT TO THE LICENSE AGREEMENT WITH THE SAN ANTONIO PARKS FOUNDATION FOR THE FIESTA EVENT

("FIESTAS FANTASIAS") AT MARKET SQUARE TO RESTORE HIDALGO PLAZA TO THE ORIGINAL EVENT FOOTPRINT AND TO MODIFY THE ANNUAL PAYMENT TO THE CITY.

Ms. Penny Postoak Ferguson stated that this was an amendment to the agreement with the San Antonio Parks Foundation for the Fiestas Fantasias Fiesta Event at Market Square to restore Hidalgo Plaza to the original event footprint and modify annual payment to the City. She noted that this was being done due to the relocation of the Fiesta Carnival and added that the City would open up the process in 2009 after the five-year contract is due for renewal.

Councilmember Cisneros moved to adopt the proposed Ordinance. Councilmember Clamp seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, McNeil, Ramos, Cortez, Herrera, Rodriguez, Cibrian, Rowe, Clamp, and Mayor Hardberger. **NAY:** None. **ABSENT:** Galvan.

POINT OF PERSONAL PRIVILEGE

Councilmember Cisneros recognized Former Councilmember Robert Marbut and his students who were in the audience. She also recognized Cynthia Cox from the International Affairs Department and the delegation from Japan representing San Antonio's Sister City Kumamoto.

Councilmember Clamp recognized students Lazaro Sanchez and Carina Garcia, and their chaperone Kathy Silva, for their participation in the Junior Achievement Job Shadowing Program.

The City Clerk read the following Ordinance:

2008-02-21-0127

Item 7. AN ORDINANCE AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH THE DILUZIO GROUP, LLC, IN AN AMOUNT NOT TO EXCEED \$600,000 FOR THE PURPOSE OF CONDUCTING A GROWTH MANAGEMENT PLAN STUDY IN CONJUNCTION WITH RECOMMENDATIONS MADE BY THE 2005 BASE REALIGNMENT AND CLOSURE (BRAC) COMMISSION.

Mr. Robert Murdock presented said item and provided background information on the Base Realignment (BRAC) of 2005, the impact of BRAC on San Antonio, and the Military Transformation Task Force (MTTF). He stated that the impact of BRAC to San Antonio was over \$2.1 billion, 11,000 jobs, and over 46,000 construction-related jobs. He noted that Fort Sam Houston would realize an increase in 11,500 personnel and would become the home of Combat Medic Training. Mr. Murdock added that Brook Army Medical Center would merge with Wilford Hall Medical Center to become the San Antonio Military Medical Center and would double its trauma facility.

Mr. Murdock stated that the MTTF consisted of representatives from the City of San Antonio, Bexar County, and The Greater San Antonio Chamber of Commerce and announced the Tri-Chairs – Councilmember Sheila McNeil, Commissioner Lyle Larson, and Mike Novak. He noted that the MTTF had four committees working on the primary issues that the Growth Management Plan would focus on: 1) Transportation and Infrastructure Support, 2) Economic and Business Opportunities, 3) Neighborhood Revitalization and Local Community Impacts, and 4) Healthcare Delivery and Medical

Partnerships. Mr. Murdock added that the Office of Military Affairs (OMA) was the single point of contact for the City of San Antonio on Military and BRAC related issues.

Mr. Murdock stated that only one proposal had been received for the Growth Management Study and that was The DiLuzio Group. An Evaluation Committee which included the OMA, Economic Development Department, Planning and Community Development Department, Public Works Department and the Bexar County Economic Development and Legislative Affairs Departments, reviewed the proposal and recommended The DiLuzio Group.

Councilmember McNeil highlighted the importance of the study and urged the Council to support said item. Councilmember Cibrian noted that she had met with the Principal, Ray DiLuzio, and felt confident in their ability to conduct the study. Councilmember Cortez asked if there was coordination with the Military and Mr. Murdock confirmed that it was.

Councilmember Cibrian moved to adopt the proposed Ordinance. Councilmember McNeil seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, McNeil, Ramos, Cortez, Galvan, Herrera, Rodriguez, Cibrian, Rowe, Clamp, and Mayor Hardberger. **NAY:** None. **ABSENT:** None.

The City Clerk read the following Ordinance:

Item 8. Consideration of the following relating to the 2008 Camp Bullis Joint Use Land Study:

2008-02-21-0128

- A. AN ORDINANCE APPROVING THE SUBMISSION OF A GRANT APPLICATION FOR ADDITIONAL FUNDING FROM THE OFFICE OF ECONOMIC ADJUSTMENT IN AN AMOUNT NOT TO EXCEED \$318,907.00 FOR THE PURPOSE OF CONDUCTING THE CAMP BULLIS JOINT LAND USE STUDY; ACCEPTING FUNDS UPON AWARD; AND AMENDING CITY ORDINANCE NO. 2006-09-21-1117 BY INCREASING THE GRANT AMOUNT BY \$318,907.00.

