
The San Antonio City Council convened in a Budget Work Session at 3:00 pm, Wednesday, August 29, 2007, in the B Room with the following Councilmembers present: Cisneros, McNeil, Gutierrez, Cortez, Galvan, Herrera, Rodriguez, Cibrian, Wolff, Clamp, and Mayor Hardberger.

PRESENTATION ON THE FY 2008 PROPOSED BUDGET FOCUSING ON ENHANCEMENTS TO IDENTIFIED CITY COUNCIL PRIORITIES INCLUDING, BUT NOT LIMITED TO, THE FOLLOWING:

A. YOUTH SERVICES
B. PARKS AND RECREATION
C. LIBRARY
D. DOWNTOWN ECONOMIC DEVELOPMENT AND OPERATIONS

Ms. Sculley gave an update on the Budget Public Hearings as well as the scheduled Tax Rate Hearings. She noted that the adoption of the budget would take place September 13, 2007.

Mr. Dennis Campa, Director of Community Initiatives, presented the Annual Youth Enrichment Programs. He stated that the Youth Enrichment Programs are administered by the Parks and Recreation Department and through agency contracts monitored by the Department of Community Initiatives. Mr. Campa noted that the Summer Programs provide educational and recreational programs in a safe environment to approximately 8,000 youth participants.

Mr. Malcolm Matthews presented an overview of the Parks and Recreation Operations. He stated that the Recreation Services provide for the following: Youth Programs, Senior Programs, Athletics/Aquatics, Community Centers, Cultural, Dance, Art Programs, and Therapeutic Recreation. Mr. Matthews stated that in addition to Recreation Services, they provide Park Operations, Creekway Programs, Volunteer/Restitution Programs, Contract Administration, and Park Police. He described Program Enhancements with a 5-year Park Maintenance and Renovation Program, Parks and Pool Maintenance, Maintenance Contracts, and Management Program Redirection. Program redirections include the Fitness/Wellness Program, in which funds are redirected from 15 vacant positions to establish morning hours of operation for five community centers. The centers offer wellness and fitness programs to adults and seniors.

Mr. Ramiro Salazar presented the San Antonio Public Library FY 2008 Budget Proposal. He noted recent enhancements of the following: Self-Check Out, Live Homework Help On-Line (English and Spanish), Ask a Librarian On-Line, Wi-Fi Hot Spots, Telephone Notification Renewal, New Bookmobile, Automated PC Reservation System, Computer Upgrades System-Wide, Receipt Printers, and E-Commerce. Mr. Salazar stated that a Library Staffing Study was conducted to objectively determine staffing levels and efficiently allocate employees to provide services and improve security.
Mr. Salazar stated that the Staffing Study identified 12 Branch Libraries which fall below the minimum staffing level and noted staff in the Library System was underutilized. Lastly, he identified actions taken for the following: Implement minimum staffing standards; three year phase-in staffing plan, and Implement uniform service hours among branch libraries.

Ms. Paula Stallcup presented the Downtown Operations FY 2008 Budget Proposal. She stated that the areas managed are as follows: Downtown Street and Sidewalk Maintenance, Riverwalk Maintenance, Alamo Plaza Park, Milam Park, HemisFair Park, Travis Park, Municipal Parking Facilities, Parking Enforcement, Cultural Facilities include La Villita, Market Square, and the Spanish Governor’s Palace. Ms. Stallcup identified Program Enhancements in Downtown Maintenance for staffing, landscaping, cleaning and chemical treatment of water and infrastructure. She also stated that Turf Mowing will be increased and a vendor contract for 30 acres of lawn maintenance turf mowing allowing landscape crews to focus on manicured maintenance. Ms. Stallcup gave background information on the Parking Fund noting that it was established in 1979 and accounts for revenue from Parking Structures, Parking Lots, Meters, Debt Services, and Parking Enforcement. Lastly, she stated that a comprehensive study was currently underway and is scheduled to be completed in October, 2007.

There being no further discussion, Mayor Hardberger adjourned the Budget Work Session at 4:53 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, August 30, 2007 at 9:00 am in the City Council Chambers.

The Invocation was delivered by Fr. Frank Kurzaj, Pastor, St Paul’s Catholic Church, Guest of Councilmember Justin Rodriguez, District 7.

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

City Clerk, Leticia M. Vacek, took the Roll Call and noted a quorum of the Council with the following present: Cisneros, McNeil, Gutierrez, Cortez, Galvan, Herrera, Rodriguez, Cibrian, Wolff, Clamp, and Mayor Hardberger.

MINUTES

Councilmember Cortez made a motion to approve the Minutes of the August 2, 2007 Regular City Council Meeting. Councilmember Cibrian seconded the motion.

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

The City Clerk read the following Ordinance:

2007-08-30-0894

Item 4. AN ORDINANCE CLOSING, VACATING AND ABANDONING LAVAYS DRIVE ADJACENT TO NCB 11688, DISTRICT 1, AS REQUESTED BY JDS 1550 HOLDINGS, LP FOR A FEE OF $45,036.00.
Councilmember Cisneros moved to adopt the proposed Ordinance. Councilmember Gutierrez seconded the motion.

Mr. Oscar Serrano, Senior Real Estate Manager presented the Proposed Closure of Improved Lavays Drive Public Right of Way (ROW). He noted that the petitioner requested the closure, vacation and abandonment of .472 acres (20,539 sf.) of improved Lavays Drive Public ROW, in Council District 1. Mr. Serrano stated that the petitioner would like to incorporate the ROW with its property for development of an apartment complex. He noted that the Planning Commission and City Staff recommended approval.

