

**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, SEPTEMBER 17, 2008 AND THURSDAY, SEPTEMBER 18, 2008.

The San Antonio City Council convened in a Work Session at 3:00 pm Wednesday, **September 17, 2008**, Municipal Plaza Building with the following Councilmembers present: Cisneros, McNeil, Ramos, Cortez, Galvan, Herrera, Rodriguez, Cibrian, Rowe, Clamp, and Mayor Hardberger.

1. ANNUAL REPORT AND BRIEFING BY THE SAN ANTONIO RIVER COMMISSION CONCERNING ITS ACTIVITIES AND POLICY RECOMMENDATIONS.

Ms. Penny Postoak-Ferguson, Assistant City Manager, introduced Dr. Julian Treviño, San Antonio River Commission Chair. Mr. Treviño thanked the Mayor and City Manager for the staff support provided to the Commission. He noted that the Commission's role was to advise the City Council and other public agencies on policies related to flood control, water quality, quantity, and clarity, to the extent that they affect the ambiance of the river. He noted that the Commission had been created in June 2007, has met on a monthly basis, and appointed a Technical Advisory Committee (TAC) in November 2007 to address water quality and clarity.

Ms. Lynda Billa Burke thanked the Council for creating the Commission and for their support and assistance of the TAC.

Mr. J. Darryl Byrd read the Mission and Vision Statements and outlined the process that had taken place to create the two statements. He noted the following five guiding principles: 1) Community Access; 2) Environment; 3) Surrounding Land Uses/Development; 4) Adjoining Buildings and Design; and 5) Private Enterprise.

Dr. Treviño summarized the actions the Commission had taken since inception and added that the next step was to set policy goals for 2009.

The Mayor and Council thanked the River Commission for their work and the presentation. Mayor Hardberger stressed the importance of the San Antonio River to the City and noted that the new "Deep in the Heart" advertisements for the City were based on the River. He added that the Commission and future Councils should make the River a priority by following through with all projects.

2. STAFF BRIEFING ON THE 2004 HEMISFAIR PARK AREA MASTER PLAN UPDATE AND REDEVELOPMENT STRATEGY.

Mr. Pat DiGiovanni, Deputy City Manager, spoke of the Master Plan which was adopted in March 2004. He reported on the community consensus: 1) Develop a park for local residents first and then visitors; 2) Increase open space; 3) Expand family/children's activities; 4) Protect historic structures; 5) Improve gateways, linkages, and wayfinding systems; 6) Develop criteria for compatible uses within the park; 7) Increase residential development to support the park; 8) Develop an organizational structure and

marketing plan to support area-wide implementation of the plan; and 9) Provide convenient parking and transit service.

Mr. DiGiovanni introduced the six Plan Areas that were identified in the Master Plan: 1) Alamo Street; 2) Convention Center; 3) Open Space/Tower of the Americas; 4) Institute of Texas Cultures; 5) Boulevard North; and 6) Boulevard South and highlighted the various projects in each of the areas. Mr. DiGiovanni noted the options for redeveloping the park and outlined the Master Developer Approach which would allow a third-party to coordinate on behalf of the City. Lastly, he presented the next steps in the process should redevelopment occur.

Councilmember Cortez stated that HemisFair Park should be a top priority and expressed support for the Master Developer Approach. Councilmember Ramos stated that the process for redevelopment needed to be inclusive and recommended that Mayor Hardberger or Councilmember Cisneros serve on the Committee as an ex-officio member. Councilmember Galvan stated that she would like to see representation from all districts on the Committee. Councilmember Herrera expressed support for the revitalization and requested that stakeholders in the area be included. Councilmember Cibrian noted concern with the size and scope of the project, but stated that she was in support of it. She added that much of downtown was underutilized and that in order to be a great city, San Antonio should have a great Downtown.

Councilmember Rowe stated that HemisFair Park should be a priority and expressed support for a Master Developer Approach. He noted that the Council should pay close attention to the details of the project. Councilmember Clamp stated that the project would involve the entire City and therefore, all Councilmembers should have input. He stated that all of the projects should be evaluated because they are all important and should be funded through completion. Councilmember Cisneros stated that the project should involve input from all Council Districts and highlighted the revitalizing of San Antonio as the location of the World's Fair 1968. Mayor Hardberger spoke of the history of HemisFair Park and expressed support for a Master Developer.

There being no further discussion, Mayor Hardberger adjourned the meeting at 4:45 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **September 18, 2008** at 9:00 am in the City Council Chambers.

The Invocation was delivered by Rev Mark Abshier, Pastor, MacArthur Park Church of Christ, guest of Councilmember John G. Clamp, District 10.

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

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.

MINUTES

Councilmember Cortez made a motion to approve the Minutes for the August 14, 2008 City Council Meeting. Councilmember Cisneros seconded the motion.

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

RELIEF EFFORTS FOR HURRICANE IKE EVACUEES

Chief Nim Kidd addressed the Council and provided a status report on Hurricane Ike Efforts. He stated that the City and County had processed 1,100 buses to transport individuals in the State of Texas. He noted that 34 aircraft were staged and were being used for resource missions. He reported that the State of Texas was beginning to downsize and San Antonio was following the lead with a 40% reduction in services and staff dedicated to said effort. He stated that they would continue to monitor the public health crisis in the Galveston Area and that the Health Department was working closely with them. He added that 1,700 people were staying in San Antonio Shelters, as well as 600 special needs patients. He mentioned that several buses would remain staged at the Port Authority. Lastly, he noted that 200 ambulances were also staged and that members of the Texas Task Force (San Antonio Fire Department) would continue working under Task Force Ike.

Mayor Hardberger thanked Emergency Operations Chief Kidd and all that are assisting with the Hurricane Ike Relief Efforts. Councilmember Cibrian recognized the Fire and Police Departments for their seamless coordination with the American Red Cross, and the many volunteers who gave of their time over the weekend.

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2008-09-18-0795

Item 4. PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE CLOSING, VACATING, AND ABANDONING A SEGMENT OF OLD BULVERDE ROAD BETWEEN LOOP 1604 NE AND JONES MALTSBERGER ROAD ADJACENT TO NCB 17725, LOCATED IN COUNCIL DISTRICT 10, AS REQUESTED BY FCS FISCHER, LTD. & BULVERDE MARKETPLACE, L.P. FOR A FEE OF \$63,186.00.

George Rodriguez presented said item and stated that FCS Fischer, Ltd. & Bulverde Marketplace, L.P. had made the request and that the right of way was located between Loop 1604 NE and Jones Maltsberger Road. He noted that the subject area was undeveloped and that the petitioners were the only abutting property owners. He added that the City would collect a fee of \$63,186.00 for abandonment of the right of way.

Councilmember Clamp stated that said item was very much needed due to the construction activity in the area and 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, Clamp, and Mayor Hardberger. **NAY:** None. **ABSENT:** Rowe.

CONSENT AGENDA: Items 5 –45G

Consent Agenda Items 9, 11, 15, 16, 18, 19, 21, 22, 30, 35A, 35B, 35C, 37, 40, 41, and 42 were pulled for Individual Consideration. Councilmember Rowe moved to approve the remaining Consent Agenda Items. Councilmember Cortez seconded the motion.

Mrs. Vacek read written testimony from Faris Hodge, Jr. For Item 7; Mr. Hodge wrote that the City should purchase five hot/cold transportation units rather than just one. On Item 12, he wrote that the City should hire 15 additional employees to answer 9-1-1 calls. He expressed concern with Item 20 regarding improvements to the Bob Ross Senior Center noting that older Senior Centers were in need of improvements.

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

2008-09-18-0796

Item 5. AN ORDINANCE ACCEPTING THE OFFER FROM SIDDON'S FIRE APPARATUS, INC. TO PROVIDE THE FIRE DEPARTMENT WITH ONE PIERCE - MANUFACTURED HEAVY DUTY RESCUE TRUCK FOR A COST OF \$749,076.00, FROM THE EQUIPMENT RENEWAL AND REPLACEMENT FUND.

2008-09-18-0797

Item 6. AN ORDINANCE ACCEPTING THE OFFER FROM SIDDON'S FIRE APPARATUS, INC., TO PROVIDE THE FIRE DEPARTMENT WITH TWO PIERCE - MANUFACTURED FIRE APPARATUSES, FOR A COST OF \$931,484.00, FROM THE EQUIPMENT RENEWAL AND REPLACEMENT FUND.

2008-09-18-0798

Item 7. AN ORDINANCE ACCEPTING THE BID FROM CALDWELL COUNTRY CHEVROLET TO PROVIDE THE DEPARTMENT OF COMMUNITY INITIATIVES WITH ONE HOT/COLD FOOD TRANSPORTATION UNIT FOR A COST OF \$51,955.00.

2008-09-18-0799

Item 8. AN ORDINANCE ACCEPTING THE BIDS FROM INDUSTRIAL DISPOSAL SUPPLY AND COOPER EQUIPMENT COMPANY TO PROVIDE THE PUBLIC WORKS AND AVIATION DEPARTMENTS WITH SIX STREET SWEEPERS FOR A COST OF \$702,748.00, FROM THE EQUIPMENT RENEWAL AND REPLACEMENT FUND AND AIRPORT OPERATIONS FUND.

2008-09-18-0801

Item 10. AN ORDINANCE AUTHORIZING A CONTRACT WITH THE STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR) FOR THE PURCHASE OF APPLE COMPUTERS, SERVERS, SOFTWARE AND MAINTENANCE FOR THE CITY OF SAN ANTONIO INFORMATION TECHNOLOGY SERVICES DEPARTMENT (ITSD), FOR AN ANNUAL ESTIMATED COST OF \$1,470,000.00.