Mr. Robert Murdock presented Items 8A and 8B. He provided an overview of the San Antonio BRAC impact and stated that training at Camp Bullis would increase twofold due to the Army, Air Force and Navy Medic Training being provided there. He noted that encroachment pressure on Camp Bullis could potentially degrade the Camp's effectiveness as a training facility.

Mr. Murdock stated that the Camp Bullis Joint Land Use Study (JLUS) promotes compatible civilian development patterns near military installations through a local planning process. It also identifies encroachment issues confronting the civilian community and military installation. Also, it provides an opportunity for all stakeholders to provide input and promote a win-win situation by ensuring that future public-private development around military installations were compatible with the military mission and community development needs. He noted that communities were asked to make a good faith effort commitment to the study and that stakeholders must be willing to consider the broader public health, safety and welfare issues as they affect or are affected by the military presence. He added that the Office of Economic Adjustment required a 10% matching contribution from the local community.

Mr. Murdock provided a timeline for the workflow and stated that recommendations should be adapted and implemented in March 2009. He reiterated that the OMA is the single point of contact for the City of San Antonio on Military and BRAC related issues.

Chuck Saxer addressed the Council in support of said item. He stated that the importance of military installations could not be overemphasized and that San Antonio should support their retention and their missions.

Councilmember Cibrian moved to adopt the proposed Ordinance with the condition that the grant application be submitted in the amount of \$400,000 and that the city provide \$40,000 in matching funds. Councilmember McNeil seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, McNeil, Ramos, Cortez, Galvan, Herrera, Rodriguez, Cibrian, Rowe, Clamp, and Mayor Hardberger. **NAY:** None. **ABSENT:** None.

The City Clerk read the following Resolution:

2008-02-21-0013R

B. A RESOLUTION SUPPORTING A CAMP BULLIS JOINT LAND USE STUDY.

Councilmember Cibrian moved to approve the proposed Resolution. Councilmember McNeil seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, McNeil, Ramos, Cortez, Galvan, Herrera, Rodriguez, Cibrian, Rowe, Clamp, and Mayor Hardberger. **NAY:** None. **ABSENT:** None.

CONSENT AGENDA: Items 9 – 26C

Consent Agenda Items 12, 21, 22, and 25 were pulled for Individual Consideration. Councilmember Cibrian moved to approve the remaining Consent Agenda Items. Councilmember Rowe seconded the motion.

Mr. Mayo Galindo, American Critical Energy Systems, addressed the Council regarding Item 11. He urged the Council to postpone the vote on said item in order to research the bid process which he did not agree with. He asked that bidders be given the opportunity to respond after they receive notice that they were not selected, but prior to Council action.

Rickey Evans, American Critical Energy Systems, also addressed the Council regarding Item 11. He stated that he had attended the pre-bid and that their bid would have saved the City a large amount of money. He expressed concern with the bid process and the fact that Holt was selected for the project. He cited various other companies and projects he worked on and asked that the City contact them for a recommendation. He urged the Council not to vote on the item today.

Mayor Hardberger asked District Fire Chief Nim Kidd to address the Council. Chief Kidd stated that he did not participate in the selection process. He asked the Council to move forward on said item as recommended.

Ms. Janie Cantu stated that this was a new contract and that much research had gone into the recommendation. She noted that a large committee had reviewed the bids and made the recommendation based on several factors identified.

Mr. Jack M. Finger expressed concern with Item 19 regarding the \$200,000 incentive package to CIA Mexicana de Aviacion. He stated that on Item 20, several firms had given campaign contributions to Councilmembers and they should abstain from voting. On Item 22, he asked how the Head Start Policy Council would be regulated.

The motion to approve the remaining items on the Consent Agenda prevailed by the following vote: **AYES:** Cisneros, McNeil, Ramos, Cortez, Galvan, Herrera, Rodriguez, Cibrian, Rowe, Clamp, and Mayor Hardberger. **NAY:** None. **ABSENT:** None.

2008-02-21-0129

Item 9. AN ORDINANCE ACCEPTING THE BIDS OF VARIOUS COMPANIES TO PROVIDE THE CITY WITH VARIOUS TYPES OF COMMODITIES AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR FY 2007-2008 FOR A COMBINED ESTIMATED COST OF \$613,000.00, INCLUDING: (A) BULK JET-A-FUEL - \$127,000.00; (B) JANITORIAL SERVICES FOR CENTRO INFORMATION CENTER - \$56,000.00; AND (C) BIOLOGICALS & ADULT VACCINES - \$430,000.00.

2008-02-21-0130

Item 10. AN ORDINANCE ACCEPTING THE BIDS FROM CALDWELL COUNTRY CHEVROLET, PLANET FORD 6, GRAND PRAIRIE FORD AND FREIGHTLINER OF SAN ANTONIO, LTD. TO PROVIDE THE CITY WITH STEP VANS, TRUCKS, & SPORT UTILITY VEHICLES FOR A COST OF \$254,726.00.