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

The City Clerk read the following Resolution:

2007-08-30-0004R

Item 5. A RESOLUTION APPROVING THE ISSUANCE OF REVENUE BONDS, IN AN AMOUNT UP TO $7,950,000.00, BY THE AMES HIGHER EDUCATION FACILITIES CORPORATION TO REFINANCE THE CAMPUS OF WAYLAND BAPTIST UNIVERSITY IN SAN ANTONIO.

Councilmember Cibrian moved to adopt the proposed Resolution. Councilmember Clamp seconded the motion.

Mr. Robert Peche, Director of Economic Development briefed the Council on the issuance of tax-exempt bonds by the Ames Higher Education Facilities Corporation to help fund improvements at Wayland Baptist University in San Antonio and Amarillo Texas. He stated that the Ames (Texas) Higher Education Facilities Corporation intends to issue up to $7,950,000.00 in tax exempt bonds to Wayland Baptist University.

Mr. Jack M. Finger addressed the Council and stated that he did not agree with the university having to seek approval to make improvements noting that they should be able to act on their own. Mr. Finger referenced the issuance of $7.9 million and noted that $7 million would stay in San Antonio, and $1 million was going to Amarillo. He stated that the City of San Antonio should not approve monies that are going to Amarillo.

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

CONSENT AGENDA: Items 6-35H

Consent Agenda Items 22, 24 and 25 were pulled for Individual Consideration. Councilmember McNeil moved to approve the remaining Consent Agenda Items. Councilmember Cortez seconded the motion.

Mr. Jack M. Finger referenced Item 6K stating that $143,000 would be spent on internet tutoring services at the Public Library. He mentioned that children received training at school, and the City should not duplicate services. Mr. Finger referenced Item 16 whereby a sidewalk construction project with SAWS earmarks money from the 1999 General Obligation Street Improvement Funds. Mr. Finger questioned the eight years it took to start the sidewalk construction project. Mr. Finger spoke on Item
26, and noted that a San Antonio Police Officer shot an innocent citizen and now the city would pay $80,000.00 to the person who was shot. Mr. Finger asked if the Police Officer was reprimanded. Lastly, he spoke to Item 13 noting Councilmembers’ campaign contributions from Klotz Associates.

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

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**2007-08-30-0895**
Item 6. 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 AND FY 2007-2008 FOR A COMBINED ESTIMATED COST OF $7,261,450.00, INCLUDING: (A) AUTOMOTIVE & INDUSTRIAL LIGHT ASSEMBLIES, LENS & MIRRORS; (B) COMMERCIAL DEICER; (C) PROPANE REFUELING SYSTEM MAINTENANCE AND REPAIR; (D) INDUSTRIAL GASOLINE AND DIESEL ENGINE PARTS AND SERVICE; (E) TRAFFIC LIGHT MOUNTING ASSEMBLIES; (F) CONDOR TRUCK PARTS & SERVICE; (G) ASPHALT AND POTHOLE PAVING MATERIALS; (H) PORTABLE CHEMICAL TOILETS; (I) LANDSCAPE MAINTENANCE FOR DCI FACILITIES; (J) DEMOLITION OF DANGEROUS STRUCTURES; (K) INTERNET TUTORING SERVICE; (L) REPAIR AND MAINTENANCE OF PAGING AND SPEAKER SYSTEM AT THE SAN ANTONIO INTERNATIONAL AIRPORT; (M) GALE GROUP DATABASE LICENSE AGREEMENT; (N) MILLENNIUM SOFTWARE SYSTEM UPGRADE FOR THE SAN ANTONIO PUBLIC LIBRARY; AND (O) LARGE PRINT BOOKS.

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**2007-08-30-0896**
Item 7. AN ORDINANCE ACCEPTING THE OFFER FROM NICHOLAS ENTERPRISES D/B/A INDUSTRIAL TRAILER COMPANY, UTILIZING THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS CONTRACT #11-06, TO PROVIDE THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT WITH SEVEN CARGO TRAILERS FOR A COST OF $74,444.00, FROM CITIES READINESS INITIATIVE (CRI) AND PUBLIC HEALTH EMERGENCY PREPAREDNESS (PHEP) GRANT FUNDS.

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**2007-08-30-0897**
Item 8. AN ORDINANCE ACCEPTING THE OFFER FROM WAUKESHA PEARCE INDUSTRIES, UTILIZING THE TEXAS BUYBOARD CONTRACT #205-04, TO PROVIDE THE PUBLIC WORKS DEPARTMENT WITH TWO EXCAVATOR ATTACHMENTS FOR A TOTAL COST OF $52,037.18, FROM THE EQUIPMENT RENEWAL AND REPLACEMENT FUND.

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**2007-08-30-0898**
Item 9. AN ORDINANCE APPROVING A CONTRACT WITH TRAVERSE TECHNOLOGIES, INC., A SOLE SOURCE, TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH UPGRADES AND ENHANCEMENTS TO THE ON-LINE RIGHT OF WAY (ROW) PERMIT SYSTEM FOR A TOTAL COST OF $175,000.00.

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**2007-08-30-0899**
Item 10. AN ORDINANCE ACCEPTING THE BID FROM TEXAS ELECTRONIC SYSTEMS SPECIALISTS, INC. TO PROVIDE THE POLICE DEPARTMENT WITH LABOR, EQUIPMENT AND MATERIALS TO FURNISH AND INSTALL AN ACCESS CONTROL SECURITY SYSTEM AT VARIOUS CITY FACILITIES FOR A COST OF $137,390.16, FROM 2003 HEALTH AND
SAFETY BOND, SERIES 2006 AND THE GENERAL FUND; AND APPROPRIATING UNENCUMBERED FUNDS FROM THE EMERGENCY OPERATIONS PROJECT FUND TO FUND VARIOUS PROJECTS FOR THE EMERGENCY OPERATIONS CENTER UTILIZING CITY APPROVED CONTRACTS.

