The San Antonio City Council convened in a Regular Meeting on Thursday, September 20, 2007 at 9:00 am in the City Council Chambers.

The Invocation was delivered by Reverend Sally Johnson, Associate Pastor, Northwood Presbyterian Church, Guest of Councilmember John Clamp, District 10.

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

City Clerk, Leticia M. Vacek, took the Roll Call and noted a quorum of the Council with the following present: Cisneros, McNeil, Gutierrez, Galvan, Herrera, Rodriguez, Cibrian, Wolff, Clamp, and Mayor Hardberger. Councilmember Cortez was absent due to US Air Force Military Duty.

MINUTES

Councilmember Herrera made a motion to approve the minutes for the August 30, 2007 Regular City Council Meeting. Councilmember Cisneros seconded the motion.

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

POINT OF PERSONAL PRIVILEGE

Mayor Hardberger recognized Former Mayor Lila Cockrell and she presented the 2007 Jazz'SAlive poster for the 24th Annual Jazz'SAlive Festival. The event will be held on September 22nd and 23rd, 2007 at Travis Park and will feature an extensive line-up of artists, as well as children’s activities, food and beverage booths.

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2007-09-20-0986

Item 4. PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE APPROVING AMENDMENTS TO THE FINAL PROJECT AND FINANCING PLANS, DEVELOPMENT AND INTERLOCAL AGREEMENTS FOR TAX INCREMENT REINVESTMENT ZONE NUMBER NINE, SAN ANTONIO, TEXAS, KNOWN AS THE HOUSTON STREET TIRZ.

Mr. David Garza, Director of Neighborhood and Housing Services presented the item. He stated that this ordinance approved amendments to the Final Project, Financing Plans, Development Agreement and Interlocal Agreements for Tax Increment Reinvestment Zone (TIRZ) Number Nine. The TIRZ was designated in 1999 to finance public improvements primarily along Houston Street to facilitate
revitalization of the Central Business District (CBD). The term will expire in seven years (2014) but amendments are necessary to facilitate the redevelopment of the Walgreen’s Building on Houston Street, Soledad Streetscape Enhancements, and Administrative Expenses. He presented current photos of the facility, as well as a future rendering. The City’s maximum financial contribution will increase from $8,409,912 to $12,078,224. The TIRZ Board adopted the amendments on September 17, 2007 and must now be approved by City Council.

Mayor Hardberger declared the Public Hearing open.

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

Mr. Tom O’Brien, General Counsel of the Nix Healthcare System, spoke in support of the Walgreen’s Project. He stated that the Nix expects to move a substantial amount of administrative offices into it. This would allow them to provide additional physician and medical services at the Nix Medical Center.

Mr. Bebb Francis, 112 East Pecan Street, spoke in favor of the project. He thanked Councilmember Cisneros for her continuous emphasis on Downtown Development, and Mr. Garza and staff for their work on the project. He expressed that once the project was completed, it would set a gold standard for other developers to come downtown.

Mr. John Solis with Federal Realty spoke in support of the project. He recognized the City for their efforts. He stated that Federal Realty has made a sizeable commitment to downtown and this project furthers their commitment.

Mr. Andres Andujar with 3DI on Houston Street spoke in favor of the project. He stated that over a decade, he has worked to restore Houston Street. Mr. Andujar noted that although it is difficult to develop projects in the downtown area due to high land costs, site conditions, and inflated construction costs, development must continue.

Mr. Jack M. Finger, P.O. Box 12048, spoke on Items 4, 6, and 7. On Item 4, he spoke against the Walgreen’s Project, stating that Walgreens should be doing this project on their own dime. For Item 6, he spoke on the $.032 increase in the monthly Stormwater Fee. He stated that the city should stop “nickeling and dimeing” citizens. On Item 7, he inquired about the board appointment and whether this person would be amenable to the appraisal increases.

Ms. Julie Iris Oldham, 4523 Allegheny Drive, addressed the Council in regard to Items 4, 6, and 7. She stated she was upset with the increase in Stormwater Fees. Additionally, she mentioned that her dream for Houston Street was for it to be an International Trade Center.

Leticia M. Vacek, City Clerk, read written testimony from Faris Hodge, Jr. on Item 4. He felt that everyone should have to pay taxes equally. Mr. Hodge stated that it is wrong that individuals go to jail or pay fines when they don’t pay taxes but businesses are exempt from paying taxes for up to twenty-five years.

Leticia M. Vacek, City Clerk, read a second written testimony from Faris Hodge, Jr. on Item 6. He stated that he was concerned with World Savings Bank not having to pay taxes for 25 years. He added that he felt it was discrimination because business people did not have to pay taxes but citizens did.
The motion prevailed by the following vote: **AYES:** Cisneros, McNeil, Gutierrez, Galvan, Herrera, Rodriguez, Cibrian, Wolff, Clamp, and Mayor Hardberger. **NAY:** None. **ABSENT:** Cortez.

Mayor Hardberger declared the Public Hearing closed.

The City Clerk read the following Ordinance:

2007-09-20-0987

Item 5. PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE AUTHORIZING CLOSURE, VACATION, AND ABANDONMENT OF FOUR UNIMPROVED ALLEYS, TWO PORTIONS OF UNIMPROVED ALLEYS, AND UNIMPROVED PORTIONS OF DREIER AND DU MONTIER STREETS ADJACENT TO NEW CITY BLOCKS 18417, 18418, AND 18419, DISTRICT 10, THE CITY TO RECEIVE $6,040.00 AND DEDICATION OF RIGHT OF WAY FOR TURN-AROUNDS.

Mayor Hardberger declared the Public Hearing open.

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

Mr. Oscar Serrano of the Asset Management Department presented the item on behalf of the petitioner, Abundant Life Church of San Antonio. The petitioner requested to close, vacate and abandon four unimproved alleys, two portions of unimproved alleys and unimproved portions of Dreier and Du Montier Public Rights of Way in District 10 for a total area of 2.28 acres. Conditional approval was granted, as the petitioner agreed to comply with all imposed conditions. If approved, the City would collect $6,040.00 as consideration for these closures, vacations and abandonments of public rights of way.

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

Mayor Hardberger declared the Public Hearing closed.

The City Clerk read the following Ordinance:

2007-09-20-0988

Item 6. PUBLIC HEARING AND CONSIDERATION OF AN ORDINANCE AUTHORIZING A RATE INCREASE IN THE MONTHLY STORM WATER FEE BY 8.24 PERCENT ACROSS ALL CUSTOMER CLASSIFICATIONS RESULTING, FOR EXAMPLE, IN A 32 CENT INCREASE FOR THE AVERAGE RESIDENTIAL LOT AND AMENDING SECTION 34-235(B) OF THE SAN ANTONIO CITY CODE.

