

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

A WORK SESSION AND REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO WERE HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, WEDNESDAY, NOVEMBER 5, 2008 AND THURSDAY, NOVEMBER 6, 2008, RESPECTIVELY.

The San Antonio City Council convened in a Work Session at 3:00 pm Wednesday, **November 5, 2008**, Municipal Plaza Building with the following Councilmembers present: Cisneros, McNeil, Ramos, Cortez, Galvan, Herrera, Rodriguez, Cibrian, Rowe, Clamp, and Mayor Hardberger.

At this time, Item 2 was addressed.

2. STAFF BRIEFING ON THE SAN ANTONIO CONVENTION AND VISITORS BUREAU'S FISCAL YEAR 2009 BUSINESS DEVELOPMENT PLAN, INCLUDING THE PRESENTATION OF THE CITY'S NEW DESTINATION VIDEO, "THE SAN ANTONIO STORY."

Mr. Scott White, Convention and Visitors Bureau Director introduced members of the Convention and Visitors Commission that were in attendance. He reported that the video and four commercials that would be presented had been launched on February 14, 2008 and would begin to air nationally in 2009. He added that it would also be shown at major events held in San Antonio. He concluded with the marketing video of San Antonio.

The Mayor and Council thanked Mr. White for the presentation. Mayor Hardberger requested that CVB Staff promote the Luminaria Event in San Antonio. Councilmember Cibrian asked what the next steps were toward making San Antonio a seven-day vacation destination. Mr. White replied that San Antonio should stay genuine and market San Antonio's local amenities, artists, and talents. Councilmember Cisneros asked that a Spanish Marketing Guide also be developed. Councilmember Rodriguez recognized City Staff for their presentation and work on the Annual Texas Municipal League (TML) Conference. Councilmember Herrera recognized Chief McManus on his birthday and all joined in singing Happy Birthday.

At this time, Item 1 was addressed.

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

Mr. Pat DiGiovanni, Deputy City Manager, provided an update on the HemisFair Park Master Plan. He noted that the option chosen would require the following four-step process: 1) Create a Committee to review the existing Master Plan and provide guidance on funding mechanisms and a redevelopment strategy; 2) Issue RFQ for Master Developer services in order to identify respondents with the experience, capability, and financial capacity to implement potential redevelopment strategies; 3) Committee will review the qualifications of the respondents to select qualified respondents and request that they develop a proposal for the redevelopment of the Park and adjacent areas; and 4) Present the Committee's recommended redevelopment strategy and successful proposer to the City Council,

requesting authority to negotiate a Master Developer Agreement. He stated that the role of the Master Developer would be to provide resources and facilitate projects that were acceptable to the community.

Mr. DiGiovanni noted that case studies from the Texas Cities of Austin and Galveston, and San Leandro, California would be reviewed for commonalities. He spoke of the Ad Hoc Committee's charge and the proposed make-up. Lastly, Mr. DiGiovanni noted next steps that included the recommendation of a Master Developer in February/March 2009.

Councilmember Herrera noted the issues all have had with categories assigned to Committees and project funding. Mayor Hardberger stated that HemisFair should be promoted as a popular place to live. Councilmember Rowe expressed concern with the timeline and suggested adding an Urban Land Institute (ULI) category on the Ad Hoc Committee. Mr. DiGiovanni replied that staff had discussed offering a ULI Workshop on the RFQ Process and would review the recommendation for a ULI Representative. Councilmember Cibrian noted the importance of moving said item forward and including individuals with technology expertise on the Committee.

There being no further discussion, Mayor Hardberger adjourned the meeting at 4:50 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **November 6, 2008** at 9:00 am in the City Council Chambers.

The Invocation was delivered by Fr. Juan Anthony Albaladejo, Pastor, Holy Name Catholic Church, guest of Councilmember Jennifer Ramos, District 3.

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 Clamp made a motion to approve the Minutes for the Budget Work Session of September 9, 2008, Emergency Meeting of September 10, 2008, and Regular Meeting of September 11, 2008. Councilmember Cisneros seconded the motion.

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

OATH OF OFFICE – MAYOR PRO TEM

Ms. Vacek administered the Oath of Office to Councilmember Delicia Herrera, District 6, whose term as Mayor Pro Tem becomes effective November 13, 2008 through January 23, 2009.

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2008-11-06-0962

Item 5. A PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE AUTHORIZING A) CLOSURE, VACATION, AND ABANDONMENT OF CASINO STREET BETWEEN COMMERCE STREET ON THE NORTH AND MARKET STREET ON THE SOUTH; B) REMOVAL OF EXISTING EASEMENTS ON THE RIVERBEND PARKING GARAGE AT 210 N. PRESA ST., C) AN AGREEMENT WITH THE OWNER OF PROPERTY ADJOINING THE GARAGE, RELATING TO BOUNDARY, STREET DEDICATION, AND RELATED MATTERS, AND D) ENCROACHMENT OF EXISTING GARAGE IMPROVEMENTS ONTO PORTIONS OF COMMERCE AND MARKET STREETS, LOCATED IN COUNCIL DISTRICT 1.

Mr. George Rodriguez stated that said item was part of a boundary agreement negotiated between the City and Riverbend Parking Garage. He explained that said item would authorize the City to timely correct various real estate matters affecting the property and allow the sale to proceed.

Mr. Jack M. Finger noted the encroachment on Commerce and Market Streets. He expressed concern that there was no financial benefit to the City on said item.

Ms. Vacek read written testimonies from Mr. Faris Hodge, Jr. In regard to Item 5, he wrote that the parking garage was too small and that the City should build another. He stated that he felt Item 8 was a waste of money because the City had recently purchased 600 police cars. For Item 13, he wrote that the lighting at City Hall was bright enough and no additional funds should be spent.

Councilmember Galvan asked of the past and current uses for the street. Mr. Rodriguez stated that it was an alley that was too narrow for a vehicle to pass through and was currently used as a walkway. He noted that the alley would become private property after the closure.

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, Galvan, Herrera, Rodriguez, Cibrian, Rowe, Clamp, and Mayor Hardberger. **NAY:** None. **ABSENT:** None.