2007-08-30-0900
Item 11. AN ORDINANCE APPROVING CHANGE ORDERS 28-30 AND 32-33 IN THE AMOUNT OF $75,291.61 TO A $2,911,504.51 CONTRACT WITH JAMAIL SMITH CONSTRUCTION, INC. FOR WORK IN CONNECTION WITH THE BOB ROSS PROJECT; AN AUTHORIZED PROJECT FUNDED THROUGH A ONE-TIME CAPITAL IMPROVEMENT EXPENDITURE FROM BEXAR COUNTY IN DISTRICT 8; AND APPROPRIATING FUNDS.

2007-08-30-0901
Item 12. AN ORDINANCE APPROVING $100,000.00 TO PROVIDE FOR DEMOLITION, REMEDIATION, AND ASSOCIATED STUDIES AND FEES FOR THE RELOCATION OF THE CITY NURSERY LOCATED IN BRACKENRIDGE PARK IN DISTRICT 9, AS PART OF THE CITY NURSERY RELOCATION PROJECT.

2007-08-30-0902
Item 13. AN ORDINANCE APPROVING A TOTAL AMOUNT OF $298,409.00 FOR PROFESSIONAL SERVICES AND FEES, INCLUDING THE SELECTION OF KLOTZ ASSOCIATES, INC. FOR AN ENGINEERING CONTRACT IN AN AMOUNT UP TO $184,693.00, FOR DESIGN OF AN ULTRAVIOLET WATER TREATMENT SYSTEM TO TREAT WATER AS IT RELEASES FROM THE SAN ANTONIO ZOO OUTFALL INTO THE SAN ANTONIO RIVER, A RECOMMENDATION OF THE RIVER WATER QUALITY WORK GROUP FINAL REPORT, AS PART OF THE SAN ANTONIO RIVER WATER TREATMENT SYSTEM PROJECT, LOCATED IN DISTRICT 9, A CERTIFICATE OF OBLIGATION FUNDED PROJECT.

2007-08-30-0903
Item 14. AN ORDINANCE APPROVING A TOTAL OF $34,694.05, TO INCLUDE A $28,507.85 PAYMENT UNDER AN EXISTING PUBLIC WORKS INFRASTRUCTURE MAINTENANCE AND CONSTRUCTION CONTRACT WITH RAM BUILDING SERVICES, LLC, FOR WORK IN CONNECTION WITH THE GUADALUPE STREET SIDEWALK (SOUTH SMITH TO SOUTH COLORADO) PROJECT IN DISTRICT 5; AND APPROPRIATING HUD 108 LOAN PROGRAM FUNDS.

2007-08-30-0904
Item 15. AN ORDINANCE APPROVING CHANGE ORDER NO. 2- FINAL IN THE DEDUCTIVE AMOUNT OF $31,786.00 TO THE CONSTRUCTION CONTRACT, AS CHANGED, WITH J.D. RAMMING PAVING COMPANY, LTD.TO RECONCILE ACTUAL QUANTITIES USED IN CONNECTION WITH THE 2006-2007 STREET MAINTENANCE PROGRAM LOCATED IN VARIOUS DISTRICTS.

2007-08-30-0905
Item 16. AN ORDINANCE AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF $1,433,848.63 TO E-Z BEL CONSTRUCTION, LTD., OF WHICH $1,339,910.67 WILL BE REIMBURSED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, AND APPROVING A REIMBURSEMENT AGREEMENT WITH SAN ANTONIO WATER SYSTEM, IN CONNECTION
WITH THE BLANCO/CLARK/HOT WELLS MPO SIDEWALK PROJECT, AN AUTHORIZED LOCAL AGENCY MANAGED PROJECT FUNDED WITH 1999 GENERAL OBLIGATION STREET IMPROVEMENT BONDS AND CERTIFICATES OF OBLIGATION, LOCATED IN DISTRICTS 3 AND 9, AND APPROPRIATING FUNDS.

2007-08-30-0906

Item 17. AN ORDINANCE APPROVING CHANGE ORDER NO. 2 IN THE AMOUNT OF $71,732.13 AND SAWS CHANGE ORDER NO. 1 IN THE AMOUNT OF $195,646.06 TO THE CONSTRUCTION CONTRACT WITH JERDON ENTERPRISES, LP FOR ADDITIONAL MODIFICATIONS AND IMPROVEMENTS AND AMENDING A PROFESSIONAL SERVICES AGREEMENT WITH SWA GROUP IN THE AMOUNT OF $311,200.00, FOR CONSTRUCTION ADMINISTRATION SERVICES, ANTIQUITIES MONITORING OF CONSTRUCTION ACTIVITIES AND ARCHEOLOGICAL INVESTIGATION SERVICES IN CONNECTION WITH THE MAIN PLAZA REDEVELOPMENT PROJECT, LOCATED IN DISTRICT 1.

Leticia M. Vacek, City Clerk read a written testimony from Faris Hodge Jr. He wrote that Main Plaza construction would block streets and create a traffic problem. He noted that VIA conducted a survey three years ago to change the routes and drive in one direction. He also stated that security would need to be provided by the city as well as additional lighting for Main Plaza.