2008-02-21-0131

Item 11. AN ORDINANCE ACCEPTING THE BID FROM HOLT TEXAS, LTD. D/B/A HOLT CAT, TO PROVIDE THE CITY WITH SCHEDULED PREVENTATIVE MAINTENANCE AND REPAIR SERVICES ON ALL CITY GENERATORS, TRANSFER SWITCHES, AND BACKUP PUMPS FOR A THREE YEAR PERIOD FOR AN ESTIMATED COST OF \$1,036,000.00, WITH RENEWAL OPTIONS.

2008-02-21-0133

Item 13. AN ORDINANCE APPROVING \$2,255,000.00, INCLUDING A \$2,105,000.00 CONTRACT WITH SHORTY, INC. DBA CHARLIE & COMPANY, FOR CONSTRUCTION WORK IN CONNECTION WITH THE SALADO CREEK GREENWAY CENTRAL SEGMENT (LOOP 410 TO EISENHauer ROAD) PROJECT, AN APPROVED 2000 PROPOSITION 3 PARKS DEVELOPMENT AND EXPANSION VENUE PROJECT SALES TAX INITIATIVE PROJECT LOCATED IN DISTRICTS 2 AND 10; AND APPROPRIATING FUNDS.

2008-02-21-0134

Item 14. AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE LEASE WITH HAWKER BEECHCRAFT SERVICES, INC. AT SAN ANTONIO INTERNATIONAL AIRPORT TO ADD 53,214 SQUARE FEET OF GROUND SPACE, LOCATED IN TWO REMNANT AREAS ADJACENT TO THE LEASEHOLD, WITH ASSOCIATED RENTALS OF \$11,212.19 PER YEAR.

2008-02-21-0135

Item 15. AN ORDINANCE DECLARING AN UNDEVELOPABLE CITY-OWNED TRACT IN DISTRICT 10 AS SURPLUS TO THE CITY'S NEEDS AND AUTHORIZING ITS SALE TO WHITIS ACTION RENTALS, LTD FOR \$17,001.01.

2008-02-21-0136

Item 16. AN ORDINANCE APPROVING A ONE-YEAR RENEWAL OF THE CITY'S LEASE OF APPROXIMATELY 400 SQUARE FEET AT 726 NW LOOP 410 FROM GOODWILL INDUSTRIES, WHERE THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT PROVIDES IMMUNIZATIONS AND PREVENTIVE HEALTH SERVICES, FOR \$320 A MONTH, DISTRICT 9.

2008-02-21-0137

Item 17. AN ORDINANCE APPROVING A RIVER WALK PATIO LEASE AGREEMENT WITH FSI RESTAURANT DEVELOPMENT, LTD D/B/A SALTGRASS STEAKHOUSE FOR USE OF 512.50 SQUARE FEET OF PATIO SPACE FOR OUTDOOR DINING AT AN INITIAL RATE OF \$2.03 PER SQUARE FOOT PER MONTH FOR A TERM ENDING ON FEBRUARY 29, 2013.

2008-02-21-0138

Item 18. AN ORDINANCE AUTHORIZING ACCEPTANCE OF AN \$80,000.00 GRANT FROM ANNIE E. CASEY FOUNDATION AND EXECUTION OF A SUB-GRANTEE AGREEMENT WITH HAVEN FOR HOPE OF BEXAR COUNTY, A TEXAS NON-PROFIT CORPORATION TO SUPPORT SERVICES TO THE MAKING CONNECTIONS – SAN ANTONIO AREA AND THE DEVELOPMENT OF THE CENTER FOR HEALTH CARE SERVICES (CHCS) PUBLIC SAFETY TRIAGE AND DETOXIFICATION (PSTD) CENTER.

2008-02-21-0139

Item 19. AN ORDINANCE AUTHORIZING AN INCENTIVE PACKAGE FOR CIA MEXICANA DE AVIACION FOR A NEW DAILY NON-STOP FLIGHT TO MONTERREY, MEXICO, INITIATED ON DECEMBER 2, 2007, INCLUDING UP TO \$200,000 FOR MARKETING COST REIMBURSEMENTS AND FEDERAL INSPECTION SERVICE FEE WAIVERS IN ACCORDANCE WITH THE AIR SERVICE DEVELOPMENT INCENTIVE PROGRAM.

2008-02-21-0140

Item 20. AN ORDINANCE AUTHORIZING CONTRACTING NON-EXCLUSIVELY WITH FIVE FIRMS FOR ON-CALL APPRAISAL SERVICES AND FIVE OTHER FIRMS FOR ON-CALL SURVEYING SERVICES, THE CONTRACT TERMS TO BE THREE YEARS AND WITH A PROVISION FOR POSSIBLE RENEWAL.

2008-02-21-0143

Item 23. AN ORDINANCE APPROVING AN EXTENSION OF LINE-OF-DUTY LEAVE FOR FIRE APPARATUS OPERATOR DONNIE NAPIER.