Mayor Hardberger declared the Public Hearing open.

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

Mr. Tom Wendorf, Director of Public Works stated that this ordinance would approve an increase in the monthly Storm Water Fee across all customer classes which would result in a 32-cent increase for the average residential lot. The increase would fund improvements such as increased natural creekway
maintenance and bridge vegetation maintenance. In 1998 and 2002, this fund was utilized for flood recovery and has also been used for Storm Water Revenue Bond Projects. Additionally, he added that the increase was necessary to enhance the services provided by the Storm Water Operations Division to meet permit requirements, participate in the National Flood Insurance Program, and to scope and estimate potential 2009 Storm Water Revenue Bond Projects.

Mr. Nazirite Ruben Flores Perez, 627 Hearne Avenue, spoke against this fee increase. He stated this was unfair to the citizens on fixed incomes, especially since the monthly garbage fee was also being increased.

Councilmember McNeil stated she did not like having to increase taxes but understood the importance of this particular increase. She asked about the clean-up schedule of natural creekways. Mr. Wendorf stated that it has been difficult to stay on schedule due to all of the rain experienced this year. Councilmember McNeil asked Mr. Wendorf for before and after photos of Leon Creek and Salado Creek to provide to her constituents.

Councilmember Rodriguez asked about the coordination between municipalities since Leon Creek cuts through Leon Valley. Mr. Wendorf stated that an extensive clean-up had been done on Leon Creek about three years ago. Leon Valley was responsible for that clean up, but worked closely with the City of San Antonio. Councilmember Rodriguez encouraged the Public Works Department to continue a dialogue with the City of Leon Valley in regard to Leon Creek.

Councilmember Galvan stated she was concerned with this increase due to the constituents in her district who were on fixed incomes. She asked the City Manager to look at a freeze on any type of increases for seniors and handicapped individuals.

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

Mayor Hardberger declared the Public Hearing closed.

The City Clerk read the following Resolution:

**2007-09-20-0008R**

Item 7. A RESOLUTION NOMINATING THE CITY'S CANDIDATES TO SERVE ON THE BEXAR APPRAISAL DISTRICT BOARD OF DIRECTORS FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 31, 2009.

Councilmember Herrera moved to approve the Resolution submitting the names of David Carpenter and Richard Perez. Councilmember Clamp seconded the motion.

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

**CONSENT AGENDA: Items 8-481**

Consent Agenda Items 12, 28, 30, 38, 45 and 46 were pulled for Individual Consideration. Councilmember Herrera moved to approve the remaining Consent Agenda Items. Councilmember Gutierrez seconded the motion.
Mr. Nazirite Ruben Flores Perez, 627 Hearne Avenue, spoke about the air conditioning unit being installed at Municipal Court. He stated he was in favor of this because the old unit was in bad condition.

Mr. Jack M. Finger, P.O. Box 12048, spoke against Item 31. He stated he was not in favor of granting $300,000.00 to various arts agencies for maintenance and building improvements. In regard to Item 29, he expressed concern with the contract due to the fact that many of the Councilmembers had received campaign contributions from Providence Commercial Real Estate Services, Inc.

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

2007-09-20-0989
Item 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 AND FY 2007-2008 FOR A COMBINED ESTIMATED COST OF $1,701,570.00, INCLUDING: (A) FOAM CONTOURED HEAD BLOCKS; (B) CHANGEABLE MESSAGE BOARDS; (C) SUPPLEMENTAL TAXI SERVICES FOR NON-EMERGENCY MEDICAL SERVICE NEEDS; (D) BUSINESS OBJECTS SOFTWARE MAINTENANCE & SUPPORT; (E) MICROSOFT PREMIER SUPPORT SERVICES; (F) ORACLE SERVICE CONTRACT; (G) CAPITOL CORRESPOND LICENSES AND MAINTENANCE; (H) AUDIO BOOKS FOR THE LIBRARY; (I) SOFTWARE AG ENTERPRISE MAINTENANCE; AND (J) HUMMINGBIRD DOCUMENT MANAGEMENT SUPPORT AND MAINTENANCE.

2007-09-20-0990
Item 9. AN ORDINANCE ACCEPTING THE OFFER FROM LIBRARY DESIGN SYSTEMS, INC., UTILIZING THE TEXAS MULTIPLE AWARD SCHEDULE (TXMAS) CONTRACT # 3-7110120, TO PROVIDE THE LIBRARY DEPARTMENT WITH THE PURCHASE AND INSTALLATION OF SHELVING FOR BOOKS AT THE HAUSMAN ROAD BRANCH LIBRARY FOR A COST OF $82,306.05.

2007-09-20-0991
Item 10. AN ORDINANCE ACCEPTING VARIOUS BIDS FROM COOPER EQUIPMENT CO., TEXANA MACHINERY, ANDERSON MACHINERY SAN ANTONIO, INC., ROYALL-MATTHIESSEN EQUIPMENT & SUPPLY CO., ROMCO EQUIPMENT CO., WAUKESHA-PEARCE INDUSTRIES, INC., AND QUALITY EQUIPMENT TO PROVIDE VARIOUS CITY DEPARTMENTS WITH HEAVY EQUIPMENT FOR A COST OF $1,466,333.28, FROM THE EQUIPMENT RENEWAL AND REPLACEMENT FUND, PUBLIC WORKS CAPITAL PROJECTS FUND AND THE GENERAL FUND.

2007-09-20-0992
Item 11. AN ORDINANCE ACCEPTING THE OFFER FROM DURY'S GUN SHOP, INC. TO PROVIDE THE POLICE DEPARTMENT WITH 100 SEMI-AUTOMATIC PISTOLS FOR A COST OF $40,900.00.

2007-09-20-0994
Item 13. AN ORDINANCE ACCEPTING THE OFFER FROM LAKESHORE LEARNING MATERIALS TO PROVIDE THE DEPARTMENT OF COMMUNITY INITIATIVES WITH EDUCATIONAL EQUIPMENT FOR AFTER SCHOOL CHALLENGE SITES FOR A COST OF $77,758.28.
Item 14. AN ORDINANCE ACCEPTING THE BID FROM MISSION GOLF CARS TO PROVIDE THE GOLF OPERATIONS DEPARTMENT WITH 415 ELECTRIC GOLF CARS FOR A COST OF $1,325,510.00, FROM TAX EXEMPT LEASE PURCHASE FUNDS OR OTHER FINANCIALS OBLIGATION.

