

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

REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, WEDNESDAY, MAY 17, 2006 AND THURSDAY, MAY 18, 2006

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The City Council convened in an informal "B" Session at 3:00 p.m., Wednesday, May 17, 2006, Municipal Plaza Building "B" Room, for the purpose of:

Boards and Commissions Worksession. [Leticia Vacek, City Clerk]

The Council members present were: McNeil, Perez, Radle, Herrera, Guajardo, Wolff, Haass, Mayor Hardberger. ABSENT: Flores, Gutierrez, Hall.

The "B" Session adjourned at 5:05 p.m.

The San Antonio City Council convened in the Council Chambers, Municipal Plaza Building in a Regular Council Meeting on Thursday, May 18, 2006 at 9:00 a.m.

City Clerk Leticia M. Vacek took the Roll Call and noted a quorum with the following Council members present: McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. Absent: Flores.

The Invocation was led by Mr. John Massie, Pastor, Alamo City Church of Christ, guest of Councilmember Roland Gutierrez, District 3.

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

Councilmember Perez made a motion to approve the minutes of the May 4, 2006 City Council meeting. Councilmember Radle seconded the motion. The motion passed unanimously.

POINT OF PERSONAL PRIVILEGE

Councilmember Hall requested a point of personal privilege to acknowledge Clark High School student/mentor participant Rachel Castillo, who spent the school year working with him on the topic of creating a San Antonio stock exchange. Ms. Castillo delivered a brief presentation to City Council on the City's viability of hosting a stock exchange and the merits and benefits of such.

PUBLIC HEARING AND ORDINANCE: SAN JACINTO ALLEY CLOSURE

Mayor Hardberger declared the Public Hearing open.

Mr. Shawn Eddy, Asset Management Interim Director, explained the proposed closure of the 20 foot-wide alley public right of way. He stated that the subject property was located directly easterly of S. San Jacinto Street and dead-ending into NCB 2311 in Council District 5. He added that the petitioner owns all of the abutting property and would like to develop the entire block to include the construction of a branch banking facility. He further spoke to the coordination process and fiscal impact.

Mayor Hardberger declared the Public Hearing closed.

The City Clerk read the following Ordinance:

2006-05-18-0579

AN ORDINANCE AUTHORIZING THE CLOSURE, VACATION, AND ABANDONMENT OF AN ALLEY PERPENDICULAR TO SAN JACINTO STREET BETWEEN COMMERCE AND BUENA VISTA, NCB 2311, LOCATED IN DISTRICT 5, AS REQUESTED BY FIRST NATIONAL BANK FOR A CONSIDERATION OF \$3,651.00.

Councilmember Radle made a motion to approve the proposed Ordinance. Councilmember Perez seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** Flores.

City Clerk Leticia Vacek reported that Item 3B was pulled from the City Council Agenda.

PUBLIC HEARING AND ORDINANCE: TAX INCREMENT REINVESTMENT ZONE ORDINANCE

Mayor Hardberger declared the Public Hearing open.

Mr. David Garza, Neighborhood Action Director, made a presentation on the Tax Increment Financing Program for the Palo Alto Trails, a copy of which is on file with the Office of the City Clerk. He stated the ordinance being approved by City Council would name the reinvestment zone, create a Board of Directors, establish effective start and termination date, present the preliminary project and finance plan, and create the Tax Increment Reinvestment Zone fund. He provided data on the location and construction project which would include 323 single family dwellings, 44 town homes, 45 garden homes, 21 dwelling units over commercial space and 28,000 sq. ft. of commercial space. He further expounded on the compliance criteria as outlined in the TIF guidelines, term of the zone, and fiscal impact.

Mayor Hardberger declared the Public Hearing to be closed

The City Clerk read the following Ordinance:

2006-05-18-0580

AN ORDINANCE DESIGNATING THE PALO ALTO TRAILS DEVELOPMENT PROJECT AREA LOCATED IN CITY COUNCIL DISTRICT 4, BOUNDED ON THE NORTH BY LOOP 410, TO THE WEST BY LEON CREEK, TO THE SOUTH BY THE LIMITED PURPOSE ANNEXATION AREA, AND TO THE EAST BY STATE HIGHWAY 16 SOUTH AS A TAX INCREMENT REINVESTMENT ZONE (“ZONE”); DESCRIBING THE BOUNDARIES OF THE ZONE; CREATING A BOARD OF DIRECTORS FOR THE ZONE; PROVIDING FOR AN EFFECTIVE DATE AND A TERMINATION DATE FOR THE ZONE; NAMING THE ZONE “REINVESTMENT ZONE NUMBER TWENTY-FOUR, CITY OF SAN ANTONIO, TEXAS”; ESTABLISHING A TAX INCREMENT FUND; AND CONTAINING OTHER STATUTORILY REQUIRED PROVISIONS FOR THE DESIGNATION OF A ZONE.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Guajardo seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** Flores.

CONSENT AGENDA

Items 8, 9, 10, 11, 12 14, 16, 18, 19, 25, 27 and 29 were pulled from the agenda. The remainder of the Consent agenda items was approved upon motion made by Councilmember Perez and seconded by Councilmember Hall.

The motion carried passage of the Ordinances by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** Flores.

2006-05-18-0581

AN ORDINANCE ACCEPTING THE BID SUBMITTED BY EXCELL ENVIRONMENTAL TO PROVIDE THE CITY WITH THE REPLACEMENT OF FUEL DISPENSING UNITS AND INSTALLATION FOR A TOTAL COST OF \$49,948.00, FROM THE EQUIPMENT RENEWAL AND REPLACEMENT FUND.

2006-05-18-0582

AN ORDINANCE ACCEPTING THE BIDS OF VARIOUS COMPANIES TO PROVIDE THE CITY WITH VARIOUS TYPES OF COMMODITIES AND SERVICES ON AN ANNUAL CONTRACT BASIS FOR FY 2006 FOR AN ESTIMATED COMBINED ANNUAL COST OF \$601,238.00, INCLUDING: CHILDREN'S BOOKS; LARGE PRINT BOOKS; AUDIO BOOKS; LIBRARY REFERENCE MATERIALS; ELEVATOR AND ESCALATOR SERVICE AT THE SAN ANTONIO INTERNATIONAL AIRPORT; HIGH PERFORMANCE PAVEMENT MARKING TAPE; AND ACRYLIC WATERBORNE TRAFFIC PAINT.

2006-05-18-0583

AN ORDINANCE APPROVING A TOTAL AMOUNT OF \$4,853,454.35, TO INCLUDE AWARDDING A \$4,144,866.50 CONSTRUCTION CONTRACT WITH R.L. JONES, L.P., \$387,018.00 OF WHICH WILL BE FUNDED BY SAN ANTONIO

WATER SYSTEM, IN CONNECTION WITH THE MARNEY PLAZA OUTFALL PROJECT, AN AUTHORIZED 2003-2007 GENERAL OBLIGATION DRAINAGE IMPROVEMENT BOND FUNDED PROJECT LOCATED IN DISTRICT 3; AND APPROPRIATING FUNDS.

2006-05-18-0584

AN ORDINANCE APPROVING A CHANGE ORDER (12-FINAL) IN THE DEDUCTIVE AMOUNT OF \$32,423.66 TO A \$1,659,823.62 CONTRACT, AS AMENDED, WITH AMSTAR, INC., DUE TO A DELETION FROM THE SCOPE OF WORK IN CONNECTION WITH THE MUNICIPAL FACILITIES IMPROVEMENTS WITHIN THE HISTORIC CIVIC CENTER – PHASE A PROJECT.