2008-02-21-0144

Item 24. AN ORDINANCE AUTHORIZING THE AMENDMENT OF THE CONTRACT WITH THE AMERICAN CANCER SOCIETY TO PROVIDE NICOTINE REPLACEMENT THERAPY TO CITY EMPLOYEES AND THEIR ELIGIBLE SPOUSES FOR THE PERIOD BEGINNING MARCH 1, 2008 AND ENDING DECEMBER 31, 2008.

Item 26. Consideration of District Board and Committee Nominees for terms of office as outlined below:

- A. Appointing Celina Pena (District 7) to the San Antonio Commission on Literacy for the remainder of an unexpired term of office to expire May 31, 2009.
- B. Reappointing Michael Gallagher (District 10) to the Board of Adjustment for the remainder of an unexpired term of office to expire May 31, 2009.
- C. Reappointing to the Advisory Board of Health of the San Antonio Metropolitan Health District William D. Steinhauer, D.D.S (At Large - Category: Dentist) and Andre Smith (At-Large), and appointing Valerie Hernandez, M.D. (At-Large - Category: Physician) for the remainder of unexpired terms of office to expire December 31, 2010, and appointing Wayne Shirley (At-Large - Category: San Antonio Restaurant Association) for the remainder of an unexpired term of office to expire December 31, 2009.

[CONSENT ITEMS CONCLUDED]

POINT OF PERSONAL PRIVILEGE

Councilmember Cortez recognized students Phillip Medina and Cynthia Flores who were participating in the Groundhog Job Shadow Day.

Councilmember Galvan wished her husband Bobby Galvan and son Robert Rodriguez a Happy Birthday.

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2008-02-21-0132

Item 12. AN ORDINANCE APPROVING A \$123,494.49 AMENDMENT TO A PROFESSIONAL ENGINEERING SERVICES AGREEMENT, AS AMENDED, WITH HDR ENGINEERING, INC. FOR ADDITIONAL ENGINEERING SERVICES IN CONNECTION WITH THE 36TH STREET: US 90 TO GROWDON PROJECT, LOCATED IN DISTRICT 4 AND APPROPRIATING \$146,711.46.

Councilmember Cortez asked for clarification on said item. Mr. Mike Frisbie explained that this item was an amendment to a design contract. This project was designed to run through the Port Authority's property but since the project is ahead of schedule, it will end at the Port Authority.

Councilmember Cortez moved to adopt the proposed Ordinance. Councilmember Rodriguez seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, McNeil, Ramos, Cortez, Galvan, Herrera, Rodriguez, Cibrian, Rowe, Clamp, and Mayor Hardberger. **NAY:** None. **ABSENT:** None.

The City Clerk read the following Ordinance:

2008-02-21-0141

Item 21. AN ORDINANCE RELIEVING THE UNION PACIFIC RAILROAD OF MAINTENANCE OF THE HAYS STREET BRIDGE IN CONSIDERATION OF THE RAILROAD'S CONVEYANCE OF THE BRIDGE TO THE CITY OF SAN ANTONIO.

Councilmember McNeil asked for a timeline for redevelopment of the Hays Street Bridge. Mr. Frisbie stated that the environmental clearance should occur in July 2008 and that the bidding process would occur thereafter. He added that there was a one year construction timeframe.

Councilmember McNeil moved to adopt the proposed Ordinance. Councilmember Clamp seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, McNeil, Ramos, Cortez, Galvan, Herrera, Rodriguez, Cibrian, Rowe, Clamp, and Mayor Hardberger. **NAY:** None. **ABSENT:** None.

The City Clerk read the following Ordinance:

2008-02-21-0142

Item 22. AN ORDINANCE RENAMING THE "HEAD START POLICY COMMISSION" THE "HEAD START POLICY COUNCIL," IN ACCORDANCE WITH FEDERAL REGULATIONS AND APPROVING AMENDED BYLAWS, TO BE EFFECTIVE UPON ADOPTION BY THE HEAD START POLICY COUNCIL.

Councilmember Cibrian asked for a staff presentation on said item. Mr. Dennis Campa reported that in 2004, Health and Human Services required the City to have a Policy Council and restructure the governance of Head Start. In 2007, Health and Human Services stated that the City was still not in compliance. Mr. Campa noted that in November 2007, the Quality of Life (QOL) Council Committee reconstituted the Policy Commission as the Policy Council, established the QOL Council Committee as the governance group, and abolished the PCI Quality Council and named it the Policy Committee. He added that tremendous strides had been made and would be working with the Policy Council and the QOL Council Committee in regard to a possible Request for Proposals (RFP).

Councilmember Cibrian stated that she was very concerned with the current status of the local Head Start Program. She noted that the QOL Council Committee had recommended corrective action to PCI but they had refused to comply. She asked Mr. Campa to provide information on the monitoring that is done by the Department of Community Initiatives (DCI). Mr. Campa stated that staff visits different PCI Centers on a weekly basis and that only 25 out of 62 centers were in compliance.