Item 15. AN ORDINANCE AUTHORIZING ISSUANCE OF AN APPROXIMATELY $652,533.41 JOB ORDER TO ALPHA BUILDING CORPORATION IN CONNECTION WITH THE INSTALLATION OF 12 EMERGENCY GENERATORS AT VARIOUS CITY FACILITIES.

Item 16. AN ORDINANCE AUTHORIZING ISSUANCE OF A $732,000.00 JOB ORDER TO JAMAIL & SMITH CONSTRUCTION FOR HVAC AND SMOKE REMOVAL SYSTEMS AT THE FRANK D. WING MUNICIPAL COURT BUILDING.

Item 17. AN ORDINANCE AUTHORIZING ISSUANCE OF A JOB ORDER TO CON-COR/APM IN THE AMOUNT OF $149,280.92 FOR CONSTRUCTION OF WROUGHT IRON FENCING AROUND THE CITY OF SAN ANTONIO’S CEMETARY #3 LOCATED IN CITY COUNCIL DISTRICT 2 WITHIN THE BOUNDARIES OF TAX INCREMENT REINVESTMENT ZONE #11; AND PROVIDING FOR PAYMENT FROM THE TAX INCREMENT FUND FOR THE ZONE.

Item 18. AN ORDINANCE APPROVING CHANGE ORDER NO. 1 – (FINAL) IN THE AMOUNT OF $32,090.00 TO A $459,967.41 CONTRACT WITH COLLECTIVE CONTRACTING, INC. FOR A FINAL RECAPITALTION OF ACTUAL MATERIAL QUANTITIES USED IN CONNECTION WITH THE ELSIE & W. GLENN (BURBANK LOOP TO S. FLORES) PROJECT, AN AUTHORIZED PROJECT FUNDED THROUGH THE U.S. DEPARTMENT OF URBAN DEVELOPMENT (HUD) 108 LOAN PROGRAM IN DISTRICT 5; AND APPROPRIATING FUNDS.

Item 19. AN ORDINANCE AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF $5,529,528.40 TO E-Z BEL CONSTRUCTION, LTD., OF WHICH $8,500.00 WILL BE REIMBURSED BY CPS ENERGY AND $10,980.60 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEMS, IN CONNECTION WITH THE MILITARY DITCH #65 PROJECT, AN AUTHORIZED 2003 STORM WATER REVENUE BOND FUNDED PROJECT LOCATED IN DISTRICT 4, AND APPROPRIATING FUNDS.

Item 20. AN ORDINANCE APPROVING A TOTAL PROJECT AMOUNT OF $1,330,983.90, TO INCLUDE AWARDING A $1,163,748.20 CONSTRUCTION CONTRACT WITH SILVERADO BROTHERS CONSTRUCTION CO., INC., $324,988.29 OF WHICH WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEMS (SAWS), FOR THE RECONSTRUCTION OF STREETS, INCLUDING CURBS, SIDEWALKS, DRIVEWAY APPROACHES, AND NECESSARY STORM SEWER SYSTEM IMPROVEMENTS IN CONNECTION WITH THE CARDIFF – ARANSAS TO DEAD END - CONSTRUCTION PROJECT, AN AUTHORIZED PROJECT FUNDED THROUGH
THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) 108 LOAN PROGRAM IN DISTRICT 2; AND APPROPRIATING FUNDS.

2007-09-20-1002
Item 21. AN ORDINANCE APPROVING A 24-MONTH RENEWAL FOR THE DISTRICT 9 CONSTITUENT OFFICE LEASE WITH LAKE INVESTMENT AND PRODUCTION COMPANY, LTD. FOR SPACE AT 900 ISOM ROAD., AT $1,373.15 A MONTH.

2007-09-20-1003
Item 22. AN ORDINANCE APPROVING A LEASE BETWEEN WASHINGTON PLACE JOINT VENTURE AND THE CITY FOR APPROXIMATELY 1,159 SQUARE FEET OF OFFICE SPACE LOCATED AT 215 SAN SABA FOR USE BY THE SAN ANTONIO POLICE DEPARTMENT FOR THE MONTHLY RENTAL AMOUNT OF $1,136.

2007-09-20-1004
Item 23. AN ORDINANCE APPROVING A 5-YEAR RENEWAL OF A LEASE FROM THE CITY TO THE SUSHI ZUSHI RESTAURANT FOR SPACE AT THE INTERNATIONAL CENTER, DISTRICT 1, WITH THE RENT ESCALATING OVER THE TERM OF THE LEASE.

2007-09-20-1005
Item 24. AN ORDINANCE AUTHORIZING A 10-YEAR LICENSE TO SAINT PAUL SQUARE ASSOCIATION FOR PARKING OFF HOEFGEN STREET BETWEEN CENTER AND E. COMMERCE STREET IN EXCHANGE FOR $6,057.00.

2007-09-20-1006
Item 25. AN ORDINANCE APPROVING A THREE-YEAR LEASE TO THE CITY FROM DONALD J. KUYRKENDALL FOR 5015 AIRPARK, DISTRICT 7, FOR USE AS OFFICE AND WAREHOUSE SPACE, WITH THE RENT ESCALATING OVER THE TERM OF THE LEASE.

2007-09-20-1007
Item 26. AN ORDINANCE APPROVING A LEASE AGREEMENT BETWEEN THE CITY AND THE MEXICAN AMERICAN UNITY COUNCIL TO LEASE APPROXIMATELY 7,029 SQUARE FEET OF OFFICE SPACE LOCATED AT 2300 W. COMMERCE ST., DISTRICT 5

2007-09-20-1008
Item 27. AN ORDINANCE APPROVING TWO MARKET SQUARE PATIO LICENSE AGREEMENTS, ONE WITH MR. JULIAN REYES CUEVAS D/B/A LA DONA FOR 165.2 SQUARE FEET OF SPACE FOR THE DISPLAY OF MERCHANDISE AT AN INITIAL RATE OF $1.15 PER SQUARE FOOT PER MONTH; AND ANOTHER WITH L.J. SHRIMPHOUSE LLC D/B/A LA JAIBA FOR 342.2 SQUARE FEET OF SPACE FOR OUTDOOR DINING AT AN INITIAL RATE OF $1.29 PER SQUARE FOOT PER MONTH, BOTH WITH TERMS WHICH WILL EXPIRE ON MARCH 31, 2010.