POINT OF PERSONAL PRIVILEGE

Councilmember Cisneros recognized students from Northwest Vista College, as well as Bobby Martinez and Robert Marbut and their students from Texas State University.

At this time, Mayor Hardberger addressed Item 26.

The City Clerk read the following Ordinance:

CONTINUED

Item 26. AN ORDINANCE AUTHORIZING THE ACQUISITION, THROUGH NEGOTIATIONS OR CONDEMNATION, OF ELEVEN TRACTS CONTAINING APPROXIMATELY 40.534 ACRES OF LAND ALONG THE LEON AND SALADO CREEKS, LOCATED IN NCB 18083, P-170 AND P-171; NCB 16931 P-216D & P-216E; NCB 15004 PT OF P-11J, LOT P-123, P-112A, NCB 18049, P-24, P-209; NCB 12750 LOT P-2A, P-3; NCB 16325 BLK 1, LOT 10 EXC NW 11.87 FT; NCB 10311 BLK 6 LOT E IRR 575.7 FT OF TR 2; 1.574 ACRE OUT OF A 18.654 ACRE TRACT OUT OF NCB 10577 LOT E 1622.62 FT OF 6 LOCATED IN COUNCIL DISTRICTS 2 , 6, 7, 8 AND 9 FOR THE LINEAR CREEKWAY PARK DEVELOPMENT PROJECT AND VOELCKER PARK; DECLARING THIS TO BE A PUBLIC PROJECT; DETERMINING THE PUBLIC NECESSITY FOR THIS ACQUISITION; AND AUTHORIZING THE CITY ATTORNEY TO FILE EMINENT DOMAIN PROCEEDINGS, IF NECESSARY.

Mr. Bill Kaufman noted that Voelcker Park was adjacent to his client's property. He stated that he had been negotiating with staff to protect his client's property and privacy in exchange for some of the land behind his home. He noted that due to opposition from neighbors, the negotiations had ceased. He expressed concern that neither he nor his client had been notified of said item and asked that the vote be postponed.

Councilmember Rowe moved to postpone Item 26 to December 4, 2008. Councilmember Herrera 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 7 - 47

Consent Agenda Items 8, 9, 12, 15, 16, 17, 28, 37, and 44 were pulled for Individual Consideration. Councilmember Herrera moved to approve the remaining Consent Agenda Items. Councilmember Cisneros seconded the motion.

Mr. Jack M. Finger spoke in opposition to Item 36 and stated that tax payer dollars should not be spent on agencies that promote atheism and display questionable artwork.

Mr. Eiginio Rodriguez spoke in reference to Item 38. He stated that it was unfair for the Westside Development Corporation Board to have only four residents from the area represented. He expressed concern with non-profit boards because they have closed meetings and citizens are outnumbered.

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

2008-11-06-0963

Item 7. AN ORDINANCE ACCEPTING THE BIDS OF THE FOLLOWING COMPANIES TO PROVIDE THE CITY WITH THE FOLLOWING COMMODITIES AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR FY 2009 FOR A COMBINED ESTIMATED COST OF \$1,332,000.00, INCLUDING: (A) GATEWAY SAFETY PRODUCTS FOR RED BURNING FUSEES; (B) TEREK UTILITIES FOR SIMON TELELECT HI-RANGER AERIAL TOWER PARTS &

SERVICE (TRUCK MOUNTED LIFTS); (C) TEREX UTILITIES FOR PRENTICE GRAPPLER PARTS & SERVICE (BRUSH TRUCKS); (D) POPPE AUTOMOTIVE WAREHOUSE, INC. FOR AUTOMOTIVE & HEAVY EQUIPMENT FILTERS; (E) COMPUTER ASSOCIATES INTERNATIONAL, INC. FOR MILLION INSTRUCTIONS PER SECOND BASED MAINFRAME SOFTWARE SUPPORT; AND (F) S.W. PUBLIC SAFETY FOR RATIFICATION OF INSTALLS, REMOVALS AND REPAIRS OF EQUIPMENT FOR POLICE VEHICLES.

2008-11-06-0966

Item 10. AN ORDINANCE APPROVING AN ADVANCED FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF \$133,086.46 FROM THE CITY WIDE BRIDGE PROGRAM, A 2007-2012 BOND PROGRAM PROJECT.

2008-11-06-0967

Item 11. AN ORDINANCE SELECTING GUIDO BROTHERS CONSTRUCTION COMPANY, INC. FOR NEGOTIATION AND EXECUTION OF A CONSTRUCTION MANAGER AT RISK CONTRACT IN AN AMOUNT NOT TO EXCEED \$2,718,286.00 IN CONNECTION WITH THE RIVER WALK IMPROVEMENT PROJECT, LOCATED IN COUNCIL DISTRICT 1.

2008-11-06-0971

Item 13. AN ORDINANCE ACCEPTING THE OFFER FROM FACILITY SOLUTIONS GROUP, UTILIZING TEXASBUY BOARD CONTRACT #290-08, TO PERFORM ENERGY-EFFICIENT LIGHTING UPGRADES AT THE CITY HALL AND MUNICIPAL PLAZA BUILDINGS FOR A COST OF \$171,480.26.

2008-11-06-0972

Item 14. AN ORDINANCE AUTHORIZING A FIVE-YEAR LEASE TO ATHERTON PROPERTIES, INC. DBA HH AVIATION FOR 14,311 SQUARE FEET OF HANGAR SPACE AND 34,249 SQUARE FEET OF GROUND SPACE AT SAN ANTONIO INTERNATIONAL AIRPORT WITH ANNUAL RENTALS OF \$73,502.54.

Item 18. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATING TO LEASED SPACE USED BY THE SAN ANTONIO POLICE DEPARTMENT AT 215 SAN SABA, LOCATED IN COUNCIL DISTRICT 1:

2008-11-06-0976

- A. AN ORDINANCE AMENDING THE CITY'S LEASE AT 215 SAN SABA TO ADD APPROXIMATELY 1,515 SQUARE FEET OF SPACE FOR USE BY THE SAN ANTONIO POLICE DEPARTMENT FOR AN ADDITIONAL MONTHLY RENTAL RATE OF \$1,818.00.

