

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

A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO WAS HELD IN THE COUNCIL CHAMBERS, MUNICIPAL PLAZA BUILDING, WEDNESDAY, JUNE 11, 2008 AND THURSDAY, JUNE 12, 2008.

The San Antonio City Council convened in a Work Session at 2:30 pm Wednesday, **June 11, 2008**, Municipal Plaza Building with the following Councilmembers present: Cisneros, McNeil, Ramos, Cortez, Galvan, Herrera, Cibrian, Rowe, Clamp, and Mayor Hardberger. Councilmember Rodriguez phoned in via conference call during the session.

1. STAFF BRIEFING ON THE DEVELOPMENT OF A SUSTAINABILITY POLICY.

Mayor Hardberger provided an introduction and stated that the City had hired Center for Neighborhood Technologies (CNT), a Chicago-based firm, to consult the City regarding energy efficiencies. He noted that broad range proposals were being presented to increase energy efficiency in regard to building, transportation and usage of energy. He added that the City would collaborate with CPS Energy to create comprehensive strategies for energy efficiencies.

City Manager Sheryl Sculley introduced Mr. Richard Varn, Chief Information Officer, and noted that he was overseeing Energy and Sustainability Policies for the City of San Antonio.

Mr. Varn presented a Sustainability Update and overview which included the following:

- Opportunity Scan – Results provided by CNT
- Four Areas of Plan Development and Related Action Steps
 - 1) Energy Efficiency
 - 2) Economic Development
 - 3) Transportation
 - 4) City Operations
- Current City Initiatives

Mr. Varn stated that the City would focus on a limited number of attainable objectives tailored to San Antonio and would solicit community input. The initiatives would seek bottom line returns which would pay for themselves. He noted that programs would tap into a wealth of conservation such as a large potential average saving per household in energy and transportation.

Mr. Varn outlined the findings and recommendations of the Opportunity Scan and noted that San Antonio was a low cost but high consumption community. He stated that costs were rising faster than income and transportation systems were not adequate. He highlighted Key Sustainability Areas and their associated plans and action steps.

1) Energy Efficiency Action Steps:

- The Mayor proposed creating a Task Force on Sustainable Buildings whose mission would be “To develop building strategies that enhance San Antonio’s capacity to experience a resilient and

environmentally sensitive future, emphasizing and focusing on energy and water conservation.” Mr. Ed Kelley has agreed to serve as Chairman.

- Coordinate Advanced Metering Initiatives among CPS Energy, San Antonio Water Systems (SAWS), and the City of San Antonio.
- Design financing mechanisms for retrofits and distributive energy projects.
- CPS Energy will conduct a comprehensive energy efficiency study and set new conservation goals and financial commitments.
- CPS Energy Summit held to encourage energy efficiency.

2) Economic Development:

- Take steps to attract capital for infrastructure and “Green” jobs, including the hiring of a consultant to analyze a potential double bottom line fund for new development.
- Develop a strategy for attracting a larger share of private venture capital investment.
- Raise awareness of “Green” job opportunities.
- Involve neighborhoods in building community wealth through conservation and innovative financing.

3) Transportation Plan:

- Mayor Hardberger and Judge Wolff proposed to establish and co-chair a Transportation Task Force to identify regional transportation challenges and create a comprehensive strategy to address them.
- Implement initiatives such as a car sharing program using “Zip Cars” through non-profit and/or not-for-profit.

4) City Operations - COSA Mission Verde – Turn the City operations as “Green” as possible

- Sustainability financing-seeking supplemental funds through rebates and grants.
- Establishing a Sustainability Task Force to evaluate opportunities in key target areas.
- Take advantage of complimentary services of external engineers and analysts from vendors and agencies.

Current Citywide Initiatives:

- Seek a grant for the installation of solar panels on the Convention Center and the Airport.
- Sampling of 162 current City Initiatives:
 - Installation of citywide energy-saving power strips.
 - Tree canopy analysis to determine a citywide goal for additional trees.
 - Creation of a cell phone waiting lot to increase traffic efficiency within the Airport.
 - Enhance the Recycling Program to include plastics and glass.

Mayor Hardberger recognized Mr. Milton Lee, CPS Energy General Manager and CEO, who stated that a CPS Energy Summit had been held the previous week to encourage energy efficiency. He discussed programs being utilized in other cities and noted that CPS Energy Staff would visit such cities to learn about implementing their programs in San Antonio.

Councilmember Cibrian noted that the City did not have Environmental Policy Staff in place to move forward on these initiatives and recommended that the City implement a plan to include staff and grants to address issues. Councilmember Herrera asked for suggestions to gain community acceptance and

stressed the importance of community buy-in to ensure the success of the program. Mr. Varn stated that there was a need to help people understand the opportunities available and how to obtain and tap into those. He added that there would be efforts to train "Green" Collar Workers.

Mayor Hardberger acknowledged that Councilmember Rodriguez had joined the session via telephone during the previous discussion. Councilmember Rodriguez stated that it was important to the long-term vitality of the City to adopt the Sustainability Plan.

Councilmember Galvan emphasized the importance of initiating programs to encourage citizens to become more energy efficient. She displayed a painting she had received from a Bristol Elementary School student who won first prize in an art contest that promoted recycling and energy efficiency. Councilmember Ramos emphasized the importance of the City setting an example for the community. Councilmember Cisneros asked if staff had reviewed the newly adopted City of Dallas "Green" Building Program. Mr. Varn confirmed that the committee was reviewing it.

Ms. Aurora Geis, Chair of the CPS Energy Board stated that it would take all to participate long-term for the viability and success of the program. She added that the commitment to energy conservation would continue and that the Sustainability Plan should become institutionalized immediately.

City Manager Sculley thanked Mr. Varn and staff for helping the City prioritize efforts to take advantage of areas with the largest energy savings.

At this time, Mayor Hardberger recessed the meeting into Executive Session at 4:31 pm to discuss:

2. STAFF BRIEFING ON PROPOSED UPDATES TO THE TAX INCREMENT FINANCE (TIF) POLICY AND IMPLEMENTATION MANUAL.

Mayor Hardberger reconvened the meeting at 5:00 pm at which time it was noted that the City Council had been briefed on the above-styled matter but took no action. There being no further discussion, Mayor Hardberger adjourned the meeting at 5:00 pm.

The San Antonio City Council convened in a Regular Meeting on Thursday, **June 12, 2008** at 9:00 am in the City Council Chambers.

The Invocation was delivered by Rev. James Galvin, Pastor, San Juan Capistrano Catholic Church, guest of Councilmember Jennifer Ramos, District 3.

