

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

A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, WEDNESDAY, NOVEMBER 15, 2006 AND THURSDAY, NOVEMBER 16, 2006

*** * ***

The City Council convened in an informal "B" Session at 3:00 p.m., Wednesday, November 15, 2006, Municipal Plaza Building "B" Room, for the purpose of:

Staff presentation of the new Infrastructure Management Program Policy and proposal for the adoption of a Rolling 5-Year Infrastructure Management Program.

Consideration and discussions regarding each of the following matters, in connection with the 2007 General Obligation Bond Program (Program).

- A. Adoption of criteria for selection of projects to be included in the Program.
- B. Designation of citizens by the Mayor and each Council Member to serve on the Streets & Sidewalks, Drainage, and Parks Community Committees, as part of the Program.
- C. Citizen makeup of the committees to address neighborhood development projects within each City Council District. To include possible designation of citizens to serve on such committees.

The Councilmember's present were: Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, and Mayor Hardberger. ABSENT: None.

The "B" Session adjourned at 5:10 pm.

The San Antonio City Council convened in the Council Chambers, Municipal Plaza Building in a Regular Council Meeting on Thursday, November 16, 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: Flores, McNeil, Gutierrez, Perez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, and Mayor Hardberger.

The Invocation was led by Rev. Bonnie Claycomb, Pastor, St. Andrew Lutheran Church, guest of Councilmember Kevin Wolff, District 9.

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

Councilmember Flores made a motion to approve the minutes of the November 2, 2006 City Council Meeting. Councilmember Radle seconded the motion.

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

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2006-11-16-1298

4. AN ORDINANCE AUTHORIZING THE ISSUANCE, SALE, AND DELIVERY OF CITY OF SAN ANTONIO, TEXAS AIRPORT SYSTEM REVENUE REFUNDING BONDS, SERIES 2006; APPROVING AND AUTHORIZING INSTRUMENTS AND PROCEDURED RELATING THERETO; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT AFFIRMATIVE VOTES.

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

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

The City Clerk read the following Ordinance:

2006-11-16-1299

5. AN ORDINANCE AWARDING \$5,446,187.00 IN FISCAL YEAR 2006-2007 COMMUNITY AND VISITOR FACILITIES FUNDS TO SUPPORT THE OPERATIONS, PROJECTS AND STABILIZATION OF VARIOUS LOCAL ARTS AGENCIES, INCLUDING \$50,000.00 IN HOSTING OBLIGATIONS AND \$80,000.00

IN MARKETING SUPPORT; AWARDING \$273,640.00 IN COMMUNITY AND VISITOR FACILITIES FUNDS, PREVIOUSLY APPROPRIATED IN FISCAL YEAR 2004-2005 AND FISCAL YEAR 2005-2006, FOR VARIOUS NEIGHBORHOOD ARTS PROGRAMS; AND AUTHORIZING THE EXECUTION OF CONTRACTS WITH THE VARIOUS LOCAL ARTS AGENCIES AND NEIGHBORHOOD ORGANIZATIONS.

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

The following citizen(s) appeared to speak:

Ms. Deborah Parish, 165 W. Rampart, spoke to Esperanza. She expressed concern with the amount of money that is given to this organization. She noted that this organization does not include resources that benefit elementary school students.

Mr. Jack M. Finger, P.O. Box 12048, spoke on Item 5 and Item 6. He noted that voters did not receive a tax cut, but the City has \$5 million to give organizations of the arts. He spoke in opposition to giving money to organizations that promote gay/lesbian lifestyles such as Esperanza and Jump Start.

Ms. Cynthia Spielman, 900 W. Woodlawn, asked Council to recognize narratives and oral histories as an art form. She noted that the Esperanza Center promotes cultural history and art forms that embrace culture. She urged Council to continue funding Esperanza.

Ms. Nadine Saliba, 2211 Pebble Crest Circle, spoke on behalf of the Esperanza Center and its vision to build bridges between people by exchanging ideas and educating and empowering individuals. She noted that the Middle East series at the Esperanza helped encourage individuals to learn and understand the culture of the Middle East. She stated that Esperanza should be commended for its ability to represent all that art was intended to be.

Ms. Rita Vidaurri, 922 San Pedro Ave., Esperanza Peace and Justice Center, expressed gratitude for the opportunity the Esperanza Center has given her to express art through singing.

Ms. Amy Kastely, Esperanza Peace and Justice Center, noted the importance of government in nurturing and promoting local arts and cultural activities. She stated that the Esperanza Center offers free and engaging programming that has touched many lives.

A representative from Esperanza Peace and Justice Center noted that the Esperanza Center is thankful for the possible opportunity to receive more funding. He asked that Council take a good look at the policies which will effect funding for the arts this year, especially distribution. Lastly, he urged Council to approve the funding recommendations for the Esperanza Center.