2008-09-18-0803

Item 12. AN ORDINANCE AUTHORIZING A CONTRACT WITH THE GSA ADVANTAGE PROGRAM FOR THE PURCHASE OF 102 SELF-CONTAINED RUGGEDIZED COMPUTERS FROM HUBB SYSTEMS, LLC, DBA DATA911 FOR THE SAN ANTONIO FIRE DEPARTMENT (SAFD), FOR A TOTAL COST OF \$598,708.84.

2008-09-18-0804

Item 13. AN ORDINANCE AUTHORIZING A CONTRACT WITH THE TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR) FOR THE PURCHASE OF THREE (3) SUNFIRE X4600 SERVERS FROM LUMENATE, FOR THE CITY OF SAN ANTONIO INFORMATION SERVICES TECHNOLOGY DEPARTMENT (ITSD), FOR A TOTAL COST OF \$91,435.56.

2008-09-18-0805

Item 14. AN ORDINANCE ACCEPTING THE BIDS FROM MISSION GOLF CARS AND GOLF CARS, ETC. TO PROVIDE THE CONVENTION, SPORTS & ENTERTAINMENT FACILITIES AND AVIATION DEPARTMENTS WITH THE PURCHASE OF GOLF CARS FOR A COST OF \$74,545.24.

PULLED

Item 17. AN ORDINANCE APPROVING A \$1,518,889.00 AMENDMENT TO A PROFESSIONAL SERVICE AGREEMENT WITH 3D/INTERNATIONAL FOR ADDITIONAL COMPENSATION AND EXTENSION OF TIME IN CONNECTION WITH THE SAN ANTONIO INTERNATIONAL AIRPORT EXPANSION PROGRAM.

2008-09-18-0810

Item 20. AN ORDINANCE APPROPRIATING \$437,776.59 FOR IMPROVEMENTS TO THE BOB ROSS SENIOR MULTI-SERVICE HEALTH & RESOURCE CENTER, COUNCIL DISTRICT 8.

2008-09-18-0813

Item 23. AN ORDINANCE ACCEPTING A DONATION OF \$104,000.00 FROM USAA PAYABLE THROUGH THE SAN ANTONIO PARKS FOUNDATION FOR CONSTRUCTION COSTS ASSOCIATED WITH THE DEVELOPMENT OF DENVER HEIGHTS PARK LOCATED IN COUNCIL DISTRICT 2 AND MILLER'S POND PARK LOCATED IN COUNCIL DISTRICT 4.

2008-09-18-0814

Item 24. AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE LEASE WITH SAN ANTONIO AEROSPACE, L. P. (SAA) AT SAN ANTONIO INTERNATIONAL AIRPORT TO EXTEND THE LEASE TERM THROUGH DECEMBER 31, 2028, DELETE AND ADD CERTAIN AREAS IN SUPPORT OF SAA'S PLANNED CONSTRUCTION OF A 100,000 SQUARE FOOT HANGAR.

2008-09-18-0815

Item 25. AN ORDINANCE AUTHORIZING A TWENTY-YEAR LEASE AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION FOR THE AIRPORT TRAFFIC CONTROL TOWER/TERMINAL RADAR APPROACH CONTROL SITE AT SAN ANTONIO INTERNATIONAL AIRPORT EFFECTIVE OCTOBER 1, 2008.

2008-09-18-0816

Item 26. AN ORDINANCE AUTHORIZING A 5-YEAR LEASE OF APPROXIMATELY 5,900 SQUARE FEET LOCATED AT 416 DOLOROSA STREET, COUNCIL DISTRICT 1, FROM PENTA PARTNERS V, LLC, FOR THE PURCHASING DEPARTMENT AT AN INITIAL ANNUAL RENT OF \$12.00 A FOOT, WHICH INCREASES EACH YEAR, AND APPROPRIATING FUNDS.

2008-09-18-0817

Item 27. AN ORDINANCE APPROVING AN AMENDMENT TO THE FARMERS' MARKET PLAZA LEASE AGREEMENT WITH MARIA L. REYNA DBA LORENZA'S WHICH WILL ADD STALL S-11 TO THE LEASED PREMISES.

2008-09-18-0818

Item 28. AN ORDINANCE APPROVING A THIRD AMENDMENT TO THE LEASE AGREEMENT WITH DHBO, INC. D/B/A GUADALAJARA GRILL FOR BUILDING SIXTEEN IN LA VILLITA WHICH WILL INCREASE THE LEASED PREMISES FROM 2,261.00 SQUARE FEET TO 3,988.24, REVISE THE RENTAL RATES TO REFLECT THE INCREASED SQUARE FOOTAGE, EXTEND THE TERM THROUGH DECEMBER 31, 2011 AND PROVIDE A RENTAL CREDIT IN AN AMOUNT UP TO \$49,700.00 IN CONSIDERATION FOR SAFETY IMPROVEMENTS TO BE MADE TO THE PREMISES.

2008-09-18-0819

Item 29. AN ORDINANCE AUTHORIZING THE EXECUTION OF AN ACCESS AND PARKING LICENSE AGREEMENT WITH CEVALLOS LOFTS LTD. FOR PARKING LOCATED AT 1400 S. FLORES STREET.

Item 31. CONSIDERATION OF THE FOLLOWING ORDINANCES:

2008-09-18-0821

- A. AN ORDINANCE AUTHORIZING ACCEPTANCE OF AN ADDITIONAL AMOUNT UP TO \$1,128,750.00 IN TEXAS DEPARTMENT OF FAMILY PROTECTIVE SERVICES (TDFPS) DIRECT CARE FUNDING FROM ALAMO WORKFORCE DEVELOPMENT, INC. DOING BUSINESS AS WORKFORCE SOLUTIONS ALAMO (WSA) FOR THE CONTINUATION OF THE FY 2008 CHILD CARE SERVICES (CCS) PROGRAM; APPROVING AN AMENDED BUDGET; AND AUTHORIZING AN AMENDMENT TO THE FISCAL YEAR (FY) 2008 CHILD CARE LOCAL MATCH CONTRIBUTION AGREEMENT WITH WSA TO EXTEND THE PERIOD THROUGH DECEMBER 31, 2008.

2008-09-18-0822

- B. AN ORDINANCE RATIFYING THE SUBMISSION OF A GRANT APPLICATION AND AUTHORIZING ACCEPTANCE OF UP TO \$42,710,274.00 UPON AWARD, FROM ALAMO WORKFORCE DEVELOPMENT, INC. DOING BUSINESS AS WORKFORCE SOLUTIONS ALAMO (WSA), TO INCLUDE TEXAS DEPARTMENT OF FAMILY PROTECTIVE SERVICES (TDFPS) DIRECT CARE FUNDING, FOR THE FY 2009 CHILD CARE SERVICES (CCS) PROGRAM; AUTHORIZING EXECUTION OF THE FY 2009 CHILD CARE LOCAL MATCH CONTRIBUTION AGREEMENT WITH WSA IN AN AMOUNT UP TO \$2,693,583.00 TO GENERATE UP TO \$5,387,166.00 IN FEDERAL FUNDS AND A \$612,470.00 CONTRACT WITH ALAMO AREA DEVELOPMENT

CORPORATION FOR OPERATION OF THE CCS PROGRAM IN THE SURROUNDING RURAL COUNTIES.

2008-09-18-0042R

Item 32. A RESOLUTION APPROVING THE MISSION/VISION STATEMENT OF THE SAN ANTONIO RIVER COMMISSION.

2008-09-18-0823

Item 33. AN ORDINANCE AUTHORIZING A TWO-YEAR EXTENSION OF THE PROFESSIONAL SERVICES CONTRACT WITH UNISON CONSULTING, INC. FOR CONCESSION MANAGEMENT SERVICES AT SAN ANTONIO INTERNATIONAL AIRPORT.

Item 34. CONSIDERATION OF THE FOLLOWING ITEMS IN RELATION TO HOSTING OBLIGATIONS FOR CONFERENCES ORGANIZED BY THE AMERICAN ASSOCIATION OF AIRPORT EXECUTIVES (AAAE) TO BE HELD IN SAN ANTONIO:

2008-09-18-0824

A. AN ORDINANCE AUTHORIZING A \$35,000.00 CONTRACT TO HOST THE AAAE F. RUSSELL HOYT NATIONAL AIRPORTS CONFERENCE IN SEPTEMBER 2009.

2008-09-18-0825

B. AN ORDINANCE AUTHORIZING A \$600,000.00 CONTRACT TO HOST THE 2014 TEAM AAAE ANNUAL CONFERENCE AND EXPOSITION; PAYABLE IN \$100,000.00 ANNUAL INSTALLMENTS STARTING ON THE 2008-09 FISCAL YEAR.

Item 36. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATING TO THE SCHEDULE OF UPCOMING CITY COUNCIL MEETINGS:

2008-09-18-0829

A. AN ORDINANCE RESCHEDULING CITY COUNCIL MEETINGS IN OCTOBER, NOVEMBER AND DECEMBER 2008 AND JANUARY 2009.

2008-09-18-0830

B. AN ORDINANCE SCHEDULING A SPECIAL CITY COUNCIL MEETING TO CANVASS RETURNS OF THE NOVEMBER 4, 2008 CHARTER AMENDMENT ELECTION.