2008-11-06-0977

- B. AN ORDINANCE RENEWING THE CITY'S TWO-YEAR LEASE AT 215 SAN SABA, SUITE 215 FOR USE BY THE SAN ANTONIO POLICE DEPARTMENT FOR A MONTHLY RENTAL RATE OF \$7,260.00.

2008-11-06-0978

Item 19. AN ORDINANCE APPROVING A LEASE AT 425 SOLEDAD FOR USE BY THE INFORMATION TECHNOLOGY SERVICES DEPARTMENT FOR INITIAL RENT OF \$18.00 PER SQUARE FOOT, LOCATED IN COUNCIL DISTRICT 1.

2008-11-06-0979

Item 20. AN ORDINANCE APPROVING AN AMENDMENT TO THE LEASE AGREEMENT WITH CLIFF CROOM D/B/A AMAYA DELI AND YOGURT HOUSE FOR THE DUGOSH HOUSE, BUILDING 531 IN HEMISFAIR PARK EXTENDING THE TERM THROUGH SEPTEMBER 30, 2011 AND ESTABLISHING RENTAL RATES FOR THE EXTENSION PERIOD.

2008-11-06-0980

Item 21. AN ORDINANCE AUTHORIZING UP TO A 6-MONTH RENEWAL OF A LEASE TO STERLING BANK, AT THE SAN FERNANDO GYM PARKING LOT FOR \$2,000.00 PER MONTH.

2008-11-06-0981

Item 22. AN ORDINANCE APPROVING A LEASE AGREEMENT WITH ERNESTO ZATARAIN DBA "SCENTCHIPS MARKET SQUARE" FOR STALL S-6 IN THE FARMERS MARKET PLAZA AT A RENTAL RATE OF \$425.00 PER MONTH.

2008-11-06-0982

Item 23. AN ORDINANCE AUTHORIZING A ONE-YEAR CONTRACT WITH CENTRAL PARKING SYSTEM UP TO \$21,600.00 TO LEASE PARKING FOR UNIFORMED SAN ANTONIO FIRE DEPARTMENT PERSONNEL ASSIGNED TO FIRE STATION #1, 801 E. HOUSTON.

2008-11-06-0983

Item 24. AN ORDINANCE AUTHORIZING A TWO-YEAR IN-KIND LEASE ALLOWING GALLS, AN ARAMARK COMPANY LLC, VENDOR FOR THE SAN ANTONIO FIRE DEPARTMENT UNIFORM PURCHASE PROGRAM, USE OF 946 SQUARE FEET OF OFFICE SPACE TO OPERATE THE PROGRAM'S CUSTOMER SERVICE CENTER IN A CITY-OWNED BUILDING LOCATED AT 4531 S. ZARZAMORA.

2008-11-16-0984

Item 25. AN ORDINANCE AUTHORIZING THE SALE OF APPROXIMATELY 0.1291-ACRES OF PROPERTY OWNED BY THE CITY OF SAN ANTONIO, AND THE STRUCTURE THEREUPON, LEGALLY DESCRIBED AS NCB 654, BLK 1, LOT 2 TO ALONZO E. GATES II, ARROYO MANAGEMENT LLC., FOR THE SUM OF \$30,500.00 FOR THE PURPOSE OF PROVIDING AFFORDABLE HOUSING IN CONNECTION WITH THE HOUSING ASSET RECOVERY PROGRAM.

2008-11-06-0985

Item 27. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND ACCEPTANCE OF FUNDS UPON AWARD FOR THE TEXAS STATE LIBRARY AND ARCHIVES COMMISSION FY2009 LOAN STAR LIBRARIES GRANT IN THE AMOUNT OF \$182,970.00 TO BE USED FOR NUMEROUS PUBLIC LIBRARY PURPOSES.

2008-11-06-0987

Item 29. AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A GRANT AWARD IN THE AMOUNT OF \$557,000.00 FROM THE TACTICAL RESPONSE UNIT SPECIAL INITIATIVE GRANT FROM THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION (CJD).

2008-11-06-0988

Item 30. AN ORDINANCE AMENDING ORDINANCE 2008-01-10-0016, WHICH AUTHORIZES THE SUBMISSION OF A GRANT APPLICATION AND ACCEPTANCE OF FUNDS UPON AWARD FROM THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY ORIENTED POLICING SERVICES, TO CREATE A GRANT-FUNDED POSITION AND APPROVE A PERSONNEL COMPLEMENT.

2008-11-06-0989

Item 31. AN ORDINANCE AMENDING ORDINANCE 2008-10-02-0880, WHICH AUTHORIZES ACCEPTANCE OF GRANT FUNDS FROM THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION (CJD), TO INCLUDE SPECIFIC LANGUAGE REQUIRED BY THE CJD.

2008-11-06-0990

Item 32. AN ORDINANCE AMENDING THE TRAFFIC CONTROL DEVICES SCHEDULES FOR THE CITY OF SAN ANTONIO, ESTABLISHED IN CHAPTER 19, SECTION 68 OF THE CITY CODE, TO INCLUDE NEW TRAFFIC CONTROL DEVICES AND DELETE PREVIOUS ENTRIES FROM THE SCHEDULES THAT ARE IN CONFLICT WITH CURRENT TRAFFIC CODE REGULATIONS; AND PROVIDING FOR CRIMINAL AND CIVIL PENALTIES FOR VIOLATIONS.