Ms. Gloria Ramirez, Esperanza Peace and Justice Center, stated that the Center has been a part of San Antonio for twenty years. She spoke to the national attention Esperanza is getting regarding cultural arts programs and cultural change. She also spoke to the many influential people who the Esperanza Center has supported.

Mr. Marcisco Mendoza, 3130 Cato Blvd., cited a story which regards anything that is not the truth as counterfeit. He noted that there are certain agencies which should not be given funding for moral reasons.

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

The City Clerk read the following Ordinance:

2006-11-16-1300

6. AN ORDINANCE AUTHORIZING THE EXECUTION OF THE FIRST AMENDED AND RESTATED BASEBALL STADIUM FACILITY LEASE AGREEMENT WITH THE SAN ANTONIO MISSIONS BASEBALL CLUB, INC. FOR AN INITIAL TERM OF TEN YEARS, WITH THREE ADDITIONAL FIVE-YEAR OPTION TERMS, COMMENCING NOVEMBER 26, 2006, AND TERMINATING SEPTEMBER 30, 2016, FOR A TOTAL ESTIMATED VALUE OF \$2,318,946.00 OVER THE INITIAL TERM; AUTHORIZING THE EXECUTION OF THE TERMINATION AGREEMENT TERMINATING THE BASEBALL STADIUM FACILITY CONCESSIONS AGREEMENT WITH DIAMOND CONCESSIONS, INC.; ESTABLISHING A WOLFF STADIUM BUILDING FUND TO DEFRAY COSTS ASSOCIATED WITH CAPITAL REPAIRS; APPROPRIATING AN AMOUNT OF \$300,000.00 IN 2005 CERTIFICATES OF OBLIGATION - ALAMODOME FOR PROJECT COSTS ASSOCIATED WITH RENOVATION OF THE STADIUM FIELD LIGHTING; AND REASSIGNING FOUR POSITIONS FROM NELSON W. WOLFF MUNICIPAL STADIUM TO OTHER CITY DEPARTMENTS; AND DELETING FOUR (4) POSITIONS FROM NELSON W. WOLFF MUNICIPAL STADIUM.

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

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

EXECUTIVE SESSION

Mayor Hardberger recessed the Regular Session at 11:45 a.m. and announced that Council would reconvene at 1:30 p.m. in Executive Session for the purpose of:

A. Deliberations regarding information relating to economic development negotiations pursuant to Texas Government Code Section 551.087 (economic development).

Mayor Hardberger reconvened the Regular Session from Executive Session at 2:20 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.

The City Clerk read the following Ordinance:

2006-11-16-1301

7. AN ORDINANCE CLOSING, VACATING, AND ABANDONING TEEL AND TEBO STREETS, WHICH INTERSECT COMMERCIAL AVENUE, ADJACENT TO NCB 11982, DISTRICT 3, AS REQUESTED BY EL CENTRO DEL BARRIO, INC., THE OTHERWISE APPLICABLE FEE OF \$15,304.00 BEING REDUCED BY 100% UNDER THE CITY'S INCENTIVE SCORECARD.

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

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

CONSENT AGENDA: Items 8-27M

Consent agenda items 17, and 24 were pulled for individual consideration. The remaining items were approved upon motion made by Councilmember Hall and seconded by Councilmember Flores.

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

2006-11-16-1302

8. 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 2006-2007 FOR A COMBINED ESTIMATED COST OF \$1,285,000.00, INCLUDING: EMERGENCY VEHICLE TIRES; BONDING GLASS BEADS; LAWN MAINTENANCE SERVICES FOR POLICE FACILITIES; WINDOW CLEANING SERVICES FOR THE CONVENTION CENTER; POLICE PURSUIT TIRES; AUTOMOTIVE SHOP SUPPLIES; & MEDICAL SUPPLIES.

2006-11-16-1303

9. AN ORDINANCE ACCEPTING THE PROPOSAL OF AND RATIFYING A CONTRACT WITH SOUTHWEST SOUND AND ELECTRONICS, INC. FOR THE EMERGENCY REPLACEMENT OF THE ALAMODOME DIGITAL SIGNAL PROCESSOR SYSTEM FOR A TOTAL COST OF \$54,670.00, FROM THE 2004 NCAA STATE SALES TAX REFUND.

2006-11-16-1304

10. AN ORDINANCE ACCEPTING THE OFFER FROM WHEELED COACH INDUSTRIES, INC., UTILIZING THE TEXAS BUYBOARD CONTRACT, TO PROVIDE FOURTEEN TYPE I AMBULANCES FOR THE FIRE DEPARTMENT FOR A TOTAL COST OF \$1,273,918.00, FROM THE EQUIPMENT RENEWAL & REPLACEMENT FUND AND THE EMERGENCY AMBULANCE SERVICE FUND.

2006-11-16-1305

11. AN ORDINANCE ACCEPTING THE BID FROM SUPER TRAP, INC. TO PROVIDE THE POLICE DEPARTMENT WITH A BULLET TRAP SYSTEM FOR A COST OF \$372,740.00, FROM PREVIOUSLY ISSUED CERTIFICATES OF OBLIGATION AND THE ASSET SEIZURE FUND.