2008-09-18-0832

Item 38. AN ORDINANCE AUTHORIZING THE RENEWAL OF AN AGREEMENT WITH SAN ANTONIO FOR GROWTH ON THE EASTSIDE, INC. (SAGE) FOR SAGE TO PROVIDE FUNDING FOR THE SERVICES OF AN ECONOMIC DEVELOPMENT SPECIALIST TO SAGE IN AN AMOUNT NOT TO EXCEED \$56,441.00 TO FACILITATE THE CONTINUATION OF ITS NEIGHBORHOOD COMMERCIAL REVITALIZATION PLANS AND ECONOMIC DEVELOPMENT ACTIVITIES IN COUNCIL DISTRICT 2 FOR THE PERIOD OCTOBER 1, 2008 THROUGH SEPTEMBER 30, 2009.

PULLED

Item 39. AN ORDINANCE AUTHORIZING A ONE-YEAR RENEWAL OF THE INTERLOCAL AGREEMENT WITH BEXAR COUNTY TO PROVIDE FORENSIC SCIENCE SERVICES TO THE

CITY OF SAN ANTONIO FOR THE PERIOD OCTOBER 1, 2008, THROUGH SEPTEMBER 30, 2009.

2008-09-18-0836

Item 43. AN ORDINANCE APPROVING THE EXECUTION OF A LICENSE AGREEMENT WITH THE CLASSICS ELITE SOCCER ACADEMY FOR 28.5 ACRES OUT OF MCALLISTER PARK LOCATED IN COUNCIL DISTRICT 9 WITH AN INITIAL FIVE-YEAR TERM BEGINNING NOVEMBER 1, 2008 AND WITH UP TO SEVEN, FIVE-YEAR RENEWAL OPTIONS FOR USE IN THE CONSTRUCTION AND OPERATION OF AMATEUR ATHLETICS FACILITIES FINANCED BY THE BEXAR COUNTY VENUE TAX PROGRAM.

2008-09-18-0837

Item 44. AN ORDINANCE DISANNEXING THREE TRACTS OF LAND CONTAINING A TOTAL OF APPROXIMATELY 62 ACRES KNOWN AS THE ESPADA COMMERCIAL TRACTS, LOCATED IN COUNCIL DISTRICT 3 GENERALLY SOUTH OF LOOP 410 SOUTH AND EAST OF HIGHWAY 281.

Item 45. CONSIDERATION OF BOARD, COMMISSION AND COMMITTEE APPOINTMENTS, FOR TERMS OF OFFICE COMMENCING IMMEDIATELY UPON APPOINTMENT:

- A. APPOINTING TED RITCHIE (DISTRICT 6) TO THE KEEP SAN ANTONIO BEAUTIFUL INC. BOARD TO THE REMAINDER OF AN UNEXPIRED TERM TO EXPIRE DECEMBER 22, 2008.
- B. RE-APPOINTING JON THOMPSON (DISTRICT 1) TO THE LINEAR CREEKWAY PARK ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE MAY 31, 2009.
- C. APPOINTING JANE MARIE AGNEW (DISTRICT 1) AND JACOB NATHANIEL BENN (DISTRICT 4) TO THE SAN ANTONIO YOUTH COMMISSION TO THE REMAINDER OF THE UNEXPIRED TERMS TO EXPIRE MAY 31, 2009.
- D. APPOINTING CAROLE A. ABITZ (DISTRICT 4) TO THE ANIMAL CARE SERVICES ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE SEPTEMBER 18, 2010.
- E. APPOINTING BRENT F. FLOYD (DISTRICT 5) AND CHRISTINA BAZALDUA (DISTRICT 1) TO THE COMMISSION FOR CHILDREN AND FAMILIES FOR THE REMAINDER OF UNEXPIRED TERMS TO EXPIRE MAY 31, 2009.

2008-09-18-0838

- F. AN ORDINANCE REAPPOINTING MELVIN BRAZIEL, LARRY KELLER, RICK PYCH, MARIO SALAS AND KATHLEEN VALE AND APPOINTING SHAKARE NAKPEDIA TO THE BOARD OF DIRECTORS FOR THE TAX INCREMENT REINVESTMENT ZONE NUMBER ELEVEN, CITY OF SAN ANTONIO, TEXAS, KNOWN AS THE INNER CITY TIRZ, FOR THE REMAINDER OF UNEXPIRED TERMS OF OFFICE TO EXPIRE DECEMBER 13, 2008, AND WAIVING THE TIF MANUAL APPOINTMENT PROCESS FOR THESE APPOINTMENTS.

- G. APPOINTING MILTON R. MCFARLAND (DISTRICT 10) TO THE ZONING COMMISSION FOR THE REMAINDER OF AN UNEXPIRED TERM TO EXPIRE JUNE 30, 2010.

[CONSENT ITEMS CONCLUDED]

POINT OF PERSONAL PRIVILEGE

Councilmember Ramos recognized T.C. Broadnax and all who worked on Item 44 regarding the disannexation of 62 acres known as the Espada Commercial Tracts.

Councilmember Cortez recognized Carole Abitz on Item 45D regarding her appointment to the Animal Care Services Advisory Board.

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2008-09-18-0800

Item 9. AN ORDINANCE AUTHORIZING A CONTRACT WITH WASTE MANAGEMENT OF TEXAS, INC. TO PROVIDE THE CITY WITH AN ANNUAL CONTRACT FOR COMMERCIAL GARBAGE DISPOSAL SERVICES FOR AN ESTIMATED ANNUAL COST OF \$783,000.00, FOR A TERM BEGINNING OCTOBER 1, 2008 AND ENDING SEPTEMBER 30, 2010, WITH TWO ONE-YEAR EXTENSION OPTIONS.

Councilmember Cortez asked about the services that would be received from said contract and how the company was selected. Ms. Janie Cantu stated that Waste Management of Texas would be providing waste disposal services including garbage pickup and other refuse for city commercial properties at the Convention Center, Market Square, and various City Parks. She noted that Waste Management submitted a bid through a Request for Proposal process and evaluated by a committee who determined the best value. Councilmember Cortez expressed concern that recycling was not included in the contract. Ms. Cantu stated that there were issues with recycling vehicles in the Downtown Area but was working on a different contract to address recycling efforts.

Councilmember Cortez moved to adopt the proposed Ordinance. Councilmember Ramos 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:

2008-09-18-0802

Item 11. AN ORDINANCE ACCEPTING THE OFFERS FROM DALLAS DODGE C-J, CALDWELL COUNTRY CHEVROLET, AND PHILPOTT MOTORS TO PROVIDE THE CITY WITH 13 VEHICLES (4 REPLACEMENT AND 9 ADDITIONAL) IN VARIOUS CONFIGURATIONS FOR A COST OF \$389,210.00, FROM THE EQUIPMENT RENEWAL AND REPLACEMENT FUND, SOLID WASTE OPERATIONS FUND AND THE CNP 2007-2008 FUND.

Councilmember Rodriguez expressed concern that alternative fuel vehicles were not available for said purchase and asked if there was a process in place to determine what type of vehicles are available in a hybrid model or through alternative fuel sources. Ms. Janie Cantu stated that the Fleet Department conducts a market study once specifications are identified. Mr. Florencio Peña noted that over 26% of the City's fleet was either a hybrid or alternative fuel source vehicle.

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, Clamp, and Mayor Hardberger. **NAY:** None. **ABSENT:** None.

The City Clerk read the following Ordinances:

2008-09-18-0806

Item 15. AN ORDINANCE APPROVING A \$1,243,031.40 AMENDMENT TO A PROFESSIONAL SERVICE AGREEMENT WITH 3D/INTERNATIONAL (3D/I) FOR DESIGN OF FURNITURE, FIXTURES & EQUIPMENT FOR TERMINALS B AND C; DESIGN OF A CONSOLIDATED BAGGAGE SCREENING SYSTEM FOR TERMINALS 1 AND B; RECONFIGURATION OF OFFICES IN TERMINAL 1; AND APRON RE-GRADING AND CONSTRUCTION PACKAGING TO SUPPORT TERMINALS B AND C, IN CONNECTION WITH THE SAN ANTONIO INTERNATIONAL AIRPORT EXPANSION PROGRAM.

2008-09-18-0807

Item 16. AN ORDINANCE APPROVING A \$5,045,123.00 AMENDMENT TO A PROFESSIONAL SERVICE AGREEMENT WITH 3D/INTERNATIONAL (3D/I) FOR COMPLETION OF TERMINAL C CONSTRUCTION DOCUMENTS TO 100%, IN CONNECTION WITH THE SAN ANTONIO INTERNATIONAL AIRPORT EXPANSION PROGRAM.

2008-09-18-0808

Item 18. AN ORDINANCE APPROVING A NET CHANGE ORDER OF \$645,548.46 INCLUDING A \$951,742.25 CHANGE ORDER TO THE CONSTRUCTION CONTRACT WITH ARCHER WESTERN CONTRACTORS FOR ROADWAY ELEVATION WORK AND A \$306,193.79 DEDUCTIVE CHANGE ORDER FOR MATERIALS QUANTITIES AND LABOR SAVINGS IN CONNECTION WITH PROJECT 6 – ROADWAYS & UTILITIES AND PROJECT 10 – VOLUME 2 – HYDRONIC LINES RELOCATION AT SAN ANTONIO INTERNATIONAL AIRPORT FOR A REVISED CONTRACT VALUE OF \$43,789,841.83.

Councilmember Rowe recused himself on Items 15, 16, and 18 by excusing himself from the Council Chambers and noted that he submitted the recusal forms for said items to the City Clerk.

Councilmember Herrera moved to adopt Ordinances 15, 16, and 18 as proposed. Councilmember Rodriguez seconded the motion.

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

At this time, Mayor Hardberger addressed Items 35A, 35B, 35C, and 37.