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

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

MINUTES

Councilmember Herrera made a motion to approve the Minutes for the May 13, 2008 City Council Special Meeting. Councilmember Cibrian seconded the motion.

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

ITEMS FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following:

Item 4. A PUBLIC HEARING AND CONSIDERATION OF THE FOLLOWING ORDINANCES:

2008-06-12-0509

- A. AN ORDINANCE EXTENDING THE CURRENT JOINT CITY/COUNTY TAX PHASE-IN GUIDELINES WITHOUT CHANGES UNTIL REVISIONS ARE COMPLETE.

2008-06-12-0510

- B. AN ORDINANCE DESIGNATING THE KLN REINVESTMENT ZONE LOCATED AT 4200 NORTH PAN AM EXPRESSWAY, CONSISTING OF 38.713 ACRES, BOUNDED BY THE NORTHEAST-BOUND SERVICE ROAD OF IH-35, BINZ-ENGLEMAN ROAD AND PETROLEUM DRIVE.

2008-06-12-0511

- C. AN ORDINANCE APPROVING AN AGREEMENT WITH KLN STEEL FOR A 10-YEAR, 100% TAX ABATEMENT ON REAL AND PERSONAL PROPERTY IMPROVEMENTS; AND APPROVING AN EXCEPTION TO THE GUIDELINES BASED ON THE INVESTMENT, WAGE AND EMPLOYMENT LEVELS.

2008-06-12-0512

- D. AN ORDINANCE APPROVING A \$400,000.00 ECONOMIC DEVELOPMENT PROGRAM GRANT AGREEMENT WITH KLN STEEL FOR WORKFORCE TRAINING.

Mr. Robert Peche, Economic Development Director, stated that in regard to the Joint City/County Tax Phase-In Guidelines, the current guidelines were only in effect until June 15, 2008; therefore, staff recommended that they be extended until revisions are completed.

Mr. Peche noted that Items B, C and D pertained to KLN Steel, a local manufacturing firm located in District 2. He stated that the company was considering consolidating and expanding one of its operations in California or Illinois. In an effort to retain and grow KLN operations in San Antonio, Economic Development Staff offered KLN a 10-year tax abatement and assisted them in applying for and receiving a \$900,000 grant from the State of Texas Enterprise Fund. With the incentives, KLN will consolidate its existing manufacturing operations from California and Illinois into one operation in San Antonio. He noted that KLN planned to invest at least \$21 million, retain 200 jobs, and create 500 additional jobs. He added that \$400,000 from the Economic Development Grant being recommended would be used to help fund the relocation and training of new employees.

There being no citizens signed up to speak, Councilmember McNeil moved to adopt the proposed Ordinances for Items 4A-4D. Councilmember Clamp seconded the motion.

The motion to approve Items 4A-4D prevailed by the following vote: **AYES:** Cisneros, McNeil, Ramos, Cortez, Galvan, Herrera, Rodriguez, Cibrian, Rowe, Clamp, and Mayor Hardberger. **NAY:** None. **ABSENT:** None.

Mayor Hardberger recessed the meeting of the City Council and convened the meeting of the City of San Antonio Industrial Development Authority for the consideration of Items 5A and 5B.

The City Clerk read the following:

Item 5. CONSIDERATION OF THE FOLLOWING ITEMS RELATED TO THE ISSUANCE OF INDUSTRIAL DEVELOPMENT REVENUE BONDS BY THE CITY OF SAN ANTONIO INDUSTRIAL DEVELOPMENT AUTHORITY FOR THE TINDALL CORPORATION:

- A. A PUBLIC HEARING RELATING TO THE ISSUANCE OF \$14,000,000.00 IN PRINCIPAL AMOUNT OF INDUSTRIAL DEVELOPMENT REVENUE BONDS BY THE CITY OF SAN ANTONIO INDUSTRIAL DEVELOPMENT AUTHORITY FOR THE TINDALL CORPORATION TO FINANCE A MANUFACTURING FACILITY.

2008-06-12-0027R

- B. A RESOLUTION AUTHORIZING THE ISSUANCE OF \$14,000,000.00 IN PRINCIPAL AMOUNT OF CITY OF SAN ANTONIO INDUSTRIAL DEVELOPMENT AUTHORITY TAX-EXEMPT ADJUSTABLE MODE INDUSTRIAL DEVELOPMENT REVENUE BONDS (TINDALL CORPORATION PROJECT), SERIES 2008A AND CITY OF SAN ANTONIO INDUSTRIAL DEVELOPMENT AUTHORITY TAXABLE ADJUSTABLE MODE INDUSTRIAL DEVELOPMENT REVENUE BONDS (TINDALL CORPORATION PROJECT), SERIES 2008B; AUTHORIZING THE EXECUTION OF A LOAN AGREEMENT, AN INDENTURE OF TRUST, AND A BOND PURCHASE AGREEMENT; APPROVING THE FORM OF AN OFFICIAL STATEMENT; AND APPROVING OTHER RELATED MATTERS.

Mr. Peche provided background information on the Industrial Development Authority (IDA), noting that it was established in 1979 for the primary purpose of providing low cost financing for private sector manufacturing projects through the issuance of tax-exempt bonds. He stated that the City Council served as the Board of Directors and that IDA tax-exempt issuances were limited to \$10 million per project.

Mr. Peche noted that the Tindall Corporation was constructing a new manufacturing facility in District 5 with an estimated \$25 million investment in real and personal property improvements. He added that they would create at least 250 jobs in five years with a potential for an additional 250 jobs in Phase II. He stated that said bond issuance included \$10 million in tax-exempt bonds and another \$4 million in taxable bonds. The bonds will be utilized to help finance \$25 million of improvements to its manufacturing facility in San Antonio. The City will collect a \$2,500 application fee and the IDA will collect a \$20,000 fee upon closing and issuance of the bonds.

Mayor Hardberger noted that no one had registered to speak on said item. Director McNeil moved to approve the proposed Resolution. Director Cisneros seconded the motion.

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

Mayor Hardberger adjourned the meeting of the City of San Antonio Industrial Development Authority and reconvened the City Council Meeting at this time and addressed Item 6.