2007-09-20-1009
Item 29. AN ORDINANCE EXERCISING THE CITY’S RIGHT TO EXTEND FOR ONE YEAR A REAL ESTATE BROKERAGE SERVICES AGREEMENT WITH PROVIDENCE COMMERCIAL REAL ESTATE SERVICES, INC.
2007-09-20-1011
Item 31. AN ORDINANCE AUTHORIZING THE EXECUTION OF FUNDING AGREEMENTS TOTALING $300,000.00 FROM THE FY2007 BUDGET WITH TWELVE ARTS AND CULTURAL AGENCIES FOR DEFERRED MAINTENANCE AND/OR CAPITAL IMPROVEMENT PROJECTS THAT ADDRESS SAFETY ISSUES, ACCESSIBILITY ISSUES AND/OR THE PREVENTION OF FACILITY DETERIORATION.

2007-09-20-1012
Item 32. AN ORDINANCE AUTHORIZING A SPECIAL EVENTS AGREEMENT WITH THE SAN ANTONIO PARKS FOUNDATION TO PRODUCE CELEBRATE SAN ANTONIO (THE CITY’S OFFICIAL NEW YEAR’S EVE EVENT), THE JULY 4TH CELEBRATION (THE CITY’S OFFICIAL JULY 4TH CELEBRATION) AND JAZZ’SALIVE ON CITY PROPERTY ON AN ANNUAL BASIS.

2007-09-20-1013
Item 33. AN ORDINANCE APPROVING AN INVESTMENT POLICY FOR THE CITY OF SAN ANTONIO, TEXAS, IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS PUBLIC FUNDS INVESTMENT ACT, AS AMENDED, FOR CITY COUNCIL TO REVIEW AND APPROVE THE CITY’S INVESTMENT POLICY; AND DESIGNATING CERTAIN EMPLOYEES AS INVESTMENT OFFICERS FOR THE CITY OF SAN ANTONIO; AND PROVIDING AN EFFECTIVE DATE.

2007-09-20-1014
Item 34. AN ORDINANCE APPROVING FINANCIAL UNDERWRITING SYNDICATES SELECTED FROM THE FINANCIAL UNDERWRITING POOL FOR FINANCING OF (1) GENERAL IMPROVEMENT AND REFUNDING BONDS AND CERTIFICATES OF OBLIGATION; (2) GENERAL AIRPORT REVENUE AND PASSENGER FACILITIES CHARGE BONDS; AND (3) TAX NOTES, WHICH ARE SCHEDULED FOR SALE IN NOVEMBER, 2007.

2007-09-20-1015
Item 35. AN ORDINANCE AUTHORIZING THE SAN ANTONIO FIRE DEPARTMENT TO ESTABLISH A $50,000.00 BUDGET FROM PREVIOUSLY ISSUED CERTIFICATES OF OBLIGATION FOR EXPENSES RELATING TO THE FIRE STATION CAPITAL PROGRAM.

2007-09-20-1016
Item 36. AN ORDINANCE AUTHORIZING A ONE-YEAR EXTENSION FOR THE PERIOD OF OCTOBER 1, 2007 TO SEPTEMBER 30, 2008, OF THE SAN ANTONIO FIRE DEPARTMENT UNIFORM COMMISSARY CONTRACT WITH STERLING’S PUBLIC SAFETY, INC.

2007-09-20-1017
Item 37. AN ORDINANCE AUTHORIZING A ONE-YEAR EXTENSION FOR THE PERIOD OF OCTOBER 1, 2007 TO SEPTEMBER 30, 2008 OF THE SAN ANTONIO FIRE DEPARTMENT PERSONAL PROTECTIVE CLOTHING CONTRACT WITH TOTAL FIRE GROUP, INC.

2007-09-20-1019
Item 39. AN ORDINANCE AUTHORIZING THE EXECUTION OF EXTENSION AGREEMENTS FOR STATE REPRESENTATION SERVICES WITH BAKER BOTS, L.L.P., BROWN CONSULTING, DENTON, NAVARRO, ROCHA & BERNAL, P.C., CHRISTOPHER S. SHIELDS,

2007-09-20-1020

Item 40. AN ORDINANCE APPROVING A CONTRACT WITH BEXAR COUNTY FOR THE PROVISION BY THE CITY OF SAN ANTONIO OF PARK RESERVATION SERVICES FOR BEXAR COUNTY PARKS FOR A ONE YEAR TERM, PLUS FOUR (4) AUTOMATIC ONE YEAR EXTENSIONS, FOR AN ANNUAL FEE BEGINNING AT $36,525 WITH ANNUAL INCREASES BASED ON THE CONSUMER PRICE INDEX.

2007-09-20-1021

Item 41. AN ORDINANCE APPROVING A CONTRACT WITH BEXAR COUNTY FOR THE PROVISION OF SAN ANTONIO PUBLIC LIBRARY SERVICES TO RESIDENTS OF BEXAR COUNTY RESIDING OUTSIDE THE CORPORATE LIMITS OF THE CITY OF SAN ANTONIO FOR A ONE YEAR TERM PLUS FOUR (4) OPTIONAL ONE YEAR EXTENSIONS FOR A FEE OF $3,521,337 FOR THE FIRST YEAR WITH FEES FOR LATER YEARS TO BE NEGOTIATED BY JANUARY 15, 2008.

2007-09-20-1022

Item 42. AN ORDINANCE APPROVING AN INTERLOCAL AGREEMENT WITH BEXAR COUNTY FOR $550,000.00 FOR THE CITY OF SAN ANTONIO TO PROVIDE ANIMAL CARE SERVICES IN UNINCORPORATED AREAS OF BEXAR COUNTY DURING THE PERIOD OCTOBER 1, 2007 THROUGH SEPTEMBER 30, 2008, WITH FOUR ONE-YEAR RENEWAL OPTIONS.

2007-09-20-1023

Item 43. AN ORDINANCE AUTHORIZING A ONE-YEAR RENEWAL OF THE INTERLOCAL AGREEMENT WITH BEXAR COUNTY TO PROVIDE FORENSIC SCIENCE SERVICES TO THE CITY OF SAN ANTONIO FOR THE PERIOD OCTOBER 1, 2007, THROUGH SEPTEMBER 30, 2008.

2007-09-20-1024

Item 44. AN ORDINANCE CARRYING FORWARD CERTAIN FUNDS; CLOSING ACCOUNTING RECORDS IN CERTAIN FUNDS; AMENDING PRIOR APPROPRIATIONS; APPROPRIATING FUNDS FOR REQUIREMENTS IN CITY PROJECTS AND DEPARTMENTS; AND APPROPRIATING CERTAIN CAPITAL PROJECT FUNDS.

2007-09-20-1027

Item 47A. AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A GRANT FROM BEXAR COUNTY METROPOLITAN PLANNING ORGANIZATION (MPO) – UNIFIED PLANNING WORK PROGRAM (UPWP) IN THE AMOUNT OF $180,000.00 AND EXECUTION OF AN AGREEMENT WITH MPO FOR FUNDING THE FY 2008 AND 2009 HIKE AND BIKE PROGRAM.