The City Clerk read the following Ordinances:

Item 35. CONSIDERATION OF THE FOLLOWING ORDINANCES:

2008-09-18-0826

- A. AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF SAN ANTONIO, TEXAS WATER SYSTEM REVENUE AND REFUNDING BONDS, SERIES 2008" IN THE PRINCIPAL AMOUNT OF \$175,000,000.00; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE BONDS BY A LIEN ON AND PLEDGE OF THE PLEDGED REVENUES OF THE WATER SYSTEM ON A PARITY WITH CERTAIN CURRENTLY OUTSTANDING OBLIGATIONS; PROVIDING THE TERMS AND CONDITIONS OF SUCH BONDS AND RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY, SALE, AND DELIVERY OF SUCH BONDS, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT; STIPULATING THE TERMS AND CONDITIONS FOR THE ISSUANCE OF ADDITIONAL REVENUE BONDS ON A PARITY THEREWITH; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, AN ESCROW DEPOSIT LETTER, AND A PURCHASE CONTRACT; COMPLYING WITH THE REQUIREMENTS OF THE DEPOSITORY TRUST COMPANY; DELEGATING THE AUTHORITY TO CERTAIN MEMBERS OF THE SAN ANTONIO WATER SYSTEM STAFF TO EXECUTE CERTAIN DOCUMENTS RELATING TO THE SALE OF THE BONDS; ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

2008-09-18-0827

- B. AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF SAN ANTONIO, TEXAS WATER SYSTEM JUNIOR LIEN REVENUE BONDS, SERIES 2008" IN THE PRINCIPAL AMOUNT OF \$30,000,000.00; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE BONDS BY A JUNIOR LIEN ON AND PLEDGE OF THE NET REVENUES OF THE CITY'S WATER SYSTEM ON A PARITY WITH CERTAIN CURRENTLY OUTSTANDING OBLIGATIONS; PROVIDING THE TERMS AND CONDITIONS OF SUCH BONDS AND RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY, SALE, AND DELIVERY OF SUCH BONDS, INCLUDING THE APPROVAL OF AN APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND AN ESCROW AGREEMENT; COMPLYING WITH THE REQUIREMENTS OF THE DEPOSITORY TRUST COMPANY'S LETTER OF REPRESENTATIONS; COMPLYING WITH THE REGULATIONS PROMULGATED BY THE TEXAS WATER DEVELOPMENT BOARD; ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.

2008-09-18-0828

- C. AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF SAN ANTONIO, TEXAS WATER SYSTEM JUNIOR LIEN REVENUE AND REFUNDING BONDS, SERIES 2008A" IN THE PRINCIPAL AMOUNT OF \$23,260,000.00; PROVIDING FOR THE PAYMENT OF

THE PRINCIPAL OF AND INTEREST ON THE BONDS BY A JUNIOR LIEN ON AND PLEDGE OF THE NET REVENUES OF THE CITY'S WATER SYSTEM ON A PARITY WITH CERTAIN CURRENTLY OUTSTANDING OBLIGATIONS; PROVIDING THE TERMS AND CONDITIONS OF SUCH BONDS AND RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY, SALE, AND DELIVERY OF SUCH BONDS, INCLUDING THE APPROVAL OF AN APPLICATION OF THE TEXAS WATER DEVELOPMENT BOARD; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, AN ESCROW DEPOSIT LETTER, AND AN ESCROW AGREEMENT; COMPLYING WITH THE REQUIREMENTS OF THE DEPOSITORY TRUST COMPANY'S LETTER OF REPRESENTATIONS; COMPLYING WITH THE REGULATIONS PROMULGATED BY THE TEXAS WATER DEVELOPMENT BOARD; ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; PROVIDING FOR AN EFFECTIVE DATE.

2008-09-18-0831

Item 37. AN ORDINANCE APPROVING AN INVESTMENT POLICY FOR THE CITY OF SAN ANTONIO, TEXAS, AS REQUIRED BY THE TEXAS PUBLIC FUNDS INVESTMENT ACT; AND DESIGNATING CERTAIN EMPLOYEES AS INVESTMENT OFFICERS FOR THE CITY OF SAN ANTONIO.

Councilmember Rodriguez recused himself on said items by excusing himself from the Council Chambers and noted that he submitted the recusal forms for Items 35A, 35B, 35C, and 37 to the City Clerk.

Councilmember Herrera moved to adopt the Ordinances 35A, 35B, 35C, and 37 as proposed. Councilmember Cibrian seconded the motion.

The motion to approve Items 35A, 35B, 35C, and 37 prevailed by the following vote: **AYES:** Cisneros, McNeil, Ramos, Cortez, Galvan, Herrera, Cibrian, Clamp, and Mayor Hardberger. **NAY:** None. **ABSENT:** Rowe. **ABSTAIN:** Rodriguez.

At this time, Mayor Hardberger addressed Item 40.

The City Clerk read the following Ordinance:

2008-09-18-0833

Item 40. AN ORDINANCE CARRYING FORWARD CERTAIN FUNDS; CLOSING ACCOUNTING RECORDS IN CERTAIN FUNDS; AMENDING PRIOR APPROPRIATIONS; APPROPRIATING FUNDS FOR REQUIREMENTS IN CITY PROJECTS AND DEPARTMENTS; AND APPROPRIATING CERTAIN CAPITAL PROJECT FUNDS.

Councilmember Cortez asked for additional information on said item. Mr. Peter Zanoni stated that said item would carry-over funds for items not yet received such as capital equipment. He noted that it would also carry forward encumbrances for payment obligations.

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

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

At this time, Mayor Hardberger addressed Item 19.

The City Clerk read the following Ordinance:

2008-09-18-0809

Item 19. AN ORDINANCE APPROVING THE STREET MAINTENANCE PROJECTS TO BE INCLUDED WITHIN THE STREETS COMPONENT OF THE 2009-2013 5-YEAR INFRASTRUCTURE MAINTENANCE PLAN CONSISTENT WITH THE FUNDING LEVEL FOR THE STREETS MAINTENANCE BUDGET PORTION APPROVED WITHIN THE FY 2009 BUDGET.

Councilmember McNeil asked for information on how the projects were proportioned and if there was an opportunity for revisions. Mr. Majed Al-Ghafry stated that some of the work was done on a proportionate basis but that the pavement condition was also a factor. He noted that all of the reconstruction projects included curbs, gutters, and sidewalks. He added that the projects had been locked in and contracted with the exception of the additional \$14 million that had been approved but there was an opportunity for revisions.

Councilmember McNeil moved to adopt the proposed Ordinance. Councilmember Cisneros 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:

2008-09-18-0811

Item 21. AN ORDINANCE AUTHORIZING A \$338,934.88 JOB ORDER TO JAMAIL & SMITH CONSTRUCTION FOR FACILITY IMPROVEMENTS TO THE CODY BRANCH LIBRARY, 11441 VANCE JACKSON, COUNCIL DISTRICT 8, AND APPROPRIATING FUNDS FOR THE JOB ORDER AND OTHER RELATED PROJECT EXPENSES.

Councilmember Cibrian asked for additional information on said item and requested a project timeline. Mr. Mike Frisbie stated that various improvements would be made to the Cody Branch Library including air conditioning, sidewalks, interior projects, painting and roof replacement. He noted that since there were several components to the project, not all improvements would be completed prior to the holidays but would submit a more detailed schedule when finalized.

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

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

The City Clerk read the following Ordinance:

2008-09-18-0812

Item 22. AN ORDINANCE AUTHORIZING THE ESTABLISHMENT OF A \$392,000.00 BUDGET FOR THE RAILWAY SAFETY TRAINING FACILITY CAPITAL PROJECT, AN AUTHORIZED DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)-FUNDED PROJECT.

Councilmember Herrera highlighted said item and requested a project overview. Chief Noel Horan stated that said project was initiated in 2007 as a priority of the Federal Initiatives Program. He noted that the item had gone before Congress and that the Consolidated Appropriations Act of 2008 signed the projects into law. He explained that there were currently four rail cars set up at the Training Academy in a derailment scenario and that the \$392,000 would be utilized to build a training facility.

Chief Horan reported that Union Pacific would train Fire Department Employees, as well as regional personnel, as trainers in an effort to increase the region's ability to respond to rail incidents. Chief Thomas McNulty provided an overview of the main training components that include Initial First Responder Preparation and Basic Damage Assessment.

Mayor Hardberger and Councilmembers recognized Councilmember Herrera for her efforts on said project.

Councilmember Herrera 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, Clamp, and Mayor Hardberger. **NAY:** None. **ABSENT:** None.

The City Clerk read the following Ordinance:

2008-09-18-0820

Item 30. AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE ALAMO AREA COUNCIL OF GOVERNMENTS (AACOG) IN THE AMOUNT OF \$275,250.00 FOR THE SUPPORTIVE SERVICES FOR THE ELDERLY PROJECT (SSEP) TO PROVIDE TRANSPORTATION SERVICES FROM OCTOBER 1, 2008 THROUGH SEPTEMBER 30, 2009.

Councilmember Cortez requested additional information on said item. Mr. Dennis Campa stated that it was a partnership with the Alamo Area Council of Governments (AACOG) to transport Senior Citizens to Chemotherapy, Dialysis, and other medical appointments. He noted that over 700 Senior Citizens were served through the program on an annual basis. Councilmember Cortez inquired about adding fleet to the program. Mr. Campa stated that funding was based on the Federal Legislative Agenda and would propose that additional funds be allocated toward Senior Transportation. He added that funds were also utilized to provide dispatching services.