Councilmember Ramos requested a list of PCI Sites in each Council District that are out of compliance. Councilmember Galvan asked if DCI had been working with PCI on their corrective action and Mr. Campa stated that staff had been working very closely with PCI to make corrections. Councilmember Galvan stated that she was concerned with various comments that were being made in regard to PCI because it was her understanding that the City was also in non-compliance. Mr. Campa clarified that any violation against PCI was a violation against the City.

Councilmember Cibrian noted that she had received a letter from PCI stating that they would not accept corrective action measures as requested by the City. Councilmember Cibrian moved to adopt the proposed Ordinance. Councilmember Cisneros seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, Cortez, Galvan, Herrera, Rodriguez, Cibrian, Rowe, Clamp, and Mayor Hardberger. **NAY:** None. **ABSENT:** McNeil and Ramos.

EXECUTIVE SESSION

Mayor Hardberger recessed the Regular Meeting at 12:10 pm to break for lunch and announced that the Council would convene in Executive Session at 1:45 pm for the purposes of:

- A. Deliberate competitive matters regarding CPS Energy and discuss related legal issues pursuant to Texas Government Code Section 551.086 (competitive matters) and Texas Government Code Section 551.071 (consultation with attorney).
- B. Discuss legal issues related to the towing services contract pursuant to Texas Government Code Section 551.071 (consultation with attorney).

Mayor Pro Tem Cisneros reconvened the Regular Meeting at 5:20 pm at which time it was noted that the City Council had been briefed on the above-styled matters but took no action. Item 25 was addressed at this time.

The City Clerk read the following Ordinance:

2008-02-21-0145

Item 25. AN ORDINANCE RATIFYING PAYMENT OF \$181,004 TO LABOR READY AND \$55,000 TO PREFERRED STAFFING FOR TEMPORARY LABOR ASSISTANCE WITH SOLID WASTE COLLECTION, AND AUTHORIZING THE SOLID WASTE MANAGEMENT DEPARTMENT TO CONTRACT WITH BOTH OF THESE FIRMS ON AN ON-CALL BASIS UP TO AN ADDITIONAL TOTAL OF \$143,990 FOR FUTURE LABOR SERVICES.

Councilmember Rodriguez asked for clarification on the Brush Collection Program and if this item was for garbage collection. Mr. David McCary stated that this was temporary assistance for garbage collection to alleviate any missed collections. He noted that the schedule for the next three months of brush collection would be advertised in the upcoming Sunday newspaper. Mr. McCary added that an interactive website would be available so that citizens could find out the City's Brush Collection Schedule.

Councilmember Rodriguez moved to adopt the proposed Ordinance. Councilmember Cibrian seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, McNeil, Ramos, Cortez, Galvan, Herrera, Rodriguez, Cibrian, Rowe, and Clamp. **NAY:** None. **ABSENT:** Mayor Hardberger.

CITY MANAGER'S REPORT

Ms. Sheryl Sculley distributed a report that included the City's First Quarter Financial Performance. She noted that the FY 2008 Budget was balanced and stated that staff would continue to closely monitor City Revenues and Expenditures.

CONSENT ZONING

Councilmember Cibrian made a motion to approve the following re-zoning cases, noting that Staff and Zoning Commission recommendation were to approve and that no Citizens had signed up to speak: Z-3, Z-4, Z-6, Z-8, Z-9, Z-10, and P-3. Councilmember McNeil seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, McNeil, Ramos, Cortez, Galvan, Herrera, Rodriguez, Cibrian, Rowe, and Clamp. **NAY:** None. **ABSENT:** Mayor Hardberger.

PULLED

Item Z-1. **ZONING CASE # Z2008087 CD (District 10):** An Ordinance changing the zoning district boundary from "C-3" General Commercial District to "C-3" (CD- Plumbing Fixtures-Wholesale) General Commercial District with a Conditional Use for Plumbing Fixtures-Wholesale on 1.486 Acres out of NCB 18890, 14803 Bulverde Road as requested by Brown, P.C., Applicant for Bulverde Industrial Partners, Ltd., Owner. Staff recommends Approval. Zoning Commission recommendation pending their February 19, 2008 public hearing.

2008-02-21-0147

Item Z-3. **ZONING CASE # Z2008044 (District 2):** An Ordinance changing the zoning district boundary from "R-5" Residential Single-Family District to "C-3" General Commercial District, on Lot 2, Lot 6, Lot 6A and Lot 6B, NCB 12887, also known as Lot 2, NCB 12887 and 3.149 acres out of NCB 12887, 2002, 2010 and 2018 Semlinger Road, as requested by DNJ Hospitality, LLC, Applicant for Semlinger Properties, LLC/Jaimin Properties, LLC and DIPTI, Inc., Owners. Staff and Zoning Commission recommend Approval.