2006-11-16-1306

12. AN ORDINANCE APPROVING A TOTAL ESTIMATED CONSTRUCTION PROJECT COST OF \$2,710,000.00, AND AWARDING A CONSTRUCTION

CONTRACT IN THE AMOUNT OF \$2,339,958.40 TO JERDON ENTERPRISES, L.P., TO PROVIDE CONSTRUCTION SERVICES FOR THE EXTENSION OF TAXIWAY ROMEO AT SAN ANTONIO INTERNATIONAL AIRPORT; AN AUTHORIZED AVIATION FUNDED PROJECT IN DISTRICT 9; AND APPROPRIATING FUNDS.

2006-11-16-1307

13. AN ORDINANCE AUTHORIZING THE CITY, IN CONSIDERATION OF \$5,000, TO GRANT WATER AND SANITARY SEWER EASEMENTS, COUPLED WITH TEMPORARY CONSTRUCTION EASEMENTS, TO LAR-DEL, LTD. IN THE VILLAGE SUBDIVISION, UNIT 10, NEAR CULEBRA AND TEZEL, SAN ANTONIO, TEXAS, DISTRICT 6.

2006-11-16-1308

14. AN ORDINANCE AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH DAL GLOBAL SERVICES, L.L.C. FOR 1,920 SQUARE FEET OF CARGO SPACE IN THE AIR CARGO BUILDING WEST, BAY 10 AT SAN ANTONIO INTERNATIONAL AIRPORT, FOR A TERM OF TWENTY-THREE (23) MONTHS FOR AN ANNUAL RENTAL OF \$14,253.12.

2006-11-16-1309

15. AN ORDINANCE APPROVING THE ACCEPTANCE OF A REIMBURSEMENT GRANT IN AN AMOUNT NOT TO EXCEED \$250,000.00 FROM THE TRANSPORTATION SECURITY ADMINISTRATION FOR REIMBURSEMENT OF EXPENSES RESULTING FROM PARTICIPATION IN THE TSA EXPLOSIVES DETECTION CANINE TEAM PROGRAM AT SAN ANTONIO INTERNATIONAL AIRPORT DURING FISCAL YEAR 2007; APPROPRIATING FUNDS AND ESTABLISHING A BUDGET.

2006-11-16-1310

16. AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE TEXAS COMMISSION ON THE ARTS IN THE AMOUNT OF \$34,127.00 TO SUPPORT THE PROJECTS OF THREE LOCAL ARTS AGENCIES; AND AUTHORIZING THE EXECUTION OF CONTRACTS WITH THESE AGENCIES.

2006-11-16-1311

18. AN ORDINANCE AUTHORIZING A SETTLEMENT IN THE LAWSUIT STYLED MARTIN WRIGHT ELECTRIC CO. V. SANDOVAL PLUMBING REPAIR,

INC., FIRST SEALORD SURETY, INC. AND CITY OF SAN ANTONIO, CAUSE NO. 2004-CI-16706, IN THE AMOUNT OF \$343,500.00.

2006-11-16-1312

19. AN ORDINANCE AUTHORIZING A SETTLEMENT IN THE LAWSUIT STYLED HONEYWELL INTERNATIONAL V. CLARK CONSTRUCTION GROUP, INC. D/B/A CLARK CONTRACTORS, INC., JT CONSTRUCTION CO., INC. AND CLARK/J.T. CONSTRUCTION, A JOINT VENTURE AND CITY OF SAN ANTONIO, THIRD-PARTY DEFENDANT, CAUSE NO. SA-06-CV-0125-XR, IN THE AMOUNT OF \$3,100,000.00.

2006-11-16-1313

20. AN ORDINANCE AUTHORIZING PAYMENT OF BOND COUNSEL FEES IN THE AMOUNT OF \$43,320.87 TO WINSTEAD, SECHREST & MINICK AND \$11,100 TO THE LAW OFFICES OF WILLIAM T. AVILA FOR PRIOR WORK ASSOCIATED WITH THE POSSIBLE ISSUANCE OF PENSION OBLIGATION BONDS.

2006-11-16-1314

21. AN ORDINANCE RATIFYING THE SUBMISSION OF A CALENDAR YEAR (CY) 2007 COMMUNITY SERVICES BLOCK GRANT (CSBG) PERFORMANCE STATEMENT, BUDGET AND PERSONNEL COMPLEMENT TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA); AUTHORIZING THE ACCEPTANCE OF AN AMOUNT UP TO \$1,861,229.00 SUBJECT TO AWARD OF THE GRANT BY TDHCA; APPROVING THE CY 2007 CSBG BUDGET AND PERSONNEL COMPLEMENT; AUTHORIZING THE EXECUTION OF ANY DOCUMENTS REQUIRED IN CONNECTION WITH THE GRANT AWARD; AUTHORIZING THE EXECUTION OF A CONTRACT, CONTINGENT UPON FUNDING, WITH THE GUADALUPE COMMUNITY CENTER IN AN AMOUNT UP TO \$15,000.00, FOR THE PROVISION OF SERVICES IN CONNECTION WITH THE CSBG CY 2007 PROGRAM.