2006-05-18-0585

AN ORDINANCE DECLARING THE 36TH STREET – US90 TO KELLY AFB ENTRANCE (MPO) PROJECT TO BE A PUBLIC PROJECT; DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF FEE SIMPLE TITLE TO CERTAIN PRIVATELY OWNED REAL PROPERTY IN BEXAR COUNTY, TEXAS, BY NEGOTIATION AND/OR CONDEMNATION, IF NECESSARY, FOR A PUBLIC PURPOSE AS PUBLIC IMPROVEMENTS AS PART OF THE PROJECT; ESTABLISHING JUST COMPENSATION FOR THE PROPERTY; APPROPRIATING FUNDS IN THE AMOUNT OF \$841,100.00 FROM 1999 GENERAL OBLIGATION STREET IMPROVEMENT BONDS FOR THE ACQUISITION AND OTHER MISCELLANEOUS ASSOCIATED EXPENSES SUCH AS APPRAISALS AND ATTORNEY'S FEES; AUTHORIZING THE CITY STAFF TO NEGOTIATE AND TO ACQUIRE THE PROPERTY ON THE APPROVED TERMS; AND AUTHORIZING THE CITY ATTORNEY TO FILE EMINENT DOMAIN PROCEEDINGS, IF NECESSARY TO ACQUIRE THE FOLLOWING PROPERTIES:

COSA PARCEL	ACREAG E	LOT(S)	BLOCK	NCB	SUBDIVISION
17970	0.653	5		8669	
17957	0.014	11J	8	8084	West Gardendale
17965	0.035	25	8	8084	Aelvoet
17966	0.006	25	8	8084	Aelvoet
17963	0.020	31	8	8084	
17964	0.098	39	8	8084	
17969	0.274	Tract C		8669	
17968	0.928	2		8669	Chico Properties
17968A	0.594	3		8669	Chico Properties
17967	0.888	4		8669	Providence

2006-05-18-0586

AN ORDINANCE AUTHORIZING A LICENSE AGREEMENT IN AN ANNUAL AMOUNT OF \$500.00 WITH THE UNIVERSITY OF TEXAS AT SAN ANTONIO FOR THE USE OF THE KODAK AND GULF INSURANCE BUILDINGS AT HEMISFAIR PARK FOR APPROXIMATELY 40 DAYS PER YEAR FOR THE TEXAS FOLKLIFE FESTIVAL HELD IN 2006 THROUGH 2010.

2006-05-18-0587

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN EXISTING SAN ANTONIO INTERNATIONAL AIRPORT LEASE AGREEMENT WITH NAYAK AVIATION, L. P., TO ADD AN ADDITIONAL 78,610 SQUARE FEET OF GROUND SPACE AND 23,873 SQUARE FEET OF HANGAR SPACE TO THE LEASED PREMISES, RESULTING IN AN ADDITIONAL \$51,729.94 IN ANNUAL RENTAL PAYMENTS.

2006-05-18-0588

AN ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT FOR A TOTAL AMOUNT OF UP TO \$35,000.00 WITH DR. HELIODORO BOONE, MD, A LOCAL PHYSICIAN, TO PROVIDE CLINICAL CONSULTATION SERVICES TO THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT THROUGH JUNE 30, 2009.

2006-05-18-0589

AN ORDINANCE AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT TOTALING \$70,000.00 WITH INSTITUTO PANAMERICANO TO PROVIDE LANGUAGE INTERPRETATION AND TRANSLATION SERVICES TO THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE PERIOD MARCH 1, 2006 THROUGH FEBRUARY 29, 2008.

2006-05-18-0590

AN ORDINANCE AUTHORIZING A NO COST AMENDMENT TO AN AGREEMENT WITH, AND AS REQUIRED BY, THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES TO PROVIDE PROCEDURAL CHANGES ALLOWING THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT CONTINUED ON LINE ACCESS TO BIRTH RECORDS FOR A PERIOD ENDING AUGUST 31, 2006.

2006-05-18-0591

AN ORDINANCE AUTHORIZING THE EXECUTION OF A CONTRACT CHANGE WITH THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES TO REDUCE SUPPORT FOR THE CITIES READINESS INITIATIVE OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT IN THE AMOUNT OF \$2,250.00 AND EXTEND THE GRANT PERIOD TO DECEMBER 31, 2006; AND REVISING THE PROGRAM BUDGET.

2006-05-18-0592

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A \$133,682.00 GRANT FROM THE TEXAS GOVERNOR'S DIVISION OF EMERGENCY MANAGEMENT TO OFFSET ADMINISTRATIVE COSTS OF THE SAN ANTONIO FIRE DEPARTMENT EMERGENCY MANAGEMENT OFFICE RELATED TO EMERGENCY PREPAREDNESS EFFORTS DURING THE GRANT PERIOD OF OCTOBER 1, 2005, THROUGH SEPTEMBER 30, 2006.

2006-05-18-0593

AN ORDINANCE AUTHORIZING THE EXECUTION OF TWO NO COST GRANT AGREEMENT AMENDMENTS WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TRANSFERRING FUNDS FROM SUPPORTIVE SERVICES TO OPERATIONS; AUTHORIZING THE EXECUTION OF TWO NO COST CONTRACT AMENDMENTS WITH THE CENTER FOR HEALTH CARE SERVICES REVISING THEIR BUDGETS; APPROVING REVISED BUDGETS; AND AUTHORIZING EXECUTION OF ALL NECESSARY DOCUMENTS IN CONNECTION WITH THE SUPPORTIVE HOUSING PROGRAM FOR THE HOMELESS.

2006-05-18-0594

AN ORDINANCE AUTHORIZING SETTLEMENT OF A LAWSUIT STYLED *DELFINA DELGADO, ET AL, V. CITY OF SAN ANTONIO*, CAUSE NO. 2004-CI-07968, IN THE 45TH JUDICIAL DISTRICT, BEXAR COUNTY, TEXAS.

2006-05-18-0595

AN ORDINANCE AUTHORIZING THE EXECUTION OF A MURAL PROGRAM AGREEMENT, PROVIDING \$7,781.00 TO THE NORTHWOOD ELEMENTARY SCHOOL PTA FOR THEIR MURAL PROJECT.

2006-05-18-0596

AN ORDINANCE APPROVING THE APPOINTMENTS OF GEORGE R. GREEN, NANCY J. EDGAR, AND MARISOL FAZ MARTINEZ (CATEGORY: BUSINESS) TO THE ALAMO WORKSOURCE BOARD FOR THE REMAINDER OF UNEXPIRED TERMS TO EXPIRE DECEMBER 31, 2008, DECEMBER 31, 2007, AND DECEMBER 31, 2006, RESPECTIVELY.

2006-05-18-0597

AN ORDINANCE TERMINATING INACTIVE CAMPAIGN TREASURER APPOINTMENTS FILED WITH THE OFFICE OF THE CITY CLERK.

ITEMS 33A-D: BOARD APPOINTMENTS

REAPPOINTING DAVID M. VILLYARD (DISTRICT 9) TO THE BOARD OF ADJUSTMENT FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE FEBRUARY 22, 2008.

REAPPOINTING SUSAN WRIGHT (DISTRICT 9) TO THE ZONING COMMISSION EFFECTIVE JULY 1, 2006, FOR A TERM OF OFFICE TO EXPIRE JUNE 30, 2008.

APPOINTING STEPHEN OLIVER (DISTRICT 9) TO THE SAN ANTONIO LOCAL DEVELOPMENT COMPANY, INC. D/B/A SOUTH TEXAS BUSINESS FUND (CATEGORY: TRUSTEE) FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE NOVEMBER 30, 2008.

APPOINTING DR. J. LYNNE ARMSTRONG (DISTRICT 7) TO THE AFFIRMATIVE ACTION ADVISORY COMMITTEE FOR A TERM OF OFFICE TO EXPIRE MAY 31, 2007.

[CONSENT ITEMS CONCLUDED]

CONSENT ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2006-05-18-0598

AN ORDINANCE APPROVING AN AGREEMENT WITH THE LANDA GARDENS CONSERVANCY (LGC) FOR LGC TO CONSTRUCT IMPROVEMENTS AT THE LANDA BRANCH LIBRARY GROUNDS, INCLUDING THE CONSTRUCTION OF A PAVILION, LIGHTING, IRRIGATION, LANDSCAPING AND HARDSCAPE, AND CONTINUED GROUNDS MAINTENANCE IN ACCORDANCE WITH THE LANDA GARDENS MASTER PLAN, WITH THE CITY'S CONTRIBUTION BEING \$70,000.00 FROM NAMP FUNDS FOR THIS ESTIMATED \$1,000,000.00 LGC FUNDED PROJECT, AND ESTABLISHING A DEDICATED FUND CONSISTING OF INCOME FROM THE RENTAL OF THE PAVILION TO SUPPORT GROUNDS MAINTENANCE.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Hall seconded the motion.