Item 33. CONSIDERATION OF BOARD, COMMISSION AND COMMITTEE APPOINTMENTS, TO BE EFFECTIVE IMMEDIATELY UPON APPOINTMENT, UNLESS OTHERWISE STATED BELOW:

- A. APPOINTING IRENE MALDONADO TO THE MUNICIPAL GOLF ASSOCIATION - SA (MGA-SA) FOR THE REMAINDER OF AN UNEXPIRED TERM, TO EXPIRE MAY 2, 2009.
- B. REAPPOINTING CARMEN ABAD-FITZ (DISTRICT 1 - CATEGORY: STRUCTURAL ENGINEER) TO THE BUILDING AND FIRE CODE BOARD OF APPEALS FOR THE REMAINDER OF AN UNEXPIRED TERM, TO EXPIRE JULY 31, 2010.
- C. REAPPOINTING LEWIS MARSHALL (DISTRICT 2) TO THE JOINT CITY/COUNTY COMMISSION ON ELDERLY AFFAIRS FOR THE REMAINDER OF AN UNEXPIRED TERM, TO EXPIRE SEPTEMBER 30, 2010.
- D. APPOINTING WENDY HERNANDEZ (DISTRICT 2) TO THE CITY OF SAN ANTONIO, TEXAS EDUCATION FACILITIES CORPORATION FOR A TERM TO COMMENCE DECEMBER 16, 2008, EXPIRING DECEMBER 15, 2010.
- E. REAPPOINTING LORA DEVLON ECKLER (DISTRICT 6) TO THE SAN ANTONIO PUBLIC LIBRARY BOARD OF TRUSTEES FOR THE REMAINDER OF AN UNEXPIRED TERM, TO EXPIRE SEPTEMBER 30, 2010.
- F. APPOINTING NICHOLAS D. ORTEGA (DISTRICT 10) TO THE SAN ANTONIO YOUTH COMMISSION FOR THE REMAINDER OF AN UNEXPIRED TERM, TO EXPIRE MAY 31, 2009.

- G. APPOINTING CYNTHIA R. MUNDY-COBB (DISTRICT 10) TO THE SAN ANTONIO HOUSING TRUST BOARD OF TRUSTEES FOR THE REMAINDER OF AN UNEXPIRED TERM, TO EXPIRE MAY 31, 2009.

2008-11-06-0991

Item 34. AN ORDINANCE RENEWING AN AGREEMENT WITH PROVIDENCE COMMERCIAL REAL ESTATE SERVICES, INC. FOR COMMERCIAL REAL ESTATE BROKERAGE SERVICES, WITH A TERM ENDING OCTOBER 6, 2009.

2008-11-06-0992

Item 35. AN ORDINANCE APPROVING AN AGREEMENT WITH CONSULTECON, INC. IN AN AMOUNT UP TO \$67,000.00 FOR A FEASIBILITY STUDY TO REVIEW OPPORTUNITIES FOR NEW VISITOR INFORMATION CENTER FACILITIES.

2008-11-06-0993

Item 36. AN ORDINANCE AWARDED \$299,817.00 IN FISCAL YEAR 2009 CULTURAL ARTS FUNDS TO SUPPORT VARIOUS LOCAL ARTS AND CULTURAL ACTIVITIES THROUGH THE NEIGHBORHOOD ARTS PROGRAM, INCLUDING \$31,348.00 IN GRANT FUNDS RECEIVED FROM THE TEXAS COMMISSION ON THE ARTS.

2008-11-06-0995

Item 38. AN ORDINANCE APPROVING AN ANNUAL CONTRACT WITH FLORES HOLDINGS, LLC IN THE AMOUNT OF \$96,000.00 FOR RAMON FLORES TO SERVE AS EXECUTIVE DIRECTOR TO THE WESTSIDE DEVELOPMENT CORPORATION.

Item 39. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATING TO THE SAN ANTONIO HOUSING TRUST FOUNDATION, INC.:

2008-11-06-0996

- A. AN ORDINANCE APPROVING THE ADMINISTRATIVE SERVICES BUDGET OF THE SAN ANTONIO HOUSING TRUST FOUNDATION, INC. IN THE AMOUNT OF \$227,550.00 FOR STAFFING AND ADMINISTRATION FOR FISCAL YEAR 2008-2009; AND APPROVING THE CONTRACT FOR THESE SERVICES.

2008-11-06-0997

- B. AN ORDINANCE APPROVING THE SAN ANTONIO HOUSING TRUST RESOLUTION TO INITIATE THE FUNDING ROUND REQUEST FOR PROPOSALS PROCESS TO MAKE AVAILABLE \$1,000,000.00 IN TRUST FUNDS FOR DISBURSEMENT AS AN AWARD OF TRUST ASSISTANCE FOR ELIGIBLE HOUSING PROJECTS.

2008-11-06-0998

Item 40. AN ORDINANCE APPROVING AN AMENDMENT TO A CONTRACT FOR NURSING SERVICES WITH KAREN SVETZ, RNC, MSN, WHNP, EXTENDING THE TERM OF THE CONTRACT UNTIL MARCH 31, 2012 AND INCREASING COMPENSATION UNDER THE CONTRACT, FOR A TOTAL SUM OF \$287,920.00 OVER THE TERM OF THE CONTRACT.

2008-11-06-0999

Item 41. AN ORDINANCE AUTHORIZING A CONTRACT WITH HERITAGE CRYSTAL CLEAN IN AN AMOUNT UP TO \$78,000.00 FOR REMOVAL AND DISPOSAL OF NON-HAZARDOUS WASTE FROM THE PROPERTY LOCATED AT 207 BROOKS.

2008-11-06-1000

Item 42. AN ORDINANCE APPROVING A CONTRACT WITH MCGRUFF, SEIBELS & WILLIAMS OF TEXAS, INC. TO PROVIDE RISK MANAGEMENT CONSULTING AND INSURANCE BROKER OF RECORD SERVICES FOR A TWO-YEAR PERIOD FOR AN ANNUAL COST OF \$123,000.00, AND FOR BUILDING APPRAISAL SERVICES FOR AN ANNUAL COST UP TO \$63,000.00.

2008-11-06-1001

Item 43. AN ORDINANCE ACCEPTING A DONATION FROM THE SAN ANTONIO PUBLIC LIBRARY FOUNDATION OF APPROXIMATELY 10 ACRES OF LAND IN CITY COUNCIL DISTRICT 9 AS A SITE FOR A NEW BRANCH LIBRARY.

2008-11-06-1003

Item 45. AN ORDINANCE NAMING THE BOARDWALK TO BE CONSTRUCTED NORTH OF NACOGDOCHES ROAD AT THE SALADO CREEK GREENWAY HIKE AND BIKE TRAIL IN COUNCIL DISTRICT 10 AS THE "STAFF SGT. CHRISTOPHER MORNINGSTAR BOARDWALK."