2007-08-30-0907

Item 18. AN ORDINANCE APPROVING A SECOND AMENDMENT TO AND FIRST RENEWAL OF LEASE AGREEMENT WITH AVENIDA GUADALUPE ASSOCIATION, INC. FOR THE CONTINUED USE OF LEASED SPACE AT 1410 GUADALUPE STREET, FOR THE DISTRICT 5 CONSTITUENT OFFICE, FOR A REDUCED RENTAL RATE OF $530.00 PER MONTH FOR A TERM TO COMMENCE ON JULY 1, 2007 THROUGH NOVEMBER 30, 2009.

2007-08-30-0908

Item 19. AN ORDINANCE APPROVING A LEASE AGREEMENT BETWEEN ART DUNCAN, INC. AND THE CITY OF SAN ANTONIO, FOR 1590 SQUARE FEET OF LEASED SPACE AT 2712 HILLCREST, FOR THE DISTRICT 7 CONSTITUENT OFFICE, FOR A RENTAL RATE OF $1,300 PER MONTH FOR A TERM OF 36 MONTHS TO COMMENCE ON SEPTEMBER 1, 2007.

2007-08-30-0909

Item 20. AN ORDINANCE APPROVING A LEASE AGREEMENT WITH OAK RIDGE SQUARE G.P. FOR 991 SQUARE FEET OF LEASED SPACE AT 11124 WURZBACH RD., SUITE 205, FOR THE DISTRICT 8 CONSTITUENT OFFICE, FOR AN INITIAL TERM TO COMMENCE ON NOVEMBER 1, 2007 THROUGH OCTOBER 31, 2008 AT A RATE OF $1,338 PER MONTH AND BASE RENT TO INCREASE EACH YEAR BY 3%, COMPOUNDED.

2007-08-30-0910

Item 21. AN ORDINANCE APPROVING A ONE- (1) YEAR LEASE RENEWAL WITH AUDIO VISUAL SERVICES GROUP, INC. D/B/A AUDIOVISUAL HEADQUARTERS (AVHQ) OR PSAV PRESENTATION SERVICES FOR APPROXIMATELY 3,224 SQ. FT. OF WAREHOUSE SPACE LOCATED IN BLDG. 277 OF HEMISFAIR PARK.

2007-08-30-0912
Item 23. AN ORDINANCE AUTHORIZING THE FOLLOWING ITEMS IN RELATION TO FEDERAL AVIATION ADMINISTRATION (FAA) AIRPORT IMPROVEMENT PROGRAM GRANTS FOR PROJECTS AT SAN ANTONIO INTERNATIONAL AIRPORT:

- SUBMISSION OF AN APPLICATION AND ACCEPTANCE UPON AWARD OF A GRANT IN AN AMOUNT UP TO $8,815,391.00 FOR THE AIRSIDE APRON & UTILITIES, SKY PLACE DRAINAGE, TAXIWAY R EXTENSION, AND RUNWAY SAFETY ASSESSMENT AIRFIELD IMPROVEMENTS PROJECTS; AUTHORIZING THE EXECUTION OF ANY AND ALL RELATED GRANT AGREEMENTS WITH FAA.

- SUBMISSION OF AN APPLICATION AND ACCEPTANCE UPON AWARD OF A GRANT IN AN AMOUNT UP TO $6,094,446.00 FOR THE CONTINUATION OF THE RESIDENTIAL ACOUSTICAL TREATMENT PROGRAM; AUTHORIZING THE EXECUTION OF ANY AND ALL RELATED GRANT AGREEMENTS WITH FAA.

- SUBMISSION OF AN APPLICATION AND ACCEPTANCE UPON AWARD OF A GRANT IN AN AMOUNT UP TO $200,000.00 FOR THE SAFETY MANAGEMENT SYSTEMS PILOT STUDY; AUTHORIZING THE EXECUTION OF ANY AND ALL RELATED GRANT AGREEMENTS WITH FAA.

2007-08-30-0915

Item 26. AN ORDINANCE AUTHORIZING THE SETTLEMENT OF A CLAIM MADE BY JOSEPH FENNELL, FOR THE AMOUNT OF $80,000.00.

2007-08-30-0916

Item 27. AN ORDINANCE AUTHORIZING A SOUVENIR MERCHANDISE CONCESSIONS AGREEMENT WITH RIVER CITY MERCHANDISING TO PROVIDE SERVICES AT THE MUNICIPAL AUDITORIUM FOR AN INITIAL TERM OF FOUR (4) YEARS, WITH RENEWAL OPTIONS.

2007-08-30-0917

Item 28. AN ORDINANCE EXERCISING A THREE-YEAR RENEWAL OPTION TO THE AUTOMATED TELLER MACHINE LICENSE AGREEMENT AT THE ALAMODOME WITH SECURITY SERVICE FEDERAL CREDIT UNION.

2007-08-30-0918

Item 29. AN ORDINANCE APPROVING FIVE (5) TEMPORARY UTILITY/ELECTRICAL AND PLUMBING SERVICE LICENSE AGREEMENTS FOR EVENTS HELD AT THE CONVENTION, SPORTS & ENTERTAINMENT FACILITIES WITH AN INITIAL TERM OF FOUR (4) YEARS AND RENEWAL OPTIONS.