The following citizen(s) appeared to speak:

Ms. Jill Torbert, 124 W. Gramercy, Landa Gardens Conservancy, stated that private donors have thus far contributed in excess of \$1 million for construction of the pavilion, which will be built in a public park adjacent to the Landa Branch Library. She thanked Library Director Ramiro Salazar and his staff for their assistance with the project.

Ms. Ann Van Pelt, 199 W. Huisache, Landa Gardens Conservancy, stated her hope that this project will lead to more public-private partnerships. She thanked Mayor Hardberger and Councilmember Flores for their support of the endeavor.

The motion carried the passage of the Ordinance by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** Flores.

The City Clerk read the following Ordinance:

2006-05-18-0599

AN ORDINANCE APPROVING A TOTAL AMOUNT OF \$40,646.80, TO INCLUDE A \$32,835.00 AMENDMENT TO A \$216,554.18 PROFESSIONAL ENGINEERING CONTRACT, AS AMENDED, WITH VICKREY AND ASSOCIATES, INC., FOR ADDITIONAL ENGINEERING SERVICES TO SEPARATE THE MILITARY DITCH #65 PROJECT INTO A BASE BID WITH ADDITIVE ALTERNATES, PROVIDE A PROJECT CONTROL SHEET, AND SURVEY SERVICES TO UPDATE THE FINAL CONSTRUCTION PLANS FOR THE DESIGN OF A TEMPORARY ACCESS DRIVEWAY AT FALCON BANK, LOCATED IN DISTRICT 4; AND APPROPRIATING FUNDS FROM 2003 STORM WATER REVENUE FUNDS.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Hall seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** Flores.

The City Clerk read the following Ordinance:

2006-05-18-0600

AN ORDINANCE APPROVING A TOTAL AMOUNT OF \$240,548.20, TO INCLUDE A \$204,374.00 AMENDMENT TO A \$232,446.50 PROFESSIONAL ARCHITECTURAL SERVICES AGREEMENT, AS AMENDED, WITH THE ARIZPE GROUP, INC. FOR ENVIRONMENTAL TESTING, AN UNDER-FLOOR DRAINAGE EVALUATION STUDY, PREPARATION OF CONSTRUCTION DOCUMENTS, AND ADMINISTRATION SERVICES FOR SEVERAL LIBRARIES LOCATED IN VARIOUS DISTRICTS, IN CONNECTION WITH THE LIBRARY IMPROVEMENTS PROJECT; AND APPROPRIATING FUNDS FROM THE 2003-2007 GENERAL OBLIGATION LIBRARY IMPROVEMENT BOND, GENERAL OBLIGATION LIBRARY SYSTEM IMPROVEMENT BOND, AND COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Hall seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** Flores.

The City Clerk read the following Ordinance:

2006-05-18-0601

AN ORDINANCE AUTHORIZING A TOTAL OF \$192,223.00 FOR THE ACQUISITION OF FOUR TRACTS OF LAND TOTALING APPROXIMATELY 14.86 ACRES ALONG SALADO CREEK IN DISTRICT 10, IN CONNECTION WITH THE LINEAR CREEKWAYS DEVELOPMENT PROJECT; AND APPROPRIATING THE REQUIRED FUNDS FROM PROPOSITION 3 SALES TAX INITIATIVE FUNDS.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Hall seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** Flores.

The City Clerk read the following Ordinance:

2006-05-18-0602

AN ORDINANCE AUTHORIZING A TOTAL PROJECT AMOUNT OF \$105,641.45 IN CONNECTION WITH THE RAIN TREE PARK LAND ACQUISITION AND DEVELOPMENT PROJECT IN DISTRICT 10, INCLUDING \$31,500.00 FOR THE ACQUISITION OF TWO PROPERTIES TOTALING APPROXIMATELY 9.08 ACRES OF LAND LOCATED AT HORIZON PEAK AND RAIN TREE PATH IN THE RAIN TREE SUBDIVISION; ESTABLISHING A PROJECT BUDGET; AND APPROPRIATING FUNDS FROM UNIFIED DEVELOPMENT CODE PARKLAND FEES.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Hall seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** Flores, McNeil.

The City Clerk read the following Ordinance:

2006-05-18-0603

AN ORDINANCE APPROPRIATING \$240,000.00 FROM THE 2003 G.O. PUBLIC HEALTH AND SAFETY IMPROVEMENT BONDS TO RELOCATE SOFTBALL FIELDS AT BROOKS CITYBASE FOR THE PURPOSE OF PROVIDING AN EMERGENCY OPERATION CENTER SITE.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Gutierrez seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** Flores, Herrera.

The City Clerk read the following Ordinance:

2006-05-18-0604

AN ORDINANCE APPROVING A THREE-YEAR EXTENSION OF THE CITY'S LEASE OF APPROXIMATELY 14,928 SQUARE FEET OF OFFICE SPACE FOR ENTERPRISE RESOURCE MANAGEMENT AT RIVERVIEW OFFICE BUILDING LOCATED AT 111 SOLEDAD IN DISTRICT 1, FOR AN INITIAL RENT OF \$15.00 PER SQUARE FOOT (\$18,660 MONTHLY) THROUGH DECEMBER 31, 2007 AND \$16.00 PER SQUARE FOOT (\$19,904 MONTHLY) THROUGH MAY 31, 2009, WITH A THREE-YEAR RENEWAL OPTION.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Gutierrez seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** Flores.

The City Clerk read the following Ordinance:

2006-05-18-0605

AN ORDINANCE APPROVING THE PARKS AND RECREATION SYSTEM STRATEGIC PLAN FOR 2006-2016.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Haass seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** Flores.

The City Clerk read the following Ordinance:

2006-05-18-0606

AN ORDINANCE APPROVING A TWO YEAR PROFESSIONAL SERVICES AGREEMENT FOR AIR SERVICE DEVELOPMENT CONSULTING WITH

INTERVISTAS-GA2 CONSULTING, INC. IN AN AMOUNT NOT TO EXCEED \$300,000.00, \$150,000.00 OF WHICH IS CONTINGENT UPON FY 2007 BUDGET APPROVAL, WITH OPTIONS FOR TWO ADDITIONAL TWO YEAR TERMS SUBJECT TO FUNDING AND COUNCIL APPROVAL.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Guajardo seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** Flores.

The City Clerk read the following Ordinance:

2006-05-18-0607

AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF \$1,887,022.00 FROM THE OFFICE OF NATIONAL DRUG CONTROL POLICY (ONDCP) FOR THE SAN ANTONIO HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) PROGRAM FOR THE GRANT YEAR JANUARY 1, 2006 TO DECEMBER 31, 2006; ESTABLISHING A BUDGET AND A PERSONNEL COMPLEMENT.

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Hall seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** Flores, Wolff.

The City Clerk read the following Ordinance:

2006-05-18-0608

AN ORDINANCE AUTHORIZING AN AGREEMENT WITH THE PROPERTY OWNER, MS. ROSE MARY OROSCO TO PROVIDE ENVIRONMENTAL SITE ASSESSMENT SERVICES AT 2223 GUADALUPE, IN CONNECTION WITH A BROWNFIELDS REDEVELOPMENT PROGRAM PROJECT; AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$19,829.74 UNDER AN EXISTING "ON CALL" PROFESSIONAL ENVIRONMENTAL ENGINEERING SERVICES CONTRACT TO

ATC ASSOCIATES, INC, FOR SAID ENVIRONMENTAL SITE ASSESSMENT SERVICES, FROM ENVIRONMENTAL PROTECTION AGENCY GRANT FUNDS.

Councilmember Radle made a motion to approve the proposed Ordinance. Councilmember Hall seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** Flores.

The City Clerk read the following Ordinance:

2006-05-18-0609

AN ORDINANCE AUTHORIZING THE EXECUTION OF THE FIRST AMENDMENT TO THE DELEGATE AGENCY AGREEMENT WITH CENTRO CULTURAL AZTLAN REPLACING THE ORIGINAL PROJECT WITH “EL GRAN DIA DE LOS ARTISTAS.”

Councilmember Perez made a motion to approve the proposed Ordinance. Councilmember Guajardo seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, Mayor Hardberger. **NAYS:** None. **ABSENT:** Flores.