2006-11-16-1315

22. AN ORDINANCE AUTHORIZING THE EXECUTION OF A DELEGATE AGENCY CONTRACT IN THE AMOUNT OF \$100,000.00 WITH THE SOCIAL AND HEALTH RESEARCH CENTER TO CONDUCT A PROGRAM FOR THE PREVENTION AND STUDY OF CHILDHOOD DIABETES THROUGH THE BIENESTAR PROGRAM FOR THE PERIOD OCTOBER 1, 2006 THROUGH SEPTEMBER 30, 2007.

2006-11-16-1316

23. AN ORDINANCE ADOPTING THE 2006 TAX INCREMENT FINANCING PROGRAM POLICY AND IMPLEMENTATION MANUAL ("2006 TIF MANUAL").

2006-11-16-1317

25. AN ORDINANCE AUTHORIZING THE PURCHASE OF MEDICAL PROFESSIONAL LIABILITY INSURANCE FOR THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FROM NATIONAL FIRE & MARINE INSURANCE COMPANY, THROUGH MCGRUFF, SEIBELS & WILLIAMS OF TEXAS, INC., THE CITY'S BROKER OF RECORD, FOR A ONE YEAR PERIOD BEGINNING NOVEMBER 22, 2006 AT A COST OF \$117,013.00, FROM THE LIABILITY SELF-INSURANCE FUND.

2006-10-12-1197

26. SECOND AND FINAL READING OF AN ORDINANCE PROVIDING FOR THE EXTENSION OF THE SAN ANTONIO CITY LIMITS BY THE FULL PURPOSE VOLUNTARY ANNEXATION OF APPROXIMATELY 38 ACRES OF LAND KNOWN AS THE CULEBRA/LOOP 1604 AREA AND APPROVING A SERVICE PLAN FOR SUCH AREA.

BOARD APPOINTMENTS: ITEMS 27A-27M

27. Consideration of At-Large and District Board, Commission and Committee Appointments:

A. Appointing Paul Vance to the Advisory Board of Health of the Metropolitan Health District (Category: San Antonio Restaurant Association) for a term of office to commence January 1, 2007 and to expire December 31, 2008 and waiving the interview requirements of the City Code, Chapter 2, Article IX, Section 2-528 for this appointment.

B. Reappointing Peter Vallone to the Board of Adjustment (Category: Alternate Member) for the remainder of an unexpired term of office to expire February 22, 2008 and waiving the interview requirements of the City Code, Chapter 2, Article IX, Section 2-528 for this appointment.

C. Appointing Randolph Edward Murdock to the Watershed Improvement Advisory Committee for the remainder of an unexpired term of office to expire April 1, 2008 and

waiving the interview requirements of the City Code, Chapter 2, Article IX, Section 2-528 for this appointment.

D. Reappointing Orline Kolm to the Noise Abatement Advisory Committee (Category: Neighborhood Association) for the remainder of an unexpired term of office to expire October 11, 2008 and waiving the interview requirements of the City Code, Chapter 2, Article IX, Section 2-528 for this appointment.

E. An Ordinance reappointing Charles Messina (Childhood Education), and appointing Andria Macias Castillo (Category: Childhood Education), Hilda Salas (Category: Childhood Education), Dr. Martha Medrano (Category: Medical) and Karen Dlugos (Category: Business) to the Head Start Policy Commission for the remainder of unexpired terms of office to expire on November 1, 2007 and waiving the interview requirements of the City Code, Chapter 2, Article IX, Section 2-528 for these appointments.

F. Appointing Ray Halani to the River Walk Capital Improvements Advisory Board (Category: Business Owner/Not a Riverwalk Lessee) for a term of office to expire on May 31, 2007 and waiving the interview requirements of the City Code, Chapter 2, Article IX, Section 2-528 for this appointment.

G. Reappointing Susan M. Wright (District 2) to the Capital Improvements Advisory Committee (Category: Real Estate/Building Industry) for the remainder of an unexpired term of office to expire October 25, 2008.

H. Appointing Andre Garabedian (District 2) to the Building and Fire Code Board of Appeals (Category: Structural Engineer) for the remainder of an unexpired term of office to expire July 31, 2008.

I. Reappointing Jelynn LeBlanc Burley (District 10) to the Brooks Development Authority (Category: City Manager's Designee) for the remainder of an unexpired term of office to expire October 7, 2007.

J. Reappointing Lloyd "Bud" Little (District 10) to the Keep San Antonio Beautiful, Inc. for the remainder of an unexpired term of office to expire October 12, 2007.