2007-08-30-0919

Item 30. AN ORDINANCE APPROVING AN ANNUAL EBMS SOFTWARE MAINTENANCE AGREEMENT FOR FISCAL YEAR 2007-2008 WITH UNGERBOECK SYSTEMS INTERNATIONAL (USI) IN THE AMOUNT OF $44,127.00 TO PROVIDE SOFTWARE MAINTENANCE AND UPGRADES FOR THE EVENT BUSINESS MANAGEMENT SOFTWARE (EBMS) UTILIZED FOR BOOKING AND MANAGING EVENTS BY THE CONVENTION AND VISITOR'S BUREAU (CVB) AND THE CONVENTION, SPORTS AND ENTERTAINMENT FACILITIES DEPARTMENT.
Item 3. AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HER DESIGNEE, TO EXECUTE ANY AND ALL INSTRUMENTS AND DOCUMENTS REQUIRED TO ESTABLISH LOAN PROGRAMS UNDER THE INTERNATIONAL CITY/COUNTY MANAGEMENT ASSOCIATION-RETIREMENT CORPORATION (ICMA-RC) AND THE NATIONWIDE RETIREMENT SOLUTIONS DEFERRED COMPENSATION PLANS.

Item 32. AN ORDINANCE APPROVING THE DEVELOPMENT AGREEMENT AND COUNTY INTERLOCAL AGREEMENT FOR TAX INCREMENT REINVESTMENT ZONE NUMBER TWENTY-TWO, CITY OF SAN ANTONIO, TEXAS, KNOWN AS THE RIDGE STONE TIRZ AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY CONTRACTS WITH THE TIRZ BOARD, BEXAR COUNTY, AND BIG FISH ON FIVE, L.P., THE DEVELOPER.

Item 33. AN ORDINANCE APPROVING AN INTERLOCAL AGREEMENT WITH BEXAR COUNTY FOR THE COLLABORATIVE MAINTENANCE AND REPAIR OF THE MID-BEITEL CREEK RESTORATION PROJECT, LOCATED IN DISTRICT 10.

Item 34. AN ORDINANCE AUTHORIZING THE REDUCTION OF DISTRICT 8 ONE TIME FUNDS IN THE AMOUNT OF $487.80 AND REALLOCATION OF THESE FUNDS TO THE SAN ANTONIO POLICE DEPARTMENT FOR THE PURCHASE OF TWO (2) LUMIX DMC-FX 12 DIGITAL CAMERAS FOR USE IN THE DOCUMENTATION OF FAMILY VIOLENCE CASES, AS REQUESTED BY COUNCILWOMAN DIANE CIBRIAN.

Item 35. CONSIDERATION OF BOARD, COMMISSION AND COMMITTEE APPOINTMENTS:

A. REAPPOINTING MARY DENNIS (DISTRICT 2) TO THE MAYOR’S COMMISSION ON THE STATUS OF WOMEN FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE COMMENCING IMMEDIATELY AND EXPIRING MAY 31, 2009.

B. REAPPOINTING GLORIA MALONE (DISTRICT 2) TO THE SAN ANTONIO PUBLIC LIBRARY BOARD OF TRUSTEES FOR A TERM OF OFFICE COMMENCEING IMMEDIATELY AND EXPIRING SEPTEMBER 30, 2009.


D. APPOINTING ALEJANDRO (ALEX) SOTO (DISTRICT 7) TO THE PARKS AND RECREATION BOARD FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE COMMENCING IMMEDIATELY AND EXPIRING MAY 31, 2009.

E. REAPPOINTING ROBERT B. ROBLEY (DISTRICT 7) TO THE CITY COMMISSION ON VETERANS AFFAIRS FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE COMMENCEING IMMEDIATELY AND EXPIRING MAY 31, 2009.
F. AN ORDINANCE REAPPOINTING JUDGE ANDY MIRELES (DISTRICT 7) TO THE COMMISSION FOR CHILDREN AND FAMILIES FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE COMMENCING IMMEDIATELY AND EXPIRING MAY 31, 2009 AND WAIVING THE TERM LIMITATIONS OF SECTION 2-530(B) OF THE CITY CODE.

G. REAPPOINTING RANDY K. RICE (DISTRICT 7) TO THE SAN ANTONIO HOUSING TRUST BOARD OF TRUSTEES FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE COMMENCING IMMEDIATELY AND EXPIRING MAY 31, 2009.

H. APPOINTING ZACHARY NEWMAN (DISTRICT 9) TO THE SAN ANTONIO YOUTH COMMISSION FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE COMMENCING IMMEDIATELY AND EXPIRING MAY 31, 2009.

[CONSENT ITEMS CONCLUDED]

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2007-08-30-0911

Item 22. AN ORDINANCE DENYING THE REQUEST SUBMITTED BY THE APPLICANT AND APPROVING STAFF’S RECOMMENDATION FOR TEMPORARY STREET CLOSURE OF PORTIONS OF EAST GRAYSON STREET BETWEEN ISLETTA AND AVENUE A, KARNES STREET BETWEEN EAST JOSEPHINE STREET AND EAST GRAYSON STREET ON SEPTEMBER 28 - 29, OCTOBER 5 - 7, 12 - 14, 18 - 21 AND 25 - 31, 2007 FROM 6:00 P.M. TO 12:00 A.M. IN ORDER HOLD THE ANNUAL EVENT OF NIGHTMARE ON GRAYSON STREET.

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

Ms. Vacek reported that 4,006 petitions were received in favor and 7 petitions were received in opposition to said item.

Mr. Gene Braden representative of Nightmare on Grayson Street stated that Nightmare on Grayson Street was a small business that has been in operation for 19 years. He stated that he felt pushed out of the neighborhood by the political process and threatened for the longevity of the business.

Mr. Gordon Wise representative of Nightmare on Grayson Street thanked the neighbors for taking the time to reach a compromise. He stated that the compromise was not the best answer for everyone, however, was a compromise. Mr. Wise added that year after year Nightmare on Grayson Street must close streets to ensure a safe environment for the public. He added that a mutual agreement must be reached in order to ensure continuance of the event.