2007-09-20-1028

Item 47B. AN ORDINANCE ADOPTING THE BUDGET FOR THE HIKE AND BIKE PROGRAM AND APPROVING THE PERSONNEL COMPLEMENT.
Item 48. CONSIDERATION OF BOARD, COMMISSION AND COMMITTEE NOMINEES, FOR TERMS TO BE EFFECTIVE IMMEDIATELY UPON APPOINTMENT:

A. APPOINTING MARIA ELENA ALONSO (DISTRICT 1) TO THE PORT AUTHORITY OF SAN ANTONIO FOR THE REMAINDER OF AN UNEXPRIED TERM OF OFFICE TO EXPIRE NOVEMBER 30, 2008.

B. APPOINTING RON CAMPOS (DISTRICT 10) TO THE SAN ANTONIO PUBLIC LIBRARY BOARD OF TRUSTEES FOR A TERM OF OFFICE TO EXPIRE SEPTEMBER 30, 2009.

C. APPOINTING STEPHEN NICHOLAS (DISTRICT 10) TO THE AFFIRMATIVE ACTION ADVISORY COMMITTEE FOR THE REMAINDER OF AN UNEXPRIED TERM OF OFFICE TO EXPIRE MAY 31, 2009.

D. APPOINTING REYNALDO DE LOS SANTOS (DISTRICT 10) TO KEEP SAN ANTONIO BEAUTIFUL, INC. FOR THE REMAINDER OF AN UNEXPRIED TERM OF OFFICE TO EXPIRE DECEMBER 22, 2008.

E. APPOINTING JOYCE HESS (DISTRICT 10) TO THE MAYOR'S COMMISSION ON THE STATUS OF WOMEN FOR THE REMAINDER OF AN UNEXPRIED TERM OF OFFICE TO EXPIRE MAY 31, 2009.

F. REAPPOINTING JASON ZEHNER (DISTRICT 10) TO THE ETHICS REVIEW BOARD FOR A TERM OF OFFICE TO EXPIRE APRIL 25, 2009.

2007-09-20-1029

G. AN ORDINANCE REAPPOINTING GUSTAVO GONZALEZ (DISTRICT 10) TO THE PLUMBING APPEALS AND ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE MARCH 20, 2009, AND WAIVING THE CATEGORY REQUIREMENT FOR THIS TERM.

H. APPOINTING ROSE MARY OROSCO-HAYWARD (DISTRICT 5) TO THE SMALL BUSINESS ADVOCACY COMMITTEE FOR THE REMAINDER OF AN UNEXPRIED TERM OF OFFICE TO EXPIRE MAY 31, 2009.

I. APPOINTING JUAN JOSE VALDEZ AND RUBEN NIETO (DISTRICT 5) TO THE SAN ANTONIO YOUTH COMMISSION FOR THE REMAINDER OF UNEXPRIED TERMS OF OFFICE TO EXPIRE MAY 31, 2009.

[CONSENT ITEMS CONCLUDED]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

2007-09-20-0993

Item 12. AN ORDINANCE ACCEPTING VARIOUS BIDS FROM MENCO, INC. D/B/A MENCO TURF EQUIPMENT, DEWINNE EQUIPMENT CO., JOHN H. SOROLA, INC., AND ALAMO AG-CON EQUIPMENT, INC. TO PROVIDE VARIOUS CITY DEPARTMENTS WITH TRACTOR MOWERS FOR A COST OF $307,853.00, FROM THE EQUIPMENT RENEWAL & REPLACEMENT FUND, GENERAL FUND, AIRPORT OPERATIONS & MAINTENANCE FUND, AND THE ENVIRONMENTAL SERVICES OPERATING AND MAINTENANCE FUND.
Councilmember McNeil moved to adopt the proposed Ordinance. Councilmember Clamp seconded the motion.

Councilmember Galvan asked that the city staff look into environmentally sound equipment.

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

**CONTINUED FOR TWO WEEKS**

Item 28. AN ORDINANCE SELECTING PINNACLE CNG SYSTEMS, LLC FOR NEGOTIATION AND EXECUTION OF A DESIGN-BUILD/OPERATION AND MAINTENANCE AGREEMENT, IN AN AMOUNT NOT TO EXCEED $1,300,000.00 FOR PROFESSIONAL SERVICES, CONSTRUCTION, OPERATION, AND MAINTENANCE OF A COMPRESSED NATURAL GAS REFUELING FACILITY IN CONNECTION WITH THE COMPRESSED NATURAL GAS REFUELING PROJECT, AND APPROPRIATING FUNDS.

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

Councilmember Herrera highlighted the fact this took almost a year to get to this point with said item. She added that the Council advocated for and is huge for the community and the environment. She asked Rose Ryan, Assistant Director of Environmental Services, to detail the tax credit resulting from this action. Ms. Ryan stated that the 2005 Energy Policy Act allows a fuel credit of $0.55 per gallon for alternative fuels and this one would be eligible.

Councilmember Gutierrez asked Erik Walsh, Assistant City Manager, about the bid process. Mr. Walsh outlined the bid process, which included qualification of the organization.

Mr. Reagan Knoll with Clean Energy applauded City Staff on this monumental clean air initiative. He disputed the City's recommendation of Pinnacle CNG Systems based on the fact that Pinnacle CNG's bid did not meet the outlined required criteria of dual compressors.

Mr. Frank Burney representing Clean Energy stated that Mr. Knoll had expressed their concern accurately.

Mr. Drew Diggins spoke on behalf of Pinnacle CNG Systems. He stated that Pinnacle submitted a proposal based on the physical constraints appropriate for the size of the fleet being fueled and then offered an optional compressor be installed at a later date if necessary.

Councilmember Herrera asked staff to provide a brief presentation for public consumption.

Councilmember Gutierrez made a friendly amendment to allow staff to seek the best and final offer, contract price and design proposal and bring forth to the October 4, 2007 Council Meeting. Councilmember McNeil accepted the friendly amendment while Councilmember Cisneros seconded the motion.

The motion prevailed by the following vote: **AYES:** Cisneros, McNeil, Gutierrez, Galvan, Rodriguez, Cibrian, Wolff, Clamp, and Mayor Hardberger. **NAY:** Herrera. **ABSENT:** Cortez.
2007-09-20-1010

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

Councilmember Herrera noted that she had met with Bromley Communications representatives and was pleased with their services.