K. Appointing Michael "Alex" Nava (District 10) to the Port Authority of San Antonio for the remainder of an unexpired term of office to expire November 3, 2007.

L. Appointing Gerardo Hernandez (District 6) and Lucio Cantu (District 8) to the San Antonio Local Development Corporation d/b/a South Texas Business Fund (Category:

Trustee) for the remainder of unexpired terms of office to expire May 9, 2008 and May 9, 2009, respectively.

M. Appointing Rosemary Perez (District 6) to the San Antonio Commission on Literacy for a term to expire on May 31, 2007.

END OF CONSENT AGENDA

BOARDS, COMMISSION AND COMMITTEE APPOINTMENTS FOR INDIVIDUAL CONSIDERATION.

28. Consideration of At-Large Board, Commission and Committee Appointments:

A. VIA Metropolitan Transit Authority

Nominees - 3 slots (no categories)
Oliver Hill (seeking reappointment)
Joe F. Garcia (seeking reappointment)
Heriberto Herrera (seeking reappointment)
Christopher Martinez
Tom DeBrooke
Ruby Perez
Mitch Meyer

Terms of office are to commence January 1, 2007 and expire on December 31, 2008.

Councilmember Perez made a motion to appoint Oliver Hill, Heriberto Herrera and Ruby Perez. Councilmember McNeil seconded the motion.

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

B. Historic and Design Review Commission

Nominees - 1 slot (Categories: Business)

Edward L. Gonzalez

David Thomas, III

Term of office is for the remainder of an unexpired term of office to expire October 31, 2008.

Councilmember Radle made a motion to appoint Edward Gonzalez. Councilmember Hall seconded the motion.

The motion prevailed by the following vote: **AYES:** Flores, McNeil, Gutierrez, Radle, Herrera, Guajardo, Hall, Wolff, Haass, and Mayor Hardberger. **NAYS:** None. **ABSENT:** None. **ABSTAIN:** Perez.

C. Joint City/County Citizens Bond Oversight Commission
Nominees – 10 slots (no categories)

Walter Ague (seeking reappointment)
Maxine Salais (seeking reappointment)
Brenda V. Johnson (seeking reappointment)
Allen Townsend (seeking reappointment)
J. Chris Corso (seeking reappointment)
Robert Terrell McCombs
Jerry Fuentes
Albert Carrisalez
Andrew Blouet
Pablo Rubio
Bennie Cole

Terms are for the remainder of unexpired terms of office to expire on September 30, 2007.

Councilmember Wolff made a motion to add nominee David Villyard. Councilmember Haass seconded the motion.

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

Councilmember Perez made a motion to appoint Walter Ague, Maxine Salais, Brenda Johnson, Robert Terrell McCombs, Jerry Fuentes, Albert Carrisalez, J. Chris Corso, Pablo Rubio, Benny Cole, and David Villyard. Councilmember Wolff seconded the motion.

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

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2006-11-16-1319

24. AN ORDINANCE AUTHORIZING THE RENEWAL OF A CONTRACT WITH HAY GROUP, INC. TO PROVIDE BENEFITS CONSULTING SERVICES FOR A COST \$250,000.00 FOR A ONE-YEAR PERIOD BEGINNING JANUARY 1, 2007, FROM THE EMPLOYEE BENEFITS SELF-INSURANCE FUND.

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

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

The City Clerk read the following Ordinance:

2006-11-16-1320

17. AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A \$235,000.00 ALLOCATION FROM THE BEXAR METRO 911 NETWORK DISTRICT FOR FISCAL YEAR 2006-2007 FOR FUNDING OF FIVE SAN ANTONIO POLICE DEPARTMENT CALL TAKER POSITIONS.

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

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

City Manager's Report

City Manager Sheryl Sculley spoke to the automated trash system which was implemented on October 23, 2006. She noted that eight of the 27 routes scheduled for 2007 have already been implemented. She added that recycling has increased by 300 percent in the implemented areas and that the remaining 19 routes will be added by March of 2007.

POINT OF PERSONAL PRIVILEGE

Councilmember Herrera requested a point of personal privilege to recognize Robert Mendez who was shadowing her for the last three days to observe the workings of City Government.

MASTER PLAN AND ZONING CASES

Items P-1 and Z-1 were addressed jointly.

P-1. PLAN AMENDMENT #06011 (District 1): An Ordinance amending the Land Use Plan contained in the North Central Neighborhoods Community Plan, a component of the Master Plan of the City, by changing the use of approximately 0.51 acres of land located at 3910 McCullough from Neighborhood Commercial land use to Community Commercial land use. Staff and Planning Commission recommend Denial.