CITY MANAGER’S REPORT

City Manager Sheryl Sculley reported on the recommended changes being made at Animal Care Services (ACS), which were initiated as the result of two independent evaluations of the department. She reported that the ACS Advisory Board met May 8 and 9, 2006, to begin work on the 5-year Strategic Plan requested by City Council in February 2006. She stated that the Board identified challenges and priorities, and developed a strategic map and profile to outline ACS objectives. She stated that the Board will seek input from citizens and experts in development of the strategic plan at public meetings to be conducted in May and June 2006. She reported that the draft plan is scheduled to be presented to City Council on June 29, 2006, with a final plan released late-Summer 2006.

She reported that the San Antonio Police Department (SAPD) received an anonymous tip which resulted in the arrest of the alleged shooter of an off-duty Beeville Police Officer earlier in the day. She offered her thanks to Police Chief William Paul McManus and SAPD officers that were involved in the arrest of the suspect.

She also reported that the City will be awarded a grant to fund the 2006 Summer Food Program for Children. She stated that the City will be addressing contingency funds for the program during budget forecast planning, in the event the grant is not received in the future. She noted that in the budget forecasting, policy recommendations will be explored for planning for contingency reserve funds and for maintaining a healthy fund balance.

EXECUTIVE SESSION

Mayor Hardberger recessed the Regular Session at 11:16 a.m. in order to convene in Executive Session for the purpose of:

Discuss legal issues related to *Borden Park, L.P. dba Star Storage Downtown San Antonio v. City of San Antonio*, Cause No SA-03-CA-0941-RF, pursuant to the Texas Government Code Section 551.071 (consultation with attorney).

Mayor Hardberger reconvened the Regular Session at 3:30 p.m., at which time he stated City Council had been briefed on the above-styled matters and gave staff direction, but had taken no official action.

PUBLIC HEARING: HUD CONSOLIDATED ACTION PLAN

Mayor Hardberger declared the Public Hearing open.

Mr. Andrew Cameron, Housing and Community Development Director, spoke to the purpose of the public hearing which is to receive citizen input on the proposed Consolidated Action Plan/Budget. He stated that City Council each year reviews and approves a HUD Consolidated which includes the Community Development Block Grant (CDBG); HOME Investment Partnership Program (HOME); American Dream Down Payment Initiative (ADDI); Emergency Shelter Grant (ESG); Housing Opportunities for Persons with AIDS (HOPWA). He presented financial data on the respective programs, and the required budget schedule, noting that the program would be presented to the City Council for approval on June 1, 2006.

Mr. Dennis Campa, Community Initiatives Director, addressed the FY 2006-07 Consolidated Plan for HOPWA and ESG. He stated that under the ESG, funds are primarily used for categories such as rehabilitation, essential services and operations, and homeless prevention. Under the HOPWA program he stated that these funds address the housing and social needs of low income persons with HIV/AIDS and their family members. He amplified on the request for proposals process, the RFP recommendation process and described the FY 2007 EGS allocation.

The following citizen(s) appeared to speak:

Mr. Baron Herdelin-Doherty, 1123 Navarro, YMCA of Greater San Antonio President/CEO, noted the many services the Y offers the community. He urged City Council to support YMCA programming. YMCA volunteers Ms. Lisa Tatum, Mr. Eddie Barrera, and Ms. Gloria Vasquez provided testimony in support of YMCA programming.

Mr. Bert Pfeister, 605 Belknap, representing Davidson Respite House and Respite Care, provided background on services provided by the agency, and statistics on the special needs children and families served by the agency. He reported that the funds provided by the City bridge an \$18,000 to \$20,000 gap per patient not covered by state funding. He encourage City Council to consider an increase in funds to benefit all community members and organizations, as the funds have remained stagnant for several years and are now shrinking.

Mr. Faris Hodge, Jr., 140 Dora, stated there should be an additional public hearing prior to voting on the matter, as one was previously cancelled. He stated he does not fully support the issue, as much funding is withdrawn from CDGB funds that could be obtained from other sources. He stated there is double-dipping by agencies. He stated CDBG funds should be used to pay for various recreational equipment needs of the community, numerous infrastructure repairs requiring the City's attention, and emergency personnel computer needs.

Mayor Hardberger was obliged to leave the meeting. Mayor Pro Tem Radle presided.

Ms. Cynthia LeMans, 1215 W. Poplar, San Antonio Youth Centers, Inc. Executive Director/CEO, reported the agency's CDBG 2007 funding request was rejected. She, along with other agency representatives, noted the accomplishments of program participants and ways in which the community benefits by the program's job training and creation of affordable housing.

Mr. Jim Watson, SW 19th St., Boys and Girls Clubs of San Antonio Executive Director, stated that the agency's centennial anniversary was upcoming. He stated the influence that mentors have on the lives of program participants. He also discussed funding shortfalls and noted the importance of the City's financial support to deliver community programming.

Ms. Norma Cuellar-Hicks, 2300 W. Commerce, representing Child Abuse Prevention Services, stated that the agency's request for 2007-08 City funding was denied. She stated that she reviewed the final scoring evaluations of their request and discrepancies in scoring were apparent. She spoke to the nature of services provided by the agency, the importance of City funding, and urged the City to reconsider the application.

Mayor Hardberger returned to the meeting and presided.

Mayor Hardberger declared the Public Hearing closed.

PUBLIC HEARING AND ORDINANCE: CDBG AND HOME FUNDS REPROGRAMMING:

Mayor Hardberger declared the Public Hearing to be open.

Mr. Andrew Cameron, Housing and Community Development Director, presented the recommendations for the FY 2006-07 CDBG, HOME and American Dream Down Payment Initiative budgets for City Council consideration. He spoke to the reduction to the City's 2006-07 HUD Entitlement Budget as notified by the U.S. Department of Housing and Urban Development (HUD), and outlined the criteria as mandated by HUD. He then delineated the priorities which included funds for CDBG, HOME and ADDI for affordable single-family homeownership; to increase the affordable housing price limit; increase maximum second mortgage assistance; increase construction and reconstruction per square foot cost; and increase minimum rehabilitation cost.

Mayor Hardberger declared the Public Hearing to be closed.

The City Clerk read the following Ordinance:

2006-05-18-0610

AN ORDINANCE AUTHORIZING THE REPROGRAMMING OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN THE AMOUNT OF \$1,408,795.07 AND HOME INVESTMENT PARTNERSHIP GRANT (HOME) FUNDS IN THE AMOUNT OF \$987,087.35 AVAILABLE FROM CITY-WIDE PROJECT COMPLETIONS, PROGRAM INCOME FUNDS AND CANCELLED PROJECTS TO ADDRESS EXISTING PROJECT SHORTFALLS AND NEW PROJECTS; AUTHORIZING THE CLOSE-OUT AND CANCELLATION OF AFFECTED PROJECTS AND PROJECT BUDGETS; REVISING THE APPROPRIATE PROJECT BUDGETS; AND ESTABLISHING ACCOUNTS AND AUTHORIZING THE EXECUTION AND SUBMISSION OF CONTRACTS AND OTHER DOCUMENTS AS NECESSARY IN CONNECTION THEREWITH.

Councilmember McNeil made a motion to approve the proposed Ordinance. Councilmember Gutierrez seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Mayor Hardberger. **NAYS:** None. **ABSENT:** Flores, Haass.

The City Clerk read the following Resolution:

2006R-05-18-0611

A RESOLUTION AUTHORIZING NOTICE OF INTENTION TO ISSUE A NOTE TO SECURE A \$57,000,000.00 HUD 108 LOAN.

Councilmember McNeil made a motion to approve the proposed Resolution. Councilmember Gutierrez seconded the motion.

Mr. Ben Gorzell, Acting Director of Finance, spoke to the Resolution authorizing the notice of intention to issue a note to secure a \$57 million HUD 108 Loan. He spoke to Council action which authorized the submission of \$57 million 108 Loan application to the Department of Housing and Urban Development (HUD), noting that proceeds of the loan were planned to be utilized to fund various capital improvement projects. He addressed the repayment of the annual debt service for the 108 Loan and the plan to meet the debt service requirement of the HUD 108 Loan.

The motion carried the passage of the Resolution by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Mayor Hardberger. **NAYS:** None. **ABSENT:** Flores, Haass.