2008-02-21-0148

Item Z-4. **ZONING CASE # Z2008060 (District 3):** An Ordinance changing the zoning district boundary from "C-2" Commercial District to "R-6" Residential Single-Family District, on the East 144 feet of Lot 23, Block 5, NCB 7526, 196 Beethoven Street, as requested by Upward Faith Builders Inc., Applicant for Upward Faith Builders Inc., Owner. Staff and Zoning Commission recommend Approval.

2008-02-21-0151

Item P-3. **PLAN AMENDMENT # 08004 (District 4):** An Ordinance amending the land use plan in the United Southwest Communities Plan, a component of the Master Plan of the City, by changing the use of approximately 8.9 acres out of NCB 16001 generally located at SW Loop 410 between Medina Base Road and Ray Ellison Boulevard, from Low Density Residential to Community Commercial land use. Staff and Planning Commission recommend Approval. (**Associated Zoning Case Z2007311**)

2008-02-21-0152

Item Z-6. **ZONING CASE # Z2007311 (District 4):** An Ordinance changing the zoning district boundary from "R-4" Residential Single Family District to "C-2" Commercial District on P-3 C and P-3 E, NCB 16001, 6000 Block of Southwest Loop 410, as requested by Ismail Family Partnership, Ltd., Applicant for Ismail Family Partnership, Ltd., Owner. Staff and Zoning Commission recommend Approval.

2008-02-21-0154

Item Z-8. **ZONING CASE # Z2008053 (District 5):** An Ordinance changing the zoning district boundary from "O-2" Office District to "NC" Neighborhood Commercial District on Lot 16, Block 40,

NCB 3639, 710 Northwest 24th Street, as requested by Jesse Castillo, Applicant for Jesse and Stella Castillo, Owner. Staff and Zoning Commission recommend Approval.

2008-02-21-0155

Item Z-9. **ZONING CASE # Z2008065 (District 6):** An Ordinance changing the zoning district boundary from "R-6" Residential Single-Family District and "DR" Development Reserve District to "C-2" Commercial District on Lot 1, Block 8, NCB 17642; Lot 1, CB 4419C and Lot P-10 D, NCB 17642, 9999 and 9855 Westover Hills Boulevard as requested by City of San Antonio, Applicant for San Antonio Properties, Inc. and QVC San Antonio, Inc., Owner. Staff and Zoning Commission recommend Approval.

2008-02-21-0156

Item Z-10. **ZONING CASE # Z2008077 (District 8):** An Ordinance changing the zoning district boundary from "R-5" Residential Single-Family District and "R-6" Residential Single Family District to "C-2" Commercial District on Lots 7B and 7C, Block A, NCB 11609, 5330 Medical Drive as requested by City of San Antonio, Applicant for John G. and Mary L. Tarsikes, Owner. Staff and Zoning Commission recommend Approval.

[ZONING CONSENT ITEMS CONCLUDED]

ZONING ITEMS FOR INDIVIDUAL CONSIDERATION

2008-02-21-0146

Item P-1. **PLAN AMENDMENT (District 1):** An Ordinance adopting The Tobin Hill Neighborhood Plan as a component of the Master Plan of the City in an area bounded by West Ashby Place, Trail Street, East Huisache Avenue and East Josephine Street to the North, Us Hwy 281 North and Broadway to the East, IH 35 North to the South and San Pedro Avenue and McCullough Avenue to the West. Staff and Planning Commission recommend Approval.

Ms. Nina Nixon-Mendez presented the proposed Plan Amendment.

Ms. Angie Ruiz, President of the Tobin Hill Residents Association, spoke in favor of the revised neighborhood plan. She thanked City staff and Former Councilmember Roger Flores for their work. She noted the increase in construction in the area and stated that the Master Plan would benefit both the residential and business sectors.

Mrs. Vacek read written testimony from Ms. Frederica Kushner in favor of the Neighborhood Plan. She stated that the proposed plan would help guide future changes and development in the area.

Councilmember Clamp moved to adopt the proposed Plan Amendment. Councilmember Cibrian seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, McNeil, Ramos, Cortez, Galvan, Herrera, Rodriguez, Cibrian, Rowe, and Clamp. **NAY:** None. **ABSENT:** Mayor Hardberger.

DENIED

Item Z-2. **ZONING CASE # Z2007306 CD (District 2):** An Ordinance changing the zoning district boundary from "R-4" EP-1 Residential Single Family Facility Parking/Traffic Control District-1 to "R-20080221

4" EP-1 (CD-Multi-Family Dwellings) Residential Single Family Facility Parking/Traffic Control District-1 with a Conditional Use for Multi-Family Dwellings not exceeding 11 units per acre or a total of 2 units, on Lot 2, Block 7, NCB 9548, 2275 Hays Street, as requested by Rosario Padilla, Applicant for Rosario Padilla, Owner. Staff recommends Denial. Zoning Commission recommends Approval.