2008-11-06-1004

Item 46. AN ORDINANCE AUTHORIZING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SAN ANTONIO AND CRIME STOPPERS OF SAN ANTONIO, INC. TO FUND ONE TEMPORARY OFFICE ASSISTANT POSITION THROUGH THE SAN ANTONIO POLICE DEPARTMENT BEGINNING NOVEMBER 6, 2008 AND ENDING OCTOBER 31, 2009 WITH THE COST TO BE REIMBURSED BY CRIME STOPPERS.

2008-11-06-1005

Item 47. AN ORDINANCE AUTHORIZING THE EXECUTION OF SIX AGREEMENTS WITH TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR THE PURCHASE AND INSTALLATION OF TRAFFIC SIGNAL CONTROLLER EQUIPMENT BY THE CITY AT TEN INTERSECTIONS FOR \$175,500.00, TO BE REIMBURSED BY TXDOT.

[CONSENT ITEMS CONCLUDED]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2008-11-06-0964

Item 8. AN ORDINANCE ACCEPTING THE BID FROM JORDAN FORD TO PROVIDE THE SAN ANTONIO POLICE DEPARTMENT WITH 290 POLICE SEDANS FOR A TOTAL COST OF \$6,457,140.00.

Councilmember Rodriguez requested information on said item. Chief William McManus stated that said item would provide for the replacement of police sedans. He noted that phasing the new cars (black and white) in would take two to three years to complete. Councilmember Rodriguez asked if hybrid

technology was advancing so that they could be utilized for police vehicles. Mr. Florencio Pena, Director of Fleet Services, stated that at the present time, this was not foreseeable. He added that the current vehicles were ethanol capable, but infrastructure was currently not available.

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 Ordinance:

2008-11-06-0965

Item 9. AN ORDINANCE AUTHORIZING A CONTRACT WITH CIMA SOLUTIONS GROUP, LTD. TO PROVIDE THE INFORMATION TECHNOLOGY SERVICES DEPARTMENT WITH BUSINESS OBJECTS SOFTWARE FOR A TOTAL COST OF \$1,265,853.43.

Councilmember Clamp asked about the benefits of dashboard reporting and timeline of said project. Mr. Richard Varn stated that it would provide better access to all City databases, as well as outside entities. He explained that the dashboard tool set would allow the user to easily access information that the City has utilizing predefined reports or specifically requested data. He noted that the program would be implemented over the next six months beginning with the Budget and Finance Departments.

Councilmember Clamp 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:

Item 12. CONSIDERATION OF THE FOLLOWING CHANGE ORDERS IN CONNECTION WITH THE FY 2008 & FY 2009 STREET MAINTENANCE PROGRAM:

2008-11-06-0968

- A. AN ORDINANCE APPROVING CHANGE ORDER NO. 1 IN THE AMOUNT OF \$72,537.15 WITH CLARK CONSTRUCTION OF TEXAS, LTD. FOR ADDITIONAL WORK TO CONSTRUCT WHEELCHAIR RAMPS IN CONNECTION WITH THE ASPHALT RECYCLE AND OVERLAY CONTRACT, LOCATED CITY WIDE.

2008-11-06-0969

- B. AN ORDINANCE APPROVING CHANGE ORDER NO. 1 IN THE AMOUNT OF \$308,518.47 WITH CLARK CONSTRUCTION OF TEXAS, LTD. FOR ADDITIONAL WORK TO CONSTRUCT WHEELCHAIR RAMPS AND A CHANGE IN APPLICATION TO RUBBERIZED ASPHALT FOR ONE (1) STREET IN CONNECTION WITH THE HOT PAVER MICRO SURFACE CONTRACT, LOCATED CITY WIDE.

2008-11-06-0970

- C. AN ORDINANCE APPROVING CHANGE ORDER NO. 1 IN THE AMOUNT OF \$1,217,760.99 WITH CLARK CONSTRUCTION OF TEXAS, LTD. FOR ADDITIONAL WORK TO CONSTRUCT WHEELCHAIR RAMPS AND REMOVAL OF TWO (2) STREETS FROM THE PROJECT, IN CONNECTION WITH THE ASPHALT OVERLAY CONTRACT, LOCATED CITY WIDE.

Councilmember Cortez expressed concern with the costs of the change orders but highlighted the importance of addressing ADA Issues. Mr. Majed Al-Ghafry stated that the project was planned in 2007 and the previous interpretation was that ADA ramps were not required. He noted that significant savings were realized in the bidding process and those funds would be used for said project. Councilmember Cibrian expressed concern that the change orders were not anticipated at the beginning of the project. She asked staff to monitor ADA Issues on all future projects. Councilmember Galvan also noted her concern with change orders and ADA accessibility.

Councilmember Cortez moved to adopt the proposed Ordinances for items 12A, 12B, and 12C. 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.

EXECUTIVE SESSION

At this time, Mayor Hardberger recessed the Regular Meeting at 10:39 am to convene in Executive Session for the purposes of:

- A. Discuss legal issues related to proposed CPS Energy transmission lines and update on Strategic Energy Plan pursuant to Texas Government Code Sections 551.071 (consultation with attorney) and 551.086 (public power utility competitive matters).

Mayor Hardberger reconvened the Regular Meeting at 11:45 am at which time it was noted that the City Council had been briefed on the above-styled matter but took no action.

Mayor Hardberger addressed Item 6 at this time.

The City Clerk read the following:

Item 6. ADDRESS BY THE CITY OF HOUSTON RELATING TO THE COOPERATIVE RELIEF EFFORTS BY THE CITY OF SAN ANTONIO DURING THE AFTERMATH OF HURRICANE IKE.

Councilmember Adrian Garcia, City of Houston, thanked the City of San Antonio for their assistance to the citizens of Houston following Hurricane Ike. He expressed appreciation to the City Representatives from the Fire, Police, Public Works, and Solid Waste Departments who assisted with recovery efforts. Lastly, he presented Mayor Hardberger with a lapel pin on behalf of the City of Houston.