The City Clerk read the following Resolution:

2008-06-12-0028R

Item 6. A RESOLUTION APPROVING THE ISSUANCE OF \$10,000,000.00 IN PRINCIPAL AMOUNT OF "TAX-EXEMPT ADJUSTABLE MODE INDUSTRIAL DEVELOPMENT REVENUE BONDS (TINDALL CORPORATION PROJECT), SERIES 2008A", AND \$4,000,000.00 IN AGGREGATE PRINCIPAL AMOUNT OF "TAXABLE ADJUSTABLE MODE INDUSTRIAL DEVELOPMENT REVENUE BONDS (TINDALL CORPORATION PROJECT), SERIES 2008B" BY THE CITY OF SAN ANTONIO INDUSTRIAL DEVELOPMENT AUTHORITY FOR THE TINDALL CORPORATION, A SOUTH CAROLINA CORPORATION, AND APPROVING OTHER RELATED MATTERS.

Councilmember Galvan moved to approve the proposed Resolution. Councilmember Cisneros seconded the motion.

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

The City Clerk read the following Ordinance:

2008-06-12-0513

Item 7. AN ORDINANCE AMENDING THE CITY CODE OF SAN ANTONIO TO REVISE FEES FOR THE SUMMER YOUTH RECREATION PROGRAMS MANAGED BY THE PARKS AND RECREATION DEPARTMENT AND THE DEPARTMENT OF COMMUNITY INITIATIVES.

Ms. Janet Martin, Parks and Recreation Department Assistant Director stated that the Parks and Recreation Summer Youth Programs offer various activities at 85 school and community center sites for a period of eight weeks from 7:30 am to 5:30 pm. She noted that a free daily hot lunch and snack were provided to all participants and that the Department of Community Initiatives (DCI) contracted with delegate agencies to provide additional summer youth programs.

Ms. Martin stated that in order to expand programs and available sites, a sliding scale fee was adopted in the FY 2008 Budget. Said fees were implemented in a four-tiered structure based upon ability to pay. She noted that fee changes for the lowest income levels were being recommended to promote access and enhance affordability of the program. She added that the new fees combined the two lowest income levels and that the rate would be revised to \$20.00 for the 1st child and \$10.00 for each additional child with a \$40.00 maximum per family. She mentioned that families needing assistance with the payment of fees should contact DCI.

Father Walter D'Heedeene and Mike Phillips representing COPS/Metro Alliance spoke in support of the Summer Program. Father D'Heedeene stated that the Kid Quest Summer Program was very important to the low to mid income San Antonio Families because it provides recreation and enrichment opportunities with a positive alternative to gangs. He thanked City Staff and all those who worked to revise the fee schedules to ensure that all children get registered regardless of their ability to pay. Mr. Phillips added that they were not against a fee structure but opposed to one that disadvantaged low to mid income families.

Mrs. Vacek read written testimony from Faris Hodge, Jr. On Item 4A, Mr. Hodge wrote that everyone should pay taxes equally including San Antonio Businesses. He expressed concern with individuals that do not pay taxes and go to jail or pay fines. He noted that businesses are exempt from paying taxes for up to twenty-five years. For Item 24, Mr. Hodge wrote that small businesses should be allowed to sell to big businesses and not allowing this was against free enterprise. He noted that it was small businesses that made the Riverwalk and that they should be allowed to make decisions regarding their own property.

Councilmember Cibrian reported that there were 6,300 children served last year in the Summer Youth Program compared to over 8,300 this year.

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

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

POINT OF PERSONAL PRIVILEGE

Councilmember McNeil recognized Former Mayor Lila Cockrell and the Kronkosky Foundation on Item 14 and expressed her pleasure in helping provide for six new playscapes at various parks throughout the community.

Councilmember Ramos recognized Mr. Roberto Anguiano on Item 39C regarding his reappointment to the San Antonio Water Systems (SAWS) Board of Trustees. She thanked him for his continued dedication and service.

CONSENT AGENDA: Items 8 –39C

Consent Agenda Items 10, 11, 13, 16, 17, 19, 21, 25, 34, 35 and 36 were pulled for Individual Consideration. Councilmember Herrera moved to approve the remaining Consent Agenda Items. Councilmember Ramos seconded the motion.

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

2008-06-12-0514

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 2007-2008 FOR A COMBINED ESTIMATED COST OF \$1,216,000.00, INCLUDING: (A) WIRE ROPE; (B) EROSION CONTROL MATERIALS AND ACCESSORIES; (C) TREE AND PALM MAINTENANCE; (D) TRAFFIC CONTROL AND SIGNAL PREEMPTION EQUIPMENT; AND (E) TRAFFIC SIGNAL SYSTEM MODERNIZATION WIRELESS BACKHAUL.

2008-06-12-0515

Item 9. AN ORDINANCE ACCEPTING THE OFFER FROM GTSI CORP., UTILIZING A U.S. COMMUNITIES COOPERATIVE CONTRACT, TO FURNISH LABOR, MATERIALS AND EQUIPMENT TO UPGRADE THE CITY COUNCIL CHAMBERS AUDIO SYSTEM FOR A COST OF \$130,822.66, FROM PUBLIC, EDUCATION AND GOVERNMENT CHANNEL FUNDS.

2008-06-12-0518

Item 12. AN ORDINANCE ACCEPTING THE OFFER FROM FISK ELECTRIC COMPANY, UTILIZING A UNITED STATES GENERAL SERVICES ADMINISTRATION CONTRACT, TO PROVIDE THE PARKS AND RECREATION DEPARTMENT WITH AN ACCESS CONTROL SYSTEM FOR THE NEW HEADQUARTERS FACILITY FOR A COST OF \$85,065.73.

2008-06-12-0520

Item 14. AN ORDINANCE ACCEPTING THE OFFER FROM LANDSCAPE STRUCTURES, INC., UTILIZING A US COMMUNITIES CONTRACT, TO PROVIDE THE PARKS AND RECREATION DEPARTMENT WITH PLAYGROUND EQUIPMENT FOR PLAYGROUNDS LOCATED IN COUNCIL DISTRICTS 1, 2 AND 5, FOR A TOTAL COST OF \$192,423.00.

2008-06-12-0521

Item 15. AN ORDINANCE ACCEPTING THE OFFER FROM SHAW CONTRACT FLOORING SERVICES, INC. D/B/A SPECTRA CONTRACT FLOORING-HOUSTON, UTILIZING A BUYBOARD CONTRACT, TO PROVIDE THE PARKS AND RECREATION DEPARTMENT WITH PARK PLAYGROUND SAFETY SURFACING MATERIALS FOR PLAYGROUNDS LOCATED IN COUNCIL DISTRICTS 1, 2 AND 5, FOR A COST OF \$237,412.98.