Councilmember Galvan asked if the outreach was bilingual. Mr. Campa replied that almost everything they did was bilingual, including hiring bilingual drivers. Councilmember Ramos noted that WellMed also provided free transportation for Senior Citizens. Councilmember Rodriguez requested that the City work with VIA and AACOG on routes to concentrate on Senior Housing located inside of Loop 410.

Councilmember Cortez moved to adopt the proposed Ordinance. Councilmember Galvan 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.

POINT OF PERSONAL PRIVILEGE

Councilmember Ramos recognized students from Northwest Vista College and their Professors, Mr. Bobby Martinez and Robert Martinez, Jr. who were also in attendance.

The City Clerk read the following Ordinance:

2008-09-18-0834

Item 41. AN ORDINANCE APPROVING THE EXECUTION OF A LICENSE AGREEMENT WITH THE SOUTHEAST BOYS BASEBALL, INC. D/B/A SOUTHEAST PONY BASEBALL AND SOFTBALL ("SOUTHEAST") FOR THE 14 ACRES CURRENTLY LICENSED TO SOUTHEAST PLUS ANY ADDITIONAL NEEDED ACREAGE OUT OF SOUTHSIDE LIONS PARK LOCATED IN COUNCIL DISTRICT 3 WITH AN INITIAL FIVE-YEAR TERM BEGINNING NOVEMBER 1, 2008 AND WITH UP TO SEVEN, FIVE-YEAR RENEWAL OPTIONS FOR USE IN THE CONSTRUCTION AND OPERATION OF AMATEUR ATHLETICS FACILITIES FINANCED BY THE BEXAR COUNTY VENUE TAX PROGRAM AND TERMINATING THE EXISTING LICENSE AGREEMENT WITH SOUTHEAST.

Councilmember Ramos thanked all who worked on said item and noted that it was one of the first contracts executed utilizing the Bexar County Venue Tax Program. Mr. Xavier Urrutia stated that said joint partnership was a new type of agreement and that community issues and concerns had been addressed. Councilmember Ramos highlighted that the agreements were for 40 years but would have to be renewed by the Council every five years. She recognized Ms. Joann Ramon and asked her to say a few words.

Ms. Joann Ramon expressed pleasure with said item and thanked all who worked on the agreement. She noted the lack of restrooms and problems with vandalism and looked forward to the issues being resolved.

Councilmember Ramos moved to adopt the proposed Ordinance. Councilmember Cortez 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:

2008-09-18-0835

Item 42. AN ORDINANCE APPROVING THE EXECUTION OF A LICENSE AGREEMENT WITH THE MCALLISTER PARK LITTLE LEAGUE ("MPLL") FOR 46.94 ACRES OF MCALLISTER PARK LOCATED IN COUNCIL DISTRICT 9 WITH AN INITIAL FIVE YEAR TERM BEGINNING NOVEMBER 1, 2008 AND WITH UP TO SEVEN, FIVE YEAR RENEWAL OPTIONS FOR USE IN

THE CONSTRUCTION AND OPERATION OF AMATEUR ATHLETICS FACILITIES FINANCED BY THE BEXAR COUNTY VENUE TAX PROGRAM AND APPROVING AMENDMENT 2 TO THE EXISTING LICENSE AGREEMENT WITH MPLL TO REMOVE THE 46.94 ACRES FROM THE EXISTING LICENSE AGREEMENT.

Councilmember McNeil stated that her question was not about said project but about another amateur sports park project utilizing the Bexar County Venue Tax. She asked if a similar agreement would have to be approved and about the project status. Mr. Xavier Urrutia stated that the same type of agreement would be utilized and that they were still in negotiations due to the large scope of the project. He added that they would keep the Council updated on the status of all of the projects. At this time, Councilmember McNeil recognized Mayor Lila Cockrell, the Kronkosky Foundation, and the Parks Foundation on Item 23 regarding the Denver Heights Park.

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

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

CITY MANAGER'S REPORT

Ms. Sheryl Sculley recognized Mr. Mark Webb, Aviation Director, who resigned from his position with the City of San Antonio to accept the position of Vice-President of Facilities Development and Project Management for University Hospital System. She noted that in his new capacity, he would help develop and implement the recently passed Bond Program. She stated that Mr. Webb was appointed as Aviation Director in 2006 and had worked for the City of San Antonio since 1994 in various capacities. During Mr. Webb's tenure with the City, the number of direct flights increased; the largest construction program at the Airport was launched; and many operations at the Airport were enhanced. She thanked Mr. Webb for serving as Chair of the City's Charitable Campaign which funds United Way Agencies and other Human Services Agencies that City Employees contribute to.

Ms. Sculley also recognized Mr. Edward Belmares, Human Resources Director, on his recent promotion to Senior Human Resources Director for CPS Energy. She stated that Mr. Belmares had served as the City's Human Resources Director for a year and a half and had worked for the City for a total of ten years. She highlighted several of Mr. Belmares' accomplishments including the development of the City's Pay Plan, updating and revising the Affirmative Action Plan, and the opening of the new City Employee Wellness Center.

Ms. Sculley presented Messrs. Webb and Belmares with small gifts of appreciation and wished them well in their future endeavors.

The Mayor and Council thanked Messrs. Webb and Belmares for their work and dedication to the City of San Antonio.

POINT OF PERSONAL PRIVILEGE

Mayor Hardberger recognized Mayor Emeritus Lila Cockrell and the San Antonio Parks Foundation who in partnership with the City of San Antonio will host the 25th Anniversary of **Jazz'Salive Festival** September 20-21, 2008 in the historic Travis Park. It was noted that the St. Anthony Hotel would host the **Starlight Salute to Jazz'Salive Gala** on September 19th and the **Jazz'Salive Champagne Brunch** on September 21st.

Councilmember Cibrian recognized Kayla Potter, a 7th Grade Student at Holy Spirit School who was participating in the Job Shadow Program.

Councilmember Ramos invited all to participate in the San Antonio Kids Get Fit District 3 Event being held over the weekend in conjunction with the Harlandale Cultural Arts Parade. She stated that the event would begin behind Mission San Jose and participants would march to Harlandale Memorial Stadium.

Mayor Hardberger recessed the Regular Meeting at 11:20 am to break for lunch.

Mayor Hardberger reconvened the Regular Meeting at 2:20 pm and addressed the following Points of Personal Privilege followed by Zoning.

POINT OF PERSONAL PRIVILEGE

Councilmember Herrera recognized Steve Drenner, Brian Chandler, Ricardo Solis, Bill and Jane Dubel, and individuals from the Drenner and Golden Law Firm regarding their work and support on Item Z-15.

Councilmember Rodriguez also thanked Bill and Jane Dubel of the Thunderbird Hills Neighborhood Association for their service to District 7 and for their collaborative efforts with District 6 on Item Z-15.

CONSENT ZONING

Councilmember Herrera 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 registered to speak: Z-2, Z-3, Z-4, Z-5, Z-6, Z-7, Z-9, Z-10, Z-12, P-1, Z-13, Z-14, Z-15, Z-16, Z-17, Z-18, Z-19, Z-22, Z-23, Z-25, Z-29, Z-30, Z-33, and Z-34. Councilmember Clamp seconded the motion.

Ms. Rollette Schreckenghost spoke on behalf of Ms. Marcie Ince, President of the San Antonio Conservation Society regarding Items Z-3, Z-6, Z-9, Z-10, Z-17, Z-18, Z-19, Z-21, Z-22, and Z-23. She stated that the Society had formed the Historic Farm and Ranch Complexes Committee in 2005 and worked in conjunction with the Historic Preservation Office to identify and provide protection for those sites. She commended the property owners of the above-noted items for seeking historic designation for the early Spanish Settlements.

Mr. Myron L. Maples, spoke in support of Item Z-10. He thanked everyone who worked on the item and expressed pleasure that the property was going to be restored. He stated that he was born and raised on the property and that his grandmother had purchased the property on February 5, 1908. He noted that his family had run one of the biggest dairy farms in the area.

Mr. Victor Azios, Society of St. Vincent de Paul, thanked the Mayor and City Council for their approval of P-1. He invited everyone to participate in a walk for the poor in conjunction with Haven for Hope on September 27, 2008.

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

2008-09-18-0840

Item Z-2. **ZONING CASE # Z2008220 CD (District 2):** An Ordinance amending the Zoning District Boundary from "C-2" Commercial District to "C-2 CD" (CD - Funeral Home) Commercial District with a Conditional Use for a Funeral Home on Lot 23, Block 2, NCB 10774 located at 2415 South W. W. White Road. Staff and Zoning Commission recommend approval with conditions.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 23, BLOCK 2, NCB 10774 TO WIT: FROM "C-2" COMMERCIAL DISTRICT TO "C-2 CD" (CD - FUNERAL HOME) COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR A FUNERAL HOME PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2008-09-18-0841

Item Z-3. **ZONING CASE # Z2008235 (District 2):** An Ordinance amending the Zoning District Boundary from "I-2" Heavy Industrial District to "HE I-2" Historic Exceptional, Heavy Industrial District on 53.887 acres out of NCB 10568 located at 3803 Old Seguin 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: 53.887 ACRES OUT OF NCB 10568 TO WIT: FROM "I-2" HEAVY INDUSTRIAL DISTRICT TO "HE I-2" HISTORIC EXCEPTIONAL HEAVY INDUSTRIAL DISTRICT.

2008-09-18-0842

Item Z-4. **ZONING CASE # Z2008244 (District 2):** An Ordinance amending the Zoning District Boundary from "I-1" General Industrial District to "C-3" General Commercial District on 9.650 acres out of NCB 17978 located at 6075 IH-10 East. 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: 9.650 ACRES OUT OF NCB 17978 TO WIT: FROM "I-1" GENERAL INDUSTRIAL DISTRICT TO "C-3" GENERAL COMMERCIAL DISTRICT.