The Mayor and City Council thanked Mr. Garcia for his attendance and offered their congratulations for being elected to the position of Sheriff for Harris County.

At this time, Mayor Hardberger recessed the Regular Meeting at 12:06 pm to break for lunch and convene in Executive Session for the purposes of:

- A. Discuss legal issues related to proposed CPS Energy transmission lines and update on Strategic Energy Plan pursuant to Texas Government Code Sections 551.071 (consultation with attorney) and 551.086 (public power utility competitive matters).

In the absence of Mayor Hardberger, Mayor Pro Tem Rodriguez chaired and reconvened the Regular Meeting at 3:17 pm at which time it was noted that the City Council had been briefed on the above-styled matter but took no action.

POINT OF PERSONAL PRIVILEGE

Councilmember Herrera recognized Jeff Martinez, an army veteran who spent time in Iraq and who was participating in the Job Shadow Program with District 6.

The City Clerk read the following Ordinances:

2008-11-06-0973

Item 15. AN ORDINANCE AUTHORIZING A PURCHASE IN THE AMOUNT OF \$5,850,915.45 FOR A CONSERVATION EASEMENT OVER APPROXIMATELY 7,273 ACRES, KNOWN AS THE FRIDAY RANCH, IN UVALDE COUNTY, TEXAS.

2008-11-06-0974

Item 16. AN ORDINANCE AUTHORIZING A PURCHASE IN THE AMOUNT OF \$13,094,089.89 FOR A CONSERVATION EASEMENT OVER APPROXIMATELY 14,326 ACRES, KNOWN AS THE FRIO RANCH, IN UVALDE COUNTY, TEXAS.

Mr. Mike Frisbie presented said items noting the acquisition of acreage from two ranches totaling 21,600 acres. He stated that the purchases were being made through Proposition One, and that the impervious cover was less than one-half of 1%.

Councilmember Cibrian highlighted the Aquifer Protection Program which has acquired 48,000 acres to date and thanked the Conservation Advisory Board for their work.

Councilmember Cibrian moved to adopt the proposed Ordinances for Items 15 and 16. Councilmember Cisneros 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.

POINT OF PERSONAL PRIVILEGE

Councilmember Cibrian recognized Lily Ogle, who was participating in the Job Shadow Program with District 8.

The City Clerk read the following Ordinance:

2008-11-06-0975

Item 17. AN ORDINANCE AUTHORIZING THE PURCHASE OF A PORTION OF BLOCK 59, N.C.B. 11103 NEAR THE INTERSECTION OF COMMERCIAL AND W. ANSLEY BLVD. FOR A TEMPORARY CONSTRUCTION EASEMENT AS PART OF THE COMMERCIAL TRIBUTARY PHASE I (SIX MILE CREEK TO PETALUMA BLVD.) STORM WATER REVENUE BOND PROJECT, FOR \$1,620.00, LOCATED IN COUNCIL DISTRICT 3.

Councilmember Ramos asked if alternative plans had been made if the project was not completed on time. Mr. Mike Frisbie stated that under those circumstances, negotiations would be necessary, but the fee would be small. Councilmember Ramos recommended photographic documentation of the property so that it could be returned to its current condition.

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

The City Clerk read the following Ordinance:

2008-11-06-0986

Item 28. AN ORDINANCE AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION AND ACCEPTANCE OF FUNDS UPON AWARD FOR AN IMPLEMENTATION PLANNING GRANT IN THE AMOUNT OF \$1,304,122.00 TO THE OFFICE OF ECONOMIC ADJUSTMENT FOR THE CONTINUING OPERATION OF THE CITY'S OFFICE OF MILITARY AFFAIRS; AND AUTHORIZING THE REQUIRED 10% MATCH OF LOCAL FUNDS.

General Robert Murdock presented said item and noted that the grant was for full funding of the Office of Military Affairs (OMA) through January 30, 2010. He stated that the original grant from 2006 had provided funding for the Growth Management Plan Study and the grant would assist through the implementation phase.

Councilmember Cortez highlighted the visibility and importance of the OMA and thanked General Murdock for his work. Councilmember McNeil noted the importance of the OMA as it relates to the Base Realignment and Closure (BRAC). Councilmember Cibrian recognized General Murdock for his work and Councilmember McNeil for her advocacy of BRAC.

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

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

The City Clerk read the following Ordinance:

2008-11-06-0994

Item 37. AN ORDINANCE APPROVING A CONTRACT IN AN AMOUNT UP TO \$334,280.00 WITH CARTER & BURGESS, INC. FOR PARKING CONSULTANT SERVICES RELATED TO EQUIPMENT UPGRADES FOR DOWNTOWN PARKING FACILITIES.

Councilmember Rowe recused himself on Item 37 by excusing himself from the Council Chambers and noting that he submitted the recusal form to the City Clerk.

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

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

The City Clerk read the following Ordinance:

2008-11-06-1002

Item 44. AN ORDINANCE APPROVING A FUNDING AGREEMENT WITH ALAMO COMMUNITY COLLEGE DISTRICT FOR THE PAYMENT OF UP TO \$200,000.00 FOR IMPROVEMENTS TO THE PALO ALTO COLLEGE SOCCER FIELD LOCATED IN COUNCIL DISTRICT 4, A 2007-2012 PARK BOND PROGRAM PROJECT.

Mr. Xavier Urrutia stated that said item was the second phase of a partnership with the Alamo Community College District (ACCD)-Palo Alto College and would be completed in June 2009. He noted that the City had developed the soccer field and said item would add amenities to the field including: lighting, concession stands, restrooms, and minor field upgrades. He added that the field was available for public use beginning at 6:00 pm during the week, and that Palo Alto handled scheduling on weekends.

Councilmember Cortez commended ACCD for their willingness to work with the community and 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, and Clamp. **NAY:** None. **ABSENT:** Mayor Hardberger.

CITY MANAGER'S REPORT

Ms. Sheryl Sculley reported on the following:

A. FY 2008 Grant Awards Overview

Ms. Sculley noted that the City had received three new grants including: 1) \$100,000 for the Convention Center to implement a recycling program; 2) \$400,000 for the Fire Department to improve the training facility to conduct regional training on railroad safety and derailment; and 3) \$375,000 for the Police Department to provide Police Officers to target adult gang activity.