2008-06-12-0524

Item 18. AN ORDINANCE AWARDED A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$3,024,490.76 TO E-Z BEL CONSTRUCTION, LTD, OF WHICH \$2,756,116.75 WILL BE REIMBURSED BY TEXAS DEPARTMENT OF TRANSPORTATION, AND AUTHORIZING AMENDMENTS TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH PAPE DAWSON ENGINEERS IN THE AMOUNT OF \$49,598.00 AND THE LAM PROGRAM MANAGEMENT CONTRACT WITH CH2M HILL FOR \$288,822.00, ALL IN CONNECTION WITH THE STAHL ROAD AT O'CONNOR AND JUDSON RECONSTRUCTION PROJECT, LOCATED IN COUNCIL DISTRICT 10 AND APPROPRIATING \$3,598,028.75.

2008-06-12-0526

Item 20. AN ORDINANCE AUTHORIZING THE ACQUISITION OF FEE SIMPLE TITLE OF THREE (3) PARCELS OF REAL PROPERTY LOCATED IN COUNCIL DISTRICTS 8 AND 9 AND

DECLARING THE ACQUISITION OF APPROXIMATELY 0.020 ACRE TRACT OUT OF LOT 1, BLOCK 1, NCB 17252 AND 0.032 ACRES OUT OF LOT 1, BLOCK 11, NCB 18217 FOR THE PURPOSE OF THE FY 2007-2008 ANNUAL TRAFFIC SIGNAL INSTALLATION PROGRAM (PROJECT), A COMPONENT OF THE FY 2008-2013 INFRASTRUCTURE MANAGEMENT PROGRAM (IMP), TO BE A PUBLIC PROJECT; DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION BY NEGOTIATION AND/OR CONDEMNATION OF PRIVATELY OWNED REAL PROPERTY, ALL PROPERTIES BEING IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS; AND AUTHORIZING THE CITY ATTORNEY TO FILE EMINENT DOMAIN PROCEEDINGS, IF NECESSARY.

2008-06-12-0528

Item 22. AN ORDINANCE AUTHORIZING THE CITY TO LEASE FROM RIVERVIEW TOWER PARTNERS, LTD. APPROXIMATELY 20,852 SQUARE FEET AT 111 SOLEDAD STREET, COUNCIL DISTRICT 1, FOR OFFICE SPACE FOR THE PURCHASING DEPARTMENT, THE INTERGOVERNMENTAL RELATIONS DEPARTMENT, AND THE OFFICE OF CUSTOMER SERVICE, THE LEASE TO BE FOR FIVE YEARS WITH POSSIBILITY OF RENEWAL, RENT INITIALLY TO BE \$27,802.66 MONTHLY PLUS A SHARE OF OPERATING EXPENSES.

2008-06-12-0529

Item 23. AN ORDINANCE APPROVING A MARKET SQUARE PATIO DISPLAY LICENSE AGREEMENT WITH MR. PAULINO BERNARDO VELAZQUEZ AND MS. PETRA RIVERA VELAZQUEZ D/B/A EL MERKADITO FOR 295 SQUARE FEET OF PUBLIC SPACE AT 112 PRODUCE ROW FOR THE DISPLAY OF MERCHANDISE AT AN INITIAL RATE OF \$1.19 PER SQUARE FOOT PER MONTH FOR A TERM ENDING ON MARCH 31, 2010.

2008-06-12-0530

Item 24. AN ORDINANCE APPROVING AN AMENDMENT TO A LEASE AGREEMENT WITH RIO PLAZA, L.P. FOR USE OF CITY-OWNED PROPERTY LOCATED IN SUBSURFACE SPACE UNDER CROCKETT STREET AND ADJACENT RIVER WALK PATIO SPACE, EXTENDING THE TERM TO JUNE 30, 2018, ADJUSTING THE RENTAL RATE BEGINNING ON JULY 1, 2014 BASED ON A MARKET RENTAL STUDY AND COMBINING A PREVIOUS LICENSE AGREEMENT FOR RIVER WALK PATIO SPACE WITH THE SUBSURFACE SPACE IN A SINGLE LEASE AGREEMENT.

2008-06-12-0532

Item 26. AN ORDINANCE AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE OF THE CITY CODE OF SAN ANTONIO, TEXAS TO INCORPORATE LOT SIZE AND FRONTAGE RELIEF IN THE INFILL DEVELOPMENT ZONE DISTRICT, AS REQUESTED BY COUNCILMEMBER CISNEROS, DISTRICT 1.

2008-06-12-0533

Item 27. AN ORDINANCE AUTHORIZING A REDUCTION IN SUBSCRIBER RATES FOR THIRD PARTY OUTSIDE AGENCIES USING THE SAN ANTONIO/BEXAR COUNTY PUBLIC SAFETY RADIO SYSTEM, AND AMENDING CHAPTER 2, SEC. 2-501 OF THE SAN ANTONIO CITY CODE TO REFLECT THE REDUCTION.

Item 28. CONSIDERATION OF THE FOLLOWING ITEMS RELATING TO THE SAN ANTONIO WATER SYSTEM:

2008-06-12-0534

- A. AN ORDINANCE AUTHORIZING CERTAIN ACTIONS RELATING TO OUTSTANDING OBLIGATIONS DESIGNATED AS CITY OF SAN ANTONIO, TEXAS WATER SYSTEM COMMERCIAL PAPER NOTES, SERIES A; ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

2008-06-12-0029R

- B. A RESOLUTION REQUESTING FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD FOR CONSTRUCTING IMPROVEMENTS TO THE CITY'S WATER UTILITY SYSTEM; AUTHORIZING THE SYSTEM'S CO-FINANCIAL ADVISORS, CO-BOND COUNSEL, AND ENGINEERS TO COORDINATE THE SUBMISSION OF THE APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD; AND OTHER MATTERS IN CONNECTION THEREWITH.

Item 29. CONSIDERATION OF THE FOLLOWING ORDINANCES RELATED TO "CITY OF SAN ANTONIO, TEXAS HOTEL OCCUPANCY TAX SUBORDINATE LIEN VARIABLE RATE DEMAND REVENUE AND REFUNDING BONDS, SERIES 2008"

2008-06-12-0535

- A. AN ORDINANCE COMPLYING WITH THE REQUIREMENTS CONTAINED IN SECURITIES AND EXCHANGE COMMISSION RULE 15C2-12, INCLUDING THE APPROVAL AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT PERTAINING TO THE ISSUANCE OF APPROXIMATELY \$135,000,000.00 "CITY OF SAN ANTONIO, TEXAS HOTEL OCCUPANCY TAX SUBORDINATE LIEN VARIABLE RATE DEMAND REVENUE AND REFUNDING BONDS, SERIES 2008"; AUTHORIZING THE CITY'S STAFF, CO-FINANCIAL ADVISORS, AND BOND COUNSEL TO TAKE ALL ACTIONS DEEMED NECESSARY IN CONNECTION WITH THE SALE OF SUCH OBLIGATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