MASTER PLAN AND ZONING CASES

P-1. PLAN AMENDMENT CASE #05009 (District 2): An Ordinance amending the land use plan contained in the Arena District/Eastside Community Plan, a component of the Master Plan of the City, by changing the use of an 16.43-acre tract of land located at 3841 Commerce Street East from High Density/Multifamily Residential land use to Light Industrial land use. Staff and Planning Commission recommend Approval.

Z-1. ZONING CASE #Z2005145 (District 2): An Ordinance amending the zoning district boundary from "R-5 EP-1" Residential Single-Family Event Parking District and "C-2 EP-1" Commercial Event Parking District to "L EP-1" Light Industrial Event Parking District on 16.432 acres out of NCB 10578, 3841 East Commerce Street as requested by Brown, P. C., Applicant, for Rockhill Partners, Ltd., Owner(s). Staff and Zoning Commission recommend Approval contingent on plan amendment.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed plan amendment and zoning case.

The following citizen(s) appeared to speak:

Mr. Faris Hodge, Jr., 140 Dora, stated his opposition to any future development or annexation over the Edwards Aquifer. He stated that his electricity went out recently and when it came back on, the water in his house was cloudy and was, he believed, contaminated. He requested a moratorium on construction over the Aquifer until the City effectively responds to citizens' concerns about contamination.

Mr. Nazirite Ruben Flores Perez, 627 Hearne Ave., addressed all zoning items affiliated with development over the Edwards Aquifer by relating stories of biblical rivers to the Aquifer and requesting that the City prohibit Northside development to protect the water source from contamination.

Councilmember McNeil made a motion to table Items P-1 and Z-1 to August 3, 2006. Councilmember Perez seconded the motion.

The motion to table Items P-1 and Z-1 prevailed by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Mayor Hardberger. **NAYS:** None. **ABSENT:** Flores, Haass.

Items P-1 and Z-1 were tabled to August 3, 2006.

P-2. PLAN AMENDMENT CASE #06004 (District 9): Public hearing and consideration of an ordinance amending the Land Use Plan contained in the Mahncke Park Neighborhood Plan, a component of the Master Plan of the City, by changing the use of approximately 2.45 acres located at 4210 Broadway Avenue, 135 Groveland Place and 151 Groveland Place, from Neighborhood Commercial land use to Compact Multi-family Residential land use. Staff and Planning Commission recommend Approval.

Z-2. ZONING CASE #Z2006074 (District 9): An Ordinance amending the zoning district boundary from "C-2" RIO-1 Commercial River Improvement Overlay District-1 and "R-4" RIO-1 Residential Single-Family River Improvement Overlay District-1 on the West 233.40 Feet of Tract L, NCB 6015, "C-2" Commercial District on Lot 27, Block A, NCB 6015, and "R-4" Residential Single-Family District on Lots 3 through 12, NCB 6096 to "MF-50" Multi-Family District on the East 168.31 Feet of the West 233.40 Feet of Tract L, NCB 6015 and on Lot 27, Block A, NCB 6015 and "MF-50" RIO-1 Multi-Family River Improvement Overlay District-1 on the West 65.09 Feet of the West 233.40 Feet of Tract L, NCB 6015 and on Lots 3 through 12, NCB 6096, 4210 Broadway, 135 Groveland and 151 Groveland as requested by Kaufman and Associates, Inc., Applicant, for Koontz/McCombs 1, Ltd., Owner(s). Staff and Zoning Commission recommend Approval contingent on plan amendment.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed plan amendment and rezoning case.

The following citizen(s) appeared to speak:

Mr. Tom Simmons, 234 Pershing, stated that the high-rise proposed for the lot will ruin his view and will serve not the interests of the neighborhood, but only those of the developers.

Mr. Paul Vaughn, 315 Thorman, stated opposition to the proposed development. He remarked that if allowed to proceed, the decision in the matter will have future consequences on the Commercial River Improvement Overlay District's effectiveness.

Mr. Morgan Price, 227 Pershing, spoke to the lengthy steps of the Unified Development Code's amendment process, and noted that the review allows for an opportunity to amend the Neighborhood Plan, which has not yet occurred.

Ms. Barbara Cheney, 458 Pershing, asked the Council to continue said item. She voiced concern over the change to the River Improvement Overlay District. She noted that many individuals and organizations united to create the District's policies, and this case has the potential to undo its work. She stated that it is City Council's obligation to uphold the rules created by the District.

City Clerk Leticia Vacek read written testimony, a copy of which is on file with the Office of the City Clerk, submitted by Barbara Johnson of the San Antonio Conservation Society, which stated the Society's objection to changes in the River Improvement Overlay District policies. She stated that it is the government's duty to uphold established guidelines. She continued to state that if the high-rise project is permitted to be exempt from the guidelines, it will not be subject to architectural and design review.

Councilmember Wolff made a motion to table Items P-2 and Z-2 to June 1, 2006. Councilmember Hall seconded the motion.

The motion to table Items P-2 and Z-2 prevailed by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Mayor Hardberger. **NAYS:** None. **ABSENT:** Flores, Haass.

Items P-2 and Z-2 were tabled to June 1, 2006

The Mayor recessed the Regular Session at 5:25 p.m. and announced that Council would reconvene at 6 p.m.

CEREMONIAL ITEMS

Mayor Hardberger presented the following honorariums:

- Scholarship presentations to local high school seniors by The Martin Luther King, Jr. Scholarship Committee in conjunction with the MLK Commission.
- Citation to Harris Middle School, recipient of National Youth Crime Watch of America Casey Award, for its ability to provide leadership, resources and exemplary support for youth-led crime prevention programs.
- Proclamations to student winners of the Karate Kids of America and the North Central Optimist Club of San Antonio "Just Say No!" letter writing contest.

Mayor Hardberger was obliged to leave the meeting. Mayor Pro Tem Radle presided.

ZONING CONTINUED

Z-3. ZONING CASE #Z2006089 (District 2): An Ordinance amending the zoning district boundary from "O-2" Office District to "C-2 NA" Commercial Nonalcoholic Sales District on Lot 18, Block 29, NCB 10628, 4458 East Houston Street as requested by Lou Miller, Applicant, for Lou Miller, Owner(s). Staff and Zoning Commission recommend Approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember McNeil made a motion to approve the proposed rezoning case. Councilmember Hall seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff. **NAYS:** None. **ABSENT:** Flores, Haass, Mayor Hardberger.

2006-05-18-0612

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 29, NCB 10628 FROM "O-2" OFFICE DISTRICT TO "C-2 NA" COMMERCIAL NONALCOHOLIC SALES DISTRICT.

Z-4. ZONING CASE #Z2006095 (District 2): An Ordinance amending the zoning district boundary from "I-1" RIO-2 General Industrial River Improvement Overlay District-2 to "IDZ" RIO-2 Infill Development Zone River Improvement Overlay District-2 on Lots 11 and 12, the South 14.5 Feet of Lot 13, and the North 45 Feet of Lot 14, Block 18, NCB 964, 1625-1639 Broadway and 1616 Avenue B as requested by H. Glenn Huddleston, Applicant, for H. Glenn Huddleston, Owner(s). Staff and Zoning Commission recommend Approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

The following citizen(s) appeared to speak:

Mr. Harper Huddletson, 4061 Broadway, requested City Council to take action on the item without postponement due to time considerations.

Councilmember McNeil made a motion to table Item Z-4 to August 3, 2006. Councilmember Hall seconded the motion.

Councilmember McNeil then requested that Item Z-4 be deferred to the end of all zoning cases.

Z-5. ZONING CASE #Z2006094 (District 4): An Ordinance amending the zoning district boundary from "R-6" Residential Single-Family District to "C-3" General Commercial District on Lot P-9, NCB 34361, 325 South Loop 1604 as requested by Kaufman & Associates, Inc., Applicant, for Steve Persyn, Owner(s). Staff and Zoning Commission recommend approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Perez made a motion to approve the proposed rezoning case. Councilmember Gutierrez seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff. **NAYS:** None. **ABSENT:** Flores, Haass, Mayor Hardberger.

2006-05-18-0613

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 P-9, NCB 34361 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-3" GENERAL COMMERCIAL DISTRICT.