B. ADA Infrastructure Implementation Update

Ms. Sculley stated that the City's 2009 Budget included funds for a program for enhancements for disability access throughout the community. She noted that Public Works Crews were projected to install over 200 Americans with Disabilities Act (ADA) ramps this fiscal year. She reported that staff would provide the Council with updates on ADA implementation focusing on areas of the community close to bus routes.

CONSENT ZONING

Councilmember Herrera made a motion to approve Z-4 and Z-10 re-zoning cases, noting that Staff and Zoning Commission recommendation were to approve and that no citizens had registered to speak. Councilmember Cisneros seconded the motion.

Mr. Jack M. Finger spoke in opposition to Items P-1 and Z-2 regarding the building of a steel manufacturing plant in a residential neighborhood. He stated that Item Z-6 was over the aquifer and the impervious cover should be reduced to 10-15%, and expressed concern with possible drainage and traffic issues for Item Z-9.

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

2008-11-06-1007

Item Z-4. **ZONING CASE # Z2008272 CD (District 7):** An Ordinance amending the Zoning District Boundary from "C-2 NA" Commercial District, Nonalcoholic Sales to "C-3 NA CD" (CD-Vehicle Storage) General Commercial District, Nonalcoholic Sales with a Conditional Use for Vehicle Storage on a 7.003 acre tract of land out of NCB 14880 located at approximate 6000 Block of Zangs Drive. 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: 7.003 ACRES OUT OF NCB 14880 TO WIT: FROM "C-2 NA" COMMERCIAL DISTRICT, NONALCOHOLIC SALES TO "C-3NA CD" (CD-VEHICLE STORAGE) GENERAL COMMERCIAL DISTRICT, NONALCOHOLIC SALES WITH A CONDITIONAL USE FOR VEHICLE STORAGE PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

2008-11-06-1009

Item Z-10. **ZONING CASE # Z2008265 (District 9):** An Ordinance amending the Zoning District Boundary from "R-4" Residential Single Family District to "C-2NA" Commercial District, Nonalcoholic Sales on Lot 18, Block 5, NCB 11969 located at 418 East Ramsey 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

18, BLOCK 5, NCB 11969 TO WIT: FROM "R-4" RESIDENTIAL SINGLE FAMILY DISTRICT TO "C-2NA" COMMERCIAL DISTRICT, NONALCOHOLIC SALES.

[ZONING CONSENT ITEMS CONCLUDED]

ZONING ITEMS FOR INDIVIDUAL CONSIDERATION

2008-11-06-1006

Item Z-1. **ZONING CASE # Z2008267 (District 2):** An Ordinance amending the Zoning District Boundary from "R-6" Residential Single Family District to "C-3" General Commercial District on Lots 71, 72, 73 and 74, Block 3, NCB 15730 located at IH 35 North and Dinn 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: LOTS 71, 72, 73 AND 74, BLOCK 3, NCB 15730 TO WIT: FROM "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT TO "C-3" GENERAL COMMERCIAL DISTRICT.

Mr. Chris Looney presented the proposed Zoning Case.

Councilmember McNeil moved to adopt the proposed Zoning Item with the conditions that the developer and subsequent owner shall: 1) Ensure that all water runoff detention and controls are fully met and maintained for the life of this facility; 2) Ensure that all landscaping requirements are fully met and maintained for the life of this facility; 3) Ensure that any and all vandalism and/or other exterior publicly visible damages be repaired, cleaned and/or covered immediately or upon request by the Neighborhood Association; and 4) Be available to this Neighborhood Association in the full spirit of cooperation toward the continued improvement of quality of life within the boundaries of the Neighborhood as defined in the City of San Antonio Planning Department records. Councilmember Clamp 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.

CONTINUED

Item P-1. **PLAN AMENDMENT # 08027 (District 5):** An Ordinance amending the land use plan contained in the Kelly South San PUEBLO Community Plan, a component of the Master Plan of the City, by changing the use of an 1.997 acre tract of land located at 2634 SW 34th Street from Low Density Residential land use to Industrial land use. Staff's and Planning Commission's recommendations are for denial. **(Associated Zoning Case # Z2008182 S)**

Councilmember Galvan moved to continue said item to December 4, 2008. Councilmember Clamp seconded the motion.

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

CONTINUED

Item Z-2. **ZONING CASE # Z2008182 S (District 4, District 5):** An Ordinance amending the Zoning District Boundary from "R-6" Residential Single-Family District to "I-1 S" General Industrial District with a Specific Use Authorization for Metal Products Fabrication on Lots 23 and 24, Block 5, NCB 11370 located at 2634 Southwest 34th Street. Staff and Zoning Commission recommend denial.

Councilmember Galvan moved to continue said item to December 4, 2008. Councilmember Clamp 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.

CONTINUED

Item Z-3. **ZONING CASE # Z2008257 (District 5):** An Ordinance changing the zoning district boundary from "R-4" Residential Single-Family District to "C-2 P NA" Commercial Pedestrian District, Nonalcoholic Sales located on Lot 4, Block 19, NCB 2331 at 2416 Buena Vista. Staff and Zoning Commission recommend approval.

Councilmember Galvan moved to continue said item to November 20, 2008. Councilmember Clamp 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.

Mayor Hardberger re-entered the meeting at this time and assumed the chair.

CONTINUED

Item Z-5. **ZONING CASE # Z2008226 (District 8):** An Ordinance amending the Zoning District Boundary from "O-2" Office District to "C-1" Light Commercial District on Lot 40, NCB 11622 located at 7923 Donore Place. Staff and Zoning Commission recommend approval.

Councilmember Cibrian moved to continue said item to November 20, 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.

CONTINUED

Item Z-6. **ZONING CASE # Z2008247 ERZD (District 8):** An Ordinance amending the Zoning District Boundary from "C-2" Commercial District and "C-2 ERZD" Commercial Edwards Recharge Zone District to "MF-33" Multi-Family District and "MF-33 ERZD" Multi-Family Edwards Recharge Zone District on a 14.744 acre tract of land out of NCB 14615 located at 8122 West Hausman. Staff and Zoning Commission recommend approval.