2008-06-12-0536

- B. AN ORDINANCE AUTHORIZING THE ISSUANCE OF "CITY OF SAN ANTONIO, TEXAS HOTEL OCCUPANCY TAX SUBORDINATE LIEN VARIABLE RATE DEMAND REVENUE AND REFUNDING BONDS, SERIES 2008"; MAKING PROVISION FOR THE PAYMENT OF THESE BONDS ON A PARITY WITH CERTAIN OBLIGATIONS; ENACTING OTHER PROVISIONS INCIDENT AND RELATED TO THE ISSUANCE, PAYMENT, SALE AND DELIVERY OF THESE BONDS INCLUDING THE APPROVAL AND EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT, A REMARKETING AGREEMENT, A PURCHASE CONTRACT, A REIMBURSEMENT AND SECURITY AGREEMENT, A PROMISSORY NOTE, AND AN ESCROW AGREEMENT AND THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT, PROVIDING FOR THE DEFEASANCE OF THE BONDS BEING REFUNDED; DELEGATING THE AUTHORITY TO CERTAIN MEMBERS OF THE CITY STAFF TO

EXECUTE CERTAIN DOCUMENTS RELATING TO THE SALE OF THE BONDS; AND PROVIDING AN EFFECTIVE DATE.

2008-06-12-0537

Item 30. AN ORDINANCE AUTHORIZING THE TERMINATION OF UBS SECURITIES LLC AS THE DEALER FOR THE CITY'S SALES TAX REVENUE COMMERCIAL PAPER NOTE PROGRAM; AND APPROVING AND AUTHORIZING THE EXECUTION OF A COMMERCIAL PAPER DEALER AGREEMENT WITH RAMIREZ & CO., INC. TO SERVE AS THE NEW DEALER FOR SUCH COMMERCIAL PAPER NOTE PROGRAM.

2008-06-12-0538

Item 31. AN ORDINANCE APPROVING AN EXTENSION OF LINE-OF-DUTY INJURY LEAVE FOR SAN ANTONIO FIRE DEPARTMENT FIREFIGHTER RONALD J. HARRELL.

2008-06-12-0539

Item 32. AN ORDINANCE APPROVING AN EXTENSION OF LINE-OF-DUTY INJURY LEAVE FOR SAN ANTONIO FIRE DEPARTMENT ENGINEER ALFRED DUQUE.

2008-06-12-0540

Item 33. AN ORDINANCE APPROVING A THREE YEAR CONTRACT WITH BOOTH RESEARCH GROUP, INC. AT A COST OF \$339,900.00 TO DEVELOP VALIDATED WRITTEN PROMOTIONAL EXAMINATIONS FOR ALL TESTED PROMOTIONAL RANKS OF THE SAN ANTONIO FIRE DEPARTMENT AND TO PREPARE, ADMINISTER AND SCORE PROMOTIONAL ASSESSMENT CENTERS FOR THE RANK OF DISTRICT FIRE CHIEF, AND PROVIDING FOR TWO ONE-YEAR EXTENSIONS AT THE CITY'S OPTION.

2008-06-12-0543

Item 37. AN ORDINANCE EXERCISING THE FINAL ONE YEAR OPTION TO RENEW THE STAND-BY ENVIRONMENTAL REMEDIATION SERVICES CONTRACT WITH ALAMO ENVIRONMENTAL, INC. (ALAMO ONE), WITH COMPENSATION NOT TO EXCEED \$998,000.00.

2008-06-12-0544

Item 38. AN ORDINANCE EXERCISING THE FIRST ONE YEAR OPTION TO RENEW THE ON-CALL ENVIRONMENTAL CONSULTANTS 2007 PROFESSIONAL SERVICES AGREEMENTS WITH RABA-KISTNER CONSULTANTS, INC. (RKCI) AND ATC GROUP SERVICES, INC., DBA ATC ASSOCIATES, INC. (ATC) FOR COMPENSATION NOT TO EXCEED \$250,000.00 PER CONSULTANT.

Item 39. CONSIDERATION OF BOARD, COMMISSION AND COMMITTEE APPOINTMENTS, FOR TERMS OF OFFICE COMMENCING IMMEDIATELY UPON APPOINTMENT:

- A. APPOINTING PHILLIP CALDERON (DISTRICT 7) TO THE SMALL BUSINESS ADVOCACY COMMITTEE FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE MAY 31, 2009.

- B. REAPPOINTING MANUEL F. LIZCANO (DISTRICT 7 - CATEGORY: PROFESSIONAL ENGINEER) TO THE MECHANICAL BOARD OF APPEALS FOR THE REMAINDER OF AN UNEXPIRED TERM OF OFFICE TO EXPIRE MARCH 20, 2010.

2008-06-12-0545

- C. AN ORDINANCE REAPPOINTING ROBERTO ANGUIANO (SOUTH QUADRANT) TO THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES FOR A TERM OF OFFICE TO EXPIRE MAY 31, 2012.

[CONSENT ITEMS CONCLUDED]

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

The City Clerk read the following Ordinance:

2008-06-12-0516

Item 10. AN ORDINANCE ACCEPTING THE BID FROM PREFERRED LANDSCAPE & LIGHTING TO PROVIDE THE CITY WITH SUPPLY, INSTALLATION AND MAINTENANCE OF NEW TREES FOR THE STREET TREE PLANTING PROGRAM FOR A COST OF \$182,875.00, FROM THE TREE MITIGATION BUDGET.

Councilmember Cibrian requested a status on the Street Tree Planting Initiative. Mr. Malcolm Matthews reported that said contract included the planting of 400 trees at five locations throughout the City and a one-year watering program. He highlighted the locations and dates for tree planting by Council District. Councilmember Cibrian recommended that funds from the Tree Mitigation Fund be managed through a non-profit entity.

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

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

The City Clerk read the following Ordinance:

2008-06-12-0517

Item 11. AN ORDINANCE AUTHORIZING A CONTRACT WITH INX, INC., UTILIZING THE TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR) CONTRACT DIR-SDD-239, FOR THE PURCHASE OF INFRASTRUCTURE NETWORK EQUIPMENT FOR THE TRAFFIC SIGNAL SYSTEM MODERNIZATION (TSSM) PROJECT, AT AN ESTIMATED COST OF \$9,061,000.00.