Z-6. ZONING CASE #Z2006087 (District 6): An Ordinance amending the zoning district boundary from "C-2" Commercial District to "C-3" General Commercial District on Lot P-27, NCB 15329, 8300 Block of Potranco Road as requested by Park 410

Westplex, JV, Applicant, for Park 410 Westplex, JV, Owner(s). Staff and Zoning Commission recommend approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Herrera made a motion to approve the proposed rezoning case. Councilmember Perez seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall. **NAYS:** None. **ABSENT:** Flores, Wolff, Haass, Mayor Hardberger.

2006-05-18-0614

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 P-27, NCB 15329 FROM "C-2" COMMERCIAL DISTRICT TO "C-3" GENERAL COMMERCIAL DISTRICT.

Z-7. ZONING CASE #Z2006096 (District 6): An Ordinance amending the zoning district boundary from "C-3" General Commercial District and "R-6" Residential Single-Family District to "MF-25" Multi-Family District on 21.42 acres out of NCB 17873, 8777 Marbach Road as requested by Bexar Odyssey Investments, LLC, Applicant, for Bexar Odyssey Investments, LLC, Owner(s). Staff and Zoning Commission recommend approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Herrera made a motion to approve the proposed rezoning case. Councilmember Gutierrez seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff. **NAYS:** None. **ABSENT:** Flores, Haass, Mayor Hardberger.

2006-05-18-0615

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 21.42 ACRES OUT OF NCB 17873 FROM "C-3" GENERAL COMMERCIAL DISTRICT AND "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "MF-25" MULTI-FAMILY DISTRICT.

Z-8. ZONING CASE #Z2006019 (District 7): An Ordinance amending the zoning district boundary from "O-2" Office District to "C-1" Light Commercial District on Lot 17, Block 2, NCB 17176, 5900 Block of Babcock Road as requested by Padmasiri Somawardana, Applicant, for Padmasiri and Prabha Somawardana, Owner(s). Staff and Zoning Commission recommend Approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Guajardo made a motion to table Item Z-8 to June 15, 2006. Councilmember Perez seconded the motion.

The motion to table Item Z-8 prevailed by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff. **NAYS:** None. **ABSENT:** Flores, Haass, Mayor Hardberger.

Item Z-8 was tabled to June 15, 2006.

Z-9. ZONING CASE #Z2006053 S (District 7): An Ordinance amending the zoning district boundary from "R-6" Residential Single-Family District to "R-6 S" Residential Single-Family District with a Specific Use for a Daycare Center (Commercial or Nonprofit) on the East 35 Feet of the North 157 Feet of Lot 24 and the West 25 Feet of the North 157 Feet of Lot 25, Block 7, NCB 1959, 1710 W. Magnolia Avenue as requested by Anthony and Xochipil Monita, Applicant, for Anthony and Xochipil Monita, Owner(s). Staff and Zoning Commission recommend approval with conditions.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Guajardo made a motion to approve the proposed rezoning case. Councilmember Perez seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff. **NAYS:** None. **ABSENT:** Flores, Haass, Mayor Hardberger.

2006-05-18-0616

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 EAST 35 FEET OF THE NORTH 157 FEET OF LOT 24 AND THE WEST 25 FEET OF THE NORTH 157 FEET OF LOT 25, BLOCK 7, NCB 1959 FROM "R-6" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "R-6 S" RESIDENTIAL SINGLE-FAMILY DISTRICT WITH A SPECIFIC USE PERMIT FOR A DAYCARE CENTER (COMMERCIAL OR NONPROFIT).

Z-10. ZONING CASE #Z2006056 CD (District 7): An Ordinance amending the zoning district boundary from "R-6" Residential Single-Family District to "'RM-4" (CD-Multi-Family Dwellings) Residential Mixed District with a Conditional Use for Multi-Family Dwellings not exceeding 18 units per acre on Lot P-11D, . NCB 17971, 7800 Block of Woodchase Drive as requested by Salah Diab, Applicant, for Milton Zaiontz, Owner(s). Staff and Zoning Commission recommend Approval with conditions.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Guajardo made a motion to approve the proposed rezoning case with conditions. Councilmember Perez seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff. **NAYS:** None. **ABSENT:** Flores, Haass, Mayor Hardberger.

2006-05-18-0617

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 P-11 D, NCB 17971 FROM "R-6" RESIDENTIAL

SINGLE-FAMILY DISTRICT TO "RM-4" (CD-MULTI-FAMILY DWELLINGS) RESIDENTIAL MIXED DISTRICT WITH A CONDITIONAL USE FOR MULTI-FAMILY DWELLINGS.

Z-11. ZONING CASE #Z2006008 (District 8): An Ordinance amending the zoning district boundary from "DR ERZD" Development Reserve Edwards Recharge Zone District to "RM-6 ERZD" Mixed Residential Edwards Recharge Zone District on Lot 15, Block 6, NCB 4547, 15415 Red Robin Road as requested by Our Lady of the Atonement Catholic Church, Applicant, for Our Lady of the Atonement Catholic Church, Owner(s). Staff and Zoning Commission recommend Approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Hall made a motion to approve the proposed rezoning case with the condition of no more than 50 percent impervious cover. Councilmember Perez seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff. **NAYS:** None. **ABSENT:** Flores, Haass, Mayor Hardberger.

2006-05-18-0618

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 15, BLOCK 6, NCB 4547 FROM "DR ERZD" DEVELOPMENT RESERVE EDWARDS RECHARGE ZONE DISTRICT TO "RM-6 ERZD" MIXED RESIDENTIAL EDWARDS RECHARGE ZONE DISTRICT.

Z-12. ZONING CASE #Z2006023 (District 8): An Ordinance amending the zoning district boundary from "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District to "C-2 NA ERZD" Commercial Nonalcoholic Sales Edwards Recharge Zone District on Lot 1, Block 4, NCB 14759, 7403 West Loop 1604 as requested by Jeanette Blount, Applicant, for Jeanette Blount, Owner(s). Staff and Zoning Commission recommend Approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Hall made a motion to approve the proposed rezoning case with the condition of no more than 50 percent impervious cover. Councilmember Perez seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** McNeil, Gutierrez, Perez, Herrera, Hall, Wolff. **NAYS:** Radle, Guajardo. **ABSENT:** Flores, Haass, Mayor Hardberger

2006-05-18-0619

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS LOT 1, BLOCK 4, NCB 14759 FROM "R-6 ERZD" RESIDENTIAL SINGLE-FAMILY EDWARDS RECHARGE ZONE DISTRICT TO "C-2 NA ERZD" COMMERCIAL NONALCOHOLIC SALES EDWARDS RECHARGE ZONE DISTRICT.

Z-13. ZONING CASE #Z2006038 (District 8): An Ordinance amending the zoning district boundary from "MH ERZD" Manufacturing Housing Edwards Recharge Zone District to "O-1 ERZD" Office Edwards Recharge Zone District on Lot 9, Block 3, NCB 15657, 13515 Babcock Road as requested by Eduardo Rodriguez and Delfina Rodriguez, Applicant, for Eduardo Rodriguez and Delfina Rodriguez, Owner(s). Staff and Zoning Commission recommend Approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Hall made a motion to approve the proposed rezoning case with the condition of no more than 30 percent impervious cover. Councilmember Perez seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** McNeil, Gutierrez, Perez, Herrera, Hall, Wolff. **NAYS:** Radle, Guajardo. **ABSENT:** Flores, Haass, Mayor Hardberger.

2006-05-18-0620

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 9, BLOCK 3, NCB 15657 FROM "MH ERZD" MANUFACTURED HOUSING EDWARDS RECHARGE ZONE DISTRICT TO "O-1 ERZD" OFFICE EDWARDS RECHARGE ZONE DISTRICT.