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

2007-09-20-1018
Item 38. AN ORDINANCE AUTHORIZING ONE-YEAR EXTENSIONS OF INTERLOCAL AGREEMENTS TO PROVIDE EMERGENCY MEDICAL SERVICES TO THE CITIES OF CASTLE HILLS, HELOTES, HILL COUNTRY VILLAGE AND WINDCREST FOR THE PERIOD OF OCTOBER 1, 2007 THROUGH SEPTEMBER 30, 2008.

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

Councilmember Galvan asked of service satisfaction for the cities involved in the interlocal agreement. Mr. Carl Wedige of the Fire Department replied that the service was satisfactory.

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

2007-09-20-1025
Item 45. AN ORDINANCE APPROVING A PROFESSIONAL SERVICES AGREEMENT IN AN AMOUNT UP TO $378,583.00 WITH AMERICAN FORESTS, A NON-PROFIT CORPORATION, TO PROVIDE A TREE CANOPY ANALYSIS FOR THE AREA WITHIN THE SAN ANTONIO CITY LIMITS AND EXTRATERRITORIAL JURISDICTION, AN APPROVED TREE MITIGATION FUND PROJECT.

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

Councilmember Herrera asked for comparable data of current conditions and asked of the ETJ. Councilmember Rodriguez asked for an analysis of large urban cities to compare to the City of San Antonio. Mayor Hardberger agreed to take affirmative steps for re-forestry efforts so that the City of San Antonio does not become a place that nobody wants to live in.

The motion prevailed by the following vote: AYES: Cisneros, McNeil, Gutierrez, Galvan, Herrera, Rodriguez, Cibrian, Wolff, Clamp, and Mayor Hardberger. NAY: None. ABSENT: Cortez.
Item 46. AN ORDINANCE APPROVING AN AGREEMENT FOR SERVICES IN LIEU OF ANNEXATION WITH THE WESTSIDE 211 SPECIAL IMPROVEMENT DISTRICT PROPERTY OWNERS, CUMBERLAND POTRANCO JOINT VENTURE, CUMBERLAND 211, LTD., NAVIGATORS STEVENS RANCH, L.P., KD CIRI I, L.L.C., CIRI LAND DEVELOPMENT COMPANY AND CUMBERLAND 90, LTD., FOR A THIRTY YEAR TERM; CONSENTING TO THE DELEGATION TO THE DISTRICT BY BEXAR COUNTY OF THE POWERS OF A ROAD DISTRICT, AND THE POWER TO PROVIDE WATER, WASTEWATER AND DRAINAGE FACILITIES SOLELY FOR THE PURPOSE OF FINANCING THE CONSTRUCTION OF WATER, WASTEWATER AND DRAINAGE FACILITIES IN THE DISTRICT; AND AUTHORIZING CITY STAFF TO USE THE TERMS OF THIS AGREEMENT AS FRAMEWORK IN FUTURE NEGOTIATIONS AND AGREEMENTS WITH FUTURE PETITIONS FOR PUBLIC IMPROVEMENT DISTRICT CREATION.

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

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

(PULLED ITEMS FOR INDIVIDUAL CONSIDERATION CONCLUDED)

CITY MANAGER'S REPORT

Ms. Sculley reported that last week, the City was notified of a three-year grant award of $4 million from the Federal Housing and Urban Development Department for lead-based paint removal.

Ms. Sculley thanked AT&T for sponsoring the AT&T Summer Concert Series. The concerts AT&T hosted in city Parks throughout the summer were fundraising events for the Animal Care Services Department. Thousands of residents in the community participated and she thanked all who attended.

Lastly, Mayor Hardberger and City Manager Sculley presented Mr. Tom Wendorf, Director of Public Works, an Alamo Print in recognition of his retirement from the City of San Antonio on September 30, 2007. Mr. Wendorf began his career with the City of San Antonio in March of 1999 as Assistant Director of Public Works and has served as Director since 2001.

EXECUTIVE SESSION

Mayor Hardberger recessed the Regular Meeting at 12:26 pm to convene in Executive Session for the purposes of:

A. Discuss legal issues related to meet and confer legislation for non-San Antonio Police Department peace officers pursuant to Texas Government Code Section 551.071 (consultation with attorney).

B. Deliberate competitive matters regarding CPS Energy and discuss related legal issues pursuant to Texas Government Code Section 551.086 (competitive matters) and Texas Government Code Section 551.071 (consultation with attorney).
Mayor Hardberger reconvened the Regular Meeting at 5:10 pm at which time it was noted that the City Council had been briefed on the above-styled matters but took no action.

CONSENT ZONING

Councilmember McNeil made a motion to approve items Z-5, Z-6, Z-7 and Z-9 noting that Staff and Zoning Commission recommendation were to approve and that no Citizens had signed up to speak. Councilmember Clamp seconded the motion.

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

**2007-09-20-1033**

Item Z-5. **ZONING CASE # Z2007266 (District 9):** An Ordinance changing the zoning district boundary from "I-1" General Industrial District to "C-2" Commercial District on 52.093 acres out of NCB 12059, 100 Block of Interpark Boulevard as requested by Brown, P. C., Applicant for Interpark Associates, Ltd., 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: 52.093 ACRES OUT OF NCB 12059 TO WIT: FROM "I-1" GENERAL INDUSTRIAL DISTRICT TO "C-2" COMMERCIAL DISTRICT.

**2007-09-20-1034**

Item Z-6. **ZONING CASE # Z2007237 CD (District 1):** An Ordinance changing the zoning district boundary from "R-6" NCD-5 Residential Single-Family Neighborhood Conservation District-5 to "R-6" NCD-5 (CD - Multi-Family Dwelling) Residential Single-Family Neighborhood Conservation District-5 with a Conditional Use for a Multi-Family Dwelling at a Density of 12 dwelling units per acre on Lot 18, Lot 19 and Lot 20, Block 2, NCB 3031, 1118 West French Place as requested by South Blanco Group, Applicant for South Blanco Group, 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: LOTS 18, 19, AND 20, BLOCK 2, NCB 3031 TO WIT: FROM "R-6" NCD-5 RESIDENTIAL SINGLE-FAMILY NEIGHBORHOOD CONSERVATION DISTRICT-5 TO "R-6" NCD-5 (CD - MULTI-FAMILY DWELLING) RESIDENTIAL SINGLE-FAMILY NEIGHBORHOOD CONSERVATION DISTRICT-5 WITH A CONDITIONAL USE FOR A MULTI-FAMILY DWELLING AT A DENSITY OF 12 DWELLING UNITS PER ACRE WITH A MAXIMUM OF 6 DWELLING UNITS PROVIDED THE CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