2008-09-18-0843

Item Z-5. **ZONING CASE # Z2008248 (District 2):** An Ordinance amending the Zoning District Boundary from "R-5" Residential Single-Family District to "I-1" General Industrial District on an 0.878

acre tract of land out of NCB 12867 located at 5010 Stout Drive. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: A 0.878 ACRE TRACT OF LAND OUT OF NCB 12867 TO WIT: FROM "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "I-1" GENERAL INDUSTRIAL DISTRICT.

2008-09-18-0844

Item Z-6. **ZONING CASE # Z2008230 (District 3):** An Ordinance amending the Zoning District Boundary from "RP" Resource Protection District to "HE RP" Historic Exceptional, Resource Protection District on Parcel 2A, CB 4181 located at 1349 Neal Road. Staff and Zoning Commission recommend approval. The City South Management Authority Board 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: PARCEL 2A, CB 4181 TO WIT: FROM "RP" RESOURCE PROTECTION DISTRICT TO "HE RP" HISTORIC EXCEPTIONAL, RESOURCE PROTECTION DISTRICT.

2008-09-18-0845

Item Z-7. **ZONING CASE # Z2008215 (District 4):** An Ordinance amending the Zoning District Boundary from "R-6" Residential Single-Family District to "MF-33" Multi-Family District on the north 60 feet of Lot 1, Block 7, NCB 15509 located at 8100 Landing Avenue. 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 NORTH 60 FEET OF LOT 1, BLOCK 7, NCB 15509 TO WIT: FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "MF-33" MULTI FAMILY DISTRICT.

2008-09-18-0846

Item Z-9. **ZONING CASE # Z2008231 (District 4):** An Ordinance amending the Zoning District Boundary from "MI-1" Mixed Light Industrial District to "HE MI-1" Historic Exceptional, Mixed Light Industrial District on Parcel 8C, Parcel 10B, and Parcel 10D CB 4297 located at the 17200 Block of Applewhite Road. Staff and Zoning Commission recommend approval. The City South Management Authority Board 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: PARCEL 8C, PARCEL 10B, AND PARCEL 10D CB 4297 TO WIT: FROM "MI-1" MIXED LIGHT INDUSTRIAL DISTRICT TO "HE MI-1" HISTORIC EXCEPTIONAL, MIXED LIGHT INDUSTRIAL DISTRICT.

2008-09-18-0847

Item Z-10. **ZONING CASE # Z2008237 (District 4):** An Ordinance amending the Zoning District Boundary from "NP-10" Neighborhood Preservation District to "HE NP-10" Historic Exceptional, Neighborhood Preservation District on Tract F, NCB 13975 located at 4640 Southwest Military Drive. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: TRACT F, NCB 13975 TO WIT: FROM "NP-10" NEIGHBORHOOD PRESERVATION DISTRICT TO "HE NP-10" HISTORIC EXCEPTIONAL, NEIGHBORHOOD PRESERVATION DISTRICT.

2008-09-18-0848

Item Z-12. **ZONING CASE # Z2008197 S (District 5):** An Ordinance amending the Zoning District Boundary from "C-3R" General Commercial District, Restrictive Alcohol Sales to "C-3NA S" General Commercial District, Nonalcoholic Sales with a Specific Use Authorization for a Contractor's Facility on Lot 36 and Lot 37, Block 4, NCB 7926 located at 1457 Chalmers Avenue. Staff and Zoning Commission recommend approval with conditions.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 36 AND LOT 37, BLOCK 4, NCB 7926 TO WIT: FROM "C-3R" GENERAL COMMERCIAL DISTRICT, RESTRICTIVE ALCOHOL SALES TO "C-3NA S" GENERAL COMMERCIAL DISTRICT, NONALCOHOLIC SALES WITH A SPECIFIC USE AUTHORIZATION FOR A CONTRACTOR'S FACILITY PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2008-09-18-0849

Item P-1. **PLAN AMENDMENT # 08029 (District 5):** An Ordinance amending the land use plan in the Downtown Neighborhood Plan, a component of the Master Plan of the City, by changing the use of a 3.9563 acre tract of land located at 1103 S. Frio St. from Residential to Commercial and adding to the text contained in the Land Use Plan section, District M, Vista Verde Neighborhood to include: "Development of the S. Frio Street, S. Alamo Street intersection area as a Community Commercial node." Staff and Planning Commission recommend approval. (**Associated Zoning Case Z2008199**)

2008-09-18-0850

Item Z-13. **ZONING CASE # Z2008199 (District 5):** An Ordinance amending the Zoning District Boundary from "I-2" Heavy Industrial District to "C-2 NA" Commercial District, Nonalcoholic Sales on Lots 1, 2, 3, 7, 8, 9, 13 and 14, Block 2, NCB 878 located at 1103 South Frio Street. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOTS 1, 2, 3, 7, 8, 9, 13 AND 14, BLOCK 2, NCB 878 TO WIT: FROM "I-2" HEAVY INDUSTRIAL DISTRICT TO "C-2 NA" COMMERCIAL DISTRICT, NONALCOHOLIC SALES.

2008-09-18-0851

Item Z-14. **ZONING CASE # Z2008204 S (District 6):** An Ordinance amending the Zoning District Boundary From "C-2NA S" Commercial District, Nonalcoholic Sales with a Specific Use Authorization for a Commercial Athletic Field to "C-2NA S" Commercial District, Nonalcoholic Sales with a Specific Use Authorization for a Commercial Athletic Field (Site Plan Amendment) on 1.882 acres out of NCB 18859 located at 5900 Block of Village Park. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 1.882 ACRES OUT OF NCB 18859 TO WIT: FROM "C-2NA S" COMMERCIAL DISTRICT, NONALCOHOLIC SALES WITH A SPECIFIC USE AUTHORIZATION FOR A COMMERCIAL ATHLETIC FIELD TO "C-2NA S" COMMERCIAL DISTRICT, NONALCOHOLIC SALES WITH A SPECIFIC USE AUTHORIZATION FOR A COMMERCIAL ATHLETIC FIELD (SITE PLAN CHANGE) PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2008-09-18-0852

Item Z-15. **ZONING CASE # Z2008205 (District 6):** An Ordinance amending the Zoning District Boundary from "R-6" Residential Single-Family District (approximately 37.24 acres) and "I-1" General Industrial District (approximately 3.75 acres) to "C-2NA" Commercial District, Nonalcoholic Sale on 41 acres out of NCB 16115 located at the 2800 Block of Cinema Ridge. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 41 ACRES OUT OF NCB 16115 TO WIT: FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT (APPROXIMATELY 37.24 ACRES) AND "I-1" GENERAL INDUSTRIAL DISTRICT (APPROXIMATELY 3.75 ACRES) TO "C-2NA" COMMERCIAL DISTRICT, NONALCOHOLIC SALES.

2008-09-18-0853

Item Z-16. **ZONING CASE # Z2008218 S (District 6):** An Ordinance amending the Zoning District Boundary from "MPCD GC-2" Master Planned Community Highway 151 Gateway Corridor Overlay District-2 to "C-3 GC-2 S" General Commercial Highway 151 Gateway Corridor Overlay District-2 with a Specific Use Authorization for a Check Cashing Facility on 0.0442 acres out of Lot 1, Block 23, NCB 15849, previously NCB 15329, located at 8767 State Hwy 151. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 0.0442 ACRES OUT OF LOT 1, BLOCK 23, NCB 15849 TO WIT: FROM "MPCD GC-2" MASTER PLANNED COMMUNITY HIGHWAY 151 GATEWAY CORRIDOR OVERLAY DISTRICT-2 TO "C-3 GC-2 S" GENERAL COMMERCIAL HIGHWAY 151 GATEWAY CORRIDOR OVERLAY DISTRICT-2 WITH A SPECIFIC USE AUTHORIZATION FOR A CHECK CASHING FACILITY PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2008-09-18-0854

Item Z-17. **ZONING CASE # Z2008232 ERZD (District 6):** An Ordinance amending the Zoning District Boundary from "DR ERZD" Development Reserve Edwards Recharge Zone District to "HE DR ERZD" Historic Exceptional, Development Reserve Edwards Recharge Zone District on P-1A, P-1B and P-1E, NCB 34450 and P-2A, NCB 34451 located at 12861 Galm Road. Staff recommends approval. Zoning Commission recommendation pending September 16, 2008 public hearing.

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: P-1A, P-1B AND P-1E, NCB 34450 AND P-2A, NCB 34451 TO WIT: FROM "DR ERZD" DEVELOPMENT RESERVE EDWARDS RECHARGE ZONE DISTRICT TO "HE DR ERZD" HISTORIC EXCEPTIONAL, DEVELOPMENT RESERVE EDWARDS RECHARGE ZONE DISTRICT.

2008-09-18-0855

Item Z-18. **ZONING CASE # Z2008236 (District 6):** An Ordinance amending the Zoning District Boundary from "R-5" Residential Single-Family District to "HE R-5" Historic Exceptional, Residential Single-Family District on Parcel 7, .929 acres out of CB 4447 also known as NCB 15478, located at 6709 Forest Village. Staff and Zoning Commission recommend approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 0.929 ACRES OUT OF CB 4447, ALSO KNOWN AS NCB 15478 TO WIT: FROM "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "HE R-5" HISTORIC EXCEPTIONAL, RESIDENTIAL SINGLE-FAMILY DISTRICT.