Z-14. ZONING CASE #Z2006026 (District 8): An Ordinance amending the zoning district boundary from "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District, "O-2" Office District, "O-2 ERZD" Office Edwards Recharge Zone District, "O-2" GC-1 Office District Gateway Corridor Overlay District-1, "O-2 ERZD" GC-1 Office Edwards Recharge Zone District Gateway Corridor Overlay District-1, "C-2" Commercial District, "C-2 ERZD" Commercial Edwards Recharge Zone District, "C-2" GC-1 Commercial District Gateway Corridor Overlay District-1, "C-2 ERZD" GC-1 Commercial Edwards Recharge Zone District Gateway Corridor Overlay District-1 to "MPCD" Master Planned Community District, "MPCD ERZD" Master Planned Community Edwards Recharge Zone District, "MPCD" GC-1 Master Planned Community Gateway Corridor Overlay District-1 and "MPCD ERZD" GC-1 Master Planned Community Edwards Recharge Zone Gateway Corridor Overlay District-1 on 119.204 acres out of NCB 34762 and 1.925 acres out of NCB 14859, 17855 IH 10 West as requested by Brown, P. C., Applicant, for West World Holding, Inc., Owner(s). Staff and Zoning Commission recommend Approval.

Councilmember Hall made a motion to table Item Z-14 to June 1, 2006. Councilmember Wolff seconded the motion.

The motion to table Item Z-14 prevailed by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff. **NAYS:** None. **ABSENT:** Flores, Haass, Mayor Hardberger.

Item Z-14 was tabled to June 1, 2006.

Z-15. ZONING CASE #Z2006092 (District 8): An Ordinance amending the zoning district boundary from "R-6" GC-1 Residential Single-Family Gateway Corridor District-1 to "C-2" GC-1 Commercial Gateway Corridor District-1 on the East 311 Feet of the North 321.3 Feet of Lot 10, NCB 18336, 20985 IH 10 West as requested by Enrique and Maria Serna, Applicant, for Enrique and Maria Serna, Owner(s). Staff and Zoning Commission recommend Approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Hall made a motion to approve the proposed rezoning case. Councilmember Perez seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff. **NAYS:** None. **ABSENT:** Flores, Haass, Mayor Hardberger.

2006-05-18-0621

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 EAST 311 FEET OF THE NORTH 321.3 FEET OF LOT 10, NCB 18336 FROM "R-6" GC-1 RESIDENTIAL SINGLE FAMILY GATEWAY CORRIDOR DISTRICT-1 TO "C-2" GC-1 COMMERCIAL GATEWAY CORRIDOR DISTRICT-1.

Z-16. ZONING CASE #Z2005280 (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 18.56 acres out of NCB 16334, 19100 Block of Blanco Road as requested by Brown, P. C., Applicant, for Reitmeyer Investments, Ltd., Owner(s). Staff and Zoning Commission recommend Approval

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Wolff made a motion to approve the proposed rezoning case with SAWS' recommendations. Councilmember Perez seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff. **NAYS:** None. **ABSENT:** Flores, Haass, Mayor Hardberger.

2006-05-18-0622

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 18.56 ACRES OUT OF NCB 16334 FROM "MF-33 ERZD"

MULTI-FAMILY EDWARDS RECHARGE ZONE DISTRICT TO "C-3 ERZD"
GENERAL COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT.

Z-17. ZONING CASE #Z2006015 (District 9): An Ordinance amending the zoning district boundary from "R-6 ERZD" Residential Single-Family Edwards Recharge Zone District to "C-2 ERZD" Commercial Edwards Recharge Zone District on 2.105 acres out of NCB 15011, 3000 Block of North Loop 1604 West as requested by Brown, P. C. Attorneys at Law, Applicant, for Rogers Shavano Park Unit 18/19 Ltd., Owner(s). Staff and Zoning Commission recommend Approval.

Councilmember Wolff made a motion to table Item Z-17 to June 1, 2006. Councilmember Hall seconded the motion.

The motion to table Item Z-17 prevailed by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff. **NAYS:** None. **ABSENT:** Flores, Haass, Mayor Hardberger.

Item Z-17 was tabled to June 1, 2006.

Z-18. ZONING CASE #Z2006071 (District 9): An Ordinance amending the zoning district boundary from "R-5" Residential Single Family District and "MF-33" Multi-Family District to "C-2" Commercial District on The West 111.7 Feet of Lot 72, the East 100 Feet of Lot 72, the West 75 Feet of Lot 73, the South 120 Feet of the East 118.3 Feet of Lot 73, and the North 100 Feet of the East 118.3 Feet of Lot 73 out of NCB 11884. 1422, 1434, 1442 and 1446 E. Sandalwood Lane as requested by Peter Markwardt, Applicant, for Edgar and Maxine Markwardt, Owner(s). Staff and Zoning Commission recommend Approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained the proposed rezoning case.

Councilmember Wolff made a motion to approve the proposed rezoning case. Councilmember McNeil seconded the motion.

The following citizen(s) appeared to speak:

Mr. Ed Markwardt, 200 Alameda, asked for City Council's support of said item.

Mr. Pete Markwardt, 359 W. Sunset, asked for City Council's support of said item.

The motion carried the passage of the Ordinance by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff. **NAYS:** None. **ABSENT:** Flores, Haass, Mayor Hardberger.

2006-05-18-0623

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE WEST 111.7 FEET OF LOT 72, THE EAST 100 FEET OF LOT 72, THE WEST 75 FEET OF LOT 73, THE SOUTH 120 FEET OF THE EAST 118.3 FEET OF LOT 73, AND THE NORTH 100 FEET OF THE EAST 118.3 FEET OF LOT 73 OUT OF NCB 11884 FROM "R-5" RESIDENTIAL SINGLE FAMILY DISTRICT AND "MF-33" MULTI-FAMILY DISTRICT TO "C-2" COMMERCIAL DISTRICT.

Z-4. ZONING CASE #Z2006095 (District 2): Continued.

Councilmember McNeil withdrew the motion to continue and made a motion to approve the proposed Ordinance with the restriction of only on-site alcohol consumption. Councilmember Wolff seconded the motion.

The motion carried the passage of the Ordinance by the following vote: **AYES:** McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff. **NAYS:** None. **ABSENT:** Flores, Haass, Mayor Hardberger.

2006-05-18-0624

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE WEST 111.7 FEET OF LOT 72, THE EAST 100 FEET OF LOT 72, THE WEST 75 FEET OF LOT 73, THE SOUTH 120 FEET OF THE EAST 118.3 FEET OF LOT 73, AND THE NORTH 100 FEET OF THE EAST 118.3 FEET OF LOT 73 OUT OF NCB 11884 FROM "R-5" RESIDENTIAL SINGLE FAMILY DISTRICT AND "MF-33" MULTI-FAMILY DISTRICT TO "C-2" COMMERCIAL DISTRICT.

CITIZENS TO BE HEARD

Mr. Randy Felb, 667 Crestway Dr., stated his opposition to Riverwalk vending and urged City Council to enforce the existing vending ordinance.

Mr. Bob Buchanan, 122 Armour, Paseo Del Rio, stated his opposition to Riverwalk vending.

Texas Media Empowerment representatives, 922 San Pedro, urged City Council to expedite the restoration of the Public, Educational and Governmental (PEG) access television channels. The representatives screened a Public Service Announcement in support of Public Access broadcasts. They noted that five months have elapsed since the termination of the broadcast agreement with Time-Warner. They also noted setbacks and frustrations caused by new technological broadcasting requirements. They stated there have been too many stall tactics and too much finger pointing by City staff, the State legislature and cable company representatives. They offered the City their assistance to maneuver through legislation, as they are highly informed.

Mayor Hardberger returned to the meeting and presided.

Mr. Greg Gillaspie, 110 Broadway, Paseo del Rio Association Executive Director, stated the Association's support of the current Riverwalk vending ordinance to preserve the integrity and ambiance of the Riverwalk.

Mr. Parker Scott, 264 Larchmont, urged City Council to enforce the current Riverwalk vending ordinances. He commented that the Riverwalk's character and ambiance are violated by peddlers.

Ms. Joan Korte, 1022 Navarro, stated her support for the Paseo del Rio Association's position on Riverwalk vending. She stated that Riverwalk safety is a concern, and that vendors' presence will add to pedestrian congestion, which will lead to pushing and shoving.

Mr. Tom Brooks, 131 Taylor, stated his support of the current Riverwalk vending ordinance.

Mr. Roberto Contreras, Jr., 607 E. Guenther, Downtown Vendors Association (DVA), stated that the vendors do not aggressively peddle their products. He noted potential problems with renegade vendors. He urged City Council to work with the vendors and

noted that vendors desire to work collaboratively with the City and the Paseo del Rio Association.