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

The City Clerk read the following Ordinance:
Item 24. AN ORDINANCE AMENDING CHAPTER 6 OF THE CITY CODE AND CREATING ARTICLE XVI ENTITLED "BUILDINGS" CONSOLIDATING REFERENCES TO FACILITY AND STREET NAMING; INCREASING THE APPLICATION FEE FOR THE RENAMING OF STREETS; REQUIRING THE APPLICANT TO PAY FOR THE NOTIFICATION PROCESS OF A STREET NAME CHANGE; AND STREAMLINING THE APPROVAL PROCESS.

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

Councilmember McNeil sought an update on the fundamental changes. Mr. Rod Sanchez, Director of Development Services stated that the current fee to change any street name is $250.00 and covers 20 hours of staff time and postage. He stated the proposed change in the fee structure would increase to $500.00. Additionally the applicant must pay postage for the required notices to be mailed. Mr. Sanchez noted that currently the process is stated in three different places within the City Code in addition to the Unified Development Code (UDC). The proposed Ordinance would simplify the process by consolidating the process in one place.

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

The City Clerk read the following Ordinance:

2007-08-30-0914
Item 25. AN ORDINANCE AMENDING CHAPTER 19, ARTICLE 111 OF THE CITY CODE ENTITLED "TRAFFIC CONTROL DEVICES" TO INCLUDE CERTAIN ADDITIONS TO THE OFFICIAL TRAFFIC-CONTROL DEVICE SCHEDULES; AUTHORIZING INSTALLATION; Declaring as Official Traffic Control Devices of the City of San Antonio; and Declaring Violations and Penalties, and Establishing an Effective Date of No More Than 5 Days After Publication in Accordance with Article 2, Section 17, of the City Charter.

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

Councilmember Cibrian made an amendment to exclude the following streets from Schedule H: Adelaide Oak, Agency Oak, Allendale Oak, Amber Oak, Arrow Oaks, Cindy Lou, Jettland Drive, Mahogany Chest, and the Drag until residents of the areas have been notified and voiced their concerns. Councilmember Wolff seconded the motion.

The amendment prevailed by the following vote: AYES: Cisneros, McNeil, Gutierrez, Cortez, Galvan, Herrera, Rodriguez, Cibrian, Wolff, Clamp, and Mayor Hardberger. NAY: None. ABSENT: None.

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

POINT OF PERSONAL PRIVILEGE
Councilmember Gutierrez stated that he was saddened to hear that Tom Wendorf, Director of Public Works was leaving employment with the City of San Antonio. Councilmember Gutierrez thanked Mr. Wendorf for an outstanding job and wished him well in his future endeavors.

CITY MANAGER'S REPORT

Ms. Sheryl Sculley reported on the following:

- The Animal Care Services Shelter will be increasing their hours of operation to boost efficiency and improve customer service. The facility will now be open Monday through Saturday from 11:00 am until 7:00 pm. The Adoption Center will be closed on Mondays for staff training, but new hours have been added to include one Sunday per month from 10:00 am to 2:00 pm. These hours only apply to the shelter, not the pickup of animals.

- Nearly 17,000 children were registered for the 2007 Library Summer Reading Program and 7,000 completed the program by reading or listening to 15 or more books. 600 teenagers participated in the program by reading 15 or more books. It is wonderful that so many children and teenagers in the community are involved in our Public Library System. Children and teenagers participating in the program totaled 24,000 and read over 112,000 books this summer. She thanked Ramiro Salazar and the Library Staff for their work on literacy development and youth summer programs.

- Included within the proposed budget is an employee compensation and benefits proposal for civilian employees. Staff has been working diligently over the past 18 months on health benefits, as well as a step program for compensation. A description of these programs will be distributed to staff in English and Spanish, and will also include information about available healthcare options. So far, the employees who have received this information are pleased with the progress.

- Manny Longoria, Assistant Economic Development Director, will be retiring from the City of San Antonio after 22 years of service. He has accepted a position of City Manager with Shavano Park. Mr. Longoria was responsible for the Small Business Program and provided outreach to the community. Ms. Sculley presented a certificate and wished him well.

EXECUTIVE SESSION

At this time, Mayor Hardberger recessed the Regular Meeting at 10:07 am to convene in Executive Session for the purposes of:

A. Deliberations and discussion relating to the purchase, exchange, lease or value of real property and related legal issues pursuant to Texas Government Code Sections 551.072 (real property) and 551.071 (consultation with attorney).

B. Discuss legal issues related to City Council agenda and meeting procedures pursuant to Texas Government Code Sec. 551.071 (consultation with attorney).

C. Deliberation and discussion relating to security personnel or devices pursuant to Texas Government Code Sec. 551.076 (security).
Mayor Hardberger reconvened the Regular Meeting at 2:16 pm at which time it was noted that the City Council had been briefed on the above-styled matters but took no action.

POINT OF PERSONAL PRIVILEGE

Mayor Hardberger recognized Steve Craig with the Real Estate Council. Mr. Craig announced the kick-off the 2007 Green Team Challenge Environmental Awareness Programs for elementary students in San Antonio. He stated that a healthy economy and a healthy environment go hand in hand. He noted that the Real Estate Council Industry provides $19.4 billion in economic impact with the Real Estate Industry generating approximately 1/6 of the areas economic output. The Real Estate Council in partnership with Keep San Antonio Beautiful funded and organized the Green Team Challenge. Each Council District will nominate at least three schools from their respective districts. After the nominations are received, and the schools commit to participation; the competition then takes place. Each school is judged on participation, effort, creativity, maintenance capability, and community involvement. He thanked the sponsors as follows: Millberger’s Landscaping and Nursery, San Antonio Water Systems, and CPS Energy.