**2007-09-20-1035**

Item Z-7. **ZONING CASE # Z2007250 (District 1):** An Ordinance changing the zoning district boundary from "C-3 NA" RIO-2 Commercial District, Nonalcoholic Sales River Improvement Overlay District 2 to "IDZ" RIO-2 Infill Development Zone River Improvement Overlay District 2 with uses permitted in "C-3", General Commercial District, "D" Downtown District, "MF-50" Multi Family District and the following additional uses: 1. Beverage manufacture or microbrewery (alcohol or non-alcohol) and water distillation, purification and bottling. 2. Fabrication and manufacturing of artisan
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: 2.122 ACRES OUT OF NCB 6326 TO WIT: FROM "C-3 NA" RIO-2 COMMERCIAL DISTRICT, NONALCOHOLIC SALES RIVER IMPROVEMENT OVERLAY DISTRICT 2 TO "IDZ" RIO-2 INFILL DEVELOPMENT ZONE RIVER IMPROVEMENT OVERLAY DISTRICT 2 WITH USES PERMITTED IN "C-3", GENERAL COMMERCIAL DISTRICT, "D" DOWNTOWN DISTRICT, "MF-50" MULTI-FAMILY DISTRICT AND THE FOLLOWING ADDITIONAL USES:

1. BEVERAGE MANUFACTURE OR MICROBREWERY (ALCOHOL OR NON-ALCOHOL) AND WATER DISTILLATION, PURIFICATION AND BOTTLING.
2. FABRICATION AND MANUFACTURING OF ARTISAN GOODS AND PRODUCTS INCLUDING FURNITURE, CABINETRY, WOOD PRODUCTS, METALWORK AND METAL PRODUCTS, BREAD, CANDY AND OTHER FOOD PRODUCTS, LEATHER PRODUCTS, CLOTHING, GLASS AND TILE.
3. THE FABRICATION AND MANUFACTURING OF PROTOTYPES DEVELOPED OR CONCEIVED BY ANY COLLEGE, UNIVERSITY, TRADE SCHOOL, INSTITUTE OR OTHER EDUCATIONAL FACILITY.
4. THE FABRICATION OF GLASS AND METAL PRODUCTS.

2007-09-20-1036

Item Z-9. ZONING CASE # Z2007215 CD (District 2): An Ordinance changing the zoning district boundary from "MF-33" Multi-Family District and "R-5" Residential Single Family District to "C-2" (CD-Mini Warehouse) Commercial District with a Conditional Use for a Mini Warehouse exceeding 2.5 acres on Lots 1B, 2B, 3B, 4B, 5B, 6B, 7B, 8B, 9B, 10B, 11B, 12B and 13B, NCB 10614 , 4603 East Houston Street, 4607 East Houston Street and 4426 East Houston Street, as requested by Carol Gagliardi, Applicant for The Standage Company, 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: LOTS 1B, 2B, 3B, 4B, 5B, 6B, 7B, 8B, 9B, 10B, 11B, 12B AND 13B; NCB 10614 TO WIT: FROM "MF-33" MULTI-FAMILY DISTRICT AND "R-5" SINGLE FAMILY RESIDENTIAL DISTRICT TO "C-2" (CD-MINI WAREHOUSE) COMMERCIAL DISTRICT WITH A CONDITIONAL USE FOR A MINI WAREHOUSE EXCEEDING 2.5 ACRES PROVIDED ALL CONDITIONS IMPOSED BY THE CITY COUNCIL ARE ADHERED TO.

[ZONING CONSENT ITEMS CONCLUDED]
ZONING ITEMS FOR INDIVIDUAL CONSIDERATION

2007-09-20-1030

Item Z-1. ZONING CASE # Z2007254 CD (District 5): An Ordinance changing the zoning district boundary from R-6" Residential Single Family District to "C-1" (CD-Motor Vehicle Sales) Light Commercial District with a Conditional Use for Motor Vehicle Sales on Lot 9, Lot 10 and Lot 11, Block 48, NCB 7967, 902 Milvid Avenue, as requested by Albert Uresti, Applicant for Albert and Elsie Uresti, Owners. Staff and Zoning Commission recommend Denial.

Mr. Chris Looney presented the proposed Zoning Case.

Councilmember Galvan moved to adopt the C-1 Zoning without the Conditional Use Permit. Councilmember Cisneros seconded the motion.

Ms. Alvarado, 1908 Fitch, addressed the Council and spoke against the zoning because she believes it will become a triangle of car dealerships. She stated that the area is too small for auto sales.

Mr. Albert Uresti, 902 Milvid, addressed the Council and spoke in favor of the proposed zoning change. He stated that the neighbors who live directly next to the property and those that would be most impacted are in favor of the rezoning in hopes to alleviate current conditions. Mr. Uresti stated that he and his family recently cleared four trucks of wine bottles, beer cans, and drug paraphernalia from the location.

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

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 9, 10 AND 11, BLOCK 48, NCB 7967 TO WIT: FROM "R-6" RESIDENTIAL SINGLE FAMILY DISTRICT TO "C-1" LIGHT COMMERCIAL DISTRICT.

2007-09-20-1031

Item Z-2. ZONING CASE # Z2007261 (District 6): An Ordinance changing the zoning district boundary from "C-2" Commercial District to "C-3" General Commercial District on 3.142 acres out of NCB 18082, 7000 Block of Culebra Road, as requested by Adrian Ismail, Applicant for Culebra Business Park, LLC, Owner. Staff and Zoning Commission recommend Approval.

Mr. Chris Looney presented the proposed Zoning Case.

Councilmember Herrera moved to adopt the Zoning Ordinance. Councilmember Cibrian seconded the motion.

Ms. Sally Rafati, 7627 Culebra Road, addressed the Council and spoke in favor of the rezoning on behalf of the property owners. She stated that the neighborhood association was originally against the rezoning because they did not want adult types of businesses in the area and were unaware of the deed restrictions.

The motion prevailed by the following vote: AYES: Cisneros, Gutierrez, Galvan, Herrera, Rodriguez, Cibrian, Wolff, and Clamp. NAY: None. ABSENT: McNeil, Cortez, and Mayor Hardberger.
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: 3.142 ACRES OUT OF NCB 18082 TO WIT: FROM "C-2" COMMERCIAL DISTRICT TO "C-3" GENERAL COMMERCIAL DISTRICT.

CONTINUED FOR 30 DAYS

Item Z-3. ZONING CASE # Z2007063 (District 7): An Ordinance changing the zoning district boundary from "I-1" General Industrial District to "R-4" Residential Single-Family District on 40.538 acres out of NCB 18560 and to "C-2" Commercial District on 8.760 acres out of NCB 18560 at 7000 Block of Bandera Road, as requested by Kaufman and Associates, Inc., Applicant for Charles and Peggy Blank, Owners. Staff recommends Approval. Zoning Commission failed to make a recommendation.