2008-09-18-0856

Item Z-19. **ZONING CASE # Z2008234 (District 7):** An Ordinance amending the Zoning District Boundary from "C-3" General Commercial District to "HE C-3" Historic Exceptional General Commercial District on 0.0647 of an acre parcel out of Lot 5, Block 8, NCB 18163 located at 9760 Braun 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: A 0.0647 OF AN ACRE PARCEL OUT OF LOT 5, BLOCK 8, NCB 18163 TO WIT: FROM "C-3" GENERAL COMMERCIAL DISTRICT TO "HE C-3" HISTORIC EXCEPTIONAL, GENERAL COMMERCIAL DISTRICT.

2008-09-18-0859

Item Z-22. **ZONING CASE # Z2008240 (District 8):** An Ordinance amending the Zoning District Boundary from "R-6" Residential Single-Family District to "HE R-6" Historic Exceptional, Residential Single-Family District on Parcel P-26, Block 1, NCB 17180 located at 1021 Voelcker Lane. 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: PARCEL P-26, BLOCK 1, NCB 17180 TO WIT: FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "HE R-6" HISTORIC EXCEPTIONAL, RESIDENTIAL SINGLE-FAMILY DISTRICT.

2008-09-18-0860

Item Z-23. **ZONING CASE # Z2008241 (District 8):** An Ordinance amending the Zoning District Boundary from "R-5" Residential Single-Family District to "HE R-5" Historic Exceptional, Residential Single-Family District on 2906 square feet out of NCB 11637 located at 8910 Callaghan 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: 2906 SQUARE FEET OUT OF NCB 11637 TO WIT: FROM "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "HE R-5" HISTORIC EXCEPTIONAL, RESIDENTIAL SINGLE-FAMILY DISTRICT.

2008-09-18-0861

Item Z-25. **ZONING CASE # Z2008245 (District 8):** An Ordinance amending the Zoning District Boundary from "C-3" General Commercial District to "MF-25" Multi-Family District on 25.459 acres out of CB 4443, also known as NCB 14697, located at 10422 Huebner Rd. Staff recommends approval. Zoning Commission recommendation pending September 16, 2008 public hearing.

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: 25.459 ACRES OUT OF CB 4443 TO WIT: FROM "C-3" GENERAL COMMERCIAL DISTRICT TO "MF-25" MULTI-FAMILY DISTRICT.

2008-09-18-0864

Item Z-29. **ZONING CASE # Z2008174 (District 10):** An Ordinance amending the Zoning District Boundary from "C-2" Commercial District and "R-5" Residential Single-Family District to "C-2" Commercial District on a 17.56 acre tract of land out of NCB 17365 located east of Bulverde 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: A 17.56 ACRE TRACT OF LAND OUT OF NCB 17365 TO WIT: FROM "C-2" COMMERCIAL DISTRICT AND "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-2" COMMERCIAL DISTRICT.

2008-09-18-0865

Item Z-30. **ZONING CASE # Z2008185 CD (District 10):** An Ordinance amending the Zoning District Boundary from "C-3NA" General Commercial District, Nonalcoholic Sales to "C-3NA CD"

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(CD- Parking and/or Storage - Long Term) General Commercial District, Nonalcoholic Sales with a Conditional Use for Parking and/or Storage - Long Term on Lots 7, 8, 9 and 10; the Southeast 79 feet of Lot 11; Parcel 100; Lots 17, 18, 19 and 20; and the Northeast 68.97 feet of Lot 21; Block 1, NCB 17623; 3.082 acres out of NCB 17623 and 0.255 acres out of NCB 17623 located on the south side of Randolph Boulevard, between O'Connor Road to the west and Gilder Boulevard to the east. Staff and Zoning Commission recommend approval with conditions.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOTS 7, 8, 9 AND 10; THE SOUTHEAST 79 FEET OF LOT 11; PARCEL 100; LOTS 17, 18, 19 AND 20; AND THE NORTHEAST 68.97 FEET OF LOT 21; BLOCK 1, NCB 17623; 3.082 ACRES OUT OF NCB 17623 AND 0.255 ACRES OUT OF NCB 17623 TO WIT: FROM "C-3NA" GENERAL COMMERCIAL DISTRICT, NONALCOHOLIC SALES TO "C-3NA CD" (CD- PARKING AND/OR STORAGE - LONG TERM) GENERAL COMMERCIAL DISTRICT, NONALCOHOLIC SALES WITH A CONDITIONAL USE FOR PARKING AND/OR STORAGE - LONG TERM PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2008-09-18-0867

Item Z-33. **ZONING CASE # Z2008219 (District 1):** An Ordinance amending the Zoning District Boundary from "C-2 NCD-2" Commercial Alta Vista Neighborhood Conservation District-2 to "O-1 IDZ NCD-2 " Office Infill Development Zone Alta Vista Neighborhood Conservation District-2 on the north 60 feet of Lot 10 and the east 60.41 feet of the south 80.31 feet of Lot 10, Block 8, NCB 1891 located at 725 West Ashby Place. 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 NORTH 60 FEET OF LOT 10 AND THE EAST 60.41 FEET OF THE SOUTH 80.31 FEET OF LOT 10, BLOCK 8, NCB 1891 TO WIT: FROM "C-2 NCD-2" COMMERCIAL ALTA VISTA NEIGHBORHOOD CONSERVATION DISTRICT-2 TO "O-1 IDZ NCD-2" OFFICE, INFILL DEVELOPMENT ZONE, ALTA VISTA NEIGHBORHOOD CONSERVATION DISTRICT-2.

2008-09-18-0868

Item Z-34. **ZONING CASE # Z2008223 (District 1):** An Ordinance amending the Zoning District Boundary from "C-3NA" General Commercial District, Nonalcoholic Sales to "C-3NA IDZ" General Commercial District, Nonalcoholic Sales Infill Development Zone on the south 142.5 feet of Lot 3, Block 2, NCB 3027 located at 308 West Josephine 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: THE SOUTH 142.5 FEET OF LOT 3, BLOCK 2, NCB 3027 TO WIT: FROM "C-3NA" GENERAL COMMERCIAL DISTRICT, NONALCOHOLIC SALES TO "C-3NA IDZ" GENERAL COMMERCIAL DISTRICT, NONALCOHOLIC SALES INFILL DEVELOPMENT ZONE.

[ZONING CONSENT ITEMS CONCLUDED]

ZONING ITEMS FOR INDIVIDUAL CONSIDERATION

2008-09-18-0839

Item Z-1. **ZONING CASE # Z2008156 CD (District 2):** An Ordinance amending the Zoning District Boundary from "C-2" Commercial District and "C-1" Light Commercial District to "C-2 NA CD" (CD-Warehousing) Commercial District, Nonalcoholic Sales with a Conditional Use for Warehousing on 1.904 acres out of NCB 15805 located on the west side of Castle Cross, mid block between Castle Hunt Drive to the north and Rittiman Road to the south. 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: 1.904 ACRES OUT OF NCB 15805 TO WIT: FROM "C-2" COMMERCIAL DISTRICT AND "C-1" LIGHT COMMERCIAL DISTRICT TO "C-2 NA CD" (CD-WAREHOUSING) COMMERCIAL DISTRICT, NONALCOHOLIC SALES WITH A CONDITIONAL USE FOR WAREHOUSING PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

Mr. Chris Looney presented the proposed Zoning Case.

Councilmember McNeil moved to adopt the proposed Zoning Item with the following conditions: 1) All onsite lighting must be directed toward the site and away from residential areas using a 90 degree or less cut off feature; and 2) A twenty-five foot Type B Landscape Buffer must be provided along the north property line. 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.

CONTINUED

Item Z-8. **ZONING CASE # Z2008229 (District 4):** An Ordinance amending the Zoning District from "MI-1" Mixed Light Industrial District to "HE MI-1" Historic Exceptional, Mixed Light Industrial District on Parcel 2, CB 4297 located on the north side of Lone Star Pass, between State Hwy 16 South and Applewhite Road. Staff recommends approval. Zoning Commission recommendation pending the September 16, 2008 public hearing.

Councilmember Cortez moved to continue the proposed Zoning Item until October 16, 2008. Councilmember Cisneros 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.

CONTINUED

Item Z-11. **ZONING CASE #Z2008186 S (District 5):** An Ordinance amending the Zoning District Boundary from "I-2" Heavy Industrial District to "IDZ S" Infill Development Zone with uses permitted in C-2 S Commercial District with a Specific Use Authorization for a Bail Bond Office on 1.012 acres out of NCB 191 located at 1202 and 1228 West Commerce. Staff and Zoning Commission recommend approval.

Councilmember Galvan moved to continue the proposed Zoning Item until October 2, 2008. 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.

2008-09-18-0857

Item Z-20. **ZONING CASE # Z2008200 (District 8):** An Ordinance amending the Zoning District Boundary from "I-1" General Industrial District and "C-3" General Commercial District to "C-2" Commercial District on Lot 1, Block 22, NCB 14861 located at 6506 West Hausman 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 1, BLOCK 22, NCB 14861 TO WIT: FROM "I-1" GENERAL INDUSTRIAL DISTRICT AND "C-3" GENERAL COMMERCIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT.

Mr. Chris Looney presented the proposed Zoning Case.

Mr. Peter Piper, President of the Woodthorn Homeowners Association, stated that the majority of the homeowners were in favor of the rezoning.

Councilmember Cibrian moved to adopt the proposed Zoning Item with the following conditions: 1) Liquor sales are prohibited on the property; 2) Dumpsters shall have enclosures and be emptied between 7:30 am and 8:00 pm; 3) Only downward facing lighting shall be allowed; and 4) The property will be landscaped and the landscaping will be properly maintained. She stated that the Woodthorn Homeowners Association would support the zoning case with the four restrictions as listed. 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.