Councilmember Rodriguez requested a status report on the Traffic Signal System Modernization (TSSM) Project and asked about coordination with TXDOT regarding the synchronization on Bandera Road from Loop 1604 to Loop 410. Mr. Majed Al-Ghafry outlined the three components of the TSSM and noted that data connection had been completed for the first phase. He stated that said action was for the network system. He added that full system implementation should be completed by the end of the year. Ms. Lily Banda added that several meetings had been coordinated with TXDOT and they were

looking to identify funds for the synchronization along Bandera Road. If funds are not identified, City Staff will work with TXDOT on synchronizing their timing plans rather than changing out their controllers.

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

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

The City Clerk read the following Ordinance:

2008-06-12-0519

Item 13. AN ORDINANCE ACCEPTING THE OFFER FROM GRAND PRAIRIE FORD FOR THE PURCHASE OF UP TO TWENTY-TWO HYBRID SPORT UTILITY VEHICLES FOR A COST NOT TO EXCEED \$563,002.00, FROM THE EQUIPMENT RENEWAL & REPLACEMENT FUND AND GENERAL FUND.

Councilmember Rodriguez asked if said vehicles would be assigned to Code Compliance Officers and the justification for Sport Utility Vehicles. Assistant City Manager Sharon De La Garza confirmed that they would be assigned to Code Compliance Officers and were needed due to the heavy amount of equipment and materials carried. Councilmember Rodriguez asked that staff continue to monitor what is happening in the market place regarding alternative and flex fuels due to the ever changing industry.

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

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

The City Clerk read the following Ordinance:

2008-06-12-0522

Item 16. AN ORDINANCE AMENDING A PROFESSIONAL SERVICES AGREEMENT WITH BAIN MEDINA BAIN IN THE AMOUNT OF \$70,464.50, AND AWARDED A CONSTRUCTION CONTRACT TO SAN ANTONIO CONSTRUCTORS LTD IN THE AMOUNT OF \$11,786,904.78, OF WHICH \$817,217.00 WILL BE REIMBURSED BY CPS ENERGY, \$1,493,756.83 WILL BE REIMBURSED BY SAN ANTONIO WATER SYSTEMS, AND \$1,201,567.99 WILL BE REIMBURSED BY BEXAR METROPOLITAN WATER DISTRICT, IN CONNECTION WITH RIP RAP #69 PHASE II D PROJECT, AN AUTHORIZED 2005 STORM WATER REVENUE BOND AND 2007-2012 BOND PROGRAM FUNDED PROJECT LOCATED IN COUNCIL DISTRICT 3, AND APPROPRIATING \$9,273,541.82.

Councilmember Ramos requested a history of the Rip Rap #69 Project. Ms. Debbie Sittre, CIMS Assistant Director stated that the program was funded by the 2005 Stormwater Revenue Bond Program and the 2007 Bond Program. She noted that the last phase of the project would be completed through the 2007 Bond Program. She added that channel improvements would utilize rip rap stones which

would stabilize the drainage channel and help with erosion. Councilmember Ramos asked staff to keep the residents informed of upcoming work and solicit their input regarding signage.

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

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

The City Clerk read the following Ordinance:

2008-06-12-0523

Item 17. AN ORDINANCE APPROVING CHANGE ORDER NO. 8 IN THE AMOUNT OF \$46,645.70 TO THE \$1,476,166.00 CONSTRUCTION CONTRACT, AS CHANGED, WITH COLLECTIVE CONTRACTING, INC. FOR ADDITIONAL WORK IN CONNECTION WITH THE HACKBERRY (STEVES TO SOUTHCROSS) AND LINDA LOU (PRESA TO HACKBERRY) PROJECTS, LOCATED IN COUNCIL DISTRICT 3, AND APPROPRIATING FUNDS.

Councilmember Ramos asked why a change order was necessary. Ms. Debbie Sittre stated that the original scope of work only included a mill and overlay but as work began on the project, staff realized that additional work was necessary. They decided to completely reconstruct the street which resulted in the need for additional quantities of asphalt and street materials.

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

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

The City Clerk read the following Ordinance:

2008-06-12-0525

Item 19. AN ORDINANCE APPROVING AND AUTHORIZING THE USE OF HOTEL OCCUPANCY TAX RENEWAL IMPROVEMENT CONTINGENCY FUNDS IN THE AMOUNT OF \$500,000.00 FOR INTERIOR IMPROVEMENTS AND RENOVATIONS TO THE HENRY B. GONZALEZ CONVENTION CENTER.

Councilmember Cortez asked how said improvements would be paid for and what was being done to improve the Convention Center to attract more conventions and increase bookings. Mr. Michael Sawaya stated that an ad hoc board had been created to provide input on marketing San Antonio. The Board made several recommendations such as increased permanent seating and work areas, improvements to the concession stands in the exhibit halls, and enhancements to the grotto area located on the river level. Mr. Sawaya noted that funds from the Hotel Occupancy Tax Fund would be used to pay for said improvements.

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

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

The City Clerk read the following Ordinance:

2008-06-12-0527

Item 21. AN ORDINANCE AUTHORIZING FIVE-YEAR CONCESSION AGREEMENTS AT SAN ANTONIO INTERNATIONAL AIRPORT WITH VARIOUS COMPANIES REPRESENTING THE FOLLOWING CAR RENTAL AGENCIES FOR COMBINED GUARANTEED TERM RENTALS OF \$45,724,096.00 ADVANTAGE, ALAMO, AVIS, BUDGET, DOLLAR/THRIFTY, ENTERPRISE, HERTZ, AND NATIONAL.

Councilmember Cortez requested an overview of the bid process for the concession agreements. Mr. Mark Webb explained that the current concession agreements with car rental companies would expire at the end of the month. Through a Request for Proposals (RFP), eight companies proposed nine brands and the Airport has enough ticket counters to accommodate all of them. There is a minimum annual guaranteed payment to the city, as well as percentage rent which totals \$45,724,096 over the five-year contract period. Councilmember Cortez asked if there was any local business participation. Mr. Webb stated that Budget and Advantage were locally-owned franchises.

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

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

The City Clerk read the following Ordinance:

2008-06-12-0531

Item 25. AN ORDINANCE AUTHORIZING THE ANNUAL SUBMISSION OF FOURTEEN GRANT APPLICATIONS AND RENEWALS AND THE ACCEPTANCE OF SAID FUNDS UPON AWARD IN AN AMOUNT UP TO \$10,648,477.00 FROM THE TEXAS DEPARTMENT OF STATE HEALTH SERVICES FOR CORE PUBLIC HEALTH FUNCTIONS OF THE SAN ANTONIO METROPOLITAN HEALTH DISTRICT FOR THE 2008-2009 FUNDING PERIOD; AND AUTHORIZING THE EXECUTION OF ANY NECESSARY DOCUMENTS.