Mr. Chris Looney presented the proposed Zoning Case.

Mr. Jack M. Finger spoke against the item noting that Zoning and Planning Staff, as well as the Zoning Commission were in opposition. He stated that it was inconsistent for the City to force families in the same area to sell their farm land for commercial development and then recommend that the property remain farm land.

Councilmember McNeil moved to deny the proposed Zoning Item. Councilmember Herrera seconded the motion.

The motion to deny prevailed by the following vote: **AYES:** Cisneros, McNeil, Ramos, Cortez, Galvan, Herrera, Rodriguez, Cibrian, Rowe, and Clamp. **NAY:** None. **ABSENT:** Mayor Hardberger.

2008-02-21-0149

Item P-2. **PLAN AMENDMENT # 08010 (District 4):** An ordinance amending the Land Use Plan contained in the City South Community Plan, a component of the Master Plan of the City, by changing the use of approximately 107-acres generally located within the vicinity of S. Jett Rd. and Loop 1604, more specifically described by legal description NCB 4191 P-32 from Agricultural and Resource Protection/Open Space land uses to Urban Living land use. Staff and Planning Commission recommend denial. **(Associated Zoning Case Z2007256)**

Ms. Nina Nixon-Mendez presented the proposed Plan Amendment.

Mr. Randall Kurz spoke in favor of the proposed Plan Amendment on behalf of his father, Mr. Gary Kurz. He stated that the land had been in the family for generations and that he was no longer able to farm and would like to sell the land and retire. Because the land was zoned for farming, it was worth significantly less than residential or commercially zoned property.

Mr. Ernest D. Chacon noted that he was in support of the rezoning and that he and his brother own 186 acres of land on Jett Road. He stated that he felt he had been misled by the City because he had been allowed to submit plans for development of the land and paid the fees but was later told that he did not have the right to develop the land.

Mr. Jesus Chacon spoke in favor of the Plan Amendment.

Ms. Theresa Chacon stated that she and her husband had purchased their property as an investment so that one day they could sell it and retire. It was noted that when the City annexed the property for Toyota, several restrictions were incorporated on them which decreased the value of their land.

Ms. Margaret Sanchez noted that she had sent an email to the Council in opposition to the zoning change. She showed pictures of Jett Road underwater and stated that the road was very narrow and was deteriorating, in addition to severe drainage and flooding issues in the area. She asked that until those issues were resolved, she did not think the area was suitable for residential development and urged the Council to disapprove it.

Mr. David Earl noted that he represented several property owners in the area. He stated that in 2005, the City Attorney's Office had certified that the property had vested rights. He added that now staff claimed that the property did not, but the owners were not notified of a change. Mr. Earl noted that the owners originally wanted duplexes on the property, but had compromised and were now requesting half acre lots with commercial development on the frontage road. He introduced a new concept Master Plan.

Ms. Rosanna Escobedo stated that her brother had written her a speech, but felt that her father and uncle had said everything that needed to be said. She asked the Council to approve the item.

Councilmember Cortez moved to adopt the Ordinance approving the Plan Amendment. Councilmember Ramos seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, McNeil, Ramos, Cortez, Galvan, Herrera, Rodriguez, Cibrian, Rowe, and Clamp. **NAY:** None. **ABSENT:** Mayor Hardberger.

2008-02-21-0150

Item Z-5. **ZONING CASE # Z2007256 (District 4):** An Ordinance changing the zoning district boundary from "RP" Resource Protection District and "FR" Farm and Ranch District to "R-20" Residential Single-Family District (88.480 acres) and "C-2" Commercial District (19.019 acres) all on 107.499 acre tract of land out of CB 4191, 3000 Block of West Jett Road and Southwest Loop 1604 as requested by Earl & Associates, P.C., Applicant for Hold'em Investments, LP, Owner. Staff and Zoning Commission recommend Denial.

Mr. Chris Looney presented the proposed Zoning Case.

Mr. David Earl thanked Council for their support on the associated item #P-2.

Ms. Rosanna Escobedo thanked the Council for supporting her family's requests.

Ms. Theresa Chacon also thanked the Council for listening and supporting the residents.

Ernest D. and Jesus E. Chacon thanked Council for their vote.

Ms. Margaret Sanchez stated that she and other residents in opposition to the rezoning had been very involved in the process to maintain the agricultural atmosphere of the neighborhood. She expressed her disappointment with the Council's vote. She stated that it was unfair that the people who wanted the rezoning were going to sell the property and leave the rest of the area owners with the burden and unresolved issues.

Ms. Laurie Charles stated that the Council was misled by the opposition's lawyer. She explained that she had hoped for a continuance so that the case would go before the City South Management Authority after the disannexation of the property on March 1, 2008.

Mr. Randall Kurz thanked Council for helping his family.