Mr. Roberto Martinez, 114 Roberts, DVA, Riverwalk caricature artist, stated that it took considerable time for him to get a vending space on the Riverwalk. He noted his disappointment and sadness with the manner in which vendors are treated by the City and Riverwalk property owners. He stated that the vendors only want an opportunity to make a living.

Mr. Hal McCloskey, 920 Camden, Riverwalk vendor, thanked Councilmember Hall for his work on the Riverwalk vending matter. He stated that because of the ordinance in place, he technically can't even walk on the Riverwalk sidewalk with his wares.

Mr. Michael John, Riverwalk vendor, stated that the Paseo del Rio supported the amendment that currently permits Riverwalk vending, but now they are opposed to the matter. He claimed that the Paseo del Rio Association has only a discretionary contract; it is not a City entity. He stated that the Paseo del Rio Association has quietly permitted selected vendors to vend outside certain establishments in exchange for rent.

Mr. Allen S. Ellebracht, 4915 Dare Ln., spoke to the recent shooting of an out-of-town off-duty police officer and criticized the conduct of numerous public servants.

Mr. Allen Townsend, 143 Walton, urged City Council to not allow developers to weaken the Tree Preservation Ordinance.

Ms. Amanda Martinez spoke in opposition of privatizing municipal golf courses as it would create a financial hardship for her and fellow high school students, as green fees and equipment rates would likely increase. She related her concern that the Pan American Golf Association, located at Brackenridge Park, might cease to exist if courses are privatized.

Ms. Barbara Witt-Howell, District One Park Advisory Board Representative, stated that following a review, the Park Advisory Board unanimously voted against privatization/outsourcing municipal golf courses. She stated that the courses are important to the health of the community, the fabric of the community and should be maintained by public servants.

Mr. Noe Navarro, representing the Riverside Golf Association, noted the many golfing success stories that hail from the Riverside Golf Course. He stated that the municipal golf courses are for average, blue collar families, and if privatization is permitted this might change. He continued that the municipal courses should continue to be affordable

for San Antonians. He also commented that privatization of the Texas State Health and Human Service Commission did not work, and that should be an example to the City.

Mr. Bobbie Smith stated that the municipal golf courses should not be privatized.

Mr. Larry Bemartino recommended that the City revitalize its golf courses, rather than explore privatization. He stated that the City should not expect the public to invest money into Parks projects, only to have the land leased out to private businesses. He noted that 22 acres of Brackenridge were recently lost for public use when the driving range was privatized. He noted that the City will need to regain public faith before presenting it with another bond issue.

Mr. Buddy Villejo addressed the Council relating to the possible outsourcing of the municipal golf courses. He noted that there has always been a big demand for green space. He added that the golf courses add a needed quality of life to San Antonio. He stated that leasing the courses to a private company is not the best solution. He urged City Council to keep the courses open to everyone.

Mr. Michael Verdi, 827 Magnolia Mist, stated the importance of public access broadcasts to the community. He stated that Time-Warner has stated that they do have a channel available for broadcasting but yet the public access channel remains off the air. He asked the Council to look into this opportunity and the possibility of broadcasting on Digital Channel 20.

Ms. Barbara Johnson, 107 King William, San Antonio Conservation Society, requested that the City prohibit Riverwalk vending through enforcement of the current ordinance. She commented that vendors do not contribute to the Riverwalk experience.

Ms. Marianne Kestenbaum, representing Smart Growth San Antonio, spoke on the Tree Preservation Ordinance recommendations. She stated that public policy reviews are good if conducted with due diligence. She stated that to be effective, the City should evaluate its progress toward achieving a 35 percent tree canopy, which was recommended to the City by the 2003 American Forest Study. She requested alternative construction methods for continued tree growth and requiring examples of successful sampling.

Mr. Bill Lyons, 430 E. Commerce, a Riverwalk business owner, stated that the Riverwalk is a sacred place where people are able to enjoy a peaceful setting. He stated that it does not need to become commercialized by selling trinkets made in China.

Ms. Susan Hughes, 825 E. Guenther, stated that the developers should not control the interests of all citizens with regard to the Tree Preservation Ordinance. She noted the importance of trees to the ecosystem and society.

Mr. Faris Hodge, Jr., 140 Dora, sang Happy Birthday to City Manager Sheryl Sculley. He noted the progress already being made by Police Chief William Paul McManus regarding downtown gang activity, illegal parking, and the Bike Patrol. He noted the need for more police officers. He stated Code Compliance funds should be pulled from the CDBG Fund. He stated the Alamodome should be named in his honor. He also stated that the Library charges too much for printing.

Mr. Nazirite Ruben Flores Perez, 627 Hearne Ave., distributed a San Antonio Express-News article, "Hinduism's Influence on the United States," and discussed Revelations Chapter 17.

Ms. Willishia Mayberry, 218 W. Cypress, stated that she was diagnosed HIV-positive 13 years ago, and that the recommended \$17,000 appropriation to the City's HOPWA program is appreciated but is not enough and must be increased. She stated that the project has tremendously helped her and others.

Ms. Margarita Maldonado, 841 E. Guenther, requested that the current Tree Preservation Ordinance be strengthened.

Mr. Richard Alles, P.O. Box 700066, Citizens Tree Coalition, spoke on the Tree Preservation Ordinance, and noted that new tree planting is not a substitute for tree preservation. He stated that new development techniques alter the land, so new plantings will not result in large trees seen in long developed areas. He requested that the City evaluate the tree canopy development on development projects completed under the current Ordinance since 2003, prior to modifying the Ordinance, as this will provide real data as to the success of the current regulations. He also referenced a recent case which resulted in \$1 million in mitigation fees to the developer, and noted that had the developer simply retained the established percentage of existing canopy, there would have been no need for new landscaping and irrigation.

Mr. Antonio Diaz stated that Citizens to be Heard should be broadcast to inform the public on debates they may not know about. He commented on President Bush's immigration speech. He stated that indigenous peoples continue to be displaced. He also distributed a flyer to promote an international boycott of Kimberly-Clark products due to human rights violations.

Mr. Hugh Henry requested that the City work to resolve the matter of public access broadcasting, so that local productions can again be televised.

Mr. George Rice, 414 E. French, stated he supported the earlier comments of Mr. Richard Alles regarding tree preservation.

Mr. Phil Schulman, 4818 Beverly Mae Dr., stated his support of the current Tree Preservation Ordinance. He noted that City Council members have the difficult task of balancing economic development with the general interests of all citizens. He expressed his hope that the good of all will be placed before anything else, however. He added that the mesquite tree is listed number one in improving air quality.

Ms. Mary Wyznesky stated her desire that all trees be protected under the Tree Preservation Ordinance.

Ms. Judith Infante, 999 E. Basse Rd., spoke in support of the current Tree Preservation Ordinance. She stated that a recent Express-News article reported that the Greater San Antonio Builders Association held an event at Sunset Station to which City Council members were invited in an apparent attempt to lobby on behalf of changes to the Tree Preservation Ordinance. She distributed a list of registered City lobbyists and noted individuals who are obviously lobbying are not on the list. She requested that the City Council direct the City Attorney to investigate the lobbying efforts of unregistered individuals and organizations and return recommendations on possible additions to the list of registered lobbyists, and to evaluate the City's Ethics Code, in order to close loopholes and lobbying rules.

Mr. Tony Wood, 12903 Vidorra Vista, Bexar Audubon Society, offered its support to the Citizens Tree Coalition. He spoke on the negative impact that changes to the existing Tree Preservation Ordinance would have on vegetation, wildlife, environment and the economy.

Mr. Jerry Morrissey, 19631 Encino Way, recommended creation of an Urban Forestry Program in San Antonio. He stated that the City needs a tree canopy preservation requirement. He stated that he would like to outline the Urban Forestry Program to City Council in the future. He also requested that the City not weaken the current Tree Preservation Ordinance.

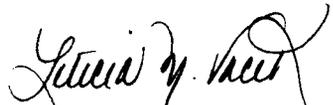
ADJOURNMENT

There being no further business to discuss, Mayor Hardberger adjourned the meeting at 9:20 p.m.

A P P R O V E D


PHIL HARDBERGER
MAYOR

Attest:


LETICIA M. VACEK
CityClerk