Councilmember Cibrian moved to continue said item to November 20, 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.

CONTINUED

Item Z-7. **ZONING CASE # Z2008273 CD (District 8):** An Ordinance amending the Zoning District Boundary from "C-2NA" Commercial District, Nonalcoholic Sales to "C-2 CD" (CD-Auto Sales) Commercial District with a Conditional Use for Auto Sales on the Southeast 65 feet of Lot 2, Block 1, NCB 14281 located at 9102 Wurzbach Road. Staff and Zoning Commission recommend approval.

Councilmember Cibrian moved to continue said item to November 20, 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.

POSTPONED INDEFINITELY

Item Z-8. **ZONING CASE # Z2008146 (District 9):** An Ordinance amending the Zoning District Boundary from "C-2" Commercial District to "C-3" General Commercial District on Lot 4, Block 1, NCB 11893 located at 902 Northeast Loop 410. Staff and Zoning Commission recommend approval.

Councilmember Rowe moved to postpone Item Z-8 indefinitely. 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.

2008-11-06-1008

Item Z-9. **ZONING CASE # Z2008252 (District 9):** An Ordinance amending the Zoning District Boundary from "R-5" Residential Single-Family District to "MF-25" Multi-Family District on Lot 51, NCB 11880 located at 1519 West Lawndale 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: LOT 51, NCB 11880 TO WIT: FROM "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "MF-25" MULTI-FAMILY DISTRICT.

Mr. Chris Looney presented the proposed Zoning Case.

Ms. Beth Wasserstrum, Property Owner, stated that she was seeking the rezoning to build attractive, owner-occupied, fee-simple townhomes in the Alamo Heights School District. She noted that she had attempted to meet with neighbors to explain her intent and spoke of the revisions she had made to the site plan.

Ms. Ann Fitzgibbons, Real Estate Agent, spoke in support of the rezoning and noted that she had assisted with the purchase of the site and development plans. She stated that the development would be

of the highest quality and boost the housing market in the neighborhood in conjunction with Fort Sam Houston and BRAC.

Ms. Elena Castillo spoke in opposition to the rezoning and stated that the townhomes would interfere with the Neighborhood Watch Program. She noted that the neighbors had been misled into believing that the building was further away from the adjacent property and added that the structure did not fit in with the surrounding property.

Ms. Emilia Benavides noted her opposition to the rezoning. She stated that the traffic on Lawndale was already significant and that additional housing would only cause more problems.

Mr. Bill Holbrook spoke against the rezoning and stated that he felt he had been misled by the owner. He noted that the building was not compatible with the surrounding homes and that current development had already caused significant drainage and traffic issues.

Councilmember Rowe explained that the zoning request was compatible with other properties in the area and moved to adopt the proposed Zoning Item. Councilmember Cibrian seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, McNeil, Ramos, Herrera, Rodriguez, Cibrian, Rowe, Clamp, and Mayor Hardberger. **NAY:** Galvan. **ABSENT:** Cortez.

CONTINUED

Item Z-11. **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 continue said item to December 4, 2008. Councilmember Rowe 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 4:24 pm and noted that the meeting would resume at 5:15 pm for Ceremonials.

CEREMONIAL ITEMS

Mayor Hardberger presented a proclamation to Ms. Delia Guajardo for the 9th Annual Veterans Day Parade that would be held on Saturday, November 9, 2008. The parade is scheduled to begin at the intersection of Avenue E and Third Streets and commence at 12:00 pm. The U. S. Military Veterans Parade Association was formed by a group of citizens as a way to honor veterans who have served in all military branches. The Mayor and Council thanked Ms. Guajardo for her leadership and efforts on Veteran Affairs.

Mayor Hardberger presented a proclamation to the Texas Committee for Employer Support of the Guard and Reserve (ESGR) on their observance of ESGR Week November 9-15, 2008. It was noted that the

purpose of ESGR Week was to honor military personnel in the National Guard and Reserves for balancing the demands of family, career and military commitment.

CITIZENS TO BE HEARD

Ms. Lana Sue Mayes thanked Mayor Hardberger for a job well done. She stated that the River Project and Main Plaza were beautiful and expressed her support for the HemisFair revitalization efforts.

Mr. Mark Perez spoke of three facilities owned by TETCO that were storing hazardous chemicals and did not have the proper permits. He stated that he had been trying to obtain records from the City regarding those facilities, but had been unable to do so. He noted that he had informed the Development Services Department of seven facilities that worked with hazardous chemicals that did not have Certificates of Occupancy.

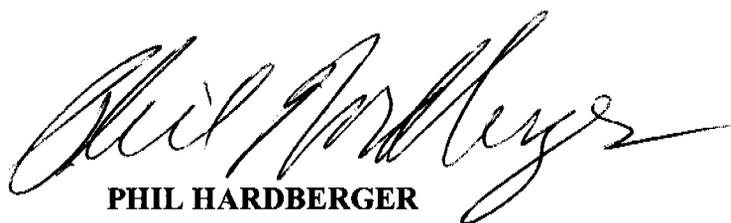
Mr. Nazirite Ruben Flores Perez stated that he was excited with the results of the presidential election and would like an opportunity to speak with President-Elect Obama. He expressed concern with the Purchasing and General Services Department because they had numerous rules about employee appearance and dress, but limited work requirements.

Mr. Faris Hodge Jr. recognized Rebeca Chapa from the Mayor's Office and Ms. Fernanda Fares from District 3 for their excellent customer service. He stated that he would like to receive copies of the Open Records Requests he had submitted that had been forwarded to the Attorney General's Office and requested information regarding benefits and pay for temporary employees.

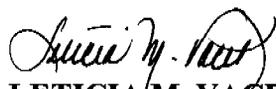
ADJOURNMENT

There being no further business to discuss, Mayor Hardberger adjourned the meeting at 6:50 pm.

A P P R O V E D


PHIL HARDBERGER
MAYOR

Attest:


LETICIA M. VACEK
City Clerk