Z-1. ZONING CASE #Z2006136 (District 1): An Ordinance changing the zoning district boundary from "MF-33" Multi-Family District and "R-4" Residential Single-Family District to "C-2" Commercial District on the East 80.4 feet of Lot 42, Block 9, NCB 2802, the 200 Block of East Hildebrand Avenue as requested by Olmos Park Village, L. P. c/o Steward Capital Ventures, LLC, General Partner, Applicant, for Olmos Park Village, L. P. c/o Steward Capital Ventures, LLC, General Partner, Owner. Staff recommends Denial, with a recommendation of "C-1" Light Commercial District. Zoning Commission recommends Approval.

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

Councilmember Flores made a motion to postpone Items P-1 and Z-1 to January 4, 2007. Councilmember Hall seconded the motion.

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

Items Z-2, Z-3, Z-4, Z-6, and Z-7 addressed jointly.

Z-2. ZONING CASE # Z2006276 CD (District 1): An Ordinance changing the zoning district boundary from "R-5 H" Residential Single-Family Historic District to "R-5 H" (CD-Dwelling, Four-Family) Residential Single-Family Historic District with a Conditional Use for a Four-Family Dwelling with density not exceeding 60 units per acre for a maximum of 4 units on the East 18 Feet of the South 112.58 Feet of Lot 45 and the West 40 Feet of the South 112.58 Feet of Lot 46, Block 2, NCB 6327, 305 E. Kings

Highway as requested by Michael J. Hennessey, Applicant, for Michael J. Hennessey and Ofer Nisman, Owners. Staff recommends Approval.

2006-11-16-1321

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 18 FEET OF THE SOUTH 112.58 FEET OF LOT 45 AND THE WEST 40 FEET OF THE SOUTH 112.58 FEET OF LOT 46, BLOCK 2, NCB 6327 FROM "R-5 H" RESIDENTIAL SINGLE-FAMILY HISTORIC DISTRICT TO "R-5 H" (CD-DWELLING, FOUR-FAMILY) RESIDENTIAL SINGLE-FAMILY HISTORIC DISTRICT WITH A CONDITIONAL USE FOR A FOUR-FAMILY DWELLING.

Z-3. ZONING CASE #Z2006267 CD (District 5): An Ordinance changing the zoning district boundary from "R-4" Residential Single-Family District to "C-2" (CD - Funeral Home) Commercial District with a Conditional Use for a Funeral Home on Lots 15, 16, 17, 24A, 25A, 26A, 27A and 28A, Block B, NCB 2436; 214, 216, 217, 218, 220, and 222 Elvira Street and 1602, 1606, and 1614 El Paso Street as requested by Phil Garay, Applicant, for Julian Zamarippa, Owner. Staff and Zoning Commission recommend Approval.

2006-11-16-1322

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 15, 16, 17, 24A, 25A, 26A, 27A AND 28A, BLOCK B, NCB 2436 FROM "R-4" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-3" GENERAL COMMERCIAL DISTRICT.

Z-4. ZONING CASE #Z2006277 (District 5): An Ordinance changing the zoning district boundary from "RM-4" Residential Mixed District to "C-1" Light Commercial District on the North 305.2 feet of Lot 2, Block 4, NCB 6778, 1351 Thompson, as requested by Fernando and Leonor Contreras, Applicants, for Fernando and Leonor Contreras, Owners. Staff and Zoning Commission recommend Approval.

2006-11-16-1323

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY

CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS THE NORTH 305.2 FEET OF LOT 2, BLOCK 4, NCB 6778 FROM "RM-4" RESIDENTIAL MIXED DISTRICT TO "C-1" LIGHT COMMERCIAL DISTRICT.

Z-6. ZONING CASE # Z2006228 (District 6): An Ordinance changing the zoning district boundary to "C-3" General Commercial District on 37.58 acres out of County Block 4414 and County Block 4415, Intersection of Culebra Road and Westwood Loop as requested by Kaufman and Associates, Applicant, for W2005 CRM Real Estate Limited Partnership, Owners. Staff and Zoning Commission recommend Approval.

2006-11-16-1324

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 37.58 ACRES OUT OF COUNTY BLOCK 4414 AND COUNTY BLOCK 4415 FROM PROPERTY LOCATED OUTSIDE CITY LIMITS TO "C-3" GENERAL COMMERCIAL DISTRICT.

Z-7. ZONING CASE #Z2006284 CD (District 6): An Ordinance changing the zoning district boundary from "MF-25" Multi Family District to "C-2" (CD- Recreational Vehicle Park) Commercial District with Conditional Use for a Recreational Vehicle Park on 1.155 acres out of NCB 34392F, 1120 W. Loop 1604 North as requested by Coyle Engineering, Inc. (Robert D. Leonhard, P.E.), Applicant, for Diversified Investment Companies, Owner. Staff and Zoning Commission recommend Approval.

2006-11-16-1325

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 1.155 ACRES OUT OF NCB 34392F FROM "MF-25" MULTI FAMILY DISTRICT TO "C-2" (CD- RECREATIONAL VEHICLE PARK) COMMERCIAL DISTRICT WITH CONDITIONAL USE FOR A RECREATIONAL VEHICLE PARK PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

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

Councilmember Radle made a motion to approve the proposed rezoning case. Councilmember Flores seconded the motion.