2008-09-18-0858

Item Z-21. **ZONING CASE # Z2008239 (District 8):** An Ordinance amending the Zoning District Boundary from "R-6" Residential Single-Family District to "HE R-6" Historic Exceptional, Residential Single-Family District on 20.0 acres out of CB 4531, also known as Parcel P-2, NCB 18157 located at 11025 Pomona Park Drive. Staff recommends approval. Zoning Commission recommendation pending the September 16, 2008 public hearing.

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: .4634 ACRES OUT OF CB 4531 (AMENDED FROM 20 ACRES OUT OF CB 4531) TO WIT: FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "HE R-6" HISTORIC EXCEPTIONAL, RESIDENTIAL SINGLE-FAMILY DISTRICT.

Mr. Chris Looney presented the proposed Zoning Case and noted that the request had been reduced in acreage from the original 20 acres out of CB 4531 to less than half an acre being .4634 acre out of CB 4531.

Councilmember Cibrian moved to adopt the proposed Zoning Item. 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.

CONTINUED

Item Z-24. **ZONING CASE # Z2008242 ERZD (District 8):** An Ordinance amending the Zoning District Boundary from "R-6 ERZD" Residential Single-Family, Edwards Recharge Zone District to "HE R-6 ERZD" Historic Exceptional, Residential Single-Family, Edwards Recharge Zone District on 3.30 acres out of NCB 14615 located at 12347 Woller Road. Staff recommends approval. Zoning Commission recommendation pending the September 16, 2008 meeting.

Councilmember Cibrian moved to continue the proposed Zoning Item until October 16, 2008. 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.

2008-09-18-0862

Item Z-26. **ZONING CASE # Z2008246 (District 8):** An Ordinance amending the Zoning District Boundary from "C-2" Commercial District to "C-3 NA" General Commercial District, Nonalcoholic Sales on Lots 10 and 11, Block 2, NCB 16353 located at 4020 Medical Drive and 4480 Horizon Hill Boulevard. 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: LOTS 10 AND 11, BLOCK 2, NCB 16353 TO WIT: FROM "C-2" COMMERCIAL DISTRICT TO "C-3 NA" GENERAL COMMERCIAL DISTRICT, NONALCOHOLIC SALES.

Mr. Chris Looney presented the proposed Zoning Case.

Councilmember Cibrian moved to adopt the proposed Zoning Item. 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.

2008-09-18-0863

Item Z-27. **ZONING CASE # Z2008262 (District 8):** An Ordinance amending the Zoning District Boundary from "C-2" Commercial District and "O-2" Office District to "C-3" General Commercial District on Lot 11, Block 24, NCB 13559 located at 9455 IH 10 West. Staff recommends approval. Zoning Commission recommendation pending the September 16, 2008 public hearing.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 11, BLOCK 24, NC13559 TO WIT: FROM "C-2" COMMERCIAL DISTRICT AND "O-2" OFFICE DISTRICT TO "C-3" GENERAL COMMERCIAL DISTRICT.

Mr. Chris Looney presented the proposed Zoning Case.

Mr. Theodore C. Trakas, President of the Vance Jackson Neighborhood Association, spoke in opposition to the rezoning. He expressed concern that the case was fast-tracked and that there was not sufficient time for the neighbors to review it. He noted that the Association had issues with banners, digital signs, inflatable displays, permitted uses, and property line buffers.

Mr. Frank Burney spoke on behalf of Mr. Jack Ganther. He addressed the concerns mentioned by Mr. Trakas. He noted that six issues brought forth by the Association had been resolved.

Councilmember Cibrian noted that the applicant had complied with all of the requirements and moved to adopt the proposed Zoning Item. 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.

CONTINUED

Item Z-28. **ZONING CASE # Z2008171 ERZD (District 9):** An Ordinance amending the Zoning District Boundary from "MF-33 ERZD" Multi-Family Edwards Recharge Zone District to "C-3 ERZD" General Commercial Edwards Recharge Zone District on a 1.5999 acre tract of land out of Lot 28 and Lot 29, Block 1, NCB 17600 located at 21026 Encino Commons. Staff and Zoning Commission recommend approval.

Ms. Elyzabeth Earnley, representing AGUA, spoke in opposition to the rezoning because it was an intense use for the Recharge Zone. She expressed concern that the business would store twenty-three different chemicals, including 345 gallons of Trichloroethylene (TCE).

Mr. Scott Halty stated that the company would not be using TCE. He noted that many of the chemicals used by the company would be inks which were vegetable and soy based.

Councilmember Rowe moved to continue the proposed Zoning Item until further clarification of the proposed use for the subject property as well as the adjacent property. 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.

2008-09-18-0866

Item Z-31. **ZONING CASE # Z2008196 CD (District 10):** An Ordinance amending the Zoning District Boundary from "C-2" Commercial District to "C-2NA CD" (CD-Auto and Light Truck Repair) Commercial District, Nonalcoholic Sales with a Conditional Use for Auto and Light Truck Repair on

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Lot 44, Block B, NCB 8695 located at 1435 Austin Highway. Staff and Zoning Commission recommend approval with conditions.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: LOT 44, BLOCK B, NCB 8695 TO WIT: FROM "C-2" COMMERCIAL DISTRICT TO "C-2 NA CD" (CD-AUTO AND LIGHT TRUCK REPAIR) COMMERCIAL DISTRICT, NONALCOHOLIC SALES WITH A CONDITIONAL USE FOR AUTO AND LIGHT TRUCK REPAIR PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

Mr. Chris Looney presented the proposed Zoning Case.

Councilmember Clamp moved to adopt the proposed Zoning Item with the condition that Business or Office Hours of operation not be permitted before 7:00 am or after 7:00 pm Monday through Saturday or from 12:00 pm – 6:00 pm on Sunday. Councilmember Cibrian seconded the motion.

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

CONTINUED

Item Z-32. **ZONING CASE #Z2008206 (District 10):** An Ordinance amending the Zoning District Boundary from "I-1 IH-1" General Industrial National Highway System High Priority Northeast Gateway Corridor Overlay District to "C-3 IH-1" General Commercial National Highway System High Priority Northeast Gateway Corridor Overlay District on Lot 11, NCB 13804 located at 10811 IH 35 North. Staff and Zoning Commission recommend approval.

Councilmember Clamp moved to postpone the proposed Zoning Item until October 2, 2008. Councilmember Rodriguez seconded the motion.

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

Mayor Hardberger recessed the meeting at 3:30 pm and stated that the meeting would reconvene at 5:15 pm for Ceremonials.

Mayor Pro Tem Rodriguez reconvened the meeting at 5:25 pm and addressed the Ceremonial Agenda.

POINT OF PERSONAL PRIVILEGE

Mayor Pro Tem Rodriguez recognized Cub Scout Troop #105 and his nephew Zachary from St. Anthony Elementary School who toured City Hall earlier in the day and earned their Citizenship Badge.

CEREMONIAL ITEMS

Mayor Pro Tem Rodriguez recognized Toyota Motor Manufacturing Texas with a proclamation for sponsoring the "*Toyota Green Clean-up Project*" September 22-26, 2008 and October 6-10, 2008. Toyota Team Members and their On-site Supplier Employees will work in targeted areas in each City

Council District to increase environmental awareness and continue their commitment to the community. For this event, Team Toyota will roll up their sleeves to apply paint, collect trash, remove brush, enhance landscaping and general park maintenance, and much more.

Mayor Pro Tem Rodriguez presented a proclamation for the 5th Annual "*Graffiti Wipeout! Day*" that will be held on Saturday, September 27, 2008. More than 2,000 volunteers will participate in this city-wide clean-up event that supports and instills community pride.

Mayor Pro Tem Rodriguez presented a proclamation for the 8th *Annual San Antonio Buddy Walk* that will be held on Saturday, September 27, 2008, on the grounds of Ft. Sam Houston. The Buddy Walk is a worldwide event developed by the National Down Syndrome Society to promote the acceptance of individuals with Down syndrome, and provide information and support to their families and friends.

Mayor Pro Tem Rodriguez presented a proclamation for the nationwide "*Family Day-A Day to Eat Dinner with Your Children*" event that will be held on September 22, 2008 to encourage citizens to recognize the importance of having family dinners as a usual feature in their lives. Research has consistently found that children and teenagers who routinely eat dinner with their families are less likely to smoke, drink, or use illegal drugs.

CITIZENS TO BE HEARD

Mr. Nazirite Ruben Flores Perez stated that he had voted against higher taxes at the previous San Antonio River Authority Meeting. He noted that there were drainage issues throughout the city and expressed concern with the Purchasing Department's Dress Code.

Mr. Mark Perez spoke of the Fire Department, Environmental Services Department, and a recent fire involving chemicals. He stated that there were issues with both Tetco and Kimberly Clark operating in their current zoning.

Mr. Faris Hodge, Jr. stated that the Bob Ross Center was new and therefore, the City should be spending money to update older facilities. He noted that City Employees should receive a bonus of \$100 a month for speaking Spanish rather than \$50 and spoke of the Open Records Requests that he submitted regarding the Budget. Lastly, Mr. Hodge stated that the city could not afford to support people moving to San Antonio from Houston and Dallas.

Ms. Julie Iris Oldham expressed concern that she was banned from the Bob Ross Center for three months and stated that the individuals who provide oversight at the Center should be removed.

ADJOURNMENT

There being no further business to discuss, Mayor Pro Tem Rodriguez adjourned the meeting at 6:34 pm.

A P P R O V E D



PHIL HARDBERGER
MAYOR

Attest:



LETICIA M. VACEK
City Clerk