ZONING ITEMS

2007-08-30-0925

Z-1. ZONING CASE # Z2007176 CD (District 2): An Ordinance changing the zoning district boundary from "C-2" Commercial District and "MH" Manufactured Housing District to "C-2" (CD Warehousing) Commercial District with a Conditional Use for Warehousing on 3.42 Acres (Tract 14) out of NCB 17994, 7304 IH 10 East as requested by A Ngoc Nguyen, Applicant for A Ngoc Nguyen, Owner. Staff and Zoning Commission recommend Approval.

AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: 3.42 ACRES (TRACT 14) OUT OF NCB 17994 TO WIT: FROM "C-2" COMMERCIAL DISTRICT AND "MH" MANUFACTURED HOUSING DISTRICT TO "C-2" (CD WAREHOUSING) COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR WAREHOUSING PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

Mr. Chris Looney presented the proposed rezoning Case.

Councilmember McNeil moved to adopt the proposed Zoning case. Councilmember Cortez seconded the motion.

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

2007-08-30-0926

Z-2. ZONING CASE # Z2007184 S (District 3): An Ordinance changing the zoning district boundary from "C-2" Commercial District to "C-2" S Commercial District with Specific Use Permit for a Bingo Parlor on a 0.27 acre tract of land out of Lot A, Block 1, NCB 11949, 2103 Goliad Road as requested by Brown, P. C., Applicant for Goliad Pecan Valley Properties, Ltd., Owners. Staff and Zoning Commission recommend Approval.
AMENDING CHAPTER 35 OF THE CITY CODE THAT CONSTITUTES THE COMPREHENSIVE
ZONING ORDINANCE OF THE CITY OF SAN ANTONIO BY CHANGING THE
CLASSIFICATION AND REZONING OF CERTAIN PROPERTY DESCRIBED HEREIN AS: A 0.27
ACRE TRACT OF LAND OUT OF LOT A, BLOCK 1, NCB 11949 TO WIT: FROM "C-2"
COMMERCIAL DISTRICT TO "C-2 NA" S COMMERCIAL NONALCOHOLIC SALES DISTRICT
WITH A SPECIFIC USE PERMIT FOR A BINGO PARLOR PROVIDED ALL CONDITIONS
IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

Mr. Chris Looney presented the proposed rezoning Case.

Councilmember Gutierrez moved to adopt the proposed Zoning case. Councilmember Cortez seconded
the motion.

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

2007-08-30-0927

Z-3.  **ZONING CASE # Z2007117 (District 8):** An Ordinance changing the zoning district boundary
from "R-6" ERZD Residential Single Family Edwards Recharge Zone District to "O-1" ERZD Office
Edwards Recharge Zone District on Lot 6, Lot 9 and Lot 10, Block 18, NCB 14728, 12037 Huebner
Road, 4300 Moonlight Way 3 and 12000 Pebble Lane 1 as requested by Jerry Arredondo, Applicant for
Alejandro Garcia II and Juan C. Garza, Owners. Staff recommends Approval. Zoning Commission
recommends Approval, save and except a 10 foot strip along Pebble Lane.

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
6, 9 AND 10, BLOCK 18, NCB 14728 TO WIT: FROM "R-6" ERZD RESIDENTIAL SINGLE
FAMILY EDWARDS RECHARGE ZONE DISTRICT TO "O-1" ERZD OFFICE EDWARDS
RECHARGE ZONE DISTRICT.

Mr. Chris Looney presented the proposed rezoning Case.

Mr. Jerry Arredondo addressed the Council and stated that he had received support from most
neighbors. He reported that only two people within 200 feet were in opposition. He mentioned that the
business was a medical office and that some of the doctors were present and would speak if needed.

Dr. Juan Carlos Garcia addressed the Council and stated that he currently leases office space. He stated
that the rezoning would be a great opportunity to build his practice and make a long term commitment at
that location.

Dr. Alejandro Garcia addressed the Council in support of the rezoning case. He and his business partner
started their practice about two years ago and are need of expanding in order to accommodate growth.
Dr. Garcia stated that they want to be eco-friendly and not interfere with the Edwards Aquifer.

Ms. Pam Obracht addressed the Council in opposition of the rezoning case. She expressed concerned
with the lack of public input and stated that she had not received notice of the proposed rezoning case.
She stated that she gave the Doctors several petitions showing opposition from both sides of Huebner Road where the business is located.

Councilmember Cibrian thanked everyone for their comments and expressed that this was the best use of the land in regard to the Edwards Aquifer and the community. She noted the lack of medical care in the area and reiterated the protection of the land with the required 50% impervious cover.

Councilmember Cibrian moved to adopt the proposed Zoning case. Councilmember Wolff seconded the motion.

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

Councilmember Gutierrez moved to reconsider Item Z-2. Councilmember Cortez seconded the motion.

The motion to reconsider Item Z-2 prevailed by the following vote: **AYES:** Cisneros, McNeil, Gutierrez, Cortez, Galvan, Herrera, Rodriguez, Cibrian, Wolff, and Mayor Hardberger. **NAY:** None. **ABSENT:** Clamp.

Councilmember Gutierrez moved to amend Item Z-2 by providing for C-2NAS Zoning for the area. Councilmember Cortez seconded the motion.

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

Councilmember Gutierrez moved to approve the main motion. Councilmember Cortez seconded the motion.

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

Mayor Hardberger recessed the Regular Meeting at 2:40 pm. Mayor Hardberger reconvened the Regular Meeting at 5:13 pm and addressed Item 37.

**PUBLIC HEARING**


Mayor Hardberger declared the First Tax Rate Public Hearing open.