Councilmember Cortez asked how many grants were addressing the issue of Diabetes in the community. Dr. Fernando Guerra stated that the Diabetes Services Program was a relatively small program that began about five years ago. He noted that the program was very successful and the model was being duplicated on the East Side to target the African-American population. He mentioned that said program was the only one funded by the State but there were other Diabetes-related programs which were supported by federal funding. Dr. Guerra stated that said grant would be used for staff, education materials, and direct services.

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

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

The City Clerk read the following Ordinance:

2008-06-12-0541

Item 34. AN ORDINANCE AUTHORIZING A PROFESSIONAL SERVICE AGREEMENT WITH MATRIX DESIGN GROUP, INC. IN AN AMOUNT UP TO \$300,000.00 FOR THE PERFORMANCE OF A JOINT LAND USE STUDY OF THE CAMP BULLIS AREA.

Councilmember Herrera requested additional information on said item. Mr. Robert Murdock stated that the Council had previously approved a Joint Land Use Study for Camp Bullis and that an RFP had been solicited for said contract. He noted that the purpose of the study was to ensure compatible land use around the perimeter of Camp Bullis and to develop a compromise between developers and the military. He explained that four proposals had been received and evaluated by a committee comprised of representatives from the Office of Military Affairs, Economic Development, Planning and Community Development and Aviation Departments, as well as the Military Transformation Task Force and Bexar, Comal and Kendall Counties. Mr. Murdock noted that the committee recommended the Matrix Design Group.

Councilmember McNeil emphasized that this was not just a San Antonio issue but a concern that was being addressed statewide.

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

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

The City Clerk read the following Ordinance:

2008-06-12-0542

Item 35. AN ORDINANCE AUTHORIZING THE NAMING OF THE INTERIOR WEST PARTITION OF THE BUILDING PREVIOUSLY KNOWN AS THE LEVI STRAUSS & COMPANY FACILITY LOCATED AT 5800 U. S. HIGHWAY 90 EAST IN COUNCIL DISTRICT 6 AS THE "RONALD R. DARNER PARKS AND RECREATION OPERATIONS HEADQUARTERS".

Councilmember Herrera requested a biography of Mr. Ron Darner and the significance of the renaming of the building. Mr. Malcolm Matthews stated that Mr. Darner was the previous Director of the Parks and Recreation Department and had served the Department for over 20 years. During Mr. Darner's tenure, there were many changes which set the tone for improvements being made today. He added that Mr. Darner had been involved in the city's first nature parks – Friedrichs and Eisenhower, and the creation of the Botanical Garden. It was explained that the Parks Operation Area of the building would be named after Mr. Darner and that the area housing the Community Center would be named separately. Mr. Matthews stated that a garden within the facility would be named after Sal Escobedo, a Parks and Recreation Employee who recently died on the job.

Councilmember Galvan asked that Fuerza Unida be recognized within the property.

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

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

The City Clerk read the following Resolution:

2008-06-12-0030R

Item 36. A RESOLUTION EXTENDING THE CITY'S DEADLINE FOR ITS CONDITIONAL CONSENT TO THE CREATION BY BEXAR COUNTY OF UP TO THREE PUBLIC IMPROVEMENT DISTRICTS (PIDS) FOR THE ESPADA PROJECT FROM JUNE 13, 2008 TO SEPTEMBER 30, 2008.

Councilmember Ramos asked if the September 30, 2008 extension was sufficient. Mr. Jesus Garza stated that the County had given conditional consent of the creation of up to three Public Improvement Districts (PIDS) through September 1, 2008 and staff was working with the developer to provide due diligence on the project.

Councilmember Ramos moved to adopt the proposed Resolution. Councilmember Cisneros seconded the motion.

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

POINT OF PERSONAL PRIVILEGE

Councilmember Cortez recognized Amanda Draeger who is participating in the Ambassador Program and will be a Summer Intern in District 4. He also wished all fathers a Happy Father's Day and recognized his father Willie Cortez.

CITY MANAGER'S REPORT

Deputy City Manager Pat DiGiovanni reported on the Farmer's Market being held at Municipal Plaza every Friday beginning June 13, 2008 from 8:00 am until 1:00 pm. He stated that locally-produced fruits and vegetables would be sold to the public.

EXECUTIVE SESSION

At this time, Mayor Hardberger recessed the Regular Meeting at 11:57 am to break for lunch and convene in Executive Session at 1:30 pm for the purpose of:

- A. Deliberate the purchase, exchange, lease, or value of certain real properties and discuss related legal issues pursuant to Texas Government Code Sec. 551.072 (real property) and Texas Government Code Sec. 551.071 (consultation with attorney)

Mayor Pro Tem McNeil reconvened the Regular Meeting at 5:15 pm at which time it was noted that the City Council had been briefed on the above-styled matter but took no action.

CEREMONIAL ITEMS

Mayor Pro Tem McNeil presented a Proclamation for the 37th Annual Texas Folklife Festival which will be held June 13-15, 2008 on the grounds of UTSA's Institute of Texan Cultures. The festival celebrates the rich and colorful heritage of more than 40 diverse cultures of the Lone Star State. The 3-day extravaganza is the place for visitors to revel in a smorgasbord of ethnic food, world music, crafts, educational activities, carnival rides and fun for the whole family.

Newly appointed Boards and Commission Members were sworn-in by City Clerk Leticia Vacek. The Mayor and Council presented certificates of appointment and congratulated each member. The City of San Antonio is fortunate to have loyal and dedicated citizen volunteers who contribute their time and energy as members of the various Boards and Commissions.

POINT OF PERSONAL PRIVILEGE

Councilmember Rodriguez recognized Mr. Larry Patin for his achievements and contributions citywide and specifically to District 7.

CITIZENS TO BE HEARD

Mr. Mark Perez asked why CPS Energy was providing service to buildings that had not passed inspection. He stated that he had been requesting information on facilities throughout the City but was told that there were no records. He noted a facility with underground storage tanks that was given a Certificate of Occupancy without having been inspected.

Mr. Faris Hodge, Jr. expressed concern with the City Dress Code, the proclamation given to the Bandidos by Councilmember Galvan, and Councilmember Rodriguez's idea for cell phone ban. He stated that the Council Offices needed public restrooms and that the train at Brackenridge Park was too small for adults. He added that the Library needed new carpet, had graffiti problems and insufficient lighting. Lastly, he sang two songs including "Happy Birthday" to Councilmember McNeil.