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

Z-5. ZONING CASE #Z2006033 (District 6): An Ordinance changing the zoning district boundary from "I-1" General Industrial District to "R-5" Residential Single-Family District on 31.66 acres out of NCB 16115, 1800 Grandstand Drive as requested by Perry Homes, A Joint Venture, Applicant, for State of Texas: General Land Office, Owner(s). Staff and Zoning Commission recommend Approval.

Mr. John Jacks, Senior Planner, Development Services Department, explained that the proposed rezoning case was postponed by the applicant.

Z-8. ZONING CASE #Z2006253 (District 8): An Ordinance changing the zoning district boundary from "O-2" ERZD Office Edwards Recharge Zone District to "RM-4" ERZD Residential Mixed Edwards Recharge Zone District at P-32, P-32A and P-33C, NCB 15841, 13105 Babcock Road as requested by Elaine Ballard, Applicant, for Elaine Ballard, Owner. 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 continue the proposed rezoning case to November 30, 2006. Councilmember Perez seconded the motion.

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

Items Z-9 and Z-10 were addressed jointly.

Z-9. ZONING CASE # Z2006268 (District 8): An Ordinance changing the zoning district boundary from "MF-33" Multi-Family District to "C-2" Commercial District on 0.7633 acre out of NCB 14697, 5100 Block of USAA Boulevard, as requested by Retina Associates of South Texas, P. A. (Attn: Timothy P. Cleland, M. D.), Applicant, for Retina Associates of South Texas, P. A. (Attn: Timothy P. Cleland, M.D.), Owners. Staff and Zoning Commission recommend Approval.

2006-11-16-1326

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS 0.7633 ACRES OUT OF NCB 14697 FROM "MF-33" MULTI-FAMILY DISTRICT TO "C-2" COMMERCIAL DISTRICT.

Z-10. ZONING CASE # Z2006275 (District 8): An Ordinance changing the zoning district boundary from "C-2" Commercial District and "C-1" Light Commercial District to "C-3" General Commercial District on 4.562 acres out of Lot 46, NCB 12830, 4400 Block of Ewing Halsell as requested by Kaufman & Associates, Inc., Applicant, for Koontz/McCombs, Owners. Staff and Zoning Commission recommend Approval.

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

Councilmember Flores made a motion to approve items Z-9 and Z-10 the proposed rezoning case. Councilmember Perez seconded the motion.

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

2006-11-16-1327

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 4.562 ACRES OUT OF LOT 46, NCB 12830 FROM "C-2" COMMERCIAL DISTRICT AND "C-1" LIGHT COMMERCIAL DISTRICT TO "C-3" GENERAL COMMERCIAL DISTRICT.

Items Z-11 and Z-12 were addressed jointly.

Z-11. ZONING CASE #Z2006279 (District 8): An Ordinance changing the zoning district boundary from PUD "R-4" Planned Unit Development Residential Single-Family District and PUD "R-6" Planned Unit Development Residential Single-Family District to "C-2" Commercial District on 19.86 acres out of NCB 11671, 12400 NW Military Highway, as requested by Wurzbach/NW Military Partners, Ltd., Applicant, for Voelcker Investment Group, Ltd., Owner. Staff recommends Approval. Zoning Commission pending November 7, 2006

2006-11-16-1328

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 19.86 ACRES OUT OF NCB 11671 FROM PUD "R-4" PLANNED UNIT DEVELOPMENT RESIDENTIAL SINGLE-FAMILY DISTRICT AND PUD "R-6" PLANNED UNIT DEVELOPMENT RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-2" COMMERCIAL DISTRICT.

Z-12. ZONING CASE # Z2006278 (District 8): An Ordinance changing the zoning district boundary from "MF-33" Multi-Family District to PUD "MF-25" Planned Unit Development Multi-Family District on 24.57 acres out of NCB 11671, 12400 NW Military Highway as requested by KB Home, Applicant, for Voelcker Investment Group, Ltd., Owners. Staff recommends Approval. Zoning Commission pending November 7, 2006.

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

Councilmember Hall made a motion to approve items Z-11 and Z-12. Councilmember Perez seconded the motion.

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

2006-11-16-1329

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 24.57 ACRES OUT OF NCB 11671 FROM "MF-33" MULTI-FAMILY DISTRICT TO PUD "MF-25" PLANNED UNIT DEVELOPMENT MULTI-FAMILY DISTRICT.

Z-13. ZONING CASE # Z2006251 (District 9): An Ordinance changing the zoning district boundary from "R-6" ERZD Single-Family Residential Edwards Recharge Zone District to PUD "R-6" ERZD Planned Unit Development Single-Family Residential Edwards Recharge Zone District at Block P-24, NCB 16334, 19500 Block of Blanco Road as requested by Brown P.C., Applicant, for Reitmeyer Investments, Owners. 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 prevailed by the following vote: **AYES:** Flores, Perez, Herrera, Hall, Wolff, Haass, and Mayor Hardberger. **NAYS:** Radle. **ABSENT:** McNeil, Gutierrez, and Guajardo.