Councilmember Rodriguez moved to continue said item for 30 days. Councilmember Clamp seconded the motion.

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

2007-09-20-1032

Item Z-4. ZONING CASE # Z2007075 (District 9): An Ordinance amending the zoning district boundary from "C-2" ERZD Commercial Edwards Recharge Zone District to "C-3" ERZD General Commercial Edwards Recharge Zone District on Lots 2 and 3, Block 35, NCB 19219, 20832 Stone Oak Parkway and 20840 Stone Oak Parkway as requested by Brown, P.C., Applicant for RKS Texas Investments, LP Owners. Staff recommends Denial. Zoning Commission recommends Approval.

Mr. Chris Looney presented the proposed Zoning Case.

Councilmember Cibrian moved to adopt the Ordinance with 75% impervious cover. Councilmember Clamp seconded the motion.

Mr. Nazirite Ruben Flores Perez, 627 Hearne Avenue, addressed the Council and spoke against the rezoning because of negative affects to the environment. He stated that the Aquifer was only 35 feet below the surface, thus needed to be extremely careful not to contaminate.

Leticia M. Vacek, City Clerk, read a written testimony from Richard Alles. He wrote that he was in opposition to the zoning change because tree credits would be used to deforest the area. He noted that tree removal would downgrade the quality of the land.

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

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 2 AND 3, BLOCK 35, NCB 19219 TO WIT: FROM "C-2" ERZD COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT TO "C-3" ERZD GENERAL COMMERCIAL EDWARDS RECHARGE ZONE DISTRICT.
CONTINUED FOR TWO WEEKS

Item Z-8. ZONING CASE # Z2007262 (District 1): An Ordinance changing the zoning district boundary from "R-4" Residential Single Family District, "MF-33" Multi-Family District, "O-2" Office District, "C-2" Commercial District, and "C-3" General Commercial District to "R-4" H Residential Single Family Historic District, "MF-33" H Multi-Family Historic District, "O-2" H Office Historic District, "C-2" H Commercial Historic on Lots 34-70, Block 15, NCB 9003; Lots 56-107, Block 2, NCB 9004; All of Block 3, NCB 9005; Lot 1-39, Block 14, NCB 9006; Lots 8-49 and Lot 100, Block 4, NCB 9008; Lots 48-93 and the east 20.5 feet of Lot 94, Block 6, NCB 9012; All of Block 7, NCB 9013; All of Block 8, NCB 9016 and All of Block 9, save and except Lots 6A, 7A, 8A, 9A, 10A, & 11A, NCB 9017; 101 through 292 Lovera Boulevard; 201 through 281 Hermine Boulevard; 201 through 291 W. Mariposa; 201 through 291 W. Wildwood; 226 through 293 W. Hermosa; 4950, 5000, 5018, 5322, 5326, 5330, 5402 and 5410 San Pedro Avenue as requested by City of San Antonio, Historic Preservation Officer for Multiple Owners. Staff and Zoning Commission recommend Approval.

Councilmember Cisneros moved to continue said item until the next Council Meeting. Councilmember McNeil seconded the motion.

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

[ZONING ITEMS CONCLUDED]

CEREMONIAL ITEMS

Mayor Hardberger recognized Elite Racing who made a nation-wide announcement that San Antonio has been selected as the site for the 6th Annual Rock and Roll Marathon. The 4-day event will be held during the 2008 Veterans Day weekend and will include a concert in the Alamodome in conjunction with the marathon.

Mayor Hardberger presented a Citation to the San Antonio Missions Baseball Team for winning the 2007 Texas League Championship. This is the 11th League Title for the Missions and the 4th since 1997.

Mayor Hardberger presented a Proclamation to the Down Syndrome Association of San Antonio in recognition of the 7th Annual Buddy Walk. The event will take place on Saturday, October 6, 2007, on the grounds of Ft. Sam Houston. The Buddy Walk is a worldwide event developed by the National Down Syndrome Society in 1995 to promote the acceptance and inclusion of individuals with Down Syndrome and to raise the funds needed to educate, research, and advocate their initiatives.

CITIZENS TO BE HEARD

Mr. Michael Hendricks, 1022 Gibbs, addressed the Council and stated that he was wearing black in support of Jena Six, which is a group of six black teenagers who have been charged with the beating of Justin Barker, a white teenager at Jena High School in Jena Louisiana. Mr. Hendricks asked why the City settled with Joseph Fennell and paid him $80,000.00. He also asked why there are no African American Judges employed at the Municipal Courts.
Mr. James Myart, 306 Preston, addressed the Council and thanked Councilmember Rodriguez for reading constituent email. Mr. Myart then discussed alleged police brutality in San Antonio while displaying photos.

Mr. Nick Calzoncit, 66 Brees, spoke of peace and his efforts renaming schools in the Harlandale School District and announced the upcoming National Peace Day. He compared the dropout rate of the Harlandale District too other school districts and cited statistics. Mr. Calzoncit asked why he was not allowed to bring a protest sign into the Council Chamber and why Citizens to be Heard was not televised.

Mr. Faris Hodge Jr., 140 Dora, addressed the Council and requested that the Alamodome be named “Faris Hodge Jr. Alamodome” after him. He stated that the Downtown Library should be painted blue and white. He thanked the Council for repairing the stairs at City Hall. Mr. Hodge stated that he was not allowed to use the restroom on the fourth floor at City Hall. Lastly, He stated that the Council should investigate why 3-1-1 was moved to Brooks City Base.

Ms. Henrietta DeHoyos addressed the Council regarding problems with her Mirasol home. She stated that she had contacted Congressman Gonzalez in reference to SAHA and KB Homes. She stated that SAHA foreclosed on her house, made repairs and sold it to someone else. Ms. DeHoyos requested to be reimbursed the amount of money she had invested into the home.

Mr. Randy Zaragoza, 1602 NW 26th Street, stated that he was a Mirasol Task Force Member and noted that he was concerned for the resident’s health due to mold issues.

Ms. Petra Maldonaldo addressed the Council and stated that nothing was being done to help the Mirasol homeowners.

A citizen addressed the Council and requested assistance expediting the process relating to the Mirasol home buyback program. He stated that the inspector who visited the Mirasol properties told him his house had the worst mold infestation.

ADJOURNMENT

There being no further business to discuss, Mayor Pro Tem Wolff adjourned the meeting at 7:01 pm.

APPROVED

[Signature]
PHIL HARDBERGER
MAYOR

Attest:  
[Signature]
LETICIA M. VACEK
City Clerk