Councilmember Cortez moved to adopt the proposed Zoning Ordinance. Councilmember Galvan seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, McNeil, Cortez, Galvan, Herrera, Rodriguez, Cibrian, and Rowe. **NAY:** None. **ABSENT:** Mayor Hardberger and Councilmembers Ramos and Clamp.

2008-02-21-0153

Item Z-7. **ZONING CASE # Z2008051 (District 5):** An Ordinance changing the zoning district boundary from "C-2" Commercial District to "C-3" General Commercial District, on the North 22.32 Feet of Lot 3, Lot 4, and Lot 5, Block 6, NCB 6589, 1932 Culebra, 1618 NW 23rd Street and 1622 NW 23rd Street, save and except that portion of land acquired by the State of Texas described as parcel 32 and recorded in Volume 11287 Page 1715 of the Real Property Records of Bexar County, Texas, as requested by John E. Dallmann, Applicant for John and Elma Dallmann, Owner. Staff and Zoning Commission recommend denial with an alternate recommendation of C-2 (CD- Auto Sales) Commercial District with a Conditional Use for Auto Sales.

Mr. Chris Looney presented the proposed Zoning Case.

Mr. John Dallmann spoke of various commercial properties he owns and operates in San Antonio. He stated that he received notification from the Texas Department of Transportation (TXDOT) that access to his business would be periodically closed due to construction. He stated that he would never develop a used car lot on the land and noted that he was only requesting the C-3 designation so that all of his properties would be zoned the same.

Councilmember Galvan moved to adopt the proposed Zoning Item as C-2 with Conditional Use for Auto Repair. Councilmember Cibrian seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, McNeil, Cortez, Galvan, Rodriguez, Cibrian, Rowe, and Clamp. **NAY:** None. **ABSENT:** Mayor Hardberger, and Councilmembers Ramos and Herrera.

CITIZENS TO BE HEARD

Mr. Mark Perez expressed concerns with environmental hazards. He stated that the City had issued a permit to a company even though they were storing hazardous chemicals at the location. He claimed that the City shut down other facilities for code violations, but that this facility was left alone because it was owned by TETCO.

Mr. Faris Hodge Jr. stated that a section of Market Square was not in compliance with ADA Regulations because a man in a wheelchair was not able to navigate through the area. He expressed concern that the locks on the staircases at City Hall violate fire regulations. He noted that he did not support relaxing term limits and that the AT&T Center overcharges everyone buying from the concessions. He added that the 911 system did not work and that prostitution on Broadway Street is a big concern. He noted that he would like the downtown library to be painted blue and white and that all libraries stay open later. Lastly, Mr. Hodge requested that the trees on North Flores and Hickman be trimmed.

Ms. Petra Maldonado thanked Councilmember Galvan for her support of the Mirasol Residents. She stated that she had helped them by bringing results and requested the entire Council join in the effort.

Ms. Alicia Lazaro gave her time to Ms. Julie Iris Oldham. Ms. Oldham spoke against Former Mayor Henry Cisneros and City Staff for issuing KB Homes a permit to build homes over a landfill. She stated that the food at the Bob Ross Nutrition Center was not good and the only reason seniors went there was to socialize. She stated that seniors now have to volunteer, since the staff is no longer there, and that she has been banned from attending.

Mr. Guadalupe Lopez thanked Councilmember Galvan for helping the Mirasol Residents. He requested that other Councilmembers join her and stated that their presence positively influences the outcomes of Mirasol meetings.

Mr. Luis A. Cintron expressed his disappointment that more Councilmembers did not stay for Citizens to be Heard. He noted that his family was sick from living in a KB Home and that the Mirasol Residents were dealing with life and death issues. He stated that SAHA was starting to take some responsibility in the matter and he wished that KB Homes would do the same.

Ms. Toni Reyes gave her time to Ms. Jennifer Lopez-Ritz. Ms. Lopez-Ritz noted that she was a PCI teacher and that her children have attended Head Start Programs. She spoke to the merits of Head Start and PCI and that she and her co-workers do not make a lot of money. She expressed hope that their newly renegotiated contract will be upheld.

Ms. Henrietta De Hoyos stated that she would like more Councilmembers to stay for Citizens to be Heard. She stated that Mirasol Residents were facing real trouble and both her husband and her mother had died after becoming ill while living in their KB Homes. Ms. De Hoyos stated that she had reported her problems to Congressman Gonzalez and because of that, KB Homes has targeted her for eviction.

Ms. Vacek read written testimony from Ms. Mary Ann Villela. Ms. Villela wrote in support of Headstart/PCI, noting that her sons and grandson attended Head Start Programs. She noted that she and other members of her family had worked for PCI and that the programs have had a very positive effect on them.

ADJOURNMENT

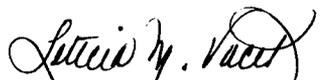
There being no further business to discuss, Mayor Pro Tem Cisneros adjourned the meeting at 7:25 pm.

A P P R O V E D



PHIL HARDBERGER
MAYOR

Attest:



LETICIA M. VACEK
City Clerk