2006-11-16-1330

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 BLOCK P-24, NCB 16334 FROM "R-6 ERZD" SINGLE-FAMILY RESIDENTIAL EDWARDS RECHARGE ZONE DISTRICT TO PUD "R-6 ERZD" PLANNED UNIT DEVELOPMENT SINGLE-FAMILY RESIDENTIAL EDWARDS RECHARGE ZONE DISTRICT.

Z-14. ZONING CASE #Z2005289 (Districts 9 and 10): An Ordinance changing the zoning district boundary from "R-6 ERZD" Edwards Recharge Zone Residential Single-Family District to "C-2 ERZD" Commercial Edwards Recharge Zone District on 13.194 acres, "O-2 ERZD" Office Edwards Recharge Zone District on 13.689 acres and "O-1 ERZD" Office Edwards Recharge Zone District on 2.74 acres all on 29.83 acres out of NCB 17727, 3500 Block to the 3600 Block of North Loop 1604 East as requested by Earl & Associates, Applicant, for The Sitterle Corporation, Owner. 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 continue the proposed rezoning case for two weeks. Councilmember Perez seconded the motion.

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

Z-15. ZONING CASE # Z2006269 (District 10): An Ordinance changing the zoning district boundary from "R-5" Residential Single-Family District to "C-2" Commercial District on .300 acres out of Lot 13, Block 3, NCB 18890, 3818 S. Quiet Meadow Drive as requested by Jason Du Terroil, Applicant for Jerry and Patricia Du Terroil, Owners. Staff and Zoning Commission recommend Approval.

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

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

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

2006-11-16-1331

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 .300 ACRES OUT OF LOT 13, BLOCK 3, NCB 18890 FROM "R-5" RESIDENTIAL SINGLE-FAMILY DISTRICT TO "C-2" COMMERCIAL DISTRICT.

CEREMONIAL ITEMS

Mayor Hardberger presented the following honorariums:

The winners of the 31st Annual Christmas Card Art contest were recognized and their winning artwork displayed. The contest was sponsored by the San Antonio Parks and Recreation Department, San Antonio Express-News, Alameda Theater and Benavides Framing. The contest was open to all students in grades 4-12, who are enrolled in a public, parochial, private or home school that has a San Antonio physical mailing address. The winning artwork will be used as the Official Christmas Card for the City of San Antonio for 2006. The cards will be available for sale at the City Store.

CITIZENS TO BE HEARD

Mr. Michael John, 238 Tansyl Dr., Riverwalk vendor, spoke about the proposed Riverwalk Vendor lottery system for the sites identified. He noted the potential controversies involving a lotto system. He then cited an article that supported Riverwalk Vendors.

Ms. Jean Brady, 230 E. Rosewood, Library Board of Trustees, spoke to the 2006 Service Award given to the San Antonio Public Library System by the Institute of Museum and Library Services. She noted that only three Libraries in the United States received the award. She spoke to the many programs that the Library provides to increase learning and reading in the community.

Mr. Glen Allan Graham, 6900 N. Vandiver, spoke to the Main Plaza Development, noting that many people are concerned with the street closures associated with the project.

Mr. Nazarite Ruben Flores Perez spoke about an Apache tribe member. He noted that fishing and hunting laws prevent the Apache from using Eagle's feathers for their head dress. He also spoke to issues concerning the antichrist.

Mr. Faris Hodge, Jr., 140 Dora, provided handouts to the Council. He spoke to nepotism within the City regarding board members. He noted that a Councilmember's spouse was appointed to one of the City boards. He also spoke to Councilmember Flores parking illegally for 20 years and stated that a complaint will be filed. He then stated that Councilmember Wolff was opposed to Section 8 Housing on Loop 1604. He noted that discrimination was taking place with 3-1-1 operators who only get 1 day off for a holiday while Fire/Police get 2 days off.

Mr. Mark Perez, 119 Hardeman, spoke to environmental issues concerning Mission Petroleum. He noted that the facility requires an industrial inspection to be conducted by the City.

Mr. Dennis Martinez, 600 Soledad, spoke to the award presented to the San Antonio Library. He praised the Library Staff for their dedicated work especially with customer service. He spoke to two programs that were recognized with the award for encouraging education and reading in the community. Lastly, he thanked the Mayor and Council for their continued support.

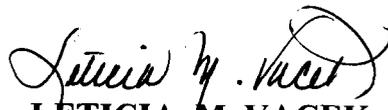
ADJOURNMENT

There being no further business to discuss, Mayor Hardberger adjourned the meeting at 6:30 p.m.

A P P R O V E D


PHIL HARDBERGER
MAYOR

Attest:


LETICIA M. VACEK
City Clerk