Mr. Peter Zanoni, Budget Director presented the Proposed Property Tax Rate for Fiscal Year 2008. He stated that the proposed budget recommends a roll back in the City Property Tax Rate by .624 cents for FY 2008 to stay within 8% growth-cap. Mr. Zanoni stated that the City Council set the proposed City Tax Rate for FY 2008 at 57.230 cents per $100.00 of taxable valuation on Thursday, August 16, 2007. He stated that the current City Tax Rate was $57.854 cents per $100.00. Lastly, Mr. Zanoni stated that the second Tax Rate Public Hearing will be held on Thursday, September 6, 2007 at 5:00 pm with the adoption of the proposed budget on Thursday, September 13, 2007.
The following citizens appeared to speak:

Mr. Nazirite Ruben Flores Perez addressed the Council and stated that as billions of dollars are being spent it seemed that things are going in the right direction. He stated that the West Task Force should ask for a grant because they need money for research. Mr. Flores Perez stated that the Haven for Hope Project was trouble and that it was a non-profit organization.

Mr. Jack M. Finger addressed the Council on the first tax cut in years and stated that the average savings per household totaled $7.00. He stated that the only reason the City proposed the tax cut was because the State was going to get after the City if they did not lower taxes. Lastly, Mr. Finger stated that the average tax bill has gone up 42%.

Mr. Faris Hodge, Jr. stated that the City can keep its tax cut because it would not help him. He stated that the City needs an additional 100 Police Officers, and 911 Operators. Mr. Hodge stated that City Employees should receive a 10% pay increase across the board. He stated that 311 should hire more employees because it takes too long to answer the calls. Mr. Hodge stated that City Services should not move out of the Downtown Area, noting that Brooks City Base was too far. Mr. Hodge stated that he was not happy about $2.00 increase for garbage pickup and stated that fees should not increase if services decrease. Lastly, he asked if you have to be in love to get married on the San Antonio River.

Mayor Hardberger stated that the Second Public Hearing on the City’s proposed Tax Rate for Tax Year 2007 will be held on Thursday, September 6, 2007 at 5:00 pm in the City Council Chambers. The City Council will vote on the proposed Tax Rate for Tax Year 2007 at its meeting on Thursday September 13, 2007 which will begin at 9 am to be held in the City Council Chambers.

Mayor Hardberger declared the Public Hearing closed and recessed the meeting at 5:40 pm.

Mayor Pro Tem Wolff reconvened the meeting at 6:00 pm and addressed the Citizens to be Heard.

CITIZENS TO BE HEARD

Mr. Nazirite Ruben Flores Perez addressed the Council on the Preamble of the United States. He stated that the Haven for Hope Project was creating problems for the residents in the area. Mr. Flores Perez stated that the residents in the area were taxpayers and deserves attention. He noted his opposition of the location of the Haven for Hope Project.

Mr. Faris Hodge Jr. stated that the City of San Antonio needs additional Police Officers to reduce crime in the City. He stated that the monies that are allocated in the reserves. Mr. Hodge stated that the City should hire an additional 150 Officers next year. Mr. Hodge stated that when citizens call 911 the Police arrive 20 minutes later and the crime is done and the criminal got away. He stated that the new City Council Offices at City Hall do not have public restrooms and that was a problem. Mr. Hodge noted that the Libraries should extend their operating hours to accommodate citizens that work during the day. He stated that parking meters should charge citizens everyday, including Holidays. Lastly, he stated that the Alamodome should be re-named the “Faris Hodge Jr. Alamodome.”

Ms. Maricela Garza addressed the Council in reference to the Unified Development Code (UDC) Section 35-102. She stated that the purpose of the UDC was to promote health, safety, morals and the welfare of the public community. She stated that notification and procedures comply with State Regulations and provide ample opportunity for public participation. She added that notification did not occur. Ms. Garza stated that the Haven for Hope project was an issue for those who live in the area.
She noted that City representatives have labeled the area blighted, unproductive and inundated with sex offenders. Ms. Garza asked the Council not to judge a book by its cover and stop the Haven for Hope Project.

Mr. Nick Calzoncit spoke of peace and stated that a group of about 200 pacifists held a Peace Rally in front of the Alamo. He stated that people of different ethnicity, age, and gender participated in the peaceful rally and asked the Council to participate in promoting peace.

Mr. Abel S. Ruiz stated that on August 27 he emailed several Councilmembers, and that Councilmember Cisneros responded. He stated that he wanted to meet with the Councilmembers concerning the Haven for Hope Project. Mr. Ruiz spoke in opposition to the Haven for Hope Project and urged the Council to listen to their constituents and stop the project. Lastly, he cited a speech made by Franklin D. Roosevelt in 1938.

Ms. Julie Iris Oldham addressed the Council and stated that the Haven for Hope Project was a violation of the Open Meeting Act. She stated that a meeting was held in February 2006 in the Media Briefing Room with Councilmembers Radle, Herrera, and Perez without being posted. Ms. Oldham stated that the Haven for Hope Project was illegal. She stated that former Mayor Garza created the Homeless Commission and noted her work with the homeless since 1990.

Ms. Mark Perez addressed the Council in reference to a business operating without a Certificate of Occupancy. He stated that there are many businesses that use hazardous chemicals without permits. Mr. Perez stated that he has contacted many City Officials and can not get any issues resolved.

**ADJOURNMENT**

There being no further business to discuss, Mayor Pro Tem Wolff adjourned the meeting at 6:42 pm.

**APPROVED**

PHIL HARDBERGER
MAYOR

Attest:

LETICIA M. VACEK
City Clerk