Ms. Patsy Moran, Olmos Park Terrace Neighborhood Association, stated that the neighborhood was approached by Olmos Park Councilmember Jeff Judson to create a quiet zone. She stated that this would cause issues with traffic in the area and limit accessibility for emergency vehicles and VIA Trans. She noted that a study could be costly to the city and noted that even though Olmos Park had claimed that they would help with costs, they could not. She added that she did not think it was appropriate for Olmos Park to constantly push their needs onto the City of San Antonio.

Mr. Bill Gulick, Olmos Park Terrace Neighborhood Association, stated that the train had been in the area for over forty years and the neighborhood was also close to the freeway. He noted that change was

inevitable, but creating a quiet zone was not a solution. He added that if the City really wanted to spend money in the neighborhood, they should build a gazebo in the local park.

Ms. Christine Drennon, President of the Olmos Park Terrace Neighborhood Association, read a letter which she had written in opposition to the creation of a quiet zone. She stated that the general consensus of the Association was that they were not in favor of the creation of the quiet zone if it disrupted traffic patterns in the neighborhood. She noted that many residents had lived with the train for over 50 years and that those who had purchased homes more recently were aware of the train's presence. She added that they were opposed to the following: 1) Funding a traffic study, 2) Any street closures, and 3) A proposed Traffic Plan that includes the creation of several one-way streets.

Mr. Dan Klein, Olmos Park Terrace Neighborhood Association, spoke against the creation of a quiet zone. He stated that taxpayer dollars should be spent on the citizens of San Antonio rather than those of another city. He noted that neighbors were close and that a change to the roads would disrupt the children who played in the neighborhood. Lastly, he stated that the City of Olmos Park should not be allowed to dictate to the City of San Antonio.

Mr. Jerry Tyson, Olmos Park Terrace Neighborhood Association, noted that there were many arguments against the quiet zone and the residents of the area were overwhelmingly opposed.

Ms. Estella Tyson, Olmos Park Terrace Neighborhood Association, stated that the idea of creating a quiet zone came about when a realtor in Olmos Park decided to sell her home. The realtor claimed that train noise was the reason she could not sell her home although other homes in the area had been sold. Ms. Tyson stated that the reason that the home was not selling was because it was priced over \$100,000 above the appraisal value. She noted that the plan to create a quiet zone had not been approved by Olmos Park Officials and that Olmos Park could not pay for any of the changes.

Mr. David Medina addressed the Council and gave a presentation on illegally dumped tires. He noted that it was a problem that dated a long time back and provided photos of tires that had been dumped throughout the City. He spoke of the associated dangers and issues including mosquitoes, potential chemical impact on the aquifer and cost to taxpayers. He noted that tires were an eyesore in the community. Mr. Medina recommended that the Council require tire shops to obtain a license or that they stencil shop identification onto tires so that illegally dumped tires could be tracked. He stated that City Inspectors could make random visits to shops to ensure that tires were properly labeled and disposed.

Mr. Michael John noted that he was a Riverwalk Vendor and had numerous issues with the Parks and Recreation Department. He stated that Mr. Malcolm Matthews had lied to the Council, the Ethics Review Board, and the Quality of Life Council Committee. He added that Mr. Matthews had not followed direction given to him by superiors and should be removed from his position.

Mr. George Alejos stated that the San Antonio Housing Authority (SAHA) CEO, Mr. Henry Alvarez, was resigning and leaving SAHA in a bad financial position due to negligence. He noted that according to HUD, SAHA over leased Section 8 Housing and did not utilize housing reserves. Mr. Alejos stated that families were being removed from Section 8 Housing in an effort to fix the SAHA Budget.

Catrina Jacobo stated that Mr. Henry Alvarez had been a huge obstacle in getting assistance for the Mirasol Residents. She noted that the Task Force continued to harass residents and that the cost of maintaining the Task Force was a reason to dismantle it. She complained that workers were using her utilities to fix other homes. Ms. Jacobo stated that residents who were facing foreclosure were being forced into the buyback program and required to use a mortgage company that provided kickbacks to a SAHA Employee. Lastly, she thanked Councilmembers Galvan and Cibrian for their efforts and asked Councilmember Herrera to become more involved.

Raymond S. White stated that the Mirasol Children were the future. He noted that they were getting sick and no one was willing to help them. He added that they needed a better place to live and urged the Council to assist.

Ms. Laura Rodriguez thanked the Council for their assistance in helping her get their air conditioner fixed in her Mirasol Home. She addressed the Council last week and since that time, SAHA sent a representative to repair it.

Ms. Petra Maldonado noted that the Mirasol Residents were relieved that Mr. Henry Alvarez had resigned. She stated that the SAHA Board had their own agenda and she could only hope that things would change for the better. She thanked the Council for helping the residents and for reevaluating the Kids Quest fees.

Mr. Guadalupe Lopez stated that the Mirasol Residents and SAHA Employees should be happy that Mr. Henry Alvarez had resigned. He thanked the Council for helping a few families with their air-conditioning units and for supporting Mr. Ramiro Cavazos.

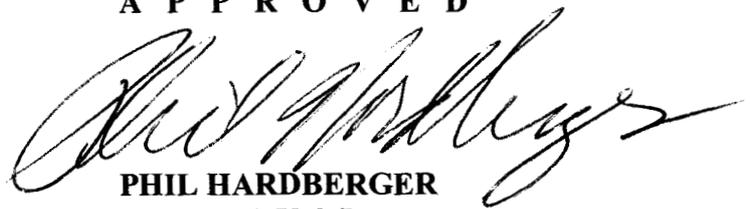
Ms. Janet Ahmad stated that Mr. Henry Alvarez had missed an opportunity to correct all the problems that he had inherited when he arrived at SAHA. She noted that the new SAHA Board had accomplished more in four months than the others had done over a number of years. She stated that the Task Force had done what it was created to do, but the information should have been sent to the Federal Trade Commission and the Task Force should be dissolved. Ms. Ahmad added that the Mirasol Residents did not attend Task Force meetings anymore because they were better served in working with the SAHA Board Members.

Mr. Nazirite Ruben Flores Perez noted that his work hours had changed to end at 6:30 pm and he was considering filing a complaint with the Federal Government. He referred to the Bible and provided the Council with pictures representing Government and the United Nations.

ADJOURNMENT

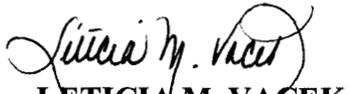
There being no further business to discuss, Mayor Hardberger adjourned the meeting at 7:00 pm.

A P P R O V E D



**PHIL HARDBERGER
MAYOR**

Attest:



**LETICIA M. VACEK
City Clerk**